

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

Tuesday, May 4, 2004
6:45 p.m.

District Office
2000 Larkspur Landing Circle
Larkspur, CA

Members Present: Donna Bjorn, President
Brian Oliva, Secretary
Steven Vanni
Sue Brown
Sue MacMillan

Members Absent: None

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

Guests Present: John Sharp, District Counsel

Public Present: Joe Garbarino, Steve Rosa, Ray Holmes, Victor Gonzalez, Robert Upton, 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.

Item #2-OPEN TIME FOR PUBLIC There were no comments from the public.

Item #3-APPROVE THE MINUTES OF APRIL 6, 2004 M/S Vanni/MacMillan to approve the Minutes of April 6, 2004 as submitted. Vote: Ayes: MacMillan, Oliva, Vanni, Bjorn; Noes: Brown. The motion carried.

Director Brown stated that she would like the comments that citizens make at Board meetings to be included in the Minutes. She requested that the Board agendaize this matter as a discussion item at an upcoming meeting. There were no objections from the Board.

Item #4-CONSENT CALENDAR The Board reviewed the Consent Calendar:

- a) Approve April 2004 disbursements totaling \$1,325,475.53
- b) Approve District Treasurer's Financial Report for April 2004
 - i) Accounts Summary Statement
 - ii) Income Statement
 - iii) Investment Statement
 - iv) Transfer Authorizations
 - v) LAIF Statement
 - vi) Monthly Disbursements
 - vii) Petty Cash Disbursements
- c) Approve Accountant's Report for March 2004
- d) Approve Progress Payments for Capital Improvement Projects:
 - i) Larkspur Pump Station Improvements, Michael Paul Co., progress billing no. 3 in the amount of \$21,242.88
 - ii) Kentfield Pump Station Improvements, Phase 4, Pacific Mechanical Corp., progress billing no. 8 in the amount of \$56,596.05
- e) Resolution No. 1221 – A Resolution of Appreciation to George H. Buckle

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

Item #5-PUBLIC HEARING RE: MARIN SANITARY SERVICE'S RATE INCREASE FOR SOLID WASTE (SOUTH FRANCHISE AREA) District Manager Hogue reviewed the staff report.

President Bjorn opened the public hearing at 6:55 p.m.

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

There being no further comments, the public hearing was closed at 7:00 p.m.

M/S Vanni/Oliva to adopt Ordinance No. 55, establishing a 4.3% increase to Marin Sanitary service's Rates for Solid Waste Collection within the District's Southern Franchise area, effective January 1, 2004. Vote: Ayes: MacMillan, Oliva, Vanni, Bjorn; Noes: Brown. The motion carried.

Director Brown asked several questions regarding the Franchisors' Group and about Marin Sanitary Service (Does the company share corporate Board members, vehicles, assets, etc.).

Ray Holmes, Marin Sanitary Service, answered Director Brown's questions regarding the company.

Director Brown wanted to know if the people who are affected by the rate increase were noticed and how were they noticed.

District Manager Hogue stated that the public was noticed in the Marin IJ in accordance to the current Franchise Agreement (public hearing requirements).

Director Brown felt that the public was not noticed enough with regard to the rate increase.

Item #6-APPROVE SEWER CAPACITY ASSURANCE STUDY RFP District Manager Hogue reviewed the staff report.

Ana Bernardes, Project Engineer, then gave a lengthy Power Point presentation regarding the RFP.

The Board had a lengthy discussion.

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

M/S Oliva/MacMillan to approve the Request for Proposals for Sanitary Sewer System Hydraulic Evaluation and Capacity Assurance Plan. The motion carried unanimously.

Item #7-MONAHAN PACIFIC ACCESS AGREEMENT District Manager Hogue reviewed the staff report.

Victor Gonzalez of Monahan Pacific and Robert Upton of Campus Properties, both gave brief presentations and stated that they have not come to an agreement. Both parties felt that they would not reach an agreement.

No action was taken.

Item #8-STAFF'S VERBAL REPORT The District Manager gave a brief report on the Kentfield Pump Station Improvement Project, Phase 4, which is on schedule; the contractor is waiting for the pumps for the Larkspur Pump Station Improvement Project; the Sir Francis Drake Blvd./Floribel Sewer Rehabilitation Project bid award was delayed due to the County holding the encroachment permits; the preliminary budget is on schedule; and work on a report regarding plastics 3-7 will resume at the end of August.

Item #9-BOARD OPEN TIME Director Vanni updated the Board on his and Director Oliva's recent attendance at CMSA's workshop regarding the strategic plan. He also updated the Board on his recent attendance at CASA's conference.

Director Oliva updated the Board on his recent attendance at CASA's conference and CSRMA's seminar.

Item #10-ADJOURNMENT The meeting was adjourned at 8:02 p.m.

BRIAN P. OLIVA
Secretary of the Board