

**THE COMMISSIONERS
OF THE
CENTRAL MARIN SANITATION AGENCY
HELD A MEETING AT THE AGENCY OFFICE**

**Tuesday, June 9, 2009
5:00 P.M.**

CALL MEETING TO ORDER

Vice Chair Boro, acting in the Chair's absence, called the meeting to order at 5:17 p.m. A quorum was present.

Members Present:

Boro, Dupar, Miller, and Alternate Sullivan (for Brown)

Members Absent:

Brown, Johnson, Sinnott (arrived during tour)

Staff Present:

Jason Dow, General Manager; Mary Brown, Recording Secretary; Nathan Brennan, Treatment Plant Manager; Rob Cole, Environmental Services Manager; Ken Katen, Senior Engineer; Hank Jen, Finance Manager; Chris Finton, Assistant Treatment Plant Manager

ADJOURN

Meeting adjourned at 5:19 p.m. for the Wet Weather Improvement Project Construction Tour.

CALL MEETING TO ORDER

Chair Sinnott called the meeting to order at 7:01 p.m. A quorum was present.

Members Present:

Brown, Dupar, Johnson, Miller, and Sinnott

Members Absent:

Boro (present 7:16)

Staff Present:

Jason Dow, General Manager; Mary Brown, Recording Secretary; Nathan Brennan, Treatment Plant Manager; Rob Cole, Environmental Services Manager; Ken Katen, Senior Engineer; Hank Jen, Finance Manager; Chris Finton, Assistant Treatment Plant Manager

Public Present:

Jack F. Govi, County Counsel's Office; Peter Sullivan, RVSD; Rayanne Florence. There were no other names recorded on the sign-in sheet, however, there were several members of the public present.

OPEN PERIOD

There were no public comments.

CONSENT CALENDAR

Commissioner Johnson asked that Consent Calendar Items 4.a., Minutes of May 12, 2009 and 4.h., Adoption of the FY 09/10 Final Budget, be removed from the Consent Calendar for further discussion.

Action

M/s Dupar/Miller to approve the remaining items on the consent calendar:

- b. Treasurer's Report—Operating Account—May 2009
- c. Treasurer's Report-Revenue Bond—May 2009
- d. Schedule of Investments—May 2009
- e. Performance Metric Report—May 2009
- f. NPDES and Process Report—May 2009
- g. Wet Weather Improvement Project Monthly Report—May 2009
- i. Revised Safety Director Cooperative Program Agreement
- j. Award of Biosolids Hauling Contract (No. 09-07)

The motion carried unanimously.

4.a. Minutes of May 12, 2009: Commissioner Johnson asked that the minutes be modified to better reflect her comments during the discussion of the agenda item Finance Committee's Recommendation for Future Operating Rate Adjustments and Capital Funding Methodology. GM Dow clarified the language to be modified.

Chair Sinnott proposed waiting for Commissioner Boro to arrive at the meeting to assure a quorum of commissioners (present at the May 12 meeting) for the vote.

4.h. Adoption of the FY 09/10 Final Budget: Commissioner Johnson shared her concerns about the 6.2% increase in the operating budget expenditures.

GM Dow stated that CMSA staff worked very hard to find areas where cuts could be made and made reductions where possible, and explained that up to 90% of the budget is fixed and cannot be adjusted because the costs are based on contracts and other fixed items.

Commissioner Johnson asked numerous detailed questions about the budget's revenue and expenditure accounts. GM Dow and present CMSA staff answered all of Commissioner Johnson's questions.

(Commissioner Boro present 7:16 p.m.)

Commissioner Brown asked about the Class A biosolids capital account and operating budget accounts and GM Dow responded.

Commissioner Dupar thanked GM Dow and his staff for their efforts on the budget and said that it was apparent that costs and expenditures had been tightened as much as possible.

Public Comments:

Bruce Baum, San Anselmo, asked how many employee unions are involved with CMSA and when the union contracts expire. GM Dow responded.

Action M/s Miller/Dupar to approve Item 4.h., Adoption of the FY 09/10 Final Budget. The motion passed with the following vote:
Ayes: Boro, Dupar, Miller, Sinnott
Noes: Brown, Johnson

Action M/s Dupar/Johnson to approve Item 4.a., Minutes of May 12, 2009, as amended. The motion passed with the following vote:
Ayes: Boro, Dupar, Johnson, Miller
Noes: None
Abstain: Brown, Sinnott

2009 WET WEATHER REPORT

GM Dow reviewed the staff report and said that this item is a component of the JPA action plan.

Commissioner Johnson stated that she liked this report and asked if it could show the entire year's flow. The Board reached consensus that they would like to see an annual flow report next year.

Public Comments:

Bruce Baum, San Anselmo, asked if there was an increase in the amount of biosolids brought to Redwood Landfill over 2008. GM Dow and present CMSA staff responded.

This item was informational and there was no action taken.

CAPACITY CHARGE FOR FISCAL YEAR 09/10

GM Dow reviewed the staff report and explained the history of the fee ordinance related to this item. He asked for direction on whether to allow the automatic increase of the capacity charge or postpone the increase until FY 10/11.

Commissioner Boro noted that if the increased is deferred, it is simply passed on and added to the increases in the future, perhaps making it more difficult next year.

Commissioner Johnson asked about how the adjustment is budgeted and GM Dow referred to the budget document and said it was a very small amount of revenue generated through the increase.

Commissioner Dupar stated that he did not want the fee increases to accumulate over time.

Public Comments:

Bruce Baum, San Anselmo, asked how the capacity charge compares to water hookup fees. GM Dow responded.

The Board consensus was to maintain the current procedure, allowing the automatic increase on the capacity charge on July 1 to occur pursuant to the Fee Ordinance Provisions. There was no formal motion on this item.

**CERTIFICATE FOR
ACHIEVEMENT FOR
EXCELLENCE IN FINANCIAL
REPORTING**

GM Dow reviewed the staff report, and explained that CMSA finance staff prepared a Comprehensive Annual Financial Report (CAFR) for the Agency and has received, for the seventh consecutive year, the Government Finance Officers Association (GFOA) national finance award, the Certificate of Achievement for Excellence in Financial Reporting. He acknowledged the work of the senior CMSA staff, particularly the finance manager, Hank Jen.

Commissioner Johnson asked about GFOA's comments and list of suggestions from last year's CAFR and asked if she could have a copy of the list. GM Dow said that she could have a copy.

Commissioner Boro noted that receiving the CAFR award for seven years in a row points to the integrity of the Agency's financial reporting.

There was no action taken on this item.

**BOARD MEETING VIDEO
CAMERA INSTALLATION**

GM Dow referred to the staff report and explained that staff have investigated the feasibility and cost of installing a video camera in the Board room. A camera could be installed for about \$2500, and would be ready for use at the August meeting. He asked the Board for their direction regarding the possible installation of the camera.

Counsel Govi suggested indexing the video. Commissioner Brown said that in her experience, it is much easier to queue up video and find one's place in the agenda items because a video is more user-friendly than an audio recording. She asked if the video would be edited and when it would be made available. GM Dow said the video would be unedited and could be made available within approximately a week of the meeting.

Public Comments:

Bruce Baum, San Anselmo, said it would be good to index the video and post on the web. He suggested considering microphones and asked who would operate the camera.

Commissioner Sinnott suggested taking small steps to proceed. Commissioner Dupar suggested making DVDs available to the public as a first step. There was consensus among the Board to make a DVD available to the public, and not to post the video on the website.

Action

M/s Dupar/Johnson to direct staff to procure and install a video camera in the Board room to record public Board meetings, and to provide indexing for each agenda item. The motion carried unanimously.

ROSS VALLEY SANITARY DISTRICT'S RELOCATION REPORT

GM Dow reported that he had received an email update from the RVSD General Manager stating there hasn't been any change from his report of last month.

Commissioner Dupar stated that it was his understanding that the Board would receive verbal reports. GM Dow stated that the provision in the lease agreement only states that the Board would receive a monthly report and does not specify how the report is submitted.

NORTH BAY WATERSHED ASSOCIATION (NBWA) REPORT

Chair Sinnott stated that he did not attend the last NBWA meeting, so there was no report.

VERBAL REPORT

GM Dow referenced his handout and reviewed Agency business, including:

- CMSA has received second place in California from the CWEA for its safety program.
- CMSA staff is beginning to scope out an Operations and Maintenance apprenticeship program.
- The four necessary permits for the Outfall Cleaning contract have all been received and the contract has been awarded.
- The lateral public outreach community meetings have begun.
- Two Food-to-Energy presentations were given, in Corte Madera and Fairfax.

Commissioner Brown asked if she could have a copy of the Food-to-Energy presentation. GM Dow said she could.

Commissioner Brown asked Counsel Govi about a session at the CASA conference related to the proposed legislation regarding consolidation. Counsel Govi gave a brief report on AB 1232.

CLOSED SESSION

The Commission convened in closed session at 8:35 p.m. per Government Code 54954.5 to discuss: Public Employee Performance Evaluation (CA Government Code §54957) -- Title: General Manager

OPEN SESSION

The Commission reconvened in open session at 10:12 p.m. and made the following motions:

Action M/s Boro/Miller to award the General Manager a 5% merit bonus based on outstanding performance of job duties, and to allow the General Manager to sell two weeks of vacation time. The motion carried unanimously.

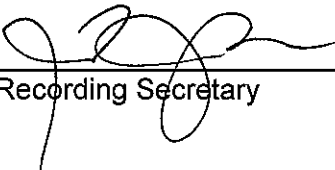
Action M/s Boro/Dupar to extend the General Manager's contract by five years, beginning July 1, 2009. The motion carried with the following vote:
Ayes: Boro, Dupar, Miller, Sinnott
Noes: Brown, Johnson

DATE OF NEXT MEETING

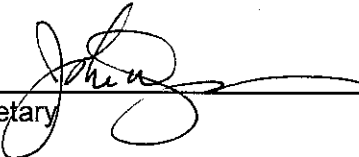
The next commission meeting is **TUESDAY, JULY 14, 2009** at 7:00 p.m.

ADJOURN

The meeting was adjourned at 10:14 p.m.



Recording Secretary



Secretary