



NORTH MARIN WATER DISTRICT
AGENDA - REGULAR MEETING
 July 18, 2023 – 4:00 p.m.
 Location: 100 Wood Hollow Dr., Suite 300
 Novato, California

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Est. Time	Item	Subject
4:00 p.m.		CALL TO ORDER
	1.	APPROVE MINUTES FROM REGULAR MEETING – June 20, 2023
	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: Authorize Joint Exercise of Power Agreement – Marin General Services Authority
		ACTION ITEMS
	6.	Approve: NMWD Administration and Laboratory Upgrade Project – Construction Management Services: Amend Contract with Consolidated CM
	7.	Approve: Consider Amending Regulations 20-25 and 27-29
	8.	Approve: Response to Marin Civil Grand Jury Report - Build More ADUs – An Rx to Increase Marin’s Housing Supply, June 15, 2023
		INFORMATION ITEMS
	9.	Redwood Landslide near Olompali – Progress Update
	10.	TAC Meeting – June 5, 2023
	11.	MISCELLANEOUS Disbursements – Dated June 22, 2023 Disbursements – Dated June 29, 2023

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
		Disbursements – Dated July 6, 2023 Disbursements – Date July 13, 2023 Auditor-Controller’s Monthly Report of Investments for May 2023 Monthly Progress Report
		<u>News Articles:</u> Marin IJ – Las Gallinas Valley Sanitary District – More Recycled Water for All Marin County - Advertisement Marin IJ – District adopts \$306M budget - MMWD Marin IJ – Report: Supply of ADUs needed – MARIN CIVIL GRAND JURY Marin IJ – Clear hurdles for ADUs so they can help - EDITORIAL Marin IJ – Wet year busy time for new supplies – MARIN COUNTY Marin IJ – Report: Water utilities need improved dam safety plans – MARIN CIVIL GRAND JURY Marin IJ - Extreme rains pose hidden flood threat in Marin, U.S. – CLIMATE CHANGE KQED – Record Lows to Near Brimming: North Bay Reservoirs Stage Remarkable Recovery Sonoma Water E-News – July 2023
		<u>Social Media Posts:</u> NMWD Web and Social Media Report – June 2023

5:30 p.m. 12. **ADJOURNMENT**

1

1 Tony Williams gave a presentation on the Novato Service Area Water Rate Increase. Prior
2 to his presentation he noted that he is also a rate payer. He said there are three key elements why
3 the rate increase deviates from the 2020 rate study for Novato Service Area and that are some key
4 assumptions that are no longer valid: 1. there is a significant purchased water cost increase of
5 12.5% from Sonoma Water, our main water supplier; 2. the rate study done in 2020 assumed a 3%
6 inflation rate and we are now seeing much higher numbers; and 3. water consumption was much
7 lower than forecast in the report. One of the fundamental elements of the budget is continued
8 investment in the District's capital program as well as maintaining a healthy financial picture.

9 Mr. Williams said that the District continues to invest in our Capital Improvement Projects.
10 He also noted that insurance costs have increased 37% and chemical costs have gone up 10%.
11 The District tries to achieve approximately \$4M annually for capital spending. He noted that lower
12 water deliveries resulted in lower revenue. He also said the regulatory environment has become
13 increasingly more complex and affects the cost of operations. Mr. Williams mentioned the LIRA
14 (Low Income Rate Assistance) program the District has available for residents on fixed and low
15 incomes which reduces their bi-monthly bill for those who qualify. He stressed that the District
16 continually evaluates areas in the service territory that need attention and replace aging facilities
17 before failures. Mr. Williams also noted that we have received 43 rate increase protest letters as of
18 June 20, 2023. Director Joly noted that this increase from Sonoma Water is currently 12.5% but
19 they will likely be raising future rates anywhere from 7.5% to 11.5%.

20 The public hearing to consider the proposed Novato Service Area Water Rate Increase was
21 opened by President Fraites at 4:23 p.m.

22 Andrew Efstratis, a Novato resident, addressed the Board saying he was speaking for the
23 "little guys and families". He said that he believes the budget is not good and has many issues. The
24 Board thanked Mr. Efstratis for his comments.

25 Toni Shroyer, Novato resident, spoke to the Board and thanked staff for their work. She
26 mentioned Binford Road and people living there stealing water from a hydrant. She contacted the
27 District and said someone came out and dealt with the situation in a timely manner and she thanked
28 the District for that. She did, however, stress how this rate increase will affect so many residents.
29 She said that the residents who lower their consumption were, in her opinion, continually getting
30 'financially assaulted'. She asked the Board to consider a lower rate increase. The Board thanked
31 Ms. Shroyer.

32 Another Novato resident attending the meeting asked the Board how the residents found
33 about the increase. Mr. Williams responded that the District has been discussing the potential
34 increase at several prior Board meetings and referred back to slide #2 of the presentation; the letter
35 notifying residents of the rate increase was sent out in May; and there have been posts on social
36 media. She was surprised that more people did not attend the meeting to raise their concerns. She

1 did say that she was grateful that people in Novato have clean water. Julie Blue added that notice
2 of the rate increase public hearing had been put on the water bills as well and Mr. Williams
3 mentioned that there was a story on Channel 5 News. The Board thanked the resident for her
4 comments.

5 Don Scioli, Novato resident, addressed the Board. He said that he was surprised how few
6 rate protest letters were received by NMWD. He asked what the service charge is that is on the
7 water bills. Mr. Williams responded that the service charge is for operations and maintenance of the
8 transmission and distribution system as well as customer service to ensure that water is always
9 available no matter how much is used by customers. The Board thanked Mr. Scioli.

10 Director Petterle thanked the residents that attended the meeting. He said that the Board
11 likes it when the public attends and wished that the public would attend more often. He explained
12 that financial information is provided throughout the year and by attending meetings more often he
13 feels their questions would be answered. He stressed that the District is not a for-profit agency and
14 does not raise rates to make more money. We raise rates to be able to continue to produce quality
15 water and provide reliable service.

16 Director Joly noted that Sonoma Water is raising our rates by 12.5% and likely future rate
17 increases will be up to 11.5%. He also noted that Marin Water (MMWD) raised their rates by 20%.
18 He thanked the residents that came to the meeting.

19 Mr. Williams provided a brief overview of Regulation 54 which contains the water rates and
20 the action under this item would be specific to the Novato and Recycled Water portions of the
21 proposed changes.

22 The public hearing was closed at 4:51 p.m.

23 On the motion of Director Joly, and seconded by Director Baker, the Board approved the
24 Resolution that approves the changes to Regulation 54 for the Novato and Recycled service areas
25 water rate increase by the following vote:

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

27 NOES: None

28 ABSENT: None

29 ABSTAIN: None

30 **PUBLIC HEARING /APPROVE: PROPOSED WEST MARIN WATER RATE INCREASE**

31 Tony Williams gave a presentation that was similar to the one for the Novato service area
32 but specific to the West Marin Service Area. He noted that the District is following the
33 recommendations in the 2021 West Marin Rate Study. Since the water in West Marin is from wells
34 and not from Sonoma Water, this service area is not affected by their rate increase. The 6%
35 increase recommended in the rate study, although slightly lower than inflation, has been determined

1 to be adequate. He noted that we did not receive any rate protest letters for the West Marin rate
2 increase.

3 The public hearing to consider the proposed West Marin service area water rate increase
4 was opened at 5:04 p.m. There was no public in attendance.

5 Director Eichstaedt asked about the Capital Improvement Projects (CIP), specifically about
6 the Point Reyes Treatment Plant. Mr. Williams responded that Julie Blue will cover this in a later
7 item related to the budget. He noted that the District is hoping for a funding match from the County
8 of Marin to continue evaluating long term options and that the District is looking at 2030 to replace
9 the treatment plant. Director Joly asked if we are actively looking at the cost parameters and Mr.
10 Williams confirmed.

11 The public hearing was closed at 5:07 p.m.

12 On the motion of Director Joly, and seconded by Director Baker, the Board approved the
13 West Marin water rate increase by the following vote:

14 AYES: Director(s) Baker, Eichstaedt, Frites, Joly and Petterle

15 NOES: None

16 ABSENT: None

17 ABSTAIN: None

18 **PUBLIC HEARING/APPROVE CONSIDER PROPOSED OCEANA MARIN SEWER RATE**
19 **INCREASE**

20 Tony Williams spoke on the notice that was mailed to customers in Oceana Marin. He noted
21 we have a robust CIP program in Oceana Marin however we have successfully received a FEMA
22 grant to help offset the costs of the treatment pond rehabilitation pond which will be going out to bid
23 in the near future. He said that the District did not receive any rate protest letters.

24 The public hearing to consider the proposed Oceana Marin Sewer Rate Increase was
25 opened at 5:18 p.m. There were no public in attendance.

26 The public hearing was closed at 5:19 p.m.

27 On the motion of Director Joly, and seconded by Director Baker, the Board approved the
28 Oceana Marin sewer rate increase by the following vote:

29 AYES: Director(s) Baker, Eichstaedt, Frites, Joly and Petterle

30 NOES: None

31 ABSENT: None

32 ABSTAIN: None

33 **CONSENT CALENDAR**

34 Director Joly asked that the Hamilton Homeward Bound of Marin item be removed from the
35 consent calendar and moved to the Action Calendar. The rest of the Board approved his request.

1 On the motion of Director Petterle, and seconded by Director Joly, the Board approved the
2 following item on the consent calendar by the following vote:

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

4 NOES: None

5 ABSENT: None

6 ABSTAIN: None

7 **APPROVE WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT: NORTH BAY**
8 **CHILDREN'S CENTER, 932 C STREET**

9 The project, as approved by the City of Novato is located at 932 C Street in Novato, allows
10 for the reconstruction, expansion and continued operations of the childcare facility known as the
11 North Bay Children's Center. The project includes full reconstruction of all aspects of the campus
12 with new facilities including; parking areas, accessibility upgrades, playground area, site
13 landscaping, and a new building with a projected occupancy of 147, including both staff and
14 students.

15 **ACTION CALENDAR**

16 **APPROVE WATER SERVICE FACILITIES CONSTRUCTION AGREEMENT: HAMILTON**
17 **HOMEWARD BOUND OF MARIN – VETERAN'S HOUSING, 826 STATE ACCESS ROAD**

18 This item was moved off consent as noted above. The Hamilton Homeward Bound of Marin
19 – Veteran's Housing project site is located on a lot between State Access Road and Hamilton
20 Parkway. The project includes the construction of 50 low-income apartments (in two two-story
21 buildings) and a commercial building to be used as a commercial kitchen for food and events. The
22 apartments will also have common areas and offices.

23 On the motion of Director Joly, and seconded by Director Eichstaedt, the Board approved by
24 the following vote:

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

26 NOES: None

27 ABSENT: None

28 ABSTAIN: None

29 **FY 23/24 BUDGETS NOVATO & WEST MARIN SERVICE AREAS**

30 Julie Blue gave a presentation on the FY 23/24 Budgets for the Novato and West Marin
31 Service Areas. She said that they are essentially the same as what was presented at the June 6
32 meeting with some minor updates. She said that the key assumptions were water consumption
33 (assuming flat water sales), the rate increase from Sonoma Water, and increases in operating costs.
34 She went over a summary of the budget sources and uses. She emphasized that much of the
35 District's costs are fixed although revenues are highly variable. Ms. Blue reviewed the upcoming

1 major CIP projects as well as the key special studies planned for next year, including the West Marin
2 water supply resiliency study mentioned during the rate hearing. Director Joly asked about the
3 recycled water transfers from the Novato connection fees. Ms. Blue responded that overall process
4 will be looked at closely in the beginning of the new fiscal year to evaluate if changes are needed.

5 Director Eichstaedt said that asset maintenance is very important as it saves money in the
6 long run. Director Joly mentioned a case he had read about that, due to severely deferred
7 maintenance, a customer's house slid off its foundation due to water main breaks. He agreed with
8 what Director Eichstaedt had said.

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

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

12 NOES: None

13 ABSENT: None

14 ABSTAIN: None

15 **MISCELLANEOUS**

16 The Board received the following miscellaneous items: Disbursements Dated June 8 and
17 June 15, 2023, Monthly Progress Report, Coast Guard Housing Conditional Use Permit Application
18 Response Letter.

19 The Board also received the following news articles: Marin IJ – State bills seek broad
20 reforms on water rights – SACRAMENTO, What does El Nino mean for this overheated state? –
21 CALIFORNIA VIEW, District plans to add water, boost reservoir efficiency – MARIN MUNICIPAL,
22 Pt. Reyes Light - North Marin Water District Notice of Public Hearing, Western weekend thanks.

23 **ADJOURNMENT**

24 President Fraites adjourned the meeting at 5:52 p.m.

25 Submitted by

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Eileen Mulliner
District Secretary

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MEMORANDUM

To: Board of Directors *EM*
 From: Eric Miller, Assistant GM/Chief Engineer
 Subject: Authorize Joint Exercise of Power Agreement –
 Marin General Services Authority

July 18, 2023

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RECOMMENDED ACTION: That the President of the Board execute the Joint Exercise of Power Agreement (JEPA) allowing the District to become a member agency of MarinMap.

FINANCIAL IMPACT: \$10,000 Annual Fee (Included in the proposed budget)

Background

At the February 21, 2023 meeting your Board approved a contract with GHD to provide consulting services to convert the District's GIS data onto the ArcGIS platform, by Esri. Work associated with that contract is well underway and preliminary deliverables are scheduled to be submitted to the District later this month.

There are several benefits to transitioning our GIS database to programs developed by Esri. One of the more immediate benefits is that the District will be able to integrate more easily with the County-wide GIS platform known as MarinMap¹ that is built on the ArcGIS platform. The District is not currently a participating member of MarinMap, but following the transition to ArcGIS the process of integrating into the MarinMap program will be streamlined.

Discussion

MarinMap started in 1997 under the Marin General Services Agreement (MGSA) as a Joint Exercise of Powers Agreement (JEPA). In the case of MarinMap specifically, the member agencies have contracted with each other to work together on the common goal of data sharing and efficiently providing a seamless and unified series of map-based datasets to the public.

Upon joining MarinMap, the District would become the 19th member agency and one of over 30 represented public agencies within the County including each of the cities and towns in Marin, the Transportation Authority of Marin, and other special districts including Marin Water.

Joining MarinMap would allow District staff an opportunity to view member-only GIS data from other agencies which will improve project delivery. For example, MarinMap is the official location for street condition information from all Marin agencies, including which streets are identified as moratorium. Having real-time access to this data will allow staff to more efficiently plan future CIP projects.

¹ www.marinmap.org

Approved by GM *EM*
 Date 7-13-23

Additionally, other member agencies having access to District GIS data will allow for better coordination with City and County projects. For example, the County's Department of Environmental Health would be able to view locations of District facilities during the permit review process for new septic systems. This level of coordination could avoid health code violations that would otherwise be difficult to identify.

Long term benefits of being a member agency with MarinMap include development of specific web-based applications for staff to use. This could include mobile applications that allow field staff to view real-time facility information. Mobile data entry could further reduce the need for paperwork and may result in more efficient processes.

Financial Impact

Participation in MarinMap as a member agency comes with a \$10,000 annual membership fee. According to Wayne Bush, the Program Director for MarinMap, this fee has remained unchanged for over 20 years. A portion of this annual fee is allocated to agency specific projects such as developing web-based applications as described above. The remaining portion of this annual fee goes towards the operating costs of the organization.

Staff planned for this annual membership fee and it was included in the Fiscal Year 23/24 approved budget. Staff will continue to budget for this membership on an annual basis, however the fiscal impact will be offset in future fiscal years by subscriptions for the current GIS platform no longer needed following the complete transition of our GIS database to the ArcGIS platform.

Recommendation

Authorize the President of the Board to execute the Joint Exercise of Power Agreement (JEPA) with Marin General Services Authority allowing the North Marin Water District to become a member agency of MarinMap.

- Attachments
1. Joint Exercise of Powers Agreement II relating to the MarinMap Project
 2. Signature page of JEPA for North Marin Water District

JOINT EXERCISE OF POWERS AGREEMENT II

Relating to the

MARINMAP PROJECT

JOINT EXERCISE OF POWERS AGREEMENT

This Joint Exercise of Powers Agreement is dated as of _____, 20__, and is made by and among the Marin General Services Authority, the Marin Telecommunications Agency, the County of Marin, the Cities of Belvedere, Mill Valley, Novato, San Rafael and Sausalito, the Towns of Corte Madera, Fairfax, Larkspur, Ross, San Anselmo, and Tiburon, the Novato Sanitary District, the Tamalpais Community Services District, the Marin Municipal Water District, the Marin Local Agency Formation Commission and such other Local Agencies within the County of Marin as may later become signatories (the “Member Agencies”).

RECITALS

A. The Joint Powers Act, Government Code §6500 et seq., provides that public agencies by agreement may jointly exercise any power common to them.

B. The parties are “public agencies” within the meaning of that term under Government Code §6502 of the Joint Powers Act and possess in common the power to develop and maintain mapping and other informational data to meet the informational needs of the public and each of the Member Agencies.

C. The parties desire to enter into this Agreement in furtherance of the Joint Powers Act.

D. It is the desire of the parties to this Agreement to create a system for meeting the information needs of the public and the Member Agencies and have the Agreement administered by the Marin General Services Authority.

NOW, THEREFORE, the parties agree as follows:

ARTICLE I DEFINITIONS

Section 1.01. Definitions. As used herein, the following terms shall have the meaning ascribed thereto, unless the context requires otherwise.

“Agreement” means this Joint Exercise of Powers Agreement II.

“Centerline Files” or “TIGER Street Centerline Files” means a graphic representation of streets as line segments obtained from the U.S. Geological Service via the Census Bureau. Each graphic line segment has attribute information such as street name, address range (left and right), zip code and type of street. This data is valuable to local agencies for such uses as preparing emergency evacuation notifications, creating fire department “run books” or other uses, which involve linking information to a street address. TIGER stands for “Topologically Integrated Geographically Encoding and Referencing.”

“County” means the County of Marin.

“Data Licensing Agreements” means the form of agreement approved by the Steering Committee for use by Member Agencies in releasing any Mapping Data.

“Executive Sub-Committee” means the subcommittee established pursuant to Section 5.02.

“Geographic Information System” means a computerized database management system for the capture, storage, retrieval, analysis, and display of spatially (locationally-defined) data.

“Joint Powers Act” means Chapter 5 of Division 7 of Title 1 of the Government Code of the State, as amended from time to time.

“Layer” means a method of categorizing digital data in an automated system. Generally, layers can be collected, viewed and manipulated separately, but are related to each other through a common database or through common control coordinates.

“Local Agency” has the meaning set forth in Section 53600 of the Government Code of the State, as amended from time to time. “Local Agency” also includes the MGSA, MTA, and any other joint powers agency whose membership includes local agencies located within Marin County.

“Mapping Data” means mapping databases, which include, but are not limited to, digital and electronic map data, map data documented in traditional methods (e.g. hand copy) and other associated information.

“MarinMap” or “MarinMap Project” means the project described in Article II.

“Metadata” means data about the content, quality, conditions, and other characteristics of data.

“Member Agency” means each of the original signatories to this Agreement and any Local Agency, which hereafter becomes a signatory to this Agreement pursuant to Section 6.12.

“MGSA” means the Marin General Services Authority.

“MTA” means the Marin Telecommunications Agency.

“Orthophoto Map” means a map that appears as a photographic image, which actually re-combines many small pieces of an aerial photograph, each of which has been adjusted in its location on the final print to accurately depict its true location.

“Shared Data Warehouse” means a computer file server which stores spatial and attribute data in a relational database and, perhaps, graphic formats to be available for query by a personal computer with appropriate software.

“State” means the State of California.

“Steering Committee” means the committee established pursuant to Section 5.01.

ARTICLE II

THE MARINMAP PROJECT

Section 2.01. Purpose of Agreement. The purpose of this Agreement is to coordinate the development of a shared Geographic Information System to meet the informational needs of the public and each Member Agency in a cost-effective and efficient manner. Such undertaking shall be known as the “MarinMap Project.”

Section 2.02. Governing Principles. The following governing principles will enable the MarinMap Project to implement its mission:

- (a) Each member agency will share Mapping Data it has created, or owns, with the present and future participants in MarinMap for their own use.
- (b) If Mapping Data owned by a Member Agency is part of a value-added product from which revenues are received by MarinMap, the Member Agency will be compensated on a proportional basis according to the Member Agency’s data contribution. MarinMap also will receive a portion of all revenues received by the MarinMap Project. The proportional shares of revenue will be determined by the MarinMap Executive Sub-Committee in accordance with the revenue sharing formula approved by the MGSA Board of Directors.
- (c) Restrictions on reproduction and disclaimers concerning accuracy (licensing or copyrights) as well as the identity of the Mapping Data’s owner will be attached to the owned Mapping Data either in digital or hard copy form and as part of the data dictionary of Metadata.
- (d) Mapping Data, as specified by the Steering Committee, will be published on the Internet for the public’s use.
- (e) In general, each Member Agency will receive revenues from the production of value-added products according to its data contribution to the product from which revenues are derived by MarinMap.
- (f) Owners of Mapping Data will be responsible for ensuring that Mapping Data is updated regularly so that it maintains its value. Standards for Mapping Data maintenance established by the Steering Committee will vary according to data layer and will change to keep pace with development or other changes.

Section 2.03. Goals and Objectives. The Goals of the MarinMap Project are to:

- (a) Provide improved customer service to customers seeking geographical information;
- (b) Reduce the cost of service to taxpayers and ratepayers;
- (c) Improve infrastructure maintenance;
- (d) Enhance emergency response and disaster planning;

- (e) Reduce negative environmental impacts and manage natural resources;
- (f) Provide the opportunity for better decision-making; and
- (g) Encourage cooperation among public agencies, reducing redundancies, improving efficiency and minimizing conflicts.

The Objectives of the MarinMap Project are to:

- (a) Create a system to collect and distribute geographical information;
- (b) Maintain the integrity of the geographical information;
- (c) Provide enhanced access to geographical data to public agencies and the public;
- (d) Develop an equitable means to share Geographic Information System costs;
- (e) Establish the exchange of information between participating agencies;
- (f) Create a database to support management of infrastructure maintenance and construction;
- (g) Provide a comprehensive and coordinated database to enhance emergency response and disaster planning;
- (h) Develop a natural resources database to facilitate analysis of environmental impacts and understanding of ecological interrelationships;
- (i) Reduce the cost of Geographic Information System development among Member Agencies by obtaining discounted prices on computer software and hardware and by implementing joint initiatives for development of Mapping Data of common interest to the Member Agencies; and
- (j) Reduce the cost of Geographic Information System database development and maintenance by facilitating Mapping Data sharing and database maintenance between Member Agencies through a network linking Member Agencies and creating a Shared Data Warehouse for the maintenance of Mapping Data of common interest to the Member Agencies.

Section 2.04. Strategic Initiatives. The MarinMap Project will create a cooperative regional database. An initial framework for the cooperative database development includes the following:

- (a) Orthophoto Map Layer. Development and regular updating of digital Orthophoto Maps.
- (b) Rectified Parcel Map Layer. Development of an inventory and description of parcels from the certified tax rolls of the County Appraiser's Office and from individual local agencies with enhancements of such data.
- (c) Centerline Data Files. Centerline Data Files aligned with digital orthophotography enhancement and maintenance of the 1999 Census TIGER Files, by improving coordinate accuracy-using street Centerline Data Files.

**ARTICLE III
ADMINISTRATION OF THE AGREEMENT**

Section 3.01. MGSA to Administer Agreement. The MGSA shall administer this Agreement, and shall exercise in the manner herein provided the powers common to the Member Agencies and necessary to the accomplishment of the purposes of this Agreement, subject to the restrictions set forth in Section 3.02.

Section 3.02. Restrictions on Exercise of Powers. Such powers shall be exercised in the manner provided in the Joint Powers Act and shall be subject (in accordance with Section 6509 of the Joint Powers Act) to the restrictions upon the manner of exercising such powers that are imposed upon County of Marin in the exercise of similar powers.

Section 3.03. Specific Services. The MGSA will oversee the implementation of the MarinMap Project in accordance with Article II and will ensure that the following minimum specific services are implemented:

- (a) Implementation of a shared Geographic Information Service that is available to all Member Agencies via the internet and a virtual private network.
- (b) Conduct a training program for Members Agencies in the use of MarinMap data.
- (c) Completion of a "Capital Improvement Posting" program which will post planned capital improvements on the MarinMap web site in order to improve the coordination of construction within the public rights of way, decrease traffic impediments and decrease the need to trench or execute newly paved streets.
- (d) Provide access to TIGER Street Centerline Files, which provide address data and other data attributable to a street system.
- (e) Provide the means for Member Agencies to automatically produce owner addresses for properties within a specified radius of a proposed project, which will avoid the time consuming, and often inaccurate process of sorting through paper parcel maps.

- (f) Enhance the public's access to useful mapped data via a MarinMap Website. The website will allow certain maps to be viewed or downloaded by the public. The public can use the information to create maps of their neighborhood, to obtain information concerning property lines and property values or to access data concerning planned capital improvement projects.

In addition, upon the recommendation of the Steering Committee, the MGSA may perform additional MarinMap projects such as:

- (a) Mapping and publication via the internet of Marin County creeks to improve watershed and creek management, flood control information and environmental information.
- (b) Mapping and publication via the internet of the spread of "Tan Oak Disease" and public information concerning the control of the disease.
- (c) Mapping and publication via the internet of epidemiology data from the County Department of Health and Human Services including information concerning breast cancer.
- (d) Other projects approved by the Steering Committee.

Section 3.04. Compensation. In consideration for the services to be performed by the MGSA, the MGSA Board of Directors shall establish an annual fee or fee schedule, not to exceed \$10,000 per Member Agency. Such fees, as determined by the MGSA Board, will be paid by each Member Agency on or before July 1 of each year while this Agreement is in effect.

ARTICLE IV MEMBERSHIP

Section 4.01. Benefits of Membership. By participating in the MarinMap Project, a Member Agency:

- (a) May download to a local computer Mapping Data stored in the Shared Data Warehouse, pursuant to the terms and conditions of this Agreement.
- (b) Will receive any software or hardware discounts obtained by the MarinMap Project.
- (c) Will share in the proceeds from the production of value-added products, pursuant to the terms of this Agreement.
- (d) Will abide by the rules established to protect the organizations generating and maintaining original Mapping Data. To protect the viability of the Mapping Data sharing, Member Agencies agree to refrain from re-marketing Mapping Data obtained through the MarinMap Project. The two points of Mapping Data dissemination

will be the Member Agency from which the Mapping Data originates and the MarinMap Project through the Shared Data Warehouse.

Section 4.02. Obligations of Member Agencies. Membership in the MarinMap Project obligates Member Agencies to:

- (a) Exchange Mapping Data pursuant to the terms of this Agreement. Each Member Agency shall exchange, at a minimum, the Mapping Data, as described in Exhibit A attached hereto and incorporated herein by reference, with other Member Agencies.
- (b) Provide regular updates of Mapping Data, including but not limited to Mapping Data listed on Exhibit A maintained by the Member Agency on a regular and timely basis to the Shared Data Warehouse, provide sufficient documentation to make the Mapping Data generally useful, and provide adequate staff support to ensure that the Mapping Data is efficiently and accurately loaded. A Member Agency is not responsible for updating Mapping Data owned or created by another Member Agency or a Local Agency who is not a member but is contributing Mapping Data to the MarinMap Project.
- (c) Establish and maintain a means to efficiently manage the uploading and downloading of Mapping Data. Several means are available and the specific option used will depend upon the volume and frequency of data transfer as well as the location of the Member Agency. Establishment of an electronic communications link is encouraged and would give the Member Agency access to e-mail and high-speed file transfer capabilities.
- (d) Support the administration of the MarinMap Project through participation in committees established by the Steering Committee or Executive Sub-Committee and by providing staff to implement the objectives of the MarinMap Project.
- (e) Abide by the rules established to protect the organizations generating and maintaining original Mapping Data. To protect the viability of the Mapping Data sharing, Member Agencies agree to refrain from remarketing Mapping Data obtained through the MarinMap Project. The two points of Mapping Data dissemination for sale would be the Member Agency from which the Mapping Data originates and the MarinMap Project through the Shared Data Warehouse.
- (f) Utilize the Data Licensing Agreements, which apply, to any contributed or created data prior to the release of any Mapping Data.

Section 4.03. Sharing of Data. It is recognized that the Member Agencies are engaged in projects to create and maintain Mapping Data that will be of common interest. Exhibit A is a listing of the minimum Mapping Data that each Member agency shall share as a part of this project.

- (a) Each Member Agency agrees to exchange with the MGSA and the other Member Agencies its Mapping Data as described in Exhibit A and in accordance with the terms and conditions of this Agreement and any rules or standards established by the Steering Committee or the MGSA. In addition:
 - (1) Each Member Agency agrees to make available to the other Member Agencies any updates, additions, and revisions of the Mapping Data, which may be compiled in the future.
 - (2) Each Member Agency agrees to provide for the continuous maintenance of its own Mapping Data.
 - (3) Each Member Agency agrees to develop mapping and database standards that will facilitate the exchange of Mapping Data.
 - (4) Each Member Agency agrees that the exchanges of Mapping Data pursuant to this Agreement are of equal value.
- (b) Any Mapping Data that is exchanged among the Member Agencies shall be used only for their internal purposes, or those of their designated agents. The database may not be sold or given to third parties unless explicitly agreed to under a separate agreement or as established by the MarinMap Steering Committee.
- (c) The exchange of Mapping Data is contingent upon the following conditions being observed:
 - (1) Each Member Agency agrees to maintain its Mapping Data in a format that is compatible with the Steering Committee's standards as much as is feasible. This may include registering maps to the California State Plan Coordinate System, which uses the North American horizontal reference Datum of 1983 ("NAD-83") and the North American Vertical reference Datum of 1929 (NGVDD29) or the North American Vertical Reference Datum of 1988 (88 "DAVD-88").
 - (2) Each Member Agency will continue to maintain or make arrangements for the maintenance and update of its Mapping Data, and make its revised Mapping Data files available to the other Member Agencies pursuant to a schedule to be developed by the Executive Sub-Committee or its designee.
- (d) Each Member Agency agrees to accept any and all Mapping Data from the other Member Agencies in the agreed upon Steering Committee standards for the exchange of Mapping Data. Each Member Agency agrees to provide the Metadata documentation pertaining to the exchanged Mapping Data. The Metadata will define the specifications of accuracy and completeness. Each Member Agency waives any and all responsibility of the other Member

Agencies, explicit or implied, for any damage or liability caused through use of this Mapping Data, in any way.

- (e) Each Member Agency will make reasonable efforts to provide the most current, accurate and complete Mapping Data. No Member Agency, however, makes any warranties with respect to the Mapping Data it furnishes and each Member Agency agrees to accept any and all Mapping Data furnished by the others on an “as is” basis. Each Member Agency waives any claim against the other for any and all damage or liability caused directly or indirectly by the use of the Mapping Data furnished to each other.
- (f) The maps developed and Mapping Data compiled for the MarinMap Project are intended to be available to the Member Agencies for their use in the performance of their duties. The Member Agencies also wish to preserve their right and opportunity to recover the costs of map development and maintenance in the manner authorized by state law.
 - (1) The MGSA may register the copyright to the maps and other products produced by the MarinMap Project.
 - (2) Each Member Agency retains the responsibility for and ownership of the Mapping Data it creates. Each member Agency is entitled to retain revenue from the production of value-added products containing Mapping Data developed independently of the MarinMap Project and disseminated directly by the Member Agency.

Section 4.04. California Public Records Act.

- (a) Each Member Agency recognizes that the California Public Records Act (California Government Code Sections 6250 *et seq.*) governs the disclosure of all public records, and that data stored in computers may be public records and subject to mandatory disclosure under said Act. Member Agencies also recognize that the computer software developed by a local agency, including computer mapping systems and computer programs, is not a public record subject to disclosure under the California Public Records Act.
- (b) That Member Agencies anticipate that each will receive routine requests for data, including requests for information pertaining to a specific property or permit application, or to a group of properties or applications. If a demand is made on a Member Agency for data that is owned or provided by another Member Agency, and if the demand seems to call for a response beyond that which the Public Records Act requires, the Member Agency receiving the demand shall notify the data provider of this demand.

- (c) The Member Agency receiving the demand shall respond as directed by the data provider, provided that the data provider agrees in writing to defend, hold harmless and indemnify the Member Agency receiving the demand. If the data provider refuses to enter into such an agreement, the Member Agency receiving the demand shall respond to the demand in the manner it deems appropriate. Those parties who do not wish to release data on the grounds that the requested data is not a public record subject to disclosure, agree to pay for all costs of taking such action and agree to be responsible for any resulting litigation costs, including but not limited to attorneys fees.

Section 4.05. Member Qualifications. Member Agencies shall be limited to Local Agencies located within Marin County. The MGSA may enter into data sharing agreements with other agencies of the federal or State government, private enterprise, or private nonprofit corporations upon the recommendation of the Executive Subcommittee and with the approval of the MGSA Board of Directors.

Section 4.06. Indemnification. Each Member Agency shall be solely liable for the negligent acts or omissions of its officers, representatives, agents or employees occurring in the performance of this Agreement. If any Member Agency becomes liable for damages, attorneys fees or any other costs or liabilities caused by its officers, representatives, agents or employees, it shall pay such damages, fees or costs without contribution by the other Member Agencies.

ARTICLE V GOVERNING STRUCTURE

Section 5.01. The Steering Committee. The Steering Committee shall be advisory to the MGSA Board of Directors and shall be comprised of one representative from each Member Agency. Each Steering Committee representative shall be selected by the City/Town Council, Board of Supervisors or Board of Directors for the Member Agency, and shall be a member of the Member Agency's staff. Steering Committee Members shall serve a two-year term and may be reappointed. A majority of the members of the Steering Committee shall constitute a quorum for purposes of conducting business, and a majority of a quorum shall be authorized to act on behalf of the Steering Committee.

The Steering Committee shall elect, by a majority vote of its members, a Chair and Vice Chair.

Section 5.02. Executive Sub-Committee. Routine administrative matters for the MarinMap Project may be decided by an Executive Sub-Committee. The Executive Subcommittee shall be made up of at least seven, but not more than nine, members and shall be selected by the Steering Committee. Membership shall include the Chair and Vice- Chair of the Steering Committee, one representative each of the County, City of San Rafael, City of Novato, Marin Municipal Water District, special districts (other than MMWD), and two representatives of other cities and towns (other than San Rafael and

Novato.) In the event the Chair or Vice-Chair of the Steering Committee represents one of the above Member Agencies, such Member Agency shall not be entitled to a second representative or the Executive Sub-Committee. A majority of the Executive Subcommittee will constitute a quorum for purposes of conducting business.

Section 5.03. Other Committees. Standing and Ad Hoc Committees may be established by the Steering Committee as needed.

Section 5.04. Powers of the Steering Committee.

- (a) The Steering Committee may make recommendations to the Board of Directors of the MGSA for acquisition of the necessary hardware, software, and licenses necessary to provide and operate a shared Geographic Information System.
- (b) (b) The Steering Committee may recommend to the Board of Directors of the MGSA contracts with private companies, individuals, and public agencies to create, implement and operate the shared geographic system and to set fees for data services. The Steering Committee shall not have the power to independently enter into contracts.
- (c) The Steering Committee may make recommendations concerning the need to incur debt in order to efficiently provide the services enumerated by this Agreement in compliance with the requirements of the California Government Code and California Constitution.
- (d) The Steering Committee shall recommend to the MGSA Board of Directors a fee schedule for data services provided by the MarinMap Project.
- (e) The Steering Committee shall recommend to the MGSA Board of Directors an annual budget no later than May 1 of each year.

Section 5.05. Powers of the Executive Sub-Committee. The Executive Subcommittee shall report to the Steering Committee and the MGSA Board of Directors for recommendations regarding routine administration and management of the MarinMap Project, and for the provision of assistance and advice to the Steering Committee and MGSA Board of Directors. The Executive Sub-Committee may exercise such powers and perform such duties and tasks as delegated by the Steering Committee and the MGSA Board of Directors.

Section 5.06. Policies and Procedures. The Board of Directors of the MGSA may adopt from time to time such policies, procedures, by-laws, rules or regulations for the conduct of the MarinMap Project as may be recommended by the Steering Committee.

Section 5.07. Contracts. The Board of Directors of the MGSA may approve contracts with private businesses, individuals, and public agencies to create, implement, maintain and operate the shared Geographic Information System.

Section 5.08. User Fees. The Board of Directors of the MGSA shall by resolution establish fees for data services provided by the MarinMap Project after receiving the recommendation of the Steering Committee.

Section 5.09. Meetings and Reports.

(a) The Steering Committee

- (1) The Steering Committee shall hold at least two regular meetings per year.
- (2) All meetings of the Steering Committee shall be held subject to the provisions of the Ralph M. Brown Act (California Government Code Sections 54950 et. seq.) and other applicable laws of the State of California requiring that notice be given of meetings held by public bodies.
- (3) Minutes of all Steering Committees shall be kept and, as soon as possible after each meeting, be forwarded to each member of the MGSA Board of Directors.
- (4) The Chair of the Steering Committee shall cause correspondence to be prepared and delivered as directed by the Steering Committee. The Chair shall represent the MarinMap Project, and the Vice Chair shall serve in his/her absence.
- (5) Annually, at minimum, a report on the activities and operations of the MarinMap Project shall be prepared by the Steering Committee and provided to each Member Agency. The report shall be completed prior to January 1 of each year.
- (6) The MGSA shall be designated as the keeper of the official records of the MarinMap Project.

(b) The Executive Sub-Committee

- (1) The Executive Sub-Committee shall hold at least one meeting each quarter of the year.
- (2) Special meetings of the Executive Sub-Committee may be called by the Chair of the Steering Committee, by a majority of the members of the Steering Committee, or at the direction of the Steering Committee.
- (3) Minutes of the Executive Sub-Committee meetings shall be kept and, as soon as possible after each meeting, be distributed to members of the Executive Sub-Committee and each member of the Steering Committee.

(c) Other Committee Meetings

- (1) Meetings of other ad hoc committees and standing committees, as may be established, may be called by the Chair of the Steering Committee or a majority of the members of the Steering Committee.
- (2) Minutes of all meetings will be kept and forwarded to the Chair and Vice Chair of the Steering Committee.

ARTICLE VI MISCELLANEOUS

Section 6.01. Funding.

- (a) The Steering Committee shall recommend an annual budget for adoption by the MGSA Board of Directors within ninety (90) days of the effective date of this Agreement, and no later than May 1 of each succeeding year. Funds may not be disbursed by MGSA on behalf of the MarinMap Project without adoption of the approved budget, and all receipts and disbursements shall be in strict accordance with the approved budget. The budget shall identify the programs of the MarinMap Project and allocate funds by program. The budget and accounting system shall account for direct and overhead costs by program. The Steering Committee shall recommend and the Directors of the MGSA shall allocate these costs for each program with the adoption of the annual budget.
- (b) The costs to maintain and develop the Shared Data Warehouse and other commonly held services, equipment, products, and staff shall be divided among the Member Agencies upon the basis of the benefits received. The division or share may be calculated as a simple cost formula or assessment by jurisdictional area, by number of assessor's parcels within the boundaries of a Member Agency, or through a wider base to include other benefit factors. In any case, the intent is that the assessment be made based on the widest possible applicable criteria. Assessments shall be recommended by the Steering Committee and approved by the MGSA Board of Directors. The costs for other incidental products and services provided to Member Agencies will be calculated on a fee-for-service basis. The cost formula shall be recommended by the Steering Committee and fixed by the MGSA Board of Directors. Adjustments shall be recommended from time to time by the Steering Committee, and approved by a majority vote of the MGSA Board of Directors. Fixed costs for incidental products and services will be tiered to reflect Member Agency and Non-Member Agency fees for services.

Section 6.02. Production of Mapping Data. Proceeds from the production of Mapping Data shall be distributed to Member Agencies on a proportional basis according to each Member Agency's data contribution. The formula for the sharing of revenues shall be determined by the MGSA Board of Directors after receiving the recommendation

of the Steering Committee. This formula may provide for a portion of such revenues to be allocated to the MarinMap Project. Additionally, a Member Agency may elect to have such proceeds disbursed to it in one or more of the following ways:

- (a) Some, or all, of the Member Agency's proportional share of the proceeds may be refunded to the Member Agency through a cash payment to the Member Agency from the MGSA.
- (b) Some, or all, of the Member Agency's proportional share of the proceeds may be applied as a credit to the Member Agency's future monetary obligations hereunder and/or some, or all, of the Member Agency's proportional share of the proceeds may be allocated to the MarinMap Project for its activities.

Section 6.03. Treasurer. The Treasurer of MGSA shall serve as the Treasurer for the MarinMap Project.

The Treasurer shall serve as the depository, have custody of all funds and establish and maintain such books, records, funds and accounts as may be required by reasonable accounting practices, and in compliance with California Government Code Section 6505. The books and records pertaining to the MarinMap Project shall be open to inspection at all reasonable times to the Member Agencies and the public.

The Treasurer shall prepare such financial reports as may be requested by the Steering Committee or Executive Sub-Committee and as directed by the MGSA Board of Directors.

The Treasurer shall cause an independent annual audit of the accounts and records by a certified public accountant, in compliance with the requirements of Section 6505 of the California Government Code and generally accepted auditing standards.

MarinMap funds shall be maintained in a trust account and these funds shall not be interspersed with other funds held by the MGSA Treasurer.

Section 6.04. Debts and Liabilities. Except as otherwise provided by Section 4.04(c), no debt, liability or obligation of the MarinMap Project shall constitute a debt, liability or obligation of any Member Agency, and each Member Agency's obligation hereunder is expressly limited only to the appropriation and contribution of such funds as may be levied hereunder for services among the Member Agencies, or on a fee-for-service basis, or as the parties hereto may otherwise agree.

Section 6.05. Effective Date. This Agreement shall become effective when it has been executed by seven (7) Member Agencies.

Section 6.06. Termination. This Agreement shall be terminated by the MGSA Board of Directors upon notice of withdrawal being received from a majority of the Member Agencies. Upon termination, payment of the obligations and division of the property of MarinMap shall be conducted pursuant to Section 6.07.

Section 6.07. Disposition of authority Funds Upon Termination.

- (a) In the event of termination of the MarinMap Project as organized and managed under this Agreement, all funds remaining after payment of all obligations of the MarinMap Project shall be transferred to any successor organization or agency designated by the MGSA Board of Directors to carry out the activities and operations of the MarinMap Project.
- (b) If there is no successor entity designated by the MGSA Board of Directors to carry on the activities of the MarinMap Project, or assume its obligations, all funds remaining after payment of all obligations shall be distributed to the Member Agencies in proportion to their contribution as approved by the MGSA Board of Directors after receiving the recommendation of the Steering Committee.
- (c) If a successor organization or agency undertakes some of the functions of the MarinMap Project, and assumes some of its obligations, all funds remaining after payment of all obligations shall be allocated by the MGSA Board of Directors between the successor organization or agency and Member Agencies after receiving the recommendation of the Steering Committee.
- (d) If the MarinMap Project is terminated due to circumstances falling within paragraph (b) or (c) above, the decisions of the MGSA Board of Directors shall be final.

Section 6.08. Amendments. This Agreement may be amended only upon the recommendation of a two-thirds affirmative vote of the Steering Committee and subsequent approval by a majority of the MGSA Board of Directors.

Section 6.09. Withdrawal.

- (a) Any Member Agency may withdraw from the MarinMap Project effective July 1 of any year upon ninety (90) days written notice to the MGSA.
- (b) If a Member Agency withdraws, its financial obligation shall be limited to its share of costs and liabilities incurred by the MarinMap Project prior to the date its written notice of withdrawal is effective as provided by Section 6.04. Additionally, pursuant to Section 6.02, the withdrawing Member Agency shall be entitled to proceeds from the production of any Mapping Data by the MGSA on behalf of the MarinMap Project, received prior to the effective date of its written notice of withdrawal. Upon withdrawal, a member Agency may retain one copy of the current core data for its own use, but shall not be entitled to any subsequent base maps, updates or maintenance of the shared Geographic Information System. The withdrawing Member Agency will have no further duty to contribute Mapping Data, but shall continue to be bound by restrictions on the production, dissemination and disposition of Mapping Data to third parties, which

shall remain in full force and effect, and which shall survive termination. Except as expressly provided in this Section, a withdrawing Member Agency shall surrender all claims to products, services or other assets developed by the MarinMap Project.

Section 6.10. Default by Member Agency. Failure to adhere to the requirements of this Agreement may result in termination of Member Agency status effective July 1 of any year, upon ninety (90) days prior written notice to the defaulting Member Agency by the Steering Committee, with subsequent approval by the MGSA Board of Directors. The decision to recommend termination of Member Agency status may be made by a majority of the Steering Committee. In the event of termination, the provisions of Section 6.09(b) shall govern.

Section 6.11. Disputes and Arbitration.

- (a) The Member Agencies agree that any dispute which arises between or among them involving the interpretation or application of this Agreement, or the rights and remedies of the Member Agencies, which cannot be resolved through discussion shall be subject to mandatory binding arbitration pursuant to California Code of Civil Procedure Section 1280, and shall not be subject to judicial determination except as expressly provided by law.
- (b) If a Member Agency wishes to submit a dispute to arbitration, it shall serve a demand for arbitration, setting forth the issues to be arbitrated and the general contentions of the Member Agency on the other Member Agencies. All demands for arbitration shall be served within one year of the event giving rise to the dispute.
- (c) The Member Agencies may mutually agree upon an arbitrator. If the Member Agencies cannot agree upon an arbitrator, the Member Agency demanding arbitration shall request a list of arbitrators with prior experience in similar disputes from the San Francisco Office of the American Arbitration Association. Each Member Agency (commencing in alphabetical order) shall alternately strike a name from the list until only one name remains.

Section 6.12. Additional Member Agencies. In addition to the original signatories to this Agreement, any Local Agency within Marin County may become a Member Agency. The addition of any new Member Agency shall become effective upon the execution on behalf of such Local Agency of a counterpart of this Agreement and the delivery of such executed counterpart to the MGSA.

Section 6.13. Notices. Any notice, request, or other communication under this Agreement shall be given by first class mail or personal delivery to the party entitled thereto, or by facsimile transmission or other form of telecommunication. Unless otherwise provided herein, notice shall be effective either: (i) upon transmission by facsimile transmission or other form of telecommunication, provided a telephonic communication of such transmission is provided; (ii) forty-eight (48) hours after deposit

in the United States mail, postage prepaid; or (iii) in the case of personal delivery to any person, upon actual receipt.

Section 6.14. Section Headings. All section headings in this Agreement are for convenience of reference only and are not to be construed as modifying or governing the language in the section referred to or to define or limit the scope of any provision of this Agreement.

Section 6.15. Law Governing. This Agreement is made in the State of California under the constitution and laws of the State, and is to be so construed.

Section 6.16. Severability. Should any portion of this Agreement be held by any court of competent jurisdiction to be invalid, unenforceable, void or voidable for any reason whatsoever, the validity and enforceability of the remaining portions shall not be affected thereby.

Section 6.17. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument.

Section 6.18. Successors. This Agreement shall be binding upon and shall inure to the benefit of the successors of the respective Member Agencies.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized on the respective dates shown below.

Date: _____, 2007

MARIN GENERAL SERVICES AUTHORITY

By: _____
Chairperson

COUNTY OF MARIN

By: _____
President of the Board of Supervisors

CITY OF BELVEDERE

By: _____
Mayor

TOWN OF CORTE MADERA

By: _____

Mayor

TOWN OF FAIRFAX

By: _____
Mayor

CITY OF LARKSPUR

By: _____
Mayor

CITY OF MILL VALLEY

By: _____
Mayor

CITY OF NOVATO

By: _____
Mayor

TOWN OF ROSS

By: _____
Mayor

TOWN OF SAN ANSELMO

By: _____
Mayor

CITY OF SAN RAFAEL

By: _____
Mayor

CITY OF SAUSALITO

By: _____
Mayor

TOWN OF TIBURON

By: _____
Mayor

MARIN MUNICIPAL WATER DISTRICT

By: _____
President of the Board of Directors

MARIN LOCAL AGENCY FORMATION COMMISSION

By: _____
Chairperson

SEWERAGE AGENCY OF SOUTHERN MARIN

By: _____
President of the Board of Directors

TRANSPORTATION AUTHORITY OF MARIN

By: _____

Title: _____

Exhibit A

Data to Be Shared

1. Survey control monuments
2. Digital orthophotos
3. Contours (elevations) associated with Digital orthophotos
4. Surveys used to create parcel boundaries
5. Street (pavement) centerlines and attribute data as contained in the Census Bureau TIGER file
6. Streams, creeks and water bodies with attribute data
7. Government boundaries
8. Graphic representation of physical infrastructure used to provide public services
9. Location of hazardous materials
10. 2000 Census Data
11. Any other data as deemed appropriate by the Steering Committee

Amendment Number 1
MarinMap Joint Exercise of Powers Agreement
Marin General Services Authority Board of Directors
Approved by Resolution 2014 – 04, March 13, 2014

A) New Membership Language

- 1) Section 1.01, Definitions: “Independent Fire District Member” means a Special District organized under the laws of the state of California whose primary purpose is to provide fire protection. An Independent Fire District Member possesses all the rights and obligations of Member Agencies in the Agreement except that all of the Independent Fire District members shall have only one vote on the Steering Committee and the annual fee as determined by the MGSA Board of Directors shall take this limitation in participation in the Steering Committee into account in setting the annual fee.”
- 2) Section 5.01, new last sentence: “Notwithstanding the foregoing, all the Independent Fire District Members shall have cumulatively only one representative on the Steering Committee.”
- 3) Section 6.12, new last sentence: “Additionally, there is a class of membership for Independent Fire Districts with limited participation on the Steering Committee.”

B) Administrative Revisions

- 1) Section 2.04, Strategic Initiatives, delete the strikeout:
(c) Centerline Data Files. Centerline Data Files aligned with digital orthophotography ~~enhancement and maintenance of the 1999 Census TIGER Files~~, by improving coordinate accuracy-using street Centerline Data Files.
- 2) Section 3.03. Specific Services, delete the strikeout:
(d) Provide access to ~~TIGER~~ Street Centerline Files, which provide address data and other data attributable to a street system.
- 3) Section 5.01 The Steering Committee, add the bold underline:
The Steering Committee shall be advisory to the MGSA Board of Directors and shall be comprised of one representative from each Member Agency. Each Steering Committee representative shall be selected by the City/Town **Manager, City/Town** Council, Board of Supervisors or **executive officer or** Board of Directors for the Member Agency, and shall be a member of the Member Agency’s staff. Steering Committee Members shall serve a two-year term and may be reappointed. A majority of the members of the Steering Committee shall constitute a quorum for purposes of conducting business, and a majority of a quorum shall be authorized to act on behalf of the Steering Committee.
- 4) Section 5.02. Executive Sub-Committee, amend per below:

Routine administrative matters for the MarinMap Project may be decided by an Executive Sub-Committee. The Executive Subcommittee shall be made up of at least seven, but not more than nine, members and shall be selected by the Steering Committee. Membership shall include the Chair and Vice- Chair of the Steering Committee, one representative each of the County, City of San Rafael, City of Novato, Marin Municipal Water District, ~~special districts (other than MMWD), and two representatives of other cities and towns (other than San Rafael and Novato.)~~ **and at least two representatives of Marinmap member agencies, no less than two of which shall be from cities or towns (other than San Rafael and Novato).**

5) Section 5.09. Meetings and Reports, change below minimum number of Steering Committee meetings:

(a) The Steering Committee

(1) The Steering Committee shall hold at least ~~two~~ **one** regular meetings per year.

C) All other terms of the MarinMap Joint Exercise of Powers Agreement remain unchanged.

ATTACHMEMENTS

- MGSA Resolution 2014-04 Approving Amendment 1 to the MarinMap JEPA.
- MarinMap Steering Committee Minutes of March 6, 2014, Recommending Approval of Amendment 1 to the MarinMap JEPA

ATTEST



Paul Berlant, Executive Officer

**MARIN GENERAL SERVICES AUTHORITY
ADOPTION OF AMENDMENTS TO THE MARINMAP
JOINT EXERCISE OF POWERS AGREEMENT**

RESOLUTION 2014 – 04

WHEREAS, pursuant to the MarinMap Joint Exercise of Powers agreement (JEPA) which established the MarinMap program, the Marin General Services Authority may adopt an amendment to the JEPA upon recommendation of the MarinMap Steering committee; and

WHEREAS, on March 6, 2014, the MarinMap Steering Committee has considered and recommended a set of amendments by a vote equal to or greater than the requisite two-thirds majority; and

WHEREAS, the MGSA Board of Directors reviewed and considered the recommended set of amendments to the JEPA on March 13, 2014.

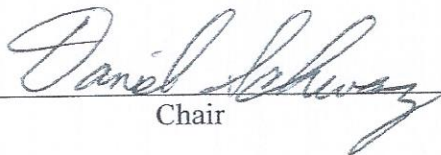
NOW THEREFORE, BE IT RESOLVED, that the Marin General Services Authority hereby adopts the amendments to the Joint Exercise of Powers Agreement as shown in the attached Exhibit A.

Adopted this 13th day of March 2014.

Ayes: Condry, Eilerman, Mackle, Politzer, Schwarz

Noes: None

Absent: Frank


Chair

Attested By:



Executive Officer

Exhibit A
Amendments to the MarinMap
Joint Exercise of Powers Agreement

New Membership Language

Section 1.01, Definitions: "Independent Fire District Member" means a Special District organized under the laws of the state of California whose primary purpose is to provide fire protection. An Independent Fire District Member possesses all the rights and obligations of Member Agencies in the Agreement except that all of the Independent Fire District members shall have only one vote on the Steering Committee and the annual fee as determined by the MGSA Board of Directors shall take this limitation in participation in the Steering Committee into account in setting the annual fee."

Section 5.01, new last sentence: "Notwithstanding the foregoing, all the Independent Fire District Members shall have cumulatively only one representative on the Steering Committee."

Section 6.12, new last sentence: "Additionally, there is a class of membership for Independent Fire Districts with limited participation on the Steering Committee."

Administrative Revisions

Section 2.04, Strategic Initiatives, delete the strikeout:

(c) Centerline Data Files. Centerline Data Files aligned with digital orthophotography ~~enhancement and maintenance of the 1999 Census TIGER Files~~, by improving coordinate accuracy-using street Centerline Data Files.

Section 3.03. Specific Services, delete the strikeout:

(d) Provide access to ~~TIGER~~ Street Centerline Files, which provide address data and other data attributable to a street system.

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The Steering Committee shall be advisory to the MGSA Board of Directors and shall be comprised of one representative from each Member Agency. Each Steering Committee representative shall be selected by the City/Town **Manager, City/Town** Council, Board of Supervisors or **executive officer or** Board of Directors for the Member Agency, and shall be a member of the Member Agency's staff. Steering Committee Members shall serve a two-year term and may be reappointed. A majority of the members of the Steering Committee shall constitute a quorum for purposes of conducting business, and a majority of a quorum shall be authorized to act on behalf of the Steering Committee.

Section 5.02. Executive Sub-Committee, amend per below:

Routine administrative matters for the MarinMap Project may be decided by an Executive Sub-Committee. The Executive Subcommittee shall be made up of at least seven, but not more than nine, members and shall be selected by the Steering Committee. Membership shall include the Chair and Vice- Chair of the Steering Committee, one representative each of the County, City of San Rafael, City of Novato, Marin Municipal Water District, ~~special districts (other than MMWD), and two representatives of other cities and towns (other than San Rafael and~~

~~Novato.)~~ **and at least two representatives of Marinmap member agencies, no less than two of which shall be from cities or towns (other than San Rafael and Novato).**

Section 5.09. Meetings and Reports, change below minimum number of Steering Committee meetings:

(a) The Steering Committee

(1) The Steering Committee shall hold at least two **one** regular meetings per year.

MARIN GENERAL SERVICES AUTHORITY

371 Bel Marin Keys Boulevard, Suite 100

Novato, CA 94949-6188

Paul Berlant, Executive Director

Phone: (707) 838-9290

E-mail: pvberlant@comcast.net

Wayne Bush, MarinMap Program Director

Phone: (415) 302-7766

E-mail: wtbush01@gmail.com

Summary of Actions for the Meeting of the MARINMAP STEERING COMMITTEE (An Advisory Board to the Marin General Services Authority)

DATE: Thursday, March 6, 2014

TIME: 2:00 p.m. – 4:00 p.m.

PLACE: San Rafael Public Works Department

Members in attendance:

Scott Anderson (Town of Tiburon); Sean Condry (Town of San Anselmo); Scott Derdenger (City of Belvedere); Dan Eilerman (County of Marin); Jonathon Goldman (City of Sausalito); Barry Hogue (Town of Corte Madera); Gavin McGhie (Marin Municipal Water District), Jill McNeal (City of Mill Valley), Scott Metcho (City of Larkspur), Elise Semonian (Town of Ross); Keene Simonds (Marin LAFCO); Bill Voigt (City of San Rafael)

Agencies absent: Novato, Fairfax, SASM

Matrix Team in attendance:

Fred Vogler (*Matrix Team Member*), Seth Clark (*GeoData Analytics*)

Others in Attendance: Wayne Bush, Program Director; Paul Berlant (MGSA), Executive Director; Laurie Williams (County of Marin, Executive Committee member); Tom Lai (County of Marin); Zachary Baron (City of San Rafael)

- A. Call to Order - *The MarinMap Steering Committee convened at 2:04 p.m.*
- B. Open time for items not on the agenda - *None*
- C. Proposed JEPAs Amendments to create a Joint Independent Fire District membership and administrative revisions – *Member Jonathon Goldman motion to approve, Member Barry Hogue second, the Committee unanimously in favor of recommending the amendments to MGSA.*
- D. Adopt a fee schedule – *Member Dan Eilerman motion to approve, Member Sean Condry second, the Committee unanimously in favor of adopting the fee schedule.*
- E. Project Budgeting methodology delegation from Steering Committee to Executive Committee – *Member Bill Voigt motion to approve, Member Dan Eilerman second; the*

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers thereunto duly authorized on the respective dates shown below.

Date: _____, 2023

NORTH MARIN WATER DISTRICT

By: _____

Title: _____

6



MEMORANDUM

To: Board of Directors

From: Eric Miller, Assistant GM/Chief Engineer *EM*

Subject: NMWD Administration and Laboratory Upgrade Project
Construction Management Services

Date: July 18, 2023

R:_Staff Inbox\Miller\6501.44 CM BOD memo.doc

RECOMMENDED ACTION: Board authorize the General Manager to amend the agreement with Consolidated CM

FINANCIAL IMPACT: \$319,208 (included in FY23/24 CIP Budget)

The purpose of this memo is to request a third amendment to the Consulting Services Agreement with Consolidated CM (CCM) for continued construction management services related to the District's Administration and Laboratory Upgrade Project (J-1.6501.44).

The Board approved the original agreement with CCM at the May 18, 2021 Board meeting for an amount of \$179,000. The Board approved the first amendment to the CCM agreement at the April 19, 2022 Board meeting in the amount of \$47,426. This first amendment was necessary for CCM to support the District bridge the gap between final design and project bidding.

The Board approved the second amendment with CCM at the June 7, 2022 Board meeting in the amount of \$952,388. The second amendment included scope for full time construction management and inspections, including building permit required special testing and inspections for various materials and components planned for use in the project. The scope and fee approved in the second amendment was related to the original project schedule with an initial completion date of September 2023.

Staff is now proposing a third amendment with a not to exceed fee of \$319,208 and a scope that includes continued construction management services through the current estimated project completion date of February 2024. Several factors have influenced extension of the completion date, including above average rainfall during the months of January through March 2023, encountering unforeseen conditions, and staff inefficiencies from the contractor's team. In addition, a series of design changes were initiated by the District to incorporate recent changes to staffing levels.

Recommendation

Board authorize General Manager to amend the agreement with Consolidated CM for the Administration and Laboratory Upgrade Project in the amount of \$319,208.

Attachments

1. CCM Contract Amendment No. 3

NORTH MARIN WATER DISTRICT

CONTRACT AMENDMENT

PROJECT: NMWD Admin & Lab Upgrade

AMENDMENT NO.: 3

DATE: July 19, 2023

JOB NO.: 1 6501.44

TO CONSULTANT: (name and address)

ORIGINAL CONTRACT DATE: June 2021

Attention: Matt Scoble
Consolidated CM
180 Grand Ave., Suite 1520
Oakland, CA 94612

CONTRACT FOR:
Construction Management services for the
NMWD Admin & Lab Upgrade project

The Contract is changed as follows:

For construction management services during the construction phase \$319,208

Not Valid until signed by the District and Consultant

The original Contract Sum was	\$179,000
Net change by previously authorized Amendments (1-2)	\$999,814
The Contract Sum prior to this Amendment was	\$1,178,814
The Contract Sum will be increased by this Amendment in the maximum amount of	\$319,208
The new Contract Sum including this Amendment will be	\$1,498,022
The Contract Time will be changed by	60 days
The date of Substantial Completion as of the date of this Amendment therefore is	June 30, 2024

Consultant Signature _____	District Signature _____
_____	_____
Print Name	Print Name
Date _____	Date _____

cc: Consultant
Job File

7



MEMORANDUM

To: Board of Directors

July 18, 2023

From: Eric Miller, Assistant General Manager/Chief Engineer *EM*

Subject: Consider Amending Regulations 20-25 and 27-29

t:\gm\admin secty\regulations\regulation review 2022\part b\reg 20-29 update (no 26)\bod memo\bod memo regs 20 -25 and 27-29 update.doc

RECOMMENDED ACTION: Adopt Nine Separate Resolutions (23-XX) amending District Regulations 20 through 25 and 27 through 29

FINANCIAL IMPACT: None at this time

Background

District Regulations 20 through 29 describe the requirements and procedures, including formal agreements necessary for extensions of, or modifications to, the District's water distribution system. These regulations generally apply to new development but can be applicable to a single property owner requiring new water service where an existing water distribution main is not present nearby.

Regulation 26 was amended by Board action at the April 15, 2022 meeting. That update increased the General Manager's authority to prepare and execute agreements for extensions of the District's water distribution system. The authorization limit was increased from \$5,000 to \$100,000 as part of that action, with agreements exceeding \$100,000 still requiring Board approval. That update was the first time Regulation 26 had been amended since 1994. A subsequent review of Regulations 20 through 25 and 27 through 29 revealed a need for minor revisions to ensure consistency with current District practice. Due to the nature of these minor changes, staff is proposing amending the nine (9) other regulations as part of this single Board action. Below is a summary of each regulation and the proposed revisions.

Proposed Updates

Regulation 20, which has not been updated since it was originally adopted in 1964, specifically addresses the requisite criteria for determining when extension or modification of the District's water distribution system is required. Staff is proposing revisions to verbiage in Regulation 20 that would provide clarity to the District's ability to serve customers within our service boundary but without adequate access to a distribution main.

Regulation 21, last updated in 1996, specifically addresses design requirements for extension or modification of the District's system. The regulation also sets the minimum size for facilities and gives the District the authority to grant exceptions when deemed acceptable. Staff is

proposing revisions to verbiage in Regulation 21 that would provide clarity to the District's control over the facility size and design process related to our own system.

Regulation 22, last updated in 1992, specifically addresses how payments are administered when extensions or modifications are made to the District's system. The regulation also provides a District option to fund the cost difference for oversizing facilities to meet future demand that may be unrelated to the developer's work. Staff is proposing revisions to verbiage in Regulation 22 that would provide clarification to payments made by applicants and inclusion of cross-references to other applicable regulations.

Regulation 23, last updated in 1995, specifically addresses requirements for District ownership of land, easements, and rights-of-way, specifically that the applicant be solely responsible for all costs associated with extensions or modifications of the distribution system. Staff is proposing revisions to verbiage in Regulation 23 that would provide clarification to the responsibilities of the applicant related to real property acquisition.

Regulation 24, last updated in 1976, specifically addresses the process an applicant must follow to request the District to initiate planning and engineering work associated with a proposed development. Staff is proposing revisions to verbiage in Regulation 24 that would provide clarification to the threshold for differentiating between a basic application and those requiring payment of upfront fees to cover District costs.

Regulation 25, last updated in 1973, specifically addresses the process for entering into an agreement with the District for the extension or modification of the District's water distribution system to provide water service to the applicant. Staff is proposing revisions to verbiage in Regulation 25 to maintain consistency with the other regulations in this series.

Regulation 27, which has not been updated since it was originally adopted in 1964, specifically addresses the process for District-performed construction of extensions or modifications of the District's water distribution system, including cross-references to other applicable regulations. Staff is proposing revisions to verbiage in Regulation 27 to maintain consistency with the other regulations in this series.

Regulation 28, last updated in 1994, specifically address the process for Applicant-performed construction of extensions or modifications of the District's water distribution system, including cross-references to other applicable regulations. The regulation also defines scenarios in which the District maintains control of construction activities, such as connections (tie-ins) to the existing system and complicated work that may otherwise compromise District facilities. Staff is proposing revisions to verbiage in Regulation 28 that would provide clarity to the applicant related to their obligations when electing perform construction activities themselves.

Regulation 29, last updated in 1992, specifically addresses reductions to Facilities Reserve Charges assessed by the District when the extension or modification to the District's water distribution system includes new storage facilities, ancillary pumping facilities, or both. The credit amounts in Regulation 29 have not been updated since the regulation was originally adopted in 1964, despite periodic increases in the Facilities Reserve Charges. Staff is proposing increases to the credit amounts by the same ratio that was in-place at the time of initial adoption in 1964, in addition to minor verbiage changes to maintain consistency with the other regulations in this series.

Consistent across all regulations in this series, the proposed revisions clarifications to the language used, such as including the term "modification" and referring to "Water Service Facilities Construction Agreement", the actual title of the agreement form used by the District to formalize an extension or modification requested by an Applicant.

Recommendation

Adopt Nine Separate Resolutions (23-XX) amending District Regulations 20 through 25 and 27 through 29.

Attachments

1. Proposed Resolution for updated District Regulation 20, Regulation with edits, Final Regulation
2. Proposed Resolution for updated District Regulation 21, Regulation with edits, Final Regulation
3. Proposed Resolution for updated District Regulation 22, Regulation with edits, Final Regulation
4. Proposed Resolution for updated District Regulation 23, Regulation with edits, Final Regulation
5. Proposed Resolution for updated District Regulation 24, Regulation with edits, Final Regulation
6. Proposed Resolution for updated District Regulation 25, Regulation with edits, Final Regulation
7. Proposed Resolution for updated District Regulation 27, Regulation with edits, Final Regulation
8. Proposed Resolution for updated District Regulation 28, Regulation with edits, Final Regulation
9. Proposed Resolution for updated District Regulation 29, Regulation with edits, Final Regulation

RESOLUTION 23-XX**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO THE EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER
DISTRIBUTION SYSTEM WHEN REQUIRED, AND
AMENDING REGULATION 20**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 20 provides the requisite criteria for determining when extension or modification of the District's water distribution system is required, including reference to District Regulation 1 which details new service connection procedures and fees; and

WHEREAS, the District has not revised Regulation 20 since it was originally adopted in 1964; and

WHEREAS, District staff has recommended updating the language contained in Regulation 20 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 20 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 20
WHEN EXTENSION OR MODIFICATION
OF WATER DISTRIBUTION SYSTEM IS REQUIRED**

~~Extension of the District's water distribution system including, without limitation, mains, storage tanks, pumps and pumping stations, fire hydrants and appurtenances, shall be constructed to serve new consumers whose lands do not have direct access to or do not abut a street or easement containing an adequate distribution main supplied from adequate pumping or storage facilities.~~

The District's water distribution system including, without limitation, mains, storage tanks, pumps and pumping stations, fire hydrants, fire service assemblies, and appurtenances shall be extended or modified in accordance with Regulation 1 to serve new consumers whose lands do not have direct access to, or do not abut, a street or easement containing an adequate distribution main supplied from adequate pumping or storage facilities. Property with direct access to a street or easement containing an adequate distribution main, but which does not have a major frontage on the street or easement, will be served at such street or easement provided that such property and adjacent properties cannot be further subdivided or developed.

**NORTH MARIN WATER DISTRICT
REGULATION 20
WHEN EXTENSION OR MODIFICATION
OF WATER DISTRIBUTION SYSTEM IS REQUIRED**

The District's water distribution system including, without limitation, mains, storage tanks, pumps and pumping stations, fire hydrants, fire service assemblies, and appurtenances shall be extended or modified in accordance with Regulation 1 to serve new consumers whose lands do not have direct access to, or do not abut, a street or easement containing an adequate distribution main supplied from adequate pumping or storage facilities. Property with direct access to a street or easement containing an adequate distribution main, but which does not have a major frontage on the street or easement, will be served at such street or easement provided that such property and adjacent properties cannot be further subdivided or developed.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO THE REQUIREMENTS OF FACILITY SIZE AND DESIGN FOR THE
EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION SYSTEM,
AND
AMENDING REGULATION 21**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 21 provides the requisite criteria for the design in accordance with District Standards for the extension or modification of the District's water distribution system; and

WHEREAS, the District has not revised Regulation 21 since 1996; and

WHEREAS, District staff has recommended updating the language contained in Regulation 21 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 21 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 21
FACILITY SIZE AND DESIGN**

All extensions or modifications of the District's water distribution system shall be designed ~~by~~ the in accordance with District Standards. The design of extensions or modifications of the water distribution system shall be performed either by the District or by the Applicant's licensed engineer. The District shall have final review and approval authority over designs performed by the Applicant's engineer. All extensions or modifications shall be ~~and~~ constructed in accordance with the ~~District's approved~~ plans and specifications approved by the District. The location, size, type, and design of all such extensions or modifications shall be sufficient to provide adequate water service for the entire area that can economically be supplied therefrom as conclusively determined by the District. The diameter of pipeline extensions shall not be less than six inches unless determined by the District that a smaller pipeline diameter is acceptable ~~or reasonable~~. The diameter of service lines shall not be less than one inch.

**NORTH MARIN WATER DISTRICT
REGULATION 21
FACILITY SIZE AND DESIGN**

All extensions or modifications of the District's water distribution system shall be designed in accordance with District Standards. The design of extensions or modifications of the water distribution system shall be performed either by the District or by the Applicant's licensed engineer. The District shall have final review and approval authority over designs performed by the Applicant's engineer. All extensions or modifications shall be constructed in accordance with the plans and specifications approved by the District. The location, size, type, and design of all such extensions or modifications shall be sufficient to provide adequate water service for the entire area that can economically be supplied therefrom as conclusively determined by the District. The diameter of pipeline extensions shall not be less than six inches unless determined by the District that a smaller pipeline diameter is acceptable. The diameter of service lines shall not be less than one inch.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO PAYMENT FOR THE EXTENSION OR MODIFICATION OF THE
DISTRICT'S WATER DISTRIBUTION SYSTEM, AND
AMENDING REGULATION 22**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 22 provides the requisite criteria for the responsibility of payment for the extension or modification of the District's water distribution system, including reference to District Regulation 23 through 25 which details cost for extension or modifications; and

WHEREAS, the District has not revised Regulation 22 since 1992; and

WHEREAS, District staff has recommended updating the language contained in Regulation 22 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 22 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

NORTH MARIN WATER DISTRICT
REGULATION 22
PAYMENT FOR EXTENSIONS OR MODIFICATIONS
OF WATER DISTRIBUTION SYSTEM

a. Payments by Applicant

When an extension or modification of the District's water distribution system is required by Regulation ~~24~~ 20, the Applicant for service shall pay the District's costs for designing and/or constructing the extension or modification. Prior to construction of the extension/modification, the District will estimate said cost and the Applicant will pay said amount to the District. If at any time prior to completion of the extension work the District increases its estimate of said cost, the Applicant will pay the amount of the increase within 30 days after billing. If the District's actual costs of the extension work exceed the estimated amounts paid, the Applicant will pay the difference within 30 days after billing and prior to commencement of service. If the estimated amounts paid exceed the actual costs, the District will refund the excess promptly, without interest.

See Regulations 23 through 25 for more details regarding cost associated for extensions or modifications.

b. District's Payment of Oversizing

The District may in its discretion pay that portion of the costs of extending or modifying its distribution system referred to in Regulation 22(a) equal to the difference in cost between the size required by the Applicant's development and the size that the District requires.

c. Extensions Solely for Service Reliability

If a water main ("the main") is installed within a parcel of land ("the subject property") and the District determines that the sole purpose of the main is to provide reliability of water service to lands which include the subject property, then the District may, as a condition to providing water service to the subject property, require the Applicant for such service to pay to the District the portion of the cost of the main which the District in its sole discretion finds is fairly proportionate to the benefit that the main confers on the subject property. The District will transmit said payment to the entities which paid for the installation of the main pursuant to Regulation 30.

**NORTH MARIN WATER DISTRICT
REGULATION 22
PAYMENT FOR EXTENSIONS OR MODIFICATIONS
OF WATER DISTRIBUTION SYSTEM**

a. Payments by Applicant

When an extension or modification of the District's water distribution system is required by Regulation 20, the Applicant for service shall pay the District's costs for designing and/or constructing the extension or modification. Prior to construction of the extension/modification, the District will estimate said cost and the Applicant will pay said amount to the District. If at any time prior to completion of the work the District increases its estimate of said cost, the Applicant will pay the amount of the increase within 30 days after billing. If the District's actual costs of the extension/modification exceed the estimated amounts paid, the Applicant will pay the difference within 30 days after billing and prior to commencement of service. If the estimated amounts paid exceed the actual costs, the District will refund the excess promptly, without interest.

See Regulations 23 through 25 for more details regarding cost associated for extensions or modifications.

b. District's Payment of Oversizing

The District may in its discretion pay that portion of the costs of extending or modifying its distribution system referred to in Regulation 22(a) equal to the difference in cost between the size required by the Applicant's development and the size that the District requires.

c. Extensions Solely for Service Reliability

If a water main ("the main") is installed within a parcel of land ("the subject property") and the District determines that the sole purpose of the main is to provide reliability of water service to lands which include the subject property, then the District may, as a condition to providing water service to the subject property, require the Applicant for such service to pay to the District the portion of the cost of the main which the District in its sole discretion finds is fairly proportionate to the benefit that the main confers on the subject property. The District will transmit said payment to the entities which paid for the installation of the main pursuant to Regulation 30

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO LAND, EASEMENTS AND RIGHT-OF-WAY REQUIREMENT FOR
THE EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION
SYSTEM, AND
AMENDING REGULATION 23**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 23 provides the requisite criteria for the District's ownership in regards to land, easements and rights-of-way for extension or modification of the District's water distribution system; and

WHEREAS, the District has not revised Regulation 23 since 1995; and

WHEREAS, District staff has recommended updating the language contained in Regulation 23 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 23 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 23
LAND, EASEMENTS AND RIGHTS-OF-WAY**

a. Requirement for District Ownership

All extensions or modifications of the District's distribution system shall at all times be the property of, and be controlled by, the District. District facilities shall be located only in dedicated and accepted public streets, or within easements owned by the District.

b. Time and Cost of Acquisition

No facilities will be constructed until all rights-of-way, easements and facility sites as required by the District ~~shall~~ have been conveyed by the Extender Applicant to the District directly, or said real property acquisition including appraisers' fees, escrow charges, title insurance premiums and legal expenses, have been completed at the sole cost and expense of the Extender Applicant. ~~In the event such rights-of-way, easements or lands are not conveyed by the Extender, the Extender shall pay the District its entire cost of acquisition thereof, including appraisers' fees, escrow charges, title insurance premiums and legal expenses.~~

c. Modification and/or Quitclaiming of District Easements

Existing District right-of-ways and easements, portions of which are determined by the District to no longer serve a useful purpose, may be modified or quitclaimed upon the request of the underlying property owner only with the approval of the District's Board of Directors and at the sole cost and expense of the property owner. The property owner shall pay the District's entire cost associated with the request, including but not limited to costs for field surveying, document preparation, legal expenses, processing and recordation.

NORTH MARIN WATER DISTRICT
REGULATION 23
LAND, EASEMENTS AND RIGHTS-OF-WAY

a. Requirement for District Ownership

All extensions or modifications of the District's distribution system shall at all times be the property of, and be controlled by, the District. District facilities shall be located only in dedicated and accepted public streets, or within easements owned by the District.

b. Time and Cost of Acquisition

No facilities will be constructed until all rights-of-way, easements and facility sites as required by the District have been conveyed by the Applicant to the District directly, or said real property acquisition including appraisers' fees, escrow charges, title insurance premiums and legal expenses, have been completed at the sole cost and expense of the Applicant.

c. Modification and/or Quitclaiming of District Easements

Existing District right-of-ways and easements, portions of which are determined by the District to no longer serve a useful purpose, may be modified or quitclaimed upon the request of the underlying property owner only with the approval of the District's Board of Directors and at the sole cost and expense of the property owner. The property owner shall pay the District's entire cost associated with the request, including but not limited to costs for field surveying, document preparation, legal expenses, processing and recordation.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO PRELIMINARY PLANNING AND COST ESTIMATES FOR THE
EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION SYSTEM,
AND AMENDING REGULATION 24**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 24 provides the requisite criteria for preliminary planning and cost estimates for extension or modification of the District's water distribution system, including reference to District Regulation 1 which details new service connection procedures and fees; and

WHEREAS, the District has not revised Regulation 24 since 1976; and

WHEREAS, District staff has recommended updating the language contained in Regulation 24 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 24 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

NORTH MARIN WATER DISTRICT

REGULATION 24

PRELIMINARY PLANNING AND COST ESTIMATES FOR EXTENSION OR MODIFICATION

a. Information Necessary for Estimate and Planning

Upon request, made on a form supplied by the District, the District will prepare a written estimate and preliminary plan of extension or modification of District's water service distribution system. The request must be accompanied by a detailed plan showing the area of proposed service, the proposed water demand, the name and address of the owner, developer and engineer of the project or development and other project information as may be required by the District in accordance with Regulation 1. To the extent that they are available, the developer shall supply the District with all master plans, estimates of future water requirements and details of building construction for the purpose of designing the fire protection elements of the water system.

b. Cost of Preliminary Engineering Work

The costs of preliminary engineering and planning shall be included as part of the cost of extending service except that in the event the District determines that the proposed extension will be delayed or abandoned said costs shall become due and payable upon presentation of a bill for same to the Applicant. Should the District determine that the cost of preparing an estimate and accomplishing other engineering and planning work can reasonably be expected to exceed \$100 the level of effort of a basic application, the Applicant shall be required to ~~execute and~~ advance funds for the cost of preparing an estimate and accomplishing other engineering and planning work as described in the Engineering Department Schedule of Advances for Engineering Services same. At the sole discretion of the District, the Applicant may also be required to execute pursuant to the District's Water Service Facilities Construction Agreement. usual form of agreement for this purpose.

c. Estimate is Not a Commitment to Serve Water

Preparation of a construction estimate or any other preliminary engineering and planning work undertaken by the District in connection with the Applicant's proposed project is not to be interpreted by the Applicant as a commitment or agreement by the District, partial or otherwise, to serve water. Said commitment will be made only at the time service actually commences or when the District executes a Water Service Facilities Construction Agreement service Extension Agreement whichever shall first occur. In the case of a Water Service Facilities Construction Agreement service Extension Agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

NORTH MARIN WATER DISTRICT

REGULATION 24

PRELIMINARY PLANNING AND COST ESTIMATES FOR EXTENSION OR MODIFICATION

a. Information Necessary for Estimate and Planning

Upon request, made on a form supplied by the District, the District will prepare a written estimate and preliminary plan of extension or modification of District's water distribution system. The request must be accompanied by a detailed plan showing the area of proposed service, the proposed water demand, the name and address of the owner, developer and engineer of the project or development and other project information as may be required by the District in accordance with Regulation 1. To the extent that they are available, the developer shall supply the District with all master plans, estimates of future water requirements and details of building construction for the purpose of designing the fire protection elements of the water system.

b. Cost of Preliminary Engineering Work

The costs of preliminary engineering and planning shall be included as part of the cost of extending service except that in the event the District determines that the proposed extension will be delayed or abandoned said costs shall become due and payable upon presentation of a bill for same to the Applicant. Should the District determine that the cost of preparing an estimate and accomplishing other engineering and planning work can reasonably be expected to exceed, the Applicant shall be required to advance funds for the cost of preparing an estimate and accomplishing other engineering and planning work as described in the Engineering Department Schedule of Advances for Engineering Services. At the sole discretion of the District, the Applicant may also be required to execute the District's Water Service Facilities Construction Agreement.

c. Estimate is Not a Commitment to Serve Water

Preparation of a construction estimate or any other preliminary engineering and planning work undertaken by the District in connection with the Applicant's proposed project is not to be interpreted by the Applicant as a commitment or agreement by the District, partial or otherwise, to serve water. Said commitment will be made only at the time service actually commences or when the District executes a Water Service Facilities Construction Agreement whichever shall first occur. In the case of a Water Service Facilities Construction Agreement, the commitment of the District to supply water shall be limited to the number of connections to be installed pursuant thereto and in accordance with the terms thereof.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO THE AGREEMENT BETWEEN THE DISTRICT AND APPLICANT
FOR THE EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION
SYSTEM, AND
AMENDING REGULATION 25**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 24 provides the requisite criteria for an agreement between the District and applicant for extension or modification of the District's water distribution system, including reference to District Regulation 24 which details preliminary planning and cost estimate procedures and fees; and

WHEREAS, the District has not revised Regulation 25 since 1973; and

WHEREAS, District staff has recommended updating the language contained in Regulation 25 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 25 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 25**

EXTENSION AGREEMENT FOR EXTENSION OR MODIFICATION

After the preparation of preliminary cost estimate and plans pursuant to Regulation 24 and at the time the Applicant ~~he~~ desires to secure a commitment of water service and proceed with construction, the Applicant shall submit a written application for service pursuant to Regulation 1. Upon the Applicant meeting all requirements, the District shall prepare an ~~Extension~~ Water Service Facilities Construction Agreement. The agreement shall specify the terms of payment, estimated cost of extension or modification, requirements for easement or property, special service conditions and other details.

NORTH MARIN WATER DISTRICT

REGULATION 25

AGREEMENT FOR EXTENSION OR MODIFICATION

After the preparation of preliminary cost estimate and plans pursuant to Regulation 24 and at the time the Applicant desires to secure a commitment of water service and proceed with construction, the Applicant shall submit a written application for service pursuant to Regulation 1. Upon the Applicant meeting all requirements, the District shall prepare a Water Service Facilities Construction Agreement. The agreement shall specify the terms of payment, estimated cost of extension or modification, requirements for easement or property, special service conditions, and other details.

RESOLUTION 23-XX**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO CONSTRUCTION WORK PROVIDED BY THE DISTRICT FOR THE
PUPOSE OF EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION,
AND
AMENDING REGULATION 27**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 27 provides the requisite criteria for construction work to be performed by the District for extension or modification of the District's water distribution system, including reference to District Regulation 1 which details new service connection procedures and fees, Regulation 23 which details land, easements and right of way, and Regulation 28 which details construction work provided by the applicant; and

WHEREAS, the District has not revised Regulation 27 since it was originally adopted in 1964; and

WHEREAS, District staff has recommended updating the language contained in Regulation 27 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 27 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions

of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

(SEAL)

Eileen Mulliner
North Marin Water District

NORTH MARIN WATER DISTRICT
REGULATION 27
CONSTRUCTION BY DISTRICT

Subject to the rights of the Extender Applicant as set forth in Regulation 28, the District will construct extensions or modifications of its water distribution system. Such work will be performed by the District's personnel or by private contract as determined by the District. Such work will be commenced only after the Extender Applicant has executed an extension agreement Water Service Facilities Construction Agreement, advanced the total estimated cost of all facilities, paid all charges as required by Regulation 1(c), and provided easements real property as required by Regulation 23.

NORTH MARIN WATER DISTRICT
REGULATION 27
CONSTRUCTION BY DISTRICT

Subject to the rights of the Applicant as set forth in Regulation 28, the District will construct extensions or modifications of its water distribution system. Such work will be performed by the District's personnel or by private contract as determined by the District. Such work will be commenced only after the Applicant has executed a Water Service Facilities Construction Agreement, advanced the total estimated cost of all facilities, paid all charges as required by Regulation 1(c), and provided real property as required by Regulation 23.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO CONSTRUCTION WORK BY THE APPLICANT FOR THE PURPOSE
OF THE EXTENSION OR MODIFICATION OF THE DISTRICT'S WATER DISTRIBUTION
SYSTEM, AND
AMENDING REGULATION 28**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 28 provides the requisite criteria for construction work performed by an experienced and licensed contractor on behalf of the applicant for the extension or modification of the District's water distribution system, including reference to District Regulation 21, 22, and 23 which details connection procedures and fees; and

WHEREAS, the District has not revised Regulation 28 since 1994; and

WHEREAS, District staff has recommended updating the language contained in Regulation 28 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations, and amends Regulation 28 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

NORTH MARIN WATER DISTRICT
REGULATION 28
CONSTRUCTION BY EXTENDER APPLICANT

a. Right of Extender Applicant to Construct

The Extender Applicant may, if ~~he~~ they elects, construct extensions or modifications to the District's water distribution system, with materials furnished by the District or furnished by the Applicant and approved by the District prior to installation, provided, however, the District reserves the right to construct, with its own personnel or by private contract, any of the following:

- (1) Treatment facilities, pumping plants, storage facilities and main transmission lines
- (2) Small extensions or modifications
- (3) Extensions or modifications involving complicated connections to, or interference with, the District's existing facilities.

All connections between new extensions or modifications and the District's existing facilities shall be performed by the District's own personnel.

b. Conditions

Construction by the Extender Applicant shall be subject to each of the following conditions:

- (1) Prior to commencement of construction the Extender Applicant shall execute an Extension Water Service Facilities Construction Agreement, advance all costs of materials to be furnished and work to be performed by the District, pay all charges as required by Regulations 21, 22, and 23 and furnish the District with a corporate surety performance bond satisfactory to the District in an amount equal to 100% of the estimated cost of the construction by the Extender Applicant.
- (2) All work shall be performed by a competent and experienced contractor licensed for underground construction and with experienced laborers; in a good, workmanlike and safe manner, in accordance with the plans and specifications of the District, under its inspection and to the satisfaction of its Chief Engineer; and consistent with the requirements set forth in the Water Service Facilities Construction Agreement.
- ~~(3) All work shall be performed in a good, workmanlike and safe manner and in accordance with the plans and specifications of the District, under its inspection and to the satisfaction of its Chief Engineer. Risk of loss or damage to materials shall be borne by the Extender until the facilities constructed are accepted by the District.~~
- ~~(4) All facilities shall be maintained by the contractor that installed the same for one year, or such longer period as shall be specified by the District, following the acceptance thereof by the District.~~
- ~~(5) The Extender shall indemnify and hold the District, its officers, employees and agents harmless from any liability, arising out of or in any way connected with, such work done by, or on behalf of, the Extender, his employees, agents or contractors.~~

**NORTH MARIN WATER DISTRICT
REGULATION 28
CONSTRUCTION BY APPLICANT**

a. Right of Applicant to Construct

The Applicant may, if they elect, construct extensions or modifications to the District's water distribution system, with materials furnished by the District or furnished by the Applicant and approved by the District prior to installation, provided, however, the District reserves the right to construct, with its own personnel or by private contract, any of the following:

- (1) Treatment facilities, pumping plants, storage facilities and main transmission lines
- (2) Small extensions or modifications
- (3) Extensions or modifications involving complicated connections to, or interference with, the District's existing facilities.

All connections between new extensions or modifications and the District's existing facilities shall be performed by the District's own personnel.

b. Conditions

Construction by the Applicant shall be subject to each of the following conditions:

- (1) Prior to commencement of construction the Applicant shall execute a Water Service Facilities Construction Agreement, advance all costs of materials to be furnished and work to be performed by the District, pay all charges as required by Regulations 21, 22, and 23 and furnish the District with a corporate surety performance bond satisfactory to the District in an amount equal to 100% of the estimated cost of the construction by the Applicant.
- (2) All work shall be performed by a competent and experienced contractor licensed for underground construction and with experienced laborers; in a good, workmanlike and safe manner, in accordance with the plans and specifications of the District, under its inspection and to the satisfaction of its Chief Engineer; and consistent with the requirements set forth in the Water Service Facilities Construction Agreement.

RESOLUTION 23-XX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
NORTH MARIN WATER DISTRICT APPROVING MINOR VERBIAGE CHANGES TO
PROVIDE CLARITY TO FACILITIES RESERVE CHARGE WHEN AN APPLICANT
PAYS FOR STORAGE, PUMPING OR TREATMENT FACILITIES AS WELL AS THE
APPLICABLE CREDIT FOR EACH FACILITY, AND
AMENDING REGULATION 29**

WHEREAS, pursuant to Water Code Section 31024, the Board of Directors (Board) of the North Marin Water District (District) may establish rules and regulations for the sale, distribution, and use of water; and

WHEREAS, District Regulation 29 provides the requisite criteria for the reduction of facilities reserve charge when an applicant pays the District for storage facilities as well as the applicable credit for each facility, including reference to District Regulation 1 which details new service connection procedures and fees; and

WHEREAS, the District has not revised Regulation 29 since 1992; and

WHEREAS, District staff has recommended updating the language contained in Regulation 29 to clarify the process that potential District customers must follow to connect to the District's water systems in both the Novato and West Marin Service areas; and

NOW, THEREFORE, BE IT RESOLVED:

1. The Board of Directors of North Marin Water District finds and determines that the foregoing Recitals are true and correct, and incorporates the Recitals herein.
2. The Board of Directors of the North Marin Water District hereby approves the proposed verbiage changes to provide continuity throughout regulations and the proposed applicable credit per facilities, and amends Regulation 29 as indicated in **Attachment 1**, attached hereto and incorporated by this reference.
3. This Resolution shall be effective immediately upon adoption and shall remain in effect until such time as modified, repealed, or superseded by further resolution of the Board.
4. If any provision of this Resolution, or any part thereof, is for any reason held to be *ultra vires*, invalid, unenforceable, or unconstitutional, the remaining provisions shall not be affected but shall remain in full force and effect, and to this end the provisions of this Resolution are severable.

* * * * *

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 July 18, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Eileen Mulliner
North Marin Water District

(SEAL)

**NORTH MARIN WATER DISTRICT
REGULATION 29**

FACILITIES RESERVE CHARGE WHEN EXTENDERS APPLICANT

PAY FOR STORAGE, PUMPING OR TREATMENT FACILITIES

When an Extender Applicant pays the District for storage facilities; ancillary pumping facilities storage and ancillary pumping facilities or facilities for source water treatment including recycled water treatment as part of the facilities required by the District to provide water service, the total facilities reserve charge provided in Subsection (1) of Regulation 1(c) shall be reduced by the applicable credit shown below as determined by the District:

	\$700
If <u>Extender Applicant</u> pays for Storage Facilities	<u>\$6,750</u>/e.d.u.*
	\$175
If <u>Extender Applicant</u> pays for Ancillary Pumping Facilities	<u>\$1,500</u>/e.d.u.
	\$875
If <u>Extender Applicant</u> pays for Storage & Ancillary Pumping Facilities ...	<u>\$8,250</u>/e.d.u.

If Extender Applicant pays for Treatment Facilities, the applicable credit shall be the full cost of such facilities.

*equivalent single-family dwelling unit

NORTH MARIN WATER DISTRICT

REGULATION 29

FACILITIES RESERVE CHARGE WHEN APPLICANT

PAY FOR STORAGE, PUMPING OR TREATMENT FACILITIES

When an Applicant pays the District for storage facilities; ancillary pumping facilities storage and ancillary pumping facilities or facilities for source water treatment including recycled water treatment as part of the facilities required by the District to provide water service, the total facilities reserve charge provided in Subsection (1) of Regulation 1(c) shall be reduced by the applicable credit shown below as determined by the District:

If Applicant pays for Storage Facilities \$6,750/e.d.u.*

If Applicant pays for Ancillary Pumping Facilities \$1,500/e.d.u.

If Applicant pays for Storage & Ancillary Pumping Facilities..... \$8,250/e.d.u.

If Applicant pays for Treatment Facilities, the applicable credit shall be the full cost of such facilities.

*equivalent single-family dwelling unit

8



MEMORANDUM

To: Board of Directors July 18, 2023

From: Tony Williams, General Manager *[Signature]*
Eric Miller, Assistant GM/Chief Engineer

Subj: Response to Marin County Civil Grand Jury Report: Build More ADUs – An Rx to Increase Marin’s Housing Supply, June 15, 2023
t:\gml\bod misc 2023\7-18-23 meeting\ladu report\7-18-23 bod memo mccgj response adu report.docx

RECOMMENDED ACTION: Approve Responses

FINANCIAL IMPACT: None at this time

On June 15, 2023, Marin County Civil Grand Jury (Grand Jury) issued the report entitled: *Build More ADUs – An Rx to Increase Marin’s Housing Supply, June 15, 2023* (Report) and is provided as Attachment 1. One of the Report’s Findings (F) is directed to the North Marin Water District (District) and the Report includes one Recommendation (R) related to the District. These are included on pages 16 and 17 of the Report and copied below:

Finding

F7. Impact, connection, and capacity fees vary considerably throughout the County and such fees can be a disincentive to homeowners considering ADU development.

Recommendation:

R4. By December 1, 2023, begin a feasibility assessment of waiving or significantly lowering impact and connection fees for units smaller than 750 square feet.

A Grand Jury response form with the District’s proposed responses (Attachment 2) as well as supporting statements and explanations (Attachment 3) is provided for discussion at the Board meeting. In addition to key staff who reviewed the Report and drafted responses, District Legal Counsel and Mark Hildebrand (author of 2022 FRC Study) also reviewed the Report and assisted with the responses. In summary, the draft responses include a partial disagreement with Finding F7 and that Recommendation R4 not be implemented, for various reasons as detailed in Attachment 3.

The Grand Jury requires written responses to findings and recommendations (specifically F7 and R4) within 90 days of receipt of the Report pursuant to various sections of the California Penal Code. A draft transmittal letter addressed to the Marin Superior Court and the Grand Jury has been prepared which, in addition to providing the formal responses, also provides additional comments from the District on one section of the Report (Attachment 4). These additional comments clarify the source and basis for the ADU connections fees that are detailed in District Regulation 1, as well as the statutory language of Government Code 65852.2 as it relates to the

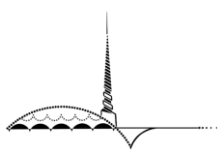
two general types of ADUs: those created within the space of an existing structure and those created as new construction.

RECOMMENDATION

Approve the proposed responses, including supporting statements and explanations to Marin County Civil Grand Jury's Report entitled *Build More ADUs – An Rx to Increase Marin's Housing Supply*.

ATTACHMENTS:

1. Report: Build More ADUs – An Rx to Increase Marin's Housing Supply, June 15, 2023
2. Marin Civil Grand Jury Response Form (filled-in with draft responses)
3. Draft Response Statements and Explanations
4. Draft Transmittal Letter



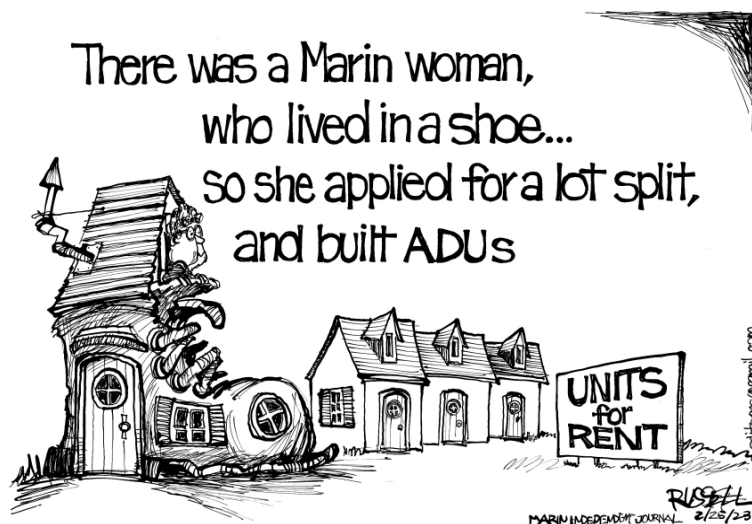
Build More ADUs - An Rx to Increase Marin's Housing Supply

June 15, 2023

SUMMARY

As a result of California's new state mandated Housing Element, Marin County and all its municipalities are obligated to build 14,210 new housing units by 2031.¹ Accessory Dwelling Units (ADUs) can help fill that need.

Marin County's housing production is not keeping pace with demand. The lack of housing supply to meet people's needs impacts affordability and causes average housing costs, particularly for renters in Marin, to rise significantly. As affordable housing becomes less accessible, people drive longer distances between homes they can afford and their workplace, or pack themselves into smaller shared spaces, both of which reduce quality of life and produce negative environmental impacts.



By permission of George Russell/Marin Independent Journal

* Note: The law does not require a lot split to build an ADU

One approach that could help achieve these housing goals is based upon a recognition that many property owners and residents reside on land on which they could build additional or secondary housing units. These second units, variously called granny flats, in-law units, garage houses, and under state law "Accessory Dwelling Units" (ADUs) and "Junior Accessory Dwelling Units" (JADUs) have become an increasingly popular form of housing. Unfortunately, they have not always been treated as "legal" under local law. Now, California law has effectively legalized

¹ 4,171 (very low income <50 percent AMI (Area Median Income), 2,400 (low income <80 percent AMI), 2,182 5,652 Total: 14,405. https://abag.ca.gov/sites/default/files/documents/2022-04/Final_RHNA_Methodology_Report_2023-2031_March2022_Update.pdf (accessed March 6, 2023); www.hcd.ca.gov/policy-and-research/accessory-dwelling-units/ Several Marin jurisdictions' Housing Elements make similar arguments; Ross, Appendix C-15.

their construction and occupancy.² Because building these units (a) does not require purchasing additional land, (b) can be added to existing structures and (c) can have fewer construction requirements than traditional single family houses on a square foot basis, they may be built less expensively. California's new law recognizes that ADUs can help fulfill the state's housing mandate, and can do so affordably and with a lesser impact on land use and the environment.³ Contrary to the sentiment expressed in the introductory cartoon, neither the "Marin woman who lived in a shoe" nor anyone else has to "apply for a lot split" before building an ADU.

Allowing ADUs in single-family and multifamily residential zones provides additional rental housing stock which are an essential component of the housing supply in California.⁴ Every Marin jurisdiction has increased ADU production, but there are a number of improvements that can be made to accelerate this process. This report highlights best practices in Marin and other Bay Area communities and suggests ways to facilitate development of ADUs and Junior Accessory Dwelling Units (collectively herein "ADUs").

ADU development has grown throughout the county since 2019.⁵ Marin County's local governments' recently enacted Housing Elements assume that 9.5 percent of their required housing units could be fulfilled with ADUs.⁶ One planning model shows a potential of 9,500 units, which is 66 percent of the requirement.⁷ For example, in Vancouver, Canada, 35 percent of single family houses have ADUs.⁸

² <https://www.hcd.ca.gov/policy-and-research/accessory-dwelling-units> (accessed March 6, 2023)

³ Calif. Gov. Code 65852.2 (m). A local agency may count an accessory dwelling unit for purposes of identifying adequate sites for housing, as specified in subdivision (a) of Section 65583.1, subject to authorization by the department and compliance with this division.

⁴ SB 1069 (2016). M. Nolan Gray, "The Housing Revolution is Coming," *The Atlantic*, October 5, 2022

⁵ Cities and County Housing Element Submissions 2022. Marin County, 2023-2031 Regional Housing Needs Assessment Appeal Request, July 9, 2021 notes the County's goal of increasing the supply of Accessory Dwelling Units along the City Centered Corridor.

⁶ Marin County's share of the region's housing allocation is 3.265 percent while Sonoma County's share is 3.3 percent. <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation> (Accessed March 6, 2023).

⁷ <https://ternercenter.berkeley.edu/wp-content/uploads/2021/07/SB-9-Brief-July-2021-Final.pdf> (accessed March 6, 2023). This approach uses an algorithm based on mapping the community.

⁸ <https://www.sightline.org/2016/02/17/why-vancouver-trounces-the-rest-of-cascadia-in-building-adus/> (Accessed March 6, 2023).

Table 1
Marin County and Cities
Housing Regional Housing Needs Allocation (RHNA) Requirements and
Projected ADUs by 2031

Communities	RHNA	ADU History					ADU Goal	% of RHNA	
		2018	2019	2020	2021	2022			'23-'31
Belvedere	160		4				0	0.00	
Corte Madera	725	7	4	20	21		100	13.79	
Fairfax	490	14	16	11	12		86	17.55	
Larkspur	979		6	6	6		48	4.90	
Mill Valley	865	0	16	16	29	1	160	18.50	
Novato	2,090	6	10	16	27		118	5.65	
Ross	111	0	0	1	3	10	80	72.07	
San Anselmo	833	6	9	22	24		160	19.21	
San Rafael	3,220	78						200	6.21
Sausalito	724		10	10	12	15	64	8.84	
Tiburon	639	4	5	5	11		72	11.27	
Unincorporated Marin	3,569		37	32	35		280	7.85	
Total Units	14,405						1,368	9.50	

Source: 2022 Housing Elements submitted by County and municipalities; Sausalito: Housing Element HBR-120, Table 56 HBR-95 calculations. Accessed December 2022.

Many community planning professionals have argued these additional second units could benefit property owners as an additional source of income, assistance for older residents who could “retire in place” or a place for caregivers, as well as a home for family members. Community rewards might include housing for the local workforce, integrating energy-efficient housing, and reduced overcrowding.⁹

BACKGROUND

What is an ADU?

An ADU is an accessory dwelling of a primary residence and has complete independent living facilities for one or more persons. There are different types of ADUs:

- Detached: The unit is separated from the primary structure.
- Attached: The unit is attached to the primary structure.
- Converted Existing Space: A space (e.g., primary bedroom, attached garage, storage area or similar use, or an accessory structure) on the lot of the primary residence that is converted into an independent living unit.

⁹ <https://www.hcd.ca.gov/policy-and-research/accessory-dwelling-units> (Accessed March 9, 2023). Several Marin jurisdictions’ Housing Elements make similar arguments; Ross, Appendix C-15.

- Junior Accessory Dwelling Unit (JADU): A specific type of conversion of existing space that is contained entirely within an existing or proposed single-family residence.¹⁰

ADUs are not new. In previous eras they were given a variety of names, e.g., in-law units, backyard cottages, or granny units. They are quite common throughout the United States and California. In California, which has passed a series of laws enabling the use of ADUs, permits rose to nearly 20,000 in 2021 from about 1,200 in 2016.¹¹

The addition of ADUs to neighborhoods may promote what Jane Jacobs, in her book *The Death and Life of Great American Cities*, called "social capital," "mixed primary uses," and "eyes on the street."¹² This "gentle density" permits a range of casual public interactions which promote safety, contact, and the assimilation of children.

Planning, financing, and building an ADU is straightforward. It requires suitable land, a means to finance the project, and the ability to find a qualified building contractor. Fortunately, there are a number of public and private organizations that can help. For example, the CASITA Coalition provides individual homeowners guides and directions for how to work with public agencies, identify financing options, and even provides examples of building plans.¹³

ADUs Can Be Affordable to Build

Because of their small footprint, ADUs are significantly less expensive to build than new detached single-family homes. They also offer benefits that address common development barriers, such as land use and environmental sustainability. Because ADUs must be built on lots with existing or proposed housing, they do not require paying for new land or other costly infrastructure often required to build a new single-family home. It's a way to add capacity within the existing footprint, a strategy planners sometimes call "gentle density."¹⁴ ADUs do not require much government investment in infrastructure, and they reduce energy consumption and costs.

JADUs are contained inside existing or proposed single-family homes, and thus require relatively modest renovations and can be more affordable to complete. ADUs are often built with cost-effective one- or two-story wood frames, which are also less expensive than other construction types. Additionally, prefabricated ADUs (e.g., manufactured housing and factory-built housing) can be directly purchased and can further reduce construction time and cost. ADUs can provide as much living space as apartments and condominiums, and work well for couples, small families, friends, young people, and seniors.

ADUs Can Be Affordable for Renters

A regional survey of ADU affordability was conducted by the Association of Bay Area Governments (ABAG) to support the 6th Cycle Housing Elements.¹⁵ This survey examined rental costs by region, including Marin, Napa, and Sonoma Counties in the North Bay Region. The survey concluded that when accounting for ADUs rented at market rates, and ADUs rented at discounted rates to families and friends, 29 percent are affordable to very low income

¹⁰ <https://adumarin.org/thinking> (Accessed March 6, 2023).

¹¹ <https://www.nytimes.com/2023/01/29/health/elderly-housing-adu.html> (Accessed Mar. 6, 2023). See Appendix B.

¹² Jane Jacobs, *The Death and Life of Great American Cities* (Random House 1961).

¹³ <https://www.casitacoalition.org/adu-blog-info-for-homeowners/> (Accessed March 6, 2023).

¹⁴ <https://www.nytimes.com/2023/01/29/health/elderly-housing-adu.html> (Accessed March 6, 2023).

¹⁵ <https://abag.ca.gov/our-work/housing/rhna-regional-housing-needs-allocation> (Accessed March 6, 2023).

households, 44 percent to low income households, 26 percent to moderate income households, and 7 percent to above moderate income households. Sausalito undertook a similar survey.¹⁶

Based on the responses from the two surveys, it appears that: 16.2 percent of ADUs are projected to be affordable to very low income households, 32.4 percent to low income households, 32.4 percent to moderate income households, and 18.9 percent to above moderate income households.

Appearance

ADUs come in a variety of flavors. Here is a small sample from Marin.¹⁷



Construction costs

As with any construction, the cost varies considerably based on, among other things, the terrain and the finishes. Construction costs per square foot for ADUs are generally in line with the cost of building any single family dwelling.¹⁸ The four ADUs built in Marin shown above ranged from \$60 to \$521 per square foot (2019 costs). However, because of their size, ADUs may be

¹⁶ <https://housingelementsmarin.org/city-of-sausalito> (Accessed March 5, 2023).

¹⁷ Upper left photo, <https://adumarin.org/spotlights/neighbor-spotlight-brenda-and-donal-in-corte-madera> ; Upper Right photo, <https://adumarin.org/spotlights/neighbor-spotlight-cheryl-and-kathy-in-marin>; Lower Left photo, <https://adumarin.org/spotlights/neighbor-spotlight-jane-and-doug-in-mill-valley>, Lower Right photo, <https://adumarin.org/spotlights/neighbor-spotlight-julie-and-tim-in-san-anselmo>, (all Accessed March 31, 2023)

¹⁸ The median cost to build an ADU in California is about \$150,000 according to a 2021 (using 2019 data) survey according to calculations by Turner Center staff, page 3. See more: <https://www.aducalifornia.org/wp-content/uploads/2021/04/Implementing-the-Backyard-Revolution.pdf> (Accessed March 6, 2023).

more amenable to prefab construction and thus less expensive. You can even buy kits from such retailers as Home Depot, Amazon or others.¹⁹

Constructing an ADU will increase the value of the property. Generally, the subsequent improvement will be incorporated in the property's tax bill.²⁰ The property as a whole is not reassessed, but the county will issue a supplemental tax bill reflecting the increased value of the property from construction of the ADU.²¹

Some jurisdictions outside of California waive property tax increases under certain conditions. For example, in Oregon a special state act granted homeowners in Salem the option of exempting the value of an accessory dwelling unit (ADU) on their property from their property taxes so long as they are renting the ADU, including utilities, for a monthly amount affordable for those at or below 70 percent of the area median income.²²

Financing

Generally, property owners finance the construction of ADUs using conventional means, e.g., from their savings, equity loans, or by refinancing existing mortgages. Recently, some private lenders have introduced products to meet the growing ADU building demand.

To build upon the early success of ADU legislation, more financial tools are needed to facilitate greater ADU development amongst low to moderate income homeowners who do not have access to cash savings and cannot leverage home equity.²³

ADU financing may present some challenges for those without conventional means. Lending institutions may offer financing options. One institution that the Grand Jury is aware of is Redwood Credit Union (RCU). Among other things, RCU can take into account the future rental value of the ADU in order to determine the borrower's qualifications. RCU can also take over the fund management of the project, if requested.²⁴

In other communities local governments have initiated low-interest loan and grant programs, often with specific conditions designed to keep rents affordable.²⁵ Marin County has \$5 million available county-wide for various affordable housing projects.²⁶ However, claimants for these funds are non-profit developers and other government agencies. Unlike many other communities in California, Marin County and its municipalities have not created financing programs to assist individuals in building affordable housing. However, Marin County does have a program

¹⁹ <https://www.homedepot.com/p/The-Wave-Comfort-ADU-1-Bedroom-410-87-sq-ft-Tiny-Home-Steel-Frame-Building-Kit-Cabin-Guest-House-TWVP1B410/321417498> (Accessed March 6, 2023).

²⁰ <https://www.boe.ca.gov/proptaxes/newconstructionproperty.htm> (Accessed March 6, 2023).

²¹ <https://www.sccoplanning.com/ADU/FAQ.aspx> (Accessed March 6, 2023).

²² <https://www.salemma.gov/adu> (Accessed March 6, 2023).

²³ <https://ternercenter.berkeley.edu/> (Accessed March 6, 2023).

²⁴ <https://www.redwoodcu.org/loans/home/mortgage/construction-loans/> (Accessed March 6, 2023).

²⁵ See <https://www.sccoplanning.com/Portals/2/County/adu/ADU%20Loan%20Program%20Summary%202021.pdf> (Accessed March 6, 2023).

²⁶ The available funding includes roughly \$2.3 million in County Affordable Housing Funds (including a one-for-one match from the State Permanent Housing Allocation), \$2.4 million in new HOME-ARP funds through the U.S. Department of Housing and Urban Development (HUD), and \$600,000 in Community Development Block Grant funds specific to housing projects, also allocated by HUD.

restricted to residences in unincorporated areas so as to lower or mitigate permitting fees for private property owners desiring to build an ADU.²⁷

The California Housing Finance Agency (HFA) has an ADU Grant program for homeowners with low or moderate income.²⁸ It provides up to \$40,000 towards pre-development and non-recurring closing costs associated with the construction of an ADU. Predevelopment costs include site preparation, architectural designs, permits, soil tests, impact fees, property survey, and energy reports. Few, if any, of Marin County's or cities' websites prominently refer to this program.

The California Department of Housing and Community Development had these comments for Marin County by letter dated October 17, 2022:

- Develop a plan that incentivizes and promotes the creation of accessory dwelling units that can be offered at affordable rent... (Gov. Code, § 65583, subd. (c)(7).)
- Review the production of ADUs once in the planning period. A review of production should also: (1) assess affordability, (2) conduct a review more than once in the plan period (e.g., 3-4 times), and (3) commit to a menu of alternative actions that includes rezoning, if necessary, by a specific date (e.g., within six months of review).

APPROACH

The Grand Jury reviewed a broad range of relevant public information related to the planning, permitting, financing and building of ADUs. It did not obtain fee information from every municipality and special district. Additionally, appropriate information from County staff, and several knowledgeable people in the field of community planning and development of ADUs in other Bay Area counties was secured. The Grand Jury received documentation that was relevant in informing these decision makers and guiding their actions.

Many reports, written materials, and internet resources were studied, including but not limited to:

- Recently submitted housing elements by Marin County, Cities, and Towns
- California State ADU and relevant housing laws
- ADU Affordability Best Practices Guidelines
- California HFA ADU Grant Program.
- California Department of Housing and Community Development
- Marin County Community Development
- Understanding the Market: ADUs in Napa and Sonoma County report
- ADU Marin website
- Napa-Sonoma ADU website.

²⁷ <https://www.helloadu.org/marin-adu-services> (Accessed March 6, 2023).

²⁸ <https://www.calhfa.ca.gov/adu/> (Accessed March 6, 2023).

DISCUSSION

ADUs will allow for increased housing utilizing existing space from single family homes, which is the bulk of Marin's housing stock. According to the latest US Census, 62% of all Marin residences are considered detached residences, i.e., an equivalency to single family homes. Many of these detached residences could accommodate a second unit. As Table 2 shows, there are many lots that could *theoretically* have capacity for an ADU or JADU.

Table 2:

Estimating How Many Residences in Marin Are Detached

	Total Residences	Estimated Number of Detached Residences	Calculated Percentage
Belvedere	1,054	931	88.3%
Corte Madera	4,104	2,782	67.8%
Fairfax	3,676	2,447	66.6%
Larkspur	6,652	2,418	36.4%
Mill Valley	6,375	4,550	71.3%
Novato	21,490	12,413	58.2%
Ross	947	900	95.0%
San Anselmo	5,265	3,978	75.6%
San Rafael	24,678	11,496	46.6%
Sausalito	4,332	1,813	41.9%
Tiburon	3,853	2,535	65.8%
Unincorporated	23,188	18,253	78.7%
Total for County	111,570	69,866	62.6%

Source: United States Census, 2020.

ADUs come in all shapes. However, sizes are limited by local regulation. In general, the minimum size is 150 square feet, and the maximum is 1,200 square feet. There are certain financial incentives for ADUs of less than 750 square feet.²⁹ By way of comparison, in 1950 the average American single family home size was 983 square feet.³⁰

Marin jurisdictions, as shown in Table 1 above, have identified the potential of building at least 1,385 ADUs. The table illustrates the jurisdictions' projections (based upon historical trends and their own plans) vary considerably due to multiple factors: typography, willingness to encourage these developments, and the simple matter of available space. Marin communities could increase the actual number of ADUs which can be built.³¹

Marin County has made some efforts to encourage ADUs. It recently created a new ADU Technical Assistance program for homeowners to help make the process less overwhelming. The program provides free feasibility and project management support for qualified homeowners

²⁹ Calif. Gov. Code 65852.2 (f) (3)

³⁰ <https://www.investopedia.com/articles/pf/07/mcmansion.asp> (Accessed March 6, 2023).

³¹ Several California governments have adopted various incentive programs which have already increased the number of ADUs beyond projections. For example, the city of San Diego more than doubled the number of ADUs since 2021. <https://turnercenter.berkeley.edu/research-and-policy/san-diego-adu-bonus-program/> (Accessed March 6, 2023).

who live in the unincorporated areas of the County provided by HelloADU and paid for by the County.³² Marin County's "Make Room for Marin" website provides property owners with a step-by-step overview of the processes associated with ADU development.³³ However, the County and its towns and cities could do a more to encourage and facilitate the building of ADUs. There are often unnecessary delays in issuing building permits. San Jose, for example, offers same day permits in some instances.³⁴

As part of a state grant program, a partnership was established between ten cities and towns and the County called "ADUMarin." This partnership aims to promote the development of ADUs. It includes a variety of information sources on the County website, <https://adumarin.org>, providing interactive workbooks and webinars to assist interested property owners through all aspects of the ADU process.

Napa Sonoma ADU, in comparison, has at least one full time employee and is supported by grants from the Napa Valley Community Foundation and Sonoma County Community Foundation. It provides significantly more comprehensive services and support. Among other things, it offers an ADU calculator, local ADU rules, an address lookup tool, an ADU workbook, stories and floor plans, webinars, vendor registry, a newsletter, and social media.³⁵ Additionally, for a fee, it has an ADU feasibility consult, and permit-ready ADU plans.

On May 25, 2021, the Marin County Board of Supervisors approved an extension to the Accessory Dwelling Unit Fee Waiver Program, which offers property owners in the unincorporated areas of the county (which is approximately 27 percent of the population) fee waivers for the development of ADUs.³⁶ Under the program, in exchange for a property owner's agreement to rent their unit at affordable rates, county permit fees for ADUs may be waived up to the following:

- \$10,000 for ADUs that are rented at rates at or below 80 percent the Area Median Income
- \$5,000 for ADUs that are rented at rates between 81-120 percent of the Area Median income
- \$2,500 for ADUs that are rented at market-rate

The fees waived may include Community Development Agency fees such as planning, building and safety, environmental health services, and Department of Public Works fees such as traffic mitigation.

Impact Fees – Exceptionally Confusing in Spite of State Law

A significant number of Marin homeowners interested in building ADUs on their property are dissuaded from doing so due to prohibitively high impact and mitigation (a.k.a. connection or capacity) fees. One ADU professional characterized these fees as "piracy."

³² <https://www.helloadu.org/free-marin-county-services> (Accessed March 6, 2023).

³³ <https://www.marincounty.org/depts/cd/divisions/housing/make-room-for-marin> (Accessed March 9, 2023).

³⁴ <https://www.sanjoseca.gov/business/development-services-permit-center/accessory-dwelling-units-adus/preapproved-adus> (Accessed April 28, 2023).

³⁵ <https://napasonomaadu.org/> (Accessed March 6, 2023).

³⁶ <https://www.marincounty.org/-/media/files/departments/cd/housing/affordable-housing/adu-affordability/adupacketvfinal> (Accessed March 6, 2023).

SB 13 created a tiered fee structure that charges ADUs based on their size. This fee structure takes into consideration the impact of an ADU on a neighborhood's infrastructure and services, which is different from the impact created by single-family homes or multifamily buildings.³⁷ For example, an ADU of less than 750 square feet is likely to have only one bedroom and unlikely to have school age children living there. This would minimize the impact on schools, water, and sewers, among other services.

Local governments and Special Districts (listed in Appendix A) can charge a variety of fees for a development. These fees, commonly known as impact or mitigation fees, go toward infrastructure development (such as adding lanes or roads or supporting additional traffic) or other public benefits (such as new parks, schools, or affordable housing). In the wake of the passage of Proposition 13 in 1978 and the loss of significant property tax revenue, local governments and school districts have also turned to development fees as a means to generate revenue. Given that California cities have tightly restricted funding sources, fees are one of the few ways cities can pay for the indirect costs of growth.³⁸

State law governs the imposition of impact fees on ADUs.³⁹ Nonetheless, the agencies that might charge impact or mitigation fees have interpreted that state law differently. For example, the new construction of a detached 700 square foot ADU would incur no connection fee from Marin Water (formerly MMWD) but would cost \$8,675 in NMWD.⁴⁰ This discrepancy may be a result of different interpretations of how North Marin Water District interprets the applicable code to exempt ADUs from connection charges. North Marin Water District reads the code as exempting only ADUs created within an existing structure. In some instances, school impact fees provide another example. State law states that such fees are waived for ADUs smaller than 750 square feet, but many cities waive fees only for ADUs smaller than 500 square feet.⁴¹

Different agencies and municipalities throughout the county charge different fees. For example, Tiburon requires new and separate utility connections directly between the ADU and the utility. Consistent with Government Code section 66013, the service may be subject to a connection fee or capacity charge that is proportionate to the burden of the proposed ADU.⁴² In Napa and Sonoma counties, capacity charges for ADUs are waived if the unit is under 499 square feet, and then based upon a square footage charge for larger units.⁴³ In contrast, those fees in Marin have reportedly been as much as \$41,000.⁴⁴

These wide variations aside, it is uniformly challenging for a proponent of an ADU in Marin to get an accurate estimate for impact and connection fees simply by inspecting a town, city, or special district's website or even talking directly with staff of the planning and building

³⁷ <https://openstates.org/ca/bills/20192020/SB13/> (Accessed March 6, 2023).

³⁸ (Chapter 653, Statutes of 2019); <https://openstates.org/ca/bills/20192020/SB13/> (Accessed March 6, 2023).

³⁹ Calif. Gov. Code 65852.2 (f). See Appendix B for the complete text.

⁴⁰ Northern Marin Water District website.

⁴¹ See e.g. <https://www.tamdistrict.org/cms/lib/CA01000875/Centricity/Domain/1547/Nicasio%20-%20Residential.pdf>; <https://www.cityofbelvedere.org/DocumentCenter/View/79/School-Facilities-Fee?bidId=> (Accessed April 28, 2023).

⁴² <http://www.townoftiburon.org/DocumentCenter/View/3266/594ADU-21622?bidId=> (Accessed March 6, 2023).

⁴³ <https://www.napasan.com/151/Capacity-Charges> (Accessed March 6, 2023).

⁴⁴ Grand Jury interview.

departments. In Belvedere, fees for a 700 square foot attached ADU total \$19,530.⁴⁵ Illustrating the consequence and complexity in understanding permit and fee requirements imposed by *almost every* government agency in Marin, we examined the rules imposed by the City of Novato and connected agencies. We assumed permitting and building two comparable ADUs costing \$350/sq. ft.: one at 700 sq. ft. and the other at 800 sq. ft. Applying the information set forth in Novato's Housing Element Update, reviewing the city and special districts' fee schedules and direct conversation with staff members, it is clear individuals face a daunting task in determining the process and the potential of substantial fees. Here, an ADU larger than 750 sq. feet costs well over \$34,000 in fees. Even when a smaller 700 sq. ft. ADU is proposed, fees exceed \$18,000. If Marin County and municipalities genuinely believe, as they have stated in multiple forums, that their housing needs can be met by encouraging the building of ADUs, they should re-examine the various impact fees that they have imposed.

⁴⁵ https://www.cityofbelvedere.org/DocumentCenter/View/8495/6th-Cycle-Housing-Element-Update_Public-Draft-Reduced-compressed (Accessed May 9, 2023).

Table 3
Estimated Novato ADU Permit and Development Fees

	Fee	700 sq. ft. Estimated \$	800 sq. ft. Estimated \$
City of Novato			
ADU Planning Permit	\$820.00	exempt	\$820.00
Building Permit	sliding scale	\$2,156.60	\$2,558.40
subtotal		\$2,156.60	\$3,378.40
Novato City Public Facilities Fees			
Recreational, Cultural Facilities	\$4,725.23	exempt	\$4,725.23
Civic Facilities	\$847.29	exempt	\$847.29
General Government Systems	\$367.54	exempt	\$367.54
Open Space	\$1,022.02	exempt	\$1,022.02
Drainage	\$580.68	exempt	\$580.68
subtotal		\$0.00	\$7542.76
Novato City Traffic Impact Fees			
Streets & Intersections	\$2,601	exempt	\$2,601.00
Transit Facilities	\$89.84	exempt	\$89.84
Corporation Yard	\$56.07	exempt	\$56.07
subtotal		\$0.00	\$2,746.91
Outside Agency Impact Fees			
Novato Unified School District	\$4.08 /sq. ft.	exempt	\$3,264.00
Novato Sanitary District*	\$12,000/dwelling unit	\$7,617.50	\$8,700.00
Novato Fire District	\$.0622/sq. ft.	exempt	exempt
North Marin Water District*	\$7,640/ADU plus	\$8,675.00	\$8,675.00
subtotal		\$16,292.50	\$20,639.00
Subtotal Fees (estimated)			
City		\$2,156.60	\$13,668.07
Outside Agencies		\$16,292.50	\$20,639.00
TOTAL FEES (estimated)			
		\$18,449.10	\$34,307.07

Source: City of Novato Housing Element Update, November 2022, C34-C36, Novato Sanitary District: Pro-rata of 1,200 sq. ft, North Marin Water District, Facility Reserve Charge Study, Final Report, November 15, 2022, Grand Jury interviews. The estimated amounts were calculated March 17, 2023.

Legalizing Marin's Existing Non-Conforming Second Units

According to a 2016 report by McKinsey and Company entitled “A Tool Kit to Close California’s Housing Gap: 3.5 Million Homes by 2025,”⁴⁶ one way to encourage homeowners to add ADUs is to create an amnesty path for ADUs that are not properly permitted.⁴⁷ Some jurisdictions have been at the forefront of encouraging ADUs. Part of their success has been the legalization of existing non-conforming units through amnesty programs. It is estimated that 40 percent to 70 percent of all construction throughout Marin is done without permits.⁴⁸ This number includes all forms of construction, from adding a new water heater to building an in-law unit.

For example, Fairfax has an amnesty program in which all penalties are waived and all ADUs (legalizing illegal existing ones or permitting new ones) housing the elderly get 50 percent off the permit fees normally charged.⁴⁹ San Mateo County had a limited-term ADU Amnesty program (beginning in October/November 2018), which allowed property owners to bring an unpermitted unit into compliance. It featured a low-cost initial inspection as well as detailed guidance on any required improvements necessary to meet the current building code. All fines for unpermitted construction were waived, and planning and building permit fees were either waived or significantly reduced during the initial pilot phase. Code enforcement actions were also suspended, allowing potential applicants the opportunity to explore the program without risk of penalty.⁵⁰

ADUs can help address housing needs of Marin's aging population

Marin County’s Age Forward Plan (2020) suggests that ADUs could help older adults.⁵¹ The share of older adults in Marin will continue to increase and is projected to reach 35 percent of the county’s population by 2025 and 38 percent by 2030.⁵² The Age Forward plan offered three action items in this regard:

- Community: Explore opportunities to build ADUs on properties; advocate for measures to expand ADU programs throughout the county.
- County Leadership: Foster increase of ADUs, encourage greater awareness of and research for ADU programs and opportunities for residents, explore permit fee waivers and fee reductions, including fee adjustments to incentivize affordable rental units

⁴⁶ See

<https://www.mckinsey.com/~/media/mckinsey/featured%20insights/urbanization/closing%20californias%20housing%20gap/closing-californias-housing-gap-full-report.pdf>, (Accessed March 6, 2023).

⁴⁷ <https://ternercenter.berkeley.edu/blog/san-diego-adu-bonus-program/> (Accessed March 6, 2023).

⁴⁸ Marin Builders Exchange survey. <https://www.marinbuilders.com/permit-simplicity-and-customer-satisfaction> (accessed March 6, 2023).

⁴⁹ <https://www.townoffairfax.org/opportunities-for-adu-jadu-permitting-and-construction/> (Accessed March 6, 2023).

⁵⁰ <https://www.smcgov.org/planning/accessory-dwelling-unit-amnesty-health-safety-certification-program> (Accessed March 6, 2023).

⁵¹ “Age Forward, a framework for an Age-Friendly County of Marin,” January 2020 https://www.marinhhs.org/sites/default/files/files/servicepages/2022_06/cc_af_com_plan_final_ada.pdf (Accessed March 15, 2023)

⁵² California Department of Finance. (2019). Population projections for California. Retrieved from <https://dof.ca.gov/Forecasting/Demographics/Projections/> (Accessed March 6, 2023).

- County Departments: Promote ADU programs and facilitate advocacy for greater flexibility, work together to advocate for solutions (Aging & Adult Services, Community Development Agency).⁵³

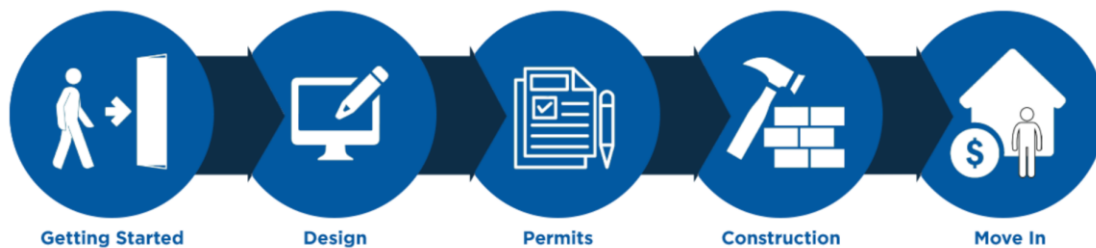
Confusion Reigns

Much of the public is confused about what the requirements are for an ADU.⁵⁴ The Grand Jury's research has found that some jurisdictions in Marin have not updated their planning and building policies to conform with current California ADU laws. Some people do not know whether an ADU requires a lot split, must be rented, what size refrigerator or sink is required, or what the sewer fees would be. Potential ADU owners (not just those with limited incomes) would benefit from a central "one stop shop" for this information. The County and local municipalities would be better served if this "one stop shop" is identified by each municipality to be the authoritative source for all local information. Ideally it would become linked with Napa Sonoma ADU. At the very least, the ADU Marin effort should become more closely aligned with the Napa Sonoma ADU programs. In addition, each municipality should clearly point to such a source of assistance on its website. For example, Fairfax has a model amnesty program, but there is no obvious link to it from the building department website. In addition to the Napa and Sonoma counties efforts, we reviewed the successful San Mateo "Second Unit Resource Center," which has demonstrated that a one stop shop open to all has value:



Getting Started

Are you interested in building a second unit? Here's information on how to get it one.



Source: <https://secondunitcentersmc.org/how/>

⁵³ "Age Forward, a framework for an Age-Friendly County of Marin," January 2020 https://www.marinhhs.org/sites/default/files/files/servicepages/2022_06/cc_af_com_plan_final_ada.pdf (Accessed March 15, 2023)

⁵⁴ See e.g. https://nextdoor.com/p/y-BghLzP7XWt?view=detail&init_source=search&query=adu (Accessed March 6, 2023).

If Marin is serious about helping individuals build ADUs, our review of current and planned efforts initiated by Marin's cities and municipalities leads us to three obvious conclusions:

- Currently, required information is not easily obtained either from officials or contained on agencies' websites.
- Fee information from Marin's water, fire, sanitary, and school districts is not easy to understand and follow.
- Marin's mandated housing goals can be met when every public agency in the county aligns its policies toward these objectives. Cooperation should be the mantra. It benefits everyone.

FINDINGS

- F1. More housing in Marin is needed and ADUs are one solution.
- F2. Many homeowners lack information and knowledge about ADU development, and Marin's jurisdictions are not always helpful to homeowners seeking information about ADU development.
- F3. It is often difficult, if not impossible, for a Marin homeowner to determine the planning, building, connection, capacity and impact fees associated with developing an ADU in a particular jurisdiction.
- F4. Many Bay Area cities and counties, for example Napa and Sonoma, have implemented comprehensive websites and related support to help homeowners create ADUs.
- F5. ADUs may be rented affordably and provide additional benefits for older adults and their caregivers.
- F6. Most Marin jurisdictions could provide better resources offering or identifying financing incentives for ADU development.
- F7. Impact, connection, and capacity fees vary considerably throughout the County and such fees can be a disincentive to homeowners considering ADU development.
- F8. Not every jurisdiction in Marin has updated its planning and building policies to conform with current California ADU laws.
- F9. Granting amnesty, following safety inspection, to existing non-conforming second units could help Marin meet its housing obligations.
- F10. ADU Marin and HelloADU are a good start. However, compared to several other Bay Area cities and counties, for example Napa and Sonoma, they could be substantially enhanced and expanded.

RECOMMENDATIONS

- R1. On or before December 31, 2023, the Marin County Board of Supervisors should direct the Community Development Agency's Development Priority Setting Committee to:
- 1) Identify available funding/financing information for residents who need help with the cost of building an ADU,
 - 2) Transmit the collected information to all the jurisdictions represented on the Committee.
 - 3) Start a continuous monitoring program to update the information sources as they become available.
- R2. By December 1, 2023, begin investigation to consider an amnesty program to legalize existing unpermitted second units. Add a marketing communications plan so that citizens can be made aware of it.
- R3. By December 1, 2023, begin the process of merging and/or collaborating with Napa/Sonoma ADU, and hiring a full-time Marin ADU Program Coordinator. The program coordinator should work with all jurisdictions on the development of ADUs and identify impact and connection fees within each jurisdiction.
- R4. By December 1, 2023, begin a feasibility assessment of waiving or significantly lowering impact and connection fees for units smaller than 750 square feet.
- R5. By December 1, 2023, begin creating plans to accelerate the permit approval process for ADU applications to within 30 days, or less, of submission. Implement such plans no later than July 1, 2024.
- R6. By December 1, 2023, begin feasibility assessments of new incentives for ADU development, such as pre-approved plans, technical assistance, property tax relief, development fee waivers, and forgivable loans; implement at least one such incentive no later than July 1, 2024.

REQUIRED RESPONSES

Pursuant to Penal Code section 933.05, the Grand Jury requires responses from the following governing bodies:

- School Districts
 - Bolinas-Stinson School District Board of Trustees (F7, R4)
 - Kentfield School District Board of Trustees (F7, R4)
 - Laguna Joint School District Board of Directors (F7, R4)
 - Lagunitas School District Board of Trustees (F7, R4)
 - Larkspur-Corte Madera School District Board of Trustees (F7, R4)
 - Marin County Office of Education (F7, R4)
 - Mill Valley School District Board of Trustees (F7, R4)
 - Miller Creek Elementary School District Board of Trustees (F7, R4)
 - Nicasio School District Board of Trustee (F7, R4)
 - Novato Unified School District Board of Trustees (F7, R4)
 - Reed Union School District Board of Trustees (F7, R4)
 - Ross School District Board of Trustees (F7, R4)
 - Ross Valley School District Board of Trustees (F7, R4)
 - San Rafael City Schools Board of Education (F7, R4)
 - Sausalito/Marin City School District Board of Trustees (F7, R4)
 - Shoreline Unified School District Board of Trustees (F7, R4)
 - Tamalpais Union High School District Board of Trustees (F7, R4)

- Municipalities
 - City of Belvedere (F1-F13, R1-R6)
 - City of Larkspur (F1-F13, R1-R6)
 - City of Mill Valley (F1-F13, R1-R6)
 - City of Novato (F1-F13, R1-R6)
 - City of San Rafael (F1-F13, R1-R6)
 - City of Sausalito (F1-F13, R1-R6)
 - Marin County Board of Supervisors (F1-F13, R1-R6)
 - Town of Corte Madera (F1-F13, R1-R6)
 - Town of Fairfax (F1-F13, R1-R6)
 - Town of Ross (F1-F13, R1-R6)
 - Town of San Anselmo (F1-F13, R1-R6)
 - Town of Tiburon (F1-F13, R1-R6)

- Water Districts
 - Bolinas Community Public Utility District (F7, R4)
 - Marin Municipal Water District (F7, R4)
 - North Marin Water District (F7, R4)
 - Stinson Beach County Water District (F7, R4)

- Fire Protection Districts
 - Bolinas Fire Protection District (F7, R4)
 - Central Marin Fire Department (F7, R4)
 - Inverness Public Utility District (F7, R4)
 - Kentfield Fire Protection District (F7, R4)
 - Marin County Fire Department (F7, R4)
 - Marinwood Community Services District (F7, R4)
 - Novato Fire Protection District (F7, R4)
 - Ross Valley Fire Department (F7, R4)
 - Southern Marin Fire Protection District (F7, R4)
 - Stinson Beach Fire Protection District (F7, R4)
 - Tiburon Fire Protection District (F7, R4)

- Sanitary Districts
 - Almonte Sanitary District (F7, R4)
 - Alto Sanitary District (F7, R4)
 - Central Marin Sanitation Agency (F7, R4)
 - Corte Madera Sanitary District No. 2 (F7, R4)
 - Homestead Valley Sanitary District (F7, R4)
 - Las Gallinas Valley Sanitary District (F7, R4)
 - Novato Sanitary District (F7, R4)
 - Richardson Bay Sanitary District (F7, R4)
 - Ross Valley Sanitary District (F7, R4)
 - San Rafael Sanitation District (F7, R4)
 - Sausalito Marin City Sanitary District (F7, R4)
 - Sewerage Agency of Southern Marin (F7, R4)
 - Tiburon Sanitary District 5 (F7, R4)

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code section 933 (c) and subject to the notice, agenda and open meeting requirements of the Brown Act.

Note: At the time this report was prepared information was available at the websites listed.
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Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury <u>not</u> contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.
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APPENDIX A

Impact, connection, and capacity fees vary considerably within these districts throughout Marin County.

<u>School Districts</u>	<u>Water Districts</u>	<u>Fire Protection Districts</u>	<u>Sanitary Districts</u>
Bolinas-Stinson	Bolinas Community Public Utility	Bolinas	Almonte
Kentfield	Marin Municipal	Central Marin	Alto
Laguna	North Marin	Inverness Public Utility	Central Marin
Lagunitas	Stinson Beach County	Kentfield	Corte Madera
Larkspur-Corte Madera		Marin County	Homestead Valley
Marin County Office of Education		Marinwood Community Services	Las Gallinas
Mill Valley		Novato	Novato
Miller Creek		Ross Valley	Richardson Bay
Nicasio		Southern Marin	Ross Valley
Novato Unified		Stinson Beach	San Rafael
Reed Union		Tiburon	Sausalito/Marin City
Ross			Southern Marin
Ross Valley			Tiburon
San Rafael City			
Sausalito/Marin City			
Shoreline Unified			
Tamalpais Union			

APPENDIX B

For reference only: These are the primary laws affecting ADU development:

- AB 68/AB 881 - Requires local agencies to approve or deny an ADU project more quickly and prohibits local agencies from adopting ADU ordinances that impose minimum lot size requirements, set certain maximum dimensions, or require replacement off-street parking in certain situations. Also allows for an ADU as well as a “junior” ADUs where certain access, setback and other criteria are met.
- SB 13 - Provides, until January 1, 2025, that cities may not condition approval of ADU building permit applications on the applicant being the “owner-applicant” of either the primary dwelling or the ADU, and prohibits impact fees on ADUs under 750 square feet.
- AB 587 - Provides that local agencies may now allow ADUs to be sold or conveyed separately from a primary residence if certain conditions are met. This law is expected to increase the ability of affordable housing organizations to sell deed-restricted ADUs to eligible low-income homeowners.
- AB 670 - Prevents homeowners' associations from barring ADUs. AB 670 makes unlawful any HOA condition that "prohibits or unreasonably restricts" the construction of ADUs on single-family residential lots.
- AB 671 - Requires local governments to include in their General Plan housing elements plans to incentivize and promote the creation of affordable ADUs. The law also requires HCD (Housing and Community Development) to develop, by December 31, 2020, a list of state grants and financial incentives for ADU development.
- New California legislation went into effect on January 1st, 2023, that allows 2-story ADUs in some instances, provides more flexibility in where ADUs can be located on a property, and makes obtaining an ADU permit a more transparent and streamlined process.

ARTICLE 2. Adoption of Regulations [65850 - 65863.13] (*Article 2 added by Stats. 1965, Ch. 1880.*)

65852.2. https://california.public.law/codes/ca_gov%27t_code_section_65852.2
(*Amended (as amended by Stats. 2021, Ch. 343, Sec. 1) by Stats. 2022, Ch. 664, Sec. 2.5. (SB 897) Effective January 1, 2023.*)

RESPONSE FORM: 2022-2023 Marin Civil Grand Jury ReportReport Title: Build More ADUs - An Rx to Increase Marin's Housing Supply, June 15, 2023Respondent/Agency Name: North Marin Water DistrictSubmitter Name: Anthony Williams Title: General Manager**FINDINGS**

- Agree with the findings numbered: _____
- Disagree *partially* with the findings numbered: F7
- Disagree *wholly* with the findings numbered: _____

(Attach a **statement** specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered _____ have been implemented.
(Attach a **summary** describing the implemented actions.)
- Recommendations numbered _____ have not yet been implemented, but will be implemented in the future.
(Attach a **timeframe** for the implementation.)
- Recommendations numbered _____ require further analysis.
(Attach an **explanation** and the scope and parameters of an analysis or study, and a **timeframe** for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This **timeframe shall not exceed six months** from the date of publication of the grand jury report.)
- Recommendations numbered R4 will not be implemented because they are not warranted or are not reasonable.
(Attach an **explanation**.)

Date: _____ Signed: _____

Number of pages attached: 3



**Response Form Continuation – Statements and Explanations
Marin Civil Grand Jury Report**

Build More ADUs - An Rx to Increase Marin's Housing Supply, June 15, 2023 ("Report")

Findings

F7. Impact, connection, and capacity fees vary considerably throughout the County and such fees can be a disincentive to homeowners considering ADU development.

Statement: North Marin Water District ("NMWD") has been asked to respond to Finding F-7 stated above and listed on page 16 of 21 of the Report. The Report incorrectly refers to NMWD's Facility Reserve Charge (FRC) and any associated charges for new service¹ as an "Impact Fee". NMWD does not charge "impact fees," but rather charges "connection fees" and "capacity charges" – as respectively defined in subdivisions (b)(2) & (b)(5) and (b)(3) of Government Code section 66013. Subdivision (f)(3)(B) of Government Code section 65852.2 clarifies that there is a distinction between "impact fees" and the "connection fees" and "capacity charges" that NMWD charges.

It is not clear to NMWD that its capacity charge or connection fees are a direct disincentive to homeowners considering ADU development. The Report doesn't address whether the NMWD FRC in particular is any more or less a cost factor than say the cost of the roofing or the foundation of the structure (all of which are critical for habitation); or for that matter what PG&E may charge for a new electrical or gas service to the ADU, also critical for habitation. More importantly, NMWD does not monitor "impact fees" and thus cannot comment about whether they vary considerably or not, within Marin County or in the greater Bay Area. The Report doesn't mention that NMWD has two distinct water service areas, and the FRC for NMWD's West Marin Service Area is \$5,580. The Report seems to only focus on the Novato Service Area.

Table 3 of the Report notes that the charges imposed by Novato Sanitary Agency is in line with NMWD's water FRC. However, the "connection fees" and "capacity charges" charged by other entities are legally irrelevant to those charged by NMWD, which are required by law to be based on facilities, water sources, usage, and other factors peculiar to NMWD. Further, those fees and charges are tightly constrained by Government Code section 66013 and by Proposition 26 (enacting a new § 1(e) in article XIIC of the California Constitution) as well as Government Code section 65852.2 and are required by state constitutional law to be proportional to the "burdens on, or benefits received from, the governmental activity," here water service. (*Newhall County Water District v. Castaic Lake Water Agency* (2016) 243 Cal.App.4th 1430, 1441 (citing § 1(e) in article XIIC of the California Constitution).) NMWD does, however, periodically survey the "capacity charges" levied by other agencies for informational purposes. The most recent survey was performed in November 2022 in connection with the updating of NMWD's "capacity charges" to conform to current law. That survey revealed that there are indeed variations among the "capacity charges" charged by other entities in Marin County and elsewhere in the Bay Area. Although NMWD was not asked to respond to Finding F-8, it does want to point out that it updated its Regulation 1 in December 2022 to fully "conform with current California ADU laws."

¹ See NMWD Regulation 1 - <https://nmwd.com/wp-content/uploads/2022/12/Reg-01-12.6.22-final.pdf>

Recommendations

R4. By December 1, 2023, begin a feasibility assessment of waiving or significantly lowering impact and connection fees for units smaller than 750 square feet.

Explanation: As noted above under “Findings”, NMWD doesn’t levy impact fees. It will not be possible for NMWD to waive such fees and charges (except to the extent required by subdivisions (e)(1)(a)(i) and (f)(4) of Government Code section 65852.2). The costs of providing service and responding to demands for service are a zero-sum game. If NMWD does not recover the true cost of providing service to a new ADU, it must recover those costs in some other fashion. As noted above, there are strict statutory and constitutional constraints on NMWD’s ability to raise revenues necessary to meet costs. For example, if NMWD waived connection fees and/or capacity charges to smaller ADUs and tried make up the shortfall in the costs of providing service to a new ADU by charging other new connections more, it would be vulnerable to judicial challenge under both Government Code section 66013 (and section 65852.2, if the other new connection was a larger ADU) and Proposition 26 as adopted in 2010; conversely, if NMWD waived connection fees and/or capacity charges to smaller ADUs and tried make up the shortfall in the costs of providing service to a new ADU by charging its ratepayers more, it would be vulnerable to judicial challenge under Proposition 218, which generally prohibits water districts like NMWD from charging more than “the proportional cost of the service attributable to the [ratepayer’s] parcel.”

NMWD’s water system capacity required to serve new development, includes source of water supply, treatment, pumping, storage, pipelines, recycled water and Sonoma County Water Agency facilities that serve NMWD. In 2022, NMWD updated FRCs for all classes of development, including ADUs, using a hybrid methodology (a combination of incremental and buy-in methodologies) because while some capacity remains available in the existing system to meet the needs of future users, a portion of that available capacity needs to remain un-used for the purpose of providing a buffer against changes in peak usage or changes in existing customer demands. The District’s capital improvement plan (through the year 2035) includes numerous projects which add capacity to serve future growth. The hybrid approach uses the weighted average (based on 2 percent available capacity) of both methods, and results in reasonable fees which will ensure that existing users do not bear any part of the burden of providing capacity to new users. This approach is universally accepted throughout the state.

The physical size of the ADU (square footage floor area) is not a factor when considering water capacity availability. A 1,200 square foot ADU equipped with a kitchen sink, dishwasher, bathroom sink, toilet, shower, and clothes washer would have the same impact on the water system capacity as a 750 square foot ADU with the same water fixtures and appliances. The water fixtures and appliances are more relevant than size and different combinations of fixtures and appliances expected to exist in an ADU result in water use that is equivalent to 42% to 63% of a single-family detached residence’s fixtures and appliances. The tables below compare a single-family detached residence and an ADU with typical fixtures and appliance and calculates the resulting Drainage Fixture Units (DFUs) using the California Plumbing Code. In the example below, the DFUs for an ADU is 63% of a single family detached residence.

Residential Domestic Use (Single-family) -

Fixture	Count	DFU (Each)*	DFU (Total)
Shower (single head)	2	2	4
Clothes washer (horizontal axis)	1	3	3
Dishwasher	1	2	2
Toilet (flush tank)	2	3	6
Faucet (kitchen sink)	1	2	2
Bathtub	2	2	4
Faucet (lavatory)	3	1	3
Total DFU			24

Residential Domestic Use (ADU) -

Fixture	Count	DFU (Each)*	DFU (Total)
Shower (single head)	1	2	2
Clothes washer (vertical axis)	1	3	3
Dishwasher	1	2	2
Toilet (flush tank)	1	3	3
Faucet (kitchen sink)	1	2	2
Bathtub	1	2	2
Faucet (lavatory)	1	1	1
Total DFU			15

*Table 702-1 CA Plumbing Code

The amendments to NMWD Regulation 1 adopted in December 2022 were the end result of a comprehensive evaluation of the cost of service performed by Hildebrand Consulting, a firm specialized in the complicated calculations of capacity charges². A water usage analysis was conducted for the four basic types of residential accounts within NMWD as opposed to the DFU analysis illustrated above; the usage was then compared to the typical usage of a single family detached residence, and the resulting ratio was used to determine the capacity charge. For ADUs on a parcel in undivided ownership, that ratio was 0.27³, meaning that the Facility Reserve Charge for such an ADU is \$7,640 (as compared to \$28,310 for a single family detached residence) in the Novato service area, and \$5,580 (as compared to \$20,660 for a single family detached residence) in the West Marin service area.

Page 10 of the Report states that Marin Water doesn't charge a "connection fee" for a newly constructed ADU under 700 square feet. It is NMWD's understanding for this zero charge, two conditions must be met by the applicant: 1) "has continuously maintained water service at the parcel, on which the ADU will be constructed, for a period of at least one year immediately preceding submission" (of an application); and 2) the property owner will occupy either the existing single family dwelling or the new ADU.

If the state, County or the City of Novato were able to subsidize the connection fee charge as part of an obligatory housing program, the NMWD would waive the fee to the homeowner or water customer.

² See report - <https://nmwd.com/wp-content/uploads/2022/11/2022-North-Marin-WD-Facility-Reserve-Charge-Study-Final-11.15.22.pdf>

³ As opposed to ratios ranging from 0.42 to 0.63 using proportional drainage fixture unit analysis.

DRAFT

July 19, 2023

The Honorable Judge James Chou
Marin County Superior Court
P.O. Box 4988
San Rafael, CA 94913-4988
Emailed to: departmentb@marin.courts.ca.gov

Pat Shepherd, Foreperson
Marin County Civil Grand Jury
3501 Civic Center Drive, Room #275
San Rafael, CA 94903
emailed to: grandjury@marincounty.org

Re: Response to Marin County Civil Grand Jury Report
Build More ADUs - An Rx to Increase Marin's Housing Supply, June 15, 2023

Dear Honorable Judge Chou and Foreperson Shepherd:

Per your request, North Marin Water District (NMWD) is providing responses to Finding F-7 and Recommendation R-4 of Marin Civil Grand Jury Report entitled: *Build More ADUs - An Rx to Increase Marin's Housing Supply, June 15, 2023*. The responses by NMWD were reviewed and approved by the NMWD Board of Directors at the July 18, 2023 Regular Meeting. The responses are presented in the required form ("Response Form: 2022-2023 Marin Civil Grand Jury Report"), provided as Attachment 1. Associated supporting statements and explanations to our responses are provided as Attachment 2 (3 pages).

We also have some comments on the portion of the Report entitled 'Impact Fees – Exceptionally Confusing in Spite of State Law,' which reflects a lack of complete understanding of connection fees and capacity charges like those charged by NMWD. It is not clear which "profession" is practiced by the "ADU professional," but we feel it is incorrect to characterize *any* of NMWD's fees and charges as "piracy." As noted in our response to R-4, the process of raising the revenues necessary to operate and expand a public water system is a zero-sum game. The amendments to NMWD Regulation 1 adopted in December 2022 were the end result of a comprehensive evaluation of the cost of service performed by Hildebrand Consulting, a firm specialized in the complicated calculations of capacity charges. A water usage analysis was conducted for the four basic types of residential accounts within NMWD; the usage was then compared to the typical usage of a single family detached residence, and the resulting ratio was used to determine the capacity charge (called a "Facility Reserve Charge" for historical reasons). For ADUs on a parcel in undivided ownership, that ratio was 0.27, meaning that the Facility Reserve Charge for such an ADU is \$7,640 (as compared to \$28,310 for a single family detached residence) in the Novato service area; and \$5,580 (as compared to \$20,660 for a single family detached residence) in the West Marin service area.

If NMWD is prevented from collecting the true cost of providing service to an ADU, it will need to obtain those funds elsewhere. As is described in our response to the Report findings, each of the potential other sources of revenues to make up the shortfall has constitutional and statutory constraints that render NMWD vulnerable to a potentially successful judicial challenge.

The text in the portion of the of the Report entitled 'Impact Fees – Exceptionally Confusing in Spite of State Law,' also notes that NMWD “reads the code as exempting only ADUs created within an existing structure.” That reading is correctly based on the statutory language of subdivision (f)(5) of Government Code section 65852.2, which allows for capacity charges and collection fees for all ADUs other than those “described in subparagraph (A) of paragraph (1) of subdivision (e) [of section 65852.2]” which states, “The accessory dwelling unit *or junior accessory dwelling unit* is within the proposed space of a single-family dwelling or existing space of a single-family dwelling or accessory structure and may include an expansion of not more than 150 square feet beyond the same physical dimensions as the existing accessory structure. An expansion beyond the physical dimensions of the existing accessory structure shall be limited to accommodating ingress and egress.”

Finally, as noted in NMWD’s responses, NMWD does not charge “impact fees,” but instead charges “connection fees” and “capacity charges.” Subdivision (f)(3)(B) of Government Code section 65852.2 establishes that there is a distinction between “impact fees” and the “connection fees” and “capacity charges” that NMWD charges. This language was the subject of a fair amount of discussion during the legislative process that led to the adoption of the bill that enacted subdivision (f)(3)(B) of Government Code section 65852.2.

Sincerely,

Anthony Williams, P.E.
General Manager

cc: Carl Nelson and Craig Judson, Bold Polisner, Maddow, Nelson & Judson
Dennis Rodoni, Supervisor, Marin County Board of Supervisors
Eric Lucan, Supervisor, Marin County Board of Supervisors
Adam McGill, Novato City Manager

9



MEMORANDUM

To: Board of Directors

Date: July 18, 2023

From: Tony Williams, General Manager *TW*
Eric Miller, Assistant GM/Chief Engineer *EM*

Subject: Redwood Landslide near Olompali – Progress Update

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RECOMMENDED ACTION: Information Only

FINANCIAL IMPACT: None at this time

District staff became aware of the landslide that occurred along Redwood Blvd in unincorporated Marin County area between the former Birkenstock building and Olompali State Park on the morning of March 22, 2023. At 8am that day, senior staff from the District visited the site to assess the potential damage to the nearby 30-inch welded steel North Marin Aqueduct (NMA) that provides approximately 75% of the annual water supply for the District's Novato Service Area. Additionally, the adjacent water district to the south, Marin Municipal Water District, receives approximately 25% of their annual water supply through the NMA. At 10am that day, District senior staff made the decision to shut off water flow through the NMA in an effort to mitigate water loss and impact to the adjacent Highway 101 should a pipe break occur at this location.

The attached internal memorandum from the Assitant GM to the General Manager, dated June 30, 2023, contains great detail about the efforts of District staff during the six weeks following the Redwood Landslide. The purpose of this memo, as well as the associated presentation slides, is to provide Board members with additional information about progress that has been made in assessing the condition of the NMA and related operations of the District's Novato Service Area.

ATTACHMENTS:

1. Memorandum to the General Manager titled, *Summary of North Marin Water District Staff Response Following the Redwood Landslide near Olompali*, dated June 30, 2023
2. Presentation slides dated July 18, 2023



MEMORANDUM

To: *Tony Williams, General Manager* Date: June 30, 2023
 From: *Eric Miller, Chief Engineer / Assistant General Manager (AGM)*
 Subject: *Summary of North Marin Water District Staff Response* *EM*
Following the Redwood Landslide near Olompali
R:\Folders by Job No\4000 jobs\4098.00 Aqueduct Landslide Damage-Repair\Memos\2023 staff response summary.doc

Summary

The purpose of this memorandum is to memorialize the efforts made by North Marin Water District (District) staff over the weeks following the landslide that occurred along Redwood Blvd in unincorporated Marin County area between the former Birkenstock building and Olompali State park (Redwood Landslide).

District staff became aware of the Redwood Landslide on the morning of March 22, 2023. At approximately 8am, senior staff of the District visited the site to assess the potential damage to the nearby 30-inch welded steel North Marin Aqueduct (NMA) that transmits approximately 75% of the annual water supply for the District's Novato Service Area. Additionally, the adjacent water district to the south, Marin Municipal Water District (MMWD), receives approximately 25% of their annual water supply through the NMA.

During the six (6) weeks following March 22, 2023, District staff conducted numerous internal discussions, met with local and regional stakeholders, performed various field tests, and collaborated with other industry experts to determine the best approach to assess the condition, and ultimately resume operations of the NMA.

Senior staff involved on a daily basis were; Tony Williams (General Manager), Chris Kehoe (Construction Superintendent), Robert Clark (Operations Superintendent), Brad Stompe (Distribution and Treatment Supervisor), Tim Fuelle (Senior Engineer), Pablo Ramudo (Water Quality Supervisor), Ryan Grisso (Water Conservation and Communication Manager), and Eric Miller (Chief Engineer and AGM). Many other District staff members contributed to critical aspects of the response and resources were spread thin across all working groups. Each member of the District team deserves acknowledgement for the way they handled the situation.

Contributing Weather

Marin County experienced above-average precipitation during the 2022/23 winter, after several years of drought conditions in the region. Table 1 below includes monthly and cumulative precipitation totals from the rain gauge used as a benchmark in this memo, located at the Marin County Library on Novato Blvd. in Novato.

Table 1 – Rainfall Totals at Novato Library Gauge¹

Month, Year	Monthly Total (inches)	Cumulative Total (inches)
October 2022	0.0	0.0
November 2022	1.18	1.18
December 2022	7.92	9.10
January 2023	11.65	20.75
February 2023	3.43	24.18
March 2023 (prior to 3/22/23)	8.11	32.29
March 2023 (after 3/22/23)	1.22	33.51
April & May 2023	1.38	34.89

In January 2023 alone, Novato experienced 6 separate atmospheric rivers that registered 11.65 inches of rain at the benchmark rain gauge. February 2023 registered 3.43 inches, and the first 22 days of March 2023 registered an additional 8.11 inches. The cumulative rainfall total on the date of the landslide was 32.29 inches, which represents 118% of the 27.28-inch average annual rainfall for Novato². As a result of the consecutive atmospheric rivers, the Federal Emergency Management Agency (FEMA) declared a disaster (DR-4683-CA) for several counties across California.

In the weeks following the landslide, the benchmark rain gauge registered an additional 2.6 inches of rainfall, largely resulting from two distinct rain events, one on March 28, 2023 and the other on May 3, 2023.

¹ marin.onerain.com

² nmwd.com/your-water/stats/

Initial Evaluation

Upon learning of the landslide on the morning of March 22, 2023, District staff arrived onsite to assess the situation. Throughout the day, District staff had various discussions with the following organizations; MMWD, County and Novato Fire Departments, California Highway Patrol, Caltrans, Pacific Gas & Electric (PG&E), Sonoma County Water Agency, and the Marin County Department of Public Works (MCDPW).

Based on a visual assessment by District’s senior staff, the decision was made at approximately 10am on March 22, 2023 to shut off water flow through the NMA by closing two butterfly valves, one north and one south of the landslide. Closing the two valves isolated the segment of NMA within the landslide area in an effort to mitigate water loss and impact to the adjacent Highway 101 should a pipe break occur at this location. It’s important to note that water production began at Stafford Treatment Plant on Thursday, March 16, less than one week before the NMA was shut off due to this landslide.

Staff returned to the District's temporary offices at 100 Wood Hollow and met with MMWD engineers and operations staff to discuss potential mitigation measures. Staff discussed the implications of the landslide and concluded that it would likely be months until a permanent slide restoration was going to take place. Given the importance of the NMA to both North Marin Water District and MMWD, staff of both agencies focused on ideas such as temporary bypass piping and other potential water sources.

At approximately 12:30pm District staff met at the landslide with a local geotechnical engineering firm, Miller Pacific Engineering Group, which has an existing on-call contract in place with the District. Discussions during this preliminary visual observation noted that the slide appeared to be surficial, and may not have a deep plane of failure. However, there was no way to confirm these ideas without geotechnical investigations, such as test pits and bores, within the active landslide

It was noted by the geotechnical engineer that the landslide was still active at this time which ruled out any assessment beyond visual observation. District staff installed a pressure gauge on a fire hydrant located within the isolated segment of the NMA as a way to monitor in-line pressures of the segment of concern. The initial pressure reading stabilized at approximately 82 psi, which is within the normal range of operating pressures for the NMA. The pressure gauge was monitored twice daily over the following days and consistent readings indicated the isolated segment of the NMA had not ruptured.

Figure 1 is a plan view aerial photo of the landslide that indicates the alignment of the NMA in relation to the earth movement.



Emergency Phase

At 9am on the following day, March 23, the North Bay Incident Management Team (NB-IMT), led by the Novato Fire Department, convened a meeting that was attended by several agency stakeholders including; County Fire, MCDPW, County Office of Emergency Services, County Parks & Open Space, Novato Police, California Highway Patrol, PG&E, Caltrans, Novato City Manager, Buck Institute, and California State Parks.

The NB-IMT meetings were held daily during the emergency response portion of the incident and were critical in facilitating stakeholder communication and cooperation. The meeting agendas consisted of a round table report-out from each stakeholder with brief updates from the previous 24 hours, followed by targeted discussions, information sharing, and desired needs of each stakeholder.

PG&E was designated as the lead agency for site work during the emergency response period, due to the vulnerability of the dual 16-inch gas transmission lines in the vicinity of the landslide. Traffic control was stationed on both ends of Redwood Blvd and PG&E controlled and monitored access to the site. PG&E quickly determined that a temporary relocation of one of the gas lines was the best course of action to maintain gas service to Marin County and allow for deactivation of both transmission lines within the landslide area.

Southbound lanes on Highway 101 were closed beginning at 9pm on Saturday March 25 and reopened at 2pm on Sunday March 26. During the closure PG&E completed work on a temporary bypass pipeline approximately 2,000 feet long that was installed under southbound Highway 101 in two locations and above ground through the median. PG&E allowed District staff to access the site to verify the temporary bypass crossing over the NMA. With the bypass pipe in-place, PG&E deactivated both of the 16-inch gas transmission lines within the landslide area.

On Friday March 31, the NB-IMT closed the Emergency Phase of this incident which signified the beginning of the Recovery Phase. PG&E remained as the lead agency for site work, but Caltrans took over coordination efforts as they were identified as the underlying property owner where the landslide occurred. Caltrans established weekly coordination meetings that focused on recovery efforts including; permanent relocation of the dual 16-inch gas transmission lines, ongoing assessment of impacts to the NMA, rehabilitating Redwood Blvd, and slope stability both uphill and downhill of Redwood Blvd.

North Marin Water District Response

In addition to the meetings led by the NB-IMT, District staff also conducted internal coordination meetings on a daily basis during the initial 10-day period following the landslide. During those daily meetings staff focused on three distinct areas; 1) NMA vulnerability, 2) water supply, and 3) recovery, which included developing contingency plans for both short (30 day) and medium (90 day) scenarios.

Ultimately it was determined that a bypass was not needed nor was one implemented. However, staff developed drawings and a list of materials for a bypass around the landslide in preparation had the NMA been compromised to an extent where water deliveries were impacted long-term. The bypass plans were finalized to the point that they could be used in emergency situations in the future should they arise.

Understanding daily water demands was also paramount to staff's ability to plan for various scenarios. On an annual basis, 75% of the District's water supply is delivered from Sonoma County south to Novato, through the NMA. However, during months with cooler temperatures and lower demands the District can produce 100% of daily water needs from the water treatment plant at Stafford Lake (STP). *See the section below for more details on the water supply impacts.*

In addition to water supply and bypass contingencies, discussions also included planning for public notifications, water quality monitoring, and further evaluation of impacts to the NMA. Following the initial 10-day period, internal coordination meetings were scheduled twice weekly (on Tuesdays and Thursdays). After the initial 6-week period, internal coordination meetings were scheduled at a frequency of once per week.

District staff also immediately established a landslide job number (4098.00) for cost tracking and potential reimbursement of costs related to the landslide. Additionally, staff began logging hours using the appropriate FEMA activity log form, ICS 214. In the event that the District seeks reimbursement from the California Office of Emergency Services (Cal OES) or FEMA, proper documentation of resources expended is essential.

Local Emergency Declaration

At the April 4, 2023 Board of Directors meeting the Board approved a resolution declaring a local emergency within the Novato service area. The resolution gave the general manager authority to implement water reduction measures as described in the District's Water Shortage Contingency Plan 2020 Update, suspend personnel rules, administrative procedures and work restrictions for District staff, and to take measures deemed necessary to remediate the

emergency situation. Extreme measures have not been needed to date, but the local emergency remains in-place until rescinded by the Board at a future meeting.

In addition to the local emergency declaration, District staff released a series of social media posts and updated the District website to include public noticing to limit water use and outdoor irrigation short-term until further assessment of the NMA could be completed. Staff also coordinated with other public agencies and large irrigation-using customers in Novato to minimize their water use by keeping irrigation turned off and not washing public fleet vehicles.

Video Inspection

The first significant piece of information about the potential impacts on the NMA was collected on Thursday, April 6 when District staff hired a company to perform a video inspection inside the pipeline using a remote operated vehicle (ROV). Performing this inspection involved coordination with all of the stakeholders and dewatering the isolated segment of the NMA to allow the ROV to capture more accurate footage. The ROV was deployed via an access hatch north of the landslide and was able to travel 900 feet to the south. Staff was unable to locate an access hatch south of the landslide that would've allowed for video inspection of remaining portion of isolated NMA. However, review of the footage indicated that the portion of the NMA within the influence zone of the landslide was fully captured in the extent that was videoed from the north.

The ROV footage revealed that the cement mortar lining within the pipe appeared to be in-tact with no areas of steel pipe exposed. Staff identified one pipe joint that appeared to be deformed in the horizontal direction. The oblong joint corresponded with the center of the landslide influence zone, which indicated to staff that the slide plane of the landslide was likely deep enough to apply potential damaging horizontal pressure on the NMA. Additional video inspection is being planned to take place this fall, following removal of landslide debris.

Geotechnical Investigation

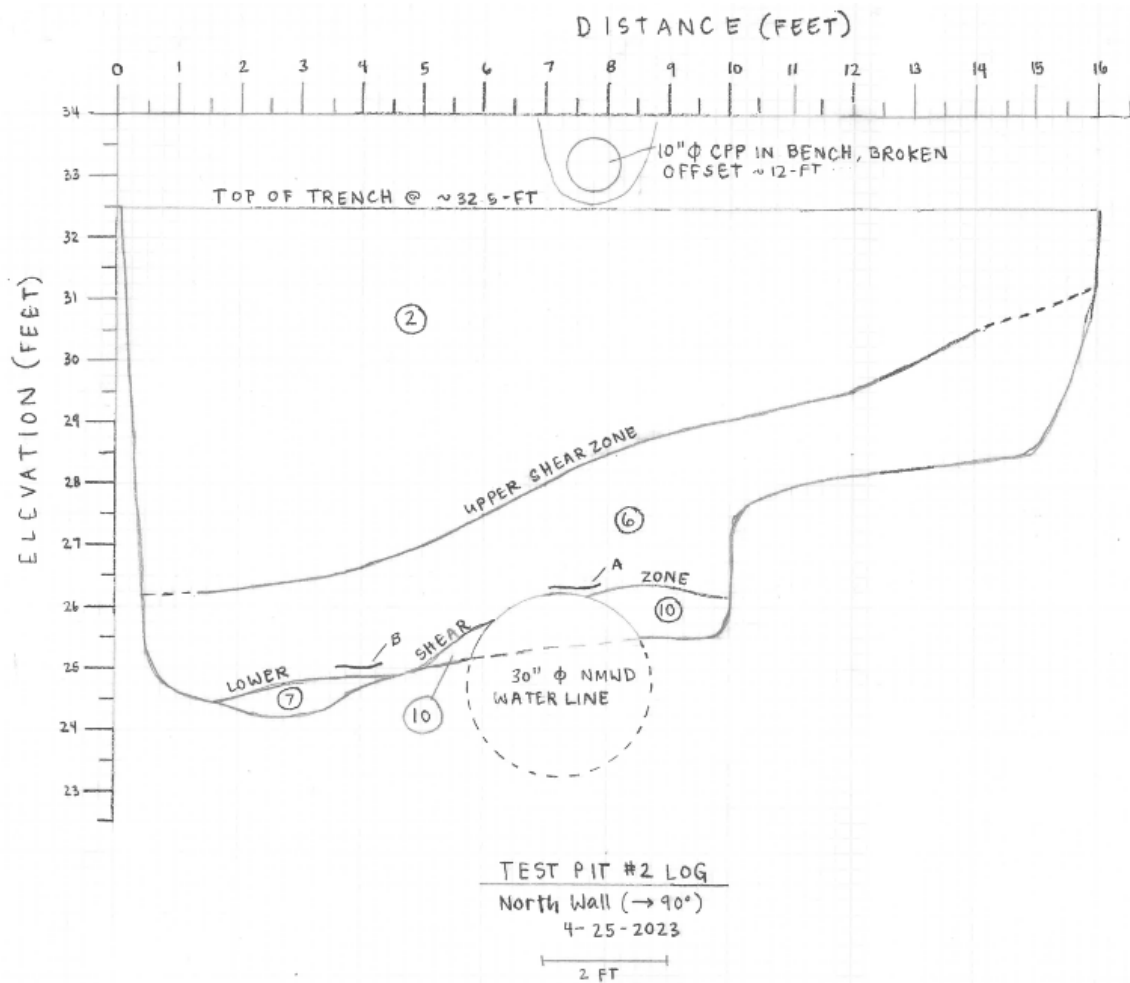
On Thursday April 6, Caltrans installed an inclinometer at the center of the landslide mass, along the centerline of Redwood Blvd. Measurements from the inclinometer on April 7 indicated that the landslide had moved a couple of inches overnight. Attempts to re-measure on April 8 were unsuccessful because the extent of earthen movement had exceeded what the device was capable of reading. The inclinometer was then abandoned in-place.

On Monday April 10, Caltrans excavated a test pit (TP1) at the northern limit of the landslide, along the centerline of Redwood Blvd. Representatives from the District and Miller Pacific Engineering Group were on-site to visually observe the excavation. Based on the

differences of material observed in the trench walls, the group concluded that the plane of failure was relatively shallow, but measurements indicated that the slide plane and the depth of the NMA were similar. Caltrans encountered groundwater during both the inclinometer and test pit operations. The geotechnical personnel on-site agreed that additional excavations within the landslide area should be avoided until the soils were given more time to dry out.

Two weeks later, on April 25 and April 26, District construction crews were given authorization from Caltrans and the geotechnical experts to conduct another test pit (TP2). TP2 was excavated at the center of the landslide mass where it intersects with the NMA. The goal of TP2 was to expose enough of the NMA to locate the plane of failure relative to the 30-inch welded steel pipe.

Observations of TP2 indicated that there were two separate shear planes and that both likely contributed to the landslide. The lower shear plane was similar in depth to the spring line of the NMA, which is consistent with the horizontal deformation identified in video obtained from the ROV. Miller Pacific Engineering Group logged the results of TP2 and prepared the graphical representation of the results shown below;



Staff also noted that the polyguard pipe wrap that was originally around the NMA had been peeled off within this segment of pipe. This likely occurred as a result of earthen movement into and around the NMA during the initial landslide and in subsequent days.

As a simple way of monitoring further earthen movement, District crews marked the top of the NMA with an “X” using reflective tape and installed a standpipe directly above the mark. Following backfill of TP2, staff was able to see the “X” on the NMA from visual observation down the standpipe. Following the rain event on May 3, one week after TP2 was completed, staff observed that the “X” was off-center within the standpipe, which indicated additional ground movement.

Water Supply Impacts

Stafford Treatment Plant (STP) operations were critical to the District’s ability to respond to the landslide and maintain adequate water supply with shut down of the NMA. The landslide occurred in late March, when daily demands in Novato were still relatively low, at about 4.0 million gallons per day (MGD). Generally speaking, STP produces 2.0–3.0 MGD under normal operations. Therefore, under standard operations there would be a daily shortfall of 1.0 MGD while the NMA remained shut off.

District operation’s staff maintains approximately 22-24 million gallons of storage at all times within the Novato system, with isolated instances as low as 20 million gallons or as high as 26 million gallons. In order to maintain regular storage volumes within the system, STP production was increased to 3.5–4.5 MGD by staggering and lengthening working hours to keep STP running up to 20 hours per day. With a limited number of operators on staff, and accounting for previously scheduled time-off, the District’s operations staff was stretched to their limits during the 6-week period following the landslide, prior to resuming full operation of the NMA.

The table below contains data of Novato’s average daily water demand from 2019 to present. Color-coding the data to indicate differences between daily demands of; less than 6 MGD (green), between 6 and 9 MGD (orange), and greater than 9 MGD (red), reveals that recent historic water use data is a relatively reliable indicator of actual water use. Much of the recent trends can be attributed to drought conditions from 2020-2022. It is important to note that water use so far in 2023 is most similar to that of 2022, which was the third year of the prolonged drought conditions. It may be that water conservation behavior became a normal way of life for residents of Novato and that average daily water use will remain low in the coming years. Alternatively, it may be that residents of Novato are simply continuing to conserve water due to the public outreach that the District performed as part of the landslide recovery efforts.

This data was used by District staff in development of contingency plans for both short (30 day) and medium (90 day) scenarios. District staff met with MMWD staff to discuss demand projections based on historic demands of both systems. This effort resulted in a spreadsheet that showed potential water supply deficits, and was then used to inform the frequency needed for intermittent operations of the NMA.

Month	Average Daily Demand (MG)				
	2023	2022 ¹	2021 ¹	2020	2019
January	3.64	3.80	4.64	5.40	4.47
February	4.66	4.45	5.37 ²	5.83	4.37
March	4.23	4.94	5.32 ²	5.39	4.35
April	5.05	5.04	6.31 ²	6.35	5.53
May	6.36	6.33	7.77	8.07	6.95
June	7.14	6.89	7.93	9.68	9.07
July	n/a	7.45	8.13	10.33	13.43
August	n/a	7.54	7.72	10.11	14.49
September	n/a	7.28	7.45	9.44	9.73
October	n/a	6.39	5.76	8.75	8.27
November	n/a	4.89	3.96	8.15	5.62
December	n/a	4.11	3.72 ²	6.28	5.07

¹ drought conditions
² backfeed values removed

Another aspect that impacts Novato’s water supply is the recycled water system. During periods in which recycled water is not being produced by our northern system recycled water provider, Novato Sanitary District (NSD), the recycled water demand is met using potable water. Due to low demand for recycled water during March, NSD did not begin production until late-April. At its peak, recycled water usage can rise as high as 10% of the total daily demand in Novato, largely due to two of Novato’s three golf courses being served with recycled water. The third golf course, Indian Valley Golf Course, is served using raw lake water.

As shown in the supply and demand summary below, even with the increased water production from STP, Novato’s daily demands were slowly increasing into April and May as temperatures rose and customers started consuming more water. To prevent storage volumes from dropping too low, staff decided to operate the NMA for short periods, 4 to 8 hours at a time, to supplement water production from STP. District staff were stationed at each of the two isolation valves during these short operational periods out of an abundance of caution due to the uncertain condition of the NMA. The timeline summary at the end of this memo indicates which days the NMA was operated with staff at the valves, see (4).

Supply and Demand Summary

Date	Actual Daily Demand (MG)	Daily Supply (MG)			Daily Change in Storage	Supply NMA (MMWD)
		STP	NMA (NMWD)	Subtotal (NMWD)		
March						
3/22	4.32	3.62	0.77	4.39	0.07	0.92
3/23	3.87	4.24	0.00	4.24	0.37	0.00
3/24	4.45	4.14	0.00	4.14	-0.31	0.00
3/25	3.98	4.19	0.00	4.19	0.20	0.00
3/26	4.56	3.97	0.00	3.97	-0.58	0.00
3/27	4.51	4.35	1.13	5.48	0.97	0.00
3/28	3.72	4.48	0.00	4.48	0.76	0.00
3/29	4.20	4.50	0.00	4.50	0.30	0.00
3/30	4.51	4.29	0.00	4.29	-0.22	0.00
3/31	3.73	3.84	1.00	4.84	1.11	0.00
April						
4/1	4.55	3.82	0.00	3.82	-0.74	0.00
4/2	4.27	2.62	0.00	2.62	-1.65	0.00
4/3	2.83	3.99	0.00	3.99	1.17	0.00
4/4	4.51	2.73	1.81	4.54	0.03	0.00
4/5	4.03	4.07	0.00	4.07	0.04	0.00
4/6	4.38	4.08	0.00	4.08	-0.30	0.00
4/7	4.14	4.25	0.00	4.25	0.11	0.00
4/8	5.22	4.33	0.98	5.31	0.09	0.00
4/9	3.81	2.74	0.00	2.74	-1.07	0.00
4/10	4.82	4.27	0.00	4.27	-0.56	0.00
4/11	4.28	4.13	2.02	6.14	1.87	0.00
4/12	4.64	4.24	0.00	4.24	-0.40	0.00
4/13	4.26	4.11	0.00	4.11	-0.15	0.00
4/14	4.73	4.23	0.00	4.23	-0.50	0.00
4/15	4.88	2.27	0.00	2.27	-2.61	0.00
4/16	4.61	2.70	0.00	2.70	-1.91	0.00
4/17	4.81	4.12	3.12	7.24	2.43	1.02
4/18	4.83	4.16	2.55	6.71	1.88	0.00
4/19	5.39	4.25	1.98	6.23	0.84	0.00
4/20	6.14	4.21	0.00	4.21	-1.94	0.00
4/21	6.33	2.46	3.85	6.32	-0.01	0.00
4/22	6.02	2.35	2.01	4.36	-1.66	0.00
4/23	5.35	4.72	0.00	4.72	-0.64	0.00
4/24	6.59	3.95	6.19	10.14	3.55	0.00
4/25	6.10	4.11	0.00	4.11	-1.99	0.00
4/26	6.72	4.28	2.55	6.83	0.11	0.00
4/27	6.20	4.04	3.92	7.96	1.76	1.18
4/28	6.71	4.32	4.78	9.10	2.39	2.02
4/29	6.46	2.25	1.41	3.66	-2.80	2.02
4/30	5.72	2.19	3.29	5.48	-0.24	2.03
May						
5/1	6.05	4.16	0.95	5.11	-0.93	2.02
5/2	5.98	3.87	3.86	7.73	1.75	2.02
5/3	5.50	3.75	0.70	4.45	-1.05	2.02
5/4	5.50	4.20	2.49	6.69	1.20	2.02
5/5	5.78	4.16	1.06	5.22	-0.57	2.02
5/6	5.13	2.68	3.29	5.97	0.84	2.03

Water production at STP is a seasonal activity, as the operations are dependent on many variables that include but are not limited to; lake levels, average daily demand, equipment condition, capital projects, and preventative maintenance work. In 2023, water production began at STP on Thursday, March 16, less than one week before the landslide occurred. With the abrupt increase in water production being critical so early into the season, staff made an operational decision to remove the centrifuge from the process and therefore produce a larger volume of liquid sludge byproduct than what is produced under normal conditions. Waste disposal limits set by the NSD restrict the District from disposing more than 40,000 gallons per day during the time period beginning in November and lasting through April. The disposal limit from May through October is 150,000 gallons per day.

The amount of liquid sludge produced under the increased STP production scenario greatly exceeded the volume limit on sewer discharge of 40,000 gallons per day. For this reason, staff began hauling excess liquid sludge to NSD settling ponds using a tanker truck in 4,000-gallon increments, and an average of 3 loads per day. Hauling took place for 12 days, from March 29 to April 13, with an approximate volume of trucked sludge of 144,000 gallons.

Planning for Future

During the 6 weeks following the landslide, District staff successfully performed emergency planning, short- and mid- term contingency planning, in-situ investigations of the NMA pipeline, and geotechnical investigations to identify location and depth of the slide plane. Several other tasks associated with this emergency were concurrently being taken care of by District staff without hesitation. Continuous communication with stakeholders and regional partners was critical to the District's ability to prepare for next steps.

As of Thursday April 27, the District opened both isolation valves on the NMA and has not closed them since. District operations staff continues to closely coordinate use of the NMA with our partners to the north, Sonoma County Water Agency (SCWA), and our partners to the south, MMWD. In addition to concerns with the landslide, SCWA recently started a project to recoat their Kastania tank located in southern Petaluma. With the Kastania tank out of service for at least the next 12 months, operations staff of all 3 agencies will be monitoring flow rates and pressures.

District staff also continues to coordinate closely with PG&E and Caltrans to ensure restoration efforts of the different stakeholders are not in conflict with one another. After PG&E completes permanent relocation of both of their 16-inch high pressure gas transmission mains, Caltrans will begin efforts on construction of a soldier pile wall west of Redwood Blvd, to stabilize the landslide slope. Additionally, Caltrans will also be constructing a retaining wall on

the downhill side of Redwood Blvd, as part of the scope previously planned for the Highway 101 widening project known as the Marin-Sonoma Narrows project. The NMA is located between these two retaining walls in the shoulder just east of Redwood Blvd. For this reason, District staff remains heavily involved in weekly coordination meetings with the stakeholder agencies to coordinate the designs.

Once both retaining walls are complete, Caltrans will remove all landslide debris within the roadway prism and fully restore Redwood Blvd. Once work on the roadway begins, District staff is planning to conduct additional investigations of the NMA. First, staff plans to install 2 new precast concrete vaults over the NMA, one north and one south of the landslide. The northern vault will be located over the access hatch used to deploy the ROV. The southern vault will be installed in a location that staff plans to install a new access hatch. This new access hatch would be used as-needed for future investigation in the landslide area.

Following installation of the vaults, staff plans to dewater and perform physical inspections from inside the 30-inch pipe to confirm the condition of the NMA. Removal of the horizontal and overburden pressures as a result of the Caltrans' improvements may allow the oblong joint of the NMA to rebound into an acceptable range. If the oblong joint does not rebound within an acceptable range, staff plans to replace approximately 40- to 80-feet of the NMA within the landslide area. Staff has already procured the pipe material required for this replacement. If the NMA does rebound within an acceptable range, the District will store the pipe material such that it is available should a future emergency require its use. Additionally, if the segment of NMA is not replaced, staff is planning to expose the segment of NMA within the landslide area and install new polyguard pipe wrap.

As part of the contingency planning during the emergency phase, District staff identified an existing agreement with MMWD that contained details and commitments related to interconnection between the water distribution systems of the two agencies. Field visits to the various interconnection locations revealed to staff of both agencies that the existing infrastructure was not in a condition to allow for emergency interconnection. Ultimately an interconnection with MMWD was not needed to provide adequate water supply to Novato, but future emergencies could have different circumstances where an interconnection would be beneficial. For this reason, a working group comprised of staff from both agencies has been formed with the collective goal of re-establishing several interconnection locations that could be used in the future if needed.



Timeline Summary

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			3/22 Day of Landslide	(1) (2) 3/23 Novato Fire establishes North Bay IMT	(1) (2) 3/24	(1) (2) 3/25 SR101-SB closed for PG&E bypass beginning at 9pm
(2) 3/26 SR101-SB closed for PG&E bypass ending at 2pm	(1) (2) (4) 3/27	(1) (2) 3/28 Rain Day	(1) (2) 3/29 First day hauling sludge to NSD	(1) (2) 3/30	(2) (4) 3/31 North Bay IMT ends – transitions to Caltrans	4/1 Recovery Phase Begins
4/2	4/3	(1) (4) 4/4 NMWD BOD declares local emergency	(3) 4/5 Dewater NMA	(1) 4/6 ROV in NMA Caltrans Inclinometer	4/7	(4) 4/8
4/9	4/10 Caltrans Test Pit (TP1) – Day 1	(1) (4) 4/11 Caltrans Test Pit (TP1) – Day 2	(3) 4/12	(1) 4/13 Last day hauling sludge to NSD	4/14	4/15
4/16	(4) 4/17 Flushed MMWD section of pipe ~1MGD	(1) (4) 4/18	(3) (4) 4/19	(1) 4/20 Field layout for test pit excavation	(4) 4/21 Intertie mtg w/ consultant	(4) 4/22
4/23	(4) 4/24	(1) 4/25 NMWD Test Pit (TP2) – Day 1	(3) (4) 4/26 NMWD Test Pit (TP2) – Day 2	(1) (5) 4/27 Limited daily supply resumed for MMWD	(5) 4/28	(5) 4/29
(5) 4/30	(5) 5/1	(5) 5/2	(3) (5) 5/3 Rain Day	(3) (5) 5/4	(1) (5) 5/5 Intertie mtg w/ MMWD Visit to Benicia	(5) 5/6

- (1) NMWD internal meeting
- (2) North Bay Incident Management Team meeting
- (3) Caltrans recovery meeting
- (4) Open NMA with valves staffed
- (5) Open NMA with no staff at valves

Shaded days indicate that the NMA was fully isolated with no take from NMWD

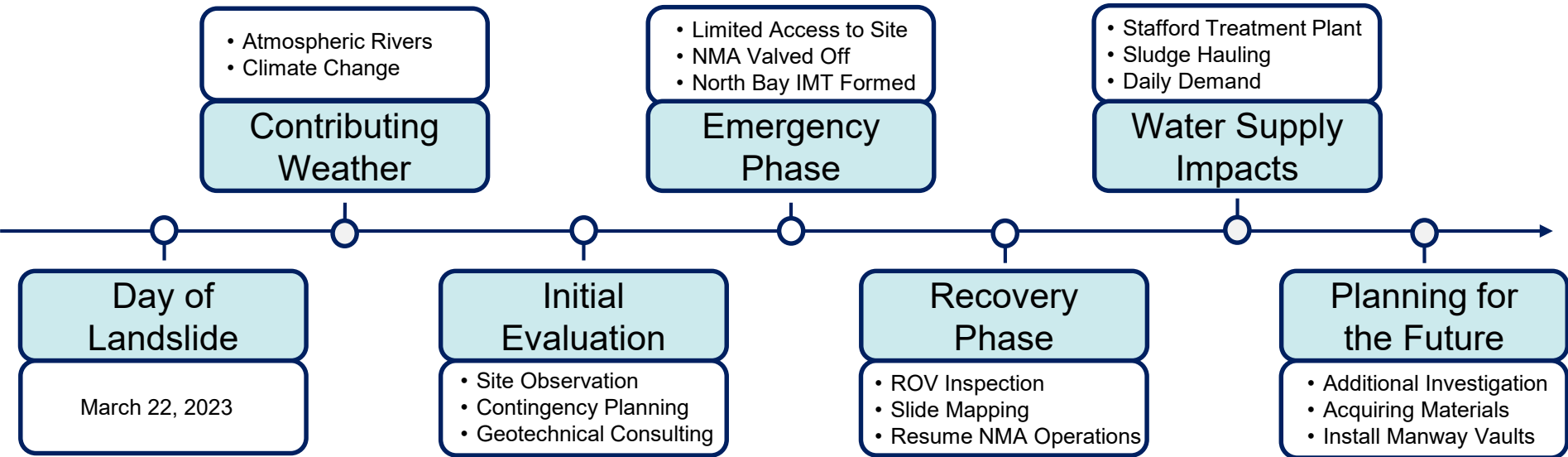


**NORTH MARIN
WATER DISTRICT**

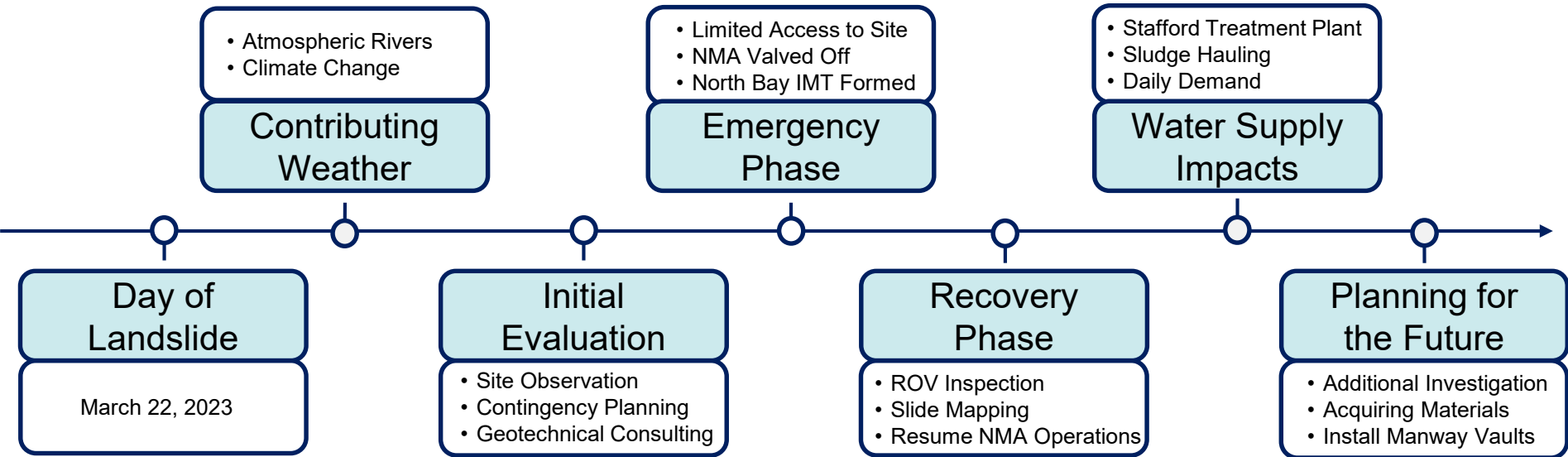
Progress Update
Redwood Landslide
near Olompali
July 18, 2023



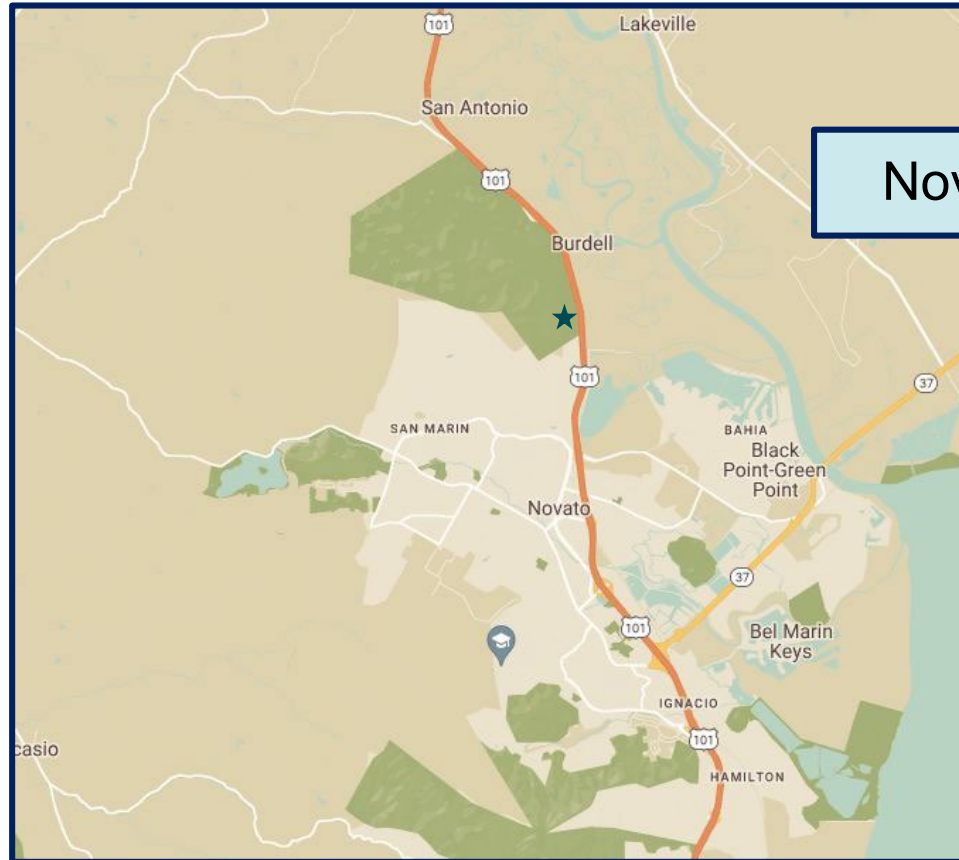
Timeline of Events



Day of Landslide



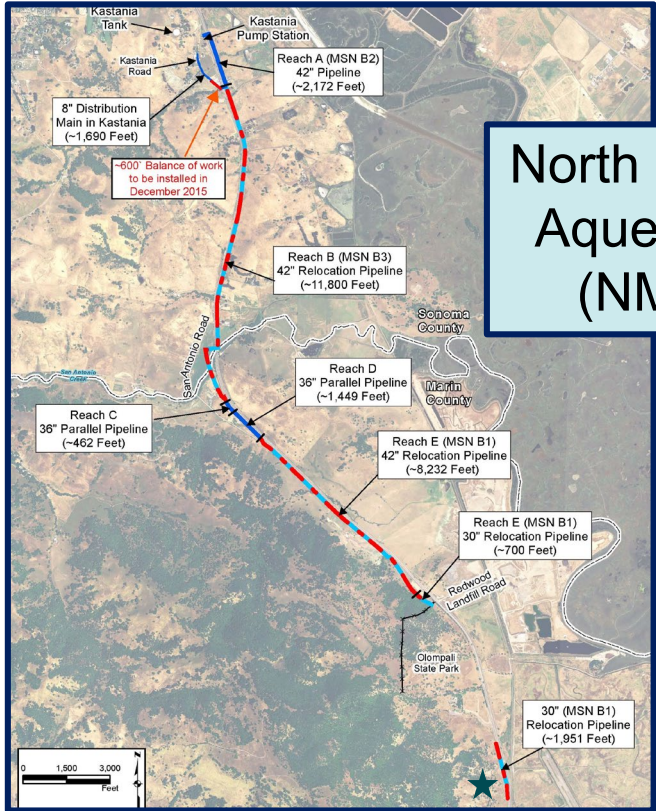
Day of Landslide



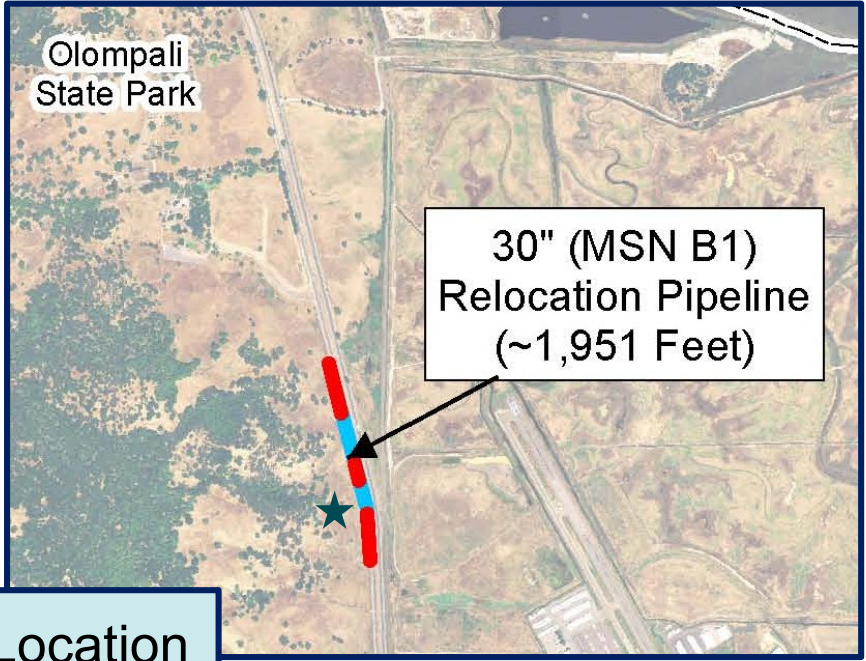
Novato



Day of Landslide



North Marin Aqueduct (NMA)

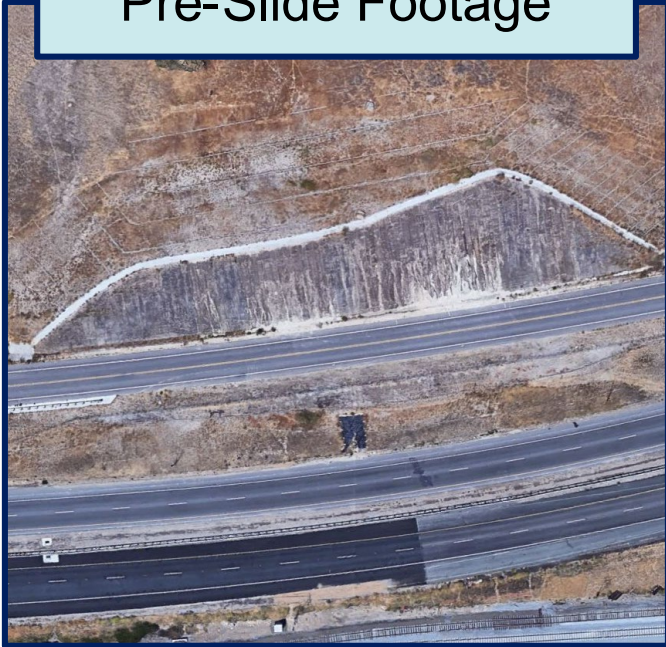


Slide Location



Day of Landslide

Pre-Slide Footage



Approx. 2014



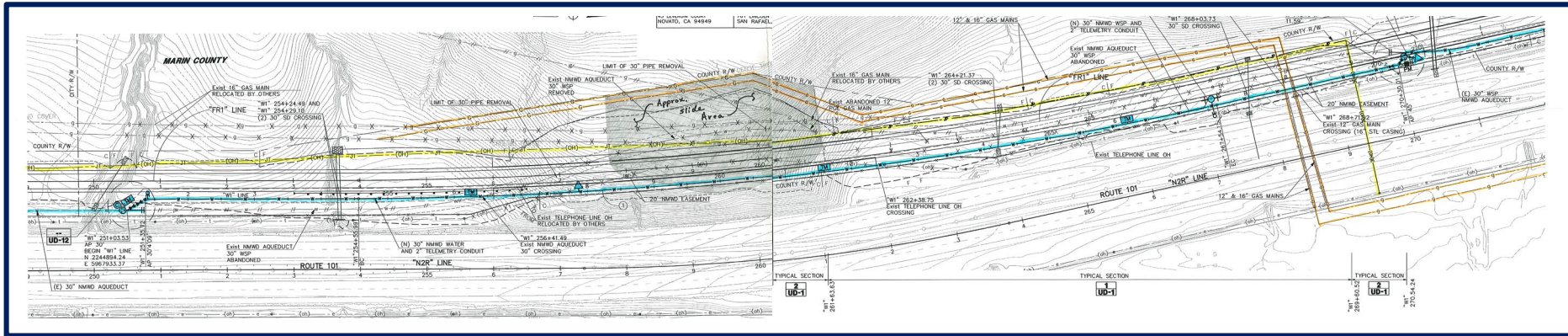
Aerial Drone Footage

03/25/23



Day of Landslide

Slide Location



As-Builts from Caltrans MSN-B1



Day of Landslide



Image prepared by MMWD staff

Slide Location



Day of Landslide



03/22/23



03/22/23



03/22/23



Day of Landslide



03/22/23



Day of Landslide



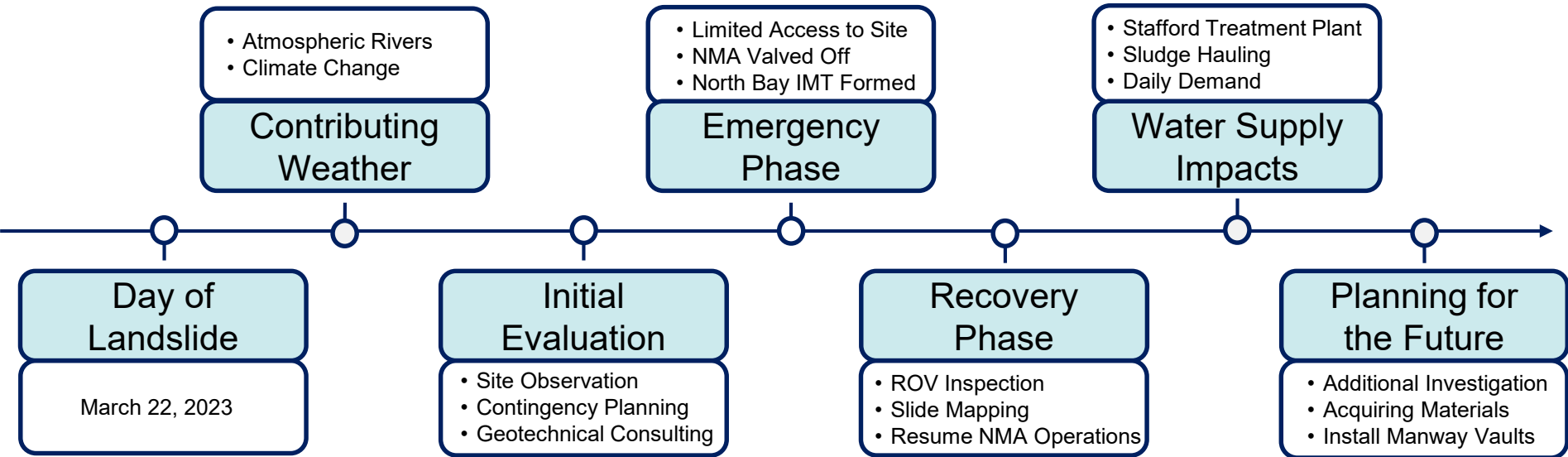
03/22/23



03/22/23



Contributing Weather



Contributing Weather

Rainfall Totals at Novato Library Gauge¹

Month, Year	Monthly Total	Cumulative Total
October 2022	0.0	0.0
November 2022	1.18	1.18
December 2022	7.92	9.10
January 2023	11.65	20.75
February 2023	3.43	24.18
March 2023 (prior to 3/22/23)	8.11	32.29
March 2023 (after 3/22/23)	1.22	33.51
April & May 2023	0.95	34.46

The cumulative total of 32.29 inches on the date of the landslide represents 118% of the 27.28-inch average annual rainfall for Novato²

¹ marin.onerain.com

² nmwd.com/your-water/stats/



Contributing Weather



Stafford Lake at 196.13'

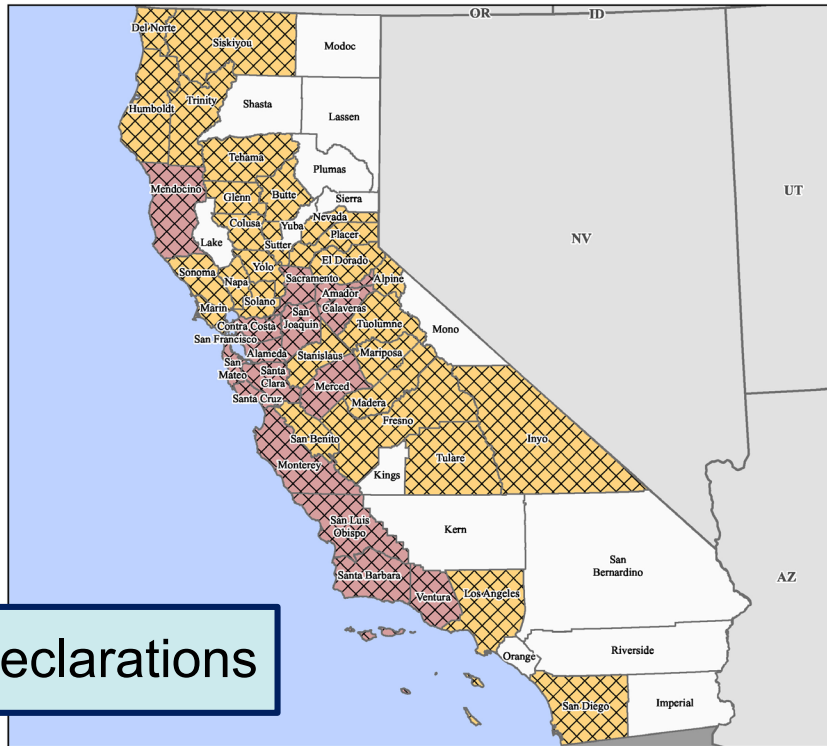
Stafford Reservoir Spilling for
the First Time Since 2019

01/25/2023



Contributing Weather

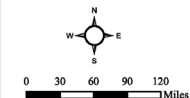
FEMA-4683-DR, California Disaster Declaration as of 05/25/2023



Data Layer/Map Description:
The types of assistance that have been designated for selected areas in the State of California.

All municipalities in the State of California are eligible to apply for assistance under the Hazard Mitigation Grant Program.

- Designated Counties**
- No Designation
 - Individual Assistance and Public Assistance (Categories A - G)
 - Public Assistance (Categories A - G)



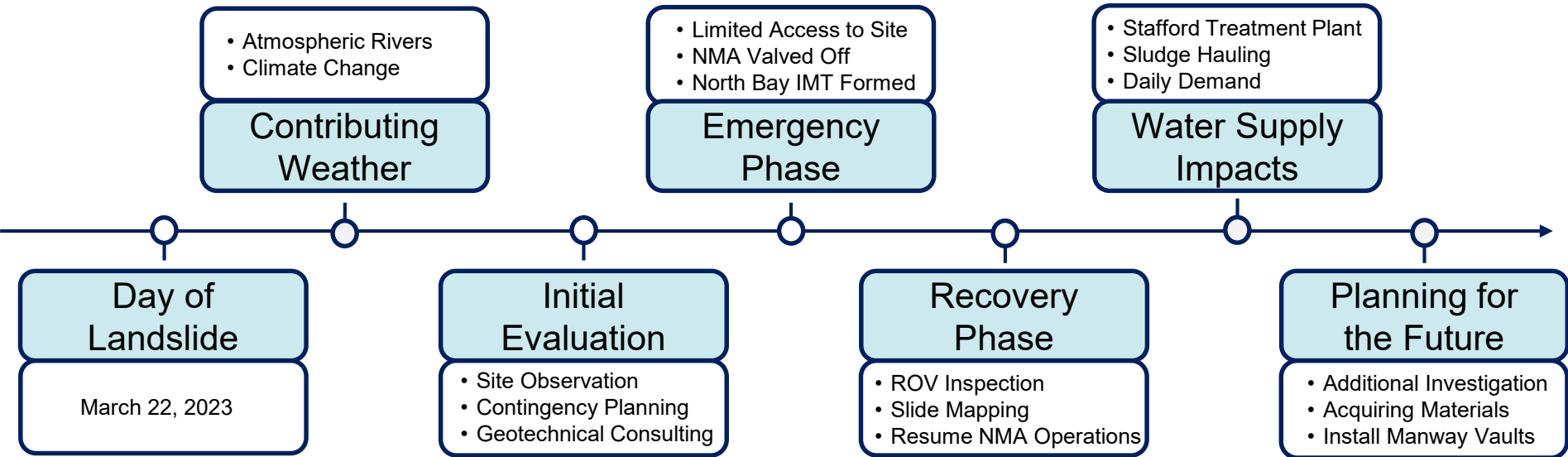
Data Sources:
FEMA, ESRI
Initial Declaration: 01/14/2023
Disaster Federal Registry Notice:
Amendment #10: 05/25/2023
Datum: North American 1983
Projection: Lambert Conformal Conic

MapID 8fda5a21f510525231531twhqprod

CA Disaster Declarations



Initial Evaluation



Initial Evaluation

Landslide Movement



3/31/2023



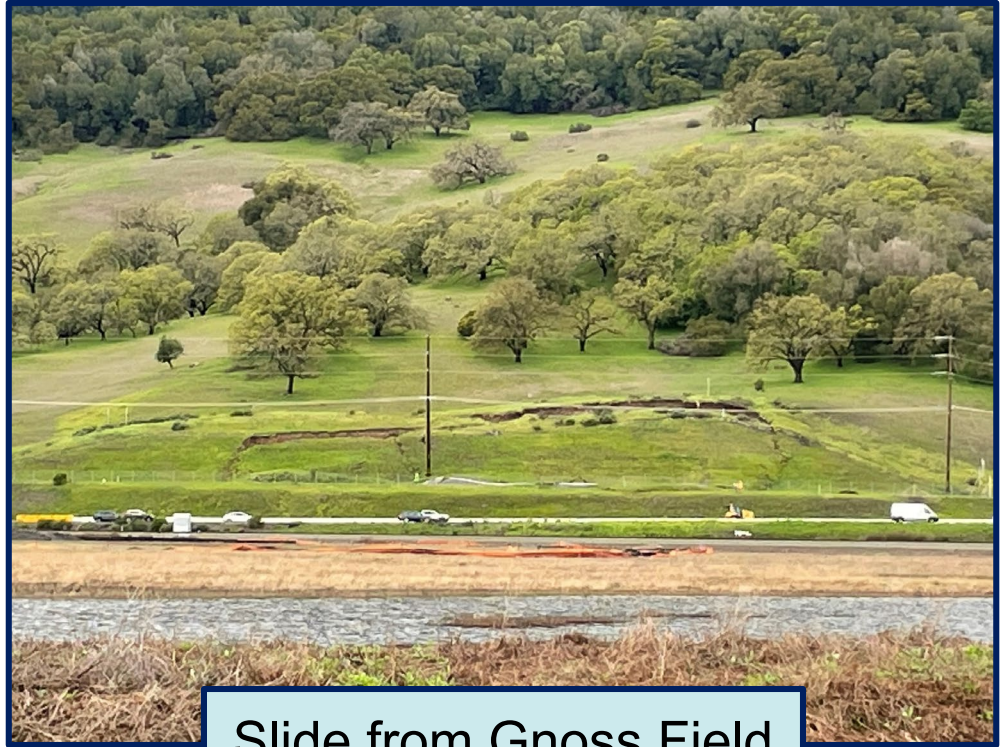
3/22/2023



Initial Evaluation



FH Pressure Reading Near Slide



Slide from Gross Field

03/25/23



Initial Evaluation

Landslide Movement



3/25/2023



3/25/2023



Initial Evaluation



Aerial Drone Footage

03/25/23



Initial Evaluation

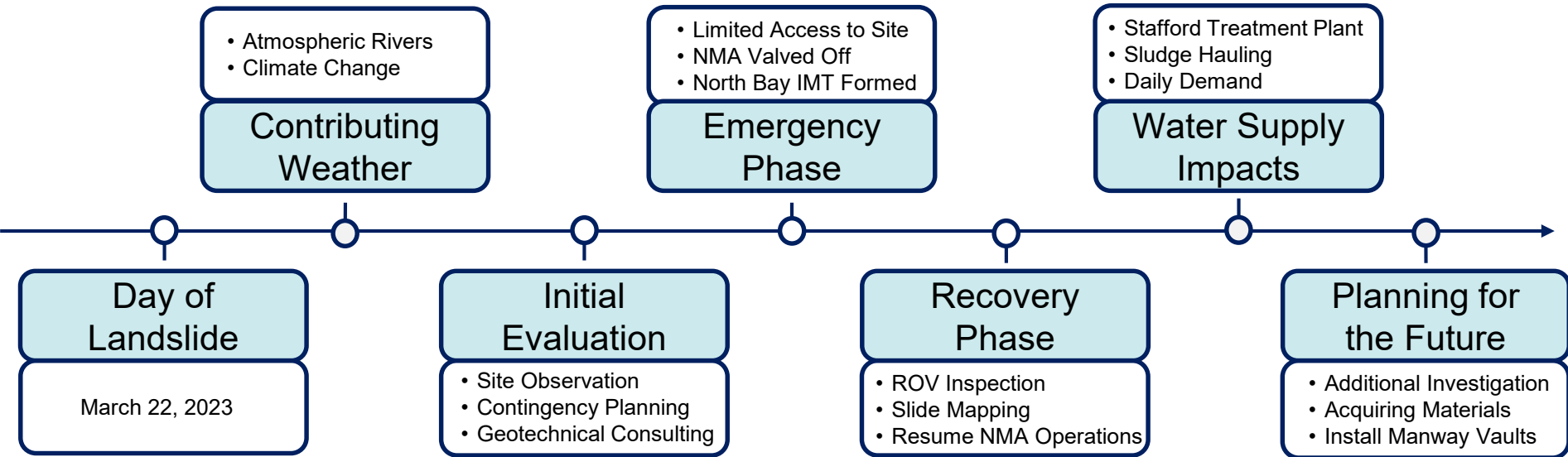


PG&E Crews Arrive

03/25/23



Emergency Phase



Emergency Phase



3/22/2023

Agencies

- North Marin Water District
- Marin Municipal Water District
- North Bay Incident Management Team
- Novato Fire Protection District
- Marin County Fire
- Marin County Public Works Department
- Marin County Office of Emergency Services
- Marin County Parks & Open Space
- Novato Police Department
- California Highway Patrol
- Pacific Gas & Electric
- Caltrans
- Novato City Manager
- Buck Institute for Research on Aging
- California State Parks



Emergency Phase

Sun	Mon	Tue	Wed	Thu	Fri	Sat
			3/22 Day of Landslide	(1) (2) 3/23 Novato Fire establishes North Bay IMT	(1) (2) 3/24	(1) (2) 3/25 SR101-SB closed for PG&E bypass beginning at 9pm
(2) 3/26 SR101-SB closed for PG&E bypass ending at 2pm	(1) (2) (4) 3/27	(1) (2) 3/28 Rain Day	(1) (2) 3/29 First day hauling sludge to NSD	(1) (2) 3/30	(2) (4) 3/31 North Bay IMT ends – transitions to Caltrans	4/1 Recovery Phase Begins
4/2	4/3	(1) (4) 4/4 NMWD BOD declares local emergency	(3) 4/5 Dewater NMA	(1) 4/6 ROV in NMA Caltrans Inclinometer	4/7	(4) 4/8
4/9	4/10 Caltrans Test Pit (TP1) – Day 1	(1) (4) 4/11 Caltrans Test Pit (TP1) – Day 2	(3) 4/12	(1) 4/13 Last day hauling sludge to NSD	4/14	4/15
4/16	(4) 4/17 Flushed MMWD section of pipe ~1MGD	(1) (4) 4/18	(3) (4) 4/19	(1) 4/20 Field layout for test pit excavation	(4) 4/21 Intertie mtg w/ consultant	(4) 4/22
4/23	(4) 4/24	(1) 4/25 NMWD Test Pit (TP2) – Day 1	(3) (4) 4/26 NMWD Test Pit (TP2) – Day 2	(1) (5) 4/27 Limited daily supply resumed for MMWD	(5) 4/28	(5) 4/29
(5) 4/30	(5) 5/1	(5) 5/2	(3) (5) 5/3 Rain Day	(3) (5) 5/4	(1) (5) 5/5 Intertie mtg w/ MMWD Visit to Benicia	(5) 5/6



Emergency Phase



05/08/23

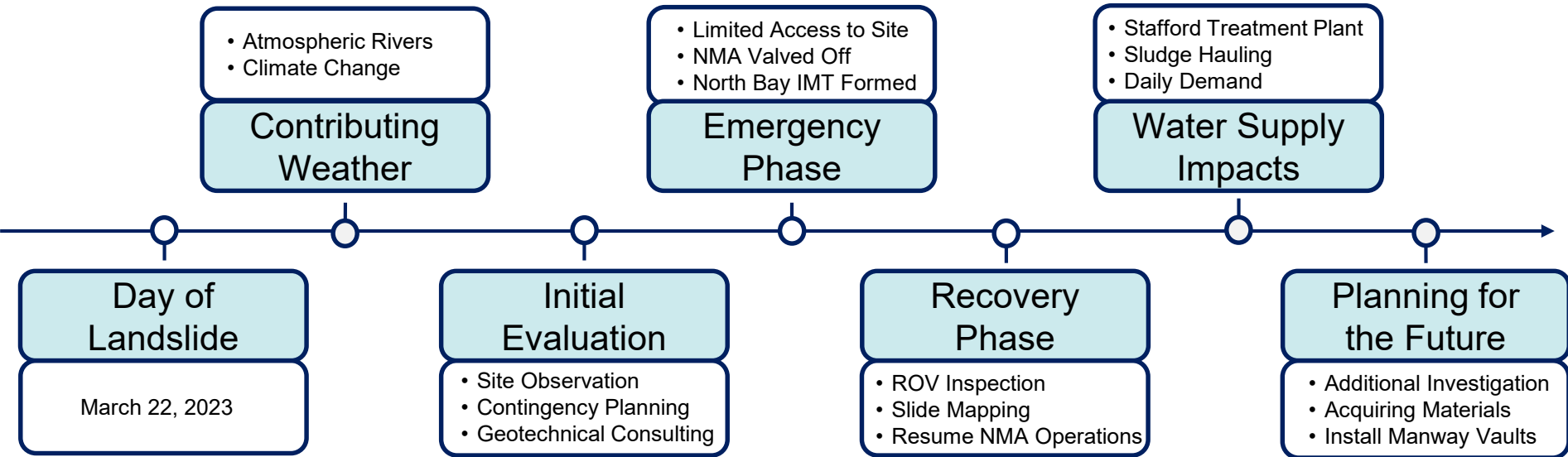


04/11/23

City of Benicia Bypass



Recovery Phase



Recovery Phase

**Please keep
irrigation &
sprinkler
systems shut off**
Until Friday, April 14.



Public Outreach



**Board of
Directors
Meeting**

Tuesday,
April 4th
4:00pm



RESOLUTION NO. 23-05
**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE NORTH MARIN WATER DISTRICT
DECLARING THE EXISTENCE OF A LOCAL EMERGENCY AND AUTHORIZING THE
GENERAL MANAGER TO TAKE NECESSARY ACTIONS TO ENSURE ADEQUATE WATER
SUPPLY DURING THE CONDITIONS RESULTING FROM SEVERE STORMS**

WHEREAS on January 4, 2023, the Governor of the State of California declared a State Emergency as a result of severe winter storms that have impacted the state; and

WHEREAS on March 16, 2023, the County of Marin Director of Emergency Management proclaimed and ordered that extreme peril to the safety of persons and property have arisen throughout Marin County as a result of said storms, and that a local emergency now exists; and

WHEREAS on March 21, 2023, the County of Marin Board of Supervisors ratified the proclamation of a local emergency in Marin County; and

WHEREAS on or about March 21, 2023 a significant landslide occurred on Redwood Boulevard just south of the Olompali State Park in the unincorporated area of Novato; and

WHEREAS on March 28, 2023, the Governor requested a Presidential Major Disaster Declaration to bolster the emergency response and recovery in the counties impacted by flooding, snow, mudslides, avalanches, and debris flows that resulted from storms beginning February 21 and expanded the storm state of emergency to the counties of Alameda, Marin, Modoc and Shasta; and

WHEREAS the North Marin Water District (District) owns and operates the North Marin Aqueduct (NMA), a primary water transmission pipeline that conveys Russian River water from Sonoma County Water Agency and that provides up to 80 percent of the annual demand of potable water for the District's Novato and Sausalito water supply to Marin Municipal Water District;

WHEREAS the landslide on Redwood Boulevard impacted the roadway and ground surface, threatening the District's water supply for temporary closure of that pipeline and threatening the District's water supply and necessitating supplemental water to MMWD; and

WHEREAS on March 22, 2023, the District's General Manager, acting as the Director of Emergency Services per Resolution 22-09 dated April 19, 2022, activated the District's Emergency Operations Plan; and

1

Local Emergency Declaration

4/4/23



Recovery Phase



ROV



ROV Lowered
Into Manway

03/25/23



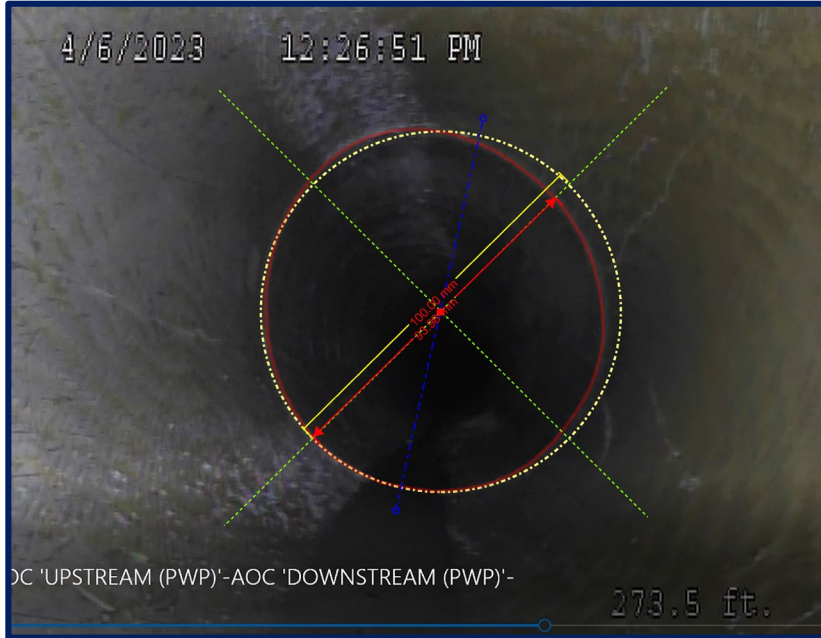
Recovery Phase



North Marin Aqueduct Evaluation



Recovery Phase



North Marin Aqueduct Evaluation

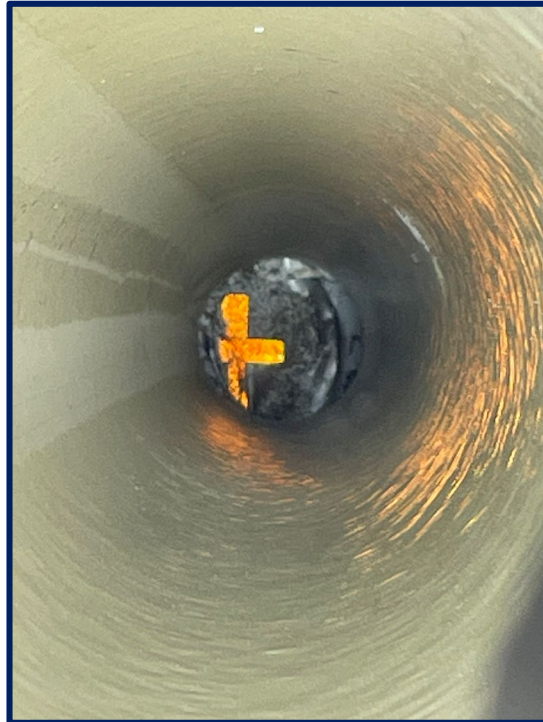


Recovery Phase



04/26/23

Slide Mapping



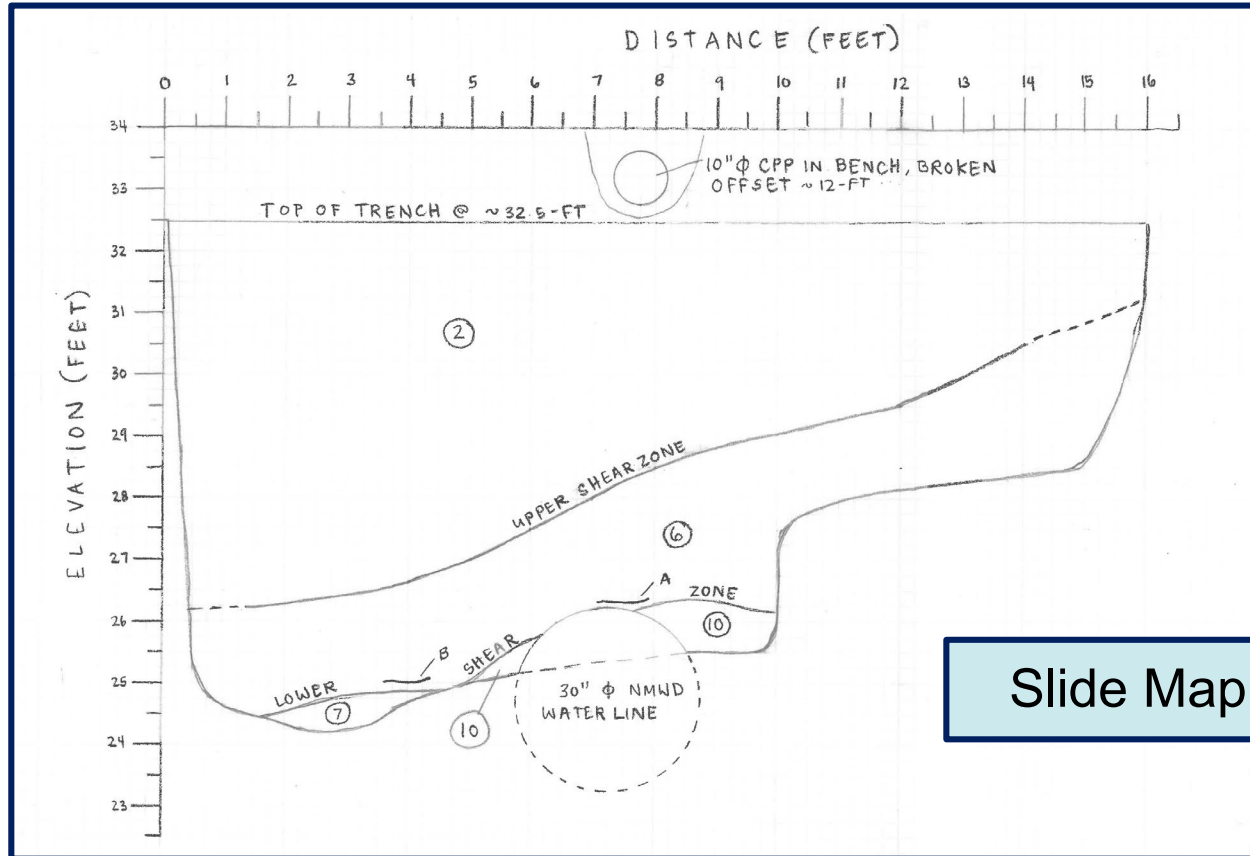
05/16/23



05/31/23



Recovery Phase



Slide Mapping



Recovery Phase

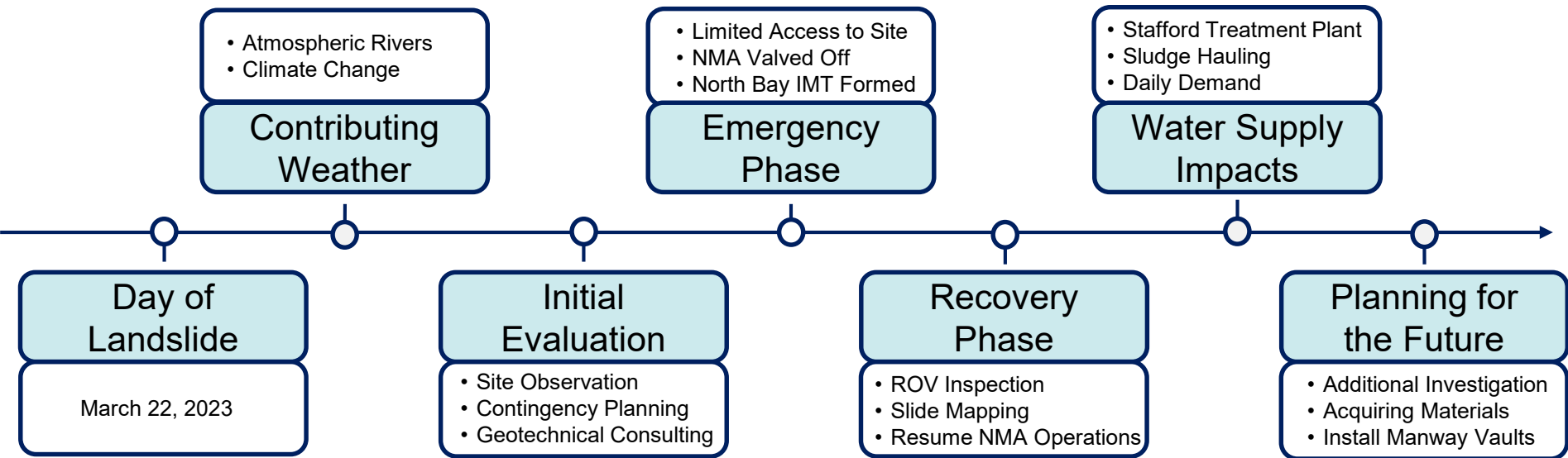
Slide Mapping



04/25/23



Water Supply Impacts



Water Supply Impacts

Date	Actual Daily Demand (MG)	Daily Supply (MG)			Daily Change in Storage	Supply NMA (MMWD)
		STP	NMA (NMWD)	Subtotal (NMWD)		
March						
3/22	4.32	3.62	0.77	4.39	0.07	0.92
3/23	3.87	4.24	0.00	4.24	0.37	0.00
3/24	4.45	4.14	0.00	4.14	-0.31	0.00
3/25	3.98	4.19	0.00	4.19	0.20	0.00
3/26	4.56	3.97	0.00	3.97	-0.58	0.00
3/27	4.51	4.35	1.13	5.48	0.97	0.00
3/28	3.72	4.48	0.00	4.48	0.76	0.00
3/29	4.20	4.50	0.00	4.50	0.30	0.00
3/30	4.51	4.29	0.00	4.29	-0.22	0.00
3/31	3.73	3.84	1.00	4.84	1.11	0.00
April						
4/1	4.55	3.82	0.00	3.82	-0.74	0.00
4/2	4.27	2.62	0.00	2.62	-1.65	0.00
4/3	2.83	3.99	0.00	3.99	1.17	0.00
4/4	4.51	2.73	1.81	4.54	0.03	0.00
4/5	4.03	4.07	0.00	4.07	0.04	0.00
4/6	4.38	4.08	0.00	4.08	-0.30	0.00
4/7	4.14	4.25	0.00	4.25	0.11	0.00
4/8	5.22	4.33	0.98	5.31	0.09	0.00
4/9	3.81	2.74	0.00	2.74	-1.07	0.00
4/10	4.82	4.27	0.00	4.27	-0.56	0.00
4/11	4.28	4.13	2.02	6.14	1.87	0.00
4/12	4.64	4.24	0.00	4.24	-0.40	0.00
4/13	4.26	4.11	0.00	4.11	-0.15	0.00
4/14	4.73	4.23	0.00	4.23	-0.50	0.00
4/15	4.88	2.27	0.00	2.27	-2.61	0.00
4/16	4.61	2.70	0.00	2.70	-1.91	0.00
4/17	4.81	4.12	3.12	7.24	2.43	1.02
4/18	4.83	4.16	2.55	6.71	1.88	0.00
4/19	5.39	4.25	1.98	6.23	0.84	0.00
4/20	6.14	4.21	0.00	4.21	-1.94	0.00
4/21	6.33	2.46	3.85	6.32	-0.01	0.00
4/22	6.02	2.35	2.01	4.36	-1.66	0.00
4/23	5.35	4.72	0.00	4.72	-0.64	0.00
4/24	6.59	3.95	6.19	10.14	3.55	0.00
4/25	6.10	4.11	0.00	4.11	-1.99	0.00
4/26	6.72	4.28	2.55	6.83	0.11	0.00
4/27	6.20	4.04	3.92	7.96	1.76	1.18

Water Use History

Month	Average Daily Demand (MG)				
	2023	2022 ¹	2021 ¹	2020	2019
January	3.64	3.80	4.64	5.40	4.47
February	4.66	4.45	5.37 ²	5.83	4.37
March	4.23	4.94	5.32 ²	5.39	4.35
April	5.05	5.04	6.31 ²	6.35	5.53
May	6.36	6.33	7.77	8.07	6.95
June	7.14	6.89	7.93	9.68	9.07
July	n/a	7.45	8.13	10.33	13.43
August	n/a	7.54	7.72	10.11	14.49
September	n/a	7.28	7.45	9.44	9.73
October	n/a	6.39	5.76	8.75	8.27
November	n/a	4.89	3.96	8.15	5.62
December	n/a	4.11	3.72 ²	6.28	5.07

Real-Time Use



Water Supply Impacts

Contingency Planning

NMWD 6-month Water Supply Contingency

Time Period	Demands		Supply Options (MGD)						Response	
	3 Yr AVG Demand	STP Production	North Marin Supply Deficit *a	North Marin Supply (Deficit) *b	North Marin Supply (Deficit) *c	24 hour	Marin Water Supply (Deficit) *b	Marin Water Supply (Deficit) *c	Emergency Demand Reduction Measures or Other Operational Changes	
6-month period	1-Apr-23	7.3	4.3	(3.0)	0.4	4.2	13.0	0.4	4.2	Staff isolation valves during this period of aqueduct operation. Determine how to manage between NMWD and MMWD Staff. Hours of operation will depend on amount of water MMWD requires through the end of June. Must develop a plan to begin 24 x 7 SCWA flows to meet deficit.
	15-Apr-23	8.4	3.6	(4.8)	(1.4)	2.4	11.2	0.0	2.4	
	1-May-23	7.9	3.6	(4.3)	(0.9)	2.9	11.7	0.0	2.9	
	15-May-23	7.4	3.6	(3.8)	(0.4)	3.4	12.2	0.0	3.4	
	1-Jun-23	8.7	3.6	(5.1)	(1.7)	2.1	10.9	0.0	2.1	
	15-Jun-23	9.2	3.6	(5.6)	(2.2)	1.6	10.4	0.0	1.6	
	*d 1-Jul-23	12.1	3.6	(8.5)	(5.1)	(1.3)	7.5	0.0	0.0	
	15-Jul-23	11.6	3.6	(8.0)	(4.6)	(0.8)	8.0	0.0	0.0	
	1-Aug-23	12.4	3.6	(8.8)	(5.4)	(1.6)	7.2	0.0	0.0	
	15-Aug-23	11.8	3.6	(8.2)	(4.8)	(1.0)	7.8	0.0	0.0	
	1-Sep-23	9.7	3.6	(6.1)	(2.7)	1.1	9.9	0.0	1.1	
	15-Sep-23	9.1	3.6	(5.5)	(2.1)	1.7	10.5	0.0	1.7	
	1-Oct-23	8.5	3.6	(4.9)	(1.5)	2.3	11.1	0.0	2.3	
	15-Oct-23	7.9	3.6	(4.3)	(0.9)	2.9	11.7	0.0	2.9	
	1-Nov-23	6.8	3.6	(3.2)	0.2	4.0	12.8	0.2	4.0	
	15-Nov-23	5.3	3.6	(1.7)	1.7	5.5	14.3	1.7	5.5	

NOTES:

*a No SCWA Flows

*b SCWA Flow 8 hour M-F @ 10,000 gpm

3.4 MGD

*c SCWA Flow 12 hour M-F @ 10,000 gpm

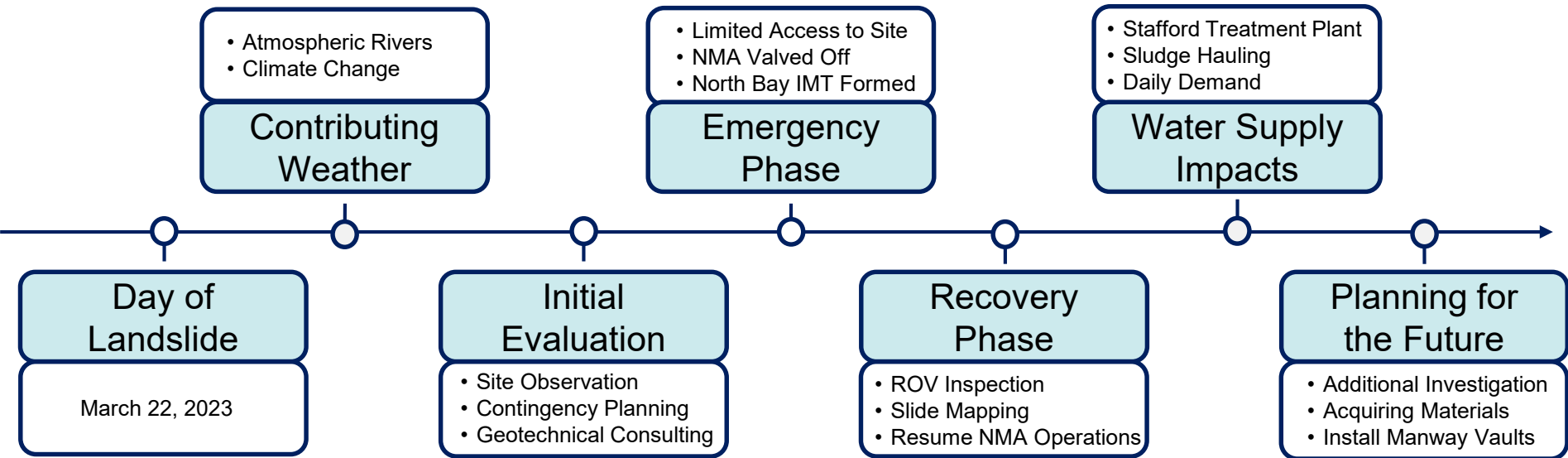
7.2 MGD

*d SCWA Flow 24x7 hour operation

16 MGD



Planning for the Future



Planning for the Future

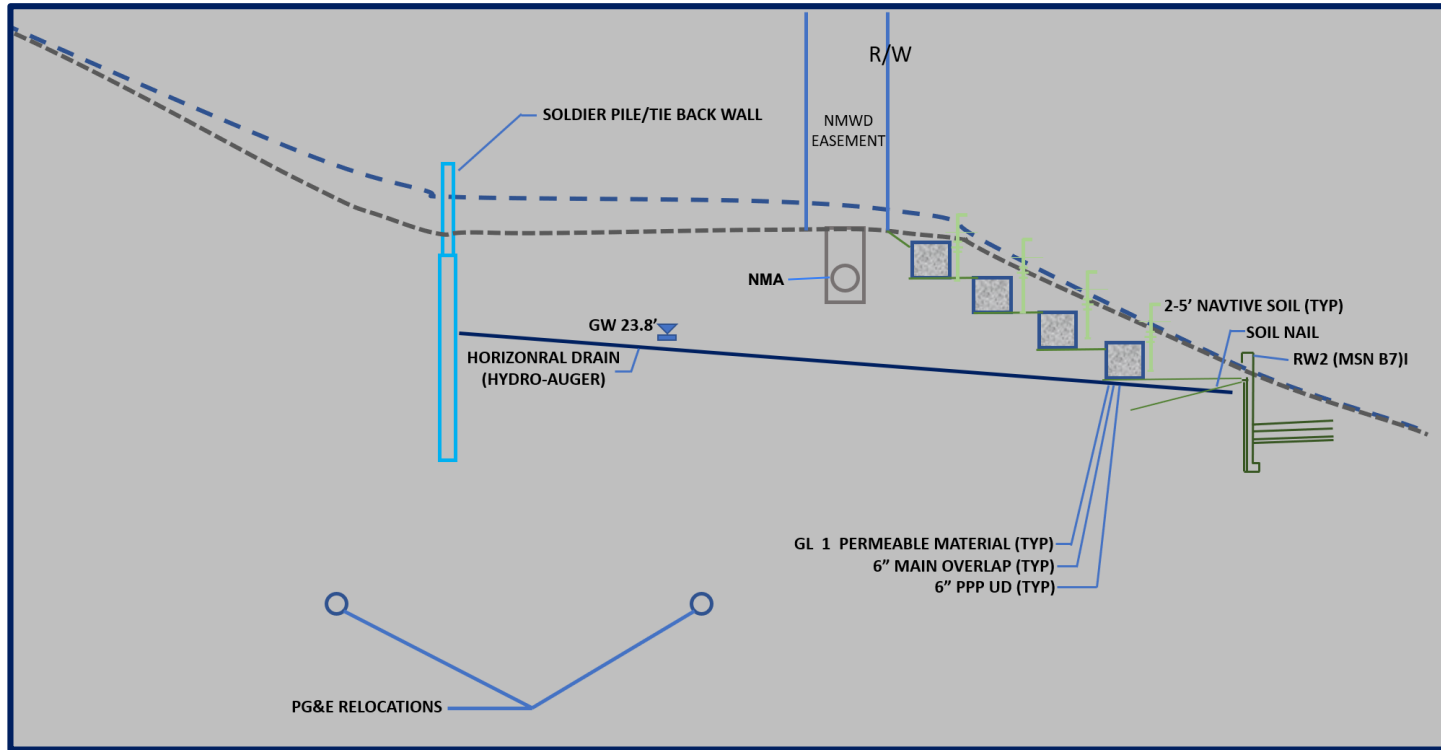


Slide from Gness Field

07/06/23



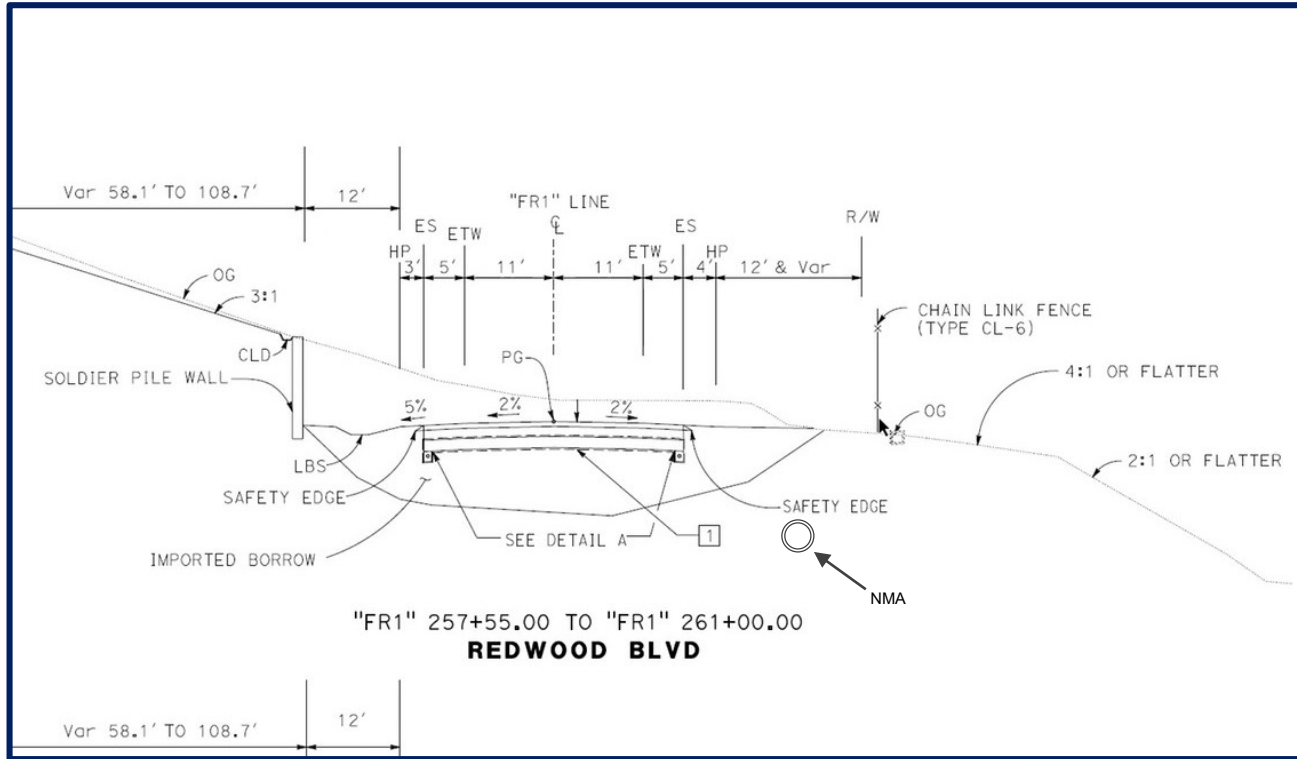
Planning for the Future



Caltrans Retaining Walls



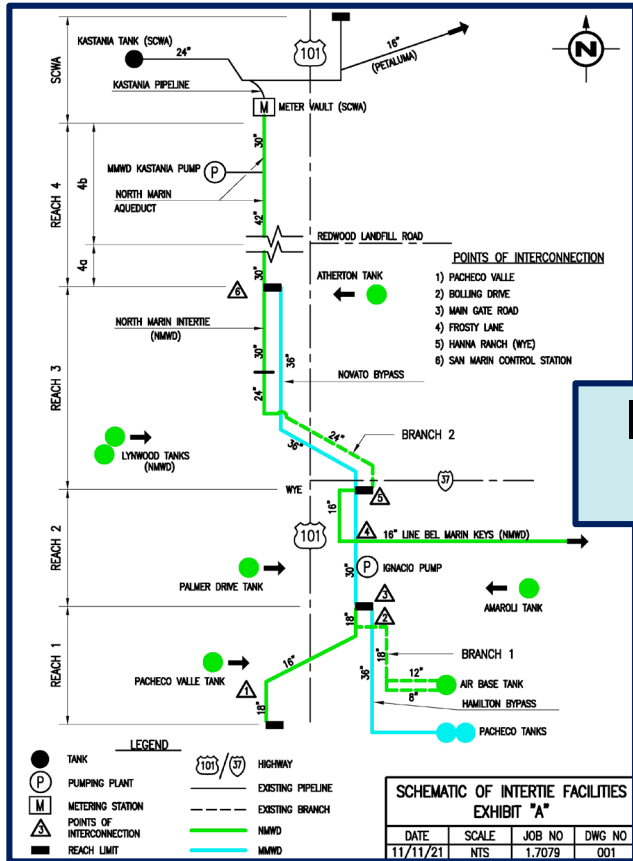
Planning for the Future



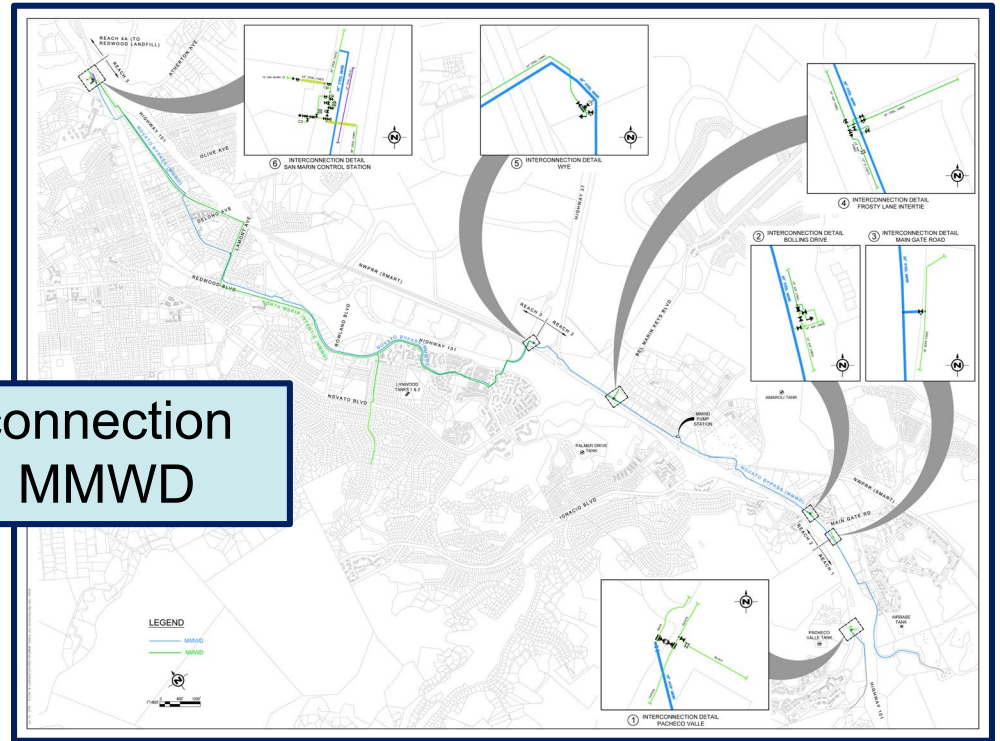
Caltrans Retaining Walls



Planning for the Future



Interconnection with MMWD



Planning for the Future



Landslide Site Progress



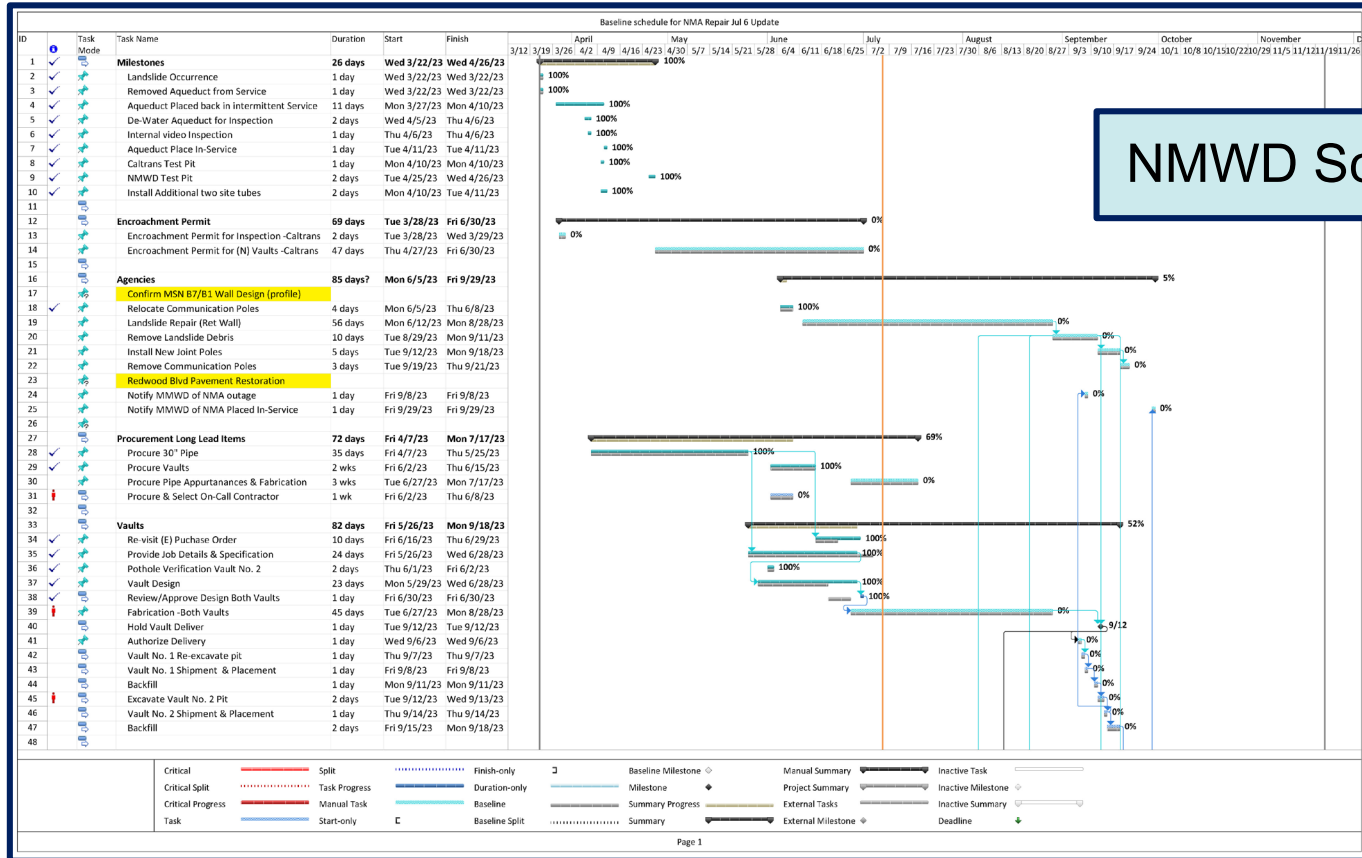
Planning for the Future



Landslide Site Progress



Planning for the Future



Planning for the Future



Replacement 30" Pipe



Acknowledgements

Stakeholder Agencies

Pacific Gas & Electric
Caltrans District 4
Marin Municipal Water District
Marin County Public Works

Assisting Agencies

Novato Fire Department
Sonoma County Water Agency
East Bay Municipal Utility District
Buck Institute for Research on Aging
City of Benicia

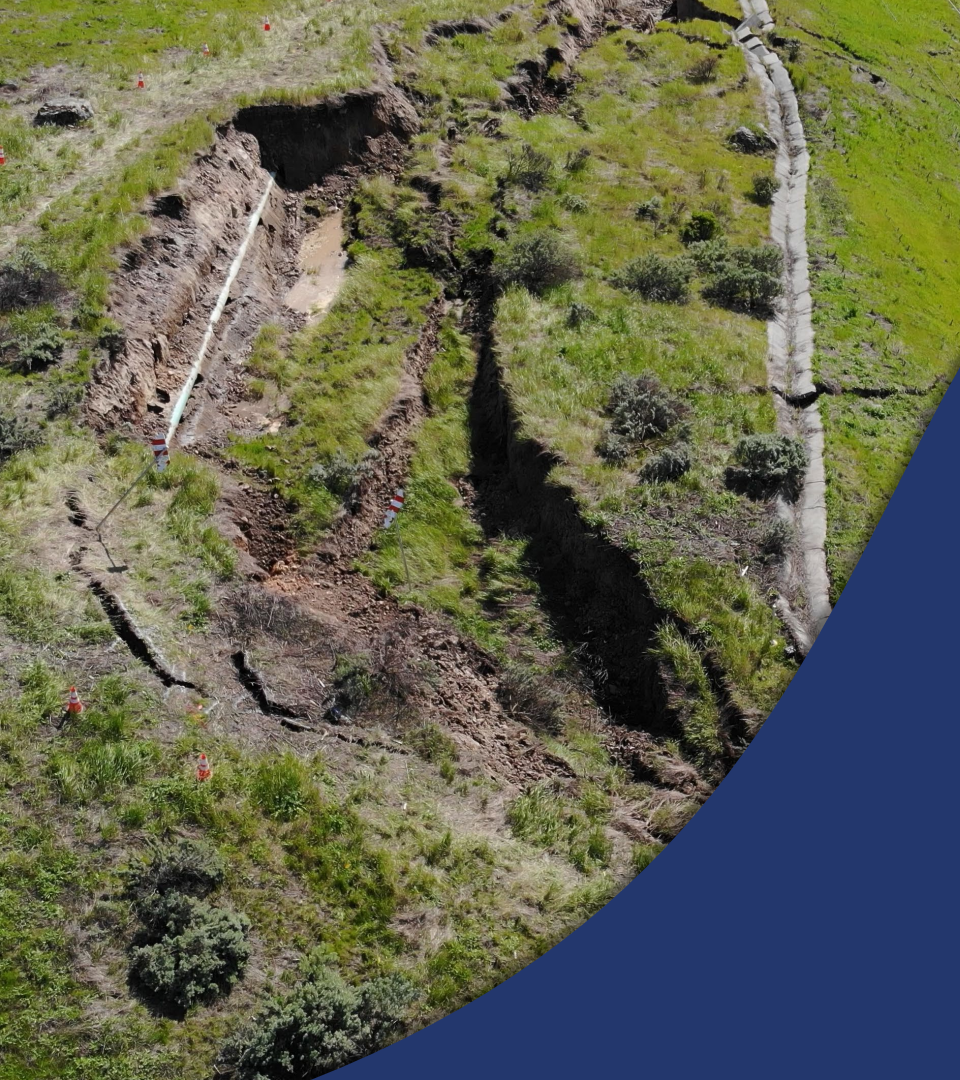
Engineering Consultants

Miller Pacific Engineering Group
Kennedy Jenks
Freyer & Laureta, Inc.



**MILLER PACIFIC
ENGINEERING GROUP**





Questions?



10

DRAFT* MINUTES OF TECHNICAL ADVISORY COMMITTEE
Utilities Field Operations Training Center
35 Stony Point Road, Santa Rosa, CA
June 5, 2023

ITEM #10

Attendees: Craig Scott, City of Cotati
Mike Ielmorini, City of Petaluma
Peter Martin, City of Santa Rosa
Matt Wargula, City of Sonoma
Mike Berger, City of Sonoma
Tony Williams, North Marin Water District
Eric Miller, North Marin Water District
Matt Fullner, Valley of The Moon Water District
Shannon Cotulla, Town of Windsor
Paul Sellier, Marin Municipal Water District
Mary Grace Pawson, City of Rohnert Park
Michelle Montoya, City of Santa Rosa

Staff/Alternates: Pam Jeane, Sonoma County Water Agency (SCWA)
Colin Close, City of Santa Rosa
Mike Thompson, SCWA
Andrea Rodriguez, SCWA
Don Seymour, SCWA
Paul Piazza, SCWA
Kent Gylfe, SCWA
Lynne Rosselli, SCWA
Robert Rogers, SCWA

Public: Brenda Adelman, Russian River Watershed Protection
Bob Anderson
Dick Dowd

1. Check In
Matt Fullner, TAC Vice Chair, called the meeting to order at 9:01 a.m.
2. Public Comments
None.
3. Water Supply Conditions and Temporary Urgency Change Petition
Don Seymour, SCWA, presented. The water supply conditions remain good, with Lake Mendocino up to 99,500 acre-feet and gaining in storage. This is a result of the State Board issuing the Temporary Urgency Change Order necessary for compliance with the 2008 Biological Opinion. There is a pretty good contribution from the Potter Valley Project with transfer from the Eel River of 130 cubic feet per second. This will be reduced due to PG&E filing a FERC variance request a few weeks ago. PG&E did not close the spillway gates due to seismic concerns, resulting in the reservoir holding 20K acre-feet less than what it could this year. Lake Mendocino will remain at or above 60K acre-feet at the end of the water year. Lake Sonoma is just under 265k acre-feet, and the Army Corps. remain in control

of the releases. The minor deviation at Lake Sonoma expires at the end of the water year and another request for an additional minor deviation will be filed.

Peter Martin, City of Santa Rosa, asked if the order changes the flow of Dry Creek.

Don Seymour, SCWA, confirmed that it does not affect Dry Creek.

No public comments.

4. Sonoma Marin Saving Water Partnership

a. 2023 Water Production Relative to 2013 Benchmark

Matt Fullner, Valley of The Moon Water District, presented. (*Refer to handouts*)

For the month of April, the partners are collectively at a 39% reduction in water use compared to the 2013 benchmark, with the year to date at 29%. Overall, GPCD is continuing to trend down with the recent drought.

b. Water Use Efficiency Outreach Messaging

Andrea Rodriguez, SCWA, presented. (*Refer to handouts.*)

The Sonoma County Water Agency's summer campaign is rolling out with June's messaging focusing on "Sprinkler Spruce Up". May had the Eco-Friendly Garden Tour which saw 3,700 people attending, with over 20 garden hosts.

No public comments.

5. Annual Water Supply and Demand Assessment

Paul Piazza, SCWA, presented. (*Refer to handouts.*)

This is the second year of the Annual Water Supply Demand Assessment, which needs to be completed before July 1. This is an exercise that is coupled with the Water Shortage Contingency Plan and is the driver on whether action will be taken to implement a stage of the shortage plan. This report also guides the work of the Sonoma County water contractors. With the reservoirs being more than full, there is plenty of water to meet the supply need, with no projected shortage.

No public comments.

6. Biological Opinion Status Update

Pam Jeane, SCWA, presented. (*Refer to handouts.*)

Fish Flow Project – Continue to work on revisions in anticipation of recirculating an updated draft of the Environmental Impact Report.

Dry Creek Habitat Enhancement Project – Phase IV construction will be finished this year. Phase V will hopefully begin construction this summer. Sonoma Water staff are in the process of evaluating other sites within Dry Creek after these high flows to determine what maintenance needs might be needed in the future. Sonoma Water staff are also back out collecting habitat data now that flows in Dry Creek are lower.

Public Outreach – The Public Policy Facilitating Committee (PPFC) met last month and discussed items including the Russian River Biological Assessment Update, Russian River Estuary Management Project Pinniped Monitoring Update, Dry Creek Habitat Enhancement Project, and Coho Smolt Survival Study. The presentations for these items are available on the Sonoma Water website.

Fish Monitoring – Eight migrant traps have been installed. This has provided some interesting information including the capture of more Coho smolts and less Chinook smolts than normal, with steelhead parr being similar to the last few years, but still down from earlier years.

Russian River Estuary Management – The lagoon management season runs from May 15 to October 15. The mouth of the Russian River is now open and the Biological (fisheries and pinnipeds) and water quality monitoring for this season has also begun.

Biological Assessment for New Biological Opinion – There is still a ton of work being done to address all the comments that have been received.

No public comment.

7. Potter Valley Project Update

Pam Jeane, SCWA, presented.

Three things taking place under the Department of Water Resources Grant. First, the Russian River Forum is now under way. The first Planning Group meeting took place with 30 + stakeholders. They met on May 17, with another meeting taking place this month, and the plan is to continue to meet monthly. The smaller work groups that will be associated with the technical work that needs to be done are starting to be formed. Some of these working groups include Water Supply and Fisheries, Water Rights, Governance, and Finance, with a fifth to come. The assessment of current diversion facilities, including the Cape Horn Dam, is ongoing. Currently a technical work group including the resource agencies and the two basin solution partners is being pulled together. Part of the grant work is to look at water resources within Potter Valley. Bureau of Reclamation grant application was submitted, as the program fits what they are looking for and will help pairing the three alternatives down to one.

Matt Fullner, Valley of The Moon Water District, asked how the selection process for the three options that are being pushed to 30% design interplay with the Technical Advisory group and the Russian River Water Forum. Also, how the Technical Advisory Group members would be selected.

Pam Jeane, SCWA, answered that they will use the technical working group to do the nitty gritty technical work, as well as speak with the fisheries and the Russian River Forum 's Water Supply Working Group. The Water Supply Working Group will then report out to the Planning Group. The Technical Advisory Group will be selected by; 1. Being a two-basin solution partner and 2. the resource agencies.

Paul Sellier, Marin Municipal Water District, asked what the schedule is for the 30% and 60% design.

Pam Jeane, SCWA, answered that the 30% design under the grant is due to be completed this time next year.

No public comments.

8. Russian River Water Forum Update

Mike Thompson, SCWA, presented.

Planning group met May 17th to get a sense of the priorities of the members.

There was a wide range of interests and fixed positions, for example some want

Scott Dam to stay, and some want the diversions to end and both dams to go. One of the things the consultants will be working on is trying to work with fixed positions and move them to interests. One thing that was repeated was the idea of creating a fifth group for Russian River Water Resiliency. There was a strong interest in getting this started sooner rather than later. There was a strong “or” viewpoint of it should be Potter Valley Project “or” Russian River Water Resiliency. In the end, it came to an “and” viewpoint of Potter Valley Project “and” Russian River Water Resiliency, as both are important and needed. Next Planning Group meeting will be held virtually on June 12th, from 1 p.m. to 4 p.m. Water rights will be an issue with or without the diversions.

No public comment.

9. SCWA Government Affairs Update

Robert Rogers, SCWA presented. (*Refer to handouts.*)

Demark Water Workshop to be held on June 27.

State Update: AB 1567- Bond will help increase IRWM funding from \$200M to \$350M, which is not the \$500M that was requested, but is still a significant increase. Also, AB 1567 now includes \$900M for dam safety and improvements. Sonoma Water’s co-sponsored bill AB 30 - Atmospheric Rivers: Research, Mitigation, and Climate Forecasting Program passed the assembly appropriations committee’s suspense hearing and will now move through the Senate.

Federal Update - The Sonoma Water Community and Government Affairs Team acquired and submitted letters of support from a variety of agencies and organizations to complete the next step of the appropriations process. The projects included in this were Penngrove Sewer Force Main Upgrade Project which was included in Senator Padilla’s appropriations project list, the Mirabel 12KV Hazard Resiliency Project, and Russian River County Sanitation District – Wet Weather Treatment Plant Capacity Upgrades. Sonoma Water recently submitted a Letter of Support for the LAKES Act which will reinvest recreation in areas like Lake Sonoma and Lake Mendocino. Recreational activities at both reservoirs include boating, camping, hunting, hiking, and swimming.

Craig Scott, City of Cotati, asked about CIP long term dam safety and improvements.

Robert Rogers, SCWA, was not sure but asked him to email Brad Sherwood, SCWA, and he would be able to supply an answer.

No public comment.

10. Items for Next Agenda

There were no requests to add items.

No public comment.

11. Check Out

Vice Chair Fullner adjourned the meeting at 9:44 a.m.

11

DISBURSEMENTS - DATED JUNE 22, 2023

Date Prepared 6/19/23

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:

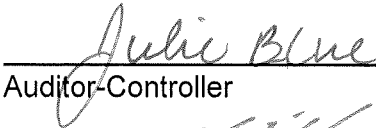
Seq	Payable To	For	Amount
P/R*	Employees	Net Payroll PPE 6/15/23	\$173,127.91
90600*	Internal Revenue Service	Federal & FICA Taxes PPE 6/15/23	75,798.75
90601*	State of California	State Taxes & SDI PPE 6/15/23	16,120.43
90602*	CalPERS	Pension Contribution PPE 6/15/23	44,468.32
EFT*	US Bank	May Bank Analysis Charge (Lockbox \$912 & Other \$400 Less Interest \$113)	1,199.10
90598*	US Bank Card	Microsoft Monthly Subscriptions (5/9-6/8/23), US Environ Prot Agency-Inspection Violation (STP) (\$8,580), GoDaddy-SSL Renewals, AWWA Gen/Math Review & Ref Book, Dell-Computer Mount (Eng), AT&T (Internet for Gallagher Well #2 & PRTP), CA Special Dist Assoc Virtual Workshops (2), CSMFO-Intermed Govt Accounting Classes (3), Govt Finan Officer's Assoc-Virtual Class, CA Water Environment-Lab Ethics & Data Integrity Training, Part for Autoclave Door (Lab), Padlock Hasp Attachment & Electric Utility Consultants-Geographical Systems for Water Class (\$1,195)	13,075.37
90599*	Amazon	Coffee & Kitchen Supplies, Concrete Mixing Mats (4), Picture Frames, Computer Supplies, Service Award, Folding Hand Truck, Miter Saw Protractor, Mop & Bucket for Kitchen, Boat Mooring Buoy & Reference Book	1,235.67
1	Alameda Electrical Distributors	Supplies & Materials for Telemetry Equipment	357.13
2	Alpha Analytical Labs	Lab Testing	330.00
3	Andre, Steve	Refund Security Deposit on Hydrant Meter Less Final Bill	678.53
4	A.S.T.I.	Backflow Testing (97)	11,505.00

Seq	Payable To	For	Amount
5	AT&T	Leased Lines	62.86
6	Bank of Marin	Bank of Marin Loan Principal & Interest (Pymt #140 of 240) Aqueduct Energy Efficiency Project	46,066.67
7	Bay Alarm Company	Quarterly Fire Alarm Monitoring Fee (7/1/23-9/30/23)	338.19
8	Bearings & Hydraulics	Hose Fittings & Guards ('09 John Deere Backhoe)	487.78
9	California Water Service	Water Service (O.M.)	31.47
10	Centric Signs	Truck Banners for 4th of July Parade (2)	271.26
11		Vision Reimbursement	368.00
12	Comcast	June Internet (1250 Lynwood Dr)	204.55
13	Core & Main	Couplings (70) (\$22,197), Gaskets (130) (\$1,204), Double Check Detector Assemblies - Annual Maintenance Replacement Program (14) (\$81,112), Setters (10) (\$9,331), Ells (2), Bushings (10), MJ Accessory Sets (7) (\$2,620), Nipples (15), PVC Pipe (460') (\$8,832), Spools (2), Valves (4) (\$3,270) & Tape (4)	130,204.88
14	CT Promotions	Promotional Rubber Ducks (1,000)	1,775.24
15	Cummings Trucking	Sand (30 yds) & Rock (16 yds) Deliveries	945.00
16	Diesel Direct West	Gasoline (1,029 gal)	4,593.23
17	E & M	Engineering Services: STP Variable Frequency Drives for Pump Motor Controls (Balance Remaining on Contract \$37,959)	36,052.76
18	Environmental Science Assoc	Prog Pymt#4: Gallagher Ranch Streambank Stabilization Project (Balance Remaining on Contract \$15,094)	285.00
19	D.L. Falk Construction, Inc.	Prog Pymt#11 Perform NMWD Admin & Lab Building Upgrades (Balance Remaining on Contract \$6,071,313)	747,714.49
20	D.L. Falk Construction Escrow Acct	5% Retainer: DL Falk Construction-CA Bank of Commerce-Admin Building & Lab Upgrade	39,353.39


Seq	Payable To	For	Amount
21	Fiserv/Bastogne Inc.	Return Payment-Not Our Account	130.28
22	Fishman Supply Co	Nitrile Gloves (2,400)	392.23
23	Forevergreen Landscape	Landscaping Services (Various Locations)	9,675.00
24	Frontier Communications	June Internet (STP)	640.00
25	Genterra Consultants	Prog Pymt#23: Dam Safety Consulting Services for STP (Balance Remaining on Contract \$74,729)	10,805.00
26	GHD Inc.	Prog Pymt #2: NMWD GIS Conversion to ESRI & Mapping Support (Balance Remaining on Contract \$25,619)	5,611.13
27	Grainger	Part for 2 Inch Air Powered Water Pump (\$641) & Miscellaneous Maintenance Tools & Supplies	1,260.51
28	InfoSend, Inc.	May Processing Fee for Water Bills (\$1,334), Postage (\$4,031) & May Monthly Support Fee	6,295.19
29	Kaiser Foundation Health Plan	DMV/DOT Physical (Pearce)	115.00
30	Kressenberg, Margaret	Refund Over Payment on Open Account	7,210.20
31	Lincoln Life Employer Serv	Deferred Compensation PPE 6/15/23	11,776.81
32	Marin County Ford	Service Parts ('15 F250 4X4), Labor & Parts to Diagnose Fuel Evaporation Leak ('14 F150)	734.56
33	McLellan Co, WK	Miscellaneous Paving	18,188.94
34	Medical Center of Marin	Hearing Tests (2 Employees)	132.00
35	Nationwide Retirement Solution	Deferred Compensation PPE 6/15/23	2,035.00
36	ODP Business Solutions, LLC	Miscellaneous Office Supplies	226.56
37	Pace Supply	Adaptors (10), Nipples (74), Elbows (30) & Bushings (6)	1,431.20
38	Pape Machinery Inc.	Armrest Kits (2) ('09 JD Backhoe)	394.38
39	Point Reyes Light	Legal Notice: Oceana Marin Rate Increase Public Hearing - June 1 & June 8	159.00
40	Point Reyes Prop Mgmt Assn	June HOA Fees (25 Giacomini Rd)	75.05
41	Pollard Water	Lug Caps (18)	545.87

Seq	Payable To	For	Amount
42	Quadient, Inc.	July Postal Meter Rental	143.09
43		Vision Reimbursement	205.00
44	SCS Engineers	Prog Pymt#2: Perform Audit of Chlorine Gas System @ STP (Balance Remaining on Contract \$2,953)	4,488.74
45	Soiland Co., Inc.	Rock (32 yds) (\$1,153) & Asphalt Recycling (16 yds)	1,640.38
46	Solenis, LLC	Reissue Payment-Original Lost in Mail - Praestol 2515 (2,000 lbs) & Praestol K279 (4,580 lbs) (STP)	16,235.14
47	Sonoma County Water Agency	May Contract Water	240,022.31
48	SPG Solar Facility XII, LLC	May Energy Delivery Under Solar Services Agreement	14,633.82
49	Township Building Services	May Janitorial Services (District Yard & STP)	1,522.86
50	US Bank	May Safekeeping Treasury Securities	195.00
51	Vulcan Materials Company	Sand (15 yds)	988.28
52	VWR International LLC	Autoclave Sterility Indicator	64.45
53	ZORO	Galvanized Nipples (2)	30.51
		TOTAL DISBURSEMENTS	<u>\$1,704,654.47</u>

The foregoing payroll and accounts payable vouchers totaling \$1,704,654.47 are hereby approved and authorized for payment.


6/21/2023

 Auditor-Controller Date


6/21/2023

 General Manager Date

DISBURSEMENTS - DATED JUNE 29, 2023

Date Prepared 6/26/23

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:

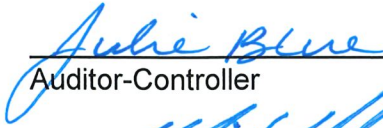
Seq	Payable To	For	Amount
1	100 Wood Hollow Drive Owner	July Rent for 100 Wood Hollow	29,735.21
2	Alameda Electrical Distributors	Conduits (100)	117.77
3	Alpha Analytical Labs	Lab Testing	200.00
4	American Family Life Ins	June 2023-Employee Paid Benefit	3,591.50
5	Backflow Distributors	Check Repair Kits (12) & Rubber Kits (5)	638.09
6	Brady, Michael	Novato "Toilet Rebate" Program	125.00
7	Core Utilities, Inc	Consulting Services: May IT Support (\$6,000), Programming Services at Bahia Hydropneumatics, Installed Antenna at PRE#3 & CORE Billing Maintenance	6,350.00
8	Core & Main	Couplings (26) (\$3,064), Bolts (1,000) (\$2,984), Nuts (1,000) (\$814), 3/4" Meter Boxes (42) (\$1,686), Service Saddles (2), Tar Tape (20) (\$1,411), Zinc Anodes (50) (\$4,340), Double Check Detector Assemblies (2) (\$8,423), Valves (2) (\$1,714), Elbows (5) (\$961) & Spools (4) (\$2,268)	35,836.48
9	CPI International	Ion Chromatography Standard (Lab)	92.68
10	Cusack, Margo & Kevin	Novato "Smart Irrigation Controller" Program	161.99
11	DePond, Paul	Novato "Washer Rebate" Program	100.00
12	Diesel Direct West	Diesel (400 gal)	1,836.46
13	Engineering News-Record	Subscription Renewal (Williams) (Budget \$110)	99.99
14	Esta, Dana	Novato "Pool Cover Rebate" Program	75.00
15	Fiserv/Bastogne Inc.	Return Payment-Not Our Customer	100.00
16	Forevergreen Landscape and Maintenance	Landscaping Services (Trumbull Tank Site-\$3,475, Lynwood Tank Site-\$3,455 & STP-\$2,565)	9,495.00


Seq	Payable To	For	Amount
17	Goodpaster, Stacie	Exp Reimb: Drinking Water Rule Webinar	75.00
18	Grainger	Miscellaneous Maintenance Tools & Supplies	1,142.90
19	Home Depot	Electronic Pest Repellers (4), Irrigation Controller & Blower	325.02
20	Idexx Laboratories	Media & Supplies for Coliform & Recycled Water Analysis	4,704.85
21	Jacob, Abshalom	Novato "Toilet Rebate" Program (2)	325.00
22	Kehoe, Chris	Exp Reimb: Safety Boots	200.00
23	Kemira Water Solutions	Ferric Chloride (10 Dry Tons)	13,516.80
24	Kiosk	Marketing Communication & Outreach Services (Balance Remaining on Contract \$12,125)	3,663.78
25	Miller Pacific Engineering	Prog Pymt#6: Geotechnical Services for Admin Building Renovation Project (Balance Remaining on Contract \$28,400)	8,538.50
26	Montoyo, Steven	Refund Overpayment on Open Account	8,079.39
27	Mull, David	Refund Overpayment on Closed Account	373.56
28	NeoGov	Annual License Renewal (07/2023-07/2024)	5,339.38
29	Nerviani's Backflow	Backflow Testing for District & Customer Owned Backflow Devices (35)	2,400.00
30	Ng, Geena	Novato "Smart Irrigation Controller" Program	180.00
31	ODP Business Solutions, LLC	Miscellaneous Office Supplies & Labels (4,000)	142.46
32	Pace Supply	Polywrap (40-340')	38.54
33	Pape Machinery Inc.	Service Parts ('09 JD Backhoe, '15 JD Skip Loader & '04 Backhoe)	1,126.09
34	Peters, James E.	Novato "Pool Cover Rebate" Program	75.00
35	Postmaster Novato Ca 94947	Annual Post Office Fee (1 Year)	464.00
36	Rader Excavating	Traffic Control Plan for Pipe Replacement (Railroad & Rose)	500.00
37	Ramirez, Marisela	Refund of Deposit/New Development/WC Restriction-Novato	1,000.00

Seq	Payable To	For	Amount
38	Sabah International Inc.	Security & Access Control Hardware & Installation for Office & Lab	51,014.25
39	Schubeck, Gretchen	Novato "Pool Cover Rebate" Program	75.00
40	Scialanga, Robert	Novato "Smart Irrigation Controller" Program	180.00
41	Shape Inc.	Centrifuge Sludge Pump Repair & Maintenance Parts (STP)	5,869.82
42	SMART	Entry Permit Fee for Recycled Water Main Extension to 999 Rush Creek Place	1,300.00
43	Smith, Paul M.	Novato "Toilet Rebate Ultra High Efficiency Toilet" Program	400.00
44	Soiland Co., Inc.	Rock (16 yds)	538.68
45	Solar, Rosalia	Exp Reimb: Notary Bond Filing & Public Oath	43.00
46	S-Scapes (Michael Steiner)	Backflow Testing for Customer Owned RP Assemblies (174)	12,180.00
47	Stafford, M.	Novato "Washer Rebate" Program	100.00
48	Steele, Bill	Refund Overpayment on Open Account	2,335.19
49	Tamagno Green Products	Sludge Removal from STP (210 yds)	9,450.00
50	Unicorn Group	Water Conservation QR Code Fliers (500), Printing & Processing of Novato Waterline (\$4,320) (25,499), West Marin Waterline (\$955) (703) & Postage for Water Quality Post Cards (\$4,757) (25,441)	10,190.64
51	Univar	Caustic Soda (12 Dry Tons) (STP)	10,058.43
52	USA BlueBook	Dry Gauge & Triode (Lab)	667.05
53	VWR International LLC	Standard Lithium Solution (Lab)	64.83
54	Waste Management	Waste Disposal	160.69

Seq	Payable To	For	Amount
55	ZORO	Hydraulic Pump (Mechanic Shop)	608.91
TOTAL DISBURSEMENTS			<u>246,001.93</u>

The foregoing payroll and accounts payable vouchers totaling \$246,001.93 are hereby approved and authorized for payment.


06/27/23
 Auditor-Controller Date


6/27/23
 General Manager Date

DISBURSEMENTS - DATED JULY 6, 2023

Date Prepared 7/3/23

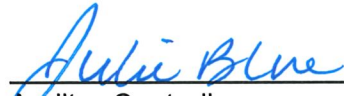
The following demands made against the District are listed for approval and authorization for payment in accordance with Section 31302 of the California Water Code, being a part of the California Water District Law:

Seq	Payable To	For	Amount
1	Able Fence Company	Furnish and Install Fence w/ Gate & Razor Ribbon (135') (Ammo Hill Tank)	\$23,760.00
2	A.S.T.I.	Inspection of Automatic Fire Sprinkler System	590.00
3	AT&T	Telephone, Fax, Leased Lines & Data	363.39
4	Bold & Polisner	May Legal Fees-General & NMWD Portion Potter Valley Project FERC	382.50
5	Core & Main	Couplings (100) (\$2,984), Nipples (33), Bell Restrainers (6) (\$1,565), Reducers (4), Setters (6) (\$5,959), Service Saddles (5), Unions (20), Double Check Detector Assemblies (\$3,410), Nuts (1,000), Caps (2), Spools (3) (\$1,406) & Tapping Sleeve (\$1,758)	20,035.41
6	Diesel Direct West	Diesel (102 gal) & Gasoline (1,000 gal) (\$4,553)	5,006.84
7	Environmental Express	Lead & Copper Sample Bottles	295.05
8	D.L. Falk Construction, Inc.	Prog Pymt#12: Perform NMWD Admin & Lab Building Upgrades (Balance Remaining on Contract \$5,874,491)	470,111.77
9	D.L. Falk Construction Escrow Acct	5% Retainer: DL Falk Construction-CA Bank of Commerce-Admin Bldg & Lab Upgrade	24,742.74
10	Ferguson Waterworks	6' AMI Antennas (200)	6,184.50
11	Fisher Scientific	Alkalinity Reagent (Lab)	90.42
12	Freyer & Laureta, Inc.	Prog Pymt#19: Engineering & Design Service for Hydropneumatic Pressure Stations (\$421) (Balance Remaining on Contract \$9,554) & Prog Pymt#8: Engineering & Design Services for Lynwood Pump Station (\$3,220) (Balance Remaining on Contract \$35,027)	3,641.00
13	Friberg, Larry & Adrienne	Refund Overpayment on Open Account	442.18


Seq	Payable To	For	Amount
14	Grainger	3.5" Air Cylinders (2) (\$537) & Miscellaneous Maintenance Tools & Supplies	2,107.09
15	Hach Co.	Electrolytes & Membrane Kit (Pt Reyes TP)	277.13
16		Vision Reimbursement	218.98
17	Lemos, James	Exp Reimb: Grade 2 Distribution License & Safety Boots	215.92
18	Marin County Tax Collector	FY24 Possessory Interest Tax Bill (25 Giacomini Rd)	893.70
19	McLellan Co, WK	Misc Paving	4,256.27
20	Mutual of Omaha	July 2023-Group Life Insurance Premium	1,233.02
21	Noll & Tam Architects	Prog Pymt#25 (\$28,181) & Prog Pymt#26: Consulting Services for NMWD Headquarters Upgrade A/E Services (\$28,545) (Balance Remaining on Contract \$29,722)	56,725.48
22	Novato, City of	Encroachment Permit Fee (910 Railroad)	7,765.00
23	ODP Business Solutions, LLC	Miscellaneous Office Supplies	159.95
24	Pace Supply	Couplings (30) (\$3,349), Elbows (2) & 6" Tapping Sleeve (\$1,097)	4,778.71
25	Parkinson Accounting Systems	Annual Maintenance on Accounting Software (8/1/23-7/31/24) (Budget \$2,570)	2,570.00
26	Pearlman, Avram	Exp Reimb: Oct 2022-June 2023 Mileage	393.60
27	Pipette.com	Lab Testing	156.00
28	Redwood Health Services, Inc.	June 2023-Dental Claims & Expenses	4,941.93
29	RoadSafe Traffic Systems, Inc.	2' x 3' Detours Signs for Construction (12)	603.35
30	Sage Software Inc	Accounting Software Fixed Assets (7/23-7/24) (\$1,297) (Budget \$1,297) & Annual Software Subscription Renewal (7/23-7/24) (\$9,977) (Budget \$10,284)	11,274.00
31	SMART	Entry Permit Fee for Relocation & Replacement of DCDA's From Railroad to Rose	1,300.00
32	Smith, Todd	Refund Overpayment on Closed Account	47.43

Seq	Payable To	For	Amount
33	Thatcher Company of California	Chlorine (2,000 lbs) (STP)	3,866.00
34	USA BlueBook	Turbidimeter (STP)	4,068.08
35	VWR International LLC	Petri Dish (500) (Lab)	100.75
36	West Coast Energy Systems	Minor Service on Generators (O.M. & STP)	1,070.00
37	Wilson Bohannon Company	Brass Locks (100)	1,279.37
38	West Yost & Associates	Prog Pymt#23: Novato Master Plan Update (\$237) & Prog Pymt#24: Recycled Water Reg 18 Update (\$2,547) (Balance Remaining on Contract \$69,566)	2,784.47
39	ZORO	Ratcheting Cable & Pass-Thru Modular Data Plugs (3)	157.22
TOTAL DISBURSEMENTS			<u>\$668,889.25</u>

The foregoing payroll and accounts payable vouchers totaling \$668,889.25 are hereby approved and authorized for payment.


07/03/23

 Auditor-Controller Date


07/03/23

 General Manager Date

DISBURSEMENTS - DATED JULY 13, 2023

Date Prepared 7/10/23

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 6/30/23	\$176,078.61
90604*	Internal Revenue Service	Federal & FICA Taxes PPE 6/30/23	77,399.00
90605*	State of California	State Taxes & SDI PPE 6/30/23	16,589.04
90606*	CalPERS	Pension Contribution PPE 6/30/23	44,326.36
90603*	CalPERS	July Insurance Premium (Employer \$50,489, Retirees \$12,192 & Employees \$8,278)	70,959.35
1	Allied Mechanical	Maintenance on HVAC System (Const/Maint Bldg)	429.53
2	Alpha Analytical Labs	Lab Testing	4,070.00
3	Asbury Environmental Services	Used Oil Disposal	100.00
4	Bearings & Hydraulics	Tubs (2), Hydraulic Hose Fittings (6) & V-Belt	109.99
5	Boucher Law, PC	December Through April Labor & Law Matters	4,908.50
6	Building Supply Center	Truss Head Self-Drill, No Parking Sign & Duct Tape	34.14
7	C.J. Brown & Company, CPA's	June Progress Billing Financial Statement Audit FY22-23 (Balance Remaining on Contract \$13,397)	6,098.00
8	Comcast	June & July Internet (100 Wood Hollow, Buck Inst. & 1250 Lynwood Dr.)	1,294.20
9	Comcast	July Phone Services (Wood Hollow, Buck Inst., Yard & STP)	1,489.00
10	Comcast	July Internet (999 Rush Creek PI)	1,562.93
11	DataTree	June Subscription to Parcel Data Info	100.00
12	Direct Line Inc	June Telephone Answering Services	269.79

Seq	Payable To	For	Amount
13	Enterprise	Monthly Leases for Nissan Rogue (2), Nissan Frontier (2), F-150's (7), F-250's (2), Ford Rangers (6), Chevy Bolts (2) & Chevy Colorado	12,663.94
14	Fisher Scientific	Pump Tubing (Lab)	83.29
15	Forevergreen Landscape	Landscaping Services (Stafford Dam)	7,685.00
16	Friedman's Home Improvement	Miscellaneous Hardware	331.18
17	Grainger	Ball Valve Assembly, 55 gal Containment & Dispersal Unit for Liquid Chlorine (STP) (\$571), Building Wire (1,000') & Miscellaneous Maintenance Tools & Supplies	1,249.87
18	International Dioxide Inc	Sodium Chlorite (44,480 lb.) (\$28,912), Parts & Service on Chlorine Dioxide Generator (\$6,627) (STP)	35,539.19
19	Jung, Michael	Novato "Smart Irrigation Controller" Program	128.92
20		Vision Reimbursement	164.98
21	Kemira Water Solutions	Ferric Chloride (10 Dry Tons) (STP)	12,984.63
22	Klein, Kimberly	Novato "Washer Rebate" Program	100.00
23	Koff & Associates Inc. - A Gallagher Company	Prog Pymt#3: Classification Compensation Survey for Negotiations (Balance Remaining on Contract \$33,206)	13,037.50
24	Lincoln Life Employer Serv	Deferred Compensation 6/30/23 PPE	11,895.07
25	County of Marin	Encroachment Permits (185 Alameda De La Loma-Novato & 80 Third Street-Pt Reyes Station)	897.08
26	McMaster-Carr Supply Co	Threaded Pipe Fitting	169.63
27	McNear, Mary E.	Novato "Pool Cover Rebate" Program	75.00
28	Milano, Cynthia	Refund Security Deposit on Hydrant Meter Less Final Bill	668.81
29	Mozo, Cesar	Novato "Washer Rebate" Program	100.00
30	Nationwide Retirement Solution	Deferred Compensation PPE 6/30/23	2,035.00
31	Nerviani's Backflow	Backflow Testing for District/Customer Owned Assemblies (19)	1,330.00

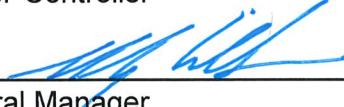
Seq	Payable To	For	Amount
32	Noel Tree & Gardening, Inc.	Tree Removal Services (Near Inverness Park Pump Station) (\$1,125) & Mowing Services (OM Ponds, Irrigation Field, Pt Reyes Treatment Plant Road & Well Site) (\$14,880)	16,005.00
33	North Marin Auto Parts	Service Parts, Gas Strut Lift Supports (2), Cable & Connectors (2)	798.24
34	Novato Builders Supply	Lumber, Miscellaneous Hardware & Tarp	440.52
35	ODP Business Solutions, LLC	Toner	164.12
36	Pace Supply	Pipe (12)	312.61
37	Parikh, Kim	Novato "Pool Cover" Rebate Program	62.46
38	Parkinson Accounting Systems	Sage Accounting Upgrade (v2019 to v2021)	828.75
39	Petrovic, Brandon	Novato "Washer Rebate" Program	100.00
40	Pump Repair Service	Replacement Split Case Pump for STP High Service Pump Station	12,257.52
41	Recology Sonoma Marin	June Trash Removal	618.51
42	Rempe, Zac	Novato "Pool Cover" Rebate Program	75.00
43	RH & Sons Water Services	Backflow Testing for RP & DC Assemblies (83)	5,395.00
44	Rockwell Engineering & Equipment Co, Inc	Replacement Pump Ends for Pump#1 @ Oceana Marin Lift Station	33,343.85
45	Scott Technology Group	Monthly Maintenance on Engineering & Admin Copiers & Contract Overage Charge	384.05
46	Soiland Co., Inc.	Asphalt Recycling (3 yds)	93.20
47	Sonoma County Water Agency	Conservation Support Program (1/1/23-3/31/23)	415.56
48	State Water Resources Control	D5 Certification Renewal (Corda)	105.00
49	Torres, Juan	Novato "Toilet Rebate" Program	375.00
50	Univar	Sodium Hypochlorite (200 gal) (PRTP)	292.80
51	USA BlueBook	High Pressure Hose (50') (STP)	1,080.55
52	VBS CAL LLC	Plotter Paper & Inkjet Vellum (Eng)	195.04

Seq	Payable To	For	Amount
53	Verizon Wireless	Cellular Charges: Data (\$1,343), Airtime & iPads for Asset Management	1,586.89
54	Verizon Wireless	SCADA & AMI Collectors (\$650)	1,014.40
55	Vulcan Materials Company	Sand (15 yds) & EZ Street Temp Paving (9 yds) (\$1,791)	2,772.76
56	Waugh, Iris	Novato "Cash for Grass" Rebate Program	400.00
57	Whidden, Gregory	West Marin "Washer Rebate" Program	100.00
58	Zenith Insurance Company	Worker's Comp Final Audit Premium (5/1/22-4/30/23)	21,265.00
TOTAL DISBURSEMENTS			<u>21,265.00</u>
			<u>\$607,439.36</u>

The foregoing payroll and accounts payable vouchers totaling \$607,439.36 are hereby approved and authorized for payment.


07/11/23

 Auditor-Controller Date


7/11/23

 General Manager Date



MEMORANDUM

To: Board of Directors

July 18, 2023

From: Julie Blue, Auditor-Controller *JB*
 Nancy Williamson, Accounting Supervisor *NW*

Subj: Auditor-Controller's Monthly Report of Investments for May 2023
t:\aclword\invest\23\investment report 0523.doc

RECOMMENDED ACTION: Information

FINANCIAL IMPACT: None

At month end the District's Investment Portfolio had an amortized cost value (i.e., cash balance) of \$37,986,833 and a market value of \$37,700,266. During May the cash balance decreased by \$1,013,681. The market value of securities held decreased \$1,139,252 during the month. The total unrestricted cash balance at month end was \$3,518,708 and 103.9% of the Designated Cash Reserves are funded.

At May 31, 2023, 56% of the District's Portfolio was invested in California's Local Agency Investment Fund (LAIF), 18% in Time Certificates of Deposit, 21% in a Treasury Note, 3% in the Marin County Treasury, and 2% retained locally for operating purposes. The weighted average maturity of the portfolio was 104 days, compared to 78 days at the end of April. The LAIF interest rate for the month was 2.99%, compared to 2.87% the previous month. The weighted average Portfolio rate was 4.49%, compared to 4.39% for the prior month.

Investment Transactions for the month of May are listed below:

5/9/2023	LAIF	US Bank	\$260,000.00	Trsf from LAIF account
5/11/2023	US Bank	RAIZ Federal CU CD	\$248,000.00	Purchase 4.85% TCD due 5/12/25
5/18/2023	US Treasury	US Bank	\$10,180,000.00	US Treasury Note Matured
5/18/2023	US Bank	LAIF	\$10,100,000.00	Trsf to LAIF account
5/22/2023	LAIF	US Bank	\$8,000,000.00	Trsf from LAIF account
5/23/2023	US Bank	U.S. Treasury	\$7,997,713.54	Purchase 5.23% Treas due 10/19/23
5/25/2023	LAIF	US Bank	\$1,325,000.00	Trsf from LAIF account

NORTH MARIN WATER DISTRICT
AUDITOR-CONTROLLER'S MONTHLY REPORT OF INVESTMENTS
May 31, 2023

Type	Description	S&P Rating	Purchase Date	Maturity Date	Cost Basis ¹	5/31/2023 Market Value	Yield ²	% of Portfolio
LAIF	State of CA Treasury	AA-	Various	Open	\$21,404,456	\$21,115,717	2.99% ³	56%
Time Certificate of Deposit								
TCD	Enerbank	n/a	9/25/20	9/25/24	249,000	249,000	0.45%	1%
TCD	Sallie Mae Bank	n/a	8/18/21	8/18/23	249,000	249,000	0.35%	1%
TCD	UBS Bank	n/a	9/9/21	9/11/23	249,000	249,000	0.35%	1%
TCD	BMW Bank	n/a	8/20/21	2/20/24	249,000	249,000	0.45%	1%
TCD	Goldman Sachs Bank	n/a	1/19/22	1/19/24	249,000	249,000	0.75%	1%
TCD	Ally Bank	n/a	2/24/22	2/23/24	248,000	248,000	1.30%	1%
TCD	Greenstate Credit Union	n/a	3/15/22	3/15/24	249,000	249,000	1.60%	1%
TCD	Capital One Bank	n/a	4/7/22	4/8/24	247,000	247,000	2.20%	1%
TCD	Capital One Bank, N.A.	n/a	4/20/22	4/22/24	247,000	247,000	2.35%	1%
TCD	American Express Natl Bank	n/a	5/4/22	5/6/24	246,000	246,000	2.60%	1%
TCD	BMO Harris Bank	n/a	6/10/22	6/10/24	246,000	246,000	2.80%	1%
TCD	GE Credit Union	n/a	6/29/22	6/28/24	249,000	249,000	3.25%	1%
TCD	Beal Bank	n/a	7/13/22	7/10/24	246,000	246,000	3.05%	1%
TCD	Synchrony Bank	n/a	8/5/22	8/5/24	245,000	245,000	3.30%	1%
TCD	Discover Bank	n/a	9/13/22	9/13/24	245,000	245,000	3.40%	1%
TCD	Sharonview Credit Union	n/a	10/17/22	10/17/24	249,000	249,000	4.35%	1%
TCD	Popular Bank	n/a	11/9/22	11/7/24	247,000	247,000	4.75%	1%
TCD	Dannemora Fed Credit Unior	n/a	11/10/22	11/10/23	249,000	249,000	4.70%	1%
TCD	Greenwood Credit Union	n/a	11/21/22	11/21/23	248,000	248,000	4.85%	1%
TCD	Alabama Credit Union	n/a	11/22/22	11/22/24	248,000	248,000	4.90%	1%
TCD	Community West Credit Unio	n/a	12/19/22	12/19/24	249,000	249,000	4.78%	1%
TCD	Connexus Credit Union	n/a	12/20/22	12/20/23	248,000	248,000	5.00%	1%
TCD	Austin Telco Fed Credit Unio	n/a	1/27/23	1/27/25	248,000	248,000	4.90%	1%
TCD	First Tech Fed Credit Union	n/a	2/17/23	2/18/25	249,000	249,000	4.85%	1%
TCD	Keybank National Assoc	n/a	3/15/23	3/17/25	243,000	243,000	5.00%	1%
TCD	Morgan Stanley Bnk NA	n/a	4/6/23	4/7/25	244,000	244,000	4.90%	1%
TCD	Morgan Stanley Private Bnk	n/a	4/6/23	4/7/25	244,000	244,000	4.90%	1%
TCD	Raiz Federal Credit Union	n/a	5/11/23	5/12/25	248,000	248,000	4.85%	1%
					\$6,927,000	\$6,927,000	3.24%	18%
US Treasury Notes								
Treas	Treasury Note	n/a	5/23/23	10/19/23	\$7,997,714	\$7,999,886	5.23%	21%
Other								
Agency	Marin Co Treasury	AAA	Various	Open	\$1,049,998	\$1,049,998	0.26%	3%
Other	Various	n/a	Various	Open	607,665	607,665	0.08%	2%
TOTAL IN PORTFOLIO					\$37,986,833	\$37,700,266	4.49%	100%

Weighted Average Maturity = 104 Days

LAIF: State of California Local Agency Investment Fund.

TCD: Time Certificate of Deposit.

Treas: US Treasury Notes with maturity of 5 years or less.

Agency: STP State Revolving Fund Loan Reserve.

Other: Comprised of 5 accounts used for operating purposes. US Bank Operating Account, US Bank STP SRF Loan

Account, US Bank FSA Payments Account, Bank of Marin AEEP Checking Account & NMWD Petty Cash Fund.

1 Original cost less repayment of principal and amortization of premium or discount.

2 Yield defined to be annualized interest earnings to maturity as a percentage of invested funds.

3 Earnings are calculated daily - this represents the average yield for the month ending May 31, 2023.

Interest Bearing Loans	Loan Date	Maturity Date	Original Loan Amount	Principal Outstanding	Interest Rate
Marin Country Club Loan	1/1/18	11/1/47	\$1,265,295	\$1,060,789	1.00%
Marin Municipal Water - AEEP	7/1/14	7/1/32	\$3,600,000	\$1,777,295	2.71%
Employee Housing Loan (1)	3/30/15	3/30/30	250,000	250,000	Contingent
TOTAL INTEREST BEARING LOANS			\$5,115,295	\$3,088,084	

The District has the ability to meet the next six months of cash flow requirements.

NORTH MARIN WATER DISTRICT
MONTHLY PROGRESS REPORT FOR JUNE 2023
 July 18, 2023

1.

Novato Potable Water Prod - RR & STP Combined - in Million Gallons - FYTD

Month	FY22/23	FY21/22	FY20/21	FY19/20	FY18/19	23 vs 22 %
July	224.5	282.9	341.7	317.7	341.1	-21%
August	235.9	212.4	290.1	287.1	300.9	11%
September	203.5	214.5	225.6	280.5	255.0	-5%
October	191.6	198.5	307.8	286.0	265.6	-4%
November	137.4	94.1	201.6	226.3	170.1	46%
December	106.6	137.1	183.0	141.2	157.8	-22%
January	113.8	118.3	156.6	111.9	114.7	-4%
February	105.2	118.6	110.5	120.3	110.9	-11%
March	123.1	130.3	124.1	151.8	138.8	-6%
April	146.4	137.7	225.4	195.0	143.8	6%
May	176.2	204.7	209.9	217.6	198.6	-14%
June	197.6	207.7	215.3	269.1	232.7	-5%
FYTD Total	1,961.6	2,057.0	2,591.4	2,604.4	2,429.9	-5%

West Marin Potable Water Production - in Million Gallons - FY to Date

Month	FY22/23	FY21/22	FY20/21	FY19/20	FY18/19	23 vs 22 %
July	6.3	6.0	8.2	8.9	10.2	4%
August	6.8	5.7	9.2	8.4	9.9	19%
September	6.3	5.9	7.9	7.8	9.5	8%
October	5.7	5.1	6.7	7.5	8.3	13%
November	4.6	3.5	5.8	6.7	7.3	30%
December	4.3	4.0	5.1	4.8	5.7	7%
January	3.9	3.8	4.2	4.1	5.0	4%
February	3.3	4.0	3.8	4.4	3.5	-16%
March	3.7	4.1	5.1	5.2	4.4	-10%
April	4.9	5.1	4.8	4.9	4.9	-2%
May	5.1	4.9	7.3	6.0	5.5	4%
June	5.0	5.5	6.2	7.4	6.9	-9%
FYTD Total	60.0	57.5	74.4	76.2	81.1	4%

Stafford Treatment Plant Production - in Million Gallons - FY to Date

Month	FY22/23	FY21/22	FY20/21	FY19/20	FY18/19	23 vs 22 %
July	56.3	67.0	105.8	68.2	78.6	-16%
August	67.9	31.3	81.1	103.8	79.3	117%
September	57.8	41.7	16.1	115.0	60.5	39%
October	54.0	28.2	7.7	103.4	74.5	92%
November	30.0	0.0	0.6	102.8	0.0	-
December	0.0	0.0	0.0	0.0	0.0	-
January	0.0	0.0	0.0	0.0	0.0	-
February	0.0	0.0	0.0	0.0	0.0	-
March	50.5	0.0	0.0	0.0	19.2	-
April	110.0	0.0	0.0	30.9	60.3	-
May	111.4	0.0	0.0	60.2	97.4	-
June	98.6	0.0	0.0	101.8	97.1	-
FYTD Total	636.4	168.1	211.3	685.9	567.0	279%

Recycled Water Production* - in Million Gallons - FY to Date

Month	FY22/23	FY21/22	FY20/21	FY19/20	FY18/19	23 vs 22 %
July	43.1	42.9	39.0	36.5	30.2	0%
August	41.6	41.4	43.2	33.3	30.6	1%
September	29.2	39.6	29.5	29.7	33.5	-26%
October	24.7	18.3	22.8	26.6	20.1	35%
November	5.1	0.8	10.9	10.8	12.7	526%
December	0.3	0.3	0.2	0.5	1.5	-1%
January	0.4	0.8	0.3	0.6	0.9	-44%
February	0.4	1.3	0.5	0.6	0.3	-71%
March	0.4	14.3	11.4	11.7	0.4	-97%
April	5.1	16.7	18.1	12.5	10.1	-69%
May	22.3	32.7	39.2	27.6	19.6	-32%
June	28.4	43.2	41.6	38.3	31.2	-34%
FYTD Total*	201.1	252.3	256.7	228.7	191.0	-20%

*Excludes potable water input to the RW system: FY23= 10.8 MG; FY22=10 MG; FY21=24.7 MG; FY20=16.7; FY19=20.0 MG

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2. Regional and Local Water Supply

Lake Sonoma

	Current	2022
Lake Storage*	254,124 MG	42,564 MG
Supply Capacity	96.3 %	53.3 %

*Normal capacity = -245,000 AF (79,833.5 MG); deviation storage pool of 264,000 AF *86,025 MG)

Lake Mendocino

	Current	2022
Lake Storage *	31,652 MG	16,502 MG
Supply Capacity	87.5 %	59.7 %

*Normal capacity = 70,000-110,000 AF (22,800-35,840MG); flood control pool at 80,000 AF (26,000 MG)

3. Stafford Lake Data

	June Average	June 2023	June 2022
Rainfall this month	0.18 Inches	0.0 Inches	0.12 Inches
Rainfall this FY to date	26.83 Inches	40.1 Inches	18.25 Inches
Lake elevation*	190.2 Feet	193.1 Feet	190.2 Feet
Lake storage**	997.0 MG	1,188.0 MG	993.0 MG
Supply Capacity	71.0 %	85.1 %	71.0 %

* Spillway elevation is 196.0 feet

** Lake storage less 390 MG = quantity available for normal delivery

Temperature (in degrees)

	Minimum	Maximum	Average
June 2023 (Novato)	46	104	78
June 2022 (Novato)	47	103	68

4. Number of Services

June 30	Novato Water			Recycled Water			West Marin Water			Oceana Marin Swr		
	FY23	FY22	Incr %	FY23	FY22	Incr %	FY23	FY22	Incr %	FY23	FY22	Incr %
Total meters installed	20,982	20,853	0.6%	102	101	1.0%	800	799	0.1%	-	-	-
Total meters active	20,831	20,700	0.6%	100	97	3.1%	792	789	0.4%	-	-	-
Active dwelling units	24,097	24,099	0.0%	-	-	-	837	837	0.0%	235	235	0.0%

5. Oceana Marin Monthly Status Report (March)

Description	June 2023	June 2022
Effluent Flow Volume (MG)	0.408	0.458
Irrigation Field Discharge (MG)	0.895	0.104
Treatment Pond Freeboard (ft)	3.8	5.0
Storage Pond Freeboard (ft)	8.3	7.6

6. Safety/Liability

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Industrial Injury with Lost Time				Liability Claims Paid		
Lost Days	OH Cost of Lost Days (\$)	No. of Emp. Involved	No. of Incidents	Incurred (FYTD)	Paid (FYTD) (\$)	
FY 23 through June	152	\$90,752	4	4	3	\$43,275
FY 22 through June	130	\$53,006	3	3	1	\$16,394
Days since lost time accident through June 30, 2023				246 Days		

* (1) Claim settlement for driveway and concrete repair due to water damage to a property on Bugeia Lane, (2) Landscape repair due to water line break on Taft Ct., & (3) FY22 Sewer line Replacement & FY23 Paving for 300 Montego Keys.

7. Energy Cost

FYE	kWh	June		Fiscal Year-to-Date thru June		
		¢/kWh	Cost/Day	kWh	¢/kWh	Cost/Day
2023 Stafford TP	67,115	22.9¢	\$495	644,064	22.5¢	\$398
Pumping	129,908	32.1¢	\$1,391	1,306,261	29.0¢	\$1,037
Other ¹	30,621	38.9¢	\$397	396,115	34.1¢	\$370
	227,644	30.3¢	\$2,284	2,346,439	28.1¢	\$1,805
2022 Stafford TP	72,592	22.2¢	\$537	603,478	22.1¢	\$365
Pumping	138,035	28.6¢	\$1,315	1,303,657	27.8¢	\$997
Other ¹	45,123	32.2¢	\$484	498,861	31.1¢	\$428
	255,750	27.4¢	\$2,336	2,405,996	27.0¢	\$1,790
2021 Stafford TP	74,704	21.5¢	\$536	592,171	21.6¢	\$350
Pumping	154,064	25.7¢	\$1,319	1,853,335	25.5¢	\$1,296
Other ¹	38,844	30.0¢	\$388	569,710	27.3¢	\$427
	267,612	25.2¢	\$2,243	3,015,216	25.0¢	\$2,073

¹Other includes West Marin Facilities

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8. Water Conservation Update

	Month of June 2023	Fiscal Year to Date	Program Total to Date
High Efficiency Toilet (HET) Rebates	8	73	4,481
Retrofit Certificates Filed	13	98	6,797
Cash for Grass Rebates	3	46	1,063
Washing Machine Rebates	7	28	6,893
Water Smart Home Survey	2	13	3,921

9. Utility Performance Metric

SERVICE DISRUPTIONS (No. of Customers Impacted)	June 2023	June 2022	Fiscal Year to Date 2023	Fiscal Year to Date 2022
PLANNED				
Duration Between 0.5 and 4 hours	9	17	185	136
Duration Between 4 and 12 hours	0	48	11	65
Duration Greater than 12 hours	0	0	0	0
UNPLANNED				
Duration Between 0.5 and 4 hours	0	4	159	120
Duration Between 4 and 12 hours	0	80	74	99
Duration Greater than 12 hours	0	0	0	0
SERVICE LINES REPLACED				
Polybutylene	4	5	56	41
Copper Replaced or Repaired)	5	4	20	21

Planned:

For the month of June, we had 9 planned service disruptions.

Plastic: We replaced plastic service lines on Mesa Rd and 3rd St in West Marin, on Cambridge St. and Entrada Dr. in Novato

Copper: We replaced 5 copper services on Fabian Ct, Lolita Ln, and Pearl Ct.

Unplanned: None

10. Summary of Complaints and Service Orders

Tag Breakdown:					
Total:	212	Consumer:	84	Office:	128
Type	Jun-23	Jun-22	Added Notes		
Billing					
High Bill	2	0			
Total	2	0			
Meter Replacement					
Total	8	10			
Need Read					
Total	1	3			
No-Water					
Total	6	7			
Leak					
Consumer	134	175			
District	15	14			
Total	149	189			
Water Quality					
Color	0	1			
Total	0	1			
Check Pressure					
Total	3	1			
Turn Off / On					
Total	23	19			
Other					
Total	20	16			
TOTAL FOR MONTH:	212	246	-14%		
Fiscal YTD Summary					
Billing	22	19	16%	Increase in Billing	
Meter Replacement	217	194	12%	Increase in Meter Replacements	
Need Read	48	51	-6%	Decrease in Reads	
No-Water	43	26	65%	Increase in No-Water	
Leak	2,025	2,044	-1%	Decrease in Leaks	
Water Quality	7	5	40%	Increase in Water Quality	
Noisy Pipes	-	3	-100%	Decrease in Noisy Pipes	
Pressure	36	19	89%	Increase in Water Pressure	
Turn Off / On	359	271	32%	Increase in Water On/Off	
Other	185	133	39%	Increase in Misc. Tags	
Total	2,942	2,765	6%	Increase overall	
Bill Adjustments Under Board Policy:					
June 23 vs. June 22					
Jun-23	9	\$4,817			
Jun-22	2	\$1,543			
Fiscal Year vs Prior FY					
FY 22/23	155	\$42,792			
FY 21/22	167	\$66,465			

Customer Service Questionnaire Quarterly Report		
Quarter Ending : 06/30/2023		
Customer Comments	Staff Response to Negative Comments	Issues NMWD Should Address In The Future
PRESSURE		
I called because I could hear a surge for no reason from time to time. The woman that I spoke to (very pleasant) contacted another employee who was extremely helpful. Then a man came and he was also excellent and measured the pressure. He explained he needed to replace the pressure regulator. Everyone was personable, knowledgeable and helped me resolve the issue.		
Punctual, courteous, happy to help, and very thorough.		
Thanks for coming out so quickly.		Smelly water from faucets.
Lia on the phone was so friendly, knowledgeable & Helpful. She was just awesome! Man who came to the house was also great, courteous and professional.		
BILLING		
Had 2 high water bills with no rational, still doesn't make sense because its registering normal.	Spoke with Rich who said we have been out to the address and there are no leaks. He said she is just using more water than before.	
LEAK		
Both Rich (on the phone) and Travis (in person) were fantastic!		
	Copy of Questionnaire given to Chris Kehoe	You have some old infrastructures here in Novato. Might want to start addressing these issues. The valve you replaced was an old leaded casting.
All Excellent.		
I received an email and called Rich he said Travis would be out after his first call. I plan do do maintenance on my sprinklers. Thank you for guiding me on how to avoid a huge bill.		
Very helpful, was willing to come check my toilet. I said it was not necessary.		
Rich was very polite and helpful in providing website information. Unfortunately we still have an undiagnosed leak that has not been resolved.	Customer was given advice to reach out to leak detector and or plumber. The building landlord and customer have been notified.	
Very kind workers, were respectful and patient and also gave clear information.		
Staff came out quickly and resolved the issue right away. Thank you!		
Very fast service. The technician was very knowledgeable.		Notes on how to read the new water meters.
Darrell is very helpful at the property helping us with the meters. Thank you!		
Darrell was patient & thorough.		People using less water should be rewarded. Lower income seniors should also get a break on service fee.
Everyone was so kind and helpful. Grateful for your team. Rich was also beyond helpful.		
Wonderful service by dedicated employees.		
Darrell was very prompt and helpful.		
The gentleman that came by was great. He helped me before and I really enjoy working with him. Thank you.		
Thank you		
Your field person checked my meter and called to tell me that I didn't have a leak. Great service.		
Rich and Travis were very helpful.		Need a leak detector that can find the leak. And also customer days.
Expand the purple pipe.		Recharge ground water to push against salt water intrusion.
Such a nice surprise to get a note that there was an issue. The friendly phone service, they were prompt and helpful. Staff was on site quick. Who knew customer service was still alive.		
Great crew, very professional and you could see they enjoy their work.		
Excellent service, Thank you!		
Excellent job. Timely and knowledgeable.		
Staff was amazingly responsive to my needs. Thank you Rich for going above and beyond for me.		
Got email that I was using a lot of water and called to confirm. I couldn't find the leak and someone came out promptly to help confirm the leak and find the source. Everyone assisted me is much appreciated. Thank you so much.		
I waited for the gentleman to come tell me what the problem was but he just left. The problem was resolved.		
Helpful and thorough as they could be expected. We found the leak ourselves later, under the desk outside.		
We thank you for emailing us about the leak. It ended up being the neighbors.		
Darrell was very helpful and knowledgeable.		
OTHER		
I had a water leak from meter to hose main. It took over 1.5 hours to have someone arrive. Otherwise service was great.		The meter shut off was frozen and had not been exercised in a long time.
I had a question about the leak we had, great customer service.		
Pretty sure some kids pranked us by turning main valve off out front by the hose. Customer Service was outstanding. Super nice & understanding.		
Box is going to be a problem.		
I appreciate the quick support when I had a leak. Even in a rainstorm I got help with kindness and efficiency. Much appreciated.		
The person helping me was very helpful and problem solved. He sent someone out within 20 mins and was able to turn on water.		
Excellent service		
The team couldn't shut off the water because the valve was broken. But the work order was issued and it was completed Monday morning.		
He was great, quick and helpful		
Adam was excellent!		
Awesome service by everyone.		
The water that continues to flow is not on my property but is my neighbors.		



More Recycled Water for All Marin County!

LGVSD's **expanded recycled water facility** can now produce nearly **2 billion gallons** of recycled water annually! An added water resource for Marin County.

Every gallon of recycled water used is a gallon of drinking water saved.

Marin Water and North Marin Water District use most of the recycled water for landscape irrigation, car washes, cooling towers, commercial laundries, and other non-potable needs that would otherwise be met with drinking water.



MARIN WATER marinwater.org



NORTH MARIN WATER DISTRICT nmwd.com

Learn more at LGVSD.org/RecycledWater

MMWD

District adopts \$306M budget

Agency set to invest in water supply projects

BY WILL HOUSTON

WHOUSTON@MARINIJ.COM

The Marin Municipal Water District has approved a \$305.9 million, two-year budget that will begin to make significant investments in new water supplies not seen by the agency in decades.

“We have a very big job ahead of us with this budget,” Monty Schmitt, the president of the district’s elected board, said before it voted unanimously to adopt the budget on Tuesday.

The budget covers the two-year period of July 1, 2023, through June 30, 2025, and aims to funnel tens of millions of dollars into several priorities. They include new water supply projects; wildfire preparations in the district-owned Mount Tamalpais watershed; restoring tens of millions of dollars in reserve funds depleted by the recent two-year drought; and chipping away at an estimated \$200 million backlog of maintenance to the water delivery system. The budget comes after the agency faced the possibility of depleting its main reservoir supplies as soon as mid-2022 during the recent drought. The district has since adopted a plan to significantly expand its water supplies for the first time since the 1980s.

“I think as we look back on this decision tonight I expect that our community will see that this is a clear shift to further invest in our critical habitat, to encourage our efficiencies in our system, to stave off the deterioration of our infrastructure and increase our water resiliency for future generations,” board member Jed Smith said during the meeting.

The district, which supplies water to 191,000 residents in central and southern Marin, is paying for the many priorities after adopting historic rate hikes last month. The median household will have its water bill costs rise 20% on average during the first year of the five-year rate plan. The new rates take effect on July 1.

Board member Larry Russell voted against the rate hike last month because of affordability and equity concerns. On Tuesday, Russell said some of the rate changes, including lowering the threshold for how much water a ratepayer uses before getting bumped into a higher-cost rate tier, will likely prompt some “significant pushback” from ratepayers in the coming months.

“Be aware, it’s coming,” Russell said during the meeting.

Bret Uppendahl, the district finance director, said another driver behind the budget increase is higher costs of operations caused by inflationary pressures on supplies, insurance premium hikes and ongoing reduced water sales.

The district is proposing to spend \$34.7 million on new water supply projects in the next four years. The funding will be used both to begin near-term projects to improve the efficiencies of the agency's existing reservoir supplies as well as to begin studies on longer-term and more complex projects, such as enlarging reservoirs and a brackish desalination plant on the Petaluma River.

The agency is also looking to invest nearly \$34.8 million during the next four years to address a backlog of maintenance in its water supply system, including pipes, water tanks, treatment plants, reservoirs and pump stations.

Additionally, the district plans to invest a \$10 million in the next two years that will be split between two reserve funds.

One fund is the district's reserve fund, which was drawn down heavily during the recent two-year drought to cover losses from reduced water sales and to import more Russian River water from Sonoma County. The district receives about 25% of its annual water supply from the Russian River.

The reserve fund balance dropped from \$63 million in 2021 to \$28 million.

"It's going to take a long time to build back to where we were," Smith said.

The other fund would be used to pay for larger water supply projects by providing matching funds for state or federal grants.

Other allocations include about \$8.1 million during the next two years for projects on the Mount Tamalpais watershed owned by the district. These projects include fire fuel reduction projects; roads and trail maintenance; and culvert and landslide repairs.

"We've got a watershed that is in a lot of need of maintenance as well as advanced or accelerated work toward the wildfire portion of it," board member Matthew Samson said during the meeting.

San Rafael resident Roger Roberts, a former Marin Conservation League board member, said he suspects the needed funding to prepare the 20,000-acre watershed for wildfire risk is "much greater" than the budget provides.

"And if we can find more money for that, I think that would be well spent," Roberts told the board.

MARIN CIVIL GRAND JURY

Report: Supply of ADUs needed

Panel calls on officials to ease costs, red tape

BY RICHARD HALSTEAD

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Accessory dwelling units could help Marin County meet state mandates for creating new housing and officials should do more to promote their creation, a new civil grand jury report concludes.

The grand jury notes that the state is requiring the county and its municipalities to allow 14,210 new dwellings by 2031.

“Accessory dwelling units (ADUs) can help fill that need,” the panel said in the report, titled “Build More ADUs — An Rx to Increase Marin’s Housing Supply.”

An ADU is an apartment at a primary residence, attached or detached, that has a full, separate kitchen, a separate bathroom and a separate entrance.

The grand jury, an investigative panel empowered by the local judiciary, says the housing plans that local Marin governments recently submitted to the state to meet their housing mandates assume that 9.5% of their required housing could be achieved with ADUs.

The report also states, however, that according to analysis by the University of California at Berkeley’s Turner Center for Housing Innovation, ADUs have the potential to help Marin jurisdictions create 9,500 dwellings by 2031, or 66% of its mandate.

“The report correctly identifies that if there were improved outreach and communication to homeowners along with a low fee structure across municipalities with permitting, impact and hook up costs, we would increase the ADU proportion of our Regional Housing Needs Assessment requirement,” said Margaret Carrigan, co-founder of VADU, a San Rafael company that manages accessory dwelling unit construction.

The grand jury noted that a number of changes will be required for Marin to realize this potential.

“Much of the public is confused about what the requirements are for an ADU,” the report states. “It is often difficult, if not impossible for a Marin homeowner to determine the planning, building, connection, capacity and impact fees associated with developing an ADU in a particular jurisdiction.”

Local governments and special districts may charge a variety of impact or mitigation fees to cover the infrastructure costs of new housing. Local governments and school districts have come to rely more on these fees in the wake of Proposition 13's passage in 1978.

The imposition of impact fees on ADUs is governed by the state.

“Nonetheless,” the report states, “the agencies that might charge impact or mitigation fees have interpreted that state law differently.”

For example, the grand jury said that the construction of a detached 700-square-foot ADU would incur no connection fee from the Marin Municipal Water District, while the North Marin Water District would charge a fee of \$8,675 for the same project. That is because the North Marin district interprets the law as exempting only ADUs created within an existing structure.

In Napa and Sonoma counties, capacity charges for ADUs are waived if the apartment is under 499 square feet, and then based upon a square footage charge for larger apartments, according to the report.

“In contrast, those fees in Marin have reportedly been as much as \$41,000,” the report states.

One of the grand jury's recommendations is that county supervisors direct the county's Community Development Agency to begin a feasibility assessment of waiving or significantly lowering impact and connection fees for ADUs smaller than 750 square feet by the end of this year.

Another impediment to the creation of ADUs that the grand jury highlights is financing.

“More financial tools are needed to facilitate greater ADU development amongst low to moderate-income homeowners who do not have access to cash savings and cannot leverage home equity,” the report states.

The grand jury states that unlike many other areas of California, Marin County and its municipalities have not created financing programs to assist people in building affordable housing.

The grand jury recommends that county supervisors direct the Community Development Agency to identify available funding and financing information for residents who need help with the cost of building an ADU and initiate a continuous monitoring program to regularly update the information.

The grand jury states that Napa and Sonoma counties have at least one full-time employee whose job it is to assist people seeking to create ADUs. It recommends that Marin County hire a full-time ADU program coordinator.

Another of the grand jury's findings is that granting amnesty to existing ADUs created without permits could help Marin meet its housing obligations. The grand jury

recommends that the county consider such an amnesty program by the end of the year and publicize it widely.

The grand jury also recommended that by the end of the year that supervisors direct the Community Development Agency to create plans to accelerate the permit approval process for ADU applications to within 30 days or less and begin feasibility assessments of new incentives for ADU development.

“We agree that ADUs are an important housing option that have the potential to meet a variety of needs for people in Marin,” said Sarah Jones, director of the Community Development Agency. “We’re continuing to work on initiatives that will facilitate ADUs, and it’s helpful to have the grand jury’s perspective on the pain points in the current process so that we know what actions might make the most difference for people.”

“At the county,” Jones said, “we’re putting a good part of our focus on strategies to make ADUs workable on properties that rely on septic systems.”

Sharon Rushton, president of Sustainable TamAlmonte, said that recent changes in state law to encourage the creation of ADUs have gone too far “by requiring ministerial review and stripping away local control of land use, local development standards, community engagement, and environmental review related to second units.”

“As a result,” Rushton said, “many ADU regulations, including those of unincorporated Marin, endanger communities in the wildland urban interface, high fire hazard zones, very high fire hazard zones, environmentally sensitive areas, and constrained areas with unsafe access and evacuation routes.”

Clear hurdles for ADUs so they can help

For many years, a debate over illegal second units filled municipal agendas.

Supporters of the units argued they were an answer to Marin's lack of affordable housing. Critics contended that they violated single-family zoning, causing overcrowding and neighborhood parking problems.

At one time, the county Board of Supervisors struck a compromise, allowing second units in three of the five supervisorial districts.

Sacramento and its regional housing quotas shifted that debate.

Today, many Marin cities are banking heavily on the creation of second units — now referred to as accessory dwelling units, or ADUs — to satisfy the state-mandated number needed by 2031.

The state requirement for Marin is 14,405 new units.

For some of these cities, available land for building housing is in short supply. In addition, ADUs are seen as an alternative to approving larger-scale housing complexes.

Given that strategy, the 2022-23 Marin County Civil Grand Jury has held up a mirror to that goal and in its recent report details financial and procedural hurdles facing that objective.

Its report hails the creation of ADUs as an answer to Marin's shortage of affordable housing. They can be affordable for the property owner to build, generate needed income for the landlord and provide affordable housing for family members or the local workers, older relatives and caregivers.

“Because of their small footprint, ADUs are significantly less expensive to build than new detached single-family homes. They also offer benefits that address common development barriers, such as land use and environmental sustainability,” the grand jury states.

But the grand jury's look into the specifics of getting them built pinpointed some local hurdles.

One of the biggest are the fees that the local government levies on new housing units.

Voter approval of the 1978 Proposition 13 property tax cut put local government on a path of creating new local fees in order to generate new revenue. Over the years, those fees have been increased.

The grand jury suggests that those varied fees now create a financial hurdle that could thwart homeowners' interest in building ADUs.

In fact, the grand jury points to Salem, Oregon as an example, where the city waives any increase in property tax so long as the property owners keep rents affordable.

The county has taken steps to encourage the building of ADUs, providing free technical assistance and waiving portions of the county's development fees for units that are built as affordable housing.

Other agencies could do their share, as well, the report contends.

One example it cites is the North Marin Water District's requirement that detached ADUs pay a \$8,675 hookup fee. Add to that, the city and school district charges and the upfront cost hits more than \$18,000 for units 700 square feet or smaller and an estimated \$34,307 for building an 800-square-foot unit.

In Belvedere, city fees for an attached ADU are \$19,530, according to the grand jury's report.

Those are charges before the property owner can pour the foundation or hammer a nail for a new ADU.

The grand jury is urging local governmental agencies to take a harder look at their construction fees through the lens of encouraging the construction of affordable ADUs.

"Marin's mandated housing goals can be met when every public agency in the county aligns its policies toward these objectives. Cooperation should be the mantra. It benefits everyone," the report states.

Those layers of fees build to the point where it is financially discouraging for landlords considering building ADUs.

The grand jury also recommends that the county and cities do more to make it easier — including dispelling planning regulations — for property owners.

If ADUs are going to be advanced as an effective strategy in meeting the state's mandated regional housing quotas, governmental agencies need to break out of their bureaucratic silos and work together to remove or reduce obstacles that are now on the books.

Wet year buys time for new supplies

Reservoirs full as more water sources are studied



Water flows down Alpine Dam in the Mount Tamalpais watershed.

BY WILL HOUSTON

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Marin County water suppliers reported a flush year of rainfall that topped off local reservoirs and extracted the county from a significant drought.

Both the Marin Municipal Water District and the North Marin Water District ended the fiscal year June 30 with above-average rainfall counts.

The Marin Municipal Water District recorded 77 inches of rain from July 2022 through June, or about 150% of the average of 52 inches.

Heavy storms in December and January worked to refill reservoirs for the first time since the winter of 2018-2019.

“It was pretty great rainfall and runoff after a couple of consecutive dry years,” said Lucy Croy, district water quality manager.

The rainfall was in the top 10 percentile of high rainfall years, but fell well short of the record of 112 inches in 1890, according to Croy.

The year’s rainfall provided welcome relief to the district, which two years earlier had faced depleting its main reservoir supplies as soon as mid-2022. The district serves about 191,000 residents.

Heavy storms beginning in October 2021 brought in about 50 inches of rain and filled reservoirs nearly to capacity, but a dry winter followed. This past winter was a different story, with five major storms refilling the district’s reservoirs multiple times and rainfall continuing into May.

The district’s seven reservoirs, which provide about a two-year supply of water, are about 96% full, giving the district time to begin its plans to expand supplies. The district is seeking to prolong its supplies by continuing its ramped-up imports of Russian River water, which it purchases from Sonoma Water.

Water use habits from the drought linger, Croy said, with residents continuing to conserve compared to the years before the drought.

“We’ve kept a really high storage level since then. Demand stayed pretty low,” Croy said.

The North Marin Water District recorded 41.7 inches at its main reservoir at Stafford Lake, exceeding its average of 27.6 inches. The downpours came after two dry winters that brought in 18 inches in 2021-2022 and a record low of 8.5 inches in 2020-2021.

The district serves about 61,000 residents in the greater Novato area and parts of western Marin. Novato receives about 75% of its water supply from the Russian River. Stafford Lake provides the remaining supply, but it is a smaller reservoir and is typically only drawn during the warm months when water use is highest.

The largest of Sonoma Water’s reservoirs, Lake Sonoma, is at about 97% of capacity.

“That is significant,” said Tony Williams, general manager of the North Marin Water District.

Stafford Lake was refilled during the winter and is at about 84% of capacity. Williams said the water supply was a boon after a landslide north of Novato shifted the aqueduct pipe that carries Russian River water into Marin County, requiring it to be shut off for weeks and forcing the district to rely solely on Stafford Lake.

“It did allow us to start up a little early and that helped us with an unexpected issue with the landslide,” Williams said.

The intense rainfall has helped alleviate drought-related stress for agricultural producers, who had to truck in water and import feed as local forage dried up. Still, local officials say

more consistent rainfall in the coming years will be needed to recover from the impacts of droughts this decade.

“Long term, our ranchers and agricultural producers are in a deep hole with debt,” Marin County Agricultural Commissioner Stefan Parnay said earlier this year. “They have a long way to climb out and that’s not going to happen in a year. That’s going to happen over a few years. The hope is we can get out of this drought and hopefully have a few really good years of rainfall that will support the ag community.”

Marin County fire Chief Jason Weber said while the wet winter was appreciated, it also has produced a significant grass crop that is starting to dry out.

“What we expect is more significant grass fires and grass is something that can lead into those heavier fuels, especially as we get later into the season and those start to dry out,” Weber said.

The rains did help to saturate live vegetation, which has higher moisture levels compared to the historic average, Weber said. However, that will begin to drop off in the coming months, with the peak risk of ignition occurring from August through October.

Weber said that with four fire crews, one fire-fuels crew and the recent addition of a firefighting helicopter through PG&E, the county has more resources than ever to respond to fires. The agency’s goal is to keep 95% of fires this season at 10 acres or less.

Reducing the risk of more intense blazes will not be solved by one wet winter, Weber said, with the impacts of drought continuing to effect forest health.

“Although we certainly have enjoyed a rather wet winter, we can’t let our guard down,” Weber said.

MARIN CIVIL GRAND JURY

Report: Water utilities need improved dam safety plans

Panel notes effects of climate change, 'atmospheric river' storms



Alpine Dam is one of seven dams in the Marin Municipal Water District reservoir system. The average age of Marin's dams is nearly 90 years. PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL



Stafford Lake in Novato has the only dam in the North Marin Water District.

BY WILL HOUSTON

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Following the barrage of drenching storms this winter, Marin County's dam safety plans are failing to account for more frequent, intense storms brought on by climate change, according a new report.

While the report by the Marin County Civil Grand Jury says the eight dams operated by the Marin Municipal Water District and the North Marin Water District are in full compliance

with state and federal safety standards, the agencies' dam hazard plans do not incorporate the latest science on climate change effects on "atmospheric river" storms.

"Of note, no failures took place thus far, in part because water levels in dams were low due to the prolonged drought," the report states. "However, with stronger atmospheric rivers happening in greater numbers, and perhaps higher water levels in the dams, the situation could be different."

The grand jury recommends, among other actions, that the two water districts update their dam hazard mitigation plans and form a committee to plan strategies to prevent potential dam failures.

Both utilities are required by the state Division of Safety of Dams to submit hazard mitigation plans. However, the grand jury says the state and federal governments do not require dam operators to employ specific methodologies or actions to address dam safety, instead leaving it up to the operators themselves to determine which approaches work best for their dams.

The report notes that the average age of Marin County's eight large dams is 87 years, with the oldest dam, at Lake Lagunitas, dating back to 1872. The state has classified all these dams as having the highest safety rating of "satisfactory."

The Federal Emergency Management Agency has a separate hazard classification based on the potential impacts downstream if a dam fails. Seven dams — Alpine, Bon Tempe, Peters at Kent Lake, Seeger at the Nicasio Reservoir, Stafford, Phoenix and Soulajule — are classified at the highest risk hazard category, meaning that a dam failure would likely cause loss of human lives, according to the report. Lagunitas Dam is classified as having "significant" risk, meaning it would likely cause property and environmental damages resulting in economic losses.

The communities that face the greatest risks are Novato, Point Reyes Station and Ross, which are downstream of these dams and comprise about 20% of the county population, the grand jury states.

Projections that climate change will result in more extreme swings in weather — from prolonged droughts to more extreme rainfall — should be "front and center" in the water district's dam safety plans, the report states.

“Construction standards have changed considerably over the years and older dams usually do not have good construction records,” the report says. “The Grand Jury finds the issue of dam safety is relevant in light of climate change and increasing strength and number of atmospheric rivers. This now requires a critical review to proactively mitigate future potential hazards.”

Leaders from both water agencies said they are aware of the projections for more extreme weather patterns. They said they have no concerns about the structural safety of the dams currently, and that the utilities perform daily checkups along with more intensive inspections throughout the year.

“At this point, we haven’t had any concerns about it because not only do we have the spillway, but we have outlet valves to release water quicker,” said Crystal Yezman, a Marin Municipal Water District engineer. “The biggest concern there is the spillway is undersized and we haven’t had anything like that.”

The district operates seven of the eight large dams in Marin. Six are earthen dams, and Alpine Dam is concrete. Yezman said the dams are regularly inspected, including after major storms. The agency’s dam safety plan was last updated in 2020. Another is forthcoming to add in water supply projects the district is pursuing, Yezman said.

Agency staff declined to comment on the grand jury recommendations, stating that the district’s board will decide how to respond.

The district plans to make a presentation at the board’s July 21 operations committee meeting about its dam safety programs.

The North Marin Water District operates the earthen dam at Stafford Lake just outside of Novato. Unlike its neighboring water agency, the district’s dam safety plan is incorporated into the countywide hazard mitigation plan, which is being updated.

Tony Williams, the district’s general manager, said there will be discussions on climate change and other hazards during the update process, but he said the district has “never had any concerns thus far” about the safety of Stafford Dam.

Williams said the grand jury report seems to be critical of state and federal regulatory agencies for being too slow or not responding to the latest climate change projections, and that local water agencies should take a proactive approach to incorporate this.

No guidance exists on the issue from these larger agencies that have a staff of specialists looking into the issue, Williams said. By comparison, Williams said the water district has three civil engineers on staff, including himself.

“We acknowledge that is an issue,” Williams said of the grand jury’s concerns. “The question is, are we the ones that should be figuring out how to apply that science to the right engineering criteria for a dam? That’s what those agencies are tasked with doing.”

Williams said the report also contains some factual errors, including that his district owns the dam at Nicasio Reservoir and that the federal dam hazard classifications are based on the potential for dam failure, as opposed to the downstream impacts should a dam fail.

The Marin County Civil Grand Jury is a panel of volunteers empowered by the local judiciary to investigate the workings of public agencies. A copy of the grand jury report can be found at marincounty.org/depts/gj.

CLIMATE CHANGE

Extreme rains pose hidden flood threat in Marin, US

Data: County underestimated for severe precipitation risks



Westbound traffic makes its way through a flooded Highway 37 in Novato in January. Significant storms that federal precipitation models state would occur every 100 years are expected to occur every 30 years in Marin, according to new research. PHOTOS BY ALAN DEP — MARIN INDEPENDENT JOURNAL



A pickup truck drives through a flooded Armstrong Avenue in Novato in January.

BY RAYMOND ZHONG

THE NEW YORK TIMES

As climate change intensifies severe rainstorms, the infrastructure protecting millions of Americans from flooding faces growing risk of failures, according to new calculations of expected precipitation in every county and locality across the contiguous United States.

Marin County is in the top 18% of all counties in the United States that have been most underestimated for extreme precipitation risks, according to the new rain estimates published by the First Street Foundation, a nonprofit group in New York. Significant storms that federal precipitation models state would occur every 100 years are expected to occur every 30 years in Marin, according to First Street's head of climate implications research Jeremy R. Porter.

“On the northern California coast there is this underestimation of extreme events like atmospheric rivers,” Porter told the Independent Journal. “This last year was a really good example of that.”

The calculations suggest that 1 in 9 residents of the Lower 48 states, largely in populous regions including northwestern California, the mid-Atlantic and the Texas Gulf coast, is at significant risk of downpours that deliver at least 50% more rain per hour than local pipes, channels and culverts might be designed to drain.

“The data is startling, and it should be a wake-up call,” said Chad Berginnis, the executive director of the Association of State Floodplain Managers, a nonprofit organization focused on flood risk.

The new rain estimates, issued in late June, carry worrying implications for homeowners, too: They indicate that 12.6 million properties nationwide face significant flood risks despite not being required by the federal government to buy flood insurance.

The nation is set to pour hundreds of billions of dollars into new and improved roads, bridges and ports in the coming years under the bipartisan infrastructure plan that President Joe Biden signed into law in 2021. First Street’s calculations suggest that many of these projects are being built to standards that are already out of date.

Matthew Eby, First Street’s executive director, said he hoped the new data could be used to make these investments more future-proof, “so that we don’t spend \$1.2 trillion knowing that it’s wrong.”

The threats to American infrastructure from intense rain have been on stark display in recent years. In Pennsylvania, New Jersey and New York, the remnants of Hurricane Ida overwhelmed drains and turned streets into rivers in 2021. In Houston and southeast Texas, flood after flood has shut down highways and stranded people away from their homes. Flooding from torrential rain has devastated Vermont this week, requiring residents to be rescued by air and by boat.

The National Oceanic and Atmospheric Administration, the agency under the Commerce Department that produces the precipitation estimates used by planners and engineers across the country, declined to comment.

NOAA’s estimates are “the floor, not a ceiling,” said Abdullah Hasan, a White House spokesperson. “States and localities often consider additional factors best suited to their local geographies when making project decisions.”

Every additional increment of global warming increases the likelihood of intense rain in many places for a simple reason: Hotter air can hold more moisture. But NOAA’s estimates of expected rainfall are only intermittently updated. And, as NOAA scientists described in a recent report prepared in collaboration with university researchers, the agency’s estimates assume that the intensity and frequency of extreme rain hasn’t increased in recent decades, despite ample evidence to the contrary.

The result, according to First Street, is that NOAA is substantially underestimating the risk of severe rain in some of the nation's largest cities: Baltimore, Chicago, Dallas, Detroit, Houston, New York, Philadelphia and Washington among them. Other places where there are large differences between First Street's rainfall estimates and NOAA's include the Ohio River Basin, northwestern California and parts of the Mountain West.

In other areas, including those east of the Sierra Nevada and Cascade Range, First Street finds that NOAA is overestimating the likelihood of intense rain, implying that resources there might not be best spent on upgrading flood infrastructure.

NOAA and its predecessor agencies have been publishing data on expected rain and snow for decades. Its latest estimates, covering nearly every part of the country, are contained in a multivolume publication called Atlas 14. (Another set of estimates, called Atlas 2, covers the Northwestern states.)

Pick any point on the map, and the NOAA atlases tell you the probabilities there of various precipitation events — that is, a certain number of inches falling over a given span of time, from five minutes to 24 hours to 60 days.

But the atlas estimates are based on rain measurements collected over the past several decades, or, in some places, since the 19th century, “in a climate that just doesn't exist anymore,” Porter said.

By contrast, First Street's peer-reviewed methods for estimating precipitation use only rainfall records from this century, and only ones collected by the government's most modern weather stations. (First Street plans to publish additional documentation on how it computed its new estimates July 31.)

NOAA is working on updating its atlas estimates to better account for the warming climate. But the agency says its first data for Atlas 15 might be ready only in 2026.

First Street's rain estimates also raise questions about the federal government's guidance on flood risks to homes.

The Federal Emergency Management Agency maps areas of the country that it calculates to be at significant risk in a 100-year flood, or one with a 1% chance of occurring in any given year. FEMA's maps guide decisions by builders, insurers and banks, and determine whether homeowners need to buy flood insurance.

But First Street's data suggests that 17.7 million properties nationwide are at risk in a 100-year event. Of those, only about 5 million properties also fall into a FEMA flood-hazard zone. That means millions of other homeowners might be making decisions with an incomplete understanding of the true physical and financial risks they face.

In Houston, 145,000 properties lie in First Street's 100-year flood zone but not in FEMA's. New York has 124,000 such properties; Philadelphia, 108,000; and Chicago, 78,000.

In an emailed statement, FEMA said it welcomed outside efforts to improve the nation's understanding of flood risk but cautioned that First Street's assessments relied on data and methods that were different from its own.

"FEMA's process is careful to neither understate nor overstate the current flood risk," the statement said. "The accuracy of the flood data necessary to service the nation's largest flood insurance program and the nation's largest regulatory land use program is fundamentally different than the level of accuracy necessary to support First Street Foundation."

NOAA began publishing Atlas 14 in 2004, which means that any drains, culverts and stormwater basins built since then might potentially have been sized according to standards that no longer reflect Earth's present climate. But plenty of America's infrastructure was laid down even earlier, meaning it was designed to specifications that are probably even more obsolete, said Daniel B. Wright, an associate professor of civil and environmental engineering at the University of Wisconsin-Madison.

"Certainly, updating Atlas 14 is something that needs to be done," Wright said. "But the problem is huge, in the sense that there are trillions upon trillions of dollars of things that are based on horribly out-of-date information at this point."

IJ reporter Will Houston contributed to this report.

SCIENCE

Record Lows to Near Brimming: North Bay Reservoirs Stage Remarkable Recovery

By [Ezra David Romero](#)  Jul 10

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Heading into the second week of July, Lake Sonoma and Lake Mendocino — at 66% and 79% full, respectively — are both well **above their average levels for this time of year**, and roughly twice as full as they were last summer.

“Unless you count the first year it was filled, Lake Sonoma had dropped to the lowest level ever,” said David Rabbitt, a Sonoma County supervisor and a Sonoma Water director. “To rebound like that in one year was beyond anyone’s imagination.”



Left: A view of the Warm Springs Creek Bridge from the Lake Sonoma Overlook on the southeastern coast of the lake on June 11, 2021. Right: A view of the Lake Sonoma Resort Area from the Lake Sonoma Overlook on the southeastern coast of the lake on June 11, 2021. *(Beth LaBerge/KQED)*

As the summer heats up, **reservoir levels statewide are collectively at around 87%**, the result of the massive amount of precipitation that storms dumped on the state this year. But while other reservoirs across California depend on runoff from the Sierra Nevada snowpack, Lake Mendocino and Lake Sonoma — serving over 600,000 customers in Sonoma and Marin counties — rely on seasonal rains in the hills above the Russian River.

And although this flash-in-the-pan system normally goes through wet-to-dry extremes, human-caused climate change has significantly widened that chasm.

“The weather patterns are so volatile,” said Rabbitt. “Three years of drought can be followed by one year of intense rainfall can be followed by three or more years of drought again. And we seem to be in this pattern.”



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He notes that even with the **grand reentrance of El Niño this summer** — which could usher in another wet, stormy winter — his agency has to prepare for what may be a dry year ahead.

‘The weather patterns are so volatile. Three years of drought can be followed by one year of intense rainfall can be followed by three or more years of drought again.’

—Supervisor David Rabbitt, Sonoma County

Regardless of what comes from the skies, Sonoma Water, which collectively manages both reservoirs with the Army Corps of Engineers, uses satellite forecasting to watch for coming storms to decide in real time when to release water. When a storm is on its way, the agency can decide to let water out or keep it in the reservoir if there is no storm on track. While it sounds like a no-brainer, the concept is new to how the reservoirs are managed because of rules set up decades ago. This practice allowed the agencies to keep 10,000 acre-feet of water

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Army Corps' San Francisco office. "Imagine the amount of water that could be saved if [the state] utilized that tool to its fullest potential."



A boat dock at Lake Mendocino on June 11, 2021 (left) and July 5, 2023 (right). (Beth LaBerge/KQED)

Sonoma Water also uses a series of stationary radar units across the Bay Area to better understand where these storms will drop the majority of their rainfall.

But Malasavage said fuller reservoirs and the possibility of another wet year also raise a concern that was avoided last winter along the Russian River: disastrous flooding.

"Last year we were just hoping for rain," he said. But this year, with reservoirs fuller, the agency has "to be more methodical and more mindful" of potential flooding when winter begins.



Sean Adams stands on a partially submerged park bench to fish at the Lake Mendocino South Ramp on July 5, 2023. *(Beth LaBerge/KQED)*

During the rainy season, managers in charge of flows from the reservoirs also allowed farmers to use excess water from the Russian River to submerge their land, a process meant to slowly recharge groundwater aquifers.

“They were just simulating what naturally would have been a rainy season,” said Elizabeth Salomone, general manager for the Russian River Flood Control and Water Conservation Improvement District. “Some of these farmers who did that saw better yields in 2022. Word of mouth got around and now folks are opening up a lot more to it.”

But even with all the rain this year, Salomone said she is worried about both too much and too little rainfall next winter.

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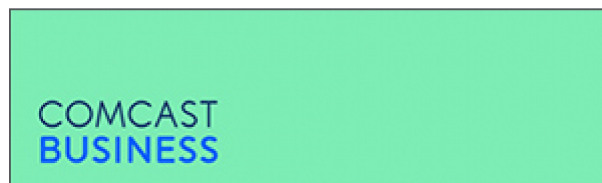
The Memorial Bridge over the Russian River near Healdsburg on June 3, 2021 (left), and July 5, 2023 (right). (Justin Sullivan/Getty Images (left), Beth LaBerge/KQED (right))

“I need to dust off my crystal ball because as a water supplier, I always have to consider the worst-case scenario,” she said.

She says she gets calls from farmers all the time asking whether the drought is over, and tells them they’re asking the wrong question.

“We need to stop focusing on whether we are out of a drought, but instead, ask this question: What if it doesn’t rain when we expect it to rain?” Salomone said. “Because one thing we can expect is that it’s likely not going to occur the way we have expected it to in the past. The historical patterns of precipitation are no more.”

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Sonoma Water E-News | July 2023

[Sonoma Water Welcomes International Partners in Water Sustainability](#)



Partnerships and knowledge sharing are key factors in developing a more sustainable water sector globally. Sonoma Water, Santa Rosa Water and our water contractors welcomed the Danish Water Technology Alliance (WTA) to Sonoma County in June. The WTA is a Danish outreach program providing specialized know-how on innovative water technology solutions. The alliance is a program of The Water Advisory, with partners including public Danish water utilities,

the Danish Environmental Protection Agency and leading technology and service providers. The main goal of the WTA is to build bridges between the North American and Danish water sector with the aim of sharing Danish know-how and fostering collaboration. Through local visits, such as the one on June 27, the WTA provides specialized knowledge about Danish solutions, and acts as a full solution provider covering the whole water cycle.

The WTA hosts workshops and seminars locally in North America and invites North American stakeholders on dedicated fact-finding trips to Denmark to see and experience solutions in operation and to meet colleagues abroad.



A Fresh Look Inside

Here is a view of the inside of one of our water storage tanks following a comprehensive maintenance program, which included a deep cleaning and recoating of the interior. This tank, near Spring Lake, holds up to 6 million gallons of clean water and is one of 18 that Sonoma Water operates; many of these are scheduled for updates over the next few years. This work, funded by our customers, is essential for our system that delivers safe and reliable drinking water to our customers in Sonoma and Marin counties.



Safe Medicine Disposal

Don't flush your unused medications down the toilet or throw them in the trash! Studies show that pharmaceuticals in rivers and streams, if present at high enough concentrations, can harm aquatic wildlife. When flushed down the drain, some medications are not completely removed by wastewater treatment plants and are discharged to surface waters.

It's important to make unused household medications irretrievable, but the best way

to protect human and environmental health is to place whole pills in a resealable bag and drop them off at a secure medicine collection bin at a participating pharmacy or police station.

To see a list of local safe medication drop-off and mail-back envelope pick-up locations visit the [Russian River Watershed Association website](http://www.rrwatershed.org)



TIME TO CLEAN OUT YOUR MEDICINE CABINET?

It's a simple project - start to finish!

FIND A DROP OFF LOCATION NEAR YOU AT

WWW.RRWATERSHED.ORG/PROJECT/SAFE-MEDICINE-DISPOSAL

Easy as 1-2-3! Follow These Steps:

-  **1** **Obscure personal info from containers & recycle them.**
-  **2** **Place pills in clear zipper bag. Keep liquids & creams in packaging.**
-  **3** **Place zipper pill bag & liquids and creams in their original containers into the bin.**



RUSSIAN RIVER WATERSHED ASSOCIATION



CPSC
California Product Stewardship Council

Russian River Watershed Association Safe Medicine Disposal Information

Lake Sonoma Visitor Center Open Daily

Come up and visit the Milt Brandt Visitor Center at Lake Sonoma, now open seven days a week for the summer season. Sonoma Water's Isabell and Alexandria will be there ready to greet you, along with Friends of Lake Sonoma volunteers, and they will help you learn about this beautiful place so you can experience the recreation possibilities with trail maps, nature

guides, cultural and historical information. Learn about the Warm Springs Dam, the marina, the fish hatchery and the reservoir which is an essential water resource for our region! They can also help you with information about the Don't Move a Mussel program, which uses specially trained sniffer dogs to inspect watercraft for invasive quagga mussels before launching into the lake.

The Milt Brandt Visitor Center is located at Skaggs Springs Road in Geyserville.



July is Smart Irrigation Month!



Ever wondered how to correctly schedule your irrigation









controller based on weather, plants or irrigation application? Well, we have a solution for you!

The Sonoma-Marin Water Saving Partnership developed the [Irrigation Scheduling Tool](#) to simplify and enhance the accuracy of irrigation controller scheduling. This innovative web-based tool retrieves data from local weather stations daily, providing users with precise calculations of the optimal water requirements for plants during the week. By considering various plant types and irrigation emission devices, the tool generates a recommended irrigation schedule. The irrigation scheduling tool also includes a [User Guide](#) to assist users.

Pro Tip: How do you find a leak in your drip irrigation? Use a couple of your senses - eyes and ears. Start by turning on the individual drip station, then walk along the drip line, looking for spraying water or plants that aren't doing well. If no leaks are visible, then use your ears and listen for any abnormal sounds coming from the drip line. Often, drip lines get buried under dirt and mulch so using your ears to listen for leaks in drip lines is your best bet.

Need assistance? Some water providers offer free irrigation assessments, check [here](#).

	Very Low Water Use			Low Water Use		
						
Irrigation Type	Drip Emitters	Inline Drip	Micro Spray	Drip Emitters	Inline Drip	Micro Spray
Run Time (Minutes)	13	6	4	19	9	6
Cycles Per Day	1	1	1	1	2	2
Days Per Week	1	1	1	2	1	1
Total Weekly Run Time (Minutes)	13	6	4	38	18	12

Get the Irrigation Scheduling Tool

Sonoma Water on the Radio: Nuestra Tierra Radio KBBF 89.1

FM

Last month, Juan-Carlos Solis, one of Sonoma Water's programs specialists, discussed the new Sanitation Rate Relief Program and the wastewater treatment process.

You can listen to this interview in Spanish by clicking the link below.

Link to Listen in Spanish <https://www.sonomawater.org/espanol>

Our next radio interview on KBBF 89.1 FM:

Monday, July 17, 2023, 9:00-9:30 a.m.

Water Smart Irrigation and the New Irrigation Scheduling Tool

Learn about a new irrigation scheduling tool for your landscape with Sonoma Water's Senior Programs Specialist Kris Loomis.

RADIO TALK SHOW

NUESTRA TIERRA
MONDAY
JULY 17
9-9:30 am

Water Smart Irrigation and the New Irrigation Scheduling Tool

with Kris Loomis, Senior Program Specialist, Sonoma Water

Tune in to KBBF 89.1 FM or listen online at <https://kbbf.org/live/>

Sintoniza KBBF 89.1 FM o escucha virtualmente <https://kbbf.org/live/>

Stay Cool! Chillin' with the Refrigerator Tree

When the weather is heating up outside, chill out near a Pacific Madrone, a.k.a. Refrigerator Tree. Water Educator Sage will tell you more in this video. Watch more reels on Sonoma Water's Instagram!



Rainfall and Water Storage Update

Current water supply conditions as of 7/9/2023:

Lake Mendocino FIRO* Target Water Storage Curve:
111,000 acre-feet
Current Storage: 96,212 acre-feet (86.68% of FIRO Storage Curve)

Lake Sonoma Target Storage Curve: 264,000 acre-feet
Current Storage: 252,694 acre-feet (95.72% of Water Supply Pool)

Current rainfall conditions (10/1/22 – 7/11/23)

Ukiah:
Average (1894-2022 water years): 39.14"
Current Water Year: 39.14" which is 106% of average

Santa Rosa:
Average (1950-2022 water years): 35.84"
Current Water Year: 41.69" which is 116% of average

*FIRO is the acronym for Forecast Informed Reservoir Operations



Visit Sonoma One Rain for Current Rainfall Conditions

Upcoming Events

The Board normally holds its regular meetings on Tuesdays, beginning at 8:30 a.m. and will be facilitated virtually through Zoom and at Board of Supervisors Chambers (BSC) 575 Administration Drive 102A.

Board of Directors Meetings

- July 17 BSC/Virtual Special Meeting
- July 18 BSC/Virtual
- Aug 1 BSC/Virtual
- Aug 15 BSC/Virtual
- Aug 18 BSC/Virtual Special Closed Session
- Aug 22 BSC/Virtual
- Aug 29 BSC/Climate Action and Resiliency Workshop
- Aug 30 BSC/Special Closed Session
- Aug 31 BSC/Virtual Special Closed Session

Board Agendas:

[View upcoming Agenda items](#)

Please visit [SoCoEmergency.org](https://www.socoemergency.org) for additional information and resources

Sonoma Water Events Calendar

What is an estuary?

An estuary is where a river meets the ocean. The mix of freshwater from the river and saltwater from the sea creates a dynamic environment that supports a broad array of fish, wildlife, and invertebrate and plant species. Salmon and steelhead use estuaries to adapt to saline conditions prior to entering the ocean and to adapt to freshwater before migrating upstream to their spawning grounds.

The Russian River meets the Pacific Ocean near the town of Jenner.

Employment Opportunities

Sonoma Water has job openings for people with a variety of skills and experience.

[Sonoma Water Drafting and Design Technician III \(Continuous\)](#)

[View our Careers Webpage](#)

Sonoma Water | 404 Aviation Blvd, Santa Rosa, CA 95403 | [SonomaWater.org](https://www.SonomaWater.org)

STAY CONNECTED



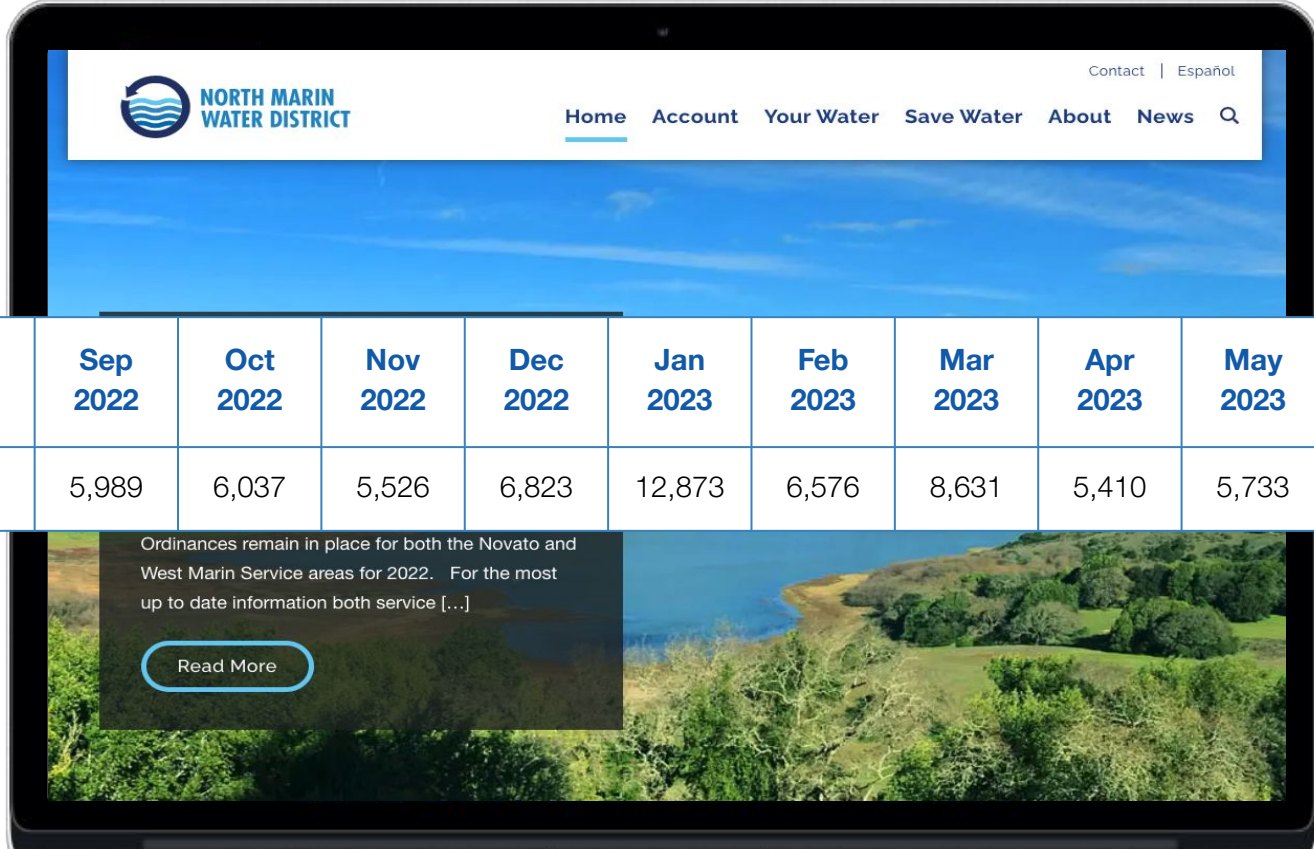


**NORTH MARIN
WATER DISTRICT**

Web & Social Media Report

June 2023

Website Statistics






	Aug 2022	Sep 2022	Oct 2022	Nov 2022	Dec 2022	Jan 2023	Feb 2023	Mar 2023	Apr 2023	May 2023	June 2023
2022/ 23 Visitors	6,407	5,989	6,037	5,526	6,823	12,873	6,576	8,631	5,410	5,733	5,711

Ordinances remain in place for both the Novato and West Marin Service areas for 2022. For the most up to date information both service [...]

[Read More](#)



Social Media Followers

	Aug-2022	Sep-2022	Oct-2022	Nov-2022	Dec-2022	Jan-2023	Feb-2023	Mar-2023	Apr-2023	May-2023	Jun-2023
 Facebook Followers	1,904	1,964	2,005	2,042	2,095	2,172	2,202	2,243	2,300	2,322	2,363
 Twitter Followers	77	75	74	71	76	110	112	113	120	121	122
 Instagram Followers	689	693	709	722	735	748	759	774	794	808	822



NMWD Most Visited Pages

Pages	Unique Pageviews	% of Total
Home	3,112	29.74%
Online Billing	2,035	19.45%
My Water Usage	928	8.87%
What Is An Acre Foot?	236	1.86%
Contact	214	2.26%
Meetings 2023	195	2.05%
Water Conservation Rebates	192	1.84%
Start Service	165	1.58%
Human Resources	139	1.33%

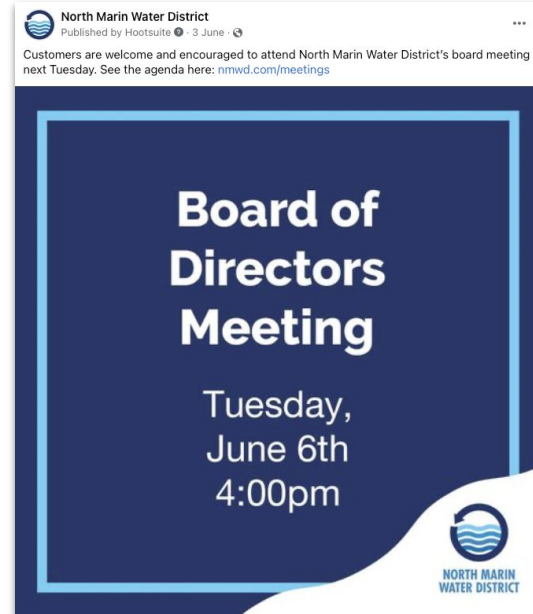




June Social Media Highlights | Facebook



142 people reached | 23 engagements



153 people reached | 7 engagements

Engagements include likes, reactions, clicks and comments

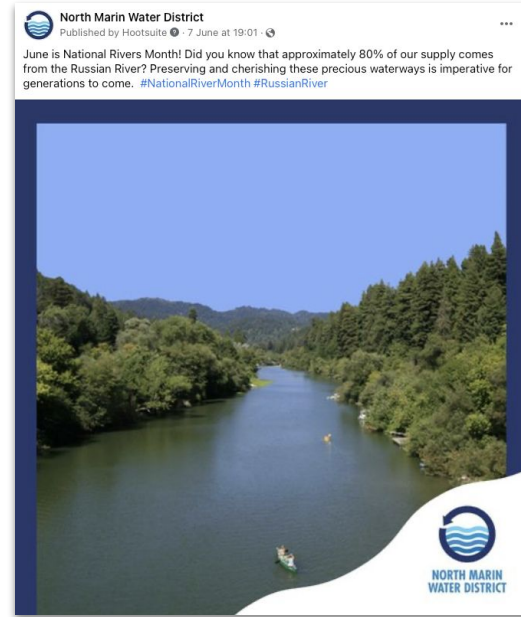




June Social Media Highlights | Facebook



85 people reached | 4 engagements



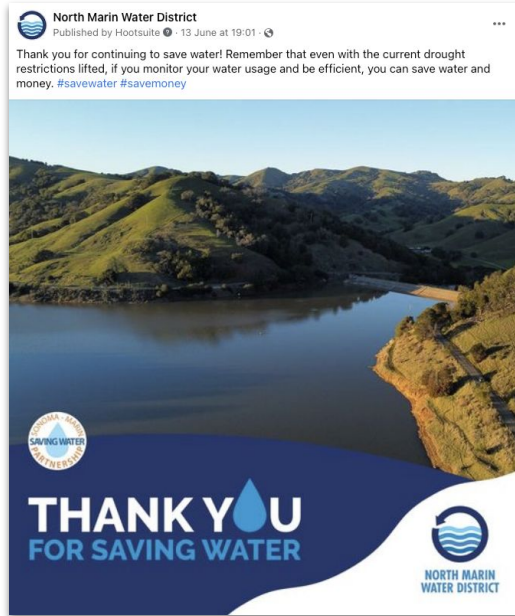
102 people reached | 3 engagements

Engagements include likes, reactions, clicks and comments





June Social Media Highlights | Facebook



142 people reached | 12 engagements



890 people reached | 152 engagements

Engagements include likes, reactions, clicks and comments





June Social Media Highlights | Facebook

North Marin Water District
Published by Hootsuite · 16 June at 19:01 · 🌐

Reminder! The District is proposing rate increases for the Novato service area and West Marin service area for fiscal year 2023-2024. If approved at the public hearing, the new rates will go into effect on July 1, 2023. Customers are welcome and encouraged to attend. Visit nmwd.com/news for more information.

Service Area	Public Hearing Date
Novato Service Area	June 20, 2023
West Marin Service Area	June 20, 2023

162 people reached | 45 engagements

North Marin Water District
Published by Hootsuite · 19 June at 18:00 · 🌐

Customers are welcome and encouraged to attend North Marin Water District's board meeting tomorrow. See the agenda here: nmwd.com/meetings

Board of Directors Meeting

Tuesday,
June 20th
4:00pm

175 people reached | 36 engagements

Engagements include likes, reactions, clicks and comments

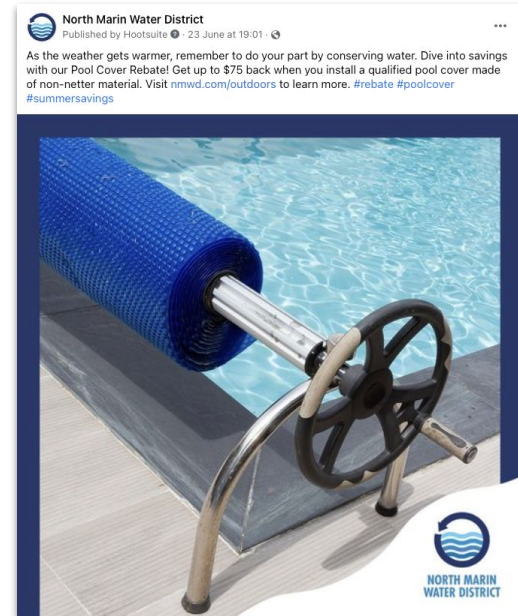




June Social Media Highlights | Facebook



396 people reached | 57 engagements



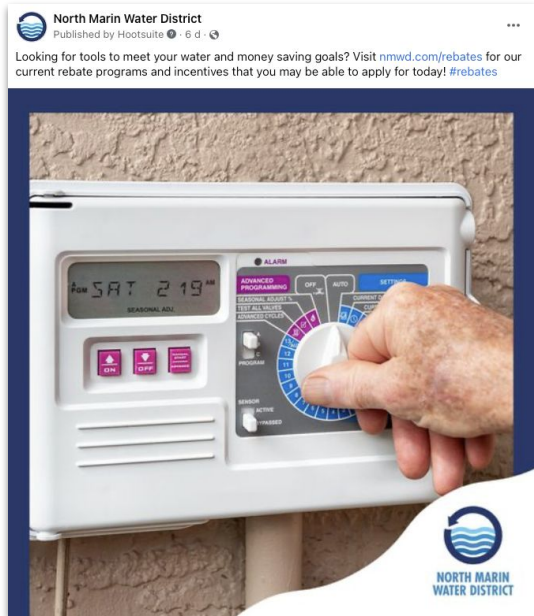
295 people reached | 17 engagements

Engagements include likes, reactions, clicks and comments





June Social Media Highlights | Facebook



174 people reached | 3 engagements



196 people reached | 7 engagements

Engagements include likes, reactions, clicks and comments





June Social Media Highlights | Twitter

 **North Marin Water District** @NorthMarinWater · Jun 2 ...

Today, our electrical and mechanical tech, James Lemos, is celebrating 9 years of serving our community's water needs at the District! James' dedication and expertise have played a vital role in ensuring clean and efficient water supply. Here's to many more years! [#9years](#)




NORTH MARIN
WATER DISTRICT

 **North Marin Water District** @NorthMarinWater · Jun 3 ...

Customers are welcome and encouraged to attend North Marin Water District's board meeting next Tuesday. See the agenda here: nmwd.com/meetings



**Board of Directors
Meeting**

Tuesday, June 6th
4:00pm


NORTH MARIN
WATER DISTRICT





June Social Media Highlights | Twitter



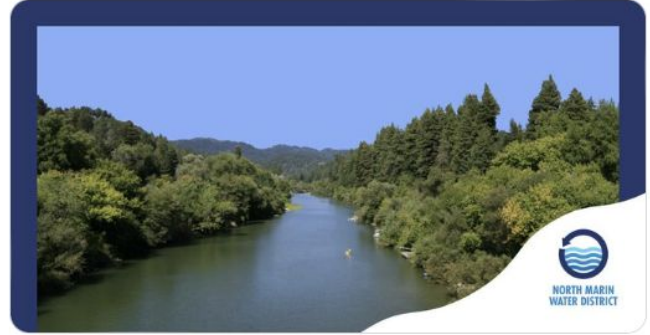
North Marin Water District @NorthMarinWater · Jun 5 ...

Today is World Environment Day! Make a difference by embracing eco-friendly practices such as reducing plastic pollution, conserving water, and many other actions. Take the next step by creating a sustainable future for all. 🌍 #WorldEnvironmentDay #BeatPlasticPollution



North Marin Water District @NorthMarinWater · Jun 7 ...

June is National Rivers Month! Did you know that approximately 80% of our supply comes from the Russian River? Preserving and cherishing these precious waterways is imperative for generations to come. #NationalRiverMonth #RussianRiver





June Social Media Highlights | Twitter



North Marin Water District @NorthMarinWater · Jun 13

Thank you for continuing to save water! Remember that even with the current drought restrictions lifted, if you monitor your water usage and be efficient, you can save water and money. [#savewater](#) [#savemoney](#)



North Marin Water District @NorthMarinWater · Jun 14

Our construction team has been hard at work ensuring Novato's water system is operating at its absolute best. Thank you for all of your hard work. [#thankyou](#) [#construction](#)





June Social Media Highlights | Twitter

 **North Marin Water District** @NorthMarinWater · Jun 16

The District is proposing rate increases for the Novato service area and West Marin service area for fiscal year 2023-2024. If approved at the public hearing, the new rates will go into effect on July 1, 2023. Visit nmwd.com/news for more information.

Proposed Rate Increases 2023	Proposed Rate Increases 2023
Novato Service Area Public Hearing June 20, 2023	West Marin Service Area Public Hearing June 20, 2023

 **North Marin Water District** @NorthMarinWater · Jun 19

Customers are welcome and encouraged to attend North Marin Water District's board meeting tomorrow. See the agenda here: nmwd.com/meetings

Board of Directors Meeting

Tuesday, June 20th
4:00pm







June Social Media Highlights | Twitter

 **North Marin Water District** @NorthMarinWater · Jun 21 ...

Congratulations on 1 year as our Chief Engineer, Eric! Here's to many more years of driving progress and shaping a sustainable future together!
[#thankyou](#) [#1year](#)



 NORTH MARIN WATER DISTRICT

 **North Marin Water District** @NorthMarinWater · Jun 23 ...

As the weather gets warmer, remember to do your part by conserving water. Dive into savings with our Pool Cover Rebate! Get up to \$75 back when you install a qualified pool cover made of non-netter material. Visit nmwd.com/outdoors to learn more. [#rebate](#) [#summersavings](#)



 NORTH MARIN WATER DISTRICT





June Social Media Highlights | Twitter



North Marin Water District @NorthMarinWater · Jun 27

Looking for tools to meet your water and money saving goals? Visit nmwd.com/rebates for our current rebate programs and incentives that you may be able to apply for today! #rebates



North Marin Water District @NorthMarinWater · Jun 29

Alumroots – or 'Coral Bells' are hardy drought tolerant plants that look delicate and flower freely for a couple of months without much fuss. These plants are best with shade in hot inland areas and are most effective planted in drifts. #PlantOfTheMonth #DroughtTolerant





June Social Media Highlights | Instagram



9 likes



1 like





June Social Media Highlights | Instagram



1 like



7 likes





June Social Media Highlights | Instagram



10 likes



15 likes





June Social Media Highlights | Instagram



2 likes



2 likes





June Social Media Highlights | Instagram



17 likes



5 likes

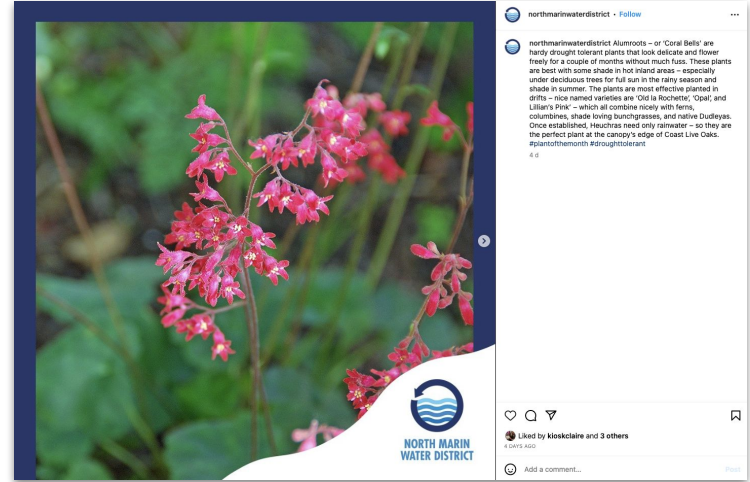




June Social Media Highlights | Instagram



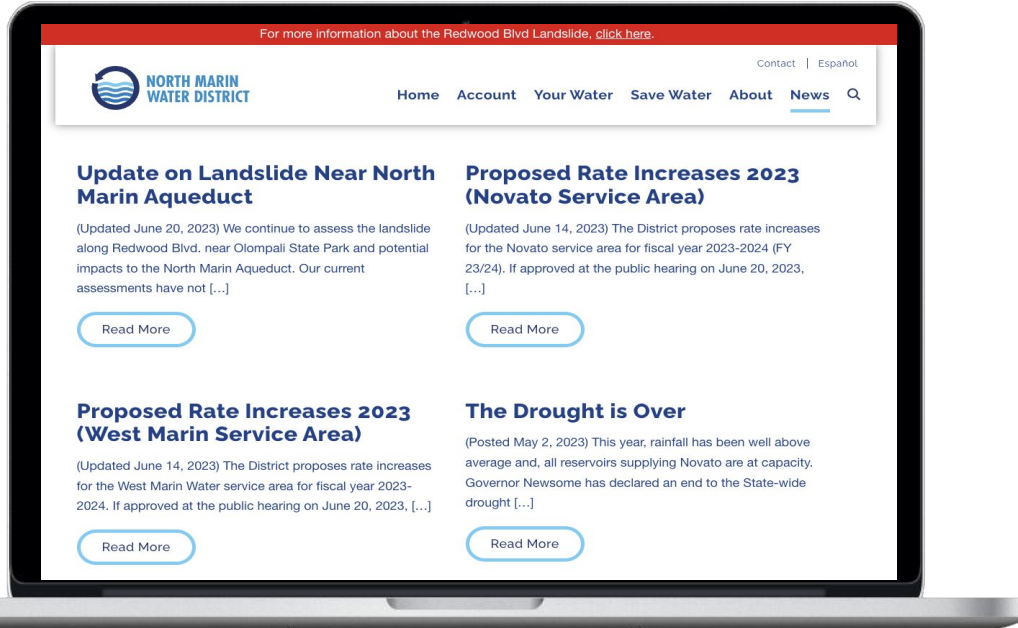
7 likes



4 likes



June News Stories



- [Proposed Rate Increases 2023 \(West Marin Service Area\)](#)
- [Proposed Rate Increases 2023 \(Novato Service Area\)](#)
- [Update on Landslide Near North Marin Aqueduct](#)

4th of July Banner



- Kiosk designed a banner for the NMWD 4th of July parade in Novato.



Annual Water Quality Postcard - Novato & West Marin

Our Annual Water Quality Report is here.

Water provided by North Marin Water District continues to meet or surpass every federal and state drinking water standard for health.

Our latest Annual Water Quality Report detailing results of tests performed in 2022 will soon be available and can be found on our website nmwd.com/wq

To request a paper copy of the 2022 Water Quality Report please call 415-761-8929.



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Our latest Annual Water Quality Report detailing results of tests performed in 2022 will soon be available and can be found on our website nmwd.com/wq

To request a paper copy of the 2022 Water Quality Report please call 415-761-8929.



Nuestro Reporte Anual De La Calidad Del Agua está aquí.

Agua suministrada por el North Marin Water District continúa cumpliendo o superando todos los estándares de agua potable federales y estatales para la salud.

Nuestro reciente Informe Anual de Calidad de Agua que detalla los resultados de las pruebas realizadas en el año 2022 pronto estará disponible y se encuentra en nuestra página web nmwd.com/wq

Para solicitar una copia impresa del Informe de Calidad de Agua 2022 favor llamar a 415-761-8929.



PERMIT STD
US POSTAGE
PAID
LINCOLN GROUP
E CRWSS

POSTAL CUSTOMER

Nuestro Reporte Anual De La Calidad Del Agua está aquí.

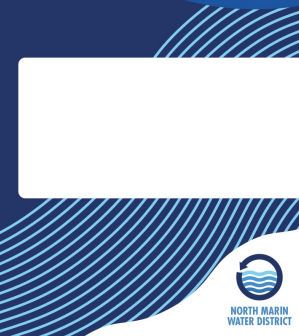
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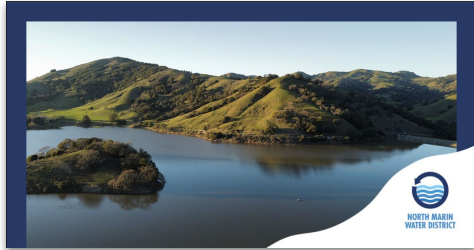
PERMIT STD
US POSTAGE PAID
NOVATO, CA
PERMIT NO. 53



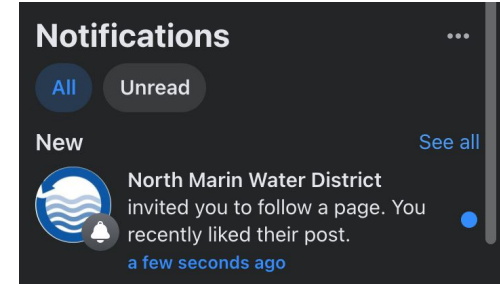
- We updated the copy for this year's Annual Water Quality Mailer for Novato and West Marin.



Facebook Likes Campaign - June Report



We are running an evergreen ad which encourages customers in the NMWD service areas to 'like' (follow) the NMWD Facebook page.



Spend in June 2023	Reach (Number of people who saw the ad)	Impressions	Results (New Page Likes)	Cost Per New Page Like
\$45.15	3,041	5,174	34	\$1.33

*This month, we were able to reach over **3,041** people with the Likes Campaign*



What's Next?

- Kiosk to work through Water Quality Report updates for Novato and West Marin in English and Spanish
 - Kiosk and NMWD to finalize the updated cover design of the Master Plan
 - Continuation of social posts to highlight employees on their work anniversaries
 - NMWD social posts will continue to highlight a 'plant of the month' in partnership with Home Ground Habitats
 - Kiosk to continue working with staff to get photos of construction and maintenance projects throughout Novato and West Marin
 - Kiosk and NMWD to schedule new photoshoot of board members and staff
- 



Thank You