

**SANITARY DISTRICT NO. 1 OF MARIN COUNTY
REGULAR BOARD MEETING MINUTES**

Tuesday, June 7, 2005
6:45 p.m.

District Office
2000 Larkspur Landing Circle
Larkspur, CA

ACTION MINUTES – These Minutes are prepared to depict action taken for agenda items presented to the Board of Directors. For greater detail of this meeting, please refer to the audiotape kept as permanent record at the District's office.

Members Present: Steve Vanni, President
Brian Oliva, Secretary
Sue Brown
George Buckle
Dan Hanley (sworn in at 6:48 p.m.)

Members Absent: None

Staff Present: Barry Hogue, District Manager
Fritz Schulte, Office Manager
Theresa Jungbauer, Administrative Assistant

Public Present: The names reflected are those who sign in on the attendance sheet: Josette Bledsoe, Barbara McGee, Bruce Baum, Colleen Harpst and Bill Harpst; however, there were six (6) additional members of the public present.

Item #1-ORDER The meeting was called to order by President Vanni at 6:46 p.m. President Vanni then led the Pledge of Allegiance. Roll call was taken and a quorum was present.

Item #2-SWEAR IN MR. DAN HANLEY, NEWLY APPOINTED DIRECTOR OF SANITARY DISTRICT NO. 1 President Vanni administered the official Oath of Office to newly appointed Director, Mr. Daniel Hanley. Director Hanley then took his seat with the Board of Directors.

Item #3-OPEN TIME FOR PUBLIC George Fernwood, 1 Legend Road, San Anselmo, on behalf of his father who lives at 131 Legend Road, San Anselmo, read a prepared statement commenting on the distance charge fee for garbage service. He handed staff his statement and requested that it be included in the records.

Bill Harpst, 140 Fawn Drive, San Anselmo, commented on billing issues regarding Marin Sanitary Service.

Colleen Harpst, 140 Fawn Drive, San Anselmo, commented that the garbage service should have vacation credit, as she and her husband travel throughout the year.

Josette Bledsoe, 161 Deer Hollow Road, San Anselmo, commented on distance charges for garbage service.

Barbara McGee, 169 Deer Hollow Road, San Anselmo, commented on distance charges for garbage service.

Garril Page, 70 Fawn Drive, San Anselmo, commented on Marin Sanitary Service.

Bruce Baum, 1165 Butterfield Road, San Anselmo, read a prepared statement commenting on the garbage franchise with Marin Sanitary Service and of alleged claims regarding Director Oliva. He handed staff his statement and requested that his statement be entered in its entirety in the Minutes and the website.

Item #4-PUBLIC HEARING: FISCAL YEAR 2006 SEWER SERVICE CHARGES District Manager Hogue reviewed the staff report.

President Vanni opened the public hearing at 7:11 p.m.

Bill Harpst, 140 Fawn Drive, San Anselmo, spoke during the public participation period.

After a lengthy discussion, M/S Oliva/Buckle to adopt Resolution No. 1231 setting the FY2006 Annual Sewer Service Charges at \$220 for the Ross Valley Service Area and \$292 for the Larkspur Service Area, with the addition to include the phrase "\$5.00 increase this year" under Sanitary District No. 1-Ross Valley Service Area on the resolution. The motion carried unanimously.

Item #5-APPROVE FY 2006 BUDGET District Manager Hogue reviewed the staff report and gave a Power Point presentation.

Bruce Baum, 1165 Butterfield Road, San Anselmo; Colleen Harpst, 140 Fawn Drive, San Anselmo; and Garril Page, 70 Fawn Drive, San Anselmo, spoke during the public participation period.

After a lengthy discussion, M/S Oliva/Buckle to adopt Resolution No. 1232 setting the District Budget FY2006 at \$19,281,386; and to bring back clarification regarding where the \$9.2 million revenue is being dispersed. Vote: Ayes: Buckle, Hanley, Oliva, Vanni; Noes: Brown. The motion carried.

Item #6-APPROVE THE MINUTES OF MAY 3, 2005 After a brief discussion, M/S Oliva/Buckle to approve the Minutes of May 3, 2005, as amended; abstain Brown and Hanley. The motion carried.

Item #7-CONSENT CALENDAR The Board reviewed the Consent Calendar:

- a) Approve May 2005 disbursements totaling \$317,794.72
- b) Approve District Treasurer's Financial Report for May 2005
 - i) Accounts Summary Statement
 - ii) Income Statement
 - iii) Investment Statement
 - iv) Transfer Authorizations
 - v) LAIF Statements
 - vi) Monthly Disbursements
 - vii) Petty Cash Disbursements
- c) Approve Accountant's Report for April 2005
- d) Accept 2004 Sewer Rehabilitation Project
 - i) Resolution No. 1233 and Notice of Completion
- e) Approve Progress Payments for Capital Improvement Projects:
 - i) Larkspur Pump Station Improvements, Michael Paul Co., progress billing no. 14 in the amount of \$1,694.70
 - ii) 2004 Sewer Rehabilitation Project, K.J. Woods Construction, progress billing no. 8 in the amount of \$7,204.86
 - iii) Butterfield Trunk Sewer Project, K.J. Woods Construction, progress billing no. 6 in the amount of \$5,181.02

Garril Page, 70 Fawn Drive, San Anselmo, spoke during the public participation period.

M/S Buckle/Oliva to approve the Consent Calendar as submitted. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: none. The motion carried unanimously.

Item #8-NUTE ENGINEERING DESIGN PROPOSAL – CASCADE CREEK SEWER REPLACEMENT PROJECT District Manager Hogue reviewed the staff report.

Director Oliva absent from 8:01-8:04 p.m.

Ed Nute of Nute Engineering gave an overview of the project.

Pat Guasco, 348 San Francisco Blvd., San Anselmo and Bruce Baum, 1165 Butterfield Road, San Anselmo, spoke during the public participation period.

After a lengthy discussion, M/S Buckle/Oliva to approve Nute Engineering's proposal to provide engineering services for the District's Cascade Creek Sewer Rehabilitation Project in the amount of \$160,000. The motion carried unanimously.

Item #9-CANYON ROAD ASSESSMENT DISTRICT UPDATE District Counsel Sharp reviewed the staff report.

The Board had a brief discussion; no action was taken.

Item #10-MEETING TIME CHANGE District Manager Hogue reviewed the staff report.

Bruce Baum, 1165 Butterfield Road, San Anselmo; Garril Page, 70 Fawn Drive, San Anselmo; Brett Klein, 3 Calumet Avenue, San Anselmo; and Pat Guasco, 348 San Francisco Blvd., San Anselmo, spoke during the public participation period.

Director Brown made a motion for the Board to allow an avenue for the public to access them with their opinion and to regard the information the Board receives from the public in regard to the change in meeting times; whether it be a survey or a petition or some form by which the public speaks to the time. The motion died due to the lack of a second.

After a lengthy discussion, M/S Oliva/Hanley to change the Board's meeting time to 5:45 p.m. from 6:45 p.m. for a 6-month trial period. Vote: Ayes: Hanley, Oliva, Vanni; Noes: Brown, Buckle. The motion carried.

Item #11-BOARD OFFICERS FOR FY 2006 District Manager reviewed the staff report.

Bruce Baum, 1165 Butterfield Road, San Anselmo and Pat Guasco, 348 San Francisco Blvd., San Anselmo, spoke during the public participation period.

After a brief discussion, the Board made the following nominations:

M/S Buckle/Vanni to nominate Brian Oliva as President. Vote: Ayes: Buckle, Hanley, Oliva, Vanni; Noes: None; Abstain: Brown. The motion carried.

M/S Brown/Hanley to nominate Sue Brown as Secretary. Vote: Ayes: Brown, Hanley; Noes: Buckle, Oliva, Vanni. The motion died.

M/S Oliva/Vanni to nominate George Buckle as Secretary. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: None. The motion carried unanimously.

M/S Brown/Oliva to nominate Sue Brown as Treasurer. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: None. The motion carried unanimously.

M/S Buckle/Vanni to nominate Dan Hanley as Alternate Secretary. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: None. The motion carried unanimously.

M/S Vanni/Oliva to nominate Steve Vanni as Alternate Treasurer. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: None. The motion carried unanimously.

M/S Buckle/Oliva to approve the other appointments as submitted. Vote: Ayes: Brown, Buckle, Hanley, Oliva, Vanni; Noes: None. The motion carried unanimously.

Item #12- STAFF'S VERBAL REPORT The District Manager gave a brief report on the current staff recruitments; received proposals from Tom Gaffney of Bartle Wells Associates for the District's financial plan and for the annexation of the sewer districts for San Quentin Village and Murray Park from the County; gave a brief overview of the future annexation issues regarding San Quentin Village and Murray Park; and the July Agenda should include discussion items for the soil remediation, garbage distance charges and videotaping of Board meetings.

Item #13-BOARD OPEN TIME Director Oliva clarified the alleged claims made about him during public open time.

Director Brown updated the Board on her recent trip to the Redwood Landfill in Novato with a few of the County Supervisors.

The Board took a 5-minute recess at 9:31 p.m. before adjourning to Closed Session.

Item #14-CLOSED SESSION The Board adjourned to Closed Session at 9:36 p.m. pursuant to Government Code 54956.9 (b), conference with Legal Counsel re: anticipated litigation of one (1) potential case ; and pursuant to Government Code 54956.9 (a), conference with Legal Counsel regarding pending litigation, Marin Superior Court Case No. CIV 044604.

The Board reconvened to Open Session at 10:15 p.m.

Reportable action taken during Closed Session: None.

Item #15-ADJOURNMENT The Board adjourned at 10:16 p.m.

BRIAN P. OLIVA
Secretary of the Board