

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

February 7, 2011

The regular meeting of the Sausalito-Marín City Sanitary District was held on February 7, 2011 at 7:30 p.m., 420 Litho Street, City Council Chambers, Sausalito, California

I. ROLL CALL

Directors Present: Arnott, Beers, Gergus, Ring

Directors Absent: Wohlschlaeger

Staff Present: General Manager Bob Simmons, Lab Director Omar Arias

Staff Also Present: O&M Tech Kevin Beneda

Also Present: District Counsel Kent Alm, TCSD General Manager Jon Elam

II. TCSD AND CITY OF SAUSALITO REPORTS – None.

III. CONSENT CALENDAR

A. APPROVAL OF MINUTES OF THE REGULAR BOARD MEETING OF JANUARY 3, 2011 AS PRESENTED:

M/S/C- Gergus/Beers

VOTE: Arnott, Beers, Gergus, Ring

B. APPROVAL OF BILLS AND EXPENDITURES AS PRESENTED:

M/S/C- Gergus/Ring

VOTE: Arnott, Beers, Gergus, Ring

IV. GENERAL PUBLIC. NONE

V. UNFINISHED BUSINESS.

A. CONSIDER ADOPTION OF PUBLIC AND EMPLOYEE CONDUCT POLICY.

Simmons noted that the draft Policy was brought before the Board at the February board meeting and revisions were suggested. Those revisions have been incorporated into the new Policy.

Director Gergus suggested adding the phrase "except for incidents of self defense" to Item No. 5, *Unacceptable Behavior*. Gergus said that he wished to incorporate

language in this Policy to affirm the employees' right to protect themselves should they be faced with physical violence. The Board concurred.

- **MOTION:** Adopt the Public and Employee Conduct Policy as Modified.

M/S/C – Ring/Beers

VOTE: Arnott, Beers, Gergus, Ring

VI. NEW BUSINESS

- A. **APPROVE DEPARTMENT OF THE ARMY EASEMENT NO. DACW05-2-11-539 FOR SEWER OVERFLOW MITIGATION IMPROVEMENTS LOCATED ON BAY MODEL VISITORS CENTER SAN FRANCISCO ENGINEER DOCKS AND YARDS PROJECT, MARIN COUNTY AND AUTHORIZE THE BOARD PRESIDENT TO EXECUTE THE EASEMENT AGREEMENT.** Simmons noted that as part of the wet weather improvement project, interim measures are being evaluated to improve the reliability of District pump stations. During peak wet weather flows, the interceptor sewer at Marinship Way in Sausalito becomes surcharged and has resulted in a number of overflows in past years.

The installation of Smart Cover manhole covers allows staff to monitor the level of flow within the interceptor. When the level reaches a high or surcharging level, an alarm notifies staff of the surcharge. The sewer overflow mitigation improvements include the construction of vaults and underground piping at the Bay Model Visitors Center property on Marinship Way. When staff is notified of the surcharge condition, a portable pump would be used to convey flow from the surcharging gravity interceptor to the Scotties force main via the underground piping.

Chris Gallagher of the Army Corps of Engineers was approached and requested to consider granting the District an easement for the mitigation measures on Bay Model Visitors Center property. The easement would provide for construction of the improvements and operation of the Wet Weather Mitigation Measure for a period of 10 years. Simmons reported that when the Scotties Wet Weather Pump Station is upgraded in about five years, the wet weather mitigation improvements on Bay model property will no longer be needed.

- **MOTION:** Authorize the Board President to Execute the Easement Agreement with the Army Corps of Engineers for the Sewer Overflow Mitigation Improvements at the Bay Model Visitors Center, Sausalito.

M/S/C – Beers/Gergus

VOTE: Arnott, Beers, Gergus, Ring

- B. **PRIMARY CLARIFIER TO FIXED FILM REACTOR TEMPORARY PUMPING SYSTEM, PRIMARY EFFLUENT BOX REPAIR, AND VALVE REPLACEMENT PROJECT, AUTHORIZE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH KENNEDY/JENKS CONSULTANTS TO PROVIDE ENGINEERING DESIGN AND BID ASSISTANCE SERVICES.** Simmons explained that this project is part of the District's 10 year capital improvement plan.

The project will provide for needed repair and rehabilitation of the Primary Effluent Box, Supernatant/Recycle Stream Pump Station Wet Well, Fixed Film Reactor (FFR) Pump Station and Digester Gas system. The PEB and Supernatant/Recycle Pump Station has been in continuous service since 1952. The FFR Pump Station has been in continuous operation since 1986

Kennedy/Jenks submitted a condition assessment report on the PEB that showed that significant corrosion has occurred to near the depth of the reinforcing steel (rebar) and further rebar corrosion is expected due to the loss of the concrete cover over the rebar. The supernatant Recycle Stream Pump Station wet well shows similar degradation. The design engineer will inspect the structures further before making a final recommendation.

The Fixed Film Reactor Supply Pump Station (FFR) is 25 years old and is in need of repair and rehabilitation. Condition inspection of the piping in 2010 showed that the pipes were in reasonably good condition but the valves, fitting and gates will need to be refurbished. In addition, a temporary FFR pump station will need to be constructed and put into service while the rehabilitation work is being performed.

Digester gas improvements are also included in this project. The digester flare is not drawing enough gas to outpace production thereby causing odors with the release of digester gas from the pressure valve. Kennedy/Jenks has been asked to design improvements for increasing the gas carrying capacity to the flare.

Staff is evaluating methods for procuring constructions services due to the high risk nature of the project and will provide further details to the Board when the evaluation is complete.

• **MOTION:** Authorize Execution of a Professional Services Agreement with Kennedy/Jenks Consultants to Provide Engineering Design and Bid Assistance Services in the amount not to exceed \$125,300.

M/S/C –Gergus/Beers

VOTE: Arnott, Beers, Gergus, Ring

- C. MUTUAL AID AND ASSISTANCE AGREEMENT BETWEEN MARIN COUNTY WASTEWATER AGENCIES- AUTHORIZE THE GENERAL MANAGER TO EXECUTE THE AGREEMENT.** Simmons noted that six Marin County wastewater agency managers meet each month to discuss pertinent issues. The agencies are Novato Sanitary, Las Gallinas Valley Sanitary District, Central Marin Sanitation District, Sewerage Agency of Southern Marin (SASM), Sanitation District No. 5 (Tiburon), and SMCSO.

The managers developed the Mutual Aid and Assistance Agreement which involves the sharing of resources such as personnel, materials and equipment between the Agencies to provide assistance and aid during emergencies. The expenses related to the aid would be reimbursed to the responding Agency. The Agreement is voluntary and does not require that aid be provided when resources are limited or not available.

- **MOTION:** Authorize the General Manager to Execute the Mutual Aid and Assistance Agreement between Marin County Wastewater Agencies and make non-substantive changes to the agreement.

M/S/C – Gergus/Beers VOTE: Arnott, Beers, Gergus, Ring

- D. **CONSIDER AMENDMENT OF PERSONNEL RULE NO. 1 DESIGNATING THE OPERATIONS SUPERINTENDENT AN AT-WILL EMPLOYEE AND ADOPT THE REVISION TO RULE NO. 1, PARAGRAPH 15** Simmons stated that the General Manager position is classified as an at-will position. The Operations Superintendent is a key management position with high level of responsibility for the successful operation of District functions. Simmons recommended that the Operations Superintendent's designation be changed to that of an at-will employee, similar to that of the General Manager position. The Board may consider establishing an employment agreement with the Operations Superintendent whereby either party may break the employment relationship without liability.

- **MOTION:** Amend Personnel Rule No. 1 Designating the Operations Superintendent an At-Will Employee and Adopt the Revision to Rule No. 1, Paragraph 15.

M/S/C – Beers/Gergus VOTE: Arnott, Beers, Gergus
ABSTAIN: Ring

- E. **CONSIDER APPROVAL OF REVISED JOB DESCRIPTION FOR OPERATIONS SUPERINTENDENT.** Simmons summarized the Operations Superintendent job description for the Board. The update will better describe the responsibility, education, skills and experience required for the position.

- **MOTION:** Approve the Revised Job Description for the Operations Superintendent

M/S/C – Ring/Gergus VOTE: Arnott, Beers, Gergus, Ring

- F. **RESCIND RESOLUTION NO. 938 ADOPTED ON NOVEMBER 1, 2010 AND AMEND AND ADOPTED A NEW, AMENDED RESOLUTION NO. 938.** Simmons recommended that Resolution No. 938, adopted on November 1, 2010, be rescinded due to language changes requested by the State Water Resources Control Board. The new resolution would specify that "Net" revenues would be used for repayment of the loan instead of dedicated revenue sources.

The directors directed that a new resolution number be assigned to avoid confusion.

- **MOTION:** Rescind Resolution No. 938 Adopted on November 1, 2010 and 2) Adopt Resolution No. 943 as the Amended Resolution.

M/S/C – Beers/Ring

VOTE: Arnott, Beers, Gergus, Ring

- G. RESOLUTION NO. 942 – A RESOLUTION AMENDING THE DISTRICT CONFLICT OF INTEREST CODE.** Kevin Rahman was recently promoted to the Associate Engineer position. Simmons noted that the position of Associate Engineer was added to the Conflict of Interest Code.

- **MOTION:** Adopt Resolution No. 942 Amending the District Conflict of Interest Code.

M/S/C – Gergus/Beers

VOTE: Arnott, Beers, Gergus, Ring

- H. MARIN COUNTY LAFCO SPECIAL DISTRICT ELECTION – CAST BALLOT FOR FIRST SECOND AND THIRD CHOICE.** The directors discussed the candidates for the LAFCO seat and selected Dennis Rodoni as the first candidate, Craig Murray as the second choice and Patrick Guasco as the third choice. No candidate was chosen for the alternative member seat.

- **MOTION:** Nominate Dennis Rodoni as the first candidate, Craig Murray as the second choice and Patrick Guasco as the third choice for the Marin County LAFCO Special District Seat Election.

M/S/C –Gergus/Ring

VOTE: Arnott, Beers, Gergus, Ring

- I. AUTHORIZE NOTICE OF PUBLIC HEARING TO CONSIDER SPECIFICATION OF MATERIAL, PRODUCT, THING OR SERVICE NEED BE DESIGNATED BY A SPECIFIC BRAND OR TRADE NAME IN THE SPECIFICATIONS FOR BIDS RELATED TO THE LOCUST STREET PUMP STATION IMPROVEMENT PROJECT.**

- **MOTION:** 1) Set March 7, 2011, as the date for a Public Hearing to Consider Specification of Material, Product, Thing or Service Need be Designated by a Specific Brand or Trade Name in the Specifications for Bids Related to the Locust Street Pump Station Improvement Project 2) Authorize Staff to Advertise the Notice of Public Hearing.

M/S/C – Gergus/Ring

VOTE: Arnott, Beers, Gergus, Ring

H. CASA WASHINGTON D.C. CONFERENCE, MARCH 14-16, 2011 – HOTEL MONACO, WASHINGTON D.C.

- **MOTION:** Approve Any Director Wishing to Attend the CASA Washington D.C. Conference, March 14-16, 2011, Hotel Monaco, Washington D.C.

M/S/C – Beers/Gergus

VOTE: Arnott, Beers, Gergus, Ring

STAFF REPORT

A. GENERAL MANAGER

1. Plant Operations: 1) Manager Simmons reported that the District was in full compliance with its NPDES permit discharge limits during January. 2) The six inch pump purchased in concert with the City of Sausalito has been moved to the Sausalito City Corporation Yard. 3) A sample pump failure occurred, which resulted in the stoppage of sodium hypochlorite & sodium bisulfate feed for about 42 minutes, Vince Pasquini responded to the alarm and corrected the situation. The sample pump has been replaced. RMC Engineering was retained to assess if the effluent was appropriately dechlorinated and confirmed that it had. 4) A failure of one pump at Gate 5 Pump Station occurred. Kevin Beneda and Rob Schmidt replaced the pump. Work performed by the City of Sausalito may have caused the power cable near the manhole cover to become dislodged and fall into wet well and become caught in the submersible pump. 5) Malfunction of screw press occurred but no damage to equipment was found. The malfunction has been corrected. 6) Chlorine solution line in the chlorine contact tank became blocked and broke. The line was replaced. 7) Anchor Street Pump Station repair issues are currently being explored with the City of Sausalito
2. Safety Program: Respiratory Fit Tests will be conducted in February. The District was awarded CSRMA's Superstar Award. No Workers Comp claims were filed for 2010.
3. EEO Report/Harassment Report. None
4. Odor Report. None
5. Termination of Employment by Yoshi Uemura and Temporary Assignment of Jeff Waters, O&M Technician II, as Chief Plant Operator. Yoshi Uemura's last day of work was January 31st. Jeff Waters has been designated as Chief Plant Operator in the interim until the new Operations Superintendent arrives.
6. Plant Superintendent Recruitment – Status Report. Sixteen applications were received. Seven candidates met the job qualification requirements and were invited to an interview. Mark Williams of Las Gallinas Valley Sanitary, Dennis

Lanohan of Delta Diablo Sanitary District, and Manager Simmons comprised the oral board. Two individuals were identified as strong candidates for the position with one individual removing himself from as a candidate due to family issues. Craig Justice was presented a verbal offer of employment and Mr. Justice has accepted. Mr. Justice's qualifications, education and experience were extensive and surpassed all of the requirements of the position.

7. Locust Street Pump Station Improvements – Advertisement of Notice Inviting Bids. The Locust Street Pump Station Improvement Project, Notice Inviting Bids will be advertised in the Marin Independent Journal on February 16 & 22.
8. Biosolids Beneficial Use at Redwood Landfill – Contemplated Change in Hauling Practice. Staff informed Simmons of problems with dump truck. Oil is leaking, underside of bed is corroded, and the structural support which connects to the hydraulic lift is also in poor condition. It was also discovered that the truck is not in compliance of BAAQMD requirements.

Several options have been discussed. A disposal hauling service is being considered to take sludge to the landfill. A bin will be placed in the courtyard area of the Plant. A front end loader could be used to move sludge from the screw press area to the bin. A disposal hauling service would free up about 6-8 hours of staff of time per week, which is now required when hauling sludge to the landfill, three times a week. Options and requirements are still being evaluated.

9. Amendment of Wastewater Collection, Treatment and Disposal Service Agreement between TCSD and SMCSD – Status Report. The Ad Hoc Committee met and reviewed the bullet point document received from TCSD. The Committee, District Counsel and Simmons met to review the bullet point document received from TCSD and are developing the SMCSD bullet points.

A final TCSD/SMCSD Amendment proposal document will be presented to full Board for approval by April 2011. Additional meetings will be conducted with the TCSD and SMCSD Ad Hoc Committees.

10. An attorney, representing Owner of Marin Gateway Shopping Center, Requesting Property Transfer Pursuant to June 13, 1995 Agreement of Redevelopment Agency of Marin. Mr. Bruce Ring, an attorney for the owners of the Gateway Marin Shopping Center contacted staff to discuss the transfer of property called for in the 1995 Marin County Redevelopment Agency agreement. Property that was transferred to District for the construction and operation of the Marin City Pump Station is the subject of the inquiry. The attorney would like to have any excess land to be conveyed to the Gateway owners as called for by the agreement. Simmons noted that no excess property may exist when upgrades to the Marin City Pump Station are considered and a temporary pumping system must be constructed. Discussion continues.

11. Report on BACWA Annual Meeting of January 27, 2011. Lab Director Omar Arias attended the BACWA Annual Meeting and gave a brief report on the meeting.

B. OFFICE MANAGER/BOARD SECRETARY: .

1) Recruitment of Administrative Assistant: Krueger reported that eight candidates had been selected from more than fifty applications. The selection was based on experience, education and skill set. The eight candidates will be invited to attend an informal interview session with Krueger and also test in the area of general work skill and in MS Office proficiency. Three candidates based on test scores and informal interview results will be invited to return for a formal oral board interview.

2) Public Records Act Request, Bay Area News Group –Compensation of full and part time employees, elected officials and appointed officials for Calendar Year 2010 Krueger reported that a public records request had been received from the Bay Area News Group. Salary and benefit information was requested and submitted to the Group in electronic form.

A. ACCOUNTANT: None.

- VII. BOARD OF DIRECTORS** – Director Arnott reported that she had attended the CASA Conference and presented a brief report to the Board.

VIII CLOSED SESSION

The Board entered closed session for conference with legal counsel at 10:15 p.m. to discuss possible litigation and potential initiation of litigation pursuant to subdivision (b) and (c) of Section 54956.9 of the Government Code. The Board left closed session and entered open session at 10:19 p.m. There were no reportable actions

IX. ADJOURNMENT

The meeting was adjourned at 10:19 p.m., to the regular meeting to be held on March 7, 2011, City Council Chambers, 420 Litho St, Sausalito, 7:30 p.m.

Board Secretary