

1 **NORTH MARIN WATER DISTRICT**  
2 **MINUTES OF REGULAR MEETING**  
3 **OF THE BOARD OF DIRECTORS**  
4 August 20, 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 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 Robert Clark, Operations and Maintenance Superintendent, Chris Kehoe,  
12 Construction Superintendent, and Ryan Grisso, Water Conservation and Communications Manager,  
13 were also in attendance.

14 Randall Lee, President of Gateway Commons HOA, was in the audience.

15 **MINUTES**

16 On motion of Director Joly, seconded by Director Fraites, the Board approved the minutes  
17 from the August 6, 2024 meeting as presented by the following vote

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

19 NOES: None

20 ABSENT: None

21 ABSTAIN: None

22 **GENERAL MANAGER'S REPORT**

23 Tony Williams gave a Potter Valley Project update. He said that TAC has become aware of  
24 a proposed new water district in Sonoma County, the Alexander Valley Water District. This  
25 proposed district will cover unincorporated areas in the valley, properties such as wineries and farms  
26 that rely on the Russian River and groundwater for their water. He said that the potential property  
27 owners have their own wells and the district would likely not become a water contractor. He said  
28 that representatives of potential district will come to the next TAC meeting and explain their goals.  
29 He also said this new district could possibly contribute to Potter Valley future diversion costs. Mr.  
30 Williams said that this new district would be formed under Division 13 of the California Water District  
31 Code, whereas NMWD was formed under Division 12. He said he will report back when he learns  
32 more.

33 Mr. Williams mentioned one of the miscellaneous items in the agenda packet, a Letter of  
34 Intent from the San Francisco Bay National Estuarine Research Reserve (NERR) regarding a  
35 federal grant opportunity. He said the Letter of Intent outlines a scope for a water supply study in

1 West Marin. He said this could potentially be a \$350,000 grant, some which would be available for  
2 the study.

3 Mr. Williams said that there had been a fire in the Marinwood area on August 13, that had  
4 the potential to come over the adjoining ridge into Pacheco Valle which is served primarily by the  
5 District's Pacheco Valle Tank. This tank is one the storage tanks that is filled by the Lynwood Pump  
6 Station. He said that staff met to discuss filling the tank should there be the need for firefighting. He  
7 said this illustrates the importance of Lynwood Pump Station to this particular area. President Baker  
8 asked for a map that shows the area that Lynwood Pump Station serves. Director Petterle asked if  
9 Airbase Tank is NMWD's and Mr. Williams confirmed this and noted that it is also critical tank for the  
10 eastern side of the highway. Director Joly asked if there are other tanks in this area and Mr.  
11 Williams said that Ponti Tank is the only other tank in the Pacheco Valle area. Robert Clark added  
12 that Lynwood Pump Station fills the Sunset Tank, then Pacheco Valle, and the Ponti and Airbase  
13 Tanka are filled from the Pacheco Tank. President Baker asked if this could be shown as an exhibit  
14 with an explanation at a future meeting.

15 Mr. Williams said that some of the District's regulations will have changes made due to the  
16 pending state-wide Conservation rules. He said that he and Ryan Grisso will come back to the  
17 Board with updates possibly in January 2025 to give an overview.

18 Mr. Williams added that Eric Miller will be giving a detailed explanation later in the meeting  
19 on the State's new Cross-Connection Control Policy Handbook.

## 20 **OPEN TIME**

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

## 23 **STAFF/DIRECTORS REPORTS**

24 Eric Miller informed the Board that the main electrical panel for the new Administration &  
25 Laboratory building has been delivered and installed. The City of Novato will be performing their  
26 inspection on August 21, 2024 and, if all goes well, PG&E is scheduled to install their transformer  
27 and meter during the week of September 3, 2024.

28 Mr. Miller gave a brief update on the Oceana Marin Treatment Ponds project. He said that  
29 the project is proceeding on budget and that staff was successful in securing a 3-month time  
30 extension from CalOES for the FEMA hazard mitigation grant program closeout deadline.

31 Eileen Mulliner informed the Board that they will be receiving an email from the District's HR  
32 Manager, Karen Clyde, about the bi-annual Anti-Harassment Training course they need to complete.

## 33 **CONSENT CALENDAR**

34 Director Joly asked to have Item #5 removed from the Consent Calendar and there was no  
35 opposition from the other directors.

1 **APPROVE: REVISION TO LOW INCOME RATE ASSISTANCE, POLICY NO. 49**

2 The District's Low Income Rate Assistance (LIRA) program previously provided low income  
3 customers who were also part of the PG&E CARE program a \$15 credit to their water bill. This  
4 revised policy will increase the credit amount from \$15 to \$30. Per Prop. 218, the District cannot  
5 use rate revenue to pay for this program. Non-rate revenues, such as property tax proceeds, rent  
6 revenue and interest revenue, have been identified to fund the program.

7 Director Joly asked what else are we using the non-rate revenue for and Julie Blue said that  
8 a portion is used for the capital budget and a portion is part of the operating budget. She said the  
9 total funds are not all earmarked for LIRA program. She said that it's an appropriate revision to the  
10 policy for the participating customers and that they are pleased that the bill assistance amount is  
11 being raised.

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

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

15 NOES: None

16 ABSENT: None

17 ABSTAIN: None

18 **ACTION CALENDAR**

19 **APPROVE: COMMENT LETTER FOR SENATE BILL NO. 1255 WATER RATE ASSISTANCE**  
20 **PROGRAM**

21 Tony Williams said that this item is to get approval to send a letter to Assemblymember  
22 Damon Conolly. He said that proposed Senate Bill (SB) 1255 Water Rate Assistance Program  
23 proposed to make a LIRA-type program mandatory for all water providers. He said this bill would  
24 create a great deal of work for the District and that we may not have enough staff resources to  
25 manage it. He said our current LIRA program would likely not meet the criteria proposed in the  
26 legislation. Mr. Williams said that ACWA and other larger agencies are proposing changes to the  
27 bill that would make more sense. He said the program is good but needs some adjustments.  
28 Director Eichstaedt asked if all the co-signers on the attached ACWA petition have LIRA programs.  
29 Mr. Williams said that he did not know about the status of the agencies listed. Director Joly asked it  
30 the program aligns with Prop. 218 and Mr. Williams said that it supposedly does.

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

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

34 NOES: None

35 ABSENT: None

1 ABSTAIN: None

2 **INFORMATION ITEMS**

3 **FY 2023/24 END OF YEAR PROGRESS REPORT – WATER CONSERVATION AND PUBLIC**

4 **COMMUNICATIONS**

5 Ryan Grisso went through the 2023/24 End of Year Progress Report for Water Conservation  
6 and Public Comminutions. He said that Water Conservation has many rebate programs and that the  
7 District’s Regulation 15 has been updated with the additions. He said that the number of rebate  
8 applications continues to be down but that this is typical post-drought. He said that there has been  
9 an increase in Water Smart Surveys and that although washing machine rebates had been  
10 declining, they are now seeing an increase in applications and for the Cash For Grass applications  
11 as well. Mr. Grisso mentioned that it has become more difficult for customers to find the right  
12 washers that are on the approved list since Sears closed their stores. He said that although some  
13 of the program applications have decreased, we continue to send out educational materials.  
14 Director Joly asked if customers can go on the NMWD website to get rebate applications and  
15 information on qualifying appliances and Mr. Grisso said yes. Director Eichstaedt said we have a  
16 very progressive approach. He also said that perhaps we could put out information on how many  
17 water saving appliances have been sold and how much water it has saved. Director Petterle  
18 commented that information could be put out that there is energy consumption when using water  
19 and by saving water using water saving appliances reduces pumping costs.

20 Mr. Grisso went on to speak about the communications program. He said that we are  
21 following the 2018 Strategic Plan and try to do 2-3 social media posts per week. He said that we are  
22 continuing to refresh the website to stay current and interesting and we continue to redesign  
23 outgoing materials. Mr. Grisso mentioned that the District participated in the Marin County Fair this  
24 summer, co-hosting a booth with Marin Water. He said that we had watering stations and an  
25 interactive booth. Director Petterle commented that we have come a long way with communications  
26 and that he is very pleased and proud of what we do, said that we are current and up to date and  
27 everything looks very professional. Director Joly agreed.

28 **NEW STATE GUIDELINES FOR CROSS-CONNECTION CONTROL**

29 Eric Miller explained to the Board that as of July 1, 2024, the State Water Resources Control  
30 Board adopted a new Cross-Connection Control Policy Handbook that applies to every water district  
31 in the State. He started by explaining the difference between cross-connection and backflow. He  
32 said that a cross-connection is any instance where our public water system is simply connected to  
33 private plumbing. He went on to define backflow as any instance when water from the private side  
34 flows backwards and ends up in our public water system. The public water system generally has a  
35 higher pressure than a private system therefore under normal conditions water will only flow from

1 public to private. However, if the pressure on the public side drops for some reason, water will  
2 backflow from the private side into the public side. Or, if the pressure on the private side increases  
3 to the point where it exceeds pressures on the public side, water will backflow into the public water  
4 system. He said the standard way of preventing instances of backflow is to install a backflow  
5 prevention assembly (backflow preventer). Mr. Miller noted that the District has a very robust cross-  
6 connection control program in place prior to the new State guidelines. However, he said the new  
7 State guidelines require that water districts conduct a formal hazard assessment that classifies  
8 every premise with water service as either high-, low-, or no-hazard potential. The State guidelines  
9 also require that the District install a backflow preventer on all water services at high- and low-  
10 hazard potential sites. For example, any property that contains a non-potable source of water, such  
11 as a well, creek, pond, pool, etc., are classified a high-hazard potential sites under the new  
12 guidelines and the District will now require installation of a backflow preventer if they do not currently  
13 have one. Another example is if a property has two separate connections to the public water  
14 system, such as primary home and an ADU, under the new State guidelines backflow preventers will  
15 be required at both meters. If a property has two structures but only one connection to the public  
16 water system, only one backflow preventer would be required. Mr. Miller said that District  
17 Regulations 6, 36, and 54 will require updates to reflect the changes and said that staff plans to  
18 return to the Board with those revisions by the end of the year. He said that these new requirements  
19 will greatly impact District operations. All single-family dwellings with ADUs or residential fire  
20 sprinkler systems, and multi-family dwellings (such as apartment or condo complexes) will be  
21 impacted. Director Fraites asked if we would need additional staff for this new program and Mr.  
22 Williams responded that this will stretch our staff resources. Director Fraites also said that we  
23 should put this information out to the public and explain that it is a mandate from the State. Director  
24 Joly asked how long we have to implement the new regulations and Mr. Miller said we have one  
25 year to submit a formal program to the State and 10 years to fully comply with the new requirements.  
26 Director Joly also asked how many of the District's connections will have to be modified. Mr. Clark  
27 said that we have not completed the formal hazard assessment, but that he estimates more than  
28 500 commercial services, 300-400 residential services with pools, wells, etc., and a few thousand  
29 multi-family dwellings will be impacted. He said the administrative aspect of the program will have a  
30 great impact on us. Director Fraites asked about the costs and if there are any potential  
31 reimbursement from the State and Mr. Clark said currently there is no State funding. Director  
32 Eichstaedt said communication is key and that it is a good idea to get information out to the public  
33 so they are well informed.

34         Randall Lee, Gateway Commons HOA President addressed the Board. Gateway Commons  
35 has backflow issues and Mr. Lee said they have been approached by the District outlining what  
36 modifications are needed under the new State guidelines. He said it will be very expensive for the

1 HOA to install hundreds of backflow preventers and, due to some other issues, their funds have  
2 been depleted. Following some discussion about the complex and the HOA's next steps, Mr. Lee  
3 thanked the Board for their time. Director Petterle suggested the HOA contact the State for possible  
4 funding assistance.

5 Director Joly agreed that customer awareness is a key issue. Mr. Williams noted that a  
6 group of the water contractors are closer looking at this State mandate and the associated impacts.

7 **BOUNDARY ADJUSTMENT AND DE-ANNEXATION PROCESS WITH MARIN LOCAL AGENCY**  
8 **FORMATION COMMISSION (LAFCo)**

9 Tony Williams said that in May and June LAFCo's Municipal Services Review study was  
10 discussed at Board meetings. He said that LAFCo is currently working on recommendations in the  
11 study, including the anomaly that NMWD's boundary overlaps with Inverness PUD's and also the  
12 de-annexing of the Marshall service area. Mr. Williams said that IPUD is discussing this as well and  
13 that unless there are objections from the Board, a public meeting is planned for October 8, 2024 at  
14 the Inverness Fire Station regarding these actions. At the meeting staff from LAFCo, NMWD, and  
15 IPUD will present the details and answer any questions. Mr. Williams said that once the boundary  
16 adjustments are made our West Marin service area maps will be re-done to reflect the changes.  
17 Director Joly asked what type of Board representation would be appropriate for the October 8<sup>th</sup>  
18 meeting and Mr. Williams said no more than two directors should attend to avoid any issues with the  
19 Brown Act. Director Eichstaedt said he will be attending.

20 **WAC/TAC DRAFT MEETING MINUTES – MAY 6, 2024**

21 Mr. Williams said that he did not have anything to add to the information presented in the  
22 WAC/TAC draft May 6 meeting minutes. There were no questions or comments from the Board.

23 **TAC DRAFT MEETING MINUTES – JULY 1, 2024**

24 There were no questions or comments from the Board on the TAC July 1, 2024 draft meeting  
25 minutes. Mr. Williams mentioned an item in the minutes addressing a wildfire around Lake Sonoma,  
26 however the Sonoma water contractors were not aware of it and the Sonoma County-based water  
27 contractors asked for better communication in the future.

28 **MISCELLANEOUS**

29 The Board received the following miscellaneous items: Disbursements dated August 8 and  
30 15, 2024, Monthly Progress Report, Auditor-Controller's Monthly Report of Investments for June  
31 2024, Status of Candidates who have taken out papers for office, Letter of Intent – Building  
32 Resilience to Climate Change in Northern California Coastal Watershed.

33 The Board also received the following news articles: Marin IJ - Options in pump project  
34 expand – NOVATO, Compensation for Marin elected officials varies wildly – DICK SPOTSWOOD,  
35 Ballot set as filing comes to a close- MARIN ELECTION.

1 The Board also received the NMWD Web and Social Media Report – July 2024.

2 **ADJOURNMENT**

3 President Baker adjourned the meeting at 5:56 p.m.

4 Submitted by

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6 Eileen Mulliner  
7 District Secretary  
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