

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
November 16, 2021**

**CALL TO ORDER**

President Grossi announced that due to the Coronavirus outbreak and pursuant to the Brown Act as modified by Assembly Bill 361, this was a virtual meeting. President Grossi called the regular meeting of the Board of Directors of North Marin Water District to order at 6:00 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) Robert Clark (Operations/Maintenance Superintendent) and Ryan Grisso (Water Conservation Coordinator). Also participating remotely were Jay Jasperse (Sonoma County Water Agency), Mark Hildebrand (Hildebrand Consulting), Morgan Biggerstaff (Legal Counsel) and IT consultant Kevin Cozart (Core Utilities).

President Grossi announced for those joining the virtual meeting from the public to identify themselves. Participating remotely was Will Houston (Marin IJ) .

**PRESENTATION BY SCWA ON REGIONAL WATER SUPPLY RESILIENCY STUDY**

A presentation was given by Jay Jasperse from SCWA on the Regional Water Supply Resiliency Study. Ms. Jasperse provided an overview of the study stating the objective of the Study is to develop a regional water supply decision support tool that can be used to evaluate the impacts from short-term and long-term water shortages and develop operational strategies and water supply capital projects to improve the region's water supply resiliency.

Director Joly thanked Mr. Jasperse for the presentation and asked how long it will take to obtain full operation of the three Santa Rosa Plain groundwater wells. Mr. Jasperse replied that the Todd Road well is already in operation and the Sebastopol well should be operational by early spring 2022. He noted the Occidental Road well may be ready for operation late summer, 2022.

Director Grossi stated there are a number of aquifers, some deep and some shallow; and asked if they will recharge them all or if it will be a select few. Mr. Jasperse replied they will focus on the deeper aquifers in the Santa Rosa Plain Basin.

Director Joly asked how much rain will we need through April to bring Lake Sonoma to 50%. Mr. Jasperse responded the watershed is off to a great start, stating if we have a modestly dry year we will still be in good shape, noting Lake Sonoma won't run out of water in the reservoir. Director Joly stated we are next to the largest lake in the world and asked if desalination could be done in a cost-effective manner. Mr. Jasperse replied that Sonoma Water does not eliminate options, but there are other feasible options that take priority, since they are more cost effective when you consider energy use and disposal of the brine. He added people assume the climate will be all drought here on out, however that is not the case, wet years are predicted to be wetter and the dry years drier. Mr. Jasperse noted in reference to climate change they do look at how the increase in temperature increases the drought. He added the system is reliant and the challenge is to store the water in wetter years, noting the biggest reservoirs in Sonoma county are the groundwater basins.

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

### **MINUTES**

On motion of Director Petterle seconded by Director Joly, the Board approved the minutes from the November 2, 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**

### **Regional Water Supply Resiliency Coordination**

Mr. McIntyre reported that as an extension of the regular WAC meetings, he and Director Baker participated in a recent meeting between Sonoma County Water Agency (SCWA) and Marin Municipal Water District (MMWD) to discuss how to best leverage integration of the initial SCWA Regional Water Supply Resiliency Study modeling work being performed by Jacobs Engineering Group with previous similar MMWD models. He apprised the Board that future periodic update meetings are anticipated.

### **Marin County Ag Hydrant Meter**

Mr. McIntyre announced after the significant October 23<sup>rd</sup>-24<sup>th</sup> rainfall event, AG hydrant use essentially dropped to zero.

### **NBWRA Meeting**

Mr. McIntyre reported the next NBWRA virtual meeting will be held on Monday, November 29<sup>th</sup> at 9:30 a.m.

## **OPEN TIME**

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

## **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.

## **MONTHLY PROGRESS REPORT**

The Monthly Progress Report for October was reviewed. Mr. McIntyre reported that water production in Novato was down 36% from one year ago. He noted the variability in water reductions over the last two months was due to different SCWA read dates therefore, it is better to look at the 22% savings fiscal year to date. In West Marin, water production was down 25% from one year ago and down 29% fiscal year to date. Recycled Water production was down 20% from one year ago and up 6% fiscal year to date. Stafford Treatment Plant production was down 20% fiscal year to date. He noted Operations staff did a good job running the treatment plant late in the season to meet our 20% allocation reduction target from SCWA. The Board was apprised that Stafford Lake is at 37% capacity, Lake Sonoma is at 49% and Lake Mendocino is at 36% capacity. In Oceana Marin effluent volume was 0.560 MG for October compared to 0.528MG one year ago. He noted pond freeboard looked good and the storage pond is currently not in use. Under Safety and Liability, we had 24 days without a lost time injury. Under Utility Performance Mr. McIntyre reviewed planned versus unplanned service disruptions. Under Summary of

COVID-19 costs, water bill impacts were up approximately 0.3% from last month and water bill delinquency costs were up 6% from last month. On the Summary of Complaints and Service Orders, the Board was apprised that total numbers were down 13% from October one year ago.

Ms. Blue reported on the October 2021 Investments, where the District's portfolio holds \$26.4M earning a 0.29% average rate of return. Ms. Blue noted that during October the cash balance increased by \$472,707. She also noted the LAIF rate is 0.20% . Ms. Blue added one CD matured with an interest rate of 1.7%.

Director Petterle commented on variability and timing of reading the meters and requested a staff report on the concept of sending out bills monthly. He added with our new AMI system this could help with conservation. Additionally, Director Petterle stated it would help our customers keep track of their bills since other utilities statements come monthly.

### **QUARTERLY FINANCIAL STATEMENT**

The Quarterly Financial Statement for Fiscal Year 2021-22 was presented by Ms. Blue. She reviewed the Novato, West Marin, Oceana Marin, and Recycled Water budgets and net income revenue. The District generated a net income of \$939,273 and noted at year end the ratio of total cash to budgeted annual operating expense stood at 139%. Ms. Blue noted the FY 2020-21 finalized audit will be on our website, however a printed copy can be provided upon request. Additionally, she announced the audit will support the Government Finance Officers Association (GFOA) award for financial reporting.

### **CONSENT CALENDAR**

On the motion of Director Joly, 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

### **RE-AUTHORIZING MEETINGS BY TELECONFERENCE OF LEGISLATIVE BODIES OF NORTH MARIN WATER DISTRICT**

Resolution 21-27 will extend the continuation of teleconference meetings and "Finding Proclaimed State of Emergency, that Local Officials Continue to Recommend Physical Distancing, and that Meeting in Person Would Present Imminent Risks to the Health or Safety of Attendees; and Re-Authorizing Meeting by Teleconference of Legislative Bodies of North Marin Water District" from November 16, 2021 through December 16, 2021 Pursuant to Brown Act provisions.

**ACTION CALENDAR**

**STAFFORD LAKE BACKFEEDING – 2022 WATER YEAR**

Mr. McIntyre stated the 2021 water year was the lowest rainfall year on record since 1916. He stated we have no guarantees on how much additional rainfall will occur this winter and noted reservoir storage levels are low in both Stafford Lake and Lake Sonoma. Mr. McIntyre added given the recent two-year epic drought and low reservoir storage levels, he recommended that NMWD proceed to backfeed Stafford Lake on or about December 1<sup>st</sup>. He noted there is a risk that the benefit of backfeeding water into Stafford Lake could be negated if more winter rains result in filling and overflow at Stafford Lake. Mr. McIntyre assured the Board that in order to minimize this risk, staff will try to manage backfeeding operation in concert with actual rainfall events.

Director Petterle asked if there was any target amount. Mr. McIntyre replied if it is a dry year then at least 1100-acre feet which is similar to last year. However, he is hoping the backfeeding will be interrupted by rain. A general discussion ensued. Director Joly stated he is comfortable with authorizing the backfill of the lake, but he would hate to spend money and then the lake spills over when we get rain in December and January. He asked how can it be monitored so we do not spend money unnecessarily. Mr. McIntyre replied there is no guarantee that if we backfeed in December we won't get another atmospheric river rainfall in January, however staff will monitor rainfall forecasts as best as possible to reduce the potential for backfeeding when it looks likely that Stafford Lake may fill due to rainfall. Director Grossi noted the ground is saturated now and if we got four inches of rain in twenty-four hours we might have a full lake. He added if we get rain in the next month we will have a better idea. Director Petterle stated he would rather have more water than not enough and trusts Mr. McIntyre's judgement. He noted we are nearing December and we have had no significant rain since the last storm.

President 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 authorized backfeeding of Russian River water into Stafford Lake on or about December 1, 2021 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**CONSULTING SERVICES AGREEMENT FOR DROUGHT SURCHARGE STUDY WITH HILDEBRAND CONSULTING**

Ms. Blue apprised the Board that the scope of study will include a water shortage financial analysis, a drought surcharge structure analysis, report and Proposition 218 notice, presentations and financial planning and rate setting services as needed. She added the Drought Surcharge Study will be for both the Novato and West Marin service areas with a not to exceed cost limit of \$29,440.

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

On the motion of Director Joly, and seconded by Director Fraites the Board authorized the General Manger to execute an agreement between Hildebrand Consulting, and the District for a Drought Surcharge Study for the Novato Service Area and the West Marin Service Area with a not to exceed limit of \$29,4740by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**CONSULTING SERVICES AGREEMENTS WITH WEST YOST ASSOCIATES, GHD AND EKI ENVIRONMENT & WATER**

Mr. Williams stated the District has historically relied on consultant services to assist with the planning, engineering support and design of Capital Improvement Projects or special studies to supplement in-house staff. Mr. Williams noted these consulting services agreements will have a not to exceed limit of \$200,000 each through June 30, 2023.

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

On the motion of Director Joly, and seconded by Director Petterle the Board authorized the General Manger to execute consulting services agreements with West Yost Associates, EKI Environment & Water and GHD with a not to exceed limit of \$200,000 each through June 30, 2023 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**INFORMATION ITEMS**

**KASTANIA PUMP STATION REHABILITATION PROJECT, INCLUDING THE DRAFT 2021 KASTANIA PUMP STATION TRANSFER AGREEMENT AND THE DRAFT 2021 AMENDED AND RESTATED INTERCONNECTION AGREEMENT BETWEEN NORTH MARIN WATER DISTRICT AND MARIN MUNICIPAL WATER DISTRICT**

Mr. McIntyre provided a status report on the Kastiana Pump Station Rehabilitation Project, including the Draft 2021 Kastiana Pump Station Transfer Agreement and the Draft 2021 Amended and Restated Interconnection Agreement Between NMWD and MMWD. He stated in connection with the 2021 drought, MMWD proposes to reacquire Kastiana Pump Station (KPS) from SCWA, rehabilitate the pumps, reconnect KPS to the North Marin Aqueduct, which will enable MMWD operational flexibility to meet its water supply needs when they cannot be met through gravity flow. A general discussion ensued.

Mr. McIntyre apprised the Board that the governing boards of MMWD and SCWA have already approved these agreements and after receipt of comments, staff and legal counsel will negotiate the final edits to the agreements. He added staff anticipates presenting both agreements to the Board for approval at the December 7, 2021 Board meeting.

#### **FY 2021/22 FIRST QUARTER PROGRESS REPORT – WATER CONSERVATION**

Mr. Grisso presented the FY 2021/22 First Quarter Water Conservation Progress Report. He reported on public outreach and conservation marketing; budget and staffing; water conservation and outreach expenditures. Mr. Grisso noted water conservation participation has increased significantly in the first quarter of this fiscal year mainly due to customer drought response and the increase in rebate levels approved by the Board in May of 2021.

#### **FY 2019 THROUGH FY 2021 STAFFORD DAM ACTIVITIES REPORT**

Mr. Williams reported on the FY 2019 through FY 2021 Stafford Dam activities. He gave a general overview of Stafford Dam and updated the Board on inspections and monitoring; recent Division of Safety of Dams (DSOD) regulations improvements and other activities.

Mr. Williams recognized Mr. Clark and his Treatment Plant Operators for the day to day management of the dam.

Director Joly asked if there were other dams in Marin or Sonoma counties that are categorized as extremely high hazard. Mr. Williams confirmed, stated there are twelve in Marin county alone and it is based on where the population is compared to the location of the dam. He added two of the dams are categorized as extremely high hazard, Phoenix Lake Dam and Stafford Lake Dam. Director Petterle commented if they had not drained Phoenix Lake before this last atmospheric river event it would have flooded Ross, Fairfax and San Anselmo. He added they were lucky the lake was pretty empty and could handle that large onset of water.

Director Fraites noted the road from Novato Blvd. to the Treatment Plant is a terrible mess and asked what the status was to repair this road. Mr. Williams replied there is a CIP to repair the culvert under the road, and part of the FEMA grant request is for a road overlay, arguing unless it is repaired it could cripple access to the Stafford Treatment Plant. Director Grossi asked

if the plan will include an effort to make the Novato Blvd. entrance better. Mr. Williams replied he is not aware of any studies being done to improve the entrance off Novato Blvd.

### **CYBER SECURITY EVALUATION AND PLAN UPDATE**

Mr. Clark updated the Board on the Cyber Security Evaluation and Plan. He stated a risk and resilience assessment was done for the District using EPA's Vulnerability Self-Assessment Tool to help assess all of the Districts vulnerabilities, noting staff concentrated on the cyber security portion of the tool. Mr. Clark announced a consultant will be hired in FY 2022-23 to complete an overall review of our Emergency Operations Plan to identify any vulnerabilities.

Director Joly commended Mr. Clark for a great memo and noted the importance of security and emergency issues in order to secure our water supply and infrastructure.

### **NORTH BAY WATER REUSE AUTHORITY BOARD MEETING – SEPTEMBER 27, 2021**

Mr. McIntyre summarized the North Bay Water Reuse Authority Board Meeting for September 27, 2021. He stated the future direction and next steps for NBWRA will focus on continuing recycled water projects, potable reuse assessments, coordinated drought contingency planning and sea level rise adaptation.

### **NBWA MEETING – NOVEMBER 5, 2021**

Director Fraites reported on the NBWA meeting that was held on November 5, 2021. He updated the Board on the One Water Policy, Orange Memorial Park Regional Stormwater Capture Project and SCWA Water and Energy Education Program, A Call to Action.

Director Fraites expressed he thoroughly enjoyed the presentation on the SCWA education program.

Director Joly stated he thought the school program was terrific.

### **MISCELLANEOUS**

The Board received the following miscellaneous items: Disbursements – Dated November 4, 2021, Disbursements – Dated November 11, 2021, Point Reyes Light -Salinity Notice – November 4, 2021, Point Reyes Light - Salinity Notice – November 11, 2021, Marin IJ – NMWD AD No. 1 -Did you know? – November 9, 2021 and Marin IJ – NMWD AD No. 2 -Did you know? – November 12, 2021.

The Board received the following news articles: Marin IJ – Marin County Drought Tracker - October 30, 2021; Marin IJ – Marin County Drought Tracker - November 6, 2021; Marin IJ – Recent rains bring drought relief; Marin IJ – Upgrade Sonoma wells could help Marin supply – COPING WITH DROUGHTS; Marin IJ – Appeal fails in battle on well – NORTH MARIN WATER DISTRICT and Marin IJ – Storms hike water supply, but conservation still urged.

The Board received the following social media posts: NMWD Web and Social Media



Report – October 2021.

**CLOSED SESSION**

President Grossi adjourned the regular session at 6:48 p.m. and the Board began the closed session at 6:58 p.m. in accordance with Conference with Legal Counsel –Significant Exposure to Litigation Pursuant to California Government Code Section 54956.9(d)(2) One Potential Case.

**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 7:25 p.m.

Submitted by

A handwritten signature in cursive script, appearing to read "Theresa Kehoe".

Theresa Kehoe  
District Secretary