

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
December 21, 2021**

**CALL TO ORDER**

President Petterle 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 Petterle 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 Petterle 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 Petterle 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 Petterle 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 Petterle 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 Petterle 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 Pablo Ramudo (Water Quality Supervisor). Also participating remotely was IT consultant Kevin Cozart (Core Utilities).

President Petterle announced for those joining the virtual meeting from the public to identify themselves and there was no response.

**MINUTES**

On motion of Director Joly seconded by Director Baker, the Board approved the minutes from the December 7, 2021 Regular Board Meeting by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

On motion of Director Joly seconded by Director Baker, the Board approved the minutes from the December 14, 2021 Special Board Meeting by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

## **GENERAL MANAGER'S REPORT**

### Recent Rainfall Events

Mr. McIntyre reported as of December 20<sup>th</sup> Novato is at 13.7 inches of rain which is 34% above average rainfall through December and about 50% of our annual rainfall. He noted there is another one to three inches of rain in the forecast over the next week or so.

### Stafford Lake Back Feeding Update

Mr. McIntyre announced that NMWD has backfed Stafford Lake for a total of five days between December 3-9<sup>th</sup>. He stated that the total amount backfed was approximately 32-acre feet. Mr. McIntyre added that given the continued rainfall it is looking unlikely that staff will re-initiate back feeding to meet our target storage supply of 2,300-acre feet. Mr. McIntyre added that Mr. Clark and the Operations staff are monitoring the situation closely.

Director Joly stated that 32-acre feet is good and staff is doing a good job keeping an eye on things.

### Sonoma County Water Agency (SCWA) Temporary Urgency Change Order (TUCO)

Mr. McIntyre reported on December 10<sup>th</sup> the State Water Board issued a new TUCO to allow SCWA to base Lake Mendocino and Lake Sonoma water releases on Lake Mendocino storage levels rather than on Lake Pillsbury's. He noted the State Water Board has also extended the Russian River curtailment suspension through January 10, 2022.

### PG&E Discretionary Bypass Flows at Potter Valley Project (PVP)

Mr. McIntyre informed the Board that SCWA and Mendocino County Inland Water and Power Commission sent a request to PG&E to increase bypass flows from 45 cfs to 135 cfs. He

further noted that the Water Advisory Committee (WAC) has also submitted a support letter advocating for the requested increase.

Director Grossi asked if the PVP bypass flows are allowed to go to 135 cfs regardless of the time of year or season. Mr. McIntyre replied that the 135 cfs rate is a wintertime window from now until early April, 2022.

#### NMWD Agenda Schedule for January

Mr. McIntyre apprised the Board that there are three potential Board meetings in January including the Local Water Supply Enhancement Study Workshop at 6 p.m. on January 25. He noted that the Board approved the 2022 schedule which indicated that the January 4<sup>th</sup> meeting is tentative. Mr. McIntyre stated that since January 4<sup>th</sup> is right after the holidays it may be cancelled due to limited agenda items. He noted staff will know for sure early next week, and if confirmed, a meeting cancellation will be posted.

#### **OPEN TIME**

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

Director Petterle stated that in the Sunday Marin IJ there was an article stating that Marin reservoirs were at above average levels. He added that the headline gave an indication that the drought was over and everything is fine. Director Petterle noted that at his house he had 16.6-inches of rain since October 1<sup>st</sup>, which is double the 8.4-inches he received last year; however, it is significantly less than the 41-inches that was received in water year 2018/19. He emphasized the weather is unpredictable and the drought is not over. Director Petterle stated that he believes it is the responsibility of the Directors to not only ensure sufficient water supply for this year, but to ensure a sufficient water supply every year. He added that he hoped his fellow Directors agree and do not lose sight of that. Director Petterle noted that just because we are getting rain it now, does not mean that this it will happen in the months ahead, stressing we need to continue with our water conservation programs as well as continue to pursue additional water supply.

Director Joly commented on climate droughts versus weather droughts and noted that SCWA's Lake Sonoma supply is sizably lower that this time in 2020. Mr. McIntyre added that the drought is multi-years in the making and a couple months of rainfall is not going to change that. He added that mandatory conservation needs to continue in Novato and is driven by Lake Sonoma and Lake Mendocino levels in the north which still need significant improvement. Mr.

McIntyre noted that in West Marin, water conditions are different, adding it will be a Normal year classification in Lagunitas Creek if Kent Lake rainfall from October 1, 2021 through March 31, 2022 totals 28-inches. Director Joly also stated that he gives full support and agrees entirely with what Director Petterle said, adding that he is glad the District will be holding a Local Water Supply Enhancement Study Workshop on January 25<sup>th</sup> and give the public an opportunity to participate.

### **MONTHLY PROGRESS REPORT**

The Monthly Progress Report for November was reviewed. Mr. McIntyre reported that water production in Novato was down 53% from one year ago and down 27% fiscal year to date. In West Marin, water production was down 39% from one year ago and down 31% fiscal year to date. Recycled Water production was down 92% from one year ago and down 2% fiscal year to date. Stafford Treatment Plant production was down 20% fiscal year to date. The Board was apprised that Stafford Lake is at 37% capacity, Lake Sonoma is at 50% and Lake Mendocino is at 37% capacity. In Oceana Marin, effluent volume was 0.554 MG for November compared to 0.534MG one year ago. Under Safety and Liability, we had 54 days without a lost time injury. Under Utility Performance there were no unusual trends. On the “Summary of Complaints” and Service Orders, the Board was apprised that total numbers were down 18% from November one year ago. Ms. Blue reported on the November 2021 Investments, where the District’s portfolio holds \$26.9M earning a 0.27% average rate of return. Ms. Blue noted that during November the cash balance increased by \$346,272. She also noted the LAIF rate is currently 0.20%.

Director Joly asked a question about energy use for Stafford Treatment Plant, questioning why the energy number is 38,000 KW hours when there was no production at the plant. Ms. Blue responded that the amount of power purchased was 38,000 KW hours and the actual use was 17,000 KW hours, however the way the solar power contract is set up we pay for the power even if we do not use it. Mr. Joly thanked Julie for the answer.

Director Grossi asked about the delinquent water bill impacts and asked how much money NMWD might recover through the state program. Ms. Blue replied NMWD is currently in the application process and applied for \$53,000 for Novato and \$1,500 for West Marin. Director Joly commended Ms. Blue for following up.

### **CONSENT CALENDAR**

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

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

NOES: None

ABSTAIN: None

ABSENT: None

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

Resolution 21-30 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 December 21, 2021 through January 20, 2022 pursuant to Brown Act provisions.

**FINAL ANNUAL REPORT FISCAL YEAR 2020-21**

The Annual Report was originally provided at the December 7<sup>th</sup> meeting and minor changes were made. Upon approval the final copy will be distributed.

**ACTION CALENDAR**

**BOARD COMMITTEE/ASSOCIATION ASSIGNMENTS FOR 2022**

This information was provided to the Board at the previous meeting on December 7, 2021, at which time President Petterle asked to defer action on this item for further review. President Petterle stated that there were no requests from the Board to change assignments, therefore he recommended that the current committee assignments for the Board of Directors remain status quo for the 2022 year.

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

On the motion of Director Fraites, and seconded by Director Grossi the Board approved the Board/Committee Association Assignments for 2022 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**APPROVAL OF SALARY, TERMS AND CONDITIONS OF EMPLOYMENT – GENERAL MANAGER (BOARD RESOLUTION 21-31 AMENDING PRIOR BOARD RESOLUTION 20-26)**

Director Grossi advised that this agenda item was initially presented to the Board at its December 7, 2021 meeting for discussion. Director Grossi reported on the salary, terms and conditions of employment for the General Manger. He stated the Board recently had a closed session where they conducted the annual evaluation of the General Manager and it was all positive. On behalf of the Board, Director Grossi thanked Mr. McIntyre for guiding the District this

past year, noting that he has done a great job in guiding staff and representing the District to others in the industry. He added the District is lucky to have him. Director Petterle stated this is not something the Directors take lightly which is why there were two closed sessions to discuss this and noted Mr. McIntyre has been an amazing representative of NMWD. Director Petterle thanked Mr. McIntyre and expressed his appreciation for everything he does for the District.

President Petterle asked if there were any questions from the Board or members of the public. No questions from the Board or members from the public were asked.

President Petterle provided an oral summary of the recommended action in accordance with Government Code section 54953 (c) (3). He stated: "The item before the Board tonight is to set the salary, terms and conditions of employment for the District's General Manger position, effective October 1, 2021. The recommended action is to grant a 3.7% COLA wage increase to the General Manager's base salary, effective October 1, 2021. The total annual salary increase is \$8,880. In addition, payroll taxes will increase by \$130.00 and retirement contributions will increase by \$2,470 annually. After factoring in the above adjustments, the annual base compensation for the General Manage position will be \$248,580, effective October 1, 2021." President Petterle announced that additional details regarding this item were set forth in the agenda and resolution associated with this item.

On the motion of Director Joly and seconded by Director Baker the Board authorized approval of Resolution 21-31, North Marin water District Conditions of Employment – General Manager by the following vote:

AYES: Director Baker, Fraitcs, Joly and Petterle

NOES: None

ABSTAIN: None

ABSENT: Director Grossi (lost internet connection, therefore he was not present to vote on this item).

Mr. McIntyre thanked the Board for their kind words and responded that it is an honor to work with the Board and staff. He added the District has had an excellent reputation for decades and he is proud to continue to do his part. Director Joly stated Mr. McIntyre enhances that reputation. Director Baker agreed, stating Mr. McIntyre makes the District look good.

### **INFORMATION ITEMS**

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

Mr. Ramudo reported on the FY 20-21 Quarterly Progress Report for Water Quality. He summarized the Novato system source water Stafford Lake, the treatment performance at Stafford Treatment Plant; and the Novato distribution system. Mr. Ramudo also explained in

detail about the cyanobacteria production by blue green algae in Stafford Lake. He explained that during the reporting period no animals were allowed in the park or on the shore of the lake and signs have been posted warning consumption of the surface water, noting it is only a recreational concern. Mr. Ramudo also advised that the chlorine and granular activated carbon has been 100% successful in the removal of the algae toxins and there has been no detection in our drinking water. Additionally, the Division of Drinking Water is aware of the situation and staff will continue to monitor the lake and collect samples.

Mr. Ramudo also summarized the Point Reyes system source water at the Coast Guard/Gallagher Wells and the performance at the Point Reyes Treatment Plant and the Point Reyes distribution system. He noted that West Marin is still having salinity intrusion in the Coast Guard Wells, however with the help our customers conserving water use, staff was able to mitigate salinity instruction impacts to some degree. Mr. Ramudo advised that he is hopeful, with the Gallagher Well No. 2 project coming online this will correct the salinity problem.

Mr. Ramudo also reported that the Deer Island facility had no production, noting the recycled water produced with Novato Sanitary District and Las Gallinas Sanitary continues to be a great drought resistant source of supply.

#### **NBWA MEETING – DECEMBER 3, 2021**

Director Fraites reported on the NBWA meeting that was held on December 3, 2021. He stated that the main topic of discussion was the Potter Valley Project situation which Mr. McIntyre covered earlier in the meeting during the General Manager's Report. Director Fraites added that a presentation was given by John Driscoll from Congressman Jared Huffman's office.

#### **MISCELLANEOUS**

The Board received the following miscellaneous items: Disbursements – Dated December 9, 2021; Disbursements – Dated December 16, 2021, 2022 TAC and WAC/TAC Meeting Schedule, Point Reyes Light - Salinity Notice –December 9, 2021, Point Reyes Light – Salinity Notice – December 16, 2021, NOAA Three-Month Outlook Temperature and Precipitation Probability- December 16, 2021, Marin IJ – NMWD Ad No. 6 – Did you know? – December 10, 2021, Marin IJ – NMWD Ad No. 7 – Did you know? – December 17, 2021 and Annual Sick Leave Buy-Back.

The Board received the following news articles: Marin IJ – State aims to fine wasters of water DROUGHT and Merced Sun Star – Amid drought, California advances big new reservoir project.

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

**ADJOURNMENT**

President Petterle adjourned the meeting at 7:00 p.m.

Submitted by

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

Theresa Kehoe  
District Secretary