

1 **DRAFT**  
2 **NORTH MARIN WATER DISTRICT**  
3 **MINUTES OF REGULAR MEETING**  
4 **OF THE BOARD OF DIRECTORS**  
5 March 19, 2024

6 **CALL TO ORDER**

7 President Baker called the regular meeting of the Board of Directors of North Marin Water  
8 District to order at 4:03 p.m. at the District Headquarters and the agenda was accepted as  
9 presented. Present were Directors Jack Baker, Ken Eichstaedt, Rick Fraites, Michael Joly, and  
10 Stephen Petterle. Also present were General Manager Tony Williams, District Secretary Eileen  
11 Mulliner, Assistant General Manager/Chief Engineer Eric Miller, and Auditor-Controller Julie Blue.

12 District employees Chris Kehoe, Construction/Maintenance Superintendent, Robert Clark,  
13 Operations/Maintenance Superintendent, and Tim Fuelle, Senior Engineer, were also in attendance.  
14 Lynne Rosselli and Jake Spaulding of Sonoma Water were also in attendance.

15 Several District customers were also in the audience.

16 **MINUTES**

17 On the motion of Director Fraites, and seconded by Director Petterle, the Board approved  
18 the minutes from the March 5, 2024 regular 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 On the motion of Director Joly, and seconded by Director Fraites, the Board approved the  
24 minutes from the March 13, 2024 special meeting as presented by the following vote:

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

26 NOES: None

27 ABSENT: None

28 ABSTAIN: None

29 **GENERAL MANAGER'S REPORT**

30 Tony Williams gave a brief report on the Potter Valley Project. He said there was currently a  
31 meeting in Mendocino County for the New Eel-Russian Project Authority Board. He said the  
32 selection of the preferred alternate for the future diversion will take place at the meeting. This will  
33 either be a roughened channel in the river or a pump-back facility to allow water diversions. Both  
34 alternatives would utilize the existing diversion tunnel into Potter Valley.

35 Mr. Williams mentioned that in the Miscellaneous section of the agenda packet are two  
36 articles regarding the proposed regulations for the "Making Conservation a California Way of Life  
37 Regulation". He said that there is a public meeting on March 20, and Ryan Grisso will be attending

1 to get more information about the proposed regulation revisions. These revisions will ultimately  
2 affect all of our customers.

3 **OPEN TIME**

4 President Baker asked if anyone in the audience wished to bring up an item not on the  
5 agenda and there was no response.

6 **STAFF/DIRECTORS REPORTS**

7 President Baker asked if there were any staff or director's reports and there were none.

8 **ACTION CALENDAR**

9 **APPROVE: LYNWOOD PUMP STATION REPLACEMENT PROJECT – POSTPONE PUBLIC**  
10 **HEARING AND SEEK OTHER PRIMARY SITES**

11 Eric Miller addressed the Board and provided a summary of project actions including a public  
12 meeting that was held on March 6, 2024 as part of the CEQA process. He said there were several  
13 public comments, most of them to extend the public comment period. He said that there are two  
14 recommended actions for this Board item, the first is to extend the public comment period to May 6,  
15 2024. The second action is, if approved, to seek additional "primary" sites for the pump station.  
16 Director Joly asked, in order to be transparent, Mr. Miller to explain further. Mr. Miller said the  
17 existing document has five alternative sites, of those, two are considered primary sites. He said he  
18 is asking for approval to look for more alternative locations using the same selection criteria and he  
19 said there could more sites near the current alternative sites. He noted that if more sites were  
20 found, staff would have to modify the current Mitigated Negative Declaration (MND) document and  
21 re-start the CEQA public review process. Alternatively, if staff is unable to identify additional  
22 alternative sites that are viable, the process could continue using the existing CEQA document and  
23 hold a public hearing for final consideration, or the Board could cancel the project. Director Pettele  
24 asked for clarification on whether the District was eliminating the current site that has been identified  
25 at Ignacio and Palmer, and selecting other sites. Mr. Miller said it could be eliminated if directed by  
26 the Board but it is not recommended by staff. Director Eichstaedt asked what is the estimated cost  
27 of delaying the project and seeking other alternatives. Mr. Miller said that based on the initial cost  
28 for CEQA work to date it could be approximately \$100,000 - \$150,000 in consultant fees to do the  
29 additional work. Director Joly said that Lynwood Pump Station is one of the largest in the system,  
30 and the Board needs to make a decision based on cost and state law and that the CEQA process  
31 has worked by notifying people to come speak to the Board. He reiterated that the Lynwood Pump  
32 Station is an important one and that pump stations are very expensive and the Board has to take  
33 time to make the best decision for the District and its customers. President Baker asked if anybody  
34 for the audience wanted to speak to the item.

35 A member of the public approached the Board and said that the proposed site on Ignacio  
36 Blvd. is a heavy traffic area and the long construction period is concerning. He said it will affect

1 property values. Director Joly said the Board is listening to what the public has to say and that they  
2 will review the alternative sites but it is possible the Ignacio Blvd site may not change as an  
3 alternative site. Director Petterle said the process does not end tonight, and will be ongoing and  
4 there will be ample opportunity for the public to come to Board meetings. He said that it is nice to  
5 hear from customers. He also said that he recently visited the Ignacio site.

6 Leonard Shaw spoke to the Board and said that he attended the last Board meeting. He  
7 said that he hoped that staff would recommend to withdraw this location at this time and not 'kick it  
8 down the road'. He said it is totally inappropriate site and the Board should have recognized this  
9 and not waste engineering time. He said that the proposal for a 16" pipe from Entrada to Ignacio to  
10 the site and beyond for 2,000-3,000 feet plus a 2,000 square foot building that is two stories high in  
11 open space is very inappropriate. He said he is asking the Board to make the decision to cancel this  
12 site.

13 Mike Arnold spoke to the Board and said he also endorses removal of this site. He said the  
14 Board could do it and not follow the staff recommendation and this would help avoid a political fight.  
15 He said this is a not an appropriate location. He said he was never notified and should have been.  
16 He said he appreciates that the Board is listening and would appreciate it if the Board would end this  
17 location now. He also said that District staff that he has interacted with in the past have been very  
18 professional and helpful.

19 Earl McCowen spoke to the Board and said this location could be withdrawn from  
20 consideration and it would make a lot of people very happy.

21 Director Joly noted that this is the beginning of the CEQA process, and he asked Mr. Miller if  
22 the Board can take this site off at this stage. Eric Miller said CEQA has different levels, and for this  
23 project we are at the Initial Study level and the CEQA document could be modified but it would have  
24 to be recirculated for public review. He said the Board could remove this site tonight but staff is not  
25 recommending that at this point. Tony Williams said that this site was not selected for the purpose  
26 of disrupting residents, but rather the operational goal of filling key water storage tanks in the  
27 southern part of Zone 2 currently served by the Lynwood Pump Station, which affects 18,000  
28 customers. Mr. Williams said that one of the project goals is to find a better location that is more  
29 centrally located to these tanks as well as replacing a 60-year old pump station so that our  
30 customers have adequate water flow and pressure as well as adequate storage for fire protection.  
31 Mr. Williams also noted that as the area has grown since the Lynwood Pump Station was built, the  
32 ideal pump station location has changed. He also noted that the District has a lot of underground  
33 pipelines that serve the Ignacio Blvd area that ultimately will have to be replaced which requires  
34 excavating in the streets and that can be disruptive but the District always tries to minimize any  
35 disruption as much as possible for pipeline replacements.

36 Judy Shaw spoke to the Board and said people have tried to keep Ignacio Valley beautiful.  
37 She mentioned that some of the sites have to be purchased. She said there are many commercial

1 sites and empty land along the frontage road that could be used. She said she hoped the Board  
2 would look into that. Leonard Shaw said some of the alternative sites are owned by others, and he  
3 noted this particular site is owned by the City of Novato, he said the District should have already  
4 talked to them to see if they will contemplate selling it to the District. He said the process seems  
5 strange if the District is investigating sites without even knowing if we can buy the land.

6 President Baker said we have to identify sites, and investigate hydraulics and noted that the  
7 current pump station is worn out and unsafe. He said it used to be a good location but because of  
8 growth it isn't any longer. He also noted that the Hamilton Air Force Base used to be in Marin  
9 Municipal Water District's territory but it is now served by the District and that has added more area  
10 that is served by the pump station. President Baker said we need a site that is further south than  
11 the current location. He said that some of the suggestions for alternative sites won't work  
12 hydraulically. We are still hoping to find some place that fits the needs. Mr. Shaw spoke up and  
13 said he feels the General Manager is saying it has to be at this location. Director Petterle said this is  
14 not a debate but rather a Board meeting and asked if anyone else has anything to say and there  
15 was no response.

16 Director Petterle said he is a licensed architect since 1979 and throughout his career one  
17 objective is to work out differences on projects like this and has discussed this topic before. He  
18 encouraged everyone to look at our website to stay informed on various topics and projects that are  
19 discussed at the Board meetings. He said he knows things are not always straightforward but he  
20 said an informed decision is important and has heard how the public feels about the project.  
21 Director Petterle said that this project has been on several agendas in the past and the public would  
22 have known that if they had kept watch on the agendas on the website. He said he is hoping the  
23 design will be as great as the current Lynwood Pump Station. He said he is not ready to remove the  
24 Ignacio location until all the facts are in and evaluated. He also said he would want the pump station  
25 to blend in as best as possible with the surroundings and that, when it comes time to construct,  
26 convenience will be taken into consideration. He also said that the CEQA process will look at all  
27 impacts such as noise. Director Joly said that there are 17 items in the Initial Study, and noise is  
28 one of them. Eric Miller said that the current goal regarding noise is that it will not exceed the  
29 current ambient noise. He said we have 26 pump stations in town and they are not disruptive.  
30 Director Petterle said noise will be mitigated and it will not be a problem. He said that aesthetics will  
31 be very important. He also said that he encourages the public to come to future meetings. He said  
32 he is willing to listen but wants to make sure all facts are produced.

33 Director Fraites said his main concern is the aesthetics and that he agrees with Director  
34 Petterle but not sure if the architecture of new pump station will solve the issues. He said he is  
35 hoping the public has confidence in the Board to make the best decision. He said he would like to  
36 not build at this location but this is just his position. Director Joly urged the public to please trust  
37 staff and the Board to look at the project carefully and make the correct decision. He said it is a little

1 early to take the project site off the table. He said each director is elected for a specific division but  
2 they work as a whole for the District and again emphasized that the public should trust them. He  
3 asked Mr. Shaw if the size was his main concern. Mr. Shaw said it will be an eyesore and asked  
4 about the vehicle access and said the parking area and the pump station on open space doesn't  
5 make sense. President Baker said he isn't ignoring the concerns but he doesn't want to pull this site  
6 off at this stage.

7 On the motion of Director Joly, and seconded by Director Petterle, with the caveat that he  
8 was making it clear to staff this this is not his preferred location. He said if is the only viable option, it  
9 will have to be gorgeous, hidden and have no noise issues. The Board approved the item by the  
10 following vote:

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

12 NOES: None

13 ABSENT: None

14 ABSTAIN: None

15 President Baker reiterated that it is premature to remove this site from the project. Mr. Shaw  
16 thanked the Board for listening. Director Petterle apologized for the brevity of his response to emails  
17 he received from customers. The members of public then left the meeting.

18 **APPROVE: AUTHORIZE AFFIRMATIVE VOTE FOR SONOMA WATER FY 2024/2025 WATER**  
19 **TRANSMISSION SYSTEM BUDGET**

20 Jake Spaulding and Lynne Rosselli of Sonoma Water attended the meeting. Mr. Spaulding  
21 presented the Sonoma Water FY 2024/2025 Water Transmission System Budget. He explained the  
22 needs for infrastructure repairs and improvements and noted that there are three aqueducts that  
23 serve the water contractors who pay the rate to receive water. Mr. Spaulding said there are  
24 challenges such as a fully volumetric rate calculation, low water deliveries, aging infrastructure,  
25 maintenance needs, increased repairs, and natural hazard vulnerabilities. He also said that last  
26 year was the lowest delivery year on record. He said that main hazard mitigation projects were  
27 budgeted to reduce overall risks as well as other capital projects to increase resiliency have been  
28 budgeted such as operations and maintenance, improve, maintain, and protect system reliability, the  
29 biological opinion, water supply planning, and water conservation. Mr. Spaulding noted that the  
30 Operations and Maintenance (O&M) is the largest expense, followed by capital projects, and then  
31 the biological opinion. The actual rate increase would have been 19.68% using the formula in the  
32 restructured agreement but using a Water Advisory Committee approved agreement variance, the  
33 proposed rate is 11.74% for the District, a difference of 8.08%. Director Joly stated that these are  
34 shattering rates for the past two years as well as the foreseeable future and feels this indicates an  
35 organizational failure on the part of Sonoma Water for the sudden change. Director Joly noted that  
36 we have had a fair and reasonable relationship for so many years. Ms. Rosselli said that the rate  
37 calculation is directly tied to volumetric changes to the delivery of water and that low water deliveries

1 in the last 3 years are a huge impact. She said that the future rate increase is based on the past  
2 trend in water deliveries with only modest growth. She also said that Sonoma Water kept increases  
3 low during the drought, COVID, and the past regional fires to minimize impacts to the water  
4 contractors but now everyone is paying for it. Director Joly said he feels the model is broken when  
5 there are catastrophic rate increases and Sonoma Water should consider how they define capital  
6 projects versus O&M. Ms. Rosselli said having bonds and loans for capital projects helps keep the  
7 rates lower than they could be. Director Petterle noted that the District could find itself in the same  
8 situation by deferring needed projects, and then suddenly have the need to raise rates. Ms. Rosselli  
9 emphasized again that the rate is mostly based on water deliveries. Tony Williams noted that the  
10 Technical Advisory Committee (TAC) members and Sonoma Water staff are collaborating and  
11 reviewing actual deliveries compared to budget at each TAC Ad-hoc meeting. Director Joly said he  
12 thinks the restructuring agreement needs to be looked at some time in the near future. Mr.  
13 Spaulding concluded his presentation and noted a slide that had the rates of other regional water  
14 wholesales listed and Sonoma Water was the lowest. Ms. Rosselli said that higher deliveries will  
15 reduce rates.

16 Director Eichstaedt said that we need to make sure we message customers, and people on  
17 fixed incomes need to be informed and noted that capital projects are critical as we are going to  
18 have to make some significant improvements.

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

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

22 NOES: None

23 ABSENT: None

24 ABSTAIN: None

25 Ms. Rosselli and Mr. Spaulding then left the meeting.

26 **APPROVE: NORTH BAY WATERSHED ASSOCIATION 2024 CONFERENCE SPONSORSHIP**  
27 **- DIRECT STAFF**

28 Tony Williams explained to the Board that staff is not asking the Board for sponsorship at the  
29 North Bay Watershed Association 2024 conference and that the cost is not budgeted. He said that  
30 Karen Clyde, HR Manager, will be attending and has been working with NBWA on one of the  
31 conference sessions. President Baker said that at one time the District declined to join the  
32 association but we did eventually join and pay dues but do not donate to them. He said that he isn't  
33 really in favor of donating. Director Fraites said he has mixed feelings and questioned why we need  
34 an ad in the conference brochure when we pay dues. He said he hopes others will attend the  
35 conference. Director Petterle said that it is a good group to be associated with and feels the  
36 requested sponsorship donation amount \$1,500 is low. Robert Clark spoke and said that he feels it

1 would be beneficial to be a part of the conference and that these types of associations can bring  
2 funding to the District.

3 On the motion of Director Petterle, and seconded by Director Eichstaedt, the Board approved  
4 the item by the following vote:

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

6 NOES: Director Baker

7 ABSENT: None

8 ABSTAIN: None

9 **INFORMATION ITEMS**

10 **2023/24 MID-YEAR PROGRESS REPORT – OPERATIONS/MAINTENANCE**

11 Robert Clark addressed the Board and went over the 2023/24 Mid-Year Progress Report for  
12 the Operations and Maintenance Department. He said that his crews have been busy and that the  
13 granulated activated carbon replacement at Stafford Treatment Plant was completed this year. He  
14 mentioned that since the Stafford Treatment Plant is nearly 20 years old, things are starting to wear  
15 out and will be need replacement. Mr. Clark noted training sessions with Marin County Fire  
16 Department for various events at the plant and dam. He also said that goats were brought in again  
17 to help with the poison oak abatement around Stafford Lake and that this has worked very well. Mr.  
18 Clark said that in Pt. Reyes the salinity in the water has dropped significantly since the Gallagher  
19 Well No. 2 has been active and there has not been any complaints in the past 12 months. In  
20 Oceana Marin, there has been an overall reduction of water infiltration in the collection system due  
21 to key repairs and an active inspection program. In regards to Maintenance division, Mr. Clark said  
22 NEXGEN asset management program is working well and overall usage is increasing.

23 President Baker thanked Mr. Clark for his report.

24 **MISCELLANEOUS**

25 The Board received the following miscellaneous items: Disbursements dated March 7, and  
26 March 14, 2024, Monthly Progress Report, Auditor-Controller's Monthly Report of Investments for  
27 January 2024, Letter from Assembly member Damon Connolly to CPUC President, ACWA – State  
28 Water Board Releases Revised Draft Regulation for Making Conservation a California Way of Life.  
29 State Water Board – Notice of Public Availability of Changes to Proposed Regulation Regarding  
30 Making Conservation a California Way of Life.

31 The Board received the following news articles Marin IJ – Buyer of land has vision of 27 lots  
32 – WEST MARIN, Marin, water agencies join study of extreme weather – CLIMATE CHANGE, Reject  
33 AT&T's bid to shed local landlines – EDITORIAL, Pt. Reyes Light – Rodoni wins re-election in  
34 landslide victory this week.

35 The Board also received the NMWD Web and Social Media Report – February 2024.

36

1 **ADJOURNMENT**

2 President Baker adjourned the meeting at 6:19 p.m.

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Submitted by



Eileen Mulliner  
District Secretary