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NORTH MARIN WATER DISTRICT MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS June 7, 2011

5 CALL TO ORDER

President Schoonover called the regular meeting of the Board of Directors of North Marin
Water District to order at 7:30 p.m. at the District headquarters and the agenda was accepted as
presented. Present were Directors Jack Baker, Rick Fraites, Steve Petterle and Dennis Rodoni.
Also present were General Manager Chris DeGabriele, Secretary Renee Roberts, AuditorController David Bentley and Chief Engineer Drew McIntyre.

Novato residents Bob Koch and Donald LaMont and District employees Robert Clark
 (Operations/Maintenance Superintendent), Doug Moore (Construction/Maintenance
 Superintendent) and David Jackson (Associate Engineer) were in the audience.

14 **<u>MINUTES</u>**

15 On motion of Director Rodoni, seconded by Director Baker and unanimously carried the 16 Board approved the minutes from the May 17th regular meeting as presented.

Director Petterle moved to approve the minutes of the May 24th special meeting and 17 18 Director Baker provided the second. Director Fraites stated that the minutes did not correctly reflect 19 his comments made during the rate increase discussion. On motion of Director Petterle and 20 seconded by Director Baker, the Board unanimously approved the minutes of the special meeting 21 as amended. Director Fraites stated that he misread the minutes and that the minutes as originally 22 approved, did, in fact, accurately reflect his comments. On motion of Director Petterle and seconded by Director Baker, the Board unanimously approved the minutes of the May 24th special 23 24 meeting as presented.

25 GENERAL MANAGER'S REPORT

26 Meeting with Marin County Parks and Open Space District

27 Mr. DeGabriele advised that he and Drew McIntyre will be meeting with representatives 28 from the Marin County Parks and Open Space District to discuss projects going forward.

29 <u>Washer Rebate Program</u>

Mr. DeGabriele advised that the District participates in the regional Sonoma-Marin Saving Water Partnership; and under that partnership, the City of Santa Rosa administers the washer rebate program. He stated that the District needs to decide on the washer rebate level so that printed material can be produced. Mr. DeGabriele informed the Board that the current rebate level is \$75; however, the budget that the Board will consider on June 21st reduces the rebates by
approximately 50% and the washer rebate will be reduced to \$50. He said it is necessary to make
that determination and notify Santa Rosa of the rebate amount before the Board adopts the budget.
He stated that the water conservation program rebate levels will be on the next agenda for Board
approval.

6 OPEN TIME

President Schoonover asked if anyone in the audience wished to bring up an item not onthe agenda and the following items were discussed:

9 Fixed Rate Increase

10 Novato resident Bob Koch addressed the Board with his concerns about the increase in the 11 fixed rate that was approved by the Board at the public hearing on May 24th. He stated that 12 because he uses less water than the typical Novato customer, his bill will increase more than 13 someone who uses more water because of the fixed rate increase. He said he felt penalized for 14 using little water.

Director Rodoni responded that all Novato customers' fixed rate will be increased, but because of his extremely low water use, there is an inequity in the increase percentage. Director Rodoni briefly explained the reasoning for the rate increase and suggested that if Mr. Koch has further questions, he should call the Auditor-Controller. He also advised Mr. Koch that staff's presentation on the rate increase was heard at the public hearing on May 24th.

20 STAFF / DIRECTORS' REPORTS

21 President Schoonover asked if staff or Directors wished to bring up an item not on the 22 agenda and the following items were discussed:

23 Director's Absence at July 5th Board Meeting

Director Baker advised that he is unable to attend the July 5th meeting in Point Reyes Station.

26 Directors' Comments on Rate Increase Public Comments

Director Petterle commented that after listening to Mr. Koch and reading customers' letters and comments in the newspaper, it is evident that customers still do not understand the reasons for the rate increase. He stated that it is very important that the District continue to educate the public on water supply issues and reasons for the rate increases and to encourage attendance at Board meetings. Director Rodoni said that he would like to review the fixed charges for fire service required by the Novato Fire District that may put a burden on District customers. He said the Fire District, at times, requires a 1 ½-meter meter when a one-inch meter is typically installed; consequently, the customer incurs a higher fixed cost for the 1 ½-inch meter.

5 Director Rodoni stated that he wants assurance that if there is a customer who cannot pay 6 their bimonthly service charge increase that their water will not be turned off.

7 Director Schoonover said that his concern is that some people may take advantage.

8 Director Rodoni said that it would be apparent if the customer has a \$7 or \$10 delinquent 9 bill that it is mostly because of the fixed charge increase. He said that he encourages staff to be 10 sensitive that some people may have difficulty paying their bill; District policy is clear - water will be 11 shut off. Director Rodoni opined that it would not be appropriate to turn off a customer's water 12 based on inability to pay the fixed cost increase.

The General Manager said that staff will review these issues and stated that all inequities in the rate structure will not be resolved because of the number of customers and various levels of use throughout the system. Mr. DeGabriele stated that staff will strive to address these issues in the future.

17 CONSENT CALENDAR

At the request of Director Baker, Item 11, Banking Services, was removed from the consentcalendar for further discussion.

20 On the motion of Director Petterle, seconded by Director Fraites and unanimously carried 21 the following items were approved on the consent calendar:

22 PERRY'S DELI FIRE SERVICE

23 This project includes remodel of the existing delicatessen including addition of a disabled 24 accessible restroom, replacement of existing kitchen facilities and addition of fire sprinkling. The 25 building layout modifications are within the existing building footprint. New water facilities required 26 include one four-inch fire service assembly installed on Vallejo Avenue to supply the new fire 27 sprinklers. District records indicate that paid connection fees is two Equivalent Dwelling Units 28 (EDUs) and current water usage equates to 1.4 EDUs. The District agreement contains a 29 requirement that additional fees are due at such a time when water usage at this site exceeds two EDUs. 30

The Board approved Resolution No. 11-12 entitled, "Authorization of Execution of High
 Pressure Water Service Facilities Construction Agreement with Daniel R. Thompson."

NMWD Approved Minutes

1 HAMILTON NURSERY, US ARMY COE

2 The Hamilton Nursery project provides commercial water service and a new fire hydrant for 3 a plant nursery with office space at the currently decommissioned water treatment plant on 4 Hamilton Air Base property. New water facilities required 410 feet of pipe, one commercial fire 5 hydrant and one one-inch meter. New water demand is two equivalent dwelling units.

6 The Board approved Resolution No. 11-13 entitled, "Authorization of Execution of Water 7 Service Facilities Construction Agreement with U.S. Army Corps of Engineers."

8 TEMPORARY WATER SERVICE REQUEST – CITY OF NOVATO HAMILTON FIELD BUILDING 9 <u>#816</u>

10 The City of Novato has requested a renewal of the temporary water service for another 11 three years for the Hamilton Field Building #816. This building houses the Marin County Sheriff 12 Department's Search and Rescue Operations' emergency response equipment and vehicles.

13

MILLER PACIFIC ENGINEERING - GENERAL ENGINEERING SERVICES AGREEMENT

14 The Board authorized the General Manager to execute a new General Engineering 15 Services agreement with Miller Pacific Engineering Group for miscellaneous geotechnical services 16 with a not-to-exceed limit of \$20,000.

17 **ENGINEERING SERVICES CONTRACT – EDITH ROBBINS**

18 The Board authorized the General Manager to execute a new agreement with Edith 19 Robbins for miscellaneous engineering services with a not-to-exceed limit of \$20,000 to help staff 20 meet short-term workload demands.

21 CHANGE ORDER - THIRD PARTY COATING INSPECTION FOR CREST TANK NO. 2 **PROJECT - D.B. GAYA CONSULTING** 22

23 The Board authorized the General Manager to execute a change order with D.B. Gaya 24 Consulting for additional coating inspection services at Crest Water Tank No. 2 on a time and 25 expense basis with a not-to-exceed limit of \$8,000. The coating work was delayed due to unusual 26 and prolonged inclement weather and delays in coordination and transfer of antennas of other 27 agencies that used to be mounted on Tank No. 1 to the new Tank No. 2.

28 **BANKING SERVICES**

- 29 At the request of Director Baker, this item was removed from the consent calendar.
- 30 Director Baker said that he had no guarrel with staff's logic for recommending moving the

31 District's banking services to US Bank; however, because of personal experience, he would not

32 support staff's recommendation.

- Director Rodoni opined that it is important to solicit pricing every couple of years as banking
 services are very competitive.
- On motion of Director Petterle and seconded by Director Rodoni, the Board authorized staff
 to move its banking services to US Bank by the following vote:
- 5 Ayes: Directors Fraites, Petterle, Rodoni, Schoonover
- 6 Noes: None
- 7 Abstain: Director Baker
- 8 Absent: None

9 ACTION CALENDAR

10 CONSIDER – REQUEST FOR BILL ADJUSTMENT

11 Mr. Bentley informed the Board that Donald LaMont is present to appeal staff's denial of a 12 bill adjustment request for water use charged while the house was unoccupied last December and 13 January. He summarized the billing records and stated that District staff responded to leak 14 complaints several times from 2009 to 2010. He said that no leaks were found at that time, and Mr. 15 LaMont's water use did not qualify for a bill adjustment. Mr. Bentley stated that Mr. LaMont called 16 to report a leak in March 2011, and a leak in the Polybutylene pipe on the consumer side of the 17 meter was located by District staff. He further stated that as a courtesy to Mr. LaMont, District 18 crews replaced the section of the pipe at no charge, and since Mr. LaMont's March water use was 19 normal, no adjustment was granted.

- Mr. LaMont addressed the Board and gave a detailed explanation of the high water use at the residence. He opined that there has been an intermittent leak in his pipe since 2009 and stated that a bill adjustment for approximately \$300 would be fair.
- President Schoonover stated that he would like to hear staff's explanation. Mr. Bentley reviewed the District's Bill Adjustment Policy for the Board. Doug Moore said that each complaint call was documented and that no leaks were found until March 2011 when a leak was found in the pipe between Mr. LaMont's meter and his service lateral at the compression joint of the Polybutylene pipe. Mr. Moore said that the Polybutylene pipe was installed by the District in 1977 when the meter was relocated to accommodate a county paving project.

Director Petterle asked if Mr. LaMont is contesting his current bill and requesting an adjustment. Mr. Bentley responded that Mr. LaMont is seeking an adjustment for water use over several years.

- The Board asked staff questions about pressure in the area of the leak, the estimated cost
 of the repair performed by District staff and if staff had ever seen an intermittent leak.
- On motion of Director Fraites, seconded by Director Baker, the Board unanimously voted to
 uphold staff's recommendation to not grant a bill adjustment to Mr. LaMont.
- 5 Mr. LaMont requested that his turn-off charge be waived and he was advised to call Mr.6 Bentley to discuss. Mr. LaMont left the meeting.

7 APPROVE - STAFFORD TREATMENT PLANT GAC REPLACEMENT

8 Robert Clark informed the Board that staff is requesting a budget augmentation in the 9 amount of \$92,000 to purchase coal-based carbon for two filters at Stafford Treatment Plant. He 10 provided the Board with background on the Granular Activated Carbon (GAC) filters at the plant and 11 advised that the GAC filters remove total organic carbons (TOC) and tastes and odors before the 12 water is sent into the distribution system. He stated that between 2006 and 2010, the attempt to 13 maximize filter run times and cure problems with the chlorine dioxide generator placed stress on the 14 GAC filters and there has been taste and odor break-through over the past five years. Mr. Clark 15 said that a different type of carbon (coconut shell) was tried but it proved to be not as robust as 16 coal-based carbon. He explained that the funds that were budgeted to replace the GAC this fiscal year were used to offset the 18% increase in chemical costs. He said that staff had hoped that the 17 18 GAC would last through the end of the fiscal year without a taste and odor breakthrough, but after a 19 recent algae bloom in Stafford Lake, staff believes that it would be unwise to delay replacing the 20 GAC before another taste and odor breakthrough event occurs. Mr. Clark stated that staff is 21 requesting a budget augmentation in the amount of \$92,000 to purchase and install new coal-based 22 carbon for two filter beds.

Director Rodoni asked if there are funds elsewhere in this fiscal year's budget to cover theamount of the budget augmentation request.

25 Mr. DeGabriele stated that the District is expending all revenue being collected.

26 On motion of Director Baker and seconded by Director Petterle, the Board approved a 27 budget augmentation to purchase and install new coal-based carbon for two filter beds at a cost of 28 \$92,000 not in the current fiscal year budget.

Director Petterle requested Mr. Bentley to periodically provide a tally of budget augmentations made by the Board.

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1 CHANGE ORDER – NUTE ENGINEERING CONTRACT FOR RECYCLED WATER NORTH 2 SERVICE AREA SMART CROSSING AT OLIVE AVE.

3 Drew McIntyre stated that as part of the Recycled Water North Service Area project, a 4 design for extending the new recycled water line west on Olive Avenue and under the Sonoma Marin Area Rail Transit (SMART) tracks at Railroad Avenue is underway. He advised that this 5 6 intersection is very congested with existing utilities. Mr. McIntyre stated that Nute Engineering 7 recently finished a project for Novato Sanitary District at the same location and staff believes that it 8 would make sense to request that Nute perform the engineering services for this area of the project. 9 He advised that Nute Engineering has an existing agreement with the District to perform 10 engineering services for the Recycled Water Novato South Service area project in a not-to-exceed 11 amount of \$450,000, plus a contingency of \$45,000. He stated that he is requesting a change order 12 in the amount of \$22,000 to Nute's agreement to provide engineering services related to the 12-inch 13 recycled water pipeline crossing SMART tracks at Olive and Railroad Avenues. Mr. McIntyre 14 advised that the project cost is included in the budget for the North Service Area and that soil 15 borings (by Miller Pacific Engineering Group) and potholing by District crews will be necessary for 16 this project area.

- Director Rodoni moved staff's recommendation and Director Baker provided the second.
 Director Petterle asked for and received confirmation from staff that the amount of the change order
 is not a budget augmentation.
- The Board unanimously voted to authorize the General Manager to execute Change Order No. 4 to Nute Engineering to perform recycled water design-related tasks for the Novato North Service Area project in the amount of \$22,000.

23 <u>APPROVE - RECYCLED WATER NORTH SERVICE AREA EXPANSION - SEGMENT 1:</u> 24 <u>AWARD CONSTRUCTION CONTRACT</u>

25 Drew McIntyre stated that the Board had authorized the bid advertisement on March 1 for 26 construction of Segment 1 of the Recycled Water Novato North Service Area Expansion and that 27 staff received four bids. He advised that the first low bidder withdrew their bid due to a clerical 28 error, and the second low bidder was disgualified because they did not attend the mandatory pre-29 bid meeting. Mr. McIntyre further advised that the third and fourth bid spread was very close and 30 that staff asked The Covello Group (Construction Manager for the project) to analyze the two bids. 31 He said that The Covello Group analysis showed that the two remaining contractors complied with 32 the bidding requirements in all areas.

33 34 to

On motion of Director Baker, seconded by Director Rodoni, the Board unanimously voted to:

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- 1. Allow W.R. Forde to withdraw their bid;
- 2. Reject Platinum Pipeline's bid as non-responsive;

3 3. Award the Construction Contract to Ghilotti Construction and authorize the General
4 Manager to execute an agreement with said company in the amount of \$582,225 plus a \$30,000
5 contingency.

6 **INFORMATION ITEMS**

7 INITIAL REVIEW – FY 12 WEST MARIN BUDGETS

8 David Bentley presented the Fiscal Year 2012 West Marin Budgets for the Board's initial 9 review. He advised that for West Marin Water, a 6% commodity rate increase and a 33% increase 10 (to \$20) for the minimum service charge is proposed which will generate an extra \$54,000 per year. 11 He said that in Oceana Marin, a 5% increase (\$58 per month charge) is proposed, that the annual 12 charge will appear on the customer's property tax bill, and that \$8,000 in revenue will be raised 13 annually. Mr. Bentley advised that a letter was mailed to all customers notifying them of the proposed rate increases and of the public hearing scheduled for July 5th at the Dance Palace in 14 15 Point Reves Station.

16 Mr. Bentley reviewed the projects included in the proposed budget and informed the Board 17 that the major project for West Marin Water is the Treatment Plant Solids Handling Facility totaling 18 \$720,000 for the next two years. He said that the Paradise Ranch Estates (PRE) Tank No. 4 19 project and the seismic work for the Point Reyes Station Tank have been deferred to pay for the 20 Solids Handling Facility project. Mr. Bentley advised that updated cost estimates are expected 21 later this month, and he will provide that information at the next budget review. He informed the 22 Board that staff is struggling with how to afford the Solids Handling Facility project and that more 23 discussion by the Board about this project will be necessary. He further informed the Board of 24 future projects: Replacement of PRE Tank #4A, the Gallagher Pipeline and Replacement of the 25 Water Treatment Plant. He stated that the costs for these projects cannot be funded solely by 26 ratepayers and that financing and grant funding will be necessary.

Mr. Bentley said that in Oceana Marin, the major project is the replacement of 4,000 feet of cross country sewer line at \$100 per foot that will be done in four phases. He stated that \$80,000 is included in the FY11 budget to complete Phase I replacement (1,000 feet) of the project. He said that \$100,000 is budgeted every other year for replacement of the high-risk cross-country sewer line. Mr. Bentley stated that operating expenditures for West Marin Water is budgeted to increase 5% in FY 11 and 7% for Oceana Marin. He said the department heads met with the Manager and scaled back cost increases to make budgets more in line with where they were this fiscal year. He said the West Marin budgets will be reviewed again at the June 21st meeting and the public hearing is scheduled for July 5th in Point Reyes Station.

6 Director Rodoni commented that PRE rates are increasing 6% and the remainder of Point 7 Reyes customers will see a 9% increase. He stated that it his understanding that the reason for the 8 rate increase which includes fixed costs, is to raise more revenue. He opined that PRE rates 9 should be increased the same amount as Point Reyes customers (9%).

10 Mr. Bentley explained that the typical West Marin meter charge will be \$20 bimonthly and 11 presumably, if there was not a revenue bond charge for PRE customers, they would also be paying 12 \$20. He said that the revenue bond amount works out to about \$16 per customer, and when added 13 to the \$20, they would pay \$36; however, PRE customers are currently paying \$37. He said that his 14 reasoning is that PRE customers are already paying \$20, and next year, when the fixed rate is 15 increased to \$25, they will need to have equity to have a \$5 increase. He advised that when the 16 revenue bond is paid off, it is presumed the PRE rate would drop to \$20 and will be at the same 17 rate as Point Reves customers.

- Director Rodoni asked Mr. Bentley to clarify that PRE customers have been paying morethan everyone else all along.
- 20 Mr. Bentley replied yes, because increases have been on a percentage basis, even though 21 the revenue bond section has been fixed; next fiscal year PRE customers will see an increase.
- 22 Director Rodoni thanked Mr. Bentley for the explanation.

23 <u>UPDATE FOR STAFFORD TREATMENT PLANT BACKFLOW METER & CHECK VALVE</u> 24 <u>PROJECT</u>

Drew McIntyre said that Dave Jackson, District Associate Engineer, will provide a recap of the Stafford Treatment Plant Backflow Meter & Check Valve Project. He said that the \$118,000 project was 98% funded by the American Recovery and Reinvestment Act and the District's portion of the job was \$3,000.

Dave Jackson said that the purpose of this project was to install a check valve and flow meter to the existing Stafford Treatment Plant piping to be used when backfeeding Stafford Lake. He referred to drawings on display and explained the project. He explained that the purpose of the check valve is to prevent any lake water to be backfed into the distribution system should there be a main break on the transmission line. Mr. Jackson said that the project went well; however, the Buy American requirements under the ARRA contract, stated that less than 5% of the materials can be foreign made. He stated that the flow meter, for which the system was originally designed, was foreign made and the only American-made flow meter meeting the requirements was ten inches longer than the design and he had to redo the design. He also said that foreign-made bolts were purchased and installed and staff had to remove the foreign-made bolts and install the American-made bolts. He said the foreign- made bolts were returned to the District warehouse to be used for future projects.

8 NBWRA BOARD MEETING MINUTES – MAY 23, 2011

DRAFT 2010 URBAN WATER MANAGEMENT PLAN

9 Mr. McIntyre provided a recap of the North Bay Water Reuse Authority Board meeting. He 10 reported that the District was successful in securing a supplemental grant from the Bureau of 11 Reclamation needed to complete the Recycled Water Expansion in the Novato South Service Area 12 with Las Gallinas Valley Sanitary District, and that work on the application for low interest rate loan 13 is continuing. He said that the California Department of Water Resources has recommended a 14 grant award to the Bay Area Integrated Regional Water Management Plan which includes \$500,000 15 for the joint project with Novato Sanitary District in the Novato North Service Area and \$500,000 for 16 the joint project with Las Gallinas Valley Sanitary District in the Novato South Service Area.

Mr. DeGabriele stated that it is a testament to Mr. McIntyre's good work with NBWRA and
the NBWRA consultant in managing to secure federal grant money.

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20 Mr. DeGabriele presented the draft of the 2010 Urban Water Management Plan (UWMP). 21 He said that this is his fourth opportunity to prepare the UWMP and that the Plan requirements 22 continue to get more complex and involved. He said that the District participated with all other 23 SCWA water contractors in hiring Maddaus Water Management (Maddaus) to do the basic data 24 analysis and David Bentley, along with Ryan Grisso, developed the data for Maddaus. He stated 25 that based on District projections of population and jobs and historical water use, Maddaus made 26 the projections of water demand and water conservation and that information will be incorporated 27 into the Department of Water Resources (DWR) Guidelines for preparing the UWMP. The 28 Guidelines include 38 tables that are included in the Plan and will be electronically submitted to 29 DWR once the plan is adopted. Mr. DeGabriele said that a public hearing is scheduled for June 21 30 and draft copies of the Plan are available at the District office front counter and at the Novato Public Library. 31

32 Mr. DeGabriele highlighted the following items in the Plan: Table 2-5 - population 33 projections are calculated by averaging ABAG data from 2005, 2007 and 2009; Table 3-2 -

1 compliance with SBx7-7, calculation of historical per capita water use and the baseline used for the 2 20% reduction; Table 3-14 - Sonoma County water supply contracted volume pursuant to the 3 Restructured Agreement is 14,100 acre feet, however, it is predicted at less than 11,000 acre feet 4 in 2035 to meet overall demand; and Table 4-11 summarizes in five year increments (from 2010 to 5 2035) the current and projected water supplies (Russian River supply, local supply, recycled water 6 and raw water supplies) that will be needed to meet demand. He said that this information will be 7 used to compare the predicted demand and predicted supplies and to determine that the supply will 8 meet the predicted demand. He said that Table 5-5 shows that NMWD will have enough water supply in normal and multiple dry years; and will be approximately 11% short in a single dry year. 9

He complimented Renee Roberts for her work in pulling the document together and said itwas an administrative challenge.

12 TAC MEETING – JUNE 6, 2011

13 Mr. DeGabriele reported on the TAC meetings and noted that the Water Agency received 14 the Temporary Urgency Change Order for this year and that the provisions from the State Board are 15 very similar to the prior year. He said that the District will be able to comply with the order; there is 16 plenty of water in the Russian River system and there will be no need to reduce water deliveries this 17 year. Mr. DeGabriele also reported on activities outside of the TAC including a review of the 18 Agency's long-range financial plan that will be available for the WAC review at the August WAC 19 meeting; how to true-up past Local Supply, Recycled Water and Tier 2 Conservation funding that all 20 contractors did not receive.

21 <u>SMART PROPOSED APPLICATION AND LICENSE FEES FOR PRIVATE AT-GRADE</u> 22 <u>CROSSINGS</u>

Mr. DeGabriele advised that he received a letter last week from SMART regarding private at-grade crossings and that he addressed the SMART Real Estate Committee on June 1. His comments are included in the Board packet. He expressed his disappointment that the Chair of the committee limited public comments to three minutes despite the informal meeting and the small group in attendance. Mr. DeGabriele said he did not have time to fully explain the District's concerns and he opined it was important for elected officials to hear the concerns. He advised that he had already scheduled a meeting with SMART staff on Friday, June 10th.

30 NORTH BAY WATERSHED ASSOCIATION MEETING – JUNE 3, 2011

31 Director Baker gave a brief report on the North Bay Watershed Association meeting held on32 June 3, 2011.

33 MISCELLANEOUS

NMWD Approved Minutes

The Board received the following miscellaneous information: Disbursements and Direct
 Deposit for Disbursements.

The Board also received the following news articles: Lucas donation allows MALT protection of Corda Ranch, Water district votes increases for next 3 years and North Marin District seeks water rate hike of more than 33 percent over three years.

6 ADJOURNMENT

7	President Schoonover adjourned the meeting at 9:37 p.m.	
8 9		Submitted by
10		
11 12		Renee Roberts
13		District Secretary