



NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
August 3, 2021 – 6:00 p.m.
Location: Virtual Meeting
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.

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

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

Video Zoom Method

Go to: <https://us02web.zoom.us/j/82191971947>

Password: 466521

Call in Method:

Dial: +1 669 900 9128
+1 253 215 8782
+1 346 248 7799
+1 301 715 8592
+1 312 626 6799
+1 646 558 8656

Meeting ID: 821 9197 1947#

Participant ID: #

Password: 466521#

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

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

Please note: In the event of technical difficulties during the meeting, the District Secretary will adjourn the meeting and the remainder of the agenda will be rescheduled for a future special meeting which shall be open to the public and noticed pursuant to the Brown Act.

Est. Time	Item	Subject
6:00 p.m.		CALL TO ORDER
	1.	APPROVE MINUTES FROM REGULAR MEETING , July 20, 2021
	2.	GENERAL MANAGER'S REPORT
	3.	OPEN TIME: (Please observe a three-minute time limit) This section of the agenda is provided so that the public may express comments on any issues not listed on the agenda that are of interest to the public and within the jurisdiction of the North Marin Water District. When comments are made about matters not on the agenda, Board members can ask questions for clarification, respond to statements or questions from members of the public, refer a matter to staff, or direct staff to place a matter of business on a future agenda. The public may also express comments on agenda items at the time of Board consideration.
	4.	STAFF/DIRECTORS REPORTS
		CONSENT CALENDAR The General Manager has reviewed the following items. To his knowledge, there is no opposition to the action. The items can be acted on in one consolidated motion as recommended or may be removed from the Consent Calendar and separately considered at the request of any person.
	5.	Consent – Approve: Revised Engineering Tech IV Job Description
		ACTION CALENDAR
	6.	Approve: Amending WM Emergency Water Conservation Ordinance 39 Resolution
	7.	Approve: Amending Regulation 1 – New Service Connections Resolution
	8.	Approve: Re-Declaring Surplus Properties, Novato (APNs 153-111-10, 153-111-15, 153-182-44) Resolution
8:00 p.m.	9.	MISCELLANEOUS Disbursements- Dated July 22, 2021 Disbursements- Dated July 29, 2021 CalPERS Preliminary Investment Returns FY 20/21. FY21 4 th Quarter Labor Cost Report <u>News Articles:</u> Marin IJ – Big Novato home project unveiled Marin IJ – Water limit for new development – MARIN MUNICIPAL Point Reyes Light – Supervisors uphold North Marin well permit Marin IJ – North Marin Water District looking to expand supply – FACING THE DROUGHT Point Reyes Light – Letters – NMWD came through
	10.	CLOSED SESSION: Conference with Legal Counsel – Existing Litigation Pursuant to California Government Code Section 54956.9(d)(1) - (disclosure of matter name would jeopardize existing settlement negotiations).
	11.	ADJOURNMENT

1

1 DRAFT
2 NORTH MARIN WATER DISTRICT
3 MINUTES OF REGULAR MEETING
4 OF THE BOARD OF DIRECTORS
5 July 20, 2021

6 **CALL TO ORDER**

7 Vice President Petterle announced that due to the Coronavirus outbreak and pursuant to
8 Executive Order N-29-20 issued by the Governor of the State of California this was a virtual
9 meeting. Vice President Petterle called the regular meeting of the Board of Directors of North
10 Marin Water District to order at 6:02 p.m. and the agenda was accepted as presented. Vice
11 President Petterle added that there was not a public location for participating in this meeting, but
12 any interested members of the public could participate remotely by utilizing the video or phone
13 conference dial-in method using information printed on the agenda.

14 Vice President Petterle announced in the event of technical difficulties during the meeting,
15 the District Secretary will adjourn the meeting and the remainder of the agenda will be
16 rescheduled for a future special meeting which shall be open to the public and noticed pursuant
17 to the Brown Act.

18 Vice President Petterle welcomed the public to participate in the remote meeting and
19 asked that they mute themselves, except during open time and while making comments on the
20 agenda items. Vice President Petterle noted that due to the virtual nature of the meeting he will
21 request a roll call of the Directors. A roll call was done, those in remote attendance established a
22 quorum. Participating remotely were Directors Jack Baker, Rick Fraites, Michael Joly and
23 Stephen Petterle. President Grossi joined the meeting at 6:30 p.m.

24 Vice President Petterle announced all public attendees will be invited to speak and will
25 need to use the raised hand icon in Zoom or dial *9 to be called upon.

26 Mr. McIntyre performed a roll call of staff, participating remotely were Drew McIntyre
27 (General Manager), Tony Williams (Assistant GM/Chief Engineer), Terrie Kehoe (District
28 Secretary), Julie Blue (Auditor-Controller), Robert Clark (Operations/Maintenance
29 Superintendent) and Tony Arendell (Construction/Maintenance Superintendent). Also
30 participating remotely were Morgan Biggerstaff (BPMNJ), District legal counsel and IT consultant
31 Kevin Cozart (Core Utilities).

32 Vice President Petterle announced for those joining the virtual meeting from the public to
33 identify themselves. Participating remotely were Michael Hooper, Will Houston (Marin IJ) and two
34 other public members with the names Edward and 510***538.

35 **MINUTES**

36 On motion of Director Fraites seconded by Director Joly the Board approved minutes from
37 the June 15, 2021 Regular Board Meeting by the following vote:

38 AYES: Director Baker, Fraites, Joly and Petterle

39 NOES: None

40 ABSTAIN: None

41 ABSENT: Director Grossi

42 **MINUTES**

43 On motion of Director Joly seconded by Director Baker the Board approved minutes from
44 the June 22, 2021 Regular Board Meeting by the following vote:

45 AYES: Director Baker, Fraites, Joly and Petterle

46 NOES: None

47 ABSTAIN: None

48 ABSENT: Director Grossi

49 **GENERAL MANAGER'S REPORT**

50 State Water Board Russian River Diversion Tracking

51 Mr. McIntyre informed the Board that Russian River diversions through July 15, 2021 are
52 currently tracking 24% below the same period in 2020. He added the trend has a limited duration
53 but initial results show that that the water contractors are meeting and exceeding the state Order.

54 West Marin Salinity Update

55 Mr. McIntyre reported the current sodium levels continue to track below 50 mg/L and
56 NMWD will put a notice in the Point Reyes Light as soon as our weekly testing for sodium reaches
57 or exceeds 50 mg/L. He added low saline water will be made available for customers on salt
58 restricted diets near the Point Reyes Treatment Plant when sodium levels reach the 115 mg/L
59 threshold.

60 Gallagher Well No. 2 Board of Supervisors Appeal Hearing – July 13, 2021

61 Mr. McIntyre apprised the Board that at the July 13th Board of Supervisors meeting the
62 Board of Supervisors unanimously approved to deny the appeal and affirmed the Planning
63 Commission's decision to approve Gallagher Well No. 2 for a coastal permit. He added that he
64 had a chance to summarize the critical need for our project and to respond to Mr. Gordon
65 Bennett's appeal concerns. He noted Mr. Ken Levin also had an opportunity to speak in support

66 of the project. Mr. McIntyre reminded the Board that staff has submitted a permit application with
67 California Department of Fish and Wildlife and our hope is to continue Gallagher Well No. 2 tests
68 this fall to better ascertain any impacts on Lagunitas Creek. Mr. McIntyre added he will provide
69 a more detailed update at a future meeting. He noted the decision can still be appealed to the
70 California Coastal Commission.

71 **OPEN TIME**

72 President Grossi asked if anyone from the public wished to bring up an item not on the
73 agenda and there was no response .

74 Mr. McIntyre informed the Board that Novato Customer Al Dugan emailed two questions
75 since he was unable to attend tonight's meeting. Mr. Dugan wanted to know how much water
76 1,600 people use in a year and also the District's game plan if we have another dry year. Mr.
77 McIntyre noted this information will be discussed during Item #11, Local Water Supply
78 Enhancement Study.

79 **STAFF/DIRECTORS REPORTS**

80 President Grossi asked if any Directors or staff wished to bring up an item not on the
81 agenda and the following were discussed.

82 Mr. Clark reported the Residential Recycled Water Program has been up and running for
83 four weeks and to date we have 33 customers using a total of 10,000 gallons. He added the
84 station has been open Tuesday and Friday from 9 a.m. to 1 p.m. and staff is considering
85 expanding the program to include another four-hour shift on Saturdays.

86 Ms. Blue announced, included in the agenda packet is the current budget and asked the
87 Board to let her know if they wished to have a hard copy of the budget.

88 Ms. Blue updated the Board on the AMI project implementation correction. She reminded
89 the Board as explained at the June 15th meeting there was an issue with a small group of AMI
90 registers that did not match the size of the meter. Ms. Blue noted the Board approved a
91 compromise where Ferguson would pay \$11,000, the District will pay \$6,900 and the underbilled
92 customers would pay the remaining \$6,900 of the lost revenue. However, the Board directed staff
93 to first try and further negotiate with Ferguson. Ms. Blue was happy to report to the Board that
94 Ferguson agreed to provide an additional \$7,000 credit to cover the customers' portion of the bills.
95 Director Joly and Petterle commended staff.

96 Director Joly asked if someone from the District would be attending the July 29th City of
97 Novato Meeting about the Fireman's Fund project. Mr. McIntyre responded that the intent of the
98 meeting is for the developer to discuss the project with interested citizens and that NMWD will
99 have separate meetings with the developer as part of the application process. Director Joly asked

100 if the campus used recycled water. Mr. McIntyre replied they use both potable and recycled water.
101 Director Fraites stated the recycled water was used mainly for irrigation. Mr. McIntyre confirmed,
102 noting the lake feature however is potable water and he did not believe that water feature would
103 remain. Director Fraites added, if the feature does stay, it needs to be converted to recycled
104 water.

105 **MONTHLY PROGRESS REPORT W/CUSTOMER SERVICE QUESTIONNAIRE**

106 The Monthly Progress Report for June was reviewed. Mr. McIntyre reported that water
107 production in Novato was down 20% from one year ago and down 0.5% over the entire fiscal
108 year. In West Marin, water production was down 16% from one year ago and down 2% over the
109 entire fiscal year. In Oceana Marin it was the first time this calendar year that effluent flow volume
110 was below last years. Additionally, Mr. McIntyre reported pond freeboard levels were good.

111 The Board was apprised that Stafford Lake was at 2,000 AF or 48% capacity, Lake
112 Sonoma was at 53% and Lake Mendocino was at 36% capacity. Mr. McIntyre stated Lake
113 Sonoma is a multi-year storage reservoir and the recent state Order to reduce diversions by 20%
114 will slow the declining storage levels so as to delay reaching the 100,000 AF threshold to
115 November. He noted if our winter is a critical dry year we may see further reductions. A
116 discussion ensued. Director Petterle asked how much water all agencies together use in order
117 to meet the 20% reduction. Mr. McIntyre replied it is about 17,000 AF from July through October.
118 Director Petterle asked if we leave 100,000-acre feet of water in Lake Sonoma in November, how
119 long will that supply last. Mr. McIntyre replied if we have no inflow into Lake Sonoma this coming
120 winter there would be enough supply for one more year minimum, but at increased conservation
121 requirements above 20%.

122 Mr. McIntyre continued with the Progress Report summary noting that Recycled Water
123 production was up 8% from one year ago and up 12% over the entire fiscal year. Under Safety
124 and Liability, we had 225 days without a lost time injury. Under Water Conservation Mr. McIntyre
125 reported staff have processed 109 toilet rebates, 225 retrofit on resale certificates, 17 Cash for
126 Grass rebates and 26 washing machine rebates. Mr. McIntyre stated under Utility Performance
127 there were a couple of notable service interruptions; one involving the replacement of an old AC
128 pipe on Glen Lane and the other in which a contractor hit a water main on Simmons Lane.

129 On the Summary of Complaints and Service Orders, the Board was apprised that total
130 numbers were up 20% from June one year ago. Mr. McIntyre stated there were 128 customer
131 service questionnaires sent out over the last quarter and 44 returned resulting in a 34% rate of
132 return. Director Joly noted it was great to see the customer visitation rate on the website had
133 more than doubled since April. He commended Mr. Grisso, Kiosk and staff for doing a wonderful

134 job with social media. Director Grossi stated since his article in the Marin IJ was published he
135 has been getting emails from people even outside of our District complimenting us on what NMWD
136 has done so far. He added, the AMI meter project has paid for itself in good publicity. Director
137 Joly also recognized Will Houston of the Marin IJ for doing a great job reporting and highlighting
138 the drought in his articles.

139 Ms. Blue reported on the June 2021 Investments, where the District's portfolio holds \$25M
140 earning a 0.41% average rate of return. She noted that during June the cash balance decreased
141 by \$356,955. Ms. Blue also noted the Local Agency Investment Fund (LAIF) interest rate was
142 0.26%. Director Joly requested Ms. Blue report on the cyber security protection of the LAIF
143 investments since there is a large amount of funds invested there. Ms. Blue replied she is
144 currently attending a GFOA conference and they are providing information on that subject,
145 therefore she will have more information to report to the Board at a later date.

146 **CONSENT ITEMS**

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

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

150 NOES: None

151 ABSTAIN: None

152 ABSENT: None

153 **WATER AGREEMENT FIRE RESTORATION 385 BEL MARIN KEYS, APN 157-400-57**

154 The Board approved the Water Agreement for 385 Bel Marin Keys, APN 157-400-57. The
155 current project proposes to restore the existing building to its previous condition before a fire
156 damaged the building. Restoration plans include replacing the existing 5/8" meter with a new 1.5"
157 meter and installing a new above ground fire service located near the entrance of the building.

158 **ACTION ITEMS**

159 **ON-CALL, PAINTING AND COATING SERVICES CONTRACTS WITH REDWOOD PAINTING**
160 **COMPANY, INC. AND UNIFIED FIELD SERVICES CORPORATION**

161 Mr. Williams made a recommendation to the Board to enter into contracts with Redwood
162 Painting Company, Inc. and Unified Field Services Corporation (for a total authorization of
163 \$500,000); noting work will be approved based on negotiated task orders with the contractor that
164 can most efficiently complete each task based on type of work and availability of resources. He
165 added pricing for projects will be obtained from both contractors with the lowest price selected to
166 ensure strong price competition.

167 Director Joly asked how long the \$500,000 would cover our needs. Mr. Williams replied

168 it should cover this fiscal year and potentially part of next, adding he would come back to the
169 Board if the amount needed to be augmented. Additionally, he noted the cost would be paid by
170 budgeted maintenance and CIP line items.

171 On the motion of Director Joly, and seconded by Director Petterle the Board authorized
172 the General Manager to execute agreements with Redwood Painting Company, Inc. and Unified
173 Field Services Corporation for on-call painting and coating services with a not to exceed limit of
174 \$250,000 each by the following vote:

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

176 NOES: None

177 ABSTAIN: None

178 ABSENT: None

179 **APPLICATION FOR ANNEXATION TO IMPROVEMENT DISTRICT NO. PRE-1, 11 REDWOOD**
180 **AVENUE, INVERNESS (APN 114-071-13)**

181 Mr. Williams proposed to the Board the annexation to Improvement District No. PRE-1 for
182 11 Redwood Avenue, Inverness (APN 114-071-13). He informed the Board the property lies
183 within the District's territorial boundaries and noted the District had previously permitted other
184 individual properties in this area to be annexed into Improvement District No. PRE-1 and water
185 service could be provided to this parcel from a connection to the District's water main in Sir Francis
186 Drake Boulevard. Mr. Williams noted all prior annexations back to 1982 have been simple
187 connections on Sir Francis Drake Blvd. in which consumers were worried about water supply from
188 a private water company. Mr. Williams stated this straight forward approach has been reviewed
189 by legal counsel, a letter of request has been provided by the property owners and there will be
190 a formal consent to annexation by the property owners of 11 Redwood Avenue. Mr. Williams
191 informed the Board staff will post a notice in the Point Reyes Light and notify Inverness Public
192 Utilities District.

193 Director Grossi stated even though he is in favor of the annexation, he asked if Mr.
194 Williams foresees any objection from the public since we are experiencing a drought, Mr. Williams
195 replied that it may be controversial if we were annexing into the District Boundary, however in this
196 situation the parcel is already within our boundary. Mr. McIntyre added that any approval process
197 for a new connection will still be required to comply with all prohibitions currently in effect. Director
198 Baker stated he will support the annexation, but we could have more and more people coming to
199 us asking for a connection; noting we cannot serve them all and we need to be cautious.

200 On the motion of Director Petterle, and seconded by Director Fraites the Board approved
201 the annexation to Improvement District No. PRE-1 for 11 Redwood Avenue, Inverness (APN 114-

202 071-13); adopted the resolution and authorized staff to file CEQA NOE with the Marin County
203 Clerk by the following vote:

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

205 NOES: None

206 ABSTAIN: None

207 ABSENT: None

208 **RESCIND DECLARATION OF LOCAL EMERGENCY RELATED TO COVID-19 PANDEMIC**

209 Mr. McIntyre apprised the Board that based on the Governor's June 15, 2021 termination
210 of the vast majority of executive actions put in place as part of the initial pandemic response, the
211 measures taken under the District's emergency declaration to ensure operational flexibility in
212 meeting the challenges of COVID-19 during the pandemic are no longer required.

213 Mr. McIntyre stated it is important to recognize that the COVID-19 virus has not been
214 eliminated at the national, state or local levels and conditions could change. He added while
215 termination of the District's emergency declaration is requested, the District will continue to
216 comply with all federal, state, and local laws and regulations which may apply to these areas.

217 Mr. McIntyre announced walk-in services resumed on July 19th with front counter
218 operations from 10 a.m. to 2 p.m., Monday through Thursday. He added these reduced hours
219 will be increased after re-evaluation in late August. Mr. McIntyre noted the small number of staff
220 working remotely are beginning to transition to full onsite work.

221 Mr. McIntyre apprised the Board that he is targeting returning to in-person Board Meetings
222 on August 17th based on current conditions. He added in-person Board Meetings will no longer
223 include the option for remote video participation, but we will continue to allow remote audio
224 participation using the District's conference phone feature as originally implemented at the start
225 of virtual meetings. Mr. McIntyre noted he expects that the remote call-in participation option
226 would sunset at the end of September which is when the current state order allowing virtual
227 meetings is projected to end.

228 Director Grossi stated he just came from his first in person meeting since the pandemic.
229 He noted based on the direction of Matt Willis, Marin County Public Health Officer, everyone had
230 to wear a mask, and those that did not were removed from the room and watched virtually.
231 Director Grossi added he hoped a month from now everything will settle out. Director Joly asked
232 a question about front lobby operations and a discussion ensued.

233 On the motion of Director Joly, and seconded by Director Baker the Board rescinded
234 Resolution 20-07 and approved termination of the local emergency resulting from the COVID-19
235 pandemic as declared by Resolution 21-16 by the following vote:

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

237 NOES: None

238 ABSTAIN: None

239 ABSENT: None

240 **INFORMATION ITEMS**

241 **REQUEST FOR PROPOSAL: LOCAL WATER SUPPLY ENHANCEMENT STUDY**

242 Mr. McIntyre requested comments on the Local Water Supply Enhancement Study
243 Request for Proposal. He reminded the Board that one of the District's 2018 Strategic Plan goals
244 was to increase long term water supply reliability. He stressed time is of the essence to move
245 forward with solicitation for qualified consultants to perform this study and this effort sequences
246 well with the current progress on SCWA's Regional Water Supply Resiliency Study. Mr. McIntyre
247 added, the goal of the Local Water Supply Enhancement Study is to identify, evaluate and
248 recommend the most feasible alternative(s) to developing additional local water supply for our
249 Novato Service Area.

250 Mr. McIntyre noted one of Mr. Dugan's questions was what is the District doing to plan
251 for another dry year and this study will be one step towards planning for a third dry year.

252 Director Joly stated any enhancement of supply is great and asked when the Board could
253 expect to hear about the ideas that comes forth from the study. Mr. McIntyre replied it will most
254 likely be around March of 2022 before we have recommendations.

255 Director Joly stated there was a meeting held on May 11th with Congressman Huffman
256 and asked if our state representatives are saying anything to the water contractors about the
257 drought situation and if there were any plans for the state to help financially on a regional level.
258 Mr. McIntyre replied that a final state budget is expected by the end of June and it is too early to
259 tell how much funding will be available for drought related projects. He added that Congressman
260 Huffman is co-sponsoring legislation to provide funding to encourage additional recycled water
261 projects in California and other western states. Director Grossi stated you have to have a project
262 before they will fund it, so it would be good to have one in place in case there is money available.
263 He asked if in November we still have little or no rain, what is the plan regarding backfeeding
264 Stafford Lake again. Mr. McIntyre responded we will certainly look at backfeeding Stafford Lake
265 this winter as we move into the winter months. Director Fraites reminded the Board not to forget
266 Congressman Huffman once sat on the MMWD Board of Directors and he knows the water issues
267 in Marin County. He added he has noticed a lot of questions on social media, advising we want
268 to let the public know about this study and that we are looking at other alternatives for water
269 supply.

270 Director Fraites advised NMWD should look at desalination, even though he is not an
271 advocate of it, it should be part of the discussion and added to the list. Director Petterle stated
272 he supports the study, but believes there are two issues to consider, the short term and the long-
273 term supply. He referred to an article in the Marin IJ about the homes going in at the old Fireman's
274 Fund location. Director Petterle noted the CEQA could be ten years away, but since there is a
275 transit hub close by the project CEQA may be less restrictive and move more quickly. He stated
276 he is concerned about the next five to ten years, what if we don't have enough supply even with
277 conservation. Director Petterle stated our water conservation program has been successful, our
278 customers have reduced consumption early on and so the amount a customer can continue to
279 reduce is less now. He added we need to think not only of the next two to three years, but also
280 the next five to ten.

281 Director Joly stated it is our mission to meet the expectations of our customers in providing
282 potable water and that mission is something that is our obligation to make happen where we can
283 within reason. He added conservation at this point has a marginal return and no longer a climate
284 change solution; and desalination and all other options should be on the table. Director Joly noted
285 the state and federal government have deeper pockets and MMWD is getting their projects ready.
286 Director Petterle agreed we should have shovel ready projects in three to five years, noting he
287 will look to staff for a solution. He added anything we can do to speed up the process would be
288 beneficial to our customers. Director Grossi stated what is involved is more complex, politics are
289 involved and the state mandate housing numbers are not going away. Director Joly noted our job
290 is to supply water the rest is for the powers above us. Director Petterle stated he supports Mr.
291 McIntyre's proposal and encourages staff to do everything they can to develop additional water
292 supply since they are the professionals. Director Joly completely agreed and thanked Mr.
293 McIntyre for his memo.

294 Mr. McIntyre shared another comment from Mr. Dugan who wanted to know how much
295 water 1,600 people use, answering the range is between 100-175 AF per year depending on the
296 level of outdoor irrigation. Director Grossi asked what our obligation was to the Fireman's Fund
297 project. Mr. McIntyre replied it is an existing project that has a previous water service agreement
298 with purchased water allocations. Mr. McIntyre noted he does not know what the demand of the
299 new project will be. A general discussion ensued.

300 **TAC MEETING JUNE 7, 2021**

301 Mr. McIntyre informed the Board on the TAC meeting held on June 7, 2021. He stated in
302 reference to the Potter Valley Project, SCWA is trying to find grant money to fund initial studies,
303 hoping some state money will come from the revised state budget. Mr. McIntyre also announced

304 the City of Cloverdale is a new member of the Sonoma Marin Saving Water Partnership.

305 **NBWA MEETING – JULY 9, 2021**

306 Director Fraites reported on the NBWA meeting that was held on July 9, 2021. He stated
307 the guest presentation was done by Mark Brown the Executive Officer of Marin Wildfire Prevention
308 Authority (MWPA). He noted MWPA are coming together to plan strategies for wildfire prevention,
309 which includes getting away from giant fire breaks, removing unhealthy trees and unhealthy
310 vegetation and planting drought resistant and fire smart vegetation. He noted MWPA has done
311 a lot to reduce fire in Marin County; but they still have a long way to go.

312 **MISCELLANEOUS**

313 The Board received the following miscellaneous items: Disbursements – Dated June 24,
314 2021, Disbursements – Dated July 1, 2021, Disbursements – Dated July 8, 2021, Approved FY
315 2021-22 Budget and County of Marin – News Release – Marin Added to State’s Drought
316 Emergency Counties.

317 The Board received the following news articles: Marin IJ – Editorial – Bad drought
318 demands good conservation; Marin IJ – MMWD starts legwork on bridge pipeline, desalting –
319 DROUGHT; Marin IJ – Marin Voice – North Marin Water District president considers solutions;
320 Point Reyes Light – NMWD raises water rates; Point Reyes Light – Letters – Response to North
321 Marin; Marin IJ – Don’t expect speed of 1977 in latest plan to bring water; Marin IJ – Overhaul of
322 water rates in W. Marin -NORTH MARIN WATER; Marin IJ – Plan to help monitor water usage
323 comes with price; Marin IJ – Historic lows for rainfall in Marin; Marin IJ – Editorial – Track water
324 closely for best conservation; Point Reyes Light – Districts look to tech to tackle wasteful leaks;
325 Marin IJ – MMWD enacts one-day sprinkler limit; Point Reyes Light – NMWD raises water rates;
326 Point Reyes Light – Public input campaign for Coast Guard housing; Point Reyes Light – Marin
327 Water studying creek release impacts; Sacramento Bee – Gavin Newsom calls on Californians to
328 cut water use by 15%, expands drought emergency; Marin IJ – Newsom sets stage for Marin
329 water aid – DROUGHT CRISIS and Marin IJ – Drought affects supply from wells – SALTWATER
330 CONTAMINATION.

331 The Board received the following social media posts: NMWD Web and Social Media
332 Report – June 2021.

333 Mr. McIntyre referred to the article in regards to MMWD going to one day per week
334 irrigation. He stated staff is evaluating how it relates to West Marin per our Interconnection
335 Agreement for release of water in Lagunitas Creek. Mr. McIntyre noted NMWD must have similar
336 conservation measures in place. Mr. McIntyre added he expects to come back to the Board at
337 the first meeting in August with changes to the West Marin Emergency Water Conservation

338 Ordinance.

339 **CLOSED SESSION**

340 President Grossi adjourned the regular session at 7:38 p.m. and the Board began the
341 closed sessions at 7:40 p.m. in accordance with (1) Conference with Real Property Negotiator –
342 as authorized pursuant to Government Code Section 54956.8: property: APNs 153-111-10, 153-
343 111-15, and 153-182-44; Agency Negotiator: Assistant General Manager/Chief Engineer;
344 Negotiating Party: Surplus Lands Act Submission; Under Negotiation: Price; (2) Conference with
345 Real Property Negotiator – as authorized pursuant to Government Code Section 54956.8:
346 Property: 119-050-17; Agency Negotiator: General Manager; Negotiating Party: Gallagher
347 Family, LLC; Under Negotiation: Price and (3) Conference with Legal Counsel –Significant
348 Exposure to Litigation Pursuant to California Government Code Section 54956.9(d)(2) One
349 Potential Case.

350 **OPEN SESSION**

351 Upon returning to the regular session at 8:55p.m., President Grossi stated that during the
352 closed session the Board had discussed Agenda Items 15, 16 and 17 and no reportable action
353 had been taken on each item.

354 **ADJOURNMENT**

355 President Grossi adjourned the meeting at 8:55p.m.

356 Submitted by

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358 Theresa Kehoe
359 District Secretary

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MEMORANDUM

To: Board of Directors

July 30, 2021

From: Tony Williams, Assistant General Manager/Chief Engineer *ABL*
Karen Clyde, HR and Safety Manager *KRC*

Subj: Revised Engineering Technician IV Job Description
t:\hr\employment\engineering\eng tech iv 2021\engtech iv revd job desc bod memo july 2021.docx

RECOMMENDED ACTION: Board approve revised Engineering Technician IV job description.

FINANCIAL IMPACT: None (Included in FY 22 Budget)

Background

In December 2018, the North Marin Water District (NMWD) and the NMWD Employee Associate executed a *Side Letter Agreement to the 2018-2023 NMWD/Employee Associate Memorandum of Understanding* stipulating, "The district and the employee association will review the duties in the Engineering Technician III and IV job descriptions, and if appropriate, make any necessary adjustments".

The review of these positions was requested by the NMWD Employee Association (Association) representative Jeff Corda after the July 19, 2017 hiring of Susan Dove as an Engineering Technician IV. Ms. Dove was hired to fill a vacancy created when former Engineering Technician III Arthur Cantiller retired. The Association's request was to address concerns that Ms. Dove was hired into a job classification that did not accurately characterize the job duties she was performing. The Association's desire was to ensure the two different jobs, at the top level of the Engineering Technician Series, were appropriately classified.

In conjunction with Ms. Dove's hiring, the Board approved an Engineering Technician IV Draftsperson position at the July 28, 2017 meeting. Although the Board approved the Engineering Technician IV Draftsperson position in 2017, no distinction of the two focus areas for that job classification have been formalized to date.

Job Description review and update

The Engineering Technician III job description has been reviewed and it has been found that changes are not needed.

The revised Engineer Technician IV job description reflects two distinct focus areas, including current duties and requirements for education and experience (Attachment 1). The revised job description was provided to the Association for review and approval was received on July 14, 2021. The update of the position description was performed to better identify the

Approved by GM *AD*
Date 7/30/21

characteristics and duties between the two focus areas: mapping and drafting; and construction inspection and survey as well as allowing NMWD to provide more focused skillsets for the essential duties of this position.

The approved fiscal year (FY) 2022 budget includes a total of three (3) Engineering Technician IV positions. There are currently two existing staff in the Engineering Department with this classification, leaving one unfilled position.

Upon approval of the Engineering Technician IV job description the District will begin recruiting for the budgeted vacant position. The District will solicit candidates through its normal recruiting processes.

RECOMMENDED ACTION

Board approve the revised Engineering Technician IV job description.

**DRAFT
ENGINEERING TECHNICIAN IV**

*This class description is only intended to present a summary of the range of duties and responsibilities associated with the positions. Descriptions **may not include all duties** performed by individuals within the class. In addition, descriptions outline the minimum qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION

Performs technical engineering duties in the office and in the field related to surveying, designing, drafting, office research and construction inspection of District water and wastewater infrastructure projects.

DISTINGUISHING CHARACTERISTICS

The Engineering Technician IV is the advanced working senior-level position in the Engineering Technician series performing technical engineering work with a high degree of difficulty, providing an advanced level of support to engineering activities primarily related to office engineering duties such as computer aided drafting (CAD), geographic information system (GIS), and Asset Management and/or construction inspection in the field.

This classification is distinguished from the Engineering Technicians I – III in that Engineering Tech IV performs more complex work and work with a greater degree of independence with focus in one of the two focus areas:

Engineering Technician IV (Mapping and Computer-aided Drafting) is the advanced working level in the series. Incumbents perform technical engineering work with an advanced degree of difficulty. This upper-level position in the Engineering Technician series provides a high level of support to engineering activities primarily related to engineering drawings, engineering records and GIS layers, as well as expertise in AutoCAD and Asset Management systems. This class is distinguished from the lower-level Engineering Technician classes (I – III) in that the latter class performs the most difficult and complex technical assignments on a continuing basis, with minimal supervision.

Engineering Technician IV (Construction Inspection and Survey) is the advanced working level in the series. Incumbents perform technical engineering work with an advanced degree of difficulty. This upper-level position in the Engineering Technician series provides a high level of support to engineering activities primarily related to soils and materials testing and inspections. This class is distinguished from the lower-level Engineering Technician classes (I – III) in that the latter class performs the most difficult and complex technical assignments on a continuing basis, with minimal supervision.

SUPERVISION RECEIVED

Receives supervision from the Chief and/or Senior Engineer and general direction from the Associate and Assistant Engineers.

ESSENTIAL DUTIES (include but are not limited to the following)

Engineering Technician IV (Mapping and Computer-aided Drafting)

Layout and prepare drawings for the design, installation, improvement, replacement and location of District water and sewer facilities including tanks, pumping stations, transmission mains and typical subdivision water system networks and sewer collection systems. Gather information required for field location of District facilities, making field measurements and sketches. Using AutoCAD Civil

3D, complete computer aided drafting of as-built drawings, mapping and easement drawings; drafting of special projects both engineering and non-engineering; assists in algebraic, trigonometric and geometric calculations; data collection; land survey work; operates computers including use of spread sheet, computer aided drafting software, GIS software and operates other engineering devices such as plotters and other office equipment; updates District water facilities in GIS; contacts and coordinates with other utility companies regarding location of existing utilities as needed for design of main replacement and other capital improvement projects; utilizes Asset Management software proficiently; deals courteously with and provides information to the general public when required.

Engineering Technician IV (Construction Inspection and Survey)

Reviews construction plans for transmission or distribution pipelines, tanks, pumps and associated facilities; prepares lists of materials required for construction, inspects trenching operations, installation of pipe, services and hydrants, backfilling and testing, reviews progress payments and final acceptance of satisfactory work; makes field sketches of completed work; makes inspection of materials in manufacturer's plant; maintains job records; under supervision, operates testing equipment in connection with pipe material, painting, cathodic and other materials; assists in pipe flow testing, right-of-way and construction layout and surveying; prepares materials requisitions and keeps accurate job material records.

OTHER DUTIES

Does layouts and final drawings of right-of-way and topographic maps, plots surveyor's notes, draws profiles and sections; reduces field notes, determines areas and volumes; prepares working drawings for installation of pipelines and related facilities.

QUALIFICATIONS (The following minimum qualifications are necessary for entry into the class)

Education/Experience

Any combination of training and experience that would provide the required knowledge, skills, and abilities may be qualifying. A typical way to obtain the required qualifications would be:

Engineering Technician IV (Mapping and Computer-aided Drafting)

Possession of a high school diploma, Associate Degree or its equivalent and supplemental courses in engineering/CAD drafting/GIS with a minimum of (5) five years' experience in CAD drafting and other engineering technician III-related duties. Engineering technology experience beyond the 12th grade may be substituted for the required experience.

Engineering Technician IV (Construction Inspection and Survey)

Possession of a high school diploma or its equivalent and five years of construction inspection, surveying experience and/or other engineering technician III-related duties. Engineering technology experience beyond the 12th grade may be substituted for the required experience.

Knowledge/Skill/Ability

Engineering Technician IV (Mapping and Computer-aided Drafting)

Knowledge of: basic principles of algebra, geometry, and trigonometry; drafting, surveying, and mapping methods, techniques, and equipment; basic report writing; principles and practices of computer aided design systems. AutoCAD Civil 3D experience required, with skill in land development a plus.

Skill to: perform routine manual and computer aided drafting, operate software (AutoCAD Civil 3D/GIS and Asset Management), basic surveying and other office and field work as needed.

Ability to: perform skilled computer aided drafting work in preparing maps, drawings, and layouts from existing drawings, notes, sketches and oral and written instructions; perform a variety of technical office and field engineering assignments; perform complex and precise drafting assignments and mapping work; prepare construction drawings and maps from field notes; use computer systems and programs related to engineering computations; read and interpret plans and maps; operate basic GIS software.

Engineering Technician IV (Construction Inspection and Survey)

Knowledge of: methods, materials, equipment and tests used in construction and proper installation of pipelines and structures, mechanical and electrical systems, water distribution and transmission systems and facilities, proper inspection techniques to examine construction workmanship and materials for defects and faults, materials sampling, testing and estimating procedures, surveying principles and methods as applied to construction work, basic principles of mathematics including algebra, geometry and trigonometry, relevant OSHA regulations and principles and practices of work safety, factors affecting water quality in a water distribution system, basic water quality sampling techniques and testing methodologies, both English and metric measuring systems, and basic report writing.

Skill and Ability to: make accurate mathematical calculations relative to construction and surveys; operate a surveying level, computer, mobile radio, cell phone/telephone and a variety of camera equipment; carry out thorough and complete field inspection activities; read and interpret plans and specifications and to prepare material lists; ability to detect flaws in construction methods and materials; ability to maintain records; ability to effectively represent the District while establishing and maintaining effective relationships with contractors, developers, other employees and the public; use computer systems and programs related to engineering computations; has developed skills in drafting; prepare clear and concise written reports and to perform the essential functions of the job without causing harm to self or others.

License/Certificate

Possession of a valid Class C California driver's license.

Engineering Technician IV (Construction Inspection and Survey)

A construction inspection related certification, is preferred but not required. It is desired for the incumbent to obtain a Grade 1 Water Distribution Operator Certification within 12 months of employment, but not required.

WORKING CONDITIONS/PHYSICAL REQUIREMENTS

Position requires prolonged sitting, standing, walking, reaching, twisting, turning, kneeling, bending, squatting, and stooping in the performance of daily activities. The position also requires grasping, repetitive hand movement, and fine coordination in preparing and reviewing construction plans, statistical reports and data, and using a computer keyboard. Additionally, the position requires near, far, and color vision in reading reports, reviewing plans and blueprints, and using the computer. When visiting construction sites or existing District facilities the position will require walking on uneven and slippery surfaces, climbing ladders or stairwells, exposure to all weather conditions, dust and pollen, and potential mechanical and heavy equipment hazards.

OTHER REQUIREMENTS

Per California Government Code, Title 1, Division 4, Chapter 8, Section 3100, "all public employees are hereby declared to be disaster service workers subject to such disaster service activities as may be assigned to them by their superiors or by law."

6

MEMORANDUM

To: Board of Directors

July 30, 2021

From: Drew McIntyre, General Manager
Ryan Grisso, Water Conservation Coordinator

Subject: Consider approval of Resolution 21-XX amending Section 6(b)(6) of Ordinance No. 39
v:\memos to board\board memo - resolution to amend ordinance 39 July 2021clean 7.29.21.doc**RECOMMENDED ACTION:** Approve Resolution 21-## amending Section 6(b)(6) of Ordinance No. 39**FINANCIAL IMPACT:** None

On May 5, 2020, the Board adopted Ordinance No. 39, thereby declaring a water shortage emergency condition within the West Marin Service Area of the District, prohibiting the waste and non-essential use of water, and providing for the conservation of the water supply of the District. At the March 16, 2021 Board meeting, the Board modified Ordinance No. 39, thereby authorizing the imposition of administrative fines and penalties for violation of the Ordinance and reserving for itself the authority to make subsequent amendments to Ordinance No. 39 by resolution.

Pursuant to the District's Interconnection Agreement with Marin Municipal Water District (Marin Municipal), the District must impose voluntary or mandatory water-use reductions and prohibitions on use within the West Marin Service Area in accordance with those reductions and prohibitions imposed by Marin Municipal during water shortage emergencies. On April 20, 2021, Marin Municipal's Board of Directors imposed mandatory water-use reductions and prohibitions on certain water use. On May 4, 2021, Marin Municipal's Board imposed further prohibitions on water use, including day-per-week restrictions on watering with overhead sprinklers and drip irrigation. On July 6, 2021, Marin Municipal's Board limited overhead sprinkler use to one day per week and drip irrigation to two days per week.

At the May 18, 2021 Board meeting, the Board adopted a resolution implementing a drought surcharge for the West Marin Service Area for the July 1 through November 1 period and amending Sections 6 and 10 of Ordinance 39. In part, the May 18th amendments to Section 6 of Ordinance No. 39 aligned the District's limitations on water use with the limitations imposed by Marin Municipal's Board on May 4th. Staff has reviewed the limitations imposed by Marin Municipal's Board on July 6th and recommends that the District also limit use of overhead irrigation to one day per week and drip irrigation to two days per week. As proposed, Resolution 21-## (Attachment 1) will amend Section 6(b)(6) of Ordinance No. 39 to further limit use of overhead irrigation (down to one day per week) and drip irrigation (down to two days per week).

Resolution to Amend Ordinance 39
July 30, 2021
Page 2

Recommendation

Approve Resolution 21-## amending Section 6 of Ordinance No. 39.

RESOLUTION 21-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT
AMENDING SECTION 6(b)(6) OF ORDINANCE NO. 39**

WHEREAS, pursuant to Sections 350-358, 375-378, and 31026-31029 of the California Water Code, the Board of Directors ("Board") of the North Marin Water District ("District"), following a properly noticed and duly held public hearing at its meeting on May 5, 2020, adopted Ordinance No. 39, thereby declaring a water shortage emergency condition within the West Marin Service Area of the District, prohibiting the waste and non-essential use of water, and providing for the conservation of the water supply of the District; and

WHEREAS, following a properly noticed and duly held public hearing at its meeting on March 16, 2021, the Board modified Ordinance No. 39, thereby authorizing the imposition of administrative fines and penalties for violation of the Ordinance and reserving for itself the authority to make subsequent amendments to Ordinance No. 39 by resolution; and

WHEREAS, the declared water shortage emergency condition within the West Marin Service Area continues to exist; and

WHEREAS, the Board desires to amend Section 6(b)(6) of Ordinance No. 39 to specify days of the week when customers within the West Marin Service Area may utilize overhead sprinkler and drip irrigation during water shortage emergencies.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of the North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. Section 6(b)(6) of Ordinance No. 39 is hereby amended as indicated in **EXHIBIT A**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the 3rd of August 2021, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Theresa Kehoe, District Secretary
North Marin Water District

(SEAL)

EXHIBIT A

Section 6. Prohibition of Non-Essential Use of Water

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

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

Stage 2: Mandatory Stage (25% reduction)

- (b) The following uses are declared to be non-essential from and after July 1 through November 1:
- (1) Washing sidewalks, driveways, parking areas, tennis courts, patios or other exterior paved areas except by Marin County Fire Department or other public agency for the purpose of public safety;
 - (2) refilling a swimming pool completely drained after July 1;
 - (3) non-commercial washing of privately-owned motor vehicles, trailers and boats except from a bucket and except that a hose equipped with a shut-off nozzle may be used for a quick rinse.
 - (4) any use of water from a fire hydrant except fighting fires, human consumption, essential construction needs or use in connection with animals;
 - (5) watering of any lawn, garden, landscaped area, tree, shrub or other plant except from:
 - a. a handheld hose equipped with an automatic shut-off nozzle;
 - b. a container;
 - c. a drip irrigation system; or
 - d. an overhead sprinkler irrigation system used under the following conditions:
 - i. an overhead sprinkler irrigation system can be used if the customer maintains an overall 25% reduction in water use compared to the corresponding billing period in 2013, (customers using less than 200 gallons per day are permitted to water their landscape without a 25% reduction) and properly operates the irrigation system in a non-wasteful manner on those days as specified in Section 6(c)(3) below and between the hours of 7:00 p.m. and 9:00 a.m. the next day. If overhead sprinkler water is used in a wasteful manner, the General Manager may prohibit sprinkling by that customer.
 - (6) Watering more than ~~23~~ 23 days per week using drip irrigation; or watering more than ~~12~~ 12 days per week using overhead spray irrigation;
 - (7) Watering within 48 hours of measurable rainfall;
 - (8) Irrigating lawn area on public street medians;
 - (9) use of water for dust control at construction sites;

EXHIBIT A

- (10) initial filing of any swimming pool for which application for a building permit was made after May 5, 2020;
- (11) use by a vehicle washing facility in excess of 25% less than the amount used by it during the corresponding billing period in 2013. If the facility was not operating in 2013, an assumed amount shall be computed by the District from its records.
- (12) any non-residential use in excess of 25% less than the amount used by the customer during the corresponding billing period in 2013. If connection to the District system was not in existence or use in 2013, an assumed amount will be computed from the District's records;
- (13) Intertie deliveries to Inverness Public Utilities District (IPUD), except for critical needs as determined by the General Manager;
- (14) Deliveries to customers outside the service area except as needed for human consumption, sanitation and public safety or as stipulated in outside service agreements.

Stage 3 – Severe Mandatory Rationing (50% reduction)

- (c) From and after the date that the Board of Directors, by resolution, determines that the water shortage emergency requires severe rationing, the following additional uses are declared to be non-essential:
 - 1) Watering any residential lawn, or any commercial or industrial area lawn maintained for aesthetic purposes, at any time of the day or night during the period of August 1, through October 31, when a Stage 3 is in progress.
 - 2) Planting any new landscaping, except for designated drought resistant landscaping prescribed by the District.
 - 3) All day and nighttime sprinkling will be discontinued. Any and all outside watering will be done with a hand-held nozzle. An exception will be made for carefully timed drip irrigation for established perennial plants and trees. Only sufficient water for assured plant survival may be applied.
 - 4) No new annual plants, vegetables, flowers, or vines may be planted during the Stage 3 emergency period. An exception will be made for customers who are eliminating existing thirsty landscaping and replacing same with drought resisting landscaping prescribed by the District, as in (2) above.

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

- (d) The percentages stipulated in Stage 2 and Stage 3 may be increased by the General Manager for any class of customer if the general manager determines that such increase is necessary to protect the public health, safety and welfare or to spread equitably among the water users of the District the burdens imposed by the drought and the shortage in the District's water supply.

7

MEMORANDUM

To: Board of Directors

July 30, 2021

From: Tony Williams, Assistant General Manager/Chief Engineer *ABW*Subject: Approve: Amending Regulation 1 – New Service Connections
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RECOMMENDED ACTION: Consider adoption of Resolution 21-XX approving an increase in the meter and service line charges, approving a revised annexation recovery fee, and amending Regulation 1

FINANCIAL IMPACT: None at this time

Attached is draft Resolution 21-XX, which proposes to increase the meter and service line charges, revise the annexation recovery fee, and amend multiple sections of Regulation 1. Amendments to Section c reflect the increased meter and service line charges for both the Novato and West Marin Service Areas and also clarify some of the language. Increases to these charges are necessary since adjustments have not been made for five years and the cost of these services have increased. If approved, the effective date will be August 3, 2021 and will apply to all new applications.

Changes to Section c(3) are proposed to provide more detailed requirements for an Annexation into one of the District's Improvement Districts. These proposed changes include a new "annexation recovery fee" in lieu of prior practice which relied on complicated calculation of uncollected back taxes and interest on those taxes. These changes are also more consistent with similar annexation procedures for the Oceana Marin Sewer System.

Changes to Section a are also proposed to clarify the requirements for submission of an application for new service as is currently practiced by District staff. A minor change to Section c(4) is also proposed to reflect the actual deposit amount currently being used by staff for water savings devices and restrictions. A new Section c(6) is proposed that identifies unique requirements for a new service connection to a property that may be affected by street excavation restrictions imposed by either the City of Novato or the County of Marin. These potential restrictions can significantly impact the installation costs of a new service and therefore identifying those conditions was prudent.

Other proposed minor changes include Sections e and i, regarding location of a new meter and requirements for residential connections with fire-fighting equipment respectively. Proposed changes were made to Section f so that it is consistent with Regulations 15 and 17 (Water Conservation requirements for Novato and West Marin) and to clarify the requirements related to weather-based irrigation controllers. Finally, a new Section j is proposed that addresses the District's authority and role associated with private domestic water supply wells.

RECOMMENDATION

Adopt Resolution 21-XX approving an increase in the meter and service line charges, approving a revised annexation recovery fee, and amending Regulation 1.

RESOLUTION 21-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH MARIN WATER DISTRICT APPROVING AN INCREASE IN THE METER AND SERVICE LINE CHARGES, APPROVING A REVISED ANNEXATION RECOVERY FEE, AND AMENDING REGULATION 1

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, pursuant to Government Code Sections 66013 and 66016, the Board may impose or increase fees and charges for water connections that do not exceed the estimated reasonable cost of providing the service for which the fee or charge is imposed; and

WHEREAS, District Regulation 1 provides the requisite process, including payment of applicable fees and charges, to make new service connections to the District's water system in both the Novato and West Marin Service Areas; and

WHEREAS, the District has not increased its meter or service line charges in over five years while the cost of materials and labor to install meters and service lines has increased during that time; and

WHEREAS, District staff has recommended updating the language contained in various sections of Regulation 1 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

WHEREAS, the Board desires to increase the meter and service line charges to reflect the reasonable costs of providing those services, to revise the annexation recovery fee, and to amend Regulation 1.

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves an increase in the meter and service line charges, approves the revised annexation recovery fee, and amends Regulation 1 as indicated in **EXHIBIT A**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.

4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the August 3, 2021 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

Theresa, Secretary
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 1
NEW SERVICE CONNECTIONS**

a. Application for Service and Processing

Application for service must be made to the District in writing on the District's form by the property owner or his/her authorized agent. An online application process is available on the District's website at: <http://nmwd.com>. Applications must be supported by data as required by the District, including but not limited to such as, a map and/or legal description of the property to be served, the name of the property owner, a description or plan showing intended water fixtures, a plan showing lawn and garden areas, a fire sprinkler plan and design, if applicable, documentation for the fire agency having jurisdiction, if applicable, and an estimate of amount of water to be used. The size of the meter and service connection will be determined by the District.

Applications requiring a single service having a meter size equal to or less than one and one-half inch will be processed in the order of the date the application is received provided all requirements of the District are met. All other applications will be processed in the order of the date the application is received provided the Applicant meets all District requirements within 30 days of said date. If District requirements are not met within said 30 days, the application shall be null and void and must be resubmitted to the District, except that: -[The General Manager may extend the 30-day compliance period by no more than an additional 30-days, if the General Manager determines, in their sole discretion, that the failure to meet this requirement -if failure to comply with District requirements-is due to workload limits of the District:-

District receipt of Receiving an application shall in no way represent a commitment or agreement by the District to serve water. Said commitment will be made only at the time service actually commences or when the District executes a water service agreement service extension agreement is fully executed, whichever shall first occur. Notwithstanding the foregoing, prior to commencement of service, should the District be limited in serving new connections by local ordinance or resolution, or by any action of any State regulatory agency or department, service to the applicant may be delayed or denied. -In the case of a water service extension agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof. Additional requirements for recycled water service are included in Regulation 18.

b. Conditions Precedent to Service

Water service will be provided subject to:

- (1) The existence of a main of adequate capacity and pressure abutting the property to be served, or the construction of adequate mains, pumps and storage facilities under the provisions of Part B of these Regulations;
- (2) The advance payment of the District's initial charge for service as provided in Regulation 1 c.; and
- (3) Compliance with the other applicable provisions of these regulations.

c. Initial Charges for Service

Prior to commencement of service the Applicant shall pay an initial charge for service which shall be the total of the meter-Meter chargeCharge, the service-Service line-Line chargeCharge, the reimbursement-Reimbursement Ffund Ccharge and the Ffacilities reserve Reserve charge-Charge computed as set forth below. In accordance with Regulation 30, the

Reimbursement Fund Charge is used to fund the District's Reimbursement Program which transfers these funds to subdividers and individuals who have built extensions of water distribution systems that benefit others ("Extenders"). A Facilities Reserve Charge includes the costs to provide capacity for new customers through existing and future water facilities in order to serve new connections. "Est." shown in the tables below, means the actual-cost of the meter and/or the service line as estimated by the District; "d.u." means dwelling unit. The Reimbursement Fund Charge shall not apply to recycled water service. Applications for a single service connection having a meter size equal to or less than one and one-half-inch shall pay a meter-Meter charge-Charge and a service-Service line-Line charge-Charge as set forth below. Applications requiring more than one meter or requiring a meter size greater than one and one-half-inch shall pay a Mmeter eCharge and a service-Service line-Line charge-Charge based on the actual cost of said meter and service line installation(s) incurred by the District.

The Facilities Reserve Charge shall-will depend on the type of use as shown in the table belowherein and. ~~The charge~~ shall be based on the District's estimate of the quantity of water that will be used on the average day of the maximum month expressed in "equivalent single family dwelling units" (EDUs) of 500 gallons each for Novato and 270 gallons each for West Marin. The District shall determine Facilities Reserve Charges for those consumers served prior to May 1, 1973 by its estimate of gallons per day of water use on the average day of the maximum month divided by 500 for Novato, or 270 for West Marin, over the first ten years of service or less as applicable. If at any time a consumer's use exceeds the estimate used in fixing the charge the District may require the consumer to either reduce its maximum usage to the appropriate EDU amount, or to pay an additional Facilities Reserve Charge at the rate then in effect for each equivalent single family d.u.EDU: of such excess.

(1) Novato Service Area – Effective Month, Day, 2021

Meter Size Inches	Meter Charge (1)	Service Line Charge (2)	Reimbursement Fund Charge (3)
5/8	<u>\$60610</u>	<u>\$3,5003,960</u>	\$ 420
1	<u>420710</u>	<u>3,5004,760</u>	1,055
1-1/2	<u>300980</u>	<u>3,5007,560</u>	1,540
2	Est.	Est.	3,140
3	Est.	Est.	4,680
4	Est.	Est.	7,310
6	Est.	Est.	14,360
8	Est.	Est.	31,250
10	Est.	Est.	41,610

Effective
12/03/13
Facilities
Reserve
Charge

Single family detached residences and duplexes (each d.u)	\$28,600
Townhouses and condominiums (3 units or more) (each d.u)	17,200
Mobile home (each d.u.)	10,000
Apartment houses - 5 units or more, (each d.u.)	11,200
Second <u>d.u. or Accessory Dwelling Unit (ADU)(accessory) d.u.</u>	10,000

with a kitchen on a parcel in undivided ownership.....

d.u. with kitchen or kitchenette whose occupants receive regular meals from central kitchen/dining facility on site..... 7,600

d.u. or ADU without kitchen facilities and landscape 6,100

Non-residential uses and master metered residential uses with a history of water consumption: the District shall determine equivalent single family d.u. EDU's by its estimate of gallons per day of potential water use on the average day of the maximum month divided by 500 (each equivalent single family d.u. EDU-) 28,600

Also see Regulation 29 regarding extension of District facilities.

(2) West Marin Service Area – Effective January 1 Month Day, 2021

Meter Size (Inches)	Meter Charge (1)	Service Line Charge (2)	Reimbursement Fund Charge (3)
5/8	\$60610	\$3,5003,960	\$1,950
1	120710	3,5004,760	4,950
1-1/2	300980	3,5007,560	7,200
2	Est.	Est.	14,700
3	Est.	Est.	21,900
4	Est.	Est.	34,200

	Effective
	12/03/13
	Facilities Reserve Charge
Single family detached residences and duplexes (each d.u.).....	\$22,800
Townhouses and condominiums (3 units or more) (each d.u.).....	13,700
Mobile home (each d.u.).....	8,000
Apartment houses - 5 units or more, (each d.u.).....	8,900
Second <u>d.u. or A(accessory) Dwelling Unit (ADU)-d.u. with a kitchen</u> on a parcel in undivided ownership.....	8,000
d.u. with kitchen or kitchenette whose occupants receive regular meals from central kitchen/dining facility on site.....	6,100
d.u. <u>or ADU</u> without kitchen facilities and landscape	4,900
Non-residential uses and master metered residential uses with a history of water consumption: the District shall determine <u>equivalent single family d.u. EDU</u> 's by its estimate of gallons per day of potential water use on the average day of the maximum month divided by 270 (each <u>equivalent single family d.u. EDU</u> -)	22,800
Also see Regulation 29 <u>regarding extension of District facilities</u> .	

(3) Charge for Annexation - All Service Areas

In addition to the other charges specified, no property shall be annexed to an improvement district unless an annexation fee is paid. The annexation fee shall be equal to the ~~total revenue from tax on land (not improvements) that the District would have received had the property to be annexed been within the improvement district from the date of its formation, plus an amount equal to the interest revenue the District would have received on said tax revenue following:~~

- (a) an annexation recovery fee of \$1,000 representing the approximate revenue from tax on land (not improvements), including interest on that tax, that the District would have received had the property to be annexed been within the improvement district from the date of its formation, and;
- (b) any applicable current Local Agency Formation Commission and/or State Board of Equalization fees for annexation, and;
- (c) estimated cost of District staff time and expenses incurred to process the annexation application. The full cost of any annexation feasibility studies including preparation of environmental documents, shall be borne by the person or entity requesting water service. Before commencing such studies said person or entity shall advance the District's estimated cost of such studies. If, after pursuing such studies, the District determines additional funds are needed to cover estimated costs, said person or entity shall advance said additional estimated required funds. Upon completing said studies any costs incurred by the District which were not covered by an advance(s) shall be paid by said person or entity upon presentation of an invoice therefore. Any unexpended funds held by the District resulting from an advance(s) shall be refunded to said person or entity.

(4) Single Service Connection Requests - Deposit Requirement for Water-Saving Devices and Restrictions

A ~~\$500-1,000~~ deposit must be paid to the District before a single water service connection is provided to assure compliance with all Water-Saving Devices and Restrictions for New Development pursuant to Regulation 15.e and 17.e. Upon inspection that requirements for all Water-Saving Devices and Restrictions have been met, the ~~\$500-1,000~~ deposit will be refunded to the applicant.

(5) Initial charges for Affordable Housing

Payment of Initial Charges for water service to Applicant projects that include housing units affordable to lower income households, as defined in Government code Section 65589.7(d)(1), may be deferred for affordable units only until such time as a certificate of occupancy is issued by the city or county and meters thereto are authorized to be set or a period of two years from the date of the Applicant's Water Service Agreement, whichever duration is less. Said deferred payment shall include interest calculated at the rate earned on the District investment portfolio over the deferral period as determined solely by the District.

(6) Excavation Prohibitions and Street Moratoriums

If installation of a new service connection requires excavation within a City of Novato street that is under a Prohibition of Excavation, as defined by the City of Novato Municipal Code or in a street that is listed in the County of Marin's Street Moratorium, then the District will levy a charge for the cost of pavement restoration (as will be

determined by the District) in addition to the fixed charges listed in (1) and (2).

d. (This section left intentionally blank)

e. Location of Service Connection

Service will be provided at a meter abutting a major frontage of the consumer's property at a point determined by the District. The consumer may indicate the point on his property where he desires the service. The final location will be determined solely by the District.

f. Facilities Reserve Charge for Public Parks - All Service Areas

The Facilities Reserve Charge for public parks shall be the amount charged for a 5/8-inch meter serving a single dwelling unit irrespective of the actual size of the meter provided each and all of the following conditions are met:

- (1) The public park is owned, operated, maintained, and managed by a public agency and is open and accessible to the public for active recreational uses. For the purposes of this regulation landscaped areas along roadways and surrounding public buildings and landscaped areas in privately owned recreational areas or in areas where use is limited to a select group, such as a homeowners association are not public parks. Golf courses, whether privately or publicly owned or any other enterprise which charges a use fee, are not public parks. A community recreation facility that is not developed, constructed, operated, or maintained with public funds is not a public park.
- (2) The public agency owning the park enters into a service agreement with the District providing:
 - (a) Water shall be used only during such off-peak hours as shall be therein specified by the District with the exception that water can be used during peak periods for special limited and unusual circumstances such as system testing, germination of newly seeded turf, major turf renovation projects, irrigation following fertilization or herbicide applications, irrigation required prior to aeration and minor hand irrigation required for plant establishment, and
 - (b) Water use shall be discontinued or reduced as directed by the District at any time it determines that a threatened water shortage exists and so notifies the consumer.
 - (c) Water applied to turf and other landscape areas shall be through an irrigation system that complies with all applicable requirements of Regulation 15f or Regulation 17f as demonstrated by design drawings and specifications and which contain the following features:~~Water applied to turf areas shall be applied through a well-designed irrigation system that contains the following features as demonstrated by design drawings and specifications:~~
 - (i) Use of sprinkler heads, sprinkler head components and/or control schedules which achieve precipitation rates which match the water absorption capacity of the sod/soil column.
 - (ii) Sprinkler head spacing that is not greater than 50% of the diameter of the precipitation pattern thrown by the sprinkler head (i.e., head-to-head spacing) at the minimum delivery pressure available at the site based on field measurements or pressure data supplied by the District. This 50% diameter spacing requirement can be varied provided the requirements

of Section 1(f)(2)(c)(ix) are met.

- (iii) Sizing and layout of pipe laterals and selection and grouping of sprinkler heads and nozzles in a manner which assures that the pressure requirement of each sprinkler head is achieved.
 - (iv) Separation of valves such that valves serving turf sprinklers do not include sprinklers irrigating non-turf landscape which has a different water requirement.
 - (v) A valve in every head may be required by the District to control drain down and optimize distribution control.
 - (vi) Control of all turf valves by a District approved weather-based irrigation controller with remote ability to shut off the controller and Control of all turf valves by an automatic controller capable of programming each valve for the following variables:
 - (1) Irrigation days,
 - (2) Minimum of three independently scheduled start times per irrigation day
 - (3) Minutes of run time per start time cycle.
 - (vii) ~~Controller shall contain a water budgeting feature which permits the same incremental percentage change in all run times (up or down) by changing the water budget setting, thus permitting easy irrigation scheduling as a function of changes in evapotranspiration demand. This section left intentionally blank.~~
 - (viii) Controller shall accommodate a rain shut-off feature which automatically shuts down irrigation when it is raining.
 - (ix) The irrigation distribution system shall be designed to achieve a lower quartile distribution uniformity of at least 80%. This distribution uniformity shall be verified after installation by field precipitation tests performed by a competent expert selected by the District and paid for by the applicant public agency. In the event said uniformity is not achieved, the applicant public agency shall make changes to the system until subsequent tests by said expert, and also paid for by the applicant agency, demonstrate achievement of said distribution uniformity. The lower-quartile uniformity coefficient, an approximation of overall irrigation system uniformity, shall be determined by sampling the precipitation pattern or "footprint" of the irrigation system with catch cans. The coefficient is determined by arraying the resulting data expressed as inches per catch can (or volume of water in can if cans are of uniform size) in descending order of magnitude, determining the mean of the lower one fourth of the catch-can data, and dividing it by the mean value for all of the cans.
- (d) In designing the irrigation system, the applicant agency shall conduct field tests to determine typical infiltration rates for the sub-turf soil. Design precipitation rates shall, as near as practicable, be matched to or not exceed said infiltration rates

- (e) Consumer or consumer's operator of the turf irrigation system shall apply water pursuant to an irrigation schedule developed for the site and based on applied water advice made available by the District or said turf irrigation system shall be controlled by moisture sensing devices which are operated to achieve efficient irrigation.
- (f) In the case of recycled water service, exceptions to this section may be made or additional requirements imposed as determined by the District to assure optimum soil moisture conditions are maintained and slime growth in the private distribution system is minimized.

g. Land Use Approval Established

An application for service to unimproved land shall not be processed to completion by the District unless the Applicant presents to the District a document from the city or county entity having jurisdiction verifying that a:

- (1) Valid Building Permit has been issued; or
- (2) Preliminary Division of Land has been approved; or
- (3) Tentative Subdivision Map has been approved; or
- (4) Planned Unit Development Precise Development Plan has been approved; or
- (5) Conditional Use Permit has been approved.

The word unimproved as used herein means land on which no improvements exist or land which although improved to a degree is being further improved and said further improvement is the cause for augmented water service and requires one or more of the above listed land use approvals.

h. Wastewater Disposal Established

Water service will not be furnished to any building unless it is connected to a public sewer system or to a wastewater disposal system approved by all governmental entities having regulatory jurisdiction. This subsection shall not apply to service during construction or service provided under Regulation 5.

i. Initial Charges for Service to Residential Connections ~~With~~ Fire Fighting Equipment

- (1) Where a meter larger than is otherwise necessary for consumption needs is installed solely to provide capacity for private fire sprinklers, fire hydrants or other fire fighting equipment in residential connections, the applicable Reimbursement Fund Charge shown in Column (3) of subsections c.(1) and c.(2) that shall apply shall be the corresponding charge for the next smaller size meter in accordance with Regulation 54 regarding minimum service charges.
- (2) Where new fire fighting equipment such as private fire sprinklers are required for a residential structure where the existing service is part of a dual service, a new separate service line will be required as determined by the District.

j. Landscape Plans

If the city or county requires an approvable landscape plan as part of its land use approval process said plan must be submitted to the District before an application shall be processed to completion.

k. Private Domestic Water Supply Wells

The District does not have jurisdiction for approval or a private domestic water supply well. However, if the property upon which a new private well is being proposed has an existing water service from the District, then the District reserves the right to review the well installation and improvement plans for cross-connection and backflow requirements.

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8

MEMORANDUM

To: Board of Directors July 16, 2021
 From: Tony Williams, Assistant General Manager/Chief Engineer *AW*
 Subject: Re-Declaring Surplus Properties, Novato (APNs 153-111-10, 153-111-15, 153-182-44)
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RECOMMENDED ACTION: That the Board Re-Declare the Subject Parcels as Surplus

FINANCIAL IMPACT: None

At the August 31, 2000 meeting, and again at the August 31, 2001 meeting, the Board determined that the following Novato properties were no longer in use and identified as surplus properties: (See Attachment 1)

APN	Location	Parcel Size (Acres)
153-111-10	Oleander Lane	4.746
153-111-15	Oleander Lane	0.994
153-182-44	Reservoir Drive	0.256

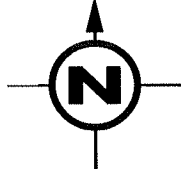
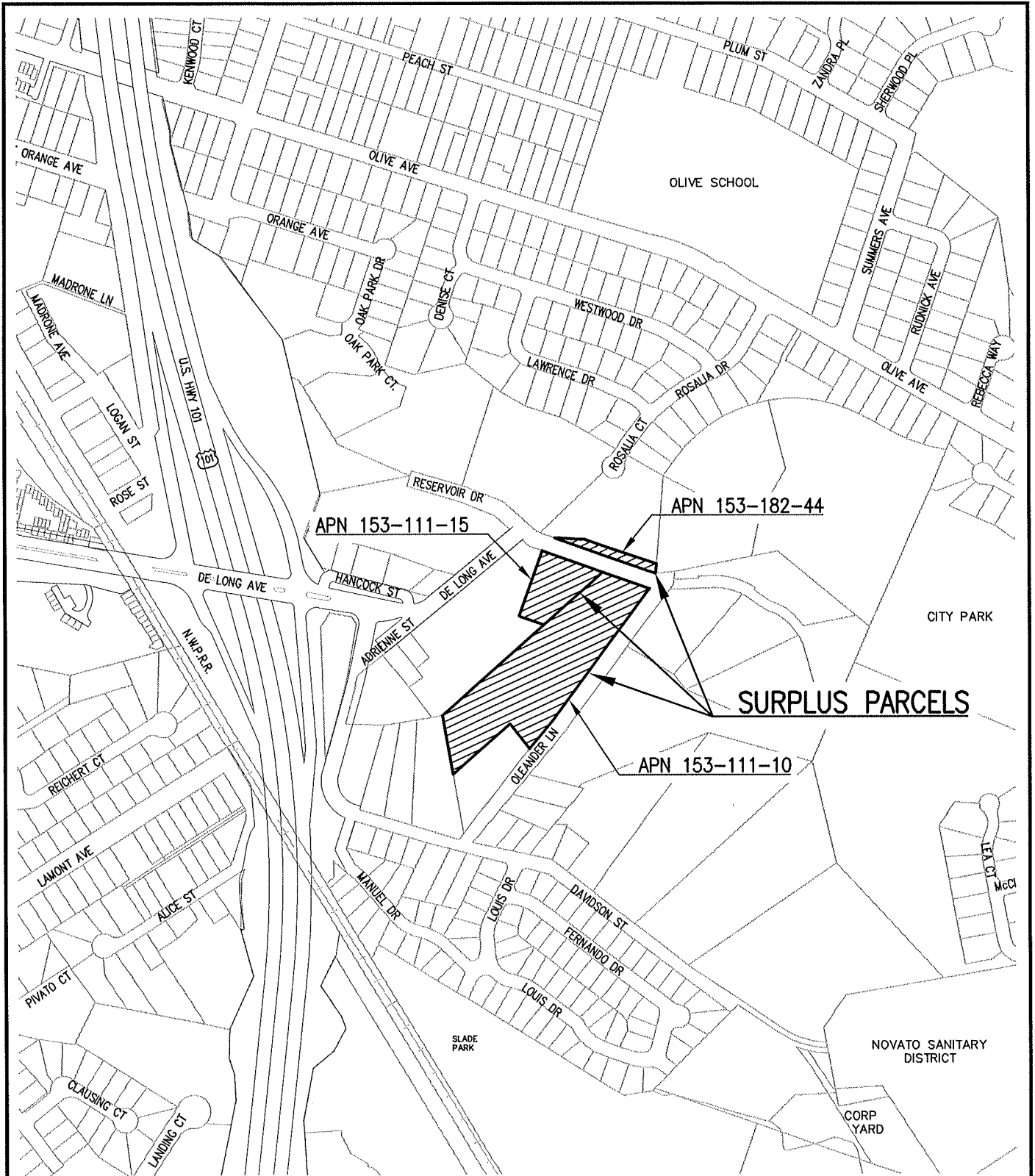
Since that time, despite the intent to dispose of the properties, no actions to market, negotiate, or sell the properties, has occurred. In addition, since 2001 several changes have occurred to the state's Surplus Land Act (SLA) which provides the mechanisms, procedures, and requirements for disposing of surplus lands by public agencies, including the District. One change to the law requires that a surplus declaration be made by "formal action", therefore, staff recommends that the Board reaffirm its intent to dispose of these properties and re-declare the subject properties as surplus and adopt a resolution to formalize this action.

In January 2020, a Lot Line Adjustment (LLA) which combines parcels 153-111-10 and 153-111-15 into a single parcel was recorded with Marin County Assessor's office. However, it doesn't appear that the LLA has officially taken effect. No formal disposition action will be taken by staff until the Assessor's office revises the Assessor Parcel Number designation related to these parcels.

RECOMMENDATION:

That the Board re-declare the parcels to be surplus and adopt the attached resolution to formalize this action. (See Attachment 2)

Jul 28, 2021 - 11:39am W:\JOB\MISC\Presentation\Vicinity Map_Novato Surplus Parcels.dwg User: SDOVE



NOVATO SURPLUS PARCELS VICINITY MAP			
DATE	SCALE	JOB. NO.	DWG. NO.
7/13/2021	NTS	--	MAP

RESOLUTION 21-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT
DECLARING SURPLUS PROPERTIES**

WHEREAS, in August 2000 and August 2001, the North Marin Water District (District) identified and declared several vacant properties as surplus and approved their disposal; and

WHEREAS, since identifying the vacant parcels in August 2000 and August 2001, changes have been made to the Surplus Land Act (SLA) under the state Government Code; and

WHEREAS, since no disposal action has been taken for the parcels to date and pursuant to Government Code Section 54221(b)(1) the District desires to reaffirm its intent to divest these properties and formally re-declare the three parcels of land as surplus lands.

NOW THEREFORE, BE IT RESOLVED by the Board of Directors of North Marin Water District as follows:

1. The Board of Directors does hereby find, determine, and declare that the foregoing Recitals are true and correct, and incorporates these Recitals herein.
2. The Board of Directors does hereby reaffirm and re-declare that the following parcels, listed by Assessor Parcel Number (APN), as surplus under the SLA:
 - a. APN 153-111-10
 - b. APN 153-111-15
 - c. APN 153-182-44

* * * * *

I hereby certify that the foregoing is a true and complete copy of a resolution duly and regularly adopted by the Board of Directors of NORTH MARIN WATER DISTRICT at a regular meeting of said Board held on the August 3, 2021 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Theresa, Secretary
North Marin Water District

(SEAL)

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DISBURSEMENTS - DATED JULY 22, 2021

Date Prepared 7/20/21

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 7/15/21	\$156,130.43
90399*	Internal Revenue Service	Federal & FICA Taxes PPE 7/15/21	70,997.28
90400*	State of California	State Taxes & SDI PPE 7/15/21	16,013.28
90401*	CalPERS	Pension Contribution PPE 7/15/21	39,149.95
90402*	CalPERs	August Health Insurance Premium (Employer \$51,650, Retirees \$12,168 & Employee Contribution \$10,715)	\$74,532.14
EFT*	US Bank	June Bank Analysis Charge (Lockbox \$912 & Other \$413 Less Interest \$110)	\$1,214.49
90398*	State of California	EDD Unemployment Charges (1/1/21-3/31/21)	647.70
1	Able Tire & Brake	Tire (Vacuum Trailer)	294.42
2	Alvarez, Shelley	Novato "Washer" Rebate Program	100.00
3	A.S.T.I.	Annual Fire Service Testing (90)	9,405.00
4	Athens Administrators	June Workman's Comp Indemnity Review Fee	105.00
5	AT&T	Leased Lines	66.68
6	Bank of Marin	Bank of Marin Loan Principal & Interest (Pymt 117 of 240) (Aqueduct Energy Efficiency Project)	46,066.67
7	Barr, Amy	Novato "Cash for Grass" Rebate Program	800.00
8	Batey, Byron F.	Novato "Toilet" Rebate Program	125.00
9	Baywork	Annual Fee FY 21/22 (Clark) (7/21-6/22)	1,500.00
10	California Water Service	Water Service (OM) (4/29-6/28/21) (0 ccf)	58.31
11	Cassin, Jennifer	Refund of Deposit / New Development/WC Restriction-Novato	1,000.00

Seq	Payable To	For	Amount
12	Castro, Joanna	Novato "Toilet" Rebate Program	400.00
13	Country Club Court Assoc	Not Our Customer - Can't Locate Account	575.11
14	Cho, Charles B.	Novato "Cash for Grass" Rebate Program	182.00
15	Clipper Direct	August Commuter Benefit Program	29.00
16	Comcast	July Internet Connection	144.92
17	Cummings Trucking	Delivery of Sand (\$350) & Rock (\$980)	1,330.00
18	Dell Computers	PC for Engineering Window (Solar)	930.09
19	Dias, Diane	Novato "Smart Irrigation Controller" (\$100) & "Water Smart Landscaping Efficiency" (\$96) Rebate Programs	196.21
20	Enterprise FM Trust	Monthly Leases for 21 Nissan Rogue (\$713) & Frontier (\$830)	1,543.20
21	Euglow, Gail	Refund Overpayment on Closed Account	960.24
22	Evoqua Water Technologies	Service on Deionization System (Lab)	296.71
23	Falk, Julianna	Novato "Toilet" Rebate Program	375.00
24	Fiserv/Bastogne Inc.	Return Payment -Unable to Locate Account	200.09
25	Fisher Scientific	Bottles (Lab)	154.27
26	Frontier Communications	Leased Lines	1,444.50
27	GHD Inc.	Engineering On Call Services (Kastania P.S.) (\$839) & Prog Pymt#7: Old Ranch Road Tank NO 2 Design Services (\$2,136) (Balance Remaining on Contract \$9,894)	2,975.15
28	Giannini, Michael	Novato "Hot Water Recirculation System" Rebate Program	100.00
29	Goodpaster, Stacie	Exp Reimb: Reg Fee - Chlorine Chemistry Analysis, Operations & Regulations in California	105.00
30	Grainger	Miscellaneous Maintenance Tools & Supplies	1,253.35
31	Hansen, Disa	Refund Overpayment on Closed Account	87.65
32	Harrington Industrial Plastics	Tubing (500') (\$316) & Backup Chlorine Drum Pump (\$1,299)	1,614.49

Seq	Payable To	For	Amount
33	Hildebrand Consulting LLC	Final Pymt: West Marin Water Rate Study 2021	1,050.00
34	Holmes, Janalee	Novato "Pool Cover" Rebate Program	75.00
35	Hopkins Technical Products	Parts to Rebuild Pressure Dampeners on Chlorine Dioxide Generator (STP)	1,892.39
36	Hoye, Robert	Refund Security Deposit on Hyd Meter Less Final Bill	713.17
37	InfoSend, Inc.	June Processing Fees for Water Bills (\$1,417), Postage (\$3,516) & June Monthly Support Fee (\$922)	5,854.95
38	Intellaprint Systems	Quarterly Maintenance on KIP 3,000 Engineering Scanner/Copier	447.00
39	Jackler, Marie	Novato "Toilet" Rebate Program	250.00
40	James, Laura	Novato "Cash for Grass" Rebate Program	400.00
41	Jones, Nancy	Novato "WSLE" Rebate Program Residential	200.00
42	Kane, Shawn	Exp Reimb: Drinks for Inventory	33.16
43	Kawamoto, Irene	Novato "Cash for Grass" Rebate Program	400.00
44	Keeton Industries	Backup Air Compressors for Stafford Lake Aeration System	3,704.32
45	Kiosk Creative LLC	Prog Pymt #24 (\$2,794) & Prog Pymt# 25 (\$6,425): Implement District Directed Communication Action (Balance Remaining on Contract \$0)	9,218.50
46	Kourosh, Shahrouzi	Refund Overpayment on Closed Account	30.00
47	Le Monde, Mandy & Robert	Refund Overpayment on Closed Account	143.84
48	Lincoln Life	Deferred Compensation PPE 7/15/21	8,753.73
49	The Madera Owners Assoc	Not Our Customer - Can't Locate Account	1,992.33
50	Marin Independent Journal	Legal Ad: Public Hearing - Consider Proposed Rate Increase & Consider Approval of 2020 Urban Water Management Plan & Water Shortage Contingency Plan (6/1/21)	421.44
51	Marin Landscape Materials	Quik Mix (42 bags)	305.32

Seq	Payable To	For	Amount
52	Marin County Ford	Service Parts ('18 Ford Transit Van & '20 F250)	152.22
53	Marin County Clerk	Fee to File Notice of Exemption for the Livoti-Perlman Annexation Project	50.00
54	Micrometrix Corporation	Particle Charge Analyzer (STP)	7,050.00
55	Miller Pacific Engineering	Prog Pymt #18: Old Ranch Rd Tank No. 2 (Balance Remaining on Contract \$73,415)	1,326.00
56	National Safety Council	Membership Renewal (Clyde) (7/21-6/22)	495.00
57	Nationwide Retirement Solution	Deferred Compensation PPE 7/15/21	1,020.00
58	Nerviani's Backflow	Annual Backflow Testing Services (29)	2,030.00
59	North Marin Auto Parts	Miscellaneous Maintenance Tools & Supplies	656.78
60	North Bay Gas	Nitrogen (\$783), Breathing Air (STP) & June Cylinder Rental	857.98
61	Novato Builders Supply	Tie Wire, Concrete (\$190) & Plug	215.45
62	Novato CA Real Estate	Refund Excess Advance Over Actual Construction Job Costs - Avesta Novato	3,803.61
63	Pace Supply	Replacement Casing Pipe (80') (\$553), Gaskets (510) (\$347), Clamps (4), 3" Plug, Corp Stop (2), Bolts (800) (\$1,276), Tapping Sleeves (2) (\$2,298), Gaskets Rings (3), Gate Valve (\$471)	5,308.96
64	Pape Machinery Inc.	Service Parts ('04 Backhoe-\$100 & '04 Backhoe-\$31)	131.28
65	Parkinson Accounting Systems	Accounting Software Support (7/1/21 - 9/30/21)	2,230.00
66	Peacock Estates HOA	Not Our Customer - Can't Locate Account	172.13
67	Pearce, Robert	Exp Reimb: Grade D1 Renewal Fee	70.00
68	Pearlman, Avram	Exp Reimb (Mileage)	134.53
69	Pelto, Judy	Novato "Pool Cover" Rebate Program	75.00
70	Pertowski, Carol	Novato "Washer" Rebate Program	100.00
71	Peterson Trucks	Radiator ('02 5yd Dump Truck) (\$822) & Air Horn ('02 5 yd Dump Truck) (\$116)	938.62

Seq	Payable To	For	Amount
72	PG&E	Power: Bldgs/Yard (\$5,230), Other (\$191), Pumping (\$49,203), Rectifier/Controls (\$508) & Treatment (\$177)	55,311.15
73	Picarelli, Barbara	Novato "Pool Cover" Rebate Program	57.99
74	Pini Hardware	Miscellaneous Maintenance Tools & Supplies	673.49
75	Point Reyes Prop Mgmt Assn	July HOA Fees (25 Giacomini Rd)	75.05
76	Pollard Water	Valve Box Cleaner Repair Kit (Construction)	141.16
77	Pomeroy, Judith M.	Novato "Toilet" Rebate Program	125.00
78	Preferred Alliance, Inc.	Pre-Employment Physical (Fike)	42.00
79	Pregler, Karen	Refund Alternative Compliance Reg 15 Deposit	630.00
80	Quadiant, Inc.	August Postal Meter Rental	143.09
81	Recology Sonoma Marin	June Trash Removal	541.78
82	Redwood Painting Co., Inc.	Coating Services for the Top of Concrete Clearwells @ STP - Final Payment	6,355.00
83	Sessions Rise Homeowners	Not Our Customer - Can't Locate Account	1,282.51
84	Soiland Co., Inc.	Rock (48 yds) (\$1,486) & Asphalt Recycling (11 tons) (\$162)	1,648.28
85	Sol Landscapes, Inc.	Labor & Materials to Landscape PRE 4C Tank Site	6,120.00
86	Sonoma County Water Agency	June Contract Water	661,230.47
87	Sonoma County Tree Experts Inc.	Remove 2 Dead Trees @ Atherton Tank	2,280.00
88	Sovig, Keith	Refund Overpayment on Closed Account	192.67
89	SPG Solar Facility XII, LLC	June Energy Delivered Under Solar Services Agreement	16,113.65
90	Stahley, Brook	Novato "Smart Irrigation Controller" Program	147.55
91	State Water Resources Control	Clean Drinking Water SRF Loan Principal & Interest - RW S PH 2 (Pymt #8 of 20)	100,232.68
92	TPx Communications	July Telephone Charges	699.55
93	Univar	Sodium Hypochlorite (OM) (265 gals) Sodium	1,072.72

Seq	Payable To	For	Amount
94	Verizon Wireless	June SCADA & AMI Collectors (\$650)	811.12
95	Vlcek, Mark	Novato "Toilet" Rebate Program	125.00
96	White & Prescott	Prog Pymt #30: AEEP Easement Support-B2 Reach A (\$12,605) (Balance Remaining on Contract \$53,180) & Prog Pymt #31: Crest Pump Station Site Plan (\$200) (Balance Remaining on Contract \$52,980)	12,805.00
		TOTAL DISBURSEMENTS	<u>\$1,364,662.95</u>

The foregoing payroll and accounts payable vouchers totaling \$1,364,662.95 are hereby approved and authorized for payment.

Julie Blue 07/21/2021
 Auditor-Controller Date

[Signature] 07/21/2021
 General Manager Date

DISBURSEMENTS - DATED JULY 29, 2021

Date Prepared 7/27/21

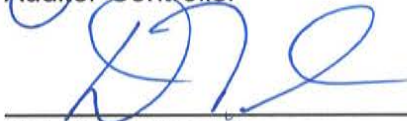
The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq No.	Payable To	For	Amount
*90403	CALPERS	Annual Unfunded Liability (Classic \$1,090,536 & Pepra \$4,657)	\$1,095,193.00
*E10028	Sage Software	Annual Software Subscription Renewal (7/21-7/22) (Budget \$9,500)	8,381.65
1	Alpha Analytical Labs	Lab Testing	136.00
2	Arrow Benefits Group	July Dental Admin Fee	265.55
3	Associated Right of Way Services	Prog Pymt #9: Right of Way Real Estate Services for Gallagher Well #2 (Balance Remaining on Contract \$31,654)	8,550.00
4	A.S.T.I.	Annual Fire Service Testing (47)	5,215.00
5	Bearings & Hydraulics	Hydrant Hoses (John Deer Loader)	160.57
6	Boucher Law	June Labor & Employment Matters	4,125.00
7	Caltest Analytical Laboratory	Lab Testing	82.95
8	Core Utilities, Inc	Consumer Services: June IT Support (\$6,000), IT/SCADA Support for West Marin (\$175), CORE & Billing Maintenance (\$900) & Virtual Board Meeting Assistance (\$750)	7,825.00
9	D'Anzica, Maria	Novato "Washer Rebate" Program	100.00
10	DeGabriele, Chris	Prog Pymt#13: Consulting Services - Office/Yard Building Refurbish & Point Reyes Light Response Input (Balance Remaining on Contract \$27,611)	1,673.28
11		Vision Reimbursement	229.95
12	Flume Water	Smart Home Water Monitors (20)	3,045.00
13	FLW, Inc.	Solenoid Valves (3)	636.60

Seq No.	Payable To	For	Amount
14	Grainger	Solenoid Valves (2) (STP) (\$276), Pump & Battery Charger (PRE 4C) (\$180), 1/2 HP Sump Pump (STP) (\$348), Nipples (12) & Sump Pump Parts (\$464) (Reservoir Hill)	1,294.27
15	Home Depot	Rapid Set Concrete (50)	706.86
16	Kaiser Foundation Health Plan	Pre Employment Physical (Fike)	65.00
17	Kishi, Hannah	Novato "Water Smart Landscape Efficiency" Program Residential	200.00
18	Laskar, Sacha	Novato "Cash for Grass" Rebate Program	250.00
19	Maltby Electric	Electrical Tape (36)	228.93
20	Marin Harbor Village Inc	Unable to Locate-Not Our Customer	265.85
21	McAghon, Andrew	Lawn Be Gone Sheet Mulching Program (1141 Mirabella Ave) (Balance Remaining on Contract \$4,134)	572.00
22	Mutual of Omaha	August Group Life Insurance Premium	1,045.53
23	NeoGOV	Annual License (\$3,676) & Renewal (\$860) (Budget \$4,000) (7/21-7/22)	4,535.56
24	Noll & Tam Architects	Prog Pymt #3: Provide NMWD Headquarters Upgrade A/E Services (Balance Remaining on Contract \$869,435)	134,326.75
25	Northern Safety Co.	Safety Glasses (Lab)	25.43
26	Novato Sanitary District	Treatment & Disposal of Discharge from STP (\$84) & May 2021 RW Operating Expense (\$22,189)	22,273.29
27	Pape Machinery Inc.	Backhoe Repairs ('04 Backhoe)	949.05
28	PumpMan Norcal	Transfer Pump/Motor for OM Ponds	3,146.50
29	Roth, Ronald	Novato "Pool Cover" Rebate Program	75.00
30	Roy's Sewer Service	Sewer Line TV Inspection @ OM	31,350.00
31	Scott Technology Group	Monthly Maintenance on Engineering Copier (7/21-8/20/21) (\$183) & Contract Overage Charge (\$140)	323.00

Seq No.	Payable To	For	Amount
32	Sonoma County Tree Experts Inc.	Remove 3 Eucalyptus Trees (Eagle PS)	5,760.00
33	Syar Industries Inc	Sand (16 yds)	968.99
34	US Bank	June Safekeeping Treasury Securities	59.00
35	US Geological Survey (USGS)	1/3 Share of FY21 Gallagher Stream Gauge Maintenance	8,040.00
36	VWR International LLC	Membranes (1,000) (Lab)	217.88
		TOTAL DISBURSEMENTS	<u>1,352,298.44</u>

The foregoing payroll and accounts payable vouchers totaling \$1,352,298.44 are hereby approved and authorized for payment.

<i>Julie Blue</i>	<i>07/27/2021</i>
Auditor-Controller	Date
	<i>7/27/2021</i>
General Manager	Date



CalPERS Reports Preliminary 21.3% Investment Returns for Fiscal Year 2020-21; Strong Returns Trigger Reduction in Discount Rate to 6.8%

July 12, 2021

Communications & Stakeholder Relations

Contact: Megan White, Information Officer

(916) 795-3991 - newsroom@calpers.ca.gov

Sacramento, Calif. – CalPERS today reported a preliminary 21.3% net return on investments for the 12-month period that ended June 30, 2021. CalPERS assets at the end of the fiscal year stood at more than \$469 billion. The preliminary 21.3% return lagged behind the fiscal year total fund benchmark of 21.7%.

Under the Funding Risk Mitigation Policy (PDF), approved by the CalPERS Board of Administration in 2015, the double-digit return will trigger a reduction in the discount rate used to calculate employer and Public Employees' Pension Reform Act (PEPRA) member contributions. The discount rate, or assumed rate of return, will drop to 6.8%, from its current level of 7%.

The Funding Risk Mitigation Policy lowers the discount rate in years of good investment returns. This is the first time it has been triggered.

The 21.3% 2020-21 fiscal year return for the Public Employees' Retirement Fund (PERF) were driven by Private Equity and Public Equity, with net returns of 43.8% and 36.3%, respectively.

Based on these preliminary fiscal year returns, the funded status of the overall PERF is an estimated 82%. This estimate is based on a 7% discount rate. Under the new 6.8% discount rate, however, the funded status of the overall PERF drops to 80%. This is because existing assets are assumed to grow at a slightly slower rate annually into the future. As intended under the Funding Risk Mitigation Policy, the lower discount rate increases the likelihood that CalPERS can reach its target over the longer term.

The CalPERS Board of Administration will continue to review the discount rate through its Asset Liability Management process during the rest of the calendar year.

"Our investment team has done an outstanding job of capturing strong returns in this very dynamic investment environment," said Theresa Taylor, chair of the CalPERS Investment Committee. "These results prove that we have the right investment strategy in place to take full advantage of what the markets have to offer."

"But as pleased as we are with these great returns, let me emphasize that we don't count on this kind of investing environment every year. We know markets go up and down. As a long-term investor, our job is to make sure we have a carefully considered plan to strengthen our fund no matter the economic climate so that we can pay the benefits our members have earned."

The 2020-21 fiscal year returns brings total fund performance to 10.3% for the five-year period, 8.5% for the 10-year period, and 6.9% for the 20-year period. Over the past 30 years, the PERF returned an annualized return of 8.4%.

Today's announcement includes 12-month asset class performance as follows:

Asset Class	Net Rate of Return
Total Fund	21.3%
Public Equity	36.3%
Private Equity	43.8%
Fixed Income	-0.1%
Real Assets	2.6%
Liquidity	0.1%

The official total fund performance numbers go through multiple layers of review and oversight. View the Total Fund and Benchmark Performance Calculation – Wilshire Associates (PDF) for more information.

Returns for real assets and private equity reflect market values through March 31, 2021. Private Equity has been CalPERS' highest returning asset class over longer periods, with 10-year annualized return of 12.0% and 20-year annualized return of 10.1%.

"I'm proud of our investment office and of our ability to execute on our strategy to achieve strong returns in these unprecedented times," said Dan Bienvenue, CalPERS interim chief investment officer. "But I'm also mindful that we're in the middle of determining our asset mix and discount rate for the future. As a long-term investor we're focused on ensuring that our analysis captures realistic projections about the investment outlook over many years and even decades."

CalPERS' 2020-21 final fiscal year investment performance will be calculated based on audited figures and will be reflected in contribution levels for the State of California and school districts in fiscal year 2022-23, and for contracting cities, counties, and special districts in fiscal year 2023-24.

The ending value of the PERF is based on several factors and not investment performance alone. Contributions made to CalPERS from employers and employees, monthly payments made to retirees, investment fees and the performance of its investments, among other factors, all influence the ending total value of the PERF.

About CalPERS

For more than eight decades, CalPERS has built retirement and health security for state, school, and public agency members who invest their lifework in public service. Our pension fund serves more than 2 million members in the CalPERS retirement system and administers benefits for more than 1.5 million members and their families in our health program, making us the largest defined-benefit public pension in the U.S. CalPERS' total fund market value currently stands at approximately \$472 billion. For more information, visit www.calpers.ca.gov.

MEMORANDUM

July 30, 2021

To: Board of Directors
 From: Nancy Williamson, Senior Accountant *NW*
 Subj: Information – FY21 4th Quarter Labor Cost Report
t:\ac\word\memo\21\4th qtr labor cost rpt.doc

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: None

Total labor cost increased \$51,014 (0.6%) from the prior fiscal year. Attached in graphical format is a five-year comparative summary of total labor cost (Attachment A), overtime cost (Attachment B) and temporary employee cost (Attachment C) expended during each fiscal year. Also attached is a summary of total labor cost vs. budget (Attachment D), which shows that labor was 7.5% under budget through the end of the fiscal year.

Department	Increase / (Decrease) in Labor Cost vs prior FY	% Change
Administration	\$22,129	1.0%
Engineering	\$84,824	6.5%
Operations/Maint	(\$98,917)	(3.1%)
Construction/Maint	\$42,978	2.5%
Net Increase/(Decrease)	\$51,014	0.6%

Comment on Change from Prior Year

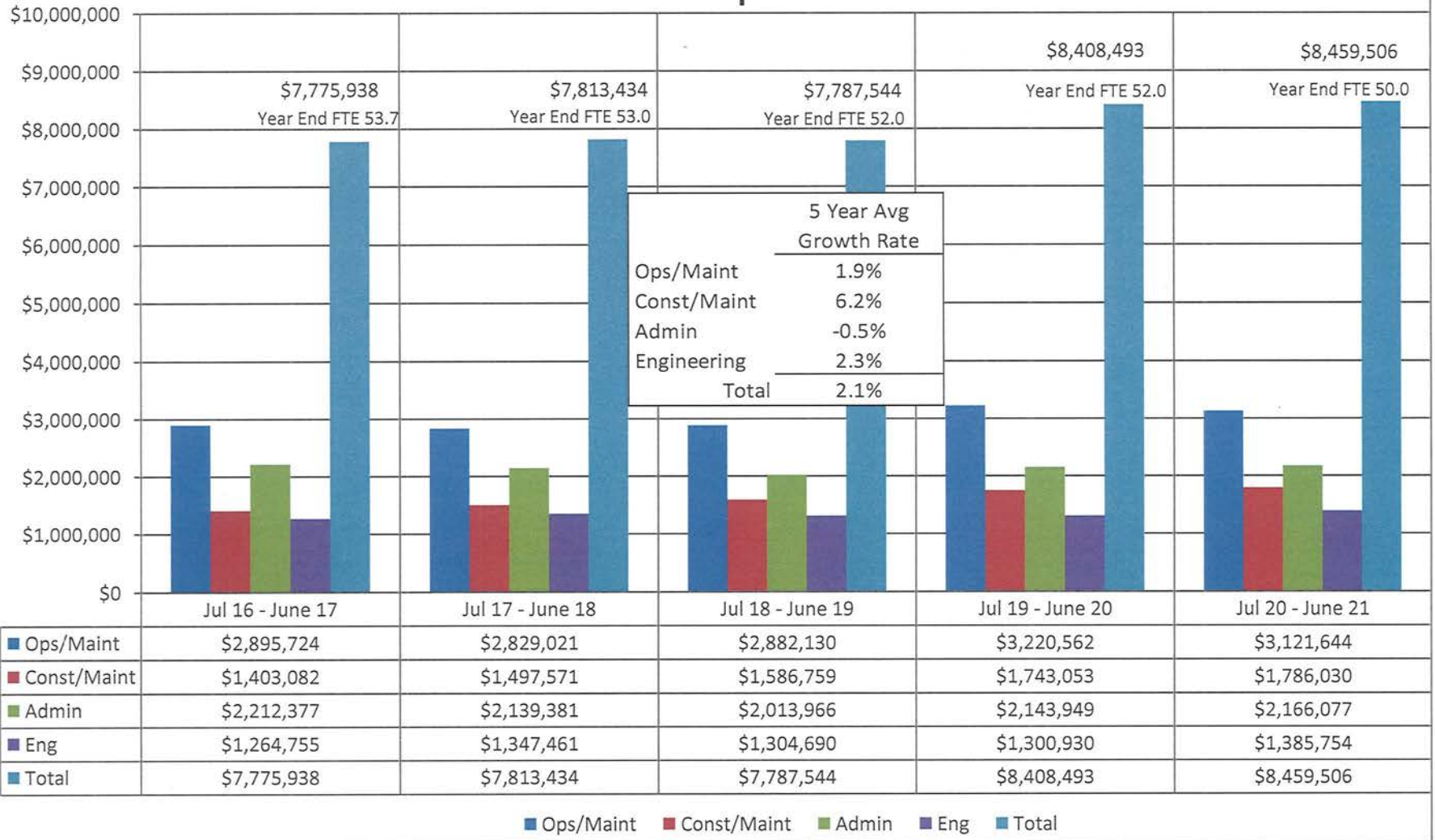
Administration: Labor Cost increased \$22,129, or 1.0%. The HR/Safety Mgr position, which was vacant the prior fiscal year, has been filled for nine months through the end of this year. There were also four 5% step increases, three promotions and the 2.0% cost of living adjustment (COLA) effective October 1, 2020. The increase was offset by the retirement of the Consumer Services Supervisor on June 5, 2020, the reorganization of that department and to fewer temporary hours worked.

Engineering: Labor Cost increased \$84,824, or 6.5%. The increase is due to the Chief Engineer Position which became vacant on February 4, 2020 being replaced with a Chief Engineer/Asst General Manager on October 12, 2020, the October 2020 COLA, four 5% step increases and more temporary hours worked. The increase was offset by the retirement of an Assoc Civil Engineer on September 30, 2020 and that position remaining vacant until filled with a Senior Engineer on May 3, 2021.

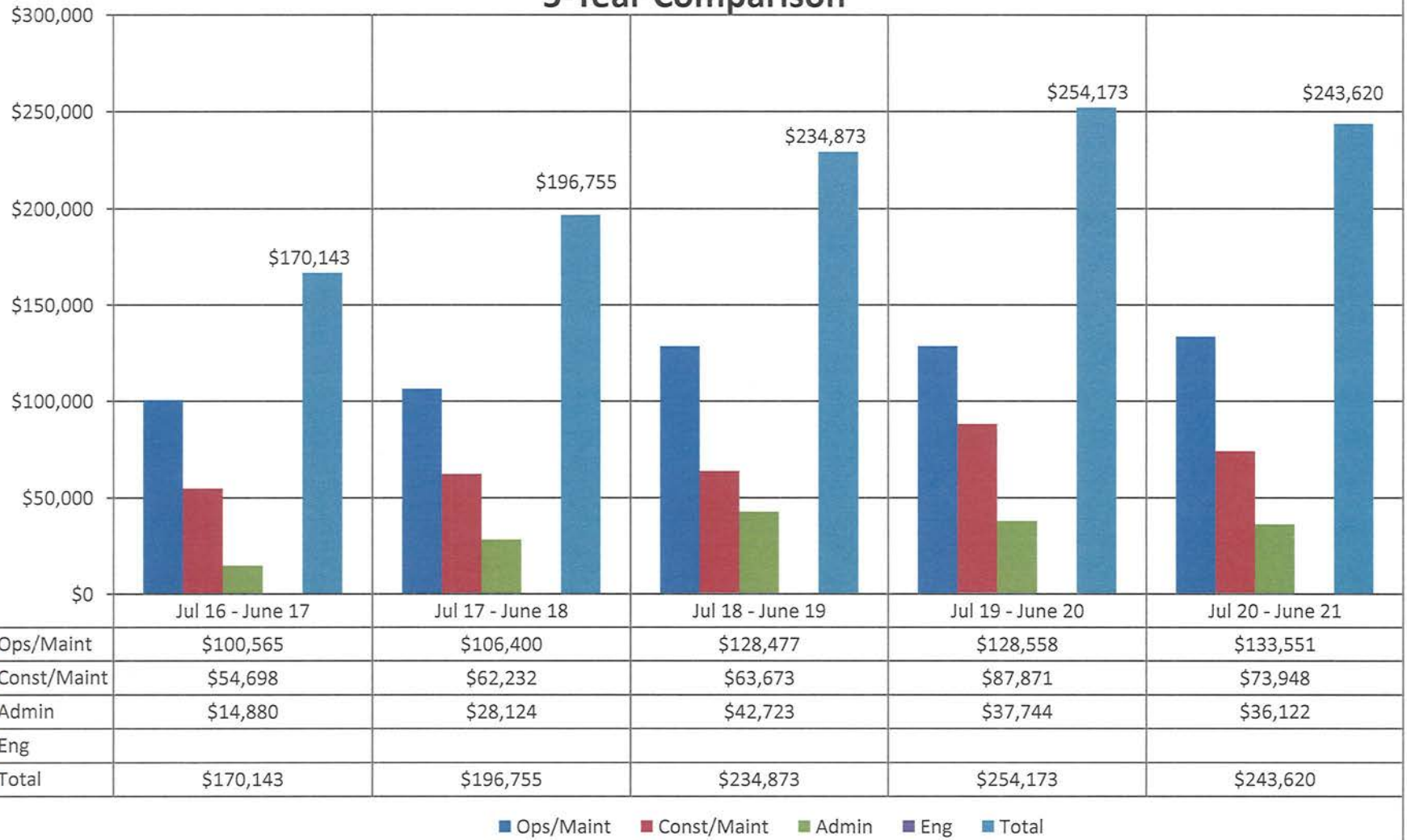
Operations/Maintenance: Labor Cost decreased \$98,917, or 3.1%. The decrease is due a Chemist II position being vacant since February 21, 2020, an Electrical/Mechanical Technician position being vacant from September 11, 2020 until March 1, 2021 and also due to a vacancy of the Assistant Water Distribution & Treatment Plan Operator position since December 2, 2020. The decrease was offset by eight 5% step increases, four promotions and the October 2020 COLA.

Construction/Maintenance: Labor Cost increased \$42,978, or 2.5%. The increase is due to more On Call pay because of an entire crew being on call in order to keep crews separate during COVID-19 distancing precautions as well as ten 5% step-increases, two promotions and the October 2020 COLA. The increase was offset by various unpaid leave as well as a laborer moving to the Maintenance Department on March 1, 2021 and that position not being filled until May 3, 2021.

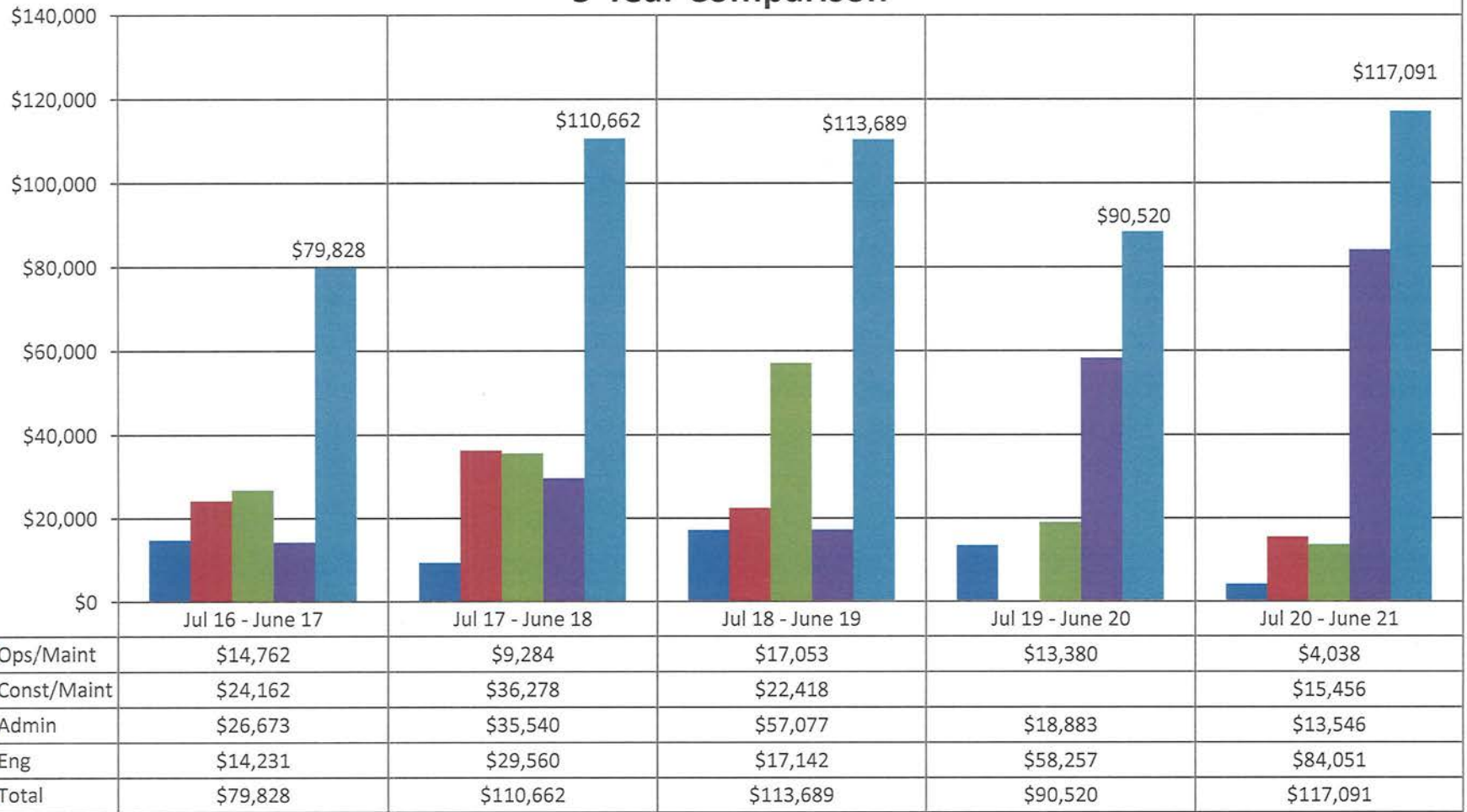
Total Labor Cost NMWD Fiscal Year through June 5-Year Comparison



Overtime Cost NMWD Fiscal Year through June 5-Year Comparison



Temporary Employee Cost NMWD Fiscal Year through June 5-Year Comparison

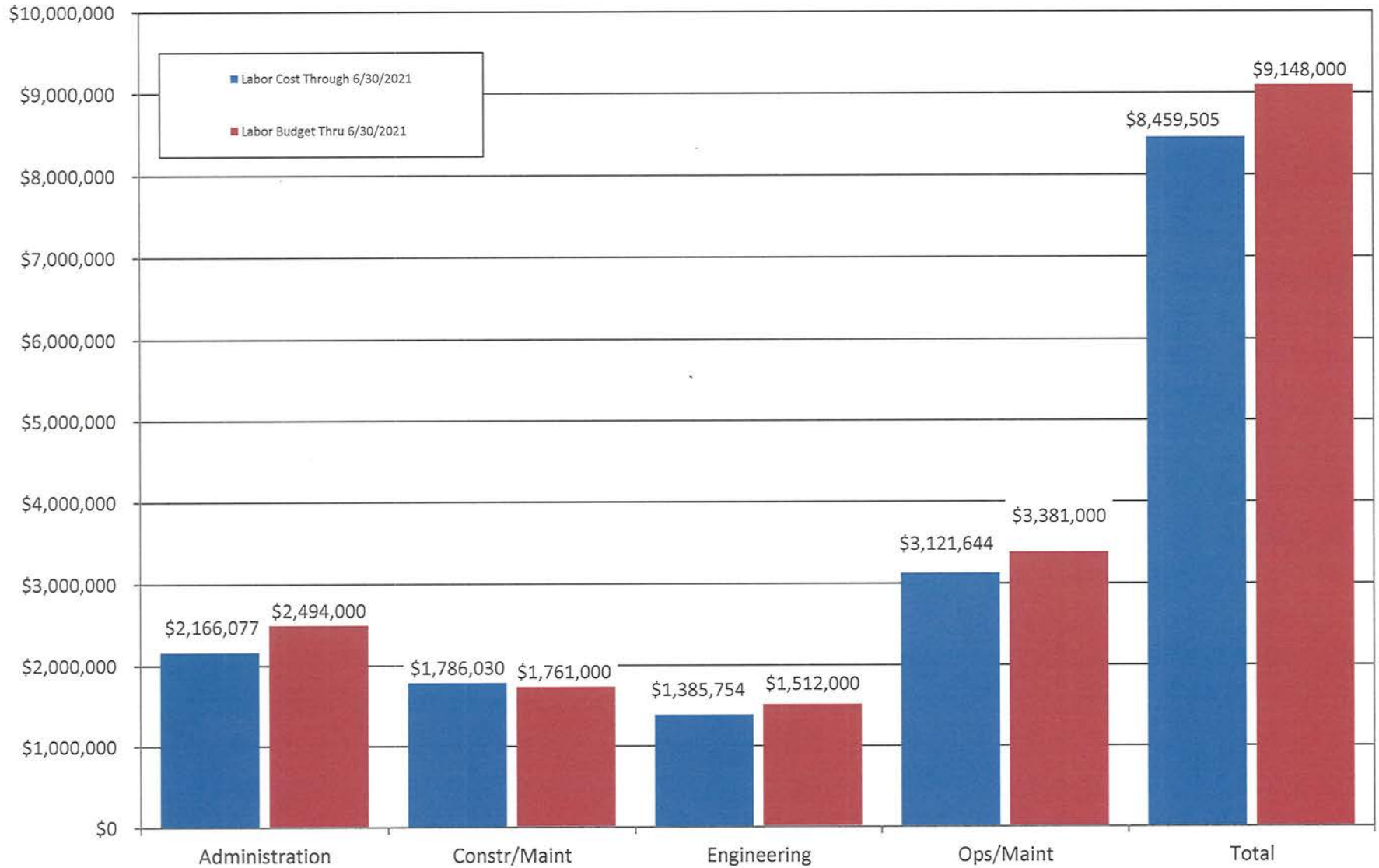


■ Ops/Maint
 ■ Const/Maint
 ■ Admin
 ■ Eng
 ■ Total

7/30/21

t:\finance\hrs rpt\labor cost compared to budget fy21\salary chart.xls

Total Labor Cost vs. Budget NMWD Fiscal Year through June



Big Novato home project unveiled

PRELIMINARY PLAN

Developer plans 1,081 residences at former Fireman's Fund location

Marin Independent Journal

By Will Houston

whouston@marinij.com

A San Francisco-based developer is proposing to build 1,081 new homes at the former Fireman's Fund campus in Novato, according to preliminary documents submitted to the city.

In a conceptual site plan released this month, Bay West Development proposes to build a mix of single-family residences, townhomes and apartments on the 63-acre campus at 777 San Marin Drive.

Twenty percent of the new homes or 204 homes and apartments would be required to be priced at affordable levels under city code. The development would work to preserve the open green space already existing at the campus and focus the housing development where the three office complexes are located.

Bay West Development officials declined an interview but released a written statement on their plan.

“Our approach centers on a thoughtful integration of the redevelopment by featuring single-family homes along the western portion of the property, a transition to townhomes within the project's core, and new multifamily apartments alongside Redwood Boulevard along with a pathway to the nearby SMART Station,” Bay West Development partner Pete Beritzhoff wrote. “Throughout the site, we also intend to create vibrant public amenity spaces as well as strong connections to the adjacent public open space via hiking and biking trails.”

The site plan also includes a community plaza along San Marin Drive, a bicycle bridge across the road to connect commuters to SMART's San Marin station, picnic areas, and connections to existing trails such as Partridge Knolls Trail.

Bay West Development will hold a neighborhood meeting at 6 p.m. July 29 at City Hall, 901 Sherman Ave.

“We are eager to hear from community members as we start to shape the redevelopment plan,” Beritzhoff wrote.

The developers aim to receive feedback on the site’s layout. Planning efforts are still in the very early stages and Bay West Development has not submitted its design or architectural plans. Also, up for discussion is the potential for retail that could be located on the first floors of the multifamily apartments along San Marin Drive.

Novato Councilwoman Susan Wernick said Monday that she is not surprised by the number of homes being proposed based on the size of the property.

“I thought it would be more, but again those numbers could change because this is so early,” Wernick said.

Wernick, who served on the Planning Commission, said the site plan’s placement of single-family homes next to existing single-family areas while placing multi-family homes closer to public transportation is typical for these types of proposals. But Wernick stressed that the plan is in no way finalized.

“It’s super early,” Wernick said. “What we’re seeing now, I can guarantee you it’s not what we’re going to end up with.”

If ultimately approved, the development would be one of the largest new housing developments in the city. City Planning Manager Steve Marshall said the project is at the “very beginning stages” of the city’s review process. The project’s design and architectural layout would eventually go to the Design Review Commission and then later to the Planning Commission and City Council once the developer completes an environmental review document.

“The level of environmental review is to be determined,” Marshall said.

The property is also zoned for business and professional office uses, so building any housing would require a zoning change.

The campus is Marin County’s largest non-retail commercial property and has sat empty since 2015 when Fireman’s Fund Insurance Co., then

Marin’s largest employer, relocated to Petaluma. Fireman’s Fund, which was acquired by the German insurance company Allianz in 1991, had occupied the complex since

1982. Speculation about large companies such as Google or Amazon eyeing the 700,000 square feet of office space in the three four-story office buildings never materialized.

The Manhattan-based investment firm, DW Partners, sold the property to Bay West Development's subsidiary, San Marin Owners LLC, on Jan. 29. Bay West Development purchased the property in a joint venture with the Colorado-based Forum Investment Group.

Parties to the deal have declined to disclose the sales price, but records from the Marin County Assessor-Recorder's Office indicate the sales price was in the range of \$28 million.

Fireman's Fund Insurance initially owned the property when it moved to the campus in 1982, but began leasing the space for nearly 15 years from American Assets Trust, which had purchased the property using a loan. After Fireman's Fund's lease expired in 2017 and no mortgage payments were made the property went into foreclosure.

DW Partners was the lead lender and had a controlling interest in the loan. An American Assets Trust subsidiary signed a deed in lieu of foreclosure with a DW Partners subsidiary in September 2019 in which DW Partners also took on the \$110.2 million in unpaid debt and associated charges on the property, according to county documents.

The redevelopment project is likely several years out from beginning construction. Should the ongoing drought continue for several years, there is a possibility that the project could be affected by restrictions adopted by Novato's water supplier, North Marin Water District. Earlier this year, the district suspended new water service hookups unless developers agree not to water landscapes using drinking water supplies.

More information about the project is at bit.ly/3z9zg4Y.

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Water limit for new development

MARIN MUNICIPAL

Drought restriction bans irrigating landscaping with drinking water

Marin Independent Journal

By Will Houston

whouston@marinij.com

New development projects in most of Marin won't have new landscaping irrigated with drinking water under drought restrictions imposed by Marin Municipal Water District this week.

The Board of Directors voted Tuesday to approve the ban aimed at preserving the district's dwindling reservoir supplies in the Mount Tamalpais watershed amid severe drought conditions. The district estimates it could run out of reservoir supplies by next summer if the region experiences a similarly historic dry winter as last year and conservation efforts do not improve.

Based on pending developers' applications for water service, the district estimates new development would add 42-acre feet of new drinking water demand in the next year or about 0.1% of the district's 2020 annual demand of 28,199 acre-feet. The new landscaping restrictions are estimated to reduce this new demand by 14 acre-feet or about 0.05% of the district's 2020 demand.



Landscaping work to install drip irrigation and drought tolerant plants is underway in the parking lot of The Village Shopping Center in Corte Madera.

ALAN DEP — MARIN INDEPENDENT JOURNAL

Forecasting two years out, the district estimates new development would add 62 acre-feet of new demand to the system or about 0.2% of the district's 2020 annual demand. Banning drinking water-reliant landscaping would save about 15 acre-feet of this amount, or again about 0.05% of the district's annual demand.

The ordinance, which took effect on Wednesday, does include some exceptions. New landscaping that is watered using recycled water is still allowed. Also, if a development does not have access to recycled water, the developer can still install the landscaping as long as they agree not to water it using drinking water until the emergency drought order is lifted. However, this second exception will likely be removed in August after concerns were raised by Board President Cynthia Koehler.

"I think I'm not comfortable going forward with new landscaping that is destined to be irrigated with potable water supply," Koehler said during the meeting.

Board member Larry Bragman supported Koehler's proposal, calling it a "bold step" that would encourage greater use of recycled water and rainwater catchment.

Board members Larry Russell, Jack Gibson and Monty Schmitt also supported the change, but said that such a move would likely require more public notice under the Brown Act. The board plans to revisit the ordinance in August to remove this exception. Koehler abstained from the vote, stating that the board would be able to and should approve the rules immediately.

The landscaping restrictions may be the precursor for tighter restrictions on new developments. District staff is currently drafting an ordinance that could suspend most new water service hookups for developments including housing.

The district estimates that such a suspension would only save 0.1% of the district's annual drinking water demand within the next year given the slate of projects that may be up for approval. Critics such as Fairfax resident and North Coast Rivers Alliance president

Frank Egger dispute these numbers and have advocated for a complete suspension of all new water hookups. The current strategies, he said, are "insufficient to address the current water shortage."

Larkspur resident James Holmes called the landscaping restrictions a "good start" but said the board must ultimately adopt a suspension on new water service hookups.

The landscaping rules are nearly identical to those approved by the district's northern neighbor, the North Marin Water District, for its more than 60,000 Novato customers.

Novato developments are allowed to proceed so long as the projects do not use any drinking water supplies to irrigate their landscaping.

Marin Municipal Water District will consider certain exceptions for projects already underway. One example cited at the board meeting was the ongoing landscaping changes at The Village at Corte Madera shopping center.

The project involves removing old, diseased trees and replacing them with drought-tolerant plants as well as replacing the overhead sprinkler system with a more efficient drip-irrigation system, said the center's general manager, Stan Hoffman. The trees' roots had also caused irrigation pipes to break.

All these changes are expected to reduce the center's landscaping irrigation by as much as 50%, Hoffman said. The project is about three weeks away from completion.

"We are going to reduce our water consumption substantially and we are going to put in very efficient irrigation that was reviewed and approved by the water district including all of the plant materials," Hoffman said.

Hoffman said the center will continue to comply with the district's water restrictions. In the meantime, he said he is inquiring with local recycled water haulers about

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POINT REYES LIGHT

Supervisors uphold North Marin well permit

By Samantha Kimmey
07/21/2021

The Marin County Board of Supervisors denied an appeal of the permit for North Marin Water District's proposed second well on the Gallagher ranch, largely on the grounds that the board didn't have jurisdiction over the issues at hand.

"I think this is a simple case of where our jurisdiction lies and where it doesn't lie," board president Dennis Rodoni said. "I don't disagree with Gordon Bennett or the water district in this case. I think everyone's interested in protecting the fish, and there's certainly different perspectives [on] how to do that. And what Mr. Bennett is proposing may be quite logical, but it needs to be taken to Fish and Wildlife and the regional agencies to implement that, should they agree with him."

The appeal was the latest failed protest brought by Mr. Bennett through his nonprofit Save our Seashore; the planning commission rejected his first appeal of the coastal and use permits in May.

The water district says the second well, part of a plan from 2009, will make up for the less-than-ideal performance from the original Gallagher well, built in 2015, which was meant to pump up to 300 gallons per minute but typically only pumps half as much. The district has long struggled with salinity intrusion at its Coast Guard wells, a growing issue since the restoration of the Giacomini Wetlands; last year, the problem became particularly pronounced, making the water unpalatable for many and a health problem for those with sodium issues.

This year, because of the delay in building the second Gallagher well, the district has installed a water tank in downtown Point Reyes Station so residents can fill up on drinking water if salt levels rise too high for those on sodium-restricted diets. The district now hopes to have the Gallagher well built by early 2022.

Mr. Bennett, who lives in the district's Paradise Ranch Estates service area, is concerned about the well's impacts on salmonids. He has taken issue with North Marin's environmental review process and believes the district has other water source options that wouldn't impact fish, including better conservation and the construction of storage tanks that could hold water pumped from the Coast Guard wells during less salty flows.

At last week's Board of Supervisors hearing, Mr. Bennett expressed particular concern about the minimum flows in Lagunitas Creek, asserting that United States Geological Survey data from last summer shows the district was pumping for a few weeks when it should not have been. A state order from 1995, reiterated in the California Environmental Quality Act document for the proposed well, says that creek flows need to be maintained to at least six cubic feet per second in dry-year conditions from mid-June to November, and that reservoir releases from Marin Water need to occur if flows dip too low.

At the hearing, the water district's general manager, Drew McIntyre, said the CEQA document also states that the California Department of Fish and Wildlife can deem impacts modest enough that more releases wouldn't be called for.

The water district also contended in documents submitted to the county that its water rights have been changed multiple times since the 1995 order, such that “the only possible scenario where NMWD would ‘unlawfully pump water reserved for salmon’ solely would be when no flow enters Lagunitas Creek from any of its tributaries, including San Geronimo Creek, Deadman’s Gulch, Devil’s Gulch, Cheda Creek, and Nicasio Creek.”

The district also argued that real-time U.S.G.S. data for the water gauge at Samuel P. Taylor State Park, which the district relies on to make decisions about releases, is “provisional” and can be updated months later with “retroactive changes” showing different flows.

At the hearing, Mr. Bennett lamented the fact that the the 1995 rule on creek flows is not a proactive one; instead, it triggers mitigation only after a violation.

“The only way that a mitigation measure now gets triggered, according to North Marin, is after they find whether there’s been any impact on the fish,” Mr. Bennett said.

Save Our Seashore has argued, in letters to the county and North Marin, that the well isn’t necessary, but at the meeting Mr. Bennett said that he didn’t oppose the project moving forward if the county put protections from the CEQA document into the well’s building permit; doing so would allow a local agency to hold the water district’s “feet to the fire.” “I’m not trying to roadblock this process,” he said, but rather move forward with “adequate protections.”

Mr. McIntyre responded that the district already amended part of its project in response to concerns from the San Francisco Bay Regional Water Quality Control Board, and that the California Department of Fish and Wildlife would provide oversight through a streambed alteration agreement, for which the district submitted its application in June.

For their part, county staffers said that it was a bad idea for Marin to add a requirement regarding streamflows in what the water district’s legal counsel described as a “very complicated hydrologic situation.”

“I think the idea of inserting the county’s local code enforcement program staff into an issue that is really fairly technically complex is inappropriate,” county planner Jeremy Tejirian said. “In this case, we have regulatory agencies, resource agencies, with the scientific and engineering knowledge to regulate this use of water.”

The president of the Point Reyes Station Village Association, Ken Levin, pleaded with supervisors to deny the appeal. “People need water and fish do too, and I think North Marin is doing its best to comply with all the regulations and get fresh, drinkable water to the people in West Marin, including all our thousands of visitors who come on a daily basis,” he said.

In an email sent after the hearing, Mr. Bennett said the water district was “creating a false dichotomy to con the community and squirrel out of the salmon protections they themselves proposed in their 2009 CEQA study. But if the community conserves this summer, there will be enough water to prevent salt intrusion. And if NMWD holds to its salmon protections, there will be enough water for the salmon also.”

As for what’s next? The “next stop,” he wrote, “is the coastal commission.”

North Marin Water District looking to expand supply

FACING THE DROUGHT

\$150,000 study approved to explore several options

Marin Independent Journal

By Will Houston

whouston@marinij.com

Facing what could be another historically dry winter, North Marin Water District is set to study options to expand its water supply for Novato, including increasing reservoir capacity and considering desalination.

“We need additional supply,” district board Vice President Stephen Petterle said during a board discussion on the study this week. “There is no doubt about it.”

The \$150,000 study is set to explore several possible supply options, including expanding the district’s recycled water production, which currently makes up 8% of its Novato supply; capturing stormwater runoff from nearby areas such as Bowman Canyon; increasing the capacity of its Stafford Lake reservoir by raising lake elevation by 3 feet; and groundwater banking, in which the groundwater aquifer can be recharged during wet years and drawn from during drought years.

Board members also voiced support for exploring desalination, especially should its larger neighbor to the south — the Marin Municipal Water District — consider temporary desalination plants as one of its emergency water supply projects if this winter is as dry as the last.

North Marin Water District directors Mike Joly and Rick Fraites voiced support for exploring desalination, even if it is not their preferred option, based on potential growth in the county in the coming decade and the potential for longer drought periods, especially given climate change impacts.

“Our mission is to meet the expectations of our customers in providing potable water,” Joly said during the Tuesday meeting. “That is a clear, evident mission and that mission is something that is our obligation to make happen where we can, within reason. I personally love conservation, but for this director and this customer, I

believe we've passed the flashpoint where conservation as a marginal return is a climate change solution."



The North Marin Water District's \$150,000 study will include increasing the capacity of its Stafford Lake reservoir by raising lake elevation by 3 feet.

SHERRY LAVARS - MARIN INDEPENDENT JOURNAL



ALAN DEP - MARIN INDEPENDENT JOURNAL

The North Marin Water District has experienced its driest year on record.

ALAN DEP - MARIN INDEPENDENT JOURNAL

"I don't think we should take it off the table," Fraites said of desalination.

District General Manager Drew McIntyre said his intent is to bring back a contract for the study to the board for a vote by September. The study would begin in October and potential options would be brought back to the board by March.

In the meantime, the district can still consider additional changes to its water use restrictions depending on how much rain the region receives closer to the end of the year, McIntyre said. Novato ratepayers have been required since July 1 to collectively reduce water use by 20% compared to 2020 water use. Ratepayers were exceeding this target as of last week at 22% conservation.

The discussion comes after the district, which serves about 61,000 residents in Novato and 1,800 residents in parts of West Marin, experienced its driest year on record with just more than 8 inches of rain falling at its only reservoir at Stafford Lake. The reservoir was 43% full on Thursday with about 1,780 acre-feet of water. The lake would be closer to 15% full had the district not paid \$405,000 to pump 1,100 acre-feet of Russian River water into the reservoir earlier this year in preparation for the dry winter.

Stafford Lake makes up about 20-25% of the district's supply for Novato, with the remaining water coming from imported Russian River water from the Sonoma Water agency. Sonoma Water is facing its own supply crisis and reduced water imports by 20% beginning July 1. The cuts could increase to 30% should Sonoma Water's reservoir at Lake Sonoma dip below 100,000 acre-feet later this year. The lake had about 126,200 acre-feet of supply as of Thursday.

A larger regional study led by Sonoma Water is already taking place and set to be completed by September 2022. However, given the drought conditions, parts of the study addressing drought risks are being put on a fast-track schedule and are set to be completed by October, according to McIntyre.

One potential fast-tracked option could be restoring currently dry wells owned by Sonoma Water that could be refilled during wet years and used during dry periods such as this drought. The wells could produce about 4.5 million gallons of water per day, McIntyre said.

While he said he prefers these types of regional solutions more, McIntyre said, "At the same time we need to look at what we can do locally here within our region."

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Friday, 07/23/2021 Page .A01

NMWD came through

I want to offer a shout-out and thank-you to Ken Levin, Point Reyes Station Village Association president, and Drew McIntyre, North Marin Water District's general manager. When seawater entered one of the lower wells, Ken worked diligently to represent the district's West Marin customers, and N.M.W.D. applied for permits to drill a second Gallagher well on higher ground to address the problem. When officials predicted the drilling would be delayed, Ken suggested the district supply an alternative source of drinking water. N.M.W.D. came through.

The result is a 4,500-gallon water tank at the far end of Commodore Webster Drive that the district will operate if the saline level in the water rises above 115 milligrams per liter, as predicted. Customers who need non-saline water will be able to fill containers twice a week at the site. Thank you to Ken, Drew and all the dedicated folks who worked together to solve this problem for our community.

Peggy Day

Point Reyes Station

10