

**NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
August 3, 2021**

CALL TO ORDER

President Grossi announced that due to the Coronavirus outbreak and pursuant to Executive Order N-29-20 issued by the Governor of the State of California this was a virtual meeting. President Grossi called the regular meeting of the Board of Directors of North Marin Water District to order at 6:01 p.m. and the agenda was accepted as presented. President Grossi added that there was not a public location for participating in this meeting, but any interested members of the public could participate remotely by utilizing the video or phone conference dial-in method using information printed on the agenda.

President Grossi announced 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.

President Grossi welcomed the public to participate in the remote meeting and asked that they mute themselves, except during open time and while making comments on the agenda items. President Grossi noted that due to the virtual nature of the meeting he will request a roll call of the Directors. A roll call was done, those in remote attendance established a quorum. Participating remotely were Directors Jack Baker, Rick Fraites, Jim Grossi, Michael Joly and Stephen Petterle.

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

Mr. McIntyre performed a roll call of staff, participating remotely were Drew McIntyre (General Manager), Tony Williams (Assistant GM/Chief Engineer), Terrie Kehoe (District Secretary), Julie Blue (Auditor-Controller), Tony Arendell (Construction/Maintenance Superintendent) and Tim Fvette (Senior Engineer). Also participating remotely were Carl Nelson District legal counsel (BPMNJ) and IT consultant Kevin Cozart (Core Utilities).

President Grossi announced for those joining the virtual meeting from the public to identify themselves. Participating remotely were Ken Levin (Point Reyes Station Village Association) and Will Houston (Marin IJ).

MINUTES

On motion of Director Joly seconded by Director Fraites the Board approved minutes from the July 20, 2021 Regular Board Meeting by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

GENERAL MANAGER'S REPORT

West Marin Salinity Update

Mr. McIntyre reported the current sodium level for this week was 57 mg/L which means NMWD will be placing a notice in this week's Point Reyes Light newspaper. He noted low saline water will be made available for customers on salt restricted diets via a bottle fill station near the Point Reyes Treatment Plant when sodium levels reach the 115/mg/L threshold. Mr. McIntyre added staff will continue to monitor and test the water each week and report in the Point Reyes Light accordingly.

COVID-19 Update

Mr. McIntyre informed the Board effective 12:01 a.m. August 3rd, Bay Area health officials, including Marin County issued orders requiring the use of face coverings indoors to prevent the spread of COVID. He stated this order applies to all individuals regardless of vaccination status. Mr. McIntyre added health officials reported they are very concerned about the substantial levels of community transmission now found across the Bay Area in part due to the widespread Delta variant. He added, due to the increase in COVID transmission in indoor settings, coupled with the reinstated mask mandate, staff will be postponing any discussion regarding returning to in-person meetings at this time. Mr. McIntyre noted he will continue to update the Board.

Russian River Diversion Tracking

Mr. McIntyre apprised the Board that through the third week in July the Water Contractors collectively have reduced Russian River diversions by 24% thereby exceeding the state Order's 20% mandate so far, He stated we still have a long way to go this summer and fall; but this is a good start.

Stafford Treatment Plant Update

Mr. McIntyre reported over the last couple of weeks Stafford Treatment Plant has been operating at reduced capacity due to high algae and manganese concentrations. He noted however, the treatment plant staff have been able to operate sufficiently to keep Russian River

deliveries within 1% of our July target. Mr. McIntyre stated August will be more challenging as we have been informed by our primary coagulant supplier that there was a catastrophic failure at the production facility significantly impacting ferric chloride deliveries. He added, staff are looking at switching to a different chemical, however in the interim we are on a day to day operations status based upon availability of ferric chloride. Mr. McIntyre added ferric chloride supply limitations are expected to continue through August, but the supplier states more chemical supply will be available in September.

Jim Fritz

Mr. McIntyre announced that it was with great sadness that he wished to inform the Board that our former Chief Engineer and Board of Director, Jim Fritz, passed away last week. He noted there has not been any news of any services that are being held, but Ms. Kehoe will keep the Board updated.

Director Joly asked how many of years of service Mr. Fritz had with NMWD. Mr. McIntyre replied he was Chief Engineer for over 20 years and he was on the Board of Directors for one four-year term. Director Joly noted it was wonderful he served the District for so many years.

Director Joly asked what the capacity of Lake Sonoma was and where the District was with recycled water capacity. Mr. McIntyre reported as of Monday, Lake Sonoma was at 50% and Lake Mendocino was at 31%. He added he expects the State Water Board will issue additional curtailment orders for water right holders along the Russian River. Director Joly asked what percentage of local supply was recycled water. Mr. McIntyre responded he estimated at least 12-15%. Director Joly noted Stafford Lake is at 39% capacity and asked what capacity we plan to draw it down to. Mr. McIntyre replied about 23%.

Director Petterle stated at the last meeting the Board rescinded the COVID-19 Declaration of Emergency and asked if the District will need to renew that declaration. Mr. McIntyre stated he does not anticipate a need to re-instate this declaration at this time.

OPEN TIME

President Grossi asked if anyone from the public wished to bring up an item not on the agenda and the following were discussed.

Mr. Levin stated he appreciated letting the Point Reyes community know about the salinity levels, noting everyone in town was happy to have another source of drinking water at Commodore Webster. He also asked what the progress was on the Gallagher Well No. 2 project. Mr. McIntyre replied in response to the Gallagher Well No. 2 project he gave the Board an update on the appeal process at the last Board meeting. He added a more formal update will be provided at the August 17th Board meeting.

Mr. Houston stated in respect to the recycled water station behind Fireman's Fund, he wanted to give a shout out to District employee, David Ladd. He added he is an advocate for expanding hours and locations. Mr. Houston stated he knows there are state permitting requirements involved, but it would be nice if there were more stations set up so people can come and go as the please. Director Grossi asked Mr. McIntyre to look into this possibility. Mr. McIntyre first thanked Mr. Houston for acknowledging Mr. Ladd who took ownership of the recycled water fill program. In regards to additional fill stations, he responded that he and Mr. Williams already had that discussion and are exploring options to streamline regulatory requirements, but the state ultimately governs how we run the program. Mr. McIntyre added the District is extending fill station hours to include Saturdays.

STAFF/DIRECTORS REPORTS

President Grossi asked if any Directors or staff wished to bring up an item not on the agenda and there was no response.

CONSENT ITEMS

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

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

NOES: None

ABSTAIN: None

ABSENT: None

REVISED ENGINEERING TECH IV JOB DESCRIPTION

The Board approved the revised Engineer Tech IV Job Description. The revised Engineer Technician IV job description reflects two distinct focus areas, including current duties and requirements for education and experience. The revised job description was provided to the NMWD Employee Association for review and approval was received on July 14, 2021.

ACTION ITEMS

AMENDING WEST MARIN EMERGENCY WATER CONSERVATION ORDINANCE 39

Mr. McIntyre reminded the Board 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. He noted pursuant to the District's Interconnection Agreement with Marin Municipal Water District, (MMWD), 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 MMWD during water shortage emergencies. Mr. McIntyre added 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 amended Ordinance 39. Mr. McIntyre stated the May 18th amendments to Section 6 of Ordinance No. 39 aligned the District's limitations on water use with the limitations imposed by MMWD's Board on May 4th. He added staff have reviewed the limitations imposed by MMWD'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. Mr. McIntyre reported West Marin water savings for July compared to 2013 was 37% and compared to 2020 was 26%. He noted when looking at the total gallons per capita per day for July, NMWD West Marin customers are using less water than MMWD customers.

Director Grossi asked if there were any comments from the public and there were none.

On the motion of Director Petterle, and seconded by Director Joly the Board approved Resolution 21-17 amending Section 6 of Ordinance No. 39 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

AMENDING REGULATION 1 – NEW SERVICE CONNECTIONS

Mr. Williams proposed amendments to Regulation 1 which would increase meter and service line charges, revise the annexation recovery fee and also include other miscellaneous revisions in multiple sections of Regulation 1.

Director Joly noted the resolution had a lot of changes, with many areas highlighted and asked once it is approved if the public would be able to read it clearly on our website and see what areas they need to look at. Mr. Williams replied all the District's regulations are posted on our website and Regulation 1 will include a new revision date.

Director Grossi asked how staff determines if a parcel needs to be annexed or know if it is within our service area. Mr. Williams discussed the District's GIS mapping information and how it is used by staff to determine LAFCo approved Service Territories and also actual Improvement District boundaries.

Director Joly asked if the Board approved the resolution, how would it impact people who are already underway in the process. Mr. Williams replied any application received by August 3rd would not be affected by the regulation changes. Mr. Williams also added he would like to acknowledge Lia Solar and legal counsel for their assistance with the review and revisions. Director Joly commended Mr. Williams, stating it was a good review and after five years it was time to update the fees.

On the motion of Director Joly, and seconded by Director Petterle the Board adopted Resolution 21-18 approving an increase in the meter and service line charges, approved a revised annexation recover fee and amended Regulation 1 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

RE-DECLARING SURPLUS PROPERTIES, NOVATO (APNs 153-110-10, 153-111-15, 153-182-44)

Mr. Williams stated in 2000 and 2001 the Board determined these Novato properties were no longer in use and identified them as surplus properties. He noted since that time no actions have been taken to dispose, negotiate or sell these properties. Mr. Williams added since 2001 there has been a change to the law requiring that a surplus declaration must be made by a “formal action” which is why it has been brought back to the Board for approval. He added he worked with legal counsel to bring this resolution to the Board to officially declare these parcels as surplus so the District can dispose of them. Mr. Williams also noted there was a lot line adjustment done that combines two of the parcels into one, however it is not official yet.

Director Petterle stated in the case of public schools, the school district would identify a parcel as surplus and they were required to offer the parcel first to parks, open space, and land management. He added they were also required to sell it to these agencies below market value, and asked if the District would be required to do the same. Mr. Williams replied he will come back to the Board with this process, however when we move forward to dispose of the parcels we will reach out to the City of Novato and County of Marin, especially to parks and open space. He added low-income housing developers that are registered may also be interested in these surplus properties. Mr. Williams noted if none of the agencies show an interest then they can be sold on the open market.

Director Grossi emphasized that the housing developers must provide affordable housing. Mr. Williams confirmed, they must acknowledge the site be used only for affordable housing.

Director Grossi asked if there were any comments from the public and there was no response.

On the motion of Director Fraites, and seconded by Director Baker the Board re-declared the parcels to be surplus and adopted Resolution 21-19 to formalize the action by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements- Dated July 22, 2021, Disbursements- Dated July 29, 2021, CalPERS Preliminary Investment Returns FY 2020/21 and FY2020/21 4th Quarter Labor Cost Report.

The Board received the following news articles: 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 and Point Reyes Light – Letters – NMWD came through.

Director Joly stated he had question on a disbursement and will have a conversation with Ms. Blue about it later in the week.

CLOSED SESSION

President Grossi adjourned the regular session at 6:48 p.m. and the Board began the closed session at 6:54 p.m. in accordance with 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).

OPEN SESSION

Upon returning to the regular session at 7:25 p.m., President Grossi announced the Board had not taken any reportable action during closed session.

ADJOURNMENT

President Grossi adjourned the meeting at 7:26 p.m.

Submitted by



Theresa Kehoe
District Secretary