

**NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
April 2, 2019**

CALL TO ORDER

President Baker called the regular meeting of the Board of Directors of North Marin Water District to order at 6:00 p.m. at the District Headquarters and the agenda was accepted as presented. Present were Directors Jack Baker, Rick Fraites, Michael Joly, and Stephen Petterle. Director Grossi was absent. Also present were General Manager Drew McIntyre, District Secretary Terrie Kehoe, Auditor-Controller Julie Blue and Chief Engineer Rocky Vogler.

District employees, Robert Clark (Operations/Maintenance Superintendent) and Tony Arendell (Construction/Maintenance Superintendent) were also in attendance. Also in the audience was Novato resident Michael Sherwood.

District legal counsel representative, Doug Coty, was available by phone for the Closed Session.

CLOSED SESSION

President Baker adjourned the Board into closed session at 6:00 p.m. in accordance with CONFERENCE WITH LEGAL COUNSEL- Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (one case).

OPEN SESSION

Upon returning to regular session at 7:10 p.m., President Baker stated that during the closed session the Board had discussed the issue and no reportable action had been taken.

MINUTES

On motion of Director Joly, seconded by Director Fraites the Board approved the minutes from the March 5, 2019 meeting as presented by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

On motion of Director Fraites, seconded by Director Petterle the Board approved the minutes from the March 19, 2019 meeting as presented by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

GENERAL MANAGER'S REPORT

Meetings

Mr. McIntyre reported that he will be attending SCWA's Regional Water Supply Resiliency Study kickoff meeting on Wednesday. The objective of the Study is to improve coordination between the Agency and Water Contractors to share collective water supplies and infrastructure during times of water shortages.

Mr. McIntyre also advised the Board that on Wednesday afternoon he will be attending a Marin County Parks meeting to discuss the County's Cross Marin Trail Feasibility Study. He stated that the current focus is to finish the hike-bike trail segment between Sir Francis Drake at Platform Bridge Road to downtown Point Reyes Station. Director Fraites asked if the trail would go along the railroad. Mr. McIntyre replied that this was the original intent but there are obstacles trying to cross private property, so county staff is evaluating other feasible alternative routes. Director Baker commented that in the 1970's the County Board of Supervisors approved a bike trail but it was a very simplistic plan. Director Petterle added that Samuel P. Taylor Park was part of it and the trail was bits and pieces and the whole project was never completed.

Mr. McIntyre also announced that on April 8th there will be a special WAC meeting to approve SCWA's FY20 Water Transmission System budget. Immediately thereafter, there will be a tour of the Agency's water facilities and Director's Baker, Grossi and Joly all plan to attend.

Mr. McIntyre also added that on April 15th he will be attending a meeting at the Gallagher Ranch with Marin Agricultural Land Trust, Marin Resource Conservation District and Gallagher Ranch family members. He stated that the purpose of the meeting is to inspect the severe erosion that recently occurred in Lagunitas Creek due to high creek flow events associated with recent wet weather storms. Mr. McIntyre added that a potential mitigation project to protect the bridge abutments is most likely. Director Baker commented that it is not much of a bridge, and Mr. McIntyre replied that the bridge supports our Gallagher Well pipeline and also provides access to our Gallagher well.

Mr. McIntyre also reminded the Board that the next NBWRA meeting will be on April 5th, at 9:30 a.m. at Marin Municipal Water District.

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:

Mr. Vogler announced that Novato resident Michael Sherwood was here to discuss the relocation of his service with the Board during Open Time but left the meeting during Closed Session. Before Mr. Sherwood left, Mr. Vogler offered to look at his file and would get back to him. Director Fraites asked when the District's document shredding day will be. Ms. Kehoe replied that it is on April 15th and the shredding company has been booked and the estimate given was based on the total number of boxes. Director Fraites stated he had one box to add, and Ms. Kehoe said that it wouldn't be a problem if he wanted to bring it in.

CONSENT CALENDAR

On the motion of Director Petterle, and seconded by Director Joly the Board approved the following items on the consent calendar by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

NOTICE OF COMPLETION STP COAT CLEARWELLS PROJECT

The Board approved the Notice of Completion for the STP Coat Clearwells Project.

RECORD RETENTION PROGRAM – DESTRUCTION OF RECORDS

The Board approved the Destruction of Certain Records in the manner consistent with District Policy.

ACTION CALENDAR

EXECUTION OF SETTLEMENT AGREEMENT BETWEEN YOUNG FAMILY AND NMWD – PRE TANK 4A REPLACEMENT

Mr. Vogler requested the Board authorize the execution of the Settlement Agreement between the Young Family and NMWD for the PRE Tank 4A replacement. He stated that District council recommends that a Settlement Agreement be developed between Young and the District to

capture the agreed upon shift in tank location along with additional minor stipulations. Mr. Vogler advised the Board that the new location would move the tank south by 1 foot 9 inches and west 5 feet and that the Settlement Agreement requires the Young's to withdraw their appeal to the California Coastal Commission and forego their right to any future legal action related to PRE Tank 4A project.

Director Baker inquired about access easements to the project site and Mr. Vogler responded that we have existing pipeline and access rights but are in discussions with an adjacent property owner to obtain an improved access easement. Director Joly commented about the added cost of \$10,000, and asked if moving the tank would not compromise others in the community. Mr. Vogler replied that the adjacent property at 420 Drakes View would be the only one that would be impacted. Mr. Joly asked if we have a buffer to secure the integrity of the tank. Mr. Vogler responded that the proposed shift would not make any difference to fencing around the tank site if we chose to do so; however the area is very remote and there shouldn't be any problems. Director Joly asked if we have a provision if vandalism occurred. Mr. Vogler stated installing a fence would be a challenge because it is adjacent to an earthen berm, and the visual effect would cause push back from the resident at 420 Drakes View. Director Baker added that even though there is currently no problem with graffiti that could change, it is a very large tank and that could change the circumstance. Mr. Vogler stated that our original location had five feet of working space and the fence would limit our working room. Mr. Baker stated that we need to keep a good relationship with the neighbor at 420 Drakes View since she has cooperated and may provide us with a better access easement to the tank. Mr. Fraites stated that most people that do graffiti usually want to be in the public view; this tank is so remote no one would see it. Director Baker praised Mr. Vogler for a job well done and asked when the project is expected to start. Mr. Vogler estimated February 2020, due having to complete several environmental surveys first.

On the motion of Director Fraites, and seconded by Director Joly the Board authorized the General Manager to execute a Settlement Agreement between the Young Family and NMWD for the PRE Tank 4A replacement in a form approved by District legal counsel by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

INFORMATION ITEMS

2018 ELECTION COSTS

Ms. Blue presented a summary of the 2018 election costs for the three Board seats. She stated the cost of this election was \$18,915 and was much lower than prior years. Ms. Blue added that the amount is based on the number of jurisdictions and voter turnout and was less than 50 cents per voter. She noted that due to the unforeseen nature of these costs there was no specific amount budgeted for this expense.

WAC/TAC MEETING – FEBRUARY 4, 2019

Mr. McIntyre presented information to the Board on the WAC/TAC meeting that was held on February 4, 2019. He commented on the new WAC leadership with the appointment of Susan Harvey (Cotati) as Chair and Dave King (Petaluma) as Vice Chair. Mr. McIntyre advised the Board on the revised 2019 WAC/TAC meeting schedule and also commented on the Potter Valley Project noting that PG&E filed a “Notice of Withdrawal” on January 25, 2019 regarding their Potter Valley Project FERC relicensing efforts and subsequently filed for bankruptcy on January 29, 2019.

2019 FLUSHING PROGRAM UPDATE

Mr. Arendell gave an update on the 2019 Flushing Program. He stated that all the upper zones in Novato were flushed this year and there were no problems except for when the crew had to delay flushing due to flooding caused by the recent rains. Mr. Arendell added that there was no flushing in West Marin this year due to salinity intrusion concerns, except for the PRE Tank 4 Zone to reduce disinfection by-products by reducing water age in PRE Tank 4A. There were no water quality complaints reported with a total of five customer calls about flushing.

POINT REYES STATION COMMUNITY MEETING WORKSHOP NO. 1 – MARCH 25, 2019

Mr. McIntyre reported that he attended the Point Reyes Station Community Meeting Workshop No. 1 on March 25th. He stated that the purpose of the meeting was to obtain input from the community regarding issues primarily related to water supply, on-site septic treatment concerns, and sea level rise. Mr. McIntyre commented that there were approximately 40 residents that attended the meeting and most of the comments received were centered on on-site septic issues. Mr. McIntyre added that there is also community concern regarding the lack of public restrooms in downtown Point Reyes Station and that the County has had to add six portable restroom to accommodate the volume of public use. Mr. McIntyre stated that he plans on attending the additional workshops as they occur.

Director Petterle added that there are a lot of tourist buses that stop in Point Reyes Station to utilize the bathrooms and it is beginning to be quite a problem.

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements – Dated March

21, 2019, Disbursements – Dated March 28, 2019, Rate Increase Notice on Water Bill, Notice of Proposed Water Rate Increase – Letter and SB332 (Hertzberg & Wiener): Recycled Water Mandate for Ocean and Bay Dischargers- Oppose.

The Board received the following news articles: Las Gallinas plans big plant upgrade; Novato elections change will spark greater opportunity; CalTrout wants old Scott Dam on Eel River removed to help salmon and steelhead; Water rate hike, new fee advance; Fee sought to clean up tainted water; Novato schools plan district elections; Property owners appeal to state in water tank battle; Editorial - MMWD should reconsider its fee hike plan; Novato working on options for district elections and Editorial - Board can take election process that works best.

ADJOURNMENT

President Baker adjourned the meeting at 7:42 p.m.

Submitted by

A handwritten signature in cursive script, appearing to read "Theresa Kehoe".

Theresa Kehoe
District Secretary