



NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
November 1, 2022 – 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 pursuant to the authorizations provided by Government Code section 54953(e)."

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

CLICK ON LINK BELOW:

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

Password: 466521

SIGN IN TO ZOOM:

Meeting ID: 821 9197 1947

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.

All times are approximate and for reference only.
The Board of Directors may consider an item at a different time than set forth herein.

Est. Time	Item	Subject
6:00 p.m.	CALL TO ORDER	
	1.	APPROVE MINUTES FROM REGULAR MEETING , October 18, 2022
	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: Re-Authorizing Meetings by Teleconference of Legislative Bodies of North Marin Water District Resolution
	ACTION CALENDAR - None	
	INFORMATION ITEMS	
	6.	Strategic Plan Progress Report – Year 4 Review (FY 2021-22)
	7.	Resignation and Retirement from NMWD – District Secretary
	8.	MISCELLANEOUS Disbursements – Dated October 20, 2022 Point Reyes Light – Salinity Notice for October 20, 2022 NOAA Three Month Precipitation Outlook – November, December, January NOAA Seasonal Drought Outlook FY23 1 st Quarter Labor Cost Report
	<u>News Articles:</u> Marin IJ – Causeway gets key support – HIGHWAY 37 Marin IJ – Tsunami strategy – MARIN COASTLINE Marin IJ – Possible reallocation of water supply could hit agriculture Marin IJ – County edging to virus ‘uptick’ -COVID-19 PANDEMIC Marin IJ – Housing balance shifts in analysis -UNINCORPORATED MARIN Marin IJ – Newsom to end virus emergency in February – SACRAMENTO Marin IJ – Report raises water issues in Marin low-income areas – STATE ASSESSMENT Marin IJ – Water plan could trigger earlier conservation calls – MARIN MUNICIPAL Marin IJ – Housing mandate changes sought – MARIN Marin IJ – Nothing simple about building a desal plant in Marin – MARIN VOICE	

All times are approximate and for reference only.
The Board of Directors may consider an item at a different time than set forth herein.

(Continued)

Est. Time	Item	Subject
	9.	CLOSED SESSION: Conference with Labor Negotiators (§ 54957.6) Agency designated representatives: Tony Williams, Julie Blue and Christopher Boucher Employee organization: North Marin Water District Employee Association
	10.	CLOSED SESSION: Conference with Labor Negotiators (§ 54957.6) Unrepresented Employees
7:30 p.m.	11.	ADJOURNMENT

All times are approximate and for reference only.
The Board of Directors may consider an item at a different time than set forth herein.

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DRAFT
NORTH MARIN WATER DISTRICT
MINUTES OF REGULAR MEETING
OF THE BOARD OF DIRECTORS
October 18, 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), Terrie Kehoe (District Secretary), Eric Miller (Assistant GM/Chief Engineer), Julie Blue (Auditor Controller), Robert Clark (Operations/Maintenance Superintendent), Chris Kehoe (Interim Construction/Maintenance Superintendent) and Rebecca Sylvester (Receptionist/Customer Service Assistant). Additionally, District employee Connie Filippi joined the meeting.

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 Baker seconded by Director Joly, the Board approved the minutes with a minor edit from the October 4, 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 on October 7th the County of Marin had a meeting with the West Marin water providers to discuss the County of Marin's actions in order to comply with SB552, which identifies them as the lead for drought planning. He identified the small West Marin community water systems to include; Muir Beach, Stinson Beach, Bolinas, Inverness, Cal Water, Estero Mutual and Hamilton Mutual water companies, in addition to NMWD. Mr. Williams reported the County of Marin is developing a County Drought and Water Shortage Risk Mitigation Plan to help those agencies handle water emergencies.

Mr. Williams informed that the Board, that on request from Ken Levin from the Point Reyes Station Village Association, he gave a presentation on October 13th which provided an overview of the West Marin system; including the water supply sources from the Coast Guard and Gallagher wells. Mr. Williams reported there was good attendance, noting the members had some really good questions. He added that he offered to come back should they wish another presentation.

Mr. Williams apprised that the Board that he and President Petterle met with Supervisor-elect Eric Lucan on October 14th. He stated that it gave them the opportunity to discuss the history and status of the District as well as the importance of our relationship with Sonoma County Water Agency.

Mr. Williams reported that he and Director Baker participated in a Russian River Water Forum interview on October 17th in regards to the Potter Valley Project. He stated that current stakeholders are being interviewed before a formal Steering Committee and subordinate committees will be formed. Mr. Williams noted that the report is expected to be done in late November or early December.

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

Director Joly referred to the County Drought and Water Shortage Risk Mitigation Plan and asked if there were any issues in which we may be put in a position to help out, noting we already

66 have a restricted supply. Mr. Williams replied that he let the committee know that we already
67 have an emergency connection agreement with the Inverness Public Utilities District, as well as
68 with MMWD. Director Joly asked if the study would be done by the end of the year. Mr. Williams
69 replied that January of 2023 is the required milestone. He noted that in the meeting they asked
70 us about operations and we reported our limitations, emphasizing we have no surplus water.

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

73 **OPEN TIME**

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

76 **STAFF/DIRECTORS REPORTS**

77 President Petterle asked if any Directors or staff wished to bring up an item not on the
78 agenda.

79 Director Joly inquired about an upcoming NMWD holiday gathering. Ms. Kehoe
80 responded that at this time she has only sent out a "save the date" email, noting that the event
81 will be in house and more information will be available later.

82 **CONSENT CALENDAR**

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

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

86 NOES: None

87 ABSTAIN: None

88 ABSENT: None

89 **AMEND GENERAL SERVICES AGREEMENT – FREYER & LAURETA, INC.**

90 The Board authorized the General Manager to amend the General Services Agreement
91 between NMWD and Freyer & Laureta, Inc. and increase the budget by \$61,200, for a new total
92 not-to-exceed amount of \$159,800.

93 **ACTION CALENDAR**

94 **RENEWAL OF GRAZING LEASES – GROSSI, BELL & LEVERONI IV**

95 Mr. Clark provided the grazing lease agreement renewals for Grossi Beef Parcel No. 2,
96 Bell Cattle Company Parcel No. 4 and David Leveroni IV Family Parcel No. 5. He noted that the
97 only change is there was an extension of the lease from two to five years. Mr. Clark noted that
98 everyone benefits by extending the lease and the District benefits from the grazing leases as it
99 keeps the grasslands under control and minimizes a fire hazard.

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

Director Fraites asked if there was a buffer and if the runoff of manure could end up in Novato Creek. Mr. Clark replied that over the years teachers and students have restored the watershed by planting willow in parcels along Novato and Vineyard Creek. He added that the Grossi parcels have the golf course as a buffer, adding many years ago solar panels were installed at one of the parcels and there is no longer grazing there or anywhere adjacent to the Stafford Lake. Mr. Clark also clarified that the leases are for grazing only. Director Fraites asked if they spread manure in the parcel below the dam. Mr. Clark clarified that the leased parcels are only used for grazing. Mr. Clark added that staff has checked over the years and have not detected any minerals or nutrients run off into Stafford Lake. Director Grossi added that the property in question below the dam is not NMWD property and is above Bowman Creek.

Director Grossi announced that he even though he has no conflict of interest voting on this item since he is not involved with the Grossi Beef operation, he has decided to abstain from the vote.

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

On the motion of Director Fraites and seconded by Director Joly the Board approved the grazing lease agreement renewals for Grossi Beef Parcel No 2, Bell Cattle Company Parcel No. 4 and David Leveroni IV Family Parcel No. 5 by the following vote:

AYES: Director Baker, Fraites, Joly and Petterle

NOES: None

ABSTAIN: Director Grossi

ABSENT: None

INFORMATION ITEMS

NBWA MEETING – OCTOBER 7, 2022

Director Fraites reported on the NBWA meeting that was held on October 7, 2022. He apprised the Board on the presentation given by Jessica Davenport from the State Coastal Conservancy. Director Fraites stated that Ms. Davenport reported on the Bel Marin Keys Wetland Restoration Project; which consists of restoring 1,600 acres of former tidal marshlands near Bel Marin Keys. He added that this project will help stop sea water intrusion in the Bay over the next twenty to thirty years.

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

Mr. Williams stated that he is still having a problem getting meeting notifications from

NBWA. Director Fraites replied that he does as well and has to go directly to their website.

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

MISCELLANEOUS

The Board received the following miscellaneous items: Disbursements – Dated October 6, 2022, Disbursements – Dated October 13, 2022, MONTHLY PROGRESS REPORT w/ Customer Service Questionnaire, Salinity Notice – Point Reyes Light - October 6, 2022, Salinity Notice – Point Reyes Light – October 13, 2022 and Vendor Letter.

The Board received the following news articles: Mercury News – La Nina: What it means for California's drought and the upcoming winter rainy season; Marin IJ – A Roadmap to Water Resilience for Marin Municipal Water District – 2021-2022 Marin County Civil Grand Jury Final Report Summaries; Marin IJ – State girds for potential of another arid winter – WATER SUPPLY; Point Reyes Light – Giacomini dairy drills well; Marin IJ – Wells run dry as drought depletes groundwater – CALIFORNIA; Marin IJ – Late storms give more time for water source decisions – MARIN DROUGHT OUTLOOK; Marin IJ – Water district to preview new supply possibilities – DROUGHT; Press Democrat – Close to Home: Stop treating water as if it's free; and Point Reyes Light – North Marin demurs on sewer concept.

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

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

Director Joly asked if someone could explain the disbursement for the water meter testing bench. Mr. Clark replied that as a result of the AMI project, it was identified that the District should develop a meter maintenance program including testing one-inch meters and smaller periodically to ensure accuracy and to be sure the meters met the AWWA standards. Director Joly asked if this was a one-time purchase and Mr. Clark confirmed.

Director Joly asked about the Complaints and Service Orders in the Monthly Progress Report. He asked if there was anything to comment on, as it looked like a large increase in leaks. Mr. Williams replied that there is a reason for that, he stated that the numbers reflect an increase in customer awareness and it is not surprising. Ms. Blue added that there has also been a change in the process, which has resulted in the creation of more tags. Director Petterle noted that the increased concern over customer leaks is a wonderful indication that our public is listening and our messaging is working. Director Petterle also shared a customer's response which praised NMWD for its stellar customer service, adding over the years he has never heard a negative response. Director Petterle noted that this is the same sentiment he gets from customers he talks

168 too, and has been his own personal experience. Director Petterle commended staff for their good
169 work and asked management to be sure to make them know the Board is appreciative. Mr.
170 Williams reported that Mr. Kehoe recommended he visit the field crew more often. Mr. Williams
171 stated that he met with the crew while working on a leak and noted that it was evident that the
172 crews try their best not to disturb the neighborhood. Director Petterle shared a personal
173 experience he had with the crew when they were working in his neighborhood. He stated that he
174 needed to leave his residence, and without having to say a word, the crew moved out of the way.

175 Director Joly noted that Ms. Blue and her department have done a nice job at dramatically
176 bringing down the receivables and debt. He also noted that the Covid-19 costs seem to have
177 plateaued. Ms. Blue replied that the only cost incurring at present is when an employee needs to
178 say home due to a Covid-19 related illness. She noted that the District is obligated to provide
179 sick leave for that. Director Joly praised staff for the transparency of the report; which is clearly
180 defined.

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

183 **ADJOURNMENT**

184 President Petterle adjourned the meeting at 6:47 p.m.

185 Submitted by

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187 Theresa Kehoe
188 District Secretary
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MEMORANDUM

To: Board of Directors November 1, 2022

From: Tony Williams, General Manager *AKW*

Subject: Re-Authorizing – Meetings by Teleconference of Legislative Bodies of North Marin Water District

t:\gm\bod misc 2022\board of directors meetings by teleconference 11.1.2022 final.doc

RECOMMENDED ACTION: Adopt Resolution No. 22-XX: "Resolution 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 Meetings by Teleconference of Legislative Bodies of North Marin Water District from November 1, 2022 through November 30, 2022 Pursuant to Brown Act Provisions".

FINANCIAL IMPACT: None

As authorized by the Governor's Executive Order N-29-20, Board meetings have been held virtually since March 17, 2020 to protect attendees, including members of public, District employees, and Board members, from potential exposure to the novel coronavirus disease 2019 ("COVID-19"). On June 11, 2021, the Governor issued Executive Order N-08-21 which rescinded these temporary modifications to the Brown Act, effective September 30, 2021. On September 16, 2021, the Governor signed Assembly Bill 361 (2021) ("AB 361") amending the Brown Act to allow local legislative bodies to continue to conduct meetings virtually under specified conditions and pursuant to special rules on notice, attendance, and other matters. AB 361 took full effect on October 1, 2021.

AB 361 authorizes the Board of Directors to meet virtually during declared states of emergency without noticing the location of individual Board Members or requiring such locations to be open to the public if certain findings are made and certain procedures are followed. Where a virtual meeting is held pursuant to AB 361, the members of the public must be able to observe and participate during the meeting.

Approved by GM *AKW*

Date *10/27/2022*

The Governor's March 4, 2021 declaration of a State of Emergency remains in effect. On December 15, 2021, the State reinstated a universal masking requirement for all individuals while indoors to help combat the surge in COVID-19 cases due to the Omicron variant. On December 30, 2021, Marin County Health and Human Services issued new guidance changing the local rules on masking to align with the State mandate. On February 7, 2022, the State issued a new health order, effective February 16, 2022, which limits indoor masking requirements to specified indoor settings and unvaccinated individuals. However, both the State and Marin County Health and Human Services continue to recommend wearing masks while indoors. CDC, OSHA, and Cal/OSHA continue to recommend mask wearing and physical distancing of at least six feet while indoors to protect against transmission of COVID-19. Therefore, the current circumstances support a determination by the Board that meeting in person would continue to present imminent risks to the health and safety of attendees.

On October 5, 2021, the Board adopted Resolution 21-22, thereby finding a 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 authorizing meetings by teleconference of legislative bodies of North Marin Water District from October 5, 2021 through November 4, 2021 pursuant to Brown Act provisions.

On November 2, 2021, November 16, 2021, December 7, December 21, 2021, January 18, 2022, February 15, 2022, March 15, 2022, April 5, 2022, May 3, 2022, May 17, 2022, June 7, 2022, June 21, 2022, July 19, 2022, August 16, 2022, September 6, 2022 and October 4, 2022 the Board adopted Resolutions 21-26, -27, -28, -30, 22-01, -04, -05, -06, -12, -15, -17, -20, -24, -26, -27, -28 respectively, thereby finding a 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 meetings by teleconference of legislative bodies of North Marin Water District for 30 days pursuant to the Brown Act provisions.

If adopted, Resolution No. 22-XX will allow the Board to continue to meet virtually for another 30 days, after which the Board will need to reconsider its findings and confirm the need to hold virtual meetings. This reconsideration and confirmation will need to occur every thirty days until the Board determines it is safe to meet in person.

RECOMMENDED ACTION:

Adopt Resolution No. 22-XX: "Resolution 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 Meetings by Teleconference of Legislative Bodies of North Marin Water District from November 1, 2022 through November 30, 2022 Pursuant to Brown Act Provisions".

ATTACHMENTS: 1 – Resolution 22-XX

RESOLUTION NO. 22-XX

RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH MARIN WATER DISTRICT 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 MEETINGS BY TELECONFERENCE OF LEGISLATIVE BODIES OF NORTH MARIN WATER DISTRICT FROM NOVEMBER 1, 2022 THROUGH NOVEMBER 30, 2022 PURSUANT TO BROWN ACT PROVISIONS

WHEREAS, all meetings of the legislative bodies of the North Marin Water District ("District") are open and public, as required by the Ralph M. Brown Act ("Brown Act"), Government Code Section 54950, *et seq*, and any member of the public may observe, attend, and participate in the business of such legislative bodies; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency as a result of the rapid spread of the novel coronavirus disease 2019 ("COVID-19"); and

WHEREAS, on March 10, 2020, the Board of Supervisors of the County of Marin ratified proclamations of health and local emergency due to COVID-19; and

WHEREAS, on March 16, 2020, the City Council of the City of Novato ratified and confirmed a proclamation of local emergency due to COVID-19;

WHEREAS, on March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means, after which District staff implemented virtual meetings for all meetings of legislative bodies within the District; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which terminated the provisions of Executive Order N-29-20 that allows local legislative bodies to conduct meetings telephonically or by other means effective September 30, 2021; and

WHEREAS, on September 16, 2021, Governor Newsom signed Assembly Bill 361 (2021) ("AB 361"), which amended the Brown Act to allow local legislative bodies to continue to conduct meetings by teleconference under specified conditions and pursuant to special rules on notice, attendance, and other matters; and

WHEREAS, AB 361 took full effect on October 1, 2021, and makes provisions under Government Code section 54953(e) for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code section 8558; and

WHEREAS, it is further required that state or local officials have imposed or, local officials have recommended, measures to promote social distancing, or, the legislative body must find that meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, on October 5, 2021, the Board of Directors previously adopted Resolution No. 21-22, finding that the requisite conditions exist for the legislative bodies of North Marin Water District ("District") to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on November 2, 2021, the Board of Directors previously adopted Resolution No. 21-26, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on November 16, 2021, the Board of Directors previously adopted Resolution No. 21-27, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on December 7, 2021, the Board of Directors previously adopted Resolution No. 21-28, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on December 21, 2021, the Board of Directors previously adopted Resolution No. 21-30, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on January 18, 2022, the Board of Directors previously adopted Resolution No. 22-01, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on February 15, 2022, the Board of Directors previously adopted Resolution No. 22-04, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on March 15, 2022, the Board of Directors previously adopted Resolution No. 22-05, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on April 5, 2022, the Board of Directors previously adopted Resolution No. 22-06, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on May 3, 2022, the Board of Directors previously adopted Resolution No. 22-12, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on May 17, 2022, the Board of Directors previously adopted Resolution No. 22-15, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on June 7, 2022, the Board of Directors previously adopted Resolution No. 22-17, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on June 21, 2022, the Board of Directors previously adopted Resolution No. 22-20, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on July 19, 2022, the Board of Directors previously adopted Resolution No. 22-24, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on August 16, 2022, the Board of Directors previously adopted Resolution No. 22-26, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on September 6, 2022, the Board of Directors previously adopted Resolution No. 22-27, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, on October 4, 2022, the Board of Directors previously adopted Resolution No. 22-28, reaffirming the finding that the requisite conditions exist for the legislative bodies of North Marin Water District to continue to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in section 54953 (e), the Board of Directors must reconsider the circumstances of the state of emergency that exists in the District, and the Board of Directors has done so; and

WHEREAS, emergency conditions continue to persist in the District, specifically, the State of Emergency for the State of California declared by Governor Newsom as a result of the COVID-19 pandemic remains in effect; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC) recommends physical distancing of at least six feet from unvaccinated individuals while indoors; and

WHEREAS, “Protecting Workers: Guidance on Mitigating and Preventing the Spread of COVID-19 in the Workplace,” promulgated by the Occupational Safety and Health Administration (“OSHA”) under the United States Department of Labor, provides that “[m]aintaining physical distancing at the workplace for unvaccinated and at-risk workers is an important control to limit the spread of COVID-19” and recommends that employers train employees about the airborne nature of COVID-19 and importance of exercising multiple layers of safety measures, including physical distancing, and that employers implement “physical distancing in all communal work areas for unvaccinated and otherwise at-risk workers,” including physical distancing from members of the public, as a “key way to protect such workers”; and

WHEREAS, Title 8, Section 3205, subdivision (c)(5)(D) of the California Code of Regulations, promulgated by the Division of Occupational Safety and Health of the California Department of Industrial Relations (“Cal/OSHA”), requires employers to provide instruction to employees on using a combination of “physical distancing, face coverings, increased ventilation indoors, and respiratory protection” to decrease the spread of COVID-19; and

WHEREAS, the Board of Directors recognizes the recommendations by state and local officials to use physical distancing as a layer of protection against COVID-19 and desires to continue to provide a safe workplace for its employees and a safe environment for the open and public meetings of the District’s legislative bodies; and

WHEREAS, due to the continued threat of COVID-19, the District continues to implement multiple layers of protection against COVID-19, including physical distancing, for the safety of employees and members of the public; and

WHEREAS, while the District believes District work-related activities may be conducted safely in person through imposition of various safety protocols, Board meetings continue to present a unique challenge due to their being open to the public generally, with limited space in the boardroom, and no ability to verify vaccination status or to provide contact tracing for potentially exposed individual attendees; and

WHEREAS, the Board of Directors hereby finds that the presence of COVID-19 and the increase of cases due to the Omicron variant has caused, and will continue to cause, conditions of concern to the safety of certain persons within the District, including older and immunocompromised individuals that are likely to be beyond the control of the services, personnel, equipment, and facilities of the District, and, therefore, continues to present imminent risks to the health or safety of attendees, including members of the public and District employees, should meetings of the District’s legislative bodies be held in person; and

WHEREAS, as a consequence of the local emergency persisting, the Board of Directors does hereby find that the legislative bodies of North Marin Water District shall continue to conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953, as authorized by subdivision (e) of section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of section 54953; and

WHEREAS, the District will continue to conduct meetings for all meetings of legislative bodies within the District virtually (i.e. through the use of Zoom, or similar virtual

meeting provider) and/or telephonically, in conformance with requirements under the Brown Act.

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

1. The above recitals are true and correct and hereby incorporated into this Resolution.
2. In compliance with the special teleconference rules of Section 54953 of the Government Code, as established by Assembly Bill 361 (2021), the Board of Directors hereby makes the following findings:
 - a. The Board of Directors has considered the circumstances of the state of emergency; and
 - b. The states of emergency, as declared by the Governor, continue to impact directly the ability of the District's legislative bodies, as well as staff and members of the public, to safely meet in person;
 - c. The CDC, and Cal/OSHA continue to recommend physical distancing of at least six feet to protect against transmission of COVID-19; and
 - d. Meeting in person would continue to present imminent risks to the health and safety of members of the public, members of the District's legislative bodies, and District employees due to the continued presence and threat of COVID-19.
3. The District's legislative bodies may continue to meet remotely from November 1, 2022 through November 30, 2022 in compliance with the special teleconference rules of Section 54953 of the Government Code, as amended by Assembly Bill 361 (2021), in order to protect the health and safety of the public.
4. The Board of Directors will review these findings and the need to conduct meetings by teleconference within thirty (30) days of adoption of this resolution.

* * * * *

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 1st day of November 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Theresa Kehoe, Secretary
North Marin Water District

6



MEMORANDUM

To: Board of Directors
 From: Tony Williams, General Manager *TW*
 Subject: Strategic Plan Progress Report - Year 4 Review (FY 2021-22)
t:\gm\strategic plan\2022\11-1-22 bod memo 4th yr strategic plan.docx

Date: November 1, 2022

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: None

At the June 19, 2018 Board meeting, the five-year Strategic Plan and implementation schedule was approved. The implementation schedule included annual updates and a commitment to review and update the Strategic Plan every five years. The 2018 Strategic Plan included updated mission and vision statements and identified five key values of the organization: **accountability, integrity, teamwork, honesty and respect**. Six major, strategic goals were also identified along with 43 associated objectives (i.e. action items) within the 5-year through FY2022-23 (to June 2023).

This status report focuses on the fourth-year review of the five-year Strategic Plan for the FY2021-22. It is interesting to note that of the original group of five key staff members involved in the plan development, only one is currently with the District (Robert Clark). All of the original Board members that were involved in the Strategic Plan development are still serving on the Board.

A tabulation for each of the six major goals is attached summarizing which objectives are: (1) Completed, (2) In Progress or slated for (3) Future Activities. As of the end of FY2021-22, only six (6) action items are outstanding, two of which are not scheduled until later years. Under Goal 1, five (5) action items "on-going" tasks but have been completed each year. Under Goal 4, action item 4.1.2 is behind schedule but efforts are in-progress. Under Goal 5, action item 5.5.1 was completed by virtue of the recent rate studies, but a formal policy has not been put in-place.

ATTACHMENTS:

1. Year 4 Updates – Goals 1 through 6 Status Tables

Goal No. 1 - Water Supply, Quality, and Reliability. Increase local control and the long-term reliability of the water supply.

Completed	In Progress	Future Activities
1.1.1 Continue involvement with SCWA's and PG&E's Potter Valley Project Relicensing process. Existing PG&E PVP license expires in 2022. (Complete – PG&E is surrendering the PVP; Decommissioning Plan is due January 2025)	1.2.2 Continue to work with Novato Sanitary and Las Gallinas Valley Sanitary Districts to explore additional recycled water opportunities. (Timing: <u>ongoing</u>)	
1.1.2 Participate in SCWA's Regional Water Supply Resiliency Project to make the region more resilient to future water shortages. (Complete – other resiliency areas are ongoing)	1.4.1 Meet or exceed all regulatory standards. (Timing: <u>ongoing</u>)	
1.1.3 Consider participation in a North Bay Drought Contingency Plan (Marin/Sonoma/Napa). (Timing: FY 2020-21)	1.4.2 Work to control undesirable taste and odors. (Timing: <u>ongoing</u>)	
1.1.4 Update the Urban Water Management Plan. (Completed June 2021)	1.4.3 Conduct all required water quality monitoring. (Timing: <u>ongoing</u>)	
1.1.5 Keep the Water Conservation Program (including incentives/rebates) current with market and plumbing code trends. (Complete - ongoing)	1.4.4 Monitor proposed new water quality regulations and plan in advance for necessary changes to District procedures. (Timing: <u>ongoing</u>)	
1.2.1 Conduct a Local Water Supply Enhancement Study to identify new sources of local water supply. (Completed June 2022)		
1.3.1 Complete the District's Advanced Meter Infrastructure (AMI) project. (Complete)		
1.3.3 Update the District's Water Conservation Plan (Timing: FY 2020-21)		

Bold items started or completed in current year.

Note: Items 1.1.5, 1.2.2 and 1.4.1 through 1.4.4 are all completed each year but are ongoing/continuous actions.

GOAL No. 2. Customer Engagement and Service. Increase communication with customers and ensure quality service.

Completed	In Progress	Future Activities
2.1.1 Develop an annual public outreach plan and program, including a strategy for more effective social media outreach and information about how District spending supports the local community. (Complete)		
2.1.2 Continue to use third-party support for preparing public outreach materials as required. (Complete - Kiosk)		
2.3.1 Support customers on the new website portal for tracking water use when using AMI meters (Complete - ongoing)		
2.3.2 Continue to monitor and track customer feedback through ongoing survey questionnaires. (Complete - ongoing)		

Bold items started or completed in current year.

Note that items 2.1.1, 2.1.2 and 2.3.1 were completed in previous years but having ongoing actions.

Goal 3. Operations, Asset Management, and Infrastructure. Provide proactive and cost-efficient asset management and operations.

Completed	In Progress	Future Activities
3.1.1 Consider using an extended CIP planning horizon beyond 5 years after completion of the Novato Water Master Plan. Maintain cost control, avoid rate shocks, solve problems before they occur, and ensure long-term reliability and stability of service. (Complete - ongoing)		3.1.2 Update West Marin Master Plan every 10 years. (Timing: FY 2023-24) <u>Consider FEMA funding for “Enhanced Master Plan” that includes natural hazards resiliency</u>
3.2.1 Develop and implement a comprehensive Novato Asset Management Plan. (Complete - ongoing)		3.1.3 Update the Oceana Marin Master Plan every 10 years. (Timing: FY 2024-25)
3.3.1 Continue to utilize On-Call Services contracts for select local contractors to improve District’s ability to respond to emergencies and improve small contract efficiency. (Complete - ongoing)		<i>3.3.2 Evaluate the feasibility of implementing a Sewer Lateral Replacement program for Oceana Marin. (Timing: FY 2020-21)</i>

Italic text items are behind schedule.

Note updated strategy for Action item 3.1.2 (underlined)

Goal 4. People, Technology and Equipment. Retain a high quality, motivated, and efficient workforce with excellent workforce programs and investments in equipment, technology and training.

Completed	In Progress	Future Activities
4.1.1 Continue to support staff's involvement in local, regional, and national water industry organizations including payment of subscription dues and attendance at conferences. (Complete - ongoing)	<i>4.1.2 Evaluate if staff is structured correctly for future challenges, for example in technology, asset management, and emergency management. (Timing: FY 2020-21)</i>	<i>4.2.2 Expand participation in supervisor training classes offered by Sonoma County. (Timing: FY 2018-19)</i>
4.1.3 Evaluate and implement replacement of proprietary software systems. (Timing: FY 2019-20)		<i>4.2.3 Conduct an Employee Engagement Survey and implement recommendations as appropriate to improve employee satisfaction. (Timing: FY 2019-20)</i>
4.2.1 Move forward with the design phase of the Office and Lab Project. (Completed, moved into Construction)		
4.2.4 Update the District's Employee Safety Manual. (Timing: FY 2019-20)		
4.3.1 Conduct a Compensation Survey in advance of negotiation of a new MOU with the Employees Association. (Timing: FY 2018-19)		

Bold items started or completed in current year.

Italic text items are behind schedule.

Goal 5. Rates and Finance. Extend the budgeting and financial planning horizon to ensure long-term stability, financial security and ratepayer value.

Completed	In Progress	Future Activities
5.1.1 Prepare a Cost of Service Study with peer review. (Timing: 2018)	5.5.1 Re-evaluate, report on, and update as appropriate reserve goals for Novato, West Marin, and Oceana Marin. (Timing: yearly)	<i>5.3.2 Consider fee-for-service options, such as identifying and fixing leaks, promoting a third-party insurance program for water lines, and transferring commercial fire service and backflow testing to customers, etc. (Timing: FY 2019-20)</i>
5.2.1 Evaluate benefits of transferring District-owned fire services to commercial customers. (Complete)		
5.3.1 Increase income from lease fees. (e.g., grazing, cellular towers). (Complete - ongoing)		
5.3.3 Consider cooperative agreements for additional solar projects on District-owned land. (Timing: FY 2019-20)		
5.3.4 Sell District surplus property that no longer serves District needs. (Complete - ongoing) New rules in place for “selling” properties		
5.4.1 Continue to hire an outside auditor for preparing annual Comprehensive Financial Reports. (Timing: ongoing)		
5.4.2 Continue to apply for the Certificate of Achievement for Excellence in Reporting Award. (Timing: ongoing)		

Italic text items are behind schedule.

Note that item 5.5.1 was effectively completed via the recent Rate Studies.

Goal 6. Emergency Planning and Resilience. Increase preparedness for emergencies as well as long-term challenges such as drought and climate change.

Completed	In Progress	Future Activities
6.1.1. Participate in Marin County Multi-Jurisdictional Local Hazard Mitigation Plan. (Completed – ongoing for 2023 update)		
6.1.2 Hire third-party consultant(s) experienced in developing and implementing Tabletop emergency training exercises. (Complete - ongoing)		
6.1.3 Update the District's Emergency Operations Plan. (Complete - ongoing)		

Notes:

1. All actions completed in prior years.
2. 6.1.2 and 6.1.3 continue in FY2022-23 for the Stafford Dam EAP.

7



999 Rush Creek Place
P.O. Box 146
Novato, CA 94948-0146

MEMORANDUM

October 19, 2022

PHONE
415-897-4133

EMAIL
info@nmwd.com

WEB
www.nmwd.com

To: Board of Directors, Co-workers and Friends

From: Terrie Kehoe

Subject: Resignation and Retirement from NMWD
h:\retirement letter.docx

I am writing to inform you that I will be retiring from North Marin Water District effective February 3, 2023. I will formally submit my application to PERS at the end of October.

In my thirty-five years at NMWD I held many positions. I started as the Cashier/Receptionist in 1987 and then became an Account Credit Clerk II and worked in Customer Service for eighteen years. In 2005, I moved over to the Engineering Department for thirteen years and then in 2018, became District Secretary. Upon retirement I will have held that position for five years. The majority of my adult life has been at NMWD and I am very grateful for all the opportunities the District has provided me.

NMWD has been a part of my family and my home away from home for so long. This was a difficult decision to make. I greatly appreciate the opportunities given to me and cherish the time I have spent at NMWD. However, there are many exciting plans awaiting me, including vacations and time with my husband, family and friends. Although I will miss NMWD, and it saddens me to leave, I am excited to pursue this new chapter in my life.

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DISBURSEMENTS - DATED OCTOBER 20, 2022

Date Prepared 10/17/22

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 10/15/22	\$174,307.92
00000*	Internal Revenue Service	Federal & FICA Taxes PPE 10/15/22	75,059.86
00000*	State of California	State Taxes & SDI PPE 10/15/22	17,429.32
00000*	CalPERS	Pension Contribution PPE 10/15/22	43,478.31
EFT*	US Bank	September Bank Analysis Charge (Lockbox \$912 & Other \$367 Less Interest \$60)	1,219.22
1	100 Wood Hollow Drive Owner	November Wood Hollow Rent	\$28,294.75
2	Able Fence Company	Nuts & Bolts	16.82
3	Aftertec Advanced Imaging	Aerial Photography	259.00
4	All Star Rents	Propane (7 gals) (Const)	28.08
5	Alpha Analytical Labs	Lab Testing (Pt Reyes-\$1,005 & Novato-\$1,253)	2,258.00
6	Arendell, Tony	Retiree Exp Reimb (Oct Health Ins)	1,137.78
7	Automation Direct	PSM Switching Power Supply	287.95
8	AWWA CA-NV SEC	Lab Analyst Grade 3 Renewal (Reischmann)	75.00
9	Backflow Distributors	Replacement DCDA	3,823.45
10	Badger Meter	5/8" Meters (60)	5,424.48
11	Bank of Marin	Bank of Marin Loan Principal & Interest (Payment 32 of 240)	46,066.67
12	Bearings & Hydraulics	D-Rings (4)	56.37
13	Bird Busters Inc.	Parts & Labor to Build Bird Netting & Deterrent (Dickson Tank Storage Facility)	2,065.00
14	Chandrasekera, Carmela	Retiree Exp Reimb (Oct Health Ins)	1,137.78
15	Cilia, Joseph	Retiree Exp Reimb (Oct Health Ins)	409.28

Seq	Payable To	For	Amount
16	Clipper Direct	Nov Commuter Benefit Program	128.00
17	Comcast	Oct Internet (Wood Hollow)	356.55
18	Core Utilities, Inc	Consulting Fees-September IT Support (\$6,000), SCADA Support (\$1,075), Core Billing Maintenance & Administered Board Meeting	7,625.00
19	Core & Main	Wheel Sockets (2) & Gasket Assemblies (50)	511.54
20	CWEA	Annual Membership Dues (Nommsen)	202.00
21	DLT Solutions, LLC	Auto CAD Subscription Renewal for Engineering & Construction (3 Years)	10,890.00
22	Durkin Signs & Graphics	Directional Sign for Yard	111.76
23	D.L. Falk Construction, Inc.	Prog Pymt#3: Perform NMWD Admin & Lab Building Upgrades (Balance Remaining on Contract \$10,587,306)	332,077.62
24	D.L. Falk Construction Escrow Acct	5% Retainer: DL Falk Construction-CA Bank of Commerce-Admin Bldg & Lab Upgrade	17,477.77
25	Fishman Supply Co	Annual Rain Gear for Construction & Maintenance	1,374.22
26	Fisher Scientific	New Reference Weight (Lab)	323.00
27	Friedman's Home Improvement	Screen for Tank Discharge Pipe & Multi-Material Drill Bits (3)	60.91
28	Frontier Communications	Leased Lines	1,746.83
29	Frontier Communications	October Internet (STP)	640.00
30	GHD Inc.	Prog Pymt #20: Old Ranch Rd Tank No 2 Design Services (Balance Remaining on Contract \$14,115) & Prog Pymt#21: STP Corrosion Assessment (\$2,655) (Balance Remaining on Contract \$11,460)	2,824.81
31	Grainger	Labels & Label Maker for Chemical Pipes @ STP (\$919), Aeration Pump for PRE#2 (\$1,537) & Miscellaneous Maintenance Tools & Supplies (\$3,593)	6,049.66
32	Hildebrand Consulting LLC	Connection Fee Studies: Novato (\$8,050), W.M. (\$2,760) & R.W. (\$1,150)	11,960.00

Seq	Payable To	For	Amount
33	HMS Software	Time Control Licenses (10) (Additional Licenses for New Time Sheet Software)	842.90
34	Idexx Laboratories	Reference Cultures (Lab)	326.20
35	InfoSend, Inc.	Sept Processing Fee for Water Bills (\$1,380), Postage (\$4,059) & Sept Monthly Support Fee	6,430.29
36	Jackson, David	Retiree Exp Reimb (Oct Health Ins)	1,137.78
37	Jones, Kim A.	Novato "Water Smart Landscaping Efficiency" Rebate	59.50
38	Kemira Water Solutions	Ferric Chloride (10 tons) (STP)	12,019.62
39	Kennedy Jenks	Prog Pymt #2: On Call Hydraulic Modeling Support (Balance Remaining on Contract \$13,876)	8,575.38
40	KP Promotions	Vest	123.15
41	Latanyshyn, Roman	Retiree Exp Reimb (Oct Health Ins)	409.28
42	Lawrence, Travis	Exp Reimb: Gas for W.M.	50.01
43	Lemos, Kerry	Retiree Exp Reimb (Oct Health Ins)	1,137.78
44	Lincoln Financial	Deferred Compensation 10/15/22	11,586.94
45	Mallory Safety and Supply LLC	Air Monitors (Const/Maint & STP) (\$3,114) & Hydrogen Sulfide Sensor	3,520.83
46	Manzoni, Alicia	Retiree Exp Reimb (Oct Health Ins)	409.28
47	Marin County Ford	Service Parts ('10 F150 & Ford Transit Connect Van-\$1,440)	1,835.19
48	McLellan Co, WK	Misc Paving	53,282.35
49	Nationwide Retirement Solution	Deferred Compensation 10/15/22	1,195.00
50	Nerviani's Backflow	Backflow Testing Services for District/Customer Owned RP (25) & DC (15) Assemblies	2,550.00
51	New Pig Corporation	Chemical Absorbent Mats (2) (STP)	350.41
52	Northbay Nissan	Service Parts ('21 Nissan Rogue)	76.78
53	NMWD Employee Association	Dues (7/01/22-9/30/22)	1,475.00
54	Northen, Brian	Exp Reimb: D2 Test/Review & Safety Boots	665.00

Seq	Payable To	For	Amount
55	ODP Business Solutions, LLC	Misc Office Supplies	614.04
56	Pace Supply	Tube Nuts (10), Box Lids (3), Pipe, Muellers (10) & Nipples (10)	1,275.96
57	Parkinson Accounting Systems	Accounting Software Support	438.75
58	Peterson Trucks	Mudflaps (3)	82.88
59	Point Reyes Light	Display Ad: Salinity Intrusion into the Point Reyes Well Supply on 9/29/22	127.50
60	Point Reyes Prop Mgmt Assn	October Property Management HOA Fee (25 Giacomini Rd)	75.05
61	Pollard Water	Cutter Pipe & Tubing	82.27
62	Quadient, Inc.	November Postage Meter Rental	143.09
63	Rice Lake Weighing Systems	Calibration Required for Lab Certification	125.00
64	R & S Erection of Richmond, Inc.	Labor & Materials to Repair CL2 Storage Room Door & Perform Maintenance & Repair on 4 Roll Up Doors @ STP	9,107.64
65	Soiland Co., Inc.	Asphalt Recycling (68 tons)	1,960.41
66	Sonoma County Water Agency	September Contract Water	492,362.41
67	SPG Solar Facility XII, LLC	Sept Energy Delivered Under Solar Services Agreement	13,010.86
68	Tamagno Green Products	Sludge Removal (105 yds) (STP)	4,410.00
69	Township Building Services	September Janitorial Services	367.86
70	Unicorn Group	Water Quality Report (Novato-1,000, West Marin-100) (\$2,152) & Postage for Fall Novato Waterline (\$4,604)	6,755.85
71	Univar	Caustic Soda (12 Dry Tons) (STP)	9,962.54
72	USA BlueBook	Beakers (3), Flasks (3), Ammonium Hydroxide, pH Buffer, Turbidity Standard, Valve Repair Kits (7) & Pressure Relief Valves (2) (STP)	1,595.88
73	White Cap L.P.	8' X 112.5' Bionet Coconut Blanket (2) (Const)	464.14
74	Wilson Bohannan Company	Brass Padlocks (20)	282.78
75	Winzer Corporation	Cut Off Discs (100)	430.84

Seq	Payable To	For	Amount
76	West Yost Associates	Prog Pymt#6: Pipeline Construction Assessment (Balance Remaining on Contract \$155,933)	15,396.00
77	ZORO	Exhaust Fan (STP GAC Room)	472.65
	TOTAL DISBURSEMENTS		<u>\$1,464,797.78</u>

The foregoing payroll and accounts payable vouchers totaling \$1,464,797.78 are hereby approved and authorized for payment.


Auditor-Controller

10/18/22
Date


General Manager

10/18/2022
Date

POINT REYES LIGHT October 20, 2022

Notice:

Seasonal salinity intrusion has occurred into two of North Marin Water District's wells serving the West Marin communities of Point Reyes Station, Olema, Inverness Park, and Paradise Ranch Estates.

The table below lists the most recent concentrations for sodium and chloride in the West Marin water supply. While there is no direct health concern from salt for most people at this concentration, customers that are on sodium restricted diets may choose to consult their physicians to see if additional sodium is a concern for them.

Date	Sodium	Chloride	Units
9/19/22	24 - 116*	31 - 230*	mg/L*
9/26/22	12 - 78*	15 - 150*	mg/L*
10/3/22	19 - 87*	23 - 160*	mg/L*
10/10/22	12 - 88*	16 - 150*	mg/L*

mg/L = milligrams per liter

* This is a range from four different sample sites across the span of NMWD's distribution system.

More information about NMWD's water quality programs including the annual report summarizing the high quality of the drinking water we serve to your tap can be found at www.nmwd.com/wq.

Three-Month Outlooks

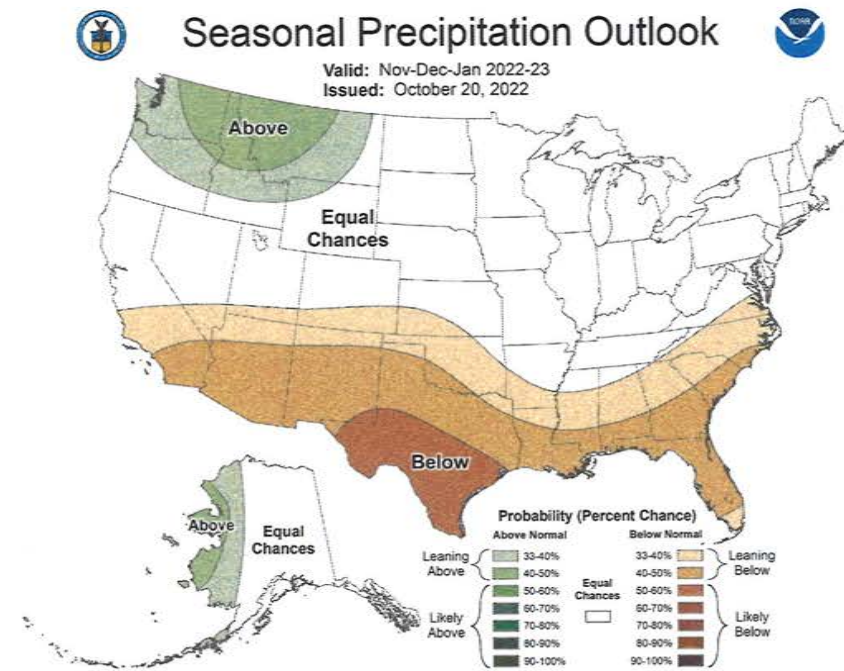
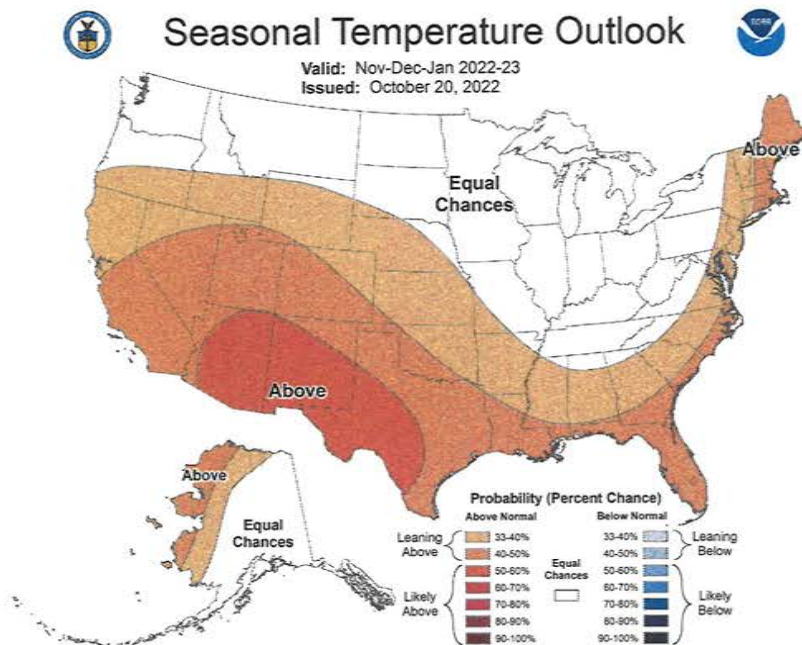
Revised OFFICIAL Forecasts

October 2022

Precipitation Probability
(Nov-Dec-Jan 2022/23)

[Climate Prediction Center - Seasonal Outlook \(noaa.gov\)](https://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.png)

https://www.cpc.ncep.noaa.gov/products/expert_assessment/season_drought.png



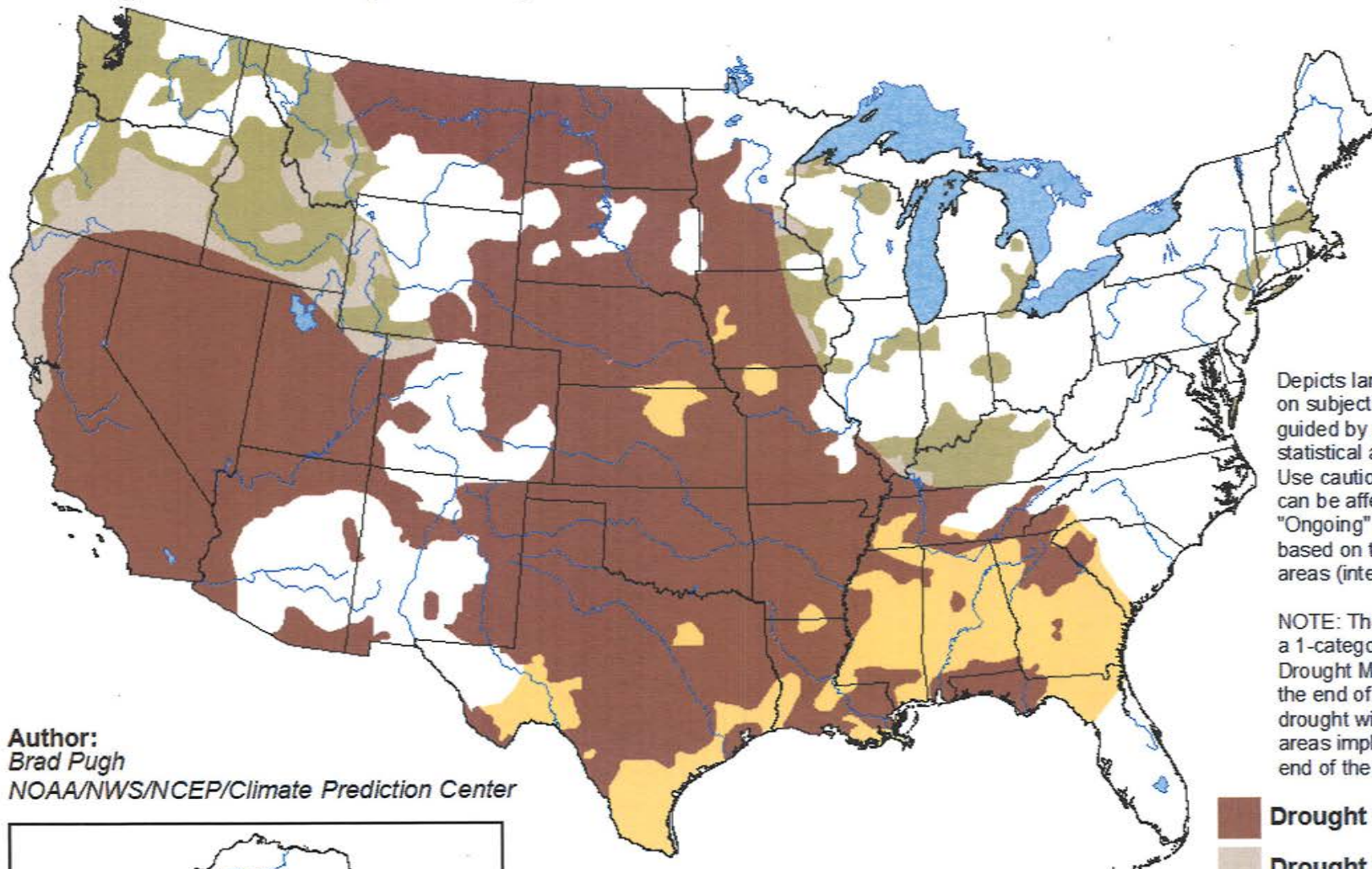
[UPDATED MONTHLY FORECASTS SERVICE CHANGE NOTICE]

[EXPERIMENTAL TWO-CLASS SEASONAL FORECASTS]

U.S. Seasonal Drought Outlook

Drought Tendency During the Valid Period

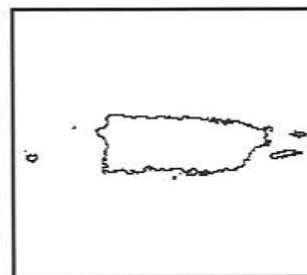
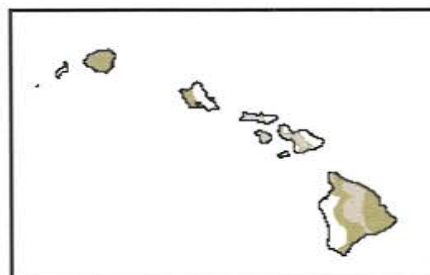
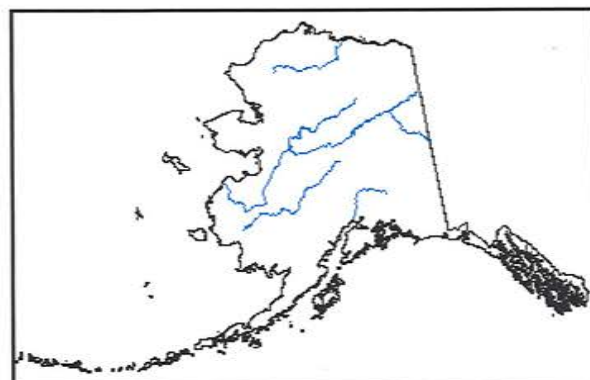
Valid for October 20, 2022 - January 31, 2023
Released October 20, 2022



Depicts large-scale trends based on subjectively derived probabilities guided by short- and long-range statistical and dynamical forecasts. Use caution for applications that can be affected by short lived events. "Ongoing" drought areas are based on the U.S. Drought Monitor areas (intensities of D1 to D4).

NOTE: The tan areas imply at least a 1-category improvement in the Drought Monitor intensity levels by the end of the period, although drought will remain. The green areas imply drought removal by the end of the period (D0 or none).

Author:
Brad Pugh
NOAA/NWS/NCEP/Climate Prediction Center



- Drought persists
- Drought remains but improves
- Drought removal likely
- Drought development likely



<http://go.usa.gov/3eZ73>



MEMORANDUM

To: Board of Directors

November 1, 2022

From: Nancy Williamson, Senior Accountant *NW*

Subj: Information – FY23 1st Quarter Labor Cost Report
t:\acl\word\memo\23\1st qtr labor cost rpt.doc

RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: None

Total labor cost increased \$200,434 (9.3%) from the prior fiscal year and is \$294,246 (11.1%) below the FY23 budget to-date. 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) through the end of the first quarter of the fiscal year.

Department	Increase / (Decrease) in Labor Cost vs prior FY % Change	
Administration	\$57,629	10.5%
Engineering	\$41,423	10.6%
Operations/Maint	\$120,950	15.4%
Construction/Maint	(\$19,568)	(4.6%)
Net Increase/(Decrease)	\$200,434	(9.3%)

Comment on Change from Prior Year

Administration: Labor Cost increased \$57,629, or 10.5%. The increase was due to seven 5% step increases, and to the 3.7% cost of living adjustment (COLA) effective October 1, of 2021.

Engineering: Labor Cost increased \$41,423, or 10.6%. The increase was due to the addition of an Engineering Tech IV on October 1, 2021, to four 5% step increases and to the October 2021 COLA.

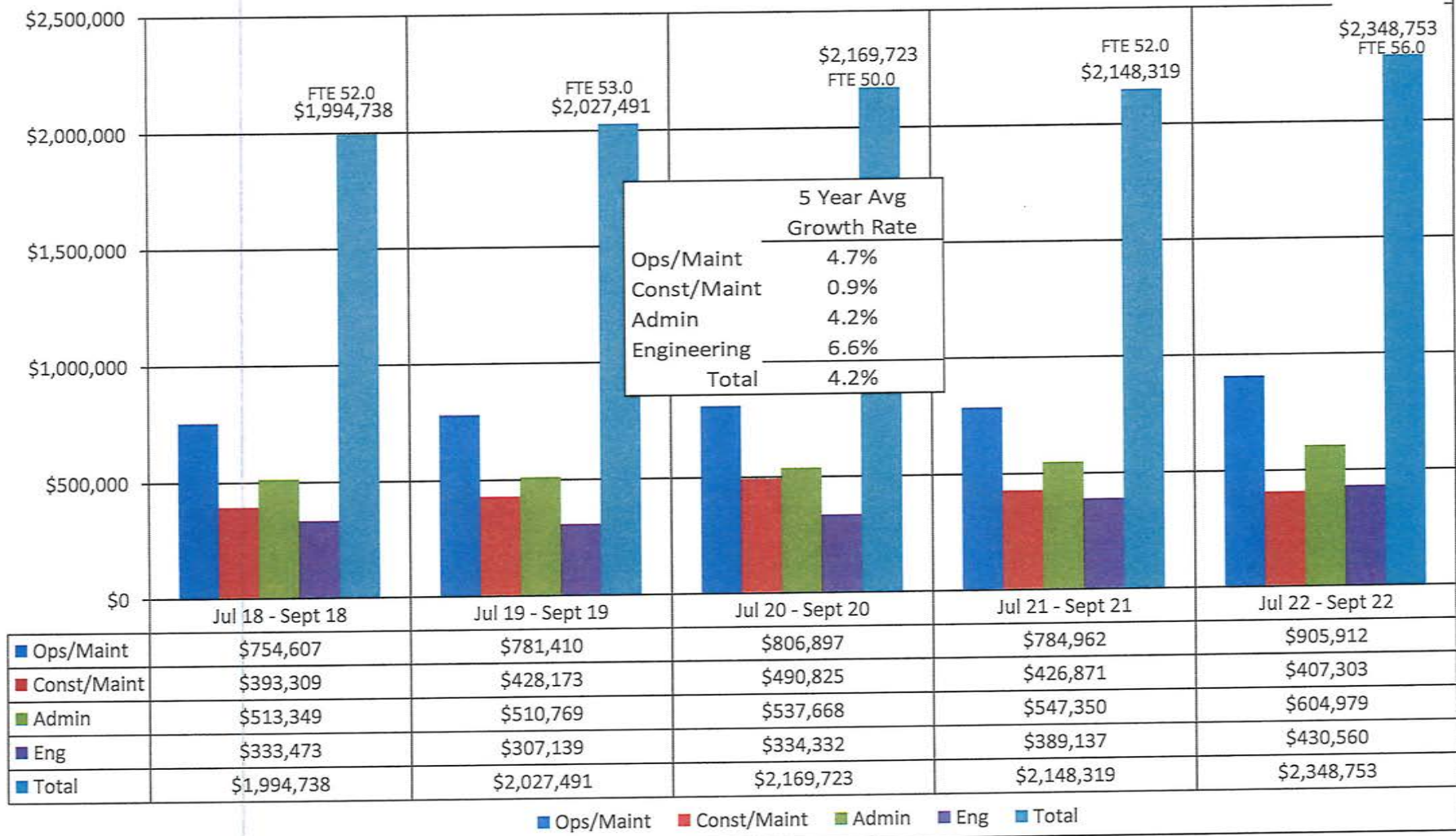
Operations/Maintenance: Labor Cost increased \$120,950, or 15.4%. The increase was due the addition of a Lab Tech on July 1, 2022, to eleven 5% step increases, and to the October 2021 COLA. The increase was offset by a vacancy in the Maintenance Department that wasn't filled until September 1, 2022.

Construction/Maintenance: Labor Cost decreased \$19,568, or 4.6%. The decrease was primarily due to disability time off for an employee and to less On-Call pay this year compared to last year. The decrease was offset by four 5% step-increases and the October 2021 COLA.

11/1/22

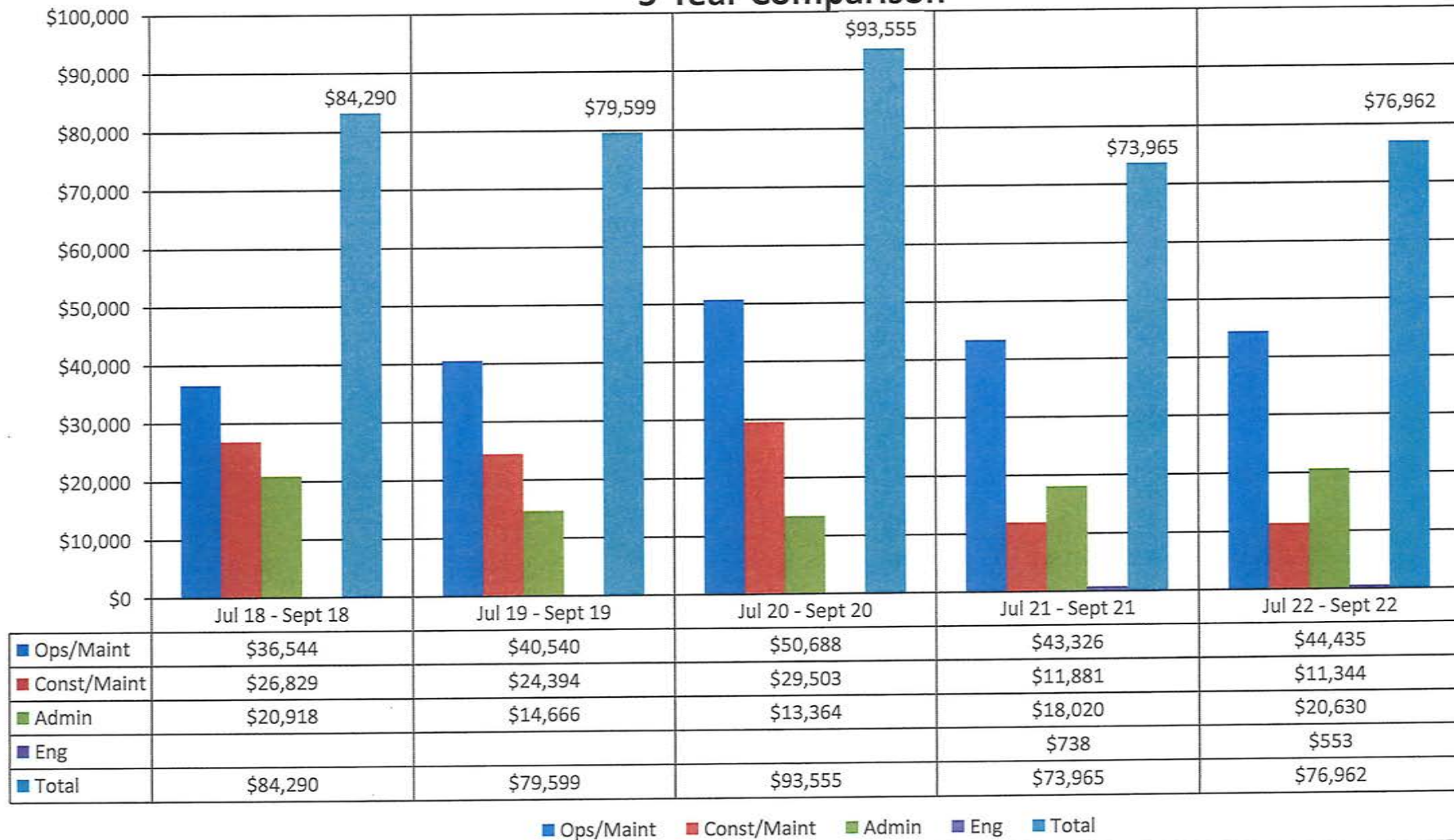
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Total Labor Cost NMWD Fiscal Year through September 5-Year Comparison



11/1/22

Overtime Cost NMWD Fiscal Year through September 5-Year Comparison



11/1/22

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

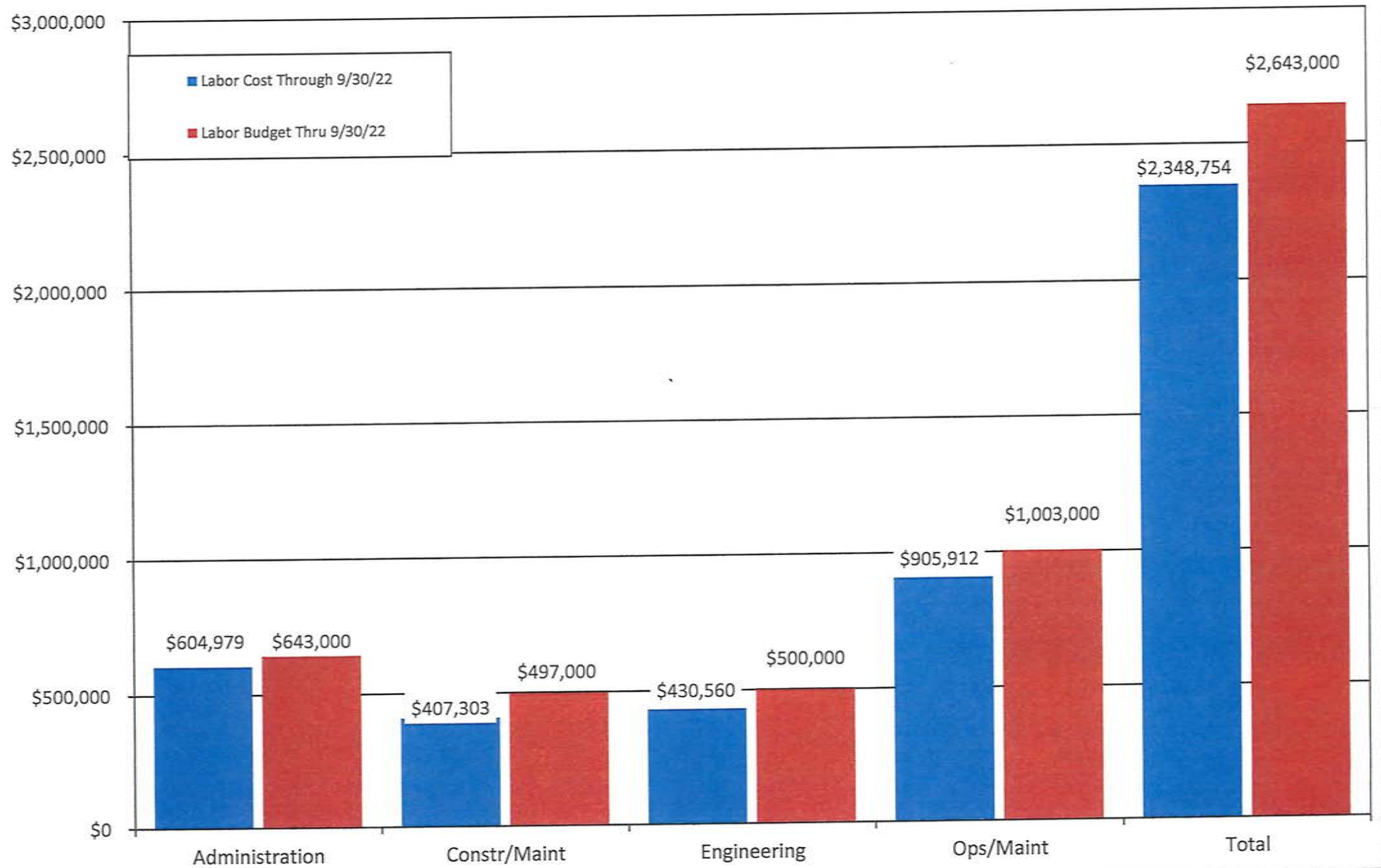


Ops/Maint	\$6,702	\$5,010	\$2,040	\$0	
Const/Maint	\$13,761			\$12,769	
Admin	\$23,495	\$8,087		\$5,813	\$3,062
Eng	\$11,996	\$9,339		\$10,161	\$8,308
Total	\$55,954	\$22,436	\$29,764	\$28,742	\$11,370

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

11/1/22

Total Labor Cost vs. Budget NMWD Fiscal Year through September



HIGHWAY 37

Causeway gets key support

County, Novato officials disdain widening option



Highway 37 traffic passes Sears Point along San Pablo Bay. A plan to raise the road above the rising water could cost \$8 billion.

BY WILL HOUSTON

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As state transportation planners near a critical and costly decision on how to address traffic jams and sea-level rise threats on

Highway 37, Marin County political leaders are calling on the state to prioritize a plan to elevate the route.

The Marin County Board of Supervisors and the Novato City Council voiced support this week for a plan to replace the 21-mile highway connecting Highway 101 in Novato to Interstate 80 in Vallejo with a 30-foot-high, four-lane causeway along the current alignment of the corridor.

“Important decisions are going to be made so I think being part of the conversation is crucial,” Supervisor Damon Connolly said Tuesday.

Caltrans has also identified the causeway as the best solution to address sea-level rise, which threatens to regularly inundate the highway beginning as soon as 2040, according to state projections. However, the agency says the project could cost up to \$8 billion and take 20 years to complete.

Meanwhile, tens of thousands of commuters on the highway continue to face grueling traffic conditions during peak travel hours, especially on a 10-mile stretch from Sears Point to Mare Island where the road narrows from four to two lanes.

To address this, Caltrans proposes an estimated \$500 million interim project to widen the bottlenecked section of the road to four lanes by adding a carpool lane in each direction by 2026. The widening project has been endorsed by the Bay Area’s transportation planning agency, the Metropolitan Transportation Commission.

Widening the highway would likely require thousands of truckloads of sediment to be placed into sensitive wetland habitats, including a national wildlife refuge, that would later have to be removed to construct the causeway.

Environmental organizations and some political leaders such as Rep. Jared Huffman of San Rafael have voiced concern about the environmental impacts of the interim project. By comparison,

proponents say the causeway would provide the additional benefit of being the largest wetlands restoration project in the western United States by reopening wetlands to tidal influence.

Causeway proponents also state that unprecedented funding from the state and federal government through surpluses and the \$1 trillion federal infrastructure package is providing a window of opportunity.

“I do think that we have the political alignment in the state and federal government to really get this funding done,” Marin Supervisor Dennis Rodoni said Tuesday.

Huffman has voiced skepticism that the causeway would be built if Caltrans decided to widen the road first — a concern echoed by some members of the Novato City Council and Board of Supervisors on Tuesday.

“Five hundred million dollars for a temporary fix just seems ridiculous,” Novato Mayor Pro Tem Susan Wernick said Tuesday.

“There is concern that the interim project as proposed may not only be more environmentally impactful but may forestall us getting to the ultimate solution if there is not a full commitment,” Supervisor Katie Rice said.

Connolly — a Metropolitan Transportation Commission member, a member of the state’s Highway 37 steering committee and a District 12 state Assembly candidate — rebutted these concerns. He said widening the highway can only be a temporary fix because the road will be regularly inundated within the next two decades.

“The notion somehow that anything is going to forestall the ultimate project, there is just no evidence of that,” Connolly said. “I’m just cautioning us against speculation.”

A letter of support for the causeway approved by the board Tuesday still acknowledges that some work must be done to alleviate traffic issues on the corridor. The letter does not endorse a specific alternative, but some options studied by Caltrans

include placing a moveable barrier on the highway similar to that on the Golden Gate Bridge or elevating the highway in multiple phases rather than trying to secure all the funding at once.

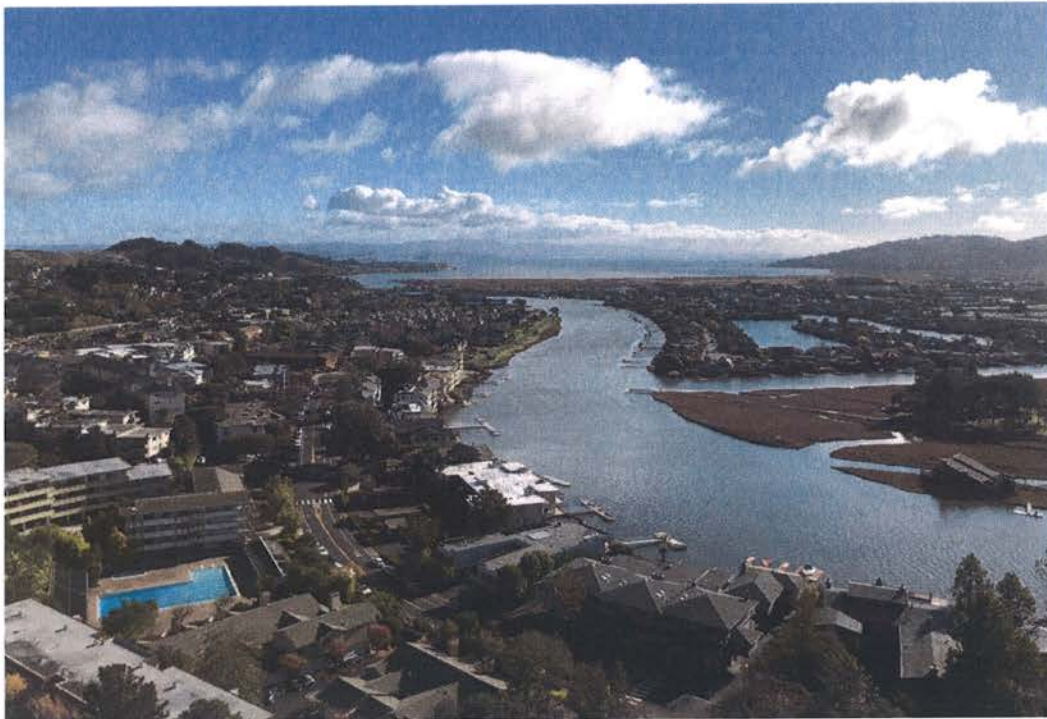
“The interim as has been said is really crucial to commuters coming to jobs in our county,” Supervisor Stephanie Moulton-Peters said.

Caltrans is expected to complete an environmental impact review of the highway widening project before the end of the year.

MARIN COASTLINE

Tsunami strategy

New maps detail risks for neighborhoods in county



The Corte Madera Creek flows through Greenbrae, Larkspur and Corte Madera on its way to San Francisco Bay. Communities along Marin's bayshore could face waves of 10 to 15 feet in a major tsunami. SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



A sign marks the tsunami evacuation route in Dillon Beach. The San Andreas Fault runs through Tomales Bay. ALAN DEP — MARIN INDEPENDENT JOURNAL

BY WILL HOUSTON

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California's newly updated tsunami risk maps show bayside communities in Marin County — including San Rafael, Corte Madera and Larkspur — face greater flooding risks in the event of a large tsunami-generating earthquake.

The tsunami hazard maps published this month by the California Geological Survey and the California Governor's Office of Emergency Services are the first updates to the maps since 2009. The maps now provide street-level predictions of where tsunami waves could strike in order to inform local residents and emergency planners of what homes are in the flood zone and what evacuation areas are safe.

Rick Wilson, head of the geological survey's tsunami program, said the maps incorporate lessons learned from the March 2011

earthquake and tsunami that caused devastation in Japan and sent waves across the Pacific Ocean. Wilson was among two field teams sent to Japan in the aftermath. He said that while the country's evacuation plans helped save tens of thousands of lives, the country also underestimated the size of the tsunami.

The state's new tsunami maps incorporate the predicted impacts of a thousand-year tsunami event, which would be the equivalent of a magnitude 9.3 earthquake off the shores of the Aleutian Islands, Wilson said.

"We haven't seen that in historic times. We're not sure that it could happen absolutely but we want to be as conservative as possible," Wilson said. "We learned from Japan that when they create their maps, they don't just use the model results but actually extend the edge of their maps to known locations like streets and locations so people can use them directly for evacuation."

Such an earthquake and tsunami would be rare, with a 5% chance of happening in the next 50 years, Wilson said.

The Golden Gate does provide some buffer from tsunami waves, but not enough to stop larger waves from entering and flooding bayside communities. The maps show that communities along the Pacific coast could see waves at heights of 20-25 feet. The waves would enter the Golden Gate at about 20-25 feet but dissipate in height the farther they travel. Waves are estimated to reach about 10-15 feet by the time they reach bayside communities such as San Rafael, Larkspur, Corte Madera and Novato, Wilson said.

"What separates tsunamis from wind waves is they have a very long wavelength, so they'll travel, say, into the bay say over a 20-minute period and just continuously flood and flood and flood," Wilson said.

Communities would have about four to five hours to prepare and evacuate. However, coastal communities in Marin might experience a tsunami arriving much sooner for an earthquake generated by the Point Reyes fault line. The fault line is 5 to 10

miles off of Marin's coast. An earthquake there could generate 10-foot waves that could arrive in communities such as Stinson Beach within 10 minutes.

The Marin County Office of Emergency Services has already incorporated the new tsunami map data into its emergency notification system, Alert Marin, said Assistant Emergency Services Manager Woody Baker-Cohn. He said having the street-level data can help residents better plan out their evacuation routes and prevent traffic jams.

"In many cases, you don't have to go far to get out of harm's way," Baker-Cohn said. "Knowing how far that is is important because, in particular coastal areas, you may not have a lot of roadway and potentially a lot of people trying to evacuate. If you're over-evacuating, you're potentially clogging up the roads and some people that should evacuate can't get out."

Baker-Cohn said all local residents and community leaders should review the new maps and update their evacuation plans accordingly.

Alert Marin registration is available at emergency.marincounty.org. The Marin County tsunami risk map is at bit.ly/3S2OWQL.

DAN WALTERS

Possible reallocation of water supply could hit agriculture

While it's not yet formal policy, those who manage California's vast water system are edging toward a historic reallocation of the state's shrinking supply that could have a life-altering impact on its largest-in-the-nation agricultural industry.

For many years, farmers have used about 80% of the water diverted from rivers for human use, with the rest going to urban areas for drinking, watering lawns, maintaining swimming pools, taking showers, cooking and commercial or industrial use.

Prolonged drought has compelled all users to make do with less. However, the biggest loser has been the environment — free flows to maintain habitat for fish and other aquatic species — which generally gets about 50% of the total flow.

In recent years, federal judges have ordered cuts in agricultural water diversions to enforce the Endangered Species Act and the state Water Resources Control Board has moved in the same direction on an emergency basis due to drought. However, environmental groups want permanent habitat-enhancing reductions.

Former Gov. Jerry Brown and his successor, Gavin Newsom, have sought "voluntary agreements" by which agricultural water agencies would curtail diversions to maintain river flows, but results have been scanty at best.

Without such agreements, the water board could implement mandatory reductions, but they would be viewed by farmers as an

assault on their historic water rights and probably trigger massive legal battles.

The key principle in these conflicts is that water belongs to the public as a whole and must be put to “beneficial use,” as defined in a 1943 amendment to the state constitution, which declares that authorities must prevent “waste or unreasonable use or unreasonable method of use of water.”

Environmentalists believe the constitution thus authorizes the state water board to curtail agricultural diversions for the protection of habitat, but the 1943 amendment also declares, “In the enactment of this code the Legislature does not intend thereby to effect any change in the law relating to water rights.”

That obvious legal dichotomy is the crux of the situation.

Whether, indeed, the state water board is gearing up for a showdown over water rights, some of which stretch back to the 19th century, is the subject of much speculation in water circles.

Early this year, water board chairman Joaquin Esquivel told a gathering of water officials, “We know we have to change the system. Water rights can be there as a tool to be able to manage supplies through not just a drought but when there is water again. Our water rights system can be there to facilitate decisions on projects and help us make decisions, or they can be a hindrance.”

While the water rights issue percolates in Northern California, there’s a similar conflict underway in Southern California over how much water the state diverts from a severely threatened Colorado River.

California is legally entitled to 4.4 million acre-feet per year, with the vast majority of that going to the Imperial Irrigation District and other agricultural users, but the Colorado’s flow has dropped dramatically.

The federal government demands that California and other states that draw from the river, principally Nevada and Arizona, reduce

diversions by 2-to-4 million acre-feet per year, and threatens to mandate cuts under the “beneficial use” doctrine if they cannot agree.

California has offered a 400,000 acre-foot reduction, only 9%, but that’s not enough to satisfy the other states and the outcome is very much in doubt.

Farmers’ water rights are clearly not as sacrosanct as they once seemed to be, and as drought persists the stage is being set for a monumental reckoning of some kind.

Dan Walters has been a journalist for nearly 60 years, spending all but a few of those years working for California newspapers. His commentary comes via [CalMatters.org](https://calmatters.org), a public interest journalism venture committed to explaining how California’s state Capitol works and why it matters. For more, go to calmatters.org/commentary.

COVID-19 PANDEMIC

County edging to virus 'uptick'

Marin health official cites rising indicators

BY RICHARD HALSTEAD

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Marin might be on the brink of another surge in COVID-19 cases, according to the county's public health officer.

Dr. Matt Willis said he is concerned about a plateauing in local case rates and virus detected in wastewater combined with increased case rates in Europe. He said now is the time for older residents to get vaccinated with the new bivalent booster vaccine.

"The question in my mind is, does this represent the trough between waves?" Willis said. "We may be starting to see the beginning of an uptick."

Willis said the county is averaging about 29 new COVID-19 cases per day compared to 26 cases per day a month ago.

"That is within the range of what could be interpreted as random, but it is definitely not headed downward," he said. "More concerningly, our percent positivity has increased."

The number of Marin polymerase chain reaction tests coming back positive has recently increased from 4.5% to 6.5%. Those test results include all patients treated at local hospitals.

In addition, the amount of COVID-19 being tested in Marin's wastewater is no longer decreasing.

“The wastewater samples in most of our jurisdictions haven’t changed in the past month,” Willis said.

Perhaps just as worrying is the news from Europe. On Wednesday, the World Health Organization and the European Centre for Disease Control issued a joint statement declaring, “We are unfortunately seeing indicators rising again in Europe, suggesting that another wave of infections has begun.”

The statement also warned that the co-circulation of COVID-19 and seasonal influenza could “put vulnerable people at increased risk of severe illness and death, with the likelihood of increased pressure on both hospitals and health-care workers, already exhausted from almost 3 years on the front lines of the pandemic.”

The amount of COVID-19 detected in the wastewater has increased in parts of New England, and the number of infections and hospitalizations there have started rising as well.

Willis said Marin County can test wastewater for three other viruses besides COVID-19: seasonal influenza, respiratory syncytial virus and monkeypox. Willis said that while no monkeypox virus is turning up in local wastewater, the amount of flu and respiratory syncytial virus detected is on the rise.

Europe is considered a good predictor of COVID-19 trends in the United States because the European population has had similar access to vaccines and similar vaccination rates.

“Looking back at the arc of the pandemic, broadly what happens in Europe tends to occur in the United States,” Willis said.

The omicron subvariant BA.5 continues to be dominant in Europe as it is in Marin, Willis said. That suggests that the surge in European cases is being caused either by cooler weather forcing people back indoors where they are in closer contact, or waning immunity.

“All of which could be in play for us as we move into the fall,” Willis said.

A new omicron subvariant, BA.2.12.1, has emerged, and it is about 10% more infectious than BA.5. But Willis said that because BA.2.12.1 is closely related to BA.5, it is likely that the new bivalent booster developed to counter BA.5 will be effective.

The problem, however, is that far too few people in the U.S. are getting vaccinated with the new vaccine. So far, just 31,516 Marin residents, 17% of those 184,909 eligible, have received the bivalent booster.

Willis said while that is about four times higher than the national rate, the number is still too low.

“I’m concerned that not enough of our residents are protected, especially our residents aged 50 and older,” he said. “We’re doubling down on the message that now is the time to get your bivalent booster.”

Willis said he spoke Thursday with administrators at Kaiser Permanente, one of the county’s major providers of health care, and they reported having unfilled openings daily at their booster vaccine clinic.

That same day, however, Kaiser’s website indicated that the earliest appointment available was Oct. 31. Then, on Friday, Kaiser’s website showed available appointments as early as Tuesday.

“While there are days when all available appointments have been filled in advance, we are constantly reviewing schedules and making adjustments to add appointments, and we encourage members to check [kp.org/covidvaccine](https://www.kp.org/covidvaccine) for availability of appointments, as the information is regularly updated,” the health care provider said in an emailed statement.

Marin County, in conjunction with Safeway, is offering free bivalent booster shots at the Northgate mall from noon to 6 p.m. Tuesday through Friday. The new booster is also available at pharmacies and through other health care providers.

This week the Centers for Disease Control and Prevention approved vaccinating children as young as 5 with Pfizer's version of the bivalent booster and gave the green light for children 6 and older to receive Moderna's version of the updated booster.

Willis said the county's vaccine clinics will be offering shots to everyone 5 and older, and vaccine clinics at schools are planned for November.

"One of the things that we've found to be most effective in getting our kids vaccinated is offering the vaccine at the schools themselves," Willis said.

Parental consent will be required and the vaccinations will be voluntary.

"There is no mandate," Willis said.

Predicting what influenza activity might look like in a particular year can be tricky, but doctors are bracing for a big flu season, said Dr. William Schaffner, a professor at Vanderbilt University Medical Center and medical director of the National Foundation for Infectious Diseases.

Signs of increased flu activity were first seen in the Southern Hemisphere this summer, and as more people in the Northern Hemisphere relax pandemic restrictions and return to socializing without masks and in large crowds, cases of flu are being reported. The widespread number of cases so early in the flu season is unusual.

"I'm concerned that we will have a very substantial influenza season coming up this year, very different from our two previous seasons," Schaffner said.

If wire services contributed to this report.

UNINCORPORATED MARIN

Housing balance shifts in analysis

Draft report for county evaluates site options

BY RICHARD HALSTEAD

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Parts of northern San Rafael and northern Novato could have additional housing assigned to them as part of the county's effort to comply with an ambitious state housing mandate.

The draft environmental impact report for the housing and safety elements updates to Marin's 2007 countywide plan are now available for public review. The housing element identifies about 79 locations throughout unincorporated Marin County where some 5,214 new residences could be built.

The state is requiring the county to zone for 3,569 new dwellings in the unincorporated areas over eight years, beginning in 2023.

The project site inventory includes a certain number of extra sites to serve as a buffer in case some designated sites prove infeasible and in anticipation of developers taking advantage of state density bonuses to build more homes than planned for. Because the EIR has determined that the proposed housing sites would result in significant and unavoidable impacts, some of the housing locations must be removed from the list.

Under the two most likely scenarios studied in the EIR, the sites designated for those locations would be relocated to three other locations already on the list: a 33-acre parcel at 2 Jeannette Prandi

Way in Lucas Valley near Marin County Juvenile Hall; two parcels totaling about 234 acres owned by the Buck Institute for Research on Aging in Novato; and three parcels totaling about 315 acres at the St. Vincent's School for Boys site.

The most common type of EIR examines the environmental impacts of a specific development project. This EIR, however, is a “project” EIR that looks at the changes in the environment that would result from all of the proposed sites being developed.

The EIR was written by county planners with the assistance of Berkeley-based MIG, which is being paid \$1.6 million for its work on the housing and safety element updates.

“Globally, it captures what our assessment is of all potential impacts of developing all of these sites,” said Sarah Jones, assistant director of the Marin County Community Development Agency.

Analysis performed for the EIR determined that construction of the proposed sites would result in significant and unavoidable impacts even with mitigation to greenhouse gas emissions and air quality. The writers of the EIR also found that significant and unavoidable impacts despite mitigation would result to water and wastewater service providers that lack the ability to serve the level of new development proposed.

The EIR evaluates three alternatives, including a “no project” scenario, which looks at the results if none of the housing was built. The document also evaluates two alternatives designed to eliminate the significant and unavoidable impacts.

Jones said that because the “no project” alternative would make it impossible for Marin to comply with its state housing mandates, “It is really fully dead in the water. It’s not a viable approach.”

The second option, known as the “reduced vehicle miles traveled” scenario, would reduce vehicle travel associated with the more remote West Marin housing sites by locating most of the proposed

housing sites within about a 2-mile radius of the Highway 101 corridor, or a half a mile on either side of Sir Francis Drake Boulevard.

This alternative would locate new housing closer to the urban core of Marin County and closer to transit and employment. It would also eliminate housing in the Bolinas, Tomales Bay and Inverness areas.

Jones said that option was arrived at using vehicle miles traveled modeling developed by the state and the Transportation Authority of Marin, which has its limitations.

“We don’t have a good way to capture the situation of people who work in West Marin and might choose to live there if they had housing available,” Jones said.

A third option would relocate housing sites from service districts that lack the capacity to serve new development to areas closer to the “city-centered/baylands corridor,” where water and wastewater service providers have greater capacity.

The EIR notes that the North Marin Water District is under an emergency water conservation ordinance that prohibits new water service connections except under limited conditions, and the Bolinas Community Public Utility District has had a moratorium on new water connections in effect since 1971.

In addition, Bolinas has a moratorium on new sewer connections that has been in effect since 1985, and the Tomales Village Community Services District lacks a treatment plant capacity to serve new development.

The third scenario would also relocate housing sites that would require significant infrastructure improvements in order to avoid the impacts of construction.

Both alternatives identify the St. Vincent’s, Jeannette Prandi Way and Buck-owned sites as the most likely locations to which to relocate the planned housing.

The county is accepting comments on the EIR until 4 p.m. Nov. 21. A public hearing on the EIR during a joint meeting of the Board of Supervisors and the Planning Commission is scheduled for 5 p.m. Nov. 15.

SACRAMENTO

Newsom to end virus emergency in February

BY ADAM BEAM

THE ASSOCIATED PRESS

SACRAMENTO >> California's coronavirus emergency will officially end in February, Gov. Gavin Newsom announced Monday, nearly three years after the state's first confirmed death from the disease prompted a raft of restrictions that upended public life.

The decision will have little practical impact on most people's lives, as most of the nearly 600 pandemic-related orders Newsom has issued since the start of the pandemic have already been lifted. And it won't affect public health orders — including a pending statewide vaccine mandate for schoolchildren that could take effect next summer.

But it does signal a symbolic end for some of the most restrictive elements of the pandemic, as it will dissolve Newsom's authority to alter or change laws to make it easier for the government to quickly respond to the public health crisis.

"The State of Emergency was an effective and necessary tool that we utilized to protect our state, and we wouldn't have gotten to this point without it," Newsom said in a news release, adding that the declaration will formally end on Feb. 28.

Newsom declared a state of emergency for the coronavirus on March 4, 2020, shortly after an elderly patient was the first confirmed death from the disease in California. At the time, there were just 53 cases of COVID-19 in California, and state officials

were holding a cruise ship off the coast so it could test passengers before allowing them to disembark in the state.

Since then, Newsom used his authority under the emergency declaration to issue 596 pandemic-related orders. Some were small, like giving people more time to file their taxes or renew their driver's licenses. But others were life changing, including a statewide stay-at-home order that caused millions of people to lose their jobs.

At first, there seemed to be broad support for Newsom's actions in the face of a mysterious and frightening new disease. But as the virus lingered, anger and frustration over the restrictions began to build. Two Republican state lawmakers challenged Newsom's authority to issue pandemic orders — only to lose in court.

"It is past time to end the State of Emergency and focus on the enormous hardships Californians are facing in their daily lives: soaring gas and grocery prices, surging crime, and a homelessness problem that gets worse by the day," said Republican Assemblymember Kevin Kiley, who was one of the two lawmakers to challenge Newsom in court.

Of the 596 pandemic-related orders Newsom has issued, just 27 are still in effect, according to the governor's office. All of them will be gone once the emergency declaration is lifted — but Newsom said he will ask the state Legislature to make two of them permanent. One would continue to let nurses order and dispense COVID-19 medication and another would let lab workers solely process coronavirus tests.

The Newsom administration is waiting until February to end the emergency declaration, saying it wants to give state and local officials time to prepare. The administration could reverse itself, should a new variant of the disease emerge or hospitals again become overwhelmed with patients.

"While the threat of this virus is still real, our preparedness and collective work have helped turn this once crisis emergency into a

manageable situation,” Health and Human Services Secretary Mark Ghaly said in a statement.

STATE ASSESSMENT

Report raises water issues in Marin low-income areas

Quality, flooding problems, sewage concerns cited



A man walks to a car stuck in a flooded and closed section of the Highway 101 south onramp in Marin City. SHERRY LAVARS — MARIN INDEPENDENT JOURNAL



Apartment buildings in the Canal area stand along the banks of the San Rafael Creek. ALAN DEP — MARIN INDEPENDENT JOURNAL

BY WILL HOUSTON

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Contaminated drinking water, worsening flooding, sewage issues and pollution were among the top water issues raised in Marin County's lower-income communities as part of a new state and federal report.

The assessment, published by the state- and federally led San Francisco Estuary Partnership, highlights water quality issues voiced by disadvantaged and tribal communities in the Bay Area that it states have historically been overlooked or left out during project planning.

For Marin, the report worked with existing nonprofits and community organizations in Marin City, San Rafael's Canal neighborhood and the West Marin towns of Dillon Beach and Point Reyes Station.

James Muller, a program manager at the estuary partnership, said the report can be used by various local agencies, water districts, sanitary districts and community organizations to prioritize new water and flooding projects and obtain grant funding through the Proposition 1 water bond that was set aside for disadvantaged communities.

“At the end of the day we really wanted this document to be in the voices of the communities and of the tribes with as little interference in that process as possible,” Muller said. “I see this as a huge win for the communities and for the tribes to put a milepost in and say, ‘This is where we are at, this is what we perceive and this is what our needs are’ from the experts that live, work, play and pray in those areas.”

The Marin City Climate Resilience and Health Justice group led the community surveys for the unincorporated community. Among the top concerns were the drinking water quality, flooding at the only entrance to the community from Highway 101 and health impacts from industrial pollution. Of the residents who responded, 76% said they drink bottled water at home rather than tap water because of odor and smell or concerns that the water system was faulty or polluted.

Similar concerns about water quality and worsening flooding, especially from sea-level rise, were also voiced by residents living in San Rafael’s Canal neighborhood.

“They want to make sure the water that we use to drink, to cook, for our children, for our communities is the quality that every human being deserves in this community,” said Douglas Mundo, executive director of the Multicultural Center of Marin that conducted the Canal surveys.

Maddie Duda, a planner with the Lotus Water engineering firm that worked with the various community organizations, said distrust among community members about the quality of their water was a large takeaway from the report, whether resulting from lack of

communication from water providers or water contamination incidents throughout the country.

She said residents who have raised concerns in the past had been told by water suppliers that there are no water quality issues or health concerns without further details.

“While that might be true, it doesn’t promote any kind of trust from the community members, particularly in communities where there has been historic broken trust,” Duda said. “I think there is a lot of work that can be done to meet communities where they are and ask what they are seeing and get to the bottom of it together.”

The Marin Municipal Water District supplies water to both Marin City and the Canal area. District Water Resources Director Paul Sellier said district staff has met with the two community organizations and residents during scoping meetings. He said that all water tests that have been performed found no health issues in Marin City, the Canal neighborhood or any other community the district serves.

“The water that goes to Marin City is the same that goes to Sausalito,” Sellier said. “It’s not like we could purposefully choose to serve water differently to Marin City.”

Sellier said residents raised legitimate concerns about broken or faulty pipes. The district is planning to remove about two-thirds of a mile of aging cast-iron pipe installed in Marin City in 1959 and replace it with PVC pipe.

The district has also applied for a grant to replace about 0.6 miles of aging pipeline in the Canal neighborhood, about 17% of the piping in that area, Sellier said.

Mundo said other issues related to water quality may be caused by piping in aging buildings in the neighborhood.

“Some of the water that goes into the building may be good quality but some of the infrastructure may need to be replaced and improved as well,” Mundo said.

Attempts to contact the Marin City Climate Resilience and Health Justice group Tuesday were unsuccessful.

In West Marin, Point Reyes Station had concerns about saltwater intrusion in some of the main water wells serving the community, according to surveys conducted by the Marin County Community Development Agency. Three water wells managed by the North Marin Water District serve 1,800 residents in Point Reyes Station, Olema, Bear Valley, Inverness and Paradise Ranch Estates.

Two wells are closer to Tomales Bay and have regularly experienced seawater intrusion. Salinity levels reached such high levels that the district had to deploy an emergency drinking water tank in Point Reyes Station for residents with salt-restrictive diets.

The water district's third well is farther away on the Gallagher Ranch near Point Reyes Station and does not experience saltwater intrusion. The district completed the construction of a second well at the ranch last month, which it says will address the saltwater issues. The project is awaiting state approval, according to district general manager Tony Williams.

Other issues identified in Dillon Beach and Point Reyes Station included a lack of public restrooms for tourists, protecting water quality of local creeks and streams, failing septic systems and sea-level rise impacts.

A copy of the report can be found at bit.ly/3s3Ooj9.

MARIN MUNICIPAL

Water plan could trigger earlier conservation calls

Cutbacks would be based on projected reservoir levels



A drought reminder sign stands in the drought-tolerant plant demonstration garden at Falkirk Cultural Center in San Rafael in January. A proposal would initiate conservation measures based on total reservoir storage levels projected for April 1 of each year. PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL, FILE



Lake Lagunitas is close to capacity in Fairfax in September.

BY WILL HOUSTON

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After experiencing a historic drought that threatened to deplete local reservoirs, the Marin Municipal Water District is considering a proposal to trigger conservation measures sooner.

Under the proposed changes, the district would initiate either voluntary or mandatory conservation based on total reservoir storage levels projected for April 1 of each year. The change calls for enacting conservation measures as soon as reservoir levels reach 70,000 acre-feet, rather than at 50,000 acre-feet under the existing water shortage plan.

The district's seven reservoirs can hold up to about 80,000 acre-feet of supply and make up about 75% of the district's total water supply. The remaining 25% is from imported Russian River water purchased from Sonoma Water.

"While these historic triggers have served us well in the intervening years they were developed, they really don't reflect

what we're seeing in terms of our recent climate change that's becoming more and more evident to us," Paul Sellier, a district official, told the board on Friday.

Under the proposal, the district would use the following water storage triggers and conservation responses: 70,000 acre-feet, up to 10% voluntary conservation; 65,000 acre-feet, up to 20% voluntary conservation; 55,000 acre-feet, up to 30% mandatory conservation; 45,000 acre-feet, up to 40% mandatory conservation; 35,000 acre-feet, up to 50% mandatory conservation and 25,000 acre-feet, 50% or greater mandatory conservation.

The district's water shortage plan was developed in 1991 and revised in 1999. It triggers 10% voluntary conservation if reservoir levels are less than 50,000 acre-feet on April 1. Mandatory conservation of 25% would be enacted if reservoir storage is less than 40,000 acre-feet. The district can enact up to 50% mandatory conservation if reservoir storage on Dec. 1 is projected to be near or less than 30,000 acre-feet.

The plan has been updated since then, most recently in June 2021. The plan uses both rainfall and storage levels at different times of year to enact different levels of conservation, which Sellier said makes it difficult for the district to have a consistent message to ratepayers.

By comparison, using reservoir levels as of April 1 each year provides clearer and more certain measurements to act on, Sellier said.

"It's a firm basis upon which we could be taking fairly drastic actions at some point in time if you think in terms of the deeper shortage levels," Sellier told the board.

Sellier told the board that the existing triggers have not been activated often. Reservoir levels have only dipped to levels requiring 10% voluntary conservation twice, in 1991 and 2021. The district only enacted 50% conservation mandates briefly during the drought in 1991.

For comparison, the district's new plan would have enacted at least 10% conservation measures 12 times since 1983, when the district expanded reservoir storage to its current capacity.

"We're not hitting them every year and we're not going decades between activating them," Sellier said of the proposed new triggers, "because we know just from our recent experience how frequently the drought effects have crept in on our water supply."

Had the new thresholds been in place before this most recent drought, conservation measures would have been triggered in April 2020 as opposed to 10 months later. If this had happened, the district could have saved an additional 7,000 acre-feet of water — or nearly a third of the district's annual potable water demand — as of October 2021, Sellier said.

"That is quite substantial," said Larry Russell, chair of the district board.

Before late October 2021, the district had forecast that it could deplete local reservoir supplies as soon as mid-2022 without significant rainfall. Had the heavy rains in late 2021 not occurred and helped to nearly refill the reservoirs, the extra 7,000 acre-feet of storage would have provided vital time for the district to obtain emergency water supplies. The district was preparing to build an estimated \$100 million pipeline across the Richmond-San Rafael Bridge to pump in Sacramento Valley water to avoid a local water shortage.

"Had we had these triggers in 2019-2020 we would have been in a much better place," Larry Minikes of the Marin Conservation League told the board on Friday.

District board members voiced support for the changes, but also expressed the need to better communicate to the public that the reservoirs are not the district's only source of water.

"I agree reservoir storage level is a reasonable gauge of supply and I think a solid basis on which to take action," board member

Cynthia Koehler said.

MARIN

Housing mandate changes sought

State's appraisal seeks more details

BY RICHARD HALSTEAD

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State officials have notified Marin County of revisions they want to see in the county's plan to comply with a mandate to allow 3,569 new homes in unincorporated areas.

Leelee Thomas, a county planner, said Friday that the critique by the state's Department of Housing and Community Development could require changes to the draft housing element of the countywide plan. The housing element identifies about 79 locations throughout unincorporated Marin County where some 5,214 residences could be built.

However, Thomas said the letter from the state, received on Monday, is unlikely to force any major changes in the list.

"I was expecting that there might be some significant changes that we were going to make," Thomas said, "but I don't think there will be."

Thomas said the Marin County Community Development Agency had been anxiously monitoring the state appraisals of draft housing elements from other jurisdictions. "Our letter was nine pages long," Thomas said, "shorter than a lot of the other ones we have been tracking. Our review is much less extensive than we had anticipated."

Don Dickenson, president of the Marin County Planning Commission, said the state's comments "are relatively mild." Dickenson said he was disappointed that the state's letter didn't go into any detail regarding particular housing sites that it considers problematic.

"That is what I was hoping we'd get from the state, a review of our list of sites," he said.

Thomas said the state lacks the local knowledge to do that sort of review. Instead the letter directs the county to provide more information and analysis to demonstrate the feasibility of developing housing, particularly affordable housing, on various categories of sites.

These categories include sites located in nonresidential zones allowing 100% nonresidential uses; sites that are already partially developed; and large sites. The state considers sites smaller than a half-acre or greater than 10 acres to be inadequate to accommodate housing for lower-income households unless demonstrated otherwise. Thomas said Marin has a shortage of mid-sized sites.

"Most of our sites are either larger sites or they are smaller than 2 acres," she said.

In fact, the county's housing element relies quite heavily on three large sites: a 33-acre parcel at 2 Jeannette Prandi Way in Lucas Valley near Marin County Juvenile Hall; two Novato parcels totaling about 234 acres that are owned by the Buck Center for Research on Aging; and three parcels totaling about 315 acres at the St. Vincent's School for Boys site.

The three sites collectively account for more than 1,000 of the sites identified in the housing element, and more sites might need to be assigned to them.

A draft environmental impact report on the county's housing element, which includes the sites list, has been released for public

review. Because the environmental report has determined that the proposed housing sites would result in significant and unavoidable impacts, it is likely that some of the homes proposed for those sites will have to be reassigned to other locations on the list.

The alternate locations proposed in the report are the Jeannette Prandi Way, Buck and St. Vincent's sites.

Thomas said the state wants to ensure that a typical nonprofit developer of affordable housing could use such large sites without going through an extensive subdivision process.

Thomas said the state would like to see examples of past development in the categories it is scrutinizing to demonstrate their feasibility. Marin County lacks such examples. In fact, none of the sites included in the county's previous housing element was developed. The state's letter also directs the county to analyze why that was the case and address any constraints.

To address barriers to housing, Thomas said the county is making significant changes in zoning, allowing housing at higher densities and in some cases designating sites as developable "by right" — without local, discretionary review or a compliance with the California Environmental Quality Act.

A number of new state laws mandate a ministerial approval process under certain conditions. For example, SB 35 mandates a by-right approval process for projects proposed in jurisdictions that haven't created their state-mandated quota of housing.

SB 9 gives the owners of homes in areas zoned for detached residences the ministerial right to add a second house and an accessory dwelling unit, or to split the lot and build up to three new houses and three ADUs on their combined properties.

A state law that gives developers a density bonus for making a certain percentage of their homes affordable accounts for 1,286 of the 5,215 homes studied in the Marin draft environmental impact report.

Nevertheless, Thomas said Marin's housing element will go above and beyond these laws to provide by-right status to certain sites to ensure their feasibility for development of affordable housing.

"By right is intended as a tool to encourage and facilitate affordable housing over market rate housing on some of our key sites," Thomas said. "When we did our extensive community outreach effort, what we heard was strong support for more affordable housing in our community."

The Board of Supervisors and the Planning Commission will review the state's comments during a joint meeting at 5 p.m. Monday.

MARIN VOICE

Nothing simple about building a desal plant in Marin

Desalinating seawater by reverse osmosis is still thought by many to be an obvious answer to Marin's water shortage. The unlimited supply of seawater off our ocean and bay shores can, in fact, be made potable using molecular filtration to separate water from salt.

But the process is expensive, with cost being just one of several downsides. As a career food engineer, I understand the technology better than most, having used it to concentrate fruit juices, maple sap and chemical solutions. But filtering potable water from seawater by reverse osmosis is much more difficult than such separations because water and salt molecules are almost the same size.

There are also serious environmental issues with this method of desalination. It uses so much energy that the U.S. Department of Energy funds research to develop new water technology specifically with a smaller global warming footprint. Wastewater from desal must be diluted to seawater salinity or it threatens marine ecology.

The nature and size of a desal plant requires a large plot of land not easily found in Marin. A site must be zoned for heavy manufacturing, supplied with industrial electricity and be able to bear the weight of heavy equipment and water tanks, as well as be on a shoreline without high-value uses or objections to industrial activity. And, using the Marin Municipal Water District's proposal to dilute wastewater from desal with that of our local sewage

treatment plant, baywater desal would need to be near our sanitary plant.

Given such constraints, where in Marin could one of these water factories be built? A map shows our bayshores are filled with residential areas, public parks and protected wetlands. It is no better on our seashore, though operating a desal plant in West Marin is unrealistic anyway. Supplying industrial power there and pumping desalinated water here both requires major investment to install miles of large power lines and water conduit.

Last May, after years of planning, Orange County's application to build a desal plant on Huntington Beach was rejected by the Coastal Commission. I think our only option is building on the bay.

One thing has been ignored throughout our desal controversy: All existing seawater desalination plants in the world are located on ocean shores. None are enclosed in a bay with only a narrow passage, like the Golden Gate, to provide access to open gulf or ocean.

The water in an ocean is much cleaner than in a bay due to its volume, wave action and current. This also better distributes the desal effluent; but, even so, buildup of desal brine offshore often exceeds design projections even in well-engineered distribution systems. Many desal plants have been shut down until redesign remedied excessive marine contamination.

Locally, Santa Clara uses reverse osmosis to purify sanitary wastewater, while Newark and Antioch desalinate brackish water. But none of these present the same environmental and cost issues as processing high salinity water from the bay.

What does the rest of the world know about desal that we seem determined to ignore? How much risk are we willing to take in being the first? One can only hope that MMWD customers become better informed with facts about desalination and realize that optimism alone will not make it work here.

Robert Miltner of Larkspur is a food scientist and chemical engineer.