

**MARIN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS**

MEETING MINUTES

Tuesday, April 4, 2023

Via Virtually and In-Person

Open Session Location: Marin Water, Board Room, 220 Nellen Avenue, Corte Madera, CA
94925

Closed Session Location: Marin Water, Mt. Tam Conference Room, 220 Nellen Avenue
Corte Madera, California 94925

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 6:00 p.m. in the Board Room.

Directors Present: Matt Samson, Ranjiv Khush, and Monty Schmitt

Directors Absent: Larry Russell and Jed Smith

ADOPTION OF AGENDA

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

Ayes: Directors Samson, Khush, and Schmitt

Noes: None

Absent: Directors Russell and Smith

There were no public comments on the *Adoption of the Agenda*.

PUBLIC COMMENT – ONLY ON ITEM ON THE CLOSED SESSION

Director Russell arrived at 6:01 p.m.

There were no public comments on the Closed Session item.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 6:01 p.m. and went to the Mt. Tam Conference Room.

CLOSED SESSION ITEM

1. Conference with Real Property Negotiators

(Government Code §54956.8)

Agency Negotiator: Ben Horenstein, General Manager
Negotiating Party: PG&E
Property: APN 197-120-10 (Lease 15)
Under Negotiation: Price and Terms

CONVENE TO OPEN SESSION

Director Smith arrived during the closed session. At 6:25 p.m., the Board adjourned the closed session.

President Schmitt reconvened the Open Session at 6:30 p.m.

CLOSED SESSION REPORT OUT

President Schmitt announced that the Closed Session adjourned at 6:24 p.m. and there were no reportable actions taken.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There were eight (8) comments from the public.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- Director Smith reported that he attended the Sonoma Water Advisory Committee (WAC) meeting with Director Russell and Water Resources Manager Paul Sellier, provided a report on what took place at the Finance & Administration Committee Meeting, and mentioned that he visited the watershed with staff to see the spotted owls.
- Vice President Khush thanked staff for the informative notice of public hearing of the proposed increases to the water rates. He reported that he had received compliments from the public on the mailers.
- Director Samson concurred with Vice President Khush. He also acknowledged the educational staff at the watershed for the work they do for students to connect the youth to the watershed.
- President Schmitt added his appreciation of the watershed and its importance.

- General Manager Ben Horenstein addressed some concerns that had been expressed by members of the public regarding the use of pesticides and herbicides on the watershed stating the District doesn't use pesticides or herbicides on the watershed and there are no plans to revisit this practice. On another matter, he announced that there would be a budget study session at the next regular Board meeting on May 2nd.

CONSENT CALENDAR (ITEMS 2-8)

- Item 2** Minutes of the Board of Directors' Special Meeting of March 14, 2023 and Regular Meeting of March 21, 2023
- Item 3** Resolution Awarding Contract No. 1992 to Advanced Geotechniques Inc. for the Azalea Hill Trail Retaining Wall Project (Resolution No. 8740)
- Item 4** Adopt Positions on State Senate Bill 23 (Caballero) & Assembly Bill 30 (Ward)
- Item 5** Update Board Reserve and ADA Grievance Policies
- Item 6** Resolution Granting Settlement Authority to the District General Manager and Risk Management Committee for Certain Claims and Pending Litigation (Resolution No. 8741)
- Item 7** Consent to Assignment of Lease Agreement No. Lease 61 with Sprint Spectrum Reality Company, LLC to VB Run, LLC
- Item 8** Request to Fill Two (2) Summer Helpers and 14 Watershed Aide Positions

President Schmitt pulled Item 4 from the Consent Calendar to be voted on separately.

Director Smith asked for a correction to the Minutes of March 21 to reflect his recusal from the West Point Inn lease approval. General Counsel Molly MacLean indicated that the Directors vote on the Consent Calendar will include changes to the minutes by Director Smith.

On motion made by Director Samson and seconded by Vice President Khush, the board approved the Consent Calendar, with changes to the March 21st minutes and the removal of Item 4.

Ayes: Directors Samson, Smith, Khush, Russell, and Schmitt
 Noes: None

There were no public comments.

At this time, the Board of Directors voted on Item 4.

Item 4 Adopt Positions on State Senate Bill 23 (Caballero) & Assembly Bill 30 (Ward)

On motion made by Director Smith and seconded by Director Samson, the board approved the District's positions of Senate Bill 23 and Assembly Bill 30.

Ayes: Directors Samson, Smith, Khush, and Russell
Noes: None
Abstain: Director Schmitt

There was one (1) public comment.

REGULAR CALENDAR (ITEMS 9 - 12)

Item 9 Adopt a Resolution Awarding Contract No. 1994 for Furnishing and Delivery of Welded Steel Pipe to West Coast Pipe Linings Inc. (Resolution No. 8742)

Engineering Design Manager Alex Anaya presented this item. Discussion ensued.

There were no public comments.

On motion made by Director Smith and seconded by Vice President Khush, the board approved the resolution.

Ayes: Directors Samson, Smith, Khush, Russell, and Schmitt
Noes: None

Item 10 Redwood Blvd and Loma Alta Landslide Updates

Engineering Director Crystal Yezman provided updates on the current state of the landslides and the work that needs to be done to both to repair them. Discussion followed.

There were no public comments.

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

Item 11 Resolution for Grant Funding through the Federal WaterSMART Program (Resolution No. 8743)

Grant and Legislative Coordinator Matt Sagues presented this item. Discussion ensued.

There was one (1) public comment.

On motion made by Director Smith and seconded by Vice President Khush, the board approved the resolution.

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

Noes: None

Item 12 Future Meeting Schedule and Agenda Items

The board secretary reported on upcoming internal and external meetings.

General Horenstein reiterated his announcement of the May 2 Budget Study Session.

There was one public comment.

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

ADJOURNMENT

There being no further business, the Board of Directors' Regular Meeting of April 4, 2023, adjourned at 7:49 p.m.



Terrie Gillen, CMC
Board Secretary

The minutes were approved at the May 2, 2023 Special Meeting of the Board of Directors.