



NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
 April 7, 2020 – 6:00 p.m.
 Location: Virtual Meeting via Teleconference
 Novato, California

ATTENTION: This will be a virtual meeting of the Board of Directors pursuant to Executive Order N-29-20 issued by the Governor of the State of California.

There will not be a public location for participating in this meeting, but any interested member of the public can participate telephonically by utilizing the dial-in information printed on this agenda.

Teleconference Information Call in Line: (415)761-8989
PIN: 2580#
Bridge#: 8940

For clarity of discussion, the Public is requested to MUTE except:

1. During Open Time for public expression item
2. Public comment period on agenda items

Information about and copies of supporting materials on agenda items are available for public review at 999 Rush Creek Place, Novato, at the Reception Desk, or by calling the District Secretary at (415) 897-4133. A fee may be charged for copies. District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed, please contact the District Secretary as soon as possible, but at least two days prior to the meeting.

Est. Time	Item	Subject
6:00 p.m.	CALL TO ORDER	
	1. APPROVE MINUTES FROM REGULAR MEETING , March 17, 2020	
	2. GENERAL MANAGER'S REPORT	
	3. OPEN TIME: (Please observe a three-minute time limit)	
	This section of the agenda is provided so that the public may express comments on any issues not listed on the agenda that are of interest to the public and within the jurisdiction of the North Marin Water District. When comments are made about matters not on the agenda, Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or direct staff to place a matter of business on a future agenda. The public may also express comments on agenda items at the time of Board consideration.	
	4. STAFF/DIRECTORS REPORTS	
	CONSENT CALENDAR	
	The General Manager has reviewed the following items. To his knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.	
	5. Consent - Approve: Amend ESA Consulting Services Agreement – Additional Permitting Services for Gallagher Ranch (Lagunitas Creek) Streambank Stabilization Project	

All times are approximate and for reference only.

The Board of Directors may consider an item at a different time than set forth herein.

(Continued)

Est. Time	Item	Subject
	6.	Consent - Approve: Amend WRA Consulting Services Agreement – Engineering Services for Gallagher Ranch (Lagunitas Creek) Streambank Stabilization Project
	7.	Consent - Approve: Environmental Collaborative (EC) - Consulting Services Agreement
	8.	Consent - Approve: Record Retention Program – Destruction of Records Resolution
		ACTION CALENDAR
	9.	Approve: Declaration of Local Emergency Related to COVID-19 Pandemic
	10.	Approve: Side Letter Agreement to the 2018-2023 NMWD/Employee Association Memorandum of Understanding Concerning Maximum Working Hours and Fatigue Time
	11.	Approve: Rate Increase Letter to Novato Customers
		INFORMATION ITEMS
	12.	Coronavirus Update – Verbal Report
	13.	WAC/TAC Meeting – February 3, 2020
	14.	MISCELLANEOUS Disbursements – March 19, 2020 Disbursements – March 26, 2020 Disbursements – April 2, 2020
		<u>News Articles:</u> Newsom expands lockdown statewide – CALIFORNIA Inverness plans water rate increase MMWD official makes rate credit proposal – VIRUS IMPACT Utility to waive hookup fees for new in-law units – MMWD Court Approves PG&E's \$23B Bankruptcy Financing Package Vying nonprofits pitch their visions of affordable housing for Point Reyes Sonoma Water and Army Corps Succeeding With FIRO Interests battle over dam removal plan – KLAMATH RIVER Water shutoffs in sharp focus amid coronavirus outbreak – HEALTH California's winter goes down as one of the driest, thin snowpack shows Close to Home: Essential, reliable, clean – even during pandemics ACWA Advisory – Governor Issues Executive Order Prohibiting Discontinuation of Service (Shut Offs) by Urban and Community Water Systems
	15.	CLOSED SESSION – CONFERENCE WITH LEGAL COUNSEL- to consider initiation of litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one case)
	16.	RECONVENE FROM CLOSED SESSION
7:15 p.m.	17.	ADJOURNMENT

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DRAFT
NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
March 17, 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, James Grossi (arrived at 6:08 p.m.), Michael Joly and Stephen Petterle. Director Fraites participated remotely by phone. Also present were General Manager Drew McIntyre, District Secretary Terrie Kehoe and Auditor-Controller Julie Blue.

Due to the Coronavirus outbreak and the recent Marin County Shelter in Place Order, Directors and staff practiced social distancing by remaining at least six feet apart. This meeting was open to the public with additional measures in place to reduce person-to-person contact, however no members of the public attended.

MINUTES

On motion of Director Petterle, seconded by Director Baker the Board approved minutes from the March 3, 2020 meeting by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

GENERAL MANAGER'S REPORT

Presentation on Draft FY21 SCWA Water Transmission System Budget

Mr. McIntyre notified the Board that Lynne Rosselli from SCWA will not be attending the Board meeting tonight, therefore he will be presenting Item 3 in conjunction with Item 9.

Meeting Cancellations Due to Coronavirus Shelter in Place

Mr. McIntyre announced to the Board that the agenda presentations of items will be briefer than usual, however we can spend as much time as the Board needs to discuss any item. Mr. McIntyre also noted that Mr. Clark and Mr. Arendell were asked not to attend tonight's meeting. He added that there are many upcoming meeting cancellations that are occurring; NBWA

33 cancelled their bi-annual conference that was scheduled for April 3rd, last week the Russian River
34 Public Policy Facilitating Committee (PPFC) in Healdsburg was cancelled, and we can expect
35 more cancellations in the future.

36 Gallagher Ranch Streambank Stabilization Project

37 Mr. McIntyre apprised the Board that the bid estimate was \$357,800 and the lowest bid
38 received was \$375,840. He stated that staff are still reviewing bids and will come back to the
39 Board at a later date to award the project. Mr. McIntyre reminded the Board that permitting for
40 this project has lagged behind the design phase and is still ongoing. He noted there will be more
41 details later, however he expects permit requirements to result in project delays and cost impacts
42 to both design and construction phases due to additional requirements from various permitting
43 agencies. Mr. McIntyre emphasized that staff is doing what they can to manage the budget and
44 not lose the 75% federal grant funding.

45 Director Baker asked how many bids were received. Mr. McIntyre replied that we had
46 good participation and received around seven bids. Director Baker asked if they were all known
47 contractors. Mr. McIntyre confirmed. Director Joly asked if the completion date was in May. Mr.
48 McIntyre replied by May 22, 2020; adding that we will request a two-month extension. He stated
49 there is no promise that we will get the extension, but thinks we have a good chance to have the
50 request approved.

51 Cotati Aqueduct Repair

52 Mr. McIntyre advised the Board that SCWA is still on-schedule to repair the meter vault
53 pipe segment in the Cotati aqueduct next week. He added the work is expected to be completed
54 within a five-day window and the recent rain will help with water demand.

55 Stafford Lake Levels

56 Mr. McIntyre reported that he spoke with Mr. Clark about the Board's comment about the
57 level of Stafford Lake. He stated that Mr. Clark confirmed there was no problem with
58 instrumentation and the lake is still five feet below the spillway, which is not much different than
59 the prior month. Mr. McIntyre noted that if you are looking at the west or south ends of the lake
60 where it is shallow, a small change in lake depth can have an appreciable change in wetted
61 surface area.

62 Coronavirus Impact

63 Director Petterle asked Mr. McIntyre to explain how the recent events of the Coronavirus
64 are affecting the District, and the employees at work. Mr. McIntyre provided a verbal summary of
65 key points provided in the staff memo included in the agenda under miscellaneous. He noted that
66 last week there were three confirmed cases in Marin, as of tonight there are eleven. He also

67 stated that he and Mr. Clark continually receive updates from the Marin County Office of
68 Emergency Services, as well as from group meetings with the City of Novato and other local
69 special districts. Mr. McIntyre announced that NMWD suspended walk-in services for the public
70 and there is a notice in front of the lobby and also on our website asking customers to call in, go
71 online or use regular mail. He added as of today a revised work schedule has been implemented
72 for staff, and we will be focusing on critical duties and physically separating staff as much as
73 possible by rotating shifts and having some employees work from home. He added this will take
74 place over the next three weeks in accordance with the March 16, 2020 Marin County Shelter-in-
75 Place Public Health Order. Mr. McIntyre stated that construction for housing and essential
76 infrastructure including water facilities will continue.

77 Director Joly asked if we will be making home visits. Mr. McIntyre replied that home visits
78 are suspended until the public health order is rescinded. Director Joly asked if North Marin Water
79 District is considered an essential service. Mr. McIntyre replied that NMWD provides essential
80 governmental functions operating and maintaining essential infrastructure. Director Joly asked if
81 we should put a notice on our website that the COVID19 virus does not pose a threat to our water
82 supply. Mr. McIntyre replied that we have this message on our website and have pushed the
83 message out on social media that our water is safe and reliable. Director Grossi noted that
84 Sonoma Water had a similar message on their website as well. Mr. McIntyre added that it is
85 important to get the message out to our customers that our water is safe and customers do not
86 need to purchase bottled water. Director Petterle noted that people are buying up all the bottled
87 water and toilet paper. Director Joly asked if Mr. Grisso is posting these messages on Next Door
88 and other social media platforms. Mr. McIntyre confirmed. Director Joly noted it is important to
89 reach the millennials, and stated Instagram is another option. Director Grossi added he
90 understands that Snapchat is another popular form of social media.

91 **PRESENTATION ON DRAFT FY21 SCWA WATER TRANSMISSION SYSTEM BUDGET**

92 **(moved to Agenda Item 9)**

93 **OPEN TIME**

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

96 **STAFF/DIRECTORS REPORTS**

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

99 Ms. Kehoe reminded the Board that the completed Form 700 and the Ethics Training must
100 be turned in to the District office by April 1st.

101 **MONTHLY PROGRESS REPORT**

102 Mr. McIntyre provided the Board with the Monthly Progress Report for February and it was
103 reviewed. He noted that water production in Novato is up 8% from one year ago and up 2% year
104 to date. In West Marin, he added that water production is up 25% from one year ago and down
105 12% year to date and Recycled Water production is up 7% fiscal year to date. Mr. McIntyre also
106 reported that Stafford Treatment Plant had no production during the month of February and
107 production is up 64% fiscal year to date. The Board was apprised that Stafford Lake is at 75%
108 capacity, Lake Sonoma is at 91% capacity and Lake Mendocino is at 111% capacity. Under
109 Safety and Liability, Mr. McIntyre stated that we had forty-one days without a lost time injury. On
110 the Summary of Complaints and Service Orders, the Board was apprised that the total numbers
111 are down 15% from February one year ago and there were no unusual trends in complaints and
112 service orders for the month. Ms. Blue reported on the February 2020 Investments, where the
113 District's portfolio holds \$23M earning a 2.10% average rate of return.

114 Ms. Blue reported that during February the cash balance decreased by \$591,932. She
115 also noted the LAIF rate is 1.91%.

116 **CONSENT ITEMS**

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

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

120 NOES: None

121 ABSTAIN: None

122 ABSENT: None

123 **WATER AGREEMENT 7380 REDWOOD BLVD., JERRY'S DELICATESSEN FIRE SERVICE**
124 **APN: 153-044-03**

125 The Board approved authorization of this agreement. The water service agreement is
126 required due to tenant improvements resulting in the Novato Fire Protection District requiring that
127 a 4-inch fire service be provided.

128 **PLUM STREET TANK PROPERTY EXCHANGE – GRANT DEED**

129 The Board authorized the General Manager to execute the Plum Street Tank Property
130 Exchange - Grant Deed. It was recently brought to the attention of North Marin Water District that
131 the 180 sq. ft. land property conveyance was not recorded at the County of Marin with the original
132 property owners of 15 Zandra Place. A new owner has since purchased the property and desires
133 the same mutual property trade benefitting both parties, therefore a new Grant Deed to formally
134 approve the conveyance was prepared.

135 **ACTION ITEMS**

136 **AUTHORIZE AFFIRMATIVE VOTE FOR SCWA FY21 WATER TRANSMISSION SYSTEM**
137 **BUDGET (includes Agenda Item 3 - PRESENTATION ON DRAFT FY21 SCWA WATER**
138 **TRANSMISSION SYSTEM BUDGET)**

139 In Ms. Rosselli's absence, Mr. McIntyre provided the presentation of the Final Draft FY21
140 SCWA Water Transmission System Budget. He noted that the FY21 SCWA Budget proposes
141 NMWD water purchases for the next fiscal year at \$1,001 per AF with a SCWA rate increase of
142 6.79%. He added that the FY21 SCWA budget is based on projected imported water purchases
143 of 5,250 AF and that SCWA is forecasting future annual water rate increases between 4% and
144 6% for the water contractors, but the NMWD increase can fall outside of this range due to the
145 contractual arrangement between SCWA and NMWD. Mr. McIntyre reminded the Board that the
146 TAC Ad Hoc subcommittee, which included Ms. Blue, met to review and negotiate the budget and
147 the TAC unanimously approved the FY21 SCWA budget on March 2, 2020. Mr. McIntyre noted
148 that this is an action item requesting that the Board approve the NMWD WAC representative,
149 Director Baker, to vote in favor of the budget as presented at the Special WAC meeting on April
150 6th.

151 Mr. McIntyre also shared that the Sonoma Civil Grand Jury did a report last year indicating
152 that the Agency should spend more money on hazard mitigation projects and we can expect to
153 see increases in future SCWA budgets as a result of this request. Director Baker asked Mr.
154 McIntyre if he felt the concern of the Sonoma Civil Grand Jury was valid. Mr. McIntyre replied
155 that he believes SCWA is actually ahead of the curve with respect to funding and implementing
156 hazard mitigation projects when compared to other similar agencies. Ms. Blue commented that
157 the budget subcommittee talked about this issue and it is a topic of ongoing discussion.

158 Mr. McIntyre continued the presentation discussing various expenditures and rate setting
159 calculations. Ms. Blue commented that originally our rate increase was proposed at 7.37% before
160 being reduced to 6.79%. Mr. McIntyre added that the next step is for the budget to go to the
161 Water Advisory Board Special Meeting on April 6th followed by SCWA Board approval on April
162 21st.

163 Director Joly asked who the bigger wholesalers were. Mr. McIntyre replied the largest is
164 City of Santa Rosa. Ms. Blue added that the top three wholesalers, in order of deliveries are
165 Santa Rosa, Petaluma and North Marin. Director Petterle asked if given the circumstances, will
166 the budget approval meeting dates change. Mr. McIntyre replied that he cannot speak for the
167 Sonoma County Board of Supervisors meeting, but the Special WAC Meeting will still occur
168 however it may be a remote meeting with no physical meeting location.

Director Joly stated that in the budget it shows a 6.79% increase, and asked if going forward future rate increases will be between 4-6%. Ms. Blue replied that there are many variables, but we have asked Ms. Rosselli for some good projections. Director Joly in reference to the historical rate increase table asked if we have comfort with the SCWA rates going up more than the median, and noted in FY19 it was negative and wondered why there was a swing. Mr. McIntyre replied that he does not recall the NMWD rate increase being negative in FY19 and will confirm this number. Mr. McIntyre added he and Ms. Blue are planning on scheduling more meetings with SCWA staff to review how they allocate storage versus common facilities capital improvement projects. Director Joly added capital or amortized, it would be smoother if we have a set increase range.

On the motion of Director Petterle, and seconded by Director Grossi the Board authorized Director Baker, as WAC representative for NMWD to vote in favor for the SCWA FY21 Water Transmission System Budget by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

BRENNEIS/FURTH (APN 114-120-58) – NEW EASEMENT AND QUITCLAIM

Mr. McIntyre presented the new easement and right of way requirements related to the PRE-Tank 4A replacement project. He noted that a utility easement is needed to relocate various electrical/instrumentation conduits out of the limits of construction for the new 125,000-gallon concrete water storage tank and the Board will need to authorize payment to the property owner for this easement. Mr. McIntyre noted the compensation value for the easement is \$4,000 which is less than the cost to prepare an appraisal. Mr. McIntyre advised that he is also requesting approval to execute a Quitclaim for an old, obsolete utility easement on the parcel.

Mr. McIntyre added that the property owner is also providing a new Access Easement for the District to gain access to the tank site location. He added this new easement is a more desirable access for our crews. Director Baker commented that the current access easement is very steep. Mr. McIntyre confirmed and stated the owner has been very cooperative, and we have agreed to add baserock to the existing private road at the end of construction to repair any damage and make it an all-weather road for future use. Director Baker commented that it is very nice of the property owner to be so cooperative.

On the motion of Director Grossi, and seconded by Director Petterle the Board authorized

payment of \$4,000 to compensate Brenneis/Furth (APN 114-120-58) for a fully executed 280 sq.ft. utility easement and authorized the General Manager to execute a quitclaim for an obsolete easement on said property by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

REVISIONS TO EMPLOYER ASSISTED HOUSING PROGRAM FOR EMPLOYEES OF NORTH MARIN WATER DISTRICT POLICY NO. 42

Ms. Blue presented the updated policy which eliminates the appreciation method (for interest payback calculation) for all new loans, as recommended by the District's outside auditors.

Director Joly asked Ms. Blue if this means we will get interest on all of our loans. Ms. Blue responded yes, and that we want to change the policy so there are no potential losses and we protect the fund. Director Joly asked what the balance is on the funds. Ms. Blue replied that we have two loans that are fairly recent totaling \$525,000, and there are further funds that can be dispersed, however we would want to change the policy first. Director Joly asked if the fund can go as much as \$1.5M and Ms. Blue confirmed.

On the motion of Director Petterle, and seconded by Director Baker the Board approved revisions to Employer Assisted Housing Program for Employees of North Marin Water District Policy No. 42 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

INFORMATION ITEMS

FY 19/20 MID-YEAR PROGRESS REPORT – WATER CONSERVATION

Mr. McIntyre reported to the Board on the FY 19/20 Mid-Year Progress Report for Water Conservation. He gave an update on the Water Smart Home Survey (WSHS) Program, the Water Conservation Fixture Distribution, The Toilet (HET) Replacement Program, Retrofit on Resale, High Efficiency Clothes Washer Rebate Program, the Cash for Grass Rebate Program, Water Smart Landscape Rebate Program, Water Smart Irrigation Controller Rebate Program, the Large Landscape Water Conservation Program and the Public Outreach and Conservation Marketing Plan. He noted that the Cash for Grass participation is lower and we are seeing that with the post

235 drought period and added that we had good market penetration so we don't think we will see the
236 numbers we use to see.

237 Director Joly asked when Kiosk will be revising and improving the website. Mr. McIntyre
238 replied that we are a little behind schedule, the Water Rate Study was impacting us on information
239 that was being posted on the website and we didn't want to change anything midstream so we
240 pushed the schedule back. Mr. McIntyre noted that all the lead staff have met with Kiosk to go
241 over their areas of the website and the biggest challenge now is to integrate functions on the
242 website with CORE Billing, the Water Cost Calculator and the Stafford Lake Water Data. Director
243 Joly commented that the Water Cost Calculator is terrific, and since the Board does not approve
244 the new rates until June 16th it may be best not to integrate it yet. Director Joly commended Mr.
245 Grisso on his memo.

246 **FY 19/20 MID-YEAR PROGRESS REPORT – ENGINEERING DEPARTMENT**

247 Mr. McIntyre discussed the performance status on the improvement projects, the Novato
248 Service Area project costs variances, the Novato Recycled Water Service Area project variances,
249 the West Marin and Oceana Marin Service Area project costs variances, and the Engineering
250 Department labor hours. He noted there has been a lot of activity on the developer side which is
251 paid by the water service agreements which helps us on the financial side. Mr. McIntyre added
252 that for many years the developer work was lagging and is now picking up.

253 Director Petterle stated he was curious how the recruitment for the Assistant General
254 Manager/Chief Engineer is going. Mr. McIntyre replied three applications have been received to-
255 date.

256 **PREPARING FOR DRY YEAR CONDITIONS**

257 Mr. McIntyre updated the Board on Lagunitas Creek, Stafford Lake and Novato water
258 supply. In addition, he discussed NMWD's Water Shortage Contingency Plan for the West Marin
259 Service Area, noting implementation is probable this year in West Marin due to low rainfall levels
260 at MMWD's Kent Lake gauge. He added that Novato rainfall to-date is 16.3 inches, and the yearly
261 average is 27 inches.

262 Mr. McIntyre reported that Kent Lake rainfall in the Lagunitas Creek watershed was at 22
263 inches. Mr. McIntyre added it is unlikely that the Kent Lake gauge rainfall will meet or exceed the
264 minimum Normal Year threshold of 28 inches by the April 1st deadline, which will trigger the dry
265 year conditions in Lagunitas Creek. He stated it is possible we could get rain, however in 2014
266 we had a dry year in West Marin and had to follow a similar process.

267 Director Joly asked if what happened in 2014 was distressing for our West Marin
268 customers. Mr. McIntyre replied no, water use came down and outside irrigation was limited to a
269 manageable two days a week schedule. Director Joly stated he found the dry year rainfall tables
270 very interesting.

271 **NBWA MEETING – MARCH 6, 2020**

272 Director Fraites updated the Board on the March 6, 2020 meeting. He reported on the
273 California Water Commission and updated the Board on the new State Bond discussions. Director
274 Fraites stated they met at the Napa Sanitary District headquarters and the main speaker was
275 MMWD Board Member and California Water Commission Chair, Armando Quintero.

276 Director Fraites announced the NBWA Conference in April has been cancelled.

277 Director Joly thanked Director Fraites for the report.

278 **MISCELLANEOUS**

279 The Board received the following miscellaneous items: Disbursements – Dated March 5,
280 2020, Disbursements – Dated March 12, 2020, Novato Water Services by Type, Update -
281 Polybutylene Pipe Population, Coronavirus Update, Sonoma Water Press Release – Russian
282 River Biological Opinion Meeting Postponed, and Coast Guard Housing Update – COUNTY OF
283 MARIN.

284 The Board received the following news articles: Public quiet on proposal to increase water
285 rates – NOVATO; Marin reservoirs look good despite month's lack of rain – WEATHER; Russian
286 River Public Policy Facilitating Committee Annual Meeting – Dry Creek Project; Russian River
287 Inflatable Dam Being Inflated Today; California Had Its Driest February on Record. Here's How
288 Bad It Was; NMWD set to adopt one-year rate hike – NOVATO AREA; Bill: Churches, hospitals
289 could build homes – AFFORDABLE UNITS and Marin rainfall 66% below average for date –
290 WEATHER.

291 Director Joly had a question about the NexGen Asset Management Software on the
292 disbursements. Ms. Blue replied that the Asset Management program is currently being
293 implemented and the invoice payment is for an extended billing period.

294 Director Baker asked what is happening with the Point Reyes Coast Guard property. Mr.
295 McIntyre replied that the County of Marin is in the final stages to select a non-profit housing
296 developer. Director Baker commented that there are a lot of players involved, and asked if the
297 Federal Government is still involved. Mr. McIntyre responded that they no longer own the
298 property, but there may be some ongoing stipulations that need to be met.

299 Before the meeting adjourned Director Joly thanked Ms. Blue for including the pie chart
300 for the Novato Services by Type. He also thanked staff for attending the Board Meeting under

301 these unusual circumstances.

302 **ADJOURNMENT**

303 President Joly adjourned the meeting at 7:15 p.m.

304 Submitted by

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306 Theresa Kehoe

307 District Secretary

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MEMORANDUM

To: Board of Directors

Date: April 3, 2020

From: Drew McIntyre, General Manager / Acting Chief Engineer
Carmela Chandrasekera, Senior EngineerSubject: Amend ESA Consulting Services Agreement – Additional Permitting Services for
Gallagher Ranch (Lagunitas Creek) Streambank Stabilization Project

r:\Folders by job no\7000 jobs\7185 lagunitas creek slope stabilization\bod memos\amend esa permitting services bod memo apr 2020.doc

RECOMMENDED ACTION: Authorize General Manager to Amend the Consulting Services Agreement with ESA**FINANCIAL IMPACT:** \$25,000 (No budget augmentation needed at this time)

The purpose of this memo is to request an amendment to the Consulting Services Agreement with Environmental Science Associates (ESA) for assistance with permitting for the Gallagher Ranch Streambank Stabilization project (project). The project proposes to repair a bank failure along Lagunitas Creek that threatens North Marin Water District (NMWD) Gallagher well and pipeline conveying water to the Point Reyes Treatment Plant. The Board approved the original agreement with ESA at the October 15, 2019 meeting.


The original agreement for \$57,500 included consulting services to provide environmental support services and submit permit applications to support the above project. The required applications to the state and federal agencies and county permits were discussed in the January 17, 2020 BOD memo when the CEQA- Notice of Exemption was brought before the board. ESA has successfully progressed in working with the design consultant WRA and the funding agency Natural Resources Conservation Services (NRCS) to navigate the complicated and evolving permitting requirements by each agency. ESA has also worked beyond their scope to keep the project moving forward so that the funding deadlines could be met.

Consulting Agreement Amendment

ESA requests a contract modification of \$25,000 to address out-of-scope and additional services through receipt of agency approvals that were not anticipated in their original proposal (see Attachment 1). The added tasks of the amendment are including federally listed species in their analysis in the biological assessment and including coverage for fisheries. These tasks were specifically excluded in the original scope. Additionally, they were tasked to provide a complete project description, impacts analysis, and revegetation and monitoring plans to meet the requests of the permitting agencies. Lastly, the County required submittal of a Creek Permit Application which was not previously anticipated.

Financial Impact

The last financial update for the project was provided to the Board at the February 4, meeting. At that time the total project cost was estimated at \$530,840. A significant portion of

Approved by GM Date 4/3/20

the cost is being offset with a federal NRCS grant of \$231,000 leaving a local match balance of \$300,000. Staff is still reviewing the bids and expect to bring an item back to the Board at the April 21st meeting to award the construction contract. As reported verbally at the March 17th meeting, the apparent low bidder's construction cost is \$375,840 (~5% above the engineers estimate). The updated total project cost is now \$656,549 and includes higher costs for permitting, permit fees, construction and construction contingencies (see Attachment 2).

Due to higher construction costs, staff plans to submit a request to NRCS for an increase in NRCS grant funding. Although not guaranteed, there is a good chance NRCS will approve increasing the grant funding from \$231,000 to ~\$310,100. Assuming a increase in the NRCS grant, the local match will increase from \$300,000 to ~\$350,000. Staff still expects to receive a combined \$50,000 local match contribution from the property owners and Marin Agricultural Land Trust (MALT). In addition, staff has been successful in obtaining a \$25,000 contribution from MMWD in support of projects that benefit Lagunitas Creek erosion/sedimentation. Accordingly, NMWD's local share is now estimated at \$275,000.

RECOMMENDATION

That the Board authorize the General Manager to amend the consulting services agreement with ESA for the Gallagher Ranch Streambank Stabilization Project for a not to exceed fee of \$25,000.



1425 N. McDowell Boulevard
Suite 200
Petaluma, CA 94954
707.795.0900 (toll free)
707.795.0902 (fax)

March 31, 2020

Drew McIntyre
North Marin Water District
999 Rush Creek Place
Novato, CA 94945

Subject: Gallagher Ranch Bank Stabilization Environmental Compliance Support: Contract Amendment Request

Dear Mr. McIntyre:

As we have discussed, there have been several out of scope items and several project changes that have affected our level of effort; ESA has attempted accommodate those in our scope of work, but additional resources are necessary in order to complete the project. A contract modification of \$25,000 is requested to address out-of-scope and additional services, and is summarize on a task basis in Table 1 on the following page. This would alter our contract value to \$82,500. This scope revision assumes that the revised design does not result in substantial regulatory comments and that additional site visits or in-person meetings will not be requested. Below is a discussion of out of scope items.

1. Our scope assumed that our biological assessment would be limited to state species; however, NRCS requested later that we include federally listed species in our analysis, and clarified that they were not pursuing approval from NOAA-NMFS; therefore, coverage for fisheries was required as well, which greatly affected the level of effort.
2. Our scope assumed ESA would be provided with a complete project description, impacts analysis, revegetation and monitoring plans; however, it was necessary for ESA to develop these items.
3. The County required additional coordination for the Coastal Development Permit, as well as submittal of a County Creek Development Permit Application, which was not previously anticipated.
4. Additional project team support was requested and provided under Project Management, including:
 - Unanticipated review and revisions to respond to comments from NRCS,
 - Multiple site visits to support project implementation: NRCS meeting (Jan 13), contractor pre-bid meeting (Feb 25) and regulatory site visit (March 6) were not included in our scope.
 - Support for contractor bidding process including pre-bid meeting preparation support, attendance at the meeting and site visits (noted above), and developing responses to contractor comments.

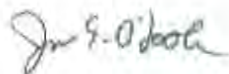
Mr. McIntyre
March 31, 2020
Page 2

Table 1. Scope Modification Request by Task

Task	Task Name	Original Scope	Modification Request	Revised Total
1	CEQA Cat Ex	\$2,500	\$0	\$2,500
2	Aquatic Resource Delineation	\$10,000	\$0	\$10,000
3	Habitat Assessment	\$5,000	\$11,000	\$16,000
4	404 Permit	\$10,000	\$2,000	\$12,000
5	CDFW SAA	\$5,000	\$1,000	\$6,000
6	SWRCB	\$5,000	\$0	\$5,000
7	Coastal Development Permit and Marin County Creek Development Permit	\$7,500	\$5,000	\$12,500
8	Project Management	\$2,500	\$6,000	\$8,500
9	Monitoring	\$10,000	0	\$10,000
		\$57,500	\$25,000	\$82,500

ESA appreciates the opportunity to continue our long-standing working relationship with NMWD, and we look forward to continuing to support the District in the successful implementation of this project. Please feel free to contact me at 707-795-0904 or jotoole@esassoc.com if you have any questions or comments regarding this request.

Sincerely,



James E. O'Toole
Senior Vice President

NORTH MARIN WATER DISTRICT
WATER SYSTEM IMPROVEMENTS/SPECIAL PROJECTS
PROJECT SUMMARY
AS OF APRIL 2020

Job No. 2.7185.00	Title: Gallagher Ranch Streambank Stabilization
Facility No.	Facility Type (Pipelines, Pump Stations, etc.) Other- Emergency EWP Grant Project

Description

Lagunitas Creek bank is eroding north of Gallagher Ranch bridge threatening Gallagher Well and Pipeline. The project is to stabilize bank erosion by an engineered bank protection system.

Project Justification

District's Gallagher well and pipeline is threatened by eroding of the Lagunitas creek at Gallagher Ranch.

	Baseline Cost Estimate	Est. Jan 28, 2020	After Bid Opening (April 2020 update)	Spent as of 1/28/2020		Start	Finish (Est.)	Finish (Actual)
1	Development	\$4,000	\$4,000	\$4,000	Project Dev.	Oct. 2019	Jan-20	Jan-20
2	Legal			\$945				
3	Permitting (ESA)	\$57,500	\$77,500	\$49,926	Permitting	Oct. 2019	May-20	
4	Design (WRA)	\$94,400	\$129,400	\$88,512	Final Design	Oct-19	Jan-20	Jan-20
5	Permit fees	\$2,143	\$14,809	\$14,809				
6	Bidding	\$5,000	5000	\$5,000	Bid	Feb-20	Mar-20	Mar-20
7	Construction	\$357,797	\$375,840			May-20	Jul-20	
8	Eng. Servs. Const. incl.item 4							
9	Project Admin (NMWD)	\$3,000	\$3,000	\$218				
10	Project Closeout	\$2,000	\$2,000		Project Closeout	Jul-20	Dec-20	
11	Project Subtotal	\$525,840	\$611,549					
12	Project Contingency	\$5,000	\$45,000					
	Total ⁽¹⁾	\$530,840	\$656,549	\$163,410				

- (1) Federal Grant estimate was originally \$231,000 but it is assumed they will approve an increase to \$310,068 (82.5%)
 (2) Construction Cost Estimate = \$375,840 (low bid)

6

MEMORANDUM

To: Board of Directors

From: Drew McIntyre, General Manager / Acting Chief Engineer
Carmela Chandrasekera, Senior Engineer

Subject: Amend WRA Consulting Services Agreement – Engineering Services for Gallagher Ranch (Lagunitas Creek) Streambank Stabilization Project

r:\non job no issues\consultants\wra\bod memos\amend wra services bod memo apr 2020.doc

Date: April 3, 2020

RECOMMENDED ACTION: Authorize General Manager to Amend the Consulting Services Agreement with WRA

FINANCIAL IMPACT: \$35,000 (No budget augmentation needed at this time)

The purpose of this memo is to request an amendment to the Consulting Engineering Services Agreement with WRA for the Gallagher Ranch Streambank Stabilization project (project). The project proposes to repair a bank failure along Lagunitas Creek that threatens North Marin Water District (NMWD) Gallagher well and pipeline conveying water to the Point Reyes Treatment Plant. The out of original scope work involved responding to environmental permitting agencies' comments and related design revisions captured in a revised set of drawings. The amendment also includes services during construction such as construction observation, project management and any other additional services that would be required moving forward. The Board approved the original agreement with WRA at the October 1, 2019 meeting.

The original agreement for \$94,400 included consulting services to provide design phase services for the above project (including construction support).

Consulting Agreement Amendment

WRA requests a contract modification of \$35,000 to address design modifications required by the Regional Water Quality Control Board (RWQCB) and California Department of Wildlife (CDFW) to improve riparian and aquatic habitat features (see Attachment 1).

Financial Impact

The last financial update for the project was provided to the Board at the February 4, meeting. At that time, the total project cost was estimated at \$530,840. A significant portion of the cost is being offset with a federal NRCS grant of \$231,000 leaving a local match balance of \$300,000. Staff is still reviewing the bids and expect to bring an item back to the Board at the April 21st meeting to award the construction contract. As reported verbally at the March 17th meeting, the apparent low bidder's construction cost is \$375,840 (~5% above the engineers estimate). The updated total project cost is now \$656,549 and includes higher costs for permitting, permit fees, construction and construction contingencies (see Attachment 2)

Approved by GM

Date


 4/3/20

Due to higher construction costs, staff plans to submit a request to NRCS for an increase in NRCS grant funding. Although not guaranteed, there is a good chance NRCS will approve increasing the grant funding from \$231,000 to ~\$310,100. Assuming an increase in the NRCS grant, the local match will increase from \$300,000 to ~\$350,000. Staff still expects to receive a combined \$50,000 local match contribution from the property owners and Marin Agricultural Land Trust (MALT). In addition, staff has been successful in obtaining a \$25,000 contribution from MMWD in support of projects that benefit Lagunitas Creek erosion/sedimentation. Accordingly, NMWD's local share is now estimated at \$275,000.

RECOMMENDATION

That the Board authorize the General Manager to amend the consulting services agreement with WRA for design phase services related to the Gallagher Ranch Streambank Stabilization Project for a not to exceed fee of \$35,000.

CHANGE ORDER 1

STREAMBANK STABILIZATION - ENGINEERING AND DESIGN

NRCS EMERGENCY WATERSHED PROTECTION GRANT

**Gallagher Ranch, Point Reyes Petaluma Road,
Marin County, CA**

Prepared for:

Drew McIntyre, P.E., General Manger
North Marin Water District
999 Rush Creek Place, P.O. Box 146
Novato, CA 94948
415-897-4133

March 31, 2020

WRA Project No. 29302 - Phase 2

PURPOSE

This Change Order describes the general requirements and costs to redesign the Streambank Stabilization Project for North Marin Water District (NMWD). Modifications to the Final 100% bid design were requested on March 6th at an on-site meeting with representatives from the Regional Water Quality Control Board (RWQCB) and the California Department of Wildlife (CDFW). Representatives described a set of design modifications needed for expedited processing of the habitat restoration permit applications submitted by ESA. The requested changes focused on riparian and aquatic habitat improvements to the streambank stabilization project. WRA coordinated efforts with multiple agencies and consultants to address these specific requests made by the RWQCB. The various additional submittals and design changes, combined with NRCS funding, engineering and construction limitations, have increased overall design and engineering costs.

NOTIFICATION

WRA previously notified NMWD of these out of scope requests, as required. In an email on March 2nd, WRA provided the interim funding approach below, which was approved on March 4th:

Regarding [WRA's] scope and current costs, discussions with the permitting agencies, and continued project management beyond February, are outside our current scope. Task 4.3, [was established to pay for] ...design and permitting coordination with ESA. That account however is fully expended and funds remaining in Task 3.2, which was reserved for Construction Observation, are now [also] being expended. I suggest we continue to bill to Task 4.3, (exceeding the task limit) to accurately track permitting coordination with ESA and the permitting agencies. We would need to circle back with a Change Order however to fully fund Construction Observation once the Permit Conditions are finally established.

PHASE 2 - SCOPE OF WORK

Approval of this change order would reimburse WRA for the authorized additional engineering and project management work completed in March to comply with RWQCB and CDFW habitat restoration permit applications, as submitted by ESA. Approval of this change order would also reimburse the contract to complete Construction Observation services (Phase 1, Task 3.2). Project Management would be extended four months through June 2020, in response to additional permitting requirements and the NRCS request to extend the Emergency Watershed Protection (EWP) grant funding for 60 additional days.

TASK 1. MARCH 2020, FINAL DESIGN REVISIONS (March)

In the month of March 2020, WRA responded to requests for information from NMWD, NRCS, ESA, RWQCB, CDFW, CCC, the Corps and contractor's bid questions. WRA has prepared a revised set of engineering drawings, revised specifications, revised quantity and impact area takeoffs, revised project cost estimates and memos describing the changes. This task reimburses WRA for costs incurred to be responsive to agency requests and is

TASK 2. CONSTRUCTION OBSERVATION (Reimbursement of Phase 1, Task 3.2, same scope and budget)

WRA will make periodic visits to the site to review the work performed by the construction contractor, and to support the contractor regarding the interpretation of the contract drawings and specifications. WRA will determine if construction is according to the contract drawings and specifications and confirm if constructed elevations meet the engineered design requirements. WRA assumes that prime contractor will communicate the need to abide by all regulatory requirements and permit conditions and BMP's with all subcontractors on site.

TASK 3. PROJECT MANAGEMENT (March, April, May, June 2020)

As in phase 1, WRA will allocate 10 hours per month for four additional months (March, April, May and June 2020) to address coordination needs during the transition from permitting to construction. This limited budget may include preparation and reporting for monthly conference calls, individual phone conversations and email correspondence with the client and other consultants. The monthly budget for this task in Phase 1 was estimated to be about \$2,000 per month, and the same figure is used to estimate costs for Phase 2. Additional coordination shall be billed on a time and materials basis, under Task 4, Additional Services, if needed.

TASK 4: ADDITIONAL SERVICES (Contingency)

This task allows NMWD to request additional services, under the framework of this change order, up to the level of funding available. Such additional services could include, but are not limited to; additional design revisions, additional permitting coordination with ESA, special services needed during construction such as worker training or preconstruction surveys for nesting birds. WRA would request authorization to bill to this task if the need arises.

SCHEDULE

Additional Phase 2 work began with NMWD authorization for Task 1, Final Design Revisions in early March 2020. Task 2, Construction Observation will be commensurate with construction through June 2020. Task 3, Project Management will be continuous as needed through June 2020. Additional services can be scheduled as needed through the duration of this contract.

STAFFING

Nate Bello is the principal-in-charge of the project. Andrew Smith P.E., is the California licensed civil engineer #82643. Brian Bartell is the project director and Paul Curfman is project manager. Both Brian and Paul are licensed landscape architects #s 6050, 3043 respectively.

ASSUMPTIONS

The following assumptions have been made in the preparation of this Scope of Work:

- Access to the property will be granted to WRA for the necessary environmental studies.
- NMWD will provide previous environmental reports used for well construction and pipeline placement for WRA review. Additional reports suggested by NMWD as relevant to the project will also be considered.
- Relevant correspondence between the client and government agencies will be provided to WRA.
- WRA cannot guarantee schedules or costs for actions taken by regulatory and other third-party entities with authority to approve project activities, as these actions are outside of WRA's control.

ESTIMATED COST

The estimated costs for the services described in this Change Order are provided below. This costs are based on the assumptions above and normal working conditions. Costs may be reallocated between tasks, but the total cost will not be exceeded without authorization.

Task	Description	Cost
1	Final Design Revisions (March 2020)	\$15,000
2	Construction Observation (Apr-June)	\$ 9,900
3	Project Management (March – June, 4 Mos. at \$2,000 ea.)	\$ 8,000
4	Additional Services (<10% Contingency)	\$ 3,100
TOTAL		\$35,000

TERMS AND CONDITIONS

Upon approval, this Change Order is subject to the same terms and conditions as the original agreement between North Marin Water District and WRA, as was executed on October 18, 2019.

(Approval / Signature Page Follows)

NORTH MARIN WATER DISTRICT
WATER SYSTEM IMPROVEMENTS/SPECIAL PROJECTS
PROJECT SUMMARY
AS OF APRIL 2020

Job No.	Title:
2.7185.00	Gallagher Ranch Streambank Stabilization
Facility No.	Facility Type (Pipelines, Pump Stations, etc.) Other- Emergency EWP Grant Project

Description

Lagunitas Creek bank is eroding north of Gallagher Ranch bridge threatening Gallagher Well and Pipeline. The project is to stabilize bank erosion by an engineered bank protection system.

Project Justification

District's Gallagher well and pipeline is threatened by eroding of the Lagunitas creek at Gallagher Ranch.

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7

MEMORANDUM

To: Board of Directors

From: Drew McIntyre, General Manager / Acting Chief Engineer

Subject: Environmental Collaborative (EC) - Consulting Services Agreement

April 3, 2020



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RECOMMENDED ACTION: Authorize the General Manager to execute a General Consulting Services Agreement with Environmental Collaborative

FINANCIAL IMPACT: \$20,000 (No budget augmentation needed at this time)

Currently there are multiple Capital Improvement Projects (CIP) that need environmental support services. Some of those projects need substantial environmental support and permitting so as not to jeopardize federal grant funding. The District currently has a General Services Agreement with ESA, an environmental services consultant to assist the Engineering staff for environmental support services. However, staff needs additional outside environmental consulting services to allow the flexibility to work not only within the workload and timing constraints, but also those of the outside consultants as well. One such project that requires quick action is the Oceana Marin Ponds Rehabilitation - 404 Grant project (J-8.7173.00).

Staff has determined that a second environmental support services consulting firm is necessary and reviewed the availability and experience of Environmental Collaborative (EC) to address some of the current and anticipated workload requirements. EC has previously worked under Amy Skewes-Cox (ASC), Environmental Consultant on the Old Ranch Road Tank Replacement project, performing plant surveys and providing valuable environmental support services. Upon entering into a task order basis agreement with EC, staff anticipates utilizing this firm for environmental support services on two upcoming projects. The projects are: (1) Permitting for Oceana Marin Ponds Rehabilitation - 404 Grant project and (2) Old Ranch Road Tank Replacement Project ongoing environmental support services. The proposed agreement is attached.

RECOMMENDATION

That the Board authorize the General Manager to enter into a General Services Agreement with Environmental Collaborative with a not-to-exceed limit of \$20,000.

Approved by GM



Date

4/3/20

AGREEMENT FOR CONSULTING SERVICES

The following is an agreement between **North Marin Water District**, hereinafter "**NMWD**", and Environmental Collaborative (EC), hereinafter, "**Consultant**".

WHEREAS, Consultant is a duly qualified consulting firm, experienced in environmental permitting and monitoring services, and CEQA analysis.

WHEREAS, in the judgment of the Board of Directors of the NMWD, it is necessary and desirable to employ the services of the Consultant to provide miscellaneous environmental consulting services.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties hereto agree as follows:

PART A -- SPECIFIC PROVISIONS:

1. DESCRIPTION OF SERVICES AND PAYMENT: Except as modified in this agreement, the services to be provided and the payment schedule are:

- a. The scope of work and fee amount covered by this agreement shall be that specified on a task by task basis.
- b. The fee for the work shall be on a time and expense (T & E) basis utilizing the fee schedule included in Attachment A of this agreement and shall not exceed \$20,000 without prior written authorization by NMWD.

PART B -- GENERAL PROVISIONS

1. ASSIGNMENT/DELEGATION: Except as above, neither party hereto shall assign, sublet or transfer any interest in or duty under this agreement without written consent of the other, and no assignment shall be of any force or effect whatsoever unless and until the other party shall have so consented.

2. STATUS OF CONSULTANT: The parties intend that the Consultant, in performing the services hereinafter specified, shall act as an independent contractor and shall have the control of the work and the manner in which it is performed. The Consultant is not to be considered an agent or employee of NMWD, and is not entitled to participate in any pension plan, insurance, bonus or similar benefits NMWD provides its employees.

3. INDEMNIFICATION: NMWD is relying on the professional ability and training of the Consultant as a material inducement to enter into this agreement. The Consultant hereby warrants that all its work will be performed in accordance with generally accepted professional practices and standards, as well as the requirements of applicable federal, state and local laws, it being understood that neither acceptance of the Consultant's work by NMWD nor Consultant's failure to perform shall operate as a waiver or release.

- a. With respect to design professional services provided under this agreement, Consultant shall assume the defense of and defend NMWD, its directors, officers, agents, and employees in any action at law or in equity to the extent that liability is claimed or alleged to arise out of, pertain to, or relate to, either directly or indirectly, the intentional or willful misconduct, recklessness, or negligent act, error, or omission of Consultant (or any person or organization for whom Consultant is legally liable) in the performance of the

activities necessary to perform the services for District and complete the task provided for herein. In addition, Consultant shall indemnify, hold harmless, and release NMWD, its directors, officers, agents, and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs, that may be asserted by any person or entity including the Consultant, to the extent arising out of, pertaining to, or relating to, the negligent acts, errors or omissions, recklessness, or intentional or willful misconduct of the Consultant (or any consultant or subcontractor of Consultant) in connection with the activities necessary to perform the services and complete the task provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.

- b. With respect to all services other than design professional services provided under this agreement, Consultant shall indemnify, hold harmless, release and defend NMWD, its agents and employees from and against any and all actions, claims, damages, disabilities or expenses, including attorney's fees and witness costs that may be asserted by any person or entity, including the Consultant, arising out of or in connection with the activities necessary to perform those services and complete the tasks provided for herein, but excluding liabilities due to the sole negligence or willful misconduct of NMWD.

This indemnification is not limited in any way by any limitation on the amount or type of damages or compensation payable by or for the NMWD or its agents under workers' compensation acts, disability benefit acts or other employee benefit acts.

4. PROSECUTION OF WORK: The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by December 31, 2021, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God or by strike, lockout or similar labor disturbance, the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed.

5. METHOD AND PLACE OF GIVING NOTICE, SUBMITTING BILLS AND MAKING PAYMENTS: All notices, bills and payment shall be made in writing and may be given by personal delivery or by mail. Notices, bills and payments sent by mail should be addressed as follows:

North Marin Water District
P.O. Box 146
Novato, CA 94948
Attention: Drew McIntyre

Consultant:
Environmental Collaborative
1268 64th Street
Emeryville, CA 94608
Attention: James Martin

and when so addressed, shall be deemed given upon deposit in the United States Mail, postage prepaid. In all other instances, notices, bills and payments shall be deemed given at the time of actual delivery. Changes may be made in the names and addresses of the person to whom notices, bills and payments are to be given by giving notice pursuant to this paragraph.

6. MERGER: This writing is intended both as the final expression of the agreement between the parties hereto with respect to the included terms of the agreement, pursuant to

California Code of Civil Procedure Section 1856 and as a complete and exclusive statement of the terms of the agreement. No modification of this agreement shall be effective unless and until such modification is evidenced by a writing signed by both parties.

7. SEVERABILITY: Each provision of this agreement is intended to be severable. If any term of any provision shall be determined by a court of competent jurisdiction to be illegal or invalid for any reason whatsoever, such provision shall be severed from this agreement and shall not affect the validity of the remainder of the agreement.

8. TERMINATION: At any time and without cause the NMWD shall have the right in its sole discretion, to terminate this agreement by giving written notice to the Consultant. In the event of such termination, NMWD shall pay the Consultant for services rendered to such date.

9. TRANSFER OF RIGHTS/OWNERSHIP OF DATA: The Consultant assigns to NMWD all rights throughout the work in perpetuity in the nature of copyright, trademark, patent, and right to ideas, in and to all versions of any plans and specifications, reports and document now or later prepared by the Consultant in connection with this contract.

The Consultant agrees to take such actions as are necessary to protect the rights assigned to NMWD in this agreement, and to refrain from taking any action which would impair those rights. The Consultant's responsibilities under this contract will include, but not be limited to, placing proper notice of copyright on all versions of any plans and specifications, reports and documents as NMWD may direct, and refraining from disclosing any versions of the reports and documents to any third party without first obtaining written permission of NMWD. The Consultant will not use, or permit another to use, any plans and specifications, reports and document in connection with this or any other project without first obtaining written permission of NMWD.

All materials resulting from the efforts of NMWD and/or the Consultant in connection with this project, including documents, reports, calculations, maps, photographs, computer programs, computer printouts, digital data, notes and any other pertinent data are the exclusive property of NMWD. Re-use of these materials by the Consultant in any manner other than in conjunction with activities authorized by NMWD is prohibited without written permission of NMWD.

Consultant shall deliver requested materials to NMWD in electronic format including but not limited to engineering calculations, plans (AutoCad, current edition) and specifications (MS Word, current edition).

10. COST DISCLOSURE: In accordance with Government Code Section 7550, the Consultant agrees to state in a separate portion of any report provided NMWD, the numbers and amounts of all contracts and subcontractors relating to the preparation of the report.

11. NONDISCRIMINATION: The Consultant shall comply with all applicable federal, state and local laws, rules and regulations in regard to nondiscrimination in employment because of race, color, ancestry, national origin, religion, sex, marital status, age, medical condition or physical handicap.

12. EXTRA (CHANGED) WORK: Extra work may be required. The Consultant shall not proceed nor be entitled to reimbursement for extra work unless it has been authorized, in writing, in advance, by NMWD. The Consultant shall inform the District as soon as it determines work beyond the scope of this agreement may be necessary and/or that the work under this agreement cannot be completed for the amount specified in this agreement. Said review shall occur before consultant incurs 75% of the total fee approved for any phase of the work. Failure to notify the District shall constitute waiver of the Consultant's right to reimbursement.

13. CONFLICT OF INTEREST: The Consultant covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner or degree with the performance of its services hereunder. The Consultant further covenants that in the performance of this contract no person having any such interest shall be employed.

14. INSURANCE REQUIREMENTS FOR CONSULTANTS

Consultant shall procure and maintain for the duration of the contract insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder by the consultant, his agents, representatives, employees or subcontractors.

Minimum Scope of Insurance

Coverage shall be at least as broad as:

1. Commercial General Liability coverage
2. Automobile Liability
3. Workers' Compensation insurance as required by the State of California.

Minimum Limits of Insurance

Consultant shall maintain limits no less than:

1. General Liability (including operations, products and completed operations.): **\$1,000,000** per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.
2. Automobile Liability: **\$1,000,000** per accident for bodily injury and property damage.
3. Workers' Compensation Insurance: as required by the State of California.

Verification of Coverage

Consultant shall furnish the District with original certificates and amendatory endorsements effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the District before work commences. The District reserves the right to require at any time complete and certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Subcontractors

Consultant shall include all subcontractors as insureds under its policies or shall furnish separate certificates and endorsements for each subcontractor to the District for review and approval. All coverage for subcontractors shall be subject to all of the requirements stated herein.

Self-Insured Retentions

Any self-insured retentions must be declared to and approved by the District. At the option of the District, either: the insurer shall reduce or eliminate such self-insured retentions as respects the District, its officers, officials, employees and volunteers; or the Consultant shall provide a financial guarantee satisfactory to the District (such as a surety bond) guaranteeing payment of losses and related investigations, claim administration, and defense expenses.

Other Insurance Provisions

The commercial general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

1. The District, its officers, officials, employees, and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the Consultant.
2. For any claims related to this project, the Consultant's insurance coverage shall be primary insurance as respects the District, its officers, officials, employees, and volunteers. Any insurance or self-insurance maintained by the District, its officers, officials, employees, or volunteers shall be excess of the Consultant's insurance and shall not contribute with it.
3. Each insurance policy required by this clause shall be endorsed to state that coverage shall not be canceled by either party, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the District.

Acceptability of Insurers

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:VII.

15. DISPUTE RESOLUTION: Any dispute or claim in law or equity between District and Consultant arising out of this agreement, if not resolved by informal negotiation between the parties, shall be mediated by referring it to the nearest office of Judicial Arbitration and Mediation Services, Inc. (JAMS) for mediation. Mediation shall consist of an informal, non-binding conference or conferences between the parties and the judge-mediator jointly, then in separate caucuses wherein the judge will seek to guide the parties to a resolution of the case. If the parties cannot agree to mutually acceptable member from the JAMS panel of retired judges, a list and resumes of available mediators numbering one more than there are parties will be sent to the parties, each of whom will strike one name leaving the remaining as the mediator. If more than one name remains, JAMS arbitrations administrator will choose a mediator from the remaining names. The mediation process shall continue until the case is resolved or until such time as the mediator makes a finding that there is no possibility of resolution.

At the sole election of the District, any dispute or claim in law or equity between District and Consultant arising out of this agreement which is not settled through mediation shall be decided by neutral binding arbitration and not by court action, except as provided by California law for judicial review of arbitration proceedings. The arbitration shall be conducted in accordance with the rules of Judicial Arbitration Mediation Services, Inc. (JAMS). The parties to an arbitration may agree in writing to use different rules and/or arbitrators.

16. BILLING AND DOCUMENTATION: The Consultant shall invoice NMWD for work performed on a monthly basis and shall include a summary of work for which payment is requested. The invoice shall state the authorized contract limit, the amount of invoice and total amount billed to date. The summary shall include time and hourly rate of each individual, a narrative description of work accomplished, and an estimate of work completed to date.

17. REASONABLE ASSURANCES: Each party to this agreement undertakes the obligation that the other's expectation of receiving due performance will not be impaired. When reasonable grounds for insecurity arise, with respect to performance of either party, the other may, in writing, demand adequate assurance of due performance and until the requesting party receives such assurance may, if commercially reasonable, suspend any performance for which the agreed return has not been received. "Commercially reasonable" includes not only the conduct of the party

with respect to performance under this agreement but also conduct with respect to other agreements with parties to this agreement or others. After receipt of a justified demand, failure to provide within a reasonable time, not to exceed 30 days, such assurance of due performance as is adequate under the circumstances of the particular case is a repudiation of this agreement. Acceptance of any improper delivery, service, or payment does not prejudice the aggrieved party's right to demand adequate assurance of future performance.

18. PREVAILING WAGE REQUIREMENTS: Prevailing Wage Rates apply to all Consultant personnel performing work under the Agreement for which wage determinations have been made by the Director of Industrial Relations pursuant to California Labor Code Sections 1770– 1782,. Consultant shall comply with all applicable prevailing wage labor code requirements.

**NORTH MARIN WATER DISTRICT
"NMWD"**

Dated: _____

Drew McIntyre, General Manager

**ENVIRONMENTAL COLLABORATIVE
"CONSULTANT"**

Dated: _____

James Martin, President

ENVIRONMENTAL COLLABORATIVE

Consultation • Documentation • Restoration
41 Jeanette Court • Walnut Creek, CA 94596
Phone 510-393-0770 • beach127@aol.com

STANDARD FEE SCHEDULE

Principal Consultation Rate	\$175.00 per hour
Contract Research Rate	\$140.00 per hour
GIS/Graphic Production Rate	\$90.00 per hour
Wordprocessing Rate	\$90.00 per hour

Project expenses will be billed on contract-arranged basis or at cost plus 10 percent for service and handling. Project expenses include project-related costs such as transportation, subsistence, reproduction, postage, telephone, computer charges and subcontractor services.

All invoices are due and payable within 30 days of invoice date. Invoices outstanding for more than 30 days will be assessed a 2.5 percent service charge for each 30 days outstanding beyond the initial payment period. Service charges are not included in any agreement for maximum charges.

These rates are effective through 2020.

Expert witness charges available on request.

8

MEMORANDUM

To: Board of Directors
From: Terrie Kehoe, District Secretary and Records Retention Manager
Subject: Records Retention Program – Destruction of Records
t:\gm\admin\secty\record retention\2020\board memo 4 2020.doc

April 3, 2020

RECOMMENDED ACTION: Approve Destruction of Records
FINANCIAL IMPACT: Estimated at \$400 for document shredding

The District's Policy for the Retention of Documents and Destruction of Specified Documents was approved by the Board in 2002 and revised in 2003. The Policy states that once a year, on or about April 21, the documents designated as eligible will be destroyed in an appropriate manner. This year, destruction of records has not been scheduled at this time due to the current shelter in place order associated with the COVID-19 virus pandemic.

Attached is a proposed resolution for the Board to approve the destruction of certain records for this year. Exhibit A of the proposed resolution is the Request for Destruction of Records forms for documents to be eliminated. The lists of files to be destroyed have been reviewed and approved by: (1) Department Head, (2) Records Retention Manager, (3) Auditor-Controller and (4) General Manager.

RECOMMENDATION

Approve resolution authorizing the Destruction of Certain Records in the manner consistent with District Policy.

Approved by GM

Date


4/3/20

RESOLUTION 20-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT TO
APPROVE DESTRUCTION OF CERTAIN RECORDS**

WHEREAS, California Government Code §60200, et seq., authorizes the legislative body of a district to authorize the destruction of certain documents without retaining copies and authorizes the destruction of documents not expressly required by law to be maintained, if conditions are complied with as specified in Government Code §60203, and

WHEREAS, The Board of Directors of the North Marin Water District adopted Resolution 02-20 on June 4, 2002 establishing a policy for retention of documents and destruction of specified documents, and

WHEREAS, revisions to said policy were approved by the Board of Directors on July 15, 2003, and

WHEREAS, the Request for Destruction of Record forms describing the document or documents to be destroyed, with the written approval of the District's Department Heads, Records Retention Manager, Auditor-Controller and General Manager appearing thereon, is attached as Exhibit A.

NOW, THEREFORE, be it resolved by the Board of Directors of the North Marin Water District, that the records described in Exhibit A attached are hereby approved for destruction as soon as possible in an appropriate manner.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the seventh day of April 2020 by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

(SEAL)

Theresa Kehoe
District Secretary

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Admin. – Accounting

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No.	RECORD NAME	DATE RANGE		NMWD Retention Period	Request prepared by: District Secretary, Terrie Kehoe	Date: March 25, 2020
		From	To			
A-16-05	A/R Cash Receipts #18345-18933	9/03/213	12/31/14	CY+4		
AC-16-06	Vehicle Timesheets	FY15	FY15	CY+4		
AC-16-06	Fixed Asset Depreciation Expense Reports	FY15	FY15	CY+4		
AC-16-06	Fixed Asset Net Book Value Reports	FY15	FY15	CY+4		
AC-16-07	Job Posting Registers (JC-2987-JC3337)	5/15/14	7/2/15	CY+4		
AC-17-03	Inventory Daily Sales Order Repots	2/25/11	4/01/15	CY+4		
AC-17-03	Inventory Transaction Registers & Physical County Variance	12/28/12	5/29/15	CY+4		
AC-17-03	F/A Depreciation Expense Report	8/05/15	7/05/16	CY+3		
AC-17-03	PAS Payroll Reports PPE	7/05/14	12/31/15	CY+4		
AC-17-03	Banking-Treasury Transactions/Wire Transfers	2013	2013	CY+6		
AC-17-07	Payroll Posting Register	8/15/174	1/31/15	CY+4		
AC-17-07	Accounts Payable Posting Registers	1/01/15	11/10/15	CY+4		
AC-17-07	Deduction Registers	5/15/14	1/31/15	CY+4		
AC-17-07	Benefit Accrual Report	3/15/13	1/31/15	CY+4		
AC-20-17	Employee Payments Unreimb Medical & Childcare Payments	2009	2009	CY+6		
AC-20-17	Disbursements-Payment Selection Lists	12/16/08	6/28/10	CY+4		
AC-20-17	Vision Reimbursements	6/2009	6/2010	CY+6		

DESTRUCTION APPROVALS SIGNATURES	
Department Head <i>Julie Blue</i>	Date Approved <i>3/27/20</i>
Auditor-Controller <i>Julie Blue</i>	Date Approved <i>3/27/20</i>
Records Retention Manager <i>T. Kehoe</i>	Date Approved <i>3/30/20</i>
General Manager <i>[Signature]</i>	Date Approved <i>3/31/20</i>
BOD Meeting Approval Date: _____	
Certificate of Destruction completed: Date: _____ No. _____ By: _____	
SUGGESTED METHOD OF DESTRUCTION	
<input checked="" type="checkbox"/> Shredding <input type="checkbox"/> Other _____ <input type="checkbox"/> Waste Paper (Recycled) Note: Confidential records will be destroyed by shredding	

**NORTH MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS**

Admin. - Billing

Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

Box No.	RECORD NAME	DATE RANGE		NMWD Retention Period	Request prepared by: District Secretary, Terrie Kehoe	Date: March 25, 2020																													
		From	To																																
B-18-07	2017 Payment Stubs	12/09/16	5/03/17	CY+2	<div align="center">DESTRUCTION APPROVALS SIGNATURES</div> <table border="1"> <tr> <td>Department Head</td> <td>Date Approved</td> </tr> <tr> <td><i>Julie Blue</i></td> <td>3/26/20</td> </tr> <tr> <td>Auditor-Controller</td> <td>Date Approved</td> </tr> <tr> <td><i>Julie Blue</i></td> <td>3/26/20</td> </tr> <tr> <td>Records Retention Manager</td> <td>Date Approved</td> </tr> <tr> <td><i>T. Kehoe</i></td> <td>3/26/2020</td> </tr> <tr> <td>General Manager</td> <td>Date Approved</td> </tr> <tr> <td><i>D. L.</i></td> <td>3/31/20</td> </tr> <tr> <td colspan="2">BOD Meeting Approval</td> </tr> <tr> <td colspan="2">Date: _____</td> </tr> <tr> <td colspan="2">Certificate of Destruction completed:</td> </tr> <tr> <td colspan="2">Date: _____ No. _____ By: _____</td> </tr> <tr> <td colspan="2">SUGGESTED METHOD OF DESTRUCTION</td> </tr> <tr> <td colspan="2"> <input checked="" type="checkbox"/> Shredding <input type="checkbox"/> Other _____ </td> </tr> <tr> <td colspan="2"> <input type="checkbox"/> Waste Paper (Recycled) Note: Confidential records will be destroyed by shredding </td> </tr> </table>	Department Head	Date Approved	<i>Julie Blue</i>	3/26/20	Auditor-Controller	Date Approved	<i>Julie Blue</i>	3/26/20	Records Retention Manager	Date Approved	<i>T. Kehoe</i>	3/26/2020	General Manager	Date Approved	<i>D. L.</i>	3/31/20	BOD Meeting Approval		Date: _____		Certificate of Destruction completed:		Date: _____ No. _____ By: _____		SUGGESTED METHOD OF DESTRUCTION		<input checked="" type="checkbox"/> Shredding <input type="checkbox"/> Other _____		<input type="checkbox"/> Waste Paper (Recycled) Note: Confidential records will be destroyed by shredding	
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<input type="checkbox"/> Waste Paper (Recycled) Note: Confidential records will be destroyed by shredding																																			
B-18-08	2017 Payment Stubs	5/04/17	10/10/17	CY+2																															
B-19-03	2017 Meter Cycles 5-8	2017	2017	CY+2																															
B-19-04	2017 Meter Cycles 1-4	2017	2017	CY+2																															
B-19-04	Corrected Bills, Customer Correspondence, Returned Checks, Returned Infosend, Shut Off Lists	2017	2017	CY+2																															
B-19-05	2018 Payment Stubs	3/09/18	9/25/18	CY+2																															
B-19-06	2018 Payment Stubs	10/11/2017	3/8/2018	CY+2																															
B-20-01	Consumer Applications (In & Out) Backup Info 2017 A-M Streets	2017	2017	CY+2																															
B-20-02	Consumer Applications (In & Out) Backup Info 2017 N-Z Streets	2017	2017	CY+2																															
B-20-03	Consumer Applications (In & Out) Backup Info 2016 A-M Streets	2016	2016	CY+2																															
B-20-04	Consumer Applications (In & Out) Backup Info 2016 N-Z Streets	2016	2016	CY+2																															
B-20-10	New Customer Letter Print Out			CY+1																															
B-20-10	Backflow Charges			CY+3																															
B-20-10	Collection Agency Report			CY+4																															
B-20-10	Shut Off Lists			CY+1																															
B-20-13	2019 Payment Stubs	9/26/18	3/12/18	CY+2																															

[illegible]

DESTRUCTION APPROVALS SIGNATURES	
Department Head <i>[Signature]</i>	Date Approved 3/26/2020
Auditor-Controller <i>[Signature]</i>	Date Approved 3/26/2020
Records Retention Manager <i>[Signature]</i>	Date Approved 3/26/2020
General Manager <i>[Signature]</i>	Date Approved 3/31/20
BOD Meeting Approval	
Date: _____	
Certificate of Destruction completed:	
Date: _____	No. _____ By: _____
SUGGESTED METHOD OF DESTRUCTION	
<input checked="" type="checkbox"/> Shredding <input type="checkbox"/> Waste Paper (Recycled)	<input type="checkbox"/> Other _____ Note: Confidential records will be destroyed by shredding

[illegible]

**R MARIN WATER DISTRICT RECORDS RETENTION
REQUEST FOR DESTRUCTION OF RECORDS
Water Conservation**


Retention periods for the listed records have expired. Please indicate your approval by signing where indicated. If you disapprove for any reason, mark through the record, initial and state reason for disapproval.

[illegible]

9

MEMORANDUM

To: Board of Directors

From: Drew McIntyre, General Manager/Acting Chief Engineer 

Subject: Declaration of Local Emergency Related to COVID-19 Pandemic
t:\gm\bod misc 2020\covid emergency declaration 4.3.20.doc

April 3, 2020

RECOMMENDED ACTION: Adopt Resolution No. 20-XX, proclaiming the existence of a local emergency resulting from the COVID-19 pandemic

FINANCIAL IMPACT: The actual fiscal impacts are currently unknown. However, proclaiming a local emergency could provide opportunities for additional state or federal assistance.

COVID-19 is an infectious respiratory disease caused by a novel coronavirus that was first detected in Fall 2019 with the initial cases originating in China. The virus quickly migrated to nearby countries and has developed into a world-wide pandemic. Federal, state, and county agencies have issued guidelines, recommendations, and now mandates curtailing person-to-person contact, including the implementation of social distancing and shelter-in place orders. Updated directives are coming daily and both public and private entities are activating their emergency response plans.

The North Marin Water District (District) performs an essential function and operates essential infrastructure to provide water and sewer service to over 60,000 residents of Marin County. The District has partially activated the Emergency Operations Center (EOC) as defined in the District's Emergency Operations Plan. The District's emergency management team is also coordinating with Marin County EOC, the City of Novato and other local Special Districts.

To ensure operational flexibility in meeting the challenges of COVID-19, it is requested that the Board of Directors proclaim the existence of a local state of emergency. Proclaiming a local emergency could also provide opportunities for additional state or federal assistance. The attached resolution grants specific authority to the General Manager to take necessary actions, including authorization to suspend personnel rules, administrative procedures, work restrictions and to take other necessary actions to allow for continued water/wastewater service and protection of District employees and the public during the emergency resulting from the COVID-19 virus pandemic. All actions taken under this extended authority will continue to comply with all federal, state, and local laws and regulations.

RECOMMENDED ACTION: Adopt Resolution No. 20-XX, proclaiming the existence of a local emergency resulting from the COVID-19 pandemic.

RESOLUTION NO. 20-xx

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NORTH MARIN WATER DISTRICT
DECLARING A LOCAL STATE OF EMERGENCY AND AUTHORIZING THE GENERAL MANAGER TO
TAKE NECESSARY ACTIONS TO ENSURE WATER SUPPLY AND PROTECTION OF NORTH MARIN
WATER DISTRICT EMPLOYEES AND THE PUBLIC DURING THE STATE AND NATIONAL
EMERGENCY RESULTING FROM THE COVID-19 VIRUS PANDEMIC**

WHEREAS, on March 4, 2020, the Governor of the State of California declared a State Emergency as a result of the Covid-19 virus pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency and provided recommendations from the Centers for Disease Control; and

WHEREAS, on March 16, 2020, the County of Marin by Order of the Health Officer issued a Shelter in Place Order limiting the travel of all county residents and ordering county businesses to cease all non-essential activities and to take further actions as described in said Order through April 7, 2020; and

WHEREAS, on March 31, 2020, the County of Marin by Order of the Health Officer issued an extended Shelter in Place Order limiting the travel of all county residents and ordering county businesses to cease all non-essential activities and to take further actions as described in said Order and its Executive Summary through May 3, 2020; and

WHEREAS the North Marin Water District (District) performs an Essential Governmental Function and operates Essential Infrastructure, providing water/wastewater service to 60,000 residents of Marin County; and

WHEREAS, on March 16, 2020, the North Marin Water District General Manager activated the District's Emergency Operations Plan; and

WHEREAS, as a result of the federal, state, and local emergency declarations and the shelter in place order issued by Marin County additional emergency measures may be required to be taken to ensure the District may continue to provide a safe and adequate water/wastewater service to the residents of Marin County and to further ensure the safety and health of its employees and the public; and

WHEREAS, the duration of the declared state of emergencies is unknown and as such the District should be prepared for a long duration before normal operations and procedures may be resumed.

NOW, THEREFORE BE IT RESOLVED by the Board of Directors of the North Marin Water District, that there exists now and for the foreseeable future a state of local emergency within the North Marin Water District service area and jurisdiction; and

NOW, THEREFORE BE IT FURTHER RESOLVED by the Board of Directors of the North Marin Water District, that the General Manager, or designee, is hereby authorized, for and on behalf of the District, to suspend personnel rules, administrative procedures, work restrictions, and to take other actions in order to continue to provide safe and reliable water, wastewater, and recycled water service to the community and to protect the health of employees and the public. The General Manager, or designee, shall ensure that all actions taken pursuant to this declaration and delegation of authority comply with all federal, state and local laws, orders and regulations for the duration of the COVID-19 emergency; and

NOW, THEREFORE BE IT FURTHER RESOLVED by the Board of Directors of the North Marin Water District, that the General Manager, or designee, is hereby authorized, for and on behalf of the District, to take all reasonable actions necessary to recover costs for responding to the emergency from all available federal, state, and local sources and the District's insurance carriers, as applicable; and

NOW, THEREFORE BE IT FURTHER RESOLVED by the Board of Directors of the North Marin Water District, that the local state of emergency declared herein shall be renewed by motion and vote of the Board at each regular District Board meeting until the state of emergency has subsided and the Board has terminated the declaration.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the seventh day of April 2020, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

(SEAL)

Theresa Kehoe
District Secretary

10

MEMORANDUM

To: Board of Directors April 3, 2020
 From: Drew McIntyre, General Manager 
 Subj: Side Letter Agreement to the 2018-2023 NMWD/Employee Association Memorandum of Understanding Concerning Maximum Working Hours and Fatigue Time
T:\AC\Board Reports\Board Memos\2020\2020-04-07 Agenda Report Fatigue Time.docx

RECOMMENDED ACTION: *Approval of Side Letter with Employee Association Concerning Maximum Working Hours and Fatigue Time*

FINANCIAL IMPACT: **No impact at this time**

In recognizing that the District may, at times, require employees to work extended hours in order to maintain critical operations and/or respond to emergency situations, the District conferred with the Employee Association to formalize a set of procedures associated with employees maximum working hours and fatigue time, which are intended to minimize potential work injuries associated with employees working extended hours without adequate rest between shifts.

For Class A commercial drivers, existing regulations from the Federal Motor Carrier Safety Administration (FMCSA) require that they work no more than 10 hours after eight (8) consecutive hours off duty.¹ Although neither federal or state laws set maximum working hour standards for hourly workers, based on information from the Occupational Safety & Health Administration (OSHA) and the National Institute for Occupational Safety and Health (NIOSH), long work hours may increase the risk of injuries and accidents and can contribute to poor health and worker fatigue.² Furthermore, OSHA recommends that employers make efforts, whenever feasible, to ensure that unavoidable extended work shifts and shift changes allow affected employees time for adequate rest and recovery.³

In light of the above recommendations, the attached proposed side letter with the Employee Association will provide a minimum of eight (8) hours of rest in cases where an employee works extended overtime hours in an unscheduled overtime situation, and is intended to minimize occasions where employees will be working greater than 10 consecutive hours if they have been called back within 4 hours of the start of their regular shift. If fatigue time (or "rest period") is granted, it must be taken during the first or last part of the next regularly scheduled workday coinciding with the time taken. In cases where there are extraordinary operational

¹ Source: <https://www.fmcsa.dot.gov/regulations/hours-service/summary-hours-service-regulations>.

² Source: <https://www.osha.gov/SLTC/workerfatigue/index.html>.

³ Source: https://www.osha.gov/OshDoc/data_Hurricane_Facts/faq_longhours.html.

needs, an employee may elect to work through their rest period, and they will continue to be paid at the applicable overtime rate until they are relieved from work (as they otherwise would be compensated as such under the circumstances under existing MOU and Employee Handbook provisions).

Employees will not receive fatigue time, however, if: (i) the overtime is completed more than eight hours prior to the start of their next regularly scheduled shift, or (ii) employees are called out to perform overtime work within four (4) hours of the start of their next regularly scheduled shift, or (iii) they are assigned to continuous operations.

Staff conducted a survey of local agencies to assess best practices regarding maximum time off and fatigue time. The proposed side letter is consistent with the practices at local agencies including Alameda County Water District, Contra Costa Water District, and the City of Napa.

A copy of the proposed side letter agreement is attached. The Employee Association has indicated its agreement to the terms, subject to Board approval.

Recommendation:

Board approval is requested to:

1. Authorize the General Manager to execute a Side Letter with the NMWD Employee Association, titled, "Maximum Working Hours and Fatigue Time," effective April 7, 2020.

**SIDE LETTER AGREEMENT TO THE
2018 – 2023 NMWD/EMPLOYEE ASSOCIATION
MEMORANDUM OF UNDERSTANDING
CONCERNING MAXIMUM WORKING HOURS AND
FATIGUE TIME**

DATE: **April 7, 2020**

The North Marin Water District ("District") and the North Marin Water District Employee Association ("Employee Association") enter into this Side Letter Agreement and hereby agree to the following:

TITLE: **MAXIMUM WORKING HOURS AND FATIGUE TIME**

No employee shall be required to work in excess of sixteen (16) consecutive hours. In emergency circumstances, this limit may be exceeded on a short-term basis. Employees having worked twelve (12) consecutive hours or more will be allowed a minimum of eight (8) consecutive hours off (also known as "rest period" or "fatigue time" as referred to in this section), with no deduction from the employee's leave balances, before an additional work assignment.

Time Off Based on Unscheduled Overtime. Employees will be granted a paid rest period for unscheduled overtime (OT) as follows without affecting their normal pay:

1. If OT worked is 4 hours or more and ends within 8 hours of the start time for the next regular shift, the employee shall return to regular shift 8 hours after work assignment ends. If return time is within 3 hours of the end of the regular shift, the employee does not return to next regular shift.
2. OT that starts within 4 hours of the start of the regular shift shall be held over and shall report to work for regular shift and will be released after a total of 10 hours is worked (OT plus regular hours).

**NMWD
Employee
Association**



2018 – 2023 MOU

**Side
Letter
Agreement**

3. Employee who would otherwise be released from work under this provision may be held over or called back in to work during the normal shift hours to respond to an immediate or emergency situation. If this occurs, hours worked during the "fatigue time" period will be paid at time and one-half.

Qualification for a paid rest period under this provision is based on actual hours worked and not on minimum call back hours recorded as OT.

Employees shall not receive fatigue time if: (i) the overtime is completed more than eight hours prior to the start of their next regularly scheduled shift, or (ii) employees are called out to perform overtime work within four (4) hours of the start of their next regularly scheduled shift, or (iii) they are assigned to continuous operations.

Fatigue time must be taken during the first or last part of the next regularly scheduled workday coinciding with the time taken. Employees receiving fatigue time shall notify their immediate or after hours supervisor at the completion of the overtime work, if possible, or a minimum of one (1) hour before the start of their next regularly scheduled shift when their fatigue time will be taken.

Supervisory approval must be obtained to work through a rest period. During normal working hours that approval can be obtained through the immediate supervisor or above. After normal working hours, approval must be obtained from the on-call supervisor. If an employee elects to work through their rest period, they will continue to be paid at the applicable overtime rate until they are relieved from work, at which time they will be given a rest period consistent with the provisions of this Side Letter Agreement.

Employees will be allowed to use Vacation or Compensatory Time Off (CTO) in lieu of returning to work. Time off will not be unreasonably denied.

EXAMPLES

- Employee's normal work shift is from 7 a.m. to 3:30 p.m. with a 1/2 hour lunch break.

**NMWD
Employee
Association**



2018 – 2023 MOU

**Side
Letter
Agreement**

- Employee is called back to work at 9 p.m. and works until 2 a.m. Employee is released from work until 10 a.m. (8 hours).
- Employee's normal work shift is from 7 a.m. to 3:30 p.m. with a 1/2 hour lunch break.
- Employee is called back to work at 7 p.m. and works until 11 p.m. Employee will return to work at the beginning of his or her regular shift.
- Employee's normal work shift is from 7 a.m. to 3:30 p.m. with a 1/2 hour lunch break.
- Employee is called back to work at 11 p.m. and works until 5 a.m. Employee is released from work until 1 p.m. (8 hours). However, because there are fewer than 3 hours left in employee's regular shift, he or she need not return to work.
- Employee's normal work shift is from 7 a.m. to 3:30 p.m. with a 1/2 hour lunch break.
- Employee is called back to work at 4 a.m. Employee will continue working at the start of his or her shift and will be released from work at 2 pm. (after 10 hours).

Unless otherwise stated, the provisions of this Side Letter Agreement supersede any inconsistent or conflicting provisions of the parties' Memorandum of Understanding, effective October 1, 2018 – September 30, 2023 ("MOU"). All other provisions of the parties' MOU shall otherwise remain in full force and effect. This Side Letter Agreement shall only become binding and effective upon the District's Board of Directors' adoption of this Side Letter Agreement.

The parties further agree that this Side Letter Agreement shall be incorporated into the successor MOU as a new provision without further meet-and-confer efforts, and it is the parties' intention that the terms of this Side Letter Agreement shall remain in force beyond the expiration of the 2018 – 2023 MOU.

The parties' signatures below signify that they have met and conferred in good faith in accordance with California Government Code Section 3500, *et seq.* Agreed to on this 7th day of April 2020, by the parties' authorized representatives.

**NMWD
Employee
Association**



2018 – 2023 MOU

**Side
Letter
Agreement**

For the District

For the Employee Association

Drew McIntyre
General Manager

Date


Jeff Corda
Chairperson

3-27-2020
Date

11

MEMORANDUM

To: Board of Directors
From: Julie Blue, Auditor-Controller JB
Subj: Rate Increase Letter to Novato Customers
t:\ac\budget\fy-2020.21\board memos\fy 20.21 prop 218 letter board memo.docx

April 3, 2020

RECOMMENDED ACTION: Approve Letter to Customers**FINANCIAL IMPACT:** \$10,500 Expense

California law requires that customers be notified of a water rate increase at least 45 days prior to the public hearing where the Board considers adoption of the increase. A public hearing is scheduled for Tuesday, June 16, 2020 at 6:00 PM at the District office. The June 16 date requires that the letters be mailed by May 2, 2020. Postage, paper and copying cost for the 18,500 active customers is estimated at \$10,500.

The proposed commodity and bimonthly service charge rate increase for Novato customers will generate an additional 6% in revenue. Proposed rate structure modifications will result in individual customer bills that may increase more or less than the 6% global increase. The typical single-family residential customer will see a \$4 per month increase (\$8 bimonthly) on their typical bill. Customers can access a water cost calculator located on the District's website which allow each customer to see the impact of the proposed increase on their annual water cost based upon their water use over the past 12 months.

A draft of the proposed letter is attached for Board review and comment. Legal counsel has reviewed the letter to assure compliance with Prop 218.

RECOMMENDATION:

Approve mailing the rate increase letter to customers.



NOTICE OF PUBLIC HEARING

REGARDING PROPOSED REVENUE INCREASES AND RATE STRUCTURE CHANGES

For the Novato Service Area

This Notice provides information about proposed increases to North Marin Water District's water rates and charges and proposed rate structure modifications. The Board of Directors will hold a public hearing at which public comments will be considered before the Board votes on the proposed changes.

HEARING DATE: Tuesday, June 16, 2020
TIME: 6:00 p.m.
LOCATION*: North Marin Water District
999 Rush Creek Place
Novato, CA 94945

The District proposes increasing revenue and revising the water rate structure for fiscal year 2020-2021. If approved at the public hearing on June 16, 2020, the new rates and rate structure changes will go into effect on July 1, 2020.

**If shelter-in-place restrictions remain in effect in Marin County at the time of the scheduled public hearing, additional information regarding accommodating public participation shall be provided on the District website at www.nmwd.com.*

REASONS FOR THE PROPOSED REVENUE INCREASE

The key reasons that a 6% revenue increase is needed are described below.

Increased investment in water facilities. The District must increase investments in facility upgrades and replacements from \$3 million to \$6 million per year. This will help address the need to properly maintain the District's \$137 million system of pipes, pumps, reservoirs, treatment plants, valves, hydrants, laboratory, monitoring systems, and more.

Rising costs to purchase imported water. The cost of purchasing imported water accounts for 30% of the budget and the water supplier has forecast that the costs will continue to increase by 6% every year.

Impact of inflation on all costs. The proposed revenue increase is designed to meet all the costs of providing water service. This includes purchasing, treating, and delivering safe, high-quality, reliable water to your home or business without fail, every day and around the clock.

REASONS FOR THE PROPOSED RATE STRUCTURE CHANGES

The District regularly reviews its water rate structure to ensure that each class of customer continues to pay their fair and proportional share of costs. The cost for serving each class of customers varies over time because of changes in customer water use, state regulations, service costs, and other factors.

MILLIONS OF DOLLARS SAVED

The District raises revenue only when necessary—first seeking to stretch its existing resources. As a result, cost control is a daily focus of North Marin Water District, which is one reason our rates are the lowest in Marin County and at the median for water agencies around the Bay Area region. Here are some of the ways we have kept rates down.

- We decreased electrical costs by installing clean solar energy systems.
- We obtained over \$10 million in grants for recycled water expansion.
- We saved \$18 million by sharing the cost of a large aqueduct project with other public agencies.
- We reduced future retirement benefit costs for new employees.
- The new recycled water system was implemented without additional staffing. Recycled water costs our customers less than potable water.

We've reduced the number of full-time employees from 58 a decade ago to 54 today, saving \$675,000 per year.

Details of the Proposed Revenue Increase

Proposed 6% revenue increase. North Marin Water District is proposing a global 6% rate revenue increase to cover the increasing costs of providing quality potable and recycled water service to our Novato service area customers.

Proposed rate structure modifications will result in individual customer bills that may increase more or less than the 6% global revenue increase. The District conducted an extensive cost of service study examining every aspect of service, including water purchase, treatment, delivery, facility replacement/upgrades, and many other factors. The study identified changes in the proportion of costs required to serve each customer class (residential and commercial). The rate structure modifications are part of a regular process to update rates to reflect current customer water use, state regulations, service costs, rate structure approach, etc. The proposed rate structure will ensure that each customer class continues to pay a fair and proportional share of the costs.

The typical residential customer (approximately 56% of all customers) will pay about \$4 more per month if the changes are approved (\$8 on the bi-monthly bill). Note that amounts in individual customer bills will vary based on water use, property elevation, and meter size.

PROPOSED BI-MONTHLY FIXED SERVICE CHARGES

The Bi-Monthly Fixed Service Charge includes an account charge and a meter charge. The meter charge is based on an industry standard that apportions costs based on meter size and flow capacity. Most single-family residential customers have a 5/8" meter. Residential accounts that have a 1" meter due to fire requirements, but would otherwise have a 5/8" meter, are charged at the 5/8" meter rate.

PROPOSED BI-MONTHLY FIXED SERVICE CHARGE FOR POTABLE WATER		
Meter Size (in inches)	Current Fixed Charge	Proposed Fixed Charge
5/8"	\$34.15	\$41.46
1"	\$68.30	\$74.06
1.5"	\$83.30	\$128.38
2"	\$129.90	\$193.57
3"	\$257.20	\$367.41
4"	\$413.00	\$562.98
6"	\$864.00	\$1,106.23
8"	\$1,288.00	\$1,432.18

PROPOSED BI-MONTHLY FIXED SERVICE CHARGE FOR RECYCLED WATER		
Meter Size (in inches)	Current Fixed Charge	Proposed Fixed Charge
5/8"	\$34.15	\$48.78
1"	\$68.30	\$61.68
1.5"	\$83.30	\$123.35
2"	\$129.90	\$197.36
3"	\$257.20	\$394.72
6"	\$864.00	\$1,233.50

To learn how the proposed rates will affect your specific water bill, check out the District's water cost calculator, available at www.nmwd.com/account_balance.php.

The proposed changes in rates are based on detailed engineering, financial, and legal evaluations carried out with the help of recognized experts in water rates. The rates conform to California law requiring that each class of customers (residential and commercial) pay their proportionate share of the cost to serve them.

The maximum rates that may be imposed are shown in this document. Prior to implementing the rates, the Board of Directors may choose to implement the full amount or less, but not more.

crease and Rate Structure Changes

PROPOSED TIERED QUANTITY (USAGE) CHARGES

The proposed update to Tiered Quantity (Usage) Charges has three tiers that reflect the cost of the different sources of water. Tier 1 is based on the cost of imported water. Tier 2 is based on the cost of locally treated water from Stafford Lake. Tier 3 is based on the cost of locally treated water plus the cost of the District's conservation program, which is paid by those customers that use the most water. Usage charges include an **elevation zone charge** to recover the costs of pumping water to higher elevations.

PROPOSED BI-MONTHLY TIERED USAGE RATES FOR RESIDENTIAL POTABLE WATER						
Quantity Charge Per 1,000 Gallons	CURRENT RATES			PROPOSED RATES		
	Tier 1	Tier 2	Tier 3	Tier 1	Tier 2	Tier 3
Residential Elevation Zone A	\$5.42	\$8.64	\$15.05	\$5.50	\$6.23	\$7.67
Residential Elevation Zone B	\$6.07	\$9.29	\$15.70	\$6.26	\$6.99	\$8.43
Residential Elevation Zone C	\$7.50	\$10.72	\$17.13	\$7.60	\$8.33	\$9.77

PROPOSED BI-MONTHLY TIERED USAGE RATES FOR COMMERCIAL POTABLE WATER				
Quantity Charge Per 1,000 Gallons	CURRENT RATES		PROPOSED RATES	
	Winter	Summer	Winter	Summer
Commercial Elevation Zone A	\$5.97	\$6.42	\$5.50	\$7.67
Commercial Elevation Zone B	\$6.62	\$7.07	\$6.26	\$8.43
Commercial Elevation Zone C	\$8.05	\$8.50	\$7.60	\$9.77

PROPOSED FIRE SERVICE CHARGES

Fire Service Charges apply to commercial connections with fire sprinklers. The charges are based on the actual cost of maintaining fire service lines.

PROPOSED BI-MONTHLY FIRE CONNECTION CHARGE		
Service Size	Current	Proposed
1"	\$17.08	\$14.24
2"	\$17.08	\$18.78
4"	\$31.57	\$52.40
6"	\$61.60	\$73.60
8"	\$94.20	\$97.83
10"	\$123.17	\$128.11

PROPOSED BI-MONTHLY USAGE RATES FOR OTHER WATER SERVICES

These charges are for additional services that are offered to customers.

PROPOSED BI-MONTHLY USAGE RATES		
Quantity Charge Per 1,000 Gallons		
Water Type	Current	Proposed
Raw	\$2.46	\$2.93
Recycled	\$5.97	\$6.24
Temporary	\$8.88	\$6.99



NORTH MARIN WATER DISTRICT

990 Rush Creek Place
PO Box 146
Novato, CA 94945
nmwd.com

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BOARD OF DIRECTORS

Michael Jolly, President
James Grossi, Vice President
Jack Baker, Director
Rick Fraites, Director
Stephen Petterle, Director

GENERAL MANAGER

Drew McIntyre

Notice of Public Hearing on Proposed Revenue Increases and Changes to the Rate Structure

Where to Learn More, Get Answers, and Make Comments

CONTACT US:

Phone: 415-897-4133
Email: info@nmwd.org

VISIT OUR WEBSITE:

www.nmwd.com

VISIT OUR OFFICE:

North Marin Water District
999 Rush Creek Place
Novato, CA 94945

ATTEND THE BOARD HEARING

The Board will review and consider adopting the rate increases and rate structure modifications on June 16, 2020, at 6:00 p.m. at North Marin Water District, 999 Rush Creek Place, Novato, CA 94945.

At the Public Hearing: The Board of Directors will accept and consider all written protests and will hear and consider all verbal comments to the proposed rate increases and rate structure modifications at the Public Hearing. Verbal comments must be accompanied by a written protest to qualify as a protest. Before the conclusion of the Hearing, the Board of Directors will consider adoption of the proposed revenue increases and changes to the rate structure described in this notice. If written protests of the proposed changes are presented by a majority of the property owners or tenants subject to the proposed changes, the proposed rate increases and rate structure modifications will not be adopted.

How to Protest the Proposed Changes

Any owner of a parcel upon which the water service charges are proposed to be changed, or any tenant that directly pays the water bill for such parcel, may submit a written protest of the proposed rate changes. Only one protest will be counted per parcel. Written protests must: (1) state that the property owner or tenant is opposing the proposed increases; (2) provide the location of the parcel (by street address, assessor's parcel number, or customer account number); and (3) include the name and signature of the property owner or tenant submitting the protest. Written protests may be submitted by mail or in person to the District Secretary at North Marin Water District, 999 Rush Creek Place, Novato, CA 94945, or in person at the Public Hearing. All written protests must be received prior to the close of the public input portion of the Public Hearing. Protests submitted via email or other electronic means will not be accepted. Please mark the protest: Attn: Rate Hearing.

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Item #13

*DRAFT Minutes of Water Advisory Council and Technical Advisory Committee
35 Stony Point Road, Santa Rosa, California
February 3, 2020

Attendees: Easter Ledesma, City of Santa Rosa
Mike Ban, Marin Municipal Water District
Jack Gibson, Marin Municipal Water District
Mary Grace Pawson, City of Rohnert Park
Jake Mackenzie, City of Rohnert Park
Colleen Ferguson, City of Sonoma
Sam Salmon, Town of Windsor
Sandi Potter, Town of Windsor
Alan Gardner, Valley of the Moon Water District
Jon Foreman, Valley of the Moon Water District
Grant Davis, SCWA
David Rabbit, Board of Supervisors
Craig Scott, City of Cotati
Susan Harvey, City of Cotati
Drew McIntyre, North Marin Water District
Jack Baker, North Marin Water District
Jennifer Burke, City of Santa Rosa
Victoria Fleming, City of Santa Rosa
Kent Carothers, City of Petaluma
Dave King, City of Petaluma

Staff: Pam Jeane, SCWA
Don Seymour, SCWA
Paul Piazza, SCWA
Lynne Rosselli, SCWA
Brad Sherwood, SCWA
Barry Dugan, SCWA
Kimberly Zunino, City of Santa Rosa
Chelsea Thompson, City of Petaluma
Rocky Vogler, North Marin Water District
Elysha Irish, Marin Municipal Water District

Public Attendees: Margaret DiGenova, California American Water
David Keller, FOER
Bob Anderson, United Wine Growers
Brenda Adelman, RRWPC
Jim Grossi, NMWD

1. Check-in
Susan Harvey, WAC Chair, called the meeting to order at 9:06 a.m.
2. Public Comments
Drew McIntyre, North Marin Water District- meeting notes to reflect the great job Kristian Gray (City of Santa Rosa) did while filling in as Recording Secretary
3. Elect New WAC Leadership
Drew McIntyre- Elect new WAC Leadership for 2020-2021. Both Susan Harvey and David King have agreed to be candidates. Moved by Jack Baker, North Marin Water District, seconded by Jake Mackenzie, City of Rohnert Park; unanimously approved

appointing Susan Harvey, City of Cotati, the WAC Chair and David King, City of Petaluma, the WAC Vice Chair for the full 2020-2021 two-year term

4. Recap from the November 4, 2019 WAC/TAC Meeting and Approval of Minutes
Moved by Jake Mackenzie, City of Rohnert Park, seconded by Jack Baker, North Marin Water District; unanimously approved.
5. Recap from the January 6, 2020 TAC Meeting and Approval of Minutes (TAC)
Moved by Craig Scott, City of Cotati, seconded by Jennifer Burke, City of Santa Rosa; unanimously approved.
6. New WAC Member Orientation
Drew McIntyre- NMWD. Drew welcomed the four new members and representatives. SCWA prepared new orientation binders and are being handed out. There will be another tour of the Agency's facilities sometime this spring for new members as well as existing members who are interested. More information to follow.
7. Water Supply Coordination Council- January 27, 2020
Met on January 27, 2020 to develop the meeting agenda.
8. Sonoma Marin Saving Water Partnership (TAC)
 - a. Water Production relative to 2013 Benchmark
Drew McIntyre- Cumulative water deliveries for the 2019 calendar year are 15% below the State's 2013 benchmark year. Refer to handout
 - b. FY19 Annual Report (available at meeting)
Paul Piazza, SCWA. Refer to handout of annual report. Public outreach for the FY2018-19 year focused on outdoor water use with targeted marketing using social media platforms in both English and Spanish. The Partnership continued to support the 2017 fire rebuild efforts through further development of landscape design templates. Renderings are available on the Partnership website and can be downloaded for use by retail partners. In 2019, the Partnership was awarded two of the 25 EPA Water Sense awards.
9. TAC Budget Subcommittee Update- FY2020-21 Draft SCWA WTS Budget
Drew McIntyre- just starting the FY21 SCWA Water Transmission System budget review process. Kimberly Zunino is the chair of the TAC budget subcommittee. Jennifer Burke attended the first meeting January 28, 2020 on behalf of Kimberly Zunino. The meeting was attended by members from City of Santa Rosa, Valley of the Moon Water District, Town of Windsor, North Marin Water District, City of Cotati, Marin Municipal Water District and SCWA. There are a number of big capital improvement projects that SCWA is looking at as they evaluate revenue impacts. These large projects include Dry Creek habitat enhancement work for the last three miles, Phase's IV, V and VI. Appreciation was given to SCWA staff as they look at trying to use existing fund balances to offset some of the increases. Next TAC budget subcommittee meeting is February 19.
10. Water Supply Conditions
Don Seymour, SCWA
Currently in good water supply storage conditions. Lake Mendocino operating under a major deviation which Sonoma Water requested in October 2019 and was approved by the Corps. Maximum water supply pool without major deviation in the reservoir this time of year is 68,400 acre-ft but under the deviation storage is currently at 79,500 acre-ft.

Current water releases are about 90 cfs. Fair amount of water supply in the flood pool is being contributed from the Potter Valley Project. PG&E has been operating the Project above minimum stream flows. Maximum storage encroachment is 80,050 acre-ft, Corps should be increasing releases in the next few days.

Lake Sonoma is about 225,000 acre-ft which is about 20,000 acre-feet below maximum water supply storage and current water releases are at 115 cfs.

11. Biological Opinion Status Update

Jessica Martini Lamb, SCWA. Refer to hand out.

Fish Flow Project- Staff continues to work on revisions in anticipation of recirculating the draft EIR.

Dry Creek Habitat Enhancement Project- Sonoma Water is working to start construction in Summer 2020 for the last remaining Phase III project in Reach 5. Currently reviewing final designs and preparing bid packages for advertisement as well as updating permits for that phase of construction. Planning to advertise project for bid late February-early March. Sonoma Water and Army Corps are moving ahead with planning for Phase's IV (2021), V (2022) and VI (2023).

Sonoma Water continues to talk with impacted property owners to obtain access permission and to inform them on what is going to be done, answer questions and review designs.

Fish Monitoring- Spawning season surveys are continuing and continue to see an increase of steelhead returns while also seeing typical decline in Coho and Chinook spawning for this time of year. Earlier this season they were able to monitor some of the Dry Creek Habitat Enhancement areas being used by Coho and anticipate to see the same with steelhead as the winter continues.

Russian River Estuary Management Project - Outside of the lagoon management season (May 15-Oct 15). There was one river mouth closure so far this year on January 5 and there was an artificial breach on January 7. Starting to work on the 2020 Adaptive Management Plan and goal is to have the final Plan finished by May 15.

Interim Flow Changes; working on reports that are due in response to the order that was issued in 2019 and will be completed by April 1. Save the date: Public Policy Facilitation Committee meeting will be March 12 at Healdsburg Community center from 4:00-6:00pm.

12. Federal Outreach- Recap of December 18-20, 2019 Trip to Washington, D. C.

Grant Davis, SCWA

Brief trip back to DC to primarily assist Corps in prioritizing the Dry Creek Phase IV, V and VI projects. Agency staff was able to speak directly to OMB and OMB staff continues to support this project at a funding level of \$28 million dollars which would be the largest appropriation that SCWA has had in a decade or more. Still waiting for final confirmation as it is highly competitive funding.

13. PVP Relicensing Update

Pam Jeane, SCWA

Timeline: Reviewed major Federal Energy Regulatory Commission PVP relicensing timeline. Hired consulting team last fall to work on the feasibility study. The goal is being

able to help Planning Agreement Partners, including SCWA, answer in April of this year whether or not to prepare a relicensing application as a regional entity. Consultant team was able to tour PG&E PVP facilities. They also viewed Potter Valley Irrigation District's facilities (canals, pumps, etc). SCWA expects an internal draft of the feasibility study in late February with a final due date of mid-April.

Website for the project: www.twobasinsolution.org

Huffman Adhoc- will meet February 19

14. Items for Special WAC Agenda - April 6, 2020

Approval of FY21 Draft SCWA Water Transmission System Budget

15. Check out

Meeting adjourned at 10:08am

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DISBURSEMENTS - DATED MARCH 19, 2020**Item #14**

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
EFT*	US Bank	February Bank Analysis Charge (Lockbox \$912 & Other \$358, Less Interest \$108)	\$1,162.39
1	Alpha Analytical Labs	Lab Testing	110.00
2	Athens Administrators	February Indemnity Review Fee	105.00
3	Bank of Marin	Bank of Marin Loan Principal & Interest (Pymt 101 of 240) Aqueduct Energy Efficiency Project	46,066.67
4	Bay Area Barricade Service	Labels for Fire Services (100)	341.78
5	BMI Imaging Systems	Prog Pymt#1: Set-up Charge & Preparation of Materials for Document Scanning (Balance Remaining on Contract \$48,408)	4,426.60
6	Borges & Mahoney	Oil Seal & Housing Seat (\$51) (STP)	106.26
7	Browne, Robert	Refund Overpayment on Closed Account	194.00
8	Buck's Saw Service	Chain Saw Blade & String Trimmer Line	47.61
9	Building Supply Center	Hinged Metal Plate	8.97
10	C&M Backflow Testing and Repair	Review and Consultation of NMWD Cross Connection Control Program	7,000.00
11	California Water Service	Water Service (O.M.) (1/20-3/20) (1 CCF)	48.14
12	Calif Dept of Fish & Wildlife	1652 Habitat Restoration Agreement Fee for Gallagher Ranch Streambank Stabilization Project	5,430.50
13	Charles Custom Welding	Welding Services (McPhails Yard)	580.00
14	Cilia, Joseph	Retiree Exp Reimb (Mar Health Ins)	334.00
15	Clipper Direct	Commuter Benefit Program (2)	107.00
16	Comcast	March Internet Connection	144.92

Seq	Payable To	For	Amount
17	Core Utilities	Consulting Services: February IT Support (\$6,000), North Street - OM Upgrade (\$850), IT & SCADA Support (\$125), Maintenance on Gallagher Well & PRTP (\$50), IT & SCADA Support (\$1,300), Water smart (\$125), Upgrades to Core Shut-Off Policy (\$2,325), Rate Study (\$1,125) & Website Maintenance (\$2,225)	14,125.00
18	CSW/Stuber-Stroeh Engineering	Prog Pymt#14: Lagunitas Creek Bridge Conceptual Design (Balance Remaining on Contract \$25,240)	5,098.00
19	Cummings Trucking	Rock (66 yds) (\$2,884) & Sand (32 yds) (\$2,030)	4,914.10
20	Dell Computers	Replacement PC's (McIntyre & Ramudo)	1,633.08
21	Diesel Direct West	Diesel (500 gals) (\$1,730) & Gasoline (506 gals) (\$1,593)	3,323.02
22	Digi-Key	Power Supply for Cell Modems	99.75
23	Enterprise FM Trust	March Monthly Lease Charge for Nissan Rouges (2), Frontier & F150 Vehicles (2)	2,380.16
24	Equipco	Service & Diagnostic Labor on Sonde Equipment @ STP	1,963.77
25	Fishman Supply	Brief Relief Urine Bags (100) (\$259) & Safety Gloves (348) (\$174)	433.78
26	Roy Foster	Exp Reimb: Safety Boots	189.98
27	Frontier Communications	Leased Lines	1,431.41
28	Gaya, DB	Prog Pymt #3: Third Party Coating Inspection of Cherry Hill Tank No 2 Recoat & Rehab Project (Balance Remaining on Contract \$4,407)	9,631.20
29	GHD	Prog Pymt #5: Oceana Marin Treatment & Storage Pond Repair (Balance Remaining on Contract \$88,737)	23,220.03

Seq	Payable To	For	Amount
30	Grainger	Plumbing Supplies (STP) (\$97), Box Knife, Generator Power Cord (50') (\$174), Hose to Hose Connectors (10), Hose Nozzles for Wash Rack (5), Lighting for STP (2) (\$194), Safety Coveralls (43) (\$338), Carbon Cartridges (2) (Lab) (\$86), Ballast for Building Lights (6) (\$85), Disposable Gloves (2,500) (STP) (\$443), Data Cable (1,000') (\$388), Copper for Tank Valves (\$167) & Hose (50') (Less Credit of \$80 for Returned Supplies)	2,088.47
31	Hildebrand Consulting	Prog Pymt#9: Water Rate Study (Balance Remaining on Contract \$5,075)	6,300.00
32	InfoSend	Reminder Notice Processing Fee for Water Bills (\$35), Postage (\$98) & January Monthly Support Fee (\$903)	1,036.42
33	Jackson, David	Retiree Exp Reimb (Mar Health Ins)	987.21
34	Latanyszyn, Roman	Retiree Exp Reimb (Mar Health Ins)	334.00
35	Leighton Stone	Solenoid for Trumbull Tank	340.55
36	Lemos, Kerry	Retiree Exp Reimb (Mar Health Ins)	987.21
37	Lincoln Life	Deferred Compensation 3/15/20	10,076.27
38	Lucas, Angela	Refund of Deposit/New Development/WC Restriction-Novato	1,000.00
39	MacArthur	STP Filters (4)	559.38
40	Marin Independent Journal	Advertising for Rate Study Workshop	750.00
41	McLellan, WK	Misc Paving	44,941.93
42	McMaster-Carr Supply	PLC Outlets (2) & Screens for Tanks (\$107)	170.63
43	McWhirr, Helen	Refund Overpayment on Open Account	60.99
44	Mettler-Toledo Rainin	Annual Pipet Calibration (Lab)	208.00
45	Nationwide	Deferred Compensation 3/15/20	920.00
46	New Pig	Absorbent Mats & Containment Dikes for Chemicals (STP)	1,521.62
47	North Bay Gas	February Cylinder Rental	98.00

Seq	Payable To	For	Amount
48	Novato Sanitary District	Dec 2019 (\$5,194), Jan 2020 (\$5,799) RW Operating Expense & Semi Annual Billing for Yard/Office Sewer Charge (19/20) (\$2,267)	13,261.13
49	Pace Supply	Hydrant Extension (2) (\$182), Angle Meter Stops (10) (\$2,063), Couplings (13) (\$244), Copper Pipe (60') (\$287), Ells (30) (\$316), Brass Nipples (20) & Tee (2)	3,185.07
50	Pape Machinery	Repair Hydraulic Leak & Brakes	869.81
51	Peterson Trucks	Mud Flaps ('02 5yd Dump Truck) (\$100) & Overpayment by Vendor on Refund Check (\$55)	155.25
52	PG&E	Power: Bldgs/Yard (\$3,838), Other (\$155), Pumping (\$26,690), Rect/Cont (\$511) & Treatment (\$195)	31,389.15
53	Pini Hardware	Irrigation Supplies (\$45), Tarp, Spray Paint (5), Gasket Sealant, Sprayer, Landscape Materials, Misc Hardware, Cement Anchor Hardware, Compost, Foam Sealer, Aluminum Plates for HVAC (\$53) & Plumbing Supplies (\$33)	353.16
54	Point Reyes Prop Mgmt Assn	March HOA Dues (25 Giacomini Rd)	75.05
55	Protection Engineering	Polyguard Primer (24 qts)	890.05
56	R & B	Elbows (3), Service Saddles (5) (\$784), Couplings (19) (\$584), Flanges (8) (\$196) & Gaskets (4)	1,674.37
57	Darlene D. Rhodes	HR Consulting Services (1/11/20-2/25/20) (Balance Remaining on Contract \$17,106)	5,818.75
58	Rupp, Steve	Exp Reimb: D2 Training @ American Water College	299.99
59	City of Santa Rosa	Prog Pymt#1: 2020 Urban Water Management Plan Technical Work (Balance Remaining on Contract \$14,966)	14,965.50
60	Scott Technology Group	Scanner for Engineering	3,717.21
61	Six Robblees	Oil Seal ('19 Ditch Witch)	53.49

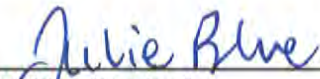
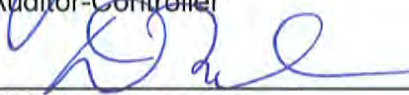
Seq	Payable To	For	Amount
62	Soiland	Asphalt Recycling (7 tons)	66.10
63	Sonic Telecom	Refund for Hydrant Meter	969.00
64	Sonoma County Water Agency	February Contract Water (369 AF)	345,954.00
65	SPG Solar Facility	February Energy Delivered Under Solar Services Agreement	11,153.48
66	State Water Resources Control	D3 Operator Certification Renewal (Garrett) (4/20-4/23)	90.00
67	State Water Resources Control	Gallagher Ranch Streambank Restoration-Application Fee for Ecological Restoration Projects 401 Certification	460.00
68	Tamagno Green Products	Sludge Removal @ STP (45 yds)	1,350.00
69	Township Building Services	February Janitorial Services (\$2,035) & Janitorial Supplies (\$409)	2,444.94
70	United Parcel Service	Delivery Services: Sent Media Analysis for Chlorine Scrubber @ STP, Carbon Cartridges for Recycling (Lab) & Backflow Tester for Calibration	110.06
71	Univar	Sodium Hypochlorite (200 gal) (STP)	465.02
72	USA BlueBook	Meter Pump (Consumer Services)	334.99
73	US Bank	February Safekeeping Treasury Securities	98.75
74	VWR International	Graduated Cylinders (Lab)	71.77
75	Waste Management	Green Waste Disposal	232.84
76	White & Prescott	Prog Pymt#1: Old Ranch Rd Tank Site (\$585), Prog Pymt#2: P.R.E. Tanks 4A Access Easement (\$760) & Prog Pymt#3: AEEP Easement Support B-2 Reach A (\$990) (Balance Remaining on Contract \$57,665)	2,335.00
77	Williamson, Matthew	Exp Reimb: Safety Boots	200.00
78	Winzer	14" Ductile Cast Iron Saw Blades (20)	346.11

Seq	Payable To	For	Amount
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TOTAL DISBURSEMENTS

\$650,427.84

The foregoing payroll and accounts payable vouchers totaling \$650,427.84 are hereby approved and authorized for payment.

 Auditor-Controller	 General Manager	3/18/2020 Date	3/18/2020 Date
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DISBURSEMENTS - DATED MARCH 26, 2020

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
1	Employees	Net Payroll PPE 3/15/20	\$143,394.98
2	Internal Revenue Service	Federal & FICA Taxes PPE 3/15/20	62,920.53
3	State of California	State Taxes & SDI PPE 3/15/20	13,176.18
4	CalPERS	Pension Contribution PPE 3/15/20	37,465.91
5	Able Fence Company	Fence Post for Cherry Hill Tank Site	29.66
6	Allied Mechanical	Quarterly Maintenance on HVAC System	3,597.59
7	All Star Rents	Propane (5 gal)	20.34
8	Alpha Analytical Labs	Lab Testing	2,995.00
9	Alphagraphics Marin	Novato Spring 2020 Waterline Postage (18,425) & WM Spring 2020 Waterline Postage (725)	3,512.25
10	American Family Life Ins	March AFLAC Employee Paid Benefit	3,027.83
11	Aramayzi, Hasan	Refund Overpayment on Closed Account	81.05
12	Asbury Environmental Services	Used Oil Disposal	65.00
13	AT&T	Leased Lines	66.06
14		Employee Refund for PPE 2/29/20 AFLAC Deductions	55.05
15	Backflow Distributors	Backflow Test Kit Calibration	352.85
16	Bay Area Barricade Service	Property Tags (100) ("Property of NMWD - Do Not Operate...")	515.38
17	Bay Alarm Company	Quarterly Fire Alarm Monitoring Fee (STP) (4/1/20-7/1/20)	338.19
18	Bearings & Hydraulics	Seal & Plug ('13 Vac Excavator)	10.74
19	Boucher Law	February Legal Fees	2,700.00

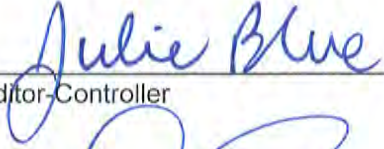

Seq	Payable To	For	Amount
20	The Brenneis/Furth Family Revocable Trust	New Utility Easement related to the FY20 PRE Tank 4A Project Approved at 03/17/2020 Board Meeting	4,000.00
21	Caltest Analytical Laboratory	Lab Testing	81.05
22	Coast Counties Peterbilt	Mud flaps (4) ('12 Intl 5 Yard Dump & '15 Intl 5 Yard Dump)	72.40
23	DeSilva Gates Const	Refund Security Deposit on Hydrant Meter Less Final Bill	1,009.31
24	Environmental Express	Conical Tube w/Break Cap (1,000) (Lab)	297.05
25	Evoqua Water Technologies	Service on Deionization System (Lab)	366.70
26	Fishman Supply	Safety Glasses (48) & Urine Brief Relief Bags (100) (\$259)	465.03
27	Fisher Scientific	Sodium Thiosulfate (Lab)	61.40
28	Grainger	Plug & Breaker for Outlet (STP) (\$83), Mouse Traps (12), Access Key Pad for Yard Gate (\$225), Filters for Office HVAC (\$155), & Tape Measure (200')	528.18
29	Hopkins Technical Products	Repair Chlorine Dioxide Pump	1,299.55
30	Idexx Laboratories	Quanti-Tray (100) (Lab)	308.39
31	InfoSend	February Processing Fee for Water Bills (\$1,096) & Postage (\$3,168) Feb Monthly Support Fee	5,034.35
32	JW Mobile	Hydraulic Hose ('04 Backhoe) & ('19 Ditch Witch)	497.11
33	Kaiser Foundation Health Plan	Pre Employment Physical (Hughes) (\$65), DMV/DOT Physical (LeBrun) (\$115)	180.00
34	Maltby Electric	Wire for Outlet @ STP	264.61
35	Marin County Ford	Parts to Rebuild Driver's Seat ('12 Ford 250)	615.41
36	MSI Litho	Business Cards (250) (Blank)	85.72
37	North Bay Gas	Carbon Dioxide (20 lbs)	36.89
38	Northern Safety & Industrial	Lab Supplies	66.81
39	NSI Solutions	QC Samples	225.00

*Prepaid

Seq	Payable To	For	Amount
40	Office Depot	Toner (3) (Accounting) (\$197) & Misc Office Supplies	253.28
41	O'Reilly Auto Parts	Brake Cleaner	77.73
42	Pace Supply	Meter Gaskets (500) Meter Couplings (10) (\$113) & Bushings (6) (\$81) & Flange (23") (Indian Valley College)	620.08
43	Parkinson Accounting Systems	February Accounting Software Support	292.50
44	Paso Robles Tank	Prog Pymt#4: Perform Recoating & Rehab of Cherry Hill Tank No.2 Project (Balance Remaining on Contract \$66,931)	81,415.00
45	Peterson Trucks	Mirror/Door Parts ('02 5yd Dump Truck)	329.99
46	Preferred Alliance	Pre-Employment Physical (Hughes)	42.00
47	Prunuske Chatham Inc	Prog Pymt#6: Leveroni Rd Culvert Stabilization Project (Balance Remaining on Contract \$23,353)	3,167.50
48	Quadient, Inc.	April Postal Meter Rental (4/1 - 4/30/20)	143.09
49	Scheibel, Lynda	Novato "WSLE" Rebate Program & Residential Novato "Cash for Grass" Rebate Program	500.00
50	Scott Technology Group	Monthly Maintenance on Engineering Copier 3/21/20-4/20/20	197.05
51	Six Robblees' Inc.	Wheel Studs (8) ('19 Ditch Witch)	46.96
52	Solar, Rosalia	Reimbursement for Priority Mail-CA Dept of Fish & Game	43.92
53	TPx Communications	March Telephone Charges	521.74
54	T & T Valve & Instrument	Valve Solenoids	342.51
55	USA BlueBook	Rerounder	149.11
56	Van Bebber Bros	Steel Pipe Schedule 40 (21ft)	53.01
57	VWR International	Flouride, Phosphate, Bumper Guards (4) Safety Gloves (2,000), Bottle Solution (\$56), Pipet Fluid (250) & Large Cotton Swabs (500) (\$50) (Lab)	391.06

Seq	Payable To	For	Amount
58	West Yost Associates	Perform STP Process Efficiency Improvement Study (Balance Remaining on Contract \$1,930)	3,523.00
59	Zelnick, Walter	Novato "Toilet Rebate" Program	100.00
		TOTAL DISBURSEMENTS	<u>\$382,029.08</u>

The foregoing payroll and accounts payable vouchers totaling \$382,029.08 are hereby approved and authorized for payment.

 Auditor-Controller	3/24/2020 Date
 General Manager	3/24/2020 Date

DISBURSEMENTS - DATED APRIL 2, 2020

Date Prepared 3/31/20

The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
*90266	CalPERs	April Health Insurance Premium (Employees \$47,658.01, Retirees \$11,879.45 & Employee Contribution \$10,217.60)	\$69,755.06
1	Alpha Analytical Labs	Lab Testing	220.00
2	Amazon	Concrete Mixing Tools (\$228) (Const), Closing Stapler & Supplies (\$139), Breaker Interlock for North St Lift Station (\$29), Cords for Emergency Generators (2) (\$108), Dry Erase Calendar (\$33), Kastania Cell Modem Antenna (\$195), Building Lights (\$98), Weatherproof Calendar & Planner (\$186), STP Chlorine Sensor Battery (\$43), Test Gauge Adaptor (\$47), Wright Tools (\$166) & Monitor Adaptors (5) (\$49)	1,320.72
3	AT&T	March Internet Connection	96.30
4	AT&T	Telephone (\$62), Fax (\$82), Leased Lines (\$141) & Data (\$300)	585.92
5	Automation Direct	Programmable Logic Control for Half Moon Tank (\$286) & Booster Pump @ STP (\$286) & Control Screen for STP Booster PS & Analog Input Module (\$437)	1,010.14
6	Bold & Polisner	February Legal Fees (Potter Valley FERC \$525 & General \$3,859)	4,383.50
7	Boushehri, Barry	Refund Overpayment on Open Account	500.00
8	Bundy, Timothy	Refund Payment to Wrong Water District	214.23
9	Coast Counties Peterbilt	Pressure Sensor ('09 Peterbilt 335)	189.52
10	Cooley, Carrie	Refund Overpayment on Closed Account	320.54
11	Diesel Direct West	Gasoline (1,005 gal) (\$1.83/gal)	2,576.68
12	Electrical Equipment	Breaker Interlock for North St Lift (\$69) & Parts for STP CL2 Scrubber Control (\$261) (Less Credit of \$141 Received for Returned Parts)	188.70
13	Environmental Express	Double Weight Filters (100) (Lab)	195.56

Seq	Payable To	For	Amount
14	Environmental Science Assoc	Prog Pymt #3: NMWD Gallagher EWP Stream Channel Repair (Bal Remaining on Contract \$7,574)	19,289.16
15	Fishman Supply	Leather Gloves (2 DZ) (\$149), Rain Jacket & Overalls (Hughes) (\$113)	262.26
16	Fisher Scientific	Chlorite (\$89) & Tip Racks (2) (\$96) (Lab)	185.24
17	Grainger	Lab Coats (6) (\$112) (STP), Tape Measure (100'), Multi Bit Screwdriver Handle (4) & Utility Pump (\$271) (STP)	447.83
18	Intellaprint Systems	Canon Ink for Engineering Plotter	466.56
19	JW Mobile	Hydraulic Hoses (2) & Fittings for Vac Truck ('19 Ditch Witch)	693.49
20	Maltby Electric	PVC Pipe 2" (400') (\$313), PVC Ells (20) (\$115) & PVC Bell Ends (15)	478.32
21	Mutual of Omaha	April Group Life Ins Premium	946.45
22	National Fire Protection	Membership Dues (1/20-12/20)	175.00
23	Noll & Tam Architects	Prog Pymt #16: NMWD Headquarters Upgrade Master Plan (Balance Remaining on Contract \$14,268)	2,016.76
24	North Bay Watershed	FY19-20 Dues (Watershed Stewardship Plans) (Budget \$6,400) (7/19-6/20)	5,837.16
25	Pace Supply	Couplings (31) (\$708), Angle Meter Stops (65) (\$4,657), Pipe (420') (\$2,912), 6" Service Saddles (4) (\$201), Tees (16) (\$579), Ball Flange Meter Valves (3) (\$983), Nipples (53) (\$1,135), Corp Stop, Elbows (20), Blow Off Boxes (2), Box Lids (2) (\$347) & Bushings (8)	12,115.29
26	Pape Machinery	Nozzle Kit (\$131) & Repair Parts for Damaged Ripper Teeth on Box Scraper (\$1,327) ('15 JD Skip Loader)	1,458.26
27	Pollard Water	4" x 50' Discharge Hose w/Quick Connect Fittings	614.31
28	Rauch Communication Consultant	Prog Pymt #6: Consulting Services Outreach Support (Balance Remaining on Contract \$19,471)	4,857.95

Seq	Payable To	For	Amount
29	R & B	30" Fire Check Assemblies (2) (\$6,489), Caps (2), Couplings (6) (\$1,214), Gaskets (64) (\$409), Hex Bolts (40) (\$651), Hex Nuts (56) (\$264), Thread Rod (\$255), Double Check Valves (5) (\$803), Elbows (5) (\$525), Nipples (16), Spools (8) (\$1,432), Poly Guard Tape (40) (\$2,257) & Service Saddles (2) (\$158)	14,533.37
30	Sanchez Velle Owners	Novato "Toilet" Rebate Program	100.00
31	Sonoma County Water Agency	District Allocation of FY20 North Bay Water Reuse Authority Budget	3,250.00
32	Staples Business Credit	Toner (\$238), Laminating Pouches (100) (\$59) & Misc Office Supplies (\$220)	516.56
33	Syar Industries	Asphalt (6 tons)	945.13
34	Uline	40" Cable Ties (500)	451.30
35	USA BlueBook	Chlorine Gas (STP) (\$295), Valve Repair Kit (\$135) & Ammonium Hydroxide (STP)	526.28
36	U. S. Postal Service	Meter Postage	1,000.00
37	Verizon Wireless	Cellular Charges: Data (\$811), Airtime (\$54) & iPads for Asset Management (\$200)	1,065.07
38	Waste Management	Green Waste Disposal	192.04
39	Western Truck Fabrication	Tailgate ('15 Int'l 5 Yd Dump Truck)	4,419.12
40	WRA	Prog Pymt#4 (\$18,185) & 5 (\$4,530): Design Phase Services for the Lagunitas Creek Slope Stabilization Project (Balance Remaining on Contract \$5,888)	22,715.01
TOTAL DISBURSEMENTS			<u>\$181,114.79</u>

The foregoing payroll and accounts payable vouchers totaling \$181,114.79 are hereby approved and authorized for payment.

Julie Blue
Auditor-Controller

4/1/2020
Date

[Signature]
General Manager

4/1/2020
Date

Newsom expands lockdown statewide

CALIFORNIA

By Kathleen Ronayne

The Associated Press

California Gov. Gavin Newsom on Thursday ordered the state's 40 million residents to stay at home, restricting non-essential movements to control the spread of the coronavirus that threatens to overwhelm the state's medical system.

"This is a moment we need to make tough decisions," Newsom said. "We need to recognize reality."

His move came after counties and communities covering about half the state's population already had issued similar orders. He said the restriction is "open-ended," and it

could raise false hopes if he predicted how long the order might last.

People may still leave their homes for walks and exercise and for essential needs such as food and medical care. Restaurant meals can still be delivered to homes.

LOCKDOWN» PAGE4

Lockdown

FROM PAGE 1

The Democratic governor also announced that he is mobilizing 500 California National Guard troops to help with food distribution, but said they will be in place only for humanitarian reasons.

"I don't believe the people of California need to be told through law enforcement that it's appropriate just to home isolate," he said.

Pennsylvania earlier Thursday ordered all "non life-saving businesses" to close across the state.

Newsom earlier in the day asked the president to deploy a U.S. Navy medical ship to help the state expand its medical capacity and warned that more than half of California's residents could contract the new coronavirus.

Newsom asked President Donald Trump to send the USNS Mercy Hospital Ship to the port of Los Angeles for use through Sept. 1, in a letter dated Wednesday. California has disproportionately aided people returning to the U.S. from foreign countries and needs the ship to help “decompress” its health care delivery system as infection rates climb, Newsom wrote. The ship is based in San Diego.

He said infection rates are doubling every four days in some parts of the state and issued the dire prediction that 56% of California’s population could contract the virus over the next eight weeks.

His spokesman later confirmed that number does not take into account aggressive mitigation efforts underway across the state. Many large counties had already been issuing shelter-in-place orders aimed at keeping Californians confined to their homes and Newsom had directed the closure of bars, gyms and other gathering spaces statewide.

“This projection shows why it’s so critical that Californians take action to slow the spread of the disease — and those mitigation efforts aren’t taken into account in this projection,” spokesman Nathan Click said in an emailed statement.

Newsom’s letter to Trump said 25.5 million people could be infected. But the state’s population is estimated to be just shy of 40 million, meaning 56% of the population would be closer to 22.4 million people. The governor’s office did not respond to questions about his calculation or offer a prediction that considers efforts to stop the spread of the infection.

“If we meet this moment we can truly bend the curve to reduce the need to surge,

to reduce the need to have to go out and cobble all those assets together,” Newsom said in his evening news conference streamed live on social media.

For most people, the new coronavirus causes only mild or moderate symptoms, such as fever and cough. It can cause more severe illness, including pneumonia, for some people, especially older adults and those with existing health problems. Most people recover — those with mild illness in about two weeks, while those with more severe illness may take three to six weeks, according to the World Health Organization.

“I can assure you home isolation is not my preferred choice, I know it’s not yours, but it’s a necessary one,” Newsom said. “This is not a permanent state, this is a moment in time.”

“You can still take your kids outside, practicing common sense and social distancing. You can still walk your dog,” he said. “If we are to be criticized at this moment, let us be criticized for taking this moment seriously.”

He announced that California had purchased the Seton Medical Center in Daly City. The 357-bed hospital was the city’s largest employer with about 1,500 workers, but the hospital’s owners filed for bankruptcy in August 2018.

“Even after our current public health crisis passes, it would have been imperative for this facility remain open because 27,000 patients, mostly elderly and low-income, are served there,” Democratic state Assemblyman Phil Ting said in a statement.

In a separate letter, Newsom on Thursday asked U.S. House and Senate leaders for \$1 billion to support surge planning for state and local health systems. He said that money would be needed to do things like set up state-run and mobile hospitals, housing options to help people socially distance and testing and treatment for people without health insurance.

He also asked for assistance so the state can extend unemployment benefits beyond the usual 26-week limit, expand food assistance programs, resources for the homeless and tribal communities and boost childcare programs. He further asked for assistance for schools, aid to local and state budgets and transportation relief.

“While California has prudently built a sizable Rainy Day Fund over the past ten years, the economic effects of this emergency are certain to mean that the state and its 58 counties will struggle to maintain essential programs and services,” he wrote.

It warned many California households “may fall into poverty” without a “substantial economic intervention.”

POINT REYES LIGHT

Inverness plans water rate increase

By Braden Cartwright
03/11/2020

The Inverness Public Utility District is seeking to raise its water rates by 15 percent with a new structure that is less dependent on how much water customers use. The rate increase, which is meant to raise operating revenue, would help the district take out a loan to replace two critical yet badly leaking redwood tanks on the Inverness Mesa, called the Tenney tanks.

In addition to the annual \$33,000 loan payment, the California State Water Resources Control Board requires that the district set aside at least \$6,600 a year to take out a 30-year, \$800,000 loan for the project. IPUD's current three-year budget projections show the district will just about break even. To meet the requirement, the district hopes to raise the basic water charge from \$121 to \$146 on the bimonthly bill. Usage rates would go up, too, except for customers using less than 50 gallons per day: they would pay only the \$146 basic charge.

The new structure would create more assured revenue that doesn't fluctuate depending on weather. "Especially this year, where it looks like we may be headed into a drought, we may be having to ask people to cut back on usage in the late summer and fall, and that will affect usage revenue," Wade Holland, the district's customer services manager, explained to the board last week.

Because the basic charge applies to every connection regardless of usage, the new structure would also allow the district to collect more from vacant homes; about half of the homes in Inverness are unoccupied during the week. Budget projections show that 81 percent of the district's customer revenue would come from the basic charge.

IPUD raised rates in 2018 and 2019 to pay for critical infrastructure upgrades, including the construction of a new storage tank and water main in Seahaven. At that time, the \$100 basic charge went up by \$21.

But it was a mistake to dedicate that increase to specific projects, said director Dakota Whitney, who argued that infrastructure maintenance and replacement should be considered part of a utility's regular expenses. This time around, the revenue would be spent in any way that supports operations.

It is the first time the district has increased its rates for that general purpose since 2009. "Historically, we've had extraordinarily low water rates, and we have not over time maintained our infrastructure as aggressively as we should," board president Ken Emanuels said. "Now it's time to pay the piper."

The loan for the Tenney tank replacement would be only the third time the district has borrowed money. In 1956, the district took out a loan to build the district's office and fire station, and in 1979, it borrowed money to purchase and rehabilitate the water system.

The replacement of the Tenney tanks with larger steel tanks has been delayed as the district works through funding applications and planning checkpoints. Before construction can begin, Marin County's planning division must extend the permit, which requires substantial construction before June 14. A spotted owl survey is also required, and the district needs permission from neighboring property owners for demolition access.

If the rate increase is approved, the state water control board can award the loan based on updated budget projections, and an engineering firm, Brelje and Race, will request bids for construction. The increase would take effect July 1.

“We absolutely cannot allow aging infrastructure at the Tenney site to deteriorate to the point of a potentially catastrophic failure,” the public notice on the rate increase states. A hearing will be held at 7 p.m. on May 27 at the district office.

This unseasonably dry winter illustrates why the district wants less of its revenue to come from usage rates. This year was the first since 1928—the earliest records in the district’s possession—that it did not rain during February. The closest thing to a dry February came in 1973, when it rained two-hundredths of an inch and a severe drought followed.

The district’s general rule of thumb is that if stream flows are more than 1 million gallons per day, the system is in good shape; flows are now at half of that.

MMWD official makes rate credit proposal

VIRUS IMPACT

By Will Houston

whouston@marinij.com @Will_S_Houston on Twitter

Responding to Marin County's "shelter in place" order, the Marin Municipal Water District might consider offering credits to lessen the financial impacts to its ratepayers.

At the district board of directors meeting this week, board member Larry Bragman raised the idea to his colleagues.

"I am concerned about whether the public health protocol of hand washing, plus having more residents in the house, how that is going to affect residents' water consumption," Bragman said Tuesday. "As this virus kicks in, it just seems like it's getting faster and faster and having a greater and greater impact on our lives."

District staff are still determining whether the board would discuss Bragman's idea in more detail, district spokeswoman Jeanne Mariani-Belding said Thursday.

The North Marin Water District, which serves Novato and parts of West Marin, is not considering similar credits. Data show that residential water use in the district's service area has decreased in recent days, said General Manager Drew McIntyre.

"It's not clear yet since we have limited data," McIntyre said as to the cause of the decrease.

The district's water is already relatively cheap, McIntyre said, especially compared to bottled water. The cost of a person washing hands for the recommended minimum duration of 20 seconds about 100 times would come out to a cost of roughly 30 cents, he estimated.

"Tap water is still very economical and we want to continue to have people use it," McIntyre said. "It's safe and treated to remove bacteria and viruses and we believe it's much more economical versus bottled water."

Marin Municipal Water District General Manager Ben Horenstein also stressed that local tap water is safe to drink and is treated to remove bacteria and viruses.

Both districts plan to continue to hold bimonthly board meetings. The Marin Municipal Water District is encouraging residents to watch the livestream of the meetings and to submit comments by email to BoardComment@MarinWater.org rather than attending in person.

The North Marin Water District does not livestream meetings and board members have been attending in person, McIntyre said. The district is working on a potential way for the public to submit comments by email if they prefer not to attend, McIntyre said.

The district's public offices in Corte Madera and Novato are closed until at least April 7. Updated information about MMWD's coronavirus measures can be found at marinwater.org.

org. North Marin Water District updates can be found at nmwd.org.

Utility to waive hookup fees for new in-law units - MMWD

Cost break aims to increase housing

By Will Houston

whouston@marinij.com @Will S Houston on Twitter

Marin residents hoping to build an apartment on their property might qualify for a waiver for new water meter connections and related costs under a new Marin Municipal Water District ordinance.

The district's board of directors voted unanimously Tuesday to amend its existing ordinance on the waivers that it adopted in December to include new construction of secondary apartment s, sometimes referred to as accessory dwelling units or ADUs. Before the changes, the waivers only applied to conversions of existing accessory units such as detached garages and outbuildings that are converted into living spaces "I read the redraft and it strikes me as a good catch and a fair thing to do," said board member Jack Gibson.

The waiver for new ADU projects only applies to ratepayers who have been district customers for at least one year.

"I think it should benefit district customers and it's going to discourage people from coming in and scooping up properties and just speculating on properties," said board member Larry Bragman. "I think the one-year condition is fair and does the trick."

The owner of the property must also live on site, either in the main residence or in the ADU. The ADU cannot exceed 1,200 square feet.

The amendments adopted go beyond the requirements of a new state law, AB 881, which prohibits water districts from requiring

separate water meter connections as well as associated fee payments for existing ADUs that meet certain criteria. The law's intent is to promote further development of more ADUs to address the state's housing shortage. Meter connection fees can cost up to tens of thousands of dollars and deter people from proceeding with ADU development.

Local residents lauded the district for the waivers. Richard and Anne McConnell of Mill Valley wrote to the board that they hope to replace a shed on their property with an apartment. Without a waiver, they could face meter connection costs of up to \$35,000, they said.

"For us, and perhaps for many others to follow, your waiver of the separate meter requirement and fee for a new connection would make the difference between proceeding with our affordable ADU project or abandoning it as an infeasible dream," the McConnells wrote.

The coronavirus pandemic prompted the water district to ask residents to submit their comments by email rather than attend the meeting in person. All five board members called into the meeting remotely. Staff members were in attendance at the district office in Corte Madera.

Court Approves PG&E's \$23B Bankruptcy Financing Package



March 16, 2020 at 2:52 pm

Filed Under: California Wildfires, Gov. Gavin Newsom, PG&E, PG&E Bankruptcy, Wildfires

BERKELEY (AP) — Pacific Gas & Electric on Monday won court approval to raise \$23 billion to help pay its bills over destructive California wildfires after Gov. Gavin Newsom dropped his opposition to a financing package designed to help the nation's largest utility get out of bankruptcy.

The milestone reached during an unusual court hearing held by phone moves San Francisco-based PG&E closer to its goal of emerging from one of the most complex bankruptcy cases in U.S. history by June 30.

Newsom has said he fears P&E is taking on too much debt to be able to afford an estimated \$40 billion in equipment upgrades needed to reduce the chances of its electricity grid igniting destructive wildfires in the future.

The utility's outdated system triggered a series of catastrophic wildfires in 2017 and 2018 that killed so many people and burned so many homes and businesses that the company had to file for bankruptcy early last year.

But the recent volatility in the financial markets caused by the coronavirus pandemic apparently softened Newsom's stance after PG&E lined up commitments from investors promising to buy up to \$12 billion in company stock.

Those guarantees are looming larger, given the turmoil that has caused the benchmark Standard & Poor's 500 index to plunge by roughly 25% during the past three weeks.

Because of the company's already shaky condition, PG&E's stock has been hit even harder, with shares losing nearly half their value during the same stretch. The stock fell 12% Monday to close at \$8.95, its lowest price since early December.

Given the potential for upheaval in the financial markets to persist, PG&E lawyer Paul Zumbro told U.S. Bankruptcy Judge Dennis Montali that the commitments are "critically important." A representative for Newsom said the governor agreed.

"People often talk tough when there is a level playing field, but in circumstances, almost all people want to make deal," said Eric Snyder, a bankruptcy lawyer who has been following PG&E's case.

Newsom has unusual leverage over PG&E because the company also needs state approval of its bankruptcy plan to qualify for coverage from a wildfire insurance fund that California created last summer.

In a statement, PG&E said it's making "good progress" in discussions with Newsom. The governor's office didn't immediately respond to requests for comment about Newsom's change of heart on PG&E's financing package or other aspects of his talks with the company.

Newsom has intensified his focus on the coronavirus during the past two weeks as the disease's outbreak worsened in California, but that doesn't mean the Democratic governor isn't keeping a close watch on PG&E, said Jared Elias, a UC Hastings College of the Law professor who has been tracking the case.

"The long-term health of PG&E has to remain a top priority because, God forbid, if this coronavirus remains a problem heading into wildfire season this summer," Elias said.

Besides issuing more stock to raise money, PG&E and its parent company will take on as much as \$11 billion in additional debt while refinancing billions in existing loans.

PG&E primarily needs the cash to pay off \$25.5 billion in claims as part of settlements reached with wildfire victims, insurers and government agencies. That's a fraction of the more than \$50 billion in losses that wildfire victims and insurers had estimated PG&E owed them in the early stages of the bankruptcy case.

Reflecting the complexity of the situation, Montali conceded that the nuances of PG&E's financing package are "beyond my understanding" and put his faith in the parties who put it together that it's now the best option available.

The unusual admission came during an extraordinary hearing that had to be held by phone because Montali's courthouse was closed to try to help limit the spread of the coronavirus.

POINT REYES LIGHT

Vying nonprofits pitch their visions of affordable housing for Point Reyes

By Braden Cartwright
03/18/2020

The Board of Supervisors tabled its selection of a nonprofit to rehabilitate the former Coast Guard property, citing efforts to stem the spread of COVID-19. Supervisors were set to vote on Tuesday, but with a shelter-at-home order in place, the decision was delayed indefinitely. EAH Housing and the Community Land Trust Association of West Marin submitted proposals in January for the Point Reyes Station project, which would convert 36 existing townhomes and a former dormitory into affordable housing. EAH has a larger portfolio, while CLAM, which partnered with Eden Housing on its bid, has greater community support. Their proposals, published last week, outline different visions. The CLAM proposal would request a \$3 million subsidy from the Marin Community Foundation and reserve more units for agricultural housing: 20 percent, in contrast to EAH's 10 percent. Financing sources for CLAM's project would also allow for undocumented workers. EAH's proposal highlights the link between the Coast Guard property and the adjacent 13 duplexes it manages, the Point Reyes Family Homes. Architects argued in the proposal that connecting the sites would create a sense of inclusion and enhanced open space; both sites would be managed by the same team, and visual clutter and fences between the two would be removed. The properties would also share wastewater treatment, with a new system making use of the duplexes' existing leach field and giving EAH the quickest path to completing redevelopment, according to a selection committee tasked with evaluating and scoring the proposals. Besides connecting the two properties, EAH also focuses on sustainability, with net-zero energy use and graywater reuse. For both developers, the second phase of the project would breathe new life into the site's unused spaces, based on community input. The selection committee gave CLAM a score of 607 and EAH a score of 605. Since county staff did not consider this a clear consensus, supervisors will decide. Of the selection committee's seven members, two have roots in West Marin: Socorro Romo, the executive director of West Marin Community Services, and Maria Niggle, a director for the Marin Promise Partnership. The committee also included a county realtor, a county planner, a representative for the Marin Housing Authority and representatives from community development agencies in San Rafael and San Francisco. (Some West Marin residents have hoped the housing would be reserved for locals, but county staffers have explained that fair housing laws prohibit that, given Marin's imbalanced racial demographics. The county will conduct affirmative marketing plans, which involves finding the people who are least likely to apply for the housing and marketing it to them.) Four members of the selection committee recommended that the project go to CLAM, which has a local board, the support of hundreds of people in West Marin, and a partner brought on to boost their development profile. "CLAM and Eden bring a wealth of local knowledge and experience, including CLAM's strong West Marin backing and local resources, and Eden's financial capacity and technical expertise of more than 51 years in operation, 9,000 apartments under management, and strong balance sheet," wrote Andre Madeira, senior vice president for Eden Housing, and Kim Thompson, the executive director of CLAM. The proposal from EAH acknowledges CLAM's organizing to get to this point; Representative Jared Huffman has credited the group for helping pass legislation that reserves the property for public benefit. "In this regard, should EAH be selected as the county's lead development partner, our intent would be to invite CLAM to explore with us whether a joint development of the property would be of mutual interest and community benefit," the EAH proposal states. Whichever entity supervisors ultimately choose will partner with the county, which can shape the project to its goals. Supervisor Dennis Rodoni told the Light last week that he is undecided.

Sonoma Water and Army Corps Succeeding With FIRO

Despite a dry winter so far, water managers at Sonoma Water are reporting that water supply levels at Lake Mendocino, located in the Northern California community of Ukiah, are 17% above maximum allowed storage because of a successful application of Forecast Informed Reservoir Operations, or FIRO.

FIRO has allowed Sonoma Water and the U.S. Army Corps of Engineers to retain more of what little inflow has come into the reservoir during a dry mid-winter. FIRO is a management strategy that uses data from watershed monitoring and modern weather and water forecasting to help water managers selectively retain or release water from reservoirs in a manner that reflects current and forecasted conditions.

The increase in water supply, even when weather conditions are dry, illustrates how FIRO is significantly improving water supply resiliency as a key climate adaptation program.

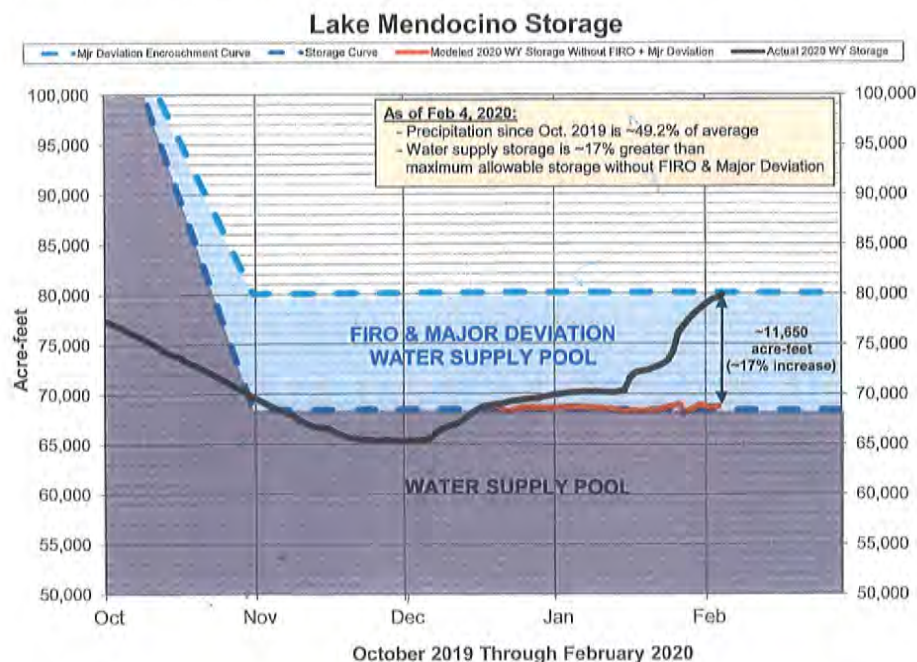
"January 2020 has demonstrated the potential for FIRO to improve water conservation at Lake Mendocino. A series of storms filled the reservoir by 11,650 acre-feet above the normal water supply pool. Utilizing FIRO and the approved

major deviation, the additional storage was retained rather than being released back into the Russian River," said Patrick Sing, Lake Mendocino Water Manager for the Army Corps of Engineers.

The successful application of FIRO could also support healthier salmon and steelhead runs.

"If dry conditions exist in February, the additional storage can continue to be retained and help improve water supply

reliability for the spring and summer, and allow for future water releases to support threatened and endangered fisheries," said Sonoma Water Director Shirlee Zane. "We used to only rely on rainwater to fill Lake Mendocino each year. Now we have FIRO, which puts our water managers in the driver's seat when Mother Nature isn't cooperating. And with climate change unfolding before our eyes, who wouldn't want to be in the driver's seat?" Zane added. ♠



Interests battle over dam removal plan

KLAMATH RIVER

By Gillian Flaccus

The Associated Press

KLAMATH» California's second-largest river has sustained Native American tribes with plentiful salmon for millennia, provided upstream farmers with irrigation water for generations and served as a haven for retirees who built dream homes along its banks.

With so many demands, the Klamath River has come to symbolize a larger struggle over the American West's increasingly precious water resources, and who has claim to them.

Now, plans to demolish four hydroelectric dams on the Klamath's lower reaches — the largest such demolition project in U.S. history — have placed those competing interests in stark relief. Tribes, farmers, homeowners and conservationists all have a stake in the dams' fate.

"We are saving salmon country, and we're doing it through reclaiming the West," said Amy Cordalis, a Yurok tribal attorney fighting for dam removal.

The project, estimated at nearly \$450 million, would reshape the Klamath River and empty giant reservoirs, and could revive plummeting salmon populations by reopening habitat that has been blocked for more than a century.

The proposal fits into a trend in the U.S. toward dam demolition as these infrastructure projects age and become less economically viable. More than 1,700 dams have been dismantled nationwide since 2012.

Backers of the Klamath Dam removal say the Federal Energy Regulatory Commission could vote this spring on whether to transfer the dams' hydroelectric licenses from the current operator, PacifiCorp, to a nonprofit formed to oversee the demolition. Drawdown of the reservoirs behind the dams could begin as early as 2022, according the nonprofit, the Klamath River Renewal Corp.

Opponents, including a group of residents who live around a reservoir, say without the dams, their waterfront properties will become mudflats and their homes will lose value.

"If we get halfway through and they blow a hole in the dam just to let the water out — to say, 'Yeah, we done this' — they can walk away from it. And we have no recourse whatsoever," said Herman Spannus, whose great-grandfather first ran a ranch in the area in 1856.

The structures at the center of the debate are the four southernmost dams in a string of six constructed in southern Oregon and far northern California beginning in 1918. They were built for power generation, and none has "fish ladders," concrete chutes fish can pass through.

Two dams to the north are not targeted for demolition. They have fish passage and are part of a massive irrigation system that straddles the Oregon-California border and provides water to more than 300 square miles of crops.

Those farmers won't be directly affected but worry the demolition will set a precedent.

"Dam removal on this scale is kind of unprecedented," said Ben DuVal, who farms 300 acres. "I don't want to be the one who ends up giving up my livelihood in order to fix a problem down there that was caused by a big experiment."

The demolition plan is good business for Pacifi-Corp, which holds the dams' hydroelectric licenses. They're expired, and renewing them would require more than \$400 million in federally mandated modifications.

Under the demolition plan, \$200 million will come from California and Oregon ratepayers, and \$250 million will come from a voter-approved California water bond, with no liability for PacifiCorp.

For the region's tribes, the push to remove the dams is much more than financial calculus.

"I actually credit a lot of our men and women's depression to the fact that they fish for days and days and days and

days and don't catch anything," said Georgiana Gensaw, who is Yurok and lives on the reservation. "We want to bring salmon home."

Coho salmon from the Klamath River are listed as threatened under federal and California law, and their population in the river has fallen anywhere from 52% to 95%. Spring chinook, once the Klamath Basin's largest run, has dwindled by 98%.

Fall chinook have been so meager in the past few years that the Yurok canceled fishing for the first time in the tribe's memory. In 2017, they bought fish at a grocery store for their annual salmon festival.

Yet even demolition advocates say dam removal won't be enough on its own. Salmon face deteriorating ocean conditions due to climate change, and the many tributaries that feed into the Klamath River are degraded.

For their part, homeowners around the biggest reservoir, Copco Lake, feel a strong sense of place in the houses they built decades ago, with no idea the dams could ever come down.

"The real estate people are not anxious to take listings here because it's the rumors there all the time," said Tom Rickard, who had to take his home off the market last summer when it didn't sell.

Water shutoffs in sharp focus amid coronavirus outbreak

HEALTH

By Kat Stafford

The Associated Press

DETROIT » The advice is simple and universal: Washing your hands with soap and water is one of the most effective ways to stop the spread of the coronavirus. But for millions of people across the country, that's not simple at all: They lack running water in their houses due to service shutoffs prompted by overdue bills.

The Rev. Roslyn Bouier remembers when children began to show up at the Brightmoor Connection Food Pantry on Detroit's northwest side, clutching empty pitchers. It was the summer of 2014 and the kids were parched. But their thirst didn't come from playing outside — they had no water at home.

That was the year the city of Detroit started its water shutoff campaign, turning off water to 28,500 residential accounts behind on payments. Through the end of 2019, the city has recorded about 127,500 total service cutoffs, according to the water department, though that figure includes households where the water was turned off repeatedly.

“In this pandemic, it's the people who are living on the margins of society and the poorest of our society that's being the most adversely impacted,” Bouier said.

Michigan has the sixth highest number of coronavirus cases in the country, according to Johns Hopkins University's data tracking of the disease. The state has reported 3,657 cases and 92 deaths as of Friday afternoon. Detroit leads Michigan with 1,075 cases and 23 deaths.

We the People of Detroit co-founder Monica Lewis-Patrick said her organization, which has campaigned for years to end shutoffs, has struggled to find bottled water to deliver to families without service because supplies are being hoarded.

“Water is locked down,” Lewis-Patrick said. “Many people have been texting and emailing me to say ‘What else can we do?’ The world is crying out that there must be a turning on of the water.”

Water advocates and elected officials argue that it's impossible for families to follow the hygienic coronavirus standards outlined by the Centers for Disease Control and Prevention and the World Health Organization when they don't have water in their homes. And members of Congress and national organizations are pushing for federal legislation and other action to protect residents facing high water bills and shutoffs amid the crisis.

House Democrats released proposed legislation Monday that included a \$1.5 billion allocation to help cover water bills for low-income families and also would ban utility shutoffs during the pandemic.

Michigan U.S. Congress members Rashida Tlaib, Debbie Dingell and Dan Kildee also sent a letter to the congressional leadership Wednesday, signed by 80 members, urging them to take action, citing Detroit's water shutoffs and the longstanding water crisis in nearby Flint, where lead leached into the municipal water supply. The allocation was not part of Friday's approved \$2.2 trillion rescue package, so Tlaib is pushing for another bill to address shutoffs.

A White House official said Thursday that Wayne County, which includes Detroit, could be the next hotspot for COVID-19.

The coronavirus has sickened more than 566,000 people and killed more than 25,000 people worldwide. For most people, it causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. But for some, especially older adults and people with existing health problems, it can cause more severe illness, including pneumonia.

Water shutoffs have been recorded in all 50 states, according to Mary Grant, director of the Food & Water Action's Public Water for All Campaign.

Grant said her organization has tracked 417 municipalities and states that have issued moratoriums on the shutoffs, including the state of New York, where Gov. Andrew Cuomo announced the suspension of utility shutoffs March 13. The group estimates the moratoriums protect more than 142 million Americans from disconnections — or more than 40% of the U.S. population.

In Alaska, the Rural Utility Collaborative advisory committee, which manages water systems for 26 communities, just voted to immediately reconnect running water to homes cut off for not paying their bills.

"Hand-washing is the No. 1 prevention for spreading any illness," said Francine Moreno, the utility's senior program manager.

Grant's group is calling for the moratoriums to be extended nationwide.

"At a time when we're hearing the federal government, the CDC, our governors say 'wash your hands,' for people who have lost their water service because they can't afford the water bill, they can't take these measures," she said.

A team of independent experts affiliated with the United Nations Human Rights Council has called on governments around the world to end water cuts.

LOCAL // ENVIRONMENT

California's winter goes down as one of the driest, thin snowpack shows

Kurtis Alexander

April 1, 2020 | Updated: April 1, 2020 8:48 p.m.



Sean de Guzman, right, of the California Department of Water Resources, conducts the third now survey of the 2020 season at Phillips Station in the Sierra Nevada Mountains on Feb. 27, 2020. The April 1 snow survey showed the state snowpack at only 53% of normal.

Photo: Jonathan Wong / California Department of Water Resources

When California snow surveyors trekked into the Sierra Nevada on Wednesday, they officially logged this past winter as one of the driest in state history.

Statewide snowpack measured 53% of average for the critical April 1 survey — the time when snow levels are typically at their peak, helping inform how much melt-off will pour into California’s many reservoirs. The figure is the 11th lowest in 71 years of record-keeping.

The scarcity of snow means California’s landscape will dry out more extensively and more quickly than usual, perhaps bringing an early wildfire season, as well as robbing municipal water supplies of vital spring snowmelt. The problems, though, are somewhat muted by last winter’s big snowfall. The 40% of the state that is flirting with drought is a fraction of what it would be if there had been back-to-back dry years.

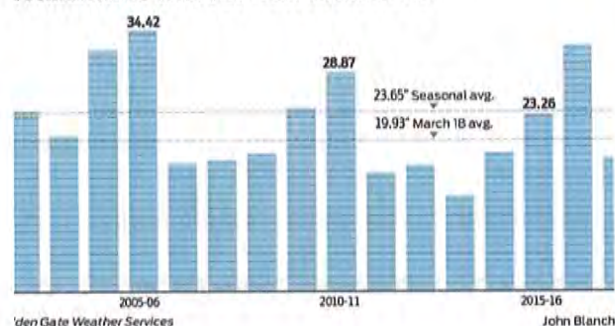


“For a dry year like this one, it’s nice that the preceding year was a wet one,” said Mike Anderson, state climatologist with the California Department of Water Resources, which conducts the snow surveys.

The question on Anderson’s mind, and the minds of other weather watchers in California, is whether this winter was a one-off or if it is the beginning of a multiyear drought, along the lines of what the state experienced between 2012 and 2017.

Read More

1 rainfall totals for San Francisco



“We all hope next year is another wet year,” Anderson said.

In the meantime, cities and farms are grappling with only slightly lower-than-average water supplies. Shasta Lake and Lake Oroville, the state’s two biggest reservoirs, measured 98% and 85% of what they typically hold on April 1, respectively. San Francisco’s Hetch Hetchy was at about 68% of capacity last week, slightly more than average for the time.

As water managers begin to look ahead, however, plans to contend with a potentially longer dry period could be hampered by the coronavirus outbreak, which is altering just about every aspect of daily life.

“In the normal bureaucracy, a dry year and a drought require a lot of people to get together to figure out what to do,” said Jay Lund, a professor of civil and environmental engineering at UC Davis and an expert on state water supplies. “It’s hard to get together now and have those conversations in a fast and productive way. We have this immense, arguably much more important, distraction of the pandemic.”

Wednesday’s snow survey also was affected by the coronavirus outbreak, though minimally.

The April 1 measurement, which is based on the readings of 130 electronic sensors across California, has historically included one camera-friendly manual measurement done near Lake Tahoe. This time the event, which is popular with the media, was closed to the public to prevent possible spread of the virus, and just two surveyors made the time-honored trip.

The site, at the Phillips Station along Highway 50, notched 43.5 inches of snow, according to the surveyors, which is the equivalent of 16.5 inches of water. That’s 66% of average for the date.

The breakdown across California on Wednesday was 57% of average snowpack in the northern Sierra and southern Klamath Mountains, 56% of average in the Central Sierra and 45% of average in the Southern Sierra.

Snow typically provides nearly a third of the state's water.

The low numbers this year are the result of a wet season that plodded along with only slightly lagging precipitation until late January, when as much as six weeks of dry weather set in. San Francisco saw no rain in February. March was a little wetter for most of the state, but not enough to fill the gap.

The winter also brought relatively few atmospheric rivers, the concentrated bands of moisture that can dump heavy rain and snow over parts of California. As much as 50% of precipitation comes from these storms.

Through February, seven atmospheric rivers had made landfall in California compared with 15 over the same period the prior winter, according to Marty Ralph, director of the Center for Western Weather and Water Extremes at UC San Diego's Scripps Institution of Oceanography. An average year sees about a dozen such systems.

"We basically have not had enough ARs," Ralph said. "That's the bottom line."

The atmospheric rivers that have hit California have been much weaker, too, with just one measuring a 3 or higher on the five-category intensity scale. Last winter, five systems rated 3 or higher.

Though California's wet season typically draws to an end in April, weather models show possible rain this weekend and the development of perhaps another soggy system or two in the following weeks.

"We've got a chance for a little more AR activity than normal this month," Ralph said. "We'll see."

Close to Home: Essential, reliable, clean — even during pandemics



GRANT DAVIS

GRANT DAVIS IS GENERAL MANAGER OF SONOMA WATER.

March 28, 2020, 12:01AM

Santa Rosa Press Democrat

An old friend called me a couple of days ago. In these days of virtual socializing, I thought he was just phoning to check in. Actually, he was reaching out as an employee of a senior residential home, wanting to know if our drinking water is safe. As the general manager of Sonoma Water, this was the easiest question I've been asked during the past month. Yes, I told him, our drinking water is absolutely safe.

Unfortunately, my buddy isn't the only person who is questioning the safety and reliability of our community drinking water. We've all seen the photos of empty store shelves and of shopping carts weighed down by cases of bottled water. While we recommend that people follow disaster preparedness guidelines and always have an emergency supply of water available, there is no need to drink bottled water during this pandemic.

Sonoma Water, which supplies water to cities, towns and water districts that serve more than 600,000 people in Sonoma and Marin counties, wants to make it abundantly clear that our water is safe, reliable, clean and a lot less expensive than bottled water.

The water supplied by Sonoma Water is pumped from collector wells near the Russian River through 80 to 100 feet of sand and gravel where it is naturally filtered. As required by state law, chlorine is added to kill any lingering pathogens — including the coronavirus. Sonoma Water and the communities we serve test our drinking water regularly to ensure disinfection standards required by the state are met.

Not only are the systems in place to protect our water supply, but we also have the right people on the job. Water operators go through rigorous certification and training programs to ensure our water is safe and available, 24 hours a day, seven days a week. They've kept our taps flowing during droughts, floods, and fires — and they will do so through this pandemic.

Here at Sonoma Water and at many of the cities and water districts we serve, most staff are telecommuting while those key workers who must physically be on the job site are practicing social distancing. We've also developed protocols and backup plans in case water operators become ill.

Still concerned? The Environmental Protection Agency, the Centers for Disease Control and Prevention, the World Health Organization and nonprofit organizations such as the Association of California Water Agencies agree that municipal drinking water is safe. As I told my friend: There are a lot of things that people need to worry about right now, but turning on your tap is not one of them.

Grant Davis is general manager of Sonoma Water, which delivers water to cities and water districts in Sonoma and Marin counties.



ACWA ADVISORY

EXECUTIVE ORDER | COVID-19

April 2, 2020

Governor Issues Executive Order Prohibiting Discontinuation of Service (Shut Offs) by Urban and Community Water Systems

In relation to the COVID-19 pandemic, Gov. Gavin Newsom today issued an Executive Order suspending the authority of urban and community water systems to discontinue residential water service. State law defines “urban and community water system” as a “public water system that supplies water to more than 200 service connections.” Public water systems can be public or private entities.

ACWA staff are reviewing the order and already having discussions with the Administration about how the new order will be implemented. ACWA will share more details with members as information becomes available.

The order, which goes into effect immediately, includes five operative provisions that are outlined below. It is important to note that the order explicitly states that it does not eliminate the obligation of water customers to pay for water service, prevent a water system from charging a customer for such service, or reduce the amount a customer already may owe to a water system.

Executive Order’s Operative Provisions

1. The authority of urban and community water systems, as defined in Health and Safety Code section 116902, subdivision (d), to discontinue residential service, as defined in Health and Safety Code section 116902, subdivision (c), for non-payment under Health and Safety Code sections 116908 and 116910, is suspended.
2. Water systems not subject to the requirements of Health and Safety Code sections 116908 and 116910 shall not discontinue residential service, as defined in Health and Safety Code section 116902, subdivision (c), for non-payment.
3. Water systems shall restore any residential service to occupied residences that has been discontinued for nonpayment since March 4, 2020.
4. Water systems shall not discontinue service to any business in the critical infrastructure sectors designated by the State Public Health Officer as critical to protect the health and

well-being of all Californians that qualifies as a small business under 13 C.F.R. § 121.201 of the Small Business Administration's regulations.

5. The State Water Resources Control Board shall identify best practices, guidelines, or both to be implemented during the COVID-19 emergency (i) to address non-payment or reduced payments, (ii) to promote and to ensure continuity of service by water systems and wastewater systems, and (iii) to provide measures such as the sharing of supplies, equipment and staffing to relieve water systems under financial distress.

ACWA previously encouraged member agencies to proactively suspend water service shut-offs in response to the crisis, and many cities and districts have already taken that step. In addition, ACWA has compiled resources related to the crisis and posted them online at www.acwa.com/covid19.

Questions

If you have questions or suggestions regarding the Executive Order, please contact ACWA Deputy Executive Director for Government Relations Cindy Tuck at CindyT@acwa.com.

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