

January 14, 2013

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 6:00 p.m., Monday, January 14, 2013, preceded by a special ceremony at 4:00 p.m. to present the 2012 Safety Awards, at the District offices, 500 Davidson Street, Novato.

BOARD MEMBERS PRESENT FOR SPECIAL CEREMONY: President Michael Di Giorgio, Members William C. Long, Jean Mariani, and Jerry Peters. Member Dennis Welsh was absent.

STAFF PRESENT FOR SPECIAL CEREMONY: Manager-Engineer-Secretary Beverly B. James, Deputy Manager-Engineer Sandeep Karkal and Administrative Secretary Julie Swoboda.

ALSO PRESENT FOR SPECIAL CEREMONY:

Larry Foged, Novato Sanitary District employee
Dasse de longh, Novato Sanitary District employee
June Brown, Novato Sanitary District employee
Laura Creamer, Novato Sanitary District employee
Robin Merrill, Novato Sanitary District employee
Scott Zubrzycki, Novato Sanitary District employee
PJ Siragusa, Novato Sanitary District employee
Kevin Craig, Novato Sanitary District employee
Paco Sandoval, Novato Sanitary District employee
Craig Deasy, Novato Sanitary District employee
Tim O'Connor, Novato Sanitary District employee
Steve Krautheim, Novato Sanitary District employee
Bill Northcroft, Novato Sanitary District employee
Dale Thrasher, Safety Director, Novato Sanitary District

The Manager-Engineer began the special ceremony and outlined the District's Safety Incentive and Wellness Program. She stated that the program period was January 1, 2012 through December 31, 2012 and was funded from the Worker's Compensation dividend of \$20,703 received September 2011. The Manager discussed the Wellness Program and the Safety Incentive Program, stating that employees who worked safely for the full 2012 calendar year would be receiving monetary awards.

President Di Giorgio thanked and congratulated the employees for working safely.

Awards and incentives were distributed to the qualifying employees.

At 4:15 p.m., President Di Giorgio declared the special ceremony concluded.

At 6:00 p.m., the regular meeting of the Novato Sanitary District Board of Directors was convened.

BOARD MEMBERS PRESENT: President Michael Di Giorgio, Members William C. Long, Jean Mariani, and Jerry Peters. Member Dennis Welsh was absent.

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

ALSO PRESENT: Dasse de longh, Novato resident, NSD employee
Delyn Kies, Novato resident
John Bailey, Project Manager, Veolia Water

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL:

The Manager requested that item 12b: *Consider nominating a representative to the Hazardous and Solid Waste Management JPA Task Force* be moved for consideration directly after the review of the Minutes.

President Di Giorgio stated that the Agenda would be modified as so requested.

PUBLIC COMMENT: None.

REVIEW OF MINUTES:

Consider approval of minutes of the December 10, 2012 meeting.

On motion of Member Mariani, seconded by Member Long, and carried unanimously by those Members present, the minutes of the December 10, 2012 Board meeting were approved.

- Item 12b: Consider nominating a representative to the Hazardous and Solid Waste Management JPA Task Force: The Manager stated that one of Marin County's Hazardous and Solid Waste Management Joint Powers Authority Local Task Force Special District seats is currently vacant. She noted that the task force includes members from the solid waste haulers, special districts, general public, and environmental organizations. The Manager recommended the Board nominate Dee Johnson, Household Hazardous Waste Manager Facility Coordinator for the Task Force.

Delyn Kies, Novato resident, gave an overview of the subcommittees and noted that she is a member of the Task Force.

On motion of Member Mariani, seconded by Member Peters and carried unanimously by those Members present, Dee Johnson was nominated for the JPA Task Force.

CONSENT CALENDAR:

On motion of Member Long, seconded by Member Mariani and carried unanimously by those Members present, the following Consent Calendar items were approved:

- a. Approval of license agreement renewal with North Marin Water District and authorization of Board President Di Giorgio to execute the same.
- b. Approval of regular disbursements in the amount of \$317,084.98, project account disbursements in the amount of \$1,747,603.58, and payroll and payroll related disbursements in the amount of \$243,109.12. Ratification of December's regular disbursements in the amount of \$53,320.72 and Board Member fees in the amount of \$2,228.22.

WASTEWATER OPERATIONS:

- Receive Wastewater Operations Committee Report for November 2012. The Deputy Manager-Engineer discussed the November 2012 operation reports for the wastewater treatment, collection, and reclamation facilities. Information on completion of digester cleaning for the Ignacio digester and the Novato No. 2 digester was presented. The Deputy Manager-Engineer discussed the treatment facility and the Collections System operations during the wet weather events in December.

WASTEWATER FACILITY UPGRADE (RECYCLED WATER) PROJECT NO. 73002:

- Consider adjusting the fiscal year 2012-13 budget amount for the recycled water project to \$1,250,000 from \$900,000. The Manager stated that on May 9, 2011, the District Board awarded the Contract D - Novato Recycled Water Facility Project to Gateway Pacific Contractors, Inc. She noted that the fiscal year 2012-13 budget presented at the June 25, 2012 Board meeting included \$1,250,000 for this project but that the final budget, adopted in August 2012, had been changed to \$900,000. The Manager stated that project close-out costs and release of retainage/withholding amounts which were not reflected in the final budget amount of \$900,000 and she requested the Board revise the budget amount back to \$1,250,000 for this project.

On motion of Member Long, seconded by Member Peters and carried unanimously by those Members present, the Board approved adjusting the fiscal year 2012-13 budget amount for the recycled water project to \$1,250,000 from \$900,000.

- Consider granting final acceptance of the Project and authorizing staff to file the Notice of Completion. The Manager stated that substantial completion of the Contract D - Novato Recycled Water Facility Project was granted on September 25, 2012. She

requested the Board grant final acceptance and authorize staff to file the Notice of Completion.

On motion of Member Peters, seconded by Member Long and carried unanimously by those Members present, the Board accepted the Wastewater Facility Upgrade (Recycled Water) Project No. 73002 and authorized the Manager-Engineer to file the Notice of Completion.

ADMINISTRATION:

- Consider adoption of Resolution No. 3053 to CalPERS for paying and reporting the value of Employer Paid Member Contributions and for Normal Member Contributions. The Manager reported that the Resolution implements the Memorandum of Understanding (MOU) between Novato Sanitary District and Teamsters Local 315 for the period July 1, 2012 through June 30, 2013. She noted that one of the provisions of the MOU is a change in the formula for payment and reporting of Employer Paid Member Contributions. The Manager stated that this modification requires adoption of a resolution by the District Board for submission to CalPERS.

On motion of Member Peters, seconded by Member Long, and carried unanimously by those Members present, the Board adopted Resolution No. 3053: Resolution for Paying and Reporting the Value of Employer Paid Member Contributions.

- Consider approval of an increase in scope for Barg, Coffin, Lewis, and Trapp in the amount of \$41,975.00. The Manager noted that the Board previously authorized expenditures up to \$93,000 for legal services to Barg, Coffin, Lewis, and Trapp (Barg Coffin) for representation of the District in the Administrative Civil Liability (ACL) case brought by the Regional Water Quality Control Board. She stated that to date, \$85,370.81 has been paid to Barg Coffin.

The Manager stated that in mid-2012 a protest was put forth against the proposed Settlement Agreement between the District and the Regional Board which required further legal representation by Barg Coffin. The final invoice for these services, in the amount of \$49,604.19, had been received which caused the budget to be exceeded by \$41,975. She requested the Board approve the increase to the Barg Coffin contract agreement by \$41,975.

On motion of Member Mariani, seconded by Member Long and carried unanimously by those Members present, the Board approved the contract amendment with Barg, Coffin, Lewis, and Trapp in the amount of \$41,975 for increased legal defense fees in connection with the Regional Water Quality Control Board Administrative Civil Liability case.

LOCAL AGENCY FORMATION COMMISSION (LAFCO):

- Consider nominating a Special District representative to LAFCO. No candidates were proposed and no action taken.

HAZARDOUS AND SOLID WASTE MANAGEMENT:

- Consider approval of Marin County Hazardous and Solid Waste Grant Agreement for fiscal year 2012-13. The Manager stated that 2013 represents the 10th year the District has entered into an agreement with the Marin County Hazardous & Solid Waste Joint Powers Authority (JPA). She stated that the JPA has committed \$50,639.00 for the 2012/13 fiscal year.

On motion of Member Long, seconded by Member Peters and carried unanimously by those Members present, the Board approved the Household Hazardous Waste Grant Agreement with the Marin County Hazardous & Solid Waste Joint Powers Authority for 2012-13.

STAFF REPORTS:

- Legislative Analyst's report on California property tax distribution. The Manager gave an overview of the Legislative Analyst's Office report, "Understanding California's Property Taxes" and how the District's share of the 1% property tax rate is distributed.

- District policy compilation. The Manager thanked June Brown, Administrative Resources Manager, for her work in completing the compilation of District policies. She stated that the Board will begin to review and adopt the policies at future Board meetings.

BOARD MEMBER REPORTS:

- President Di Giorgio discussed his participation at the North Bay Watershed Association meeting which was held on January 4th at the Marin Community Foundation. He stated that the presentations were well done and commented positively on the collaboration of local agencies.

- President Di Giorgio and Members Peters, Mariani and Long stated that the California Special District Association "Rules of Order Webinar" was beneficial and very informative.

MANAGER'S ANNOUNCEMENTS:

- Deputy Manager-Engineer Sandeep Karkal and Mark Takemoto, RMC Water and Environment have prepared two technical papers on the Recycled Water Project and

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these will be presented at the annual California Water Environment Association (CWEA) and the California Water Reuse conferences.

- The Wastewater Operations Committee meeting will be held on Tuesday, January 22nd at 2:00 p.m. at the District office.

- The North Bay Water Reuse Authority Technical Advisory Committee will hold a Workshop and Board Meeting on January 28th at 9:30 a.m. at Novato City Hall Council Chambers.

ADJOURNMENT: There being no further business to come before the Board, President Di Giorgio adjourned the meeting at 7:15 p.m.

Respectfully submitted,

Beverly B. James
Secretary

Julie Swoboda, Recording