



NOTICE OF SPECIAL MEETING FINANCE & ADMINISTRATION COMMITTEE/BOARD OF DIRECTORS (FINANCE & ADMINISTRATION)

(Per paragraph 3 on page 10 under subsection *Committee Meetings* of the Board Handbook: The Board, as a practice, generally does not take final action on items during committee meetings, unless District staff determines the urgency of the item requires immediate action that cannot be delayed until a subsequent regular bi-monthly Board meeting.)

MEETING DATE: 10-28-2021

TIME: Meeting begins at **9:30 a.m. (Public)**

LOCATION: This meeting will be held virtually, pursuant to Assembly Bill (AB) 361.

To participate online, go to <https://us06web.zoom.us/j/84917878948>. You can also participate by phone by calling 1-669-900-6833 and entering the webinar ID#: 849 1787 8948.

PARTICIPATION DURING MEETINGS: During the public comment periods, the public may comment by clicking 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 we will call on you as appropriate.

EMAILED PUBLIC COMMENTS: You may submit your comments in advance of the meeting by emailing them to BoardComment@MarinWater.org. All emailed comments received by 7:30 a.m. on the day of the meeting will be provided to the Board of Directors prior to the meeting. All emails will be posted on our website. (Please do not include personal information in your comment that you do not want published on our website such as phone numbers and home addresses.)

AGENDA ITEMS	RECOMMENDATIONS
Call to Order and Roll Call	
Adopt Agenda	<i>Approve</i>
Public Comment <i>Members of the public may comment on any items not listed on the agenda during this time. Comments will be limited to three minutes per speaker, and time limits may be reduced by the Committee Chair to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.</i>	

AGENDA ITEMS	RECOMMENDATIONS
Calendar	
1. Minutes of the Finance & Administration Committee/Board of Directors (Finance & Administration) Meeting of September 23, 2021	<i>Approve</i>
2. Amendment No. 3 to Agreement 5789 with Environmental Science Associates (ESA) for On-Call Environmental Services	<i>Review and Refer for Board Approval</i>
3. Covid-19 Vaccination and Testing Administrative Policy	<i>Information</i>
4. Agreement with Express Employment Professional for Temporary Staffing Support	<i>Review and Refer for Board Approval</i>
5. Resolution for Grant Funding for the Federal WaterSMART Program and Receive a Grant and Legislative Update	<i>Approve</i>
6. Monthly Financial Update – September 2021	<i>Information</i>
7. Quarterly Investment Report – September 2021	<i>Information</i>
Adjournment	

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 a person 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 the Marin Water to make reasonable arrangements to ensure accessibility.

INFORMATION PACKETS 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:

- ❖ Tuesday, November 2, 2021
Board of Directors’ Regular Meeting
7:30 p.m.



 Board Secretary



Item Number: 01
Meeting Date: 10-28-2021
Meeting: Finance & Administration Committee/ Board of Directors (Finance & Administration)

Approval Item

TITLE

Minutes of the Finance & Administration Committee/Board of Directors (Finance & Administration) Meeting of September 23, 2021

RECOMMENDATION

Approve the adoption of the minutes.

SUMMARY

On September 23, 2021, the Finance & Administration Committee/Board of Directors (Finance & Administration) held its regularly scheduled meeting. The minutes of that meeting are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

- Minutes of the September 23, 2021, Meeting of the Finance & Administration Committee/Board of Directors (Finance & Administration)

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

**MARIN MUNICIPAL WATER DISTRICT
FINANCE & ADMINISTRATION COMMITTEE /BOARD OF DIRECTORS (FINANCE &
ADMINISTRATION) MEETING**

MINUTES

Thursday, September 23, 2021

Via teleconference

(In accordance with Governor Gavin Newsom's Executive Order N-29-20)

DIRECTORS PRESENT: John C. Gibson, Larry Russell, Monty Schmitt, and Cynthia Koehler

DIRECTORS ABSENT: Larry Bragman

CALL TO ORDER: Chair Koehler called the meeting to order at 9:31 a.m.

ADOPT AGENDA:

On motion made by Director Gibson and seconded by Vice President Russell, the board approved the adoption of the agenda, by the following roll call vote:

Ayes: Directors Gibson, Russell, Schmitt, and Koehler

Noes: None

Absent: Director Bragman

PUBLIC COMMENT:

There were two public comments.

CALENDAR ITEMS:

Item 1 Minutes of the Finance & Administration Committee/Board of Directors (Finance & Administration) Meeting of August 26, 2021

On motion made by Director Gibson and seconded by Director Russell, the board approved the minutes by the following roll call vote:

Ayes: Directors Gibson, Russell, Schmitt, and Koehler

Noes: None

Absent: Director Bragman

Item 2 Marin County's Request for Emergency Drinking Water

Operations Division Manager Paul Sellier brought this item to the board. Discussion followed, including the board requesting staff to add in the the contract that conservation measures would be followed.

Furthermore, General Manager Ben Horenstein stated that this item would be brought back to the full board as a Consent Item at the next Board meeting for approval.

There was one public comment.

This was an informational item. The board took no formal action.

(Due to technical difficulties, the board and staff heard first Agenda Item 4, then Agenda Item 3.)

Item 4 Overview of the Redistricting Process

Staff Attorney Jerrad Mills presented this item. Discussion followed.

There were two public comments.

This was an informational item. The board took no formal action.

Item 3 Monthly Financial Update – August 2021

Finance Manager & Treasurer Chuck McBride presented this item. Discussion followed.

There were no public comments.

This was an informational item. The board took no formal action.

Item 5 Grant and Legislative Program Update

Grant and Legislative Program Coordinator Matt Sagues introduced this item. The board commented that they like receiving these updates. Moreover, they would like to see this item at future Finance & Committee meetings.

There was one public comment.

This item, too, was an information item. The board took no formal action.

Item 6 Re-establishing In-Person Board and Committee Meetings - Update

General Counsel Molly MacLean presented this item. Discussion ensued.

There were two public comments.

This was an information item. The board took no formal action.

ADJOURNMENT

There being no further business, the Finance & Administration Committee/Board of Directors (Finance & Administration) meeting adjourned at approximately 10:45 a.m.

Board Secretary



Item Number: 02
Meeting Date: 10-28-2021
Meeting: Finance &
Administration Committee/
Board of Directors (Finance &
Administration)

Review and Refer Item

TITLE

Amendment No. 3 to Agreement 5789 On-Call Environmental Services Contract

RECOMMENDATION

Authorize the General Manager to execute Amendment No. 3 to Agreement 5789 with Environmental Science Associates (ESA) to extend the contract end date to July 1, 2023 and expand the scope of work to support critical drought and water supply infrastructure projects.

SUMMARY

Staff is recommending that the Board of Directors authorize the General Manager to execute Amendment No. 3 to Agreement 5789 with ESA to extend the contract end date to July 1, 2023, and to expand the scope of work to support critical water supply and infrastructure projects.

DISCUSSION

On July 2, 2019, the District approved a two-year contract with ESA for On-Call Environmental Services with a not-to-exceed annual budget of \$250,000. The consultant was selected after responding to the District Request for Proposals and going through an interview process. ESA was selected based on their experience supporting clients with CEQA compliance, project level environmental assessments, and their team's breadth of technical expertise. Amendment No. 1 was executed on April 10, 2020, to correct the contract completion date. Amendment No. 2 was executed on April 19, 2021, to extend the contract end date and add additional tasks to support the development of the Lagunitas Creek Flow Release Study and Temporary Urgency Change Petition (TUCP) with a not-to-exceed annual budget of \$555,992.

In response to the current drought, the District is moving forward critical water supply and infrastructure projects, which require additional support to complete the necessary environmental compliance work. Amendment No. 3 will extend the contract end date until June 30, 2023, add additional tasks to the scope of work and to update ESA's rates. The consultant has been effective at helping the District complete CEQA analysis for water supply projects, conduct pre-project environmental assessments, and develop project permit applications. The On-Call Services budget of \$250,000 has been used to support CEQA and Permitting for the Emergency Intertie Project, Watershed Culvert Permit Package, Azalea Hill Trail National Environmental Policy Act (NEPA) Natural Environmental Study, Pine Mountain Tunnel Replacement CEQA Compliance, and other small CEQA analyses for water infrastructure projects. Additionally, the District has used the majority of the budget for the Lagunitas Flow Release Study to support the TUCP application.

Amendment No. 3 will add \$200,000 in additional budget for the On-Call Services tasks to ensure the District can continue to meet its project level environmental compliance requirements. It will add \$146,701 for the Pine Mountain Tunnel Replacement project to support development of the required permit packages. It will add \$250,000 to support ongoing CEQA compliance, permitting, and pre-project environmental surveys for the Emergency Intertie Project. It will add \$154,792 to support monitoring work occurring as part of operations under the TUCP and support refinements to the Flow Release Study. Lastly, it will update ESA's rates which have not been adjusted since 2019 and extend the contract end date to July 1, 2023, to support ongoing work.

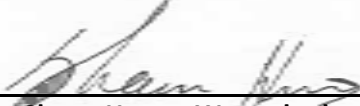

Staff is recommending that the Finance & Administration Committee review and refer for approval to the full Board of Directors at a regularly scheduled meeting to authorize the General Manager to execute Amendment No. 3 to Agreement 5789 with ESA to extend the contract end date to July 1, 2023, expand the scope of work to support critical water supply and infrastructure projects, and increases funds in the amount of \$751,493 with a total annual not to exceed contract amount of \$1,307,385 for FY 2022.

FISCAL IMPACT

Amendment No. 3 to Agreement 5789 with ESA would expand the current on-call services scope to support critical water supply and infrastructure projects. The budget for On-Call Services would be increased by \$200,000 and \$551,493 for project specific support with a total annual not to exceed contract amount of \$1,307,385.

ATTACHMENT(S)

1. Amendment No. 3 to Agreement No. 5789

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Watershed Division	 Shaun Horne, Watershed Resources Manager	 Ben Horenstein General Manager

AMENDMENT NO. 3 TO
AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN
MARIN MUNICIPAL WATER DISTRICT and ENVIRONMENTAL SCIENCE
ASSOCIATES
(Miscellaneous Agreement No. 5789)

This contract amendment (“Second Amendment”) is entered into by and between Marin Municipal Water District (“District”) and Environmental Science Associates (“ESA” or “Consultant”).

For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. On July 2, 2019, the Marin Municipal Water District Board of Directors approved a two-year contract with Consultant and authorized the General Manager to execute this contract.
- B. District and Consultant entered into an Agreement for Professional Services dated **July 30, 2019** (“Agreement”).
- C. District and Consultant executed Amendment 1 on April 10, 2020 to make a correction to the contract completion date which was incorrectly identified as February 1, 2020 instead of July 31, 2021 as originally intended under the two year contract.
- E. District and Consultant executed Amendment 2 on April 19, 2021 to extend the contract end date to July 31, 2022 and to add additional tasks to the scope of work to support the Lagunitas Creek Flow Release Study and Temporary Urgency Change Petition.
- F. At this time, the parties desire to enter into this Third Amendment to the Agreement to extend the contract end date to July 31, 2023, and to expand the scope of work to support critical drought and water infrastructure projects as outlined in Attachment A in accordance with the Board of Directors approval of this Agreement.

Section 2. Terms:

- A. Amendment to Agreement: This Third Amendment modifies the Agreement. Except for the modifications contained herein, all the terms of the Agreement shall apply.
- B. Terms:
 - 1. Part B, Section 4, entitled “PROSECUTION OF WORK” is amended to read as follows:

The execution of this agreement shall constitute the Consultant's authority to proceed immediately with the performance of this contract. Performance of the services hereunder shall be completed by July 31, 2023, provided, however, that if the performance is delayed by earthquake, flood, high water or other Act of God

or by strike, lockout or similar labor disturbance ("Acts"), the time for the Consultant's performance of this contract shall be extended by a number of days equal to the number of days the Consultant has been delayed by such Acts.

C. Scope of Work:

The original Scope of Work is amended to include the scope of work for critical drought water supply and infrastructure projects as outlined in Attachment A to this Amendment.

D. Fee and Fee Payment:

The fee and fee payment for such work shall be as stipulated under the amended fee scheduled included in Attachment B to this Amendment and expenses as presented in Attachment B hereby increases the budget by \$751,493, with a total annual not to exceed contract amount of \$1,307,385 for FY 2022.

Dated: _____ ENVIRONMENTAL SCIENCE ASSOCIATES

By _____
Jim O'Toole, Vice President

Dated: _____ MARIN MUNICIPAL WATER DISTRICT

By _____
Bennett Horenstein, General Manager

ATTACHMENTS:

- Attachment A – Additional Scope of Work
- Attachment B – Schedule of Fees

ATTACHMENT A SCOPE OF WORK

Marin East Bay Emergency Intertie Project

Task 2: Project Management and Meetings

ESA's meeting participation has been greater than that assumed in the scope of work submitted on August 26, 2021. During the month of August, ESA staff hours for meetings and coordination totaled 24.5, while ESA staff hours for meetings and coordination in September totaled 89. For scoping purposes, ESA assumes that more extensive environmental compliance support will be needed through January 2022, including for the tasks listed below, while construction monitoring services (through July 2022) would require fewer meetings with fewer staff and less overall coordination. We propose to augment the Task 2 level of effort estimate assuming that continued intensive coordination (including attendance at weekly meetings) and team support will persist through December and taper off through July 2022.

Task 7: Hazardous Materials Memo and 253 Tewksbury Phase I Assessment

Hazardous Materials Memo

ESA will complete a preliminary evaluation of hazardous materials issues that may be encountered during construction of the MMWD Emergency Intertie Project, as required to support CEQA and NEPA review of the project and to help ensure worker health and safety during project construction. For the purposes of this task, hazardous materials issues would include potentially contaminated soil (e.g., aerially deposited lead [ADL], petroleum hydrocarbons from adjacent refineries, and other potential sources of contamination) hazardous building materials (e.g., asbestos-containing materials or lead-based paint on structures such as the bridge) and groundwater.

To complete the evaluation, ESA will acquire and review available hazardous materials reports along the project alignment, conduct a data gaps analysis, and provide recommendations on filling those data gaps, if any. ESA will also review relevant standard contract specifications provided by MMWD. We understand that the following relevant report is currently available:

- *Limited Asbestos and Lead-Containing Paint Survey Report, Richmond-San Rafael and San Mateo-Hayward Bridges, Contra Costa, Marin, San Mateo, and Alameda Counties, California, prepared by Geocon and dated May 30, 2018*

We further understand that Caltrans may have relevant reports regarding the construction of the bike path along the project alignment in Richmond and assume that Caltrans will provide copies of these reports for reference by ESA during completion of the hazardous materials review. This information will be augmented with a search of the State Water Resources Control Board (SWRCB) GeoTracker and Department of Toxic Substances Control (DTSC) EnviroStor websites for records of remediation sites along the proposed alignment.

Deliverables for this task include a technical memorandum summarizing the known information, identifying data gaps, summarizing regulations pertaining to hazardous materials that apply to project construction and operation, and providing recommendations for any further action that may be required to address hazardous materials prior to or during project construction. The recommendations may include completion of additional investigations and/or conducting a sampling investigation, development of hazardous materials compliance plans, and/or other actions. The scope and budget for any Phase II sampling would be provided in the technical memorandum.

Assumptions

- The project description will not be substantially modified from that set forth in the initial Project Description.
- Prior to beginning the hazardous materials memorandum, the project design team will provide ESA with the required information to complete the evaluation. Required information may include estimates of soil export areas and quantities, description of anticipated water line attachments to the Richmond-San Rafael Bridge Structure, description of anticipated disturbances of concrete materials (i.e., bridge wing walls, retaining walls, etc.), and more.
- Materials sampling and/or Phase II testing is not included in this scope of work; if the results of the preliminary hazardous materials investigations identify the need for testing prior to start of construction, then ESA is available to provide these services, potentially in cooperation with a qualified subcontractor, under an amended scope and budget.
- ~~Acquisition of right of way (ROW) would not be required for the project. ESA understands that is a dynamic project and that assumptions of ROW acquisition may change as project design and coordination with property owner's progresses. The design team will notify ESA if ROW acquisition may become necessary; depending on the nature and location of the ROW acquisition, additional hazardous materials investigations and/or may be required under an amended scope and budget.~~
- ESA will prepare one draft for review by MMWD, Woodward and Curran and Carollo, and one draft for review by Caltrans of the Preliminary Hazardous Materials Investigations Memorandum

253 Tewksbury Phase I Environmental Site Assessment

ESA understands that MMWD needs a Phase I environmental site assessment (Phase I assessment) conducted for the property located at 253 Tewksbury Avenue in Richmond, California. The Phase I assessment will be conducted in general accordance with the ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process (ASTM 1527-13). The purpose of the Phase I assessment is to identify Recognized Environmental Conditions (RECs) as defined in ASTM 1527-13. This scope of work includes a review of regulatory agency records for nearby sites with records of hazardous materials use and releases, a site reconnaissance, a review of historical land use records (aerial photographs, topographic maps, and city directories), and interviews with persons knowledgeable with the project site. Upon completion, one draft report documenting the Phase I investigation will be prepared for review and comment. Upon receipt of the comments, a final report will be issued.

Assumptions

- MMWD will provide or arrange right-of-entry and unrestricted access to the subject property.
- The site visit can be completed in one day. A walking or driving tour will be conducted of the adjacent properties and only inside areas where hazardous materials/wastes are/were stored or used.
- We understand that the existing building on the western portion of the subject property will not be removed or used as a part of the proposed project.
- The budget includes reviewing historical aerial photographs and topographic maps from one standard source, which is assumed to contain adequate coverage of the subject property and surrounding areas to assess historical usage of the subject property for a period of time as far back in the history of the subject property as it can be shown that the subject property contained structures or from the time the property was first used for residential, agricultural, commercial, industrial, or governmental purposes, as mandated by ASTM 1527-13. If insufficient coverage of the subject property is available, with MMWD approval a secondary source will be consulted on a time-and-materials basis.
- MMWD will provide a title search for environmental liens.
- ESA does not guarantee the accuracy of information supplied by its sources, but reserves the right to rely on this information in identifying RECs.

Task 8: Noise Memorandum

For the Marin East Bay Emergency Intertie Project, ESA will complete the Noise section in Caltrans' Categorical Exclusion Checklist. ESA will also estimate construction- and operations-phase noise levels for the Richmond and Pelican Way Pump Stations and Pelican Tanks, and pipeline construction within the cities of San Rafael and Richmond. Noise levels will be compared to standards in each City's noise ordinance and pertinent general plan policies. MMWD's design team will provide the design and construction details needed to estimate noise levels. ESA will make recommendations to ensure that noise levels remain below City standards to the extent feasible. Any warranted attenuation features for the project will be incorporated into proposed design and operations.

Task 9: San Francisco Bay Conservation Development Commission Application & Agency Coordination

ESA will prepare a San Francisco Bay Conservation and Development Commission (BCDC) Permit Amendment to Caltrans existing Maintenance Permit for the Richmond-San Rafael Bridge. For larger, more complex changes to existing permits, BCDC recommends submitting a new permit application. ESA will prepare an application for a Regionwide, Administrative, or Major permit. This task assumes that the Project will qualify for an Administrative (Minor) Permit from BCDC, which is defined as a "minor repair or improvement." ESA will provide information regarding natural resources and associated impacts; government approvals; public access; and environmental documentation. This includes preparation of a vicinity map and map indicating the BCDC's jurisdiction within the shoreline band. The permit application will be prepared following SFBCDC's guidelines. The Project CEQA document will be included with the application package. ESA will post the Notice of Application at project site and fill out the Certification of Posting.

Coordination support with BDCD will be conducted under this Task. This includes ESA's participation in up to four (4) virtual 1-hour meetings with regulatory agency staff and additional coordination. Upon submittal of the permit applications, ESA will immediately follow up with regulatory agency staff to confirm receipt of the applications and respond to Project questions. ESA will contact regulatory agency staff on a regular basis and update the District on review and approval status. As required for the BCDC application (<https://bcdc.ca.gov/forms/appform.pdf>), the District will provide the following:

- Proof of legal property interest (**Box 1d.**) and disclosure of campaign contributions (**Box 1e.**)
- Area calculations for the project site (**Box 2u.**)
- Information (e.g., detailed site information, design drawings) to support development of the project description (**Box 2v.1-3.**)

- Documentation on pollutants, stormwater pollution plans, BMPs, and toxic contamination sites (**Box 2v.6-7.**) Note that information on pollutants, BMPs and toxic contamination sites likely will be obtained as part of Task 7.
- Area and volume calculations for Project fill, including dimensions of all structures (**Box 3d-f. and Box 3g.1.**)
- Information on unstable geologic or soil conditions, sea level rise, or flood or storm water (**Box 3.g.9**)
- Names, addresses, and telephone numbers of any licensed geologists, engineers, or architects involved in the project design (**Box 3.g.11**)
- Types of activities, area calculations, and dimensions of activities or structures to be placed in the shoreline band (**Box 4b. and 4d.**)
- Existing Public Access Information including existing public use numbers (**Box 5a.3.**), safety considerations (**Box 5a.5**), dimensions (**Box 5.a.6**), if improvements are proposed (**Box 5b.1**), and ongoing maintenance (**Box 5b.4.**)
- ESA assumes no dredging or mining will occur (**Box 6**).

If BCDC determines the Project is more extensive than a minor repair or improvement, a Major Permit would be required. A major permit application requires a mandatory public hearing and review by the Commission's Design Review Board and/or Engineering Criteria Review Board. A service order amendment would be requested that provides for the effort required to support issuance of a Major Permit.

Assumptions

- Permit applications and supporting documentation prepared by ESA will meet regulatory agency requirements and ESA will support the District in gaining agency approvals to the best of our abilities. However, ESA cannot guarantee successful procurement of regulatory agency permits and approvals within a desired timeframe.
- The Project design team will be able to demonstrate to the satisfaction of jurisdictional agencies that it has avoided and minimized resource impacts to the maximum extents practicable.
- Permit applications will be based on the current project design drawings. Resource agencies may request design drawings to be at a level of 65% complete (or greater) before granting the permit(s).
- Permitting calculations, descriptions, and figures will be based on one single set of drawings. Our scope does not accommodate re-work associated with design drawing revisions or preparation of permit application addenda.
- This Scope assumes the Project will not require compensatory mitigation, and this Scope does not include support to develop compensatory mitigation plans.

- District to provide any permit application related fees.
- If additional agency meetings and coordination beyond the Task budget limits is required, a Task order reallocation will be required to cover costs.
- No additional site visits with agency staff are included in this task.

Deliverables

- Electronic Draft and Final versions of the San Francisco BCDC application package for a Minor Permit
- Attendance in up to four (4) virtual agency meetings and meeting notes
- Regulatory coordination including written response to agency comments

Task 10: Construction Monitoring

Cultural Resources

Tribal monitoring will likely be needed for the project based on consultation requests. One week of tribal monitoring is assumed. Because it is assumed that contractors would only be driving over the paved areas near the Richmond burial site and will not be re-grading or doing any disturbance, 20 hours of spot monitoring by an ESA archaeologist is assumed.

Biological Resources

Pre-construction and construction monitoring for the Project may include the following:

- **Pre-Construction Nesting Bird Surveys:** Assuming that the work will be staged, that pre-construction nesting bird surveys needs to be done no more than 7 days prior to work, and considering where the potential nesting birds are, 3 pre-construction surveys for nesting birds are estimated for two of ESA's biologists.
- **Fence Installation Monitoring:** While the construction contractor generally installs fencing, they may be responsible for hiring a biologist to monitor the installation. ESA assumes one biologist would monitor fence installation for one week.
- **Pipeline Construction Monitoring:** Pipeline construction monitoring assumes that 200 feet of pipeline would be constructed per day. Monitoring would include:
 - A daily spot check of nesting peregrines when work is within 1,300 feet of them (this was the no-disturbance buffer identified in the bridge-painting NESMI). 10 days of spot checks are assumed.

- A daily spot check of marine mammals when work is within 1,640 feet of them (this was the no-disturbance buffer identified in the bridge-painting NESMI). 10 days of spot checks are assumed.
- Nesting bird monitoring at terrestrial sites if construction is within standard nesting bird protective buffers. 10 days of spot checks over the course of the Project are assumed.

Optional Services and Contingency

We included an optional services task in the Task Order that was approved in September. Pursuant to the request from Marin Water on October 6, we have included a contingency in our proposed budget, shown below the “Total” in the attached spreadsheet. We propose to retain the optional services budget in addition to contingency because we think the likelihood of additional assistance beyond that currently scoped, particularly with regard to hazardous materials or the BCDC permit application, is high.

Budget

The budget for the above scope of work is outlined in the attached table. ESA will invoice on a time and materials basis. With each monthly invoice, ESA will provide a project tracking table summarizing tasks in progress, percent completed and project milestones or deliverables for the upcoming month.

Schedule

ESA’s anticipates that construction monitoring would occur on an as needed basis through the end for construction, which is assumed to be July 2022. The performance period may need to be extended if additional services are required.

Air Quality Analyses for the Marin East Bay Emergency Intertie Project

Task 2: Project Management and Meetings

ESA proposes to increase the level of effort for this task to include hours for ESA air quality specialists to participate in up to 3 calls with Caltrans staff to discuss the approach for the air quality analyses and conformity determination under Task 6 as well as Caltrans comments on those analyses.

Task 6: Air Quality

Consistent with discussions with MMWD and Caltrans on September 21, 2021, ESA will prepare documentation to support Transportation Conformity and General Conformity findings. This will include completion of the Transportation Air Quality Conformity Findings Checklist as well as documentation to support General Conformity. ESA will estimate emissions for the project using California Air Resources Board emission factors for off-road and on-road equipment and vehicles, determine whether those emissions are above or below the General Conformity de minimis levels, and document this information in a brief memorandum with emissions calculations as an attachment.

Deliverables for this task include a draft Transportation Air Quality Conformity Findings Checklist and General Conformity memorandum for review by MMWD, Woodard and Curran, and Carollo Engineers; then for review by Caltrans before a final version of these documents is produced. ESA assumes that comments from MMWD, Woodward and Curran and Carollo will be consolidated and conflicting comments (if any) will be resolved before submittal to ESA.

Assumptions

- The project description will not be substantially modified from that set forth in the initial Project Description.
- Prior to beginning work on the air quality analysis, ESA will be provided with the required information to complete emissions modeling. Required information may include: overall project schedule and phasing, construction schedule, types of construction equipment to be used, number

of workers required to complete construction, and number of heavy duty truck haul trips. Note: this information has already been requested of Woodward and Curran and Carollo Engineers.

- Emissions are not anticipated to exceed the General Conformity de minimis thresholds.
- Emissions will not be compared to the Bay Area Air Quality Management District CEQA significance thresholds.
- ESA will prepare one draft for review by MMWD, Woodward and Curran and Carollo; and one draft for review by Caltrans of (a) the Transportation Conformity Checklist and (b) the General Conformity memorandum
- If additional refinements to the modeling are needed (due to comments or requests from the MMWD or Caltrans, changes in the project description, construction schedule or activity data, or any other action requiring changes to the modeling), additional budget will be required. ESA would provide a scope of work for review at that time.

Budget

The budget for the above scope of work is outlined in the attached table.

Schedule

ESA's anticipates that the schedule for completion of Task 6 will be two months.

PINE MOUNTAIN TUNNEL REPLACEMENT PROJECT SCOPE OF WORK

Task 4: Regulatory Agency Coordination Support and Project Management

Task 4 will be amended to include additional meetings, project management, and ongoing support for fiscal year 2021 through June 30, 2022.

Subtask A: Agency Meetings

ESA will coordinate with regulatory agency representatives under this subtask. This includes early discussions with the U.S. Army Corps of Engineers (USACE) to determine the permitting approach. ESA will also prepare for and lead an interagency pre-application meeting (either the December 2nd Marin Project Coordination (MPC) meeting or a specially scheduled meeting) to discuss the project, permitting approach, and mitigation proposal with regulators. Meeting notes will be prepared and distributed to the project and permitting teams.

Subtask B: Ongoing Support (FY21: July 1, 2021-June 30, 2022)

Within Fiscal Year 2021, ESA will provide ongoing regulatory support through regular regulatory agency coordination until permits are received. This subtask includes 2-3 hours of agency coordination for 6 months until permits are received.

Subtask C: Project Management

The Project Management subtask provides time for coordination with the project team and ESA team along with regular tracking of the project budget and schedule and monthly invoicing through June 30, 2022. This includes weekly half-hour meetings with MMWD for 25 weeks between November 1, 2021 and April 30, 2022.

New Task 5: Permitting Support for Pine Mountain Tank Project

Subtask A: Aquatic Resources Delineation

ESA will survey the tank site and overflow discharge area for aquatic resources, mapping potentially jurisdictional wetlands and waters of the U.S./state as well as riparian areas identified within the study area. Features will be mapped following standard delineation protocols as required by USACE, the State Water Resources Board (SWRCB), and the California Department of Fish and Wildlife (CDFW). This work involves one site visit to delineate features and preparation of an Aquatic Resources Delineation (ARD) report. It is assumed that regulatory agencies will not request a verification site visit for to confirm the delineation.

Deliverables:

Aquatic Resources Delineation Report

Subtask B: Compensatory Mitigation Plan

ESA will develop a Compensatory Mitigation Plan that proposes mitigation to compensate for the loss of ephemeral drainage habitat presumed to be impacted by the proposed project. It is expected that mitigation will be required to meet regulatory requirements for no net loss of aquatic habitat. Recommended mitigation may be in-kind or out-of-kind compensation and could consist of preservation, establishment, restoration, or enhancement actions. Examples of mitigation options may include contributions to an existing mitigation bank or in-lieu fee program (if available), or permittee-responsible mitigation. Activities that may be suitable mitigation actions may include purchase and protection of aquatic habitats; removal of in-channel barriers; bank stabilization; invasive plant removal; or channel or wetland construction, reconfiguration, or repair to create new features or increase ecological function.

ESA will evaluate 3-5 potential mitigation options, including assessment of appropriate mitigation banks in the region or contribution to other existing restoration programs. MMWD will identify up to three potential mitigation sites for permittee responsible mitigation, and lead ESA staff on a one-day tour to visit and discuss potential mitigation options at each site. At each site, wetland and water features as well as riparian areas within the potential project footprint will be roughly mapped and assessed for habitat quality and function; no formal delineation will be conducted. ESA will also conduct a desktop review of mitigation bank and in-lieu fee programs in the region that might be acceptable for mitigation. ESA will present a table of the 3-5 mitigation options, their benefits and constraints, and rough cost estimates. Following discussion with MMWD and regulators, one preferred mitigation option will be developed in the Compensatory Mitigation Plan. The Compensatory Mitigation Plan will follow guideline requirements from USACE, RWQCB, and CDFW, including a watershed profile evaluation, an overall condition assessment of aquatic resources proposed to be impacted, description of how the mitigation compensates for losses, timeline for implementation, design criteria, and monitoring and reporting requirements. The Compensatory Mitigation Plan will be scaled commensurate with the level of impact. The Compensatory Mitigation Plan will first be provided in draft form to MMWD for review. Once MMWD comments are incorporated, it will be submitted to the USACE, RWQCB, and CDFW in association with project permits. The Plan will be revised once based on input received from USACE, RWQCB, and CDFW.

Deliverables:

Draft Conceptual Compensatory Mitigation Plan for internal (MMWD-Woodward Curran) input

Revised Draft Conceptual Compensatory Mitigation Plan to submit to USACE, RWQCB, and CDFW

Final Conceptual Compensatory Mitigation Plan revised with input from USACE, RWQCB, and CDFW

Subtask C: Permit Applications

USACE: Based on current understanding of the project, we assume that USACE Section 404 permitting can be covered under a Nationwide Permit (e.g., NWP-39 or NWP-43) or authorized under a Letter of Permission. ESA will prepare the USACE application form and submit the application with supplemental information on the project. Supplemental information includes a brief project description and project maps, a brief review of potential impacts, and a list of impact avoidance and minimization measures that will be implemented. The technical reports prepared in Task 5.A and 5.B will be submitted with the application package. A cover letter summarizing the project and anticipated construction schedule will be prepared.

The USACE application package will also include documentation to assist with National Historic Preservation Act Section 106 compliance. A cultural resources report will be prepared based on information compiled for the CEQA document, including records search results from the Northwest Information Center of the California Historical Resources Information System, a surface survey of the Area of Potential Effects, and communication with the Native American Heritage Commission and culturally-affiliated Native American tribes. The report will provide a finding of effect for the Project. This scope assumes the finding is No Historic Properties Affected and that a Memorandum of Agreement will not be required. This scope also assumes that a subsurface testing program will not be required. USACE will conduct Native American consultation according to the requirements of Section 106.

RWQCB: The Project will need approval under the CWA Section 401 and the state Porter-Cologne Water Quality Control Act. ESA will prepare a Section 401 application package, or Waste Discharge Requirement (WDR) package if waters are determined to be outside of federal jurisdiction. The application will follow the *Implementation Guidance for the State Wetland Definition and Procedures for Discharges of Dredged or Fill Material to Waters of the State* (Wetland Procedures; April, 2020) and the U.S. Environmental Protection's (EPA's) Section 401 Certification Rule (40 CFR Part 121), which went into effect in September 2020, as applicable. The application form will be completed and submitted along with supplemental information on the projects, including a brief project description and project maps, a brief review of potential impacts, and a list of impact avoidance and minimization measures that will be implemented. A cover letter referencing the USACE's involvement and the project implementation schedule will be prepared.

In accordance with the USEPA's September 2020 CWA Section 401 Certification Rule, ESA will request the interagency pre-application meeting with the RWQCB. As part of the meeting request, ESA will prepare of a brief memorandum providing a description of the project, the applicable permits and approvals, summary of project impacts, etc. MMWD will finalize and submit the memorandum and meeting request to the RWQCB and schedule the meeting. ESA will support MMWD at the pre-application meeting by leading the discussion of the environmental compliance strategy with resource agencies and preparing meeting notes; ESA presumes MMWD will prepare the presentation and initiate the meeting.

CDFW: The Project will need approval under Section 1602 Lake of the Fish & Game Code. ESA will prepare and submit a notification for a Lake or Streambed Alteration Agreement (LSAA) to CDFW. To request an LSAA, project information must be uploaded to CDFW's Environmental Permit Information Management System

(EPIMS) Permitting Portal. The notification package will include a brief project description and project maps, a brief review of potential impacts, and a list of impact avoidance and minimization measures that will be implemented. Because the application materials must be uploaded to the EPIMS portal, ESA will develop the draft application materials in a separate Word file for MMWD's review and will revise the information once (i.e., finalized) based on one set of consolidated comments before uploading it to the EPIMS portal. MMWD, as the project applicant, will register on the EPIMS Permitting Portal. This scope assumes that a CESA Incidental Take Permit is not necessary.

Deliverables:

Draft and Final USACE CWA Section 404 request for Letter of Permission or NWP coverage

Draft and Final RWQCB 401 WQ Certification or WDR Application

Draft and Final CDFW LSAA EPIMS submittal

Assumptions

- Preparation of permit applications will be conducted using existing information, including the Project Description, prepared for or during the CEQA IS/MND.
- MMWD will provide GIS shapefiles or ortho-rectified CAD files for the project site, access, and staging areas, and relevant data previously collected that will support the permit applications and agency discussions. We assume ESA will prepare impact calculations and figures for the permit applications.
- The USACE will not require a Biological Assessment for consultation with USFWS under Section 7 of the federal Endangered Species Act. The discussion of potential impacts on special-status species in the CEQA Document is adequate for inclusion in the permit application submittal; a separate biological resources evaluation document will not be necessary.
- The Aquatic Resources Delineation Report will be sufficient to document on-site wetlands and a field verification or approval process for a jurisdictional determination will not be required by USACE.
- MMWD will identify potential mitigation sites. No GIS analysis or other field reconnaissance beyond the one-day site visit will be necessary to identify potential sites.
- CRAM analysis will not be conducted as part of the delineation or mitigation site review.
- The Project will not require a CESA ITP for state listed Northern Spotted Owl or other state listed species.
- The USACE will approve the project under the Nationwide Permit Program or Letter of Permission, and an individual/standard permit and/or 404(1)(b) alternatives analysis will not be necessary.

- This scope assumes an alternatives analysis will not be required by the USACE or RWQCB to complete the permitting process.
- Permitting calculations, descriptions, and figures will be based on one single set of drawings. Our scope does not accommodate re-work associated with design drawing revisions or dividing project components into different permit applications.
- ESA will submit applications on MMWD’s behalf.
- MMWD will provide payment for state permit application fees.
- All files will be transmitted electronically.
- The scope does not include support to prepare or implement pre-construction, construction, or post-construction monitoring plans.
- Permit applications prepared by ESA will meet regulatory agency requirements and ESA will support the MMWD in gaining agency approvals to the best of our abilities. However, ESA cannot guarantee successful procurement of regulatory agency permits and approvals within a desired timeframe.

Schedule

Below is a general task schedule according to annual quarters and fiscal year 2021-2022.

	FY21-22 2021: Q4	FY21-22 2022: Q1	FY21-22 2022: Q2
4 Agency Coordination	Agency Meeting	Coordination	
5 Pine Mountain Tank Permitting Support			
A. Aquatic Resources Delineation	Early Nov		
B. Conceptual Mitigation Plan	Mid Nov		
C. Applications	Draft Mid-Dec	Submit Mid-Jan	Permits in-hand by May?

Cost Estimate

A summary cost estimate for the above added services is provided below. This estimate assumes a maximum budget of \$71,701 for added ESA labor and expenses and an increase in the Task Order budget to \$146,701. An estimated \$8,500 for state application fees should also be included in the contract amendment for MMWD Board Approval (the application fee estimate will depend on the final project cost and impact area).

Lagunitas Creek Temporary Urgency Change Petition

Support Scope of Work

The following scope of work is to provide additional information on watershed runoff, instream flows and habitat suitability for Lagunitas Creek, to support future drought planning and watershed management.

Assumptions – The scope of work below assumes that there is unlikely be a flow event in Water Year 2022 that is large enough to substantially change the creek bed morphology but that leaves the watershed in drought conditions. If a flow event over 1600 cfs at S.P. Taylor State Park USGS gauge does occur (the value at which creek bed mobilization is believed to typically occur), we recommend spot checking surveys in the four habitat suitability reaches to determine whether the creek bed has changed since the 2021 surveys to a degree that would make the current habitat suitability models and habitat measurements unrepresentative of typical conditions. If flow does change the creek morphology substantially, ESA would recommend re-scoping to determine what studies best met the District's needs and budget.

Task 2 assumes that the hydrology scenarios will involve changes to rainfall only, not water supply or other inputs.

Tasks 3 and 5 require the habitat suitability reaches that are not currently georeferenced (Sites 1, 2 and 3) be tied to control points. ESA assumes that Marin Water survey staff will tie Sites 1-3 to control sites and provide the georeferencing data to ESA. ESA has assigned one field day to support Marin Water in locating temporary bench marks at the sites for this task as part of Task 3. If needed ESA can tie the sites to control as an additional item (not included in the base budget).

Task 5 assumes that Marin Water will provide GPS data on WY 2022 coho and steelhead redd locations if available, and will tag redds in the field with flagging and marker pebbles or similar visual markers so the center of each redd can be located in the field for consistent repeat measurements.

Task 1. Project management

ESA will participate in meetings to coordinate fieldwork, prepare for stakeholder and agency meetings etc.

Task 2. Watershed hydrology modeling

ESA will run up to three scenarios (to be provided by Marin Water) for hypothetical rainfall conditions (e.g. percentages of different rainfall totals). ESA will evaluate the effects of different rainfall conditions on flow volume and on downstream flows.

Deliverables – ESA will provide data in electronic format. Methods and results will be presented in either a standalone memorandum or the report under Task 7.

Task 3 Supplemental habitat surveys

ESA staff will support District staff in locating temporary bench marks at the three un-georeferenced habitat suitability sites. ESA will survey Water Year 2022 coho and steelhead redds that are made in the four habitat suitability sites once spawning is complete, to allow redds to be georeferenced within the models for validation purposes and to provide better background data on habitat conditions preferred by salmonids in Lagunitas Creek. WY2021 redd location flags will also be surveyed in. ESA will also characterize and survey sediment size data in the four reaches, to update the four habitat suitability models.

Deliverables – electronic information will be provided in GIS format, and the results reported under Task

Task 4. Update habitat suitability models

ESA will re-calculate habitat suitability for the four reaches previously analyzed, using habitat suitability curves recommended by CFFW and the weighted usable habitat method. This will supplement or replace the suitability overlay method used by ESA in 2021. The analysis will be at the flows previously calculated (20, 16, 14, 10 cfs) and additionally at up to 3 more values to be selected by Marin Water. Analysis will be performed for coho and steelhead, for spawning, fry rearing, and juvenile 1+ year winter rearing.

Deliverables – electronic information in GIS/CAD format. Results will be presented at stakeholder/agency meetings and the results reported under Task 7.

Task 5. Redd site hydrology data collection

ESA will make repeated measurements of velocity, depth, temperature and dissolved oxygen at all Water Year 2022 salmonid redds marked in the field by Marin Water or CDFW within the four habitat suitability model reaches. The same measurements will also be made at as many additional marked redds as can be collected at the same time between or around reaches in the area from Peters Dam to Tocaloma. Measurements will be made at the WY2022 winter baseflow values of 16 cfs (Dec-March), 14 cfs (April) and 10 cfs (May). Additionally, ESA will opportunistically collect data at two higher flows if such flows occur.

Deliverables – data will be provided in GIS/Excel format and described at stakeholder meetings and the results reported under Task 7.

Task 6. Stakeholder, TAC and Agency Meetings

ESA will prepare and present materials at stakeholder, TAC and resource agency meetings.

Deliverables – presentations and participation in meetings.

Task 7. Reporting

ESA will provide an updated report documenting the findings of Tasks 1-6, and provide additional documentation if needed for future regulatory applications.

Schedule

- Tie habitat sites to control (Marin Water task, not included in this scope and budget). ESA recommends that Marin Water complete this task during the fall before the onset of winter flows, in case temporary bench marks are lost during high flows.
- Task 1. Project coordination. Ongoing.
- Task 2. Hydrology modeling will be performed within six weeks of Notice to Proceed.
- Task 3. Supplemental habitat surveys will be performed once coho and steelhead spawning are complete and winter flows are low enough to allow fieldwork (estimated to be March 2022).
- Task 4. Update habitat suitability models. Models will be updated following data collection in Task 3 (estimated to be April 2022).
- Task 5. Redd site hydrology data collection. Repeated flow measurements will be made throughout the winter and spring based on flows and the timing of redds.
- Task 6. Stakeholder, TAC and Agency Meetings. Timing as needed.
- Task 7. Reporting. Timing as needed.

Budget

ESA's proposed budget is itemized in Table 1 and Attachment 1, and totals \$154,792.

Attachment B

Environmental Science Associates & Subsidiaries 2021 Schedule of Fees

Rates for On-Call Environmental Services are amended according to ESA's 2021 Fee Schedule. Rates for project specific tasks will be charged according to project rates outlined in the below budget tables.

I. Personnel Category Rates

Charges will be made at the Category hourly rates set forth below for time spent on project management, consultation or meetings related to the project, field work, report preparation and review, travel time, etc. Time spent on projects in litigation, in depositions and providing expert testimony will be charged at the Category rate times 1.5.

Labor Category	Level I	Level II	Level III
Senior Director	275	300	325
Director	225	245	260
Managing Associate	190	205	220
Senior Associate	160	170	185
Associate	115	135	145
Project Technicians	90	110	130

- (a) The range of rates shown for each staff category reflects ESA staff qualifications, expertise and experience levels. These rate ranges allow our project managers to assemble the best project teams to meet the unique project requirements and client expectations for each opportunity.
- (b) From time to time, ESA retains outside professional and technical labor on a temporary basis to meet peak workload demands. Such contract labor may be charged at regular Employee Category rates.
- (c) ESA reserves the right to revise the Personnel Category Rates annually to reflect changes in its operating costs.

II. ESA Expenses

A. Travel Expenses

1. Transportation
 - a. Company vehicle – IRS mileage reimbursement rate
 - b. Common carrier or car rental – actual multiplied by 1.15
2. Lodging, meals and related travel expenses – direct expenses multiplied by 1.15

B. Communications and Project Support Fee

Non-travel expenses incurred for the duration of the agreement for project support but not itemized below, including document retention, delivery and communications. Project labor charges multiplied by 3%.

C. Printing/Reproduction Rates

Item	Rate/Page	Sample Pricing
Black & White – 8.5 x 11	\$0.10	
Black & White – 11 x 17	\$0.20	
Color – 8.5 x 11	\$0.40	
Color – 11 x 17	\$0.70	
B&W – Plotter (Toner – ECO Quality)	\$0.40/sf	24x36 B/W CAD drawing would cost \$2.40 per sheet
B&W – Plotter (Toner – Presentation Quality)	\$1.00/sf	24x36 B/W CAD drawing would cost \$6.00 per sheet
Color – Plotter (Inkjet – ECO Quality)	\$2.00/sf	24x36 Color Drawing would cost \$12 per sheet
Color – Plotter (Inkjet – Presentation Quality)	\$4.00/sf	24x36 Color Drawing would cost \$24 per sheet
CD	\$10.00	
Digital Photography	\$20.00 (up to 50 images)	
All Other Items (including bindings and covers)	At cost plus 10%	

D. Equipment Rates

Item	Rate/Day	Rate/Week	Rate/Month
Project Specific Equipment:			
Vehicles – Standard size	\$ 40 ^a	\$ 180	
Vehicles – 4x4 /Truck	85		
Vehicles – ATV	125		
Noise Meter	100		
Hydroacoustic Noise Monitoring Equipment	150		
Electrofischer	300	1,200	
Sample Pump	25		
Field Traps	40		
Digital Hypsometer (Nikon)	20		
Stilling Well / Coring Pipe (3 inch aluminum)	3/ft		
Backpack Sprayer	25		
360-Degree 4k Camera	30	120	
Cam-Do Time-Lapse Camera	15	50	180
Beach Seine	50		
Otter Trawl	100		
Wildlife Acoustics Bat Detector	125	400	
Wildlife Trail Camera	30	100	
Fiber Optic Endoscope	125	500	
Spot Light	30		
Spotting Scope	50	200	
Topographic/Bathymetric Survey Equipment:			
Auto Level	40		
Total Station	200	600	
DJI Quad Drone	300	1,200	
RTK-GPS	300	1,200	
RTK-GPS Smartnet Subscription	50	200	
Single-Beam Echoshounder	150	600	
Trimble GPS GeoXT	75	350	900
iPad/Android Tablet + 1m GNSS External Sensor (Trimble R1, Bad Elf)	75	350	900
iPad/Android Tablet + sub-meter Arrow 100/TDC 150	100	400	1,100
iPad/Android Tablet + sub-foot Arrow Gold	200	800	2,800



Item	Rate/Day	Rate/Week	Rate/Month
iPad/Android Tablet only (includes Garmin Glo external sensor)	50	225	600
Laser Level	60		
Garmin GPS or equivalent	25		250
Hydrologic Data Collection, Water Current, Level and Wave Measurement Equipment:			
ISCO 2150 Area Velocity Flow Logger	\$ 25	\$ 100	\$ 350
SonTek IQ-Plus Area Velocity Flow Logger	180	500	1600
Logging Rain Gage	10	40	125
Marsh-McBirney Hand-Held Current Meter	50	200	
FloWav Surface Velocity Radar	50	200	
RBR Virtuoso Wave Pressure Sensor		100	350
SOFAR Ocean Spotter Wave Buoy	30	120	450
Ocean Sensor Systems Sonic Wave Sensor	30	120	450
Logging Water Level - Pressure Transducer	10	30	100
Logging Barometric Pressure Logger	5	15	50
Well Probe / Water Level Meter	20	80	
Bottom-Mounted Tripod / Mooring	25	100	400
Handheld Suspended Sediment Sampler	20		250
Water Quality Equipment:			
Logging Turbidimeter/Water Level Recorder	\$ 25	\$ 100	\$ 400
Logging Conductivity/Water Level Recorder	20	60	200
In-Situ Troll 9500 logging water quality multiprobe		200	800
Logging Temperature Probe	3	10	40
Hach Hand-Held Turbidimeter Recording Conductivity Meter w/Datalogger	50	200	
Refractometer	20	80	
YSI Hand-Held Salinity Meter or pH meter	30	120	
Hand-Held Conductivity/Dissolved Oxygen Probe (YSI 85)	40	160	
HOBO Salinity Gauge			125
HOBO DO/Temp Probe			125
In-Situ Aqua Troll 600 Water Quality Sonde			800
In-Situ VuSitu Telemetry System Hardware			40
YSI 650 with 6920 Multi Probe	180	500	1500
YSI ProDSS Multi Probe	180	500	1500
ISCO 6712 Portable Sampler w/ISCO 2105 Module	40	250	900
Sedimentation / Geotechnical Equipment:			
Peat Corer	\$ 75	\$ 300	
60lb Helly-Smith Bedload Sampler with Bridge Crane	175	700	
Suspended Sediment Sampler with Bridge Crane	75	300	
Guelph Permeameter	50	200	
Vibra-core	100	400	
Muck Corer	50	200	
Shear Strength Vane	50	200	
Auger (brass core @ \$ 5/each)	20	80	
Boats:			
14' Aluminum Boats with 15 HP Outboard Motor	\$ 100	\$ 400	
Single or Double Person Canoe/Kayak	30	120	
Small Watercraft Motor	20	100	
20' Lowe Boat w/115 HP Outboard	300	1,500	
[North River Boat – Ask Matt Silva for Specs and Price]			
17' Boston Whaler w/ 90 HP Outboard	300	1,500	

^a Actual project charges will be either the IRS mileage reimbursement rate or the daily rate, whichever is higher.

E. Cloud-based Services

Item	Rate/Hour	Rate/Day	Rate/Week	Rate/Month
Cloud-based Services				
Nearmap High Resolution Images		\$50/image		
ArcGIS Online Hosting (Web Maps/Apps)				\$200
Website Hosting				\$200
Custom Application & Services Hosting*				\$300*
Modeling (GeoHECRAS, TUFLOW, Delft3D) + Drone Processing	\$7	\$160	\$950	\$3,900
Aviation Environmental Design Tool (AEDT) Processing	\$13	\$190	\$1,120	\$4,600
	*includes support for database, SSL, IT support – costs vary by project. Contact software development services for firm pricing.			

III. Subcontracts

Subcontract services will be invoiced at cost multiplied by 1.15.

IV. Other

The fees above do not include sales tax. Any applicable or potential sales tax will be charged when appropriate.

V. Payment Terms

Unless otherwise agreed in writing, ESA will submit invoices on a monthly basis. Any unpaid balances shall draw interest at one and one half percent (1.5%) per month or the highest rate allowed by law, whichever is lower, commencing thirty (30) days after date of invoice. All invoices not contested in writing within fifteen (15) business days of receipt are deemed accepted by Client as true and accurate and Client thereafter waives any objection to Clients invoices, which are payable in full.

Pine Mountain Tunnel Replacement Project Budget

Task #	Task Name/Description	Total Added Hours	Added Labor Cost	Total Amended Contract Cost
1.0	Project Initiation	-	\$ -	\$10,668
2.0	Technical Reports	-	\$ -	\$8,480
3.0	Permit Applications	-	\$ -	\$38,463
4.0	Regulatory Agency Coordination Support	98	\$16,968	\$32,391
5.0	NEW Pine Mountain Tank Permitting Support			\$54,008
A	Aquatic Resources Delineation	50	\$6,114	
B	Compensatory Mitigation Plan	92	\$15,444	
C	Permit Applications	202	\$32,450	
Total Hours		442		
Total Labor Costs			\$ 70,976	\$144,010

ESA Non-Labor Expenses

Reimbursable Expenses	\$ 575	2,041
ESA Equipment Usage	\$ 150	650
Subtotal ESA Non-Labor Expenses	\$ 725	2,691

TOTAL	\$ 71,701	\$146,701
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Permit Application Fee Estimate

8,400

Marin East Bay Emergency Intertie Project Budget

Employee Name		J. Hamilton	C. Easter	M. Logue	C. Velzy	J. Iyer	W. McCullough	A. Maudru	R. Teitel	L. Sakai						
		Director III	Director III	Director III	Managing Associate III	Managing Associate II	Senior Associate III	Associate II	Project Technician III	Project Technician II	Labor Subtotal	Total Hours	Expenses (Includes 15% markup)	Proposed Additional Total Cost	Previously Approved Cost	Proposed New Task Total Cost
Task #	Task Name/Description	\$ 203	\$ 203	\$ 203	\$ 180	\$ 171	\$ 153	\$ 113	\$108	\$90						
1	Prepare Stand-alone Project Description										\$ -	-	\$ -	\$ -		
	Prepare CEQA Exemption										\$ -	-	\$ -	\$ -	10,588	\$ 10,588
	Prepare Lead Agency Letter and related coordination										\$ -	-	\$ -	\$ -		
2	Weekly Design Meetings										\$ -	-	\$ -	\$ -		
	Weekly Environmental Coordination Meetings				3	3					\$ 1,053	6	\$ -	\$ 1,053	35,018	\$ 36,071
	Other Coordination/ Progress Reporting										\$ -	-	\$ -	\$ -		
3	Environmental Compliance Technical Memorandum										\$ -	-	\$ -	\$ -	25,029	\$ 25,029
4	Cultural Resources										\$ -	-	\$ -	\$ -	37,948	\$ 37,948
5	NESMI										\$ -	-	\$ -	\$ -	25,406	\$ 25,406
6.1	Air Quality Memo Draft 1 (MMWD, WC, Carollo review)	2	2	1	16	42		1			\$ 11,190	64	\$ -	\$ 11,190	-	\$ 11,190
6.2	Air Quality Memo Draft 2 (Caltrans review)	1	2		6	16		1			\$ 4,437	26	\$ -	\$ 4,437	-	4,437
6.3	Air Quality Memo Final		1		2	4		1			\$ 1,360	8	\$ -	\$ 1,360	-	\$ 1,360
Optional Task																
Optional Services	Conduct Environmental Analyses										\$ -		\$ -	\$ -	\$ 27,086	\$ 27,086
Total Hours		3	5	1	27	65	-	3	-	-		104				
Subtotals - Labor Costs		\$ 508	\$ 1,015	\$ 203	\$ 4,860	\$ 11,115	\$ -	\$ 339	\$ -	\$ -			\$ -	\$ 18,040		

ESA Labor Costs WITHOUT Optional Task 133,989 \$ 152,029
 ESA Labor Costs WITH Optional Task 161,075 \$ 179,115

Marin East Bay Emergency Intertie Project - Additional Costs Budget

Employee Name		J. Hamilton	M. Logue	M. Burns	C. Sanchez	J. Iyer	H. Koenig	L. Dunne	E. Walthier	J. Sanders	A. Maudru	A. Sims	R. Teitel	L. Sakai							
Title		Director III	Director III	Director II	Managing Associate III	Managing Associate II	Managing Associate II	Managing Associate II	Senior Associate II	Associate II	Associate II	Associate II	Project Technician III	Project Technician II	Labor Subtotal	Total Hours	Expenses (Includes 15% markup)	Proposed Additional Total Cost	Previously Approved/Pending Cost	Total Additional Cost	Proposed New Task Total Cost
Task #	Task Name/Description	\$ 203	\$ 203	\$ 195	\$ 180	\$ 171	\$ 171	\$ 171	\$ 144	\$ 113	\$ 113	\$ 113	\$108	\$90							
1	Prepare Stand-alone Project Description														\$ -	-	\$ -	\$ -	10,588	\$ -	\$ 10,588
	Prepare CEQA Exemption														\$ -	-	\$ -	\$ -			
	Prepare Lead Agency Letter and related coordination														\$ -	-	\$ -	\$ -			
2	Weekly Design Meetings	16	10												\$ 6,408	36	\$ -	\$ 6,408	36,071	\$ 50,588	\$ 86,659
	Weekly Environmental Coordination Meetings	30	20	4				8	8			30			\$ 16,840	100	\$ -	\$ 16,840			
	Other Coordination/ Progress Reporting	80	20					8	8			40			\$ 27,340	156	\$ -	\$ 27,340			
3	Environmental Compliance Technical Memorandum														\$ -	-	\$ -	\$ -	25,029	\$ -	\$ 25,029
4	Cultural Resources														\$ -	-	\$ -	\$ -	37,948	\$ -	\$ 37,948
5	NESMI														\$ -	-	\$ -	\$ -	25,406	\$ -	\$ 25,406
6.1	Air Quality Memo Draft 1 (MMWD, WC, Carollo review)														\$ -	-	\$ -	\$ -	11,190	\$ -	\$ 11,190
6.2	Air Quality Memo Draft 2 (Caltrans review)														\$ -	-	\$ -	\$ -	4,437	\$ -	\$ 4,437
6.3	Air Quality Memo Final														\$ -	-	\$ -	\$ -	1,360	\$ -	\$ 1,360
7	Hazardous Materials Memo, 253 Tewksbury Phase I	2	8	56											\$ 15,154	86	\$ 500	\$ 15,654	-	\$ 15,654	\$ 15,654
8	Noise Memo	2	2		2	40									\$ 8,986	55	\$ -	\$ 8,986	-	\$ 8,986	\$ 8,986
9	BCDC Application & Agency Coordination	8	4												\$ 13,947	88	\$ 115	\$ 14,062	-	\$ 14,062	\$ 14,062
10	Cultural Construction Monitoring	4					8								\$ 9,412	76	\$ 500	\$ 9,912	-	\$ 9,912	\$ 9,912
	Pre-Construction Nesting Surveys	4						24	24						\$ 8,824	56	\$ 200	\$ 9,024	-	\$ 9,024	\$ 9,024
	Fence Installation Monitor	4							40						\$ 7,024	48	\$ 100	\$ 7,124	-	\$ 7,124	\$ 7,124
	Construction Monitor	4							135						\$ 20,704	143	\$ 500	\$ 21,204	-	\$ 21,204	\$ 21,204
Optional Task																					
Optional Services	Conduct Environmental Analyses														\$ -	-	\$ -	\$ -	\$ 27,086	\$ -	\$ 27,086
Total Hours		154	64	60	2	40	8	90	220	5	120	60	14	7	134,639	844					
Subtotals - Labor Costs		\$ 31,262	\$ 12,992	\$ 11,700	\$ 360	\$ 6,840	\$ 1,368	\$ 15,390	\$ 31,680	\$ 565	\$ 13,560	\$ 6,780	\$ 1,512	\$ 630			\$ 1,915	\$ 136,554			

	Previously Approved/Pending Cost	Total Additional Cost	Proposed New Task Total Cost
ESA Labor Costs WITHOUT Optional Task	152,029	136,554	\$ 288,583
ESA Labor Costs WITH Optional Task	179,115	136,554	\$ 315,669
Contingency			\$ 113,446
Total with Optional Task and Contingency			\$ 429,115

Lagunitas Creek TUCP Support Project Budget

Employee Names												
Labor Category												
Senior Director III												
Director III												
Managing Associate II												
Managing Associate I												
Senior Associate III												
Senior Associate II												
Associate III												
Associate II												
Subtotal												
Total Hours												
Labor Price												
Task #	Task Name/Description	\$ 257	\$ 203	\$ 171	\$ 160	\$ 153	\$ 144	\$ 122	\$ 113			
1	Meetings and coordination		40							\$ 8,120	40.00	\$ 8,120
2	Hydrology modeling (drought, climate change, effects on migration events)		24	16	100					\$ 23,608	140.00	\$ 23,608
3	Supplemental habitat surveys		16	0	40	0	80	0	160	\$ 39,248	296.00	\$ 39,248
3.1	Survey WY2022 redds within four model reaches		8		40				60		108.00	
3.2	Survey substrate at four habitat suitability reaches		8				80		100		188.00	
4	Update habitat suitability models (CDFW method, 3 added flows)		16					120		\$ 17,888	136.00	\$ 17,888
5	Redd site hydrology data collection						100		80	\$ 23,440	180.00	\$ 23,440
6	Stakeholder meetings		80							\$ 16,240	80.00	\$ 16,240
7	Updated report (if needed)		40					80		\$ 17,880	120.00	\$ 17,880
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
										\$ -	- \$	-
Total Hours		-	232	16	180	-	260	200	400	1288	1,288	
Total Labor Costs		\$ -	\$ 47,096	\$ 2,736	\$ 28,800	\$ -	\$ 37,440	\$ 24,400	\$ 45,200	\$ 146,424		\$ 146,424
Percent of Effort - Labor Hours Only		0.0%	18.0%	1.2%	14.0%	0.0%	20.2%	15.5%	31.1%	100.0%	100.0%	
Percent of Effort - Total Project Cost		0.0%	30.4%	1.8%	18.6%	0.0%	24.2%	15.8%	29.2%			94.6%

ESA Labor Cost	\$ 146,424
Labor Cost Communication Fee	\$ 4,393
ESA Non-Labor Expenses	
Reimbursable Expenses	\$ 1,725
ESA Equipment Usage	\$ 2,250
Subtotal ESA Non-Labor Expenses	\$ 3,975
Subconsultant Costs	\$ -

PROJECT TOTAL	Proposed Scope of Work \$ 154,792
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Lagunitas Creek TUCP Project Expense Budget

Reimbursable Expenses

Project Supplies	\$	-
Printing/Reproduction	\$	-
Document and Map Reproductions (CD + Digital Photo)	\$	-
Postage and Deliveries	\$	-
Mileage	\$	1,500
Vehicle Rental	\$	-
Lodging	\$	-
Airfare	\$	-
Other Travel Related	\$	-
-	\$	-
-	\$	-
-	\$	-
Subtotal Reimbursable Expenses	\$	1,500
15% Fee on Reimbursable Expenses	\$	225
Total Reimbursable Expenses	\$	1,725

ESA Equipment Usage

General Equipment:

Company Vehicle Usage	\$	-
HP Plotter	\$	-
Computer Time (GIS)	\$	-
Trimble GPS	\$	-
Tablet GPS	\$	-
Laser level	\$	-
Garmin GPS or equivalent	\$	-
Laptop Computers	\$	-
LCD Projector	\$	-
Noise Meter	\$	-
Electrofisher	\$	-
Sample Pump	\$	-
Surveying Kit	\$	-
Total Station Set	\$	2,250
Field Traps	\$	-
Digital Planimeter	\$	-
Cameras/Video/Cell Phone	\$	-
Miscellaneous Small Equipment	\$	-
Stilling Well/Coring Pipe (3 inch aluminum)	\$	-

Hydrologic Data Collection, Water Current, Level and Wave Measurement Equipment:

Culvert Flow Meter	\$	-
Logging Rain Gage	\$	-
Marsh-McBirney Hand-Held Current Meter	\$	-
Logging Water Level Logging-Stainless Steel Pressure Transducer	\$	-
Logging Water Level -Titanium Pressure Transducer	\$	-
Logging Barometric Pressure Logger	\$	-
Well Probe	\$	-
Bottom-Mounted Tripod / Mooring	\$	-

Water Quality Equipment:

Logging Turbidimeter/Water Level Recorder	\$	-
Logging Temperature Probe	\$	-
Hach Hand-Held Turbidimeter Recording Conductivity Meter w/Datalogger	\$	-
Refractometer	\$	-
YSI Hand-Held Salinity Meter	\$	-
Hand-Held Conductivity/Dissolved Oxygen Probe	\$	-

Sedimentation / Geotechnical Equipment:

Peat Corer	\$	-
60lb Helly-Smith Bedload Sampler with Bridge Crane	\$	-
Suspended Sediment Sampler with Bridge Crane	\$	-
Vibra-core	\$	-
Shear Strength Vane	\$	-
Auger (brass core @ \$ 5/each)	\$	-

Boats:

14 foot Aluminum Boas with 15 HP Outboard Motor	\$	-
Single or Double Person Canoe	\$	-
17' Boston Whaler w/ 90 HP Outboard	\$	-


Total Equipment Usage Costs	\$	2,250
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Item Number: 03
Meeting Date: 10-28-2021
Meeting: Finance and Administration Committee/
Board of Directors (Finance & Administration)

Informational Item

TO: Finance and Administration Committee/Board of Directors (Finance & Administration)

FROM: Vikkie Garay, Human Resources Manager 

THROUGH: Ben Horenstein, General Manager 

DIVISION NAME: Human Resources

ITEM: Covid-19 Vaccination and Testing Administrative Policy

SUMMARY

District staff will provide information on a draft Covid-19 vaccination and testing administrative policy.

DISCUSSION

As it is District's duty to provide and maintain a workplace that is safe and free of known hazards, which present a direct threat to our employees' health and safety, staff has drafted a Covid-19 vaccination and testing administrative policy (Policy). The purpose of the draft Policy is to minimize the transmission of Covid-19 and help safeguard the health of our employees and their families, our customers and visitors, and the community at large.

This Policy will apply to all District personnel, temporary workers, volunteers, and interns and will extend to contractors who regularly perform services for the District onsite (either at District offices or other facilities).

The District considered three options in developing the draft Policy:

1. Maintain the status quo of following the current CalOSHA workplace rules regarding Covid-19, which included encouraging vaccinations, and maintain District's practice of requiring employees to confidentially report when they have received full vaccination status;
2. Require employees to provide proof of vaccination and maintain their fully vaccinated status with recommended boosters or submit weekly Covid-19 test results from a defined test; or
3. Require that all employees are fully vaccinated and maintain their fully vaccinated status as a condition of employment.

The attached draft Policy is fashioned after the option which requires proof of vaccination or weekly testing.

The draft Policy is consistent with President Biden's Covid-19 Action Plan (Plan)¹ to combat the latest surge in Covid-19 cases. The Plan contains a requirement that employers with 100+ employees ensure their workforce is fully vaccinated or tested weekly for Covid-19. The Department of Labor's Occupational Safety and Health Administration (OSHA) is currently developing an emergency rule to implement this requirement.

District staff is in the process of meeting with the union on this item. If OSHA adopts a rule reflecting the District's option 2, the District policy, if not already in effect, will become effective the day the OSHA rule is adopted to the extent that the Policy is consistent with OSHA requirements.

FISCAL IMPACT

Considering the cost of \$99 per test and that 44 employees have not yet reported that they are fully vaccinated, we estimate the cost at \$226,000 annually. However, in considering that some employees will report their status or will get fully vaccinated after the effective date of the Policy, the cost for weekly testing is expected to reduce to approximately \$113,000 annually.

ATTACHMENT(S)

1. Draft Covid-19 Vaccination and Testing Administrative Policy

¹ See President Biden's Covid-19 Action Plan at: <https://www.whitehouse.gov/covidplan/>



COVID-19 Vaccination and Testing Policy

Administrative Policy #____

Effective Date: (date)

Approved by: _____ Date: _____
Bennett Horenstein, General Manager

Purpose

It is the Marin Municipal Water District's duty to provide and maintain a workplace that is safe and free of known hazards, such as COVID-19 which presents a direct threat to our employees' health and safety. The District is adopting this policy to minimize the transmission of COVID-19 and help safeguard the health of our employees and their families, our customers and visitors, and the community at large. This policy is intended to comply with all applicable laws and is based on guidance from the Centers for Disease Control and Prevention, the California Department of Public Health, and other state and local health authorities, as applicable.

Scope

This policy applies to all District personnel, which (for the purposes of this policy) includes employees (whether regular, part-time, probationary, limited-term, or temporary), volunteers, and interns. "District personnel" also includes District contractors who regularly perform services for the District onsite (either at District offices or other facilities) and interact with other individuals in person as part of their services to the District. "District personnel" does not include members of the public, visitors, postal carriers, or those who deliver packages (e.g. UPS or FedEx).

Vaccination or Regular Testing Requirement

All District personnel are required to either (1) submit proof of full vaccination from COVID-19 or (2) present negative COVID-19 tests results every seven calendar days to the Human Resources (HR) Department.

COVID-19 Vaccination and Testing Policy

Procedure

Vaccinated District Personnel:

- All staff who have not already submitted proof of vaccination will be required to submit proof that they are fully vaccinated no later than (date).
- Fully vaccinated means that it has been at least two weeks since the employee has completed the entire recommended series of a COVID-19 vaccine. Any partially vaccinated employees will be treated as unvaccinated under this policy until proof of full vaccination is provided.
- Vaccinated employees must timely obtain any recommended/required booster shots needed to maintain the efficacy of their vaccination.
- Proof of vaccination can be provided by the following means: (1) a COVID-19 vaccination record card issued by the CDC, or a WHO Yellow Card that includes the name of the person vaccinated, the type of vaccine provided, and the date that the last dose was administered; (2) a photo of a vaccination record card as a separate document; (3) a photo of the vaccination record card stored on a phone or electronic device; (4) documentation of a COVID-19 vaccination from a healthcare provider; or (5) a digital record that includes a QR code that when scanned by a SMART Health Card reader displays the reader client name, date of birth, vaccine dates and vaccine type (the QR code must also confirm the vaccine record as an official record of the state of California).
- Vaccinated employees must submit proof of vaccination and proof of recommended/required boosters via email to humanresources@marinwater.org . Vaccination information will be maintained in a confidential medical file.
- If proof of full vaccination is not provided, the employee will be treated as unvaccinated and must comply with the periodic testing requirements in this policy.

Unvaccinated District Personnel

Unvaccinated District personnel must submit weekly COVID-19 test results from a rapid response antigen test.

- All results must be submitted to Human Resources within 7 calendar days of each other (unless an employee is on leave).
- For scheduling purposes, managers and supervisors will be sent a list of names of employees, in their units, who will need time for testing.
- Employees will be provided with instructions on the District's required testing process.
- If an employee is on leave (for any reason) for an entire workweek and will not be reporting to a District facility during that time, then no testing or negative results are required during that

COVID-19 Vaccination and Testing Policy

workweek. The employee must present negative results collected no more than 72 hours prior to returning to work.

- If an employee is off work for a partial week and the employees' test result is due on the employee's day off, negative test results must be provided on the day the employee returns to work.
- If the testing provider does not send results directly to the District, unvaccinated employees must email their confidential test results to HR each week to humanresources@marinwater.org with the subject header "COVID-19 Test Results (Employee's Last Name)". Test results will be maintained in a confidential medical file.
- The District will pay for the cost of required testing. Employees will also be compensated for time and mileage to and from the testing facility when testing while on duty. Non-exempt employees should record the time on their timecards, with a notation that it was for "weekly COVID-19 testing" or use any assigned IO Code
- Unvaccinated employees who are telecommuting fulltime and are not assigned to work in the office on designated days must have a negative COVID-19 test result from a specimen collected no more than 72 hours prior to entering a District worksite for any reason.

Reasonable Accommodation

If any employee wishes to seek a reasonable accommodation to be excused from compliance with this Policy, the employee can contact Human Resources. Human Resources will communicate with the affected employee, conduct an appropriate interactive process, and determine whether any form of reasonable accommodation is available. In compliance with the District's reasonable accommodation policy, supporting documentation may be required. While the District will consider all requests made by employees, the District retains the discretion to determine, in good faith, whether an accommodation is available and, if so, what accommodation to provide.

Impact of Non-Compliance

Absent an approved accommodation, failure to comply with this policy will result in disciplinary action in accordance with the established District process.

Emergency Measure

This policy is being adopted as an emergency measure. In light of the increase in transmission of and hospitalizations for COVID-19 within our community, especially in light of the Delta variant, very real health and safety concerns have been raised by federal, state, and local

COVID-19 Vaccination and Testing Policy

officials. Given the unprecedented COVID-19 pandemic and its impact on public safety, the District has determined that it must act on an emergency basis to adopt this policy. The District will meet with the union at the earliest possible opportunity to meet and confer regarding the impacts of this policy.

Duration

This policy will remain in effect until further notice. The District reserves the right to modify or suspend this policy based on legitimate District needs, the guidance of federal and state public health officials, as well as the state of the pandemic and transmission rates within our community.

Please direct any questions regarding this policy to the Human Resources Department.



Item Number: 04
Meeting Date: 10-28-2021
Meeting: Finance &
Administration Committee/
Board of Directors (Finance &
Administration)

Review and Refer for Board Approval

TO: Finance & Administration Committee/Board of Directors (Finance & Administration)

FROM: Kelly Gerhardt, Senior Human Resources Analyst *KG*

THROUGH: Ben Horenstein, General Manager *BH*

DIVISION NAME: General Manager Division

ITEM: Agreement with Express Employment Professionals for Temporary Staffing Support

SUMMARY

Due to the increase in temporary staffing needs throughout the District due to drought-related projects and necessary increased support, staff is recommending an agreement with Express Employment Professionals, in an amount not to exceed \$300,000, to provide for assistance in meeting the District's short-term staffing needs.

DISCUSSION

The drought's impact on staffing has resulted in an increase in temporary staffing needs. These requests throughout the District are due to urgent needs for temporary support of administrative work as well as field assignments to support new and existing drought-related programs, mostly in the Water Efficiency Department, but touching other District departments as well. To ensure that these important District programs can be properly implemented and efficiently carried out, staff recommends that the Board review and refer this item, authorizing the General Manager to negotiate and execute an agreement with Express Employment Professionals, in an amount not-to-exceed \$300,000, to a future regular Board meeting for approval.

FISCAL IMPACT

Staff requests approval of an agreement with Express Employment Professionals not to exceed \$300,000. Funds for this agreement will come from a combination of any available money from the requesting department's annual budget and as needed, tapping reserves.

ATTACHMENT(S)

None



Item Number: 05
Meeting Date: 10-28-2021
Meeting: Finance &
Administration/Board of
Directors (Finance &
Administration)

Approval Item

TITLE

Approve Resolution for Grant Funding for the Federal WaterSMART Program and Receive a Grant and Legislative Update

RECOMMENDATION

Approve a resolution authorizing and directing the General Manager to sign and file, for and on behalf of the Marin Municipal Water District, a Grant Application for a grant from the United States Bureau of Reclamation under the “WaterSMART: Drought Resiliency Projects for FY 2022” program in the amount of \$2,000,000, for planning, design, and implementation of the *Marin East Bay Emergency Intertie Project*, and to execute a cooperative agreement with the United States Bureau of Reclamation; and receive a grant and legislative update.

SUMMARY

The District’s is continuing to track state and federal funding opportunities. As part of the ongoing legislative and grant efforts, the District is submitting proposal for drought priority projects and recently received funding for forest restoration work on the watershed to help reduce fuel loads and wildfire hazards. Staff will provide a brief update on ongoing grant funding and legislative efforts, as well as explain requested actions by the Board to pursue these opportunities.

DISCUSSION

On October 5, 2021, the District submitted a grant application to the US Bureau of Reclamation’s WaterSMART Drought Project solicitation. Similar to the State’s program, a focus for WaterSMART is funding intertie projects, which are incentivized to create long term regional stability for water supplies in the United States. The maximum grant amount allowed, per application, is \$2M, which is the amount the District requested in its application. This program requires an authorizing Board resolution for application. Attachment 1 of the staff report is the Grant Resolution that was submitted in draft form as part of the grant application and is being presented for approval by the Board at this meeting as an urgent item. Upon approval, the Final Grant Resolution will be submitted to the US Bureau of Reclamations.

District staff will continue to seek funding from state and federal programs. WaterSMART has an additional solicitation for conservation programs closing in early November, and District Conservation staff are teaming with the Sonoma Marin Saving Water Partnership (SMSWP) on an application. The District is expected to seek in the approximate range of \$1M to fund the successful residential turf replacement program. Additionally, the District will be applying to for

watershed project funding from the WaterSMART Environmental Water Resource Grant Program.

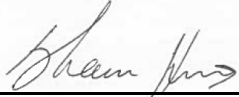

In response to the current drought, the District is working to secure State and Federal funding for drought response projects. In alignment with the \$2.5 Billion Drought Relief Package passed earlier this year by the State Legislature, the Department of Water Resources has announced a new solicitation, the 2021 Urban and Multibenefit Drought Relief Grant Program. The formal solicitation, which will be released in late October of 2021, offers \$140M for drought relief projects, with a focus on funding emergency intertie projects. The District, is working diligently to design the Marin East Bay Emergency Intertie Project, and will be submitting a grant application to DWR for this project. As part of the program's requirements, a formal Resolution is required from the agency's authorizing Board, which will be brought to a future meeting for Board consideration and approval.

FISCAL IMPACT

There is no fiscal impact for these actions to our FY22/23 budget.

ATTACHMENT(S)

1. Resolution for US Bureau of Reclamation

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Watershed Division	 Shaun Horne Watershed Resources Manager	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MARIN MUNICIPAL WATER DISTRICT
AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE
UNITED STATES BUREAU OF RECLAMATION FOR THE
MARIN EAST BAY EMERGENCY INTERTIE PROJECT**

WHEREAS, the District will submit a Grant Application to the United States Bureau of Reclamation under the “WaterSMART: Drought Resiliency Projects for FY 2022” program, seeking grant funding to implement the *Marin East Bay Emergency Intertie Project*; and

WHEREAS, the Board of Directors approves and supports this grant application; and

WHEREAS, the District is able to provide matching funds and in-kind contributions in the amount and at the times necessary to complete the Project and as specified in the funding plan.

NOW, THEREFORE, BE IT RESOLVED that the Marin Municipal Water District Board of Directors hereby authorizes and directs the General Manager to sign and file, for and on behalf of the Marin Municipal Water District, a Grant Application for a grant from the United States Bureau of Reclamation under the “WaterSMART: Drought Resiliency Projects for FY 2022” program in the amount of \$2,000,000, for planning, design, and implementation of the *Marin East Bay Emergency Intertie Project*, and

BE IT RESOLVED that the General Manager of the Marin Municipal Water District or his/her designee is hereby authorized to conduct all negotiations and work with the United States Bureau of Reclamation to meet established deadlines for entering into a cooperative agreement, and further authorize the General Manager to execute a cooperative agreement with the United States Bureau of Reclamation and such other documents as are necessary to receive the grant.

PASSED AND ADOPTED this 28th day of October, 2021, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Cynthia Koehler
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Item Number: 06
Meeting Date: 10-28-2021
Meeting: Finance &
Administration Committee/
Board of Directors (Finance &
Administration)

Informational Item

TO: Finance & Administration Committee/Board of Directors (Finance & Administration)

FROM: Charles McBride, Finance Director *CM*

THROUGH: Ben Horenstein, General Manager *BH*

DIVISION NAME: Administrative Services Division

ITEM: Monthly Financial Update- September 2021

SUMMARY

The Monthly Financial Update provides an overview of the fiscal year-to-date financials. As of September 2021, the fiscal year-to-date total revenue is \$25.5 million, or 22.9 percent, of budgeted revenue and total expenditure is \$27.5 million, or 21.0 percent, of budgeted expenditure. It is notable that water sales, including fixed charges, are down by approximately 18.8 percent compared to the prior year as conservation efforts are realized. The unrestricted/operating fund balance is \$27.8 million, which is 3.7 months of annualized operating budget.

DISCUSSION

Budget to Actual Comparison – All Funds

Attached is the budget to actual comparison for fiscal year 2021-22 as of September 30, 2021. The budget to actual comparison is prepared by fund and includes revenues, expenditures and reserve balances.

For the Operating Fund, total revenues, including other operating revenue, as of September 30, 2021 are \$21.4 million, or 24.1 percent, of budget. Total operating expenditures of \$22.4 million, not including depreciation and amortization, are 24.6 percent of budget. For reference, if revenues and expenses tracked linearly, we would expect them to be at 25 percent of fiscal year budget at the end of September.

For the Capital and Fire Flow Funds, total revenues are \$4.1 million, or 17.9 percent of budget, and are comprised primarily of CMF funds of \$3.8 million. Spending on capital and fire flow projects is \$5.1 million, or 12.8 percent, of budget as of September 30, 2021, as CIP projects

typically do not follow smooth trends in expenditures. As noted in Attachment 5, an additional \$7.1 million is encumbered, bringing total expenditures with encumbrances to \$12.2 million, or 30.6 percent of budget.

Water Sales and Consumption

The fiscal year to date water sales through September 30, 2021 were \$14.1 million, which is 24 percent of the annual water sales forecast. Billed water consumption (in CCFs) through September 30, 2021 was 5,747 AF, which is 22.8 percent lower than this time last year.

Year-to-date water sales and fixed charges (Service and Watershed Fees) through September 30, 2021 were \$20.2 million, which is 23.5 percent of total annual revenue forecast of \$85.9 million. Compared to the same period for the previous fiscal year water sales and fixed charges decreased by \$4,684,310, or 18.8 percent.

Fund Balances

Per the attached Fund Balance Summary, as of September 30, 2021, the unrestricted / undesignated - operating fund balance is \$27.8 million, or 3.7 months of annualized projected operating expenses for FY 2021-22.

FISCAL IMPACT

None

ATTACHMENT(S)

1. Total Water Sales and Fixed Charges & Fees 2020/21 – 2021/22
2. Billed Water Consumption in AFs FY 2010/11 – 2021/22
3. Budget to Actual Comparison for 2021/22 as of September 30, 2021
4. Fund Balance Summary as of September 30, 2021
5. CIP Budget to Actual Comparison for 2021/22 as of September 30, 2021

**Total Water Sales and Fixed Charges & Fees
Fiscal Years 2020/21 - 2021/22**

**Item Number: 06
Attachment: 01**

Month	Water Sales			Fixed Charges						Total Water Sales and Fixed Charges		
				Service Charges			Watershed Fee					
	20/21 Actual	21/22 Budget	21/22 Actual	20/21 Actual	21/22 Budget	21/22 Actual	20/21 Actual	21/22 Budget	21/22 Actual	20/21 Actual	20/21 Budget	20/21 Actual
July	5,148,860	\$4,840,348	3,886,409	1,408,195	1,541,834	1,430,213	322,117	352,676	332,094	6,879,172	\$ 6,734,858	5,648,717
August	7,895,649	\$8,155,135	5,885,408	2,003,578	2,193,720	2,071,197	439,045	480,697	454,501	10,338,272	10,829,551	8,411,107
September	5,919,811	\$5,825,972	4,299,928	1,410,919	1,544,817	1,482,510	321,199	351,671	342,802	7,651,930	7,722,460	6,125,240
October	7,930,465	\$7,823,307		1,999,518	2,189,274		437,931	479,477		10,367,913	10,492,057	-
November	4,977,568	\$4,816,404		1,416,720	1,551,168		321,799	352,328		6,716,088	6,719,900	-
December	6,216,270	\$5,794,180		2,013,149	2,204,199		441,057	482,900		8,670,476	8,481,278	-
January	2,624,605	\$2,544,160		1,405,078	1,538,421		318,852	349,101		4,348,535	4,431,682	-
February	3,594,233	\$3,566,451		1,992,768	2,181,884		437,055	478,518		6,024,056	6,226,853	-
March	1,978,100	\$2,097,854		1,400,299	1,533,189		319,385	349,685		3,697,784	3,980,727	-
April	3,972,353	\$3,930,424		2,047,123	2,241,396		441,798	483,711		6,461,274	6,655,531	-
May	3,367,351	\$3,059,352		1,382,615	1,513,826		320,761	351,191		5,070,727	4,924,370	-
June	6,153,533	\$6,029,493		2,052,718	2,247,523		451,028	493,817		8,657,279	8,770,833	-
TOTAL	59,778,799	\$58,483,079	14,071,745	20,532,680	\$22,481,250	4,983,921	4,572,027	\$5,005,772	1,129,398	\$84,883,506	\$85,970,101	\$20,185,064

Original Budget-to-Actual Basis **-20.18%**
 Actual-to-Actual Basis **-18.84%**
 % of total budget received **23.48%**

**Billed Water Consumption In AF
Fiscal Year 2010/11 - 2020/21**

Month	10/11	11/12	12/13	13/14	14/15	15/16	16/17	16/17	17/18	18/19	19/20	2021	21/22	2022	Monthly	Actual
	Actual	Actual	Actual	Actual	Actual	Actual	Budget	Actual	Actual	Actual	Actual	Actual	Budget	Actual	Variance	% Change
July	1,968	1,852	2,160	2,205	1,969	1,628	1,825	1,876	1,931	1,975	1,834	2,022	1,940	1,642	-15.36%	-18.77%
August	3,457	3,154	3,564	3,407	3,186	2,620	2,945	3,012	3,206	3,245	3,112	3,215	3,194	2,500	-21.74%	-22.24%
Septem	2,309	2,175	2,333	2,244	1,973	1,775	1,906	1,939	2,027	2,145	2,112	2,205	2,122	1,604	-24.41%	-27.24%
Octobe	3,286	3,045	3,163	3,215	2,778	2,583	2,729	2,767	3,140	2,951	3,058	3,124	3,068	-		
Novem	1,628	1,585	1,586	1,931	1,454	1,490	1,503	1,340	1,705	1,664	1,837	1,882	1,772	-		
Decem	1,784	1,986	1,911	2,433	1,984	1,935	1,998	1,646	1,914	2,169	2,295	2,418	2,199	-		
Januar	1,071	1,200	1,005	1,342	1,065	991	1,047	910	942	993	1,186	1,157	1,070	-		
Februa	1,625	1,858	1,680	1,996	1,651	1,450	1,576	1,392	1,754	1,525	1,556	1,625	1,615	-		
March	958	1,079	1,054	1,042	1,048	832	953	846	992	879	1,105	970	986	-		
April	1,640	1,676	2,016	1,627	1,910	1,467	1,710	1,375	1,612	1,427	1,883	1,775	1,674	-		
May	1,321	1,266	1,655	1,308	1,379	1,067	1,239	1,092	1,240	1,224	1,378	1,459	1,325	-		
June	2,568	2,789	3,161	2,642	2,344	2,478	2,463	2,416	2,516	2,349	2,711	2,559	2,533	-		
TOTAL	23,614	23,666	25,290	25,390	22,742	20,316	21,894	20,611	22,978	22,546	24,065	24,410	23,500	5,747		
												Budget-to-Actual Basis			-20.81%	
												Actual-to-Actual Basis			-22.78%	
												% of total budget			24.45%	

Marin Municipal Water District
Budget to Actual Comparison for 2020/21 - All Funds
Actual as of September 30, 2021
Unaudited

Revenues and Expenditures	2020/21 Adjusted Budget	Actual as of September 30, 2021	% of Budget
Revenues:			
<i>Water Sales and Service Charge:</i>			
Water Sales	\$ 58,483,079	\$ 14,071,745	24.1%
Service Charge	22,481,250	4,983,921	22.2%
Watershed Management Fee	5,005,772	1,129,398	22.6%
Total Water Sales and Service Charge	<u>85,970,101</u>	<u>20,185,064</u>	23.5%
<i>Other Revenues:</i>			
Rents	666,903	171,191	25.7%
Grants	-	-	
Watershed Rents	939,166	234,028	24.9%
Watershed Payments	365,116	107,484	29.4%
Late Payment and Special Read Charges	120,133	604,880	503.5%
Interest	336,497	41,130	12.2%
Miscellaneous	350,647	82,046	23.4%
Total Other Revenues	<u>2,778,462</u>	<u>1,240,760</u>	44.7%
 Total Operating Revenues	 <u>88,748,563</u>	 <u>21,425,824</u>	 24.1%
Expenditures:			
Personnel services	53,988,177	12,974,855	24.0%
Materials and supplies	3,232,106	615,421	19.0%
Operations	8,273,729	1,187,381	14.4%
Water conservation rebate program	615,323	394,355	64.1%
Electrical power	5,475,922	1,873,455	34.2%
Water purchased	8,100,000	1,646,307	20.3%
Insurance, including claims	1,425,500	1,361,997	95.5%
General and administrative	4,705,420	983,409	20.9%
Debt service - interest and principal	10,184,004	2,546,001	25.0%
Overhead cost allocated to capital	(5,197,000)	(1,218,463)	23.4%
Total Operating Expenditures	<u>90,803,181</u>	<u>22,364,717</u>	24.6%
 Transfer out to Capital Fund (PayGo)	 <u>-</u>	 <u>-</u>	
 Net Operating Fund Increase(Decrease)	 <u>\$ (2,054,618)</u>	 <u>\$ (938,893)</u>	
Operating Fund Balance			
Opening Fund Balance	\$ 32,619,471	\$ 32,619,471	
Net Operating Fund Increase(Decrease)	(2,054,618)	(938,893)	
Accrual adjustments	398	(3,883,953)	
Ending Fund Balance	<u>\$ 30,565,251</u>	<u>\$ 27,796,625</u>	

Capital and Fire Flow Funds

Revenues and Expenditures	Budget	Actual as of September 30, 2021	% of Budget
Revenues:			
Customer Reimbursement Project	\$ 710,182	\$ 126,744	17.8%
Interest Income	15,000	708	4.7%
Transfer-in from Operating (PayGo)	-	-	
Contributed Capital:			
Fire Flow	4,500,000	34,536	0.8%
Capital Maintenance Fee	17,370,793	3,758,058	21.6%
Capital Connection Fee	100,000	137,422	
Capital Grants & Contribution	-	-	
Total Revenues and Contributed Capital	<u>22,695,975</u>	<u>4,057,468</u>	17.9%
Capital Expenditures:			
Capital Projects - District	30,179,676	3,887,631	12.9%
Capital Projects - Fire Flow	7,660,774	1,000,218	13.1%
Capital equipment purchases	2,227,279	250,412	11.2%
Total Capital and Fire Flow Expenditures	<u>40,067,728</u>	<u>5,138,262</u>	12.8%
Net Capital and Fire Flow Fund Increase(Decrease)	<u>\$ (17,371,753)</u>	<u>\$ (1,080,794)</u>	6.2%
Capital Fund Balance			
Capital Fund			
Opening Fund Balance	\$ 21,061,136	\$ 21,061,136	
Net Capital Fund Increase(Decrease)	(14,210,979)	135,300	
Capital equipment purchases		(250,412)	
Accrual adjustments	3,809,223	(37,171)	
Ending Fund Balance	<u>\$ 10,659,380</u>	<u>\$ 20,908,853</u>	
Fire Flow Fund			
Opening Fund Balance	\$ 3,139,821	\$ 3,139,821	
Net Fire Flow Fund Increase(Decrease)	(3,160,774)	(965,682)	
Accrual adjustments	-	-	
Ending Fund Balance	<u>\$ (20,953)</u>	<u>\$ 2,174,139</u>	

Fund Balance Summary

	Audited		Preliminary	Projected
	6/30/2019	6/30/2020	6/30/2021	9/30/2021
Restricted	\$ 7,653,646	\$ 6,959,570	\$ 4,424,506	\$ 4,395,117
Board Designated	6,643,705	14,239,307	15,438,000	15,468,956
Watershed Fund	-	-	-	-
Rate Stabilization Fund	9,400,000	9,400,000	9,400,000	4,850,000
Pension Reserve Fund	2,000,000	2,000,000	2,000,000	2,000,000
Fire Flow Fund	(1,363,318)	2,021,206	3,128,482	2,174,139
Capital Fund	23,957,026	25,255,175	23,981,910	20,908,853
Unrestricted/undesignated - Operating	<u>27,359,341</u>	<u>26,162,068</u>	<u>28,941,949</u>	<u>27,796,625</u>
Total	<u>\$ 75,650,400</u>	<u>\$ 86,037,326</u>	<u>\$ 87,314,847</u>	<u>\$ 77,593,691</u>
Months Operating Fund Unrestricted - Operating to Annualized Actual Expenditure	4.19	3.69	3.69	3.67
Debt Coverage Ratio	1.39	2.10	2.17	3.00
As of September 30, 2021	Principal	Interest	Total	
2012 Bond	74,415,000	63,312,735	137,727,735	
2016 Bond	31,380,000	21,401,275	52,781,275	
2017 Bond	33,500,000	26,059,375	59,559,375	
Total Bond Debt	139,295,000	110,773,385	250,068,385	
CREB	366,750		366,750	
AEEP	1,930,238	328,268	2,258,506	
LGVSD	4,573,719	1,828,551	6,402,270	
Total Other Debt	6,870,707	2,156,819	9,027,526	
Total Outstanding Debt	146,165,707	112,930,204	259,095,911	

CIP Projects	FY2021/22 Adjusted Budget	Capital Projects YTD Actual Expenditures As of 09/30/21	Encumbered for Contracts As of 09/30/21	Total Capital & Fire Flow As of 09/30/21
District Pipeline Replacement / Improvement	\$ 9,206,856	\$ 1,652,857	\$ 908,934	\$ 2,561,792
Replacements - Tank Maintenance & Replacement	\$ 3,952,318	\$ 146,857	\$ 70,902	\$ 217,759
Replacements - Treatment Plant Facilities	\$ 7,766,022	\$ 285,453	\$ 2,734,409	\$ 3,019,862
Replacements - Dam/Pump/Control System/Meters	\$ 2,940,854	\$ 1,165,343	\$ 302,955	\$ 1,468,298
Fire Chief's Fund	\$ 150,000	\$ -	\$ -	\$ -
Program Management- Asset Mangement	\$ 1,108,569	\$ 21,350	\$ 298,523	\$ 319,873
System Improvements	\$ 200,000	\$ 7,761	\$ -	\$ 7,761
Watershed - Minor Structures I/R/R	\$ 16,088	\$ 11,745	\$ 4,288	\$ 16,033
Watershed - Ranger Residence & Minor Structure Improvement	\$ -	\$ -	\$ -	\$ -
Watershed - Trail Repair and Improvement	\$ 100,000	\$ -	\$ 50,000	\$ 50,000
Watershed - Road Repair & Improvement	\$ 811,970	\$ 45,804	\$ 44,274	\$ 90,078
Watershed - Natural Resource Project	\$ 2,121,563	\$ 259,807	\$ 829,988	\$ 1,089,794
Reimbursable Grant Projects	\$ 843,858	\$ 33,292	\$ 219,367	\$ 252,658
Reimbursable Customer Projects	\$ 620,822	\$ 250,334	\$ 6,000	\$ 256,334
Information Technology - Capital Equipments/Projects	\$ 340,755	\$ 7,030	\$ 66,434	\$ 73,464
Fire Flow Replacement	\$ 7,660,774	\$ 1,000,218	\$ 785,681	\$ 1,785,899
Capital Equipment Purchases	\$ 2,227,279	\$ 250,412	\$ 781,858	\$ 1,032,270
Total Capital Projects	\$ 40,067,728	\$ 5,138,262	\$ 7,103,612	\$ 12,241,874



Item Number: 07
Meeting Date: 10-28-2021
Meeting: Finance &
Administration Committee/
Board of Directors (Finance &
Administration)

Informational Item

TO: Finance & Administration Committee/Board of Directors (Finance & Administration)

FROM: Charles McBride, Finance Director/Treasurer

CM

THROUGH: Ben Horenstein, General Manager

BH

DIVISION NAME: Administrative Services Division

ITEM: Quarterly Investment Report – September 2021

SUMMARY

Pursuance to District Investment Policy No. 33, the quarterly investment report is submitted to the Board for the quarter ending September 30, 2021.

The District's investment portfolio (pooled cash) carried a market value of \$76.6 million as of the end of September. The investments held included \$73.6 million on deposit in the Local Agency Investment Fund (LAIF), \$0.7 million on deposit in the Fidelity Government Money Market Fund, and \$2.3 million in the District's general checking account. Fiscal year to date interest earned as of September on the District's portfolio totaled \$39,056. The LAIF interest rate at September 30, 2021 was 0.21 percent.

Pursuant to provision (2) of California Government Code section 53646, the District portfolio complies with the District's investment policy. Pursuant to provision (3) of California Government code section 53646, the District establishes that it is able to meet its pooled expenditure requirements for the next six months.

ATTACHMENT(S)

1. Schedule of Investments and Yield Curve as of September 30, 2021

**Marin Municipal Water District
Schedule of Investments
As of September 30, 2021**

	Beginning Balance	Purchases / Deposits	Investment Income/(Loss)	Withdrawal	Ending Balance	Fiscal YTD Accrued Interest	Yield
LOCAL AGENCY INVESTMENT							
Balance	74,526,769				74,526,769		
Accrued Interest	-		42,314		42,314	42,314	0.206%
Purchase	-	3,000,000		(4,000,000)	(1,000,000)		
Balance	74,526,769	3,000,000	42,314		73,569,083	42,314	
DISTRICT INVESTMENTS:							
Fidelity Gov't Money Market Fund	8,675,700		142	(8,000,000)	675,842	142	0.010%
Corporate Obligations	10,200		(3,400)		6,800		
US Bank Checking Account Included Sweep Account	4,070,913	16,727,736		(18,430,029)	2,368,620		
TOTAL INVESTMENTS	87,283,582	19,727,736	39,056	(26,430,029)	76,620,345	42,456	0.186%

