



**NORTH MARIN WATER DISTRICT**  
**AGENDA – REGULAR MEETING**  
 April 21, 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**  
**Access Code: 2580#**  
**Bridge#: 8894**

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.	<b>CALL TO ORDER</b>	
	1.	<b>APPROVE MINUTES FROM REGULAR MEETING</b> , April 7, 2020
	2.	<b>GENERAL MANAGER'S REPORT</b>
	3.	<b>OPEN TIME: (Please observe a three-minute time limit)</b>
		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.	<b>STAFF/DIRECTORS REPORTS</b>
	5.	<b>MONTHLY PROGRESS REPORT W/Customer Service Questionnaire</b>

**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.

All times are approximate and for reference only.  
 The Board of Directors may consider an item at a different time than set forth herein.

Est. Time	Item	Subject	<u>Type</u>	<u>DU</u>	<u>EU</u>	
	<b>Consent - Approve Water Agreement</b>					
6.	Springbrook Green Homes 1602 Vallejo Ave., Novato (APN: 141-221-74 and 75)		THC	9	4	Resolution

**ACTION CALENDAR**

- 7. **Approve:** Renew Declaration of Local Emergency Related to COVID-19 Pandemic
- 8. **Approve:** Set Public Hearing to Consider Declaration of a Water Shortage Emergency and Adopt Water Shortage Contingency Measures in the West Marin Service Area
- 9. **Approve:** Gallagher Ranch Streambank Stabilization Project – Award Construction Contract to Dixon Marine Services, Inc.
- 10. **Approve:** Indian Valley Golf Club Lease Extension
- 11. **Approve:** Oceana Marin Sewer System Financial Plan Update
- 12. **Approve:** West Marin Water System Financial Plan Update

**INFORMATION ITEMS**

- 13. STP Solar Power Facility – 7<sup>th</sup> Year Status Report

14. **MISCELLANEOUS**

- Disbursements – April 9, 2020
- Disbursements – April 16, 2020
- Rate Increase Notice on Water Bill – Novato Service Area
- Notice of Public Hearing - Proposed Water Rate Increase
- Website Privacy Policy
- Gallagher Family LLC Coastal Permit – NMWD Streambank Stabilization Project

News Articles:

- Coronavirus: Is the drinking water supply safe?
- Virus Hunters Find Coronavirus Clues in Sewage
- Pension portfolio jarred by outbreak
- Coast Guard Housing Update
- Marin infections ‘flattening’ CORONAVIRUS PANDEMIC
- Editorial – COM-Kent flap illustrates need for outreach
- Western megadrought one of the worst – NEW STUDY

- 7:15 p.m. 15. **ADJOURNMENT**

1



34 **GENERAL MANAGER'S REPORT**

35 Mr. McIntyre reminded everyone of the protocol of the meeting and asked all participants  
36 to announce their name when talking and to mute their phone as much as possible unless they  
37 are speaking.

38 **Ensuring the Protection of Everyone's Health**

39 Mr. McIntyre thanked the public and the Board members for their flexibility and  
40 understanding in having these remote meetings to protect everyone's health. He noted this type  
41 of meeting format is not ideal, but it is certainly rational given this public health crisis. Mr. McIntyre  
42 stated he would like the minutes to reflect his profound appreciation to all staff for their continued  
43 professionalism in maintaining essential services during these uncertain times. He noted that  
44 District employees remain focused each and every day on critical tasks necessary to ensure that  
45 our water is safe and reliable.

46 **Dry Year Conditions Update**

47 Mr. McIntyre reminded the Board that at the last meeting he reported that Kent Lake  
48 rainfall through March 12<sup>th</sup> was at 15.6-inches. He noted we did receive some recent rain, but the  
49 total rainfall through April 21<sup>st</sup> was just under 24-inches or 14% below the minimum Normal Year  
50 condition threshold of 28-inches as defined by Lagunitas Creek Water Right Order 95-17. Mr.  
51 McIntyre added that Dry Year conditions will trigger enactment of the District's West Marin Water  
52 Shortage Contingency Plan and we will be required to hold a public hearing similar to that in 2014  
53 to adopt an emergency water conservation ordinance. He anticipated that the Public Hearing will  
54 be scheduled for the May 5<sup>th</sup> meeting. Mr. McIntyre added on a related matter, the third-party  
55 truck hauling firm delivering NMWD surplus water to the Nicasio community was notified on April  
56 1<sup>st</sup> that availability of surplus water is suspended until further notice.

57 **Gallagher Ranch Streambank Project**

58 Mr. McIntyre apprised the Board that staff is heavily engaged in the permitting phase of  
59 the Gallagher Ranch Streambank stabilization process. He noted our permitting and design  
60 consultants have been having to make substantial permit and design changes as we work our  
61 way through the permitting process from various agencies including the Regional Water Quality  
62 Control Board (RWQCB), California Department of Fish and Wildlife (CDFW), Army Corps of  
63 Engineers (ACOE) and Marin County. Mr. McIntyre stated these regulatory requests are resulting  
64 in higher consulting costs as identified in Consent Items 5 and 6 and will ultimately drive up the  
65 construction cost as well. He announced that staff expects to return to the Board at the next  
66 meeting to have an action item to award the project to the lowest, responsible bidder. Mr. McIntyre

67 added at that time, he will have more information to share regarding overall timeline impacts. He  
68 summarized; costs are going up, but barring any new permit surprises, we expect to still have a  
69 significant amount of the project funded by federal Natural Resources Conservation Service  
70 (NRCS) grant funds.

71 **OPEN TIME**

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

74 **STAFF/DIRECTORS REPORTS**

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

77 Mr. Clark announced that staff is in the process of starting up the Stafford Treatment Plant  
78 with rotating shifts based on a 7:00 a.m. to 3:30 p.m. Monday thru Friday schedule in hopes we  
79 can meet the FY20 production goal of 650M gallons of water.

80 Mr. Clark added that the recent reduction of on-site laboratory staff to one chemist during  
81 the COVID-19 pandemic was not sufficient to meet workload demands. Therefore, the lab has  
82 been divided into two work areas to accommodate two chemists and still practice safe physical  
83 distancing. Mr. Clark added that this should work well to get more tasks done and avoid overtime.

84 Lastly Mr. Clark announced that the roof replacement project is now tentatively scheduled  
85 to occur around the beginning of May and the project will take twenty days to complete. Director  
86 Baker noted that we will be doing a substantial remodel of the whole building and asked if  
87 replacing the entire roof was premature; perhaps a patch or repair option would be more  
88 appropriate. Mr. Clark replied that in the design of the remodel the complete roof will stay in place  
89 and that the current Board approved Headquarters Upgrade Master Plan assumes the roof  
90 replacement occurs in advance of the office upgrade project. Director Baker noted when we do  
91 the work in two years, the building will change and the configuration may need to be altered. He  
92 asked if this is the best timing to reroof now when the structure will change. Mr. Clark responded  
93 that the roof is in bad condition and needs to be replaced as soon as possible. Director Baker  
94 stated that he respects his judgement, but is not convinced.

95 Director Joly noted that we are reaching the end of our rain season and asked what we  
96 are doing to prepare for wild fire season and the procurement of generators. Mr. Clark replied he  
97 is now reviewing last year's Public Safety Power Shutoff (PSPS) program and making outreach  
98 to those we contracted with in the past regarding power generator rentals. He added he is working  
99 on a Board memo and reviewing the budget to make sure we have adequate funding for next  
100 year.

101 **CONSENT ITEMS**

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

104 AYES: Director Baker, Fraitas, Grossi, Joly and Petterle

105 NOES: None

106 ABSTAIN: None

107 ABSENT: None

108 **AMEND ESA CONSULTING SERVICES AGREEMENT – ADDITIONAL PERMITTING**  
109 **SERVICES AGREEMENT FOR GALLAGHER RANCH (LAGUNITAS CREEK) STREAMBANK**  
110 **STABILIZATION PROJECT)**

111 The Board authorized the General Manager to amend the ESA Consulting Services  
112 Agreement for additional permitting services for the Gallagher Ranch (Lagunitas Creek)  
113 Streambank Stabilization Project. The original agreement was for \$57,000 and ESA requested a  
114 contract modification of \$25,000 to address out-of-scope work requested by the permitting  
115 agencies.

116 **AMEND WRA CONSULTING SERVICES AGREEMENT – ENGINEERING SERVICES FOR**  
117 **GALLAGHER RANCH (LAGUNITAS CREEK) STREAMBANK STABILIZATION PROJECT**

118 The Board authorized the General Manager to amend the WRA Consulting Services  
119 Agreement for engineering services for Gallagher Ranch (Lagunitas Creek) Streambank  
120 Stabilization Project. The original agreement was for \$94,400 and WRA requested a contract  
121 modification of \$35,000 to address design modifications required by the Regional Water Quality  
122 Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW) to improve  
123 riparian and aquatic habitat features.

124 **ENVIRONMENTAL COLLABORATIVE (EC) – CONSULTING SERVICES AGREEMENT**

125 The Board authorized the General Manager to execute a General Consulting Services  
126 Agreement with Environmental Collaborative for \$20,000. Staff determined that an additional  
127 environmental support services consulting firm is necessary due to workload demands. The  
128 projects include permitting for Oceana Marin Pond Berm Rehabilitation project and the Old Ranch  
129 Road Tank Replacement Project.

130 **RECORD RETENTION PROGRAM – DESTRUCTION OF RECORDS**

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

133 **ACTION ITEMS**

134 **DECLARATION OF LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC**

135 Mr. McIntyre stated North Marin Water District (District) performs an essential function and  
136 operates essential infrastructure to provide water and sewer service to over 60,000 residents of  
137 Marin County. He reported the District has partially activated its Emergency Operation Center  
138 (EOC) as defined in the District's Emergency Operation Plan and the emergency management  
139 team is also coordinating with Marin County EOC, the City of Novato and other local Special  
140 Districts. Mr. McIntyre explained to the Board that to ensure operational flexibility in meeting the  
141 challenges of COVID-19, it is requested that the Board proclaim the existence of a local state of  
142 emergency. He added by proclaiming a local emergency, the District could be provided  
143 opportunities for additional state or federal assistance. Mr. McIntyre noted the resolution has  
144 been reviewed by legal counsel and is consistent with recent actions by many other local Bay  
145 Area water and wastewater agencies. He stated this resolution will be reviewed as an action item  
146 at each subsequent Board meeting to determine the need to continue the declaration until the  
147 state of emergency has subsided and the Board has terminated the declaration.

148 On the motion of Director Fraites, and seconded by Director Grossi the Board approved  
149 the Declaration of Local Emergency Related to COVID-19 Pandemic by the following vote:

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

151 NOES: None

152 ABSTAIN: None

153 ABSENT: None

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

157 Mr. McIntyre presented the Side Letter Agreement to the 2018-2023 NMWD/Employee  
158 Association Memorandum of Understanding concerning maximum working hours and fatigue time  
159 in recognizing that the District may, at times require employees to work extended hours. Mr.  
160 McIntyre stated the District conferred with the Employee Association to formalize a set of  
161 procedures which are intended to minimize potential work injuries associated with employees  
162 working extended hours without adequate rest between shifts. He added this side letter will  
163 provide a minimum of eight (8) hours of rest in cases where an employee's work extends into  
164 overtime hours in an unscheduled overtime situation, so we are compliant with the laws for  
165 minimum rest time and to ensure we keep ourselves and our public safe. Mr. McIntyre noted staff  
166 conducted a survey of local agencies including Alameda County Water District, Contra Costa  
167 Water District and City of Napa, to assess best practices regarding maximum working hours and  
168 fatigue time.



169 Director Baker shared that in his previous employment certain staff often had to work long  
170 hours during storms and the administrative department enacted something very similar and  
171 recognized that people were exhausted. He expressed that he was in total support of this  
172 agreement.

173 On the motion of Director Fraites, and seconded by Director Petterle the Board approved  
174 the Side Letter Agreement to the 2018-2023 NMWD/Employee Association Memorandum of  
175 Understanding Concerning Maximum Working Hours and Fatigue Time by the following vote:

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

177 NOES: None

178 ABSTAIN: None

179 ABSENT: None

180 **RATE INCREASE LETTER TO NOVATO CUSTOMERS**

181 Ms. Blue presented the draft 6% revenue increase and rate structure changes letter to  
182 Novato customers. Ms. Blue stated that California law (Proposition 2018) requires that customers  
183 be notified of a water rate increase at least forty-five days prior to the public hearing when the  
184 Board considers adoption of the increase. A public hearing scheduled for June 16, 2020 requires  
185 that letters be mailed out by May 2, 2020 and noted the letter design was done with the help of  
186 Martin Rauch.

187 Director Joly stated his name was spelled incorrectly on the notice, but otherwise thought  
188 the letter was brilliant. He did ask why there was no mention of the funds required for the loan on  
189 the headquarters upgrade. Ms. Blue replied that legal counsel reviewed the letter and gave no  
190 indication that there was any missing required information and we do not want to add unnecessary  
191 information that may be confusing to the customer. Mr. McIntyre noted that legal counsel gave  
192 careful consideration on how the information was presented to be sure we were compliant with  
193 Proposition 218 noticing requirements. Director Joly replied that the fact that the letter was  
194 reviewed by our legal counsel answers his question. Mr. McIntyre commented that the timing of  
195 this notice is unfortunate giving the coronavirus impacts, but stated that we are an essential  
196 service and need to maintain sufficient funding to ensure our customers are provided a reliable  
197 water supply for public health, sanitation and fire protection.

198 Director Fraites noted on the first page, under "Rising Costs to Purchase Imported Water"  
199 we might want to add a sentence stating that 75% of the water we use is imported from SCWA.  
200 Director Fraites also requested that staff are schooled on how to respond to customers when they  
201 call in so our message is clear and consistent. Director Petterle asked if the notice was prepared

202 by Kiosk. Ms. Blue replied that we used Martin Rauch. Director Fraites complimented all those  
203 involved on the graphics used and the legibility of the notice.

204 On the motion of Director Petterle, and seconded by Director Fraites the Board approved  
205 the Rate Increase Letter to Novato Customers by the following vote:

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

207 NOES: None

208 ABSTAIN: None

209 ABSENT: None

210 **INFORMATION ITEMS**

211 **CORONAVIRUS UPDATE – VERBAL REPORT**

212 Mr. McIntyre reported to the Board on how the current coronavirus pandemic is impacting  
213 the District. He stated we have been operating under partial District EOC activation since March  
214 16<sup>th</sup> and our emergency management team meets every other day to review current conditions.  
215 Mr. McIntyre noted on March 31<sup>st</sup> Marin County issued an extended stay at home order through  
216 May 3<sup>rd</sup> and as of April 6<sup>th</sup> there have been a total of 143 confirmed cases in Marin with 9 deaths.  
217 He added of the 1,556 persons tested for the virus in the county, about 9% are positive. He stated  
218 the rate of new cases appears to be slowing, but health experts caution that it is too early to draw  
219 any conclusions.

220 Mr. McIntyre reported that we currently have no employees who have been instructed to  
221 be isolated or are on self-quarantine. He noted that with respect to operation status, we are not  
222 experiencing any major issues, water demand remains low and we currently see no increasing  
223 trend in indoor water consumption. Mr. McIntyre added that the Pt. Reyes Water Treatment and  
224 Oceana Marin Wastewater Treatment plants are operating normally and we have no current  
225 issues with maintaining essential facilities, equipment and supplies. He noted that physical  
226 location Board meetings will be re-instated as soon as it is safe for Board members, public and  
227 staff, and stated that it is possible that meetings with small agendas will be cancelled. Mr.  
228 McIntyre reviewed a list of additional coronavirus actions taken since the last update at the March  
229 17<sup>th</sup> Board of Directors meeting. Mr. McIntyre stressed this is a fluid situation and staff are  
230 adjusting as best they can.

231 Director Grossi stated that today the Office of Education closed school for the remainder  
232 of the school year and asked if we are looking at options if the shelter in place goes past the first  
233 part of May. Mr. McIntyre replied yes, commenting that he would not be surprised if the Order is  
234 extended beyond May 3<sup>rd</sup>.

235 **WAC/TAC MEETING – FEBRUARY 3, 2020**

236 Mr. McIntyre provided an update to the Board on the February 3<sup>rd</sup> WAC/TAC meeting. He  
237 commented on Item 14 and indicated the Special Meeting on April 6<sup>th</sup> was a virtual meeting, and  
238 that Director Baker participated. Mr. McIntyre stated that all water contractors voted in favor of  
239 the proposed the FY21 SCWA budget with the exception of the WAC member from Santa Rosa.

240 Director Grossi said he wanted to join the remote meeting, but was unable to find the  
241 information to join. Director Baker commented that Mr. McIntyre summarized the meeting well,  
242 and noted it was a surprise that the Santa Rosa WAC member voted against the proposed budget.  
243 He expressed that even though it passed many were disappointed.

244 **MISCELLANEOUS**

245 The Board received the following miscellaneous items: Disbursements – March 19, 2020,  
246 Disbursements – March 26, 2020 and Disbursements – April 2, 2020.

247 The Board received the following news articles: Newsom expands lockdown statewide –  
248 CALIFORNIA; Inverness plans water rate increase; MMWD official makes rate credit proposal –  
249 VIRUS IMPACT; Utility to waive hookup fees for new in-law units – MMWD; Court Approves  
250 PG&E's \$23B Bankruptcy Financing Package; Vying nonprofits pitch their visions of affordable  
251 housing for Point Reyes; Sonoma Water and Army Corps Succeeding With FIRO; Interests battle  
252 over dam removal plan – KLAMATH RIVER; Water shutoffs in sharp focus amid coronavirus  
253 outbreak – HEALTH; California's winter goes down as one of the driest, thin snowpack shows;  
254 Close to Home: Essential, reliable, clean – even during pandemics; and ACWA Advisory –  
255 Governor Issues Executive Order Prohibiting Discontinuation of Service (Shut Offs) by Urban and  
256 Community Water Systems.

257 Director Baker asked about the last item under news articles, the Governor of California  
258 discontinuing water shut offs for non-payment. He asked if the District has any recourse other  
259 than following the state order. Mr. McIntyre replied no.

260 Director Joly stated he was very impressed with Mr. McIntyre's comment that washing  
261 your hands a hundred times for a duration of 20 seconds costs about 30 cents, which shows our  
262 customers what a terrific value our water is and it would be useful to get that message out to the  
263 public.

264 **CLOSED SESSION**

265 President Joly adjourned the Board into closed session at 7:04 p.m. in accordance with  
266 California Government Code Section Conference with Legal Counsel, to consider initiation of  
267 litigation pursuant to paragraph (4) of subdivision (d) of Section 54956.9: (one case).

268 **OPEN SESSION**



2

3

**4**

**5**



**NORTH MARIN WATER DISTRICT**  
**MONTHLY PROGRESS REPORT FOR March 2020**  
 April 21, 2020

1.

**Novato Potable Water Prod\* - RR & STP Combined - in Million Gallons - FYTD**

Month	FY19/20	FY18/19	FY17/18	FY16/17	FY15/16	20 vs 19 %
July	317.2	341.1	331.0	310.3	227.2	-7%
August	283.8	300.9	303.0	299.6	235.2	-6%
September	280.5	255.0	292.4	302.3	210.0	10%
October	281.0	265.6	273.7	202.8	298.6	6%
November	222.7	170.1	163.9	143.8	145.4	31%
December	141.2	157.8	152.1	147.6	145.1	-10%
January	111.9	114.7	130.6	120.8	129.8	-2%
February	120.3	110.9	134.8	118.6	111.3	8%
March	151.8	138.8	130.2	145.8	149.1	9%
<b>FYTD Total</b>	<b>1,910.4</b>	<b>1,854.8</b>	<b>1,911.6</b>	<b>1,791.5</b>	<b>1,651.9</b>	<b>3%</b>

**West Marin Potable Water Production - in Million Gallons - FY to Date**

Month	FY19/20	FY18/19	FY17/18	FY16/17	FY15/16	20 vs 19 %
July	8.9	10.2	9.5	7.9	6.6	-13%
August	8.4	9.9	8.8	7.4	7.0	-16%
September	7.8	9.5	8.4	6.4	6.4	-18%
October	7.5	8.3	7.9	5.2	6.5	-9%
November	6.7	7.3	5.4	4.2	4.7	-7%
December	4.8	5.7	5.1	3.7	3.9	-15%
January	4.1	5.0	4.5	3.6	3.7	-16%
February	4.4	3.5	4.5	3.3	3.8	25%
March	5.2	4.4	5.1	4.4	4.2	18%
<b>FYTD Total</b>	<b>57.9</b>	<b>63.8</b>	<b>59.2</b>	<b>46.1</b>	<b>46.8</b>	<b>-9%</b>

**Stafford Treatment Plant Production - in Million Gallons - FY to Date**

Month	FY19/20	FY18/19	FY17/18	FY16/17	FY15/16	20 vs 19 %
July	67.7	78.6	112.6	69.9	107.6	-14%
August	100.5	79.3	81.5	90.4	79.4	27%
September	115.0	60.5	122.7	96.9	38.3	90%
October	98.4	74.5	102.3	93.9	49.5	32%
November	99.2	0.0	53.6	63.8	58.3	-
December	0.0	0.0	0.0	0.0	0.0	-
January	0.0	0.0	0.0	0.0	0.0	-
February	0.0	0.0	0.0	0.0	0.0	-
March	0.0	19.2	0.0	38.9	0.0	-100%
<b>FYTD Total</b>	<b>480.7</b>	<b>312.1</b>	<b>472.6</b>	<b>453.8</b>	<b>333.0</b>	<b>54%</b>

**Recycled Water Production\* - in Million Gallons - FY to Date**

Month	FY19/20	FY18/19	FY17/18	FY16/17	FY15/16	20 vs 19 %
July	36.5	30.2	27.7	27.1	21.3	21%
August	33.3	30.6	26.1	26.0	26.2	9%
September	29.7	33.5	25.0	23.5	15.7	-12%
October	26.6	20.1	19.1	8.3	15.8	32%
November	10.8	12.7	2.5	1.2	3.2	-14%
December	0.5	1.5	0.8	0.4	0.8	-63%
January	0.6	0.9	1.0	0.3	0.2	-38%
February	0.6	0.3	3.3	0.0	0.6	82%
March	11.7	0.4	1.7	0.5	0.3	2550%
<b>FYTD Total*</b>	<b>150.3</b>	<b>130.2</b>	<b>107.2</b>	<b>87.4</b>	<b>84.1</b>	<b>15%</b>

\*Excludes potable water input to the RW system: FY20=9.8 MG; FY 19=19.8 MG; FY 18=15.35MG; FY 17=1.4MG; FY 16=7.4MG

t:\ac\excel\wtr use\production.xlsx\mo rpt

**2. Stafford Lake Data**

	March Average	March 2019	March 2020
Rainfall this month	3.53 Inches	5.64 Inches	1.69 Inches
Rainfall this FY to date	24.42 Inches	34.79 Inches	17.23 Inches
Lake elevation*	193.4 Feet	196.6 Feet	191.2 Feet
Lake storage**	1209 MG	1443 MG	1061 MG

\* Spillway elevation is 196.0 feet

\*\* Lake storage less 390 MG = quantity available for delivery

**Temperature (in degrees)**

	<b>Minimum</b>	<b>Maximum</b>	<b>Average</b>
March 2019 (Novato)	42	82	57
March 2020 (Novato)	40	88	56

**3. Number of Services**

March 31	Novato Water			Recycled Water			West Marin Water			Oceana Marin Swr		
	FY20	FY19	Incr %	FY20	FY19	Incr %	FY20	FY19	Incr %	FY20	FY19	Incr %
Total meters installed	20,749	20,752	0.0%	97	96	1.0%	791	791	0.0%	-	-	-
Total meters active	20,546	20,543	0.0%	92	91	1.1%	783	783	0.0%	-	-	-
Active dwelling units	24,072	24,075	0.0%	-	0	-	833	833	0.0%	234	234	0.0%

**4. Oceana Marin Monthly Status Report (March)**

Description	March 2019	March 2020
Effluent Flow Volume (MG)	1.004	0.380
Irrigation Field Discharge (MG)	0.869	0.603
Treatment Pond Freeboard (ft)	4.0	6.9
Storage Pond Freeboard (ft)	5.3	8.5

**5. Developer Projects Status Report (March)**

Job No.	Project	% Complete	% This month
1.2807.00	Hamilton Cottages (Hamilton Parkway)	97	1
1.2817.03	College of Marin – New Miwok Center	12	5
1.2795.00	McPhails (HWY 101 at SR 37)	85	20
1.2828.00	Jonas Center (COM)	10	4
1.2820.00	Bahia Heights (Topaz Dr. at Misty Ct.)	15	10

**District Projects Status Report - Const. Dept. (March)**

Job No.	Project	% Complete	% This month
1.6112.24	Lynwood Pump Station MCC	16	0
2.6263.20	Replace PRE Tank 4A	10	2
1.7150.00	San Mateo Tank Inlet/Outlet	12	2
1.7007.13	DCA Replacement	90	0
1.7123.26	PB Replace MCCE	90	5
1.7183.00	Replace Plastic 4-inch –Scown Lane	12	5
1.7139.22	Hatch Road – PB Replacement	75	30

**Employee Hours to Date, FY 19/20**

As of Pay Period Ending March 31, 2020

Percent of Fiscal Year Passed = 75%

Developer Projects	Actual	Budget	% YTD Budget	District Projects	Actual	Budget	% YTD Budget
Construction	1,965	1,400	140%	Construction	2,132	3,740	57%
Engineering	1,385	1,504	91%	Engineering	1,507	3,096	49%

## 6. Safety/Liability

\\nmwdserver1\administration\AC\EXCEL\Personnel\wc\WC.XLS

Industrial Injury with Lost Time				Liability Claims Paid	
Lost Days	OH Cost of Lost Days (\$)	No. of Emp. Involved	No. of Incidents	Incurred (FYTD)	Paid (FYTD) (\$)
FY 20 through March	11	2	2	0	\$0
FY 19 through March	7	2	2	7	\$8,476

Days without a lost time accident through March 31, 2020

72 Days

## 7. Energy Cost

FYE	kWh	March		Fiscal Year-to-Date thru March		
		¢/kWh	Cost/Day	kWh	¢/kWh	Cost/Day
2020 Stafford TP	23,977	17.9¢	\$138	574,678	20.4¢	\$428
Pumping	88,608	23.0¢	\$702	1,077,271	23.4¢	\$912
Other*	52,057	21.4¢	\$384	432,251	25.1¢	\$393
	164,642	21.7¢	\$1,225	2,084,200	22.9¢	\$1,733
2019 Stafford TP	43,108	24.0¢	\$334	403,455	20.4¢	\$409
Pumping	57,965	20.9¢	\$418	993,568	20.7¢	\$984
Other*	49,016	20.2¢	\$341	375,259	24.3¢	\$454
	150,089	21.6¢	\$1,093	1,772,282	21.4¢	\$1,847
2018 Stafford TP	53,190	19.7¢	\$373	484,449	19.5¢	\$346
Pumping	98,405	20.0¢	\$497	1,075,448	21.0¢	\$825
Other*	34,437	22.5¢	\$262	372,803	24.7¢	\$339
	186,032	20.4¢	\$1,132	1,932,700	21.3¢	\$1,510

\*Other includes West Marin Facilities

t:\ac\board reports\pgel\pg&e\usage\fy 19.20\pgusage 3.2020.xlsx\m rpt

## 8. Water Conservation Update

	Month of March 2020	Fiscal Year to Date	Program Total to Date
High Efficiency Toilet (HET) Rebates	3	103	4152
Retrofit Certificates Filed	9	137	6373
Cash for Grass Rebates Paid Out	1	10	931
Washing Machine Rebates	0	7	6804
Water Smart Home Survey	6	135	3882

## 9. Utility Performance Metric

SERVICE DISRUPTIONS (No. of Customers Impacted)	March 2020	March 2019	Fiscal Year to Date 2020	Fiscal Year to Date 2019
<b>PLANNED</b>				
Duration Between 0.5 and 4 hours	4	11	36	67
Duration Between 4 and 12 hours			96	83
Duration Greater than 12 hours				
<b>UNPLANNED</b>				
Duration Between 0.5 and 4 hours	2	28	55	73
Duration Between 4 and 12 hours			12	
Duration Greater than 12 hours				3
<b>SERVICE LINES REPLACED</b>				
Polybutylene	5	11	46	86
Copper (Replaced or Repaired)		1	8	8

# NORTH MARIN WATER DISTRICT

## Summary of Complaints & Service Orders March 2020

4/13/2020

Type	Mar-20	Mar-19	Action Taken March 2020
<b><u>Consumers' System Problem</u></b>			
Service Line Leaks	32	30	Notified Consumer
House Plumbing	1	0	Notified Consumer
Noisy Plumbing	1	0	Notified Consumer
House Valve / Meter Off	5	7	Notified Consumer
Nothing Found	7	15	Notified Consumer
Low Pressure	1	1	Low flow/pressure in showerhead-recommended plumber
High Pressure	3	1	PRV failed @ 140 PSI. Gate valve slightly closed-restricting. PRV failed @ 110 PSI causing leaks in toilets & irrigation. PRV failed @ 95 PSI. 2 failed toilets, advised for a plumber.
<b>Total</b>	<b>50</b>	<b>54</b>	
<b><u>Service Repair Reports</u></b>			
Meter Replacement	1	5	Replaced
Box and Lids	0	3	Repaired
Water Off/On Due To Repairs	9	11	Notified Consumer
Misc. Field Investigation	7	9	Notified Consumer
<b>Total</b>	<b>17</b>	<b>28</b>	
<b><u>Leak NMWD Facilities</u></b>			
Main-Leak	0	1	Repaired
Service- Leak	6	9	Repaired
Services-Nothing Found	1	1	Notified Consumer
Fire Hydrant-Leak	0	1	Repaired
Meter Replacement	0	1	Repaired
Meter Leak	1	2	Repaired
Meters-Nothing Found	0	1	Notified Consumer
Washer Leaks	2	8	Repaired
<b>Total</b>	<b>10</b>	<b>24</b>	
<b><u>High Bill Complaints</u></b>			
Consumer Leaks	0	3	Notified Consumer
Meter Testing	0	1	Notified Consumer
Nothing Found	0	3	Notified Consumer
Excessive Irrigation	1	1	Notified Consumer
<b>Total</b>	<b>1</b>	<b>8</b>	
<b><u>Low Bill Reports</u></b>			
Stuck Meter	0	1	
Nothing Found	0	3	Notified Consumer
<b>Total</b>	<b>0</b>	<b>4</b>	
<b><u>Water Quality Complaints</u></b>			
Taste and Odor	0	0	
Color	0	0	
Turbidity	0	0	
Suspended Solids	0	0	
Other	0	0	
<b>Total</b>	<b>0</b>	<b>0</b>	
<b>TOTAL FOR MONTH:</b>	<b>78</b>	<b>118</b>	<b>-34%</b>

# NORTH MARIN WATER DISTRICT

## Summary of Complaints & Service Orders March 2020

4/13/2020

Type	Mar-20	Mar-19	Action Taken March 2020	
<b><u>Fiscal YTD Summary</u></b>			<b><u>Change Primarily Due To</u></b>	
Consumer's System Problems	570	613	-7%	Decrease In Nothing Found.
Service Repair Report	177	220	-20%	Decrease In Water Off/On Due to Repairs
Leak NMWD Facilities	125	165	-24%	Decrease In Service Leaks.
High Bill Complaints	70	205	-66%	Decrease In Nothing Found.
Low Bills	0	8	-100%	Decrease In Nothing Found.
Water Quality Complaints	15	22	-32%	Decrease in Other.
<b>Total</b>	<b><u>957</u></b>	<b><u>1,233</u></b>	<b><u>-22%</u></b>	

### **"In House" Generated and Completed Work Orders**

<b><u>Check Meter:</u></b> possible consumer/District leak, high bill, flooded, need read, etc.	100	64
<b><u>Change Meter:</u></b> leaks, hard to read	8	51
<b><u>Possible Stuck Meter</u></b>	2	0
<b><u>Repair Meter:</u></b> registers, shut offs	1	3
<b><u>Replace Boxes/Lids</u></b>	8	6
<b><u>Hydrant Leaks</u></b>	0	0
<b><u>Trims</u></b>	0	0
<b><u>Dig Outs</u></b>	1	1
	<b><u>120</u></b>	<b><u>125</u></b>

### **Bill Adjustments Under Board Policy: March 20 vs. March 19**

Mar-20	12	\$2,978
Mar-19	19	\$7,213

### **Fiscal Year vs Prior FY**

FY 19/20	229	\$68,126
FY 18/19	254	\$92,863

t:\cons\_srv\complaint report\complain 20 official.xlsx\mar20

**Customer Service Questionnaire Quarterly Report**  
**Quarter Ending 03/31/2020**



	Response		
	Agree	Neutral	Disagree
<b>Water Quality</b>			
Courteous & Helpful	0	0	0
Accurate Information	0	0	0
Prompt Service	0	0	0
Satisfactorily Resolved	0	0	0
Overall Experience	0	0	0
	0	0	0

	Response		
	Agree	Neutral	Disagree
<b>Pressure</b>			
Courteous & Helpful	3	0	0
Accurate Information	2	0	1
Prompt Service	3	0	0
Satisfactorily Resolved	1	1	1
Overall Experience	2	1	0
	11	2	2

	Response		
	Agree	Neutral	Disagree
<b>Leak</b>			
Courteous & Helpful	33	0	1
Accurate Information	34	0	0
Prompt Service	33	0	0
Satisfactorily Resolved	33	1	0
Overall Experience	34	0	0
	167	1	1

	Response		
	Agree	Neutral	Disagree
<b>Noisy Pipes</b>			
Courteous & Helpful	0	0	0
Accurate Information	0	0	0
Prompt Service	0	0	0
Satisfactorily Resolved	0	0	0
Overall Experience	0	0	0
	0	0	0

	Response		
	Agree	Neutral	Disagree
<b>Billing</b>			
Courteous & Helpful	1	0	0
Accurate Information	1	0	0
Prompt Service	1	0	0
Satisfactorily Resolved	1	0	0
Overall Experience	1	0	0
	5	0	0

	Response		
	Agree	Neutral	Disagree
<b>Other</b>			
Courteous & Helpful	10	0	0
Accurate Information	9	1	0
Prompt Service	10	0	0
Satisfactorily Resolved	9	0	0
Overall Experience	10	0	0
	48	1	0

<b>Grand Total</b>	231	4	3
	97%	2%	1%

Questionnaires Sent Out	101	100%
Questionnaires Returned	48	48%

**Customer Service Questionnaire Quarterly Report**

Quarter Ending 03/31/2020

Customer Comments	Staff Response to Negative Comments	Issues NMWD Should Address In The Future
<p><b>PRESSURE</b>                      I am happy with the customer service agent-he was very knowledgeable. Very glad I called and he was able to diagnose problems. Was told our main water pipe should be replaced-\$4,000 later and the pressure is the same-too low.</p>	<p>Rescheduled appointment to check pressure again after replacement.</p>	
<p><b>BILLING</b>                      So helpful. We really appreciate the service!                      Rich was more than helpful-very formal and great help!                      Great experience-identified issue and explained what was needed. I am installing a new irrigation system thanks to alert. Darrell was very helpful and knowledgeable.                      Thank you for prompt, courteous service.                      This was a hugely helpful visit!                      The person who helped was kind, knowledgeable and helpful.                      Rep was a good listener and patient.                      Thank you for your service.                      It was an after hour call and the person responded very fast!                      He offered good advise about the leak-I appreciate his service and his professionalism.                      I very much liked working with your company. Calls were answered promptly.                      It seems like a very nice company to work with. Special thanks to Chris &amp; Darrell.                      Chris was phenomenally helpful-I was very impressed.                      Very helpful informative gentleman.                      Big thank you to Rich-so helpful and a pleasure!                      Good service, thanks.                      Thank you for assisting me.                      Everything was done by NMWD to perfection and I thank you!                      Staff found leak promptly, was helpful, kind and knew a lot about leaks!                      Office staff can be abrupt and unpleasant to deal with.                      Chris has always been responsive and very helpful-he is wonderful to work with.                      Many thanks again for all his efforts and success!                      Super nice enough to explain the irrigation system and how to turn off water to back yard.                      Darrell is the best! He is a true testimate to your agency!</p>		<p>Why are we not building more capacity?</p> <p>Back flow service charges should be re-evaluated.</p>
<p><b>OTHER</b>                      Office staff were courteous and helpful-field staff was good too. I did not receive email link regarding water volume monitoring. Rich was very helpful and informative. We can now check our water use with the internet link.                      Great response on a Saturday night! Thank you!                      Chris was amazing, prompt, courteous and kind. He was wonderful-thanks!</p>	<p>Resent WaterSmart portal link to customer to their email.</p>	<p>Consider lowering rates.</p>

**MEMORANDUM**

To: Board of Directors

April 17, 2020

From: Julie Blue, Auditor-Controller *JB*  
Nancy Holton, Senior Accountant

Subj: Auditor-Controller's Monthly Report of Investments for March 2020  
t:\acl\word\invest\20\investment report 0320.doc

**RECOMMENDED ACTION:** Information

**FINANCIAL IMPACT:** None

At month end the District's Investment Portfolio had an amortized cost value (i.e., cash balance) of \$22,791,215 and a market value of \$22,827,709. During March the cash balance decreased by \$192,666. The market value of securities held increased \$36,493 during the month. The ratio of total cash to budgeted annual operating expense stood at 131%, down 1% from the prior month.

At March 31, 2020, 59% of the District's Portfolio was invested in California's Local Agency Investment Fund (LAIF), 24% in Time Certificates of Deposit, 4% in US Treasury Notes, 5% in the Marin County Treasury, and 8% retained locally for operating purposes. The weighted average maturity of the portfolio was 92 days, compared to 93 days at the end of February. The LAIF interest rate for the month was 1.79%, compared to 1.91% the previous month. The weighted average Portfolio rate was 1.89%, compared to 2.10% the previous month.

Investment Transactions for the month of March are listed below:

3/5/2020 LAIF	US Bank	\$375,000.00	Trsf from LAIF account
3/18/2020 LAIF	US Bank	\$450,000.00	Trsf from LAIF account
3/30/2020 Wells Fargo Bank NA	US Bank	\$248,537.10	TCD Matured
3/31/2020 U.S. Treasury	US Bank	\$1,011,250.00	Treasury Note Matured



**NORTH MARIN WATER DISTRICT  
AUDITOR-CONTROLLER'S MONTHLY REPORT OF INVESTMENTS  
March 31, 2020**

Type	Description	S&P Rating	Purchase Date	Maturity Date	Cost Basis <sup>1</sup>	3/31/2020 Market Value	Yield <sup>2</sup>	% of Portfolio
<b>LAIF</b>	State of CA Treasury	AA-	Various	Open	\$13,537,584	\$13,561,549	1.79% <sup>3</sup>	<b>59%</b>
<b>Time Certificate of Deposit</b>								
TCD	Citibank	n/a	4/11/18	4/13/20	246,000	246,000	2.55%	1%
TCD	UBS Bank	n/a	5/30/18	6/1/20	249,000	249,000	2.70%	1%
TCD	Enerbank	n/a	6/18/18	5/18/20	249,000	249,000	2.75%	1%
TCD	BMW Bank	n/a	6/15/18	6/15/20	246,000	246,000	2.75%	1%
TCD	Bank of America	n/a	8/15/18	8/17/20	246,000	246,000	2.75%	1%
TCD	Ally Bank	n/a	9/28/18	9/28/20	246,000	246,000	2.80%	1%
TCD	Barclays Bank	n/a	11/14/18	11/16/20	246,000	246,000	3.00%	1%
TCD	CIT Bank	n/a	12/17/18	12/17/20	246,000	246,000	3.00%	1%
TCD	Reliance Bank	n/a	1/11/19	1/11/21	249,000	249,000	2.70%	1%
TCD	Iberia Bank	n/a	1/25/19	1/25/21	246,000	246,000	2.70%	1%
TCD	Merrick Bank	n/a	2/8/19	2/8/21	249,000	249,000	2.60%	1%
TCD	Eaglebank	n/a	3/15/19	3/15/21	249,000	249,000	2.60%	1%
TCD	Central Bank	n/a	4/18/19	4/19/21	249,000	249,000	2.40%	1%
TCD	Morgan Stanley Private Bank	n/a	5/23/19	5/24/21	247,000	247,000	2.40%	1%
TCD	TIAA Bank	n/a	1/18/19	7/19/21	246,000	246,000	2.75%	1%
TCD	Capital One Bank NA	n/a	8/21/19	8/23/21	247,000	247,000	1.85%	1%
TCD	Capital One Bank USA	n/a	9/6/19	9/7/21	247,000	247,000	1.75%	1%
TCD	Goldman Sachs Bank USA	n/a	10/11/19	10/12/21	247,000	247,000	1.70%	1%
TCD	Flagstar Bank	n/a	11/15/19	11/15/21	247,000	247,000	1.75%	1%
TCD	Synovus Bank	n/a	12/9/19	12/9/21	247,000	247,000	1.65%	1%
TCD	Morgan Stanley Bank	n/a	1/16/20	1/18/22	247,000	247,000	1.75%	1%
TCD	Wells Fargo National Bank	n/a	3/6/20	3/7/22	248,000	248,000	1.35%	1%
					<b>\$5,439,000</b>	<b>\$5,439,000</b>	<b>2.37%</b>	<b>24%</b>
<b>US Treasury Notes</b>								
Treas	2.750%	n/a	3/5/19	9/30/20	1,001,066	1,013,594	2.76%	4%
					<b>\$1,001,066</b>	<b>\$1,013,594</b>	<b>2.75%</b>	<b>4%</b>
<b>Other</b>								
Agency	Marin Co Treasury	AAA	Various	Open	\$1,052,440	\$1,052,440	2.22%	5%
Other	Various	n/a	Various	Open	1,761,126	1,761,126	0.41%	8%
<b>TOTAL IN PORTFOLIO</b>					<b>\$22,791,215</b>	<b>\$22,827,709</b>	<b>1.89%</b>	<b>100%</b>

Weighted Average Maturity = **92 Days**

LAIF: State of California Local Agency Investment Fund.

TCD: Time Certificate of Deposit, Treas: US Treasury Notes with maturity of 5 years or less.

Agency: STP State Revolving Fund Loan Reserve.

Other: Comprised of 5 accounts used for operating purposes. US Bank Operating Account, US Bank STP SRF Loan Account, US Bank FSA Payments Account, Bank of Marin AEEP Checking Account & NMWD Petty Cash Fund.

1 Original cost less repayment of principal and amortization of premium or discount.

2 Yield defined to be annualized interest earnings to maturity as a percentage of invested funds.

3 Earnings are calculated daily - this represents the average yield for the month ending March 31, 2020.

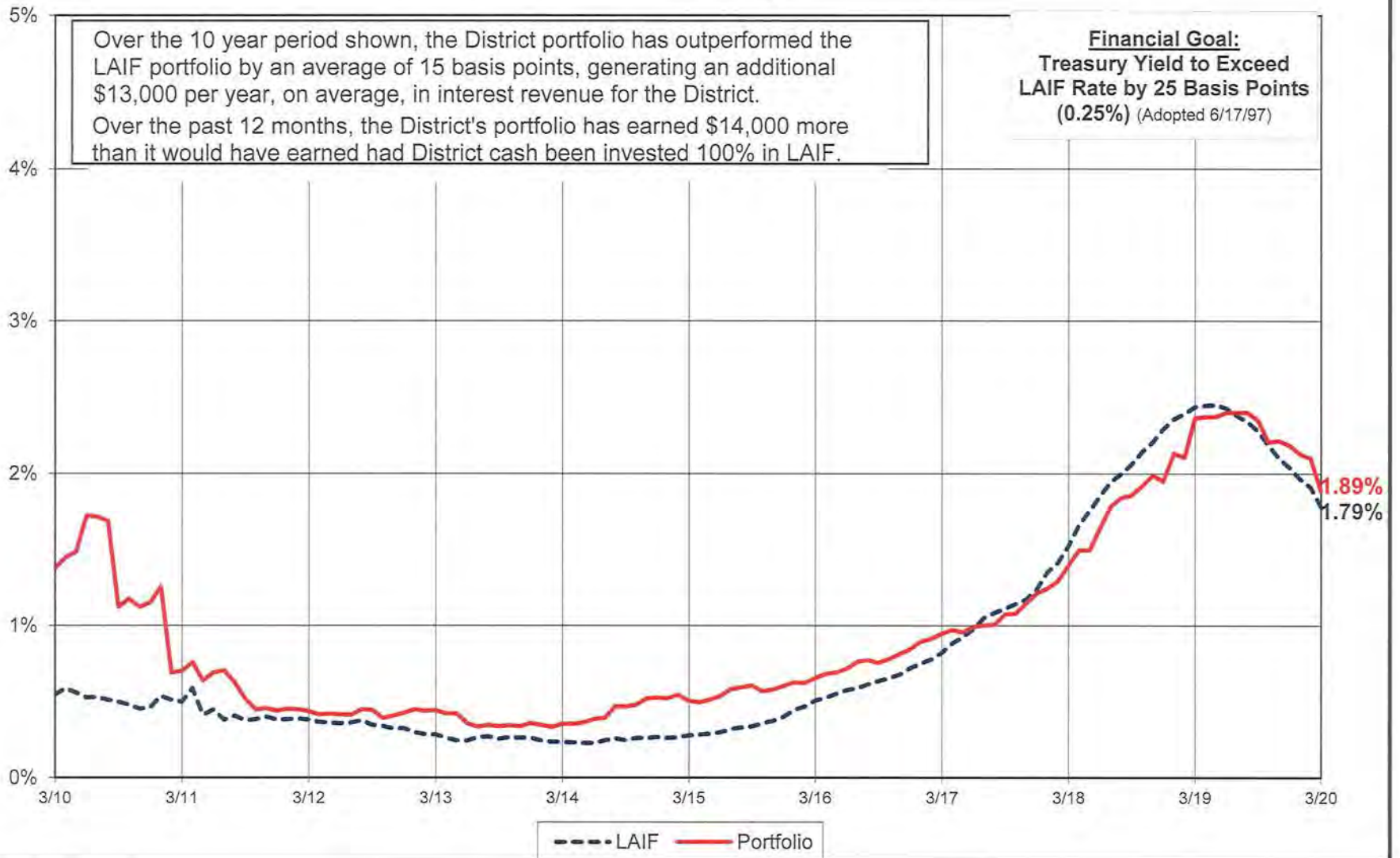
<b>Interest Bearing Loans</b>	Loan Date	Maturity Date	Original Loan Amount	Principal Outstanding	Interest Rate
StoneTree Golf Loan	6/30/06	2/28/24	\$3,612,640	\$0	2.40%
Marin Country Club Loan	1/1/18	11/1/47	\$1,265,295	\$1,179,905	1.00%
Employee Housing Loans (2)	Various	Various	525,000	525,000	Contingent
<b>TOTAL INTEREST BEARING LOANS</b>			<b>\$5,402,935</b>	<b>\$1,704,905</b>	

**The District has the ability to meet the next six months of cash flow requirements.**

### NMWD Portfolio Rate of Return State of CA Local Agency Investment Fund vs District Portfolio 10-Year History

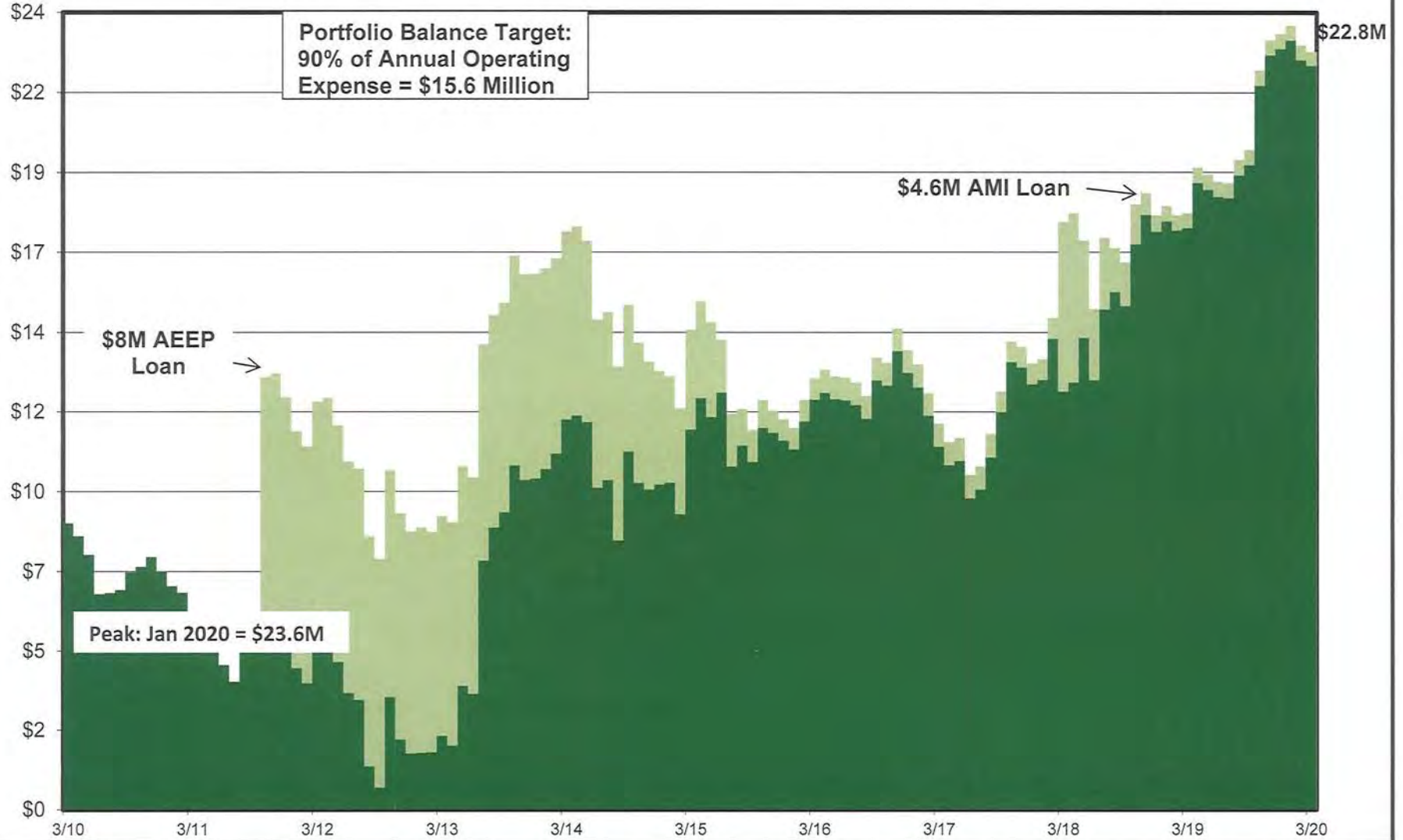
Over the 10 year period shown, the District portfolio has outperformed the LAIF portfolio by an average of 15 basis points, generating an additional \$13,000 per year, on average, in interest revenue for the District. Over the past 12 months, the District's portfolio has earned \$14,000 more than it would have earned had District cash been invested 100% in LAIF.

**Financial Goal:**  
Treasury Yield to Exceed  
LAIF Rate by 25 Basis Points  
(0.25%) (Adopted 6/17/97)



### NMWD Portfolio Balance 10-Year History

Million



6

## MEMORANDUM

To: Board of Directors  
 From: Drew McIntyre, General Manager/Acting Chief Engineer

April 17, 2020

Subject: Water Service Agreement –Springbrook Green Homes, 1602 Vallejo Ave, Novato,  
 APNs: 141-221-74 and 75

r:\folders by job no\2800 jobs\2835 springbrook green homes\board details\2835 memo.doc

**RECOMMENDED ACTION:** The Board approve authorization of this agreement.

**FINANCIAL IMPACT:** None: Developer Funded

The project is located at 1602 Vallejo Ave (see attached map). The current development proposes construction of 9 attached townhouse residential units on a 1.3 acre site in two separate buildings. Water service to the aforementioned parcels was established in 1949 (APN 141-221-74) by a 5/8-inch meter which was upsized to a 1-inch service in 2008, and a second 1-inch service was installed in 2009 (APN 141-221-75) after a lot split. The two existing services will be killed after the new water facilities are installed.

Normal pressure Zone 1 water will be provided for the project. Estimated static pressure for finished floor elevations will be between 40 and 57 PSI. Water facilities required for this project include 20 feet of 4-inch PVC pipe, nine (9) 1-inch domestic meters with 1- inch copper laterals and one (1) 1-inch common area irrigation meter.

Total water demand is 6.4 Equivalent Dwelling Units (EDUs): 9 condominium units @ 0.6 EDUs (5.4 EDUs) and 1 EDU for the irrigation. This site has credit for 2 EDUs paid by previous owners. The project will pay Facilities Reserve Charges (FRCs) for 4.4 EDUs.

Sewer service will be provided by the Novato Sanitary District.

Environmental Document Review

The project is categorically exempt from California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15332, In-fill Development Projects.

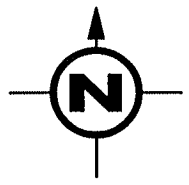
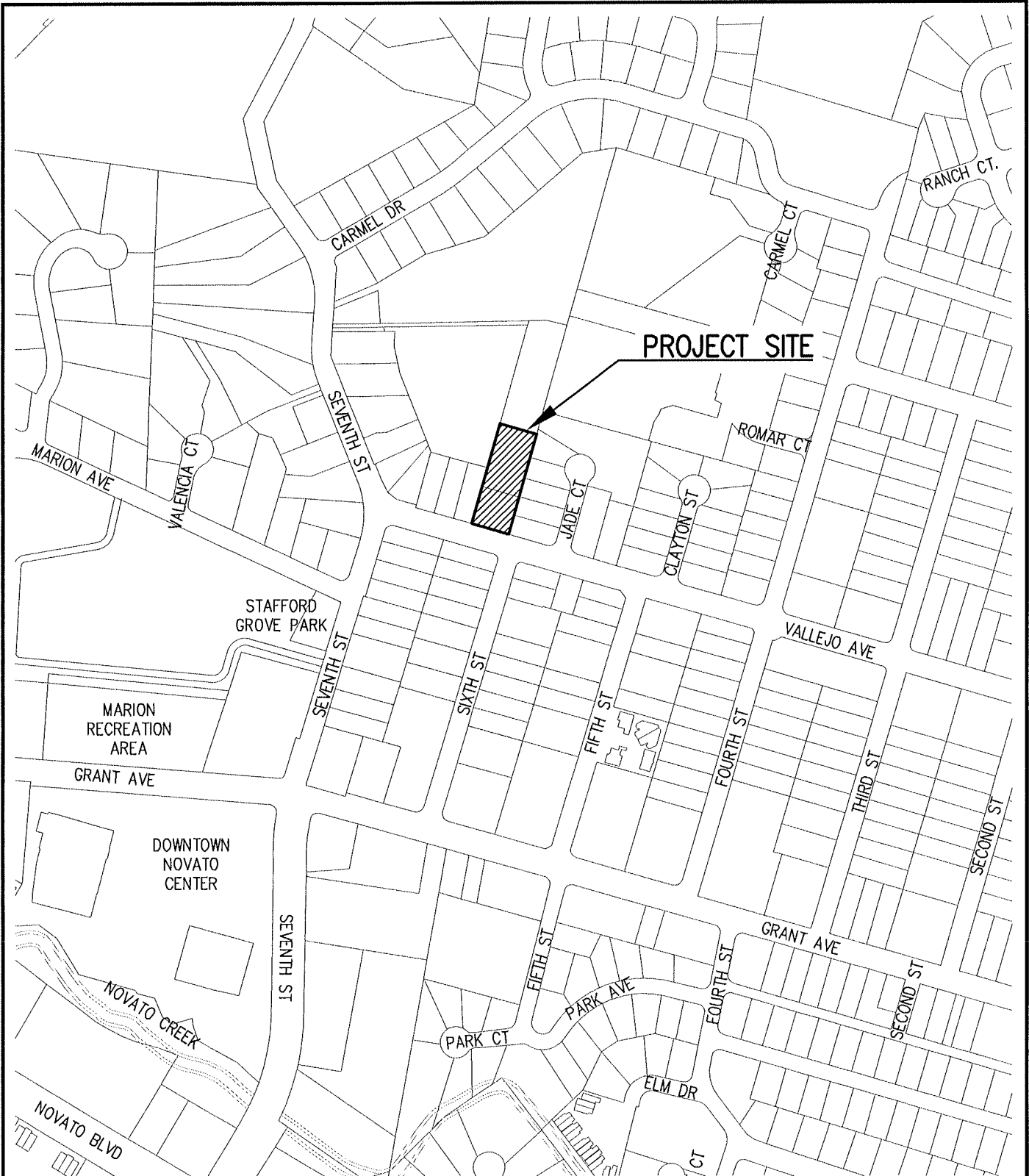
RECOMMENDATION:

That the Board approve authorization of this agreement.

Approved by GM 

Date 4/17/2020

Apr 13, 2020 -- 9:14am W:\JOB\1\_NOVATO\2835 Springbrook Green\3\_ISSUED\B\2835\_Vicinity Map.dwg User: SDOVE



<b>SPRINGBROOK GREEN HOMES</b> <b>1602 &amp; 1604 VALLEJO AVE</b> <b>APN 141-221-74 &amp; 75</b>			
DATE	SCALE	JOB. NO.	DWG. NO.
4/13/20	NTS	2835	MAP

RESOLUTION NO. 20-  
AUTHORIZATION OF EXECUTION  
OF  
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT  
WITH  
SPRINGBROOK GREEN HOMES

---

BE IT RESOLVED by the Board of Directors of NORTH MARIN WATER DISTRICT that the President and Secretary of this District be and they hereby are authorized and directed for and on behalf of this District to execute that certain water service facilities construction agreement between this District and Stonehenge Properties LLC, an applicant, providing for the installation of water distribution facilities to provide domestic water service to that certain real property known as 1602 Vallejo Avenue, Novato, Marin County Assessor's Parcel Numbers 141-221-74, -75 NOVATO, CALIFORNIA.

\* \* \*

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 21st day of April, 2020, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

(SEAL)

---

Theresa Kehoe, Secretary  
North Marin Water District

PART ONE  
WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT  
FOR  
SPRINGBROOK GREEN HOMES

---

*THIS AGREEMENT*, which consists of this Part One and Part Two, Standard Provisions, attached hereto and a part hereof, is made and entered into as of \_\_\_\_\_, 2020, by and between NORTH MARIN WATER DISTRICT, herein called "District," and STONEHENGE PROPERTIES LLC, A Limited Liability Company, herein called "Applicant."

*WHEREAS*, the Applicant, pursuant to District Regulation 1, the State of California Subdivision Map Act and all applicable ordinances of the City of Novato and/or the County of Marin, has pending before the City or County a conditionally approved Tentative Subdivision Map, Precise Development Plan, Tentative Parcel Map or other land use application for the real property in the District commonly known as Marin County Assessor's Parcel Numbers 141-221-74 & 75 and the project known as SPRINGBROOK GREEN HOMES, consisting of two (2) lots for residential development; and

*WHEREAS*, prior to final approval by the City or County of a Subdivision Map, Precise Development Plan, Parcel Map or other land use application and recording of a final map for the project, the Applicant shall enter into an agreement with the District and complete financial arrangements for water service to each lot, unit or parcel of the project; and

*WHEREAS*, the Applicant is the owner of real property in the District commonly known as 1602 Vallejo Avenue, Novato (Marin County Assessor's Parcels 141-221-74 & 75); and

*WHEREAS*, water service to the aforementioned parcel(s) was established in 1949 by installation of a 5/8-inch meter which was upsized to a 1-inch service in 2008, and a second 1-inch service was installed in 2009 after a lot split; and

*WHEREAS*, the water demand established and paid for the parcels APN 141-221-74 & 75 for the existing services is (2) equivalent dwelling units (EDUs); and

*WHEREAS*, the current project total water demand is 6.4 EDUs (5.4 EDUs for domestic and 1 EDU for irrigation), and Facilities Reserve Charges for 4.4 EDUs will be collected after applying credit for 2 EDUs paid previously; and



NOW THEREFORE, the parties hereto agree as follows:

1. The Applicant hereby applies to the District for water service to said real property and project and shall comply with and be bound by all terms and conditions of this agreement, the District's regulations, standards and specifications and shall construct or cause to be constructed the water facilities required by the District to provide water service to the real property and project. Upon acceptance of the completed water facilities, the District shall provide water service to said real property and project in accordance with its regulations from time to time in effect.

2. Prior to the District issuing written certification to the City, County or State that financial arrangements have been made for construction of the required water facilities, the Applicant shall complete such arrangements with the District in accordance with Section 5 of this agreement.

3. Prior to release or delivery of any materials by the District or scheduling of either construction inspection or installation of the facilities by the District, the Applicant shall:

a. deliver to the District vellum or mylar prints of any revised utility plans approved by the City or County to enable the District to determine if any revisions to the final water facilities construction drawings are required. The proposed facilities to be installed are shown on Drawing No. 1 2835.001, entitled, "SPRINGBROOK GREEN HOMES", a copy of which is attached, marked Exhibit "A", and made a part hereof. (For purposes of recording, Exhibit "A" is not attached but is on file in the office of the District.)

b. grant or cause to be granted to the District without cost and in form satisfactory to the District all easements and rights of way shown on Exhibit "A" or otherwise required by the District for the facilities.

c. deliver to the District a written construction schedule to provide for timely withdrawal of guaranteed funds for ordering of materials to be furnished by the District and scheduling of either construction inspection or construction pursuant to Section 5 hereof.

4. Except for fire service, new water service shall be limited to the number and size of services for which Initial Charges are paid pursuant to this agreement. Initial Charges for new services, estimated District costs and estimated applicant installation costs are as follows:

**Initial Charges**

Meter Charges (Domestic) (Included in Estimated District Costs)	Nine 1-inch @	\$ 0.00	\$ 0.00
Meter Charges (Irrigation) (Included in Estimated District Costs)	One 1-inch @	\$ 0.00	\$ 0.00
Reimbursement Fund Charges (Domestic)	Nine 1-inch @	\$ 420.00	\$ 3,780.00
Reimbursement Fund Charges (Irrigation)	One 1-inch @	\$ 1,055.00	\$ 1,055.00
Reimbursement Fund Charges (9 condos domestic)	Nine @	\$ 17,200.00	\$154,800.00
Facilities Reserve Charges	One @	\$ 28,600.00	\$ 28,600.00

Credit for Existing Services To Be Removed (\$28,600 x 2 FRCs and \$420 x 2 RFCs)	Two@ \$ 29,020.00	\$ <58,040.00>
--	-------------------	----------------

**Subtotal - Initial Charges..... \$130,195.00**

**Estimated District Costs**

Pipe, Fittings & Appurtenances.....	\$ 11,334.00
District Construction Labor.....	\$ 24,241.00
Engineering & Inspection.....	\$ 1,494.00
Bulk Materials.....	\$ 4,484.00

**Subtotal –Estimated District Costs..... \$ 41,553.00**

**Estimated Applicant Installation Costs**

Installation Labor.....	\$ 0.00
Contractor Furnished – Pipe Fittings & Appurtenances.....	\$ 0.00
Bulk Materials.....	\$ 0.00

**Subtotal- Estimated Applicant Installation Costs..... \$ 0.00**

**TOTAL ESTIMATED WATER FACILITIES COSTS..... \$ 171,748.00**

(Bulk materials are such items as crushed rock, imported backfill, concrete, reinforcing steel, paving materials, and the like, which are to be furnished by the contractor performing the work.)

5. Financial Arrangements to be made by the Applicant shall consist of the following:

Initial Charges and Estimated District Costs

The Applicant shall either pay to the District or provide a two (2) year irrevocable letter of credit in form satisfactory to the District and payable at sight at a financial institution in the Novato area the sum of Initial Charges and Estimated District Costs as set forth in Section 4 hereof in the amount of **\$171,748**. If the Applicant provides the two (2) year irrevocable letter of credit, the District shall immediately draw down Initial Charges and shall draw upon the remaining funds guaranteed by the letter at any time the District deems appropriate to recover the Estimated District Costs which normally will be at least thirty (30) days prior to the anticipated start of construction for the ordering of materials to be furnished by the District.

Estimated Installation Costs

Installation By District: Due to the proprietary nature of construction required to install said facilities, the District reserves the right to install the facilities utilizing District construction forces. The Applicant shall either pay to the District the total Estimated Installation Costs set forth in Section 4 hereof in the amount of **\$41,553** or shall include such amount in the irrevocable letter of credit provided

for the Initial Charges and Estimated District Costs set forth first above. The District shall draw upon installation funds guaranteed by the letter at any time the District deems appropriate which normally will be at least thirty (30) days prior to the anticipated start of construction.

Whenever an irrevocable letter of credit is required by this agreement, the Applicant may substitute a certificate of deposit at a financial institution in the Novato area provided the certificate may be cashed at sight by the District at any time.

6. Water service through the facilities to be installed pursuant to this agreement will not be furnished to any building unless the building is connected to a public sewer system or to a waste water disposal system approved by all governmental agencies having regulatory jurisdiction. This restriction shall not apply to temporary water service during construction.

7. New construction in the District's Novato service area is required to be equipped with high efficiency water conserving equipment and landscaping specified in Regulation 15 sections e. and f.

8. Backflow prevention device(s) shall be installed by others (owner) as shown in Drawing No. 1.2835.001 and a initial passing test record acceptable to the District shall be provided to the District. Applicant or Home Owner Association agrees to pay bi-monthly service charges related to backflow prevention device(s) per NMWD regulations 6 and 54.

9. All estimated costs set forth in this agreement shall be subject to periodic review and revision at the District's discretion. In the event the Applicant has not completed financial arrangements with the District in accordance with Section 6 hereof prior to expiration of six (6) months from the date of this agreement, all Initial Charges and estimated costs set forth in Section 4 hereof shall be revised to reflect then current District charges and estimates. In the event the Applicant has not secured final land use approval for the project from the City of Novato or County of Marin, recorded a final map and diligently commenced construction of improvements required by those agencies and the District prior to expiration of one (1) year from the date of this agreement, the District may, at its option, either retract financial certifications issued to City, County and State agencies and terminate this agreement or require amendment of this agreement and review of all Initial Charges and estimated costs contained herein. The Applicant shall pay any balance due upon demand or furnish a guarantee of such payment satisfactory to the District.

10. All extensions of time granted by the City of Novato or the County of Marin for the Applicant to comply with conditions of land use approval or to construct improvements pursuant to a subdivision improvement agreement shall require concurrent extensions of this agreement and shall be cause for review and revision of all Initial Charges and estimated costs set forth in Section 4 hereof.

The Applicant shall apply to the District for extension of this agreement prior to approval of the Applicant's requests for such extensions by either the City of Novato or the County of Marin.

11. This agreement shall bind and benefit the successors and assigns of the parties hereto; however, this agreement shall not be assigned by the Applicant without the prior written consent of the District. Assignment shall be made only by a separate document prepared by the District at the Applicant's written request.

**NORTH MARIN WATER DISTRICT**  
"District"

**ATTEST:**

\_\_\_\_\_  
Michael H. Joly, President

\_\_\_\_\_  
Theresa Kehoe, Secretary

(SEAL)

**Stonehenge Properties LLC**  
A Limited Liability Company  
"Applicant"

(SEAL)

\_\_\_\_\_  
Vincent Sproete, Manager


**NOTES:** *If the Applicant executing this agreement is a corporation, a certified copy of the bylaws or resolutions of the Board of Directors of said corporation authorizing designated officers to execute this agreement shall be provided.*

*This agreement must be executed by the Applicant and delivered to the District within thirty (30) days after it is authorized by the District's Board of Directors. If this agreement is not signed and returned within thirty days, it shall automatically be withdrawn and void. If thereafter a new agreement is requested, it shall incorporate the Initial Charges (connection fees) and cost estimates then in effect.*

**\*ALL APPLICANT SIGNATURES MUST BE ACKNOWLEDGED BEFORE A NOTARY PUBLIC.**

**7**

## MEMORANDUM

To: Board of Directors  April 17, 2020

From: Drew McIntyre, General Manager/Acting Chief Engineer

Subject: Renew Declaration of Local Emergency Related to COVID-19 Pandemic  
L:\gm\bod.misc.2020\renew covid emergency declaration #1 4.17.20.doc

**RECOMMENDED ACTION:** Approve continuation of the local emergency resulting from the COVID-19 pandemic as declared in District Resolution No. 20-07

**FINANCIAL IMPACT:** The actual fiscal impacts are currently unknown.

On March 4, 2020, the Governor of the State of California declared a State of Emergency as a result of the coronavirus (COVID-19) pandemic. On March 13, 2020, the President of the United States declared a National Emergency as a result of the threat of COVID-19.

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. The order limits activity, travel and business functions to most essential needs.

On March 16, 2020 the General Manger, as the District's Emergency Manager activated the District's Emergency Operations Plan.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all individuals living in California to stay home at their place of residence, with certain exceptions for critical services and other qualifying exceptions. This shelter-in-place order has no specified termination date.

On March 31, 2020, the County of Marin by Order of the Health Officer issued an extended Shelter in Place Order through May 3, 2020 that is more restrictive than the original order. The new order continues to provide an exception for the operations and maintenance of "Essential Infrastructure," which includes, but is not limited to, water, wastewater, and recycled water service. Exemptions are also in place for Essential Government Functions, for certain "Minimum Basic Operations," for emergency management functions, for certain narrowly prescribed "Essential Business" functions, and for certain qualifying private construction, such as housing projects meeting low-income needs.

On April 7<sup>th</sup>, the Board of Directors approved Resolution No. 20-07 proclaiming the existence of a local emergency, granting the General Manager to take actions necessary for emergency response due to the COVID-19 pandemic until the State of Emergency is terminated.

District emergency planning has been aggressively implemented. Approximately 50% of the

District's staff are physically separated as much as possible by rotating shifts and having some employees work from home, but all critical operations needed to maintain essential services continue. Relocation of some staff back to the District buildings, and certain other projects and activities, are delayed until after the Marin County and Statewide shelter-in-place orders are both significantly modified, suspended, or terminated.

As the COVID-19 emergency continues in our service area, Staff is requesting the Board find that there still exists a need to continue the State of Emergency reflected by Resolution No. 20-07.

RECOMMENDED ACTION:

Approve continuation of the local emergency resulting from the COVID-19 pandemic as declared in District Resolution No. 20-07.



8

## MEMORANDUM

To: Board of Directors  
From: Drew McIntyre, General Manager  
Ryan Grisso, Water Conservation Coordinator

April 17, 2020

Subject: Set Public Hearing to Consider Declaration of a Water Shortage Emergency and Adopt Water Shortage Contingency Measures in the West Marin Service Area  
v:\memos to board\emergency water conservation ordinance wm 05.2020.doc

**RECOMMENDED ACTION:** Set the May 5, 2020 regular Board meeting as the date and time to hold a public hearing to consider a water shortage emergency in the West Marin service area.

**FINANCIAL IMPACT:** None

Water Right Order 95-17, adopted in 1995, defined dry year conditions on Lagunitas Creek and subsequent stream flow reductions based on the amount of rainfall received at Marin Municipal Water District's Kent Lake gauge between the preceding six months from October 1 through April 1. This current water year, rainfall through April 1<sup>st</sup> is 23.6 inches which is less than the required 28-inches for normal year conditions. Dry year conditions will trigger enactment of the Water Shortage Contingency Plan and adoption of a Water Conservation Ordinance. Since the State Water Resources Control Board (SWRCB) Order 95-17 was issued in 1995, a Dry Year Condition on Lagunitas Creek has only happened once before in 2014. At this time the Board is asked to schedule a public hearing to declare a Water Shortage Emergency in West Marin, consider enactment of the Water Shortage Contingency Plan (Attachment 1) and approval of an Emergency Water Conservation Ordinance. A strike-out version of the Ordinance compared to 2014 is included as Attachment 2. Staff proposes the public hearing be held at the Board's regular meeting on May 5, 2020. A draft of the Public Hearing Notice that will run in the Point Reyes Light newspaper on April 30, 2020 is also provided as Attachment 3.

Recommendation

Board set the May 5, 2020 regular Board meeting as the date and time to hold a public hearing to consider a water shortage emergency in the West Marin service area.

**DRAFT**

**NORTH MARIN WATER DISTRICT'S**

**WATER SHORTAGE CONTINGENCY PLAN**

**FOR WEST MARIN SERVICE AREA**

**April 29, 2016**

**NORTH MARIN WATER DISTRICT  
WATER SHORTAGE CONTINGENCY PLAN  
FOR WEST MARIN SERVICE AREA**

**April 2016**

Customer Notification

- I. January 1 water year classification "dry"
  - A. NMWD notifies customer by bill message.

"There are dry year conditions on Lagunitas Creek which may trigger implementation of water shortage contingency measures. Final determination will be made on April 1. Please use water wisely."
  - B. NMWD issues press release in February and March informing that potential dry year conditions exist and promoting customer participation in NMWD water conservation programs.
- II. April 1 water year classification "normal"
  - A. Spring edition of NMWD West Marin "Water Line" promotes conservation measures.
- III. April 1 water year classification "dry"
  - A. Spring edition of NMWD West Marin "Water Line" informs customers of "Water Shortage Emergency," public hearing and contingency measures. Water conservation programs and giveaways to be on display.
  - B. Stages of Action published as required in Point Reyes Light and posted at Point Reyes Station post office.

Specific Triggers

- Stage 1 Trigger:** When the total precipitation that occurs from October through April 1 of the following year is less than 28" as measured at the MMWD Kent precipitation gage and the period is April 1 through June 30, or when the NMWD Board of Directors determines that Dry Conditions prevail based on advice from NMWD staff or the State Water Resources Control Board.
- Stage 2 Trigger:** When the total precipitation that occurs from October through April 1 of the following year is less than 28" as measured at the MMWD Kent precipitation gage and the period is July 1 through November 1, or when the NMWD Board of Directors determines that Dry Conditions prevail based on advice from NMWD staff or the State Water Resources Control Board.
- Stage 3 Trigger:** When the total precipitation that occurs from October through April 1 of the following year is less than 28" as measured at the MMWD Kent precipitation gage and water demands in any preceding thirty-day period exceed an average of 433,000 gpd, or when the NMWD Board of Directors determines that Critical Dry Conditions prevail based on advice from NMWD staff or State Water Resources Control Board.

Consumption Limits (do not apply where private well or recycled water supply is used)

**Stage 1:** (Request for up to \_\_\_\_\_% voluntary reduction)

Residential: \_\_\_\_\_% voluntary reduction in water use from a prior year for similar billing period to be determined by the NMWD Board of Directors depending on circumstances in place at the time of enactment.

Commercial and Industrial: \_\_\_\_\_% voluntary reduction in water use from a prior year for similar billing period (exceptions may be granted in order to preserve jobs) to be determined by the NMWD Board of Directors depending on circumstances in place at time of enactment.

**Stage 2:** (Mandatory water use restrictions to enable reduction in water use up to \_\_\_\_\_%)

Residential: Water use for certain purposes are restricted as determined by the NMWD Board of Directors depending on circumstances in place at time of enactment.

Commercial and Industrial: Water use for certain purposes are restricted as determined by the NMWD Board of Directors depending on circumstances in place at time of enactment (exceptions may be granted in order to preserve jobs).

**Stage 3:** (Up to 50% mandatory reduction)

Residential: \_\_\_\_\_% mandatory reduction in water use from a prior year for similar billing period or maximum gallons per person per day allowance to be determined by the NMWD Board of Directors depending on circumstances in place at time of enactment.

Commercial and Industrial: \_\_\_\_\_% mandatory reduction in water use from a prior year for similar billing period to be determined by the NMWD Board of Directors depending on circumstances in place at time of enactment (exceptions may be granted to preserve jobs).

Stages of Action

**Stage 1** Voluntary - achieve \_\_\_\_\_% reduction<sup>1</sup> in water use by implementation of any of the following

- a. Encourage voluntary rationing;
- b. Pursue vigorous enforcement of water wasting regulations and provisions of District's Water Conservation Regulation 17 which requires water saving devices in new construction, prohibits installation of certain wasteful types of turf configurations, and encourages turf avoidance;
- c. Request customers to make conscious efforts to conserve water;
- d. Request other governmental agencies to demonstrate leadership and implement restrictive water use programs;
- e. Distribute water saving kits upon customer request, to assure availability to existing and new customers (Note: Similar kits were distributed system wide to all customers

---

<sup>1</sup>Exact amount and District wide measurement of goal and method of achievement to be established by Board of Directors after examining projected supplies and after holding water shortage emergency public hearing.

during the 1976-77 California drought);

- f. Encourage private sector to use alternate water sources such as recycled water or use of private wells;
- g. Encourage the non-commercial washing of privately owned motor vehicles, trailers and boats only from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.;
- h. Encourage nighttime irrigation;
- i. Request restaurants, hotels, cafes, cafeterias, bars or other public places where food or drink are served/purchased to serve water only upon request;
- j. Implement detailed measures from other stages to meet desired objective;
- k. Any use of potable water from a fire hydrant except for fighting fire, human consumption, essential construction needs or use in connection with animals;
- l. Navy style showering will be promoted (e.g., turn on water to wet person or persons, turn off water, lather up, scrub, then turn on water for a quick rinse, then turn off shower with free push button showerhead control valves available to customers upon request);
- m. Customers will be urged not to regularly flush their toilets for disposal of urine only;
- n. Request hotel and motel operators to provide guests with the option of choosing not to have towels and linens laundered daily;
- o. Prohibit use of potable water for dust control at construction sites or other locations;

**Stage 2** Mandatory - achieve a \_\_\_\_% reduction<sup>1</sup> in water use by declaring a water shortage emergency and implementing Stage 1 (voluntary) and Stage 2 (mandatory) restrictions on water use for the following certain purposes

- a. Washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by the Marin County Fire Department or other public agency for the purpose of public safety;
- b. Refilling a completely drained swimming pool and/or initial filling of any swimming pool;
- c. Non-commercial washing of privately-owned motor vehicles, trailers and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse;
- d. Watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a hand-held hose or container or drip irrigation system except sprinklers can be used if customer maintains the volume or percent reduction pursuant to the NMWD Board of Directors determination compared to a prior year's use in same billing period;
- e. Any non-residential use by a vehicle washing facility in excess of the volume percent or reduction pursuant to the NMWD Board of Directors determination;
- f. Irrigating landscape other than between the hours of 7pm and 9am the following day;
- g. Irrigating landscape more than \_\_\_\_\_ days per week;
- h. Irrigating landscape during or within 48 hours of measureable precipitation;
- i. Irrigating with potable water of lawn area on public street medians.

- j. Intertie deliveries through the intertie to Inverness Public Utility District (IPUD), except for critical needs as determined by the General Manager.

**Stage 3** Mandatory – achieve up to a \_\_\_\_\_%<sup>2</sup> reduction in water use by declaring a water emergency and implementing Stage 1 (Voluntary), Stage 2 (Mandatory) and the following additional Stage 3 (Mandatory) requirements.

- a. Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time day or night during the period of July 1, through October 31. (These designated lawns will be allowed to dry up for the summer). Affected customers will be advised on tested methods for re-greening the lawns at minimum expense beginning on November 1, during a Stage 3 mandatory period if operating conditions permit. By following the prescribed instructions, the affected customers will likely avoid the cost of replacing lawns.
- b. Planting any new landscaping, except for designated drought resistant landscaping authorized by NMWD.
- c. Public groups may apply to the General Manager for exemptions for watering specific public lawns used extensively for community wide recreation. Such public area lawn watering shall only be done under methods and time periods prescribed by the General Manager. Such exemptions will only be given by the General Manager, if the mandatory \_\_\_\_\_% reduction in water can otherwise be achieved on a service area basis.
- d. All day and nighttime sprinkling will be discontinued. Any and all outside watering will be done only with a hand held nozzle. An exception will be made to permit drip irrigation for established perennial plants and trees using manual or automatic time controlled water application sufficient only for assured plant survival.
- e. No new annual plants, vegetables, flowers or vines may be planted until the Stage 3 mandatory period is over. An exception will be considered on a case by case basis for customers who are eliminating existing thirsty landscaping and replacing same with drought resisting landscaping prescribed by NMWD, as in b. above.
- f. Limit deliveries of water to outside service area customers to that needed for human consumption, sanitation and public safety only or as stipulated in outside service agreements.
- g. Discontinue all water deliveries through the intertie to IPUD.

<u>Plan Preparation</u>	This plan has been coordinated with County, State and Federal Emergency Services Offices.
<u>Adoption of Plan</u>	The Stage of Action will be enacted after public hearing required by the District's Emergency Water Conservation Ordinance and a determination by the District's Board of Directors that a West Marin Water Shortage Emergency exists.
<u>Monitoring of Actual Water Use</u>	Monitoring of water use will be by meters with data analysis using the District's computers.
<u>Mandatory Prohibitions</u>	Wasting of water is prohibited by Regulation 17 of the North Marin Water District.  Stage 2 and Stage 3 of the Water Shortage Contingency Plan contain specific mandatory provisions.
<u>Revenue and Expenditure Analysis</u>	Temporary Drought Revenue Recovery Surcharge  In the event that mandatory water use restrictions or mandatory reduction in water use is triggered (Stage 2 or Stage 3 herein), a Temporary Drought Revenue Recovery Surcharge may be implemented. The Temporary Drought Revenue Recovery Surcharge will serve to mitigate the revenue loss resulting from a reduction in water use. The Temporary Drought Revenue Recovery Surcharge shall be a quantity charge for each 1,000 gallons as specified in District Regulation 54.



**NORTH MARIN WATER DISTRICT  
WEST MARIN SERVICE AREA  
EMERGENCY WATER CONSERVATION ORDINANCE NO. 29XX**

April 1, 2014  
May 5, 2020

Section 1. Declaration of a Water Shortage Emergency .....	2
Section 2. Purpose and Authority .....	2
Section 3. Effect of Ordinance.....	3
Section 4. Suspension of New Connections to the District's Water System.....	3
Section 5. Waste of Water Prohibited .....	3
Section 6. Prohibition of Non-Essential Use of Water .....	<u>43</u>
Stage 1 - Voluntary Stage.....	4
Stage 2 - Mandatory Rationing (25% reduction).....	<u>25</u>
Stage 3 - Severe Mandatory Rationing (50% reduction).....	5
Section 7. Variances .....	<u>65</u>
Section 8. Violations.....	<u>65</u>
Section 9. Signs on Lands Supplied from Private Wells.....	6
Section 10. Drought Surcharge .....	6

## EMERGENCY WATER CONSERVATION ORDINANCE

ORDINANCE NO. ~~29-XX~~

AN ORDINANCE OF NORTH MARIN WATER DISTRICT DECLARING THE EXISTENCE OF A WATER SHORTAGE EMERGENCY CONDITION WITHIN THE WEST MARIN SERVICE AREA OF THE DISTRICT, PROHIBITING THE WASTE AND NON-ESSENTIAL USE OF WATER, AND PROVIDING FOR THE CONSERVATION OF THE WATER SUPPLY OF THE DISTRICT

BE IT ORDAINED by the Board of Directors of North Marin Water District as follows:

### **Section 1. Declaration of a Water Shortage Emergency**

This Board of Directors does hereby find and declare as follows:

(a) A public hearing was held on ~~April 1, 2014~~ May 5, 2020, on the matter of whether this Board of Directors should declare a water shortage emergency condition exists within the West Marin water service area of this District which is served by wells adjacent to Lagunitas Creek.

(b) Notice of said hearing was published in the Point Reyes Light ~~and West Marin Citizen~~, newspapers, newspaper of general circulation printed and published within said West Marin water service area of the District.

(c) At said hearing all persons present were given an opportunity to be heard and all persons desiring to be heard were heard.

(d) Said hearing was called, noticed and held in all respects as required by law.

(e) This Board heard and has considered each protest against the declaration and all evidence presented at said hearing.

(f) A water shortage emergency condition exists and prevails within the portion of the territory of this District served by wells adjacent to Lagunitas Creek. Said portion of this District is hereinafter referred to as the West Marin ~~area~~ Service Area and consists in all the territory of this District generally known as Point Reyes Station, Inverness Park, Olema, Bear Valley and Paradise Ranch Estates. ~~Said water shortage exists by reason of the fact that the ordinary demands and requirements of the water consumers in the West Marin~~ area ~~Service Area~~ cannot be met and satisfied by the water supplies available to this District in the West Marin Service Area without depleting the water supply to the extent that there would be insufficient water for human consumption, sanitation and fire protection.

(g) On ~~April 1, 2014~~ May 5, 2020 the Board of Directors enacted the North Marin Water District Water Shortage Contingency Plan for the West Marin Service Area (Plan) and said Plan defines specific triggers for stages of action applicable to District customers, and pursuant to this ordinance. The specific triggers for stages of action vary and are determined based on rainfall measured at the Marin Municipal Water District Kent precipitation gage, calendar period and water demands in the West Marin Service Area.

### **Section 2. Purpose and Authority**

The purpose of this ordinance is to conserve the water supply of the District for the greatest public benefit with particular regard to public health, fire protection and domestic use, to conserve

NMWD West Marin Model Emergency Water Conservation Ordinance

[I:\ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx](#) I:\gm\water-shortage-2014\wm-emergency-ordinance032814.docx I:\ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx

Rev 04/1405/20

water by reducing waste, and to the extent necessary by reason of ~~drought and~~ the existing water shortage emergency condition to reduce water use fairly and equitably. This ordinance is adopted pursuant to Water Code Section 350 to and including 358, ~~and Sections 375 to and including 378,~~ and Section 31026 to and including 31029.

### **Section 3. Effect of Ordinance**

This ordinance shall take effect on ~~April 1, 2014~~ May 5, 2020, shall be effective only in the West Marin ~~service area~~ Service Area, shall supersede and control over any other ordinance or regulation of the District in conflict herewith, and shall remain in effect until the Board of Directors declares that the water shortage emergency has ended.

### **Section 4. Suspension of New Connections to the District's Water System West Marin Service Area**

(a) From July 1, ~~2014~~ 2020 until, the Board of Directors by resolution declares that the water shortage has ended, which period is hereinafter referred to as the suspension period, no new or enlarged connection shall be made to the ~~District's water system~~ West Marin Service Area except the following:

- (1) connection pursuant to the terms of connection agreements which prior to July 1, ~~2014~~ 2020, had been executed or had been authorized by the Board of Directors to be executed;
- (2) connections of fire hydrants;
- (3) connections of property previously supplied with water from a well which runs dry.
- (4) connection of property for which the Applicant agrees to defer landscape installation until after the suspension period.

(b) During the suspension period applications for water service will be processed only if the Applicant acknowledges in writing that such processing shall be at the risk and expense of the Applicant and that if the application is approved in accordance with the District's regulations, such approval shall confer no right upon the Applicant or anyone else until the suspension period has expired, and that the Applicant releases the District from all claims of damage arising out of or in any manner connected with the suspension of connections.

(c) Upon the expiration of the suspension period, the District will make connections to its water system in accordance with its regulations and the terms of connection agreements for all said applications approved during the suspension period. The water supply then available to the District will be apportioned equitably among all the customers then being served by the District without discrimination against services approved during the suspension period.

(d) Nothing herein shall prohibit or restrict any modification, relocation or replacement of a connection to the District's system if the General Manager determines that the demand upon the District's water supply will not be increased thereby.

### **Section 5. Waste of Water Prohibited**

No water furnished by the District shall be wasted. Waste of water includes, but is not limited to, the following:

NMWD West Marin Model Emergency Water Conservation Ordinance

t:\ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx | g:\water-shortage-2014\wm-emergency ordinance032814.docx | t:\ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx

Rev 04/4/05/20

- (a) permitting water to escape down a gutter, ditch or other surface drain;
- (b) failure to repair a controllable leak of water;
- (c) failure to put to reasonable beneficial use any water withdrawn from the District's system.

**Section 6. Prohibition of Non-Essential Use of Water**

(a) No water furnished by the District shall be used for any purpose declared to be non-essential by this ordinance for the following stages of action as determined by the Board of Directors after considering specific triggers consistent with the Water Shortage Contingency Plan for the West Marin Service Area.

**Stage 1 - Voluntary Stage (15% reduction).** Achieve 15% reduction in water usage compared to the corresponding billing period in 2013 by encouraging voluntary rationing, enforcement of water wasting regulations and water conservation Regulation 17, requesting customers to make conscious efforts to conserve water, request restaurants to serve water only upon request, encourage private sector to use alternate source and encourage night irrigation.

**Stage 2 - Mandatory Stage (25% reduction)**

- (b) The following uses are declared to be non-essential from and after July 1, ~~2014~~2020:
  - (1) washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by the Marin County Fire Department or other public agency for the purpose of public safety;
  - (2) refilling a swimming pool completely drained after July 1, ~~2014~~2020 or initial filling of any swimming pool for which application for a building permit was made after April 1, 2020;
  - (3) non-commercial washing of privately-owned motor vehicles, trailers and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.
  - (4) Request restaurants to serve water only upon request.
  
- (c) The following additional uses are declared to be non-essential from and after July 1, ~~2014~~2020:
  - (1) any use of water from a fire hydrant except for fighting fires, human consumption, essential construction needs or use in connection with animals;
  - (2) watering of any lawn, garden, landscaped area, tree, shrub or other plant except from a handheld hose equipped with an automatic shut-off nozzle, container or drip irrigation system except overhead sprinkler irrigation can be used if customer maintains an overall 25% reduction in water use compared to the corresponding billing period in 2013, (customers using less than 200 gallons per day are permitted to water their landscape without a 25% reduction) and properly operates the irrigation system in a non-wasteful manner between the hours of 7:00 p.m. and 9:00 a.m. the next day. If sprinkler water is used in a wasteful manner, the General Manager may prohibit sprinkling by that customer.

~~(3)~~ (3) Irrigating landscape more than 3 days per week or within 48 hours of measurable rainfall.

(4) Irrigating lawn area on public street medians.

(5) use of water for dust control at construction sites;

(46) initial filling of any swimming pool for which application for a building permit was made after ~~April 1~~ May 5, 2014 ~~2020~~;

(57) use by a vehicle washing facility in excess of 25% less than the amount used by it during the corresponding billing period in 2013. If the facility was not operating in 2013, an assumed amount shall be computed by the District from its records.

(68) any non-residential use in excess of 25% less than the amount used by the customer during the corresponding billing period in 2013. If connection to the District system was not in existence or use in 2013, an assumed amount will be computed from the District's records.

(79) Intertie deliveries to Inverness Public Utilities District (IPUD), except for critical needs as determined by the General Manager

~~(8)~~ 10) Deliveries to customers outside the service area except as needed for human consumption, sanitation and public safety or as stipulated in outside service agreements.

### **Stage 3 - Severe Mandatory Rationing (50% reduction)**

(d) From and after the date that the Board of Directors, by resolution, determines that the water shortage emergency requires severe rationing, the following additional uses are declared to be non-essential:

(1) Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of August 1, through October 31, when a Stage 3 is in progress.

(2) Planting any new landscaping, except for designated drought resistant landscaping prescribed by the District.

(3) All day and nighttime sprinkling will be discontinued. Any and all outside watering will be done only with a hand-held nozzle. An exception will be made for carefully timed drip irrigation for established perennial plants and trees. Only sufficient water for assured plant survival may be applied.

(4) No new annual plants, vegetables, flowers or vines may be planted during the Stage 3 emergency period. An exception will be made for customers who are eliminating existing thirsty landscaping and replacing same with drought resisting landscaping prescribed by the District, as in (2) above.

The combined rationing including Stage 1, 2, and 3 is designed to achieve a minimum reduction of 50% or more in West Marin service territory water consumption as compared with normal year annual usage.

(e) The percentages stipulated in Stage 2 and Stage 3 may be increased by the General Manager for any class of customer if the General Manager determines that such increase is necessary to protect the public health, safety and welfare or to spread equitably among the water

NMWD West Marin Model Emergency Water Conservation Ordinance

t:\ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx;gfm\water-shortage-2014\wm emergency ordinance032814.doc;ordinances\ordinance drafts\ordinance 39\ordinance 39 compare 2014 contrast legal draft.docx

Rev 04/1405/20

users of the District the burdens imposed by the drought and the shortage in the District's water supply.

### **Section 7. Variances**

Applications for a variance from the provisions of Section 6 of this ordinance may be made to the General Manager. The General Manager may grant a variance to permit a use of water otherwise prohibited by Section 6 if the General Manager determines that the variance is reasonably necessary to protect the public health and safety and/or economic viability of a commercial operation. Any decision of the General Manager under this section may be appealed to the Board of Directors.

### **Section 8. Violations**

(a) If and when the District becomes aware of any violation of any provision of Section 5 or 6 of this ordinance, a verbal warning will be given, then if the violation continues or is repeated, a written notice shall be placed on the property where the violation occurred and mailed to the person who is regularly billed for the service where the violation occurs and to any other person known to the District who is responsible for the violation or its correction. Said notice shall describe the violation and order that it be corrected, cured and abated immediately or within such specified time as the General Manager determines is reasonable under the circumstances. If said order is not complied with, the District may forthwith disconnect the service where the violation occurs.

(b) For the first offense, a fee of \$50 shall be paid for the reconnection of any service disconnected pursuant to subsection (a) during the suspension period. For each subsequent violation of Section 8 (a), the fee for reconnection shall be \$75.

(c) No service which is disconnected twice because of a violation of Section 5 or 6 of this ordinance during the suspension period, shall be reconnected unless a device supplied by the District which will restrict the flow of water to said service is installed. Furthermore, the fee for reconnection of such a service during the suspension period shall be \$100 in lieu of the fee required by subsection (b) hereof.

### **Section 9. Signs on Lands Supplied from Private Wells**

The owner or occupant of any land within the West Marin water service area that is supplied with water from a private well shall post and maintain in a conspicuous place thereon a sign furnished by the District giving public notice of such supply.

### **Section 10. Drought Surcharge**

Notwithstanding anything to the contrary in District Regulation 54, in the event a mandatory reduction in water use is triggered under the District's Water Shortage Contingency Plan for the West Marin Service Area, a Drought Surcharge will may be implemented by resolution of the Board of Directors simultaneous with, or subsequent to, enactment of the mandatory stage, in the sole discretion of the Board of Directors. The Drought Surcharge will serve to mitigate the revenue loss resulting from a reduction in water use, as well as to offset the cost for water purchased from Marin Municipal Water District (MMWD) under the Interconnection Agreement between North Marin Water District and MMWD triggered by dry

year conditions. The Drought Surcharge shall be a quantity charge for each 1,000 gallons as specified in District Regulation 54. Any Drought Surcharge shall be adopted and implemented in compliance with applicable law, including Article XIII C of the California Constitution.

\* \* \* \* \*

I hereby certify that the foregoing is a true and complete copy of an ordinance duly and regularly adopted by the Board of Directors of North Marin Water District at a regular meeting thereof held on ~~April 1, 2014~~ May 5, 2020 by the following vote:

AYES: Directors Baker, Frites, Petterle, Rodoni, Schoonover  
NOES: None  
ABSENT: None  
ABSTAINED: None

(SEAL)

Katie Young Theresa Kehoe  
District Secretary  
North Marin Water District

**NOTICE OF A PUBLIC HEARING**  
**NORTH MARIN WATER DISTRICT**  
Declaration of a Water Shortage Emergency  
West Marin Service Area

Tuesday, May 5<sup>th</sup> – 6:00 p.m.  
Location: Virtual Meeting Via Teleconference  
Novato, California  
(415) 897-4133

**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 the agenda.

The North Marin Water District Board of Directors will accept public comments and consider adoption of an emergency water conservation ordinance for the West Marin Service Area in response to dry year conditions on Lagunitas Creek pursuant to the State Water Resources Control Board Order 95-17 for water right permits issued to North Marin Water District.

Copies of the Draft Emergency Water Conservation Ordinance are available ~~for public inspection at the offices of North Marin Water District (address noted above) and~~ on the NMWD website at [www.nmwd.com](http://www.nmwd.com). In order to comply with Marin County Health Shelter in Place Order, inspection of the draft ordinance will not be available at the District office.

[y:\water shortage emergency\2020\public hearing notice 0520 wm final draft.doc](#)



9

## MEMORANDUM

To: Board of Directors

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

Subject: Gallagher Ranch Streambank Stabilization Project – Award Construction Contract to Dixon Marine Services, Inc.

April 17, 2020



r:\folders by job no\7000 jobs\7185 lagunitas creek slope stabilization\bod memos\7185 bod memo approve contract award rev ddm 4.2020.doc

**RECOMMENDED ACTION:** Approve award of the contract to Dixon Marine, Inc. and authorize the General Manager to execute an agreement with Dixon Marine, Inc.

**FINANCIAL IMPACT:** \$375,840 plus contingency reserve of \$40,000 (~10%)  
(No FY20 CIP Budget Augmentation Necessary)

### Background

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 via the Gallagher Ranch Bridge. The Gallagher well and pipeline are among the critical facilities used to provide continuous and uninterrupted potable water service to the District's West Marin service area and therefore are considered essential Infrastructure. This project is an emergency hazard mitigation project as determined by the Natural Resource Conservation Service and any delay will jeopardize the ability to mitigate damage to these essential facilities during future flooding events.

The Board authorized bid advertisement for the above referenced project on February 4, 2020. The advertisement date for this project was February 7, 2020 with a bid opening on March 5, 2020. The District advertised the project in the Marin IJ and posted the contract documents electronically on eBidboard (a web-based bid management service). Thirteen (13) prime contractors attended the mandatory pre-bid meeting and site visit on February 25, 2020. The bid period was twenty-seven days (27) days and included one addendum. Eight bids were received ranging from a low of \$375,840 to a high of \$643,275. The bids and the engineers estimate are listed below:

	CONTRACTOR	TOTAL BASE BID
1.	Dixon Marine Services, Inc.	\$375,840
2.	W.R. Forde Associate, Inc.	\$619,000
3.	Rege Construction, Inc.	\$434,099
4.	Handford Applied Restoration & Conservation	\$409,500
5.	Suulutaaq, Inc.	\$408,750
6.	Glissman Excavating, Inc	\$396,582
7.	Biohabitats, Inc.	\$397,574
8.	Piazza Construction	\$643,275
	<i>Engineers Estimate</i>	<i>\$358,000</i>

### Bid Evaluation

Dixon Marine Services, Inc. (DMS), of Inverness, CA submitted the lowest responsive bid of \$375,840 which is \$17,840 (~5%) above the Engineer's construction cost estimate of \$358,000. The bid span between the Number 1 and Number 2 low bidders (Dixon Marine and Glissman Excavating) was \$20,742 (for a variance of 5.5%). The next three bids were within 3.25% of the second low bidder. A bid evaluation (Attachment 1) was performed by District staff, concluding that DMS satisfied all bid document requirements. DMS has performed similar work for other clients. References were checked and their work was considered satisfactory by those clients.

### Financial Impact

The most recent financial updates for the project were provided to the Board at the February 4<sup>th</sup>, and April 7<sup>th</sup> meetings. The initial total project cost was estimated at \$530,840 with a significant portion of the cost being offset with a federal Natural Resources Conservation Service (NRCS) grant of \$231,000. As reported at the last meeting, the updated total project cost is now \$656,549 and includes higher costs for permitting, permit fees, construction and construction contingencies (see Attachment 2). Assuming bid award, one of the first steps will be for staff to negotiate a change order to address recent design changes requested by permitting agencies.

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 commitment from MMWD in support of projects that benefit Lagunitas Creek erosion/sedimentation. Accordingly, NMWD's local share is now estimated at \$275,000.

### Permitting Summary

In February 2020, the District submitted five permit applications to the following agencies to request approvals from regulatory agencies with jurisdiction:

- U.S. Army Corps of Engineers (USACE) Clean Water Act Section 404;
- San Francisco Bay Regional Water Quality Control Board (RWQCB) Clean Water Act Section 401 General Water Quality Certification for Small Habitat Restoration Projects;

- California Department of Fish and Wildlife (CDFW) Fish and Game Code Section 1652 Habitat Restoration or Enhancement Project approval;
- Marin County Coastal Permit; (Zoning Administrator Hearing on April 30)
- Marin County Creek Permit.

The grant funder NRCS previously secured approvals from the U.S. Fish and Wildlife Service and State Department of Parks and Recreation, Office of Historic Preservation. An approval from the National Oceanic and Atmospheric Administration Restoration Center (aka National Marine Fisheries Service), Santa Rosa Office has also been secured by the USACE. In all, there are a total of eight regulatory approval agencies/permits.

In early March, the District met with representatives of USACE, RWQCB, and CDFW at the project site to review the project designs. Based upon input from permitting agency representatives, the District's consultants revised the designs. Design revisions were submitted to the agencies in late March 2020. As of mid-April, all agencies confirmed no further information is required and are finalizing their approval documentation. Federal and state agency approvals are expected by April 30th and County approvals are expected to be finalized around May 21st, assuming no appeals are received.

SCHEDULE

The original NRCS project completion date was May 22, 2020 but we were just informed that NRCS is extending the date to July 21, 2020. The following project schedule identifies estimated key milestones:

SCHEDULE

Board Authorization of Award	April 21, 2020
Notice of Award	May 1, 2020
Notice to Proceed	May 21, 2020
Substantial Completion (60 days)	July 21, 2020

RECOMMENDATION

That the Board approve award of the construction contract to Dixon Marine Services Inc., and authorize the General Manager to execute an agreement with Dixon Marine Services, Inc. for \$375,840 and set aside a contingency reserve of \$40,000.

Gallagher Ranch Streambank Stabilization Project

Bid Items From Bid Schedule (00310)				Engineer's Estimate		DIXON MARINE		GLISSMAN EXCAVATING		BIOHABITATS	
Item No.	Qty.	Unit	Description of Items	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount	Unit Price	Total Amount
1	LS		Mobilization/demobilization allowance (not to exceed 5% of total bid amount)	LS	16,293		19,761		9,435		14,301
2	LS		Trenching, sheeting, shoring, and bracing or equivalent method of protection of works in accordance with Section 6700-6708 of the California Labor Code.	LS	5,000		80,142		2,875		1,507
3	2		Site Preparation	LS	29,050		8,935		11,327		21,400
4	LS		Earthwork	LS	82,100		14,941		87,687		35,638
5	LS		Crib Wall	LS	128,640		110,252		231,463		163,034
6	LS		Soil Anchors	LS	56,700		79,602		12,079		113,913
7	LS		Erosion Control	LS	7,536		15,535		5,635		22,602
8	LS		Planting and Seeding	LS	16,825		35,725		29,900		24,109
14	LS		Misc. work shown on drawing not part of items above.	LS	15,654		10,947		6,181		1,070
<b>Total Base Bid :</b>					\$357,798		\$375,840		\$396,582		\$397,574

Bid Forms:			
"IN" Stamped before bid closing (00010)	yes	yes	yes
Bid multiplies out and sums correctly	yes	yes	yes
Bid value in word agrees with numerals	yes	yes	yes
License Checks Out (00300) (Class A)	yes	yes	yes
Bid Form 00300 - Addendum 1 acknowledged	yes	yes	yes
Bid Form 00300-2 - Signed by Authorized Individual	yes	yes	yes
Bid Form 00100-3 - Board Authorization Resolution			yes
Bid Guaranty Bond 00410	yes	yes	yes
Bidders Experience and Qualifications 00420	yes	yes	yes
Bidders Financial Qualifications	Due within 5 days	Due within 5 days	Due within 5 days
Bid Form 00430 - List of Subcontractors	yes	None provided	yes
Bid Form 00435 - Contractor's Licensing Statement	yes	yes	yes
Bid Form 00450 - Material and Equipment Manufacturers	yes	yes	None provided
Bidders Affidavit of Non-Collusion 00480	yes	yes	yes

Subcontractors:	Listed	Listed	Listed
Soil Anchor Installation	Drilltech Drilling		
Seeding	Freedlun Hydroseed		
Willow harvesting and planting	Vollmar Consulting		
Helical anchor supply and installation			EagleLIFT, Inc

Material & Equipment Manufacturers:	Specified	Bid	Comply	Bid	Comply	Bid	Comply
314 CAT Excavator	Owned Equip	X					
308 CAT Excavator	Owned Equip	X					
CAT 1055 Telehandler	Owned Equip	X					
IHI 100 Track Dump	Owned Equip	X					
295 CAT Skidsteer	Owned Equip	X					
Chance SS-5 helical lead anchor 10"x7" w/5' extensions	AB Chance	X					
Bobcat 8 Series	Sole source			X			
320 Excavator	Sole source			X			
Water buggy	Sole source			X			
Generator	Pioneer Machinery			X			

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 <sup>(1)</sup>	\$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)

**10**

## MEMORANDUM

To: Board of Directors  
From: Julie Blue, Auditor/Controller *JB*  
Subj: Approve Indian Valley Golf Club Lease Extension  
t:\actboard reports\board memos\2020\ivgc lease extension 04.17.20.docx

April 17, 2020

**RECOMMENDED ACTION:** Approve

**FINANCIAL IMPACT:** Approximately \$15,000 in Annual Lease Revenue

The District owns a considerable area of watershed land surrounding Stafford Lake. Since 1956 Indian Valley Golf Club (IVGC) has leased approximately 209 acres of the property for the purpose of maintaining and operating a golf course. Attached is the most recent executed lease which covers the period of July 1988 through June 2026 (Attachment 1).

Due to the current public health order related to COVID-19 the golf course has been ordered to close. This has created financial hardship for IVGC and they are seeking a Small Business Administration (SBA) Economic Injury Disaster Loan with a 10-year term. In order to secure the loan, the General Manager of IVGC, Jeff McAndrew, requested an extension of four years to the current lease, through June 30, 2030. This would align the remaining period of the lease to the SBA loan. Staff agrees that this is a reasonable request and has drafted the attached amendment to the lease (Attachment 2). All other lease provisions from the July 1988 lease will remain intact. A more extensive review of this lease will be conducted at the expiration of the proposed lease extension.

**RECOMMENDATION:**

Approve extension of Indian Valley Golf Club lease through June 30, 2030 and authorize the General Manager to execute said lease.



**LEASE BETWEEN**

**NORTH MARIN WATER DISTRICT  
and  
INDIAN VALLEY GOLF CLUB, INC.**

**DATED: July 20, 1988**

## SUMMARY OF LEASE

1. Termination of old lease dated May 8, 1956.
2. Description of leased land (Exhibit A and Exhibit B).
3. Term of lease (begins - August 1, 1988; ends - June 30, 2026).
4. Minimum annual rental and payment schedule.
5. Annual rental to be based on cost of living index (calculated each fiscal year).
6. Lessor's right to set rates for treated and untreated water.
7. Lessee agrees to make certain improvements to the property (clubhouse, course irrigation system, et cetera).  
  
Lessee may not alter land surface except tees, traps, greens without written request and approval by District; other alterations or additions to be submitted to District for prior approval. All additions become property of District when complete.  
  
Lessee must submit specifications for proposed improvements for District approval prior to construction. New golf course irrigation system must meet specific standards (Exhibit C).
8. Lessee must maintain two lane access road, bridges and fencing along road.
9. Lessee must install and maintain fence around entire leasehold.
10. Lessee must install and maintain all irrigation pumps, tanks, pipe, etc. Plans and location to be approved by District.
11. Only lake water to be used for irrigation of leased premises.
12. Sewage and sanitary facilities - approvals needed.
13. Must be used only as golf course, open to public at reasonable rates.
14. Must keep course and watershed clean.
15. Relieves District of all liability for accidents.
16. Provision for general liability insurance (\$1,000,000).
17. Insurance on buildings and total replacement after damage.
18. Provision for bonds and insurance during construction.
19. Buildings to be constructed and maintained according to all regulations in effect.

Page Two  
Summary - Indian Valley Golf Club Lease

20. Must maintain all buildings and appurtenances in good repair.
21. Greens and fairways to be watered efficiently.
22. Free entry by District personnel at all times.
23. District may grant licenses, rights of way, and easements for public access.
24. May not cut trees without District consent. May not erect unnecessary signs.
25. Lease cannot be assigned, attached or sublet.
26. If lease terminates, all improvements must be left in good repair.
27. Lessee may be evicted after written notice of any default if condition is not corrected within 30 days.
28. Lessee liable for all fees in connection with default action.
29. Must pay all taxes on land and improvements.
30. Easement rights of Ryan heirs and/or assigns.
31. Lessee responsible for prompt payment of any and all expenses incurred in the construction, maintenance and operation of golf course.

Exhibit A = Metes and Bounds Description of Leased Area

Exhibit B = Map of Leased Area

Exhibit C = Irrigation System Standards and Operation

LEASE

THIS LEASE, made the 20th day of July, 1988, by and between NORTH MARIN WATER DISTRICT, a public corporation, hereinafter designated "Lessor", and INDIAN VALLEY GOLF CLUB, INC., a California corporation, hereinafter designated "Lessee",

RECITALS:

WHEREAS, Lessor owns a considerable area of watershed land surrounding Stafford Lake, in the vicinity of Novato, California, which said lands are used mainly for the collection of water for supplying potable water to the North Marin Water District and its inhabitants; and

WHEREAS, protection of the quality of water draining into and collected in Stafford Lake is of paramount and overriding importance.

WHEREAS, Lessor and Lessee are currently obligated under a fifty year lease agreement dated May 8, 1956, for the lease from Lessor of approximately 208.86 acres of said watershed area lying southerly and adjoining said Stafford Lake for the purpose of maintaining and operating thereon a golf course, clubhouse and other improvements incidental thereto; and

WHEREAS, Lessee proposes to make certain improvements to the existing golf course including modernization of the clubhouse, expansion of the dining facilities, and reconstruction of the golf course irrigation system and controls; and

WHEREAS, the existing lease dated May 8, 1956, expires December 31, 2006; and,

WHEREAS, to facilitate the financing and economy of the proposed improvements the Lessee desires to extend the term of the leasehold to June 30, 2026.

WHEREAS, the continued operation and maintenance of the golf course constitutes an attractive addition to the watershed lands of Lessor, provides public recreation and minimizes fire hazard in said area,

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. The existing lease between the Lessor and Lessee dated May 8th, 1956, is terminated as of July 31, 1988 and shall thereafter be superseded by this lease.

2. In consideration of the rents and payments hereinafter provided for and the covenants, conditions and agreements herein contained, Lessor does lease, for the purposes referred to in the recitals hereof, all the lands delineated in Exhibit "A" and depicted in Exhibit "B" both of which are attached hereto and made a part hereof, together with a nonexclusive easement for roadway purposes over lands of Lessor, all as the same is defined, described and shown in the aforementioned Exhibits "A" and "B".

3. The term of this lease shall begin on August 1, 1988 and end on June 30, 2026. Any payment under the existing lease as rental for a period after August 1, 1988 shall be credited against rental due under this lease.

4. Lessee agrees to pay Lessor the following rental for said premises:

(a) The sum of Forty-nine Hundred Dollars (\$4900.00) per year as and for the minimum rental for each fiscal year of this

lease commencing with August 1, 1988 and subsequent years of the term of this lease. This rental sum shall be adjusted annually as provided in paragraph 5 of this lease agreement. Said annual amount of rental shall be payable monthly in advance, in minimum payments equal to one-twelfth (1/12) of the annual rental commencing on the 1st day of August, 1988, and on the first day of each and every succeeding month during the entire term of the lease. Payments not received on the first of each month shall result in assessment of a late fee equal to 10% of monthly rental payment overdue. In addition to the late fee, interest shall accrue on all overdue payments at the rate of one percent (1%) per month compounded each month.

5. The parties agree that the amount of the annual rental to be paid by Lessee to Lessor for the ensuing fiscal year shall be determined in the following manner: At the end of each fiscal year, reference shall be made to "the San Francisco-Oakland All Urban Consumers All Items Index" which said index is computed, prepared and issued by the Bureau of Labor Statistics, United States Department of Labor. The index reported for the last reporting period of the fiscal year ending June 30, 1988 shall be called the Base Index and the index reported at the end of each subsequent fiscal year shall be called the Current Index. The amount of rental for the ensuing fiscal year shall be computed as the product of Forty-Nine Hundred Dollars (\$4900.00) times the ratio obtained by dividing the Current Index for the fiscal year just past by the Base Index except that in no event shall said rental be less than Forty-Nine Hundred Dollars (\$4900.00).

6. It is expressly agreed and understood that the provisions of paragraph 4 and 5 of this lease agreement apply solely to rental and shall not in any manner or fashion apply to or modify payments made by Lessee to Lessor for treated and untreated water furnished by Lessor pursuant to its normal regulations, it being understood by both parties that Lessor is reserving unrestricted

control to fix and change the rates and conditions of service for treated and untreated water within the District, from time to time, and during the entire term of this lease. Furthermore the Lessee understands and agrees that the Lessor shall not be required by any provision of this lease, to deliver treated or untreated water to the leased property.

7. As and for a further consideration and rental for said premises, Lessee agrees, at its sole cost and expense, to maintain on the leased premises an eighteen hole golf course, clubhouse and other improvements incidental thereto and reasonably necessary therefor. Lessee further agrees to renovate the clubhouse including upgrading kitchen facility, restrooms and extending dining room area to accommodate about 120 persons. Furthermore Lessee agrees to completely rebuild the golf course irrigation system, including installation of state of the art control equipment and upgrading the existing lake pumping and extraction system. Lessee shall not make any improvement or alteration to any buildings, or structures or improvements on the leased premises nor make any alterations to the land without first obtaining the written consent of the Lessor. Alterations shall include temporary structures, mobile homes, construction of roads, sewer, water and other activities and facilities.

Lessee further agrees that it will not unnecessarily disturb the surface of the ground or alter the topographical features of the leased area without the written consent of Lessor; provided, however, that Lessee may make minor changes and alterations of tees, traps and greens where the same shall not substantially interfere with the general utility or value of the golf course or the property of the Lessor. In the event any development or alteration program shall be undertaken or contemplated by Lessee, it shall first give written notice to Lessor of its intention to so proceed, and to obtain Lessor's written consent and also to enable Lessor to post appropriate

notices of non-responsibility. Any and all improvements or alterations made by the Lessee shall become and be a part of the leasehold and shall belong to the Lessor immediately when made, including all alterations or replacements of the pipes, irrigation and sprinkling system of said golf course.

Prior to construction thereof, Lessee shall submit to Lessor for its review and approval plans and specifications for proposed improvements of the clubhouse, dining facilities and golf course which shall include a new irrigation system and controls meeting the minimum standards set forth in Exhibit C attached hereto. Lessee shall make said improvements with reasonable promptness after the District approves the plans and specifications therefor and shall complete said work not later than June 30, 1992. Lessee shall not permit any lien to be imposed on the leased premises as a result of said work.

8. As and for additional consideration and rental, Lessee agrees to maintain, at its own cost and expense, throughout the term of this lease, a two-way vehicular access road including any and all appurtenances thereto belonging or appertaining thereto, specifically including all guard-railings, drainage culverts, and traffic signs, in good and substantial repair from the lease premises to the existing county road located downstream from Stafford Dam, and also along the routing specified in Exhibit "A" attached hereto. Lessee likewise agrees to maintain, at its own cost and expense, throughout the term of this lease, the existing bridge along said route crossing the existing spillway of Stafford Dam.

Lessee agrees to maintain, at its own cost and expense, throughout the term of this lease, a fence along the lake-shore side of said access road throughout its entire length and to a point where the said road intersects with the leased area. Said fence shall be a type presently being used by the District for



its boundary fences.

9. As and for additional consideration and rental, Lessee likewise agrees, at its sole cost and expense, to maintain throughout the entire term of this lease, a fence around the entire leased area, said fence to be of a type and material acceptable to the Lessor.

Lessee shall not be obligated to construct any fence along lake-shore portion of the leased premises from that point where access road intersects the leased property to the Grossi boundary line. Lessee agrees to maintain a cattle guard at the point where the above mentioned access road intersects the boundary of the leased premises.

10. It is further agreed that the untreated water necessary to be used in and about the leased premises will be supplied by Lessor pursuant to its regulations from time to time in effect on an if and when available basis at the place designated on Exhibit B. Any and all facilities, such as pumping equipment, pipe, etc. required to draw untreated water from the lake shall be furnished, installed, maintained and replaced at the cost and expense of Lessee. Lessee shall likewise furnish all the materials and perform all the labor necessary for the installation maintenance and replacement of a transmission line from said supply point to the golf course, as well as all materials and work of installation required for improvements and maintenance to the distribution system, including pipes, tanks, pumps, and motors to adequately serve said golf course. Lessor agrees to supply and maintain the required size meter for metering said water. Lessee agrees to maintain, repair and replace as necessary the entire water distribution system necessary for the leased premises throughout the entire term of the lease, and to make any and all repairs and replacements necessary during said term. The plans and specifications for any

and all modifications to the existing irrigation facilities which are contemplated by the Lessee shall be first submitted to Lessor and be subject to Lessor's approval.

11. Lessee agrees that it will use only untreated water furnished by Lessor to irrigate the leased premises. Lessor assumes no obligation to Lessee to furnish Lessee or the leased premises with untreated or treated water, other than in accordance with existing rules and regulations of Lessor, and subject to prevailing rates for untreated and treated water.

12. No modification to the existing sewage system or sanitary facilities shall be made within or upon the lands of the Lessor unless plans therefor shall first be submitted to and approved by the Board of Directors of Lessor. Lessee further agrees to furnish and provide any and all necessary sanitary disposal facilities as may be required by the Lessor and as may be required by the Health Department of the County of Marin and the California State Board of Health. No sewage system or other sanitary facilities shall be permitted at any time to cause fouled or waste matter or human waste to be disposed of upon the watershed of Lessor.

13. Lessee covenants that it will not use the demised premises for any other purpose whatsoever than for a golf course, together with the incidental clubhouse and other facilities necessary thereto. Lessee also agrees that said golf course, together with all improvements and facilities constructed thereon, as well as the access road above referred to, shall at all times be open and available to public use, subject, however, to the right of the Lessee to charge said public users reasonable green fees and other incidental fees comparable to rates on other public golf courses in the bay area as the same may exist from time to time during the term of this lease. Lessor understands that holders of shares of stock in the Lessee corporation are to receive

preferential rates and starting times for play. Lessor agrees that such preference in rates and starting times shall be permitted; however, Lessee agrees that in all other respects members of the public shall have equal rights to the use of all of the golf course and its facilities, subject, however, to rates established for the public users as hereinabove set forth.

14. At all times during the life of this lease Lessee shall keep the leased premises clean and free from any and all nuisances and shall clean off and keep the surface thereof free from all things which would in any way tend to render the premises objectionable to Lessor as a part of its watershed. All of the uses of said land shall be subject to such rules and regulations as may now exist or as may hereafter be adopted by Lessor for the care or policing of its watershed land. Lessee covenants that it will not conduct or knowingly suffer to be conducted upon the demised premises any business or practice which is or may be contrary to law.

15. Lessor shall not be liable to Lessee or any invitee or licensee of Lessee for any death, injury or damage which may result to any person or property within or upon the golf course or in the lake adjacent thereto or on account of the operation or maintenance of the golf course, whether caused by the negligence of the Lessor, or otherwise. Lessee assumes all risks and hazards in connection with the operation, management and use of said premises and covenants and agrees to indemnify and save Lessor, its officers, boards, agents and employees from and against any and all liability, loss or expense arising from any such death, injury or damage.

16. Lessee hereby promises and agrees to maintain and to keep in good standing at all times, and at its own expense, a policy of general liability insurance, in an insurance company acceptable to the Lessor, and in an amount of not less than one million

dollars (\$1,000,000.00). Said insurance policy shall be endorsed to name the Lessor as additional insured, and shall be primary to any other insurance maintained by the Lessor, and shall indemnify and protect the Lessor and its elected and appointed officials, employees and volunteers. The insurance afforded by this policy shall not be suspended, voided, cancelled, reduced in coverage or in limits except after thirty (30) days prior written notice by certified mail has been given to the Lessor. Lessee agrees to deliver to Lessor an executed copy of said policy and endorsement.

17. Lessee further agrees that it will at all times, and at its own expense, keep all of the buildings erected on the leased premises insured against loss or damage by fire in a company or companies satisfactory to Lessor, in an amount not less than the maximum insurable value thereof. That each and every policy of insurance shall provide that the loss, if any, shall be paid to North Marin Water District and copies of all such policies shall be deposited with the Lessor. If Lessee shall neglect to insure or keep insured the buildings on said premises, as herein required, the lessor may, without notice to Lessee, renew or procure such insurance and the premiums paid thereon shall be and become due and payable to Lessor as additional rent on the next day after said payment.

Lessee further agrees that if any of the buildings on the premises shall, at any time during the term of this lease, be burned down or damaged by fire or destroyed or damaged by other casualty, the Lessee shall rebuild or repair the same, as the case may be, within six months thereafter, and will at all times during the term of this lease keep and maintain upon said premises a building or buildings which will be substantially the same as the existing ones erected thereon.

Lessee further agrees that immediately after any fire, injury or casualty happening to said building, it will have plans

and specifications prepared for the restoration thereof, together with an estimate of cost. If the estimate of cost shall exceed the amount of insurance money received or to be received by the Lessor, Lessee shall provide and place in the possession of Lessor additional funds as may be necessary to pay for such restoration or rebuilding in an amount sufficient, together with said insurance money, to pay for the restoration; thereupon Lessor shall pay out of said funds from time to time upon proper vouchers the necessary cost of completing such building or buildings, and upon completion of the same, any portion of said money then remaining in the hands of the Lessor shall be applied to any rent or other money which is then due and payable to it from Lessee, and any balance thereof shall be paid to the Lessee. Interest earned on said insurance money and other deposited funds shall be credited to Lessee when said buildings are reconstructed.

It is mutually understood that in the event the Lessee fails to deposit with Lessor, before the commencement of restoring said building or buildings, its proportion of funds in an amount sufficient to pay for such work, it shall be lawful for the Lessor to declare the term of this lease ended and to re-enter said premises, and Lessor shall have right of action against the Lessee to recover any damages which may have accrued to Lessor by reason of the failure of the Lessee to deposit the necessary money and complete said reconstruction.

It is further agreed that if said building or buildings shall at any time be burned down or damaged by fire or destroyed or damaged by other casualty, and that the estimated cost of the reconstruction shall not exceed the insurance money available, then and in that case, if the Lessee shall not have rebuilt or repaired said building within six months after the loss or destruction, the insurance received or receivable upon said policies of insurance shall become liquidated and agreed damages, and it shall thereupon be lawful for the Lessor to

declare the term of said lease ended and to retake possession of the premises.

18. Lessee further agrees and covenants to furnish and deliver to Lessor, before any construction or improvement work is commenced upon said premises, a performance bond with sufficient and satisfactory surety or equivalent security acceptable to the Lessor, running to said Lessor, in a sum equal to the value of said contemplated construction or improvement work, conditioned that the Lessee will build and construct the golf course improvements contemplated under this lease, in the manner and in all respects as required by the terms hereof, and will fully pay for the same; said bond will remain in full force and effect until the final completion of said golf course improvements by the Lessee and until the same shall have been fully paid for and be free and clear of any and all liens and from liability therefor arising from the construction of said golf course improvements. Upon full performance of the conditions of said bond as herein provided, the Lessor, upon demand by the Lessee, shall release and surrender such bond. Said Lessor shall be entitled as a condition of the release and surrender of said bond to receive proof that no liens have been filed against said property within the statutory time permitted after notice of completion of said golf course and improvements.

Lessee agrees to build and construct the golf course improvements called for under this lease and to fully pay all of the costs therefor, but in addition agrees to save and hold Lessor harmless from any and all claims that might arise for the payment thereof.

19. Lessee further agrees and covenants that any and all buildings upon said leased premises, or any replacements therefor, shall be constructed and maintained in compliance with the laws of the State of California, and fire and health

ordinances and zoning regulations of the County of Marin, and shall be built under the inspection and subject to the lawful requirements of the building department of said County of Marin.

20. Lessee further agrees and covenants that it will, at its own expense, keep and maintain said golf course and all buildings existing, as well as those thereafter constructed during the term of this lease, and all appurtenances thereto belonging or appertaining thereto, including sidewalks and parking area, in good and substantial repair and in a clean and sanitary condition, and will always keep and maintain said demised premises, and any and all buildings and improvements erected thereon during said term, as well as the area surrounding said buildings, in conformity to and in compliance with all laws, ordinances, rules and regulations of the authorities having jurisdiction thereof.

21. It is further agreed that Lessee will at all times efficiently water all of the greens and fairways of said golf course pursuant to the standards contained in Exhibit C and shall maintain same in reasonable condition for use by those entitled thereto. Lessee shall not use or apply, nor permit the use or application of, any fertilizer, herbicide, insecticide or other chemical on the leased premise except only in accordance with specific written authorization of Lessor which authorization shall specify the brand or composition of such material, the quantity that may be used and the time and manner of its use. In the event any such material is applied to the leased premises contrary to such authorization the Lessor shall determine the reasonable amount by which the leased premises and lake waters have thereby been damaged or in the alternative the amount reasonably necessary to cure such damage including the removal of affected soil and treatment of water and Lessee shall pay said amount to Lessor. If Lessee fails to make said payment Lessor shall have the right at any time thereafter to terminate the

lease.

22. No entry by Lessor or its officers or agents upon the leased lands for the purpose of inspecting the same or for the purpose of altering, repairing or developing its properties, pipes or watershed or for the purpose of protecting or cleaning the watershed shall be deemed an unlawful entry, and Lessor reserves the right to enter at any time and all times for these purposes. Lessor further reserves the right to develop, maintain or improve the leased lands for watershed and water supply purposes at any time and at its own cost and expense, provided that it shall not unreasonably interfere with the use thereof by Lessee.

23. Lessor further reserves the right to grant licenses, rights of way and easements for public access and utilities and roadways over, upon or in the demised leased premises for any purpose Lessor deems appropriate, including bicycle paths, hiking and horseback riding trails and other recreational uses and to lay, maintain, replace and remove pipeline and other facilities designed to carry out the general purposes and functions of the Lessor; provided, however, that it shall not unreasonably interfere with the operations of Lessee in any of those matters.

24. Lessee shall not commit or suffer to be committed any waste upon the demised premises and shall not cut, or injure any growing trees thereon without the written consent of the Lessor. Lessee shall not place, erect or maintain any sign upon the leased premises or upon any of the improvements thereof other than those reasonably necessary and incidental to the installation and maintenance and conduct of a golf course. Use of any signs along the access road or visible to the general public utilizing adjacent lands shall be subject to approval by the Lessor.

25. Neither this lease nor any interest therein shall be



assigned, sublet or hypothecated by Lessee, either voluntarily or involuntarily, nor shall any officer of any court in any proceeding in bankruptcy or insolvency or in an attachment, foreclosure or receivership have the right to take or assume possession of any of said premises or of this leasehold without the written consent of the Lessor, and any attempted assignment, subleasing or taking possession by operation of law or in any manner contrary to the express consent of Lessor shall be deemed null and void and shall be inoperative.

26. Upon the termination of this lease, Lessee shall place and leave said premises and all of the improvements thereon in good condition and repair, subject, however, to reasonable wear and tear. In the event said premises shall have deteriorated at any time, either before or at the time of termination of this lease, and in the event that such deterioration shall have been caused by default of the Lessee, Lessor may enter upon said premises and repair and recondition the same at the expense of the Lessee, and the Lessee shall repay the cost thereof to the Lessor upon demand.

27. In the event of any default upon the part of Lessee, Lessor shall notify Lessee in writing that such default has been suffered. The nature of the default shall be specified in such notice and Lessee must, within thirty days thereafter, correct the default and perform the lease in the particulars specified unless the same shall be impossible of performance within such time on account of conditions beyond control of Lessee. In the latter event only, the Lessee shall have reasonable time within which to accomplish such performance. In the event Lessee shall not have completed performance and corrected said default within the time limit, as aforesaid, the Lessor may enter into possession and evict all persons therefrom to take possession of the premises and terminate this lease with or without further notice.

28. In the event of any default upon the part of the Lessee, Lessee agrees to and will pay to Lessor all reasonable attorneys' fees and costs as may be fixed by any court of competent jurisdiction in enforcing this lease or in obtaining possession of the premises on account of such default.

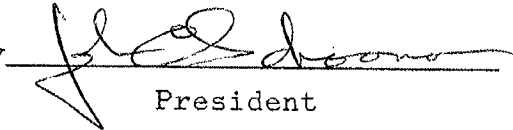
29. Lessee acknowledges that under Section 107 of the Revenue and Taxation Code of the State of California that the Marin County Assessor is required to place a value on all possessory interests. Possessory interest is defined as the right of a private taxable person or entity to use property owned by a tax exempt agency for private purposes. A possessory interest tax will, therefore, be levied by the County Assessor on the leased premises and improvements thereon against the Lessee as of the lien date which is March 1 of each year. Lessee shall pay all taxes and assessments which are levied upon the improvements or leasehold of Lessee.

30. Lessee understands that the leased premises are presently subject to easement rights by the heirs and/or assigns of Miss Agatha Ryan over a roadway now located in the southwesterly portion of the leased premises. Lessee agrees to recognize and respect said easement rights, and to do nothing that will interfere with the exercise of said rights by the said Miss Agatha Ryan heirs or assigns.


31. Lessee agrees to promptly pay any and all expenses incurred in the construction, maintenance and operation of the golf course.

IN WITNESS WHEREOF, the parties have executed this agreement  
the date first above written.

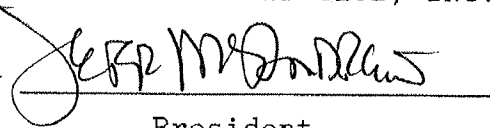
NORTH MARIN WATER DISTRICT

by   
President

ATTEST:

  
Secretary

INDIAN VALLEY GOLF CLUB, INC.

by   
President

DESCRIPTION OF  
INDIAN VALLEY GOLF COURSE LEASE AREA

That certain Real Property situated in the County of Marin, State of California, described as follows to-wit:

**PARCEL #8**

BEGINNING at an existing copper pipe marking the most easterly corner of the lands conveyed by North Marin Water District to Agatha C. Ryan by deed recorded September 17, 1952, in Liber 764 of Official Records at Page 355, Marin County Records;

running thence from said point of beginning along the northerly line of the lands so conveyed to Agatha C. Ryan, North 81°15' West, 1146.87 feet to a point in the westerly line of the Lands of North Marin Water District;

running thence along said line North 0°21'16" East, 1480.97 feet to a point on the High Water Line of Stafford Lake (High Water Line being defined as an average elevation of 200 feet);

running thence along said High Water Line South 67°59' East, 347.25 feet;

thence North 70°27' East, 327.58 feet;

thence North 2°02' West, 435.25 feet;

thence North 74°52' East, 483.61 feet;

thence South 76°21' East, 255.88 feet;

thence South 67°23' East, 105.56 feet;

thence South 31°28' East, 293.05 feet;

thence South 9°18' West, 544.27 feet;

thence South 13°06' East, 282.00 feet;

thence North 49°18' East, 267.45 feet;

thence North 80°01' East, 350.70 feet;

thence North 2°09' East, 296.18 feet;

thence North 18°31' East, 200.00 feet;

thence North 50°31' East, 200.00 feet;

thence South 85°25' East, 229.68 feet;

thence North 74°44' East, 310.00 feet;

thence South 67°55' East, 249.25 feet;  
thence South 89°35' East, 231.50 feet;  
thence North 48°34' East, 494.21 feet;  
thence North 13°23' West, 352.80 feet and North 9°13' West, 251.48 feet;  
thence leaving said High Water Line, North 62°29' East, 214.14 feet to a point set in an existing fence line;  
thence running along said fence line North 26°08' East, 196.28 feet;  
thence South 78°54' East, 195.40 feet;  
thence South 41° East, 211.67 feet;  
thence South 36°35' East, 198.00 feet;  
thence South 17°28' East, 230.34 feet;  
thence South 6°02' West, 560.69 feet;  
thence South 15°33' East, 187.41 feet;  
thence South 31°58' East, 191.81 feet;  
thence South 42°39' East, 280.22 feet;  
thence South 36°12' East, 84.16 feet;  
thence South 27°54' East, 81.49 feet;  
thence South 7°19' East, 581.94 feet;  
thence South 4°58' East, 710.67 feet and South 10°52' West, 181.78 feet to a point in the southerly line of the Lands of North Marin Water District;  
running thence along said line South 89°15'50" West, 3921.19 feet to a point in the southeasterly line of the aforesaid lands of Agatha C. Ryan;  
running thence along said line North 35° East, 359.07 feet to the Point of Beginning.

#### ROADWAY EASEMENT

TOGETHER WITH a road easemnt 40.00 feet in width the centerline of which is described as follows:

BEGINNING at a point in the northwesterly line of the above described parcel, which point bears North 62°29' East, 43.40 feet from the southwesterly terminus of the course described as "North 62°29' East, 214.14 feet" in the above described parcel;

running thence from said Point of Beginning North 26°03' West, 119.90 feet;

thence North 51°48' West, 279.97 feet;

thence North 5°59' West, 200.00 feet;

thence North 17°40' West, 629.68 feet;

thence North 14°03' East, 271.01 feet;

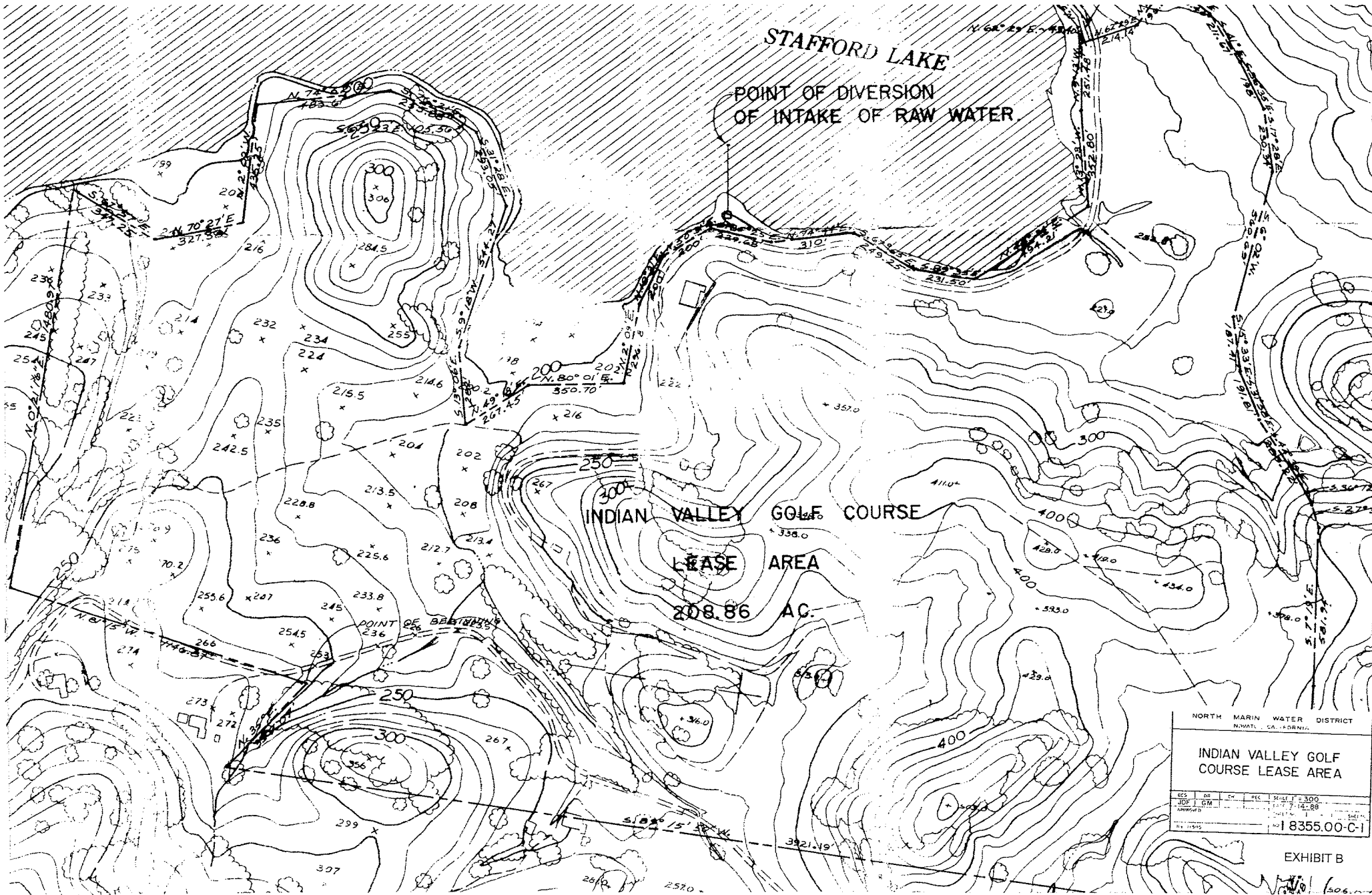
thence North 27°59' East, 153.98 feet;

thence North 12°37' East, 145.00 feet;

thence North 36°18' West, 289.00 feet;

thence North 3°47' East, 211.00 feet;

thence North 2°42' West, 160.15 feet and North 57°50' East, 542.00 feet, more or less, to a point in the southerly line of the Novato - Hicks Valley County Road.



NORTH MARIN WATER DISTRICT						
INDVAT, CA - FORNIA						
INDIAN VALLEY GOLF COURSE LEASE AREA						
DATE	BY	CHK	REV	SCALE	NO.	TITLE
02/27/88	GM			1" = 300'	1	INDIAN VALLEY GOLF COURSE LEASE AREA
APPROVED						
					NO.	PROJECT NO.
					18355.00-C-1	

EXHIBIT B

1606

**FIRST AMENDMENT OF LEASE**

THIS FIRST AMENDMENT OF LEASE (“Amendment”) is entered into as of \_\_\_\_\_, 2020 by and between NORTH MARIN WATER DISTRICT, a public agency (“Lessor”) and INDIAN VALLEY GOLF CLUB, INC., a California corporation (“Lessee”) based on the following facts and circumstances.

WHEREAS, Landlord and Tenant entered into a Lease Agreement dated July 20, 1988 for approximately 208.86 acres of watershed area adjoining Stafford Lake for the purpose of Lessee maintaining and operating a golf course (“Lease”);

WHEREAS, the term of the Lease expires June 30, 2026. Lessor and Lessee desire to extend the term of the Lease four years, to June 30, 2030. The parties enter into this First Amendment of Lease for that purpose.

NOW, THEREFORE, for valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties, intending to be legally bound, agree as follows.

1. Section 3 of the Lease is deleted in its entirety and replaced with the following:

“The term of this Lease shall begin on August 1, 1988 and end on June 30, 2030. Any payment under the existing lease as rental for a period after August 1, 1988 shall be credited against rental due under this Lease.”

2. All other terms and conditions of the Lease shall remain in full force and effect.
3. This Amendment shall be binding on the successors and assigns of the parties. No further amendment of this Lease shall be effective unless in writing, signed by the parties. This Amendment may be signed in counterparts, by facsimile or electronic signature.

IN WITNESS WHEREOF, the parties have signed this First Amendment of Lease as of the date first written above.

LESSOR:

NORTH MARIN WATER DISTRICT,  
a public agency

By: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

LESSEE:

INDIAN VALLEY GOLF CLUB, INC.,  
a California corporation

By: \_\_\_\_\_


Title: \_\_\_\_\_

Date: \_\_\_\_\_



**11**

## MEMORANDUM

To: Board of Directors  
From: Julie Blue, Auditor-Controller   
Subj: Oceana Marin Sewer System Financial Plan Update  
t:\actbudget\fy-2020.21\board memos\om wtr update 5-year fy20.21.docx

April 17, 2020

**RECOMMENDED ACTION: Approve Drafting a Letter to Oceana Marin Sewer Customers Regarding a Sewer Rate Increase**

**FINANCIAL IMPACT: None at this time**

Attached is an update of the Oceana Marin Water System 5-Year Financial Forecast.

**Significant assumptions include:**

- 1) Capital Improvement Project Program: Within the upcoming 5-year financial plan window two major projects are scheduled. In FY21 \$225,000 is budgeted towards the Treatment Pond Rehabilitation project with completion of the project in FY22 for an additional \$1,600,000. The costs of this project will be offset with 75% grant funding from the California Office of Emergency Services. Additionally, \$300,000 is budgeted in FY24 for the North St. Lift Station Bypass project.
- 2) Rate Increase: A 5% increase to the sewer service charge is incorporated into FY21 and 5% for each of the subsequent years. If the Board approves a 5% increase at its June 23 public hearing, the sewer service charge would increase to \$98/month effective July 1, 2020, which is \$1,176 annually billed on the property tax bill.
- 3) Connection Fee: A new connection every other year is forecasted with no new connections budgeted in FY21. There has been no new growth in the past 3 years but the capacity is available.

The 5% proposed rate increases are consistent with the prior year's 5-year financial plan and budgeted to finance a portion of the CIP plan on a pay-go basis. These increases are needed to fund the capital improvement plan which will address deferred major capital projects. Completion of these projects is necessary to maintain a well functioning sewer system. The forecast also includes borrowing of \$250,000 in FY22 and \$400,000 in FY25 to further support the CIP plan with major projects listed above. The financial plan shown will keep the Oceana Marin System solvent through FY25.

**RECOMMENDATION:**

Direct Staff to draft a letter to Oceana Marin Sewer customers for Board review noticing a public hearing In Point Reyes Station on June 23 to consider a 5% increase in the sewer service charge.

**OCEANA MARIN SEWER**  
**FY 20/21-Five-Year Financial Forecast**

#		Actual 2018/19	Est Actual 2019/20	Budget 2020/21	Projected 2021/22	Projected 2022/23	Projected 2023/24	Projected 2024/25
<b># BASIC DATA</b>								
1	Number of Connections	234	234	234	235	235	236	236
2	Monthly Service Charge	\$90.00	\$93.00	\$98.00	\$103.00	\$108.00	\$113.00	\$119.00
<b>OPERATING REVENUE</b>								
3	Monthly Service Charge	\$252,720	\$261,000	\$275,000	\$290,000	\$305,000	\$320,000	\$337,000
4	Miscellaneous Service Charges	-	-	-	-	-	-	-
5	<b>Total Operating Revenue</b>	<b>\$252,720</b>	<b>\$261,000</b>	<b>\$275,000</b>	<b>\$290,000</b>	<b>\$305,000</b>	<b>\$320,000</b>	<b>\$337,000</b>
<b>OPERATING EXPENSE</b>								
6	Operating Expenditures	\$155,069	\$195,000	\$212,000	\$218,000	\$224,000	\$230,000	\$236,000
7	Depreciation Expense	38,194	46,000	48,000	53,000	82,000	83,000	89,000
8	<b>Total Operating Expense</b>	<b>\$193,263</b>	<b>\$241,000</b>	<b>\$260,000</b>	<b>\$271,000</b>	<b>\$306,000</b>	<b>\$313,000</b>	<b>\$325,000</b>
9	<b>NET OPERATING INCOME</b>	<b>\$59,457</b>	<b>\$20,000</b>	<b>\$15,000</b>	<b>\$19,000</b>	<b>(\$1,000)</b>	<b>\$7,000</b>	<b>\$12,000</b>
<b>NON-OPERATING REVENUE/(EXPENSE)</b>								
10	Interest Revenue	\$5,623	\$11,000	\$3,000	\$4,000	\$3,000	\$3,000	\$2,000
11	Interest Expense	-	-	-	(9,000)	(8,000)	(7,000)	(21,000)
12	OM-1/OM-3 Tax Allocation	58,682	60,000	61,000	62,000	63,000	64,000	65,000
13	Miscellaneous Revenue	250	-	-	-	-	-	-
14	Miscellaneous Expense	(1,186)	-	-	-	-	-	-
15	<b>Total Non-Op Revenue/(Expense)</b>	<b>\$63,369</b>	<b>\$71,000</b>	<b>\$64,000</b>	<b>\$57,000</b>	<b>\$58,000</b>	<b>\$60,000</b>	<b>\$46,000</b>
	<b>Net Income</b>	<b>\$122,826</b>	<b>\$91,000</b>	<b>\$79,000</b>	<b>\$76,000</b>	<b>\$57,000</b>	<b>\$67,000</b>	<b>\$58,000</b>
<b>OTHER SOURCES/(USES)</b>								
16	Add Depreciation Expense	\$38,194	\$46,000	\$48,000	\$53,000	\$82,000	\$83,000	\$89,000
17	Connection Fees	-	-	-	30,000	-	30,000	-
18	Capital Improvement Projects	(290,077)	(124,500)	(290,000)	(1,740,000)	(40,000)	(340,000)	(440,000)
19	Grant/Loan Proceeds	-	-	225,000	1,450,000	-	-	400,000
20	Debt Principal Payments	-	-	-	-	(9,000)	(9,000)	(24,000)
21	Net Change in Working Capital	(123,658)	-	-	-	-	-	-
22	<b>Total Other Sources/(Uses)</b>	<b>(\$375,541)</b>	<b>(\$78,500)</b>	<b>(\$17,000)</b>	<b>(\$207,000)</b>	<b>\$33,000</b>	<b>(\$236,000)</b>	<b>\$25,000</b>
23	<b>Cash Increase/(Decrease)</b>	<b>(\$252,715)</b>	<b>\$12,500</b>	<b>\$62,000</b>	<b>(\$131,000)</b>	<b>\$90,000</b>	<b>(\$169,000)</b>	<b>\$83,000</b>
24	<b>ENDING CASH BALANCE</b>	<b>\$308,000</b>	<b>\$321,000</b>	<b>\$383,000</b>	<b>\$252,000</b>	<b>\$342,000</b>	<b>\$173,000</b>	<b>\$256,000</b>

Fiscal year 2021 Rate Increase to be reviewed for approval by the Board on June 23, 2020. FY 2022 through 2025 are projections for financial forecasting purposes only - not yet approved by the Board of Directors.

**OCEANA MARIN SEWER**

**NOTES**

# KEY

- 1 Assumes 1 connection every other year due to slow growth in the area. Capacity is estimated at 294 dwelling units.
- 2 Proposed 5% increase for FY21 and annual increases of 5% to fund the CIP budget and cash reserves.
- 6 Operating expenditures projected to increase 3% annually after FY20.
- 10 Projected available funds invested at 1.00%
- 12 County tax allocation enacted subsequent to Prop 13 to compensate for O&M tax revenue previously received. OM-1/IOM-3 County Tax alloc is projected to increase 1.6% per year.
- 17 Connection fee increased to \$30,000 on 7/1/17. Assumes connections occur in OM-3 Units 1 or 5 which are subject to the connection fee.
- 18 Capital Improvement Projects. See 5-year Capital Improvements Project Plan.
- 19 Grant/Loan - Pond Treatment Rehab capital projects to be funded at 75% by grants. Eligible project costs are budgeted at \$2.2M (75%=\$1.4 Also includes loans for capital projects of \$250K in FY22 and \$400K in FY25
- 24 Cash available for operation, maintenance and improvements.

12

## MEMORANDUM

To: Board of Directors  
From: Julie Blue, Auditor-Controller JB  
Subj: West Marin Water System Financial Plan Update  
t:\acl\budget\fy-2020.21\board memos\wm wtr update 5-year fy20.21.docx

April 17, 2020

**RECOMMENDED ACTION: Approve drafting a letter to West Marin Water customers regarding a water rate increase**

**FINANCIAL IMPACT: None at this time**

Attached is an update of the West Marin Water System five-year financial plan. Significant expenditures in this plan include capital projects totaling \$1,485,000 for fiscal year (FY) 21. The major projects that make up the fiscal year capital improvement projects are listed below:

- Completion of the Paradise Ranch Estates Tank 4A project with a total cost of \$1,600,000 of which \$1,000,000 is budgeted in FY21.
- Continued work on the Lagunitas Creek Bridge Pipe Replacement project with a total cost of \$770,000 of which \$100,000 is budgeted in FY21.
- Completion of the Gallagher Ranch Streambank Stabilization project with a total cost of \$660,000 of which \$260,000 is budgeted in FY 21.

**Significant assumptions in the budget include:**

- 1) Rate Increase: Consistent with prior year's financial plans, an annual water rate increase of 4.5% is proposed for FY21 and 4.5% rate increases are projected through fiscal year 2025. For next fiscal year the increase is structured with a 4.5% commodity rate increase and 4.5% increase in the bimonthly service charge, proposed effective July 1, 2020;
- 2) Water Sales Volume: FY21 sales volume is projected at 65 MG and is based on the average of five years of actual use (FY15-FY19) adjusted for the potential impacts of the declaration of water shortage emergency effective May 5, 2020. The projections for outlying years are budgeted at 67 MG which represent a recovery from the drought;
- 3) New Connections: A new connection every other year is forecasted. There has been no growth in the past 3 years and the number of connections has remained at 783 active meters.
- 4) Loan from Novato Water: Funds to be borrowed from Novato Water to be utilized to fund WM's capital improvement plan which will be repaid over time with interest.

**Recommendation:**

Direct Staff to draft a letter to West Marin Water customers for Board review noticing a public hearing in Point Reyes Station on June 23, 2020 to consider a 4.5% increase in the cost of water.

**WEST MARIN WATER**  
**FY 20/21-Five-Year Financial Forecast**

#	BASIC DATA	Actual 2018/19	Est Actual 2019/20	Budget 2020/21	Projected 2021/22	Projected 2022/23	Projected 2023/24	Projected 2024/25
1	Active Meters	783	783	784	784	785	785	786
2	Avg Commodity Rate/1,000 Gal	\$10.57	\$10.94	\$11.43	\$12.00	\$12.60	\$13.23	\$13.90
3	Potable Consumption (MG)	66.8	71.0	65.0	67.0	67.0	67.0	67.0
<b>OPERATING REVENUE</b>								
4	Commodity Charge	\$706,076	\$777,000	\$743,000	\$804,000	\$844,000	\$887,000	\$931,000
5	Bimonthly Service Charge	185,184	192,000	201,000	210,000	220,000	230,000	240,000
6	Miscellaneous Service Charges	7,524	7,000	7,000	7,000	7,000	7,000	7,000
7	<b>Total Operating Revenue</b>	<b>\$898,784</b>	<b>\$976,000</b>	<b>\$951,000</b>	<b>\$1,021,000</b>	<b>\$1,071,000</b>	<b>\$1,124,000</b>	<b>\$1,178,000</b>
8	Operating Expenditures	\$554,897	\$548,000	\$538,000	\$589,000	\$607,000	\$625,000	\$644,000
9	Depreciation Expense	186,922	186,000	204,000	229,000	246,000	249,000	259,000
10	<b>Total Operating Expense</b>	<b>\$741,819</b>	<b>\$734,000</b>	<b>\$742,000</b>	<b>\$818,000</b>	<b>\$853,000</b>	<b>\$874,000</b>	<b>\$903,000</b>
11	<b>NET OPERATING INCOME</b>	<b>\$156,965</b>	<b>\$242,000</b>	<b>\$209,000</b>	<b>\$203,000</b>	<b>\$218,000</b>	<b>\$250,000</b>	<b>\$275,000</b>
<b>NON-OPERATING REVENUE/(EXPENSE)</b>								
12	Interest Revenue	\$63,360	\$73,000	\$11,000	\$4,000	\$5,000	\$7,000	\$6,000
13	Interest Expense	(28,799)	(24,000)	(22,000)	(20,000)	(18,000)	(38,000)	(38,000)
14	PR-2 County Tax Allocation	55,070	56,000	57,000	58,000	59,000	60,000	61,000
15	Miscellaneous	(124)	-	-	-	-	-	-
16	<b>Total Non-Op Revenue/(Expense)</b>	<b>89,507</b>	<b>105,000</b>	<b>46,000</b>	<b>42,000</b>	<b>46,000</b>	<b>29,000</b>	<b>29,000</b>
17	<b>Net Income</b>	<b>\$246,472</b>	<b>\$347,000</b>	<b>\$255,000</b>	<b>\$245,000</b>	<b>\$264,000</b>	<b>\$279,000</b>	<b>\$304,000</b>
<b>OTHER SOURCES/(USES)</b>								
18	Add Depreciation Expense	\$186,922	\$186,000	\$204,000	\$229,000	\$246,000	\$249,000	\$259,000
19	Connection Fees	8,000	-	23,000	-	23,000	-	23,000
20	Capital Improvement Projects	(132,241)	(1,093,000)	(1,485,000)	(1,040,000)	(200,000)	(575,000)	(775,000)
21	Grant/Loan Proceeds	-	-	385,000	-	-	-	-
22	Loan from Novato Water	-	-	-	700,000	(50,000)	(50,000)	(50,000)
23	Debt Principal Payments	(117,608)	(47,000)	(49,000)	(51,000)	(52,000)	(54,000)	(56,000)
24	Net Change in Working Capital	20,105	-	-	-	-	-	-
25	<b>Total Other Sources/(Uses)</b>	<b>(\$34,822)</b>	<b>(\$954,000)</b>	<b>(\$922,000)</b>	<b>(\$162,000)</b>	<b>(\$33,000)</b>	<b>(\$430,000)</b>	<b>(\$599,000)</b>
26	<b>Cash Increase/(Decrease)</b>	<b>\$211,650</b>	<b>(\$607,000)</b>	<b>(\$667,000)</b>	<b>\$83,000</b>	<b>\$231,000</b>	<b>(\$151,000)</b>	<b>(\$295,000)</b>
27	Operating Reserve	\$185,000	\$182,700	\$179,300	\$196,300	\$202,300	\$208,300	\$183,000
28	System Expansion Reserve	1,403,650	799,300	135,700	201,700	426,700	269,700	(31,700)
29	Liability Contingency Reserve	99,000	99,000	99,000	99,000	99,000	99,000	99,000
30	<b>ENDING CASH BALANCE</b>	<b>\$1,688,000</b>	<b>\$1,081,000</b>	<b>\$414,000</b>	<b>\$497,000</b>	<b>\$728,000</b>	<b>\$577,000</b>	<b>\$282,000</b>

Fiscal year 2021 Rate Increase to be reviewed for approval by the Board on June 23, 2020. FY 2022 through 2025 are projections for financial forecasting purposes only - not yet approved by the Board of Directors.

**WEST MARIN WATER** - Includes the communities of Point Reyes Station, Inverness Park, Olema, Bear Valley, Silver Hills & Paradise Ranch Estates (PRE)

**NOTES**

- 1 Assumes annual increase of 1 connection every other year.
- 2 Commodity rate and Bimonthly Service Charge proposed increase 3.5% 7/1/20. Annual 4.5% increases shown thereafter for financial forecasting purposes on not yet - considered by the Board of Directors.
- 3 Consumption projection assumes 65MG in FY21 due to reduced water use as a result of Declaration of a Water Shortage Emergency and budgeted at 67MG annually thereafter with expected recovery.
- 4 Average Commodity Rate multiplied by Potable Consumption.
- 5 Bimonthly service charge shown to increase 4.5% annually. Details of the rate increase structure to be determined at budget rate hearings.
- 8 Operating Expense projected to increase approximately 3% per year.
- 12 Projected available funds invested at 1.00%
- 19 Connection fees were set at \$22,800 per equivalent dwelling unit effective August 1, 2010.
- 20 Capital Improvement Projects will be reviewed and included in the full District budget.
- 22 Loan from Novato Water - Funds borrowed from Novato Water to be utilized to fund capital plan. To be paid back with interest.
- 23 Debt payments primarily for the WM portion of the 2012 Bank of Marin Loan with an interest rate of 3.54% and balance of \$710K as of 06/30/19.
- 27 Operating Reserve should be comprised of a minimum of 4 months of operating expenditures previously recommended by the District's financial advisors.
- 28 System Expansion Reserve is composed of connection fee revenue, unexpended Bank of Marin loan funds, and funds for 5-year Capital Plan.
- 29 Liability Contingency Reserve - \$90,000 is West Marin Water's pro-rata share (3.6%) of the District's \$2.5 million liability contingency fund, available to pay liability claims arising within the West Marin water system. \$8,885 was added in Dec 2006 from sale of 2 surplus parcels in Inverness Park.



13

## MEMORANDUM

To: Board of Directors

April 17, 2020

From: Julie Blue, Auditor-Controller *JB*  
Robert Clark, Operations/Maintenance Superintendent *RJC*Subj: STP Solar Power Facility – 7th Year Status Report  
E:\ac\word\slp solar proj\status rpt - 7th year.docx**RECOMMENDED ACTION: None****FINANCIAL IMPACT: Approximately \$3,347 Savings in Power Cost**

The Stafford Treatment Plant Solar Power Facility commenced operation on August 9, 2012. During the 2018/19 net metering year (August through July) the facility produced 653,736 kWh of electricity, exceeding the 607,000 kWh design capacity. Under the terms of the Power Purchase Agreement, the District paid 20.03¢/kWh of solar energy produced. STP produced 556 MG which consumed 697,052 kWh of electricity. The 43,316 kWh differential (697,052 required less 653,736 produced) was provided by PG&E at a net cost of \$14,076. Operation of the solar facility resulted in a net power savings of \$3,347 to the District during the 2018/19 net metering year.

REC Solar, the contractor that maintains the facility, continues to mow the grass and clean the panels within the field enclosure in early spring. The system was 100% operational with 36 days of reduced production (less than 600kWh) due to cloudy skies.

The 20-year solar facility financing agreement stipulates a 3% annual rate increase. Since startup, the applicable weighted-average PG&E time-of-use rate of 32.5¢/kWh an increase of 7.2%, with demand, service and tax charges included. Cost effective operation of the solar facility will continue to be enhanced by the ability of STP to produce at least 750 MG of water annually.

Net Metering Year	STP MG Produced	STP mWh Consumed	Solar mWh Produced	Savings/(Loss) <sup>1</sup>
2012/13	804	788	677	(\$1,000)
2013/14	464	600	738	(\$16,000)
2014/15	598	642	701	(\$12,000)
2015/16	563	646	623	\$6,000
2016/17	756	891	690	\$11,000
2017/18	775	739	697	\$4,053
2018/19	556	697	654	\$3,347

As of April 1, 2019, the District moved to Marin Clean Energy as our primary power provided at the Stafford Treatment Plant. As part of this move we have changed our true up period or net metering year to April 1 through March 31 versus the August through July for this report.

<sup>1</sup> Savings/(Loss) derived from operating the solar facility is calculated using the TOU rates in effect from the PG&E A10 rate table plus 23% for PG&E demand, service and tax charges.

**14**

**DISBURSEMENTS - DATED APRIL 9, 2020**

Date Prepared 4/7/20


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
P/R*	Employees	Net Payroll PPE 3/31/20	\$145,610.46
EFT*	Internal Revenue Service	Federal & FICA Taxes PPE 3/31/20	64,160.30
EFT*	State of California	State Taxes & SDI PPE 3/31/20	13,557.74
EFT*	CalPERS	Pension Contribution PPE 3/31/20	37,237.63
90267	US Bank Credit Card	Extended Run Fuel System (\$191), North Bay Watershed Conference Registration - (Director Baker & McIntyre-\$301) (To Be Refunded), Ads for Senior Chemist Position (\$275), WQI-D1 Math Review Registration (Lemos) (\$500), CA Public Records Act Fundamentals Registration (T. Kehoe & J. Blue) (\$80), AWWA Standards Methods for Examination of Water & Wastewater (\$294) (Lab), Airfare GFOA Conference (Williamson) (\$463), "Transitioning to Supervisor" Class (Holton) (\$149), Lodging for OSHA Training (\$458) & Osha Training Registration (Kane) (\$551) Misc Expenses (\$133) (Less Credit of \$374 for AWWA Conf Registration)	3,021.19
1	Able Tire & Brake	Tire Repair ('15 JD Skip Loader)	165.83
2	Alpha Analytical Labs	Lab Testing (W.M. & Novato)	255.00
3	Arrow Benefits Group	March Dental Expense	2,289.74
4	DataTree	March Subscription to Parcel Data Info	100.00
5	Diesel Direct West	Diesel (736 gal) (\$2,044) & Gasoline (347 gal) (\$686)	2,729.92
6	Direct Line	April Telephone Answering Service	165.85
7	Ditch Witch West	Belts (2) ('19 Mobile Generator) (\$195) & Sprayer Tip ('13 Vac Excavator & Trailer) (\$245) (Less Credit of \$63 Received for Returned Part)	377.29

Seq	Payable To	For	Amount
8	Environmental Science Assoc	Prog Pymt#7: NMWD San Mateo Tank Permitting Assistance (Balance Remaining on Contract \$8,126)	1,662.50
9	Ferguson Waterworks	Verizon CIMU Antennas (3)	283.02
10	Fishman Supply	Safety Gloves (400)	63.52
11	Friedman's Home Improvement	Electric Box & Outlet Cover	9.79
12	GHD	Prog Pymt#6: (\$27,562) & Prog Pymt#7: O.M. Treatment & Storage Pond Repair Project (\$7,187) (Balance Remaining on Contract \$53,988)	34,748.90
13	Grainger	Misc Size Batteries (324) (\$117), Architect Rulers (2), 30' Tape Measures (8) (\$142) & Cordless Saw (\$205)	477.15
14	HERC Rentals	Mini Excavator Rental (3/23-3/27/20) (Replacement Pre Tank #4A Project)	1,243.49
15	Horwitz, Bruce & Monica	Refund Overpayment on Closed Account	312.00
16	Kratochvil, Jan	Refund Overpayment on Closed Account	68.62
17	Lemos, James	Exp Reimb: Hotel (\$485) & Meals (\$72) for D1/D2 Math Review Class in Sacramento on 3/11-3/13	557.36
18	Lincoln Life	Deferred Compensation PPE 3/31/20	9,826.27
19	Marin County Ford	Service Parts ('10 F150-\$366, '12 Ford F250-\$71, '15 Ford Escape-\$88, '18 Ford Transit Cargo Van-\$66) & Seat Adjuster ('12 F250) (\$44)	634.31
20	McLellan, WK	Misc Paving	1,311.35
21	Nationwide Retirement Solution	Deferred Compensation PPE 3/31/20	920.00
22	Novato Builders Supply	Fencing Material for Old Ranch Road Tank (\$99), Cement Patch, Screws & Blades for B/G Shop (\$61) (Less Credit of \$19 Received for Returned Cement)	140.67
23	Osthus, Joakim	Novato "Hot Water Recirculation System"	75.00

Seq	Payable To	For	Amount
24	Pace Supply	Service Saddle (\$67), Clamp, Flange Spool (\$229), Corp Stop (\$223) & Couplings (25) (\$259)	804.66
25	Pini Hardware	Post Hole Digger (\$59), Diamond Saw Blades (3) (\$100) (Const) & Miscellaneous Tools & Supplies (\$227)	385.55
26	Pollard Water	Tube Rounder	114.99
27	Recology Sonoma Marin	March Trash Removal	510.80
28	Red Wing Shoe Store	Safety Boots (Northen & Davenport)	386.38
29	Soiland	Asphalt Recycling (12 tons)	111.50
30	Thatcher of California	Ferric Chloride (9 tons) (STP)	6,717.89
31	Township Building Services	March Janitorial Services	2,035.48
32	Univar	Sodium Hypochlorite (424 gal) (STP)	1,256.44
33	Verizon Wireless	SCADA (\$157), AMI Collectors (\$650) & CIMIS Station	821.68
34	West Yost Associates	Prog Pymt#3: STP Plant Process Efficiency Improvement Study (Balance Remaining on Contract \$1,156)	773.95
<b>TOTAL DISBURSEMENTS</b>			<b><u>\$335,924.22</u></b>

The foregoing payroll and accounts payable vouchers totaling \$335,924.22 are hereby approved and authorized for payment.


4/6/2020  
 Auditor-Controller Date


4/7/2020  
 General Manager Date

## **DISBURSEMENTS - DATED APRIL 16, 2020**

Date Prepared 4/14/20


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
1	Athens Administrators	March Indemnity Review Fee	\$105.00
2	Cilia, Joseph	Retiree Exp Reimb (Apr Health Ins)	334.00
3	Corda, Jeff	Exp Reimb: Office of Water Programs Course-Utility Management	94.10
4	Enterprise FM Trust	April Monthly Lease Charges for Nissan Rouges (2), Frontier & F150 Vehicles (2)	2,380.16
5	Fisher Scientific	Membranes (600)(\$313) & Buffer (Lab)	370.87
6	Frontier Communications	Leased Lines	1,431.41
7	Grainger	Disposable Cups (1,000) (\$61) & Couplings (12) (\$71)	131.59
8	Idexx Laboratories	Coli Comparator (Lab)	19.39
9	Jackson, David	Retiree Exp Reimb (Apr Health Ins)	987.21
10	Latanyshyn, Roman	Retiree Exp Reimb (Apr Health Ins)	334.00
11	Lemos, Kerry	Retiree Exp Reimb (Apr Health Ins)	987.21
12	Maltby Electric	Pole Receptacle for Gallagher Well	446.53
13	North Marin Auto Parts	Lights ('19 Ditch Witch) (\$145), Light Switches for Fleet (8) (\$102), Batteries ('15 JD Skip Loader) (\$310), Gas Cap, Valve ('07 Chevy Colorado) (\$168), Service Parts ('14 F150 - \$51 & '16 Nissan Frontier - \$79), Trailer Light Cable, Tire Gauge, Wiper Blades (2), Light Bulbs (10), Electrical Connectors, Grease ('09 Peterbilt), Disposable Gloves (1,000) (\$119), 5 Gal Buckets (7) & Misc Hardware	1,107.91
14	North Bay Gas	Welding Supplies, Acetylene (\$494) (Lab) & March Cylinder Rental (\$98)	613.36
15	NMWD Employee Association	Association Dues (2/1/20-3/31/20)	960.00
16	City of Novato	Rosalia Tank Parcel Merger	200.00

Seq	Payable To	For	Amount
17	Office Depot	Copy Paper (10 reams)	286.35
18	Pace Supply	Hydrant Extensions (2) (\$195), 4" Flange Spools (7) (\$1,151), 6" Flange Spools (4) (\$1,265), Elbow, Armor FCRC Fords (11) (\$292), Dual Wedges (2) (\$65), Brass Plug, Flex Coupling (\$244), Brass Caps (10) (\$173) & Couplings (10) (\$173)	3,616.28
19	PG&E	Bldgs/Yard (\$3,374), Other (\$144), Pumping (\$27,752), Rectifier/Controls (\$448) & TP (\$18,029)	49,747.50
20	State Water Resources Control Board	T2 Operator Certificate Renewal (Reischmann) (9/20-9/23) (Budget \$60)	60.00
21	Syar	Asphalt (6 tons)	55.70
22	United Parcel Service	Delivery Service: Shipping for Lab Samples	28.08
23	VWR International	Lab Labeling Tape	60.50
24	Waste Management	Green Waste Disposal	473.43
		<b>TOTAL DISBURSEMENTS</b>	<b><u>\$64,830.58</u></b>

The foregoing payroll and accounts payable vouchers totaling \$64,830.58 are hereby approved and authorized for payment.


4/15/2020  
 \_\_\_\_\_  
 Auditor-Controller Date


4/15/2020  
 \_\_\_\_\_  
 General Manager Date



## MEMORANDUM

To: Board of Directors

April 17, 2020

From: Julie Blue, Auditor-Controller *JB*

Subj: Rate Increase Notice on Water Bill – Novato Service Area

t:\ac\budget\fy-2020.21\rate increase fy 20.21\board memo notice on bill 2020.docx

### **RECOMMENDED ACTION: Information Only**

### **FINANCIAL IMPACT: No Cost**

At the April 7<sup>th</sup> NMWD board meeting the Board of Directors approved a customer letter notifying of a proposed increase to water rates, rate structure changes, and related public hearing. In conjunction with the individually addressed letters to customers regarding the proposed rate increase and rate structure changes, the District will include a message on each customer's water bill. The notice will read:

*A public hearing will be held at NMWD's office on Tuesday, June 16, at 6pm, to consider a 6% revenue increase & rate structure changes effective July 1, equal to \$4 per month for the average customer. The impact on your account can be viewed at [nmwd.com/accountbalance.php](http://nmwd.com/accountbalance.php) or call us at 415-897-4133.*

The Water Cost Calculator on the District's website calculates the cost and impact of the proposed increases and structure changes in dollars and percentages for every customer account based on each account's individual water use history. The proposed rate structure modifications will result in individual customer bills that may increase more or less than the 6% global revenue increase. An example, using NMWD's average single-family customer in Zone A, who uses 84,000 gallons of water annually, is shown on the following page. A similar notice, as the one above, will be placed on the District's homepage along with a link to the *Water Cost Calculator* and a link to a copy of the rate increase notification letter.

NMWD's customer base is divided into eight groups billed bimonthly. The message will be included on the Novato Service Area water bills mailed beginning April 30, thereby ensuring that all customers will receive the notice prior to the June 16, 2020 public hearing.

### NMWD ANNUAL WATER COST CALCULATOR

**Service Location:** 123 Main Street  
**Zone:** A

**Account No:** 123456  
**Meter Size:** 0.625"

<b>Basic Data</b>	<b>7/1/2019</b>	<b>7/1/2020</b>
Water Use (Annual Gallons) *	84,000	84,000
Service Charge (Bimonthly)	\$34.15	\$41.46
Water Rate/1,000 Gallons **	\$5.42	\$5.50
<b>Annual Cost</b>		
Service Charge	\$205	\$249
Water Use Charge	\$455	\$462
Total Annual Cost	\$660	\$711
Annual Increase		\$50.58
Percentage Increase		7.7%
<b>Monthly Increase: ***</b>		<b>\$4.22</b>

\* Water Use shown is based on your prior 12 months billed consumption.

\*\* Water Rate shown is your annual average. The Water Rate and Water Use Charge assume your seasonal water use pattern remains consistent with your prior 12 months billed consumption.

\*\*\* Note that bills are rendered bimonthly (every 2 months).

*This Annual Water Cost Calculator is for estimating purposes only and may not provide all of the information contained on your specific customer bill or be precisely accurate. Your future water cost will vary based upon your actual water use. If you have questions about this calculator please call the District at 415.897.4133 and ask for customer service.*



# 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](http://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 pipelines, pumps, reservoirs, treatment plants, valves, hydrants, laboratory, monitoring systems, and more.

**Rising costs to purchase imported water.** The District imports 75% of its water from Sonoma County Water Agency. 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.*

# Increase 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

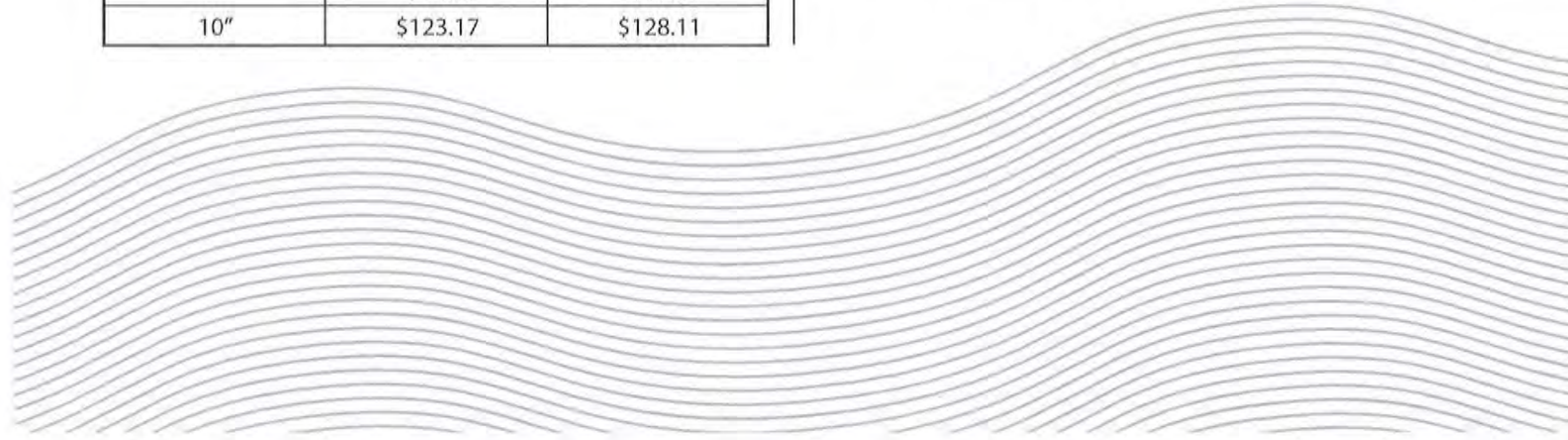
Fire Service Charges apply to commercial connections with fire sprinklers. The charges are based on the actual cost of maintaining fire service lines.

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

PRSR STD  
U.S. POSTAGE  
**PAID**  
SAN RAFAEL, CA  
PERMIT NO 2

### BOARD OF DIRECTORS

Michael Joly, President  
James Grossi, Vice President  
Jack Baker, Director  
Rick Fraithe, 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](mailto:info@nmwd.org)

#### VISIT OUR WEBSITE:

[www.nmwd.com](http://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.

## MEMORANDUM

To: Board of Directors

April 17, 2020

From: Ryan Grisso, Water Conservation Coordinator *Rb*

Subject: Website Privacy Policy  
V:\Memos to Board\NMWD Website Privacy Policy.doc

**RECOMMENDED ACTION:** Information only

**FINANCIAL IMPACT:** Information only

In the process of developing the new website, Kiosk has recommended that we have a website privacy policy in place prior to the launch of the new website. A website privacy policy is an industry standard document, used by all public entities, that serves to guide what personal information about visitors is collected, how it is stored, how it will be used, and under what conditions this information can be shared. The District does not currently have a website privacy policy in place. The attached North Marin Water District Website Privacy Policy (Attachment 1) was developed by staff, reviewed by both legal counsel and Kiosk, and will be included in the launch of the new website.

# **NORTH MARIN WATER DISTRICT WEBSITE PRIVACY POLICY**

## **PURPOSE OF POLICY**

This policy addresses: what personal information about visitors is collected on this North Marin Water District's public website ("District Website"); how private information is held; how it will be used; and under what conditions this information may be shared or released to another party. The North Marin Water District ("District") policies exist to ensure that the organization is transparent and that the public has a right to access appropriate data/information possessed by the District. At the same time, there are exceptions to the disclosure of data/information provided by District policies, and State and Federal laws. These exceptions include the privacy of individuals. Information collected on this District Website becomes public record and may be subject to inspection and copying by the public, unless an exception in law exists.

During your visit to the District Website, information that is not readily identifiable to an individual may be automatically collected and stored. The following sections of our Web Privacy Policy explain these uses:

- Information That May Be Collected and How It May Be Used
- Personal Information and Choice
- Public Disclosure
- Access to and Correction of Personal Information
- Cookies
- Security
- Disclaimer
- Feedback

## **INFORMATION THAT MAY BE COLLECTED & HOW IT MAY BE USED**

If you do nothing during your visit to the District Website but browse or download information, we may automatically collect and store the following information about your visit:

The Internet Protocol (IP) address and domain name used, but not the email address. The IP address is a numerical identifier assigned either to your Internet Service Provider or directly to your computer. We use the IP address to direct Internet traffic to you;

- The type of browser you used;
- The date and time you visited this site;
- The City, Region, State, Country of the computer network used to access the District Website;

- The Search engine used to find the District Website;
- Visit duration;
- The web pages or services you accessed at this site; and
- The website visited prior to visiting and after leaving the District Website.

The information we collect or store is used to improve the content of our web services and to help us understand how people are using our services. The District Website's logs do not identify anyone personally.

If during your visit to the District Website you participate in a survey, complete a form, or send an email, the following additional information will be collected:

- email correspondence: The email address and contents of the email;
- Forms: The content you complete and submit, which may include your email address;
- Surveys: Any information you volunteered in response to a survey.

The information collected may not be limited to text characters and may include audio, video, and graphic information formats you send us. The information is retained in accordance with the District's policies. North Marin Water District may use your email to respond to your message, to assist in obtaining information you have requested, to address issues you identify, to further improve the District Website, or to forward the email to another agency for appropriate action. Survey information will be used for the purpose designated.

## **ONLINE BILLER AND WATERSMART**

North Marin Water District uses two third party software systems that may be accessed via this website. These systems are provided by third parties, and have separate Privacy Policies:

- **OnlineBiller.com** provides a system that allows you to manage your own payment account. Customers can choose to receive statements by e-mail, make online payments, sign up for recurring payments, or update their payment information.

The Privacy Policy for OnlineBiller.com is included in the terms of service here: <https://www.onlinebiller.com/nmwd/tos.html>

- **WaterSmart** is a water usage analytics platform that allows you to check your daily water usage and get tips for saving water. The Privacy Policy for WaterSmart is included on the portal at <https://nmwd.watersmart.com/index.php/Simple/Privacy>



## **PERSONAL INFORMATION AND CHOICE**

"Personal information" is information about an individual that is readily identifiable to that specific individual. Personal information includes personal identifiers such as an individual's name, address, and phone number. A domain name or IP address is not considered personal information.

We will not collect personal information about you unless you voluntarily participate in an activity that asks for information (i.e. sending an email or participating in a survey). If you choose not to participate in these activities, your choice will in no way affect your ability to use any other feature of the District Website.

If you choose to provide the District with personal information, such as sending an email to a District employee or by filling out and submitting an online form located on the District's District Website, the District will treat such emails and submitted online forms the same way it treats letters to a Board member or to a District department.

## **PUBLIC DISCLOSURE**

We strive to protect personally identifiable information by collecting only information necessary to deliver our services. All information that may be collected at this site becomes public record that may be subject to inspection and copying by the public, unless an exemption in law exists. For instance, if personal information is requested or volunteered, District rules and regulations or the Federal Privacy Act of 1974 may protect it from disclosure.

In the event of a conflict between this Privacy Policy and any applicable law governing the disclosure or protection of information, the governing law will dictate the action to be taken by the District.

## **ACCESS TO AND CORRECTION OF PERSONAL INFORMATION**

You can submit a written request to review any personal information we collect about you. You may recommend changes to your personal information you believe is in error by submitting a written request that credibly shows the error. If you believe that your personal information is being used for a purpose other than what was intended when submitted, you may contact us. In all cases, we will take reasonable steps to verify your identity before granting access or making corrections.

## **COOKIES**

Presently, the District uses session cookies on some of its web applications. Primarily, this is to help us collect analytical information about the District Website.

What Is A Cookie?

A cookie is a small data file which may include an anonymous unique identifier that is sent to your browser from a website's computers and may either be used only during your session (a "session" cookie) or may be stored on your computer's hard drive (a "persistent"

cookie). Cookies can contain data about user movement during the visit to the website. If your browser software is set to allow cookies, a website can send its own cookie to you.

#### Why Are Cookies Used on Websites?

Cookies are a mechanism for maintaining continuity during a user's visit to a website. They allow data to be maintained for users' benefit as they navigate a site. This is referred to as "session" or "management" cookie. These cookies go away when you terminate your visit to the website as they are maintained only in your browser's active memory during your session.

Cookies may also be stored on your computer so that you can be recognized by a website on subsequent visits. They are read by the website that set them whenever you re-visit the website. They are often used on websites that require you to login so that you can avoid having to enter all of your login information every visit. They may store information on your unique identifier and the areas of the website you have visited before. These cookies are stored on your computer's hard drive after you have left your website visit and consequently are often referred to as "persistent" cookies.

#### Choices About Cookies:

You can configure your browser to accept all cookies, reject all cookies, or notify you when a cookie is set. (Each browser is different, so check the "Help" menu of your browser to learn how to change your cookie preferences.)

#### **SECURITY**

The District has taken several steps to safeguard the integrity of its telecommunications and computing infrastructure. Security measures have been integrated into the design, implementation and day-to-day practices of the entire operating environment as part of its continuing commitment to risk management. Nevertheless, in all fairness the District does not guarantee the absolute security of information it maintains.

#### **Disclaimer**

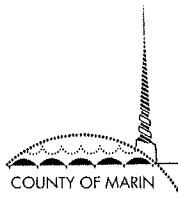
North Marin Water District has links to other websites. These may include links to websites operated by other government agencies, nonprofit organizations and private businesses. When you click a link to visit another site, you are no longer on the District Website and this Privacy Policy will not apply. When you link to another website, you are subject to the privacy policy of that new site.

#### **CALIFORNIA CONSUMER PRIVACY ACT**

If you are a California resident and would like to exercise your rights under the California Consumer Privacy Act, please [contact us](#).

#### **FEEDBACK**

To offer comments about the District Website, or to comment about the information presented in this Privacy Policy, email the District's webmaster at: [info@nmwd.com](mailto:info@nmwd.com). Please refer to this Privacy Policy periodically since the District may choose to amend the information privacy policy without notice.



**NOTICE OF MARIN COUNTY DEPUTY ZONING ADMINISTRATOR HEARING**  
**Gallagher Family LLC Costal Permit**  
Project ID P2773

NOTICE IS HEREBY GIVEN that the Marin County Deputy Zoning Administrator (DZA) will consider issuing a decision on the Gallagher Family LLC Costal Permit during a public hearing scheduled on Thursday, April 30<sup>th</sup>. The applicant for the project is North Marin Water District, and the property is located at 14500 Point Reyes-Petaluma Road, Point Reyes Station, further identified as Assessor's Parcel 119-050-17.

The applicant requests Coastal Permit approval to repair a bank failure along a seasonally flooded channel terrace of Lagunitas Creek on a developed property in Point Reyes Station. The project includes 170 linear feet of structural streambank stabilization through a biotechnical approach that incorporates a log crib wall, willow revetments, and riparian plantings. The project is intended to protect downstream North Marin Water District water supply infrastructure wells and conveyance pipeline, repair the streambank and enhance slope stability, and restore riparian habitat. A Coastal Permit approval is required pursuant to Marin County Interim Code section 22.56.055.

For more information about the Gallagher Family LLC Costal Permit, please visit the Planning Division's project webpage at:  
[https://www.marincounty.org/depts/cd/divisions/planning/projects/west-marin/gallagher\\_family\\_cp\\_p2773\\_prs](https://www.marincounty.org/depts/cd/divisions/planning/projects/west-marin/gallagher_family_cp_p2773_prs). Project plans and other documents related to the application are available on the project's webpage, where you can subscribe to receive email notifications and updates.

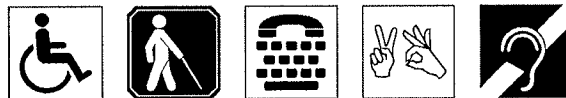
If you wish to comment on this project during the DZA hearing, please visit the Planning Division's DZA hearings webpage at:  
<http://www.marincounty.org/depts/cd/divisions/planning/boards-commissions-and-public-hearings/dza>.

The DZA hearing on the application will be held in the Marin County Hearing Chambers (Rooms 328/330, Administration Building), Civic Center, San Rafael, California. However, due to the Marin County Health Officer's Shelter Order, the public cannot physically attend the hearing. Audio of the hearing will be provided live, and a link to the audio broadcast is available on the DZA hearings webpage. You will be able to submit comments beginning at the start of the hearing by following the comment link provided on the DZA hearings webpage. Your comments will be read aloud during the public testimony portion of the hearing on a specific agenda item.

DZA hearings normally begin at 10:00 AM, but a more precise time will be indicated on the hearing agenda posted on the DZA hearings webpage one week before the hearing. A staff report will be available on the project webpage and the DZA hearing webpage on Friday, April 24, 2020.

The decision on this application is appealable to the Planning Commission. In addition, this project is appealable to the California Coastal Commission under Section 30603(a) of the California Public Resources Code. If you challenge the decision on this application in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Division during or prior to the public hearing. (Government Code Section 65009(b)(2).)

April 9, 2020



All public meetings and events sponsored or conducted by the County of Marin are held in accessible sites. Requests for accommodations may be made by calling (415) 473-4381 (Voice) 473-3232 (TDD/TTY) or by e-mail at [disabilityaccess@marincounty.org](mailto:disabilityaccess@marincounty.org) at least four work days in advance of the event. Copies of documents are available in alternative formats, upon request.

# Coronavirus: Is the drinking water supply safe?

## How water agencies plan to keep drinking water plants running



Supervisor John Cook describes the seismic retrofits that were completed at the Penitencia Water Treatment Plant in San Jose, Calif., on April 3, 2018. The Santa Clara Valley Water District and other Bay Area water agencies are putting in place plans to ensure drinking water treatment plants stay open during the coronavirus pandemic. (Anda Chu/Bay Area News Group)

By Paul Rogers | [progers@bayareanewsgroup.com](mailto:progers@bayareanewsgroup.com) | Bay Area News Group  
PUBLISHED: April 1, 2020 at 6:00 a.m. | UPDATED: April 1, 2020 at 3:13 p.m.

The Mercury News.

As the coronavirus pandemic continues to spread, water agencies across the Bay Area and California are taking unprecedented steps to keep the water flowing that millions of people need for drinking and washing their hands, but which is also critical for fighting fires, serving hospitals, running sewer systems and other vital uses.

The main goal: Preventing the workers who run the drinking water treatment plants from getting sick.

“This event is unique,” said Alexander Gordon, emergency services and security manager for the Santa Clara Valley Water District, which provides drinking water to 2 million people in and around San Jose. “Pipelines didn’t break. Flooding didn’t happen. You have an emergency where people are the problem, in terms of passing potential infection.”

In San Diego County, 10 employees are living in rented RVs at the massive ocean desalination plant in Carlsbad to avoid all contact with the outside world. Their food is delivered. They communicate with their families through web video chats. They come into contact with no one except each other. The plant generates 50 million gallons of water a day, about 10% of San Diego’s supply.

That hasn’t happened yet at major Bay Area water agencies. But it remains an option, water managers say.

The Santa Clara Valley Water District and East Bay Municipal Utility District have cots and military MREs — meals ready to eat — in case their drinking water plant operators need to live at the plants in cloistered safety.

They have stockpiled chemicals like chlorine. They are calling back retirees. And they are not letting anybody into control rooms or anywhere near their operators, treating them like public works Fort Knoxes.

“The control rooms are completely isolated. Only the operators can go in,” said Bhavani Yerrapotu, deputy operating officer of the Santa Clara Valley Water District’s treated water division.

The workers who help run the Hetch Hetchy water system in the Sierra Nevada, which provides drinking water to 2.7 million people in San Francisco, San Mateo, northern Santa Clara and southern Alameda counties, may be asked to live in houses near Cherry Lake, a reservoir in Tuolumne County, to reduce their risk of contracting the disease.

“We aren’t just talking about the operators, but we are also thinking about their families,” said Michael Carlin, deputy general manager of the San Francisco Public Utilities Commission.

A poll done from March 10 to March 16 found that absenteeism was the top coronavirus concern of water utilities in the U.S., with 75% of water industry leaders saying they are anticipating challenges due to illness.

“Our preliminary research shows that nearly half of water utilities either already have plans to assure essential workers can live on-site at their jobs or are

considering developing those plans,” said David LaFrance, CEO of the American Water Works Association, and industry group that conducted the poll.

The workers may be at risk. But the drinking water that comes out of taps is safe.

The [World Health Organization](#), the [U.S. Environmental Protection Agency](#) and the [Centers for Disease Control and Prevention](#) all have issued statements in recent weeks saying that normal filtering and disinfection already required at drinking water plants with chlorine, ultraviolet light and other methods kills viruses, including coronavirus, along with bacteria and other pathogens.

“The same treatment processes that protect tap water from other viruses and other harmful organisms also protect against coronavirus,” said Stefan Cajina, a section chief for the State Water Resources Control Board’s Division of Drinking Water, in Richmond. “Chlorine kills viruses very effectively even in small concentrations.”

But the challenge is keeping workers healthy to run those systems.

Cajina said he hasn’t heard of drinking water plants in California where workers have become infected with COVID-19 yet. But as the disease spreads, the risk grows.

Three weeks ago, after an employee at the Santa Clara Valley Water District was hospitalized with COVID-19, several staff members, including CEO Norma Camacho, had to self-quarantine for two weeks. The worker was not employed in the district’s three drinking water plants, but the issue highlighted the risk.

In a worst case situation, where a water agency had all of its plant operators sick and was running out of chemicals, it could keep the plants running, Cajina said, and issue a “boil water” notice to the public. But he said that is unlikely.

“If we get to that point, you really are looking at the effects we would see from a major earthquake. I really don’t think we are going to get to anything like that,” he said.

He noted, however, that if water systems ever reached the point of not being able to handle fundamental operations of providing safe drinking water, “we’d be more concerned first about the smaller systems that don’t have the depth. We are in touch with them daily.”

Small water systems that serve a few hundred people can be hooked up to other water systems, or run by the National Guard or military in case of emergencies.

In California's drought, when some ran dry, water was trucked in temporarily to some communities.

In Napa, after a 6.0 earthquake wrecked part of the city's water delivery system in 2014, crews set up stations for residents to drive up with containers and get water until the pipes were fixed.

Until modern water treatment standards were put in place 100 years ago, contaminated water regularly caused epidemics of diseases like typhoid, cholera and dysentery that killed thousands of Americans. It still does in some of the world's poorest countries.

"One of the first things you need for a successful civilization is that you can wake up everyday and not think about safe drinking water," said Jay Lund, a professor of civil and environmental engineering at UC Davis.

"These plants are essential," he said. "The people who run them know they are essential. They are generally well prepared. But if you are a drinking water regulator now you need to make sure everybody is doing their job."

In recent weeks, water agencies around California have activated an organization called Cal-WARN, or California Water Agency Response Network. Just like with a wildfire, when fire departments ask other fire departments to provide firefighters to help battle big blazes, the network allows water agencies borrow workers from other agencies in emergencies.

So far, workers haven't been needed.

To reduce the risk they will be, plant operators at major Bay Area water districts are being kept "in reserve." Some are being deliberately kept home to preserve them in case their co-workers on duty contract COVID-19.

"If we still get people sick, we have a reserve. We have a pretty deep bench that we can draw on," said Clifford Chan, director of operations and maintenance at East Bay MUD, which provides drinking water to 1.5 million people in Alameda and Contra Costa counties, and has 18 of its 36 plant operators at home.

There are other plans beyond that.

"Should one of our three plants get exposed, in spite of us isolating individual operators, then we could shut down one plant and supply the water flow from another plant," said Yerrapotu, of Santa Clara Valley Water District. "We've not had to go there yet."

After the 1989 Loma Prieta earthquake, the major water agencies in the Bay Area connected the pipes of their systems. Those links could come in handy now.

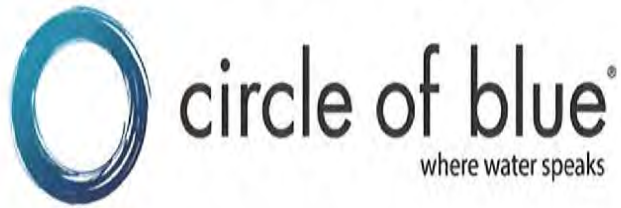
“We saw the need to create sort of a water super highway to be able to exchange water during critical periods,” Carlin said. “If something happens to somebody’s system, and somebody else has treated water, then we can move it back and forth. It’s really important.”

Buying some bottled water is OK, experts say. But storing large amounts at home is not necessary.

“People should be as prepared as they are for an earthquake,” said Cajina. “But we don’t expect this to reach that level.”

---



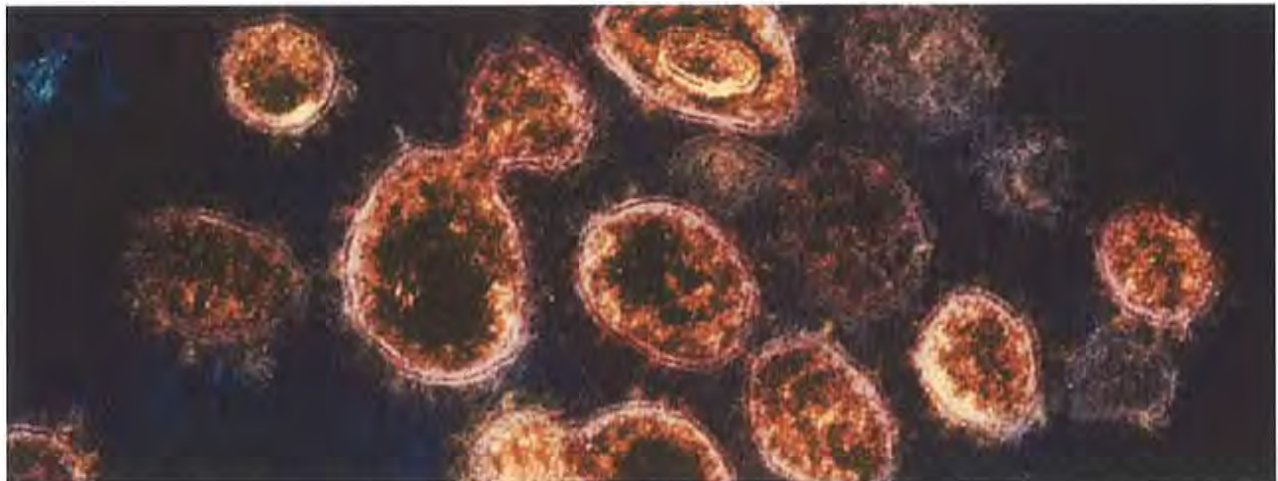


## Virus Hunters Find Coronavirus Clues in Sewage

Wastewater analysis could provide an early warning of the spread of the new coronavirus

April 3, 2020/0 Comments/in Water News, WEF /by Brett Walton

By Brett Walton, Circle of Blue



An electron microscope image of the SARS-CoV-2 virus. Photo NIAID-RML

Even before it was confirmed by medical tests of infected individuals, the story of the new coronavirus in the city of Amersfoort was being recorded in water.

Scientists from KWR Water Research Institute in the Netherlands detected genetic traces of the SARS-CoV-2 virus in wastewater samples from Amersfoort's sewage treatment plant on March 5, a day before the first confirmed case of Covid-19 in the city. Covid-19 is the disease caused by the virus.

That discovery, the researchers say, means that urban sewage systems could function as "a sensitive tool" for monitoring the spread of the virus through a city before it is

detected in individuals. Similar sewage-sleuthing methods have been used to detect polioviruses or to assess illegal drug use.

How sensitive a tool? The study, which was published online before peer review, looked at wastewater samples from seven cities in the Netherlands and from Amsterdam's Schiphol Airport. Samples taken in the first week of February did not reveal any trace of the virus, but in the second round of sampling, on March 4 and 5, samples from four wastewater plants showed evidence. At the time, there were only 82 confirmed cases in a country of 17 million people. A rough estimate — based on the observed number of confirmed cases in the cities — is that a virus signal starts to show up in wastewater when between one and four people per 100,000 are infected. The range depends on the virus protein that was analyzed.

An early-warning system with this level of detail could provide government authorities with useful data about the potential for infection, said Zhugen Yang of the Cranfield Water Science Institute. It is especially difficult, for instance, to track the prevalence of cases in which infected people show only mild symptoms and thus do not get tested.

“If the sewage test comes back negative, there could be confidence that there is less risk of infection,” Yang, who focuses on biomedical diagnostics, told Circle of Blue.

“Perhaps then people can go outside for a break,” he added, referring to the potential lifting of stay-home orders that have been instituted by local and national governments in the United States, Italy, and elsewhere.

Other organizations are jumping into sewage tracking, also known as wastewater epidemiology.

In the United States, the leading group is Biobot, a Boston-based startup founded in 2017. The tech firm is partnering with researchers at MIT, Harvard, and Brigham and Women's Hospital to test wastewater samples for SARS-CoV-2 and incorporate the data into forecast models, making them more accurate.

“There is an incredible opportunity to use this technology to get ahead of and monitor the Covid-19 epidemic,” the company wrote in a Medium post announcing the project. “A wastewater epidemiology system that aggregates samples from wastewater treatment plants across the US would provide a real-time map of Covid-19 as it spreads to new places.”

Biobot's call for samples has been so successful since it opened enrollment on March 17 that the company is at capacity and working hard to scale up, according to Mariana Matus, the company CEO and founder.

Matus told Circle of Blue that she launched the campaign with a goal of getting 100 utilities to participate. Within two weeks, the campaign “was already oversubscribed,” having fielded more than 130 requests from nearly every state, she said.

There are drawbacks to lab-based approaches. For Biobot, testing kits are sent to participating utilities, water samples are collected over a 24-hour period, and then returned to Biobot for laboratory testing. To see changes in viral loads, utilities are asked to send samples once a week. It’s a process that yields valuable data, but it takes time — an estimated three days from sample collection — and analytical equipment.

Yang, a water sensor specialist, would like to see broader deployment of portable paper-based tests. These devices, like a litmus test in concept but significantly more complex in practice, reduce the time and cost of testing. Yang has already used them to evaluate malaria in Uganda, but he said that substantially more resources would be needed to take a SARS-CoV-2 paper-based test from a lab concept to field use.

Knowledge about SARS-CoV-2, just a few months into the outbreak, is limited but growing rapidly. Initial findings were connected to the behavior of another coronavirus, such as the closely related virus responsible for the 2003 SARS outbreak.

Finding genetic traces in feces does not mean that those viral remnants are able to reproduce and cause additional infections.

Disinfection, either with chlorine or ultraviolet light, kills the virus, so it is not expected to be present after sewage is treated. SARS-CoV-2 belongs to a class of viruses known as enveloped viruses, a category named for the fatty coat that protects the inner genetic material. Disinfection has been shown to be particularly effective on enveloped viruses.

Treated sewage, at this point, does not seem to be a significant source of Covid-19 transmission, but the research field is moving quickly and looking into the virus’s ability to survive in raw sewage. Researchers in China were able to isolate a live virus from the feces of two Covid-19 patients. What that means for potential disease transmission is still being assessed.

“The data are very limited, but a few studies have detected viable virus in stool samples from a small number of patients,” wrote E. Susan Amirian, an epidemiologist at Rice University’s Texas Policy Lab, in an email to Circle of Blue. “The literature is evolving rapidly, so I have no doubt there will be more data available soon.”

# Marin Independent Journal

## Pension portfolio jarred by outbreak

MARIN COUNTY

First quarter's 14.2% decline called 'really unprecedented'.

**By Richard Halstead**

April 10, 2020

[rhalstead@marinij.com](mailto:rhalstead@marinij.com) @HalsteadRichard on Twitter

The board of the Marin County Employees' Retirement Association received sobering news this week about the performance of the association's investment portfolio in the first quarter of 2020.

The value of the portfolio dropped 14.2% to \$2.3 billion after increasing by 17.5% during 2019. The value of MCERA's assets has dropped 9.5% during the first nine months of the association's current fiscal year.

The association's board held its April meeting online Wednesday to comply with social distancing guidelines aimed at reducing the spread of the coronavirus. Investment consultant Jim Callahan, executive vice president of Callan LLC, presented the portfolio update to the board.

Callahan said the market began reacting to the coronavirus pandemic on Feb. 19 and over the next 23 trading days fell 34% to its lowest point since the crisis began.

"This is really unprecedented," Callahan said. "We've seen declines that have been worse than this for sure, but what has been most unique about this decline is just how quickly it happened."

Since then the market has bounced back a bit. Callahan said that as of Tuesday the S& P 500 Index was down 17.2% year-to-date.

MCERA pays out pensions to 3,300 retirees and beneficiaries each month. Last year, it paid \$149 million. Of that amount, \$109 million

**PENSIONS » PAGE 2**

---

**Pensions**

**FROM PAGE 1**

came from Marin County and other employers in the system and their employees. The remaining \$40 million came from earnings on the association's investments.

Jeff Wickman, MCERA's administrator, told board members that in March, with the stock market in free fall, he cashed in some of the association's investments to make sure it had sufficient liquidity to get pensions to retirees over the next several months and cover margin calls on some of the association's very short-term investments.

"We did some work to ensure that we had at least 90 days of cash for the next three months," Wickman told the board. "That is all now in place."

Wickman said of the \$38 million raised in March, \$20 million has been earmarked for margin calls while the remaining \$18 million is available for use as pension payouts beginning this month.

Even before the arrival of the bear market, fiscal hawks were warning that public pension funds were underfunded and counting on overly optimistic investment returns to bail them out.

As of June 30, 2019, MCERA had an unfunded pension liability of \$399.4 million. The funded ratio for the plan as of June 30, 2019, is 86.6%. The unfunded liability attributable to the county of Marin is \$237.5 million; the funded ratio for the county of Marin as of the same date is 89%.

Richard Tait of Mill Valley, a founding member of Citizens for Sustainable Pension Plans, wrote in an email, "If the fiscal year to date loss of 9.5% prevails for the rest of the fiscal year, it will offset the positive impact on the unfunded actuarial liability resulting from the last fiscal year's gain in assets."

The investment fund's assumed annual rate of return is set currently at 7%. The rate was last cut in 2017 from 7.25%, resulting in member agencies and employees having to pay more to finance the program.

The rate of return is re-evaluated by MCERA's board every three years based on a review of economic and demographic assumptions used to fund the plan. The next review will take place later this year.

Callahan said the stocks of companies with relatively small market capitalization have performed the worst during the crisis, tumbling more than 35%. The worst performing sectors have been energy, which plummeted more than 50%, and financials, which lost nearly 32% of their value.

Not surprisingly, the best performing sectors have been information technology, which fell just under 12%, and consumer staples, which lost over 12%.

Callahan said the emerging markets index dropped 23.6%. He said that China, where the pandemic began, was ironically the country with the highest performing market in the first quarter of 2020; it fell only 10%.

Callahan said economic uncertainty surrounding the coronavirus and the oil price war between Russia and Saudi Arabia also affected fixed-income markets, pushing yields lower. The 10-year U.S. Treasury fell to its lowest point in history on March 9.

Long government bonds were the top performing area of the market, rising more than 20% in value.

Callahan said it is impossible to discern at the moment how big a hit real estate values will take due to the crisis because new appraisals can't be made because of a lack of transactions. He said the retail and office sectors are the ones most likely to see drops in value.

"I find it hard to believe we aren't going to see a decline in the value of commercial real estate portfolios," Callahan said.

Following Callahan's update on the market, there was a brief discussion regarding UBS Trumbull Property Fund, a real estate fund that MCERA has been trying to withdraw its money from since January. During the most recent valuation of the fund's assets, MCERA's investment in the company was worth more than \$121 million.

Wickman said the fund was underperforming because it was overinvested in retail malls. In 2019, during the halcyon days of the bull market, the fund's value dropped nearly 3%.

In a memo to the board, Callahan wrote, "UBS is not paying out any redemptions at the end of the first quarter and payments will likely be very small for the second quarter. It should be noted that AEW and many other core funds are suspending redemptions in the first quarter as well while they wait to gain further clarity into the market conditions come April and May."

MCERA has an investment in the AEW Core Property Trust recently valued at \$105 million.

Regarding UBS Trumbull Property Fund, Callahan told the board on Wednesday, "This has gotten to be an ugly situation. You're going to see a lot of problems in other funds too."

# COAST GUARD HOUSING UPDATE



## April 14, 2020: Nonprofit Developer Selection for Coast Guard Site

On Tuesday, April 14, 2020 at 9:00 a.m. or thereafter, the Marin County Board of Supervisors will review proposals received in response to the Request for Proposals and Statement of Qualifications (RFP), and feedback from the Selection Committee, to select a nonprofit housing developer for reuse of the former United States Coast Guard facilities in Point Reyes Station.

In response to the local shelter-in-place order, the County of Marin has made several changes to Board of Supervisors' meetings. In compliance with the Governor's order to stay home, and to protect the public's health and prevent the disease from spreading, in-person participation at Board of Supervisors meetings is **not allowed** at this time. You may participate in the meetings remotely.

### To watch:

- Watch the meeting at <https://cmcm.tv/livegov> or tune in to Comcast Channel 27 and AT&T Channel 99; or
- Watch the live stream online through the Board of Supervisors' website at <https://www.marincounty.org/depts/bs/meeting-archive> Note that there may be a 45-second or more delay when viewing the broadcast online.

### To comment *before* the meeting:

- Email your comments to [BOS@marincounty.org](mailto:BOS@marincounty.org) no later than 3:30 p.m. the Monday before the Board meeting date. Include the agenda item number you are addressing, your name, and address. Emailed comments will be forwarded to the Board of Supervisors and will be placed into the public record. (Attachments to emails are permitted.)

### To comment *during* the meeting:

- Submit your agenda comments **during** the meeting — to be read **during** the meeting.
- While the Board meeting is in progress, complete the specific comment form available at <https://www.marincounty.org/depts/bs/meeting-comments> - for **each** agenda item you want to "speak" on. During the meeting, your comment will be read (up to a time limit set by the Board President) when the specific agenda item is considered by the Board. Your comment will become part of the public record.

- In order to ensure staff receives your comment **during** the meeting, it is recommended that you submit your remarks using the comment form *early in the meeting*. Only one comment per speaker will be read. Attachments to the comment form are **not** permitted and will not be read. Use [BOS@marincounty.org](mailto:BOS@marincounty.org) to transmit comments with attachments. The comment form is available **only** while the Board meeting is in progress.

The meeting begins at 9 a.m. and the Coast Guard property item is No. 7 on the agenda.

## Background

In December 2019, the County of Marin completed acquisition of the former United States Coast Guard facilities in Point Reyes Station for affordable housing or other public benefit purposes.

The County issued a Request for Proposals and Statement of Qualifications (RFP) requesting proposals from nonprofit housing developers for the reuse of the former US Coast Guard facilities in Point Reyes Station on November 20, 2019. The site currently includes 36 townhomes, a barracks with 24 rooms, a dining hall and kitchen, and several ancillary buildings. By the close of the RFP submission deadline on January 21, 2020, two responses were received: one from EAH Housing, and a second from The Community Land Trust Association of West Marin (CLAM) and Eden Housing.

This matter was initially scheduled for the Board of Supervisors meeting agenda of March 17, 2020. It was postponed by the Board of Supervisors to allow enough time to implement public health precautions for the hearing.

Visit <http://www.marincounty.org/coastguard> for more background information about the Coast Guard project.

Contact [Aline Tanielian](#) with any additional questions.



Not all events are sponsored by the County of Marin. County of Marin sponsored events are required to be accessible. If you are an individual with a disability and require an accommodation to participate in a County sponsored event, please call (415) 473-4381 (voice), (415) 473-3232 (TTY), or dial 711 for CRS or email [Disability Access](#) at least six work days in advance. Documents in alternative formats are available upon request.

SUBSCRIBER SERVICES:

[Manage Preferences](#) | [Unsubscribe](#) | [Help](#)



# Marin infections ‘flattening’

## CORONAVIRUS PANDEMIC

County public health officer reports slowdown in spread

By Matthew Pera

Marin Independent Journal

*[mpera@marinij.com](mailto:mpera@marinij.com) @MatthewRPera on Twitter*

A month has passed since Marin County residents were ordered to stay at home, and the county public health officer who issued that order said Monday that the restrictions have been successful in curbing the spread of the coronavirus.

“Just look at the curve,” Dr. Matt Willis, Marin’s top public health official, said Monday in a phone interview from his home. “It’s flat.”

Six new confirmed coronavirus cases were reported Monday in Marin, bringing the county’s cumulative total to 170 since the first case was confirmed on March 9. That’s a far cry from the 26% increase in cases the county reported on March 29, when Marin saw its largest one day jump in positive test results. The number of cases hit 93 that day — up from 74 the day prior.

“I’m definitely encouraged that the ‘shelter in place’ order had the intended effect of really halting widespread transmission in our community,” Willis said.

With just under three weeks to go until the stay-at-home mandate is set to expire on May 3, Willis said the county’s public health officials are discussing

**COUNTY» PAGE2**

---

**County FROM PAGE 1**

how to avoid a surge in infections when life begins to return to normal. Among the most crucial steps that must be taken, Willis said, is to expand the ability to test for the virus.

In total, 2,145 Marin residents have been tested for the coronavirus, representing less than 1% of the county’s population. Weeks ago, health workers could only test people with severe

symptoms and known exposure to the virus. But now anyone with symptoms can get a test, Willis said.

The county has the capacity to test up to 75 people per day at a drive-thru site run by the county Department of Health and Human Services, and medical workers at hospitals and clinics can administer additional tests. The daily demand for testing is not exceeding that capacity, and a portion of the test kits at the drive-thru facility go unused each day, Willis said.

But when new cases arise after the restrictions are lifted, Willis said, county health workers must be prepared to contact each infected person and test anyone who has come into contact with that person showing symptoms of the disease. He said people who are infected must be isolated, and identifying them will require aggressive testing beyond what is currently available. The county must also bolster its roster of public health workers who can work with virus patients on tracing the people they have come into contact with.

“If we do see an increase in cases, we need to ensure that we act quickly from a surveillance standpoint so we can ensure that this flattening of the curve that we’re seeing now is real and persists,” Willis said.

The county does not plan to test people who do not have symptoms prior to lifting the restrictions, Willis said, despite evidence that asymptomatic people can spread the virus to

others. He said that even if the ability to test for the virus is improved, there won’t be enough resources to test the entire population.

Using those limited resources on people who don’t have symptoms could prove fruitless, he said, in part because tests are less accurate for asymptomatic people who have the virus. It could also be futile because the tests only determine whether a person currently has the virus, so accurately tracking whether asymptomatic people are carrying the virus would require testing them frequently, he added.

“We definitely don’t have the testing resources to serially test everyone regardless of exposures or symptoms,” Willis said.

Statewide, the total number of COVID-19 cases continues to grow, but modest increases in hospitalizations and patients requiring care in ICU beds have given officials a sense of optimism moving forward, Gov. Gavin Newsom said Monday.

According to the latest data released by the California Department of Public Health, there are now 3,015 patients who have tested positive for coronavirus in hospitals around the state, including 1,178 in intensive care beds.

The number of confirmed cases in the state has increased by 40% over the last seven days, but the number of patients in intensive care has only spiked by 6 percent during the same time frame.

The governor and Dr. Mark Ghaly, secretary of California Health and Human Services, spent time during briefings last week congratulating state residents over their diligence, but also encouraged Californians to continue adhering to the statewide stay-at home order to ensure progress continues.

“The curve is being bent because of you,” Newsom said.

*The Bay Area News Group contributed to this report.*

---

Tuesday, 04/14/2020 Page. A01 Copyright Terms and Terms of Use. Please review new arb

***COM-Kent flap illustrates need for outreach***

**Editorial**

College of Marin and Kent Middle School have been neighbors for decades.

Their “good neighbor” relationship frayed recently over COM’s plans to build a maintenance complex near the middle school campus.

The Kentfield School District filed a lawsuit against COM, seeking to halt construction and require the college to conduct more studies of potential environmental impacts.

It is good to see that both sides have avoided a lengthy and costly legal battle and recently reached agreement on additional safety measures and protections during construction.COM is in the middle of a campus renaissance, replacing and repairing many of its older buildings to bring the college’s facilities up to modern standards.

As allowed by state law, COM has been doing its own planning, even preparing its own environmental studies and approving them. It can be an insular process, creating a procedural vacuum, unless the public agency also takes measures to reach out to neighbors and stakeholders, detailing their plans and seeking their opinions.

Unless you are bird-dogging agendas or screening legal notices, you likely are not going to know about such a project until after its been approved and the site is being readied for construction.

That appears to be what happened in Kentfield.

As construction started on the COM campus, Kent Middle School parents were surprised and alarmed and urged the school board to take action. Despite years of good relations, the school board sued COM, seeking to stop construction and asking for a new, deep environmental review.

Parents had complaints about dust, noise and possible hazardous air pollution.

COM’s leadership admitted that it could have done a better job of keeping its neighbor and the community better informed during the planning process to get their input before construction started.

Members of COM’s Board of Trustees should have made this a priority before becoming part of a legal fight, one for which taxpayers paid costs on both sides. The community’s reaction — packed public meetings and College Avenue demonstrations — after the college’s public approval process (with construction underway) should cause the board to raise questions about the effectiveness of its process.

There also should have been a strong line of communication between COM and the school district regarding details of the construction.

It should be a lesson for any school district or public agency that is approving its own project.

Sometimes the lack of public response and involvement is really a lack of public awareness.

The settlement makes sense, but it doesn't seem that it should have taken a lawsuit to provide measures such as routing construction traffic away from the school, installing noise-reduction measures and having a crossing guard at the crosswalk during construction.

Not everyone is happy. One parent leading the protest called the settlement "a pretty weak response."COM is carrying out a voter approved mission of improving both its Kentfield and Indian Valley campuses. There has been a lot of construction and there will be more to come.

Instead of lawsuits and community protests, besides making sure the i's are dotted and t's crossed in its planning process, it should make sure that it is also informing and involving the public — with effective outreach and communications — as it continues its work.

It could save taxpayers a lot of money in the long run.

# Marin Independent Journal

Western megadrought one of the worst

## NEW STUDY

By Seth Borenstein

*The Associated Press*

A two-decade-long dry spell that has parched much of the western United States is turning into one of the deepest megadroughts in the region in more than 1,200 years, a new study found.

And about half of this historic drought can be blamed on man-made global warming, according to a study in Thursday's journal *Science*.

Scientists looked at a nine-state area from Oregon and Wyoming down through California and New Mexico, plus a sliver of southwestern Montana and parts of northern Mexico. They used thousands of tree rings to compare a drought that started in 2000 and is still going — despite a wet 2019 — to four past megadroughts since the year 800.

With soil moisture as the key measurement, they found only one other drought that was as big and was likely slightly bigger. That one started in 1575, just 10 years after St. Augustine, the first European city in the United States, was founded, and that drought ended before the Pilgrims landed on Plymouth Rock in 1620.

What's happening now is "a drought bigger than what modern society has seen," said study lead author A. Park Williams, a bioclimatologist at Columbia University.

Daniel Swain, a UCLA climate scientist who wasn't part of the study, called the research important because it provides evidence "that human-caused climate change transformed what might have otherwise been a moderate long-term drought into a severe event comparable to the 'megadroughts' of centuries past."

What's happening is that a natural but moderate drought is being worsened by temperatures that are 2.9 degrees Fahrenheit (1.6 degrees Celsius) hotter than the past and that suck moisture out of the ground, Williams said. It's much like how clothes and plants dry faster in the warmth of indoors than they do outside, he said.

To quantify the role of global warming, researchers used 31 computer models to compare what's happening now to what would happen in a mythical world without the burning of fossil fuels that spews billions of tons of heat-trapping gases. They found on average that 47% of the drought could be blamed on human caused climate change.

"We've been increasingly drifting into a world that's getting dryer," Williams said.

Climate scientist Clara Deser at the National Center for Atmospheric Research, who wasn't part of the study, said while the research is good, she thinks the deep drought has to last another decade or so to qualify as a "megadrought."

Williams said he understands the concern and that's why the study calls it "an emerging megadrought."