

**MARIN MUNICIPAL WATER DISTRICT  
BOARD OF DIRECTORS**

**MEETING MINUTES**

**Tuesday, February 1, 2022**

**Via teleconference**

(In accordance with Assembly Bill (AB) 361)

**DIRECTORS PRESENT:** Jack Gibson, Cynthia Koehler, Monty Schmitt, and Larry Russell

**DIRECTORS ABSENT:** Larry Bragman

**CALL TO ORDER AND ROLL CALL**

President Russell called the meeting to order at 6:32 p.m.

**ADOPT AGENDA**

On motion made by Director Gibson and seconded by Vice President Schmitt, the board adopted the agenda.

There were no public comments.

The following roll call vote was made.

Ayes: Directors Gibson, Koehler, Schmitt, and Russell

Noes: None

Absent: Director Bragman

**PUBLIC COMMENT (ONLY ON CLOSED SESSION ITEM)**

There was one (1) public comment.

**CONVENE TO CLOSED SESSION**

At 6:36 p.m., the Board of Directors convened to closed session. Director Bragman arrived at the Closed Session.

**CLOSED SESSION ITEM**

1. Conference with Legal Counsel – Existing Litigation  
(California Government Code Section §54956.9(d)(i))

*North Coast Rivers Alliance v Marin Municipal Water District*  
Case No.: CIV2104008

The Board of Directors and staff discussed the item.

**CONVENE TO OPEN SESSION ON OR AFTER 7:00 PM**

The board convened to open session at 7:06 p.m.

**CLOSED SESSION REPORT OUT**

Also, at 7:06 p.m., President Russell stated that no reportable action was taken.

**PUBLIC COMMENT**

There were six (6) public comments.

**DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS**

- Director Gibson announced the upcoming North Bay Watershed Association Meeting on February 4<sup>th</sup>.
- Director Koehler provided a summary of what took place at the Finance & Administration Committee Meeting held on January 27<sup>th</sup>.
- Director Bragman reported on what took place at the Lagunitas Creek Technical Advisory Committee on January 21<sup>st</sup> and thanked the staff.

**CONSENT CALENDAR (ITEMS 2-6)**

- Item 2            Minutes of the Board of Directors' Regular Bi-Monthly Meeting of January 18, 2022**
- Item 3            Resolution Continuing the Invocation of the District's Emergency Contracting Procedures for the Rehabilitation of the Kastania Pump Station (Resolution No. 8674)**
- Item 4            Resolution Certifying Review of the Initial Study/Mitigated Negative Declaration and the Mitigation and Monitoring Program for the 350 Merrydale Road Residential Townhome Development Project and Approve a Pipeline Extension Agreement (Resolution No. 8675)**
- Item 5            Authorizing the General Manager to Execute Third Amendment to Contract No. 5652 to Extend the Contract for One Additional Year with United Site Services of California and Increase the Total Contract Amount for Portable Toilet Rentals and Servicing**
- Item 6            Resolution to Continue Virtual Board and Committee Meetings Pursuant to Assembly Bill (AB) 361 (Resolution No. 8676)**

There were no public comments.

Before the roll call vote was made, Director Bragman discussed with staff if dual plumbing could be added to the pipeline agreement provided in agenda item 4. The board agreed.

There were no public comments.

On motion made by Director Bragman and seconded by Director Gibson, the board adopted the consent calendar along with the change to the pipeline agreement. The following roll call vote was made.

Ayes: Directors Bragman, Gibson, Koehler, Schmitt, and Russell

Noes: None

### **REGULAR CALENDAR (ITEMS 7-10)**

#### **Item 7 Water Supply Update**

Director of Operations Paul Sellier presented this item. Conversation between the board and staff ensued.

There were five (5) public comments.

No further board comments were made.

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

#### **Item 8 Kastania Pump Station Rehabilitation Project Update**

Construction Engineering Manager Mark Kasraie and Division Engineering Manager Crystal Yezman brought forth this item. Discussion followed including the board congratulating staff for expeditiously building this project that provides such a significant benefit to our water supply resiliency.

There were no public comments and no further comments from the board.

#### **Item 9 Professional Services Agreement with Jacobs Engineering Group for Engineering Services in Support of the Strategic Water Supply Assessment Project**

Water Quality Manager Lucy Croy presented this item. Afterwards, the board deliberated and discussed this matter.

They received seven (7) public comments.

On motion made by Director Gibson and seconded by Director Koehler, the board approved the execution of the Professional Services Agreement with Jacobs Engineering Group. The following roll call vote was made.

Ayes: Directors Bragman, Gibson, Koehler, Schmitt, and Russell

Noes: None

**Item 10 Professional Services Agreement with Environmental Science Associates, Inc. for Environmental Review Services Associated with the Emergency Intertie Project**

Construction Engineering Manager Kasraie also brought forth this item. Discussion ensued including possibly waiting another five (5) months to determine the findings from Jacobs Engineering Group (JEG) and how best to communicate to the public what the District is doing if the board approved both this agreement and the agreement with JEG.

There were three (3) public comments.

On motion made by Director Koehler and seconded by Director Gibson, the board approved the execution of the Professional Services Agreement with Environmental Associates, Inc. The following roll call vote was made.

Ayes: Directors Gibson, Koehler, Schmitt, and Russell  
Noes: Director Bragman

After this item, which ended past 9:30 p.m., President Russell asked staff to determine how many more agenda items the board would need to review. The board would deliberate on agenda items 11, 12, and 15. Agenda items 13 and 14 would move to other meetings.

**PUBLIC HEARING (ITEM 11)**

**Item 11 2020 Census Data & Adjustment of Director Division Boundaries (Redistricting)**

Staff Attorney Jerrad Mills presented this item, including providing a schedule as to when this item would come again before the board and how the public could provide input on the redistricting process.

There were neither comments from the board nor the public.

This was an informational item, so the board did not take any formal action.

**REGULAR CALENDARS (ITEMS 12-15)**

**Item 12 Approve a Resolution Authorizing the General Manager to Negotiate and Execute a Revised Reimbursement Agreement between the City of San Rafael and Marin Municipal Water District for the 3<sup>rd</sup> Street Pipeline Replacement Project (Resolution No. 8677)**

Associate Engineer Jake Miller brought forth this item. There were neither board comments nor public comments.

On motion made by Director Gibson and seconded by Director Bragman, the board approved the resolution. The following roll call vote was made.

Ayes: Directors Bragman, Gibson, Koehler, Schmitt, and Russell  
Ayes: None

**Item 13      Approve (A) Resolution Certifying Review of the Amended Final Environmental Impact Report for the Oakview Master Plan, Use Permit, and Vesting Tentative Map for the Talus Reserve – Erin Drive Extension and Approving a Pipeline Extension Agreement (B) Resolution Making Determinations with Respect to Fees Contained in the Pipeline Extension Agreement, and (C) Resolution Finding Impending Peril of Gradual Earth Movement Determining and Undertaking Appropriate Action Halt, Stabilize, or Abate Such Peril**

This item was tabled to another meeting.

**Item 14      Further Discussion of Drought Restrictions**

This item was tabled to another meeting.

**Item 15      Future Meeting Schedule and Agenda Items**

General Manager Ben Horenstein mentioned that there were no changes to the meetings listed on the calendar.

There were no more comments from the board nor from the public.

This being an informational item, the board did not take any formal action.

#### **ADJOURNMENT**

There being no further business, the regular bi-monthly Board of Directors' meeting of February 1, 2022, adjourned at 9:59 p.m.



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Terrie Gillen, CMC  
Board Secretary

The minutes were approved at the Board of Directors' Regular Bi-Monthly Meeting of February 15, 2022.