

January 26, 2009

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 4:30 p.m., Monday, January 26, 2009, at the District Office, 500 Davidson Street, Novato.

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

BOARD MEMBERS ABSENT: Arthur T. Knutson.

STAFF PRESENT: Manager-Engineer-Secretary Beverly B. James, Deputy Manager-Engineer Sandeep Karkal, and Administrative Secretary Julie Borda.

ALSO PRESENT: Sam Renati, former Board Member

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL: *On motion of Member Quesada, seconded by Member Long, and unanimously carried by those Members present, the agenda was approved as mailed.*

PUBLIC COMMENT: Sam Renati commented on the weather.

BOARD MEMBER REPORTS:

President Di Giorgio and Members Long and Fritz reported on their attendance at the California Association of Sanitation Agencies (CASA) conference held in Indian Wells, CA, from January 21st through January 24th. Member Long discussed two presentations he attended while at the conference. He stated the first presentation was very interesting and noted the speaker discussed an approach to asset risk management, with real-life examples, to show how risk is measured. He suggested the District follow a program where we quantify our risks and establish a plan on how to handle these risks. Member Long also discussed his attendance at a seminar regarding the State Revolving Fund (SRF) calculation schedule.

Member Fritz discussed the CASA meeting schedule.

President Di Giorgio commented on his attendance at the State Revolving Fund seminar noting components of the stimulus package such as loan forgiveness and extended pay back periods were very interesting. He also discussed changes in the Supplemental Environmental Project (SEP).

REVIEW OF MINUTES:

Consider approval of minutes of the January 12, 2009 meeting: *On motion of Member Quesada, seconded by Member Fritz, and unanimously carried by those Members present, minutes of the January 12th meeting were approved.*

CONSENT CALENDAR: *On motion of Member Quesada, seconded by Member Long, and unanimously carried by those Members present, the following consent calendar items were approved:*

- a. Approval of the Board Meeting schedule as follows: February 9th and 23rd, March 9th and 23rd, April 13th and 27th.
- b. Approval of Oleander Subdivision Sewer Main Extension.
- c. Approval of regular disbursements in the amount of \$117,683.10, upgrade project disbursements in the amount of \$237,280.12, and employee related disbursements in the amount of \$321,366.99.

LIABILITY CLAIM:

- Consider rejection of claim from Joseph Speer, 60 Caribe Isle: The Manager reported on an incident that occurred on December 17, 2008 when Mr. Joseph Speer inadvertently fell into an open manhole at a location where District personnel were working. On January 16, 2009 the District received a Municipal Court claim from Mr. Joseph Speer for an unspecified amount between \$10,000 and \$25,000.

This matter was referred to the District's claims adjuster at Carl Warren and Co. who recommended rejection of the claim under Government Code Section 913. The Manager explained that while this is not a denial of the claim, the action sets the 6-months statute of limitations in motion during which time the claimant may file suit. Without timely notice of rejection, the statute is extended to two years. Based on the information provided, there appears to be some liability on the part of the District. The claims adjuster and the District will continue to work with Mr. Speer to reach a satisfactory resolution of the claim.

Mr. Speer was contacted by June Brown, Administrative Services Manager, to brief him on the process and the formality of denying the claim. He expressed his understanding in the matter.

On motion of Member Fritz, seconded by Member Long, and carried unanimously by those Members present, the liability claim from Joseph Speer of 60 Caribe Isle was rejected.

ANNUAL RECLAMATION FACILITIES IMPROVEMENTS PROJECT 72804:

- Approve proposal to rehabilitate irrigated parcels of the Reclamation Facility: The Manager explained that the District has been operating the Reclamation Facility irrigation pastures for 25 years with only minor improvements. She stated that the majority of the parcels are in need of discing, leveling and reseeded due to settlement and believes that the life of the pastures will be extended with this rehabilitation. The Manager would like to rehabilitate the majority of the District's irrigation pastures at a future date, but at this time, seeks Board approval for only Parcels 21 and 31.

For Parcel 21, Custom Tractor Services has submitted a proposal to the District in the amount of \$19,060.00 or \$953 per acre to disc, level and apply District furnished seed. Custom Tractor Service would also rehabilitate Parcel 31 at a later time in 2009.

The Manager recommends accepting Custom Tractor Service's proposal to complete Parcels 21 and 31 for an amount not to exceed \$50,000.

The Board discussed the options and benefits of the work to be performed. Member Long questioned if there may be cost benefits to leaving the land for water distribution only without livestock being on the property. The Manager noted that the land would still require maintenance and used the Las Gallinas Valley Sanitary District as an example. This district does not graze cattle but must turn the soil over annually to prevent pooling of water which can bring mosquitoes and other problems.

Member Quesada requested the Manager speak with past consultants who have recommended re-seeding of the areas as an alternative treatment.

On motion of Member Fritz, seconded by Member Long, and unanimously carried by those Members present, the Board accepted the proposal by Custom Tractor Service and authorized the expenditure to complete the rehabilitation of Parcels 21 and 31 for an amount not to exceed \$50,000.00

BEL MARIN KEYS PUMP STATION REHABILITATION PROJECT 72403:

- Receive Progress Report: The Deputy Manager discussed with the Board the progress on the Bel Marin Keys Pump Station Rehabilitation project. He noted that 54% of the time has elapsed but the project is only 23% complete. Should the contractor lose additional time, the potential exists that they may overrun the completion date. However, staff and the District's Construction Manager are proactively discussing this issue and opportunities for work acceleration are being identified for implementation. The Substantial Completion date is still planned for May 30, 2009.

The Manager stated that she has been on site and noted that it is possible the project is not as far behind as it appears; the most labor intensive portion of the project has recently been completed.

MANAGER'S ANNOUNCEMENTS:

The Manager noted she will be on vacation from January 28th through February 5th.

CASA is having their first ever "Legislative Day in the District" on February 13th. This is a local grassroots lobbying effort in which individual agencies meet with their legislators in their district offices to discuss issues of interest to the wastewater community.

The status of the State Budget is uncertain.

The Recycled Water Subcommittee will be meeting at the District office on January 27th at 4 p.m. They will discuss recycled water projects in this local area.

The Deputy Manager discussed his attendance at the CASA conference from January 21st through the 24th.

ADJOURNMENT: There being no further business to come before the Board, President Di Giorgio adjourned the meeting at 5:17 p.m.

Respectfully submitted,

Beverly B. James
Secretary

Julie Borda, Recording