

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
January 21, 2020**

**CALL TO ORDER**

President Joly called the regular meeting of the Board of Directors of North Marin Water District to order at 6:00 p.m. at the District headquarters and the agenda was accepted as presented. Present were Directors Jack Baker, Rick Fraites, Michael Joly and Stephen Petterle. Also present were General Manager Drew McIntyre, District Secretary Terrie Kehoe, Auditor-Controller Julie Blue and Chief Engineer Rocky Vogler.

District employees Tony Arendell (Construction/Maintenance Supervisor) and Robert Clark (Operations/Maintenance Supervisor) were also in attendance.

**MINUTES**

On motion of Director Fraites, seconded by Director Baker the Board approved minutes from the January 7, 2020 meeting by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi

**GENERAL MANAGER'S REPORT**

Oceana Marin HOA Meeting

Mr. McIntyre informed the Board that there was a good turnout at the Oceana Marin HOA meeting Saturday, January 11<sup>th</sup>. He said the homeowners appreciated the news regarding substantial grant funding of scheduled treatment plant pond berm upgrades. Mr. McIntyre also shared that he had the opportunity again to remind the homeowners that there is no such thing as a flushable wipe.

Water Supply Coordination Council (WSCC) Meeting

Mr. McIntyre announced that on Monday, January 27<sup>th</sup> he has a WSCC meeting with WAC/TAC leadership in order to establish the agenda for the February 3<sup>rd</sup> WAC/TAC meeting.

Potter Valley Project

Mr. McIntyre advised that he and Mr. Vogler will have another Potter Valley Project Common Interest Agreement teleconference on Wednesday, January 29<sup>th</sup>. He added this will be the twelfth meeting since last summer in reference to PVP relicensing efforts.

#### **North Bay Water Reuse Authority (NBWRA) TAC Meeting**

Mr. McIntyre informed the Board that on Monday afternoon, February 3<sup>rd</sup> he will participate in a NBWRA TAC conference call meeting. He added that the NBWRA TAC has not met in many years and there is a renewed interest by the NBWRA Board to solicit input from the TAC to help assist with the path forward for NBWRA. Director Baker asked who the active TAC members were. Mr. McIntyre replied that he does not have a complete list yet, but the group consists of at least one staff member from each NBWRA agency and Program Manager, Chuck Weir.

#### **OPEN TIME**

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

Director Grossi arrived at 6:04 p.m.

#### **STAFF/DIRECTORS REPORTS**

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

Ms. Kehoe announced that she will forward the Director's portrait photos to Kiosk for use on our website once she has confirmation from each Director of their preferred photo.

Ms. Kehoe also provided the Board with Statements of Economic Interests Form 700 and reminded them that the completed form is due to the District office on April 1<sup>st</sup>.

Director Joly asked if Ms. Kehoe could periodically remind the Board by email to complete Form 700 and the Ethnic Training by April 1<sup>st</sup>.

#### **MONTHLY PROGRESS REPORT**

Mr. McIntyre reviewed the Monthly Progress Report for December. He stated that water production in Novato is down 10% from one year ago and up 2% year to date. He added that in West Marin, water production is down 15% from one year ago and down 14% year to date and Recycled Water production is up 7% fiscal year to date. Mr. McIntyre informed that Board that Stafford Treatment Plant had no production during the month of December and production is up 64% fiscal year to date. The Board was apprised that Stafford Lake is at 63% capacity, Lake Sonoma is at 89% capacity and Lake Mendocino is at 113% capacity. In Oceana Marin he reported that there were no unusual trends and the freeboard level is good. Mr. McIntyre noted that under Safety and Liability we had zero days without a lost time injury. On the Summary of

Complaints and Service Orders, he advised the Board that total numbers are down 11% from December one year ago and there were no unusual trends in complaints and service orders for the month.

Ms. Blue reported on the December 2019 Investments, where the District's portfolio holds \$23.3M earning a 2.19% average rate of return. She noted that during December the cash balance increased by \$191,246 and the current LAIF rate is 2.04%.

#### **CONSENT ITEMS**

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

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

NOES: None

ABSTAIN: None

ABSENT: None

#### **CONSULTING SERVICES AGREEMENT AMENDMENT No. 2 –WEST YOST ASSOCIATES**

The Board authorized the General Manager to execute Amendment No. 2 and increase the budget by \$20,000. This amendment will increase funds for additional consulting services to evaluate alternative treatment methods to address total trihalomethane (THM) production in our West Marin distribution system. In addition, it allows follow-up consulting to the initial Stafford Treatment Plant Efficiency Evaluation study.

#### **RENEW AGREEMENT FOR BILL PRINT SERVICES**

The Board authorized the Auditor-Controller to renew an agreement with InfoSend to provide document processing services. The agreement is unchanged except for revision to the dates and incorporation of the new rates. This agreement will allow the contract to renew annually with the option to terminate, renegotiate the rates, or continue month to month with sixty days advance written notice.

#### **ACTION ITEMS**

#### **REVISIONS TO LATE CHARGE AND SHUT-OFF POLICY NO. 6 AND REGULATION 55 IN RESPONSE TO SENATE BILL 998**

Ms. Blue explained to the Board the revisions to Late Charge and Shut-off Policy No. 6 and Regulation 55, Termination, Disconnection and Reconnection in response to Senate Bill 998. She informed the Board that the new legislation requires payment plans for deferred or reduced payments, includes a formal appeal process and prohibits a water system from discontinuing residential service for nonpayment until a customer payment has been delinquent for at least sixty days. Ms. Blue added the policy will need to be in multiple languages and we

will need to submit an annual report to the State Water Board indicating the number of times each year that residential water service was discontinued for inability to pay.

Director Baker asked if this is something that will affect the whole state. Ms. Blue confirmed. Director Baker asked if we have had much experience with other languages at the District other than Spanish. Ms. Blue replied that she has not, and noted Monica Juarez our Cashier/Receptionist is bilingual and often communicates with the public in Spanish. Director Baker wondered if these new rules were going to make things more complicated. Ms. Blue replied that it is essentially the same process we currently have, but the grace period is extended by seven days and offers a payment plan. Director Baker asked if we offered a payment plan in the past. Ms. Blue replied yes, informally. Director Baker asked if it will be more complicated now. Ms. Blue replied no, but we will have some additional communication requirements.

On the motion of Director Baker, and seconded by Director Petterle the Board approved the revisions to Late Charge and Shut-Off Policy No. 6 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

On the motion of Director Baker, and seconded by Director Fraites the Board approved the revisions to Regulation 55, Termination, Disconnection and Reconnection by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**GALLAGHER RANCH (LAGUNITAS CREEK) STREAMBANK STABILIZATION – CEQA-NOTICE OF EXEMPTION**

Mr. McIntyre advised the Board that the project will provide structural streambank stabilization along Lagunitas Creek using log crib wall construction, willow revetment, and other plantings. He stated the purpose of the project is to protect downstream NMWD well/conveyance pipeline facilities and to provide slope stability and riparian habitat benefits to the creek. Mr. McIntyre added that the project qualifies for a Class 33 Categorical Exemption under the California Environmental Quality Act (CEQA) Section 15333 (small habitat restoration

projects), and although categorically exempt from CEQA, other environmental permitting is still required including a Marin County Coastal Development Permit.

Director Joly asked if the notice was reviewed by legal counsel and our environmental consultant, ESA. Mr. McIntyre replied that ESA has performed a CEQA compliance review and while the project is categorically exempt, we are taking the conservative approach to file a Notice of Exemption with all regulatory agencies to allow an opportunity for comment. Director Baker asked if we were still working out the details of an easement for a proposed second water supply well on the Gallagher Ranch. Mr. McIntyre replied yes.

On the motion of Director Fraites, and seconded by Director Baker the Board authorized filing of a Notice of Exemption for the Gallagher Ranch (Lagunitas Creek) Streambank Stabilization project by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**GALLAGHER RANCH (LAGUNITAS CREEK) STREAMBANK STABILIZATION GRANT  
AGREEMENT- NATURAL RESOURCES CONSERVATION SERVICE (NRCS)**

Mr. McIntyre reminded the Board that last May the Board approved submission of a request to the Natural Resources Conservation Service (NRCS) to apply for an Emergency Watershed Protection (EWP) grant for this project. He added that the attached contract from NRCS serves as formal notification of the grant award and stipulates that the overall project must be completed by May 22, 2020. Mr. McIntyre stated that due to this restricted timeline we must continue to work quickly through the design/permitting, bid and construction phases to ensure we meet the deadline for the grant. He added that to receive the grant funds, staff is requesting that the Board give approval for the General Manager to execute the grant funding agreement with the Natural Resources Conservation Services (NCRS) for the Gallagher Ranch (Langunitas Creek) Streambank Stabilization Project.

Director Joly praised staff for a great job done in obtaining the grant and asked if staff felt comfortable that the project would be completed by the agreement deadline. Mr. McIntyre replied it is a tall order, however if we show we are doing everything we can, but we are delayed by permits, he believes NRCS will extend the deadline date. Director Baker asked if we need more money can the grant funding agreement be amended. Mr. McIntyre replied that he has already had this discussion with NRCS staff and while they can't guarantee it would be

amended, they thought we had a good chance.

On the motion of Director Petterle, and seconded by Director Fraites the Board authorized the General Manager to execute a grant funding agreement with NCRS for the Gallagher Ranch (Lagunitas Creek) Streambank Stabilization Project by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

### **INFORMATION ITEMS**

#### **ETHICS TRAINING FOR BOARD OF DIRECTORS AND DISTRICT OFFICERS**

Ms. Kehoe updated the Board on the Ethics Training for the Board of Directors and District Officers. She explained in order to satisfy Assembly Bill No. 1234 the training must be a total of two hours or more and must be completed by April 1st.

#### **AMI PROJECT FINAL CLOSEOUT REPORT**

Mr. Clark reported on the Advanced Meter Information (AMI) Final Closeout. He explained that since AMI implementation there has been nearly a threefold reduction in time spent on meter reading. He added that the hours not spent on meter reading have been primarily spent to serve customers in other ways. Mr. Clark stated that this has allowed for customer service improvements that include; reduced customer water loss, customer real-time engagement in water use, increased accuracy in monthly billing and water use data, redirection of meter reading labor to customer service, greenhouse gas reduction and improved employee safety. He added to date we have seen a 30% reduction in the total number of leak adjustments, with a 56% reduction in total dollar amount adjusted.

Director Petterle stated the memo was well prepared and he had no questions. Director Joly wanted to know why some meters were not active in the program. Mr. Clark replied there are 647 that are not part of AMI for various reasons, and only 56 of our customers have opted out. Ms. Blue added that some people who originally opted out chose to opt back in due to the increased ability to provide leak detection. Director Joly added the memo was highly informative.

#### **DISTRICT BACKFLOW PROGRAM HISTORY**

Mr. Clark summarized the District Backflow Program History. He explained that staff is currently in the process of evaluating our Cross Connection Control Program including Regulation 6. Mr. Clark stated that staff is also surveying other agencies to determine how

each agency addresses residential swimming pools, and also to help ensure that we are in line with typical industry standards. Mr. Clark also informed the Board that we recently had a customer contact the State Water Board about our program; but state officials referred the customer back to the District's cross connection program rules and regulations.

#### **ANNUAL REPORT ON BOARD COMPENSATION**

Ms. Blue presented the Annual Report on Board Compensation. She explained that in order to comply with Assembly Bill No. 2040 and Assembly Bill 1234, the District prepares a yearly report of the annual compensation and expense reimbursement paid to each Board member.

Director Petterle asked what the CPI adjustment was this year. Ms. Blue replied she can provide this at the next meeting.

#### **MISCELLANEOUS**

The Board received the following miscellaneous items: Disbursements – Dated January 9, 2020, Disbursements – Dated January 16, 2020, National Weather Service Precipitation Probability Map – January 2020 Three Month Outlook and The Oceana Marin Association Agenda – January 11, 2020.

The Board received the following news articles: Plans surface for Fireman's Fund site – POTENTIAL DEVELOPMENT; State fines Marin sewage plants- ENVIRONMENT; COM board should switch to district elections right now – OPINION; Measure targets cell tower failures – FIRE SAFETY OUTAGES; In Inverness, 40 years of independent water; Nearly empty office park has big potential – Editorial; Sonoma County readies legal action against PG&E over Kincade Fire; and Novato forgoes lawsuit over school district development – HAMILTON.

#### **CLOSED SESSION**

President Joly adjourned the regular session at 6:45 p.m. and the Board began the closed session at 6:53 p.m. in accordance with California Government Code Section 54956.9(d) (2).

#### **OPEN SESSION**

Upon returning to regular session at 7:36 p.m., President Joly stated that no reportable action had been taken.

#### **ADJOURNMENT**

President Joly adjourned the meeting at 7:36 p.m.

Submitted by

A handwritten signature in cursive script, reading "Theresa Kehoe".

Theresa Kehoe  
District Secretary