Date Posted: 12/11/2015



NORTH MARIN WATER DISTRICT

AGENDA - REGULAR MEETING December 15, 2015 – 7:00 p.m. District Headquarters 999 Rush Creek Place Novato, California

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

7:00 p.m. CALL TO ORDER

- 1. APPROVE MINUTES FROM REGULAR MEETING, December 1, 2015
- 2. GENERAL MANAGER'S REPORT
- 3. **OPEN TIME**: (Please observe a three-minute time limit)

This section of the agenda is provided so that the public may express comments on any issues not listed on the agenda that are of interest to the public and within the jurisdiction of the North Marin Water District. When comments are made about matters not on the agenda, Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or direct staff to place a matter of business on a future agenda. The public may also express comments on agenda items at the time of Board consideration.

- 4. STAFF/DIRECTORS REPORTS
- 5. **MONTHLY PROGRESS REPORT**

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.

- 6. **Consent Approve:** Renew Agreement for Bill Print Services
- 7. **Consent Approve:** Final Annual Report Fiscal Year 2014-2015
- 8. **Consent Approve:** Request for Conflict Waiver

ACTION CALENDAR

- 9. Consider: Public Records Act Request
- 10. Approve: Set Public Hearing for Revision of Water Conservation Regulation 15 & 17
- 11. Approve: CSW Stuber-Stroeh Contract Amendment
- 12. **Approve:** Conditions of Employment General Manager (Revised Resolution 95-12)

 Resolution

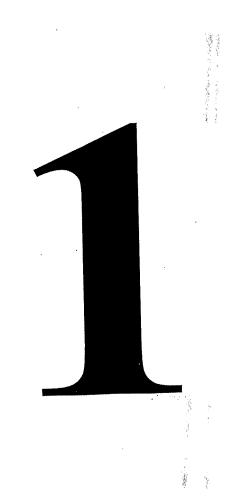
INFORMATION ITEMS

- 13. Marin LAFCo Countywide Water Service Study Update
- 14. TAC Meeting December 7, 2015

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 **MISCELLANEOUS** 15. Disbursements Annual Sick Leave Buy-Back Water Research Foundation Certificate of Excellence (ERA) The Making of Leaders – Dominican University Leadership Graduation CalPERS Adopts Plan to Lower Risk, Increase Rates News Articles: California misses October target for saving water Marin Voice: MMWD should look at the costs of fluoridation Marin Supervisor Kinsey says he won't seek another term PG&E wants Marin Clean Energy customers to pay more for exit ticket Marin Voice: MMWD must do more to bolster local supply Methoprene denied at mosquito district, but agreement uncertain Marin water users will see rates climb in January 8:30 p.m. 16. **ADJOURNMENT**



1 2 3 4 5	DRAFT NORTH MARIN WATER DISTRICT MINUTES OF REGULAR MEETING OF THE BOARD OF DIRECTORS December 1, 2015
6	CALL TO ORDER
7	President Baker called the regular meeting of the Board of Directors of North Marin Water
8	District to order at 7:00 p.m. at the District headquarters and the agenda was accepted as
9	presented. Present were Directors Rick Fraites, Stephen Petterle, Dennis Rodoni, and John
10	Schoonover. Also present were General Manager Chris DeGabriele, District Secretary Katie Young,
11	and Chief Engineer Drew McIntyre. Auditor-Controller David Bentley was absent.
12	District employees Tony Arendell (Construction/Maintenance Superintendent) and Robert
13	Clark (Operations/Maintenance Superintendent) were in the audience.
14	REORGANIZATION OF BOARD
15	Election of President
16	On motion of Director Fraites, seconded by Director Petterle, the Board elected Director
17	Schoonover as President of the Board for the ensuing year by the following vote:
18	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
19	NOES: None
20	Election of Vice-President
21	On motion of Director Rodoni, seconded by Director Fraites, Director Petterle was elected
22	Vice-President of the Board for the ensuing year by the following vote:
23	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
24	NOES: None
25	Establishment of Meeting Times and Place
26	On motion of Director Fraites, seconded by Director Petterle, the Board set the time and
27	place of regular meetings to be the first and third Tuesday of each month at 7:00 p.m. at the District
28	office, and agreed that the Board will hold one meeting annually in West Marin with additional West
29	Marin meetings to be scheduled on an as-needed basis by the following vote:
30	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
31	NOES: None

1	Establishes the Manner of Calling Special Meetings
2	On motion of Director Rodoni , seconded by Director Petterle, the Board approved special
3	meetings of the Board to be held as provided in Section 54956 of the Government Code by the
4	following vote:
5	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
6	NOES: None
7	Appointment of District Officers
8 9 10 11	On motion of Director Rodoni, seconded by Director Baker, the following District officers were appointed for the ensuing year: Chris DeGabriele, General Manager; Katie Young, District Secretary; David L. Bentley, Auditor-Controller; and Drew McIntyre, Chief Engineer by the following vote:
12	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
13	NOES: None
14	Confirm Board Meeting Schedule for 2016
15 16 17	On motion of Director Petterle, seconded by Director Baker, the Board accepted the proposed meeting schedule for the 2016 calendar year with the understanding that the calendar may be adjusted as needed by the following vote:
18	AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
19	NOES: None
20	Committee Appointments
21 22	President Schoonover stated that he will take committee appointments into consideration and will return to the Board with his recommendations at a future meeting.
23	<u>MINUTES</u>
24	On motion of Director Petterle, seconded by Director Baker, the Board approved the minutes
25	from the previous meeting as presented by the following vote:
26	AYES: Directors Baker, Fraites, Petterle, Schoonover
27	NOES: None
28	ABSTAIN: Director Rodoni

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29

ABSENT: None

GENERAL MANAGER'S REPORT

2 David Bentley Out-Of-Office

Mr. DeGabriele advised the Board that David Bentley would not be attending the meeting because he is at the ACWA Conference.

NMFS Multi-Species Recovery Plan

Mr. DeGabriele reported that National Marine Fisheries Service has extended the time to submit comments on their Multi-Species Recovery Plan (for Novato Creek this is for threatened steelhead trout). He stated that comments on the plan have been drafted and are being reviewed by consultant Cardno and Associates. He noted that Cardno suggests including a cursory review of passage feasibility above Stafford Dam and the time extension may help in developing such cursory review.

Public Records Act Request

Mr. DeGabriele informed the Board that a Public Records Act Request from the Bay Area News Group was received yesterday, requesting the top 20 residential water users during the period June 1 through September 30th. He stated that the newspaper has also asked for a list of customers who have been penalized during that period (there have been none) and for the Board of Directors water consumption data. He reminded the Board that the District's policy specifies that individual customer data is to be kept confidential to protect privacy unless the Board determines disclosure is warranted. He informed the Board that they will need to consider the newspaper's request at its next regularly scheduled meeting.

Director Rodoni asked what the parameters were for the high water use criteria. Mr. DeGabriele stated that it would be the Top 20 residential customer monthly water use from June 1-September 30th.

Director Fraites asked if the District had any outrageous water users. Mr. DeGabriele stated that staff has not queried to identify the top 20 customers.

OPEN TIME

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

STAFF / DIRECTORS' REPORTS

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

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Robert Clark informed the Board of the Oceana Marin spill on Thanksgiving, where approximately 2,600 gallons of raw sewage was discharged from a break in the force main, and uphill from the Oceana Marin lift station on Tahiti Way. Mr. Clark applauded staff's response and stated that the District's Emergency Operation Plan worked well.

President Schoonover asked if it was an older installation and Mr. Clark responded that it was 44 years old but was probably caused by the earth movement.

Mr. McIntyre advised the Board that the Aqueduct Energy Efficiency Project change orders are being wrapped up and a punch list work is ongoing. He stated that there remains 400 lineal feet of 8" distribution main in the vicinity of the Kastania gas station yet to install and it will likely be completed next week.

Mrs. Young reminded the Board that the Holiday Party is scheduled December 19th and to turn in RSVP's by December 11th. She further advised that she will not be in attendance at the next meeting and Engineering Secretary Eileen Mulliner will stand in for her.

CONSENT CALENDAR

On the motion of Director Petterle, seconded by Director Fraites, the following items were approved on the consent calendar by the following vote:

- AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover
- 18 NOES: None

RESOLUTION OF APPRECIATION FOR VERNON STAFFORD

The Board approved Resolution 15-25 entitled: "North Marin Water District Resolution of Appreciation to Vernon Stafford." Vernon Stafford will be retiring after 29 years of employment with North Marin Water District.

RESOLUTION OF APPRECIATION FOR SUE KESSLER

The Board approved Resolution 15-26 entitled: "North Marin Water District Resolution of Appreciation to Sue Kessler." Sue Kessler will be retiring after 15 years of employment with North Marin Water District.

RESOLUTION OF APPRECIATION FOR HARRY SERAYDARIAN

The Board approved Resolution 15-27 entitled: "Resolution of Appreciation The Board of Directors of North Marin Water District to Retiring NBWA Executive Director Harry Seraydarian." Harry Seraydarian will be retiring after serving as the North Bay Watershed Association Executive Director since 2004.

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CONSULTING SERVICES AGREEMENT WITH RETIRING EMPLOYEE

The Board authorized the General Manager to enter into a consulting services agreement with Vernon Stafford, which will commence on July 1, 2016 to satisfy PEPRA (Public Employee Pension Reform Act) and will enable Vernon to assist Stafford Treatment Plant operations next fiscal year.

ACTION CALENDAR

CONSULTING SERVICES AGREEMENT – RUSSELL MITCHELL AND ASSOCIATES

Mr. McIntyre advised the Board that that staff is requesting a consulting services agreement with Russell Mitchell and Associates to provide design services for the Recycled Water Central Service Area Expansion onsite irrigation system retrofits. He reminded the Board that Russell Mitchell and Associates has already designed many of the irrigation systems on these large landscaped areas to be served with recycled water and cost effectively provides good service to the District.

On motion of Director Petterle, seconded by Director Baker, the Board authorized the General Manager to execute a Consulting Services Agreement between NMWD and Russell D. Mitchell & Associates with a not-to-exceed limit of \$175,000 by the following vote:

AYES: Directors Baker, Fraites, Petterle, Rodoni, Schoonover

NOES: None

INFORMATION ITEMS

DRAFT ANNUAL REPORT

Mrs. Young provided the Board with the draft annual report for their review. She requested that any comments or changes be received by Friday, December 5th and advised the Board that final approval of the annual report will be at the December 15th meeting. Mrs. Young informed the Board that Board members and staff will receive hard-copies of the final report and but other interested members of the public will receive a letter advising them that the annual report is available on the District website.

President Schoonover opined that the annual report was a "big step-up" from previous years.

<u>CALIFORNIA WATER BOARD CONSIDERING EXTENSION OF EMERGENCY DROUGHT REGULATIONS</u>

Mr. DeGabriele advised the Board that on November 13th Governor Brown issued an Executive Order that the State Water Resources Control Board (SWRCB) extend urban water

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conservation restrictions until October 31, 2016, to achieve a statewide reduction in urban potable water usage if drought conditions persist through January 2016. He informed the Board that the SWRCB will receive input on the potential extension and modification of the existing Emergency Regulation for Statewide Urban Water Conservation at an informational workshop held on December 7th. He noted that the District provided comments to the SWRCB and other Sonoma Marin Saving Water Partnership partners were encouraged to send similar comments. Mr. DeGabriele stated he has been working with City of Santa Rosa and other Water Agencies in Sacramento, Orange County and San Diego County areas developing a further refined regional compliance option for the Emergency Regulations. He advised the Board that the City of Santa staff Rosa will lead the presentation at the December 7th SWRCB meeting.

<u>NOVATO WATERSHED PROGRAM - POLICY ADVISORY COMMITTEE MEETING - NOVEMBER 19, 2015</u>

 Mr. DeGabriele informed the Board that he attended the Novato Watershed Program Policy-Advisory Committee meeting held on November 19th, along with Directors Baker and Fraites. He stated that the presentation was made by the County staff and stated that the County is considering projects in lower Novato creek ranging from \$18-\$25M. He advised the Board that the program manager intends to conduct polling on how to fund the projects adopted by a ballot measures to authorize bonds, tax or assessments. He stated that it was suggested that the potential ballot language be available for the November 2016 election. Mr. DeGabriele provided excerpts from the presentation to the Board and stated that a draft alternative assessments report would be completed in January and a community meeting would be held in February to discuss options.

Director Rodoni asked why the committee was only looking to put the projects on the ballot and not to the North Bay Watershed. Mr. DeGabriele stated that NBWA would not have funding in amounts necessary to carry out the projects and it would need to be financed for a longer period of time. He did advise that IRWMP funding has been received for some of the work.

Mr. McIntyre stated that the projects that will be done have more specifics and costs associated with them regarding the flood benefits. He stated that right now primarily the level of discussion is for flood improvements on Novato Creek. Mr. McIntyre stated that the District plans a future study on local water supply enhancement projects.

Director Fraites stated that the geography of Novato is not conductive to discharge flood waters from the Creek into the Bay and that there should be a discussion about making a permanent fix by adding flood gates in the vicinity of Novato Sanitary District property.

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<u>MARIN BAY WATERFRONT ADAPTATION VULNERABILITY EVALUTION MEETING –</u> NOVEMBER 23, 2015

Mr. DeGabriele provided the Board with brief report on the Marin Bay Waterfront Adaptation Vulnerability Evaluation (BayWAVE) Meeting held on November 23, 2015. He stated that the meeting was to discuss the eastern Marin County sea level rise. He advised the Board that the point of discussion focused on which sea level rise model would be used and the majority decided to use the CSMART model. He provided the presentation handout to the Board and stated that an executive steering committee group was established.

NBWA MEETING - DECEMBER 4, 2015

Mr. DeGabriele advised the Board that following the North Bay Watershed Association Meeting on December 4th, there would be a luncheon for Harry Seradaryian's.

Director Baker stated that Mr. Seradaryian is a great person and makes things happen. He stated that he has always provided great speakers for the meetings and he will be missed. Director Baker advised that he will be attending the meeting.

MISCELLANEOUS

The Board received the following miscellaneous information: Disbursements and NMFS Multi-Species Recovery Plan – Comment Period Extended.

The Board received the following news articles: Capriola appointed interim Novato city manager after hot debate, Learn about North Marin's conservation help, Obituary – Donna Lee Brand.

CLOSED SESSION

President Schoonover adjourned the Board into closed session at 7:44 p.m. in accordance with Government Code Section 54957 for Public Employee Performance Evaluation (One), Title: General Manager.

OPEN SESSION

Upon returning to regular session at 8:21 p.m., President Schoonover advised that the Board had provided the General Manager with a written evaluation of his performance over the past year and on motion of Director Baker, seconded by Director Schoonover, the Board agreed to an 8% salary increase to \$209,750 by the following vote:

AYES: Directors Baker, Fraites and Schoonover

31 NOES: Directors Petterle and Rodoni

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1	President Schoonover stated that the General Manager's employment resolution will be
2	considered on the next meeting agenda.
3	<u>ADJOURNMENT</u>
4	President Schoonover adjourned the meeting at 8:22 p.m.
5	Submitted by
6	
7	
8	
9	Katie Young
10	District Secretary

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MONTHLY PROGRESS REPORT FOR <u>November 2015</u>

December 15, 2015

1.

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

Month	FY15/16	FY14/15	FY13/14	FY12/13	FY11/12	16 vs 15 %
July	252	319	385	389	371	-21%
August	274	301	360	396	373	-9%
September	213	276	332	346	347	-23%
October	243	221	313	283	249	10%
November	135	173	229	166	183	-22%
FYTD Total	1,117	1,289	1,618	1,580	1,523	-13%

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

Month	FY15/16	FY14/15	FY13/14	FY12/13	FY11/12	16 vs 15 %
July	6.6	8.6	9.3	9.8	9.2	-23%
August	7.0	8.5	9.3	9.7	9.4	-18%
September	6.4	7.8	8.5	8.3	8.7	-18%
October	6.5	5.4	8.0	7.4	6.5	21%
November	4.7	4.6	6.8	5.2	5.1	4%
FYTD Total	31.2	34.9	41.9	40.5	39.1	-10%

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

N A 41-	EVAEIAC	EVALAGE	EV/40/44	EV40/40	FY11/12	16 vo 15 0/
Month	FY15/16	FY14/15	FY13/14	FY12/13	FY11/12	16 vs 15 %
July	108	83	98	49	115	30%
August	79	61	83	83	126	29%
September	38	26	56	72	77	46%
October	50	0	82	88	113	_
November	58	8	5	64	106	672%
FYTD Total	333	178	323	355	537	87%

Recycled Water Production - in Million Gallons - FY to Date

Month	FY15/16	FY14/15	FY13/14	FY12/13	FY11/12	16 vs 15 %
July	21.3	21.8	27.6	11.2	11.0	-2%
August	26.2	26.0	26.2	10.5	12.2	1%
September	15.7	19.2	18.6	8.5	9.6	-18%
October	15.8	9.4	15.8	0.0	0.0	69%
November	3.2	3.7	6.4	0.0	0.0	-14%
FYTD Total*	82.2	80.0	94.5	30.2	32.8	3%

^{*}Excludes potable water input into the RW system: FYTD16 = 6.9MG; FYTD15 = 6.9MG; FYTD14 = 4.0MG.

2. Stafford Lake Data

	November Average	November 2014	November 2015
Rainfall this month	3.23 Inches	0.93 Inches	0.99 Inches
Rainfall this FY to date	4.97 Inches	4.89 Inches	1.05 Inches
Lake elevation*	181.5 Feet	177.0 Feet	179.6 Feet
Lake storage**	526 MG	360 MG	450 MG

^{*} Spillway elevation is 196.0 feet

^{**} Lake storage less 390 MG = quantity available for delivery

Temperature (in degrees)

	<u>Minimum</u>	<u>Maximum</u>	Average
November 2014 (Novato)	41	86	60
November 2015 (Novato)	33	82	56

3. Number of Services

***************************************	No	vato Wate	er .	Recy	cled \	Vater	West	Marin	Water	Ocea	na Mari	in Swr
November 30	FY16	FY15	Incr %	FY16	FY15	Incr %	FY16	FY15	Incr %	FY16	FY15	Incr %
Total meters	20,757	20,749	0.0%	48	48	0.0%	785	821	-4.4%	-	_	_
Total meters active	20,516	20,500	0.1%	44	44	0.0%	777	777	0.0%	_	_	_
Active dwelling units	23,977	23,949	0.1%	0	0	-	824	823	0.1%	229	229	0.0%

4. Oceana Marin Monthly Status Report (November)

Description	November 2014	November 2015
Effluent Flow Volume (MG)	0.438	0.377
Irrigation Field Discharge (MG)	0.344	0
Treatment Pond Freeboard (ft)	5.3	6.6
Storage Pond Freeboard (ft)	7.3	4.9

5. <u>Developer Projects Status Report (November)</u>

		%	
Job No.	Project	Complete	% This month
1.2777.00	Walnut Meadows	97	1
1.2782.00	33 Commercial Blvd.	96	1
1.2783.00	Olive Ave. Chevron Car Wash	10	10

<u>District Projects Status Report - Const Dept (November)</u>

Job No.	Project	% Complete	% This month
1.7067.00	S. Novato Blvd- Rowland to Sunset 12" R/R	100	1
2.7153.00	Upsize 4" pipe from Bear Valley Tanks	98	3
2.6602.23	PR Well No. 2 Replacement	85	5
1.7123.19	Grandview PB Replacement	90	70
1.7090.02	Anode Installations	60	60

Employee Hours to Date, FY 15/16

As of Pay Period Ending November 30, 2015

Percent of Fiscal Year Passed = 42%

Developer			% YTD	District			% YTD
Projects	Actual	Budget	Budget	Projects	Actual	Budget	Budget
Construction	731	1,400	52	Construction	2,229	4,949	45
Engineering	403	1,480	27	Engineering	2,078	4,980	42

6. Safety/Liability

	Industrial Injur	Liability Claims Paid			
		No. of			Paid
Lost	OH Cost of	Emp.	No. of	Incurred	(FYTD)
Days	Lost Days (\$)	Involved	Incidents	(FYTD)	(\$)
0	0	0	0	3	31,766
105	52,920	1	0	2	2,174

FY 16 through November FY 15 through November

Days without a lost time accident through November 30, 2015= 182 days

7. Energy Cost

	٨	lovember		Fiscal Year-t	o-Date thr	ru November
FYE	Kwh	¢/Kwh	Cost/Day	Kwh	¢/Kwh	Cost/Day
2016 Stafford TP	44,701	18.7¢	\$278	289,765	18.3¢	\$347
Pumping	89,939	16.7¢	\$537	583,529	17.7¢	\$697
Other*	36,868	20.7¢	\$232	202,707	24.6¢	\$330
•	171,507	18.1¢	\$1,034	1,076,001	19.2¢	\$1,374
2015 Stafford TP	40,177	18.1¢	\$242	309,339	17.7¢	\$358
Pumping	93,928	16.1¢	\$504	685,123	16.7¢	\$760
Other*	35,044	19.7¢	\$223	207,400	22.9¢	\$312
_	169,148	17.3¢	\$977	1,201,861	18.0¢	\$1,427
2014 Stafford TP	43,519	17.1¢	\$248	319,435	17.1¢	\$356
Pumping	131,905	15.1¢	\$664	850,422	15.8¢	\$898
Other*	43,241	18.2¢	\$262	236,223	21.3¢	\$336
_	218,664	16.1¢	\$1,214	1,406,080	17.0¢	\$1,597

^{*}Other includes West Marin Facilities

8. Water Conservation Update

	Month of November 2015	Fiscal Year to Date	Program Total to Date
High Efficiency Toilet (HET) Rebate (\$100 each)	21	121	3,392
Retrofit Certificates Filed	12	95	5,412
Cash for Grass Rebates Paid Out	10	95	789
Washing Machine Rebates	11	53	6,652
Water Smart Home Survey	33	111	2,231

9. Utility Performance Metric

SERVICE DISRUPTIONS	November 2015 No. of Customers Impacted	November 2014 No. of Customers Impacted
PLANNED		
Duration Between 0.5 and 4 hours	1	13
Duration Between 4 and 12 hours		
Duration Greater than 12 hours		
UNPLANNED		
Duration Between 0.5 and 4 hours	5	87
Duration Between 4 and 12 hours		
Duration Greater than 12 hours		
SERVICE LINES REPLACED	November 2015	November 2014
Polybutylene	5	10
Copper (Replaced or Repaired)	1	3

Summary of Complaints & Service Orders November 2015

Туре	Nov-15	Nov-14	Action Taken November 2015	12/9/2015
Consumers' System Problems				
Service Line Leaks	6	4	Notified Consumer	
Meter Leak Consumer's Side	0	Ô	~	
House Plumbing	0	0	~	
Noisy Plumbing	0	0	~	
Seepage or Other	0	0	~	
House Valve / Meter Off	0	7	~	
Nothing Found	1	8	Notified Consumer	
Low Pressure	0	0	~	
High Pressure	0	0	~	
Water Waster Complaints	0	0	~	
Total	7	19		
Service Repair Reports				
Register Replacements	0	0	~	
Meter Replacement	0	1	~	
Meter Box Alignment	0	0	~	
Meter Noise	0	0	~	
Dual Service Noise	0	0	~	
Box and Lids	0	0	~	
Water Off/On Due To Repairs	7	0	Notified Consumer	
Misc. Field Investigation	0		~	
Total	7	3		
Leak NMWD Facilities				
Main-Leak	1	0	Repaired	
Mains-Nothing Found	0	0	~	
Mains-Damage	0	1	~	
Service- Leak	4	13	Repaired	
Services-Nothing Found	2	1	Notified Consumer	
Service-Damaged	0	0	~	
Fire Hydrant-Leak	0	4	~	
Fire Hydrants-Nothing Found	0	0	~	
Fire Hydrants-Damaged	0	0	~	
Meter Replacement	0	0	~	
Meters-Leak	0	0	~	
Meters-Nothing Found	0	0	~	
Meters Damaged	0	0	~	
Washer Leaks	3	2	Replaced	
Total	10	21		
High Bill Complaints				
Consumer Leaks	12	0	Notified Consumer	
Meter Testing	0	0	~	
Meter Misread	2	8	Notified Consumer	
Nothing Found	19	8	Notified Consumer	
Projected Consumption	0	0	~	
Excessive Irrigation	0	00	~	
Total	33	16		

Summary of Complaints & Service Orders November 2015

Type Nov-15 Nov-14 Action Taken November 2015 Low Bill Reports Weter Misread 0 0 ~ Stuck Meter 0 0 ~ Nothing Found 1 0 Notified Consumer Projected Consumption 0 0 ~ Minimum Charge Only 0 0 ~ Total 0 0 ~ Water Quality Complaints Taste and Odor 1 1 Customer reported odor in water. (Corte Escuela) Staff detected chlorine odor. Chlorine values normal for Novato. Customer was notified of results. Customer reported brown water. (DeLong Ave) Brown water due to nearby fire hydrant use. Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Turbidity 0 0 ~ Suspended Solids 0 0 ~ Other 0 1 ~ Total 3 2 TOTAL FOR MONTH:	Summary of Complaints & Ser	vice Orders N	loveniber 2015	12/9/2015
Meter Misread 0	Туре	Nov-15	Nov-14	
Stuck Meter	Low Bill Reports			
Nothing Found 1	Meter Misread	0	0	~
Projected Consumption 0	Stuck Meter	0	0	~
Projected Consumption No	Nothing Found	1	0	Notified Consumer
Minimum Charge Only Total 0	•	0	0	~
Total00Water Quality ComplaintsTaste and Odor11Customer reported odor in water. (Corte Escuela) Staff detected chlorine odor. Chlorine values normal for Novato. Customer was notified of results.Color20Customer reported brown water. (DeLong Ave) Brown water due to nearby fire hydrant use. Line flushed & water cleared.Turbidity00~Suspended Solids00~Other01~Total32		0	0	~
Taste and Odor	- ,	0	0	
Taste and Odor	Water Quality Complaints			
Color 2 0 Customer reported brown water. (DeLong Ave) Brown water due to nearby fire hydrant use. Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Turbidity 0 0 0 7 Suspended Solids 0 0 1 7 Other 0 1 1 7 Total 3 2 TOTAL FOR MONTH: 60 61 Change Primarily Due To Consumer's System Problems Service Repair Report Leak NMWD Facilities 114 164 -30% Decrease In Consumer Service Leaks High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor		1	1	Customer reported odor in water.
Color 2 0 Customer reported brown water. (DeLong Ave) Brown water due to nearby fire hydrant use. Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Turbidity 0 0 0 ~ Suspended Solids 0 0 0 ~ Other 0 1 7 Total 3 22 TOTAL FOR MONTH: 60 61 2-2% Fiscal YTD Summary Consumer's System Problems 196 146 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Nothing Found Water Quality Complaints 16 22 -27% Decrease In Taste & Odor				
Color 2				
Color 2 0 Customer reported brown water. (DeLong Ave)				normal for Novato. Customer was notified of
Brown water due to nearby fire hydrant use. Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Turbidity 0 0 0 ~ Suspended Solids 0 0 0 ~ Other 0 1 ~ Total 3 2 7 TOTAL FOR MONTH: 60 61 61 -2% Fiscal YTD Summary Consumer's System Problems 196 146 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Meter Replacement Leak NMWD Facilities 114 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor				
Line flushed & water cleared. Customer reported brown water. (Arthur St) Line flushed & water cleared. Turbidity Suspended Solids Other Total To Decrease In Service Leaks In Gerease In Nothing Found Low Bills Total	Color	2	0	•
Turbidity 0 0 0 ~ Suspended Solids 0 0 0 ~ Other 0 1 ~ Total 3 2 7 TOTAL FOR MONTH: 60 61 46 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks High Bill Complaints 134 171 -22% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor				
Turbidity 0 0 0 ~ Suspended Solids 0 0 0 ~ Other 0 1 ~ Total 3 2 TOTAL FOR MONTH: 60 61 -2% Fiscal YTD Summary Consumer's System Problems 196 146 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor				
Turbidity 0 0 0 ~ Suspended Solids 0 0 0 ~ Other 0 1 ~ Total 3 2 TOTAL FOR MONTH: 60 61 -2% Fiscal YTD Summary Consumer's System Problems 196 146 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor				
Suspended Solids Other Total Total				Line flushed & water cleared.
OtherTotal32TOTAL FOR MONTH:6061-2%Change Primarily Due ToConsumer's System Problems19614634%Increase In Consumer Service LeaksService Repair Report51494%Increase In Meter ReplacementLeak NMWD Facilities114164-30%Decrease In Service LeaksHigh Bill Complaints134171-22%Decrease In Nothing FoundLow Bills15-80%Decrease In Stuck MeterWater Quality Complaints1622-27%Decrease In Taste & Odor	Turbidity	0		~
Total 3 2 TOTAL FOR MONTH: 60 61 -2% Fiscal YTD Summary Consumer's System Problems 196 146 34% Increase In Consumer Service Leaks Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor	Suspended Solids	0		~
TOTAL FOR MONTH:6061-2%Fiscal YTD SummaryChange Primarily Due ToConsumer's System Problems19614634%Increase In Consumer Service LeaksService Repair Report51494%Increase In Meter ReplacementLeak NMWD Facilities114164-30%Decrease In Service LeaksHigh Bill Complaints134171-22%Decrease In Nothing FoundLow Bills15-80%Decrease In Stuck MeterWater Quality Complaints1622-27%Decrease In Taste & Odor	_			~
Fiscal YTD Summary Consumer's System Problems Service Repair Report Leak NMWD Facilities High Bill Complaints Low Bills 16 22 Change Primarily Due To Increase In Consumer Service Leaks Increase In Meter Replacement Increase In Meter Replacement Decrease In Service Leaks Decrease In Nothing Found Decrease In Stuck Meter Decrease In Stuck Meter Decrease In Taste & Odor	Total _		****	
Consumer's System Problems Service Repair Report Leak NMWD Facilities High Bill Complaints Low Bills 196 146 34% Increase In Consumer Service Leaks Horease In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Decrease In Taste & Odor	TOTAL FOR MONTH:	60	61	2%
Service Repair Report 51 49 4% Increase In Meter Replacement Leak NMWD Facilities 114 164 -30% Decrease In Service Leaks High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor	Fiscal YTD Summary			
Leak NMWD Facilities114164-30%Decrease In Service LeaksHigh Bill Complaints134171-22%Decrease In Nothing FoundLow Bills15-80%Decrease In Stuck MeterWater Quality Complaints1622-27%Decrease In Taste & Odor	Consumer's System Problems	196	146	
High Bill Complaints 134 171 -22% Decrease In Nothing Found Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor	Service Repair Report	51	49	•
Low Bills 1 5 -80% Decrease In Stuck Meter Water Quality Complaints 16 22 -27% Decrease In Taste & Odor	Leak NMWD Facilities	114	164	
Water Quality Complaints 16 22 -27% Decrease In Taste & Odor	High Bill Complaints	134	• • •	<u> </u>
valor dadity completing	Low Bills	1		
	Water Quality Complaints			
	Total	512	557	

Summary of Complaints & Service Orders November 2015

				12/9/2015
Туре	Nov-15	Nov-14	Action Taken November 2015	
"In House" Generated and				
Completed Work Orders				
Completed Work Orders				
Check Meter: possible	222	201		
consumer/District leak, high				
bill, flooded, need read, etc.				
<u>Change Meter:</u> leaks,	8	1		
hard to read				
Possible Stuck Meter	0	1		
Repair Meter: registers,	0	0		
shut offs				
Replace Boxes/Lids	7	0		
Hydrant Leaks	0	0		
Trims	63	4		
Dig Outs	85	42		
Letters to Consumer:				
meter obstruction, trims,	0	0		
bees, gate access, etc.	-	_		
get meter number,				
kill service, etc.				
Kill Col Vice, Ctc.				
_	385	249		
Bill Adjustments Under Board	Policy:			
November 15 vs. November 14	<u>1</u>			
Nov-15	16	\$3,331		
Nov-14	26	\$6,878		
1404-14	20	ψο,οιο		
Fiscal Year to Date vs. Prior F	YTD			
15/16 F Y TD	97	\$22,550		
14/15 F Y TD	122	\$51,326		
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To: Board of Directors December 11, 2015

From: David L. Bentley, Auditor-Controller

Subj: Auditor-Controller's Monthly Report of Investments for November 2015

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RECOMMENDED ACTION: Information

FINANCIAL IMPACT: None

At month end the District's Investment Portfolio had an amortized cost value (i.e., cash balance) of \$12,035,056 and a market value of \$12,035,645. During November the cash balance decreased by \$313,197. The market value of securities held decreased by \$3,705 during the month. The ratio of total cash to budgeted annual operating expense, stood at 82%, down 2% from the prior month.

At November 30, 2015, 32% of the District's Portfolio was invested in California's Local Agency Investment Fund (LAIF), 35% in Time Certificate of Deposits, 17% in US Treasury Notes, and 8% in Federal Agency Securities. The weighted average maturity of the portfolio was 199 days, compared to 212 days at the end of October. The LAIF interest rate for the month was 0.37%, compared to 0.35% the previous month. The weighted average Portfolio rate was 0.58%, compared to 0.57% the previous month. Including interest paid by The Bay Club Company on the StoneTree Golf Club Recycled Water Facilities Loan, the District earned \$10,234 in interest revenue during November, with 48% earned by Novato Water, 42% earned by Recycled Water (by virtue of the StoneTree Golf Course Loan) and the balance distributed to the other districts.

NORTH MARIN WATER DISTRICT AUDITOR-CONTROLLER'S MONTHLY REPORT OF INVESTMENTS November 30, 2015

Type Description Rating LAIF Date Date Sajes of CA Treasury Market Value Yield² Portfolio Portfolio LAIF State of CA Treasury AA- Various Open \$3,895,054 \$3,895,089 0.37% 32% Time Certificate of Deposit TCD BMW Bank n/a 1/211/113 12/11/115 \$248,000 \$248,000 0.70% 2% TCD Key Bank n/a 3/19/14 3/21/16 248,000 248,000 0.45% 2% TCD Barclays Bank n/a 4/15/14 4/15/16 248,000 248,000 0.55% 2% TCD Americanwest Bank n/a 4/15/14 4/15/16 248,000 249,000 0.50% 2% TCD Americanwest Bank n/a 6/30/14 6/30/16 249,000 249,000 0.65% 2% TCD Comenity Capital Bank n/a 8/18/14 8/18/16 249,000 249,000 0.70% 2% TCD Cardinial Bank			S&P	Purchase	Maturity	Cost	11/30/2015		% of
Time Certificate of Deposit Time	Type	Description	Rating	Date	Date				
TCD	LAIF	State of CA Treasury	AA~	Various	Open	\$3,895,054	\$3,895,089	0.37% ³	32%
TCD Key Bank n/a 3/19/14 3/21/16 248,000 248,000 0.45% 2%	Time (Certificate of Deposit							
TCD Barclays Bank n/a 4/15/14 4/15/16 248,000 248,000 0.55% 2%	TCD	BMW Bank	n/a	12/11/13	12/11/15	\$248,000			
TCD	TCD	Key Bank	n/a	3/19/14	3/21/16	248,000	248,000		
TCD	TCD	Barclays Bank	n/a	4/15/14	4/15/16	248,000	•		
TCD Investors Bank n/a 7/21/14 7/21/16 249,000 249,000 0.70% 2%	TCD	Americanwest Bank	n/a	5/30/14	5/31/16	249,000	•		
TCD Comenity Capital Bank n/a 8/18/14 8/18/16 249,000 249,000 0.80% 2% TCD Ally Bank n/a 10/2/14 10/3/16 248,000 248,000 0.95% 2% TCD Cardinal Bank n/a 11/12/14 11/14/16 249,000 249,000 0.80% 2% TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 249,000 0.80% 2% TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 249,000 0.80% 2% TCD First Niagara Bank n/a 4/30/15 5/1/17 248,000 249,000 0.75% 2% TCD Discover Bank n/a 6/10/15 6/12/17 248,000 248,000 0.85% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD American Express Centurion n/a 8/5/15 8/7/10	TCD	Enerbank	n/a	6/30/14	6/30/16	249,000	249,000	0.65%	2%
TCD Comenity Capital Bank n/a 8/18/14 8/18/16 249,000 249,000 0.80% 2% TCD Ally Bank n/a 10/2/14 10/3/16 248,000 248,000 0.95% 2% TCD Cardinal Bank n/a 11/12/14 11/14/16 248,000 249,000 0.80% 2% TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 248,000 0.80% 2% TCD First Niagara Bank n/a 4/30/15 5/11/17 249,000 248,000 0.75% 2% TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.75% 2% TCD Flagship Cmnty Bank n/a 7/8/15 7/10/17 248,000 248,000 0.75% 2% TCD American Express Bank n/a 7/8/15 8/7/17	TCD	Investors Bank	n/a	7/21/14	7/21/16	249,000	249,000	0.70%	
TCD Ally Bank n/a 10/2/14 10/3/16 248,000 248,000 0.95% 2% TCD Cardinal Bank n/a 11/12/14 11/12/16 249,000 249,000 0.80% 2% TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 249,000 1.00% 2% TCD First Niagara Bank n/a 4/30/15 5/11/17 249,000 249,000 0.75% 2% TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD American Express Centurion n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 3/26/14 6/15/16<	TCD	Comenity Capital Bank	n/a	8/18/14	8/18/16	249,000	249,000	0.80%	2%
TCD Cardinal Bank n/a 11/12/14 11/12/14 11/14/16 249,000 249,000 0.80% 2% TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 249,000 1.00% 2% TCD First Niagara Bank n/a 4/30/15 5/11/17 249,000 249,000 0.75% 2% TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 249,000 248,000 0.75% 2% TCD American Express Bank n/a 6/24/15 8/7/17 248,000 248,000 1.15% 2% TCD American Express Centurion n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a <	TCD	• ,	n/a	10/2/14	10/3/16	248,000	248,000	0.95%	2%
TCD Goldman Sachs n/a 12/10/14 12/12/16 248,000 248,000 1.00% 2% TCD First Niagara Bank n/a 4/30/15 5/1/17 249,000 249,000 0.75% 2% TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 248,000 248,000 0.75% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD American Express Centurion n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 0.50% n/a 8/4/14		•	n/a	11/12/14	11/14/16	249,000	249,000	0.80%	2%
TCD First Niagara Bank n/a 4/30/15 5/1/17 249,000 249,000 0.75% 2% TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 249,000 249,000 0.75% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a	TCD	Goldman Sachs	n/a	12/10/14	12/12/16	248,000	248,000	1.00%	2%
TCD Discover Bank n/a 5/6/15 5/8/17 248,000 248,000 0.85% 2% TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 249,000 249,000 0.75% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 0.50% n/a 8/4/14 9/30/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14<			n/a	4/30/15	5/1/17	249,000	249,000	0.75%	2%
TCD Capital One Bank n/a 6/10/15 6/12/17 248,000 248,000 0.90% 2% TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 249,000 249,000 0.75% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% **CD American Express Centurion n/a 10/10/17 10/10/17 248,000 248,000 1.20% 2% **CD <		•	n/a	5/6/15	5/8/17	248,000	248,000	0.85%	2%
TCD Flagship Cmnty Bank n/a 6/24/15 6/24/17 249,000 249,000 0.75% 2% TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% <t< td=""><td></td><td>Capital One Bank</td><td>n/a</td><td>6/10/15</td><td>6/12/17</td><td>248,000</td><td>248,000</td><td>0.90%</td><td>2%</td></t<>		Capital One Bank	n/a	6/10/15	6/12/17	248,000	248,000	0.90%	2%
TCD American Express Bank n/a 7/8/15 7/10/17 248,000 248,000 1.15% 2% TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% US Treasury Notes Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other			n/a	6/24/15	6/24/17	249,000	249,000	0.75%	2%
TCD Capital One National Assoc n/a 8/5/15 8/7/17 248,000 248,000 1.20% 2% TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 248,000 1.20% 2% US Treasury Notes Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%			n/a	7/8/15	7/10/17	248,000	248,000	1.15%	2%
TCD American Express Centurion n/a 10/7/15 10/10/17 248,000 \$4,223,000 248,000 \$0.73% 1.20% 35% US Treasury Notes Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 \$1,002,976 1,003,047 0.65% 8% 8% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% 1,004,366 \$1,004,340 0.66% 8% Other Agency Marin Co Treasury Other Various AA+ Various Open 279,683 279,683 0.42% 2%		•	n/a	8/5/15	8/7/17	248,000	248,000	1.20%	2%
\$4,223,000 \$4,223,000 \$4,223,000 0.73% 35% US Treas ury Notes Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%		•	n/a	10/7/15	10/10/17	248,000	248,000	1.20%	2%
Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% **Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% **Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various Open 279,683 279,683 0.42% 2%		'				\$4,223,000	\$4,223,000	0.73%	35%
Treas 1,000 - 0.50% n/a 3/26/14 6/15/16 \$999,724 \$1,000,234 0.55% 8% Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% **Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% **Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various Open 279,683 279,683 0.42% 2%	US Tre	easurv Notes							
Treas 1,000 - 1.00% n/a 8/4/14 9/30/16 1,002,976 1,003,047 0.65% 8% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various Open 279,683 279,683 0.42% 2%			n/a	3/26/14	6/15/16	\$999,724	\$1,000,234	0.55%	8%
\$2,002,701 \$2,003,281 0.60% 17% Federal Agency Securities FFCB 1.70% MTN n/a 9/15/14 10/28/16 \$504,677 \$504,995 0.68% 4% FHLB 0.58% MTN n/a 11/7/14 11/14/16 499,689 499,345 0.64% 4% **Other** Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various Open 279,683 279,683 0.42% 2%	Treas	· ·	n/a	8/4/14	9/30/16	1,002,976	1,003,047	0.65%	8%
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\$1,004,366 \$1,004,340 0.66% 8% Other Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%			n/a	9/15/14	10/28/16	\$504,677	\$504,995	0.68%	4%
Other Agency Marin Co Treasury AA+ Various Open S630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%	FHLB	0.58% MTN	n/a	11/7/14	11/14/16	499,689			
Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%						\$1,004,366	\$1,004,340	0.66%	8%
Agency Marin Co Treasury AA+ Various Open \$630,252 \$630,253 0.22% 5% Other Various n/a Various Open 279,683 279,683 0.42% 2%	Other								
Other Various		v Marin Co Treasurv	AA+	Various	Open	\$630,252	\$630,253	0.22%	5%
								0.42%	2%
		· ····						0.58%	100%

MTN: Medium Term Note - Maturity of 5 years or less.

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

FFCB: Federal Farm Credit Bank, FHLB: Federal Home Loan Bank

Agency: STP State Revolving Fund Loan Reserve.

Other: Comprised of 4 accounts used for operating purposes. US Bank Operating Account, US Bank STP SRF Loan 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 November 30, 2015.

199 Days

Interest Bearing Loans	Loan Date	Maturity Date	Original Loan Amount	Principal Outstanding	Interest Rate
StoneTree Golf Course Loan	6/30/06	2/28/24	\$3,612,640	\$1,868,026	2.40%
Employee Housing Loans (5)	Various	Various	934,200	934,200	Contingent
Employee Computer Loan (1)	1/8/2015	1/4/2016	893	75	1.52%
TOTAL INTERES	T BEARING	LOANS	\$4,547,733	\$2,802,301	

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

To: Board of Directors

December 11, 2015

From:

David L. Bentley, Auditor-Controller,

Subj:

Renew Agreement for Bill Print Services

f:\ac\word\memo\16\infosend renewal 2016.docx

RECOMMENDED ACTION: Approve

FINANCIAL IMPACT: \$400 Annual Increase - New Total Annual Cost \$17,000

The District initially contracted for outside printing and mailing services for its water bills in 1997 at 13.0¢ per bill, and has used InfoSend, located in Anaheim, to provide this service since 2004. The current 3-year agreement, which expires on December 31, includes a charge at 12.7¢ per bill. InfoSend has proposed a 2.4% increase effective January 1, 2016, to 13.0¢ per bill, through December 2018. Minor programming costs are included in the 13.0¢ charge. We continue to be pleased with InfoSend's work on the District's behalf.

InfoSend prints and mails 130,000 bills¹ for the District annually, though as more customers elect the option to receive their bill via email, that number will continue to decline.

The proposed agreement is essentially unchanged except for revision to the dates and incorporation of the new rates.

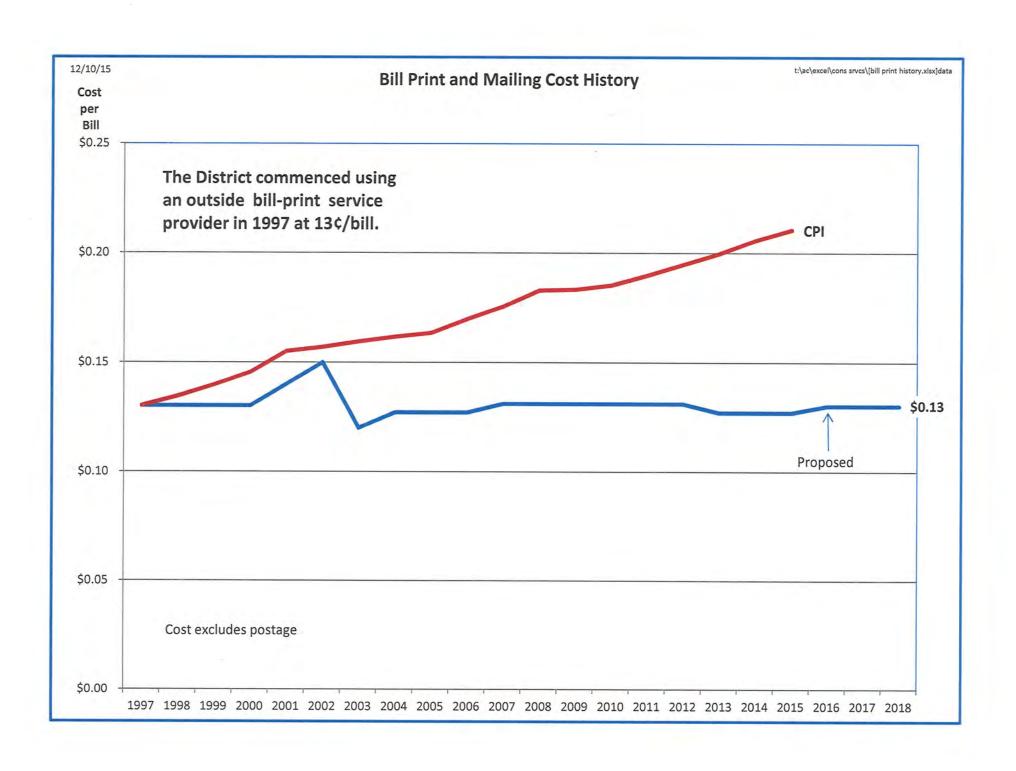
RECOMMENDATION:

Authorize the Auditor-Controller to renew the agreement with InfoSend to provide document processing services for a three year period commencing January 1, 2016 at 13.0¢ per bill.

Approved by GM_

Date 12/11/2015

^{1 (21,366} customers – 1,316 email only customers) X 6 + estimated 10,000 reminder bills annually.



To:

Board of Directors

December 11, 2015

From:

Katie Young, District Secretary

Subject:

Final Annual Report Fiscal Year 2014-2015 (tygm/admin sectyladmin asst\annual report\14-15\bod memo re final 15.doc

RECOMMENDED ACTION:

Approve Fiscal Year 2014-2015 Annual Report

FINANCIAL IMPACT:

None

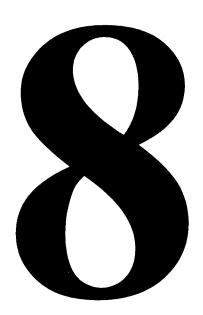
The Annual Report for Fiscal Year 2014-2015 was provided to you at the December 1st meeting. There were minor, grammatical changes made by staff. You will receive the final hard copy at the January 5th meeting.

RECOMMENDATION:

Board Approve Fiscal Year 2014-2015 Annual Report.

Approved by GM_

Date 12/11/2015



To: Board of Directors

December 11, 2015

From: Chris DeGabriele, General Manager

Subj: Request for Conflict Wavier

I:\gm\bod misc 2015\conflict waiver silveira ranch.decx

RECOMMENDED ACTION: Board authorize the General Manager to execute a letter request

from Bold, Polisner, Maddow, Nelson and Judson regarding

Conflict Wavier

FINANCIAL IMPACT: None

In late November, I learned that the attorney representing the Silveira family requested Bold, Polisner, Maddow, Nelson and Judson (BPMN&J) to provide an opinion regarding reliability of the Olompali Spring to support irrigation on the Silveira Ranch. On December 2, 2015 I received a formal request from Bob Maddow to execute a Request for Conflict Waiver (Attached). I have made clarifying changes to the letter (shown in underline/strikeout format) identifying that the Silveira Ranch property is within the NMWD service territory and that NMWD water service is provided for existing domestic and dairy operations, not irrigation. Furthermore, I have added language that would provide an exit for Mr. Maddow's representation should Silveira require NMWD water supply for irrigation purposes in the future.

I requested Marin County Counsel to review the Request for Conflict Waiver. Their review recommends one addition, that should NMWD have any interest in the Olompali Spring water rights, that BPMN&J would immediately cease representation. Marin County Counsel also suggests that the NMWD Board make the determination whether it's in the NMWD's best interest to waive the conflict.

I agree with Mr. Maddow that there is no apparent conflict between BPMN&J work on evaluating the Olompali Spring reliability for irrigation and representation of NMWD, and I recommend the Board authorize the General Manager to execute the Request for Conflict Waiver.

RECOMMENDED ACTION:

Authorize the General Manager to execute the Request for Conflict Waiver enabling BPMN&J to represent Silveira in evaluating the reliability of surface water from the Olompali Spring to support irrigation.

Approved by GM_

Date 12/11/2015

BOLD, POLISNER, MADDOW, NELSON & JUDSON

ROBERT B. MADDOW CARL P. A. NELSON CRAIG L. JUDSON

JEFFERY D. POLISNER (RETIRED) A PROFESSIONAL CORPORATION
500 YGNACIO VALLEY ROAD, SUITE 325
WALNUT CREEK, CALIFORNIA 94596-3840

TELEPHONE (925) 933-7777 FAX (925) 933-7804 OFFICE@BPMNJ.COM SHARON M. NAGLE DOUGLAS E. COTY MICHAEL W. NELSON

FREDERICK BOLD, JR. (1913-2003)

December 2, 2015

Chris DeGabriele, General Manager North Marin Water District P. O. Box 146 Novato, CA 94948-0146

Re: Request for Conflict Waiver

Dear Mr. DeGabriele:

As I recently told you, our firm has been asked by David Trotter, of the law firm of Bowles and Verna LLP, to provide an opinion regarding the reliability of surface water from the "Olompali Spring" to support irrigation of approximately 125 acres of the Silveira family property. As we understand it, during work related to the recent CalTrans acquisition of some Silveira property, the family and Mr. Trotter were advised that a portion of the family's land is suitable for a vineyard, subject to the availability of a reliable supply of water. In that regard, we have been asked to do a legal opinion on the Silveira's interest in those water rights, and the availability of that water for the proposed use.

The scope of services for which we are being retained is limited to review of the Silveira family's interest in water rights to surface water from the Olompali Spring, Creek and Reservoir (hereinafter referred to as "Olompali"). Advice will be limited to the question of whether the Silveira interest in that water right will provide a legal basis for a reliable water supply for irrigation of a proposed vineyard on approximately 125 acres of Silveira property.

Based upon our knowledge of the facts and my communications with you, we do not believe that there is any actual conflict between our performance of this task and our ongoing representation of the District. We are aware that the Silveira property is within the NMWD service territory and that NMWD provides water service for some of the water used on the Silveira property for existing domestic and dairy operations (not irrigation), and that the District owns, operates and maintains water system facilities located in, under, or adjacent to portions of the Silveira property. We are also aware that NMWD holds and relies on water rights to some local resources in Marin County, but we are not aware of any NMWD interest in water rights related to the Olompali rights that are the subject of the work we are being retained to perform for the Silveira family. We are fully aware of NMWD regulations which would require a new service application and possible enlargement of service and payment of necessary fees and charges should Sliveira require NMWD water supply for irrigation purposes. Should this be the case, we would not represent Silveira and only represent NMWD in any future transactions between these parties.

During our representation of Silveira, if evidence is discovered by either Silveira or its representatives, or by NMWD, that NMWD has, or may have, any interest in the water rights

BOLD, POLISNER, MADDOW, NELSON & JUDSON

December 2, 2015 Chris DeGabriele Page 2

related to the Olompali rights that are the subject of the work our firm is being retained to perform, we will immediately cease representation of Silveira.

It is our opinion that the work we will be performing for the Silveira family will have no direct bearing on NMWD, and that none of the ongoing legal work we perform for NMWD has any direct bearing on the Olompali water rights the Silveira family has asked us to analyze. Nonetheless, the fact that our firm will be representing both NMWD and Silveira means that we need to obtain a conflict waiver to perform the work Silveira has asked us to do. This letter requests that you agree to such a waiver on behalf of NMWD.

Under California law, we owe a duty of loyalty to all of our clients. California Rule of Professional Conduct 3-310(C), in interpreting the duty of loyalty in the case of simultaneous representation of clients, prohibits our firm from representing clients with potentially adverse interests unless all clients provide us with their informed written consent to the representation. In order to comply with this requirement, we must provide you sufficient information to permit your "free and intelligent consent" to this type of simultaneous representation. (*Ishmael v. Millington*, (1966) 241 Cal. App. 2d 520, 528, fn.5). We also wish to advise you that it is advisable for you to obtain independent legal advice before waiving these potential conflicts of interest. (*Klemm v. Superior Court* (1977) 75 Cal. App. 3d 893, 901).

Under the circumstances outlined above, and although we believe that the likelihood is extremely small and remote, there could potentially be some disadvantage to one or the other client because our firm represents both entities, with the attendant concern that we might not advocate as zealously for each entity's interests as we would if we did not represent the other.

Our firm proposes to continue representation of both entities by obtaining a written conflict waiver from each. This waiver will allow our firm to represent both entities. In the unlikely but theoretically possible event of future litigation between the two entities arising out of the Olompali water rights matter, our firm would not represent either party in the litigation without first obtaining further written waivers from both clients, if at all.

If after having read the foregoing discussion, and after having the opportunity to seek the advice of independent counsel, you wish to waive all present conflicts that arise out of our representation of both entities, please so indicate by signing the waiver below.

Respectfully,

Robert B. Maddow

AGREED AND ACCEPTED

I, Chris DeGabriele, have read and understand the foregoing letter regarding the potential conflict associated with Bold, Polisner, Maddow, Nelson & Judson's representation of NMWD

BOLD, POLISNER, MADDOW, NELSON & JUDSON December 2, 2015 Chris DeGabriele Page 3 and the Silveira family, and after having the opportunity to consult with independent counsel, I hereby waive any and all conflicts that may arise from this representation. December ___, 2015 NORTH MARIN WATER DISTRICT

By Chris DeGabriele General Manager To:

Board of Directors

December 11, 2015

From:

Chris DeGabriele, General Manager

Subi:

Public Records Act Request

t:\gm\mercury pra request 2015\pra request memo.doc.docx

RECOMMENDED ACTION: Provide each Director's Water Consumption on Bills Received Between June 1 and September 30, 2015 FINANCIAL IMPACT: None

The San Jose Mercury News, in a November 30 email to the General Manager, has requested that the District release individual water consumption data under the Public Records Act. Specifically requested are:

- The names, addresses and monthly water consumption totals of the top 20 residential customers in your service area during the four months from June 1 to September 30, 2015.
- 2) The complete list of residential, commercial, and other water customers, along with their addresses and monthly water consumption totals, who have been assigned penalties by your agency between June 1 and September 30, 2015.
- The names, addresses and monthly water consumption totals of each member of the board of directors from June 1 to September 30, 2015.

The General Manager's December 4 response to the Mercury News (Attachment 1) was prepared with legal counsel assistance and advised that the District's longstanding Policy Statement on Public Records (Attachment 2) is written to assure that individual customer data is kept confidential in order to protect customer privacy, unless the Board of Directors determines disclosure is warranted. The Mercury News was advised that the Board would consider the Public Records Act request.

Regarding Request 1 (above) - Meters are read bimonthly. The District does not have monthly water consumption data or any way to accurately calculate monthly water consumption data from the bimonthly meter readings. In addition, the meter reading schedule does not align with the June 1 to September 30 information requested. The information requested does not exist. California Government Code Section 6254.16 provides limited exceptions to the general rule that disclosure of customer information is not required unless the District determines "that the utility customer who is the subject of the request has used utility services in a manner

inconsistent with applicable local utility usage policies." District staff has no record that customers who may compromise the top 20 residential water users have used water in a manner "inconsistent with District policies" or have not complied with the 2015 Water Use Prohibitions pursuant to Resolution 14 & 18 (Revised) which were adopted on May 19th.

Regarding Request 2 - the District has not assigned penalties to any customers.

Regarding Request 3 - Section 6254.16 (e) of the California Government Code authorizes the release of water utility information of "elected or appointed official(s) with authority to determine the utility usage policies of the local agency."

Staff proposes that the District respond to the request with the attached letter (Attachment 3) and provide each Director's name along with their water consumption as measured on the two water bills received between June 1 and September 30. Director's addresses would not be provided. While the water consumption on these two bills does not align precisely with the June 1 through September 30 period requested (that information does not exist and cannot be accurately calculated), it is the information that is available that is the most responsive to the Mercury News request.

Staff Recommendation:

Pursuant to Policy Number 28, determine by motion that the public interest served by withholding Director's names and water consumption data does not clearly outweigh the public interest served by disclosure, and direct the General Manager to provide the Mercury News with the letter response (Attachment 3) and each Director's name and water consumption data as shown on the two water bills received by each Director between June 1 and September 30.



999 Rush Creek Place P.O. Box 146 Novato, CA 94948

PHONE 415.897.4133

FAX 415.892.8043

EMAIL

info@nmwd.com

WEB

www.nmwd.com

progers@mercurynews.com dwillis@bayareanewsgroup.com

December 4, 2015

Mr. Paul Rogers San Jose Mercury News 4 N. Second St. Suite 800 San Jose, CA 95113

Subject: Public Records Act Request Received November 30, 2016

Dear Mr. Rogers:

This letter is in response to your Public Records Act (Act) request; a copy of which is attached for your reference. Consistent with the Act, North Marin Water District's (NMWD) policy on disclosing customer consumption records specifies that individual customer data is to be kept confidential in order to protect customer privacy, unless the Board of Directors determines disclosure is warranted. The NMWD Board of Directors shall consider your request at its regularly scheduled meeting on December 15, 2015. The Board may also at that time notice and hold a public hearing before making its determination. Please be advised that NMWD has not assigned penalties to any customers during the drought period.

NMWD is committed to making a complete response. NMWD will, however, require an extension, as provided for under Government Code section 6253(c). The extension is necessary in order for the Board of Directors to consider the matter, and notice and hold a public hearing, if necessary. In addition, before any records may be made available, the records must be compiled and reviewed to ensure that no information precluded from release by Government Code sections 6254.21 and 6254.24 is inadvertently disclosed. If staff identifies records that may already be publicly accessible, we will inform you of that fact and direct you to those records.

Should the NMWD Board of Directors determine the customer consumption records in question will be made available, NMWD staff will contact you when the programming to retrieve such records has been completed and the documents are ready for your review. Note that NMWD maintains records based upon each customer meter, not based upon level of consumption, thus special programming of the utility billing system will be required. Note also that consumption data is collected and billed bimonthly at NMWD, therefore monthly data will not be available. There is

no fee to inspect these records at the District office during normal business hours; however, NMWD does have a copy fee policy that provides for the first twenty-five pages (single side) at no charge and \$0.25 per page for each additional page (single side).

If you have any questions, please feel free to contact me at (415) 897-4133.

Sincerely,

Chris DeGabriele
General Manager

Chris DeGabriele

From:

SPAM

Sent:

Monday, November 30, 2015 2:01 PM

To:

Chris DeGabriele

Subject:

FW: PRA for water usage records

From: Daniel J. Willis [mailto:dwillis@bayareanewsgroup.com]

Sent: Monday, November 30, 2015 1:47 PM

To: Chris DeGabriele

Subject: PRA for water usage records

November 30, 2015 Chris DeGabriele North Marin Water District

RE: Public Records Act Request

Dear Mr. DeGabriele,

Pursuant to the California Public Records Act (Government Code Section 6250 et seq.), the San Jose Mercury News, Oakland Tribune and Contra Costa Times ask to obtain a copy of the following, which I understand to be held by your agency:

1) The names, addresses and monthly water consumption totals of the top 20 residential customers in your service area during the four months from June 1 to September 30, 2015.

Section 6254.16 (f) of the California Government Code provides your agency the authority to release this information "upon determination by the local agency that the public interest in disclosure of the information clearly outweighs the public interest in nondisclosure."

With California's historic drought heading for a fifth year, and water supplies very short, the Mercury News believes this information, which will show how a small number of customers are using many times more water than your service area's average, is in the public interest.

2) The complete list of residential, commercial, and other water customers, along with their addresses and monthly water consumption totals, who have been assigned penalties by your agency between June 1 and September 30, 2015. Section 6254.16 (d) of the California Government Code mandates the release of this information, specifying that water utility information is public record:

"Upon determination by the local agency that the utility customer who is the subject of the request has used utility services in a manner inconsistent with applicable local utility usage policies."

Other public agencies, including the East Bay Municipal Utility District and the city of Pleasanton, have released this information to the public, with names, addresses and water consumption amounts included, in recent weeks.

3) The names, addresses and monthly water consumption totals from June 1 to Sept. 30, 2015 of the elected or appointed officials at your agency with the authority to determine water usage policies. For cities, this would include each member of the city council, and for special districts, each member of the board of directors.

Section 6254.16 (e) of the California Government Code mandates the release of this information, noting that water utility information is public "Upon determination by the local agency that the utility customer who is the subject of the request is an elected or appointed official with authority to determine the utility usage policies of the local agency."

If I can provide any clarification that will help expedite your attention to my request, please contact me at (email, phone number, etc).

Thank you for your time and attention to this matter.

Sincerely,

Paul Rogers progers@mercurynews.com

NORTH MARIN WATER DISTRICT

POLICY: POLICY STATEMENT ON PUBLIC RECORDS

POLICY NUMBER: 28 Original Date: 5/16/78
Last Revised: 01/16/07

Last Reviewed: 06/18/13

Except as set forth in this policy and except as expressly exempted in Section 6254 of the Government Code, <u>all records</u> of the District are regarded as public records and shall be made available for inspection upon reasonable notice and during normal working hours of the District as determined by the General Manager.

As it relates to a request by anyone for access to the consumption record, the name and address or any other information compiled by the District associated with a specific individual customer account, the following procedure shall be followed:

<u>First</u>, the person making the request shall be required to identify himself (herself) and state the purpose for the request in writing.

<u>Second</u>, the Board of Directors shall consider the purpose for the request and make the determination required pursuant to the following statutory test:

"The agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this chapter or that of the facts of the particular case the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record." (Section 6255, Government Code)

Prior to making the above determination, the Board may opt to notice and hold a public hearing.

<u>Third</u>, once a determination is made the record in question will be made available or withheld accordingly.

Exceptions to this procedure are:

- 1. Requests made by a customer of the District for his (her) own individual consumption data or any other data compiled in connection with said customer's account upon recitation by customer of his (her) account number or upon presentation of a California drivers license or some other form of suitable identification.
- 2. Requests made by any court, law enforcement agency or grand jury acting in a legal investigatory capacity.
- 3. Requests made by the Novato Sanitary District for customer data for the purpose of computing sewer use charges.

In the event a person requests a copy of District records that are not withheld pursuant to this policy, the District shall make its reproduction equipment available for this purpose unless it is determined by the General Manager to be impractical to do so. Furthermore, in the event information to be copied exceeds twenty-five 8 1/2" x 11" sheets, the requester may be required to advance the estimated actual cost of reproducing any record(s).

RESPONSE TO REQUESTS FOR INFORMATION PURSUANT TO THE PUBLIC RECORDS ACT

Category 1: No Cost Reports & Handouts

Copies of reports and handouts that have been prepared for public use and distribution and which are currently in stock shall be made available upon inquiry at no cost. Examples are annual reports, regulations, rate comparison sheets, annual water quality reports, budgets, water conservation information papers, water quality tips, water sample advice, et cetera.

Category 2: Up to 25 Pages of Copy Work Free

Make available up to twenty-five pages (single side) of readily identifiable requested information at no expense provided the effort to retrieve same from the files is reasonable and not an undue burden.

Category 3: Charge for Maps and Requests for Information which Requires more than 25 Pages of Copying

Readily identifiable information previously identified in writing by the requestor which is not available in documents prepared (and in stock) for public distribution and which is in excess of twenty-five pages shall carry a reproduction charge and generally be made accessible in two ways:

Alternative 1 - District Retrieves and Photocopies.

Requestor advances the estimated cost for the District to reproduce the material. The estimated cost shall be calculated using the following unit costs:

- (a) letter and legal size 25¢ per page (one-side);
- (b) maps that we have reproduction equipment on site to reproduce \$5.00 each sheet; and
- (c) odd sized maps, color documents, and other odd size/type documents that we do not have on-site capability to reproduce - requestor to hire a professional reproduction service company to make an appointment to come in and reproduce.

Alternative 2 - Requestor Retrieves and District Photocopies. Requestor can make an appointment and bring his/her own easily removable tape flags or paper clips, peruse and temporarily mark the material they want copied and we will do the photocopy work and make same available for the requestor for pick up on a subsequent date. The charge for each reproducible page (single side) for this alternative is 25¢. The charge will be collected before District reproduces the tagged pages.

Category 4: Not Readily Identifiable Material

Sometimes (or in rare cases of intentional harassment) a request will be so broad or so vague as to make it very difficult or near impossible or involve undue burden in terms of staff time to identify, retrieve and reproduce. Such requests shall be deemed not readily identifiable and the requestor shall be asked to narrow the "universe" of the request by being much more explicit so we can identify what in fact he/she wants.

Exemptions

Exemptions to the above practice that is records that are exempt from disclosure are:

- 1. Legal advice letters and documents received from counsel.
- 2. Employee personnel files.
- 3. Information on customer accounts protected by the District's "Policy Statement on Public Records."

Revisions: 5/78, 01/07

DRAFT

<u>progersamercurvnews.com</u> <u>dwillisabayareanewsqroup.com</u>

December 16, 2015

Mr. Paul Rogers San Jose Mercury News 4 N. 2nd Street Suite 800 San Jose, CA 95113

Re: Public Records Act Request Received November 30, 2015

Dear Mr. Rogers:

This letter is a follow up to my December 4, 2015 letter in response to your Public Records Act (Act) Request received on November 30, 2015. The North Marin Water District (NMWD) Board of Directors considered your request at its regularly scheduled meeting on December 15, 2015.

NMWD's Conservation Standard assigned by the State Water Resources Control Board for the Novato service territory is a 24% reduction in water production from June 1 through February 2016 compared to the same period in 2013. Please be advised that to-date NMWD's performance is a reduction of 32% and we have fully met the cumulative water production savings required in the June 1st through February period. Novato customers have achieved this performance on a cumulative basis without any imposed rationing and by following the 2015 water use prohibitions which were adopted by the Board at its May 19, 2015 meeting.

Your Public Records Act Request specifically requested:

- 1) the names, addresses and monthly water consumption totals of the top 20 residential customers in the NMWD service area during the 4 months from June 1st to September 30, 2015;
- 2) the complete list of residential, commercial and other water customers along with their addresses and monthly water consumption totals who have been assigned penalties by NMWD between June 1st and September 30, 2015; and
- 3) the names, addresses and monthly water consumption totals of each member of the Board of Directors from June 1st to September 30, 2015.

Request 1) NMWD meters are read bi-monthly. The District does not have monthly water consumption data or any way to accurately calculate monthly water consumption data from the bi-monthly meter readings. In addition, the meter reading

schedule is not aligned with the June 1st to September 30th information request. The information requested does not exist.

California Government Code Section 6254.16 provides limited exceptions to the general rule that disclosure of customer records is not required. One such exception is where the District "determines that the utility customer who is the subject of the request has used utility services in a manner inconsistent with applicable local utility usage policies." NMWD has no record that customers who may comprise the top 20 residential water users have used water in a manner inconsistent with policies or have not complied with the 2015 water use prohibitions.

Request 2) NMWD has not assigned penalties to any customers, thus no list of customers who have been penalized can be provided to you.

Request 3) Section 6254.16 (e) of the California Government Code authorizes the release of water utility information of elected or appointed officials with authority to determine the utility usage policies of the local agency. Attached please find each NMWD Director's name along with his or her water consumption as measured on the two water bills they received between June 1st and September 30, 2015. While the water consumption on these two bills does not align precisely with the June 1st through September 30th period requested (that information does not exist and cannot be accurately calculated as explained above), it is the information that is available that is the most responsive to your request.

Sincerely,

Chris DeGabriele General Manager

Enclosure

CD/kly

MEMORANDUM

To: Board of Directors

December 11, 2015

From:

Ryan Grisso, Water Conservation Coordinator Rb

Subject:

Set Public Hearing for Revision of Water Conservation Regulation 15 and 17 V:\text{V:Memos to Board\Regulation 15 and 17 Public Hearing Set 1215.doc}

RECOMMENDED ACTION:

Set Public Hearing

FINANCIAL IMPACT:

None at this time

In 2015, by order of the Governor, the State Water Resources Control Board updated the State's Model Water Efficient Landscape Ordinance (MWELO) with more restrictive requirements for applicable new and rehabilitated landscapes. The new 2015 MWELO takes effect on January 1, 2016; however, local agencies can adopt their own version that meets or exceeds State MWELO requirements, and must do so by December 1, 2015 or March 1, 2016 for regional ordinances, and report to the State by December 31, 2015. Since the District is working on a regional approach with the multiple local agencies (City of Novato and Marin County) and two different service areas (Novato and West Marin), the reporting deadline will be March 1, 2016.

The State's updated MWELO remains lengthy and not in a format readily adaptable by the District, so staff has taken the pertinent additions/modifications and incorporated them into Regulations 15 (Novato) and 17 (West Marin), as shown respectively in Attachments 1 and 2 in underline/strikeout format. Although the District does not have direct building permit or land use authority, the District will continue to work closely with the City of Novato (City) and Marin County (County) to enforce these requirements through their planning and building permit process. Staff expects the City and County to continue to rely on the District's enforcement of the 2015 MWELO provisions through their land use approval process. In any event, adoption of the proposed Regulation changes will exceed the requirements of the updated State MWELO and provisions will allow the District to refer project requirements to the State MWELO if needed. If approved, staff will prepare a letter to the State Department of Water Resources explaining the District's landscape requirements and documenting its compliance with State requirements for both the City and County.

In addition, staff proposes changes to other parts of Regulations 15 and 17 as noted in Attachments 1 and 2, in underline/strikeout format, to provide clarification on rebate eligibility and participation requirements including indoor fixture/appliance requirements for new development.

A public hearing is needed to implement proposed water conservation regulation changes. The proposed changes to the regulations are currently in draft form and will be reviewed by District RG BOD Memo Re Set Public Hearing for Revision of Water Conservation Regulation 15 and 17 December 11, 2015 Page 2

legal counsel before the public hearing. A Public Hearing Notice with brief summary of changes has been drafted (Attachment 3), and will be published no less than 5 days prior to the Hearing.

RECOMMENDATION

Board set public hearing for 7:00 PM on January 5, 2016, to consider approval of proposed changes to Regulations 15 and 17, as noted in Attachments 1 and 2.

NORTH MARIN WATER DISTRICT

REGULATION 15

WATER CONSERVATION - NOVATO SERVICE AREA

A. Purpose

The purpose of this regulation is to assure that water resources available to the District are put to reasonable beneficial use, that the instream values of Novato Creek and the Russian River are preserved to the maximum possible extent and that the benefits of the District's water service extend to the largest number of persons.

B. Waste of Water Prohibited

- (1) Customers shall not permit any water furnished by the District for the following nonessential uses:
 - (a) The washing of sidewalks, walkways, driveways, parking lots and other hard surfaced areas by direct hosing when runoff water directly flows to a gutter or storm drain, except as may be necessary to properly dispose of flammable or other dangerous liquids or substances, wash away spills that present a trip and fall hazard, or to prevent or eliminate materials dangerous to the public health and safety;
 - (b) The escape of water through breaks or leaks within the customers' plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy-two (72) hours after the customer discovers such a break or leak or receives notice from the District, is a reasonable time within which to correct such break or leak, or, as a minimum, to stop the flow of water from such break or leak;
 - (c) Irrigation in a manner or to an extent which allows excessive run-off of water or unreasonable over-spray of the areas being watered. Every customer is deemed to have his/her water system under control at all times, to know the manner and extent of his/her water use and any run-off, and to employ available alternatives to apply irrigation water in a reasonably efficient manner;
 - (d) Washing cars, boats, trailers or other vehicles and machinery directly with a hose not equipped with a shutoff nozzle;
 - (e) Water for non-recycling decorative water fountains;
 - (f) Water for new non-recirculating conveyor car wash systems;
 - (g) Water for new non-recirculating industrial clothes wash systems;
 - (h) Water for single pass coolant systems.
- (2) <u>Exempt Water Uses</u>. All water use associated with the operation and maintenance of fire suppression equipment or employed by the District for water quality flushing and sanitation purposes shall be exempt from the provisions of this section. Use of water supplied by a private well or from a reclaimed wastewater recycled water, gray water or rainwater utilization system is also exempt.
- (3) <u>Variances</u>. Any customer of the District may make written application for a variance. Said application shall describe in detail why Applicant believes a variance is justified.

- (a) The General Manager of the District may grant variances for use of water otherwise prohibited by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the Applicant or public; or, cause an unnecessary and undue hardship on Applicant or public, including but not limited to, adverse economic impacts, such as loss of production or jobs.
- (b) The decision of the General Manager of the District may be appealed to the Board of Directors by submitting a written appeal to the District within fifteen (15) calendar days of the day of the General Manager's decision. Upon granting any appeal, the Board of Directors may impose any conditions it determines to be just and proper. Variances granted by the Board of Directors shall be prepared in writing and the Board of Directors may require the variance be recorded at Applicant's expense.
- (4) <u>Enforcement</u>. Depending on the extent of the water waste, the District may, after written notification to customer and after a reasonable time to correct the violation as solely determined by the District, take some or all of the following actions:
 - (a) Telephone the customer to inform of the water waste violation including a specified period of time to correct the violation;
 - (b) Personal contact with the customer at the address of the water service. If personal contact is unsuccessful, written notice of the violation including a date that the violation is to be corrected may be left on the premises with a copy of the notice sent by certified mail to the customer;
 - (c) The District may install a flow-restricting device on the service line;
 - (d) The District may cause termination of water service and the charge for same shall be billed to the customer. Except in cases of extreme emergency as solely determined by the General Manager of the District, service shall not be reinstated until verified by the District that the violation has been corrected and all outstanding charges have been paid.

C. Use of Water Saving Devices

Each customer of the District is urged to install <u>water efficient</u> devices that meet or exceed EPA WaterSense standards, including but not limited to showerheads, sink aerators and toilets to reduce the quantity of water to flush toilets and to reduce the flow rates of showers and interior faucets.

D. Water-Saving Fixtures/Devices/EquipmentKits

The District will make available <u>from time to time.</u>, <u>without cost to program participants for use in each residence receiving water service from the District and constructed prior to January 1, 1992, a water-saving kit containing to customers the following devices and incentives:</u>

- (1) A device or devices for reducing shower and sink flow rates;
- (2) A dye tablet or tablets for determining if a toilet tank leaks;
- (3) Other devices from time to time approved by the District;
- (4) Installation and other instructions and information pertinent to conservation of water. Rebates from time to time for District qualified hot water recirculation systems, greywater systems, and rainwater catchment systems.

E. Water-Saving Devices and Restrictions for New Development

- (1) Water service will not be furnished to any Applicant unless the water-saving devices hereinafter described are installed. Applicants for single service installations serving one dwelling unit (d.u.) or one d.u. and an accessory d.u. or Applicants for projects for which the District does not have final building permit sign off authority, shall pay a \$1,000 deposit per d.u. to be refunded upon post inspection of the installation of the water-saving devices and restrictions and compliant water efficient landscape (section F) herein. All other projects may be subject to a water conservation deposit with amount and applicability determined by the General Manager on a case-by-case basis. Applicant shall have two years to complete the project, obtain District inspection approval and request a refund of the deposit. If after two years the project is not completed, the deposit will be forfeited to the District to be used for other Water Conservation Programs. If requested by the Applicant, the District may extend the time period for the project completion up to one additional year,
- (2) All interior plumbing and appliances in new development shall meet the following requirements:
 - (a) Toilets and associated flush valves shall be High Efficiency Toilets (HETs), rated at not more than 1.28 gallons per flush on average, and shall be listed on the approved District HET list;
 - (b) Urinals and associated flush valves shall be rated at not more than 0.125 gallons per flush or be a District approved non-water using urinal;
 - (c) Shower heads shall have a rated flow of 2.0 gallons per minute or less, and only one shower head will be allowed per bathroom;
 - (d) Lavatory faucets and hand-washing sinks shall have aerators or laminar flow devices together with flow control inserts, valves, devices or orifices that restrict flow to a maximum of 1.5 gallons per minute in residential construction and 0.5 gallons per minute in commercial construction. Kitchen faucets shall have a maximum flow of 2.02 gallons per minute in all construction;
 - e) Laundry facility washing machines shall be front loading horizontal axis models District approved high-efficiency models with an Energy Star rating and integrated a modified water factor of 4.55.5 or less;
 - (f) Dishwashers shall be high efficiency models with an Energy Star rating that use no more than 5 gallons per cycle;

F. Water Efficient Landscape Requirement

- (1) Purpose. Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use. This Regulation protects water supplies through the implementation of a whole systems approach to design, construction, installation and maintenance of the landscape resulting in water conserving climate-appropriate landscapes, improved water quality and the minimization of natural resource inputs.
- (2) Applicability
 - a. Requirements stated herein shall apply to all of the following new and rehabilitated landscape projects associated with construction that requires a Building or Grading

Permit, Plan Check, Design Review or water service upgrade for: Commercial, industrial and institutional landscaping, park and greenbelt landscaping, multiple-family residential and single-family residential landscaping.

- i. At District discretion, landscape requirements for applicable projects may be deferred to the State Model Water Efficient Landscape Ordinance (California Code of Regulations Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance).
- ii. For projects with irrigated landscape area less than 2,500 square feet, the

 District may choose to select any or all of the requirements to the State

 Model Water Efficient Landscape Ordinance (Referenced above), Appendix

 D Prescriptive Compliance Option.
- b. Requirements stated herein shall not apply to:
 - i. Registered local, state or federal historical landscape area;
 - ii. Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system.
- (3) Landscape Design Plan. For each landscape project subject to this Regulation, applicants shall submit a landscape design plan and install a landscape in accordance with the following:
 - a. Amendments, Mulching and Soil Conditioning
 - i. A minimum of 8" of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.
 - ii. Prior to incorporating compost or fertilizer and planting of any materials, compacted soils shall be transformed into a friable condition.
 - iii. Incorporate compost or natural fertilizer into the soil to a minimum depth of 8" at a minimum rate of 86 cubic yards per 1000 square feet or and per specific amendment recommendations from a soils laboratory management report.
 - iv. A minimum 3" layer of <u>District approved</u> mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers or direct seeding applications. <u>Mulch shall be made from recycled or post-consumer materials when possible.</u>

b. Plants

i. Selected plants, other than the allowable turf areas in residential projects, shall be Water Use Classification of Landscape Species (WUCOLS) categorized "Very Low" or "Low" water use for the North-Central Coastal Region and not cause the Estimated Water Use (ETWU) to exceed the Maximum Applied Water Allowance (MAWA) using an evapotranspiration factor of 0.6–55 of evapotranspirationfor residential and 0.45 for non-residential sites and a WUCOLS corresponding plant factor of 0.3 or less for Very Low or Low water use plants. (Special Landscape Areas including areas dedicated to edible plants, recreational areas, or areas irrigated solely with recycled water shall not be subjected to the plant selection requirements and shall use an evapotranspiration factor of 1.0 for the purposes of calculating ETWU and MAWA.)

- ii. Plants with similar water use needs shall be grouped together in distinct hydrozones and where irrigation is required the <u>each</u> distinct hydrozones shall be irrigated with a separate valve(s) and noted on the plans.
- iii. Low and moderate water use plants can be mixed, but the entire hydrozone will be classified as moderate water use for MAWA or ETWU calculations.
- iv-iii Moderate and High water use plants as classified by WUCOLS shall not be mixed with low or moderate water use plants.
- iv. All non-turf plants shall be selected, spaced and planted appropriately based upon their adaptability to the climatic, soils, and topographical conditions of the project site.
- vi Turf shall not be planted in the following conditions:
 - 1. Slopes exceeding 10%.
 - 2. Planting areas 8-10 feet wide -(in any direction) or less unless irrigated by District approved subsurface irrigation or with recycled water.
 - 3. Street medians, traffic islands, planter strips or bulb-outs of any size.
 - 4. Front yard landscaping of single family residential homes where the backyard landscape is not developer installed.
- vii. Total turf areas shall not exceed the following
 - 1. Single Family: <u>25% of the total landscape area not to exceed 600</u>800 square feet.
 - 2. Townhouse/Condominium (THC): 400300 square feet.
 - 3. Apartment (APT): 130 square feet.
 - 4. Commercial and/or non-residential: 0 square feet.
 - <u>5.</u> Recycled Water Sites: The preceding turf limitations shall not apply to sites irrigated with recycled water.
 - 5. Special Landscape Areas: The preceding turf limitations shall not apply to sites irrigated with recycled water or areas dedicated to District approved recreational uses.
- viii. Invasive plants as listed by the California Invasive Plant Council are prohibited.
- c. Water Features
 - i. Recirculating water systems shall be used for water features.
 - ii. Recycled water shall be used in water features when available onsite.
- (4) Irrigation Design Plan. For each landscape project subject to this Regulation, applicants shall submit an irrigation design plan that is designed and installed to meet the MAWA irrigation efficiency criteria and in accordance with the following:
 - a. Dedicated irrigation meter or private landscape water or submeter for residential must be specified for all non-residential irrigated landscapes and residential irrigated landscapes of 5,000 sq. ft. or greater.
 - b. Irrigation systems with meters 1 ½" or greater, or non-residential projects with irrigated landscapes over 5,000 square feet, require a high-flow sensor that can

- detect high-flow conditions and have the capabilities to shut off the system.
- c. Isolation valves shall be installed at the point of connection and before each valve or valve manifold.
- d. Weather-based or other sensor based self-adjusting irrigation controllers <u>with non-volatile memory</u> shall be required.
- e. Rain sensors shall be installed for each irrigation controller.
- f. Pressure regulation and/or booster pumps shall be installed so that all components of the irrigation system operate at the manufacturer's recommended optimal pressure.
- g. Irrigation system shall be designed to prevent runoff or overspray onto non-targeted areas
- h. Point source irrigation is required where plant height at maturity will affect the uniformity of an overhead system.
- i. Minimum 24" setback of overhead irrigation is required where turf is directly adjacent to a continuous hardscape that flows <u>or could runoff</u> into the curb and gutter.
- j. Slopes greater than 4510% shall be irrigated with point source or other low-volume irrigation technology.
- k. A single valve shall not irrigate hydrozones that mix high water use plants with moderate or low water use plants.
- I. Trees shall be placed on separate valves except when planted in turf areas.
- m. All non-turf landscape areas shall be irrigated with District approved drip irrigation systems or other alternative District approved point source irrigation.
- n. Sprinkler heads, rotors and other emission devices on a valve shall have matched precipitation rates. All spray irrigation systems shall be a brake rotary type and or be multi-stream, multi-trajectory, adjustable arc, rotating stream sprinkler with matched precipitation rates. All rotating stream sprinkler units shall be installed in a 40 psi pressure regulated spray head body and provide the highest potential distribution uniformity. All sprinkler heads installed in the landscape must document a distribution uniformity low quarter of 0.65 or higher.
- o. Head-to-head coverage is required unless otherwise directed by the manufacturer's specifications
- p. Swing joints or other riser protection components are required on all risers.
- q. Check valves shall be installed to prevent low-head drainage.
- <u>r.</u> <u>Master shut-off valves are required on all projects with irrigated landscapes over 5,000 square feet.</u>
- <u>s.</u> <u>Irrigation efficiency factors of 0.75 for overhead spray devices and 0.81 for drip system devices shall be used for ETWU and MAWA calculations.</u>
- t. A diagram of the irrigation plan, including hydrozones and equipment locations, shall be provided and kept with the irrigation controller for subsequent management purposes.

- (5) <u>Irrigation Audit: Project applicants shall submit an irrigation audit report for all applicable projects.</u>
 - a. The project applicant shall submit an irrigation audit report that includes inspection, system tune-up, system test with distribution uniformity, reporting overspray or run off that causes overland flow, and preparation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and any other factors necessary for accurate programming.
 - b. All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed or installed the landscape.
 - c. In production home developments, audits of 15% of the landscapes shall be sufficient.
- G. Rebate for Energy StarHigh-Efficiency Washing Machines in Residences

District customers in the Novato Service area are eligible for rebate as available from time to time for front loading / horizontal axis, Energy Star washing District approved high-efficiency washing —machines in existing residences. New residential—construction in the District's Novato service area are required to be equipped with high-efficiency washing machines in accordance with Section E. (2) (e) of this regulation. District rebates are not available for Energy Star Washing Machineshigh-efficiency washing machines required in new residential construction.

H. Rebate for Removing Irrigated Turf from Residential Properties

- (1) The owner of property containing a formal lawn area or areas shall be eligible for a cash rebate from the District if said owner removes all or part of the formal lawn area(s) and replaces same with eligible plant materials and meets the qualification requirements. "Formal lawn area" means an existing lawn in good condition which is irrigated regularly, by an automatic inground irrigation system, with water furnished by the District and mowed regularly.
- (2) Qualification requirements:
 - (a) Application for rebate must be made on District's form <u>prior</u> to removing the formal lawn area(s). All applicable information requested must be supplied;
 - (b) Application for rebate must include a landscape plan or sketch showing the size, in square feet, and location of all formal lawn area(s) on the Applicant's parcel and the location of formal lawn area(s) that will be removed and replaced;
 - (c) The Applicant must utilize only eligible replacement materials for the formal lawn area(s) removed which are to be considered in calculating the rebate. Eligible replacement materials are District approved water-conserving- and or low water use California native plants-or District-approved synthetic turf;

- (d) If the automatic in-ground irrigation system will continue to serve some remaining formal lawn area(s), Applicant must modify the system so that water is not served to the proposed replacement area;
- (e) Formal lawn area(s) removed and replanted with eligible replacement materials shall be mulched with material suitably thick to prevent weed growth (minimum three inches) and reduce water loss. Areas shall not be irrigated except for limited supplemental hand-watering or temporary drip irrigation to establish the plant material;
- (f) The owner of the property must sign a statement promising not to reinstall lawn in formal lawn area(s) where lawn has been removed as long as the owner holds property. The owner may be relieved of this promise at any time by returning the full amount of the District's rebate;
- (g) The General Manager may at any time halt or suspend acceptance of applications for rebate if the District's funds appropriated for this purpose become exhausted.
- (3) After reviewing the information supplied by the Applicant and making at least one site inspection to assure that qualification conditions have been met, District shall mail a rebate check.
- (4) The amount of the rebate shall be determined by the Board from time-to-time.
- (5) Rebates may be available for non-residential property or for hotels, motels, hospitals, government housing or a senior citizen complex on a parcel which is separately owned and assessed. Maximum rebate amount for a non-residential property shall be determined by General Manager on a case-by-case basis.
- (5) Synthetic turf replacements of formal lawn area may be eligible for a higher rebate level to be determined by the General Manager on a case-by-case basis.

I. Landscape Rebate Alternatives

- (1) The District will consider, and may approve, requests to substitute for any of the requirements in section HF, well-designed alternatives or innovations that will effect similar significant and continuing reductions of water requirements. Determination of eligibility shall be at the sole discretion of the General Manager or designated staff.
- (2) The District will rebate \$50 for landscape installation in existing dwellings meeting the standards listed in Section H and over 500 square feet in area if the customer has:
 - (a) Removed or killed the lawn area prior to making application for rebate;
 - (b) Replaced the lawn with landscape no more than one month before alerting the District;
 - (c) Re-landscaping a lawn area that was not regularly mowed and irrigated turf. Determination of eligibility shall be at the sole discretion of the General Manager or Designee.

J. High Efficiency Toilet Replacement Program(s)

(1) A High Efficiency Toilet (HET) is defined as any toilet that is with an average rated at 20% or less water use on average than a standard 1.6 gallon per flush toilet flush volume of 1.28 gallons per flush or less. This includes District approved 1.0 gallons per flush pressure assist toilets or dual flush models. Ultra High Efficiency Toilet

- (UHET) is defined as any toilet with an average flush volume of 1.1 gallons per flush or less.
- (2) Any qualifying customer of the District who removes and recycles all toilets rated to use more than 1.6 gallons per flush and replaces same with a District approved HET_or UHET may request and receive a cash rebate_or bill credit in an amount established by the Board of Directors from time to time for each such toilet removed, recycled and replaced.
- (3) To qualify for a rebate(s) hereunder, application shall be made on a form available from the District and person signing application shall:
 - (a) Request District make a brief inspection of customer's structure at a time and date approved in advance by customer to identify water conservation measures appropriate and effective for the customer to implement or be prequalified by District staff via other communication means. Should customer refuse access for an inspection or not receive pre-qualification, District shall not be under any obligation to make a rebate. Inspection requirements are subject to available staff time;
 - (b) Be a customer of the District and the customer's structure in which the replaced toilet(s) is located shall be served water in the District's Novato Service Area and replacing a toilet installed prior to January 1, 1992, and manufactured to flush more than 1.6 gallons per flush;
 - (c) Provide District with bill of sale or original receipt of sale within the current fiscal year and made out to said customer by person or vendor selling customer the HET<u>or UHET</u> or, in lieu thereof, provide District with letter addressed to said customer signed by a licensed plumber or contractor stating that a HET(s) <u>or UHET(s)</u> has been installed by said plumber or contractor at the customer's address;
 - (d) Recycle toilets at a predetermined District site with all internal mechanisms, toilet seat and all other wood, metal and plastic removed, if recycling outlet is available.
- (4) If the customer is renting the structure, a rebate will be made provided customer includes with the application a letter from the owner of the property consenting to District making rebate payment to customer for the replacement of a non-water conserving toilet(s).
- (5) Rebates are not available for toilets installed in buildings constructed after January 1, 1992 or for replacement of toilets rated to use 1.6 gallons per flush or less.
- (6) Free or subsidized <u>U</u>HET giveaways may be available to customers from time to time. Eligibility requirements listed in J (3) (a) to (d) apply to this program should it become available.

K. <u>Landscape Water Efficiency Rebate</u>

- (1) Landscape water efficient rebates are available to customers who install District qualified water efficient landscape equipment including:
 - (a) Drip irrigation systems

- (b) Water pressure-regulating devices
- (c) Check valves
- (d) Multi-stream rotating sprinkler nozzles (lawn areas only)
- (e) Rain shut-off devices
- (f) Mulch
- (g) Soil conditioner/amendment
- (2) Rebate amounts will be established by the Board of Directors from time to time depending on customer classification and water savings potential. Customers are allowed only up to the maximum rebate level for the life of the program.
- (3) Applicant shall request and agree to a brief District pre-inspection of customer's property to identify water efficient landscape actions to be taken. District will pre-approve and post inspect to confirm the retrofit installations. Inspections are subject to available staff time.
- (4) Applicant shall provide District with a complete bill of sale or original receipt of sale within the current fiscal year, clearly showing the purchase of the landscape water efficiency installed items noted in the pre-inspection.
- (5) Free or subsidized water efficient landscape items such as rain sensors, and mulch may be available to customers. Eligibility requirements listed in K (1) through (3) apply should items become available.

L. Rebates for District Approved Swimming Pool Covers

District customers are eligible for rebates as available from time to time for purchasing District approved swimming pool covers. Eligible pool covers must be a solar or safety cover with non-netted type material, at least 12 mil in thickness, and at least 450 square feet <u>area</u>.

- M. Requirement for Installation of Water Conserving Plumbing Fixtures Upon Change of Property Ownership
 - (1) Definitions.
 - (a) "Water Conserving Plumbing Fixtures" means any toilet rated at 1.6 gallons of water per flush or less, urinals that that are rated at 1.0 gallons of water per flush, showerheads with a flow rated at 2.0 gallons of water per minute or lavatory faucets that can emit no more than 1.5 gallons of water per minute;
 - (b) "Change in Property Ownership" means a transfer of present interest of real property, or a transfer of the right to beneficial use thereof, the value of which is substantially equal to the proportion of ownership interest transferred.
 - (c) "Retrofit" means replacing "Existing Plumbing Fixtures" with "Water-Conserving Plumbing Fixtures;"
 - (d) "Existing Plumbing Fixtures" means any toilet using more than 1.6 gallons of water per flush, urinals using more than 1.0 gallons of water or more per flush, showerheads with a flow rated more than 2.0 gallons of water per minute or lavatory faucets that emit more than 1.5 gallons of water per minute.

- (e) "Existing Structure" means any structure built and available for use or occupancy on or before January 1, 1992, which is equipped with a toilet using more than 1.6 gallons of water per flush or a urinal using more than 1.0 gallons of water per flush.
- (2) Retrofit Upon Change of Property Ownership.

All existing plumbing fixtures in existing structures receiving water from the District's water system shall, at the time of change of ownership, be retrofitted, if not already done, exclusively with water conserving plumbing fixtures as defined in Section Mm_r(1) of this regulation.

(3) Compliance and Penalties

Compliance shall be by the honor system. It shall be the Seller's responsibility to obtain from the District, in addition to any normal permits required by agencies other than the District, from the District a Certificate of Compliance acknowledging that the Seller or title holder has stated that the retrofit installation required by this Regulation has been completed. If the District later determines or finds that the work was not done or was not completed or that water conserving plumbing fixtures are no longer present, the District may assess an annual fee of 20% of the estimated annual water bill as determined by the District until the owner of the property demonstrates that the required retrofit work has in fact been done. A site inspection shall be required in such cases and the owner shall be charged \$35 for each such site inspection as an added fee on the owner's water bill.

(4) Alternative Compliance Procedure for Transfers of Residential Property

At Seller's option, Seller shall pay the District \$315 per bathroom that does not fully comply with Regulation 15 M. Half bathrooms shall count as one bathroom. The District shall thereupon immediately provide a Certificate of Compliance to Seller. Buyer shall then be responsible for installation of the water conserving plumbing fixtures and Seller shall provide Buyer with a copy of District Regulation 15 M. and shall notify Buyer of this requirement in writing before close of escrow. Buyer shall have one year from the date of close of escrow to install such fixtures. Upon being notified that said fixtures have been installed and making a brief inspection confirming installation, the District shall pay the Buyer an amount equal to the payment made to District by Seller. If after one year, the water conserving plumbing fixtures have not been installed, the District shall use this money for any other Board approved water conservation program and shall be under no obligation to pay said money to Buyer.

(5) Responsibility for Compliance Negotiable

The Seller is responsible for compliance with Regulation 15 M, however responsibility for payment of the deposit specified in Section M(4) may be assumed by the Buyer so long as the agreement is not otherwise inconsistent with the terms of Regulation 15 M. Any such agreement shall be evidenced in a writing signed by both the Buyer and Seller.

N. Weather Based Irrigation Controller Installation Program

- (1) A weather based irrigation controller is defined as any irrigation controller using weather data to create the actual irrigation schedule and which schedule is automatically adjusted by the controller to meet the applied water demand based on actual weather data. Weather based irrigation controllers may either receive "real time" weather data or generate their weather data using an integrated solar radiation sensor.
- (2) District customers using more than an average of 600 gallons per day are eligible for rebates or vouchers as available from time to time for purchasing District approved weather based irrigation controllers. Directly installed weather based irrigation controllers may be available from time to time. Customers receiving weather based irrigation controller rebates or vouchers may be subject to a pre and post installation inspection.

O. Exemptions from Provisions Set Forth in Regulation 15 (A. through N.)

(1) Retrofit Exemptions

The District's General Manager may grant an exemption from Section M in the following instances:

- (a) Unavailability of Water Conserving Plumbing Fixtures to either match a welldefined historic architectural style fitted with authentic plumbing fixtures or accommodate existing house plumbing without bathroom alteration;
- (b) Special health circumstances upon submittal of reasonable evidence that demonstrates that specific plumbing fixtures are required by the user that may not meet the Water Conserving Plumbing Fixture criteria defined by this regulation.
- (c) Faucets at kitchen sinks or antique faucets which do not have standard threaded openings for aerators.

(2) Other Exemptions

The District's General Manager may grant exemptions from Section A. through N. for purposes of health, safety and sanitation or if Applicant demonstrates an "at least as effective as" water efficiency alternative. The District's General Manager shall have the sole decision of determining whether Applicant has demonstrated an "at least as effective as" water efficiency alternative.

NORTH MARIN WATER DISTRICT REGULATION 17

WATER CONSERVATION - WEST MARIN SERVICE AREA

A. Purpose

The purpose of this regulation is to assure that water resources available to the District are put to reasonable beneficial use, that the in-stream values of Lagunitas Creek are preserved to the maximum possible extent and that the benefits of the District's water service extend to the largest number of persons.

B. Waste of Water Prohibited

- (1) Customers shall not permit any water furnished by the District for the following nonessential uses:
 - (a) The washing of sidewalks, walkways, driveways, parking lots and other hard surfaced areas by direct hosing when runoff water directly flows to a gutter or storm drain, except as may be necessary to properly dispose of flammable or other dangerous liquids or substances, wash away spills that present a trip and fall hazard, or to prevent or eliminate materials dangerous to the public health and safety;
 - (b) The escape of water through breaks or leaks within the customers plumbing or private distribution system for any substantial period of time within which such break or leak should reasonably have been discovered and corrected. It shall be presumed that a period of seventy-two (72) hours after the customer discovers such a break or leak or receives notice from the District, is a reasonable time within which to correct such break or leak, or, as a minimum, to stop the flow of water from such break or leak;
 - (c) Irrigation in a manner or to an extent which allows excessive run off of water or unreasonable over spray of the areas being watered. Every customer is deemed to have his water system under control at all times, to know the manner and extent of his water use and any run off, and to employ available alternatives to apply irrigation water in a reasonably efficient manner;
 - (d) Washing cars, boats, trailers or other vehicles and machinery directly with a hose not equipped with a shutoff nozzle; and
 - (e) Water for non-recycling decorative water fountains.
 - (f) Water for new non-recirculating conveyor car wash systems; and
 - (g) Water for new non-recirculating industrial clothes wash systems.
 - (h) Water for single pass coolant systems.
- (2) <u>Exempt Water Uses</u>. All water use associated with the operation and maintenance of fire suppression equipment or employed by the District for water quality flushing and sanitation purposes shall be exempt from the provisions of this section. Use of water supplied by a private well or from a reclaimed wastewater recycled water, gray water or rainwater utilization system is also exempt.

- (3) <u>Variances</u>. Any customer of the District may make written application for a variance. Said application shall describe in detail why applicant believes a variance is justified.
 - (a) The General Manager of the District may grant variances for use of water otherwise prohibited by this section upon finding and determining that failure to do so would cause an emergency condition affecting the health, sanitation, fire protection or safety of the applicant or public; or, cause an unnecessary and undue hardship on applicant or public, including but not limited to, adverse economic impacts, such as loss of production or jobs.
 - (b) The decision of the General Manager of the District may be appealed to the Board of Directors by submitting a written appeal to the District within fifteen (15) calendar days of the day of the General Manager's decision. Upon granting any appeal, the Board of Directors may impose any conditions it determines to be just and proper. Variances granted by the Board of Directors shall be prepared in writing and the Board of Directors may require the variance be recorded at applicant's expense.
- (4) <u>Enforcement</u>. Depending on the extent of the water waste the District may take some or all of the following actions:
 - (a) Telephone the customer to inform of the water waste violation including a specified period of time to correct the violation;
 - (b) Personally contact the customer at the address of the water service. If personal contact is unsuccessful, written notice of the violation including a date that the violation is to be corrected will be sent by certified mail to the customer;
 - (c) Install a flow-restricting device on the service line;
 - (d) Cause termination of water service and the charge for same shall be billed to the customer. Except in cases of extreme emergency as solely determined by the General Manager of the District, service shall not be reinstated until verified by the District that the violation has been corrected and all outstanding charges have been paid.
 - (e) Any customer who fails to repair a significant leak or otherwise eliminate waste of water within twenty days after becoming aware of it or receiving written notice from the District shall pay a penalty charge equal to ten times the commodity charge for the amount of water estimated by the District to have been wasted or \$50 whichever is greater.

C Use of Water Saving Devices

Each customer of the District is urged to install <u>water efficient</u> devices that meet or exceed <u>EPA WaterSense standards</u>, including but not limited to showerheads, sink aerators, and toilets to reduce the quantity of water to flush toilets and to reduce the flow rates of showers and faucets.

D. Water-Saving Kits

The District will periodically make available from time to time to customers the following devices and incentives:, without cost and for use in residences receiving water service from the District, a water-saving kit containing the following devices for use with non-water conserving fixtures:

(1) A device or devices for reducing shower and sink flow rate:

- (2) Dye tablets for determining if a toilet tank leaks;
- (3) Other devices from time to time approved by the District;
- (4) Device installation and other instructions and information pertinent to conservation of water. Rebates from time to time for District qualified hot water recirculation systems, greywater systems, and rainwater catchment systems.

E. Water-Saving Devices and Restrictions for New Development

- (1) Water service will not be furnished to any Applicant for new or expanded service unless the water-saving devices hereinafter described are installed. Applicants for single service installations serving one dwelling unit (d.u.) or one d.u. and an accessory d.u. or applicants for projects for which the District does not have a building permit final sign off, shall pay a \$1,000 deposit per d.u. to be refunded upon post inspection of the installation of the water-saving devices and restrictions and compliant water efficient landscape (section F) herein. All other projects may be subject to a water conservation deposit with amount and applicability determined by the General Manager on a case-by-case basis. Applicant shall have two years to complete the project, obtain District inspection approval and request a refund of the deposit. If after two years the project is not completed, the deposit will be forfeited to the District to be used for other Water Conservation programs. If requested by the Applicant, the District may extend the time period for project completion up to one additional year.
- (2) All interior plumbing in new development shall meet the following requirements:
 - (a) Toilets and associated flush valves shall be High Efficiency Toilets (HETs), rated at not more than 1.28 gallons per flush on average and shall be listed on the approved District HET list;
 - (b) Urinals and associated flush valves shall be rated at not more than 0.125 gallons per flush or be a District approved non-water using urinal;
 - (c) Showerheads shall have a rated flow of 2.0 gallons per minute or less, and only one showerhead will be allowed per bathroom;
 - (d) Lavatory faucets and hand-washing sinks shall have aerators or laminar flow devices with flow control inserts, orifices or other devices that restrict flow to a maximum of 1.5 gallons per minute in residential construction and 0.5 gallons per minute in commercial construction. Kitchen faucets shall have a maximum flow of 2.02 gallons per minutes in all construction;
 - (e) Laundry facility washing machines shall be front loading horizontal axis typeDistrict approved high-efficiency models with an Energy Star rating and aintegrated modified water factor of 45.5 or less;
 - (f) Dishwashers shall be high efficiency models with an Energy Star rating that use no more than 5 gallons per cycle.

F. Water Efficient Landscape Requirement

(1) Purpose. Section 2 of Article X of the California Constitution specifies that the right to use water is limited to the amount reasonably required for the beneficial use to be served and the right does not and shall not extend to waste or unreasonable method of use. This Regulation protects water supplies through the implementation of a whole systems approach to design, construction, installation and maintenance of the landscape resulting in water conserving climate-appropriate landscapes, improved water quality and the

minimization of natural resource inputs.

(2) Applicability

- a. Requirements stated herein shall apply to all of the following new and rehabilitated landscape projects <u>associated with construction</u> that require a Building or Grading Permit, Plan Check, Design Review or water service upgrade for:
 - Commercial, industrial and institutional landscaping, park and greenbelt landscaping, multiple-family residential and single-family residential landscaping.
 - i. At District Discretion, landscape requirements for applicable projects may be deferred to the State Model Water Efficient Landscape Ordinance (California Code of Regulations Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7. Model Water Efficient Landscape Ordinance)
 - <u>ii.</u> For projects with irrigated landscape area less than 2,500 square feet, the District may choose to select any or all of the requirements to the State Model Water Efficient Landscape Ordinance (referenced above), Appendix D Prescriptive Compliance Option.
- b. Requirements stated herein shall not apply to:
 - i. Registered local, state or federal historical landscape area;
 - ii. Ecological restoration or mined-land reclamation projects that do not require a permanent irrigation system.
- (3) Landscape Design Plan. For each landscape project subject to this Regulation, applicants shall submit a landscape design plan and install a landscape in accordance with the following:
 - a. Amendments, Mulching and Soil Conditioning
 - i. A minimum of 8" of non-mechanically compacted soil shall be available for water absorption and root growth in planted areas.
 - <u>ii.</u> Prior to incorporating compost or fertilizer and planting of any materials, compacted soils shall be transformed into friable condition.
 - iii. Incorporate compost or natural fertilizer into the soil to a minimum depth of 8" at a minimum rate of 6–8 cubic yards per 1000 square feet ander per specific amendment recommendations from a soils laboratory management report.
 - iv_ii A minimum 3" layer of <u>District approved</u> mulch shall be applied on all exposed soil surfaces of planting areas except in turf areas, creeping or rooting groundcovers or direct seeding applications. <u>Mulch shall be made from recycled or post-consumer products</u> when possible.

b. Plants

i. Selected plants, other than allowable turf in residential projects, shall be Water Use Classifications of Landscape Species (WUCOLS) categorized "Very Low" or "Low" water use from the North-Central Coastal Region and shall not cause the Estimated Water Use (ETWU) to exceed the Maximum Applied Water Allowance (MAWA) using and evapotranspiration factor of 0.556 of evapotranspirationfor residential and 0.45 for non-residential sites and a WUCOLS corresponding plant factor of 0.3 or less for Very Low or Low water plants. (Special Landscape Area including areas dedicated to edible plants.

- recreational uses, or areas irrigated solely with recycled water shall not be subjected to the plant selection requirements and shall use an evapotranspiration factor of 1.0 for the purposes of calculating ETWU and MAWA).
- ii. Plants with similar water use needs shall be grouped together in distinct hydrozones and where irrigation is required the each distinct hydrozones shall be irrigated with a separate valve(s) and noted on the plans.
- iii. Low and moderate water use plants can be mixed, but the entire hydrozone will be classified as moderate water use for MAWA calculations.
- iviii. Moderate and High water use plants as categorized by WUCOLS, shall not be mixed with low or moderate water use plants.
- iv. All non-turf plants shall be selected, spaced and planted appropriately based upon their adaptability to the climatic, soils, and topographical conditions of the project site.
- v_{.i} Turf shall not be planted in the following conditions:
 - 1. Slopes exceeding 10%.
 - 2. Planting areas <u>10</u>8 feet wide <u>(in any direction)</u> or less <u>unless irrigated with</u> <u>District approved subsurface irrigation or with recycled water.</u>
 - 3. Street medians, traffic islands, planter strips or bulbouts of any size
 - 4. Front yard landscaping of single family houses where the backyard landscape is not developer installed.
- vii. Total turf areas shall not exceed the following
 - 1. Single Family: <u>25% of the total landscape area not to exceed</u> 400 square feet.
 - 2. Townhouse/Condominium (THC): 200-100 square feet.
 - 3. Apartment (APT): 50 square feet.
 - 4. Commercial and/or non-residential: 0 square feet.
 - Special Landscape Areas: The preceding turf limitations shal not apply to sites irrigated with recycled water or areas dedicated to District approved recreational uses.
- viii. Invasive plants as listed by the California Invasive Plant Council are prohibited.
- c. Water Features
 - i. Recirculating water systems shall be used for water features
 - ii. Recycled water shall be used in water features when available onsite.
- (4) -Irrigation Design Plan. For each landscape project subject to this Regulation, applicants shall submit an irrigation design plan that is designed and installed to meet the MAWA irrigation efficiency criteria and in accordance with the following:
 - a. Dedicated irrigation meter or for private landscape water submeter for residential must be specified <u>for all non-residential irrigated landscapes and residential irrigated landscapes of 5,000 square feet or greater.</u>

- b. Irrigation systems with meters 1 ½" or greater or non-residential landscapes with irrigated landscapes over 5,000 square feet, require a high-flow sensor that can detect high-flow conditions and have the capabilities to shut off the system.
- c. Isolation valves shall be installed at the point of connection and before each valve or valve manifold.
- d. Weather-based or other sensor based self-adjusting irrigation controllers, with non-volatile memory, shall be required.
- e. Rain sensors shall be installed for each irrigation controller.
- f. Pressure regulation and/or booster pumps shall be installed so that all components of the irrigation system operate at the manufacturer's recommended optimal pressure.
- g. Irrigation system shall be designed to prevent runoff or overspray onto non-targeted areas.
- h. Point source irrigation is required where plant height at maturity will affect the uniformity of an overhead system.
- i. Minimum 24" setback of overhead irrigation is required where turf is directly adjacent to a continuous hardscape that flows or could runoff into the curb and gutter.
- j. Slopes greater than 1<u>0</u>5% shall be irrigated with point source or other low-volume irrigation technology.
- k. A single valve shall not irrigate hydrozones that mix high water use plants with moderate or low water use plants.
- I. Trees shall not be placed on separate valves except when planted in turf areas.
- m. All non-turf landscape areas shall be irrigated with District approved drip irrigation systems or other alternative District approved point source irrigation equipment.
- n. Sprinkler heads, rotors and other emission devices on a valve shall have matched precipitation rates. All spray irrigation systems shall be a brake rotary type and or be multi-stream, multi-trajectory, adjustable arc, rotating stream sprinkler with matched precipitation rates. All rotating stream sprinkler units shall be installed in a 40 psi pressure regulated spray head body and provide the highest potential distribution uniformity. All sprinkler heads installed in the landscape must document a distribution uniformity low guarter of 0.65 or higher.
- o. Head-to-head coverage is required unless otherwise directed by the manufacturer's specifications
- p. Swing joints or other riser protection components are required on all risers.
- <u>q.</u> Check valves shall be installed to prevent low-head drainage.
- <u>r.</u> <u>Master shut-off valves are required on all projects with irrigated landscapes over 5,000 square feet.</u>
- s. <u>Irrigation efficiency factors of 0.75 for overhead spray devices and 0.81 for drip system devices shall be used for ETWU and MAWA calculations.</u>
- t. A diagram of the irrigation plan, including hydrozones and equipment locations, shall be provided and kept with the irrigation controller for subsequent management purposes.

- (5) <u>Irrigation Audit: Project applicants shall submit an irrigation audit report for all applicable projects.</u>
 - a. The project applicant shall submit an irrigation audit report that includes inspection, system tune-up, system test with distribution uniformity, reporting overspray and runoff that causes overland flow, and precipitation of an irrigation schedule, including configuring irrigation controllers with application rate, soil types, plant factors, slope, exposure and other factors necessary for accurate programming.
 - b. All landscape irrigation audits shall be conducted by a local agency landscape irrigation auditor or a third party certified landscape irrigation auditor. Landscape audits shall not be conducted by the person who designed or installed the landscape.
 - c. In production home developments, audits of 15% of the landscapes shall be sufficient.
- G. Rebate for Energy StarHigh-Efficiency Washing Machines in Residences

District customers in the West Marin Service area are eligible for rebate as available from time to time for front loading / horizontal axis, Energy Star District approved high-efficiency washing machines in existing residences. New_residential construction in the District's West Marin service area are required to be equipped with high-efficiency washing machines in accordance with Section E. (2) (e) of this regulation. District rebates are not available for Energy Star high-efficiency wWashing mMachines required in new residential construction.

- H. Rebate for Removing Irrigated Turf from Residential Properties
 - (1) The owner of property containing a formal lawn area or areas shall be eligible for a cash rebate from the District if said owner removes all or part of the formal lawn area(s) and replaces same with eligible plant materials and meets the qualification requirements. "Formal lawn area" means an existing lawn in good condition which is irrigated regularly, by an automatic inground irrigation system, with water furnished by the District and mowed regularly.
 - (2) Qualification requirements:
 - (a) Application for rebate must be made on District's form <u>prior</u> to removing the formal lawn area(s). All applicable information requested must be supplied.
 - (b) Application for rebate must include a landscape plan or sketch showing the size, in square feet, and location of all formal lawn area(s) on the Applicant's parcel and the location of formal lawn area(s) that will be removed and replaced.
 - (c) The Applicant must utilize only eligible replacement materials for the formal lawn area(s) removed which are to be considered in calculating the rebate. Eligible replacement materials are District-approved water-conserving and low water use California native plants or District-approved synthetic turf.
 - (d) If the automatic inground irrigation system will continue to serve some remaining formal lawn area(s), Applicant must modify the system so that water is not served to the proposed replacement area.
 - (e) Formal lawn area(s) removed and replanted with eligible replacement materials shall be mulched with material suitably thick to prevent weed growth (minimum three inches) and reduce water loss. Areas shall not be irrigated except for limited hand-watering or temporary drip irrigation to establish the plant material.

- (f) The owner of the property must sign a statement promising not to reinstall lawn in formal lawn area(s) where lawn has been removed as long as the owner holds property. The owner may be relieved of this promise at any time by returning the full amount of the District's rebate.
- (g) The General Manager may at any time halt or suspend acceptance of applications for rebate if the District's funds appropriated for this purpose become exhausted.
- (3) After reviewing the information supplied by the Applicant and making at least one site inspection to assure that qualification conditions have been met, District shall mail a rebate check.
- (4) The amount of the rebate shall be determined by the Board from time to time.
- (5) Rebates may be available for non-residential property or for hotels, motels, hospitals, government housing or a senior citizen complex on a parcel which is separately owned and assessed. Maximum rebate amount for a non-residential property shall be determined by General Manager on a case-by-case basis.
- (5) Synthetic turf replacements of formal lawn area may be eligible for a higher rebate level to be determined by the General Manager on a case-by-case basis.

I. <u>Landscape Rebate Alternatives</u>

- (1) The District will consider, and may approve, requests to substitute for any of the requirements in section F., well-designed alternatives or innovations that will effect similar significant and continuing reductions of water requirements. <u>Determination of eligibility shall be at the sole discretion of the General Manager or designated staff.</u>
- (2) The District will rebate \$50 for landscape installation in existing dwellings meeting the standards listed in Section J. and over 500 square feet in area if the customer has:
 - (a) Removed or killed the lawn area prior to making application for rebate, and
 - (b) Replaced the lawn with landscape no more than one month before alerting the District; or
 - (c) Re-landscaping a lawn area that was not regularly mowed and irrigated.

Determination of eligibility shall be at the sole discretion of the General Manager or Designee.

- J. Requirement for Installation of Water Conserving Plumbing Fixtures Upon Change of Property Ownership or Upon Bathroom Alteration
 - (1) Definitions.
 - (a) "Water-Conserving Plumbing Fixtures" means any toilet rated at 1.6 gallons of water per flush or less, urinals rated at 1.0 gallons of water per flush, showerheads with a flow rated at 2.0 gallons of water per minute or lavatory faucets that can emit no more than 1.5 gallons of water per minute.
 - (b) "Change in Property Ownership" means a transfer of present interest of real property, or a transfer of the right to beneficial use thereof, the value of which is substantially equal to the proportion of ownership interest transferred.
 - (c) "Bathroom Alteration" means any alteration or addition of a bathroom that includes replacement or addition of any toilet(s).

- (d) "Retrofit" means replacing "Existing Plumbing Fixtures" with "Water-Conserving Plumbing Fixtures."
- (e) "Existing Plumbing Fixtures" means any toilet using more than 1.6 gallons of water per flush, urinals using more than 1.0 gallons of water per flush, showerheads with a flow rated more than 2.0 gallons of water per minute or lavatory faucets that emit more than 1.5 gallons of water per minute.
- (f) "Existing Structure" means any structure built and available for use or occupancy on or before March 1, 1992, which is equipped with a toilet using more than 1.6 gallons of water per flush or a urinal using more than 1.0 gallons of water per flush.
- (2) Retrofit Upon Change of Property Ownership.

All Existing Plumbing Fixtures in Existing Structures receiving water from the District's water system, including residential, commercial, industrial and government structures, shall, at the time of Change of Ownership, be Retrofitted, if not already done, exclusively with Water-Conserving Plumbing Fixtures. This requirement shall affect all escrow accounts involving transfer of property opened after February 29, 1992. Escrow accounts opened before March 1, 1992 which close after March 1, 1992 shall not be affected by this requirement.

(3) Retrofit Upon Bathroom Alteration.

Effective March 1, 1992, all structures receiving water from the District's water system, including residential, commercial, industrial and government, shall, upon Bathroom Alteration, be Retrofitted exclusively with Water-Conserving Plumbing Fixtures.

(4) Retrofit Exemptions.

The District's General Manager may grant an exemption in the following instances:

- (a) Unavailability of Water-Conserving Plumbing Fixtures to either match a well-defined historic architectural style fitted with authentic plumbing fixtures or accommodates existing house plumbing without Bathroom Alteration.
- (b) Special health circumstances upon submittal of reasonable evidence that demonstrates that specific plumbing fixtures are required by the user that may not meet the Water Conserving Plumbing Fixture criteria defined by this regulation.
- (c) Faucets at kitchen sinks or antique faucets which do not have standard threaded openings for aerators.
- (5) Compliance and Penalties.

Compliance shall be by the honor system. It shall be the Seller's responsibility (in the case of Change of Property Ownership) and the title holder's responsibility (in the case of Bathroom Alteration) to obtain, in addition to any normal permits required by agencies other than the District, to apply for and obtain from the District a Certificate of Compliance acknowledging that the Seller or title holder has stated that the Retrofit installation required by this regulation has been completed. If the District later determines or finds that the work was not done or was not completed or that Water Conserving Plumbing Fixtures are no longer present, the District may assess an annual fee of 20% of the estimated annual water bill as determined by the District

until the owner of the property demonstrates that the required Retrofit work has in fact been done. A site inspection shall be required in such cases and the owner shall be charged \$35 for each such site inspection as an added fee on the owner's water bill.

(6) Alternative Compliance Procedure for Transfers of Residential Property

At Seller's option, Seller shall pay the District \$315 per bathroom that does not fully comply with Regulation 17 H. Half bathrooms shall count as one bathroom. The District shall thereupon immediately provide a Certificate of Compliance to Seller. Buyer shall then be responsible for installation of the Water Conserving Plumbing Fixtures and Seller shall provide Buyer with a copy of District Regulation 17 H. and shall notify Buyer of this requirement in writing before close of escrow. Buyer shall have one year from the date of close of escrow to install such fixtures. Upon being notified that said fixtures have been installed and making a brief inspection confirming installation, the District shall pay the Buyer an amount equal to the payment made to District by Seller. If after one year, the Water Conserving Plumbing Fixtures have not been installed, the District shall use this money for any other Board approved water conservation program and shall be under no obligation to pay said money to Buyer.

(7) Responsibility for Compliance Negotiable

The Seller is responsible for compliance with Regulation 17 J, however responsibility for payment of the deposit specified in Section J (6) may be assumed by the Buyer so long as the agreement is not otherwise inconsistent with the terms of Regulation 17 J. Any such agreement shall be evidenced in a writing signed by both the Buyer and Seller.

- K. High Efficiency Toilet Replacement Program(s)
 - (1) A High Efficiency Toilet (HET) is defined as any toilet that is rated at 20% or less water use on average than a standard 1.6 gallon per flush toiletwith an average flush volume of 1.28 gallons per flush or less. This includes District approved 1.0 gallons per flush pressure assist toilets or dual flush models. An Ultra High-Efficiency Toilet (UHET) also known as a MaP Premium toilet is defined as any toilet with an average flush volume less1.1 gallons per flush.
 - Any qualifying customer of the District who removes and recycles all toilets rated to use more than 1.6 gallons per flush and replaces same with a District approved HET or UHET may request and receive a cash rebate or bill credit in an amount established by the Board of Directors from time to time for each such toilet removed, recycled and replaced.
 - (3) To qualify for a rebate(s) hereunder, application shall be made on a form available from the District and person signing application shall:
 - (a) Request District make a brief inspection of customer's structure at a time and date approved in advance by customer to identify water conservation measures appropriate and effective for the customer to implement or be prequalified by District staff via other communications means. Should customer refuse access for an inspection or not receive pre-qualification, District shall not be under any obligation to make a rebate. Inspection requirements are subject to available staff time.

- (b) Be a customer of the District and the customer's structure in which the replaced toilet(s) is located shall be served water in the District's West Marin Service Area and replacing a toilet installed prior to January 1, 1992, and manufactured to flush more than 1.6 gallons per flush; and
- (c) Provide District with bill of sale or original receipt of sale within the current fiscal year and made out to said customer by person or vendor selling customer the HET or UHET or, in lieu thereof, provide District with letter addressed to said customer signed by a licensed plumber or contractor stating that a HET(s) or UHET(s) has been installed by said plumber or contractor at the customer's address; and
- (d) Recycle toilets at a predetermined District site with all internal mechanisms, toilet seat and all other wood, metal and plastic removed, if recycling outlet is available.
- (4) If the customer is renting the structure, a rebate will be made provided customer includes with the application a letter from the owner of the property consenting to District making rebate payment to customer for the replacement of a non-water conserving toilet(s).
- (5) Rebates are not available for toilets installed in buildings constructed after January 1, 1992 or for replacement of toilets rated to use 1.6 gallons per flush or less.
- (6) Free or subsidized <u>UHET</u> giveaways may be available to customers from time to time. Eligibility requirements listed in K (3) (a) to (d) apply to this program should it become available.

L. Rebates for District Approved Swimming Pool Covers

District customers are eligible for rebates as available from time to time for purchasing District approved swimming pool covers. Eligible pool covers must be a solar or safety cover with non-netted type material, at least 12 mil in thickness, and at least 450 square feet.

M. Weather Based Irrigation Controller Installation Program

- (1) A Weather Based Irrigation Controller is defined as any irrigation controller using weather data to create the actual irrigation schedule and which schedule is automatically adjusted by the controller to meet the applied water demand based on actual weather data. Weather Based Irrigation Controllers may either receive "real time" weather data or generate the weather data using an integrated solar radiation sensor.
- (2) District customers using more than an average of 400 gallons per day are eligible for rebates or vouchers as available from time to time for purchasing District approved Weather Based Irrigation Controllers. Directly installed Weather Based Irrigation Controllers may be available from time to time. Customers receiving Weather Based Irrigation Controller rebates or vouchers may be subject to a pre and post installation inspection.

N. Landscape Water Efficiency Rebate

- (1) Landscape water efficient rebates are available to customers who install District qualified water efficient landscape equipment including:
 - (a) Drip irrigation systems
 - (b) Water pressure-regulating devices

- (c) Check valves
- (d) Multi-stream rotating sprinkler nozzles (lawn areas only)
- (e) Rain shut-off devices
- (f) Mulch
- (g) Soil conditioner/amendment
- (2) Rebate amounts will be established by the Board of Directors from time to time depending on customer classification and water savings potential. Customers are allowed only up to the maximum rebate level for the life of the program.
- (3) Applicant shall request and agree to a brief District pre-inspection of customer's property to identify water efficient landscape actions to be taken. District will pre-approve and post-inspect to confirm the retrofit installations. Inspections are subject to available staff time.
- (4) Applicant shall provide District with a complete bill of sale or original receipt of sale within the current fiscal year, clearly showing the purchase of the landscape water efficiency installed items noted in the pre-inspection.
- (5) Free or subsidized water efficient landscape items such as rain sensors, and mulch may be available to customers. Eligibility requirements listed in N(1) through (3) apply should items become available.
- O. Exemptions from Provisions Set Forth in Regulation 17 (A. through M.)
 - (1) Retrofit Exemptions

The District's General Manager may grant an exemption from Section M. in the following instances:

- (a) Unavailability of Water-Conserving Plumbing Fixtures to either match a well-defined historic architectural style fitted with authentic plumbing fixtures or accommodate existing house plumbing without Bathroom Alteration;
- (b) Special health circumstances upon submittal of reasonable evidence that demonstrates that specific plumbing fixtures are required by the user that may not meet the Water Conserving Plumbing Fixture criteria defined by this regulation.
- (c) Faucets at kitchen sinks or antique faucets which do not have standard threaded openings for aerators.
- (2) Other Exemptions

The District's General Manager may grant exemptions from Section A. through N. only for purposes of health, safety and sanitation or if applicant demonstrates an "at least as effective as" water efficiency alternative. The District's General Manager shall have the sole decision of determining whether applicant has demonstrated an "at least as effective as" water efficiency alternative.

PUBLIC HEARING NOTICE

Sponsor: North Marin Water District

Purpose: Consider Proposed Changes to District

Regulation 15 - Water Conservation

Novato Service Area and Regulation 17 - Water

Conservation West Marin Service Area

Impact:

Greater Novato and West Marin Service Areas

Date:

January 5, 2016

Time:

7:00 p.m.

Place:

999 Rush Creek Place, Novato

(District Headquarters)

Summary of Proposed Changes:

- Modifications to landscape efficiency requirements including additional turf limitations and requirements, plant selection criteria, soil amendment requirements and other changes in compliance with the updated 2015 State Model Water Efficient Landscape Ordinance.
- 2. Updated language to various rebate program participation and eligibility requirements.
- 3. Other minor changes and updates.

For More Information Please Call the District's Water Conservation office at: (415) 761-8933 or email waterconserve@nmwd.com

V:\Regulation 15 & 17\Reg 15 Notice 1215.doc

MEMORANDUM

To: Board of Directors Date: December 11, 2015

From: Drew McIntyre, Chief Engineer Subject: Approve CSW/ST2 Contract Amendment

Marin Sonoma Narrows/Aqueduct Energy Efficiency Project
R/NFolders by Job Not7000 jobs/7118/Consultants FoldenCSW/7118 CSW Contract Amendment 6 for Aqueduct Upsizing BOD Memo12-15-15 dock

RECOMMENDED ACTION: Board authorize General Manager to execute a contract

> amendment with CSW/Stuber-Stroeh for additional design services related to the Aqueduct Energy Efficiency Project

(AEEP).

FINANCIAL IMPACT: \$47,662 (included in FY16 CIP Budget with \$44,662

reimbursed by Caltrans)

Background

The most recent overview of the Caltrans Marin Sonoma Narrows (MSN) and Aqueduct Energy Efficiency Projects (AEEP) was provided to the Board at the June 16, 2015 meeting as part of Vali Cooper's (NMWD's Construction Manager for Reach A-D) Construction Progress Report Update No. 4. Construction was substantially complete for the MSN B1 - AEEP Reach E project in March 2014 and the MSN B3-AEEP Reach A-D project was substantially complete (minus ~600 ft of the 8-inch distribution main in Kastania Rd) in October 2015 (map included as Attachment 1). A final Construction Progress Report (Update No. 5) to be provided by Vali Cooper (i.e., Mr. Ken Sinclair) is tentatively scheduled for the January 19, 2016 Board meeting. CSW/ST² Consulting Services Contract

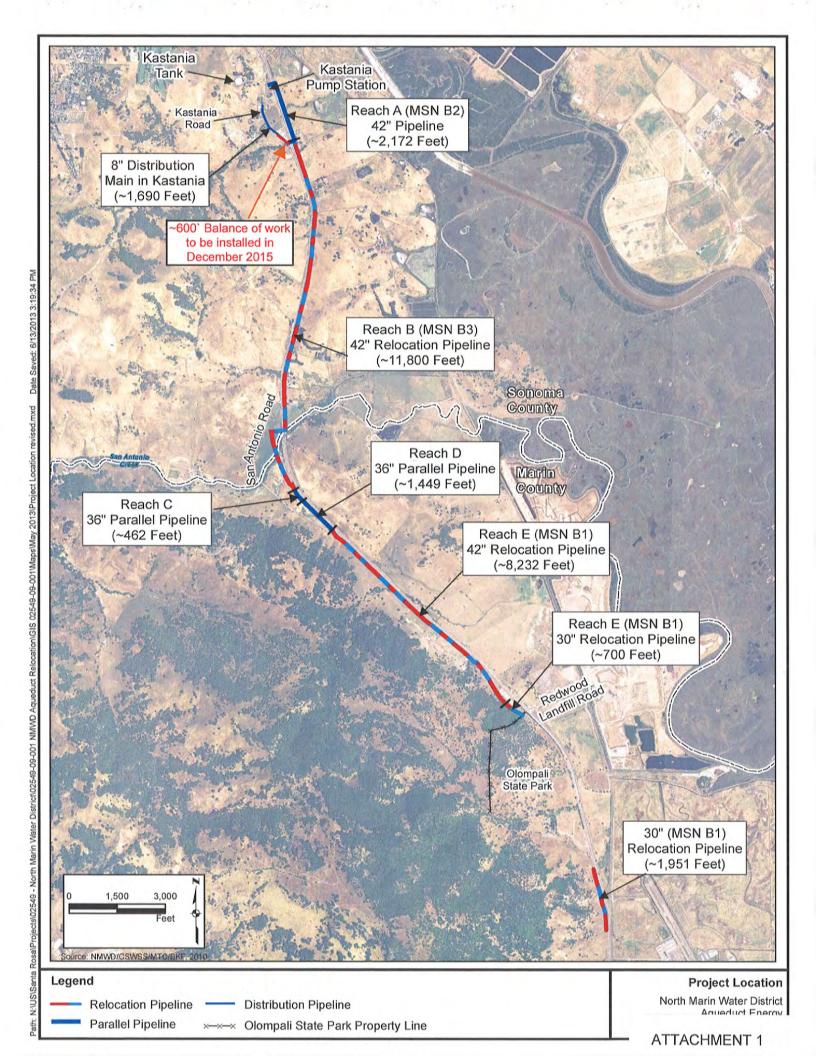
The Board approved Contract Amendment No. 5 with CSW/ST² for design work on the MSN/AEEP project at the October 7, 2014 meeting for \$209,433 with a \$25,000 contingency. In the attached proposal (Attachment 2) CSW/ST² requests \$47,662 for two out of scope services. Since the new out of scope services exceed the \$25,000 contingency staff is requesting a \$47,662 budget amendment. Approximately 94% (i.e., \$44,662) of the total \$47,662 will be billed to Caltrans for reimbursement. The single largest line item request is ~\$30,300 for Task 140 - Grade Work in Reach B. This task primarily covers designing a new drainage ditch for ~1,600 feet along the east side of the pipeline alignment within Reach B. This work was necessitated due to differing topographic conditions between actual field conditions and Caltrans initial aerial survey information. The second extra services scope (Task 125) was for additional Reach E services in the amount of \$17,429.50 (which has already been fully reimbursed by Caltrans). This amendment will be the final extra-services request for this project.

A summary of CSW/ST²'s contract modifications since initial approval in January 2011 is provided below. It is important to note that one significant factor in the CSW/ST²'s increase in billings since May 2013 reflect the fact that all Caltrans responsible costs are now being passed through NMWD as part of the NMWD-Caltrans Utility Agreement. Prior to May 2013 Caltrans paid CSW/ST² under a separate contract.

Amendment No.	Date	Description	Fee Amount	Cumulative Total	Approved Contingency Balance
	January 2011	Award Consulting Services Agreement for Reach A-E betterment design	\$236,540	\$236,540	\$24,000
1	August 2011	Additional environmental services for AEE Project	\$17,160	\$253,700	\$6,840
2	May 2013	Additional design phase support services for AEE Project	\$80,600	\$334,300	
3	November 2013	Bid phase and construction phase design support services for MSN and AEE Projects	\$121,200	\$455,500	
4	April 2014	Additional design support services for MSN and AEE Projects	\$132,048	\$587,548	
5	October 2014	Additional construction phase design support services for MSN and Aqueduct Energy Efficiency Project	\$209,433	\$796,981	\$25,000
6	December 2015	Additional construction phase design support services for MSN and Aqueduct Energy Efficiency Project	\$47,662	\$844,643	

RECOMMENDATION

Authorize the General Manager to execute a contract amendment with CSW/Stuber-Stroeh in the amount of \$47,662 for additional design engineering services related to the MSN and Aqueduct Energy Efficiency Projects.



45 Leveroni Court Novato, CA 94949 www.cswst2.com 415.883.9850 Fax 415.883.9835 Novato Petaluma Sacramento

CSW ST2

CSW/Stuber-Stroeh Engineering Group, Inc.

Engineers | Land Planners | Surveyors | Landscape Architects

Date: November 24, 2015 Revised: December 8, 2015

File: 4.1131.02

Drew McIntyre North Marin Water District P.O. Box 146 Novato, CA 94948 Via email: drewn@nmwd.com

RE: ADDITIONAL SERVICES FOR THE AEEP PROJECT (ADDENDUM #6)

Dear Drew:

As we have discussed, there are three remaining tasks that need to be completed prior to the complete close-out of the AEEP Project. The three are the remaining Construction Administration (Task 119), Project Management (Task 105) and preparing the record drawings (Task 138). We have diligently tried to remain within our overall budget during the ensuing months. We have accomplished this on the overall project, however, as you know, specific line items have varied from our initial estimates. However, we have two tasks covering changed conditions for which we have no budget: the redesign of the alignment in Reach E (Task 125) and the redesign of the roadside ditch in Reach B (Task 140).

TASK 125

When the District increased our contract through Amendment No. 5, we identified Task 125 - ADDITIONAL WORK TO RELOCATE B-1 (RFI 42). While the work under the task was an additional service, at that time TAM/Caltrans and NMWD were discussing the responsibility for the task. While NMWD recognized that the work was necessary and completed, no specific budget was allocated pending the outcome of the negotiations with TAM/Caltrans. CSW | ST2 had provided \$34,859 in services to complete the re-alignment (Task 125).

The specifics on Task 125 - ADDITIONAL WORK TO RELOCATE B-1 (AEEP Reach E) (RFI 42) are as follows: During Caltrans's final condemnation negotiations with the Silveiras, the judge precluded Caltrans from using any of the Silveira property to the south and west of the Caltrans right-of-way acquisition. This information was not communicated to BKF, the highway design engineer nor to CSW | ST2. Historically, NMWD's Service Agreement with the Silveiras allowed NMWD access to maintain and construct improvements along the aqueduct as it fronted and crossed the Silveira property. During construction it was determined that NMWD could not use the access that the easement with Silveira provided. As a result, the pipeline was relocated to facilitate its construction. Ultimately, TAM/Caltrans and NMWD agreed

CSW ST2

Drew McIntyre North Marin Water District November 24, 2015 Page 2

to split the effort. We received \$17,429.50 each from both TAM/Caltrans and NMWD, however, there was not an adjustment to our Contract to reflect this change. We are requesting that \$17,429.50 be added to the Contract to reflect this effort.

TASK 140

As the contractor was clearing the roadside ditch along the northerly portion of Reach B, it was discovered to be in a different location than that represented on the aerial survey provided by Caltrans for design of the waterline. Since construction was imminent in that area we created Task 140 to track the effort so that NMWD could invoice Caltrans for the changed condition.

The specifics on Task 140 - GRADE WORK BETWEEN STATIONS 6634+00 and 6650+00 includes the following effort: The work required resurveying 1,600 lineal feet of the pipeline route, designing a new ditch to provide sufficient cover for the pipeline and coordinating with the B-3 highway project design so that the future contract would not impact the waterline. We invoiced and NMWD has paid for this effort. Although there was not a specific Task allocated to this effort, we understand that you paid that from the construction support (Task 119) budget. We are requesting an additional \$30,232.76 to cover this additional effort.

The total for the two additional tasks is \$47,662.26. Please issue an amendment to our contract reflecting the additional services. We appreciate working with you and the staff and look forward to the completion of the pipeline work. Let us know if you have any questions.

Sincerely,

(Cl Comwell

Al Cornwell

R.C.E. #27577

Don Curry

AGC:gmp

CSW/STUBER-STROEH ENGINEERING GROUP, INC

MEMORANDUM

To: **Board of Directors** December 11, 2015

From:

John Schoonover, Board President

Subject: Conditions of Employment – General Manager (Revised Resolution 95-12) t\gm\2015 misc\conditions of employment gm.doc

Approve Revised Resolution 95-12 – Conditions of Employment

RECOMMENDED ACTION:

- General Manager

FINANCIAL IMPACT:

+\$15,530/year salary + \$3,491/year benefits

The Board has recently met to discuss the General Manager's performance review and "Conditions of Employment." The Board recognizes the General Managers most recent salary increase was in December 2014 and desires to authorize a salary increase in the amount of \$15,530/year. The revised resolution reflects said increase.

Recommendation:

Board authorize Revised Resolution No. 95-12, North Marin Water District Conditions of Employment – General Manager.

Revised RESOLUTION No. 95-12

OF

THE NORTH MARIN WATER DISTRICT CONDITIONS OF EMPLOYMENT - GENERAL MANAGER

WHEREAS: Chris D. DeGabriele was appointed General Manager/Chief Engineer of the District by unanimous vote of the Board of Directors on March 21, 1995; and

WHEREAS: Mr. DeGabriele's appointment as General Manager/Chief Engineer became effective on May 1, 1995; and

WHEREAS: Effective October 12, 1998, with the District's hiring of a Chief Engineer, Mr. DeGabriele's appointment was revised as General Manager; and effective <u>December 16, 2015December 1, 2014</u>-the following provisions apply:

WHEREAS: Mr. DeGabriele serves at the pleasure of the Board and shall:

- a. Have full charge and control of the maintenance, operation and construction of the water and wastewater systems of the District,
- b. Have full power and authority to employ and discharge all employees at pleasure (excluding the District Secretary, Auditor and Chief Engineer),
- c. Have full power to determine the duties of employees,
- d. Set the compensation of employees subject to Board policy,
- e. Represent the District at various public entities/private groups and perform other duties imposed by the Board, and
- f. Report to the Board in accordance with Board policy.

NOW, THEREFORE, BE IT RESOLVED that the conditions of Mr. DeGabriele's employment, remuneration and benefits are:

- 1. Annual salary of \$194,225_\$209,755 per year to be paid in semi-monthly installments. Said salary shall be reviewed annually.
- 2. Reimbursement of business or business related mileage incurred on privately owned vehicle at the normal rate per mile authorized by the District plus payment by District of \$338 per month. General Manager's use of privately owned vehicle is for the convenience of the District and required as a condition of employment. General Manager shall maintain in force liability insurance on private vehicle of not less than \$300,000 for one individual and \$500,000 for two or more individuals.
- 3. Reimbursement of all reasonable expenses incurred in connection with the conduct or furtherance of District business and affairs.
- 4. Other benefits as are from time to time afforded all District unrepresented employees with the exception of overtime compensation. Except for vacation, such benefits, which are a function of time in service, shall be calculated from the date first employed by the District. For vacation eligibility purposes, the General Manager shall be credited with five additional vacation days annually.
 - 5. The right to reside in any area within the District territorial boundaries.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and
regularly adopted/amended by the Board of Directors of NORTH MARIN WATER DISTRICT at a
regular meeting of said Board held on the 15th day of December 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Eileen Mulliner, Acting District Secretary North Marin Water District

(SEAL)

t:\bod\resolutions\employees\degabriele 2015.doc

NMWD Survey of Utility Manager/Public Works Director Salaries Sorted by Annual Salary

8/15/15

t:\hr\surveys\[gm survey.xls]gm survey 0815

						# years of
			Staff	Annual	Total Comp.	service as
	Agency	Title	Size	Salary	incl. Benefits	GM
1	Contra Costa Water	General Manager	299	\$260,894	\$290,360	5 years
2	Alameda Co Water	General Manager	238	\$257,200	\$296,180	6 months
3	Central Marin San	General Manager	42	\$236,065	\$327,310	13 years
4	Marin Municipal	General Manager	245	\$232,204	\$336,696	2.5 years
5	Las Gallinas San	District Manager	21	\$221,044	\$278,796	9 years
6	Sonoma Co (SCWA)	General Manager	215	\$220,295	\$244,298	4 years
7	Novato Sanitary	District Mgr/Engineer	20	\$206,016	\$243,202	1 year
8	City of Novato	City Manager		\$200,331	\$222,495	6 years
9	North Marin Water	General Manager	53	\$194,220	\$260,463	20 years
10	City of Santa Rosa	Director of Utilities	240	\$177,024	\$236,489	2.5 years
11	City of Napa	Public Works Director	120	\$175,512		6 years
12	City of Vallejo	Public Works Director		\$167,091		
13	City of Petaluma	Dir of Public Works & Utilt.	108	\$147,149		3 years
		Average (excluding NMWD)	_	\$205,193	\$276,180	-
		Median (excluding NMWD)		\$206,016	\$278,796	
					. • •	

Additional Benefits

- 1 CCWD provides \$475/mo auto allow, 110 hours of administrative leave
- 2 CMSD provides a vehicle and 80 hours of administrative leave and contributes 4% of salary toward 457 deferred comp plan
- 3 ACWD provides \$600/mo auto allowance, 280 hours/year of admin/mgnmt leave
- 4 MMWD provides a vehicle, plus 40 hrs administration leave
- 5 SCWA provides a vehicle.
- 6 LGVSD provides a vehicle and cell phone, plus 80 hrs/yr administrative leave;
- 7 Novato annual cash-out of both administrative leave in excess of 270 hours.
- 8 NMWD provides \$338/mo auto allowance . Last increase 12/1/14
- 9 NSD provides vehicle; 80 hrs/yr administrative leave and contributes \$24K annually into deferred comp
- 10 Napa provides \$375/mo auto allowance plus 13 administrative leave days/yr (50% cash-out); cash-out of 2 weeks vacation; plus \$3,600/yr def comp contribution.
- 11 Santa Rosa provides vehicle OR \$250/month auto allowance; 80 hrs administrative leave,
- 12 Vallejo provides \$300/mo auto allowance
- 13 Petaluma provides a vehicle and 80 hours per year of administrative leave



Marin Local Agency Formation Commission

Regional Planning Agency / Subdivision of the State of California

NOTICE OF REGULAR MEETING AND AGENDA

Marin Local Agency Formation Commission

Thursday, December 10, 2015 City of San Rafael Council Chambers 1400 Fifth Avenue, San Rafael, California

7:00 P.M. - CALL TO ORDER BY CHAIR

ROLL CALL BY CHAIR

APPROVAL OF AGENDA

The Chair or designee will consider a motion to approve the agenda as prepared by the Executive Officer with any requests to remove or rearrange items by members or staff.

OPEN TIME

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not on the current agenda. All statements that require a response will be referred to staff for reply in writing or will be placed on the Commission's agenda for consideration at a later meeting. Speakers are limited to three minutes.

CONSENT CALENDAR ITEMS

All items calendared as consent are considered ministerial or non-substantive and subject to a single motion approval. With the concurrence of the Chair or designee, a Commissioner may request discussion of an item on the consent calendar.

1. Financial Report and Year-End Projections for Fiscal Year 2015-16 (action)

The Commission will review a report comparing budgeted and actual transactions for the fiscal year through October 31st and its projection the agency is on pace to finish with an operating shortfall of (\$11,655) or (2.8%). This projection marks a significant improvement over the budgeted operating deficit of (\$50,000) and is largely tied to anticipated savings in salary, legal, and accounting. The report is being presented to the Commission to accept and file as well as to provide direction as needed.

2. Approval of Meeting Minutes (action)

The Commission will consider approving meeting minutes for November 12, 2015.

3. Ratification of Selection and Hire of Administrative Analyst (action)

The Commission will consider formal ratification of the Executive Officer's selection and hire of Rachel Jones as Marin LAFCO's new Administrative Analyst. This includes confirming pay and highlighted by a starting annual salary of \$67,642 for the non-represented position. It is recommended the Commission provide feedback to the Executive Officer on processing future recruitments as needed.

4. Approval of Meeting Dates Through February 2016 (action)

The Commission will consider approving a meeting calendar through the end of February 2016. Regular meetings are proposed for Thursday, January 14th and Thursday, February 11th. A special meeting is also proposed for Wednesday, February 17th for the Commission to hold its annual strategic planning workshop and discuss – among other items – possible changes in meeting times, dates, and venues going forward.

MARIN LAFCO December 10, 2015 Regular Meeting Agenda Page **2** of **3**

CONSENT ITEMS CONTINUED...

5. Progress Report on 2015-2016 Work Plan (action)

The Commission will receive a progress report in accomplishing the administrative and planning activities established for 2015-2016. Three projects have been completed to date while a majority of others have been initiated. The report is being presented to the Commission to accept and file as well as to discuss any desired amendments going forward.

6. Current and Pending Proposals (information)

The Commission will receive a report identifying current boundary change proposals on file as required under statute. The report also identifies pending proposals to help telegraph future workload. The report is being presented for information only.

7. CALAFCO Quarterly Report (information)

The Commission will receive a quarterly report from CALAFCO summarizing current and pending association news and events through November. The quarterly report is being presented for information only.

PUBLIC HEARING ITEMS

8. Proposed Reorganization to Detach 91 Glenside Way from San Rafael Sanitation District and Annex to Las Gallinas Valley Sanitary District / Sphere Amendments (action)

The Commission will consider a landowner's proposal for a reorganization to detach unincorporated territory at 91 Glenside Way in Los Ranchitos from the San Rafael Sanitation District and concurrently annex into the Las Gallinas Valley Sanitary District. Staff recommends approval with concurrent sphere of influence amendments involving both subject agencies. Standard terms are also recommended. The subject parcel is identified by the County Assessor as 179-261-72.

BUSINESS ITEMS

9. Proposed Annexation of 568 Wilson Avenue to the Novato Sanitary District (action)

The Commission will consider a landowner proposal requesting annexation of one unincorporated parcel totaling 1.09 acres within the Indian Valley community to the Novato Sanitary District. Staff recommends approval with a discretionary amendment to include a 0.10 acre portion of the public right-of-way on Wilson Avenue. Standard approval terms are also recommended. The subject parcel is identified by the County Assessor as 146-180-26.

10. Update on Countywide Water Municipal Service Review (information)

The Commission will receive a formal update on the Countywide Water Municipal Service Review in anticipation of staff presenting a final report – including determinations on all mandatory factors – at the January 14th meeting. The update is being presented for information only.

11. Pending Municipal Service Review / San Rafael-Lucas Valley Region (information)

The Commission will receive an update on preliminary work to date by staff in preparing the calendared municipal service review for the San Rafael-Lucas Valley region. This update is being presented for information only and in anticipation of staff preparing a formal scope of analysis for Commission consideration at a future meeting.

MARIN LAFCO December 10, 2015 Regular Meeting Agenda Page 3 of 3

CLOSED SESSION

12. Real Property Under Negotiation / Office Space

The Commission will meet in closed session to discuss and provide direction therein to agency negotiators – Chair Blanchfield and Vice Chair Condon – under Government Code Section 54956.8. This includes instruction on price and/or terms.

13. Potential/Anticipated Litigation

The Commission will meet in closed session concerning one item of significant exposure to litigation under Government Code Section 54956.9.

EXECUTIVE OFFICER REPORT

COMMISSIONER ANNOUCEMENTS AND REQUESTS

ADJOURNMENT TO NEXT MEETING:

January 14, 2016 (pending confirmation)

Attest:	
	Keene Simonds
	Executive Officer

Copies of all staff reports and documents subject to disclosure that relate to each item referred to on the agenda are available for public inspection at least 72 hours before each scheduled regular meeting at the LAFCO office at 555 Northgate Drive, Suite 230, San Rafael.

Pursuant to GC Section 84308, if you wish to participate in the above proceedings, you or your agent are prohibited from making a campaign contribution of \$250 or more to any Commissioner. This prohibition begins on the date you begin to actively support or oppose an application before LAFCO and continues until 3 months after a final decision is rendered by LAFCO. If you or your agent have made a contribution of \$250 or more to any Commissioner during the 12 months preceding the decision, in the proceeding that Commissioner must disqualify himself or herself from the decision. However, disqualification is not required if the Commissioner returns that campaign contribution within 30 days of learning both about the contribution and the fact that you are a participant in the proceedings.

Any person with a disability under the Americans with Disabilities Act (ADA) may receive a copy of the agenda or a copy of all the documents constituting the agenda packet for a meeting upon request. Any person with a disability covered under the ADA may also request a disability-related modification or accommodation, including auxiliary aids or services, in order to participate in a public meeting. Please contact the LAFCO office at 415-446-4409 at least three (3) working days prior to the meeting for any requested arraignments or accommodations.



Marin Local Agency Formation Commission

Regional Service Planning / Subdivision of the State of California

AGENDA REPORT

December 10, 2015 Item No. 10 (Business / Information)

December 4, 2015

TO: Local Agency Formation Commission

FROM: Keene Simonds, Executive Officer

SUBJECT: Update on Countywide Water Municipal Service Review

The Commission will receive a formal update on the Countywide Water Municipal Service Review in anticipation of staff presenting a final report – including determinations on all mandatory factors – at the January 14th

meeting. The update is being presented for information only.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 ("CKH") directs Local Agency Formation Commissions (LAFCOs) to regularly prepare municipal service reviews in conjunction with updating each local agency's sphere of influence. The legislative intent of the municipal service review and its five-year cycle requirement is to proactively inform LAFCOs and the general public therein with regard to the availability and sufficiency of governmental services relative to need. Municipal service reviews may also lead LAFCOs to take other actions under their authority, such as forming, consolidating, or dissolving one or more local governmental agencies.

A. Background

Countywide Water Study

Marin LAFCO ("Commission") current five-year cycle for preparing municipal service reviews and sphere of influence updates was organized and adopted in June 2014 as part of a study schedule that extends through 2017/2018. The study includes direction to staff to prepare a countywide municipal service review on public water services ("water study") with a separately approved scope of work providing guidance on content, process, and focus. The scope of analysis divides the water study into multiple presentation phases beginning with individual profiles on all six affected agencies and ending with a final report with determinative statements as required by the Legislature and relative to the Commission's regional growth management responsibilities.

West Marin Agencies	East Marin Agencies
Bolinas Community Public Utility District	Marin Municipal Water District
Inverness Public Utility District	North Marin Water District
Muir Beach Community Services District	Las Gallinas Valley Sanitary District *
Stinson Beach County Water District	Novato Sanitary District *

^{*} Non Potable Wholesale Service Providers / Cursory Reviews

Presentation of Draft Report

The Commission received a draft report from the Executive Officer on the water study on September 10, 2015. The draft report was prepared consistent with the approved scope of work and includes – among other items – recommendations and determinations addressing the mandatory factors required for consideration per the Legislature as part of the municipal service review mandate. This includes independent statements on infrastructure needs and deficiencies, population projections, financial standing, and opportunities and merits therein on alternative governance structures. In step with receiving public testimony on September 10th the Commission discussed the draft report and proceeded to direct staff to initiate a 60-day public review and comment period. The Commission also directed staff to proceed with preparing a final report for formal consideration by the membership at a future meeting.

B. Discussion

Status Update on Water Study

This item is for the Commission to receive a formal update on the water study and specifically as it relates to (a) comments received on the draft report and (b) disposition on preparing a final document for formal Commission consideration.

Comments on Draft Report

The Commission received a total of eight written comments on the draft report through the 60-day comment period. The substance of the comments – which are equally divided between affected agencies and members of the general public - range from technical corrections and enhancements to disagreement towards specific determinations and findings. The latter, notably, includes a shared concern among multiple commenters that staff's reliance on a five-year data set in making projections and related findings is too short and adversely effects the analysis. Copies of all eight written comments are attached.

Preparing Final Report / January 14th Hearing

Staff is nearing competition on a final report with the expectation it will be released to the Commission and general public at or shortly thereafter the December 10th meeting and ahead of its formal presentation on January 14th. The final report will include an appendix with all written comments submitted on the earlier draft and incorporate several related revisions therein. The final report will ultimately be presented for Commission to formally receive and file along with a request to adopt a resolution making the required determinations under CKH. This includes the referenced matters of making findings on infrastructure needs, financial solvency, and need/merit of governance alternatives.

As previously communicated, staff believes the five-year data rage utilized in the report to – and among other items - in making projections in demand over the next 10 year period is consistent with the municipal service review statute and its explicit five-year update mandate under Government Code Sections 56425 and 56430.

C. Commission Review

This item has been agendized as part of the business calendar for information only and to telegraph underlying items set for formal consideration and potential action on January 14th. The Commission is invited to discuss the item and provide direction to staff on any related matter as needed.

Attachments:

1) Written Comments on Draft Report

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD

BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924

415 868 1224



November 20, 2015

Keene Simonds
Executive Officer
Marin Local Agency Formation Commission
555 Northgate Drive, Suite 230
San Rafael, California 94903

Re: BCPUD Comments on Marin LAFCO's Countywide Water Service Study.

Dear Mr. Simonds:

On behalf of the Bolinas Community Public Utility District ("BCPUD"), I am writing to provide this district's comments on Marin LAFCO's draft Countywide Water Service Study – August 2015 ("draft Study"). We appreciate the opportunity to provide our comments and urge you to take them into consideration before finalizing the draft Study. As always, if you have any questions or would like to discuss any of our comments, please do not hesitate to contact me.

BCPUD offers the following comments on the draft Study Summary (General Conclusions and Recommendations) set forth on pages 19 - 24 of the draft Study:

1. Usage for Most Public Water Systems Have Been Intensifying. The BCPUD has voiced its strong disagreement with this "takeaway" of the draft Study several times (in writing and during Marin LAFCO meetings) and has provided data to Marin LAFCO which clearly shows that water usage in Bolinas has declined by an average of nearly 5% annually during 2006-14 (see enclosed graph). We ask that you consider this data and revise this "takeaway" in the draft Study, at least insofar as Bolinas is concerned. To the extent this "takeaway" remains in the final Study, we respectfully note that it is Marin LAFCO's independent assessment and is not supported by the data provided to Marin LAFCO by the BCPUD.

Note: this erroneous finding is repeated elsewhere in the draft Study (e.g., the Written Determinations Section C, items 5, 7 and 13 b on pages 28-29, Agency Demands/Current Production Trends on page 59-61, System Demands on pages 120-121) and those sections similarly should be revised and corrected.

2. BCPUD Should Expedite the Expansion of its Water Treatment Facility to Abate Current Shortfalls and Accommodate Current and Projected Peak-Day Demands. The BCPUD does not have a current shortfall in its water treatment capacity (nor has Marin LAFCO provided any evidence of such) and we therefore are puzzled by this recommendation. On average, our water treatment plant operates at approximately 50-60% of capacity and the BCPUD easily produces sufficient treated water to meet current and projected demand. With regard to current and projected peak-day demand, the BCPUD has nearly four times the amount of peak-day demand of treated water in its storage tanks at all times (which is acknowledged in the draft Study) and therefore has no reason to invest customer revenue in expanding its treatment plant. Peak day demand in the BCPUD (as measured by the BCPUD) almost always correlates with holidays such as July 4th and/or

Keene Simonds November 20, 2015 Page Two

Labor Day when thousands of tourists come to Bolinas and therefore is unrelated to (and not predictive of) usage by district customers. For further detail about Bolinas' peakday demand, please see the BCPUD comments provided to Marin LAFCO on March 28, 2015 concerning the draft updated agency profile.

Note: this misplaced recommendation is repeated elsewhere in the draft Study (*e.g.*, System Demands, pages 120-122) and those sections similarly should be revised and corrected.

- 3. The West Marin Agencies Should Jointly Prepare a Water Reliability Report. The BCPUD has no objection to this recommendation and suggests the affected agencies consider jointly applying to appropriate state and/or federal funding sources for grant monies to pay for the preparation of such a report.
- 4. All of the Water Agencies Should Consider Pooling Resources and Establishing Joint Procurement Processes for Services and Supplies. The BCPUD maintains cooperative relationships with the other water agencies and historically pools resources/shares information with its closest West Marin neighbors (SBCWD and IPUD) on matters of common concern, such as the reduction of chlorine disinfection byproducts in the districts' treated drinking water. We respectfully disagree that a joint procurement process for good and services would produce cost-savings given the different needs and geographic locations of the districts.
- 5. All of the Water Agencies Should Consider Supply Enhancements to Complement Ongoing Conservation Programs. Prior to the release of the draft Study, Marin LAFCO had not addressed the topic of supply enhancement with the affected agencies. That said, the BCPUD for some time has been conducting a water supply study to evaluate the potential for using groundwater to supplement its surface water supply sources. Please note that the draft Study on page 116, footnote 49 erroneously suggests that study is completed and has concluded that the groundwater aquifer under evaluation is not a suitable supplemental source for the district's potable water supply -this is incorrect and should be removed from the footnote.
- 6. BCPUD Should Prepare an Update on the Status of its Moratorium on New Water Service Connections. The BCPUD will prepare such an update by no later than December 31, 2016.

In closing, we note that the BCPUD previously provided two sets of extensive comments on draft versions of the agency profile of our district (copies of our prior comments are enclosed with this letter) and we therefore are not commenting further on the agency profile at this time. Please let me know if you have any questions about this letter and/or any of the referenced data.

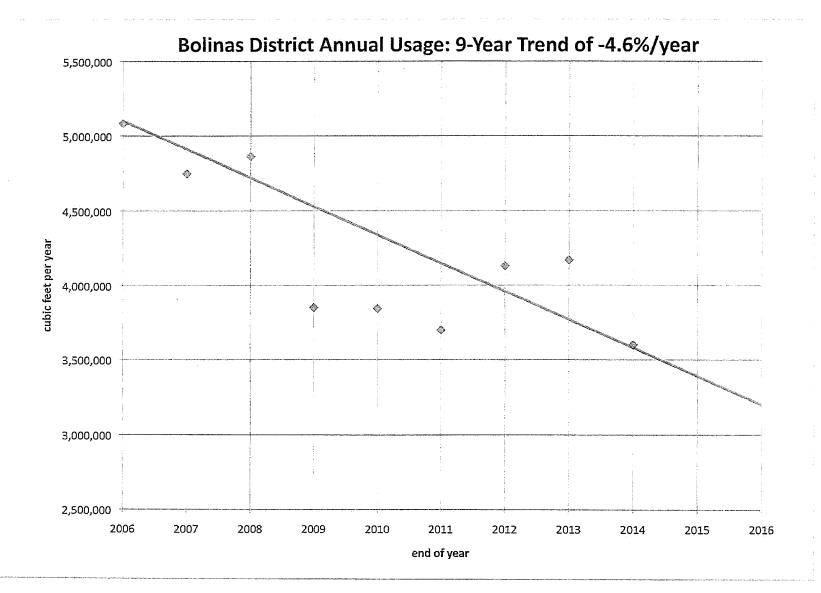
Keene Simonds November 20, 2015 Page Three

Thank you once again for this opportunity to comment on Marin LAFCO's draft Countywide Water Study.

Very truly yours,

Jennifer Blackman General Manager

enclosures





Inverness Public Utility District

Fire Department & Water System
P.O. Box 469, Inverness, CA 94937-0469

Phone: 415.669.1414 Fax: 415.669.1010 Email: ipud@horizoncable.com

Keene Simonds, Executive Officer Marin Local Agency Formation Commission 555 Northgate Drive, Suite 230 San Rafael, CA 94903

10/7/2015

RE: Comments Draft Report Countywide Service Review on Public Water Systems

Dear Mr. Simonds:

Thank you for the opportunity to comment on the Draft Report Countywide Service Review on Public Water Systems (Report). This document reflects the hard work, attention to detail, and commitment that you and the Marin LAFCO staff have dedicated to this project. Below please find comments on this Report from the Inverness Public Utility District (IPUD).

Overlapping Sphere of Influence Boundaries Between IPUD and NMWD

Marin LAFCO completed an inaugural municipal service review of IPUD in 2007. As a result of the 2007 review, Marin LAFCO included the following in their 2007 *Inverness Area Service Review And Sphere Of Influence Update* regarding the overlapping sphere of influence between IPUD and North Marin Water District (NMWD):

During this service review, it was discovered that there are overlapping boundaries of Inverness PUD and North Marin Water District. NMWD annexed a larger area including Inverness in 1967, anticipating the public purchase of several private water systems serving the area. Subsequently, IPUD rather than NMWD purchased the private system operating within its boundaries creating overlapping boundaries of special districts providing water.

Staff recommends that the sphere of influence of NMWD be reevaluated in order to eliminate this boundary overlap. This topic will be taken up in more detail in a subsequent study of Marin County water service agencies.

Staff recommends that the Commission affirm the current Sphere of Influence for the Inverness Public Utility District based on a lack of advantage of organizational alternatives and on the public ownership of all surrounding territory. Staff recommends that the Commission affirm the existing sphere of influence that is coterminous with the District's boundary.

Subsequent to this 2007 review, Marin LAFCO passed Resolution 07-22 affirming that IPUD's sphere of influence is coterminous with IPUD's boundaries.

As part of this current Countywide Municipal Water Service Review, IPUD requests that Marin LAFCO eliminate this sphere of influence overlap by removing NMWD from IPUD's sphere of influence.

OCT 1 4 2015

System Demands

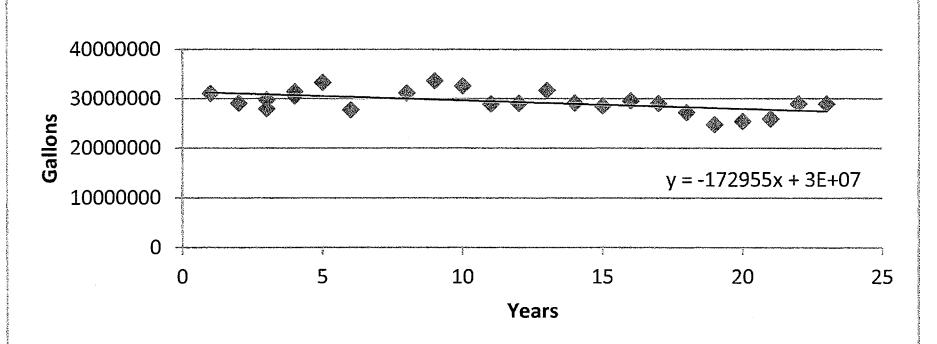
IPUD water-system production of potable drinking water has been trending downward (see attached graph). This downward trend is based on actual potable water production. A contradiction exists between the Report's projected trend, and the actual trend. This contradiction stems from the Report's use of a limited, 5-year time frame of water production. IPUD's trend analysis is based on actual production data, and encompasses a longer, 23-year period. Analyzing this longer period provides a more accurate projection of future production demands.

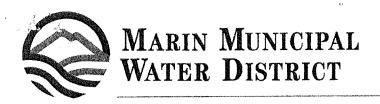
Best Regards,

∕Scott McMorrow General Manager

Attachment: IPUD Domestic Drinking Water Production Trend Graph: 1991-2014







220 Nellen Avenue Corte Madera CA 94925-1169 www.marinwater.org

October 20, 2015

Keene Simonds, Executive Officer Marin LAFCO 555 Northgate Drive, Suite 230 San Rafael, CA 94903

RE: Countywide Water Service Study, Draft Report, August 2015

Dear Mr. Simonds:

The Marin Municipal Water District has appreciated the opportunity to provide information you've requested in support of Marin LAFCO's preparation of the Draft Countywide Water Service Study (August 2015), also known as the Municipal Service Review or MSR, and participate in Commission meetings to discuss the draft MSR on May 14th, August 26th and September 10th. The District is in receipt of the draft MSR and offers the following comments:

Of the fourteen recommendations included in the draft MSR, four indirectly or directly involve MMWD and are listed below.

- Recommendation #3. MMWD should expedite the expansion of potable storage in the Ross Valley service zone to abate existing shortfalls and accommodate current and project peak-day demands.
 - o Response: We agree. MMWD's Water Storage Improvement Project is specifically designed to improve storage in the Ross Valley service area.
- Recommendation #5. All six affected agencies should consider pooling their respective resources by region (i.e., West and East) and establish joint procurement processes in securing services and supplies given their combined buying power would presumably produce cost-savings on items of mutual need and benefit.
 - o Response: We agree. MMWD already pools its resources with other water agencies where possible, including participation in the Bay Area Chemical Consortium for purchasing water treatment chemicals.
- Recommendation #6. The Commission recommends all six affected agencies make a concerted effort to consider supply enhancement to complement ongoing conservation programs to remain fully accountable to future constituents given new growth will occur.
 - o Response: We agree that supply enhancements should be considered, but not to accommodate new growth. Rather, water supply enhancements should be considered to improve water resiliency. Pending completion of the



District's 2015 Urban Water Management Plan, we anticipate that future water demands will likely be reduced over time, due to further water efficiency improvements. Marin LAFCO's MSR concurs with this assessment by projecting a decrease in potable water demand 6.4% through 2023. The District is currently preparing its Water Resources Plan 2040 which will evaluate improving water supply resiliency.

- Recommendation #13. The Commission should consider directing staff to prepare an
 addendum to this study with agency participation to assess the viability of any service
 and cost efficiencies tied to consolidating MMWD and NMWD. The central objective
 of the addendum would be to inform the membership, agencies, and general public
 with respect to the merits/demerits of a potential consolidation and to justify any
 subsequent actions, including maintaining the status quo.
 - o Response: As this recommendation is directed to the Commission, and not MMWD or its operations, District staff has no comment.

Additional comments on the MSR are presented as follows:

- Page 21, paragraph 5, includes the following statement: "The agencies with the most substantive deficit demand-to-supply ratios are BCPUD and MMWD with both having shortages in all four demand-to-supply categories measured by the Commission."
 - o Response: This statement appears to be based on a comparison of MMWD's peak day demand of 34.7 mgd in 2013 with the Commission's projected available maximum day supply of 22.4 mgd during a repeat of the 76-77 drought. During a repeat of the 76-77 drought, peak day demands would be substantially lower than those experienced during 2013 due to implementation of the District's Dry Year Water Use Reduction Program, and would not exceed the maximum daily supply. Further, it is instructive to note that the <u>actual</u> peak day demand during the summer of 1977 was 14.9 mgd.
- Page 36, Item 12, includes the following statement: "MMWD has maintained positive year-end operating balances in all five years of the five-year reviewed with an average net of 8% of revenues over expenses. Trends during this time are also positive with the growth rate of revenues exceeding the growth rate of expenses by over threefold."
 - o Response: It should be noted that the LAFCO study does not include an analysis of the last two years of MMWD's revenues and expenses. MMWD has recently completed a Cost of Service analysis which indicates that without rate restructuring to stabilize revenues, the district will encounter significant budget deficits in the coming years. Due to customer conservation efforts, the District has experienced a significant reduction in recent sales and a commensurate reduction in revenues. While the District's historical annual demand has been

Keene Simonds, Executive Officer Marin LAFCO October 20, 2015 Page 3

approximately well above 25,000 acre-feet each year, for the first time the District is forecasting demands of below 23,000 acre-feet per year. Given further conservation efforts, the forecasted FY 2015/16 demand is under 22,000 AF per year. Given the reduction in demand and absent critical rate increases, the District will run budget deficits for each year of the forecast, indicating the need for increased revenue. The District anticipates these reduced demand levels will continue through at least FY 2015/16 and FY 2016/17. As forecasted, for the next five years, without additional revenues, the District will fail to meet its targeted bond coverage obligation of 1.50 times debt service in each year. Based on the results of this analysis, it is recommended that the District increase water revenues annually in order to meet projected revenue needs. Based on current projections, revenues will not adequately fund expenses or reserves in the coming years without the recommended increases.

- Page 218. The District's Legal Counsel is Mary Casey, not Mary Carey.
- Page 218. The District's Water System Operator is Erik Westerman, not Erick Westerman.
- Page 230, Table 4-100. Table 4-100 presents Marin LAFCO's potable water demand projection through 2023. The District is preparing its 2015 Urban Water Management Plan, which will include a detailed projection of future water demands through 2040. If interested, the District will provide a copy of its 2015 Urban Water Management Plan to Marin LAFCO when completed.
- Page 232. Table 4-101, "MMWD's Capacity Relative to <u>Current</u> Demands." It appears that Table 4-101 is based on a comparison of Marin LAFCO's projections of "Water Supply drought conditions" versus "Current Demands" and therefore since "Current Demands" exceed "Water Supply drought conditions" the MSR assigns a grade of "Insufficient Capacity." Please note that, during a drought, MMWD would implement its Dry Year Water Use Reduction Program with the goal of ensuring that water supply available meets or exceeds actual water demands.

We greatly appreciate the opportunity to comment on Marin LAFCO's draft MSR. Please contact me at 415-945-1435 or mban@marinwater.org if you have any questions.

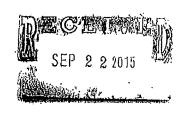
Sincerely,

Michael Ban, P.E.

Environmental and Engineering Services Manager

MB:mp





September 16, 2015

999 Rush Creek Place RO. Box 146 Novato, CA 94948

PHONE 415.897.4133

FAX

415.892.8043

EMAIL

info@nmwd.com

WEB

www.nmwd.com

Keene Simonds, Executive Officer Marin Local Agency Formation Commission 555 Northgate Drive Suite 230 San Rafael, CA 94903

Re: Marin LAFCO Countywide Water Service Study - North Marin Water District Comments

Dear Mr. Simonds:

Thank you for the opportunity to comment on the August 2015 Draft Report of the subject study. NMWD has had an opportunity to comment on the Agency Profiles prepared by Marin LAFCO for NMWD's Novato and West Marin service areas over the past 18 months. Although NMWD staff has provided data as requested to Marin LAFCO and made extensive comments on the Agency Profiles, the subject study reflects LAFCO's independent projections of population, water demand and water supply and do not match data provided and used by NMWD.

We direct Marin LAFCO and the general public to the NMWD information provided previously which does not support the written determinations reflected in the report, specifically Sections 2.3 C.4.; 2.3 C.18.b.; 2.3 D.2.,3.,4., and 5.; 2.3 D.12.a) thru d); 2.3 F.3.; 2.3 F.9.; (see also NMWD comment to Recommendation 13); and 2.3 H.1. (see comment also on Recommendation 14).

With regard to the **Recommendations** identified in Section **2.2B.** NMWD specific comments follow:

- 4: NMWD supports a joint Water Reliability Report prepared by the West Marin water agencies assessing each systems available supplies under different hydrologic scenarios based on shared planning assumptions.
- 5: All Marin water agencies included in this study already work cooperatively and to some extent pool respective resources by region and have established joint procurement processes, both for materials, supplies and services. NMWD and Marin Municipal have an Interconnection Agreement, participate in the Bay Area Chemical Consortium supply organization, belong to the North Bay Watershed Association, North Bay Water Reuse Authority, Association of California Water Agencies and share information dealing with the regional water wholesaler, Sonoma County Water Agency. Additionally, NMWD has an

Mr. Simonds Marin LAFCO August 31, 2015 Page 2

Emergency Inverness Intertie and Cooperative Services Agreement with Inverness Public Utility District providing for sharing of water supplies, services and manpower as needed.

- 6: All six affected agencies are currently making a concerted effort towards pursing supply enhancements to complement ongoing conservation programs and remain fully accountable to future customers resulting from new growth. These are reflected in our Urban Water Management Plans, Long Range Capital Improvement Plans, work with the North Bay Watershed Association, North Bay Water Reuse Authority and the Water Advisory Committee of Sonoma County Water Agency.
- 11: NMWD is cautiously interested in Marin LAFCO's consideration to expand our sphere of influence to account for existing NMWD outside service agreements.
- 12: NMWD does seek a boundary change to detach approximately 7,700 acres of unincorporated land from the District that includes Tomales Bay and Marshall area.
- 13: Should Marin LAFCO desire to undertake a study considering consolidation of NMWD and Marin Municipal, NMWD would expect to actively participate in developing the scope of work, consultant selection and the assessment, but has no desire to participate in the cost of such a study since NMWD water ratepayers have not indicated any interest in such a consolidation.
- 14: This recommendation to explore and discuss the potential to establish community wastewater systems within the West Marin area is entirely out of context in this water service study, should not be included as a recommendation and should not be undertaken. We suggest that any study to explore potential community wastewater systems should be undertaken at the behest of the specific community where onsite wastewater systems are found to cause widespread negative impacts to water quality as reported by Marin County Environmental Health Department, not by Marin LAFCO.

Specific Comments on the other sections of the report follow:

Section 3.2 A.5.0 (Page 57) Overall and Agency Sources/Maximum Daily
Per Capita Allowances at Buildout — There is no title or number provided to this

Mr. Simonds Marin LAFCO August 31, 2015 Page 3

chart and NMWD suspects that the data is skewed based on a 5-year analysis which is not weather normalized. We recommend Marin LAFCO include a chart for both Novato and West Marin showing gpcd (gallons per capita per day) over a longer term (attached).

Section 3.2 B.1.0. (Page 58) Overall Demands/Current Production Trend – The chart showing Average Water Demands is based on a 5-year average and is not weather normalized.

Section 4.2 East Marin Region, B. North Marin Water District, 6.2 Supplies Supply Reliability (Page 253) - The report states: "Last, though not an immediate issue, NMWD's contract with SCWA is set to expire no later than 2080."

The statement is incorrect. The Restructured Agreement for Water Supply with Sonoma County Water Agency provides that: "the Agency shall enter into renewal agreements for periods not to exceed 40 years each with any or all of the Water Contractors requesting the same for water supplies within the delivery capabilities of the Agency's Transmission System,..."

Thank you for the opportunity to comment.

Sincerely,

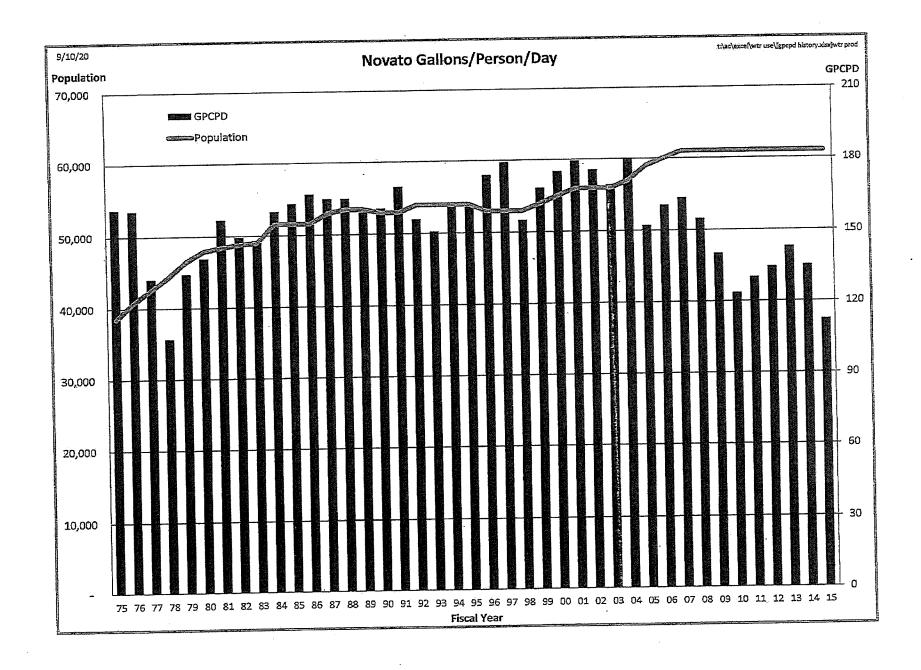
Chris DeGabriele General Manager

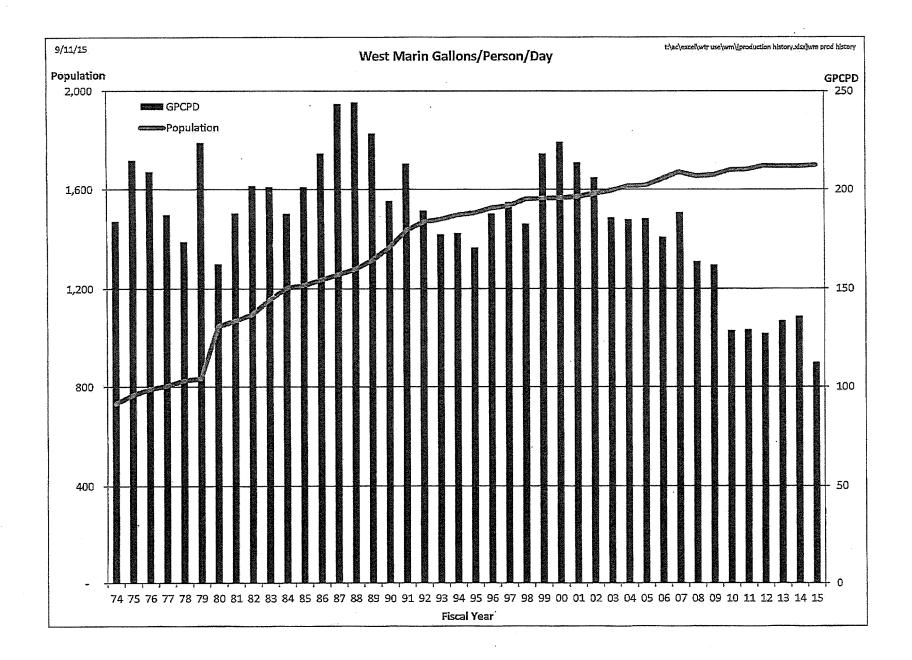
CD/kly

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Enclosures: Novato Gallons/Person/Day Chart West Marin Gallons/Person/Day Chart

Cc w/enclosures; Jennifer Blackman, BCPUD General Manager Krishna Kumar, MMWD General Manager Scott McMorrow, IPUD General Manager Ed Schmidt, SBCWD General Manager Steve Wynne, MBCSD General Manager





Marin LAFCO Water Study2015 Some Proposed Revisions to the Draft

TO:

The Marin County Local Agency Formation Commission

FROM:

Martha E. Ture

RE:

Comments and proposed revisions, LAFCO Draft Water Study 2015

The Marin County Local Agency Formation Commission (LAFCO) has released its Draft Water Study for public comment. The 60-day comment period began on September 14, 2015. It is anticipated a final staff report would be presented to the Commission at the December 10, 2015 meeting.

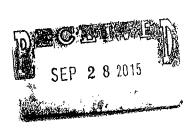
The purpose of the report is to summarize information provided to LAFCO from each water district in Marin County, and to provide a planning document to the county and to the state.

Here are my comments on the draft and proposed revisions.

1. The Marin Municipal Water District (MMWD) has not yet released its 2015 Urban Water Management Plan, ("Plan") and has not provided data to LAFCO for the LAFCO report.

LAFCO's information in the Draft Water Report is thus not current. MMWD expects to have its Plan completed in 2016. Because MMWD is the largest water district in Marin County, in that it serves the greatest number of people in Marin County and covers the greatest amount of geography, LAFCO's report can not be accurate or complete without MMWD's up to date information.

MMWD's planning document is being researched and written by experts in the necessary fields of engineering, hydrology, fisheries, environmental science, finance, long-range outlook, etc., its Plan data can not be made available to LAFCO within the coming 60 day comment period. In summary, LAFCO's report is incomplete without data from the biggest water district in the county; the biggest water district in the county, MMWD, has not yet provided necessary information to LAFCO so that LAFCO's due diligence requirements would be met; and MMWD's report will not be available until sometime in 2016. Thus, in order to produce its Water Study for public comment and meet its due diligence, LAFCO



will have to await MMWD's input.

2. Current buildout will add 30,000 new residents to public water systems.

On page 20 of the Draft Report, is a footnote without a citation. It states "The 12 land use authorities (County of Marin and the 11 cities in Marin County) collectively contemplate up to 8,810 new housing units – producing a projected 28,728 additional residents – may be constructed in the seven service areas at buildout based on current land use policies."

Lack of citation aside, the central issue within this statement and within the Draft Report is the question of what is driving the planning process, water availability or development pressure? This question has arisen repeatedly over the past 40 years. State law, overturned in the 1990's, used to require that no new development could occur without a finding of where the necessary water would come from. We are now in the fourth year of a drought that requires us to re-visit this mandate.

There are conflicting pushes, from the State Housing Authority and the Association of Bay Area Governments, demanding that counties and municipalities present plans to house increased numbers of people. But these demands and projections were created prior to the current drought, and prior to the climate change data and forecasts made by our federal and state agencies.

We are being told by these federal and state scientific agencies to presume disruption, not normality, and we are directed to presume water scarcity. For example, the U.S. Geological Services advises that we plan for reduced snowpack (winter snowpack accounts for between 60 to 80 percent of the annual water supply to more than 70 million people living in the western U.S.) http://ca.water.usgs.gov/data/drought/drought-water-decisions.html

For another example, research at UC Berkeley and the California Department of Water Resources direct us to plan for lower snow pack, less reliability in water, and the necessity of contingency planning.

http://www.water.ca.gov/climatechange/docs/IRWM CCReport Final June2012 EConrad UCBerkeley.pdf

3. The Draft Report data are taken from the time period 2009 - 2013. This means that the last 2 years of a 4 year drought are not included in the report and are not assumed for planning purposes.

The draft report assumes a normality based on the data set that we must not assume. Based on analyses from California Department of Water Resources, see above, we must assume lower snow pack, less reliability in water, and the necessity of contingency planning. To make a planning document based on data that ignores a historical, even geologically significant event, does not meet due diligence requirements.

The most significant issue here is the appearance of a failure to grasp the likelihood of long-term reduction in available potable water due to climate change. The phrase "normal conditions" and the word "normal" were used several times during the course of the September 10 LAFCO meeting. Scientists say it's been 500 years since California has been this dry: "Researchers knew California's drought was already a record breaker when they set out to find its exact place in history, but they were surprised by what they discovered: It has been 500 years since what is now the Golden State has been this dry. California is in the fourth year of a severe drought with temperatures so high and precipitation so low that rain and snow evaporate almost as soon as it hits the ground. A research paper released Monday said an analysis of blue oak tree rings in the state's Central Valley showed that weather conditions haven't been this dire since the 1500s. That was around the time when European explorers landed in what became San Diego, when Columbus set off on a final voyage to the Caribbean, when King Henry VIII was alive. ... " Read more from the Washington Post here: Scientists say it's been 500 years since California has been this dry

I would probably add to the LAFCO draft an elaboration on modelling under different assumptions when facing unknowns (a 30-year drought? A rising sea level, injecting salt water into the groundwater?) and the necessity of adaptation strategies in planning, making use of potential grants, and making use of existing work and networks of people - for example http://www.water.ca.gov/climatechange/docs/IRWM CCReport Final June2012 EConrad UCBerkeley.pdf

4. The draft report proposes building more storage to meet increased demand from increased population.

MMWD has already added capacity, and are committed to sustainable water management, driven by living within our limitations. It is not financially responsible to propose building additional storage. Hypothetical increased demand for water, services, roads, schools, etc. can not be accommodated via a LAFCO water plan. Instead, that hypothetical increased demand needs to be analyzed in light of 4 years of drought and a forecast of uncertainty and less precipitation.

5. No mention is made in the draft of the water planning and engineering problems we have been told by federal and state agencies that we are certain to face from rising seas. The forecast is another 8 inches of sea water rise within a decade. That means that on the Bay side of the county, where development is slated, we need to address engineering concerns re low points on Highway 101 (cf Lucky Drive), soil saturation, salt water intrusion, etc.

It is LAFCO's policy to focus any additional development in the Highway 101 corridor, which is going to be impacted by rising seas. Assessing these impacts will require inventory and analysis of costs of protecting underground public utilities, property parking and foundations, highway buffering or relocation, etc. The division of labor among county, state, and federal agencies has not been examined.

Sea Level Rise

In addition, the Commission's policy position to keep any new development in the Per the National Academy of Sciences, the sea level will rise along the Bay Area coast up to 12 inches in the next 17 years, 2 feet by 2050, and up to 5 feet by 2100. http://www.marinij.com/general-news/20120622/california-faces-more-serious-risk-of-sea-level-rise-than-other-areas

The Golden Gate tidal gauge has recorded an 8 inch (20.3 cm) rise in sea level in San Francisco Bay over the past one hundred years. Projections indicate a possible 11 to 19 inch rise over 2000 levels by mid-century and as much as 30 to 55 inches by 2100. Even if aggressive action to mitigate climate change begins immediately, significant levels of sea level rise is assured all along the California coast and San Francisco Bay in the coming decades.

http://globalwarmingisreal.com/2013/07/24/sea-level-rise-adaptation-strategies-

for-the-san-francisco-bay-area/

The Pacific Institute has provided maps of projected sea level rise for Marin County.

http://www2.pacinst.org/reports/sea_level_rise/gmap.html

http://www2.pacinst.org/reports/sea level rise/hazmaps/San Quentin.pdf

http://www2.pacinst.org/reports/sea level rise/hazmaps/San Rafael.pdf

Other work being done in and with Marin County:

http://bairwmp.org/projects/marin-county-sea-level-rise-land-use-adaptation-1

 $\frac{http://docs.cityofsanrafael.org/CityMgr/Green/sea\%20level-issues-paper-city-ofsanrafael.pdf}{san-rafael.pdf}$

http://mavensnotebook.com/2015/07/28/projecting-inundation-in-the-san-francisco-bay-sea-level-and-tides/

Clearly, we need to work with these facts.

Thank you for this opportunity to comment. Please feel free to contact me with any questions you may have.

Very truly yours,

Martha E. Ture 186 Canyon Road Fairfax, CA 94930

Scott McKown

687 Sequoia Valley Road • Mill Valley, CA 94941 Phone: 415-464-7093 • E-Mail: samckown@mac.com

August 14, 2015

Keene Simonds
Executive Officer
Marin Local Agency Formation Commission
555 Northgate Drive, Suite 280
San Rafael CA 94903

Subject: Water Study Report

Keene:

Two West Marin Districts took issue with certain aspects of the draft report at last night's meeting. Unless staff finds reasons to amend the report based on new information, I suggest that these and future challenges become a part of "Comments on the Report."

The issues raised so far relate to projection of future outcomes. By incorporating the challenges, the Commission will be able to assess the report's future outcomes estimates against the proposed alternative projections.

Sincerely

Scorence

Keene Simonds

From:

Stacey Henderson <staceyhenderson@compuserve.com>

Sent:

Monday, August 24, 2015 12:48 AM

To:

Keene Simonds

Subject:

comment on Bolinas CPUD service review

Dear Mr Simonds,

I would like to offer a possible correction to your draft service review. I would like to help your report to be as accurate as possible, especially regarding my community.

In the Marin LAFCO Countywide Water Study, dated August 13, 2015, on page 111, there is a map labeled 3.5 Agency Map. In this map, there is an area labeled "Dogpatch" that is just north of the service area of the BCPUD. While there is small community about a mile further north, on State Route One called "Dogtown", to the best of my knowledge, we do not call that labeled area "Dogpatch".

I thought I should give you more than just my opinion of the subject. I saw that your trusted sources were MarinMap and Google Maps, so I searched those websites to find out what I could.

A MarinMap search for "Dogpatch" had zero matches.

A MarinMap search for "Dogtown" brought me three matches, 5905 and 5925 State Route One, plus 146 Elm St, Bolinas (the last of these seems likely to be an error). The first two addresses are just north of the Bolinas Wye, in the area I mentioned.

I searched Google maps for "Dogpatch" in Marin County. I found zero results for Marin County, but learned there is a neighborhood in San Francisco with that name.

Google maps gave me this map to get to Dogtown from 7 Wharf Road, in Bolinas. By the way, Dogtown has also been called Woodville. They are one in the same.

https://goo.gl/maps/nWuEM

I hope you find this information helpful. Please do let me know what you decide.

Thank you for your time,

Stacey Henderson 415-868-2004

The secret to happiness is a Good Sense of Humor and a Bad Memory. --John Wagner

From: Matthew Lewis [mailto:lewisconst62@yahoo.com]

Sent: Thursday, August 13, 2015 10:20 PM
To: Keene Simonds < KSimonds@marinlafco.org >
Subject: Marin LAFCO County Water Study: BCPUD

Dear, Keane:

I just glanced at the August 13, 2015 Marin, Lafco County Water Study report for the Bolinas Community Public Utility District (BCPUD) and see at least two items that need to be corrected:

- 1. Ref. Page 113: Active Service Powers needs to include "non-potable water services."
- 2. Ref. Page 116: Foot Note at the bottom of the page regarding BCPUD's establishing a groundwater well... This well is 200' deep. They can draw up to 15,000 gallons/day. They are the organization that controls this well and its non-potable services. All usage of this well is under the supervision and control of the BCPUD.

I have provided a copy of the drilling report for this well.

The maximum usage of 15,000 gals/day for this well was established when they adopted the Negative Declaration for the Bolinas Community Public Utility District's Mesa Park Ballfield Irrigation and Public Restroom Project.

MEMORANDUM

To:

Board of Directors

December 11, 2015

From:

Chris DeGabriele, General Manager

Technical Advisory Committee Meeting - December 7, 2015 Subject:

t:\gm\scwa\tac minutes and agenda\2015\tac od notes 120715.doc

RECOMMENDED ACTION:

Information Only

FINANCIAL IMPACT:

None

Agenda and supporting information attached.

Public Comment 2.

Brenda Adelman commented on the NY Times Editorial distributed to the TAC written by Nicholas Kristof on endocrine disrupting products in the environment. Adelman requested that comprehensive studies on the issue in the Russian River be undertaken and expressed her concern regarding use of Recycled Water for irrigation on playing fields.

3. Water Supply Conditions and Temporary Urgency Change Petition

Grant Davis reported that Lake Sonoma is at 66% of water supply pool, approximately 160,000AF; Lake Mendocino at 57% of target storage curve at 27,000AF. Pam Jeane advised that the Temporary Urgency Change Order expired on October 28th. SCWA plans to file a petition for another Temporary Urgency Change in early January. The PG&E variance for flows in the Eel River and diversions through the Potter Valley Project have been approved. A working group is meeting to set streamflow requirements but inflow to Lake Mendocino from the Eel River will be depressed again this winter. Pam further reported that the estuary is closed, although some Chinook Salmon have made it into the Russian River during brief openings.

41. Sonoma-Marin Saving Water Partnership Water Use Relative to 2013 Benchmark

The table showing the Sonoma Marin Saving Water Partnership water production compared to the State conservation target was distributed. It was noted that North Marin's October reported production is only 5% below the 2013 Benchmark. The parties were informed that this is due to the number of days in the reporting period in 2013 compared to 2015 and that November data would show North Marin back on track.

4ii. Governor's E.O. Extending Emergency Urban Water Conservation Regulations through October 2016 if Drought Conditions Persist beyond January 2016

Letters from North Marin Water District along with the larger consortium letter advocating for a regional compliance option were distributed to the parties. The State Board's workshop is also being held on December 7th. Its anticipated that the State Board will enact continuance of the regulation with any necessary changes at their February 2016 meeting.

4iii. Recent Outreach

The parties recapped on recent outreach undertaken. Grant Davis advised that the Sonoma Marin Saving Partnership was nominated for a "Best in Blue" Award at the recent ACWA conference. A video showcasing the partnerships efforts was highlighted among all ACWA attendees; however, Dublin-San Ramon Community Services District won the award this year. Brad Sherwood from the Water Agency advised that the reservoir storage updates will begin again in the local newspapers. Petaluma and Windsor advised that messaging advocating continued conservation saves on sewer bills is being promoted in winter months and Santa Rosa indicated they are ready to kick off a direct install toilet retrofit program in their service area.

5. Consider WAC Support Letter for Safe Medicine Disposal Ordinance

The TAC had no objection to recommending the WAC send a letter of support to the Russian River Watershed Association. It was suggested that funds being spent now be identified in the letter, which will be considered by the WAC at their February meeting.

6. Biological Opinion Status Report (also included in your packet)

Pam Jeane reviewed the December 2015 B.O. update. It was noted that on March 3, 2016, the Public Policy Facilitating Committee will meet at the Westside Water Education Center. An item on that agenda will include signing of NOAA (NMFS) first ever Safe Harbor Agreement between NOAA and Sonoma County Water Agency providing take protection for landowners who participate in the habitat enhancements along Dry Creek.

TECHNICAL ADVISORY COMMITTEE MONDAY, DECEMBER 7, 2015 9:00AM

Utilities Field Operations Training Center 35 Stony Point Road, Santa Rosa, CA

- 1. Check In
- 2. Public Comment
- 3. Water Supply Conditions and Temporary Urgency Change Petition
- 4. Sonoma Marin Saving Water Partnership
 - i. Water Use Relative to 2013 Benchmark
 - ii. Governor's E. O. Extending Emergency Urban Water Conservation Regulations through October 2016 if Drought Conditions Persist beyond January 2016
 - iii. Recent Outreach
- 5. Consider WAC Support Letter for Safe Medicine Disposal Ordinance
- 6. Biological Opinion Status Update
- 7. Items for next agenda
- 8. Check Out

SundayReview | Op-Ed Columnist

Contaminating Our Bodies With Everyday Products

NOV. 28, 2015

Photo Activists in Paris protest the use in common household products linked to endocrine disruption in March 2014. Credit Bertrand Guay/Agence France-Presse — Getty Images

Nicholas Kristof

IN recent weeks, two major medical organizations have issued independent warnings about toxic chemicals in products all around us. Unregulated substances, they say, are sometimes linked to breast and prostate cancer, genital deformities, obesity, diabetes and infertility.

"Widespread exposure to toxic environmental chemicals threatens healthy human reproduction," the International Federation of Gynecology and Obstetrics warned in a landmark statement last month.

The warnings are a reminder that the chemical industry has inherited the mantle of Big Tobacco, minimizing science and resisting regulation in ways that cause devastating harm to unsuspecting citizens.

In the 1950s, <u>researchers were finding</u> that cigarettes caused cancer, but the political system lagged in responding. Now the same thing is happening with toxic chemicals.

The gynecology federation's focus is on endocrine disrupters, chemicals that imitate sex hormones and often confuse the body. Endocrine disrupters are found in pesticides, plastics, shampoos and cosmetics, cash register receipts, food can linings, flame retardants and countless other products.

"Exposure to toxic chemicals during pregnancy and lactation is ubiquitous," the organization cautioned, adding that virtually every pregnant woman in America has at least 43 different chemical contaminants in her body. It cited a National Cancer Institute report finding that "to a disturbing extent babies are born 'prepolluted."

This warning now represents the medical mainstream. It was drafted by experts from the American College of Obstetricians and Gynecologists, the American Society for Reproductive Medicine, the World Health Organization, Britain's Royal College of Obstetricians and Gynecologists, and similar groups.

Such medical professionals are on the front lines. They are the ones confronting rising cases of hypospadias, a birth defect in which boys are born with a urethra opening on the side of the penis rather than at the tip. They are the ones treating women with breast cancer. Both are conditions linked to early exposure to endocrine disrupters.

The other major organization that recently issued a warning is the Endocrine Society, the international association of doctors and scientists who deal with the hormone system.

"Emerging evidence ties endocrine-disrupting chemical exposure to two of the biggest public health threats facing society — diabetes and obesity," the <u>Endocrine Society said</u> in announcing its 150-page "scientific statement." It added that "mounting evidence" also ties endocrine disrupters to infertility, prostate cancer, undescended testicles, testicular cancer, breast cancer, uterine cancer, ovarian cancer and neurological

State Water Resources Control Board Conservation Standard Tracking for the Sonoma-Marin Saving Water Partnership

Table 1: Current Month - Water Use Relative to 2013 Benchmark

Water Retailer	October 2015	2013 Benchmark	Relative to 2013	Conservation	October 2015
	(Gallons)	(Gallons)	Benchmark	Standard	GPCD*
Cal Am	21,845,000	28,632,000	24%	25%	79
Cotati	26,392,742	33,790,749	22%	20%	117
Marin Municipal	700,032,220	846,887,859	17%	20%	120
North Marin	298,640,584	313,000,000	5%	24%	157
Petaluma	232,429,518	284,716,052	18%	16%	122
Rohnert Park	134,902,314	170,000,000	21%	16%	100
Santa Rosa	572,191,793	725,805,260	21%	16%	109
Sonoma	63,003,584	83,551,564	25%	28%	176
Valley of the Moon	86,676,366	105,214,167	18%	20%	124
Windsor	99,091,289	119,097,067	17%	16%	117
SMSWP Total	2,235,205,411	2,682,062,718	17%	19%	122

^{*} GPCD is provided as information only

Table 2: Aggregate June 2015 to Date Relative to 2013 Benchmark

Water Retailer	Aggregate June 2015 to Date (Gallons)	2013 Benchmark (Gallons)	Relative to 2013 Benchmark	Conservation Standard
Cal Am	115,608,672	158,675,000	27%	25%
Cotati	123,430,768	165,727,819	26%	20%
Marin Municipal	3,633,355,956	4,599,070,299	21%	20%
North Marin	1,224,122,366	1,747,000,000	30%	24%
Petaluma	1,208,239,215	1,612,563,615	25%	16%
Rohnert Park	671,787,456	835,000,000	20%	16%
Santa Rosa	2,709,083,741	3,642,058,950	26%	16%
Sonoma	289,310,525	409,217,256	29%	28%
Valley of the Moon	395,780,906	544,644,368	27%	20%
Windsor	514,106,527	676,564,014	24%	16%
SMSWP Total	10,884,826,132	14,231,846,321	24%	19%



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November 17, 2015

Commentletters@waterboards.ca.gov

Jeanine Townsend, Clerk to the Board State Water Resources Control Board 1001 | Street Sacramento, CA 95814

Subject: Comment Letter - Urban Water Conservation Workshop

Dear Chair Marcus and Members of the State Board:

Thank you for the opportunity to provide input on the potential extension and modification of the current Emergency Regulations for Statewide Urban Water Conservation (Emergency Regulations) if drought conditions persist into 2016. North Marin Water District (NMWD) serves approximately 62,000 people in northern Marin County, principally in the vicinity of Novato California. To date, since June 2015, NMWD customers have reduced water consumption 475 million gallons, resulting in a 31% cumulative savings compared to the same period in 2013, and exceeding the State mandated Conservation Standard of 24%.

In response to questions included in the Notice of Public Workshop NMWD offers the following:

- 1. What elements of the existing Emergency Regulation, if any, should be modified in an extended Emergency Regulation?
 - a. NMWD asks that the addition of a Regional Compliance Option to the current Emergency Regulation framework be included. NMWD is a member of the Sonoma Marin Saving Water Partnership (SMSWP) which advocated for a regional compliance approach in its' April 22, 2015 letter to the State Board staff. A more expanded Regional Compliance Option proposal has now been forwarded to the State Board staff from a broader coalition of water agencies who currently have formed alliances to comply with SBx7-7 requirements. This recent Regional Compliance Option proposal was presented to State Board staff on October 26, 2015 during an informal workgroup meeting. The Regional Compliance Option will achieve the same water savings as the participating individual water agencies. This

Ms. Townsend SWRCB December 2, 2015 Page 2

- option does not require any changes to individual water agency
 Conservation Standards, baselines or reported production figures and
 relies on voluntary participation from individual water agencies that
 choose to form a multiagency region to reach compliance with the
 State Water Resources Control Board's emergency regulation,
- b. NMWD also asks that water production savings exceeding the Conservation Standards for a region or individual agency during the June 2015 through February 2016 period be "rolled over" and credited to the region or individual agency during any extension period. We ask that any proposed extension period, prospectively beginning on March 1, 2016, not restart from a perspective of no conservation savings to-date when a region or individual agency has ended the original measurement period with cumulative savings exceeding its Conservation Standard.
- 2. What additional data, if any, should the State Water Board be collecting through the Emergency Regulation and how would it be used?
 - a. For future compliance evaluation purposes, NMWD requests State
 Board staff guidance to help standardize the methods used to account
 for bimonthly billing cycles and different number of days in each billing
 cycle. Water production information from water wholesalers are not
 always consistent between years because the wholesaler billing
 period does not always coincide with calendar month as now required
 for reporting. This request will provide more accurate data for
 comparison between current year and baseline year monthly
 reporting.
 - For future applicability of the Conservation Standard for a region or individual agency, NMWD suggests the State Board collect available water storage information for that region or agency monthly.
 - 3. How should the State Water Board account for precipitation after January 2016 in its implementation of any extension of the Emergency Regulation?
 - a. NMWD requests that any extension of Emergency Regulation beyond February 2016 include a trigger for regions or individual agencies based on a nexus between the mandated conservation standard and

Ms. Townsend SWRCB December 2, 2015 Page 3

current local water supply conditions. One way to do so is by reviewing the available water supply information monthly as suggested in response 2.b. above. The State Board can consider scaling back the applicable Conservation Standard when sufficient water supply as determined by reported water storage levels are sufficient to meet the region or agency needs. We suggest the State Board consider a 4% Conservation Standard when a region or agency has available water storage at or above 90% of the water supply pool for surface water reservoirs, on April 1, 2016. The Conservation Standard for a region or agency could be proportionately higher if water storage levels on April 1 are below 90%.

Once again, thank you for the opportunity to comment.

Sincerely,

Chris DeGabriele

NMWD General Manager

Defabrile























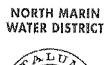




























November 23, 2015

Mr. Max Gomberg Environmental Program Manager Office of Research, Planning and Performance State Water Resources Control Board 1001 | Street Sacramento, CA 95814

Subject: Emergency Regulation Regional Compliance Option

Dear Mr. Gomberg:

We appreciate the opportunity to provide input on refinements to the current Emergency Regulation for possible inclusion in any future emergency regulations. We understand the current Emergency Regulation may be extended beyond February 2016 in response to the ongoing drought emergency. We are proposing the addition of a regional compliance option to the current Emergency Regulation framework. The regional compliance option will achieve the same water savings as the participating individual water agencies. This option does not require any changes to individual water agency conservation standards, baselines or reported production figures and relies on <u>voluntary participation</u> from individual water agencies that choose to form a multiagency region to reach compliance with the State Water Resources Control Board's emergency regulations.

The regional compliance option works by gathering a group of water agencies united by similar water sources, a wholesale agency or other local factors and calculating required water savings for each participating agency (based on 2013 baseline production and State Water Resources Control Board assigned individual water agency conservation standards). The calculated water savings from each water agency is combined into a regional figure. The baseline production data from each water agency is also combined into a regional figure. The resulting relationship between the regional baseline production and the regional water savings creates the regional conservation standard. The participating water agencies then work towards collectively meeting the regional conservation standard. If the region collectively meets the regional conservation standard, all the participating water agencies are deemed successful at complying with the Emergency Regulation. If the region does not meet the regional conservation standard, the region is deemed not successful and the participating water agencies are still held accountable to their individual State Water Resources Control Board assigned water conservation standard.

We believe the regional compliance option provides additional benefits that help alleviate the drought both now and in the future by promoting regional collaboration to achieve assigned conservation standards. For example, a regional conservation standard allows water agencies to leverage resources for joint conservation programs, strategically implement specific conservation actions for increased cost effectiveness, develop consistent regional public outreach messaging and collectively fund media ad buys to communicate to customers.

Regional collaboration to meet conservation standards is already being successfully implemented in many parts of the state through SBx7-7. Currently there are 9 regional alliances representing 87 urban water retailers that have formed per Water Code Section 10608.28(a) for this purpose. We are

requesting to extend this regional option to implementing the Emergency Regulation utilizing the same methodology for forming regions for SBx7-7. Existing regional alliances that formed for SBx7-7 compliance may choose to submit documentation of their existing regional alliance for the purpose of meeting the Emergency Regulation on a regional basis. Additionally new regions may be formed specifically for the purpose of meeting Emergency Regulation compliance by providing letters of support from individual water agencies to the State Water Resources Control Board and appointing a regional entity to provide monthly regional reporting to the State Water Resources Control Board.

In summary, the regional compliance option delivers the same water savings that would be achieved by individual water agencies. No water savings will be lost. In fact, there is potential for additional savings with a regional approach. This option also improves flexibility for compliance with the Emergency Regulation and builds regional partnerships that will be beneficial to the state of California beyond the drought. Furthermore this proposal would support, not compromise any other potential revisions to the future emergency regulations as this refinement does not decrease water savings. Other potential revisions include "roll-over" savings from one regulatory period to another when an individual water agency exceeds their water conservation standard. These "roll-over" savings can and should be incorporated into the overall regional target.

Please review the full proposal below for more details and let us know if you have any questions or comments.

Sincerely,

John Woodling, Executive Director Regional Water Authority

Dana Friehauf, Water Resources Manager San Diego County Water Authority

Jus Fricha P

Carlos Lugo, General Manager Helix Water District

Greg Thomas, General Manager Rincon del Diablo Municipal Water District Kimbuly H. Shorner

Kimberly Thorner, General Manager Olivenhain Municipal Water District

Allen Carlisle, CEO/General Manager Padre Dam Municipal Water District

Tom Kennedy, General Manager Rainbow Municipal Water District

Jim Peifer, Policy and Legislation Manager City of Sacramento Department of Utilities

Dennis Lamb, General Manager Vallecitos Water District

Bill O'Donnell, General Manager

San Dieguito Water District

David Guhin, Director of Santa Rosa Water & Vice Chair Technical Advisor Committee to Sonoma County Water Agency (on behalf of the Sonoma-Marin Saving Water Partnership)

Wendy Chambers, General Manager Carlsbad Municipal Water District

Grant Arant, General Manager Valley Center Municipal Water District

C: Caren Trgovcich, Chief Deputy Director Eric Oppenheimer, Director of the Office of Research, Planning and Performance

Emergency Regulation Regional Compliance Proposal November 23, 2015

Purpose:

To provide an option for regional compliance with Emergency Regulation conservation standards that will achieve the same amount of water savings as individual water agency conservation standards.

Guiding Principles:

- Provide an opportunity for regions to work together to achieve water savings and demonstrate compliance with the Emergency Regulation.
- Regional compliance is a voluntary approach. Water agencies would not be required to form a region nor participate in a regional alliance.
- Provide an additional compliance option. If the region is successful at meeting the Regional Conservation Standard, all water agencies in the region would be deemed successful. If the region is unsuccessful at meeting the Regional Conservation Standard, each water agency would need to meet its' individual conservation standard.
- To the extent possible, use existing water code and framework identified for regional alliance development for SBx7-7.
- The formation of a region would only be for the purposes of complying with the Emergency Regulation.

Regional Compliance Benefits:

- Maintains original conservation standards assigned to each individual water agency
- Allows for consistent messaging throughout the region
- Allows water agencies to leverage resources
- Provides for economies of scale for conservation implementation
- Allows for regional collaboration
- Improves flexibility for compliance with the Emergency Regulation
- Uses existing state law for regional formation

Regional Formation Criteria and Geographic Scope:

Allow regions to form based on the criteria for forming a SBx7-7 regional alliance, per Water Code Section 10608.28 as follows:

Section 10608.28.

- (a) An urban retail water supplier may meet its urban water use target within its retail service area, or through mutual agreement, by any of the following:
- (1) Through an urban wholesale water supplier.
- (2) Through a regional agency authorized to plan and implement water conservation, including, but not limited to, an agency established under the Bay Area Water Supply and Conservation Agency Act (Division 31 (commencing with Section 81300)).

- (3) Through a regional water management group as defined in Section 10537.
- (4) By an integrated regional water management funding area.
- (5) By hydrologic region.
- (6) Through other appropriate geographic scales for which computation methods have been developed by the department.
- (b) A regional water management group, with the written consent of its member agencies, may undertake any or all planning, reporting, and implementation functions under this chapter for the member agencies that consent to those activities. Any data or reports shall provide information both for the regional water management group and separately for each consenting urban retail water supplier and urban wholesale water supplier.

Regions can form in two ways as follows:

- Provide documentation to the State Water Resources Control Board of existing regional alliances formed per Water Code Section 10608,28(a). Currently there are 9 regional alliances representing 87 water agencies that have formed per Water Code Section 10608,28(a).
- Submit letters of support from each participating water agency to form a region for the purpose
 of regional compliance with the Emergency Regulation.

Region formation timeline and composition:

- Regions would need to submit documentation to the State Water Resources Control Board regarding their interest in regionally complying with the Emergency Regulation within two months of the date the Emergency Regulation goes into effect.
- Once a region is formed and accepted by the State Water Resources Control Board for purposes
 of regionally complying with the Emergency Regulation, the members of the region cannot
 change and the region must remain in place until the end date of the Emergency Regulation.

Regional Calculation and Water Savings:

- Each individual water agency would calculate their required water savings using their assigned
 individual conservation standard, weighted by June through February 2013 water production
 data. All individual water agency data would then be consolidated to calculate a Regional
 Conservation Standard. Please see the excel spreadsheet entitled "SWRCB Template" for more
 clarification on calculating the Regional Conservation Standard.
- The Regional Conservation Standard would provide the same amount of water savings as each individual water agency conservation standard.

Group Leadership and Compliance Assessment:

- Regions interested in regional compliance would designate a lead agency to submit the Regional Conservation Standard and monthly progress on that standard on behalf of the regional members to the State Water Resources Control Board for acceptance.
- Each individual water agency would continue to report their individual monthly water use data to the State Water Resources Control Board.

Accountability and Enforcement:

- If the region meets the Regional Conservation Standard, each individual water agency in a region would be deemed successful at complying with the Regional Conservation Standard.
- If the region does not meet the Regional Conservation Standard, each individual water agency in a region would need to meet its individual conservation standard.
- If the region does not meet the Regional Conservation Standard and the individual water agency
 in the region does not meet its individual conservation standard, the individual water agency
 would be subject to enforcement action by the State Water Resources Control Board as outlined
 in the Emergency Regulation.

Additional proposed changes to the Emergency Regulation:

This proposal would support any other potential revisions to the Emergency Regulation.
 Additional potential revisions to the Emergency Regulation can and should be incorporated into the overall Regional Conservation Standard calculation.

DRAFT

DATE

Mark Landman Chair, Board of Directors Russian River Watershed Association

Subject: Support of Concept: To evaluate the feasibility of an extended producer responsibility ordinance that addresses the long-term need for safe medicine disposal options for our communities

Dear Chairman Landman,

The Water Advisory Committee (WAC) to Sonoma County Water Agency appreciates the Russian River Watershed Association's (RRWA) strong support of the concept of pharmaceutical producer responsibility for the creation, funding, and management of a regional program that will provide safe and convenient disposal options of expired and unwanted pharmaceuticals for consumers.

Pharmaceuticals are collected in Sonoma and Mendocino Counties through the Safe Medicine Disposal Program. Funding for the Program is provided by RRWA, the City of Santa Rosa's subregional system, the Sonoma County Water Agency, and others. Since the Program's inception in 2007, over 90,000 pounds of pharmaceuticals have been collected and properly disposed, demonstrating a considerable demand for disposal options. The collection totals have increased every year, so it is logical to project that the collection totals will continue to increase. The cost to manage the program and conduct outreach and education is also projected to increase year to year. Currently, there is no long term plan for funding.

For too long, local government, by default, has carried the burden of financing and managing pharmaceutical take-back programs, broadly financed by taxpayers or utility ratepayers. Despite these efforts, pharmaceuticals are either being stockpiled in medicine cabinets, a prime target for drug abusers; or flushed down the toilet, threatening our water quality, as even the most advanced wastewater treatment processes cannot remove all pharmaceuticals. It is time for the producers to take the responsibility of properly managing the pharmaceutical products that they create.

In 2012, Alameda County became the first local government in the United States to pass legislation requiring pharmaceutical companies to design, fund, and operate a program to safely collect and dispose of unwanted drugs. Subsequently, in California, the City and County of San Francisco, the County of San Mateo and the County of Santa Clara have adopted similar drug stewardship programs. There is currently no mandatory statewide drug stewardship program for unwanted household drugs in California.

A manufacturer-funded collection and disposal program for unwanted drugs would significantly increase convenient disposal options for Sonoma County residents' unwanted drugs, enabling collection of larger quantities of unwanted drugs and reducing the risks to public safety, health, and the environment.

For these reasons, the WAC strongly supports the concept of pharmaceutical producers taking an active role in the creation, funding, and management of a regional program that will provide safe and convenient disposal options of expired and unwanted pharmaceuticals for consumers.

Chair, Water Advisory Committee



Russian River Biological Opinion Update - December 2015

The Sonoma County Water Agency is continually planning and implementing the Russian River Biological Opinion requirements. The following project updates provide a brief synopsis of current work. For more detailed information about these activities, please visit www.sonomacountywater.org.

Dry Creek Habitat Enhancement Project

- The final Environmental Impact Report for miles two through six of habitat enhancement was approved by the Water Agency Board of Directors for approval on November 17, 2015.
- Site identification, environmental studies and topographic surveys are nearly complete for the second and third miles of habitat enhancement. Two firms, Interfluve and ESA, are designing the second and third miles of habitat enhancement, respectively. The 90% plans for portions of Mile 2 have been submitted for and are under review. The 90% plans for portions of Mile 3 are in progress.

Fish Monitoring

The inflatable dam is not in use this year, due to the work on the Mirabel Fish Passage Improvement Project. Without the dam, the Water Agency cannot use the video monitors traditionally deployed to count migrating adult Chinook, steelhead and coho. Instead, the agency installed a type of sonar technology (known as DIDSON) at the mouth of Dry Creek and has installed a video monitor at the Healdsburg fish ladder. As of December 5, the Water Agency has observed less than 1,000 Chinook.

Mirabel Screen and Fish Ladder Replacement

Construction of the Mirabel Fish Passage Improvement Project is proceeding, with construction anticipated to be complete in early Spring.

Russian River Estuary Management Project

- The 2015 Lagoon Management Period ended on October 15. The Water Agency did not have an opportunity to implement an outlet channel during the management period. Since the management period ended, the estuary has closed three times, with the latest closure occurring on December 2. To reduce flood risks, Water Agency crews artificially breached the sand bar on November 2 (wave conditions closed the estuary later that day), November 5 and November 23. Water Agency staff are monitoring the current closure.
- Baseline monitoring of harbor seals and other pinnipeds is conducted regularly and prior, during
 and after every artificial breaching. Water quality monitoring at datasonde stations is ongoing;
 weekly nutrient and bacteria monitoring has concluded for the season. Estuary fisheries and
 invertebrate monitoring have also concluded for the season.
- Field investigations of the jetty are completeThe purpose of the studies is to determine if and how the jetty impacts the formation of the barrier beach and lagoon water surface elevation. Consultants are currently analyzing data and preparing a report, which is expected to be released by mid-December.

Fish Flow Project

Work is occurring internally on the preparation of the draft Environmental Impact Report for the Fish Habitat Flows and Water Rights Project. The EIR is being prepared by Water Agency staff, with assistance from consultants on some areas of impact analysis. A draft EIR is anticipated to be released early Spring 2015-16.

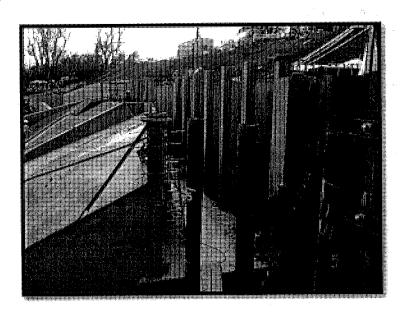
Interim Flow Changes

On May 1, the State Water Resources Control Board (State Water Board) issued a Temporary Urgency Change Order (TUCO) for Russian River flows. The change was requested by the Water Agency to preserve water in Lake Mendocino. Within a few days of the order being issued, the Water Agency was informed by PG&E of its pending request to reduce diversions from the Eel River through its Potter Valley Project, as a result of the drought. The reduction represents a loss of about 30-100 acre-feet of water per day. To preserve water in the lake, the Water Agency went back to the State Water Board to request additional reductions in releases from Lake Mendocino; on June 17, the State Water Board issued an amendment to the TUCO. As a result, the minimum flow requirement in the upper river was 25 cfs and 50 cfs in the lower river.

The current TUCO expired on October 27. PG&E filed another variance with FERC to reduce flows in order to perform major maintenance on its penstock. In order to preserve water in Lake Mendocino, the Water Agency will file another TUCP with the State Water Board.

Public Outreach, Reporting & Legislation

- The annual Dry Creek Community meeting will be held on January 14 at 6:00 p.m.
- In November an informational flyer was sent to Dry Creek residents updating them on the project.
- The annual Public Policy Facilitating is scheduled for Thursday, March 3, 9 a.m. 1 p.m. at Westside Water Education Center, followed by field trip to Mirabel Project and Dry Creek, with the signing of NOAA's first Safe Harbor Agreement.



Construction of Mirabel Fish Passage Improvement Project, week of November 30.

DISBURSEMENTS - DATED DECEMBER 10, 2015

Date Prepared 12/8/15

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 11/30/15	\$148,065.13
EFT*	US Bank	Federal & FICA Taxes PPE 11/30/15	58,809.06
EFT*	State of California	State Taxes & SDI PPE 11/30/15	10,992.99
EFT*	CalPERS	Pension Contribution PPE 11/30/15	32,962.71
1		Vision Reimbursement	184.00
2	A.S.T.I.	Progress Pymt#4: Backflow Testing (55) (Balance Remaining on Contract \$10,623)	5,550.00
3	Athens Administrators	December Workers' Comp Admin Fee	1,000.00
4	AT&T	Leased Line	75.00
5	Automation Direct	Analog Input Cards for Olema, PRE #2, Inverness Park & Winged Foot PLC's (4)	332.00
6	Backflow Distributors	Backflow Test Calibration & Hose Set (\$197) & Fire Service Repair Parts (\$315)	512.55
7	Badger Meter	Cellular Meter Monthly Charge (12)	10.56
8	BBNH	Refund Excess Advance for Construction Over Actual Job Cost- Olive Ave Land Division	3,189.97
9	Campways	Truck Tool Boxes (2) (\$1,288) & Front & Rear Floor Liners ('15 Ford Escape 4x4) (\$239)	1,527.41
10		Cafeteria Plan: Uninsured Medical Reimbursement	4.60
11	Costco Wholesale	Coffee Pot & Coffee (3) (\$59) (Admin Office)	79.66
12	DeGabriele, Chris	Expense Reimb: November Mileage	175.38
13	Digital Prints & Imaging	Vellum (40-24" x 36" Sheets) (Lab)	130.07

Seq	Payable To	For	Amount
14	DLT Solutions	Autocad Subscription Renewal (12/21/15-12/20/16) (Budget \$2,980)	2,891.66
15	Jeffrey & Theresa Figone	Refund Excess Advance for Construction Over Actual Job Cost - 370 School Road	4,588.61
16	Garrett, Daniel	Exp Reimb: AWWA Backflow Refresher Class on 12/4/15	295.00
17	Golden Gate Petroleum	Gas (\$2.59/gal) & Diesel (\$2.52/gal)	1,306.01
18		Cafeteria Plan: Uninsured Medical Reimbursement	31.19
19	Grainger	Drill (\$162), Wet Well Level Sensor (O.M.) (\$715), Air Compressor & Filters (2) (\$369), Screwdriver (9), Knife (6), Blades (75), Penta Star Socket & Pressure Transducer (\$117)	1,462.57
20	Homa, Eitan	Novato "Cash for Grass" Rebate Program	135.00
21	Lippay, Jennifer	Novato "Cash for Grass" Rebate Program	200.00
22	Madruga Iron Works	Vault Lids (3)	5,794.56
23	Marin County Recorder	Oct Official Record Copy (13)	72.00
24	McLellan, WK	Misc Paving	15,374.31
25		Vision & Cafeteria Plan: Uninsured Medical Reimbursement	799.00
26	North Marin Auto Parts	Oil Filters (3), Air Filters (3) (\$32), Oil (18 qts) (\$77), Wiper Blade (4) (\$52), Spray Paint (9-15oz cans) (\$61), 2 Cycle Oil (4 qts), Battery & Core ('04 Chevy C1500) (\$91), Wheel Chocks (4) ('06 Int'l 4300) (\$97), Steering Tie Rod Ends ('04 Chevy C1500) (\$234), Gear Clamps (8), Shop Rags (6), WD40 Spray (12oz), Black Primer (60 oz) & Paint	940.56
0.7	N	,	940.50
27	Novato Builders Supply	T-Post (6 ft) (10) (Posting Signs for Stafford Lake)	81.64
28	Novato Chamber of Commerce	Membership Renewal (11/15-10/16) (Bentley) (Budget \$850)	830.00
29	Novato Horse & Pet Supply	Straw & Seed for Erosion Control	143.86

Seq	Payable To	For	Amount
30	Office Depot	Annual Planner Starter Kit (C. Kehoe) (\$114), Calendar Refill, 2-Hole Punch & Self Inking	152.63
31	Pace Supply	Box Lids (21) (\$459), PVC Cap, Bushings (19) (\$185), Couplings (4) (\$171), Nipple & Meter Stops (5) (\$176)	1,009.69
32	Peterson Trucks	Wiper Blades (2), Oil, Fuel, Carbon Air Filter ('06 Int'l 4300 Crew) (\$161), Wiper Blades (2), Oil, Filters, Carbon Air Filter ('12 Int'l 5 Yd. Dump) (\$223) & Alternator ('06 Intl 4300) (\$466)	849.96
33	NMWD Petty Cash	Petty Cash Reimbursement: Safety Bucks, Books for Leadership Class (\$33), Safety Snack, Bridge Toll & Calendar	95.38
34	RMC Water & Environment	Engineering Services: Title 22 Engineers Report (\$545), Prog Pymt#3: Engineering Services: RW Production Evaluation & Progress Pymt#4: Central Service Area Connection at Novato Treatment Plant (Balance Remaining on Contract \$18,672)	25,131.00
35		Cafeteria Plan: Uninsured Medical & Childcare Reimbursement	547.10
36	Roberts, Charles & Nancy	Novato "Washer" Rebate Program	50.00
37	Shell	Tool Fuel (6 gal)	17.40
38	State Water Resources Control	Annual Permit Fee - AEEP Reaches A-D, MSN B3	1,170.00
39	State Water Resources Control	Clean Drinking Water State Revolving Fund Loan Principal & Interest (RW N-Segment 1)	40,196.44
40		Cafeteria Plan: Uninsured Medical Reimbursement	235.92
41	Syar Industries	Asphalt (6 tons)	752.77
42	United Parcel Service	Delivery Services: Tank Transmitter Repairs & Application for Lease of State Lands (RW Central Project)	38.47
43	Verizon California	Leased Line	97.75
44	Verizon Wireless	November CIMIS Station Data Transfer Fee	42.95

Seq	Payable To	For	Amount
45	Watersavers Irrigation	Backflow Freeze Bags (7)	206.87
46	Workforce Boots & Clothing	Safety Boots (Frazer) TOTAL DISBURSEMENTS	162.36 \$369,303.75

The foregoing payroll and accounts payable vouchers totaling \$369,413.75 are hereby approved and authorized for payment.

DISBURSEMENTS - DATED DECEMBER 3, 2015

Date Prepared 11/30/15

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

Seq	Payable To	For	Amount
EFT*	City of Novato	Encroachment Permit (Chevron Carwash)	\$790.47
1	123 Floor	Replace Carpet (25 Giacomini Rd)	2,935.00
2	Aberegg, Michael	Drafting Services: Norman Tank (Balance Remaining on Contract \$16,870)	1,155.00
3	A.S.T.I.	Progress Pymt#2: Backflow Testing (64) (Balance Remaining on Contract \$577)	3,325.00
4	Bain, Michelle	Novato "Cash for Grass" Program	400.00
5	Baker, Jack	November Director's Fee (\$410), North Bay Watershed Association on 11/6 (\$205) & Novato Watershed Policy Advisory Committee Meeting	920.00
		on 11/19 (\$205)	820.00
6	Bay Area Barricade Service	66" Fiberglass Posts (20)	424.02
7	Brown, Alison	Novato "Cash for Grass" Program	135.00
8	California State Disbursement	Wage Assignment Order	859.87
9	CalPERS	December Health Insurance Premium (Employees \$50,276, Retirees \$10,183 & Employee Contribution \$11,845)	72,304.38
10		Cafeteria Plan: Uninsured Medical Reimbursement	1,395.00
11	CDW-Government	Trend Anti-Virus Software (11/5/15-11/5/16) (Budget \$1,080)	1,080.00
12	The Climate Registry	Annual Membership (Clark) (1/16-12/16) (Budget \$770)	750.00

Seq	Payable To	For	Amount
13	Core Utilities	Consulting Services: November IT Support (\$5,000), Program New Radios for Intrusion Alarms @ Crest Tank (\$850), Programming for 3 New RTU's (\$750), Gallagher Well Export in Wonderware (\$150), Utility Billing Software Modifications (\$1,325) & Website Maintenance (\$700)	8,775.00
14	Electrical Equipment	Power Transformer for Amaroli Hill Tank	413.35
15	Farnsworth, Mary Ann	Novato "Toilet Rebate" Program	100.00
16	Fraites, Rick	November Director's Fee (\$410) & Novato Watershed Policy Advisory Committee on 11/19 (\$205)	615.00
17	Ghilotti Construction	Progress Pymt#19: Construct AEEP Reaches A-D/MSN B3 Project (Balance Remaining on Contract \$412,569)	365,542.03
18	Golden Gate Petroleum	Gas (\$2.59/gal) & Diesel (\$2.52/gal)	2,159.01
19	Grainger	Light Bulbs (12), Wire Label Maker Tubing (\$150), Aluminum Angle Stock, Storage Bins (12) ('10 Ford F150) (\$108) & PLC Signal Wire (\$612)	911.02
20	Hardy Diagnostics	Bacteria Growth Media (\$282), Agar (\$148) & Endo Broth (3) (\$188) (Lab)	618.02
21	Home Depot	Broom Heads (24) (\$429) (Construction), Blinds (3) (\$180), Landscape Fabric (\$87), Screen Door (\$98) & Medicine Cabinets (2) (25 Giacomini Rd)	833.60
22	Home Depot	Rapid Set Concrete (43 bags)	466.22
23	Irish & Son Welding	Welding Services (PR Well #2)	480.00
24	Kaiser Foundation Health Plan	Pre-Employment (Ladd) & DMV/DOT Physical (Reed)	180.00
25	Keyes, Peter	Novato "Toilet Rebate" Program	200.00
26	LGVSD	Recycled Water Deliveries (7/1-9/30/15)	29,428.53
27	Lincoln Life	Deferred Compensation PPE 11/30/15	13,837.14

Seq	Payable To	For	Amount
28	Maltby Electric	Electrical Supplies (\$291), Conduit (100) & Fittings for Landfill Rd C.P. System (\$199)	490.21
29	Marin County Ford	Wheel Assembly ('10 Ford F150)	385.84
30	Mattar, Monica	Novato "Washer Rebate" Program	50.00
31	McLellan, WK	Misc Paving	747.50
32	Miller, Stephanie	Novato "Toilet Rebate" Program	200.00
33	National Seminars Training	Training Seminar: Professional Communication on 12/17/15 in Santa Rosa (Arendell)	199.00
34	Nationwide Retirement Solution	Deferred Compensation PPE 11/30/15	1,900.00
35	On Line Resource	Refund Overpayment on Closed Account	3,000.00
36	O'Shea, James	Novato "Toilet Rebate" Program	100.00
37	Pace Supply	Box Lids (5) & 4" Backflow Blanket (\$529)	638.26
38	Pedersen, Damiela	Novato "Washer Rebate" Program	50.00
39	Petersen, Jeri	Novato "Washer Rebate" Program	50.00
40	Petterle, Stephen	November Director's Fee	410.00
41	PG&E	Electric Bill (25 Giacomini Rd)	18.85
42	Preferred Alliance	Pre-Employment Physical (Ladd)	42.00
43		Cafeteria Plan: Childcare Reimbursement	208.33
44	Robertson, R Q	Novato "Cash for Grass" Rebate Program	400.00
45	Rodoni, Dennis	November Director's Fee (\$205) & WAC/TAC Meeting in Santa Rosa on 11/2/15 (\$205)	410.00
46	Schoonover, John	November Director's Fee Less Deferred (\$360) & NBWRA Meeting on 10/26/15 (\$205)	565.00
47		Cafeteria Plan: Uninsured Medical Reimbursement	375.00
48	SWRCB Accounting Office	FY15 Large Water System Fees	6,534.73
49	Tamagno Green Products	Sludge Removal (48 yds) (STP)	1,200.00
50	Taylor, Norah	Novato "Toilet Rebate" Program	100.00

Payable To	For	Amount
Terryberry	Service Awards (7 Employees)	866.23
Thatcher Company of California	Ferric Chloride (9 tons) (STP)	4,555.36
T & T Valve & Instrument	Switch Status Monitor (3)	373.83
United Parcel Service	Delivery Service: Returned Electrician Gloves & Backflow Tester for Calibration	22.70
U.S. Bank Card	Brown & Caldwell Newspaper Ad (\$200) (STP Opening), Craigslist (STP Opening) (\$75),	
	Standards Method (\$438) (Lab) & Parking (\$7) (NMFS Meeting - DeGabriele)	720.00
Verizon California	Leased Line	302.76
Watkins, Jennifer	Novato "Toilet Rebate" Program	300.00
Wiley Price & Radulovich	Side Letter Agreement with PEPRA Employees & Venegas Claim (\$8,796)	9,099.02 \$545,247.28
	Terryberry Thatcher Company of California T & T Valve & Instrument United Parcel Service U.S. Bank Card Verizon California Watkins, Jennifer	Terryberry Service Awards (7 Employees) Thatcher Company of California Ferric Chloride (9 tons) (STP) T & T Valve & Instrument Switch Status Monitor (3) United Parcel Service U.S. Bank Card Delivery Service: Returned Electrician Gloves & Backflow Tester for Calibration Brown & Caldwell Newspaper Ad (\$200) (STP Opening), Craigslist (STP Opening) (\$75), Standards Method (\$438) (Lab) & Parking (\$7) (NMFS Meeting - DeGabriele) Verizon California Leased Line Watkins, Jennifer Novato "Toilet Rebate" Program Wiley Price & Radulovich Side Letter Agreement with PEPRA Employees

The foregoing payroll and accounts payable vouchers totaling \$545,247.28 are hereby approved and authorized for payment.

Auditor-Controller Date

Chin Ophibule 11/30/2015

General Manager

Connie Filippi

From:

David Bentley

Sent:

Monday, November 30, 2015 8:05 AM

To: Cc: Connie Filippi Jack Baker

Subject:

FW: Nov. Mtgs.

Connie

Please schedule compensation for Director Baker for the two meetings indicated below.....David

From: jack baker [mailto:jckbaker@gmail.com]

Sent: November 29, 2015 11:29 AM

To: David Bentley Subject: Nov. Mtgs.

David,

On Nov.6, I represented our District at the mtg. of the North Bay Watershed Assoc. held at the office of the Novato Sanitary District. On Nov.19, I (and Director Fraites) represented our District at a mtg. of the Novato Watershed Policy Advisory Committee held at the Marin County Civic Center - Dept. of Public Works.

Pls. initiate compensation for my participation in these meetings.

Thank you

Jack Baker

NORTH MARIN WATER DISTRICT CHECK REQUEST

PAYEE JOHN SCHOONOVER

1160 Ros	alia Drive	DATE (TODAY'S DAT	
Novato, C	CA 94947	AMOUNT: \$205.00	3
I attended the	JBWRA		
	(NAME OF MEETING OR WORKSHOP)	·	ATE OF MEETING)
and wish to be co	empensated as provided under the	e Board Compensation	Policy.
	1	L	
	SIGNATURE		
CHARGE TO: 5600	01-01-11		
DISPOSITION OF CHECK X MAIL TO PAYEE HOLD FOR OTHER	Review	Red) Date	NORTH MARIN WATER DISTRICT CK Req) Amount 205.00
Approved to Pay by			
	Job Number	GL Account 56001-01-11	Amount \$205.00
T:\FORM\$\CHECK REQUEST FOR BOARD.DOC REV. 0815			
	t:\finance\accounts payable\[paytag.xls]sheet1	TOTAL	\$205.00

NORTH MARIN WATER DISTRICT CHECK REQUEST

PAYEE DENNIS RODONI

P.O. Box	872	DATE	(TODAY'S DATE)				
Pt. Reyes	Pt. Reyes Station, CA 94956			AMOUNT: \$205.00			
	WACTAC MCETING OR WORKS	nor)	(BA	TE OF MEETING,			
and wish to be co	ompensated as provided unde	er the Board C	ompensation	Policy.			
		lung	160 S				
CUAROE TO ECO	SIGNATURE						
CHARGE TO: 5600	71-01-11						
DISPOSITION OF CHECK	Prepared By Accounting Review	POST DATE	Vendor No.	HORTH MARIN WATER DISTRICT			
□MAIL TO PAYEE □ HOLD FOR X OTHER: ACH PAYMENT			RODO01				
	Invoice Number (CK Req ID)	Invoice (CK Req) Date	Invoice (CK Req) Amount				
	CKRQ		\$205.00				
	NMWD Comment						
APPROVED TO PAY BY							
	Job Number	GL A	ccount	Amount			
T:\FORM\$\CHECK REQUEST FOR BOARD.DOC		56001-01-11		\$205.00			
Rev. 0213							
			TOTAL	4005.33			
			TOTAL	\$205.00			

Rev. 0510

t:\finance\accounts payable\[paytag.xls]sheet1

MEMORANDUM

To:

Board of Directors

December 11, 2015

From: Dianne Landeros, Accounting/HR Supervisor

Subj:

Annual Sick Leave Buy-Back t:\ac\word\personnel\sl\sick leave buyback 2015.docx

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: \$17,259 in 2015

Employees accrue one day of sick leave each month. In 1970 the District adopted a policy to recognize employees who do not use much sick leave by allowing them to annually sell back unused sick leave in excess of 90 days at 50% of their pay rate. This buy-back policy provides an incentive for employees to use their sick leave benefit judiciously, and rewards those who do so, while simultaneously reducing the District's accrued sick leave liability.

On November 30, 2015 twelve employees had accrued sick leave in excess of 90 days. Five chose to retain their accrued sick leave with the plan to convert it to additional service credit at retirement. Seven elected to convert their eligible sick leave to cash, at a District cost of \$17,259.

12/9/2015

NORTH MARIN WATER DISTRICT Cost Of Annual Sick Leave Buy-back Benefit

District policy allows buy-back of accrued sick leave in excess of 90 days @ 50% of value.

Paid for	Gross	FICA, W.C.		% of			
Calendar	(Base)	+ & Unemp	= Overheaded	Overheaded	Days	Employees	Cost per
Year	Pay	Ins 1	Cost	Payroll ¹	Purchased	Participating	day
1989	\$12,628	\$1,269	\$13,897	0.54%	145.5	14	\$95.51
1990	\$11,068	\$1,261	\$12,328	0.46%	126.0	13	\$97.84
1991	\$10,772	\$1,270	\$12,042	0.40%	104.2	12	\$115.52
1992	\$11,909	\$1,464	\$13,373	0.42%	116.4	12	\$114.88
1993	\$13,726	\$1,581	\$15,307	0.47%	130.9	12	\$116.95
1994	\$14,608	\$1,613	\$16,221	0.51%	151.5	14	\$107.07
1995	\$15,387	\$1,434	\$16,821	0.54%	160.6	16	\$104.76
1996	\$13,295	\$1,222	\$14,517	0.48%	140.0	14	\$103.69
1997	\$9,451	\$910	\$10,361	0.32%	93.2	11	\$111.20
1998	\$8,059	\$786	\$8,845	0.27%	73.8	8	\$119.93
1999	\$8,013	\$846	\$8,859	0.26%	74.8	8	\$118.51
2000	\$10,081	\$1,040	\$11,122	0.32%	91.0	10	\$122.16
2001	\$11,379	\$1,164	\$12,543	0.34%	95.9	12	\$130.78
2002	\$11,505	\$1,201	\$12,706	0.33%	94.4	11	\$134.57
2003	\$12,818	\$1,910	\$14,728	0.36%	88.5	9	\$166.46
2004	\$14,700	\$2,443	\$17,143	0.39%	113.8	11	\$150.63
2005	\$10,575	\$1,588	\$12,163	0.23%	66.0	6	\$184.29
2006	\$12,006	\$1,588	\$13,594	0.24%	78.3	8	\$173.62
2007	\$16,214	\$1,816	\$18,030	0.31%	95.8	9	\$188.30
2008	\$13,606	\$726	\$14,332	0.24%	69.5	6	\$206.22
2009	\$10,472	\$731	\$11,203	0.17%	61.6	5	\$181.81
2010	\$15,978	\$1,155	\$17,133	0.27%	84.5	8	\$202.68
2011	\$16,155	\$1,037	\$17,192	0.27%	83.9	8	\$204.96
2012	\$14,071	\$1,006	\$15,077	0.23%	64.4	6	\$234.22
2013	\$19,402	\$2,166	\$21,568	0.31%	85.7	8	\$251.55
2014	\$18,931	\$1,614	\$20,545	0.30%	79.9	7	\$257.13
2015	\$15,843	\$1,416	\$17,259	0.24%	68.9	7	\$250.46
Average:	\$13,061	\$1,343	\$14,404	0.34%	97.7	10	\$157.25

¹ Tax rates and payroll amounts used are from December of each respective year. Workers' comp rate used is average rate in effect.





November 19, 2015

RECEIVED

P 303.347.6100 F 303.730.0851

6666 W. Quincy Ave., Denver CO 80235-3098

www.WaterRF.org

Chris DeGabriele North Marin Water District 999 Rush Creek Place Novato, CA 94945-2426

Dear Mr. DeGabriele:

North Marin Water District

Sonoma County Water Agency recently renewed your 2015 subscription to the Water Research Foundation (WRF). Through the support and participation of organizations such as yours, the utility-focused research sponsored by the Foundation can continue to move forward.

We encourage you to take full advantage of the benefits available to you as a WRF subscriber. Your organization will receive the biggest return on its investment by actively participating in our research projects, engaging in our professional development and education programs, tapping into the growing variety of available resources and tools, and applying research results that can advance your organization's effectiveness and efficiency.

As a subscriber to WRF, your organization can participate and use the many benefits available in a number of ways:

- Complete access to the Foundation's research information and resources via the Web site at WaterRF.org
- The opportunity to provide input into WRF's research agenda
- Access to the Foundation's extensive international network of researchers and water experts
- The opportunity to participate in research projects and serve on project advisory committees
- Complimentary access to local and regional workshops and live and recorded Webcasts
- Subscriptions to WRF's quarterly magazine, Advances in Water Research and other monthly ecommunications.

As a token of appreciation, we are pleased to send you the enclosed 2015 certificate of participation. We hope you will display it proudly, knowing that you and your organization are supporting the discovery of new information and best practices that make a real difference in improving public health.

If you have any suggestions or questions about the afore-mentioned opportunities or our research efforts, please do not hesitate to contact me. WRF honors your support and is committed to providing you with scientifically sound knowledge that is critically important to the ever-changing needs of the water community.

Sincerely,

Robert C. Renner, P.E., B.C.E.E.

LULE

Executive Director

RCR:kcp:68

CERTIFICATE OF EXCELLENCE

In recognition of the quality of your laboratory in proficiency testing for

WS-231

North Marin Water District

is issued this certificate of achievement by ERA. This laboratory has been recognized as a Laboratory of Excellence for achieving 100% acceptable data in this study which included 498 participating laboratories. This achievement is a demonstration of the superior quality of the laboratory in evaluation of the standards listed below.

Hardness

Inorganic Disinfection #1

Inorganics

MicrobETM (Coliforms)

pH

Heterotrophic Plate Count

Inorganic Disinfection #2

Metals

Nitrite

Residual Chlorine

Dove Kelyn

David Kilhefner Quality Officer





The Making of Leaders!

Fall 2015
Leadership Certificate
Graduation Ceremony
Wednesday, December 9th
Creekside Room



Keynote Speaker: Anthony Bourke

Mach 2 Consulting CEO & Founder

Anthony "AB" Bourke is a highly accomplished and decorated F-16 fighter pilot who flew tactical missions in service to our country. He has accumulated more than 2,700 hours of flight time in various high performance aircraft and was one of the first pilots to fly an F-16 in missions over New York City in the aftermath of the 9/11.

As CEO & Founder of Mach 2 Consulting, Bourke brings his tactical knowledge and business acumen to the forefront of the management training world. Bourke travels the globe and has shared his message of peak performance with over 50,000 people in nine countries. He is currently working on a book "The Art of The Debrief."

Graduation Ceremony Program

2:30 - 2:40 PM Welcome

Dr. Denise Lucy

Dr. Franco Vicino

2:45 - 3:55 Project Presentations

4:00 - 4:20 Keynote Speaker Anthony Bourke CEO and Founder of Mach 2 Consulting

4:25 - 4:40 PM Certification Ceremony

4:40 - 5:15 PM Reception



Dominican University: "Bltzing SOD (Sudden Oak Death Syndrome)"
Vernon Huffman

Golden Gate Transit: "Ensuring Passenger Safety while Increasing Efficiency" Andrew Crichton / Herb Gabriel / Willie Gibson / Kathryn Mitchell

Ross Valley Fire: "Establishing an effective "HFPC" (Home Fire Preparedness Campaign) Jim Popken

NMWD (North Marin Water): "Vac Truck Spoils Pit"
Tony Arendell

Dominican University: "Chemistry Education for the 21st Century"

Maria Carranza

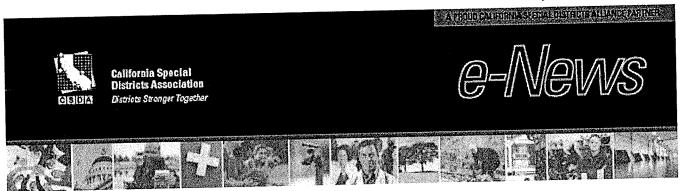
MMWD (Marin Water): - "Harnessing Employee Engag ement for Success" Mark Williamson / Crystal Yezman

Tiburon Fire: "Meeting Increased Operational Demand"
Tommy Hellyer

Ross Valley Fire: "Staffing Engines for California's Wild Fires" Gavin Illingworth

Dominican University: "Creating Digital Content for Millennials by Millennials" Fadia Sorel





CalPERS Adopts Plan to Lower Risk, Increase Rates

On November 18, after a year-long effort on the subject, the CalPERS Board of Administration adopted a risk mitigation strategy that could reduce fund volatility and increase employer and employee contribution rates over the next 20 years. Following years of exceptional investment returns, the adopted strategy will reduce what is known as the "discount rate," or the fund's targeted investment return rate, thereby reducing the risk of the retirement fund. By reducing the amount of money generated through investments, however, employers and employees will experience higher contribution rates to the fund.

In November of 2014 CalPERS staff presented to the CalPERS board their concerns with the risk of the fund, highlighting the fact that the fund was at 77 percent funding and that, should California be hit by another catastrophic financial event like it did in 2008, the long-term viability of the fund would be in jeopardy. The CalPERS Board then directed its staff to develop options to address the risk to the fund. Since that time, CalPERS staff worked on developing various strategies, which it called "glide paths," and recommended either the "flexible" glide path or the "blended" glide path.

Both glide paths were similar in that they would reduce the discount rate on employers following a year of exceptional investment returns over the span of approximately 20 years. However, the blended glide path required a minimum reduction to the discount rate every four years, regardless of whether or not the fund had experienced exceptional returns.

The goal of both glide paths would be to reduce the discount rate from the current 7.5 percent down to 6.5 percent. By reducing the discount rate, employers and employees alike due to PEPRA, would have their contributions increase. This would result in the fund having less reliance on investment returns to meet its obligations in paying out benefits and greater reliance on contributions.

After significant stakeholder outreach with employer and employee groups, the board adopted the flexible glide path last week. The first time special districts could potentially see the impacts of the risk mitigation efforts related to last week's vote will be in the fiscal year '18-'19, should investment returns be at least four percent above the current anticipated rate of return of 7.5. If the investment returns at the end of the next fiscal year were to come back at 11.5 percent, the discount rate would be lowered .05 percent in the '18-'19 fiscal year. This would continue following each year of significant returns until the discount rate reaches 6.5 percent. CalPERS' actuaries are anticipating that will take approximately 20 years.

While this is a significant step, the board was not able to reach consensus on the vote. Some board members do not believe CalPERS is doing enough to mitigate the risk and would like more aggressive action be taken. At the hearing on November 18, 2015, one member of the board asked that the board take action to lower the discount rate to 6.5 percent immediately rather than over a 20 year period. This would have resulted in immediate and significant increases on employers and employees phased in over a period of five years. The board ultimately felt that approach would be more than many employers would be able to handle and would result in some special districts, cities, and counties becoming insolvent.

Governor Brown was not pleased with the actions taken by the CalPERS Board and issued a statement saying, "I am deeply disappointed that the CalPERS Board reversed course and adopted an irresponsible plan that will only keep the system dependent on unrealistic investment returns. This approach will expose the fund to an unacceptable level of risk in the coming years."

Over the coming years we will see whether the steps taken by CalPERS will sufficiently reduce the risk to the fund, or if a more aggressive approach needs to be taken. In the meantime, employers should prepare for their contributions to continue to increase over the next 20 years until the risk to the fund is appropriately mitigated.

California Special Districts Association | 1112 | Street | Suite 200 | Sacramento, CA 95814 | 877.924.CSDA (2732)



A Proud California Special Districts Alliance Partner

California misses October target for saving water

By Scott Smith, Associated Press

POSTED: 12/01/15, 5:10 PM PST | UPDATED: 9 HRS AGO2 COMMENTS

Californians posted a 22 percent savings in water use in October, marking the first month residents have missed the state's mandatory 25 percent conservation target since enforcement of the cutbacks began in June, officials said Tuesday in Sacramento.

Regulators anticipated the dip because temperatures during the month were seven degrees above the same period two years ago, driving up the watering of yards.

In the months ahead, options for saving water could be harder to find now that the state has entered cooler months when people don't water their yards as much.

Forecasters also predict the coming of an El Nino condition that could drench the state and perhaps make people feel strict conservation isn't necessary.

State mandates required the Marin Municipal Water District to cut use by 20 percent and the North Marin Water District by 24 percent beginning June 1. In October, Marin Municipal users slipped to 17.3 percent water savings compared with September 2013, the baseline year the state is using to measure conservation efforts. The district's cumulative decrease is 21 percent since June. October data for the North Marin Water District's Novato service area show a 28 percent reduction from the same month in 2013.

Felicia Marcus, chairwoman of the State Water Resource Control Board, warned that it's not time to ease conservation efforts.

"We can't know when the drought will end," she said. "We have to keep saving every drop we can."

Marcus stressed that California is meeting its long-term water conservation target. For the five months since the mandate cutbacks went into effect, residents have saved an average of 27 percent a month. In addition, California has already reached 76 percent of its conservation goal for the period set to end in February.

The water saved so far is enough to last 4.6 million residents — the combined population of San Diego and Sacramento counties — for a year, said Katheryn Landau, an environmental scientist for the state water board.

The mandate to conserve came as California experiences its driest four-year span on record. Gov. Jerry Brown called for the 25 percent reduction compared to the same period of 2013, the year before he declared a drought emergency.

In September, state officials for the first time fined four water suppliers for failing to meet their individual conservation targets. Beverly Hills, Indio, Redlands and the Coachella Valley Water District were each fined \$61,000. Continued violations could lead to a cease-and-desist order with potential fines of \$10,000 a day.

Brown, uncertain if drought-busting storms are coming this winter, recently extended his executive order preparing the state for a fifth year of drought. It allows emergency conservation to continue through October 2016 if dry conditions persist this January.

He took the action despite forecasters predicting the strong El Nino, an ocean-warming phenomenon that can change weather patterns globally and increase chances of heavy rain and snow pelting California.

So far, below-average rain and snowfall have fallen on the northern Sierra Nevada, while the central Sierra has received above average precipitation, said Craig

Advertisement

Shoemaker, a meteorologist with the National Weather Service in Sacramento.

It is too early to know what the wet season will ultimately deliver, he said.

"Every El Nino can be a little different," Shoemaker said. "There is a long way to go in this season."

Marin Voice: MMWD should look at the costs of fluoridation

By Ginger Souders-Mason and Dawna Gallagher-Stroeh

POSTED: 11/30/15, 2:17 PM PST | UPDATED: 1 DAY AGO54 COMMENTS

It doesn't matter whether you are for water fluoridation or not. If the fluoridating chemical used by Marin Municipal Water District does not have safety studies for ingestion the practice should end immediately. Since the 1972 and 1978 votes of the public to fluoridate, a great deal of scientific proof of potential harm and lack of safety has been published.

MMWD passed in 2007 the precautionary principle which "requires the selection of the alternative that presents the least potential threat to human health and the environment." It further states ... "and as new scientific data become available, the district will review its decisions and will make adjustments when warranted."

Most importantly, it incorporates a "right to know" clause, that "the community has a right to know complete and accurate information on potential human health and environmental impacts associated with the selection of products, services, operations or plans. The burden to supply this information lies with the proponent, not the general public."

For years, local residents have asked publicly and in writing for the scientific proof of the safety of ingestion. MMWD has still not provided that proof.

Under the precautionary principle the fluoridation should halt until this evidence is provided.

Times have changed. Those concerned residents who have requested this information are no longer considered fringe. They are parents, doctors, dentists and anyone concerned about their health.

This simple request to halt fluoridation until proof of safety is provided seems obvious.

On the Nov. 20 broadcast of the PBS radio program "Living on Earth," Professor Stephen Peckham, a researcher at the University of Kent, reported on his research which linked hypothyroidism to water fluoridation. The program further stated, "the Cochrane Collaboration, a global network of doctors and researchers who analyze science to improve public health, suggests the evidence is not so clear. The group found earlier this year that only three studies since 1975 have established credible links between fluoridated water and cavity prevention."

Professor Peckham further stated, "Their main conclusions were that there was no evidence to suggest that it reduced inequalities in dental health, that there was no evidence to support that it had a positive effect on adult teeth, and that there was no evidence to suggest that if you stopped water fluoridation, levels of decay would increase."

But MMWD's legal counsel Mary Casey feels that under AB 733, the 1995 state mandate to fluoridate, they cannot stop fluoridating for any reason.

However, Marin County voted to have safe water, not water fluoridated with hydrofluorosilicic acid (HFSA).

The state mandate also states, "no ratepayer money is to be used."

However, the payment for this chemical comes directly out of the MMWD's general fund. Furthermore, there are no state penalties for stopping fluoridation.

Santa Barbara did so in 2000 and Novato has never fluoridated its water.

Currently MMWD is planning to increase our water rates.

Dietrich Stroeh, a former MMWD general manager (and husband of one of the authors of this column), stated: "High replacement costs were incurred to the feed

Advertisement

equipment and delivery mains when the corrosive material — HFSA — gets fed into the water. Also there are additional chemicals that must be added to adjust the pH of the acid."

Couldn't the \$200,000 or more spent on the chemicals, additional maintenance due to the corrosive nature of the acid, and the additional funds needed to keep the hazardous materials trained-person on payroll be eliminated, perhaps lowering the need for such a large increase?

Is the only remedy left for the people to go to the ballot?

It doesn't matter whether you are for water fluoridation or not, everyone should want to know that their water is safe to ingest.

We sincerely hope MMWD will do the right thing and provide the requested studies or halt the fluoridation until we have them.

Ginger Souders-Mason of Kentfield is the director of Pesticide Free Zone and Dawna Gallagher-Stroeh of Novato is director of Clean Water Sonoma-Marin. For more information, visitcleanwatersonomamarin.org.

Marin Supervisor Kinsey says he won't seek another term

Supervisor Steve Kinsey addresses supporters in San Rafael after winning reelection in 2012. He has been a county supervisor since 1996. (Special to the IJ/Douglas Zimmerman)

By Janis Mara, Marin Independent Journal

POSTED: 12/06/15, 6:19 PM PST | UPDATED: 31 SECS AGO38 COMMENTS

Steve Kinsey, who has served on the Marin County Board of Supervisors for nearly two decades, confirmed Sunday that he will not run for another term.

"I'm ready to let the world know I will not be seeking re-election," Kinsey said in a phone interview.

Speculation mounted in recent weeks that he might not run, in part because he did little or no fundraising for the June election. Over the weekend, Kinsey privately alerted supporters of his plans.

Kinsey also chairs the powerful California Coastal Commission and serves on the Bay Area's Metropolitan Transportation Commission, and he will no longer hold those seats after the election.

"Both of those positions are reserved for elected officials and so others will fill those shoes," Kinsey said.

The same is true of the Transportation Authority of Marin, another of his seats. Kinsey said he will also step down from the Marin Agricultural Land Trust "because I believe a sitting supervisor is best capable of filling the role on MALT."

Asked why he made the decision, he said: "It's time for the next chapter of my life. I'm not retiring anytime soon."

As to his plans, he said, "I don't have it sorted out at this point other than to know it is going to be gainful employment strengthening the community, if I get what I would like to get."

"In April I will become a grandpop for the first time, and my parents just became my neighbors," said Kinsey, a Forest Knolls resident. "This will be an exciting expansion of opportunity that comes with a different pace and a different schedule."

Kinsey has served on the Marin County Board of Supervisors since 1996. His district, District 4, covers about two-thirds of the Marin County map, including West Marin and the south coast, Homestead Valley, San Quentin, Corte Madera and parts of parts of Larkspur, Novato and San Rafael.

Kinsey said he did not have a successor in mind.

"I don't have a protégé," Kinsey said. "My view is that the opportunity should inspire a number of folks to bring forward their qualifications. I look forward to scrutinizing anyone who steps forward and lending my support whenever it's warranted."

Only one candidate, Alex Easton-Brown of Lagunitas, has announced he will run for the seat. As word spread this weekend that Kinsey was telling supporters of his plans, Easton-Brown was quick to react.

"Word of Kinsey's retirement brings new hope to the notion that government is here to serve the people, not be served by the people: that we can get positive results without wasting tax dollars, without arrogance, without cronyism," Easton-Brown said in an email.

'ONE OF THE BEST'

Former supervisor Gary Giacomini, Kinsey's predecessor on the board, said Kinsey was "one of the best supervisors I've ever seen. He is a protector of agriculture and a protector of the coast."

Giacomini praised Kinsey's role on the Coastal Commission, as well as the Marin Agricultural Land Trust.

"He had a lot to do with expanding the role of MALT," the organization whose goal is protecting agricultural land in the county, Giacomini said.

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"MALT has protected maybe 50,000 acres of agricultural

land by buying the development rights so they will be in agriculture for perpetuity," Giacomini said. "I was part of that and Steve has been part of that for 20 years. The ranches you see in West Marin are largely because of the efforts of people like Steve Kinsey. Those ranches are preserved forever."

ERA OF CHANGES

When Kinsey took office 19 years ago, the county's agriculture industry had annual gross sales of about \$50 million. Now, sales are more than \$93 million.

Kinsey has long served on the Transportation Authority of Marin and the Metropolitan Transportation Commission. The commission is the region's transportation planning and financing agency.

"We raised more than a quarter-billion dollars for local roads through Measures A and B that we can use locally. We don't have to give any of it to the state or (federal government)," Kinsey said.

"When I started there were no buses in West Marin, and today over 65,000 trips are taken on (public transit there) every year," he said.

Kinsey took a leadership role in the development of the Marin Emergency Radio Authority, the countywide radio system for 26 agencies, including the sheriff's department, public works crews and the Marin Municipal Water District.

ENVIRONMENTAL LEGACY

"I got to know Steve when he had a ponytail and was chair of the (Marin) Conservation League Water Committee," said Susan Stompe, director of the league.

"He has had a long career in politics and he's followed his vision," Stompe said. "He had a big role in getting the C-SMART project going and that got started when it was not all a popular or common vision." The project, Marin County's "Sea-level Marin Adaptation Response Team," is a public-private partnership working to get Marin prepared to cope with sea level rise.

"Steve Kinsey has been a valuable member of our board," said Supervisor Judy Arnold in an email. "He has brought experience, institutional knowledge, and a phenomenal gift of public discourse. When I was first elected, former Supervisor Cynthia Murray told me to ask Steve if I could sit next to him because he would show me what to do. He was a good instructor."

Kinsey said he has no intention of slowing down while still in office.

"Marin has been working for six years to get our own plan for the coast approved by the (Coastal) Commission," he said. "One goal is to get the Marin County Local Coastal Program approved before I leave."

Giacomini said Kinsey will be much missed.

"If he had run, he would have been unbeatable," Giacomini said. "I knew it (the decision not to run) was coming, but I'm sorry he's leaving."

Independent Journal reporter Nels Johnson contributed to this report.

PG&E wants Marin Clean Energy customers to pay more for exit ticket

By Richard Halstead, Marin Independent Journal

UPDATED: 1 DAY AGO7 COMMENTS POSTED: 12/05/15, 11:08 AM PST

The California Public Utilities Commission will rule this month on requests from Pacific Gas and Electric Co. that some say if granted could retard the effort to boost renewable energy use in the state.

PG&E is seeking permission to nearly double the monthly fee it levies on customers of Marin Clean Energy and other community choice electricity suppliers. The investor-owned utility is also proposing a change in net metering policy that would substantially reduce the financial incentive for installing residential solar power systems.

When a PG&E customer opts to buy electricity from another energy supplier, such as Marin Clean Energy or Sonoma Clean Power, the company is permitted to charge that customer an exit fee to compensate it for the power contracts it previously entered into to supply that customer's electricity.

The average Marin Clean Energy customer pays an exit fee of \$6.70 per month. PG&E is requesting permission to nearly double the exit fee to about \$13 for an average Marin Clean Energy customer.

The increase would mean that, for the first time in several years, Marin Clean Energy customers would be paying more for their electricity than PG&E customers.

"We've been paying PG&E something for nothing for years, and now PG&E wants to charge us twice as much for the same amount of nothing," wrote Jan Phillips of San Rafael, an irate ratepayer.

Nicole Liebelt, a PG&E spokeswoman, said, the main reason for the exit fee increase request is lower market prices for energy.

"The lower market prices for energy available today are helping to keep rates lower than they otherwise might be," Liebelt said. "However, a significant portion of PG&E's energy supply portfolio is based on fixed costs or prices for utility-owned generation or contracted resources, some of which were contracted many years in advance."

When PG&E loses a customer to another energy supplier, it sells the excess electricity that it purchased for that customer. The company might earn or lose money, depending on market conditions. So far, PG&E has stockpiled more than \$1 billion from transactions in which it earned money. In conjunction with its request for a hike in the exit fee, PG&E initially asked the CPUC's permission to absorb this money. Marin Clean Energy objected.

"Those profits should be applied against any losses, so that the homes, schools, nonprofits and businesses in our communities are not burdened further," said Dawn Weisz, chief executive of Marin Clean Energy.

Liebelt said, "This accounting mechanism has absolutely nothing to do with Marin Clean Energy or Sonoma

Clean Power." She said the \$1 billion accrued from the sale of energy contracts for direct access customers before the creation of Marin Clean Energy.

OFFSET REJECTED

The CPUC rejected Marin Clean Energy's request that the money be used to offset the need for additional exit fee revenue and directed PG&E to submit an alternative proposal outlining its plans for the \$1 billion next year.

Marin Clean Energy — a joint powers authority consisting of all of Marin County, unincorporated Napa County and the cities of Benicia, El Cerrito, San Pablo and Richmond — is serving 174,000 customers. Last year, 56 percent of

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its electricity came from renewable sources, compared with Pacific Gas and Electric's electricity, which was 27 percent renewable.

This year, Marin Clean Energy estimates that its customers will be forced to pay PG&E \$19.3 million in Power Charge Indifference Adjustment fees. Should the CPUC approve PG&E's proposed increase, Marin Clean Energy customers are projected to pay about \$36 million to PG&E in 2016 alone, and residential customers, including low- or fixed-income customers, will be forced to pay more than half of that.

SOLAR THREAT FEARED

Solar power advocates say PG&E's proposed change to its net metering policy would have an even more farreaching effect. The change would cut nearly in half the financial credit solar customers receive for adding the excess electricity they generate to the electrical grid and impose a new monthly fee on operators of solar systems. PG&E estimates this new fee would amount to about \$13.50 per month for the average solar customer.

Liebelt said, "We believe this will ensure we are compensating customers in a way that more accurately reflects the value of the electricity they are sending back to the grid and the value of that power to other customers who will use it."

The changes would apply only to customers who install solar systems after PG&E reaches a milestone — when 5 percent of its total peak demand is being served by solar customers — expected to occur by the middle of next year.

"PG&E's proposal, similar to ones proposed by other California utilities, would slam the brakes on solar adoption in their territory," said Susannah Churchill, a regional director for Vote Solar, an Oakland-based nonprofit working to address climate change. "It would reduce solar savings and thereby reduce the incentive for people to go solar in the future."

'DEAL KILLER'

Brad Heavner, policy director at the California Solar Energy Industries Association, said, "If the utilities

commission were to adopt PG&E's proposal as is, it would eliminate the opportunity for people to go solar; this is a complete deal killer."

Churchill said, "As solar is becoming cheaper and more acceptable to more and more ordinary Californians, the big utilities in the state are seeing consumer-generated solar as a threat to their old way of doing business so they've taken aim at net metering in particular."

Liebelt said, "PG&E's Net Energy Metering proposal is designed to balance strong incentives for solar customers with ensuring that we invest in a modern electric grid that will keep solar growing for decades to come."

PG&E's solar customer base represents about 3.3 percent of the utility's 5.4 million electricity customers.

Marin Voice: MMWD must do more to bolster local supply

By Stuart Brown

POSTED: 12/07/15, 2:06 PM PST | UPI

UPDATED: 12 HRS AGO3 COMMENTS

The Jan. 28, 2014 report from the Marin Municipal Water District to the county Board of Supervisors was instructive by what it didn't include. There apparently is no near- or long-term plan, other than conservation and rationing, to increase water supply.

As someone who endured the 1976-77 drought in Marin, I have little sympathy for the district. Its charter is to provide adequate water to its customers, without rationing.

This means that storage and supply capability must be sufficient for at least four drought years in a row.

Supply in 1976 was clearly inadequate. While growth has occurred since, no increase in supply has been accomplished.

MMWD has had 40 years to achieve this, and last year was, literally, coming up empty.

Professor Robert Eyler, director of the Center for Regional Economic Analysis at Sonoma State University, estimated in 2009 that a 20 percent water shortage would result in around 1,000 jobs lost in Marin, with about \$159 million in lost output. A 30 percent water shortage leads to a whopping 11,036 jobs lost with \$1.9 billion in lost output.

What can be done? There are several obvious answers:

1. Reclaim water from the Central Marin Sanitation Agency. The agency's website says, "Approximately 6 billion gallons of wastewater are treated and released as clean effluent into San Francisco Bay each year."

This is equal to 18,413 acre-feet.

MMWD's website says that the average customer demand from 2003 to 2013 was 28,009 acre-feet (this excludes the 11,000 acre-feet released to streams).

So CMSA is dumping an amount of treated water equal to two-thirds of MMWD's demand.

CMSA says that its treated water is too salty to be used. This needs to be corrected.

MMMD and CMSA should form a task force to find a solution for this problem. (As an example, the technology of WaterFX for solar distillation of salt-impaired water, which is being used in the Central Valley, could be used.)

2. Enact an immediate moratorium on all new water meters. This means not approving any new connections, and shutting off any meters which are not being used, including approved meters.

It also means not approving any increases in meter size.

If users can be asked to reduce water use 20 percent or more, MMWD should look for ways to reduce its number of meters and increased demand by 25 percent.

3. Hold the required vote to build the desalination plant. In 2008, the cost of desalinated water was estimated to be around \$1,500 to \$2,000 per acre-foot. MMWD charges per acre-foot were then \$1,224 for Tier 1, \$2,448 for Tier 2, \$4,896 for Tier 3, and a whopping \$7,344 for Tier 4.

Desalinated water will be incremental to the basic supply, meaning that it will provide water which is billed in the upper three tiers. Customers whose water bills include Tier 2-4 components are already paying rates greater

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than the cost of desalination.

4. Petition the state under force majeure to gain relief from the required release of water to streams. Another avenue is to pipe the CMSA treated water to the streams.

I would guess that the majority of customers are using minimal water now. We should not have to compromise cleanliness and sanitation because there is a drought. Likewise, we should not have to suffer lower property values and the capital cost of lost landscaping.

Stuart Brown of San Rafael is a longtime Marin resident. He is a retired chemist and was a member of the 2001-02 Marin County Civil Grand Jury.

Methoprene denied at mosquito district, but agreement uncertain

By Beau Evans 11/24/2015

The board of trustees for the Marin/Sonoma Mosquito and Vector Control District shot down a controversial resolution by a 6-12 vote last Wednesday that would have allowed an unpopular pesticide, called methoprene, to be used in septic systems in West Marin starting next year. Long opposed by residents, methoprene has been kept out of West Marin for a decade due to an agreement that is set to expire at the end of December.

The resolution would have revised the agreement to add methoprene briquets and pellets to a list of 20 other pesticides approved for use in West Marin—compared to the 30 products that the district's general manager, Phil Smith, said are currently applied in Marin and Sonoma.

The resolution, however, made no mention of whether the longstanding agreement itself would also be renewed.

Critics at the meeting blasted the resolution on grounds that the district's West Marin subcommittee—which oversees West Marin-specific issues—did not meet with any members of the West Marin community before drafting the resolution. In fact, the committee has not met in over a year with the West Marin Mosquito Council—an unelected body of local leaders that helped forge the original agreement in 2005 and a series of renewals—even though the agreement will expire by year's end.

According to West Marin's representative on the board, Fred Smith, the move would have flown in the face of years of constructive, positive negotiations between the district and West Marin.

"I feel like you're adding fuel to the fire," Mr. Smith said. "I'm just kind of amazed. It concerns me that so many people on this board who are not from West Marin are making decisions for West Marin."

Mr. Smith and several other locals who traveled to the district's headquarters in Cotati for the meeting contested the committee's decision to bring the resolution before the board as an action item rather than an informational discussion that would not require a vote. If approved, the resolution would have taken effect on Jan. 1, 2016, without further discussion.

Despite repeated attempts, Mr. Smith could not elicit a straight answer from the committee's chair, Nancy Barnard, as to why the resolution was presented as an action item. Instead, Ms. Barnard reiterated that the committee does not consider methoprene to be toxic to humans, fish or other invertebrates in the environment.

"I understand where you're coming from, and I feel for you," said Ms. Barnard, who represents Corte Madera. "I wish you could see how the committee felt about the non-toxicity of methoprene. That's how we feel about it."

"But I wasn't asking about the toxicity," Mr. Smith said. "I was asking about the process."

"The process?" Ms. Barnard asked, puzzled. "The committee's report is to the board. That's our duty today."

"So, again," Mr. Smith said. "Why are we having an action item rather than an information item?"

"We don't feel that methoprene is toxic," she replied, then quickly called for the board to vote on the resolution.

Ms. Barnard and the committee based their recommendation on a report on methoprene completed earlier this month by Dr. Sharon Lawler, a professor of entomology and nematology at the University of California, Davis. Aggregating 1,700 studies published since 1974, Ms. Lawler's report concluded that using methoprene in septic tanks "will not cause any significant adverse environmental effects."

Dr. Lawler conceded that methoprene would prove toxic-even fatal-to a variety of animals in high dosages, but that those dosages would be hundreds of times higher than any amount applied for mosquito-control purposes at 10 parts per billion or less. But of the 1,700 studies consulted, only four related directly to methoprene in septic systems, and none evaluated the potential for methoprene to escape leaky tanks and contaminate groundwater, as Ms. Lawler's metastudy said no such studies were available.

Saving money is the prime reason, for Ms. Barnard and the committee, to introduce methoprene into West Marin. In a memo to the district, the committee estimated that septic treatment using pesticides in the agreement currently costs about \$100 per visit for materials and labor, and usually requires two or three visits. Methoprene, on the other hand, was estimated to cost under \$90 per visit, with only one visit needed.

Jim Zell, a director of the Stinson Beach County Water District, disagreed with Dr. Lawler's conjecture, as well as with the opinions from several trustees that leaks would not pose a risk to the environment. He said that if the district would notify the S.B.C.W.D. whenever they arrive to treat a septic tank—work the district only notes in annual reports—the water district could help reduce follow-up treatments.

"I'm somewhat alarmed by the misinformation regarding septic systems and how they work," Mr. Zell said. "Better communication could prevent repeat visits."

Mr. Zell's sentiment echoed the general discontent with the district's lack of communication that many West Marin residents expressed last Wednesday. Some even hinted that if the situation does not improve, the individual towns in West Marin might consider breaking away from the district.

"This is about trust," said Barry Smith, of Point Reyes Station. "To abandon this agreement, particularly with the process you're using or the non-process, strikes me as a betrayal. And I would predict that we'd be faced with de-annexation if that's the direction you'd like to go."

The agreement between West Marin and the district has come under fire in recent months after the district's attorney, Janet Coleson, wrote a legal opinion released in August that the agreement constituted an illegal delegation of the district's "police power" to curb pest populations, granted an improper veto to the council and could expose the district to litigation. But in September, attorney and executive director of the Environmental Action Committee, Amy Trainer, submitted a review of Ms. Coleson's opinion that deemed it to be incorrect in the interpretation of "police power."

"In renewing the prior agreement, the District would only be contracting away its police power improperly to the Council if the agreement forever prohibited the District from any consideration or actual use of methoprene or more toxic chemicals than that," Ms. Trainer's review said. "The prior agreement does not at all purport to do this.... The agreement was for a limited period of years, not open-ended."

Supervisor Steve Kinsey, who represents West Marin on Marin County's Board of Supervisors, threw in his support for a one-year extension of the current agreement despite the potential for future legal disputes. He did not, however, give any indication of his stance on methoprene.

"I am confident that a more careful crafting of the Statement of Intent, and an appropriate community dialogue, could result in an agreement which would not diminish the ultimate authority of the M.S.M.V.C.D. in managing mosquitoes, while also supporting the West Marin Mosquito Council as a useful framework for discussion of vector control issues in the community," Supervisor Kinsey wrote in a letter to the district.

Many board members suggested that the directors table a vote on the resolution and return to the matter next month, but Ms. Barnard pursued the vote, which failed.

The board agreed to add an item onto next month's consent calendar that would extend the agreement through March, with the condition that the district's West Marin committee meet with the West Marin Mosquito Council—which last month came under the supervision of the Bolinas Community Public Utility District—in the interim.

Marin water users will see rates climb in January

A plan to increase rates is discussed at a Marin Municipal Water District hearing Tuesday night in Corte Madera, Mark Prado — Marin Independent Journal

By Mark Prado, Marin Independent Journal

POSTED: 12/09/15, 3:38 PM PST UPDATED: 2 HRS AGO9 COMMENTS

An average household in the county will have to pay another \$10 a month or \$125 annually for water beginning in January after the Marin Municipal Water District board voted to raise rates to cover a projected deficit brought on largely by conservation.

A second 4 percent increase will likely go into effect May 1 of next year, but will be reviewed by the water board in April. If it moves forward, that would increase the annual rates another \$27 annually.

Without a rate change the district faces a \$5 million deficit next year and a \$7 million shortfall the year after, water officials said. Much of the district's financial woes can be traced to residents' conservation efforts, which means less water is being sold.

Several ratepayers who spoke at a hearing Tuesday on the increase were upset that they have worked to save water and that their reward is to pay more.

"Our water use is down," said Mill Valley resident Richard Owens, noting how his wife took water savings measures, including watering plants by hand. "Now we are going to pay more for our water than we did before. Your timing could not be worse. We should be congratulated as a community for having saved you water. What you are doing is turning around and slapping us in the face with a rate increase."

San Rafael resident Mike Ghilotti, president of Ghilotti Bros. Inc., said the district needs to tighten its belt.

"In here, we don't cut costs, we raise rates," he said of the district. "If I ran our company of 101 years like that we would have been out of business a long time ago."

SOME SUPPORT

Almost three dozen people spoke at the three-hour hearing, most critical

of the rate plan. But the district did have some support.

"None of us likes to pay more, but this is the real world, where things wear out and need to be repaired and replaced," said Anne Thomas of Corte Madera. "Utilities around the country are raising rates to fund capital investments and this district is no different. We can't just wait for the water mains to break down and the pumps to stop working."

Critics have made district salaries an issue, saying it is part of the reason consumers face an increase. With health benefits, Marin Municipal paid \$138,000 in average compensation per employee last year, up \$7,000 from the year before, according to Robert Fellner, research director of Transparent California.com, an affiliate of a conservative Nevada think tank that tracks public employee salaries and pensions.

District officials counter that the true number is \$125,402, which represents a 2.76 increase from the prior year. They also note it's district policy to pay the average of the salaries for comparable positions at 18 Bay Area agencies, including the city of San Rafael and the Central Marin Sanitation Agency.

It also has frozen 18 jobs in the past five years. The district has 245 employees. The agency has an annual budget of \$65 million, of which about 40 percent is labor. The district notes that even with the rate increase, a gallon of water is still less than one cent.

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AVOID BALLOT

Because the increases are regarded as "fees" and not taxes, the issue didn't have to go on the ballot under Proposition 218 rules, officials said.

But had a majority of property owners protested the increases in writing, the hikes would have been rendered null. Critics say the process is cumbersome and makes it difficult to get the majority needed to reject the plan. As of Tuesday, about 700 protest letters had been sent to the district. There are 61,675 service connections in the district between

Sausalito and San Rafael.

Water usage was already waning because of the 2008 recession and conservation efforts. This year the drought has taken hold in California and state water managers have required the water district to cut use by 20 percent — which customers have done and then some.

The district is not only charging more for water, but has restructured its entire rate system to better reflect its costs. Historically, the utility has charged customers for water consumption and used that as its main source of funding.

Now it will charge for water use, as well as for pipeline maintenance and for management of the Mount Tamalpais watershed. The district owns and manages 21,635 acres of watershed land on Mount Tamalpais and in West Marin.

For now, the district has pushed aside a proposed "drought surcharge" option that would have helped cover lost revenue if it mandates customers cut back on water use. The current conservation guidelines are voluntary.

Next December, the rate structure will be looked at again, officials said.

"The bottom line is I am comfortable with this rate increase because it's more of a rate restructure than a rate increase and that gives me a greater comfort level," said Jack Gibson, board president, in approving the increase. "I feel your pain, I really do, but this is the best I'm seeing on the horizon. I am for it