

A G E N D A

**SAN RAFAEL SANITATION DISTRICT
BOARD OF DIRECTORS
WEDNESDAY – MARCH 13, 2019 - 9:00 A.M.
SAN RAFAEL CITY HALL
1400 FIFTH AVENUE – CONFERENCE ROOM 201
SAN RAFAEL, CALIFORNIA 94901**

Members of the public may speak on Agenda items.

1. OPEN PERIOD

Opportunity for the public to address the Board on items not on the agenda.
(Presentations are generally limited to 2 minutes.)

2. MINUTES OF THE MEETING

Request approval as submitted – February 22, 2019.

3. PAYMENTS

Request approval as submitted.

4. OLD BUSINESS

None

5. NEW BUSINESS

- a. Report on bid opening for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, and adopt resolution to award contract.

6. CLOSED SESSION

- a. **Conference with Legal Counsel**
California Government Code
Section 54956.9(d)(2)
Number of Potential Cases: One (1)

7. INFORMATIONAL ITEMS

8. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS

9. ADJOURNMENT

The next scheduled meeting is April 10, 2019.

SAN RAFAEL SANITATION DISTRICT
Minutes of the Meeting
February 22, 2019

Special Meeting

City of San Rafael
Conference Room 201
1400 Fifth Avenue
San Rafael, CA 94901

The meeting was called to order at 9:00 A.M. by Chair Phillips.

Attendance	Gary O. Phillips, Chair
Board:	Maribeth Bushey, Secretary/Director
	Katie Rice, Director
Attendance	Doris Toy, District Manager/District Engineer
Staff:	Karen Chew, Senior Civil Engineer
	Cynthia Hernandez, District Secretary
Attendance	Dean DiGiovanni, CMSA Commissioner for SRSD
Others:	Jason Dow, General Manager of CMSA

-
1. **OPEN PERIOD** - No persons were present to address the Board.
 2. **MINUTES OF December 12, 2018 (Regular Meeting) and December 12, 2018 (Special Meeting).**

MOTION by Director Rice, seconded by Director Bushey, to approve the minutes of both the December 12, 2018, regular meeting and the minutes of the December 12, 2018, special meeting as presented.

AYES: Director Bushey, Director Rice, Chair Phillips

NOES: None

ABSTAIN: None

Motion Carried

3. PAYMENTS

MOTION by Director Bushey, seconded by Director Rice, to approve the payments for December 2018 in the amount of \$71,479.76 and for January 2019 in the amount of \$3,889,052.17 for maintenance and operation of the District and for capital improvements.

AYES: Director Bushey, Director Rice, Chair Phillips

NOES: None

ABSENT: None

Motion Carried

Director Rice requested Manager Toy to check on whether the District is green or deep green in regard to its electric service through PG&E and MCE.

4. OLD BUSINESS

None.

5. NEW BUSINESS

a. Report on adoption of Investment Policy.

- Adopt resolution approving the Marin County Investment Policy as the investment policy for the San Rafael Sanitation District.

District Manager Toy reported that according to California Government Code Section 53600, all California special districts are required to adopt an annual investment policy. She then reported that the District uses the County to invest its cash, collect its revenues, and disburse its expenses. She also reported that because the District does not independently manage its investments, the District uses the County's investment policy.

MOTION by Director Rice, seconded by Director Bushey, to adopt the resolution approving the Marin County Investment Policy as the investment policy for the San Rafael Sanitation District.

AYES: Director Bushey, Director Rice, Chair Phillips

NOES: None

ABSENT: None

Motion Carried

b. Discuss Larkspur's withdrawal from the CMSA JPA and consider approval of the Amended CMSA Joint Exercise of Powers Agreement.

After a lengthy discussion, the Board decided to continue Item 5.b. pending completion of the process outlined in Section 20. Withdrawal of the JPA.

MOTION by Director Bushey, seconded by Director Rice, to continue Item 5.b. pending completion of the process outlined in Section 20. Withdrawal of the JPA.

AYES: Director Bushey, Director Rice, Chair Phillips

NOES: None

ABSENT: None

Motion Carried

c. Consider becoming a party to the Mutual Aid and Assistance Agreement between Marin County Wastewater Agencies.

The Board granted approval for SRSD to become a party to the Mutual Aid and Assistance Agreement between Marin County Wastewater Agencies.

MOTION by Director Rice, seconded by Director Bushey, to grant approval for SRSD to become a party to the Mutual Aid and Assistance Agreement between Marin County Wastewater Agencies.

AYES: Director Bushey, Director Rice, Chair Phillips

NOES: None

ABSENT: None

Motion Carried

6. INFORMATIONAL ITEMS.

None.

7. DIRECTOR REPORTS/REQUESTS FOR FUTURE AGENDA ITEMS.

None.

8. ADJOURNMENT

There being no further business to come before the Board, the meeting of February 22, 2019, was adjourned at 9:35 A.M. The next meeting of the San Rafael Sanitation District scheduled for Wednesday, March 13, 2019, at 9:00 A.M. at San Rafael City Hall.

Respectfully submitted,

Maribeth Bushey, Recording Secretary

ATTEST THIS 13th DAY OF MARCH 2019

Gary O. Phillips, Chair

SAN RAFAEL SANITATION DISTRICT
PAYMENT SUMMARY
February 1, 2019 - February 28, 2019

Vendor/Payee	Memo	Class	Acct #	Account Name	Amount
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 1/16/19	200	2021	Uniforms	165.19
ARAMARK UNIFORM SERVICES	Uniforms - weekly service ending 1/23/19	200	2021	Uniforms	164.00
AT&T 4667	Telephone Service - pump station dialers to CMSA from 12/20/18-1/19/19	100	2534	Telephone service	240.18
BAY AREA BARRICADE SERVICE	Safety - traffic signs & equipment	200	2365	Safety equipment and supplies	692.91
CENTRAL MARIN SANITATION AGENCY	Fog Program - FOG Control Program Management October-December 2018	300	4300	FOG Program	2,557.17
CITY OF SAN RAFAEL	Vehicles - maintenance and repairs to vactor truck vehicle #8192	200	2083	Parts and repairs vehicles	404.04
FASTENAL	Pump Stations - adhesive	200	2359	Maint- pump sta's & force mains	6.86
FRANK OLSEN CO	Pump Stations - O-Rings for the air release valves	200	2359	Maint- pump sta's & force mains	34.54
GHILOTTI BROS.	Caltrans San Rafael Harbor Bridge - sewer relocation project 2018, Progress Payment No. 2	300	4331	Caltrans SR Harbor Bridge (80)	235,118.06
GOLDEN STATE LUMBER INC	Pump Stations - plywood for shelves at the North Francisco Pump Station	200	2359	Maint- pump sta's & force mains	84.49
HERNANDEZ, CYNTHIA	Caltrans San Rafael Harbor Bridge - petty cash reimbursement for sandwiches for maint. crew during project OT work	300	4331	Caltrans SR Harbor Bridge (80)	27.62
HERNANDEZ, CYNTHIA	Office Supplies - petty cash reimbursement for a wall calendar	100	2133	Office & shop supplies	19.61
HERNANDEZ, CYNTHIA	Training & Education- petty cash reimb. for bridge tolls for attendance at Pipeline Assessment & Certification Training	100	2388	Training and education	18.00
MAHER ACCOUNTANCY	Accounting Services - January	100	2717	Accounting services	3,600.00
MARIN COUNTY TAX COLLECTOR	County Counsel - 2nd quarter Oct/Nov/Dec FY 2018/19	100	2713	Legal services	3,893.00
MARIN ROTO-ROOTER SEWER SERVICE, INC	Standby - service at 38 Vineyard Drive	200	2363	Standby services	1,925.00
MARIN ROTO-ROOTER SEWER SERVICE, INC	Standby - service at 180 El Cerrito Ave.	200	2363	Standby services	325.00
MARIN ROTO-ROOTER SEWER SERVICE, INC	Standby - service at 1325 Grand Avenue	200	2363	Standby services	325.00
MILLER PACIFIC ENGINEERING GROUP	Caltrans San Rafael Harbor Bridge - geotechnical services from 8/27/18 -1/06/19	300	4331	Caltrans SR Harbor Bridge (80)	10,251.04
NUTE ENGINEERING	Caltrans San Rafael Harbor Bridge - services from 11/01/18-12/31/18	300	4331	Caltrans SR Harbor Bridge (80)	21,105.00
NUTE ENGINEERING	Consulting Services - revise standard specs services from 12/01/18-12/31/18	100	2325	Consulting services	79.50
NUTE ENGINEERING	North Francisco Force Main Relocation Project - services from 11/01/18-12/31/18	300	4152	North Francisco Force Main (10)	4,976.00
NUTE ENGINEERING	Rehab Gravity Sewer System - Lincoln Avenue SIP, Paloma to Prospect - record drawings	300	4302	Rehab of Gravity Sewer (80yr)	1,729.00
PERIN - BATTERIES PLUS	Collection System - batteries for locator tool	200	2360	O&M - collection systems	14.99
PG&E a/c 2480926202-5	Power - electric service for pump stations 12/10/18-1/08/19	200	2535	Electric utility costs	14,638.76
TELSTAR INSTRUMENTS INC	Collection System - replace antenna on smartcover lid on manhole No. MH2715 on Second Street	200	2360	O&M - collection systems	500.00
VALENTINE CORPORATION	San Pedro Pump Station Improvements Project - Progress Payment #10	300	4147	San Pedro Pump Station (10)	198,167.82
WOODLAND CTR AUTO SUPPLY	Collection System - radiator cap for vactor truck	200	2360	O&M - collection systems	4.57
					\$ 501,067.35

SAN RAFAEL SANITATION DISTRICT
Agenda Item No. 5a.

DATE: March 13, 2019

TO: Board of Directors, San Rafael Sanitation District

FROM: Doris Toy, District Manager/ Engineer *DT*

SUBJECT: Report on Bid Opening for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, and Adopt Resolution to Award Contract

RECOMMENDATION:

Adopt resolution awarding contract to D'Arcy & Harty Construction, Inc., for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, in the amount of \$1,144,633.00 for both Base Bid and Additive Alternate B.

BACKGROUND:

The 2018 Sewer Pipe Repair and Replacement Project, Phase I, includes the replacement of approximately 3,220 feet of six-inch vitrified clay pipe at the following locations:

- West Crescent Drive
- Center Street
- Laurel Place Easement
- Mission Avenue
- Union Street Easement
- Broadview Drive Easement
- Saint Francis Lane
- Altena Street Easement

This project was developed to repair some of our sewer pipes prior to the City of San Rafael's paving project that will be starting this summer and some pipes that require immediate attention that were discovered during routine maintenance.

The Bids for the 2018 Pipe Repair and Replacement Project were opened on March 7, 2019.

The following is the Engineer's Estimate and a list of the bids received.

Engineer's Estimate	\$ 1,355,000.00
D'Arcy & Harty Construction, Inc.	\$ 1,148,833.00
Maggiore & Ghilotti, Inc	\$ 1,187,187.00
Bay Pacific Pipelines	\$ 1,236,300.00
Cratus, Inc.	\$ 1,432,383.00

Please see the attached bid summary for an itemized breakdown of items.

ANALYSIS:

The Engineer's Estimate was \$1,355,000.00. D'Arcy & Harty Construction, Inc., with a base bid of \$1,148,833.00, was the lowest responsible bidder for this project. D'Arcy & Harty has worked on a couple of the District's projects, i.e. the Valley View/Fairhills Sewer Improvement Project (2012) and the Fremont/Upper Fremont Sewer Improvement Project (2014). They were both successful projects with no change orders. We have reviewed the bids and recommend that this project be awarded to D'Arcy & Harty Construction, Inc.

As part of the bid form, there were two additive alternates. Additive Alternate A is to install 335 feet of pipe at an easement off of Broadview Drive by pipe bursting instead of open cut. This method will cost \$70,350. After further review and consideration, staff determine that the existing pipe is too shallow to be pipe burst. Therefore, staff does not recommend this method of work.

Additive Alternate B is to install 100 feet of pipe at an easement off of Altena Street by pipe bursting instead of open cut. The proposed cost for this work is \$21,000. In this case, the existing pipe has sufficient cover to be pipe burst and will save the District \$4,200. (The base bid for open cut is \$25,200.)

D'Arcy & Harty Construction, Inc., proposes to perform the contract work for the following:

Base Bid:	\$1,148,833.00
Additive Alternate B:	\$ 21,000.00
Open Cut Credit for Alt B:	\$ 25,200.00 (-)
Total Contract Amount	\$1,144,633.00

If the District does not award the project, staff would not have sufficient time to rebid and award the project prior to the City's paving project. Since the City has a 5-year moratorium for paved roads, the District would incur additional costs to pave the entire street or, at the minimum, the width of the street, depending upon the size of the repairs.

FISCAL IMPACT:

District staff will implement the construction management for the project. This project will be funded under the 80-Year Life Cycle Sewer Replacement Program from the 2018-19 Budget.

OPTIONS:

- 1) Staff recommends that the Board award the contract to D'Arcy & Harty Construction, Inc.
- 2) The Board may reject all bids and rebid the project. Staff does not recommend this option, since this will delay construction, and the City will proceed with its paving project.

ACTION REQUIRED:

Staff recommends that the Board adopt the resolution awarding contract to D'Arcy & Harty Construction, Inc., for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, in the amount of \$1,144,633.00 for both the Base Bid and Additive Alternate B.

Attachments:

1. Bid Summary
2. Resolution

**SAN RAFAEL SANITATION DISTRICT
MARIN COUNTY, CALIFORNIA
2018 SEWER PIPE REPAIR AND PREPLACEMENT PROJECT, PHASE I
BID SUMMARY PAGE 1**

Bid Opening: 10:00 am
March 7, 2019
Design Job No.: 14.03.266
Engineer's Est: \$1,355,000

Item No.	Total Quantity	Unit of Measure	Description	D'Arcy & Harty San Francisco, CA		Maggiore & Ghilotti, Inc. San Rafael, CA	
				Unit Price	Total Amount	Unit Price	Total Amount
1.	1	LS	Mobilization, Demobilization, SWPPP, Permits & Licenses	50000.00	\$50,000.00	55,000.00	\$55,000.00
2.	900	LF	6" PVC C-900 sewer main - open cut	252.00	\$226,800.00	160.00	\$144,000.00
3.	2,317	LF	6" (6.625" OD) HDPE DR 17 sewer main - pipeburst	210.00	\$486,570.00	105.00	\$243,285.00
4.	2	EA	Standard 4' manholes	9500.00	\$19,000.00	12000.00	\$24,000.00
5.	3	EA	Standard rodhole	3000.00	\$9,000.00	4000.00	\$12,000.00
6.	15	EA	Connect to existing manhole, rebuild channels	1500.00	\$22,500.00	2800.00	\$42,000.00
7.	3	EA	Remove existing rodhole/lampole	500.00	\$1,500.00	1500.00	\$4,500.00
8.	80	EA	Field locate & pothole existing laterals	100.00	\$8,000.00	800.00	\$64,000.00
9.	75	EA	4" lateral cleanout, relief valve & cleanout box	400.00	\$30,000.00	1600.00	\$120,000.00
10.	5	EA	6" lateral cleanout, relief valve & cleanout box	1000.00	\$5,000.00	2000.00	\$10,000.00
11.	1,075	LF	4" lateral reconnection to sewer main	20.00	\$21,500.00	240.00	\$258,000.00
12.	105	LF	6" lateral reconnection to sewer main	250.00	\$26,250.00	240.00	\$25,200.00
13.	54	LF	Abandon sewer line and fill with grout	10.00	\$540.00	60.00	\$3,240.00
14.	342	LF	Curb and gutter replacement	40.00	\$13,680.00	50.00	\$17,100.00
15.	1,535	SF	Concrete sidewalk and driveway approach replacement	12.00	\$18,420.00	15.00	\$23,025.00
16.	8	TONS	Asphalt concrete trench repair	700.00	\$5,600.00	400.00	\$3,200.00
17.	1	LS	Replace pavement markings (Mission Avenue)	3000.00	\$3,000.00	5000.00	\$5,000.00
18.	1	LS	Shoring for all excavations	46000.00	\$46,000.00	21579.00	\$21,579.00
19.	28	EA	Pothole utility mains	300.00	\$8,400.00	700.00	\$19,600.00
20.	1	LS	Traffic control and notifications	4000.00	\$4,000.00	4000.00	\$4,000.00
21.	6236	LF	Internal televising of existing and new sewer mains	3.00	\$18,708.00	3.00	\$18,708.00
22.	1005	LF	Internal televising of completed sewer laterals	3.00	\$3,015.00	10.00	\$10,050.00
23.	1	LS	Remove and replace private landscape materials (Laurel Place easement)	14000.00	\$14,000.00	7000.00	\$7,000.00
24.	10	LF	Remove and replace private fence (Laurel Place easement)	200.00	\$2,000.00	300.00	\$3,000.00
25.	45	TONS	2" asphalt concrete overlay	750.00	\$33,750.00	500.00	\$22,500.00
26.	42	CY	Concrete trench repair	800.00	\$33,600.00	600.00	\$25,200.00
27.	1	LS	As-build drawings	2000.00	\$2,000.00	2000.00	\$2,000.00
A-1.	335	LF	3 Broadway Drive: Install 6" (6.625" OD) HDPE DR 17 sewer main by pipebursting instead of open cut	210.00	\$70,350.00	110.00	\$36,850.00
B-1.	100	LF	125 Altuna Street: Install 6" (6.625" OD) HDPE DR 17 sewer main by pipebursting instead of open cut	210.00	\$21,000.00	153.00	\$15,300.00
TOTAL (BASE BID)					\$1,148,833.00		\$1,187,187.00

SAN RAFAEL SANITATION DISTRICT
MARIN COUNTY, CALIFORNIA
2018 SEWER PIPE REPAIR AND PREPLACEMENT PROJECT, PHASE I
BID SUMMARY PAGE 2

Bid Opening: 10:00 am
March 7, 2019
Design Job No.: 14.03.266
Engineer's Est: \$1,355,000

Item No.	Total Quantity	Unit of Measure	Description	Bay Pacific Pipelines Novato, CA		Cratus, Inc. San Francisco, CA	
				3	4	3	4
				Unit Price	Total Amount	Unit Price	Total Amount
1.	1	LS	Mobilization, Demobilization, SWPPP, Permits & Licenses	221,777.00	\$22,177.00	\$40,000.00	\$40,000.00
2.	900	LF	6" PVC C-900 sewer main - open cut	250.00	\$225,000.00	\$420.00	\$378,000.00
3.	2,317	LF	6" (6.625" OD) HDPE DR 17 sewer main - pipeburst	225.00	\$521,325.00	\$250.00	\$579,250.00
4.	2	EA	Standard 4' manholes	5000.00	\$10,000.00	\$9,000.00	\$18,000.00
5.	3	EA	Standard rodhole	2500.00	\$7,500.00	\$3,000.00	\$9,000.00
6.	15	EA	Connect to existing manhole, rebuild channels	1500.00	\$22,500.00	\$3,000.00	\$45,000.00
7.	3	EA	Remove existing rodhole/lamphole	250.00	\$750.00	\$1,500.00	\$4,500.00
8.	80	EA	Field locate & pothole existing laterals	100.00	\$8,000.00	\$50.00	\$4,000.00
9.	75	EA	4" lateral cleanout, relief valve & cleanout box	1000.00	\$75,000.00	\$1,000.00	\$75,000.00
10.	5	EA	6" lateral cleanout, relief valve & cleanout box	1200.00	\$6,000.00	\$1,000.00	\$5,000.00
11.	1,075	LF	4" lateral reconnection to sewer main	100.00	\$107,500.00	\$50.00	\$53,750.00
12.	105	LF	6" lateral reconnection to sewer main	125.00	\$13,125.00	\$50.00	\$5,250.00
13.	54	LF	Abandon sewer line and fill with grout	25.00	\$1,350.00	\$20.00	\$1,080.00
14.	342	LF	Curb and gutter replacement	50.00	\$17,100.00	\$30.00	\$10,260.00
15.	1,535	SF	Concrete sidewalk and driveway approach replacement	50.00	\$76,750.00	\$15.00	\$23,025.00
16.	8	TONS	Asphalt concrete trench repair	350.00	\$2,800.00	\$350.00	\$2,800.00
17.	1	LS	Replace pavement markings (Mission Avenue)	1500.00	\$1,500.00	\$20,000.00	\$20,000.00
18.	1	LS	Shoring for all excavations	15000.00	\$15,000.00	\$40,000.00	\$40,000.00
19.	28	EA	Pothole utility mains	750.00	\$21,000.00	\$500.00	\$14,000.00
20.	1	LS	Traffic control and notifications	20000.00	\$20,000.00	\$30,000.00	\$30,000.00
21.	6236	LF	Internal televising of existing and new sewer mains	3.00	\$18,708.00	\$3.00	\$18,708.00
22.	1005	LF	Internal televising of completed sewer laterals	3.00	\$3,015.00	\$2.00	\$2,010.00
23.	1	LS	Remove and replace private landscape materials (Laurel Place easement)	4000.00	\$4,000.00	\$10,000.00	\$10,000.00
24.	10	LF	Remove and replace private fence (Laurel Place easement)	150.00	\$1,500.00	\$500.00	\$5,000.00
25.	45	TONS	2" asphalt concrete overlay	400.00	\$18,000.00	\$350.00	\$15,750.00
26.	42	CY	Concrete trench repair	350.00	\$14,700.00	\$500.00	\$21,000.00
27.	1	LS	As-build drawings	2000.00	\$2,000.00	\$2,000.00	\$2,000.00
A-1.	335	LF	3 Broadway Drive: Install 6" (6.625" OD) HDPE DR 17 sewer main by pipebursting instead of open cut	250.00	\$83,750.00	\$370.00	\$123,950.00
B-1.	100	LF	125 Altana Street: Install 6" (6.625" OD) HDPE DR 17 sewer main by pipebursting instead of open cut	250.00	\$25,000.00	\$370.00	\$37,000.00
			TOTAL (BASE BID)		\$1,236,300.00		\$1,432,383.00

SAN RAFAEL SANITATION DISTRICT

RESOLUTION NO. 19-1187

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE SAN RAFAEL SANITATION DISTRICT
AWARDING CONTRACT TO D'ARCY & HARTY CONSTRUCTION, INC.
FOR THE 2018 SEWER PIPE REPAIR AND REPLACEMENT PROJECT, PHASE I**

WHEREAS, sealed bids or proposals were received by the San Rafael Sanitation District for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, and all such bids were publicly opened, examined, and declared; and

WHEREAS, the bid or proposal of D'Arcy & Harty Construction, Inc., was and is the lowest responsible bid or proposal; and

WHEREAS, the District Manager/District Engineer, after review and evaluation, has recommended award of the contract to D'Arcy & Harty Construction, Inc.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the Chairman and Secretary are authorized to execute a contract on behalf of the San Rafael Sanitation District with D'Arcy & Harty Construction, Inc., for the 2018 Sewer Pipe Repair and Replacement Project, Phase I, in accordance with the terms, specifications, and general provisions of said bid or proposal.

BE IT FURTHER RESOLVED that all other bids or proposals are hereby rejected, and the District Manager/District Engineer is directed to return all accompanying certified checks, cash, and bonds of said unsuccessful bidders.

PASSED AND ADOPTED at a regular meeting of the San Rafael Sanitation

District Board of Directors held on the 13th day of March, 2019, by the following

vote, to wit:

AYES:

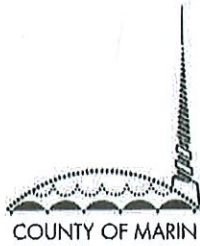
NOES:

ABSENT:

Gary O. Phillips, Chair

ATTEST:

Maribeth Bushey, Secretary



OFFICE OF THE
COUNTY COUNSEL

Brian E. Washington
COUNTY COUNSEL

March 7, 2019

Jack F. Govi
ASSISTANT COUNTY COUNSEL

Renee Giacomini Brewer
CHIEF DEPUTY COUNTY COUNSEL

Mari-Ann G. Rivers
Patrick M. K. Richardson
Stephen R. Raab
Steven M. Perl
Brian C. Case
Jenna J. Brady
Valerie R. Boughey
Kerry L. Gerchow
Tarisha K. Bal
Deidre K. Smith
Brandon W. Halter
Sarah B. Anker

DEPUTIES

Colleen McGrath
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Marin County Civic Center
3501 Civic Center Drive
Suite 275
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Board of Directors
San Rafael Sanitation District
P.O. Box 151560
San Rafael, CA 94915-1560

Re: Closed Session – Anticipated Litigation

Dear Directors,

I request that you conduct a closed session during your regular meeting on **March 13, 2019**, to discuss the following matter: (1) significant exposure to litigation pursuant to California Government Code §54956.9(d)(2). In my opinion, public discussion of this matter would prejudice your position.

The specific reasons and the legal authority for the closed session are:

Government Code Section 54956.9(d)(2). A legislative body of a local agency may hold closed sessions with the local agency's designated representatives when a point has been reached where, in the opinion of the legislative body of the local agency on the advice of its legal counsel, based on existing facts and circumstances, there is a significant exposure to litigation against the local agency.

It should be noted that Government Code Section 54954.5 requires the Board to post a Closed Session item on the Board Agenda. With respect to the above referenced matter, you should include the number of potential cases and the fact that the Board will be meeting with counsel regarding the anticipated litigation. Please note that disclosure of the facts of this matter may, in my opinion, prejudice the District.

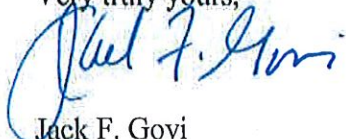
I suggest that the Agenda read:

CONFERENCE WITH LEGAL COUNSEL
California Government Code
Section 54956.9(d)(2)
Number of Potential Cases: One (1)

PG. 2 OF 2

Should you have any further questions, please do not hesitate to contact me.

Very truly yours,



Jack F. Govi
Assistant County Counsel