

July 9, 2012

A regular meeting of the Board of Directors of the Novato Sanitary District was held at 6:30 p.m., Monday, July 9, 2012, preceded by a closed session beginning at 6:00 p.m. at the District offices, 500 Davidson Street, Novato.

At 6:05 p.m. President Di Giorgio announced the Board would meet in closed session to discuss the following matters on the Closed Session Agenda:

CLOSED SESSION CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION:

Existing litigation pursuant to subdivision (a) of Government Code Section 54956.9: Administrative Civil Liability No. R2-2010-0102.

BOARD MEMBERS PRESENT FOR CLOSED SESSION: President Michael Di Giorgio, Members William C. Long, Jean Mariani and Dennis Welsh.

BOARD MEMBERS ABSENT FOR CLOSED SESSION: Jerry Peters

STAFF PRESENT: Manager-Engineer-Secretary Beverly B. James and District Counsel Kent Alm.

The closed Session ended at 6:20 p.m.

Open session began at 6:30 p.m.

BOARD MEMBERS PRESENT FOR OPEN SESSION: President Michael Di Giorgio, Members William C. Long, Jean Mariani and Dennis Welsh.

BOARD MEMBERS ABSENT FOR OPEN SESSION: Jerry Peters

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

ALSO PRESENT: Brant Miller, Novato resident

PLEDGE OF ALLEGIANCE:

REPORT FROM CLOSED SESSION:

Direction was provided to Counsel in regard to response to Comment Letter on the Settlement Agreement for the Civil Administrative Liabilities Claim.

AGENDA APPROVAL: President Di Giorgio approved the agenda as written.

PUBLIC COMMENT: None.

REVIEW OF MINUTES:

Consider approval of minutes of the June 25, 2012 Board meeting.

On motion of Member Long, seconded by Member Mariani and carried unanimously by those Members present, the June 25, 2012 Board meeting minutes were approved.

Member Mariani requested clarification of the Manager's discussion of Mr. Scofield's report, as written on page 3 of the June 25th minutes, under the discussion of Wastewater Operations Committee report. The Manager clarified that the Exponent report would be placed on the District website **after it is reviewed by the Wastewater Operations Committee at their July 16th meeting.**

CONSENT CALENDAR:

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

- a. Review of the Accounts Receivable Aging Summary.
- b. Approval of regular disbursements in the amount of \$348,957.47, project account disbursements in the amount of \$306,174.89 and Board member disbursements in the amount of \$3,760.45.

PUBLIC HEARING - 2012-13 SEWER SERVICE CHARGE REPORT:

- Open hearing. President Di Giorgio opened the Public Hearing at 6:34 p.m.

The Manager stated that the purpose of the public hearing was for discussion of the sewer service charge report and to adopt a resolution to collect the sewer service charges on the Marin County tax rolls. She noted that District staff was available at the meeting so that anyone could request their individual sewer service rate for the coming year and have the opportunity to submit a protest.

- Consider protests regarding sewer service charge report. No public came forward to request their sewer service rate or to protest.

- Close hearing. President Di Giorgio closed the Public Hearing at 6:39 p.m.

RESOLUTION CONFIRMING REPORT ON SEWER SERVICE CHARGES:

- Consider adoption of Resolution No. 3046 confirming sewer service charge report and electing to collect on tax rolls. Member Mariani questioned the resolution language which stated "WHEREAS, all written protests and other written communications, if any,

were publicly read at said meeting and all persons desiring to be heard were fully heard;". Member Mariani requested that the resolution language reflect the fact that no protests were read at the public hearing.

District Counsel Kent Alm suggested the resolution language be modified as follows: "**WHEREAS** there were no written or oral protests in placing the sewer service charge on the tax roll;"

On motion of Member Mariani, seconded by Member Long and carried unanimously by those Members present, Resolution No. 3046: A RESOLUTION PRESCRIBING AND PROVIDING FOR THE COLLECTION OF SEWER SERVICE CHARGES FOR NOVATO SANITARY DISTRICT ON THE TAX ROLLS OF THE COUNTY OF MARIN FOR THE FISCAL YEAR 2012-2013 was approved as modified.

BOARD OF DIRECTORS:

- Review and consider modifying Policy 4060: Committee Organization. The Manager discussed the standing and adhoc committees which are currently active at the District. She suggested that two of the adhoc committees, Audit and Finance, be combined into one standing committee: Finance. The Manager also stated that the New Facilities Committee was established as a Standing Committee in July of 2010. She requested the Board approve the modified Board Policy 4060 to reflect these committee additions.

On motion of Member Mariani, seconded by Member Long and carried unanimously by those Members present, the Board approved a revision to Board Policy 4060 which included the addition of two Standing Committees: Finance and New Facilities.

- Consider board member compensation for the delegate to the North Bay Watershed Association. The Manager reviewed the District's Compensation and Reimbursement Policy and noted that currently the Board does not compensate the delegate to the North Bay Watershed Association (NBWA) for attendance at the NBWA Board meetings.

On motion of Member Long, seconded by Member Mariani and carried unanimously by those Members present, the Board approved compensation for the delegate to the North Bay Watershed Association for attendance at the NBWA Board meetings.

Member Mariani questioned if her participation as Chairman on the CASA Director's Committee could also be considered for compensation.

The Manager stated that due to Brown Act restrictions, the Board could not consider the request at this meeting, but she stated she would place this item on a future agenda for Board consideration.

- Presidential appointment of Committee members for 2012-13.

President Di Giorgio made the following Committee member appointments for 2012-13:

Standing Committees:

Joint City/District Solid Waste Committee:
Michael Di Giorgio
Dennis Welsh
William C. Long, Alternate

Wastewater Operations Committee:
William C. Long
Jerry Peters
Jean Mariani, Alternate

New Facilities Committee:
Michael Di Giorgio
Jean Mariani
Dennis Welsh, Alternate

Finance Committee
William C. Long
Jean Mariani
Dennis Welsh, Alternate

Regular Committees:

California Association of Sanitation Agencies:
Michael Di Giorgio, Delegate
Jean Mariani, Alternate

California Sanitation Risk Management Authority:
Beverly B. James, Delegate
Michael Di Giorgio, Alternate

North Bay Water Reuse Authority:
William C. Long, Delegate
Jerry Peters, Alternate

North Bay Watershed Association:
Michael Di Giorgio, Delegate
Beverly B. James, Alternate

Ad Hoc Committee Assignments:

Adhoc Labor Negotiations Committee:
Michael Di Giorgio
Jerry Peters

Adhoc Wastewater Service Agreement Update Committee:
Jean Mariani
Jerry Peters

CALIFORNIA SPECIAL DISTRICTS ASSOCIATION:

- Consider voting for a candidate for Region 3, Seat A. The Manager requested the Board cast their vote for the CSDA Region 3, Seat A position.

On motion of Member Long, seconded by Member Mariani and carried unanimously by those Members present, the Board designated candidate Vince Ferrante to receive the District's vote for Region 3, Seat A.

PUMP STATION REHABILITATION PROJECT 72403:

- Consider authorizing contract award for Unit 4 to the lowest, responsive bidder, W.R. Forde & Assoc. and authorize the Manager-Engineer to execute contract. The Deputy Manager-Engineer discussed the District's ongoing efforts to upgrade various pump stations. He stated that four bids were received for the Pump Station Rehabilitation Project, Unit 4. The Deputy Manager-Engineer stated that W.R. Forde & Associates of Richmond submitted the lowest responsive bid of \$1,377,000 which was \$27,000 above the engineer's estimate of probable construction costs.

On motion of Member Long, seconded by Member Mariani and carried unanimously by those Members present, the Board authorized the Pump Station Rehabilitation Project; Project Unit 4, Bel Marin Keys 9 & 10 and Hamilton No. 1 Pump Stations to W.R. Forde & Associates for the accepted bid amount of \$1,377,000.

STAFF REPORTS:

- North Bay Watershed Association. The Manager discussed her participation at the North Bay Watershed Association (NBWA) meeting which was held on July 6th. She stated that the full presentation could be viewed on the NBWA website under the "UPDATE" link.

BOARD MEMBER REPORTS:

The Board discussed the recent July 4th Parade and Member Long suggested the District participate in the 2013 parade by including a TV truck in the procession.

MANAGER'S ANNOUNCEMENTS:

- A Wastewater Operations Committee meeting will be held at the District office on Monday, July 16th at 2:00 p.m.

- A Solid Waste Committee meeting will be scheduled by Dee Johnson, Household Hazardous Waste Manager.

ADJOURNMENT: There being no further business to come before the Board, President Di Giorgio adjourned the Board meeting at 7:16 p.m.

Respectfully submitted,

Beverly B. James
Secretary

Julie Swoboda, Recording