

**MINUTES OF THE REGULAR MEETING
OF THE BOARD OF DIRECTORS OF
SAUSALITO-MARIN CITY SANITARY DISTRICT**

September 7, 2010

The regular meeting of the Sausalito-Marin City Sanitary District was held on September 7, 2010 at 7:30 p.m., 420 Litho Street, City Council Chambers, Sausalito, California

I. ROLL CALL

Directors Present: Arnott, Beers, Berkman, Gergus, Wohlschlaeger

Staff Present: General Manager Bob Simmons, Plant Superintendent Yoshi Uemura, Board Secretary Krueger

Staff Also Present: Operator Kevin Beneda

Also Present: Legal Counsel Jennifer Faight, TCSD Representative Jim Jacobs, TCSD General Manager Jon Elam, Robert H Greene Property Manager Mary Fraser

II. TCSD AND CITY OF SAUSALITO REPORTS – None.

III. CONSENT CALENDAR

A. APPROVAL OF MINUTES OF REGULAR BOARD MEETING OF AUGUST 2, 2010 AS PRESENTED

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

B. APPROVAL OF MINUTES OF SPECIAL BOARD MEETING OF JULY 9, 2010 AS PRESENTED

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

C. APPROVAL OF MINUTES OF SPECIAL BOARD MEETING OF JULY 22, 2010 AS PRESENTED

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

D. APPROVAL OF MINUTES OF SPECIAL BOARD MEETING OF JULY 28, 2010

AS PRESENTED

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**E. APPROVAL OF MINUTES OF FINANCE, INSURANCE AND BUDGET
COMMITTEE MEETING OF JUNE 29, 2010 AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**F. APPROVAL OF MINUTES OF PERSONNEL COMMITTEE MEETING OF JUNE
30, 2010 AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**G. APPROVAL OF MINUTES OF PERSONNEL COMMITTEE MEETING OF JULY 8,
2010 AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**H. APPROVAL OF MINUTES OF PERSONNEL COMMITTEE MEETING OF JULY
21, 2010 AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**I. APPROVAL OF MINUTES OF PUBLIC INFORMATION COMMITTEE MEETING
OF JULY 21, 2010 AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

**J. AUTHORIZATION TO EXECUTE AMENDED AGREEMENT BETWEEN
SANITARY/SANITATION DISTRICTS IN MARIN COUNTY FOR THE
COOPERATIVE USE OF A SAFETY DIRECTOR AS PRESENTED**

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

K. APPROVAL OF BILLS AND EXPENDITURES AS PRESENTED

M/S/C- Wohlschlaeger/Gergus VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

IV. **GENERAL PUBLIC.** NONE

V. **UNFINISHED BUSINESS-** NONE

VI. **NEW BUSINESS**

- A. **CONSIDER REQUEST OF MARY FRASER FOR REFUND OF A PORTION OF THE SEWER SERVICE CHARGES ASSESSED PARCEL APN 064-082-02 FOR FISCAL YEARS 2007/08 THROUGH 2009/10.** Manager Simmons stated that a request was received in June 2010 from Mary Fraser for reassessment of sewer service charges for a parcel APN 064-082-02, located at 1750 Bridgeway, Sausalito. Ms. Fraser is a property manager & broker associate with the Robert H. Greene Real Estate Inc., which is representing the owner of the parcel, Powell Street Joint Venture.

Ms. Fraser notified staff that the commercial kitchen located at 1750 Bridgeway had closed in June 2007 and requested a reassessment of the charges for Fiscal Years 2007/08, 2008/09, and 2009/10. The reassessment would involve changing the wastewater strength loading factor from high strength (2.4) to low strength (1.0). The refund due on a reassessment would be FY 2007/08: \$2,508.04, FY 2008/09: \$1,408.25, and FY 2009/10: \$1,854.64 for a total of \$5,770.93.

Jennifer Faught, Meyers Nave, advised that, based on the language of the Ordinance, the District is not obligated to refund the customer for the period of time before they provided notification that the restaurant had closed.

Director Beers stated that although the Ordinance does not obligate the District to reimburse Powell Street Joint Venture for the time prior to notification of the change in property use, it is the District's Board's desire that all residents are appropriately and accurately charged. Had staff been made aware of the change, the sewer service charges would have reflected the low strength factor instead of the high factor, as such, it would be appropriate to apply the reassessed strength factor and issue a refund. The Directors concurred that it would be appropriate to issue a refund in the amount of \$5,770.93.

- **MOTION:** Issue a refund to Powell Street Joint Venture for parcel APN 064-082-02 in the amount of \$5,770.93 (FY 2007/08-\$2,508.04, FY 2008/09-\$1,408.25, FY 2009/10-\$1,854.64) for reassessed sewer service charges based on a modified strength factor from high to low strength.

M/S/C- Wohlschlaeger/Berkman VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

- B. **RESOLUTION NO. 935 COMMENDING GARY STENVERS FOR 32 YEARS OF SERVICE TO THE DISTRICT.** Manager Simmons stated that Gary Stenvers, Lead Operator, retired on September 10, 2010 and discussed the invaluable contributions that Mr. Stenvers made to the District over the course of his 32 year employment. The Board acknowledged Mr. Stenvers' many contributions and expressed their appreciation for the years of dedication and commitment to the District.

- **MOTION:** Adopt Resolution No. 935 Commending Gary Stenvers for 32 Years of Service to the District.

M/S/C- Gergus/Arnott

VOTE: Arnott, Beers, Berkman, Gergus,
Wohlschlaeger

STAFF REPORT

A. GENERAL MANAGER

1. Plant Operations: 1) Superintendent Uemura indicated that the District was in full compliance with its NPDES permit discharge limitation during August. 2) Main Street pump # 2 was taken out and sent to Turbo Machinery for repair. The problem with the pump was determined to be a broken impeller retaining bolt. The pump repair will be completed in approximately two weeks. The VFD for Pumps 2 and 3 will arrive for replacement in three weeks. 3) District staff have been moving forward with the populating the Maintenance Management Program with equipment inventory and preventative maintenance requirements and are close to being able to put the program in regular use. A review and program analysis meeting is planned with NexGen later this month. This will allow us to discuss adjustments to the program to match our current needs. 4) The digester heated sludge recirculation pump was replaced with new more reliable pump. 5) Marin City system assessments have been completed. Map revisions have been redrawn from new data on line and manhole locations. 6) Marin City "hot spot" lines have been cleaned.
2. Safety Program: 1) A new eye wash shower was installed near the chemical storage locker. 2) Plant Operations staff are routinely providing safety tailgates Topic selection and presentations are being rotated among staff.
3. EEO Report/Harassment Report: None
4. Odor Report. No odor complaints this month. Operations staff are noticing an increase in odors from the plant due to the warm temperatures. The odor masking agent concentrations have been increased to improve the masking of any odors.
5. Safety Director Recruitment. The Safety Director position was offered to the successful candidate.
6. USEPA Administrative Compliance Order - A Report on meeting with USEPA and Regional Water Board regarding October 15, 2010 Condition Assessment and Capacity Assurance Plans was presented to the Board
7. Amendment of Supplemental Environmental Project - the Private Lateral Grant Program description has been post for comments. Comments are due by October 1, 2010.

B. OFFICE MANAGER/BOARD SECRETARY: None.

C. ACCOUNTANT: None.

VII. BOARD OF DIRECTORS – NONE

VIII ADJOURNMENT

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The meeting was adjourned at 10:30 p.m., to a special meeting to be held on October 7, 2010, City Council Chambers, 420 Litho St, Sausalito, 7:30 p.m.

[SIGNED ORIGINAL ON FILE]

Joyce Krueger
Board Secretary