

1 **NORTH MARIN WATER DISTRICT**
2 **MINUTES OF REGULAR MEETING**
3 **OF THE BOARD OF DIRECTORS**
4 **May 7, 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 4:00 p.m. at the District Headquarters and the agenda was accepted as
8 presented. Present were Directors Jack Baker, Ken Eichstaedt, Rick Frites, Michael Joly, and
9 Stephen Petterle. Also present were General Manager Tony Williams, District Secretary Eileen
10 Mulliner, 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, Tim Fuelle, Senior Engineer, Lia Solar, Engineering
13 Services Representative, Susan Dove, Engineering Tech IV, Avram Pearlman, Associate Engineer,
14 Sebastian Rubio-Gomez, Jr. Engineer, and Darrell Bynum, Field Service Representative were also
15 in attendance.

16 **MINUTES**

17 On the motion of Director Joly, and seconded by Director Petterle, the Board approved the
18 minutes from the April 16, 2024 regular meeting as presented by the following vote:

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

20 NOES: None

21 ABSENT: None

22 ABSTAIN: None

23 **GENERAL MANAGER'S REPORT**

24 Tony Williams informed the Board that he had attended the Marin Water Manager's meeting
25 on April 25th. There were several participants including County Supervisors Moulton Peters and
26 Rodoni, staff from Department of Public Works and the Office of Emergency Services; and water
27 providers MMWD, NMWD, IPUD, Bolinas Water, Stinson Beach, Muir Beach Community, CalWater,
28 and Estero Mutual Water. The County gave an overview of the sea level rise governance study and
29 Drought Resiliency Plan.

30 Mr. Williams said he also attended the first Center for Western Weather and Water
31 Extremes (CW3E) Water Affiliates Group. He said the are new members, NMWD, MMWD, and the
32 County of Marin were recognized.

33 Mr. Williams said he and Director Frites attended the Marin-Sonoma Coordination meeting
34 recently along with Marin Water and Sonoma Water representatives. He said that Supervisors
35 Rabbitt (Sonoma County) and Rodoni, and Board member Jed Smith of Marin Water also were in
36 attendance. Marin Water's analysis of water supply was discussed.

1 Mr. Williams noted to the Board that select number of hardcopies of the North Marin Water
2 District's FY 22/23 Annual Report were printed and the report is also on our website. The Directors
3 had been given a copy as well as Sonoma Water's current annual report.

4 **OPEN TIME**

5 President Baker asked if anyone in the audience wished to bring up an item not on the
6 agenda. Mark Smith of Point Marin said he was glad that we had posted FAQs for the Lynwood
7 Pump Station Replacement project on the website.

8 Directors Petterle and Joly both noted that open time would be a good time to speak on the
9 Lynwood Pump Station project unless the comments were specific to Item No. 8 on the agenda
10 which was very specific to amending a current agreement with the consultant assisting with that
11 project. No other member of the audience spoke.

12 **STAFF/DIRECTORS REPORTS**

13 President Baker asked if there were any staff or director's reports and there was no response
14 from staff. Director Eichstaedt said he had heard from a customer in West Marin who asked when
15 we would be having a public meeting physically out there. He suggested that the upcoming rate
16 study include a meeting in West Marin.

17 **CONSENT CALENDAR**

18 On the motion of Director Petterle, and seconded by Director Joly, the Board approved the
19 consent calendar as presented by the following vote:

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

21 NOES: None

22 ABSENT: None

23 ABSTAIN: None

24 **APPROVE: TEXT FOR SPRING 2024 NOVATO "WATERLINE", ISSUE 52**

25 The Board approved the Spring 2024 Novato "Waterline", Issue 52. Director Joly noted that
26 he liked the text and that the issue itemized the number of pump stations, hydropneumatic pump
27 stations and tanks.

28 **APPROVE: TEXT FOR SPRING 2024 WEST MARIN "WATERLINE", ISSUE 23**

29 The Board approved the Spring 2024 West Marin "Waterline", Issue 23.

30 **ACTION CALENDAR**

31 **APPROVE: RESOLUTION OF APPRECIATION FOR DARRELL BYNUM**

32 Director Joly asked President Baker if he could read Darrell Bynum's Resolution of
33 Appreciation and President Baker agreed. Director Joly then read aloud the Resolution of
34 Appreciation for Darrell Bynum who will be retiring from the District on May 17th, 2024. Darrell
35 addressed the Board and expressed his pride and gratitude of working for North Marin Water

1 District. Director Petterle told Darrell he would be greatly missed and the Board thanked Darrell.
2 The Directors and staff gave Darrell a standing ovation and the rest of the audience clapped.

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

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

6 NOES: None

7 ABSENT: None

8 ABSTAIN: None

9 **APPROVE: LYNWOOD PUMP STATION REPLACEMENT – CONSULTING SERVICES**
10 **AGREEMENT AMENDMENT NO. 2**

11 Eric Miller addressed the Board and gave a brief summary of the Board memo. He said that
12 the Board had previously directed staff to seek additional primary sites for the Lynwood Pump
13 Station Replacement Project. Mr. Miller said that project consultant’s contract needs amending with
14 additional funds to perform the work as directed by the Board. He said that the amended scope of
15 work includes engineering analysis for up to two additional primary sites, and that staff will bring an
16 update to the Board at a future meeting. Director Eichstaedt asked if geotechnical analysis is part of
17 the contract and Mr. Miller confirmed that there is. He said that geotechnical information is
18 considered as part of the siting study and that additional analysis will be performed once a site is
19 selected. Director Joly noted to the people in the audience that Eric Miller and Tim Fuelle are the
20 point people for the project. He also noted that the consultant’s original contract for this project was
21 \$100,000 and that this amendment is \$80,000 more, adding that this type of work is expensive to
22 do. Mr. Miller said that the amendment also includes architectural expertise which is warranted for
23 this project but is earlier in the process than a typical project.

24 Leonard Shaw spoke to the Board and said that he supports staff to further explore more
25 appropriate sites for the pump station. He said that it might be appropriate to ask some in real
26 estate to assist in locating a site that is more commercial instead of open space. He said that an
27 engineering firm may not be as experienced as a real estate person. He said that this is a massive
28 project and may need more funds in the future to find a better site that won’t be disruptive. The
29 Board thanked him for his comments.

30 Judy Shaw addressed the Board and thanked them for putting this item on the agenda and
31 thanked the members of the community who have come to the meetings. The Board thanked her.
32 Director Petterle thanked the public for attending and encouraged them to come to future meetings.
33 Director Baker also thanked the public for coming to the meeting.

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

36

1 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly and Petterle
2 NOES: None
3 ABSENT: None
4 ABSTAIN: None

5 **APPROVE: SIDE LETTER AGREEMENT REGARDING 457(B) DEFERRED COMPENSATION**
6 **MATCH TO 401(A) DEFERRED COMPENSATION PLAN AND EMPLOYEE HANDBOOK**
7 **REVISIONS**

8 Mr. Williams noted to the Board that there are two actions to vote on with this item, one
9 allowing staff to counter-sign the side letter agreement that has already been signed by the
10 Employee Association Chairperson, and the other to update the employee handbook. Julie Blue
11 explained to the Board that in the recently approved Memorandum of Understanding (MOU) the
12 District would match employee contributions up to 1% of the annual base salary for any employees
13 who choose to participate in the 457(b) deferred compensation plan effective July 1, 2024. She said
14 the Nationwide 457(b) account is exempt from Social Security and Medicare taxes. Director Joly
15 said it was a good memo and asked Ms. Blue if an employee leaves, as opposed to retiring, if the
16 employee can roll the funds into another account and she said they can.

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

19 AYES: Director(s) Baker, Eichstaedt, Fraites, Joly and Petterle
20 NOES: None
21 ABSENT: None
22 ABSTAIN: None

23 **APPROVE: 2024 EMERGENCY INVERNESS INTERTIE AND COOPERATIVE SERVICES**
24 **AGREEMENT BETWEEN NORTH MARIN WATER DISTRICT AND INVERNESS PUBLIC**
25 **UTILITIES DISTRICT**

26 Tony Williams told the Board this agreement with Inverness Public Utilities District (IPUD) is
27 a good example of partnerships with other districts. He said that the agreement has been reviewed
28 by legal counsel on each side and IPUD's Board has approved it. He said that having an intertie
29 and associated agreement meets new requirements from the state under SB 552. He also said that
30 it is a 10-year agreement and that it is not a guarantee that the District will share water with them,
31 but it is in place should there be a catastrophic failure or similar event. Director Eichstaedt said it is
32 good to have the flexibility. He also said the most critical tanks in their system are redwood and
33 need to be replaced soon and it is to have the water available if needed. Mr. Clark said the intertie
34 has been used in the past and also that it is tested and flushed occasionally

35 On the motion of Director Joly, and seconded by Director Eichstaedt, the Board approved the
36 item by the following vote:

37

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

2 NOES: None

3 ABSENT: None

4 ABSTAIN: None

5 **INFORMATION ITEMS**

6 **PREVIEW OF FY 24/25 CAPITAL IMPROVEMENT PROGRAM (CIP)**

7 Eric Miller introduced Lia Solar, Tim Fuelle, Avram Pearlman, Susan Dove, Sebastian Rubio-
8 Gomez of the Engineering Department. He said Corey Reed, Joe Kauwe and Rebecca Sylvester
9 were not able to attend. He then gave a presentation on the FY 24/25 Capital Improvement
10 Program.

11 One of the first slides in the presentation showed an updated service area map for Novato,
12 which also included elevation zones. Some of the major pipeline projects for the upcoming CIP
13 include the Novato Blvd. Widening, Arthur St. Main Relocation, and San Mateo Tank 24”
14 Transmission Main, and the Stafford Lake Park Service Line. The park service line ruptured under
15 the lake last year. The major tank and pump station projects will include the Lynwood Pump Station
16 Replacement, Crest Pump Station Relocation, and the Cherry Hill Pump Station Retaining Wall.
17 Stafford Treatment Plant projects are the Chemical Tank Replacement, Water Supply
18 Enhancement, the Stafford Dam Spillway Concrete Repair, and the Dam Piezometer Automation.
19 Facilities Improvements include the current Administration and Lab Building Upgrade, the
20 Construction Locker Room Remodel, Asphalt Repairs at Rush Creek Place, and the Corp Yard
21 Building Roof Replacement. In summary, the Novato budget totals approximately \$6.1M with loan
22 funds in the amount of ~\$2.4M, for a net total for the Novato system of ~\$3.7M.

23 The Recycled Water (RW) system projects include the Recycled Water Extension from
24 Redwood Blvd. to Rush Creek Place, and the Hamilton Vets Housing. The RW budget is \$450,000,
25 with loans and grant funds in the amount of \$450,000 for a net total for the RW system of \$0. In
26 West Marin, the main projects are the Lagunitas Creek Bridge Pipe Replacement, the Replacement
27 of the 2-inch Galvanized Pipe at Balboa, installation of an electrical enclosure at the Gallagher Well
28 No. 2, and Relocation of the chemical storage at the Pt. Reyes Treatment Plant.

29 The West Marin budget is \$445,000. For the Oceana Marin system, the budgeted projects
30 are the design phase of the sewer force main improvements – FM 1A and the construction of the
31 Oceana Marin Treatment Pond Rehab. The budget for the Oceana Marin system is \$1,905,000,
32 with loan and grant funds in the amount of \$1,734,000, for a net total for the Oceana Marin system
33 of \$180,000.

34 Director Petterle asked if one of the projects in the Studies & Special Projects division, the
35 Novato Master Plan, is going to be done by an outside consultant and Mr. Miller said it will be a
36 combination of consultant support and District staff effort. Director Joly asked about the \$90,000 for

1 the North Marin Aqueduct Vulnerability & Cathodic Assessment project. Mr. Williams said this
2 project is a detailed assessment of the District's transmission pipeline from Sonoma to Novato,
3 which is one of the District's most critical assets. Director Eichstaedt asked about the Master Plan
4 Update and if there were plans for staff to perform any of the modeling in-house, as opposed to a
5 consultant performing the modeling. Mr. Miller said yes that staff was planning to do basic modeling
6 in-house, but that consultant support would be used for the more advanced modeling tasks.
7 Director Eichstaedt also asked if the cathodic protection assessment is just for the aqueduct and
8 Robert Clark answered that it is.

9 Mr. Miller showed the budget summer for each enterprise with a total net budget of
10 \$4,325,000.

11 **FY 23/24 3RD QUARTER FINANCIAL STATEMENT**

12 Julie Blue addressed the Board and summarized the 3rd Quarter Financial Statement. She
13 said that operating revenue was at 75% of the budget and operating expenses were 87% of budget.
14 She said \$8.3M (52%) of the capital plan was completed and consolidated net income was \$2M.
15 She said that year to date operating revenue in Novato was 12% higher than the prior year due to
16 rate increases as well as a slight rebound in water sales. The income for Novato was \$1.9M and
17 \$609,000 was received in Facility Reserve Charges. Stafford Treatment Plant produced 409 MG
18 (million gallons). Ms. Blue said that an estimated 121 MG of recycled water (RW) was consumed in
19 Novato and the RW net income year to date was \$140,000. In Pt. Reyes (West Marin Water), an
20 estimated 38.2 MG was consumed, operating revenue was 1.9% higher than prior year and that we
21 have one new connection. The net loss for West Marin Water was \$85,000. She said that Oceana
22 Marin has 236 active accounts, there was a net income of approximately \$12,000, and \$75,000 in
23 connection fees were collected.

24 **MARIN COUNTY CIVIL GRAND JURY REPORT: AN UPDATE ON RESPONSES TO THE 2022-**
25 **2023 REPORTS**

26 Tony Williams informed the Board that the Grand Jury Report states that the District has
27 completed everything that was promised in the District's response to the Grand Jury's Dam Safety
28 Report in 2023. We have also provided public information on our website and through
29 presentations to civic groups. He said we are now members of the Center for Western Weather and
30 Water Extremes and that seasonal and sub-seasonal forecasting that is being done will likely be
31 helpful to the District. Mr. Williams said he will bring back to the Board an update on the Stafford
32 Dam adjustable spillway gate project if it shown to be feasible. The geotechnical and
33 hydrology/hydraulics methodology has been submitted to the state Division of Safety of Dams
34 (DSOD) for approval. Director Joly asked about atmospheric rivers and how Stafford Lake handled
35 the 29-inches of rainfall and Mr. Williams said it did very well and that the dam has been spilling

1 consistently since February and never reached the higher spillway. He said the last inspection from
2 the state's DOSD showed compliance with dam safety requirements.

3 **WAC/TAC MEETING – FEBRUARY 5, 2024**

4 Tony Williams noted that many of the agenda items from this meeting have been discussed
5 but noted that Sonoma Water has been working on a resiliency study which has a drought-related
6 chapter which was previously approved. He said that Sonoma Water hopes to bring a draft report in
7 July or August to the TAC that has all risks identified including cyber-attacks, etc. Robert Clark said
8 there is an AWWA program that the District joined that looks at our water system operational
9 technologies and we receive reports that alert us if we have any threats.

10 **TAC MEETING – MARCH 4, 2024**

11 Tony Williams mentioned that Sonoma Water's proposed budget was on this agenda.

12 **MISCELLANEOUS**

13 The Board received the following miscellaneous items: Disbursements – April 18 and 25
14 and May 2, 2024, Auditor-Controller's Monthly Report of Investments for March 2024, AWWA Legal
15 Advisory – Introduced CERCLA legislation, PFAS Enforcement Discretion and Settlement Policy
16 Under CERCLA – USEPA, Pages from Spring WAG Roundtable Meeting – April 25, 2024, NOAA
17 US Seasonal Three-Month Drought Outlook – April 30, 2024, NOAA US Seasonal Three-Month
18 Precipitation Outlook – April 18, 2024.

19 The Board received the following news articles: Marin IJ – Water districts remain vigilant
20 amid new rules – FOREVER CHEMICALS, Marin IJ – Ranchers rip proposal for reservoir expansion
21 – MARIN MUNICIPAL, Pt. Reyes Light – Housing development clears hurdle

22 **ADJOURNMENT**

23 President Baker adjourned the meeting at 5:44 p.m.

24 Submitted by

25 

26 Eileen Mulliner
27 District Secretary
28
29