

**NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
January 7, 2020**

CALL TO ORDER

President Joly 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, James Grossi, Michael Joly, and Stephen Petterle. Also present were General Manager Drew McIntyre, District Secretary Terrie Kehoe, Auditor-Controller Julie Blue and Chief Engineer Rocky Vogler.

In the audience were Old Ranch Road customers Nancy Moxie, Dave Jones and Darren Fix, consultant Amy Skewes-Cox and District employees, Robert Clark (Operations/Maintenance Superintendent) and Tony Arendell (Construction/Maintenance Superintendent).

MINUTES

On motion of Director Fraites, seconded by Director Baker the Board approved the minutes from the December 17, 2019 meeting as presented by the following vote:

AYES: Director Baker, Fraites, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

PUBLIC HEARING – OLD RANCH ROAD TANK NO 2 PROJECT

Mr. Vogler provided an overview of the Old Ranch Road Tank No. 2 replacement project. He introduced consultant Amy Skewes-Cox who is assisting NMWD with CEQA compliance for the project. Mr. Vogler presented a map which showed the project location and provided a summary of the proposed. He noted that the old redwood tank has a 50,000 gallon capacity, was built in 1963, and is nearing the end of its useful life. Mr. Vogler added that the proposed steel tank will have a capacity of 100,000 gallons and has been upsized to improve fire storage for existing residents along Old Ranch Road based on input from the Novato Fire District. Mr. Vogler stated the access road to the new tank will be ten feet wide and paved with asphalt concrete. He added that the location of the site is a dense wooded area with a lot of scrub oak and tree canopy, noting the new tank will be dark green in color and will blend into the environment.

Mr. Vogler explained for public outreach there was a thirty day public CEQA review period from November 15 to December 16, 2019. He stated one resident commented that he wanted to have a better understanding of the location of the tank; another had comments about the bird habitat. Mr. Vogler noted yet another resident had concerns about the access road and wanted to be sure contractors were held accountable for any damage to the existing road. Director Baker asked if they were concerned about the existing site and road, or the new road. Mr. Vogler replied the existing paved road. He added the proposed tank access road will follow the contour of the land to minimize the amount of tree canopy removed and to maintain an alignment grade <18%. Mr. Vogler stated that other comments included comments from the California Department of Fish and Wildlife, in which they expressed concern about spotted owl habitat and special species impacts. Mr. Vogler noted the Initial Study states that any environmental issues can be mitigated to have a less than significant impact. Director Petterle asked which special plant species they were concerned with. Mr. Vogler replied the Fragrant Thistle and Marin Checker Lily. Director Petterle commented that these species are generally seen in the spring, not the fall. Mr. Vogler replied that it is normal to conduct the survey during spring and summer. Director Joly voiced his concern for the birds and their nesting and asked when the construction will occur. Mr. Vogler replied commencement of construction is anticipated this summer. Prior to construction we will go back to verify there are no species present that would cause any concern.

Director Joly asked how long the construction will take. Mr. Vogler replied from four to six months, and that the schedule is aggressive and assumes we start on time and there are no rain delays. Director Joly asked how far from the tank the nearest residence was. Mr. Vogler replied the property adjacent to the existing redwood tank is 200 to 300 feet from the new tank, noting there is a ridge in the topography between the neighbor and new tank. There will be noise and dust; but this is covered by mitigation measures in the Mitigated Negative Declaration. Mr. Vogler ended his presentation stating that first we will address the Board comments; then open the public hearing for comments and we will do our best to answer any questions or concerns this evening. He added, in a future meeting we will come back to the Board with further responses to all the comments attached to the Board item, and if there are no concerns staff will request the Board to adopt the Mitigated Negative Declaration and approve the project

President Joly opened the Public Hearing for discussion at 6:19 p.m. He thanked all those in the audience for attending and asked if anyone would like to voice any comments or concerns.

Dave Jones a resident on Old Ranch Road stated he had some questions relative to costs for resurfacing the existing road. He stated the neighbors were planning on resurfacing the road,

but are planning on doing this after the tank construction is completed. Mr. Jones stated they will get bids to find out what the cost is with its present condition and again after construction is done. He voiced their concern over damage to the road due to tank construction activities. Mr. Jones questioned the frequency of the trucks going up to the tank. He added private parties have to keep the road in reasonable condition and they would like the District to pay for any additional damage that may occur due to the construction. He added that there are ten neighbors who are sharing the cost. Nancy Moxie stated she owns the road and is concerned about the road in addition to the trees. She stated she talked to Mr. Vogler several times. She added originally this was a farm road and the waterline is underneath it, adding it is in poor shape and there are ten owners trying to keep it up. Ms. Moxie stated the heavy equipment is a concern, and they need the trees so the sun does not blind them when they are traveling the road. She stated she would like legal paperwork stating that if the District is at fault they will take care of the situation so that things are taken care of smoothly. Ms. Moxie also stated that she has lived there for over fifty years. She added there are lots of owls and rats on the property, lots of life you don't always see. Ms. Moxie stated that if the bird survey was not done at night, the biologist could have a misconception of the wildlife habitat. She stated at night you can hear the owls up in the trees, and she is afraid we will start cutting the trees with nests.

Darren Fix commented he was concerned with the multiple pieces of equipment that will be traveling on the road. He noted his concern is not only for the road; but for what is under the road. Mr. Fix added there is asphalt spalling on the road and a really old water main below. He stated he has worked for Ghilotti for twenty years as a road construction supervisor and believes we should put a new main in too. Mr. Fix added that he believes there are also some drainage problems around the District's telemetry lines that run from the tank to the pumps. Director Joly thanked Mr. Fix for attending.

Both Mr. Fix and Ms. Moxie requested an environmental impact report be done. Mr. Vogler replied that what was prepared was an Initial Study and Mitigated Negative Declaration. Ms. Moxie asked why we are using the Old Ranch Road, and wondered why we don't put our road off of Gage Lane. Mr. Vogler replied we need to extend the pipeline from Old Ranch Road to the new tank. Mr. Fix asked why we couldn't access from Mr. Maiero's property. Mr. Vogler referred to a map explaining we need to connect the existing pipeline from Old Ranch Road to the new tank. Director Joly thanked the audience for their comments and for coming to the meeting.

President Joly closed the hearing at 6:39 p.m.

Director Petterle stated there is an environmental standing on this Board, adding comments are important. He noted there is an engineering perspective, an environmental perspective, and as a District we do not put aside environmental concerns. Director Petterle added CEQA is public legislation that helps to inform the decision makers of the project; they provide comments about wildlife that we would like to embrace whether that means to mitigate or change the project. Director Joly agreed, stating CEQA requires public notification so the public is informed of the requirements of the projects and at the same time helps the Board make a decision. Director Grossi asked where the private road starts, and which area is the existing road, asking if the private road is all in pavement and wanted to know the location of where we have an easement. Mr. Vogler replied that our easement runs along the entire length of Old Ranch Road. Director Grossi asked if all of Old Ranch Road was private. Mr. Vogler confirmed the road was never accepted by the County. Mr. Grossi also stated he is not an expert on owls, and asked about the Northern Spotted Owls. Ms. Skewes-Cox replied that there are a variety of birds in this area, she added that because of the comments our biologist will go back; however on the maps there is no evidence of spotted owls on the site. Director Grossi asked if we will need mitigation for the owls. Ms. Skewes-Cox replied for nesting information we've recommended surveys be conducted if construction is to take place during nesting season.

Director Grossi asked if we were replacing the main. Mr. Vogler replied that we will only connect to the existing main. Director Grossi said it seems the concern is road damage, and wanted to know if this will be a problem. Mr. Vogler replied the road in is poor shape, half way up Old Ranch Road there is currently a giant pothole. He added before any work happens, we need to work on the road to make it passable. He added the District will have many mitigation measures including a possibly pilot vehicle, one way traffic control, and limiting the size of the construction equipment. Mr. Vogler stated that the residents have a right to be concerned and impacts will be addressed. He added that recently there was a singular District project on Ridge Road in Director Fraites' neighborhood that had a positive outcome. Mr. McIntyre added that the District has a long standing policy that if our project damages the road we will pay to have it restored to its prior condition before construction. Director Fraites stated if you look at the map provided you can see that his neighborhood is in close proximity to the Old Ranch Road project. He said they had similar work done there, it was a tough job but it all worked out. Director Fraites added the owls are still there and there was no damage done to the flora or fauna.

Director Joly asked Mr. Vogler if he could conclude with the environmental review timeline moving forward. Mr. Vogler replied that staff and our consultant will incorporate all responses and comments and bring the project back to the Board at a future meeting in February. Director Grossi

asked how much was budgeted for this project. Ms. Blue replied that the budgeted amount was \$630,000. Director Joly asked if the public adjacent to the project will see the comments and responses and be notified of the public meeting. Mr. Vogler replied there will not be another public hearing; however the information will be made publically available prior to any future action taken by the Board.

GENERAL MANAGER'S REPORT

Potter Valley Relicensing

Mr. McIntyre announced he and Mr. Vogler will be participating in the eleventh Common Interest Agreement meeting on January 8th regarding Potter Valley Project relicensing. He added that the Planning Agreement partners are expected to allow the Water Contractors to sign an agreement that will provide for exchange of confidential information related to the partner's feasibility study preparation. Mr. McIntyre added that this will allow the Water Contractors to become more informed and engaged in the process and that our legal counsel, Mr. Robert Maddow is expected to sign this agreement for the District. Mr. McIntyre added that he expects the draft feasibility study to be issued mid-February and the final report to be completed late March.

Oceana Marin HOA Meeting

Mr. McIntyre advised the Board that he will be attending the Oceana Marin HOA semi-annual meeting in Tomales on Saturday, January 11th at 1:00 p.m. He will update them on the current budget status, express the good work that has been done to achieve grants for recent CIP projects and provide an update the County's recent Old Dillon Beach Village community wastewater system Feasibility Study grant application.

Water Rate Study Ad Hoc Meeting

Mr. McIntyre reminded the Board that Director Grossi and Director Joly will be attending the Water Rate Study Ad Hoc meeting on Tuesday, January 14th at 10:00 a.m. He added that the Ad Hoc meeting is not subject to the Brown Act, and we are following the correct notification procedures as confirmed with legal counsel. Director Joly stated on the website it mentions there is a Special Meeting workshop on February 11th, and if needed an additional Special Meeting workshop on February 25th. He pointed out that we could end up having meetings all four Tuesdays in February.

San Mateo Tank Inlet Outlet Pipeline

Mr. McIntyre stated that he and Mr. Vogler will be meeting with Marin County Open Space staff on January 14th to discuss easement language for the San Mateo Tank Inlet/Outlet pipeline

project. He added the 12-inch temporary pipeline will finally be replaced with a new 24-inch permanent pipeline to provide better fire flow and pressure for our existing customers

OPEN TIME

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

Mr. Arendell announced the annual flushing program will start on January 13th. He added there will be a notice on our website and on social media. Director Baker asked what area we will be flushing. Mr. Arendell replied Zone 1, adding that the upper zones were flushed last year. Director Joly asked for an update on the Public Safety Power Shutoff. Mr. Clark replied that he is currently working on a progress report.

Ms. Blue announced that we were unsuccessful in hiring someone to fill our HR/Safety Manager position. Director Baker asked if we had a poor response. Ms. Blue replied that we had a fair response; but after interviewing the top candidates we were not able to find a good fit. She stated we plan to advertise again and get someone hired as soon as possible. Director Baker asked if the people who applied were from this area. Ms. Blue replied some were local and some were from the East Bay. Director Baker asked if she heard any feedback or concerns with the cost of housing in this area. Ms. Blue replied no.

CONSENT CALENDAR

On the motion of Director Petterle, and seconded by Director Baker the Board moved to approve the Amendment to Water Service Agreement – College of Marin Indian Valley Campus – New Miwok Center – Phase 2 by the following vote:

AYES: Director Baker Frites, Grossi, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: None

AMENDMENT TO WATER SERVICE AGREEMENT – COLLEGE OF MARIN INDIAN VALLEY CAMPUS – NEW MIWOK CENTER – PHASE 2 APN 150-480-12

The amended agreement includes a fire hydrant and fire service laterals, a new commercial fire hydrant, a relocated hydrant, two 6-inch fire services and one 4-inch domestic/pool meter.

INFORMATION ITEMS

TECHNICAL ADVISORY MEETING – DECEMBER 2, 2019

Mr. McIntyre summarized the December 2nd Technical Advisory Committee Meeting. He added Lynne Roselli from Sonoma County Water Agency (SCWA) gave a presentation of actual versus budgeted water sales for Fiscal Year 19, and that actual sales were five percent above budget. Mr. McIntyre noted that SCWA's consultant, Jacobs, continues to work on the Regional Water Supply Resilience Study, and they are on schedule to have the Scoping Document finalized late spring. Mr. McIntyre also noted that the Potter Valley Project planning agreement partners' communication group has launched a new website. He added the new website is different from the Huffman Ad Hoc Group website. Director Baker asked how the Planning Agreement partners' activities and website differs from the Huffman Ad Hoc group's activities and website. Mr. McIntyre replied the Huffman Ad Hoc group continues to meet but it is becoming more of an advisory group to help advise and support the Planning Agreement partners.

NBWA BOARD MEETING – DECEMBER 9, 2019

Mr. McIntyre provided information on the NBWA Board Meeting that took place on December 9, 2019 in the agenda packet and no discussion followed.

NBWA MEETING – JANUARY 3, 2020

Director Fraites stated that he attended the NBWA meeting at Marin Municipal Water District on January 3rd. He stated Caitlin Sweeney; the Director of the San Francisco Estuary Partnership gave an overview of the health of the San Francisco Bay and an update on the critical trends and emerging concerns. He added the state of the estuary and fresh water flows are all improving, with the exception of the fish problem in the upper estuary delta as a result from the water demands from the San Joaquin Valley.

Director Fraites announced that on April 3rd NBWA will hold their bi-annual conference in Petaluma and he hopes many will attend. He added that Congressman Huffman will also be attending the meeting.

Director Grossi stated he is officially retired now and has new contact information. He will be starting up a new consulting business and will be getting that information out. Director Joly congratulated Director Grossi on his retirement.

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements – Dated December 19, 2019 and Disbursements – Dated January 2, 2020.

The Board received the following news articles; Water board adopts rate, fee cuts for in-law units – MMWD; Novato Oks 80-unit townhome plan – REDWOOD BOULEVARD and Snowpack begins New Year in good shape – SIERRA NEVADA.

ADJOURNMENT

President Joly adjourned the meeting at 7:07 p.m.

Submitted by

A handwritten signature in cursive script that reads "Theresa Kehoe".

Theresa Kehoe
District Secretary