

1 **NORTH MARIN WATER DISTRICT**
2 **MINUTES OF REGULAR MEETING**
3 **OF THE BOARD OF DIRECTORS**
4 **APRIL 4, 2023**

5 **CALL TO ORDER**

6 President Fraites called the regular meeting of the Board of Directors of North Marin Water
7 District to order at 4:00 p.m. at the District Headquarters and the agenda was accepted as
8 presented. Present were Directors Jack Baker, Rick Fraites, Michael Joly, Ken Eichstaedt, and
9 Stephen Petterle. Also present were General Manager Tony Williams, District Secretary Eileen
10 Mulliner, Auditor-Controller Julie Blue and AGM/Chief Engineer Eric Miller.

11 District employee Chris Kehoe (Construction Superintendent), Robert Clark (Operations and
12 Maintenance Supervisor), Ryan Grisso (Water Conservation Coordinator) and Tim Fuelle (Senior
13 Engineer) were also in attendance.

14 **MINUTES**

15 On motion of Director Joly, seconded by Director Baker the Board approved the minutes,
16 with a minor edit, from the March 21, 2023 meeting as presented by the following vote:

17 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly and Petterle

18 NOES: None

19 ABSENT: None

20 ABSTAIN: None

21 **GENERAL MANAGER'S REPORT**

22 During the General Manager's report, Mr. Williams briefly discussed the landslide that
23 occurred along a portion of the North Marin Aqueduct (NMA) on March 22. He noted that he and
24 other staff members have attended over 50 meetings to date and that an Incident Management
25 Team, initiated by Novato Fire Protection District Chief, Bill Tyler had been formed. The incident
26 has moved to recovery response as of March 30. He also noted that Item #3 on the agenda is
27 unique, requesting to amend three of the District's existing consulting services agreements, in order
28 to have the 3 firms, with specialized capabilities, on hand in order for the District to be able to stay
29 ahead of the landslide situation.

30 Mr. Williams also stated that, in the Miscellaneous section of the agenda, there is a Letter of
31 Support to MMWD for a grant application to study desalination feasibility along the Petaluma River
32 that was previously identified in Sonoma Water's Regional Water Supply Resiliency Study.

33 **OPEN TIME**

34 President Fraites asked if anyone in the audience wished to bring up an item not on the
35 agenda and there was no response.

1 **STAFF/DIRECTORS REPORTS**

2 President Fraites asked if staff or Directors wished to bring up an item not on the agenda.
3 Director Petterle noted that he attended an NMWD Admin & Lab Building construction tour with Eric
4 Miller. He said that it was good to see the progress first hand and commended Eric on the tour.

5 Eric Miller gave a brief update on the Admin & Lab Building project, and said he would give
6 quarterly updates to the Board with the next one in May. He also said there is a standing invitation
7 for a tour. Director Joly asked if Mr. Miller knew when we would be able to move into the new building
8 and Eric said that there is a possibility of occupancy date of April 1, 2024. The Lab will likely be later
9 than that because it will need to be State certified before occupancy is possible.

10 **CONSENT CALENDAR**

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

13 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly and Petterle

14 NOES: None

15 ABSENT: None

16 ABSTAIN: None

17 **AMEND GENERAL SERVICES AGREEMENTS WITH MILLER PACIFIC ENGINEERING GROUP,**
18 **KENNEDY-JENKS, AND FREYER & LAURETA**

19 NMWD has standing general services agreements with Miller Pacific Engineering Group,
20 Kennedy-Jenks, and Freyer & Laureta. Amending the three agreements will ensure the firms are
21 available to NMWD as we proceed in dealing with the NMA situation.

22 **AMEND GENERAL SERVICES AGREEMENT WITH GENTERRA, INC.**

23 NMWD approved a General Services Agreement with Genterra Consultants in 2016.
24 NMWD is seeking a third amendment to their contract for support for executing the seepage and
25 stability analysis for the Stafford Dam Adjustable Sliding Gate project.

26 **ACTION CALENDAR**

27 **DECLARATION OF LOCAL EMERGENCY RELATED TO SEVERE STORMS**

28 Mr. Williams explained the damage to Redwood Blvd in the proximity of the North Marin
29 Aqueduct pipeline due to a landslide discovered on March 21, 2023. Winter storms caused a
30 landslide above Redwood Blvd north of the Buck Center and south of Olompali State Park, buckling
31 the road way, exposing one of PG&E's gas mains and potentially threatening the aqueduct. Crews
32 from many agencies mobilized (PG&E, Novato Fire, NMWD, County of Marin, Caltrans) to try and
33 assess the situation and attempt to alleviate further damage and issues. PG&E de-energized their
34 electric line in the area, and worked over several days to install a bypass for their exposed gas main.
35 NMWD isolated the aqueduct just below Olompali and north of Buck Institute until any possible

1 damage to the aqueduct could be ascertained. Because the aqueduct was isolated, Stafford Lake
2 has become the only water source for Novato. Due to this condition, Mr. Williams asked the Board
3 to adopt a resolution declaring a local emergency. This was in following the County of Marin, as well
4 as the Governor who declared a State emergency on March 28, which includes Marin County. Mr.
5 Williams said that NMWD employees who have been working on the situation, have been tracking
6 time and expenses using FEMA protocol for cost reimbursement. Mr. Williams showed the Board a
7 series of photos of the landslide area, including one that had been taken by a drone camera.
8 Currently, NMWD has a 30-day plan in place to provide water to the Novato customers. Stafford
9 Treatment Plant was in operation before the slide occurred and the crew there has been putting in
10 extra time to keep things running. Senior Engineer Tim Fuelle has helped develop bypass pipeline
11 plans as a contingency and staff plans to hire a firm to deploy a camera to go inside the aqueduct to
12 see if there has been any damage to the pipe due to the landslide. Flow tests and pressure tests
13 have been conducted, and all indications show no problems, but a visual inspection of the inside of
14 the pipe will show more. As part of a local emergency, we may need to ask customers to conserve
15 water until the aqueduct can be fully re-energized since the only water source currently is Stafford
16 Lake. Mr. Williams said that Ryan Grisso is working with our media consultant, Kiosk, to put
17 information on our website and on social media.

18 Director Baker asked about the possibility of NMWD getting water from Marin Water. Mr.
19 Williams responded that NMWD does have an interconnection agreement with Marin Water but we
20 have never deployed a bypass, however staff is reviewing the requirements. Director Pettele noted
21 that Marin Water fluoridates their water and NMWD does not.

22 Director Joly asked about fully opening the aqueduct. Mr. Williams said that we may be able
23 to open it for 8 hours a day in order to fill storage tanks and also to see how it performs but we won't
24 be opening it all the way yet. Robert Clark said he looked at 2019 water use to determine when
25 demand will likely increase. If we have an average April we can keep up with the demands. If we
26 are not able to open the aqueduct or receive any water from MMWD, we may not be able to keep up
27 with May demands. Mr. Williams said that there is plenty of water in Stafford Lake but production
28 capacity is a problem and discharge of wastewater to Novato Sanitary District is limited. Worst case
29 scenario is having to declare mandatory measures such as no outdoor watering at all. Mr. Williams
30 noted that the Public Works Director for the City of Benicia is coming to visit this week. They also
31 experienced a landslide on a frontage road but their pipe actually broke. Director Joly also asked if
32 the toe of the slide had stopped moving. Mr. Fuelle said that it had stopped moving as of April 3
33 based on available data.

34 On the motion of Director Pettele, and seconded by Director Joly, the Board approved by
35 the following vote:

36 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly, and Pettele

1 NOES: None
2 ABSENT: None
3 ABSTAIN: None

4 **ADOPTION OF ORDINANCE NO. 44 DECLARING END OF WATER SHORTAGE EMERGENCY**
5 **CONDITION**

6 Mr. Williams explained that due to then dry year conditions on Lagunitas Creek in 2020, the
7 Board approved Emergency Conservation Ordinance No. 39 declaring a water shortage emergency
8 in the West Marin Service Area and amended it five times since then. This year rainfall exceeded
9 the required 28 inches for normal year conditions, totaling 47.9 inches as of mid-March recorded at
10 Kent Lake. Therefore, mandatory conservation will not be needed in the West Marin Service Area in
11 2023 and Ordinance 44 declaring the end of the water shortage emergency in West Marin was
12 drafted to rescind Ordinance 39 effective April 4, 2023.

13 On the motion of Director Petterle, and seconded by Director Joly, the Board approved by
14 the following vote:

15 AYES: Director Baker, Eichstaedt, Fraites, Joly and Petterle
16 NOES: None
17 ABSENT: None
18 ABSTAIN: None

19 **ADOPTION OF ORDINANCE NO. 45 DECLARING END OF WATER SHORTAGE EMERGENCY**
20 **CONDITION**

21 Mr. Williams explained that in 2021 Ordinance 41 was approved declaring a water shortage
22 emergency in Novato and to prohibit waste and non-essential use of water due to dry year
23 conditions. Beginning in December 2022 and through January 2023, enough rainfall has occurred
24 filling Stafford Lake and other regional reservoirs, Lake Sonoma and Lake Mendocino. Based on
25 these conditions as well as a recent Governor order rescinding certain demand reduction measures,
26 the water waste and non-essential water use requirements in Ordinance 41, as well as the Drought
27 Surcharge, are no longer needed and Ordinance 45 was created declaring the end of a water
28 shortage emergency effective April 4, 2023.

29 On the motion of Director Joly, and seconded by Director Baker, the Board approved by the
30 following vote:

31 AYES: Director Baker, Eichstaedt, Fraites, Joly and Petterle
32 NOES: None
33 ABSENT: None
34 ABSTAIN: None
35

1 **NOVATO POTABLE WATER AND RECYCLED WATER FINANCIAL PLAN UPDATE FY 23/24**

2 Julie Blue provided an overview of the proposed Novato Potable and Recycled Water FY
3 2023/24 5-year financial plan. She noted that rate increases are needed due to the increase in
4 Sonoma Water rates of over 12% and a decline in water sales. It is recommended to increase
5 NMWD's rates by 9.5% this year with an 8.5% increase in FY 24/25 and 7% rate increases in
6 subsequent years. The recycled water plan shows a rate increase of 5.3%.

7 Director Joly said he approves the increase for this year but thinks that 7% for the outlying
8 years is too low. He commended Julie on the report. It was discussed that a rate study is planned
9 in FY 23/24, to determine the rates for FY 24/25 through FY 27/28, and that the Board is only
10 approving the 9.5% for the upcoming fiscal year.

11 On the motion of Director Joly, and seconded by Director Petterle, the Board approved by
12 the following vote:

13 AYES: Director Baker, Eichstaedt, Fraites, Joly and Petterle

14 NOES: None

15 ABSENT: None

16 ABSTAIN: None

17 **WEST MARIN WATER SYSTEM FINANCIAL PLAN UPDATE FY 23 / 24**

18 Julie Blue provided an overview of the proposed West Marin Water System FY 2023/24
19 Financial Plan Update. She noted that NMWD did a rate study last year, this is a modest increase
20 of 6% which covers inflation and lower water sales. The water sales volume is forecasted to be 53
21 MG, projections for the next years are budgeted at 56.5 MG, much lower than the 5-year average of
22 62.8 MG.

23 Director Eichstaedt commented that 6% seems very low and that, looking forward, we
24 should look at increasing Capitol Improvement Projects in Oceana Marin.

25 On the motion of Director Eichstaedt, and seconded by Director Petterle, the Board
26 approved by the following vote:

27 AYES: Director Baker, Eichstaedt, Fraites, Joly and Petterle

28 NOES: None

29 ABSENT: None

30 ABSTAIN: None

31 Ryan Grisso and Tim Fuelle left the meeting.

32 **OCEANA MARIN SEWER SYSTEM FINANCIAL PLAN UPDATE FY 23 / 24**

33 Julie Blue provided an overview of the proposed Oceana Marin Sewer System FY 2023/24
34 Financial Plan Update. She said that there will be a 6% rate increase with 6% increases in
35 subsequent years. Large capital improvement projects are offset by grant funding and aligns with
36 previous forecasts.

1 On the motion of Director Joly, and seconded by Director Baker, the Board approved by the
2 following vote:

3 AYES: Director Baker, Eichstaedt, Fraites, Joly and Petterle

4 NOES: None

5 ABSENT: None

6 ABSTAIN: None

7 **INFORMATION ITEMS**

8 **WAC MEETING – FEBRUARY 6, 2023**

9 Mr. Williams gave a brief report on the February 6, 2023 WAC meeting. He said that the
10 Sonoma Water reservoirs were full as of that date and the volume has increase quite a bit since
11 then. He also noted that Sonoma Water is adopting the Nexgen asset management program that
12 NMWD has been utilizing for the past several years in the Operations and Maintenance
13 Departments.

14 **TAC MEETING – MARCH 6, 2023**

15 Mr. Williams noted that at the March 6, 2023 TAC meeting and that the Sonoma Water
16 budget was approved. There was an update given on the Biological Opinion status as well as the
17 Potter Valley Project.

18 **NBWRA – MARCH 27, 2023**

19 Mr. Williams informed the Board that he and Director Baker attended the North Bay Water
20 Reuse Association (NBWRA) meeting on March 6, 2023. He noted that NMWD is now an associate
21 member but we are still supporting and tracking the development of a drought contingency plan
22 which opens up future Bureau of Reclamation funding.

23 **MISCELLANEOUS**

24 The Board received the following miscellaneous items: Disbursements-Dated March 23, and
25 March 30, 2023, Auditor-Controller’s Monthly Report of Investments for February 2023, Letter to
26 Bureau of Reclamation re Marin Water 2023 Water SMART Brackish Water Desalination Grant
27 Application.

28 The Board also received the following news articles: Marin IJ – Water bills could increase
29 20% - MARIN MUNICIPAL, MMWD board president outlines actions, rate increase, Drinking water
30 protection limits ‘forever chemicals’ – EPA PROPOSAL, Novato slide triggered by storm threatens
31 water and gas lines – REDWOOD BOULEVARD, Slide stabilizes, but significant work remains –
32 NOVATO, MMWD seeks desalination grant - \$200,000 REQUEST, Show how rate hike will help
33 water supply – EDITORIAL, Marin drenched again, but no serious damage - WEATHER
34 OUTLOOK, Novato looks at financial overhaul – BUDGET WOES, Novato Advance: Musdslide

1 buckles road in Novato, Mendocino Voice – Potter Valley Project: Russian River Water Forum forms
2 to advise on decommissioning, Scott Dam spillway to remain open

3 **ADJOURNMENT**

4 President Fraites adjourned the meeting at 5:48 p.m.

5 Submitted by

6 

7 Eileen Mulliner
8 District Secretary
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