



NOTICE OF THE REGULAR BI-MONTHLY MEETING OF THE BOARD OF DIRECTORS

MEETING DATE: 04-18-2023

TIME: 5:30 p.m. – Meeting Begins
5:31 p.m. or Thereafter – Closed Session (Only for Board and Staff)
6:30 p.m. – Open Session
Another Closed Session to Immediately Follow (Only for Board and Staff)

LOCATIONS: This meeting will be held virtually and in-person.

Open Session	Closed Session	Virtually
Marin Water Board Room 220 Nellen Avenue Corte Madera, CA 94925	Marin Water Mt. Tam Conference Rm. 220 Nellen Avenue Corte Madera, CA 94925	URL: https://us06web.zoom.us/j/88134852296 Webinar ID: 881 3485 2296 Phone Call: 1-669-444-9171 or 1-669-900-6833

EMAILED PUBLIC COMMENTS: Submit your comments in advance of the meeting to BoardComment@MarinWater.org. All emailed comments received by 3:00 p.m. on the day of the meeting will be provided to the Board of Directors prior to the meeting. Please do not include personal information in your comment such as phone numbers and home addresses.

PARTICIPATION DURING THE MEETING:

In-person Attendee: Fill out a speaker card and place it next to the board secretary. List the number of the agenda item(s), for which you would like to provide a comment. Once you’re called, proceed to the lectern to make your comment.

Virtual Attendee: Click on the “raise hand” button on the bottom of the Zoom screen. If you are joining by phone and would like to comment, press *9 and staff will call on you by the last four digits of your phone number.

(Note: The board president may shorten the amount of time for public comment due to large numbers of both in-person and virtual attendees.)

AGENDA ITEMS	RECOMMENDATIONS
Call to Order and Roll Call*	
Adoption of Agenda	<i>Approve</i>
<p>Public Comment – Only on Item 1 (Board Room)</p> <p>Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.</p>	
<p>Convene to Closed Session (Mt. Tam Conference Room) (Only the Board of Directors and Staff will participate)</p>	
<p>Closed Session Item</p>	
<p>1. Public Employee Performance Evaluation (California Government Code Section § 54957)</p> <p>Title: General Manager/General Counsel</p>	
<p>Reconvene to Open Session at or after 6:30 p.m. (Board Room)</p>	
<p>Closed Session Report Out</p>	
<p>Public Comment - Items Not on the Agenda</p> <p>Members of the public may comment on any items not listed on the agenda during this time. Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.</p>	
<p>Directors’ and General Manager’s Announcements (6:40 p.m. – Time Approximate)</p>	
<p>Consent Calendar (6:45 p.m. – Time Approximate)</p> <p>All matters listed on the consent calendar are considered to be routine and will be enacted by a single action of the Board, unless specific items are removed from the consent calendar by the Board during adoption of the agenda for separate discussion and action.</p>	
<p>2. Minutes of the Board of Directors’ Special Meeting of March 14, Special Meeting of March 30, and Regular Meeting of April 4, 2023</p>	<i>Approve</i>

*MARIN WATER BOARD OF DIRECTORS ORDER OF ROLL CALL: JED SMITH, RANJIV KHUSH, LARRY RUSSELL, MATT SAMSON, AND MONTY SCHMITT

AGENDA ITEMS	RECOMMENDATIONS
3. General Manager’s Report March 2023	<i>Approve</i>
4. Clarifications to Board Handbook regarding Newly Elected Directors Time for Taking Office, Election of Board Officers and The Date for Adoption of the Board Calendar, and Adoption of Proposed Ordinance No. 463, to Change the Time for Election of Board Officers	<i>Approve</i>
5. Request to Fill Accounting Clerk III Position in the Administrative Services Division	<i>Approve</i>
6. Request to Fill Safety and Emergency Response Manager Position	<i>Approve</i>
Regular Calendar (6:50 p.m. – Time Approximate)	
7. Resolution to Approve Purchasing Valves and Fittings from Core and Main Company for the Bon Tempe Treatment Plant Backwash Line Project <i>(Approximate time 15 minutes)</i>	<i>Approve</i>
8. Bolsa Redwood Tank Removal Project <i>(Approximate time 15 minutes)</i>	<i>Information</i>
9. Water Infrastructure Finance & Innovation Act Loan <i>(Approximate time 15 minutes)</i>	<i>Information</i>
10. Water Supply and Water Shortage Contingency Level Update <i>(Approximate time 15 minutes)</i>	<i>Information</i>
11. Future Meeting Schedule and Agenda Items <i>(Approximate time 5 minutes)</i>	<i>Information</i>

CLOSED SESSION

Public Comment – Only on Item 12 (Board Room)

Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.

*MARIN WATER BOARD OF DIRECTORS ORDER OF ROLL CALL: JED SMITH, RANJIV KHUSH, LARRY RUSSELL, MATT SAMSON, AND MONTY SCHMITT

AGENDA ITEMS

RECOMMENDATIONS

Convene to Closed Session (*Mt. Tam Conference Room*)
(Only the Board of Directors and Staff will participate)

Closed Session Item

12. Conference with Labor Negotiator

(Government Code §54957.6)

Agency Designated Representative: Ben Horenstein, General Manager
Employee Organizations: Service Employees International Union, Local 1021;
Unrepresented Employees

Reconvene to Open Session (*Board Room*)

Closed Session Report Out

Adjournment (*9:00 p.m. – Time Approximate*)

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water’s policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact Board Secretary Terrie Gillen at 415.945.1448, at least two days in advance of the meeting. Advance notification will enable Marin Water to make reasonable arrangements to ensure accessibility.

INFORMATION AGENDAS ARE AVAILABLE FOR REVIEW AT THE CIVIC CENTER LIBRARY, CORTE MADERA LIBRARY, FAIRFAX LIBRARY, MILL VALLEY LIBRARY, MARIN WATER OFFICE, AND ON THE MARIN WATER WEBSITE (MARINWATER.ORG)

FUTURE BOARD MEETINGS:

Dates	Meetings
Friday, April 21, 2023 9:30 a.m.	<ul style="list-style-type: none"> Operations Committee/ Board of Directors (Operations) Meeting
Thursday, April 27, 2023 9:30 a.m.	<ul style="list-style-type: none"> Finance & Administration Committee/ Board of Directors (Finance & Administration) Meeting


Board Secretary

*MARIN WATER BOARD OF DIRECTORS ORDER OF ROLL CALL: JED SMITH, RANJIV KHUSH, LARRY RUSSELL, MATT SAMSON, AND MONTY SCHMITT



Approval Item

TITLE

Minutes of the Board of Directors’ Special Meeting of March 14, 2023, and Special Board Meeting of March 30, 2023

RECOMMENDATION

Approve the adoption of the minutes

SUMMARY

On March 14th, the Board of Directors held a Special Meeting, which addressed the District’s *Rate Setting Process Update*. The following week, the Board held a Special Meeting, which included one closed session item on March 30th. The minutes of both those meetings are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

1. Minutes of the Board of Directors’ Special Meeting of March 14, 2023 – Rate Setting Process Update
2. Minutes of the Board of Directors’ Special Meeting of March 30, 2023 – Closed Session

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Communications & Public Affairs Department		
	<p>Terrie Gillen Board Secretary</p>	<p>Ben Horenstein General Manager</p>

**MARIN MUNICIPAL WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

MINUTES

Tuesday, March 14, 2023

Held Virtually and at In-Person Locations

Marin Water, Board Room, 220 Nellen Avenue, Corte Madera, CA 94925, and
200 Martinique Avenue, Tiburon, CA 94920

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 5:00 p.m.

Directors Present: Ranjiv Khush, Larry Russell, Matt Samson, Jed Smith, and
Monty Schmitt

Directors Absent: None

ADOPT AGENDA

On motion made by Director Samson and seconded by Vice President Khush, the Board of Directors adopted the agenda.

Ayes: Directors Khush, Russell, Smith, Samson, and Schmitt

Noes: None

DISCUSSION ITEM:

1. Rate Setting Process Update

Finance Director Bret Uppendahl provided a review of the financial challenges and opportunities, why a rate setting increase was needed, and explaining the cost of service analysis (COSA). Consultants Douglas Dove and Erik Helgeson, with Bartle Wells Associates and who assisted the District in creating the COSA, were in attendance. Mr. Helgeson presented an overview of the rate study process, the District's financial plan, and proposed changes to the District's current rate structure and rates.

Finance Director Uppendahl concluded with how the public could access this information on the District's website and that the District would soon be mailing out written notice of the proposed rates in accordance with Proposition 218. The District will hold a public hearing on May 16, 2023 for the Board to consider adoption of the proposed rates.

During and after the presentations, the board was engaged in discussion with staff on the rate setting process and the proposed rates.

There were seven (7) public comments.

This was an information item. The board did not take any formal action.

ADJOURNMENT

There being no further business, the special meeting adjourned at 6:58 p.m.

Board Secretary

**MARIN MUNICIPAL WATER DISTRICT
SPECIAL MEETING OF THE BOARD OF DIRECTORS**

CLOSED SESSION MINUTES

Thursday, March 30, 2023

Held Virtually and at In-Person Locations

Marin Water, Board Room, 220 Nellen Avenue, Corte Madera, CA 94925 and
200 Martinique Avenue, Tiburon, CA 94920 for Open Session, and
Marin Water, General Manager's Conference Room, 220 Nellen Avenue, Corte Madera, CA
94925 for Closed Session

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 6:30 p.m.

Directors Present: Larry Russell, Jed Smith, and Monty Schmitt

Directors Absent: Ranjiv Khush and Matt Samson

(Note: Directors Ranjiv Khush and Matt Samson were not present. They had recused themselves from participating in the Closed Session.)

ADOPTION OF AGENDA

On motion made by Director Smith and seconded by Director Russell, the board adopted the agenda.

Ayes: Directors Russell, Smith, and Schmitt

Noes: None

Absent: Directors Khush and Samson

There were no public comments on the adoption of the agenda.

PUBLIC COMMENT – ONLY ON ITEM ON THE CLOSED SESSION

There were no public comments.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 6:31 p.m. at the General Manager's Office.

CLOSED SESSION ITEM

1. Conference with Legal Counsel – Existing Litigation

(California Government Code Section §54956.9)

Coalition of Sensible Taxpayers vs Marin Municipal Water District

Case No.: CIV 1903160

CONVENE TO OPEN SESSION

The board convened to Open Session at 6:52 p.m. in the Board Room.

CLOSED SESSION REPORT OUT

President Schmitt reported that there was no reportable action.

ADJOURNMENT

Without any further comments from the board or the public, the special meeting adjourned at 6:53 p.m.

Board Secretary

Approval Item

TITLE

General Manager's Report March 2023

RECOMMENDATION

Approve Report

SUMMARY**A. HIGHLIGHTS:**

- The daily average net production for the month of March 2023 was 14.0 MGD compared to 17.0 MGD for the month of March 2022. Typical usage for March is 18.3 MGD.
- The daily average flow from Sonoma County Water Agency for the month of March 2023 was 1.4 MGD compared to 11.0 MGD for the month of March 2022.
- The District procured a ground penetrating radar (GPR) unit to aid in the locating and depth verification of the Districts underground water mains. The use of this new technology will allow the District to save both time and money since the use of GPR is a non-destructive method that does not require cutting into the road to locate the water main and will not require pavement restoration to fix the pothole. Staff will be attending training in May on the use of this equipment.
- A notice of proposed water rate increases were mailed to each of the District's 60,000 customers in late March. The rates were informed by a Cost of Service Analysis, which outlined the District's financial needs and funding priorities over the next four years. A public hearing is scheduled for May 16th for the Board of Directors to consider the proposed increases to customer water service rates.
- Staff will be conducting a Budget Study Session during the Board meeting on May 2nd to review each Division's operating budget and the District's Capital Improvement Program (CIP).
- As a result of multiple main breaks along El Camino Dr., Paloma Dr. and Granada Dr. in the Town of Corte Madera, the District has reprioritized its capital pipeline projects and opened up a new pipeline replacement project within this area to replace the 1956 leak prone cast iron pipe. Staff have been coordinating with the Town of Corte Madera to install new water main in this area prior to the Town's road rehabilitation project. The new water main will provide a reliable and resilient water system to the residents in the area and will insure that the newly surfaced roads will not be compromised by and future water main breaks. This project is anticipated to be advertised later on this year in the winter and will replace approximately 7,200 linear feet of cast iron pipe.
- District staff is working closely with Marin County Open Space District (MCOSD) on a landslide within the Loma Alta Area near White Hill that is moving towards our 27-inch

water transmission main. District staff in collaboration with MCOSD have secured the site by covering the landslide with plastic sheets, hired geotechnical consultant to conduct soil borings and design a repair. District staff will be monitoring this landslide and have developed a contingency plan in the event that the landslide compromises our transmission main. District staff are working with MCOSD to develop and advertise a project bid package for the construction of the repair of the landslide.

- The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing over 1,830 analyses on lakes, treatment plants, and distribution system samples.
- Completed volumetric testing on the flowmeter at Ignacio Booster Pump Station. This test is performed annually to verify the accuracy of the Rosemont magnetic flowmeter at Ignacio Booster Pump Station. The testing this year indicated that the flowmeter is 99.3% accurate, which is within manufacturer specifications.
- Fisheries staff installed the Lagunitas Creek smolt trap, and began daily monitoring of ocean-bound juvenile salmon and steelhead that will continue through early June.
- The district continues to make progress toward FY23 acre targets in the Biodiversity Fire, & Fuels Integrated Plan. Specifically in March Watershed staff continue to coordinate advance Migratory Nesting Bird surveys for all planned vegetation work, including pile burns. March Fuelbreak maintenance was centered on the Southern Fuelbreaks above Mill Valley between Throckmorton and Fern Canyon. Broom pulling work continues around the Ross Reservoir Fuelbreak, and Porteous Ranger Residence. Additionally, a Broom project was completed adjacent to the Meadow Club golf course on the watershed.
- The California Conservation Corps completed another 10 day spike on the watershed. Project activities included manual removal of French broom, pile burning support and trail maintenance work.
- Slide was identified along Pine Mountain Fire Road. Site assessments are underway to determine options for repairing the road. No water infrastructure facilities are impacted by the slide.
- The District award a construction contract for the grant-funded portion of the Azalea Hill Trail Restoration Project. Work will start in early summer on the construction of a retaining wall near Bolinas Fairfax Rd.
- The District initiated annual Northern Spotted Owl survey work on the watershed to monitor population trends in occupancy and reproductive success. This work also informs project related avoidance areas on the watershed.
- The District was accepted as a host site for the 2023-24 Americorps Watershed Stewards Program, marking the 13th consecutive year of collaboration to benefit our fisheries and volunteer programs.
- The Volunteer Program had 20 participants go through the Watershed Ambassador-Foothill Yellow-Legged Frog Specialist training; these ambassadors then supported weekend shifts at Little Carson Falls.

Grant Program Tracking

PROJECT DETAILS						REQUIREMENTS	BUDGET	
OPPORTUNITY	FUNDER	FUNDER PRIORITIES	APPLICATION DATE	MATCHING PROJECT	DESCRIPTION	PREREQUISITE	FUNDS REQUESTED	MATCH REQUIREMENT %
OPEN APPLICATIONS							\$73,712,000	
Forest Health	CalFire	Wildfire Prevention	9/9/18	Fuels Reduction on Watershed	Continuing Forest Health projects with another 1000 acres	Vegetation plan, CEQA	\$7,000,000	30%
Local Water Supply Storage Projects	DWR	Water Supply	1/9/23	Task	Three projects: recycled water, local storage enhancement, and winter water conveyance	UWMP Compliance	\$53,000,000	50%
Desal Feasibility Study	USBR	Desalination	2/28/23	Task	Exploring new brackish desal in Petaluma	None	\$200,000	50%
Local Storage Supply Enhancement	USBR	Environmental + Water Supply	3/28/23	Task	Evaluating increasing storage locally	None	662,000	50%
Prop.1. Round 2 IRWM Disadvantaged Community	DWR	Water Infrastructure	12/1/22	Marin City/San Rafael Infrastructure	Replacing aging transmission lines and laterals in Marin City and San Rafael's Canal District	IRWM CC Approval	\$6,500,000.00	0
Forestry Corps	CCNB	Vegetation Management	Jan 2023	Ongoing Forestry work	Workforce development; state funding directly to CCNB to fund crews working on the watershed	None	\$500,000.00	0
Pre-application for Coastal Access Projects	State Coastal Conservancy	Recreation/Coastal Access	Dec. 2024	Trail work	Watershed trail improvements	None	\$5,850,000.00	0
UPCOMING OPPORTUNITIES (due within next 3 months)							\$723,000	
Hazard Mitigation Program	FEMA	Natural Hazards	Summer 2023	Treatment Plant Clarifiers	Funds to address seismic hazards in water treatment facilities	NOI APPROVAL	TBD	25%
Small Storage Program	USBR	Water Supply	Fall 2023	Phoenix Lake	Funding for new water supply projects	Approved Feasibility Study	TBD	6%
Fisheries Restoration Grant Program	CDFW	Fisheries	4/20/23	Lagunitas Creek Restoration	Funding for Phase II site design and CEQA	30% designs	\$723,000.00	5%
WaterSMART Aquatic Ecosystem Restoration	USBR	Fisheries	6/1/2023	Lagunitas Creek Restoration	Funding for fisheries program	Unknown	TBD	50%
LONG TERM OPPORTUNITIES (ongoing development)								
2024 Water Bond	State of CA	Water supply projects	Fall 2024	SWSA Water Supply Projects	Currently in Legislature	Voter approval; District participation	TBD	0
Water Resources Development Act	Army Corps of Engineers	Water supply projects	FY 2024	SWSA Water Supply Projects	Pursuing for No Regrets and regional projects	Authorization (secured 2022)	\$28,000,000.00	0

DISCUSSION

B. SUMMARY:

- AF = Acre Feet
- Mg/L = milligrams per liter
- MPN = most probable number
- MPY = mils per year
- MG = million gallons
- NTU = nephelometric turbidity units

1. Water Production:

	FY 2022/23		FY 2021/22	
	(million gallons)	(acre-feet)	(million gallons)	(acre-feet)
Potable				
Total production this FY	4,972	15,259	4,825	14,807
Monthly production, February	434	1,331	528	1,620
Daily average, February	13.99	42.93	17.03	52.26
Recycled				
Total production this FY	156.74	481.02	139.18	427.13
Monthly production, February	7.24	22.22	10.70	32.84
Daily average, February	0.23	0.72	0.35	1.06
Raw Water				
Total production this FY	42.81	131.38	27.62	84.76
Monthly production, February	0.00	0.00	0.68	2.09
Daily average, February	0.00	0.00	0.02	0.07
Imported Water				
Total imported this FY	977	2,999	1,827	5,608
Monthly imported, February	44	136	339	1,041
Reservoir Storage				
Total storage, December	25,927	79,566	23,651	72,583
Storage change during February	0	0	-640	-1,963
Stream Releases				
Total releases this FY	1,868	5,732	2,392	7,340
Monthly releases, February	54	165	625	1,917

2. <u>Precipitation:</u>	<u>FY 2022/23 (in.)</u>	<u>FY 2021/22 (in.)</u>
Alpine	56.96	42.67
Bon Tempe	55.07	40.47
Kent	53.34	41.08
Lagunitas *	72.70	45.09
Nicasio	45.07	26.31
Phoenix	64.93	46.91
Soulajule	45.27	29.25
* Average to date = 46.59 inches		

3. Water Quality:

<u>Laboratory:</u>	<u>FY 2022/23</u>	<u>FY 2021/22</u>
Water Quality Complaints:		
Month of Record	16	14
Fiscal Year to Date	121	115
Water Quality Information Phone Calls:		
Month of Record	10	17
Fiscal Year to Date	73	100

The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 1,830 analyses on lakes, treatment plants and distribution system samples.

Mild steel corrosion rates averaged 1.41 (0.24 – 3.22) MPY. The AWWA has recommended an operating level of <5 MPY with a goal of <1 MPY.

Complaint Flushing: No flushing events were performed for this month on record.

Tank Survey Program: 30 water storage tank sanitary surveys were performed during the month. 31.78 % planned survey program has been completed for calendar year 2023.

Disinfection Program: No new pipelines were disinfected during the month of March. Performed chlorination's on 6 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 16 water quality-monitoring events on storage tanks for various water quality parameters this month to help ensure compliance with bacteriological water quality regulations.

Summary:

The lab performed 30 sanitary tank surveys, treated 6 tanks for low chlorine, and check an additional 16 tanks for low chlorine residual in March 2023.

4. Water Treatment:

<u>Treatment Results</u>	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
	Average	Monthly Goal	Average	Monthly Goal	Average	Monthly Goal
Turbidity (NTU)	0.06	≤ 0.10	0.04	≤ 0.10	0.03	≤ 0.10
Chlorine residual (mg/L)	2.72	2.75 *	2.82	2.75 *	2.83	2.75 *
Color (units)	0.5	≤ 150.4	≤ 15	0.1	≤ 15	
pH (units)	7.8	7.8*	7.8	7.8*	8.0	8.1**

* Set monthly by Water Quality Lab

** pH to Ignacio is controlled by SCWA

5. Capital Improvement:

- a. San Geronimo Treatment Plant Permanent Emergency Generator Project (D19027)
Summary: This project involves the installation of emergency generators, electrical equipment, fuel storage tanks and site grading all within the community of Woodacre.
 - Project Budget: \$5,375,600

- Monthly Activities: Contractors have commissioned the full automation of the standby generators, including the integration with the District’s SCADA controls. The Contractor is finalizing the installation of a maintenance tie switch, which allows for complete isolation of this system for maintenance and equipment upgrades. Completion of the maintenance tie-switch is the only remaining work and is expected to be complete in April. Staff is preparing the project for closeout.
- b. Treehaven Pipeline Replacement Project (F21003): This project is a component of the District’s Fire Flow Improvement Program, and will replace nearly 8,000 linear feet of undersized fire flow deficient pipe as old as 95-years with 8-inch and 6-inch welded steel pipe.
- Project Budget: \$3,654,990
 - Monthly Activities: The District has issued Notice to Proceed and the Contractor has begun work. Mainline activities will be concentrated first on the western portion of the project along 5th Street and Sirard Lane.

6. Other:

<u>Pipeline Installation</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Pipe installed during March (feet)	113	3,514
Total pipe installed this fiscal year (feet)	8,196	20,260
Total miles of pipeline within the District	908*	908*

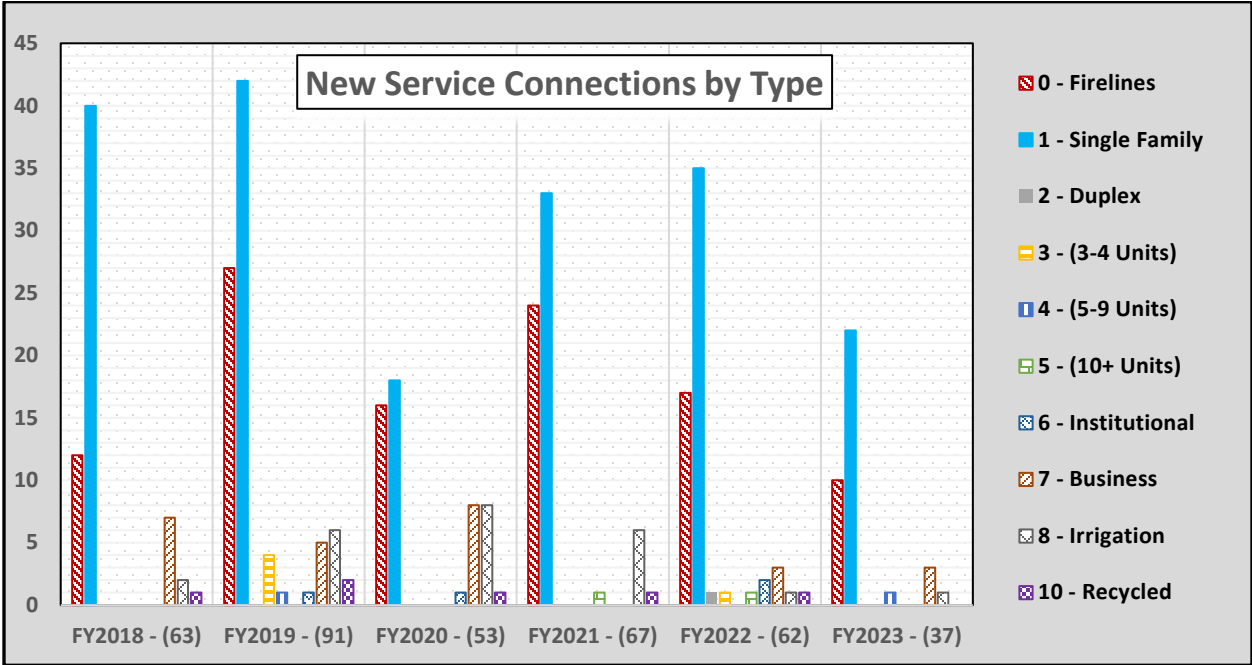
** Reflects adjustment for abandoned pipelines*

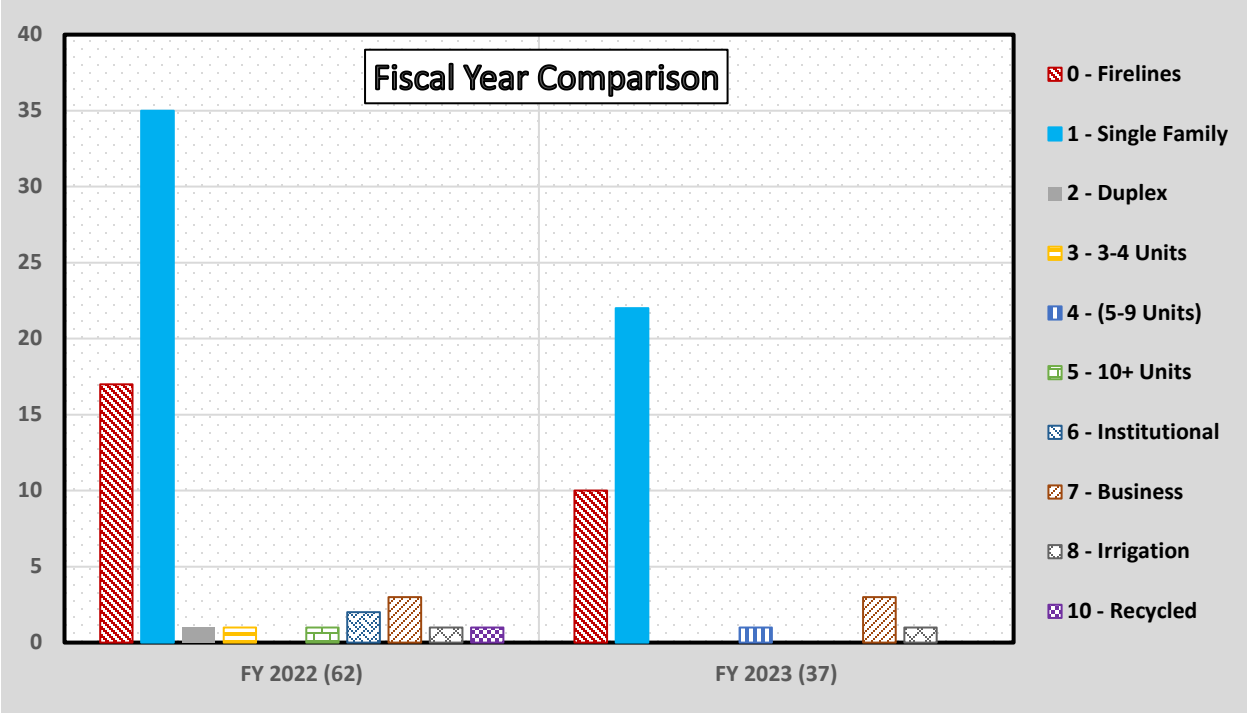
<u>Pipe Locates (1038 Responses)</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Month of March (feet)	18,625	25,789
Total this fiscal year (feet)	195,211	341,391

<u>Main Line Leaks Repaired:</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Month of March	8	6
Total this fiscal year	143	134

<u>Services:</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Service upgrades during March	9	30

Total service upgrades this FY	120	123
Service connections installed during March	0	1
Total active services as of April 1, 2023	61,874	61,802





7. Demand Management:

	Mar-23	FY 22/23 TOTAL	FY 21/22 TOTAL	FY 20/21 TOTAL
WATER-EFFICIENCY PROGRAMS				
Water-Use Site Surveys				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	6	246	731	117
Residential properties resi 3-5 (multi-family units)	0	2	7	5
Non-residential properties resi 6-7 (commercial)	0	2	1	5
Dedicated irrigation accounts resi 8-10 (large landscape)	0	0	3	6
Marin Master Gardeners' Marin-Friendly Garden Walks				0
Residential garden walks	0	52	100	129
Public Outreach and Education, Customer Service				
Public outreach events (number of people attending)	0	225	1602	0
Public education events (number of participants)	0	186	536	398
Customer calls/emails admin staff	217	3016	9508	5738
School Education				
School assemblies				0
Number of activities	0	0	0	0
Number of students reached	0	0	0	0
Field trips				0
Number of activities	3	7	0	0
Number of students reached	66	144	0	0
Classroom presentations				0
Number of activities	8	15	0	1
Number of students reached	285	471	0	22
Other (e.g. booth events, school gardens)				0
Number of activities	0	0	0	0
Number of students reached	0	0	0	0
Incentives				
Number of HECWs approved	7	69	190	163
Number of Rain Barrel/Cisterns approved	0	12	76	19
"Landscape Your Lawn" Turf Replacements approved	14	83	402	6
Number of Laundry-to-Landscape Systems approved	0	1	27	0
Hot water recirculating system rebates	3	26	122	0
Pool Cover rebates	4	22	298	0
HET rebates	2	14	92	0
Number of Smart Controllers rebates approved	0	25	69	85
Number of Smart Home Water Monitor "Flume Direct Distribution" redeemed	17	212	1568	1140
Number of Smart Controllers "Rachio Direct Distribution" approved	3	37	178	233
Advanced Metering Infrastructure (AMI)				
AMI leak letters sent to customers (>200 GPD)	55	889	1050	1601
ORDINANCES				
Water Waste Prevention				
Water Waste Reports Received	13	310	4451	589
Water Waste Notifications Sent	2	71	0	0
Landscape Plan Review				
Plans submitted	8	53	77	94
Plans exempt	1	4	1	4
Plans completed	0	13	17	19
Plans in workflow (pass & fail)	17	101	123	154
Tier 4 Exemption				
Inspections that resulted in a pass	0	0	1	1
Graywater Compliance Form				
Applications Received (as of Dec 2019)	3	72	57	106
Systems installed	0	12	13	7

8. Watershed Protection:

Storms Continue to Impact the Watershed

Several atmospheric rivers in March impacted the watershed. The ranger staff assisted MMWD maintenance staff and County DPW in keeping roads and trails open and safe. Several large landslides occurred and numerous trees blocked access and thoroughfares.



Ranger patrol truck at landslide on Bolinas-Fairfax Road

When the sun came out so did the visitors

When weather was good in March, the Watershed was busy with high levels of visitor use. This was especially true at the waterfall trails of Cataract and Carson Falls. Parking areas were often at or beyond capacity, resulting in blocked access and hazardous conditions. Especially on weekends large crowds on the waterfall trails were managed by the Rangers.



Illegally parked cars blocking emergency access at Azalea Hill

Medical Aid calls on the Watershed

Rangers responded to seven medical aid calls during March. The most serious was runner who suffered a head injury on Bald Hill Trail. Five of patients were transported to the hospital.

Incidents and Events	462
Warnings	134
Visitor Assists	103
Assist Watershed Maintenance	84
Citations	32
Dam Check	29
Misc Law Enforcement Calls	25
Fish and Game Checks	13
Medical Aid	7
Vandalism	6
Citizen Complaint: Illegal Motorcycle Use	5
Suspicious Circumstance	4
Assist Other Agency	4
Illegal Dumping	3
Assist Fire/EMS	3
Complaint: Illegal Bike Use	2
Parking at Capacity	2
Assist Other MMWD Work Group	1
Assist Outside Law Enforcement	1
Citizen Complaint: Vehicle Speed	1
Citizen Complaint: Bike Speed	1
Citizen Complaint: eBike	1
Found Property	1

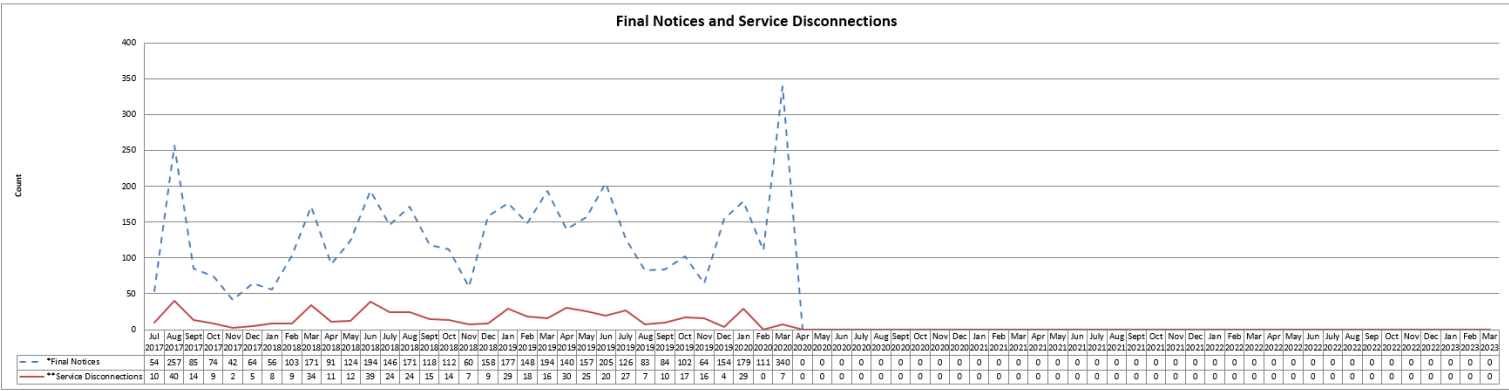
Citations	32
Non-Payment of Parking Fees	26
Obstruct Traffic/Parking within 6' of Center	1
Blocking Gate	2
Bike on Trail	2
Dog Off Leash	1



9. Shutoff Notices and Disconnections:

Month	Mar 2023
Final Notices	0
Service Disconnections	0

- * Includes 5 day, 10 day and final notices
- **3/13/20 Suspended termination of water service for non-payment due to COVID- 19
- *3/24/20 Suspended Late Fees and Final Notices




FISCAL IMPACT

None

ATTACHMENT(S)

None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Office of the General Manager	_____	
	Ben Horenstein General Manager	Ben Horenstein General Manager

Approval Item

TITLE

Clarifications to Board Handbook regarding Newly Elected Directors Time for Taking Office, Election of Board Officers and the Date for Adoption of the Board Calendar, and Adoption of Proposed Ordinance No. 463, to Change the Time for Election of Board Officers

RECOMMENDATION

Adopt changes to the Board Handbook to clarify the time for newly elected directors to take office, changing the time for election of Board officers following District elections and changing the date for adoption of the Board calendar, and adopt proposed Ordinance No. 463 changing the time for the election of Board officers following District elections, consistent with changes to the Board Handbook

SUMMARY

Staff is proposing certain changes to the District Code and the Board Handbook to (1) address inconsistencies in state law regarding when newly elected District Directors take office, (2) change the time for election of Board Officers following District elections to avoid a gap in seated officers, and (3) change the time for adoption of the Board calendar.

DISCUSSION

District Code section 2.20.010 and the Board Handbook, adopted as Board Policy No. 1, currently provide that Board officer elections will take place at the first meeting in January. The timing of the election of Board officers is incongruous with the impact of California Water Code section 71253, which provides that newly elected Board members should take office the first Friday in December succeeding their election.¹ Further complicating the timing of this law is the fact that the County elections officials are to certify the election results within thirty (30) days following the election, meaning that the first Friday in December may predate certification of the November election results. While there is little that can be done regarding state law, short of a legislative amendment to Municipal Water District Act, the Board can make changes to its code and policy to assure that there is an orderly process for transition following Board elections.

In order to address the disconnect between the Water Code and the certification of District Board elections, Staff suggests that the Board incorporate provisions into the Board Handbook

¹ This statute was revised in 2013 to move the taking office date from the first Monday in January, to the noon on the First Friday in December, after the adoption of District Code section 2.20.010.

providing that newly elected Directors will take office the first Friday in December following the election pursuant to Water Code section 71253, but not sooner than the certification of Board elections by the Registrar of Voters for Marin County. If the election certification is after the first Friday of December, then the new Directors should take office as soon thereafter as possible, but not later than the next meeting of the Board. Further, in order to not leave the Board without elected officers during a period of transition, the Board may amend the District Code, section 2.20.010 (and Board Handbook), which calls for election of a Board President and Vice President at the first meeting in January each year. This provision can be amended in line with the Water Code requirement to instead call for the election of officers at the first meeting of the Board following the newly elected Directors taking office, which may be at the same meeting as newly elected directors take office. Due to the holidays in December, there may be only one regular Board meeting. During non-election years, the board officer elections can continue at the first meeting in January.

Further, pursuant to the Board Handbook, the Board calendar is not required to be adopted until January 31 of each year, leaving one month of potential uncertainty for the Board, staff and the public as to the date and time of future Board and committee meetings. Amending the Board Handbook to call for adoption of the Board calendar by the end of December, but following any newly elected directors taking office, if applicable, will prompt staff to prepare a proposed calendar for Board consideration and allow the Board to have a calendar in place prior to the start of the new year. Further, the Board calendar can extend into January of the following year, to assure Board and Committee meeting dates are identified for staff, the Board and the public, in the event of any delay in adoption of the Board calendar.

These proposed changes have been drafted in a redline format to show changes to the Board Handbook. Proposed Ordinance No. 463, if adopted by the Board, would change section 2.20.010 of the District Code to provide that the election of Board Officers in any year following District elections, should take place at the first meeting of, or following, the newly elected directors taking office.

RECOMMENDATION: Adopt proposed changes to the District Code and the Board Handbook to clarify the date newly elected directors take office, set election of Board Officers for the first meeting following seating of newly elected directors following District elections, and set adoption of Board Calendar to occur prior to the beginning of the new year, but following any newly elected directors taking office.

FISCAL IMPACT

There is no anticipated financial impact associated with these actions.

ATTACHMENT(S)

- 1. Redline of the Board Handbook sections 2 and 3, showing proposed changes
- 2. Proposed Ordinance No. 463

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
General Counsel's Office	 Molly MacLean General Counsel	 Ben Horenstein General Manager

SECTION 2: Board Officers and Board Appointed Staff

Board Officers and General Board Duties

Newly Elected Directors Time of Taking Office

Pursuant to the California Water Code section 71253, newly elected directors shall take office at noon on the first Friday in December succeeding their election. If the election results have not yet been certified by the Marin County Elections officers by the first Friday in December, however, then the newly elected directors shall take office as soon as possible thereafter but not later than the next meeting of the Board following certification of the election results.

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Appointment of Officers and Duties

At its first meeting in January of each year theThe Board elects one of its members President and one of its members Vice President each year. The election of Board Officers shall take place at the first meeting in January following a non-election year, and at the first meeting of the Board at or after the newly elected directors take office following November District elections. The Board President and Vice President have no additional powers beyond those of any other Board member except that all committees of the Board are appointed by the President, with the advice and consent of other Board members.

The following are the responsibilities of the Board President:

- Serve as presiding officer of all Board meetings and maintain proper and appropriate parliamentary procedure (Robert's Rules of Order) and agenda management (e.g. ensure that actions are taken with proper motions and seconds);
- Run effective and efficient Board meetings and keep the Board discussions focused on agenda items to steadfastly move the Board toward making decisions true to its proper role and responsibility;
- Maintain proper conduct at Board meetings and diplomatically facilitate appropriate public participation in the activities of the Board in accordance with the Brown Act, while managing time and avoiding diversions from the agenda or disruptions in conducting District business;
- Allow other Board members to complete their comments on an item before offering his or her own;
- Vote, discuss, and make motions the same as other Board members; however, the President only makes motions and seconds when other Board members are reluctant to do so;
- Sign various Board-approved documents, including every original ordinance and resolution passed and adopted by the Board; and
- Act as the official representative of the District for ceremonial purposes, unless unavailable or delegated to another Board member or the General Manager.

The Vice President exercises the powers and responsibilities of the President in his or her absence.

SECTION 3: Board Meetings

Scheduling Meetings

Regular Meetings

The principal type of meeting at which District business is conducted is at a regular bi-monthly meeting of the Board. Regular bi-monthly meetings of the Board of Directors will be held the first and third Tuesdays of each month, to begin at or after 5p.m., but normally at ⁷6:30p.m., in the boardroom located at the District office (220 Nellen Avenue, Corte Madera, California) unless otherwise stated in a Board adopted calendar for the upcoming year, ~~prior to January 31st of each year.~~ The Board will endeavor to adopt a Board calendar for the upcoming calendar year prior to December 31st, but not sooner than the seating of any newly elected Directors elected in the November election. The Board Calendar will include the calendar of regular Board and committee meetings for January into the following calendar year.

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Meeting notices and agendas for regular meetings are posted online at marinwater.org, and physically posted at the District office in Corte Madera, and at the Corte Madera, Fairfax, Mill Valley and San Rafael Civic Center public libraries on the Friday (at least 72 hours) before each meeting. Reports and other materials related to the agenda items are posted on the District's website and hard copies are available for review at the District office.

DRAFT

MARIN MUNICIPAL WATER DISTRICT

ORDINANCE NO. 463

AN ORDINANCE AMENDING CHAPTER 2.20 ENTITLED “PRESIDENT AND VICE PRESIDENT OF BOARD OF DIRECTORS” OF TITLE 2 OF THE MARIN MUNICIPAL WATER DISTRICT CODE ENTITLED “OFFICERS AND ADMINISTRATION”

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT AS FOLLOWS:

SECTION 1. Purpose: The Board of Directors (Board) seeks to clarify the time for election of Board officers in years following District elections to assure an orderly transition of the officers and avoid a gap during which the Board would have no duly elected officers, which might occur in a year following District elections.

SECTION 2. Section 2.20.010, of the Marin Municipal Water District Code entitled “President and Vice President of Board of Directors” is hereby deleted in its entirety and replaced as follows:

“The Board shall elect one of its members as President and one of its members as Vice President of the Board each year. The election of Board officers shall take place at the first meeting in January following a non-election year, and at the first meeting of the Board at or after the newly elected directors take office following District elections in November.”

SECTION 3. Findings of Necessity: The Board of Directors finds as follows:

1. The timing of the election of Board officers is incongruous with the impact of California Water Code section 71253, which provides that newly elected Board members should take office the first Friday in December succeeding their election.
2. If newly elected directors take office in early December, the Board may experience a gap in service among Board officers.
3. Changing the timing of the election of Board officers following District elections will assure a smooth transition on the Board following District elections.

SECTION 4. Environmental Determination: This ordinance has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based upon the above findings and purposes of this ordinance, it can be found that pursuant to CEQA Guidelines section 15378(b)(5) it is not a project.

SECTION 5. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 6. Effective Date: This ordinance shall be effective on the thirtieth (30th) day following its adoption.

PASSED AND ADOPTED this 18th day of April, 2023, by the following vote of the Board:

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Secretary, Board of Directors



Approval Item

TITLE

Approval to Fill the Accounting Clerk III in the Administrative Services Division

RECOMMENDATION

Authorize the General Manager to recruit and hire one Accounting Clerk III in the Administrative Services Division

SUMMARY

The Accounting Clerk III position reports to the Accounting Supervisor within the Accounting department in the Administrative Services division. The position is the advanced journey level position within the Accounting Clerk class series and performs a full range of account clerk duties in an accounting office setting. Primary duties include accounting, accounts payable, and accounts receivable functions. Additional functions include backfilling the purchasing and the payroll functions, as needed. Filling this position does not add to the District’s overall FTE count.

FISCAL IMPACT

This is a budgeted position within the Administrative Services Division and will not increase the overall number of full time employees. The total annual salary with benefits for the Accounting Clerk III position ranges from \$97,489 to \$117,316 and sufficient funding is available within the FY 2022-23 budget.

ATTACHMENT(S)

None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Administrative Services	 Bret Uppendahl Finance Director/Treasurer	 Ben Horenstein General Manager



Approval Item

TITLE

Approval to Fill the Safety and Emergency Response Manager Position in the Water Resources Division

RECOMMENDATION

Authorize the General Manager to recruit and hire one Safety and Emergency Response Manager Division

SUMMARY



The Safety and Emergency Response Manager position reports to the Director of Water Resources and is responsible for the management, administration and coordination of the District's health, safety and emergency management programs to assure an effective and coordinated response to emergency events and to protect District staff from exposure to hazardous or unsafe conditions. Filling this position does not add to the District's overall FTE count.

FISCAL IMPACT

This is a budgeted position within the Water Resources Division and will not increase the overall number of full time employees. The total step 5 annual salary with benefits for the position \$222,750.

ATTACHMENT(S)

None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources	 _____ Paul Sellier	 _____ Ben Horenstein
	Water Resources Director	General Manager

Approval Item

TITLE

Purchase of Valves and Fittings for the Bon Tempe Treatment Plant Backwash Line Project from Core and Main Company

RECOMMENDATION

Approve a resolution authorizing the General Manager to execute materials purchase with Core and Main Company in the amount of \$163,282.00

SUMMARY

The Bon Tempe backwash pipeline is a vital component of the Bon Tempe Treatment Plant operations. During routine maintenance, the 24-inch backwash pipeline and backwash tank valve were found to be damaged and no longer provided isolation within the system. Staff determined that the best approach would be to replace the failed backwash pipeline and tank valves. In order to have a project advertised for the construction and installation of the valves, staff needs to procure materials for this project.

District staff requested quotes from various vendors for replacement valves and appurtenances to construct this project. The District received three quotes and the lowest responsive and responsible quote was provided by Core and Main Company at their quoted amount of \$163,282.00. The cost of this materials purchase requires Board approval per District Code 2.90.120. Once these materials are purchased and received, staff can continue with project advertisement at a future date.

DISCUSSION

The Bon Tempe Treatment Plant relies heavily on its backwash line and backwash tank, which play crucial roles in the treatment process. The backwash line is responsible for conveying water during the essential backwash process, which removes debris and particles from the filters, thereby ensuring the quality of the water produced by the treatment plant.

Unfortunately, a section of the backwash line has experienced multiple leaks, causing significant disruptions to the backwash process and overall plant operation. To address this issue, staff propose replacing and relocating the current throttle control valve in the backwash gallery, which has contributed to the corrosion of this section of the backwash line due to cavitation. The new valve will be installed in a vault in the parking lot for easier maintenance, and an isolation butterfly will be installed downstream of the new throttle control valve to provide greater redundancy in the system and facilitate filter maintenance. Additionally, the current valve in the backwash tank does not provide a tight seal, which is essential to ensure isolation for system maintenance. To ensure a tight seal, a new butterfly valve will be installed

in the tank, enabling isolation during the backwash process and ensuring the success of this project and future maintenance of the filters.

The procurement of materials encompasses a 24-inch actuated butterfly valve as well as two non-actuated valves, serving the purpose of regulating flow at the treatment plant during backwashing and enabling isolation of the backwash tank for maintenance work. In addition, seismic joints will be acquired and fitted at the waterline of the housing that provides water for occupational needs at the treatment plant. A further seismic joint will be installed at the backwash tank to reinforce the earthquake-resistant capabilities of the Bon Tempe Treatment Plant.

District staff issued a request for quotes on March 10, 2023 and received three on March 21, 2023. The lowest responsive and responsible quote was provided by Core and Main Company at their quoted amount of \$163,282.00. The materials under this quote have a lead-times of 35 weeks. Once the purchase has been executed and the materials received by the District, staff can then advertise a publicly bid project for the construction and installation of these valves and appurtenances at the Bon Tempe Treatment Plant. The replacement and installation of this equipment will ensure proper function of the Bon Tempe Treatment Plant and provide added seismic reliability.

Budget:

Materials Purchase: \$163,282.00
Budget Category: A1A04

Project Implementation:

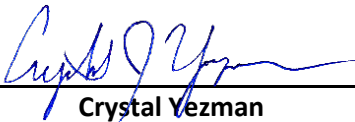
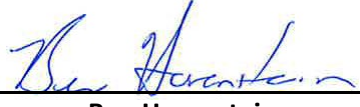
Request For Quote: March 10, 2023
Quotes Received: March 21, 2023
Award Date: April, 18, 2023
Estimated Delivery Date: December 5, 2023
Duration: 35 Weeks

FISCAL IMPACT

The total cost for purchasing of the parts for the Bon Tempe Backwash Line is \$163,282.00. The District has sufficient funds budgeted in FY 2023 Capital Project D-23008 - Fund center A1A04- Fund 20 to charge the material for this project.

ATTACHMENT(S)

1. Proposed Resolution approving purchase

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Engineering	 Crystal Yezman Director of Engineering	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
AWARDING PROCUREMENT OF MATERIALS FROM CORE AND MAIN COMPANY**

WHEREAS, the District requested quotes on March 10, 2023 for the procurement of one actuated 24-inch butterfly valve, two 24-inch non-actuated butterfly valves, one 24-inch seismic isolation joint, and one 8-inch seismic isolation joint (Valve Procurement); and

WHEREAS, the quote of \$163,282.00 from Core and Main Company was the lowest responsive quote received by the District; and

WHEREAS, the purchased materials will be used by the District on the upcoming Bon Tempe Treatment Plant Backwash Line Project Capital Improvement Program (CIP).

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid from Core and Main Company is the lowest responsive quote for the Valve Procurement in the amount \$163,282.00.
2. The General Manager is hereby authorized and directed to execute a purchase contract on behalf of the District for the Valve Procurement with Core and Main Company.
3. Upon complete execution of said purchase contract, all other quotes are to be rejected.

PASSED AND ADOPTED this 18th day of April, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Informational Item

TO: Board of Directors

FROM: Crystal Yezman, Director of Engineering *CY*

THROUGH: Ben Horenstein, General Manager *BH*

DIVISION NAME: Engineering

ITEM: Bolsa Tank Removal Project (D16006)

SUMMARY

The Bolsa Tank Removal Project (Project) will install approximately 90 feet of new pipe and a pressure regulator station in order to permanently decommission and remove the 45-year-old, 200,000-gallon leak prone redwood Bolsa Tank located in the City of Mill Valley. District staff will make a recommendation for contract award at a future regularly scheduled Board meeting.

DISCUSSION

The Bolsa Tank Removal Project is a component of the District’s Capital Improvement Program. This Project will install 90 feet of 6-inch pipe along with a new pressure regulator valve to permanently decommission and remove the 45-year-old, 200,000-gallon leak prone redwood Bolsa Tank located in the City of Mill Valley. The Project will take place in the locations described in Table 1 and shown on the map provided in Attachment 1.

**Table 1
Pipeline Replacement Locations**

Street	Length	Size & Type
Bolsa Tank	30 ft	6-inch WSP
Hill Side Avenue	60 ft	6-inch WSP

wsp – welded steel pipe

This street segment was evaluated for the installation of recycled water piping. The closest wastewater treatment plant, Mill Valley Sewage Treatment Plant operated by the Sewerage Agency of Southern Marin (SASM), is located approximately 2.1 miles away in Mill Valley. The recommended recycled water expansion project from the 2014 SASM/MMWD Recycled Water Feasibility Study does not bring recycled water near this project area, so installing recycled water piping alongside this pipeline project is not recommended.

Summaries of the estimated Project costs and schedule are provided below.

Budget:

Engineer's Estimate:	\$137,000
10% Contingency:	\$14,000
Materials and Professional Fees:	\$30,000
District Labor/Inspection:	\$60,000
Total Budget:	\$241,000
Budget Category:	A1A11

Project Implementation:

Project Advertisement:	May 2, 2023
Bid Opening:	May 16, 2023
Project Award:	June 6, 2023
Estimated Completion Date:	August 15, 2023
Duration:	70 days

ENVIRONMENTAL REVIEW

Staff has reviewed the Project pursuant to the California Environmental Quality Act (CEQA) and has found that the Project is statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.21 inasmuch as the project involves the installation of less than one mile of new pipeline within a public street. The Project is also eligible for a Categorical Exemption pursuant to CEQA Guidelines Section 15302(c), Replacement or Reconstruction. The Project qualifies for exemption pursuant to Section 15302(c) inasmuch as it is the replacement of existing water storage tank with a pipeline involving negligible or no expansion of capacity.

PUBLIC OUTREACH EFFORTS

The District's multi-step process for notifying customers about this Project began in March 2023 when District staff sent out Project Information letter with a map to all customers along the Project route. Public outreach steps to be taken are described in the table below.

Department	Action
Engineering	Upon approval of the contract by the Board, send Project information letter with a map to all customers along the Project route.
Public Information	Issue news release to local media (print and online outlets).
Public Information	Post on MMWD website.
Public Information	Post on MMWD Nextdoor page for affected neighborhoods.
Public Information	Send notice to City of Mill Valley for posting on their website.
Engineering	Provide signage at Project site throughout construction period.

FISCAL IMPACT

The total cost to complete the Bolsa Tank Removal Project is estimated at \$241,000.

ATTACHMENT(S)

1. Site Map

BOLSA TANK REPLACEMENT PROJECT

REMOVE EXISTING REDWOOD TANK

PIPELINE REPLACEMENT

PIPELINE REPLACEMENT

INSTALL PRESSURE REGULATOR STATION



www.marinwater.org
(415) 945-1455
contactus@marinwater.org

0 12.525 50 US Feet





Informational Item

TO: Board of Directors

FROM: Crystal Yezman, Director of Engineering

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Engineering

ITEM: Water Infrastructure Finance and Innovation Act Loan

SUMMARY

On April 19, 2022, the Board approved Resolution No. 8693 authorizing the General Manager to submit an application for a United States Environmental Protection Agency (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) loan for the Pine Mountain Tunnel Tank Replacement Project and to act as the District representative to negotiate and execute, on behalf of the District, a WIFIA loan agreement, associated documents and any amendments thereto setting forth the USEPA's terms and conditions of funding and any other contracts necessary to comply with the WIFIA loan requirements. Staff will update the Board on the current status and next steps regarding the WIFIA loan application and financial impact.

DISCUSSION

On July 23, 2021, staff submitted a letter of interest for a low-interest federal loan to the United States Environmental Protection Agency's (USEPA) Water Infrastructure Finance and Innovation Act (WIFIA) program. On October 26, 2021, the District received formal notification from the USEPA that the Pine Mountain Tunnel Project had been selected as eligible to submit an application for a loan for up to \$10,829,000 or not to exceed 49 percent of total eligible project costs. The USEPA offers WIFIA loans specifically for large capital projects to water agencies in the United States. WIFIA loans are capped at a maximum of 49% of a project's total cost, and are allowed for terms of up to 35 years for repayment. The WIFIA program was created to accelerate investments in water infrastructure of national and regional significance and is administered by the USEPA.

At the December 14, 2021 Board of Directors meeting, the Board adopted the Final Initial Study/Mitigated Negative Declaration for the Pine Mountain Tunnel Tanks Replacement Project and approved the Project. The Pine Mountain Tunnel is an 8,700-foot long tunnel built in 1919 to convey and treat water from Alpine Lake to San Rafael and the Ross Valley, now known as the Ross Valley System, which is comprised of 44,000 District customers or roughly 23% of the District's service area. Due to regulatory constraints, the District abandoned the tunnel as a conveyance system in 1971, but retained the tunnel to provide storage (approximately 3 million

gallons) and surge protection. As part of the District's Water System Master Plan, the District conducted a focused evaluation of the storage needed to replace Pine Mountain Tunnel and designed two 2-million-gallon (MG) storage tanks to replace the storage capacity of the tunnel and cease use of the tunnel as a storage facility.

The Project aligns with the WIFIA program priorities to enhance drinking water system resiliency through replacing aging water distribution infrastructure. The major benefit of a WIFIA loan is its competitive rate. A WIFIA loan's fixed interest rate is set at the closing of the loan, and is based on US Treasury (SLGS) rates for the weighted average life of the loan. The Pine Mountain Tunnel Tank Replacement Project, with an estimated total project cost of \$21 million, is being proposed as a candidate for federal WIFIA loan financing. The WIFIA loan will cover 49% of the project costs and the District will be required to cover the remaining 51%.

On April 19, 2022, the Board approved Resolution No, 8693 authorizing the General Manager to submit an application for a USEPA WIFIA loan for the Pine Mountain Tunnel Tank Replacement Project and act as the District representative to negotiate and execute on its behalf a WIFIA loan agreement, associated documents and any amendments thereto setting forth the USEPA's terms and conditions of funding and any other contracts necessary to comply with the WIFIA loan requirements.

Prior to submitting the full WIFIA loan application to the USEPA, the District took time to pursue a Hazard Mitigation Grant for Pine Mountain Tunnel. On February 16, 2023, the District received notification from CalOES that its application for the grant had not been selected to move forward to FEMA for funding.

Next steps for the WIFIA loan include submission of a full application, negotiation of terms and conditions, and confirmation of the project's compliance with Federal requirements, including the National Environmental Protection Act (NEPA), American Iron and Steel requirements, Flood Plain Management Standards, and the Davis-Bacon Wage Act.

WIFIA loans are typically the lowest-cost financing option for public agencies and they also offer additional flexibility with respect to payment terms. At the currently estimated rate of 4.75% for a 30-year bond issued by the District, bond financing of \$10,829,000 could end up costing the District \$20.5 million over its 30-year term. By comparison, a WIFIA loan enables the District to borrow at lower rates which reduces the total financing costs. Assuming a rate of 3.50% at closing (based on the current 30 year treasury rate), the WIFIA loan would end up costing the District approximately \$17.6 million over a 30-year term, a savings of nearly \$2.9 million, or \$96,000 annually, compared to a bond-financed project.

Currently the District plans to use cash funding of \$4 million dollars in fiscal year 23/24 and \$5 million dollars per year over the subsequent four years for the Pine Mountain Tunnel Replacement Project funding. The WIFIA loan would free up approximately \$10 million dollars over the next five years to allow for additional critical water infrastructure projects to move

forward. Potential additional projects could include the design of the replacement of Ross Reservoir, replacement of an additional section of the North Marin Line from White's Hill to Smith Saddle Tank, and the replacement of the San Anselmo Hub regulator.

FISCAL IMPACT

Debt service capacity and debt coverage ratios are additional factors to consider when planning for long term financing. The District's current policy limits total outstanding debt to four times the annual operating budget. Based on the current FY 2022-23 operating budget of \$92.2 million, the maximum debt the District could hold is \$368.7 million. The current outstanding debt held by the district is \$149.4 million, therefore the District currently has a remaining debt capacity of \$219 million. Utilizing the WFIA loan to finance the Pine Mountain Tunnel Replacement Project would reduce the remaining debt capacity to approximately \$208 million. However, it is expected the debt capacity will steadily increase over the next four years as annual inflation and targeted operating enhancements will increase the operating budget while scheduled debt service payments will reduce the District's outstanding debt. By 2027, it is expected that the District will have a debt capacity of approximately \$330 million. Finally, the annual debt service of for the WFIA loan would be approximately \$590,000, which will increase the District's annual debt service expenditures to \$10.1 million, but will not materially impact the District's debt service coverage ratio.

ATTACHMENT(S)

1. WFIA Selection Notification Letter
2. WFIA Loan Resolution No. 8693

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

WASHINGTON, D.C. 20460

October 26, 2021

Mr. Matt Sagues
Grant and Legislative Program Coordinator
Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925

Subject: Marin Municipal Water District Selection Notification

Dear Mr. Sagues,

Thank you for submitting your Water Infrastructure Finance and Innovation Act (WIFIA) letter of interest for the FY 2021 Selection Round. We have reviewed these materials and are very pleased to inform you that the Marin Water Project has been selected to submit an application for a loan for up to \$10,829,000 or not to exceed 49 percent of total eligible project costs.

We will soon be reaching out to you to schedule an initial pre-application meeting to discuss the WIFIA underwriting process in greater detail. Jim Gebhardt will be the primary point of contact for this transaction and is available by e-mail at gebhardt.jim@epa.gov or by phone at 202-734-1607 to answer any immediate questions you may have.

In addition, the WIFIA program will be hosting a webinar for all selected prospective borrowers to provide an overview of the WIFIA application process and walk through the [application form](#) on December 7th at 2:00 pm EST. We encourage your participation and will send you a meeting invitation with more details soon. Please forward it to all members of your team, including contractors, who will have a role in the WIFIA application process.

Once we receive your complete application, the WIFIA team will commence underwriting your transaction. Receipt of a WIFIA loan remains subject to negotiation of an agreement on terms and conditions satisfactory to the Agency as well as the project's compliance with Federal requirements, including the National Environmental Protection Act (NEPA), American Iron and Steel requirements, Flood Plain Management Standards, and the Davis-Bacon Wage Act. Selected prospective borrowers may request to increase their loan amount during the application process. Loan increase requests will be reviewed on a case-by-case basis and are subject to the availability of funding.

You stated in your letter of interest that you will be ready to submit your application by November 15, 2021. We expect to receive your application as close to that date as possible. If timing for your application and/or project construction has changed, please notify your underwriter as soon as possible.

EPA is planning its announcement of the FY 2021 selections and will coordinate with your organization on this press release. Until then, the announcement of the selection of your project for a WIFIA loan is embargoed. Please do not share this information externally. If you have questions regarding communicating your selection or would like to coordinate your announcement with EPA, please contact Karen Fligger at fligger.karen@epa.gov or 202-564-2992.

We look forward to working with you on this project.

Sincerely,

A handwritten signature in black ink, appearing to read "Jorianne Jernberg". The signature is written in a cursive style with a large initial "J".

Jorianne Jernberg
Director, WIFIA Program

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO. 8693

**RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
AUTHORIZING SUBMITTAL OF AN APPLICATION FOR A WATER INFRASTRUCTURE
FINANCE AND INNOVATION ACT LOAN WITH UNITED STATES ENVIRONMENTAL
PROTECTION AGENCY**

WHEREAS, the federal Water Resources Reform and Development Act of 2014 established the United States Environmental Protection Agency's ("USEPA") Water Infrastructure Finance and Innovation Act (WIFIA) program, and authorized the USEPA to award grants to promote development of and private investment in water infrastructure projects; and

WHEREAS, the USEPA has solicited applications for its 2021/2022 cycle of WIFIA program funding, and invited Marin Water to submit a full application for funding; and

WHEREAS, Marin Water intends to carry out the **Pine Mountain Tunnel Tanks Project** ("the Project"), for which it has applied to the USEPA for a loan in the amount of \$10, 829,000; and

WHEREAS, the full application for the USEPA loan requires an application fee of \$100,000, which, if the loan is completed, will be used toward project costs.

WHEREAS, if the USEPA authorizes a loan for the Project, the USEPA will require Marin Water to enter into an agreement setting forth terms and conditions of WIFIA funding.

NOW, THEREFORE, BE IT RESOLVED, that the Board hereby:

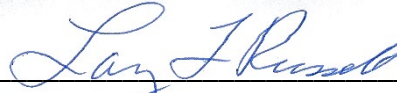
1. Approves the filing of a full WIFIA program loan application and payment of the \$100,000 application fee for the Pine Mountain Tunnel Tanks Project, and
2. Authorizes the General Manager to act as the District representative and to negotiate and execute on its behalf a WIFIA loan agreement, associated documents and any amendments thereto setting forth the USEPA's terms and conditions of funding and any other contracts necessary to comply with the WIFIA loan requirements.

PASSED AND ADOPTED this 19th day of April, 2022, by the following vote of the Board of Directors.

AYES: Directors Jack Gibson, Cynthia Koehler, Monty Schmitt, Larry Bragman, and Larry Russell

NOES: None

ABSENT: None



Larry L. Russell
President, Board of Directors

ATTEST:



Terrie Gillen
Board Secretary



Item Number: 10
Meeting Date: 04-18-2023
Meeting: Board of Directors

Informational Item

TO: Board of Directors

FROM: Paul Sellier, Water Resources Director

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Water Resources

ITEM: Water Supply and Water Shortage Contingency Level Update

SUMMARY

Overall, local reservoir storage is 100% of capacity and both Lake Sonoma and Lake Mendocino are above the water supply storage pool. The favorable water supply conditions will allow the District to provide water for both potable needs and environmental releases in the coming year. Storage level projections indicate that, with average rainfall and runoff, the reservoirs will be at or near capacity on April 1, 2024. In addition to discussing the water supply conditions, staff will provide the board a review and update on the recent changes announced by the state with respect to water shortage contingency levels. The favorable water supply conditions and changes the state has recently made would place the District in a normal year with respect to water shortage stages.

FISCAL IMPACT

None

ATTACHMENT(S)

None



Informational Item

TO: Board of Directors

FROM: Terrie Gillen, Board Secretary

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Communications & Public Affairs Department

ITEM: Future Meeting Schedule and Agenda Items

SUMMARY

Review of the upcoming Board of Directors and Committee meetings

DISCUSSION

Meeting Schedule

Below are the upcoming meetings of the Board of Directors and/or Committees:

Internal Meetings

- Friday, April 21, 2023
Operations Committee/
Board of Directors (Operations) Meeting
9:30 a.m.
- Thursday, April 27, 2023
Finance & Administration Committee/
Board of Directors (Finance & Administration) Meeting
9:30 a.m.
- Tuesday, May 2, 2023
Board of Directors' Regular Bi-Monthly Meeting and
Budget Study Session
(Tentative: Closed Session Before Open Session)
6:30 p.m.

External Meetings

- Thursday, April 20, 2023
Tomales Bay Foundation Monthly Board Meeting
Zoom and at the Jack Mason Museum, which is at the Iverness Library (The Gables)
3 p.m.
- Monday, May 1, 2023
Sonoma Water Advisory Committee & Technical Advisory Committee (Sonoma
WAC/TAC)
Location: 35 Stony Point Road, Santa Rosa
9 a.m.
- Friday, May 5, 2023
North Bay Watershed Association
Location: TBD (Maybe Field Trip?)
9:30 a.m.

FISCAL IMPACT

None

ATTACHMENT(S)

None