

1 **NORTH MARIN WATER DISTRICT**  
2 **MINUTES OF REGULAR MEETING**  
3 **OF THE BOARD OF DIRECTORS**  
4 July 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 4:01 p.m. at the District Headquarters and the agenda was accepted as  
8 presented. Present were Directors Jack Baker, Ken Eichstaedt, Rick Fraites, Michael Joly, and  
9 Stephen Petterle. Also present were General Manager Tony Williams, District Secretary Eileen  
10 Mulliner, Auditor-Controller Julie Blue and AGM/Chief Engineer Eric Miller.

11 District employees Chris Kehoe, Construction Superintendent, Robert Clark, Operations and  
12 Maintenance Superintendent, and Tim Fuelle, Senior Engineer, were also in attendance.

13 Jeff Tarantino of Freyer & Laureta was also in attendance.

14 **MINUTES**

15 On motion of Director Joly, seconded by Director Petterle, the Board approved the minutes  
16 from the June 18, 2024 meeting as presented by the following vote

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

18 NOES: None

19 ABSENT: None

20 ABSTAIN: None

21 **GENERAL MANAGER'S REPORT**

22 Tony Williams gave a brief update on the Potter Valley Project. He said that FERC has  
23 approved PG&E's request for an extension on their decommissioning and surrender plan. The new  
24 date for submission of the plan is July 29, 2025. He said that it is hoped that the draft for public  
25 review will be available in January, 2025.

26 Mr. Williams mentioned a miscellaneous item in the agenda related to a new state regulation  
27 update for making conservation a way of life. He said although the State Water Board approved the  
28 regulation earlier this month, a few typos were found so there will be another public comment period  
29 and then to the Office of Administrative Law for a final review. He said he will bring it back to the  
30 Board later in the year.

31 Mr. Williams said new Lead and Copper Rule Revisions (LCRR) regulations require all water  
32 agencies to do a comprehensive survey of service lines that are connected to the agency's  
33 distribution system. He said that in 1985 lead was banned from use in plumbing systems and noted  
34 that we have never had it in our system. The survey includes noting what type of pipe is going from  
35 District meters to the customer's house (private line). We have a team of interns who are  
36 conducting the survey and entering the data into a spreadsheet. West Marin is complete and the  
37 hope is that Novato will be done by the deadline of October 16, 2024.

1 Mr. Williams briefly discussed cybersecurity. He said that we are updating one of our Board  
2 policies on computer use, in regards to cybersecurity. He said the District is participating in a  
3 special program with the federal government available to water districts to determine if there has  
4 been a cyberattack. He said he plans to schedule a closed session in the future to discuss the  
5 overall cybersecurity strategy as he did not want to go into detail in a public meeting for security  
6 reasons.

7 **The Board requested that Item #12 be moved from the end of the Agenda to this location**  
8 **to accommodate the public attending for this item**

9 **LYNWOOD PUMP STATION REPLACEMENT PROJECT UPDATE**

10 Eric Miller gave a brief history of the project, and recalled the Board direction from March 19,  
11 2024 that staff seek additional primary pump station sites and associated alternatives. He said that  
12 much work has been done in that regard, and that the purpose of tonight's presentation is to provide  
13 a progress report and receive feedback from the Board and the public. Tim Fuelle then took over  
14 and presented more details on the process used to look for additional sites.

15 Mr. Fuelle explained the screening criteria which included; parcel ownership, regulated  
16 floodplain proximity, sea level rise, and hydraulic compatibility. The original effort excluded privately-  
17 owned parcels, however the revised effort added privately-owned parcels for consideration. He said  
18 that the project objectives remained unchanged in the revised effort. He said that 18 additional sites  
19 were identified using the screening criteria, and that 4 of those additional sites also met the project  
20 objectives and were deemed feasible by staff. Mr. Fuelle said there are now 6 potential sites, which  
21 includes the 4 additional sites and the two original primary sites identified, known as Site 1 at Sunset  
22 Parkway, and Site 2 at Ignacio Blvd.

23 Jeff Tarantino then spoke to the Board and explained that there are several factors needed  
24 in order for a site to work, including its proximity to both Zones 1 and 2, the parcels zoning and land  
25 use designation, land ownership and its level of development. He also explained that potential sites  
26 must be located within the Lynwood service area, but that locations near the center of the service  
27 area better meet the project objective of improving operability of the District's water system. Director  
28 Eichstaedt asked how many total sites have been looked at and Mr. Tarantino said that over 25 sites  
29 were looked at when considering both the original effort and the more recent revised effort. He said  
30 that the the 4 new sites have a mix of ownership, hydraulic performance similar to the original Sites  
31 1 and 2, and that none of them are within a FEMA floodplain or impacted by anticipated sea level  
32 rise.

33 One of the additional potential sites is identified as Site 6 – Ignacio Hills. It is a privately-  
34 owned parcel and represents a hydraulic improvement for flows in and out of the District's Pacheco  
35 Valle Tank. Connecting this site to the District's system would require about 1,650 feet of suction

1 piping and 5,500 feet of discharge piping be installed along Ignacio Blvd and other side streets.  
2 Director Petterle asked if the property owners have been contacted, Mr. Tarantino responded that  
3 contact with property owners was the next step of the process after receiving feedback from the  
4 Board at tonight's meeting.

5 The second site presented is identified as Site 12 – Alameda Del Prado. It is a privately-  
6 owned parcel and represents a significant hydraulic improvement for flows in and out of the District's  
7 Pacheco Valle Tank. Connecting this site to the District's system would require about 700 feet of  
8 suction piping installed under Highway 101, likely via boring methods, and 1,800 feet of discharge  
9 piping along Alameda Del Prado and other side streets. President Baker noted that Caltrans would  
10 have to be involved should this site be chosen and that could significantly impact the overall  
11 schedule.

12 The third site presented is identified as Site 15 – Lynwood Tanks. It is a parcel owned by the  
13 District but would require pipeline easements through adjacent privately-owned parcels in order to  
14 connect to the District's system. Due to the relatively close proximity to the existing Lynwood Pump  
15 Station site, this potential site does not offer any hydraulic improvements to the District's system.  
16 Connecting this site to the District's system would require about 950 feet of suction piping and 1,250  
17 feet of discharge piping be installed along Parkwood Drive and other side streets.

18 The fourth site presented is identified as Site 22 – Calle Arboleda. It is a parcel owned by  
19 Marin County and represents a hydraulic improvement for flows in and out of the District's Pacheco  
20 Valle Tank. Connecting this site to the District's system would require about 3,650 feet of suction  
21 piping and 500 feet of discharge piping be installed along Alameda de la Loma, Ignacio Blvd and  
22 other side streets.

23 Following discussion of the individual site locations, Mr. Tarantino spoke to a slide with a  
24 matrix of all 6 sites, their relative ability to satisfy the various evaluation criteria, and their estimated  
25 capital and lifetime operational costs. Mr. Tarantino noted that the costs presented did not include  
26 enhanced landscaping or architectural features, nor did they include the cost of land acquisition.

27 Director Petterle noted that neighborhood impacts were not included in the analysis. Mr.  
28 Fvette said that the information represents an objective comparison of the 6 potential sites. Director  
29 Petterle said he would have liked to see the impacts to the neighborhoods be included. Mr. Miller  
30 asked for more direction on what the directors would like included in the analysis. Director Petterle  
31 said, for example, how many people would drive by each site and be visually impacted. Director  
32 Fraites agreed with Director Petterle. He said before moving into a CEQA process for additional  
33 sites, we should figure out what the visual impacts to each neighborhood would be. Mr. Fvette said  
34 staff is targeting to return to the Board in September with additional engineering studies that include  
35 architectural renderings. Director Petterle said he wants to see community concerns addressed.  
36 Director Joly asked which site is the Ignacio/Palmer site, and Mr. Fvette said it is Site 2, one of the

1 original sites. Director Joly also asked what percentage of customers are affected by the Lynwood  
2 Pump Station and Mr. Fuelle said approximately 23% of the District's customers or 15,000  
3 customers.

4 Director Eichstaedt said he was impressed that the public is so involved and thanked them  
5 for attending the meeting. He asked Mr. Fuelle and Mr. Tarantino for a broad assessment and if  
6 geotechnical is considered. Mr. Tarantino said that the site locations are similar from a geological  
7 perspective and that sites with any known adverse geological conditions were avoided. Director  
8 Eichstaedt said he is concerned with the cost of property acquisition. Mr. Fuelle said that staff will  
9 return to the Board with more information on property acquisition once it is known. Director  
10 Eichstaedt also asked about energy usage and if that was included in the costs. Mr. Fuelle said that  
11 energy usage was included in the lifetime operational costs presented. Director Joly asked if Site 12  
12 would be a great impact and Mr. Fuelle said impact would be minimal however Mr. Williams said  
13 that impact is a subjective metric. Mr. Miller noted that Site 12 has a similar proximity to homes as  
14 Site 2.

15 A member of the public addressed the Board and said that he appreciates what has been  
16 put together. He feels that the drive to his home on Fairway Dr. is pristine and fears the Site 2 pump  
17 station location could deter future buyers from wanting to buy homes in that neighborhood. He also  
18 said that the feels the impacts to the creek have not been seriously addressed. He said he likes the  
19 site on Alameda del Prado. He asked that if Site 12 is chosen as the new location, what are the  
20 next steps, Mr. Fuelle answered that property acquisition would be the next step.

21 Another member of the public told the Board that he is opposed to Site 2. Another person  
22 made some comments on the presentation saying it should have been more specific. Financial  
23 issues should be more detailed and that inflation should be taken out of the equation.

24 Another member of the public spoke and thanked the Board for taking the public's concerns  
25 seriously and asking for more sites to be looked at. He thanked staff as well. He said that some of  
26 the site descriptions were misleading and should be amended. He said that one site, Site 12, is a  
27 good choice and that noise impacts of a new pump station would be low as it would be located next  
28 to the freeway.

29 The Board thanked the audience for coming.

30 **OPEN TIME**

31 No one requested to speak at Open Time.

32 **STAFF/DIRECTORS REPORTS**

33 There were no staff or Director reports given.

34

1 **CONSENT CALENDAR**

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

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

5 NOES: None

6 ABSENT: None

7 ABSTAIN: None

8 **APPROVE RESOLUTION DECLARING GOVERNING BODY MEMBERS AS EMPLOYEES FOR**  
9 **THE PURPOSE OF PROVIDING WORKERS' COMPENSATION COVERAGE**

10 The District's workers' compensation carrier, Zenith, did an audit and found that the  
11 Governing Body members, i.e., Board of Directors, were not covered. Zenith recommended that the  
12 Board be officially designated as employees and have workers' compensation coverage. A  
13 resolution has been prepared formalizing the arrangement and ensuring coverage for the Board.

14 **APPROVE NOTICE OF COMPLETION FOR THE NMWD HQ RW EXTENSION FROM REDWOOD**  
15 **BLVD (GOLDEN STATE CONSTRUCTION & UTILITY, INC.)**

16 In conformance with contract requirements, Golden State Construction & Utility, Inc. has  
17 fulfilled their contract obligations. All work has been completed and written notice by the contractor  
18 has been provided that all subcontractors and suppliers on the project have been paid and the  
19 District has been released of all claims. The District has prepared a Notice of Completion that will  
20 be filed at the County of Marin after Board approval.

21 **APPROVE: RECORDS RETENTION – DESTRUCTION OF RECORDS**

22 Under the District's Records Retention program, each year a list of records that are eligible  
23 to be destroyed. The list is reviewed and approved by the applicable Department Head, Records  
24 Retention Manager, Auditor-Controller, and General Manager. A resolution has been prepared for  
25 the Board to approve the destruction of records for 2023 and 2024. After approval, these records  
26 will be scheduled for destruction in the appropriate manner.

27 **APPROVE: SALARY SCHEDULE FOR TEMPORARY/SEASONAL EMPLOYEES**

28 The District periodically hires temporary and seasonal workers on an as-needed basis. In the  
29 past, these workers do not receive benefits and are usually not CalPERS' members. It is now  
30 required that any temporary employees that have previously worked for a CalPERS agency or work  
31 1,000 hours in any given fiscal year, receive CalPERS membership. It is also required by the  
32 California Code of Regulation that the pay schedule of each CalPERS agency be approved and  
33 adopted by the agency's governing body. The Board is being asked to approve a salary schedule  
34 for temporary and seasonal employees.

1 **ACTION CALENDAR**

2 **APPROVE REIMBURSEMENT AGREEMENT BETWEEN NMWD AND NSD FOR WATERLINE**  
3 **RELOCATION RESULTING FROM CONFLICTS WITH NEW FACILITIES PROPOSED BY NSD'S**  
4 **ARTHUR STREET SANITARY SEWER UPGRADE (BUDGETED FY24/25)**

5 Eric Miller addressed the Board, and explained the reimbursement agreement between the  
6 District and Novato Sanitary District (NSD) for a waterline relocation on Arthur Street. Mr. Miller  
7 explained that NSD is installing new sewer facilities along Arthur Street and that District water facility  
8 conflicts exist in the street where proposed sewer facilities are proposed. In addition to relocation of  
9 conflicting facilities, the project provides an opportunity to make improvements to the District's water  
10 system in the intersection of Arthur Street and Cambridge Avenue. NSD has agreed to reimburse  
11 the District for a portion of the water facility relocation work and to perform trench restoration with the  
12 District reimbursing NSD for restoration costs associated with the District trench area. Mr. Miller  
13 said both district's legal counsels have reviewed the agreement and NSD's Board approved the  
14 agreement at their Monday (July 15) meeting.

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

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

18 NOES: None

19 ABSENT: None

20 ABSTAIN: None

21 **DECLARATION OF END OF LOCAL EMERGENCY RELATED TO REDWOOD BLVD**  
22 **LANDSLIDE**

23 Tony Williams said that all the engineering analysis of the North Marin Aqueduct pipeline  
24 has been completed and the pipeline is not in any danger. He said that he along with Chris Kehoe,  
25 Robert Clark, Eric Miler have tracked its progress since the March 2023 landslide. He said that  
26 Caltrans has done a good job rebuilding both the upslopes and downslopes at the slide location.  
27 Mr. Williams said the he kept the local emergency in place through this previous winter to make sure  
28 the work made it through the winter. He said that we have installed 2 access points to be able to get  
29 into the pipeline for future regular inspections. He said that based on the work to date, he feels  
30 there is no longer a need for a local emergency. He noted that legal counsel has reviewed the  
31 resolution. He also mentioned that we purchased 2 segments of pipe to have on hand in the case of  
32 another slide that actually damages the current pipeline and replacement is needed. Director Joly  
33 noted that we were luck that the situation did not cost the District more. Director Eichstaedt asked  
34 about cost recovery regarding the possibility of an original design flaw of the aqueduct project. Mr.  
35 William said that it has been discussed with legal but that he doesn't recommend to do so. Director

1 Eichstaedt also asked if there is an active legal going on and Mr. Miller said there was none with the  
2 District but it is possible there could be between Caltrans and PG&E. Director Joly said that he  
3 expects that the upcoming Master Plan update will address this to mitigate any future issues. Mr.  
4 Williams said that it will be incorporated.

5 President Baker asked if there are any devices in place to monitor the area over time. Mr.  
6 Williams said that he is not aware of any other than drain lines have been put in place. Mr. Williams  
7 said we used a simple monitoring device that is in place to monitor the pipeline but the hillside is not  
8 in our sphere. Director Joly asked if Marin Water is involved and Mr. Williams said that they are as  
9 they were affected by the landslide. Director Joly said the leadership with staff was great and the  
10 rest of the Board concurred. Director Eichstaedt said it was amazing to see how all staff came  
11 together and address the landslide issue. Mr. Williams thanked the Board for the compliment.

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

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

15 NOES: None

16 ABSENT: None

17 ABSTAIN: None

18 **APPROVE: ADOPT THE 2024 MARIN COUNTY MULTI-JURISDICTIONAL LOCAL HAZARD**  
19 **MITIGATION PLAN AND THE NORTH MARIN WATER DISTRICT ANNEX**

20 Eric Miller spoke to the Board and said the 2024 Marin County Multi-Jurisdictional Local  
21 Hazard Mitigation Plan (Plan) addresses the vulnerabilities in the County and the Annex specifically  
22 addresses the District's service areas. The Plan mostly addresses natural hazards but also covers  
23 other hazards such as cybersecurity, pandemics, and climate change impacts. The Multi-  
24 Jurisdictional Plan was first adopted in 2018 and is now being updated in 2024 for 5-year effective  
25 period. Mr. Miller stated the action for the Board is to consider approval to include the North Marin  
26 Water District Annex in the 2024 Plan. He said that agencies must have an active and updated plan  
27 to remain eligible for certain grant programs through FEMA and CalOES. Mr. Miller noted that the  
28 District's Oceana Marin Treatment Pond project is funded by FEMA's Hazard Mitigation Grant  
29 Program. Director Joly said the dam inundation discussion in the Plan was frightening and asked if  
30 the Directors faced personal liability if the dam were to fail. Mr. Williams said that he didn't know but  
31 would look into it, but he did say the District does have insurance coverage specific to the dam. Mr.  
32 Williams also mentioned that when the dam was built, it was recommended to the City of Novato to  
33 not develop in the inundation corridor. He said it is highly unlikely the dam will fail but the inundation  
34 mapping is used to show what could happen. Director Joly complemented the memo.

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

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

4 NOES: None

5 ABSENT: None

6 ABSTAIN: None

7 **INFORMATION ITEMS**

8 **LYNWOOD PUMP STATION REPLACEMENT UPDATE WAS MOVED TO ITEM #2 OF THE**  
9 **AGENDA**

10 **TAC MEETING – MAY 6, 2024**

11 Tony Williams noted that the TAC meeting minutes was from an older meeting and the  
12 Board was aware of the topics.

13 **NBWA MEETING AGENDA – JULY 12, 2024**

14 Director Fraites said that the meeting was held at the Napa Sanitation District. The topic was  
15 the possibility of processing sewer water to drinking water through direct potable reuse. He said that  
16 this would be extremely expensive as noted in the Napa study with an estimated cost of \$200-300  
17 million just to get it going. He said it would be years before this could become a possibility.

18 **MISCELLANEOUS**

19 The Board received the following miscellaneous items: Disbursements Dated June 20, 27,  
20 July 3, and July 11, 2024, Auditor-Controller's Monthly Report of Investments for May 2024, Monthly  
21 Progress Report, NOAA Seasonal Drought Outlook – June 20, 2024, Statement from AWWA and  
22 AMWA on petition for judicial review of PFAS regulation, NBWA Thank you letter for sponsorship  
23 support, and WUE Fact Sheet, July 2024. Director Eichstaedt noted that he liked reading the  
24 comments from the Customer Service Quarterly Report and that they were very positive.

25 The Board also received the following news articles: Marin IJ – Extreme Novato housing  
26 approved – APARTMENT-COMMERCIAL PLAN, Marin IJ – Water district revisits desalination –  
27 MARIN MUNICIPAL, Marin IJ – Reservoir connection plan delayed by creek concerns – MARIN  
28 MUNICIPAL, Marin IJ – Cautious looks at desal plant can be routine – EDITORIAL, Marin IJ – State  
29 approves key regulations for water policy – LANDMARK DECISION, Pt. Reyes Light – Lagunitas  
30 Creek Bridge State Project – PUBLIC NOTICE, Pt. Reyes Light – Ranchers decry reservoir  
31 expansion plan.

32 The Board also received the NMWD Web and Social media Report – June, 2024.

33



1 ADJOURNMENT

2 President Baker adjourned the meeting at 5:48 p.m.

3 Submitted by

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5 Eileen Mulliner  
6 District Secretary  
7  
8  
9