

**NORTH MARIN WATER DISTRICT**  
**MINUTES OF REGULAR MEETING**  
**OF THE BOARD OF DIRECTORS**  
December 1, 2015

**CALL TO ORDER**

President Baker called the regular meeting of the Board of Directors of North Marin Water District to order at 7:00 p.m. at the District headquarters and the agenda was accepted as presented. Present were Directors Rick Fraites, Stephen Petterle, Dennis Rodoni, and John Schoonover. Also present were General Manager Chris DeGabriele, District Secretary Katie Young, and Chief Engineer Drew McIntyre. Auditor-Controller David Bentley was absent.

District employees Tony Arendell (Construction/Maintenance Superintendent) and Robert Clark (Operations/Maintenance Superintendent) were in the audience.

**REORGANIZATION OF BOARD**

**Election of President**

On motion of Director Fraites, seconded by Director Petterle, the Board elected Director Schoonover as President of the Board for the ensuing year by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

**Election of Vice-President**

On motion of Director Rodoni, seconded by Director Fraites, Director Petterle was elected Vice-President of the Board for the ensuing year by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

**Establishment of Meeting Times and Place**

On motion of Director Fraites, seconded by Director Petterle, the Board set the time and place of regular meetings to be the first and third Tuesday of each month at 7:00 p.m. at the District office, and agreed that the Board will hold one meeting annually in West Marin with additional West Marin meetings to be scheduled on an as-needed basis by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

### Establishes the Manner of Calling Special Meetings

On motion of Director Rodoni , seconded by Director Petterle, the Board approved special meetings of the Board to be held as provided in Section 54956 of the Government Code by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

### Appointment of District Officers

On motion of Director Rodoni, seconded by Director Baker, the following District officers were appointed for the ensuing year: Chris DeGabriele, General Manager; Katie Young, District Secretary; David L. Bentley, Auditor-Controller; and Drew McIntyre, Chief Engineer by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

### Confirm Board Meeting Schedule for 2016

On motion of Director Petterle, seconded by Director Baker, the Board accepted the proposed meeting schedule for the 2016 calendar year with the understanding that the calendar may be adjusted as needed by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

### Committee Appointments

President Schoonover stated that he will take committee appointments into consideration and will return to the Board with his recommendations at a future meeting.

### **MINUTES**

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

AYES: Directors Baker, Fraites, Petterle, Schoonover

NOES: None

ABSTAIN: Director Rodoni

ABSENT: None

## **GENERAL MANAGER'S REPORT**

### **David Bentley Out-Of-Office**

Mr. DeGabriele advised the Board that David Bentley would not be attending the meeting because he is at the ACWA Conference.

### **NMFS Multi-Species Recovery Plan**

Mr. DeGabriele reported that National Marine Fisheries Service has extended the time to submit comments on their Multi-Species Recovery Plan (for Novato Creek this is for threatened steelhead trout). He stated that comments on the plan have been drafted and are being reviewed by consultant Cardno and Associates. He noted that Cardno suggests including a cursory review of passage feasibility above Stafford Dam and the time extension may help in developing such cursory review.

### **Public Records Act Request**

Mr. DeGabriele informed the Board that a Public Records Act Request from the Bay Area News Group was received yesterday, requesting the top 20 residential water users during the period June 1 through September 30th. He stated that the newspaper has also asked for a list of customers who have been penalized during that period (there have been none) and for the Board of Directors water consumption data. He reminded the Board that the District's policy specifies that individual customer data is to be kept confidential to protect privacy unless the Board determines disclosure is warranted. He informed the Board that they will need to consider the newspaper's request at its next regularly scheduled meeting.

Director Rodoni asked what the parameters were for the high water use criteria. Mr. DeGabriele stated that it would be the Top 20 residential customer monthly water use from June 1-September 30<sup>th</sup>.

Director Fraites asked if the District had any outrageous water users. Mr. DeGabriele stated that staff has not queried to identify the top 20 customers.

## **OPEN TIME**

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

Robert Clark informed the Board of the Oceana Marin spill on Thanksgiving, where approximately 2,600 gallons of raw sewage was discharged from a break in the force main, and uphill from the Oceana Marin lift station on Tahiti Way. Mr. Clark applauded staff's response and stated that the District's Emergency Operation Plan worked well.

President Schoonover asked if it was an older installation and Mr. Clark responded that it was 44 years old but was probably caused by the earth movement.

Mr. McIntyre advised the Board that the Aqueduct Energy Efficiency Project change orders are being wrapped up and a punch list work is ongoing. He stated that there remains 400 lineal feet of 8" distribution main in the vicinity of the Kastania gas station yet to install and it will likely be completed next week.

Mrs. Young reminded the Board that the Holiday Party is scheduled December 19th and to turn in RSVP's by December 11th. She further advised that she will not be in attendance at the next meeting and Engineering Secretary Eileen Mulliner will stand in for her.

#### **CONSENT CALENDAR**

On the motion of Director Petterle, seconded by Director Fraites, the following items were approved on the consent calendar by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

#### **RESOLUTION OF APPRECIATION FOR VERNON STAFFORD**

The Board approved Resolution 15-25 entitled: "North Marin Water District Resolution of Appreciation to Vernon Stafford." Vernon Stafford will be retiring after 29 years of employment with North Marin Water District.

#### **RESOLUTION OF APPRECIATION FOR SUE KESSLER**

The Board approved Resolution 15-26 entitled: "North Marin Water District Resolution of Appreciation to Sue Kessler." Sue Kessler will be retiring after 15 years of employment with North Marin Water District.

#### **RESOLUTION OF APPRECIATION FOR HARRY SERAYDARIAN**

The Board approved Resolution 15-27 entitled: "Resolution of Appreciation The Board of Directors of North Marin Water District to Retiring NBWA Executive Director Harry Seraydarian." Harry Seraydarian will be retiring after serving as the North Bay Watershed Association Executive Director since 2004.

### **CONSULTING SERVICES AGREEMENT WITH RETIRING EMPLOYEE**

The Board authorized the General Manager to enter into a consulting services agreement with Vernon Stafford, which will commence on July 1, 2016 to satisfy PEPRA (Public Employee Pension Reform Act) and will enable Vernon to assist Stafford Treatment Plant operations next fiscal year.

### **ACTION CALENDAR**

#### **CONSULTING SERVICES AGREEMENT – RUSSELL MITCHELL AND ASSOCIATES**

Mr. McIntyre advised the Board that that staff is requesting a consulting services agreement with Russell Mitchell and Associates to provide design services for the Recycled Water Central Service Area Expansion onsite irrigation system retrofits. He reminded the Board that Russell Mitchell and Associates has already designed many of the irrigation systems on these large landscaped areas to be served with recycled water and cost effectively provides good service to the District.

On motion of Director Petterle, seconded by Director Baker, the Board authorized the General Manager to execute a Consulting Services Agreement between NMWD and Russell D. Mitchell & Associates with a not-to-exceed limit of \$175,000 by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

### **INFORMATION ITEMS**

#### **DRAFT ANNUAL REPORT**

Mrs. Young provided the Board with the draft annual report for their review. She requested that any comments or changes be received by Friday, December 5<sup>th</sup> and advised the Board that final approval of the annual report will be at the December 15<sup>th</sup> meeting. Mrs. Young informed the Board that Board members and staff will receive hard-copies of the final report and but other interested members of the public will receive a letter advising them that the annual report is available on the District website.

President Schoonover opined that the annual report was a “big step-up” from previous years.

#### **CALIFORNIA WATER BOARD CONSIDERING EXTENSION OF EMERGENCY DROUGHT REGULATIONS**

Mr. DeGabriele advised the Board that on November 13<sup>th</sup> Governor Brown issued an Executive Order that the State Water Resources Control Board (SWRCB) extend urban water

conservation restrictions until October 31, 2016, to achieve a statewide reduction in urban potable water usage if drought conditions persist through January 2016. He informed the Board that the SWRCB will receive input on the potential extension and modification of the existing Emergency Regulation for Statewide Urban Water Conservation at an informational workshop held on December 7<sup>th</sup>. He noted that the District provided comments to the SWRCB and other Sonoma Marin Saving Water Partnership partners were encouraged to send similar comments. Mr. DeGabriele stated he has been working with City of Santa Rosa and other Water Agencies in Sacramento, Orange County and San Diego County areas developing a further refined regional compliance option for the Emergency Regulations. He advised the Board that the City of Santa staff Rosa will lead the presentation at the December 7<sup>th</sup> SWRCB meeting.

**NOVATO WATERSHED PROGRAM – POLICY ADVISORY COMMITTEE MEETING – NOVEMBER 19, 2015**

Mr. DeGabriele informed the Board that he attended the Novato Watershed Program Policy-Advisory Committee meeting held on November 19<sup>th</sup>, along with Directors Baker and Fraites. He stated that the presentation was made by the County staff and stated that the County is considering projects in lower Novato creek ranging from \$18-\$25M. He advised the Board that the program manager intends to conduct polling on how to fund the projects adopted by a ballot measures to authorize bonds, tax or assessments. He stated that it was suggested that the potential ballot language be available for the November 2016 election. Mr. DeGabriele provided excerpts from the presentation to the Board and stated that a draft alternative assessments report would be completed in January and a community meeting would be held in February to discuss options.

Director Rodoni asked why the committee was only looking to put the projects on the ballot and not to the North Bay Watershed. Mr. DeGabriele stated that NBWA would not have funding in amounts necessary to carry out the projects and it would need to be financed for a longer period of time. He did advise that IRWMP funding has been received for some of the work.

Mr. McIntyre stated that the projects that will be done have more specifics and costs associated with them regarding the flood benefits. He stated that right now primarily the level of discussion is for flood improvements on Novato Creek. Mr. McIntyre stated that the District plans a future study on local water supply enhancement projects.

Director Fraites stated that the geography of Novato is not conducive to discharge flood waters from the Creek into the Bay and that there should be a discussion about making a permanent fix by adding flood gates in the vicinity of Novato Sanitary District property.

**MARIN BAY WATERFRONT ADAPTATION VULNERABILITY EVALUTION MEETING – NOVEMBER 23, 2015**

Mr. DeGabriele provided the Board with brief report on the Marin Bay Waterfront Adaptation Vulnerability Evaluation (BayWAVE) Meeting held on November 23, 2015. He stated that the meeting was to discuss the eastern Marin County sea level rise. He advised the Board that the point of discussion focused on which sea level rise model would be used and the majority decided to use the CSMART model. He provided the presentation handout to the Board and stated that an executive steering committee group was established.

**NBWA MEETING – DECEMBER 4, 2015**

Mr. DeGabriele advised the Board that following the North Bay Watershed Association Meeting on December 4<sup>th</sup>, there would be a luncheon for Harry Seradaryian's.

Director Baker stated that Mr. Seradaryian is a great person and makes things happen. He stated that he has always provided great speakers for the meetings and he will be missed. Director Baker advised that he will be attending the meeting.

**MISCELLANEOUS**

The Board received the following miscellaneous information: Disbursements and NMFS Multi-Species Recovery Plan – Comment Period Extended.

The Board received the following news articles: Capriola appointed interim Novato city manager after hot debate, Learn about North Marin's conservation help, Obituary – Donna Lee Brand.

**CLOSED SESSION**

President Schoonover adjourned the Board into closed session at 7:44 p.m. in accordance with Government Code Section 54957 for Public Employee Performance Evaluation (One), Title: General Manager.

**OPEN SESSION**

Upon returning to regular session at 8:21 p.m., President Schoonover advised that the Board had provided the General Manager with a written evaluation of his performance over the past year and on motion of Director Baker, seconded by Director Schoonover, the Board agreed to an 8% salary increase to \$209,750 by the following vote:

AYES: Directors Baker, Fraites and Schoonover

NOES: Directors Petterle and Rodoni

President Schoonover stated that the General Manager's employment resolution will be considered on the next meeting agenda.

**ADJOURNMENT**

President Schoonover adjourned the meeting at 8:22 p.m.

Submitted by

A handwritten signature in black ink, appearing to read "Katie Young". The signature is fluid and cursive, with the first name "Katie" written in a larger, more prominent script than the last name "Young".

Katie Young  
District Secretary