

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
May 17, 2022**

**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 that 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 that 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. Williams performed a roll call of staff, participating remotely were Tony Williams (General Manager/Acting Chief Engineer), Terrie Kehoe (District Secretary), Julie Blue (Auditor-Controller), Tony Arendell (Construction/Maintenance Superintendent), Robert Clark (Operations/Maintenance Superintendent) and Pete Castellucci (Distribution/Maintenance Foreman). Also participating remotely was IT consultant Clay Smedhammer (Core Utilities).

President Petterle requested that 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 May 3, 2022 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**

Mr. Williams announced that the Novato and West Marin Rate Hearings will be held virtually on June 28<sup>th</sup>. He explained that the two hearings are now combined due to an error by the printing vendor and the Novato flyers were resent on May 13<sup>th</sup> in order to fulfill the Prop 218 forty-five-day noticing requirement.

Mr. Williams updated the Board on some staffing changes. He stated that since the April 12<sup>th</sup> Closed Session NMWD Board Meeting, staff offered the Assistant General Manager/Chief Engineer position to Eric Miller. Additionally, Mr. Williams reported that in consideration of Mr. Arendell's retirement, Pete Castellucci will act as Interim Construction/Maintenance Superintendent for five months, followed by Chris Kehoe for the next five months. He noted that both candidates were outstanding candidates, and after their five-month rotation a decision will be made on who will permanently fill the position.

Mr. Williams apprised the Board that he attended the Sonoma Marin Drought Meeting on May 9<sup>th</sup>. He stated that Sonoma County Water Agency, Marin Municipal Water District, Supervisor Rodoni, Supervisor Rabbitt and Agricultural Representatives also attended the meeting. He noted that the Marin County ranchers are looking better this year with water supply, however if they need to start drawing water it will likely be from a hydrant on San Antonio Road and the Board will be notified.

Mr. Williams also noted that he attended Supervisor Rodoni's Dillon Beach Office Hours meeting on May 13<sup>th</sup>. He stated that he was a guest speaker there and mentioned the upcoming rate increase in Oceana Marin, noting most attendees were from Dillon Beach.

President Petterle asked if the Directors had any questions or comments.

Director Joly asked if there will not be a June 21<sup>st</sup> meeting since the Novato Rate Hearing was moved to June 28<sup>th</sup>. Mr. Williams replied that it will not be necessarily the case, it will depend on what other items are on that agenda.

Director Baker stated that the issue in Dillon Beach over the years has been sewage. He added that the pressure for us to serve that community is slowly growing and he expressed that he hopes Supervisor Rodoni listens to the reports and understands that NMWD is in no position to help the residents in Dillon Beach.

President Petterle welcomed Mr. Castellucci to the meeting. Mr. Castelluci thanked the Board for having him and stated that he was excited to have the opportunity to attend.

President Petterle asked if there were any comments or questions from the public and there was no response.

### **OPEN TIME**

President Petterle asked if anyone from the public would like to speak 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 the following were discussed.

Director Baker asked if Mr. Castellucci could tell the Board what his background with the District was. Mr. Castellucci stated that he has been with the District for sixteen years. He added that he started as a Laborer, moved up to Pipeworker and has been a Distribution Maintenance Foreman for eight years. Mr. Castellucci noted that during this time he has been responsible for valve operation, maintenance, hydrant operation, main leak detection, first responder to leaks, customer service and final inspections. He stated that he loves working at NMWD and it has been a great career. Mr. Castellucci added it is also great to live and work in Novato.

Director Grossi reported on a Sonoma County Farm Bureau Water Summit Meeting. He stated that it was a two-day event that had some great PowerPoint presentations. Director Grossi added that the meeting was attended by the Secretary of Water Resources, Secretary of Agriculture, Jared Huffman, Grant Davis, Jay Jasperse, including many others. Additionally, Director Grossi noted there was a strong environmental presence. He said it was one of the best webinars he had attended and it was put on by SCWA and Sonoma County Farm Bureau. Director Grossi added that there were many topics discussed; which included the Potter Valley Project, water rights on the Russian River, the two-basin solution, and raising Coyote Dam to name a few. He noted that he will get the presentation information and share it with Directors and staff.

Director Fraites referred to the article on the desalination plant rejected by the California Coastal Commission and also a recent Marin IJ article about the ethics of using recycled wastewater as a drinking water supply. Director Fraites added that these are resources to look at. He stated that once people get beyond the yuck factor, we should see what other areas are doing successfully with their sanitary districts.

Director Joly stated that he found the articles in the miscellaneous section of the agenda packet very interesting and stated that he had mentioned the emerging technologies in the past,

noting desalination and more use of wastewater are exciting possibilities. Director Grossi stated that they spent an hour on the subject at the Farm Bureau meeting he attended, noting it will be a difficult task to get people to drink “sewer water”. Director Petterle stated that it would help to rename “sewer water” to something else more appealing.

### **MONTHLY PROGRESS REPORT**

The Monthly Progress Report for April was reviewed. Mr. Williams reported on key areas such as water production, local and regional lake/reservoir capacity, safety, COVID-19 financial impact, delinquent bill impacts, customer complaints and service orders. He noted that there was a spike in unplanned outages under Utility Performance, which was due to the population of the multi-family complexes in that location. Mr. Williams announced that there was a change in the report, noting Section 2 is now regional and local water supply reporting. He added that this section is a work in progress and the SCWA data reflects current data rather than the month of the report. Mr. Williams informed the Board that he proposes to move this report to Miscellaneous in the future and advised Board to reach out with any questions to staff ahead of the meetings. He stated that he would likely keep it in the current agenda location for the next month and then move it to Miscellaneous in July.

President Petterle asked if there were any comments or questions from the Directors.

Director Joly asked about the service orders and stated that the leak data seemed skewed and he wondered if the tracking data has changed recently. Mr. Williams confirmed, stating the number of leaks detected may look differently because of the way staff is now tracking them.

Director Joly asked what the effect of COVID-19 has had on our organization with the Omicron and other variants occurring. He asked how NMWD is responding, what the cost was to date, and are we seeing the numbers project downward. Mr. Williams replied that there has not been a financial impact on staff in the last couple of months, adding recently staff have been informed of the message from Dr. Willis from the Marin County Public Health Office, recommending wearing masks indoors. Ms. Blue stated that there has been minimal increase in costs, most of which has been attributed with legal counsel, and there was one employee who was required to take one day off. She added that the water delinquency impact has been decreasing due to the ability to perform shut offs for nonpayment again and has dropped down to pre-COVID levels.

President Petterle asked what the consensus was on the General Manager’s recommendation to move the Monthly Progress Report to the Miscellaneous section of the agenda. Director Baker stated that he had no objection, but would like to look at it and not make an immediate decision. Director Fraites noted that all the information is already included in the

agenda; therefore, he was fine with moving it to Miscellaneous. Director Grossi agreed, stating all the information is provided ahead of time and we still have an opportunity to ask questions. He agreed to move the Monthly Progress Report to Miscellaneous, adding it sounds like a good plan. Director Baker stated that it would streamline the meeting, unless we need to ask questions. Mr. Williams confirmed that there will be no change in the content, the only difference would be no verbal reporting. He noted that questions could be asked before the meeting, or during the Miscellaneous section of the agenda. Mr. Williams added that the Board can think about it, continue in the same manner in June and transition in July.

Director Joly asked about the potable water use, he stated that it seemed peculiar that even though April was wetter, compared to February and March, the April production was significantly lower. He compared West Marin's numbers versus Novato's, and asked if there were measurement problems again. Mr. Williams reminded the Board that West Marin no longer has mandatory reductions, only voluntary. He added that there are no measurement issues that he is aware of, and staff is always looking at anomalies. Director Joly noted that there was cooler weather in April, the Governor has a 15% mandatory statewide reduction and we have 20% reductions plus a drought surcharge. He added that SCWA was 20%, as was MMWD. Mr. Williams replied that for SCWA, the baseline is 2020 and the Governor's order may be based on last year's usage statewide. Director Joly stated that it is impressive to see how much our customers in Novato and West Marin have conserved water.

President Petterle asked if anyone from the public would like to speak and there was no response.

### **CONSENT CALENDAR**

Director Joly asked where the District was with virtual meetings. Director Petterle replied that staff have been researching the possibility of in person or hybrid meetings by July. He added that he is thankful that we have not done so at this point since the Rate Hearings for Novato and West Marin will both be on the June 28<sup>th</sup> meeting. Mr. Williams stated that he will provide information to the Board at the June 7<sup>th</sup> meeting to see what a hybrid meeting would look like, but implementation would be July at the earliest. He added that with the new COVID-19 variant this may all change. Director Joly thanked Mr. Williams for the explanation and said he will not pull the item off of the Consent Calendar.

On the motion of Director Fraites, and seconded by Director Baker 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**

The Board approved Re-Authorizing Meetings by Teleconference of Legislative Bodies of North Marin Water District. Resolution 22-15 will extend the continuation of teleconference meetings effective May 17, 2022 through June 16, 2022 pursuant to Brown Act provisions.

**UTILITY AGREEMENT BETWEEN CALTRANS AND NORTH MARIN WATER DISTRICT FOR CALTRANS' WEST MARIN PAVING PROJECT**

The Board approved the Utility Agreement between Caltrans and North Marin Water District for Caltrans' West Marin Paving Project in an amount not to exceed \$12,500 and includes a \$5,000 contingency amount.

**APPROVE TEXT FOR SPRING 2022 NOVATO 'WATERLINE', ISSUE 48**

The Board approved the Test for the Spring 2022 Novato "Waterline", Issue 48.

**ACTION CALENDAR**

**EXCEPTION TO CALPERS 180-DAY WAIT PERIOD REQUIREMENT FOR RETIRING EMPLOYEES**

Mr. Williams stated Mr. McIntyre possesses specialized skills and unique knowledge of District operations and facilities, which is needed to assist with projects such as the close out of the Aqueduct Energy Efficiency Project with Caltrans and continued negotiations on the Potter Valley Project. He added that Mr. McIntyre will be an advisor on an as-needed basis for overall assistance with overflow work. He also recognized Ms. Blue and Ms. Clyde for doing much of the leg work for this agenda item.

President Petterle asked if there were any comments or questions from the Directors and there was no response.

President Petterle asked if anyone from the public would like to speak and there was no response.

On the motion of Director Baker, and seconded by Director Joly the Board approved Resolution 22-16 for exception to the 180-day wait period for hiring a retiree: and authorized the District to utilize the expertise of Drew McIntyre on an as needed basis, at an hourly rate of \$113.53 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**CONTRACT EXTENSION FOR NMWD TRENCH RESTORATION PAVING**

Mr. Arendell first informed the Board that he would like to make a clarification, noting the estimate was based on the proposed pricing, not the current pricing as stated that in the memo. He stated that W.K. McLellan Company have not raised their prices since 2019 and need to at this time, because labor, oil and fuel costs have gone up over the past few years. Mr. Arendell added that W. K. McLellan Company do wonderful work, and the County of Marin and City of Novato never question any of their repairs. He recommended the Board approve W.K. McLellan's contract extension, or otherwise provide direction staff to go out for bids.

President Petterle asked if there were any comments or questions from the Directors.

Director Baker noted that the work W.K. McLellan does is specialized and not many companies do this type of work anymore. Director Petterle asked Mr. Arendell to explain their type of paving and compare it to the roadway at the recent tank project. Mr. Arendell responded that W. K. McLellan perform patch paving, there is no large grinder, only a small crew doing small batches. He noted they also do work for MMWD, PG&E and many other utilities in Marin County. As an example, Mr. Arendell stated that when the contractor on Canyon Road messed up some of the paving, W.K. McLellan was able to fix the problem.

President Petterle asked if anyone from the public would like to speak and there was no response.

On the motion of Director Baker, and seconded by Director Grossi the Board approved staff to prepare an extension of the trench restoration paving contract with W.K. McLellan Company based on the proposed unit prices provided by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

**INFORMATION ITEMS**

**FY 2021/22 THIRD QUARTER PROGRESS REPORT – ENGINEERING DEPARTMENT**

Mr. Williams. reported on the FY2021/22 Third Quarter Progress Report for the Engineering Department. He provided: a CIP cost summary; the costs of special studies; and the Performance Status for Capital Improvement Projects for the Novato, West Marin and Oceana Marin service areas. Mr. Williams also updated the Board on the Engineering Department labor hours.

President Petterle asked if there were any comments or questions from the Directors.

Director Joly asked about the status of the release of the loan and the permits for the Administration Building and Lab Renovation Project. Mr. Williams replied that the District received a letter from the State Water Resources Control Board on May 16<sup>th</sup> and they provided the waiver for the loan. Additionally, he reported that staff are moving forward, meeting with the construction manager and the District hopes to have the permit from the City of Novato as early as May 25<sup>th</sup>. Mr. Williams noted that the contractor signed the agreement, adding the bond and insurance are in place. He announced the kickoff meeting will be on June 21<sup>st</sup> and then the contractor can mobilize assuming we get the building permit. Director Joly commended staff on a good job at getting the waiver for the loan.

Director Joly asked if all the chemical purchases for the Stafford Treatment Plant were secured so that the plant will be ready for startup. Mr. Clark reported that the cost of chemicals saw a 100% increase, and the plant is scheduled to start up in mid-June. He added that staff are waiting to hear back from the vendor for the polymer tank replacement.

President Petterle asked if anyone from the public would like to speak and there was no response.

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

Mr. Williams reported on the on the FY2021-22 Third Quarter Progress Report for Water Conservation. He updated the Board on the Water Conservation program participation; public outreach and communications; budget and staffing. Mr. Williams noted that there continues to be a push on social media and a good effort from staff to post updates on our website. He added that the information is current and provided information on drought and project related issues. Mr. Williams announced that there is a new picture on the homepage of the website of the inside of the Stafford Treatment Plant. He also recognized how the AMI system and the Watersmart dashboard have been effective for both internal use by staff and our customers.

President Petterle asked if there were any comments or questions from the Directors.

Director Joly stated that he thought the Waterline was well done and hit all the major points. He also noted that he looks at the AMI information every day as it helps him monitor his irrigation, adding it is a very helpful tool. Mr. Williams stated that he also uses it as a customer, noting it is amazing that you can see how much water is being used even while washing clothes. Director Joly stated that he waters every four days, unless it is cool then he skips a day, noting it is amazing the power of averaging. Director Petterle stated that he has a friend that lives in his division who commented that he got a call from NMWD that he had a leak and he was able to get it repaired within a couple of days. Director Joly stated that he has had many neighbors comment



that they are happy NMWD installed the AMI system. He commended the Board of Directors who originally approved the AMI system for making such a wise decision.

President Petterle asked if anyone from the public would like to speak and there was no response.

#### **RRIFR PUBLIC POLICY FACILITATING COMMITTEE ANNUAL MEETING AGENDA – MAY 4, 2022**

Director Grossi and Director Petterle reported on the Russian River Instream Flow and Restoration Annual Meeting for Public Policy Facilitating. The discussion included status of the Russian River instream flow changes; flow and fisheries monitoring, Warm Springs Hatchery, the Dry Creek Habitat Enhancement Project and a biological assessment update.

Director Petterle stated that the wineries in the Dry Creek area are very proud of the work done on their land, which would not have been the case if the pipeline had been done. He noted it would also not have been very beneficial to the fish. Director Grossi stated that some of the resting pools and wood structures for the fish were spectacular, noting the alternative, a pipeline over the hill to Asti, would have created more issues. Director Petterle added that, the Dry Creek Habitat Enhancement Project is a model for other areas.

President Petterle asked if there were any comments or questions from the Directors and there was no response.

President Petterle asked if anyone from the public would like to speak and there was no response.

#### **NBWA MEETING – MAY 6, 2022**

Director Fraites reported on the NBWA meeting that was held on May 6, 2022. He updated the Board on the outcome and feedback from NBWA's first virtual conference held in April: Climate Change(d), Weathering Extremes Together. He added that it was a good conference, noting there were 152 attendees and Congressman Huffman was a keynote speaker.

President Petterle asked if there were any comments or questions from the Directors.

Director Fraites asked if NMWD paid our annual dues to NBWA. Mr. Williams confirmed, adding that it has also been budgeted for next year.

President Petterle asked if anyone from the public would like to speak and there was no response.

#### **MISCELLANEOUS**

The Board received the following miscellaneous item: Disbursements – Dated May 5, 2022.

The Board received the following news articles: Marin IJ – Utilities assess supply options

– DISTRICT STUDIES; Marin IJ – Marin Voice – Water ethic should include drinking recycled wastewater; Marin IJ – Opinion -MMWD asks too much of careful ratepayers; Marin IJ – District adjusts rules on water – MARIN MUNICIPAL; Marin IJ – Drought, rising costs halt community garden project – NOVATO; Marin IJ – Marin Voice – Take a ‘silver buckshot’ approach to water reliability; Marin IJ – Weak water savings fuel calls for harder line – STATE DROUGHT; Marin IJ – Californians ignore water savings goal – DROUGHT; Point Reyes Light – Water districts mull new supply options; and Los Angeles Times – California Coastal Commission rejects plan for Poseidon desalination plant.

The Board received the following social media posts: NMWD Web and Social Media Report – April 2022.

President Petterle asked if there were any comments or questions from the Directors.

Director Grossi informed the Board that one of the speakers last week was the former Director of the State Regional Water Board. He stated that his statement about desalination was bold and noted that the San Francisco and Zone 2 Coastal regions have no plans to pursue desalination on a regional basis. Director Grossi added that desalination needs to be a state project, because it is not feasible on a regional level. Director Petterle stated that KGO radio station had a guest speaker who was well versed on desalination. He added that, that the podcast would be worth listening to. Director Fraites stated that the problem the Coastal Commission has with desalination is the discharge in the ocean, asking if these desalination plants are doing any monitoring or studies on pollution or the impact it has on the ocean. Director Grossi stated that it is different than brackish desalination, and goes way out into the ocean. He added that he would assume they are doing a lot of monitoring. Mr. Clark stated that when he was at an AWWA conference he was able to tour the southern California plant. He said they blend the discharge with the wastewater on site at the treatment facility. He added that he can check with AWWA about the water quality and the impact the discharge has from the plant.

President Petterle asked if anyone from the public would like to speak and there was no response.

### **ADJOURNMENT**

President Petterle adjourned the meeting at 7:08 p.m.

Submitted by

A handwritten signature in black ink that reads "Theresa Kehoe". The signature is written in a cursive, flowing style with a large initial 'T' and 'K'.

Theresa Kehoe  
District Secretary