

November 26, 2012

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 6:00 p.m., Monday, November 26, 2012, at the District Office, 500 Davidson Street, Novato.

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

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

ALSO PRESENT: John Bailey, Project Manager, Veolia Water  
Brant Miller, Novato resident  
Bob Guinan, Novato resident

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL: The agenda was approved as written.

PUBLIC COMMENT: None.

REVIEW OF MINUTES:

Consider approval of minutes of the November 13, 2012 regular Board meeting.

*On motion of Member Long, seconded by Member Peters, and carried unanimously, the November 13, 2012 Board meeting minutes were approved.*

CONSENT CALENDAR:

*On motion of Member Mariani, seconded by Member Peters and carried unanimously, the following Consent Calendar items were approved:*

- a. Approval of expenditure and authorization for the Manager-Engineer to execute contracts with Marin Audubon Society for Supplemental Environmental Projects.
- b. Approval of regular disbursements in the amount of \$327,508.65, project account disbursements in the amount of \$230,419.90, and payroll and payroll related disbursements in the amount of \$228,460.59.

ADMINISTRATION:

- Consider procedural rejection of claim from Terry Odetto, 39 Devonshire Drive, Novato, concerning sewer backup on October 22, 2012: The Manager gave an overview of Ms. Odetto's claim which followed a sewer backup incident at her

residence. The Manager clarified that the District's rejection of the claim is an administrative/procedural action that will limit the time that the claimant may file suit for money or damages. She stated that generally a negotiated settlement is reached between the District's claims adjuster, Carl Warren and Co., and the claimant; but in the event of a lawsuit, a claim rejection restricts the claimant's statute of limitations to six months instead of two years. The Manager stated that the matter has been discussed with Carl Warren and Co. and staff recommends procedural denial of the claim from Ms. Odetto.

The Manager stated that once a resolution has been reached, the claim will be brought back to the Board for their approval.

*On motion of Member Peters, seconded by Member Long and carried unanimously, the Board procedurally rejected the claim from Terry Odetto concerning the sewer backup incident at 39 Devonshire Drive, Novato, on October 22, 2012.*

- Review of Quarterly Revenue and Expenditure report: The Manager reviewed the report and gave a summary of revenues and expenditures for the operating and capital funds through the first quarter of Fiscal Year 2012-13. She stated that the operating revenues are approximately 1.7% of the total budget amount with 25% of the year completed and noted that operating income accounts are within normal range for this time of year.

The Manager reviewed the operating expenditures, stating that the expenses are approximately 20.4% of the total budget amount with 25% of the year completed. She reviewed and explained the items that varied significantly from 25% of the budget.

- Review Accounts Receivable report. The Manager reviewed the Accounts Receivable summary and noted that receivables over 90 days old amount to \$5,102.69 or 0.056% of the District's total budgeted operating revenue.

#### DISTRICT CONFLICT OF INTEREST CODE:

- Consider adoption of Resolution No. 3052, revising District Conflict of Interest Code to amend filing requirements for designated employees: The Manager gave an overview of the District's Conflict of Interest Code and stated that the Marin County Elections Department requested a revision to the District's Form 700 filing requirements. She reviewed the changes noting that designated employees will file Form 700 with the District, rather than with the County and that the Form 700 filing for the elected officials must continue to be filed with the County Clerk/Registrar of Voters office and a copy retained by the District.

*On motion of Member Mariani, seconded by Member Peters and carried unanimously, the Board approved Resolution No. 3052: A Resolution Revising the Conflict of Interest Code for the Novato Sanitary District Pursuant to the Provisions of the Political Reform Act of 1974 Set Forth in the California Government Code and Rescinding Resolution No. 2971.*

## COMMITTEE REPORTS:

- Wastewater Operations Committee Report. The Deputy Manager-Engineer introduced John Bailey, Project Manager, Veolia Water. Mr. Bailey gave an overview of the treatment plant performance for the month of October, 2012. He reviewed Veolia's safety training and provided information on progress of the digester cleaning for the Ignacio and Novato No. 2 digesters.

President Di Giorgio congratulated Veolia Water for their outstanding safety record, noting that they have worked accident-free for a total of 882 days.

The Manager stated that the District continues to receive odor issue reports from the Lea Drive neighborhood residents. She discussed the fence and landscaping that is being installed to help solve the odor problem.

Novato resident, Bob Guinan, stated that the odors are continuing. He stated that some of the previous mal-odors have been controlled but that aeration basin odors continue to be experienced in the Lea Drive neighborhood. He stated that although the odor situation continues to improve, he hopes a full resolution will be found soon. Mr. Guinan encouraged the Board to explore the option of covering the aeration basin in the same way that other Districts have done, in order to alleviate this odor source. The Manager stated that if the District were to cover the aeration basins, the work would not be a viable option for at least five years due to budget constraints and to effectiveness of equipment in the basins.

The Manager discussed some of the remedies the District has taken to alleviate mal-odors. She discussed the progress of the fence that is being constructed at Lea Drive to act as a wind/odor diversion and stated that by mid-January she anticipates more fencing to be constructed. The Manager reported that James Joyce, the odor consultant who completed the initial odor assessment, was no longer available for consultation. She stated that she is seeking another odor expert to review the District's facilities.

Member Welsh thanked Mr. Guinan for his continued tracking and reporting of the odors.

The Deputy Manager-Engineer continued with the Wastewater Operations Report and reviewed the Collection Systems and Reclamation Facilities summaries.

## STAFF REPORTS:

- North Bay Water Reuse Authority meeting. The Manager discussed the NBWRA which met on November 19<sup>th</sup>. She noted that the City of Petaluma and Marin Municipal Water District recently became members of NBWRA. She discussed the three potential Novato recycled water projects as identified by the preliminary Scoping study. She

stated that workshops will be scheduled for the Final Phase 2 Scoping Study and that they will coincide with scheduled NBWRA Board meetings. The Board expressed an interest in being notified when the workshops are offered.

- California Special District Association training. The Manager reported on Finance Officer Laura Creamer's recent attendance at a CSDA course titled "Setting Direction/Community Leadership" which took place on November 15<sup>th</sup>. She stated that Ms. Creamer highly recommended the training. The Manager suggested the training could be beneficial for Board members as well.

- California Water Environment Association Redwood Empire Association Awards. The Manager reported that the District received the 2012 CWEA Redwood Empire Section Large Public Education Program award. The award was won by collaboration of six agencies comprised of: Novato Sanitary District, Las Gallinas Valley SD, Central Marin SA, Sanitary District #5 Tiburon/Belvedere, Sausalito/Marin SD, and Sewerage Agency of Southern Marin.

#### BOARD MEMBER REPORTS:

Member Welsh commented that the garbage receptacles at some apartment complexes continue to overflow with garbage. The Manager stated that the mandated recycling program for multi-family residential units is in place but it could take as much as 12 months for the multi-family units to become fully compliant.

#### MANAGER'S ANNOUNCEMENTS:

- Only one Board meeting will be held in December: December 10<sup>th</sup> at 6:00 p.m.
- The Finance Committee meeting will be scheduled for the first week of December.

ADJOURNMENT: There being no further business to come before the Board, President Long adjourned the meeting at 7:26 p.m.

Respectfully submitted,

Beverly B. James  
Secretary

Julie Swoboda, Recording