

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
October 5, 2010**

**CALL TO ORDER**

President Baker called the regular meeting of the Board of Directors of North Marin Water District to order at 7:30 p.m. at the District headquarters and the agenda was accepted as presented. Present were Directors Rick Fraites and John Schoonover. Also present were Secretary Renee Roberts, Auditor-Controller David Bentley and Chief Engineer Drew McIntyre. General Manager Chris DeGabriele and Directors Steve Petterle and Dennis Rodoni were absent.

District employee Robert Clark (Operations/Maintenance Superintendent), Doug Moore (Construction/Maintenance Superintendent) and Barry Sheppard of Novato were in the audience.

**MINUTES**

On motion of Director Schoonover, seconded by Director Fraites the Board approved the minutes from the previous meeting as presented by the following vote:

AYES: Directors Baker, Fraites, Schoonover

NOES: None

ABSTAINED: None

ABSENT: Directors Petterle, Rodoni

**GENERAL MANAGER'S REPORT**

Mr. DeGabriele was not in attendance.

**OPEN TIME**

President Baker asked if anyone in the audience wished to bring up an item not on the agenda and there was no response.

**STAFF / DIRECTORS' REPORTS**

President Baker asked if staff or Directors wished to bring up an item not on the agenda and the following items were discussed:

**September Water Production**

Mr. Bentley reported that the water production consumption through September, which is the quarter when most water is sold, shows an increase of 3% from one year ago, but 6% below budget; and assuming that this trend carries on, the year will end with \$336,000 less in revenue.

He stated that two vacant positions in the Construction Department have not been filled which will help a bit, but there will still be a shortage unless water sales pick up.

Director Schoonover asked if there were plans to fill the positions. Mr. Bentley said that he believes that the General Manager wants to hold off hiring new construction staff during the winter.

#### Meeting with Verizon Representative

Robert Clark advised that he met with a representative from Verizon at the District's Winged Foot tank and that they may be interested in installing an antenna at that site. He said that the tank is located off Winged Foot Drive in a remote area near the Marin Country Club.

#### **CONSENT CALENDAR**

On the motion of Director Fraitas, seconded by Director Schoonover and unanimously carried by those Directors present, the following items were approved on the consent calendar:

#### **RITCHEY RESIDENCE REVISED AGREEMENT**

This project was approved at the September 7, 2010 meeting. The applicant has requested that the agreement be revised to eliminate the second dwelling unit since the second dwelling unit will not be built in the foreseeable future.

New water facilities required for the construction of a new single family home include 40 feet of pipe, one residential fire hydrant and one one-inch meter.

The Board approved Resolution No. 10-17 entitled, "Authorization of Execution of Water Service Facilities Construction Agreement with Thomas Ritchey."

#### **AUDITOR-CONTROLLER'S ANNUAL STATEMENT OF INVESTMENT POLICY**

The Auditor-Controller's Annual Statement of Investment Policy is presented annually to the Board for review. The Board approved three changes that have been incorporated into the policy this year: the addition of delegation authority – in the Auditor-Controller's absence, the General Manager will serve as Treasurer; a requirement that two signatories are necessary to authorize a non-recurring electronic funds transfer, and in addition to the Auditor-Controller, the General Manager and Senior Accountant shall be signatories on all investment accounts; and the Auditor-Controller shall maintain a list of authorized broker/dealers who are approved for investment purposes.

## **ACTION CALENDAR**

### **APPROVE: RECYCLED WATER EXPANSION TO NORTH SERVICE AREA PROJECT – CLEAN WATER STATE REVOLVING FUND LOAN CEQA PROJECT APPROVAL**

Mr. McIntyre provided background on the North Bay Water Recycling Program and the District's partnership with Novato Sanitary District in the recycled water expansion projects for Novato North and Central Service Area consistent with Novato's Recycled Water Implementation Plan adopted by the Board in June 2006. He also provided a summary of Board actions concerning the EIR/EIS for the North Bay Recycling Program including the approval of the Phase 1 Implementation Plan and filing of the Notice of Determination.

Mr. McIntyre said the NBWRA environmental work has been completed and the EIR/EIS for the North Bay Recycling Program document was included in the District's application to the Clean Water State Revolving Fund (CWSRF) for funding to support design and construction of the Phase 1 project components. The CWSRF is administered by the State Water Resources Control Board (SWRCB). He advised that when the document was submitted to the state, the SWRCB responded that the environmental document needed to be focused specifically on the North Service Area. He said that the District was surprised to learn that the EIR/EIS document was not adequate for the State CWSRSF even though the EIR/EIS was adequate for federal grant funding approval by the U.S. Bureau of Reclamation. Mr. McIntyre advised that Environmental Science Associates (ESA) prepared an addendum to the EIR/EIS specific to the facilities proposed under the CWSRF Application on behalf of the District. He advised that the process requires a new Notice of Determination be filed with the County Clerk and the State Clearinghouse.

Director Fraites asked what the cost is for preparing the addendum. Mr. McIntyre responded that the agreement with ESA stated a not-to-exceed limit of \$10,000.

On motion of Director Schoonover, seconded by Director Fraites and unanimously carried by those Directors present, the Board approved the North Bay Water Recycling Program EIR/EIS Addendum and adopted Resolution No. 10-18 entitled, "Approval of the Addendum to the North Bay Water Recycled Program EIR/EIS Prepared for the State Water Resources Control Board, as Part of Consideration of Issuance of Funding Under the Clean Water State Revolving Fund Program, and Finding that Addendum is Consistent with the Final North Bay Water Recycling Program EIR/EIS." Under the same motion, the Board authorized the General Manager or his assignee to file the Notice of Determination with the Marin County Clerk and State Clearinghouse, and established the Board as custodian of the documents.

## **INFORMATION ITEMS**

### **SCWA RESPONSE TO WATER CONTRACTOR COMMENTS ON WATER SUPPLY STRATEGIES ACTION PLAN**

Mr. McIntyre presented the General Manager's final summation of the Sonoma County Water Agency's responses to the Water Contractors' comments on the Water Supply Strategies Action Plan. He said that as a result of the substantial input from the Water Contractors, the Action Plan has been revised to be a more productive guideline for future activities. He noted that the general tone is one of cooperation between the Agency and the Water Contractors.

Director Baker asked if the Manager is satisfied with the level of response to the contractor's comments and Mr. McIntyre responded that he believes that Mr. DeGabriele is.

Director Fraites referred to the District's Comment 3 on Attachment 3 regarding the evaluation of "the cost effectiveness of constructing the by-pass pipeline earlier in lieu of pursuing the second and third miles of Dry Creek Habitat enhancement" and asked if there was discussion at the Board level to ask for an evaluation after one mile or was that staff's decision to comment. He said he was under the assumption that at least three miles of the Dry Creek habitat enhancement project would be completed before making an evaluation.

Mr. Bentley stated that the Agency referred their response to NMWD's comment to their response to the Town of Windsor's comment #16. He said that the concern of the contractors was to not wait until the end of the habitat enhancement project to find out if the fishery can be restored, but to have a simultaneous back-up plan. Mr. Bentley commented that the Agency will initiate contingency planning upon conclusion of Dry Creek bypass pipeline feasibility and engineering studies and the first mile of habitat enhancement.

Mr. McIntyre stated that the Manager can further clarify this for the Board upon his return.

Director Fraites said that he would like to see two or three miles of Dry Creek habitat project completed before making a decision whether it is working or not.

### **TAC MEETING – OCTOBER 4, 2010**

Mr. McIntyre presented the meeting notes from today's TAC meeting. He reported that the Sonoma County Water Agency will temporarily turn over control of water releases from Lake Mendocino to the Army Corps of Engineers over the next couple of weeks to bring the level of the lake down before the end of this month for flood control purposes. He said the level could be brought down with a constant release of water over the next two weeks or vary the flow and try to mimic an early rain flow scenario. He said the Army Corps of Engineers has decided to do the latter in hopes of sending a signal to the fish to start making their upstream migration in the Russian

River. He said this is an unusual arrangement; it's been a wet year and the Agency, over the past two years, received approval to store more water in Lake Mendocino during late spring/summer periods. Mr. McIntyre said that now it is necessary to release the extra water being stored.

Director Fraites stated he received an email from the Friends of the Eel River regarding the release of water from Lake Mendocino and its effect on the fish in the Eel River. He said that fish in the Eel River are being trapped in pools and that people are moving the fish out of the pools. He asked if it would make sense that during the release of water from Lake Mendocino that flows to the Eel River be increased and flows to the Russian River be reduced.

Mr. McIntyre responded that David Keller of Friends of the Eel River was at the TAC meeting and brought up the subject of trapped fish in the Eel River. He said that the California Department of Fish and Game (CDFG) has 5,000 acre feet of water control behind Coyote dam at their disposal to release water and CDFG has not yet requested the release of additional water down the Eel River. He said this is a very complicated water scenario between the Eel and Russian Rivers, there are many other factors involved and there is no simple answer because of the complexity of the situation.

#### **NORTH BAY WATERSHED ASSOCIATION MEETING – OCTOBER 1, 2010**

Director Baker said he attended the North Bay Watershed Association meeting and noted that the guest speaker, Tracy Billington, Chief of the Financial Assistance Branch, spoke on how grants are handled by the Division of Integrated Regional Water Management, Department of Water Resources.

Mr. McIntyre advised, on a related matter, that as part of the NBWRA, an application for Bay Area Integrated Recycled Water Master Plan Prop 84 grant funds for recycled water is being prepared. He said that approximately \$1.5M Prop 84 funds may be available for North Bay recycled water projects.

#### **MISCELLANEOUS**

The Board received the following miscellaneous information: Disbursements, Urban wholesale Water suppliers Granted Extension to Prepare 2010 UWMP.

The Board also received the following news articles: Novato's 'Lifeline' to Grow, Water District Right to Replace Pipeline That's City's Lifeline, Salmon Begin Their Run.

**ADJOURNMENT**

President Baker adjourned the meeting at 8:07 p.m.

Submitted by

Renee Roberts  
District Secretary