

1 **NORTH MARIN WATER DISTRICT**  
2 **MINUTES OF REGULAR MEETING**  
3 **OF THE BOARD OF DIRECTORS**  
4 January 16, 2024

5 **CALL TO ORDER**

6 President Baker called the regular meeting of the Board of Directors of North Marin Water  
7 District to order at 4:0 p.m. at the District Headquarters and the agenda was accepted as presented.  
8 Present were Directors Jack Baker, Ken Eichstaedt, Rick Fraites, Michael Joly, and Stephen  
9 Petterle. Also present were General Manager Tony Williams, District Secretary Eileen Mulliner,  
10 Assistant General Manager/Chief Engineer Eric Miller, and Auditor-Controller Julie Blue.

11 District employees Chris Kehoe, Construction/Maintenance Superintendent, Robert Clark,  
12 Operations/Maintenance Superintendent, Jeff Corda, Sr. Water Distribution and Treatment Plant  
13 Operator, Karen Clyde, HR/Safety Manager, Ryan Grisso, Water Conservation Coordinator, Brad  
14 Stompe, Distribution and Treatment Plant Supervisor, and Stacie Goodpaster, Sr. Chemist, were  
15 also in attendance.

16 **MINUTES**

17 On the motion of Director Petterle, and seconded by Director Eichstaedt, the Board approved  
18 the minutes from the January 9, 2024 special meeting as presented by the following vote:

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

20 NOES: None

21 ABSENT: None

22 ABSTAIN: None

23 **GENERAL MANAGER'S REPORT**

24 Tony Williams told the Board he and Eric Miller attended a kick-off meeting for the Stafford  
25 Dam Watershed Hydrology & Hydraulic study managed by the Marin County Flood District. He will  
26 come back to a later meeting in the late summer with a draft report.

27 Mr. Williams also told the Board that he served on an interview panel for the City of Novato's  
28 Deputy Public Works Director.

29 Director Joly asked if the recent rains had any affect on the aqueduct slide area. Mr.  
30 Williams said that they are keeping an eye on it and so far, so good. Chris Kehoe added that the  
31 new Caltrans retaining walls are doing fine.

32 **OPEN TIME**

33 President Baker asked if anyone in the audience wished to bring up an item not on the  
34 agenda.

35 Regina Rus, 715 Eucalyptus, explained to the Board that she is building an ADU on her  
36 property and is hoping to rent it to a low-income tenant. She said the NMWD Engineering

1 Department told her she would have to have a separate meter installed which costs \$10,000 in  
2 addition to the regular ADU fees by NMWD. Ms. Rus said she would like the Board to consider  
3 removing the barriers to private homeowners so that they can build ADUs, she feels that Novato  
4 needs these units. She said that she thinks that even though she is building the unit with her own  
5 funds it qualifies as a low-income unit. Tony Williams said that Regulation 4 covers a low-income  
6 exemption as well as certain types of ADUs and that there are Government and Water codes that  
7 need to be followed. Mr. Williams said that we can bring this to Board as an agenda item in the  
8 future. Director Joly noted to Ms. Rus that the Board cannot discuss or vote on something brought  
9 to the Board during open time and Ms. Rus said that she understood this. Ms. Rus then left the  
10 meeting.

### 11 **STAFF/DIRECTORS REPORTS**

12 Director Petterle said that a friend of his had to sell their mother's home and that they found it  
13 very difficult to do change the name on the utility bills with the exception of NMWD. He said he was  
14 very pleased with NMWD and Director Petterle wanted to pass that along.

### 15 **ACTION ITEMS**

#### 16 **APPROVE: WATER CONSERVATION PROGRAM INCENTIVE UPDATES**

17 Ryan Grisso addressed the Board and noted that this item was a follow-up to the Regulation  
18 15 updates the Board approved in December in an effort to come back to the Board to revise rebate  
19 amounts post-drought. He mentioned that these two resolutions dating back to 2006, are the  
20 documents to set rebate amounts and are adjusted by the Board from "time to time" as authorized in  
21 Regulations 15 and 17. He said the proposed Resolutions would reduce the high efficiency toilet  
22 (HET) to \$100 from \$125, and lower high efficiency clothes washer rebated to \$75 from \$100,  
23 consistent with pre-drought levels, as well as several other incentive changes noted in the memo.  
24 He stated that the residential and commercial ultra-high efficiency toilet rebates and cash per grass  
25 rebates would remain as they are, with the exception that the maximum Cash for Grass rebate  
26 amount would be increased to \$1,000. He said that rainwater catchment rebate and grey water  
27 system rebates, newly added to the Resolutions, are proposed to be increased in value and we are  
28 proposing to add a rebate for removing pools consistent with the Cash for Grass rebate amount per  
29 square foot and maximum.

30 Director Petterle asked about weather-based irrigation controllers and if that rebate would be  
31 increased and Mr. Grisso said yes. It is proposed at \$30 per station up to \$1,500 to accommodate  
32 larger controllers typically installed at home owner associations. It was \$30 per station up to \$1,200  
33 previously. Director Joly asked how many pools have been removed and Mr. Grisso said he can  
34 ask the City for a permit list since a permit is typically required to remove a pool. Director Joly asked  
35 how many incentive programs are we reducing and Mr. Grisso said it is only for toilet and washers.

1 Director Joly also asked if it makes economic sense to cut the programs and Mr. Grisso said that it  
2 is a fine line to on whether or not it makes sense at this time, but staff recommendation at this time  
3 is to reduce the amount after previous increases during the drought due to saturation levels in these  
4 two programs and also to give flexibility to increase the rebate amounts in future droughts.

5 On the motion of Director Fraités, and seconded by Director Petterle, the Board approved  
6 both Resolutions 06-01 and 06-02 by the following vote:

7 AYES: Director(s) Baker, Eichstaedt, Fraités, and Petterle

8 NOES: Director Joly

9 ABSENT: None

10 ABSTAIN: None

11 Mr. Grisso left the meeting.

12 **APPROVE: BOARD OF DIRECTORS COMMITTEE APPOINTMENTS**

13 Tony Williams said that no alternates were necessary for two of the committees as noted on  
14 the attachment. Director Petterle noted that in the past that committee appointments were approved  
15 when the Board reorganization was done in early December. Mr. Williams said that the item had  
16 been twice deferred at the President's request.

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

19 AYES: Director(s) Baker, Eichstaedt, Fraités, Joly and Petterle

20 NOES: None

21 ABSENT: None

22 ABSTAIN: None

23 **APPROVE: SALARY SCHEDULES AND SUCCESSOR MEMORANDUM OF UNDERSTANDING**  
24 **WITH NMWD EMPLOYEE ASSOCIATION (2023-2028)**

25 Tony Williams gave the Board an overview of this agenda item. He said that by approval of  
26 the Successor MOU, the Board would be also approving the salary schedule and noted a change  
27 that will occur for the Distribution and Treatment Plant Supervisor position from represented to  
28 unrepresented beginning in February, 2024. Mr. Williams said that we are working on a new rate  
29 study and the new salaries will feed into it.

30 Jeff Corda addressed the Board and said that he has been with the District for 18 years and  
31 feels that the Employee Association has worked very well with management. He said that the salary  
32 package will keep up with the industry and help retain current employees. He said that he thinks we  
33 will still be trailing a little compared to other agencies, but feels that we will keep employees longer if  
34 they are paid well. He said the negotiations were a good learning experience and thanked  
35 management. He also thanked the Board for their consideration. Director Joly said he was glad we  
36 reached an agreement and thanked both the EA team and management team that were in the

1 negotiations. Mr. Corda also said that Julie Blue did a good job and got financials quickly to them  
2 when asked. Director Petterle said we are one team and understands that it is not a comfortable  
3 process and felt everyone was working for a common goal. He thanked everyone involved.

4 On the motion of Director Petterle, and seconded by Director Fraites, the Board approved by  
5 the following vote:

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

7 NOES: None

8 ABSENT: None

9 ABSTAIN: None

10 **APPROVE: SET SALARY AND TERMS AND CONDITIONS OF EMPLOYMENT FOR**  
11 **UNREPRESENTED EMPLOYEES**

12 Tony Williams gave an overview of this agenda item. He said this was for the unrepresented  
13 group. He read a statement in accordance with government code 54953(c)(3) specific to three  
14 positions that may be considered “local agency executives” including the Executive Assistant/District  
15 Secretary, the Auditor-Controller, and the Assistant GM/Chief Engineer. He provided the details of  
16 monetary changes in salary and benefits as well as the overall cost to the District for the  
17 unrepresented positions as detailed in the staff memo. Julie Blue said the total package cost for the  
18 4-year, 9-month MOU period is approximately \$900,000.

19 On the motion of Director Petterle, and seconded by Director Fraites, the Board approved by  
20 the following vote:

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

22 NOES: None

23 ABSENT: None

24 ABSTAIN: None

25 **INFORMATION ITEMS**

26 **ADMINISTRATION & LABORATORY UPGRADE PROJECT – CONSTRUCTION UPDATE**

27 Eric Miller gave a quarterly construction update and presentation to the Board on the  
28 Administration and Laboratory Upgrade project. Director Joly asked if we would be able to move  
29 into the new Admin building in July, 2024. Mr. Miller said it is possible but certain things will have to  
30 be met. We would only be able to get a temporary occupancy permit from the City of Novato for the  
31 main building, all ADA compliance would have to be complete. He said that all the building glass  
32 except the skylight has been installed. He also said that the PG&E service to the building has been  
33 an issue. PG&E had approved the original plan for installation but then, because they changed their  
34 requirements, their construction inspector said the service had to be fully relocated. Director Joly  
35 said, for the record, that PG&E chose to emphasize public safety. Director Baker asked if we could

1 have avoided the issue but Mr. Miller said the contractor brought PG&E into the project later. They  
2 didn't have them in from the beginning. Mr. Miller also said that the schedule is about 25% over the  
3 original schedule due to 31 weather days, 85 in change orders. They have billed approximately 82%  
4 of the contract, and the change orders have reduced the contingency amount by about 59%.  
5 Director Joly asked if we assume the contingency will be spent completely and Mr. Miller said  
6 generally, yes.

7 Jeff Corda left the meeting.

8 Director Petterle said staff is doing a good job with this project. He said he recognizes that  
9 the public bidding process is part of the issue with having to take the lowest bidder. Director Joly  
10 said he appreciates that the Board is being kept informed. Mr. Miller acknowledged Robert Clark  
11 and Pablo Ramudo and their involvement with the project and Director Joly thanked Mr. Clark as  
12 well. Director Joly asked how many decks are being installed and Mr. Miller said there are two  
13 decks and that both are being built of wood, including reclaimed redwood from two of our tanks that  
14 have been replaced, PRE Tank 4A and Old Ranch Road Tank No. 2. Tony Williams added that we  
15 did not use composite decking material because in the long run it is 'greener' to use reclaimed  
16 redwood given the plastic content of the composites.

17 **MEMBERSHIP WITH THE CENTER FOR WESTERN WEATHER & WATER EXTREMES (CW3E)**  
18 **WATER AFFILIATES GROUP**

19 Tony Williams said that in the Marin County Civil Grand Jury report, a concern was raised  
20 that despite meeting current dam safety standards we are not paying attention to climate change  
21 and atmospheric rivers and that we should be talking to academic groups. He said that he was able  
22 to get Marin Water and the County Public Works to join the Center for Western Weather and Water  
23 Extremes (CW3E) together as a group. He said that UC San Diego Scripps Institution of  
24 Oceanography, which CW3E is a part of, was willing to add the group as one membership. Director  
25 Eichstaedt said he appreciates that we reached out to other agencies. Mr. Williams also noted that  
26 he reached out to Supervisors Katie Rice and Eric Lucan to ask for the County's support.

27 **TAC MEETING MINUTES – DECEMBER 4, 2023**

28 Tony Williams noted a recurring item with the Water Advisory Committed and the TAC, the  
29 Russian River Water Forum, and that it will be running out of money soon and meetings may  
30 dwindle.

31 **MISCELLANEOUS**

32 The Board received the following miscellaneous items: Disbursements dated January 11,  
33 2023, Auditor-Controller's Monthly Report of Investments for November 2023, Increase in Board of  
34 Director's Compensation, and Annual Report on Board Compensation.

35 The Board also received the NMWD Web and Social Media Report – December 2023.

1 ADJOURNMENT

2 President Baker adjourned the meeting at 5:20 p.m.

3 Submitted by

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5 Eileen Mulliner  
6 District Secretary  
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