

December 13, 2010

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 6:30 p.m., Monday, December 13, 2010, at the District Office, 500 Davidson Street, Novato.

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

STAFF PRESENT: Manager-Engineer Beverly James and Administrative Secretary Julie Borda.

ALSO PRESENT: Jo Heffelfinger, Novato resident  
Dean Heffelfinger, Novato resident  
Steve McCaffrey, Novato Disposal  
Suzanne Crow  
Delyn Kies, Novato resident  
Steve Clary, RMC  
Dee Johnson, HHW Facility Coordinator  
James Ratto, Owner, Novato Disposal  
Joan Irwin, Mill Valley resident  
Jerry Peters

PLEDGE OF ALLEGIANCE:

AGENDA APPROVAL:

*On motion of Member Quesada, seconded by Member Di Giorgio, and carried unanimously, the agenda was approved as mailed.*

PUBLIC COMMENT: None.

BOARD MEMBER REPORTS:

Member Quesada commented on a recent news article regarding mandatory health insurance.

REVIEW OF MINUTES:

- Consider approval of minutes of the November 8<sup>th</sup> and November 22<sup>nd</sup> Board meetings. Member Welsh requested an addition be made to the November 8<sup>th</sup> minutes as follows: *Member Di Giorgio pointed out that this discussion of "pencils down" was part of a closed session dialogue. The Member Welsh responded that this topic has subsequently been discussed in open session after District Counsel declared the EPA investigation closed. November 8<sup>th</sup> minutes will be corrected and presented for Board*

approval at the December 27<sup>th</sup> Board meeting. Member Welsh commented that he could not verify and approve the November 22<sup>nd</sup> meeting minutes due to an audio copy of the meeting not being available.

*On motion of Member Fritz, seconded by Member Di Giorgio and carried with the following vote, the minutes of the November 22<sup>nd</sup> Board meeting was approved. Ayes: Long, Di Giorgio, Fritz, Quesada. Noes: Welsh.*

#### CONSENT CALENDAR:

*On motion of Member Di Giorgio, seconded by Member Quesada and carried unanimously, the Board approved the following Consent Calendar item:*

- a. Approval of regular disbursements in the amount of \$1,689,538.08, project account disbursements in the amount of \$572,068.98, payroll and payroll related disbursements in the amount of \$251,254.35 and Board member disbursements in the amount of \$3,329.97.

Suzanne Crow questioned the invoice to Veolia Water. The Manager explained that the Veolia disbursement was payment for four months of services.

#### SOLID AND HAZARDOUS WASTE:

- Update on Solid and Hazardous Waste Programs. Dee Johnson, Household Hazardous Waste Facility Coordinator, discussed the program's 2010 accomplishments and the 2011 program projections. She gave an overview of the E-Waste Collection Events in 2010, noting that 2,332 Novato residents participated in 2010 with a total of 149,046 pounds of e-waste being collected.

- Update on Food Waste recycling. Steve McCaffrey, Novato Disposal, discussed the recycled food waste pilot program and noted that approximately 25% of Novato residents had participated in the program. He discussed outreach efforts and the initial collection result numbers which demonstrated the program's success. He encouraged the Board to implement this program to all of the residents served by Novato Disposal.

Member Quesada questioned the inclusion of commercial food waste into the program and the effect it would have on the composting cycle. Mr. McCaffrey replied that at this time, the program is strictly for residential customers.

Ed Mainland, Sustainable Novato/Marin, stated he was very encouraged that this program will be implemented in Novato. He stated that in other cities, a majority of the food waste is from commercial sources and asked how these large food waste producing sources would be handled. Mr. McCaffrey gave an overview of the current process of composting a commercial food waste stream and the issues associated with it.

Joan Irwin, Chair of Marin Food Scrap Recycling Taskforce, gave an overview of the taskforce and the efforts they hope to achieve through food scrap recycling.

- Consider setting the date for a public hearing on amending the Agreement on Solid Waste Collection, Processing, Diversion, and Disposal. The Manager noted that the Board discussed the "Agreement between Novato Sanitary District and Novato Disposal Service, Inc. for Solid Waste Collection, Processing, Diversion, and Disposal" (Agreement) at their November 22<sup>nd</sup> Board meeting. At that time, a revision to the Agreement was requested to incorporate language for a Zero-Waste Program and also to grant a 10-year extension. She noted that more time for public input was needed and has now been provided. She discussed the significant benefits of a Zero-Waste program which incorporates food waste composting into the debris collection cycle.

The Manager stated that a revision to the Agreement requires a public hearing and requested the date for the hearing be set for January 24, 2011.

Delyn Kies requested the Board consider more public input opportunities and discussed the Zero-Waste program and the franchise agreement modification.

Ed Mainland stated that franchise agreements are a key component to establish a successful zero-waste program. He suggested the Board provide an opportunity for individuals to discuss the zero-waste and solid waste franchise agreement extension.

The Manager suggested that a workshop format discussion be arranged.

Dean Heffelfinger, Sr., Novato resident, noted that the date set for the hearing, January 24<sup>th</sup>, is also the date for the regularly scheduled Board meeting. He questioned if there would be ample time for discussion of this issue at a regular meeting.

The Manager stated that the date was chosen because public attendance is generally anticipated at the regular board meetings to discuss community issues and there would be ample time to discuss an amendment to the Agreement.

*On motion of Member Di Giorgio, seconded by Member Fritz and carried unanimously, the date of January 24, 2011 was set for a public hearing on amending the Agreement on Solid Waste Collection, Processing, Diversion, and Disposal.*

- Consider approval of letter to Marin County Hazardous and Solid Waste Management Joint Powers Authority (JPA). The Manager discussed a draft letter which will be presented to the Board Members of the JPA. President Long made a change to the letter as follows: "...which includes the City of Novato as well as **the surrounding unincorporated area.**"

*On motion of Member Di Giorgio, seconded by Member Fritz and carried unanimously, the letter to Marin County Hazardous and Solid Waste Management Joint Powers Authority was approved with changes as noted above.*

Steve McCaffrey and Dee Johnson left the meeting at 7:50 p.m.

SPECIAL DISTRICT REPRESENTATION ON MARIN LOCAL AGENCY FORMATION COMMISSION:

- Consider selection of candidate for Alternate Special District Representation on LAFCO. The Manager briefly outlined the three candidates: Kevin Reilly - Almonte Sanitary District, Pamela Meigs - Ross Valley Sanitary District, and Craig Murray – Las Gallinas Valley Sanitary District. The Board discussed the candidate's qualifications.

*On motion of Member Fritz, seconded by Member Di Giorgio and carried with the following vote, the Board selected Craig Murray – Las Gallinas Valley Sanitary District as the first candidate. Ayes: Long, Fritz, Di Giorgio, Welsh. Noes: Welsh.*

*On motion of Member Welsh, seconded by Member Fritz and carried unanimously, the Board selected Pamela Meigs – Ross Valley Sanitary District as the second candidate.*

BOARD OF DIRECTORS – DISCUSSION OF BOARD POLICY:

- Report on Marin County Council of Mayors and Councilmembers Ad-hoc Committee on Pension and other Post-Employment Benefits Reform, approve District participation and appoint a representative to the Committee.

Member Di Giorgio discussed his and President Long's participation at the meeting and gave an overview of the Committee's goals for pension reform.

President Long discussed the overall premise of the Committee and discussed the benefits to the District through their participation.

President Long appointed himself and Member Di Giorgio as District representatives.

*On motion of Member Di Giorgio, seconded by Member Fritz and carried unanimously, the Board approved participation in the Committee and approved the per diem for committee attendance.*

Suzanne Crow questioned if there was a cap on Director's compensation for committee attendance.

The Manager stated that there is a State mandated cap of six paid meetings per month, per Director.

- Consider Board Policy 4050: Members of the Board of Directors. President Long outlined Board Policy #4050 and noted particularly 4050.7: *Any request by an individual director that will take more than one hour of staff time shall be reported to the Board.* The Board discussed and questioned the appropriateness of individual Director's tasking a District employee for any item that will take more than one hour of staff time and the requirement to report this request to the Board. The Board discussed having this item reviewed by District Counsel.

#### STAFF REPORTS:

December 3<sup>rd</sup> North Bay Watershed Association meeting. Member DiGiorgio stated he attended this meeting and discussed the presentations given.

CalPERS Employer Contribution Rates for 2011/12. The Manager noted that the District's employer contribution rate for 2011-12 will increase from 12.937% to 14.028%. She stated that the total CalPERS retirement contribution will be 21.028% of salary including the District-paid employee share.

- Report on special committee meeting with Lea Drive neighborhood. The Manager stated that the Wastewater Operation Committee held a special meeting on December 9<sup>th</sup> to address the odor issues being experienced by the Lea Drive neighborhood. She noted that the meeting was well attended by residents on Lea Drive. The Manager gave an overview of the PowerPoint presentations given, discussed areas where the fugitive odors are believed to be escaping, and outlined remedies the District is taking.

Suzanne Crow questioned what the total costs are to make the repairs for the odor problems. She requested the District provide the total cost of the Wastewater Operation Committee meeting including the amount paid to RMC Water for their participation at the meeting.

- North Bay Water Reuse Authority update. The Manager gave a detailed report of the December 13<sup>th</sup> meeting. She noted that Phase 2 of the Recycled Water Project will be discussed at the January Board meeting.

- Local Government 2009 Compensation Report. The Manager noted that the CA State Controller's office has required all local government entities to provide a report detailing the 2009 salaries, retirement, and health benefits. A copy of the District's report was provided.

#### MANAGER'S ANNOUNCEMENT.

- Novato Disposal Service's Christmas tree disposal options were outlined.
- The Waste Water Operations Committee will hold their regular meeting on Monday, December 20<sup>th</sup> at 2 p.m. at the District office.
- The District offices will be closed on December 24<sup>th</sup> and December 31<sup>st</sup>.

- The next Regular Board Meeting will be held on December 27<sup>th</sup> at 6:30 p.m. at the District office.

ADJOURNMENT:

There being no further business to come before the Board, President Long declared the meeting adjourned at 9:10 p.m.

Respectfully submitted,

Beverly B. James  
Manager Engineer

Julie Borda, Recording