

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

Tuesday, April 6, 2004
6:45 p.m.

District Office
2000 Larkspur Landing Circle
Larkspur, CA

Members Present: Donna Bjorn, President
Steven Vanni
Sue MacMillan
Sue Brown (after being sworn in at 6:47 p.m.)

Members Absent: Brian Oliva

Staff Present: Barry Hogue, District Manager
Fritz Schulte, Office Manager
Ana Bernardes, Project Engineer
Theresa Jungbauer, Administrative Assistant

Guests Present: John Sharp, District Counsel
Ed Nute, District Engineer

Public Present: Scott Ferguson, Patty Burke, Victor Gonzalez, Michael Hooper, Robert Upton,
Debra Levy, Merv Van Dyck, Garril Page and Bruce Baum.

Item #1-ORDER The meeting was called to order by President Bjorn at 6:45 p.m. President Bjorn then led the Pledge of Allegiance. Roll call was taken and a quorum was present.

John Sharp, District Counsel, informed that a late item would need to be added to the agenda for immediate action and a need for Board action arose subsequent to the time the agenda was posted (Government Code 54954.2).

M/S Vanni/MacMillan to add to item 2 of the agenda, the swearing in of Directors Sue MacMillan and in absentia Brian Oliva. The motion carried unanimously.

Item #2-SWEAR IN MS. SUE BROWN, DIRECTOR SUE MACMILLAN AND IN ABSENTIA DIRECTOR BRIAN OLIVA President Bjorn administered the Oath of Office to newly elected Director Ms. Sue Brown, as well as elected incumbent in absentia Director Brian Oliva and appointed incumbent Director Sue MacMillan.

Item #3-FILL BOARD OFFICER VACANCY President Bjorn reviewed the staff report.

After a brief discussion, M/S Vanni/MacMillan to appoint Director Brown to the office of Alternate Secretary and Alternate CMSA Commissioner. The motion carried unanimously.

Item #4-OPEN TIME FOR PUBLIC Bruce Baum, 1165 Butterfield Road, San Anselmo, made clarifications to the Board regarding the Fairfax garbage franchise that was sold to Marin Sanitary Service.

Item #5-APPROVE THE MINUTES OF MARCH 2, 2004 M/S Vanni/MacMillan to approve the Minutes of March 2, 2004 as submitted; abstain Director Brown. The motion carried unanimously.

Item #6-CONSENT CALENDAR The Board reviewed the Consent Calendar:

- a) Approve March 2004 disbursements totaling \$389,850.59
- b) Approve District Treasurer's Financial Report for March 2004
 - i) Accounts Summary Statement
 - ii) Income Statement
 - iii) Investment Statement
 - iv) Transfer Authorizations
 - v) LAIF Statement
 - vi) Monthly Disbursements
- c) Approve Accountant's Report for February 2004
- d) Approve Progress Payments for Capital Improvement Projects:

- i) Kentfield Pump Station Improvements, Phase 4, Pacific Mechanical, progress billing no. 7 in the amount of \$124,972.61
- ii) 2003 Sewer Rehabilitation Project, J. Howard Engineering, progress billing no. 3 in the amount of \$19,173.33
- iii) Larkspur Pump Station Improvements, Michael Paul Co., progress billing no. 2 in the amount of \$52,725.87
- iv) Ellsworth Washout Repair, Linscott Engineering, final payment in the amount of \$3,413.26.
- e) Accept Ellsworth Washout Repair Project
 - i) Resolution No. 1219 and Notice of Completion
- f) Accept 2003 Sewer Rehabilitation Project
 - i) Resolution No. 1220 and Notice of Completion

M/S MacMillan/Vanni to approve the Consent Calendar as submitted. The motion carried unanimously.

Item #7-BUTTERFIELD ROAD SEWER REHABILITATION District Manager Hogue reviewed the staff report. He also introduced Ana Bernardes, the District's Project Engineer, to the Board.

Ed Nute, District Engineer, gave a lengthy report of the history of the sewer and trunk lines around the Butterfield Road, San Anselmo area.

Garril Page, 70 Fawn Drive, San Anselmo and Bruce Baum, 1165 Butterfield Road, San Anselmo, spoke during the public participation time.

After a lengthy discussion, M/S Vanni/Brown to approve Nute Engineering's proposal for the Basic Project of Schedules A and B for the design and construction review services for the Butterfield Road Trunk Sewer Replacement Project. The motion carried unanimously.

Item #8-MONAHAN PACIFIC'S ACCESS AGREEMENT District Manager Hogue reviewed the staff report.

Victor Gonzalez, Monahan Pacific, discussed the points of agreement between Campus and Monahan Pacific. He stated that there was one point in which he and his firm disagreed with: a proposal for a lot line adjustment to increase the District's site by 6,500 square feet. He would like the lot line adjustment to be equal.

Robert Upton, Campus, also discussed the points of agreement between Campus and Monahan Pacific. He stated that the issue regarding the lot line adjustment in which the District's site would be increased by 6,500 square feet has been in discussion for 18 months. He stated the land is near the Brick Kiln and is useless.

Bruce Baum, 1165 Butterfield Road, San Anselmo, spoke during the public participation time.

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

Item #9-REVIEW OF TOWN OF FAIRFAX WRITTEN RESPONSE TO RESOLUTION OF INTENTION RE: FORMATION OF CANYON ROAD ASSESSMENT DISTRICT; INTRODUCTION OF AND PRESENTATION BY JONES-HALL, ASSESSMENT DISTRICT COUNSEL; DISCUSSION OF ENVIRONMENTAL REVIEW PROCESS; DIRECTION TO STAFF District Counsel John Sharp reviewed the staff report.

Scott Ferguson of Jones Hall, introduced himself and gave a brief description about his firm.

Merv Van Dyck, 170 Canyon Road, Fairfax and Bruce Baum, 1165 Butterfield Road, San Anselmo, spoke during the public participation time.

After a lengthy discussion, the Board directed staff to work with Jones Hall in drafting a letter to the Town of Fairfax addressing their concerns and provide the same to residents who are interested in this matter.

Item #10-MMWD'S DISPOSAL OF SURPLUS REAL ESTATE – 100 LARKSPUR LANDING CIRCLE District Manager Hogue reviewed the staff report.

After a brief discussion, M/S Vanni/MacMillan to inform MMWD that the District is not interested in purchasing the surplus property located at 100 Larkspur Landing Circle, Larkspur. The motion carried unanimously.

Item #11-DISCUSSION RE: POSSIBLE MEMBERSHIP IN MARIN EMERGENCY RADIO AUTHORITY (MERA) District Manager Hogue reviewed the staff report.

Bruce Baum, 1165 Butterfield Road, San Anselmo, spoke during the public participation time.

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

Item #12-AUTHORIZE ATTENDANCE AND APPROVE EXPENSE ITEM SCHEDULE FOR CASA'S 2004 SPRING CONFERENCE District Manager Hogue reviewed the staff report.

After a brief discussion, M/S Vanni/MacMillan to approve the Expense Item Schedule and authorize the attendance of CASA's 2004 Spring Conference for all Directors, the District Manager and District Counsel. The motion carried unanimously.

Item #13-STAFF'S VERBAL REPORT The District Manager gave a brief report on the last of the budgeted projects for FY 03/04 that is just finishing up with the bids; the Kentfield Pump Station Improvements Project, Phase 4, is 80% complete; the 2003 Miscellaneous Sewer Rehabilitation for Laurel Grove, Kentfield and Hillside Avenue, San Anselmo, has been completed; the Larkspur Main Pump Station Improvements project has just gotten underway and is 25% complete; Questa's testing of the District's soil found trace residue sources of fuel and diesel; the garbage franchise group met and agreed to Bob Hilton's proposal for a rate increase for Marin Sanitary Service; the recent JPA manager's meeting regarding the exploratory committee; and a future meeting scheduled with Roland Williams of Castro Valley Sanitary District to get information regarding their grant program.

Item #14-BOARD OPEN TIME Director MacMillan updated the Board on her recent attendance to the North Bay Watershed Conference at Viansa Winery, which focused on recycling and desalination of water.

Director Vanni suggested that the Board approve a resolution for George Buckle for his service as a Director for the past 12 years and present it to him at an upcoming meeting. The Board had no objection.

Item #15-CLOSED SESSION District Manager Hogue stated that Closed Session was no longer necessary.

Item #16-ADJOURNMENT The meeting was adjourned at 9:04 p.m.

SUE BROWN
Alternate Secretary of the Board