

## MINUTES OF OCTOBER 8, 2009

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT MET IN OPEN SESSION ON OCTOBER 8, 2009, AT 3:15 PM, AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD, SAN RAFAEL, CALIFORNIA.

**BOARD MEMBERS PRESENT:** M. Clark, R. Greenfield, L. Loder, C. Murray and J. Schriebman.

**BOARD MEMBERS ABSENT:** None.

**STAFF PRESENT:** Mark R. Williams, General Manager; Susan McGuire, District Treasurer; Dave Byers, District Counsel.

**OTHERS PRESENT:** Glenn Berkheimer, IEDA Inc.

**ANNOUNCEMENT:** President Loder announced that the agenda had been posted as evidenced by the certification on file in accordance with the law.

### **ADJOURNMENT:**

#### **ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT ADJOURNED TO CLOSED SESSION ON OCTOBER 8, 2009, AT 3:17 PM, AT THE DISTRICT OFFICE, 300 SMITH RANCH ROAD, SAN RAFAEL, CALIFORNIA.

### **CLOSED SESSION:**

**CONFERENCE WITH LABOR NEGOTIATOR** – Agency designated representative: Glenn Berkheimer, IEDA; Employee Organization: OE3 – pursuant to Government Code Section 54954.5(f)

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS** – Pursuant to Government Code Section 54956.8 - APN 155-121-27, 300 Smith Ranch Road, San Rafael, California. Agency Negotiator: Board of Directors, General Manager and District Counsel; Negotiating parties: Not Yet Known; Under Negotiation: Price and terms of payment.

**CONFERENCE WITH LEGAL COUNSEL** - Anticipated litigation - Significant exposure to litigation pursuant to Subdivision (b) of Government Code Section 54956.9: One potential case.

### **ADJOURNMENT:**

#### **ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT RECONVENED THE REGULAR SESSION ON OCTOBER 8, 2009 AT 4:24 P.M.

An additional item came to the attention of the General Manager subsequent to the posting of the agenda.

#### **ACTION:**

Board approved (M/S Murray/Greenfield 5-0-0-0) that an additional item be added to the Closed Session agenda pursuant to Government Code Section 54957: Public Employee Discipline/Dismissal/Release.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT RECONVENED THE CLOSED SESSION ON OCTOBER 8, 2009 AT 4:26 P.M.

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE:** Pursuant to Government Code Section 54957.

**ADJOURNMENT:**

**ACTION:**

THE BOARD OF DIRECTORS OF THE LAS GALLINAS VALLEY SANITARY DISTRICT RECONVENED THE REGULAR SESSION ON OCTOBER 8, 2009 AT 4:45 P.M.

**REPORT ON CLOSED SESSION:**

President Loder reported that there were no reportable actions in Closed Session.

**STAFF PRESENT:**

Carolyn Memmott, District Secretary; Janice Mandler, Collection System/Safety Manager;

**OTHERS PRESENT:**

Gary Robards, Nute Engineering;

**PUBLIC COMMENT:**

Mary Feller, Santa Venetia Neighborhood Association, spoke regarding drainage issues and flooding in the Santa Venetia area. Williams will discuss further with the County of Marin and bring back for a future agenda item.

**CONSENT CALENDAR:** These items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the staff or the Board.

- A. APPROVE the Board Minutes for July 23 and August 20, 2009.
- B. APPROVE the Warrant List for October 8, 2009.
- C. APPROVE Director's Compensation – September 2009.
- D. APPROVE Administrative Policy A-01: Travel on District Business

Items 2A and 2D were pulled for discussion.

**ACTION:**

Board approved (M/S Schriebman/Greenfield 5-0-0-0) Consent Calendar Items B and C.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

Schriebman inquired about item 2A and the status of the follow-up from the garbage franchise review reflected in the minutes of July 23, 2009. Williams will report back at the next Board meeting.

Murray asked for clarification on item 2D. McGuire discussed the updated policy and reported that meal reimbursement rates have increased as of October 1, 2009.

**ACTION:**

Board approved (M/S Murray/Schriebman 5-0-0-0) Consent Calendar Items A and D with revisions as discussed.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

Byers reported that two additional items came to his attention subsequent to the posting of the agenda and requested that they be added:

**ACTION:**

Board approved (M/S Greenfield/Murray 5-0-0-0) adding two items to the agenda:

1. License Agreement – Levee Modification
2. Recruitment and Job Description for Plant Manager Position

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**SAN RAFAEL AIRPORT SPORT COMPLEX SEWER SERVICE:** San Rafael Airport representative Robert Herbst gave a presentation on the proposed San Rafael Airport Sport Complex Project. Airport representative Lee Oberkamper also spoke. Board Discussion ensued.

Gary Robards of Nute Engineering spoke about concerns relating to District sanitary sewer service for the proposed soccer complex at the Smith Ranch Airport. Mary Feller, Santa Venetia Neighborhood Association, expressed neighborhood opposition. Brief discussion followed.

**LICENSE AGREEMENT – LEVEE MODIFICATION:** Byers discussed and recommended approval of a license agreement with the California State Coastal Conservancy regarding levee modification to the southern portion of the Bay-Front Levee along San Pablo Bay.

**ACTION:**

Board approved (M/S Schriebman/Murray 5-0-0-0) license agreement with the California State Coastal Conservancy for levee modification to the Southern Portion of the Bay-Front Levee along San Pablo Bay.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**PLANT MANAGER RECRUITMENT AND JOB DESCRIPTION:** Williams reviewed the Plant Manager salary and revised job description and recommended approval, effective December 1, 2009. Williams also recommended approval of a proposal from Brent Ives of BHI Management Consulting for the Plant Manager recruitment.

**ACTION:**

Board approved (M/S Greenfield/Murray 5-0-0-0) Plant Manager salary and job description, effective December 1, 2009 and approved the proposal for executive recruitment services from Brent Ives of BHI of BHI Management Consulting for the Plant Manager position.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**PUBLIC HEARING TO ADOPT THE FOLLOWING ORDINANCE: ORDINANCE 145 – AN ORDINANCE REORGANIZING THE EXISTING ORDINANCES TO ENSURE CONSISTENCY WITHIN THE ORDINANCE CODE:** Byers explained the proposed changes for Board approval to the District's Ordinance Code that he has developed for ensuring consistency throughout the Ordinance Code.

**ACTION TO EXTEND THE MEETING:**

At 6:29 p.m. the Board approved (M/S Schriebman/Greenfield 5-0-0-0) to extend the meeting until 6:45 p.m.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**ACTION:**

Board approved (M/S Murray/Schriebman 5-0-0-0) Ordinance 145 – An Ordinance Amending Various Sections of the Ordinance Code of the Las Gallinas Valley Sanitary District.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

**STAFF / CONSULTANT REPORTS:**

- A. Marin Independent Journal Various Articles / Miscellaneous Correspondence & Articles – No discussion.
- B. Repair and Maintenance of Sewage Pump Station Force Main Metallic Components – Williams reported.
- C. CASA Membership Survey – Williams asked the Board to complete the CASA Membership Survey.

**BOARD REPORTS:**

- A. NBWA – Schriebman reported.
- B. NBWA-Miller Creek Watershed Stewards – No Report.
- C. NBWRA – No Report.
- D. CASA – Lateral Committee – No Report.
- E. Community Composting Update – Schriebman and Kerry Mazzoni of Marin Sanitary Service discussed the possibility of a community composting event.
- F. State of the San Francisco Estuary Conference – Due to lack of time, this item will be placed on the October 22<sup>nd</sup> agenda.
- G. Electric Vehicles – Due to lack of time, this item will be placed on the October 22<sup>nd</sup> agenda.

**BOARD REQUESTS:**

- A. Board Meeting Attendance Requests – Schriebman announced an anniversary celebration event with the National Park Service/Point Reyes National Seashore Association's Friends of the Giacomini Wetlands on October 25<sup>th</sup>.
- B. Board Agenda Item Requests – No requests.

**ADJOURNMENT:**

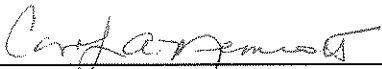
**ACTION:**

Board approved (M/S Greenfield/Schriebman 5-0-0-0) the adjournment of the meeting at 6:48 p.m.

AYES: Clark, Greenfield, Loder, Murray and Schriebman.  
NOES: None  
ABSENT: None  
ABSTAIN: None

The next Board Meeting is scheduled for October 22, 2009 at 4:30 p.m. at the District's office.

ATTEST:

  
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Carolyn A. Memmott, District Secretary

APPROVED:

  
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L.H. Loder, Board President

