

**THE COMMISSIONERS  
OF THE  
CENTRAL MARIN SANITATION AGENCY  
HELD A MEETING  
AT THE AGENCY OFFICE  
Tuesday, April 8, 2008  
7:00 P.M.**

**CALL MEETING TO ORDER:** Commissioner Sinnott called the meeting to order at 7:00 p.m. with the Pledge of Allegiance. A quorum was present.

Members Present: Boro, Brown, Dupar, Johnson, Miller, Sinnott

Members Absent: None

Staff Present: Jason Dow, General Manager; Kathy Britton, Recording Secretary; Hank Jen, Finance Manager; Rob Cole, Environmental Services Manager

Public Present: Vic Canby and Patty Burke, SD #1 Alternates; Steve Vanni, SD #1 Director; Bruce Baum, San Anselmo; Barry Hogue, SD #2; Rick Holland, Fairfax; Tom Gaffney; Paul Helliker, Marin Municipal Water District

**OPEN PERIOD:** Commissioner Dupar stated his concerns with the manner in which a member of the public was video recording the March meeting.

**CONSENT CALENDAR:** Bruce Baum, San Anselmo, asked that item 4.a be removed from the Consent Calendar.

Action M/s Miller/Dupar to approve Items b, c, d, e, f, g and h on the consent calendar:

- b. Treasurer's Report/Operating Account - March 2008
- c. Treasurer's Report/Revenue Bond Series - March 2008
- d. Schedule of Investments - March 2008
- e. March 2008 NPDES and Process Report
- f. Extension of Hydrogen Peroxide Supply Contract (C 05-03)
- g. Third Quarter Budget Status Report for FY 2007-08
- h. Heating Boilers Emergency Safety Repairs

The motion carried unanimously.

Item 4.a - Minutes of March 11, 2008: Commissioner Johnson requested two corrections to the minutes: Page 4, 1<sup>st</sup> paragraph, change overtime rate to overtime use; Page 4, 5<sup>th</sup> paragraph, change \$27 million to \$47 million.

Bruce Baum, San Anselmo, spoke during the public comment period about his concerns with action minutes.

Action M/s Boro/Johnson to approve Item 4.a, Minutes of March 11, 2008, with the two noted changes from Commissioner Johnson. The motion passed with the following vote:  
Ayes: Boro, Dupar, Johnson, Miller, Sinnott  
Noes: None  
Abstain: Brown

**MMWD PRESENTATION:**

Paul Helliker, Marin Municipal Water District (MMWD), gave a presentation of the proposed Desalination Project. He reviewed projected future water supply scenarios and MMWD options. Mr. Helliker identified some project alternatives and proposed facility locations. He presented project cost estimates, estimated annual operating costs, and resulting rate increases.

Commissioner Johnson had concerns about desalination during a drought or oil spills, and sharing of the CMSA outfall. She asked why MMWD did not consider building their own outfall. Mr. Helliker responded to the questions. He stated that building their own outfall would be very expensive and complicated to permit and there were environmental benefits with sharing CMSA's outfall.

Chair Sinnott asked if there would be any opposition to the placement of the San Quentin ridge storage tanks. Mr. Helliker stated that MMWD predicts some controversy.

Commissioner Dupar asked what would happen if there were a sewage spill from CMSA that reached the Bay. Mr. Helliker stated that MMWD would expect CMSA to inform them if there were a spill, and then MMWD would temporarily shut down the desalination facility.

Bruce Baum, San Anselmo, spoke during the public comment period regarding renewable energy costs and the estimated costs if Community Choice Aggregation (CCA) were formed. Rick Holland spoke during the public comment period, asking about the additional cost of using recycled water. Mr. Helliker responded to the public's questions.

**NPDES PERMIT  
EXCEEDANCES & JPA  
MEMBER AGENCY SANITARY  
SEWER OVERFLOWS:**

GM Dow reviewed the regulatory notification and reporting requirements for permit exceedances and overflows from the treatment plant. He stated that staff has prepared a comprehensive procedure document to comply with these requirements, and reviewed the procedure.

Commissioner Dupar asked how this information will be given to staff. GM Dow stated that after employee training, staff would be given a hard copy of the procedure, it would be posted on the web site, and included in the Emergency Response Plan (ERP) document. Commissioner Dupar stated that the procedures should be shared with the member agencies.

Commissioner Boro asked if member agencies had similar notification procedures and if there were any coordination between member agencies. GM Dow stated that the member agencies should have their own procedures that meet the State's regulatory requirements.

Commissioner Miller stated that all policies should have the same appearance and content so that all agencies are on the "same page". Commissioner Johnson had concerns about employee home phone numbers being published on the web site.

GM Dow stated the phone numbers will be removed from the web version, and CMSA will share the procedures with the member agencies.

No public comment.

Action M/s Miller/Johnson to approve the Agency's Notification and Reporting Procedures for NPDES Permit Exceedances and JPA Sanitary Sewer Overflows. The motion carried unanimously.

**CMSA PERFORMANCE  
METRIC REPORT -  
MARCH 2008:**

GM Dow reported that the three Board comments from last month's board meeting had been incorporated into the Performance Metric report. He stated that goals and initial target ranges have been established for most of the metrics, and that future reports will be included in the Board's consent calendar.

Bruce Baum, San Anselmo, spoke during the public comment period about clarification on a line item in the metric report. GM Dow responded.

Action M/s Boro/Dupar accepting the March 2008 Performance Metric Report. The motion carried unanimously.

**HEADWORKS BARSCREEN  
REPLACEMENT PROJECT  
ALTERNATE DELIVERY  
METHOD:**

GM Dow reviewed the project scope of work and the proposed alternate project delivery method. The project budget in the revenue bond program is \$2.65 million. Our construction attorney has provided an opinion stating the alternate delivery method is legal.

Commissioner Boro asked what the savings would be using this alternate approach. GM Dow stated that a conceptual estimate was approximately \$500,000.

Commissioner Johnson stated she agreed with the approach but felt that the change order amount should stay with the WWIP project rather than a CIP project account. GM Dow replied that staff preferred to keep the cost separate from the WWIP. Commissioner Johnson asked if our auditors could review.

No public comment.

Action M/s Boro/Dupar to approve the proposed alternate project delivery method for the Headworks Barscreen Replacement Project. The motion carried unanimously.

Break

**SUCCESSION PLAN/  
RETIREMENT ANALYSIS  
UPDATE:**

GM Dow reviewed the success plan/retirement analysis update, reported that four employees resigned in 2007, and presented management concerns with the resignations.

Commissioner Johnson suggested that the Personnel Committee look at both retirement and retention issues.

Commissioner Boro asked if a program could be developed in the local schools, such as a career work program, to recruit local operators. Commissioner Dupar asked if there was room at the Agency for that kind of program. GM Dow will investigate looking into a program with the local schools.

Action M/s Dupar/Johnson authorizing the General Manager and Board Personnel Committee to identify feasible programs to assist with Agency staff recruitment and retainage, and bring the programs to a future meeting for Board review and consideration. The motion carried unanimously.

**WWIP RELIABILITY PROJECT  
PROFESSIONAL SERVICES  
AGREEMENT WITH  
CH2MHILL:**

GM Dow reported that staff has collaborated with CH2MHill to prepare a Professional Services Agreement and scope of work for the Wet Weather Reliability Project. The project will be done in two phases: Phase 1 will be assessment and alternative improvement analysis; and Phase 2 is design for the selected improvements. Staff hopes to have most of the construction completed before the wet weather begins.

Commissioner Johnson asked about the conference call after the field investigation task, and suggested that all correspondence be documented. Commissioner Brown also felt that all findings should be in writing. GM Dow responded that the fieldwork, assessment, and Phase I findings will be captured in a technical memorandum.

No public comment.

Action M/s Dupar/Boro to approve the Professional Services Agreement with CH2MHill for the Wet Weather Reliability Project, and authorize the General Manager to execute the Agreement. The motion carried unanimously.

**10-YEAR FINANCIAL  
FORECAST MODEL -  
FIRST DRAFT**

GM Dow reviewed the budget components that have been presented to and discussed by the Board since January 2008. The new 10-year financial model includes the recently adopted reserve policy provisions, the CIP schedules, and projected operating revenues and expenses.

Commissioner Johnson asked about the historic number of years CMSA has asked for rate increases. GM Dow gave an overview of CMSA's rates since the late 1990's and stated that the Board considers increases annually during budget development.

Commissioner Dupar brought up the rate schedules for the member agencies. He is concerned about dipping into the reserves. He asked what happens if a member agency doesn't pass an increase, what does it do to our charge. GM Dow responded that the JPA and debt service payment agreements require the members to derive the revenue to pay CMSA's charges.

Commissioner Boro stated that over the next five years that SRSD rates will double. He would like to sit down with all member agency board members and managers to discuss rate setting and potential coordination.

Commissioner Johnson stated that Ross Valley is ready to pass their Prop. 218 rate increase, but there is some long term financial plan issues that need to be corrected.

Bruce Baum, San Anselmo, asked for clarity on rate increases. Steve Vanni (RVSD board member), Rick Holland, and Tom Gaffney spoke during the open public comment period, about concerns and suggestions with rates and CIP funding options.

Commissioner Johnson stated that Ross Valley did have a long range plan in place, and stated it was being updated to include actuals. The district did not want to charge rate payers more than was needed. Commissioner Brown stated that Ross Valley intends to address projects which can be implemented.

Commissioner Boro suggested that GM Dow draft a letter to coordinate a meeting of all members and managers to discuss rates and capital projects.

Chair Sinnott thanked Hank Jen for his efforts on putting together the financial forecast.

**WWIP MONTHLY REPORT  
MARCH 2008:**

GM Dow reported that the WWIP project is on schedule and reported briefly on the project status.

Commissioner Johnson asked how the safety record was going. GM Dow reported that Western Water does a weekly safety sweep and their safety consultant visits the job site at least once a month.

No public comment.

Action M/s Miller/Johnson to accept the Wet Weather Improvement Project monthly report for March 2008. The motion carried unanimously.

**NBWA UPDATE:** No report this month.

**VERBAL REPORT:** GM Dow reported:

- Distributed a fact sheet on Assembly Bill AB2986 and presented the Agency concerns with the grading system.
- Minutes: researched the Government Code and Brown Act, with Counsel Govi, and found that the only requirement for minutes is that they record Board direction, action taken, and the vote.
- Reserve Policy: staff reviewed the current reserve policy against the 2002 Grand Jury Report and found that our policy exceeds the recommendation in the Grand Jury report.
- SEIU has withdrawn their unfair labor practice charge against CMSA.
- Methane gas feasibility study approved by San Rafael Council; partnering with SR; preparing an RFQ.
- CMSA has concerns that RVSD and possibly other members will be increasing collection system capacity that may exceed the CMSA wet weather capacity after the WWIP is complete (125 mgd).

Commissioner Brown stated that the SD #1 citizen alternate did not sit on the CMSA Board at last month's meeting due to her not notifying him with proper advance notice.

Bruce Baum, San Anselmo, spoke during the public comment period regarding the Leno Bill and SD #1 forcemain replacement.

**DATE OF NEXT MEETING:** The next regular commission meeting is May 13, 2008, at 7:00 p.m.

**ADJOURN:** The meeting was adjourned at 10:00 p.m.

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Recording Secretary

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Secretary