

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

Tuesday, August 3, 2004
6:45 p.m.

District Office
2000 Larkspur Landing Circle
Larkspur, CA

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

Members Absent: None

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

Guests Present: John Sharp, District Counsel

Public Present: Gisa Ju, Tom Hendrey, Garill Page and Bruce Baum.

Item #1-ORDER The meeting was called to order by President Vanni at 6:50 p.m. President Vanni then led the Pledge of Allegiance. Roll call was taken and a quorum was present.

Item #2-OPEN TIME FOR PUBLIC Bruce Baum, 1165 Butterfield Road, San Anselmo, read some selected excerpts from the District's September 12, 2002 Minutes regarding the North Area Solid Waste Franchise. He was concerned about Marin Sanitary Service's statement that its company would not landfill plastics 3-7.

Item #3-APPROVE THE MINUTES OF JULY 6, 2004 M/S Oliva/MacMillan to approve the Minutes of July 6, 2004 as submitted. The motion carried unanimously.

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

- a) Approve Accountant's Report for June 2004
- b) Approve Progress Payments for Capital Improvement Projects:
 - i) Larkspur Pump Station Improvements, Michael Paul Co., progress billing no. 6 in the amount of \$92,730.83
- c) Adopt Resolution No. 1223 amending the District's Conflict of Interest Code
- d) Grant approval for a public sewer extension to serve 171 and 179 Sacramento Avenue in San Anselmo

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

Item #5-PUBLIC HEARING: 2004/2005 FISCAL YEAR SEWER SERVICE CHARGES District Manager Hogue reviewed the staff report.

President Vanni opened the Public Hearing at 6:53 p.m.

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

President Vanni closed the Public Hearing 7:03 p.m.

After a brief discussion, M/S Bjorn/MacMillan to adopt Resolution No. 1224 setting the 2004/2005 fiscal year annual sewer service charges at \$215 for the Ross Valley Service Area and \$292 for the Larkspur Service Area. The motion carried unanimously.

Item #6-APPROVE 2004/2005 FISCAL YEAR BUDGET District Manager Hogue reviewed the staff report. .

After a brief discussion, M/S Oliva/MacMillan to adopt Resolution No. 1225 setting the 2004/2005 Fiscal Year Budget at \$8,768,756. The motion carried unanimously.

Item #7-PROFESSIONAL SERVICES FOR SANITARY SEWER SYSTEM HYDRAULIC EVALUATION AND CAPACITY ASSURANCE PLAN (SHECAP)
District Manager Hogue reviewed the staff report.

Gisa Ju of MWH gave a Power Point presentation to the Board of her firm's proposal.

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

Gisa Ju, Tom Gentry and Ana Bernardes answered questions from the Board and the public.

After a lengthy discussion, M/S Bjorn/Oliva to authorize the District Manager to negotiate an agreement with MWH to provide professional services for the District's Sanitary Sewer System Hydraulic Evaluation and Capacity Assurance Plan. The motion carried unanimously.

Item #8-STAFF'S VERBAL REPORT The District Manager gave a brief report on the 2004 Sewer Rehabilitation Project, which is about to begin; the Butterfield Sewer Rehabilitation Project should be on next month's agenda to award the contract; the Larkspur Pump Station Improvements Project is on schedule; the Kentfield Pump Station Improvements Project is almost complete, pending the final punch list items; Campus has submitted their preliminary application to the City of Larkspur and the environmental review should be starting soon; and the plastics recycling issue should be on next month's agenda.

John Sharp, District Counsel, updated the Board on the Canyon Road Sewer Assessment District.

Item #9-BOARD OPEN TIME Director Brown had questions for District Counsel Sharp, since he was not present at last month's meeting, regarding the approval of the firm Jones Hall to be the facilitator for the Canyon Road Sewer Assessment District.

Director Oliva stated that he visited the Kentfield Pump Station and the contractor is doing a great job. However, he was concerned about security issues, as he just walked in through the gates and no one questioned him. Director Oliva also updated the Board regarding a release into the creek by the Cheda Building in San Anselmo. Dead fish were found, but it was due to an air condition unit and not sewage.

Item #10-PERSONNEL EXCEPTION: IDENTIFICATION OF A PUBLIC EMPLOYEE PURSUANT TO GOVERNMENT CODE SECTION 54957 District Counsel Sharp stated that the purpose of this item was for the Board to identify a designee for negotiations, which should be him. There were no objections from the Board.

Item #11- CLOSED SESSION The Board adjourned to Closed Session at 8:00 p.m. pursuant to Government Code 54957, discussion regarding a public employee—District Manager.

The Board reconvened to Open Session at 9:30 p.m.

Reportable action taken during Closed Session: None.

During open session, the Board discussed the District Manager's contract; specifically, extension of the contract and compensation as compared to other agency managers' salaries were discussed. The Board voted unanimously (Director Oliva absent) to extend the contract from June 1, 2004 through June 30, 2007 with base salary increases of 10% in the first year and 7% in each of the following two years. The Board also agreed to require the District Manager to submit, annually, written objectives to be reviewed by and discussed with the Board.

Item #12-ADJOURNMENT The meeting was adjourned at 10:00 p.m.

BRIAN P. OLIVA
Secretary of the Board