



Posting Date: 03-11-2022

NOTICE OF BOARD OF DIRECTORS' REGULAR BI-MONTHLY MEETING

MEETING DATE: 03-15-2022

TIME: Meeting begins at **5:30 p.m. (Public)**
Closed Session begins at or after **5:31 p.m. (Only Board and Staff)**
Open Session for the public begins at **or after 7:00 p.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/88095243852>. You can also participate by phone by calling **1-669-900-6833** and entering the **webinar ID#: 880 9524 3852**.

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 3 p.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 at 5:30 p.m.	
Adoption of Agenda	<i>Approve</i>
Public Comment – Only on Items on the Closed Session	
Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.	
Convene to Closed Session at after 5:31 p.m. (Only the Board of Directors and staff will participate)	

MARIN WATER BOARD OF DIRECTORS: LARRY BRAGMAN, JACK GIBSON, CYNTHIA KOEHLER, LARRY RUSSELL, AND MONTY SCHMITT

AGENDA ITEMS**RECOMMENDATIONS****Closed Session Items**

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

Nardone v. Marin Municipal Water District
Marin Superior Court
Case No. CIV 2104198
(Approximate time 15 minutes)

- 2. Public Employee Performance Evaluation**
(California Government Code Section §54957.6)

Title: General Manager
(Approximate time 60 minutes)

Convene to Open Session at or after 7:00 p.m.

Closed Session Report Out**Public Comment - Items Not on the Agenda**

Members of the public may comment on any items not listed on the agenda during this time. Comments will be limited to three (3) minutes per speaker, and time limits may be reduced by the board president to accommodate the number of speakers and ensure that the meeting is conducted in an efficient manner.

Directors' and General Manager's Announcements & Committee Reports
(7:10 p.m. – Time Approximate)**Consent Calendar** (7:15 p.m. – Time Approximate)

All matters listed on the consent calendar are considered to be routine and will be enacted by a single action of the Board, unless specific items are removed from the consent calendar by the Board during adoption of the agenda for separate discussion and action.

3. Minutes of the Board of Directors' Regular Bi-Monthly Meeting of March 1, 2022	<i>Approve</i>
4. General Manager's Report for February 2022	<i>Approve</i>
5. Resolution to Continue Virtual Board and Committee Meetings Pursuant to Assembly Bill (AB) 361	<i>Approve</i>
6. Resolution Implementing Fiscal Year 2023 Cost of Living Adjustment for District Employees	<i>Approve</i>

AGENDA ITEMS	RECOMMENDATIONS
7. Resolution Adopting Marin Municipal Water District Hazard Mitigation Plan	<i>Approve</i>
8. Request to Fill Utility Crew Leader Position in the Operations Division	<i>Approve</i>
Regular Calendar (7:20 p.m. – Time Approximate)	
9. (1) Authorizing the General Manager to Enter Into an Agreement with the California Department of Fish and Wildlife for \$869,178 under the Proposition 1 North Coast Coho Recovery Grant Program, (2) Supporting Assembly Bill 2142 (Gabriel), and (3) Receiving Legislative and Grant Update <i>(Approximate time 20 minutes)</i>	<i>Approve</i>
10. Water Supply Update <i>(Approximate time 15 minutes)</i>	<i>Information</i>
11. Adopting Ordinance 459 Prohibiting the Irrigation of Non-Functional Turf in New Non-Residential Landscape Installations Using District Water <i>(Approximate time 15 minutes)</i>	<i>Approve</i>
12. Future Meeting Schedule and Agenda Items <i>(Approximate time 5 minutes)</i>	<i>Information</i>
Adjournment <i>(8:15 p.m. – Time Approximate)</i>	

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

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

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

FUTURE BOARD MEETINGS:

- ❖ Thursday, March 17, 2022
Watershed Committee/Board of Directors (Watershed) Meeting
1:30 p.m.
- ❖ Thursday, March 24, 2022
Finance & Administration Committee/Board of Directors (Finance & Administration)
Meeting
9:30 a.m.

A handwritten signature in blue ink, appearing to read "Louise Gillen", is positioned above a horizontal line.

Board Secretary



Item Number: 03
Meeting Date: 03-15-2022
Meeting: Board of Directors

Approval Item

TITLE

Minutes of the Board of Directors' Regular Bi-Monthly Meeting of March 1, 2022

RECOMMENDATION

Approve the adoption of the minutes

SUMMARY

On March 1, 2022, the board had its regular bi-monthly meeting. The minutes of that meeting are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

1. Minutes of the Board of Directors' Regular Bi-Monthly Meeting of March 1, 2022

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

**MARIN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS**

MEETING MINUTES

Tuesday, March 1, 2022

Via teleconference

(In accordance with Assembly Bill (AB) 361)

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

DIRECTORS ABSENT: None

CALL TO ORDER AND ROLL CALL

President Russell called the meeting to order at 7:00 p.m.

ADOPT AGENDA

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

There were two (2) public comments.

The following roll call vote was made.

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

Noes: None

PUBLIC COMMENT

There were four (4) public comments.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- Director Gibson announced that he was appointed as Vice-Chair to the North Bay Water Reuse Authority.

CONSENT CALENDAR (ITEMS 1-5)

Item 1 Minutes of the Board of Directors' Regular Bi-Monthly Meeting of February 15, 2022

- Item 2 Resolution Continuing the Invocation of the District’s Emergency Contracting Procedures for the Rehabilitation of the Kastania Pump Station (Resolution No. 8684)**
- Item 3 Professional Services Agreement with Alta Planning + Design, Inc. for the Development of the Watershed Recreation Management Plan**
- Item 4 Recruitment and Hire of a Mechanical & Electrical Maintenance Planner**
- Item 5 Request to Fill Automotive Mechanic II Position in the Operations Division**

There were no public comments.

On motion made by Director Gibson and seconded by Director Bragman, the board adopted the consent calendar. The following roll call vote was made.

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

PUBLIC HEARING (ITEM 6)

- Item 6 Resolution Adjusting Director Division Boundaries Following 2020 Decennial Census (Redistricting) (Resolution No. 8685)**

Staff Attorney Jerrad Mills provided a synopsis of what lead to the adjustment of some of the division boundaries and the outreach staff conducted to receive public input. Conversation between the board and staff ensued.

President Russell opened the public comment. There was one (1) public comment. The public hearing was closed.

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

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

REGULAR CALENDAR (ITEMS 7-12)

- Item 7 Resolution Authorizing Award of Contract No. 1927, East Blithedale Pipeline Replacement Project, to Maggiora & Ghilotti, Inc. in the Amount of \$2,237,237 with a Contingency of up to \$330,000 (Resolution No. 8686)**

Associate Engineer Zak Talbott brought forth this item. There were neither board comments nor public comments after the report.

On motion made by Director Gibson and seconded by Vice President Schmitt, the board adopted the resolution to authorize the award. The following roll call vote was made.

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

Item 8 Authorizing the General Manager to Negotiate and Sign a Memorandum of Understanding (MOU) and Local Project Sponsor Agreement with East Bay Municipal Utility District (EBMUD) to Accept a Pass-Through Grant Funding from the State of California for up to \$222,477 for Water Conservation Rebates for the District's Customers

Water Efficiency Manager Carrie Pollard presented this item to discuss the benefits of receiving this grant, including obtaining more flume for our customers, and addressed questions brought forth by the directors.

There was one (1) public comment.

On motion made by Director Koehler and seconded by Director Bragman, the board approved authorizing the general manager to negotiate and sign the MOU and Local Sponsor Agreement with EBMUD. The following roll call vote was made.

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

Item 9 Water Supply Update

Director of Operations and Acting Resources Manager Paul Sellier presented the current state of the District's water supply. Discussion between the board and staff, including commending the public for continued conservation efforts.

There were four (4) public comments.

Afterwards, there were some brief board comments.

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

Item 10 Consider a Ballot Measure on the June 7th California State Primary Election to Repeal Ordinance No. 418 Requiring Voter Approval for Financing or Construction of a Desalination Facility

This item was referred from the Finance & Administration Committee Meeting of February 24, 2022. General Manager Horenstein re-introduced the proposed ballot measure. Afterward, the board deliberated and continued to ask staff questions.

The directors expressed wanting to hear public comment. There were 17 public comments.

After public comments, the board continued discussing the matter. The directors did not take any formal action and General Manager Horenstein indicated that there would therefore be no special meeting to pursue a ballot measure at this time. This was an informational item.

Item 11 Resolution to Allow Continuing Virtual Board and Committee Meetings in Accordance with AB 361 and Consider a Date to Commence Some In-Person Participation at Board and Committee Meetings (Resolution No. 8687)

General Counsel Molly MacLean presented this item. Afterwards the board and staff conversed on the topic.

There were four (4) speakers for public comment.

On motion made by Director Koehler and seconded by Director Bragman, the board approved the resolution to continue virtual meetings. The following roll call vote was made.

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

Furthermore, the directors agreed to commence hybrid-meetings starting with the Finance & Administration Committee Meeting of March 24th.

No further action was taken.

Item 12 Future Meeting Schedule and Agenda Items

The board secretary announced upcoming meetings and events.

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 March 1, 2022, adjourned at 9:40 p.m.

Board Secretary

Approval Item

TITLE

General Manager's Report February 2022

RECOMMENDATION

Approve the report

SUMMARY**A. HIGHLIGHTS:**

- Design group received and is reviewing Pine Mountain Tunnel Tank Replacement Project Phase I - 90% plan set. Finals signed plans and specifications will be ready by March 30, 2022 for advertisement.
- The daily average net production for the month of February, 2022 was 15.42 MGD compared to a typical summer time peak demand of 31 MGD, and compared to average this time of year of 16.2 MGD.
- Received CDFW grant award of \$869,178 for Lagunitas Creek restoration design
- Installed two new PIT tag antennas (salmon counting and tracking stations) in Devil's Gulch and San Geronimo Creek

DISCUSSION**B. SUMMARY:**

AF = Acre Feet

Mg/L = milligrams per liter

MPN = most probable number

MPY = mils per year

MG = million gallons

NTU = nephelometric turbidity units

1. **Water Production:**

	FY 2021/22		FY 2020/21	
	(million gallons)	(acre-feet)	(million gallons)	(acre-feet)
Potable				
Total production this FY	4,297	13,187	5,835	17,907
Monthly production, February	432	1,325	440	1,349
Daily average, February	15.42	47.33	15.70	48.17
Recycled				
Total production this FY	128.48	394.29	0.00	0.00
Monthly production, February	8.73	26.79	0.00	0.00
Daily average, February	0.31	0.96	0.00	0.00
Raw Water				
Total production this FY	26.94	82.68	41.23	126.53
Monthly production, February	0.00	0.00	0.00	0.00
Daily average, February	0.00	0.00	0.00	0.00
Imported Water				
Total imported this FY	1,488	4,567	1,695	5,201
Monthly imported, February	280	861	228	698
Reservoir Storage				
Total storage, January	24,291	74,546	14,640	44,930
Storage change during February	-513	-1,573	-100	-306
Stream Releases				
Total releases this FY	1,767	5,423	2,452	7,525
Monthly releases, February	577	1,771	419	1,286

2. <u>Precipitation:</u>	<u>FY 2021/22 (in.)</u>	<u>FY 2020/21 (in.)</u>
Alpine	40.79	16.66
Bon Tempe	38.54	13.19
Kent	39.07	14.73
Lagunitas *	43.26	16.85
Nicasio	24.62	9.24
Phoenix	44.84	12.72
Soulajule	26.56	9.95

* Average to date = 39.31 inches

3. Water Quality:

<u>Laboratory:</u>	<u>FY 2021/22</u>	<u>FY 2020/21</u>
Water Quality Complaints:		
Month of Record	5	15
Fiscal Year to Date	101	116
Water Quality Information Phone Calls:		
Month of Record	11	6
Fiscal Year to Date	83	92

The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 2,228 analyses on lakes, treatment plants and distribution system samples.

Mild steel corrosion rates averaged 2.61 (1.43 – 3.98) MPY. The AWWA has recommended an operating level of <5 MPY with a goal of <1 MPY.

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

Tank Survey Program: 20 water storage tank sanitary surveys were performed during the month. 15.50 % planned survey program has been completed for calendar year 2022.

Disinfection Program: 763' of new pipeline was disinfected during the month. Performed chlorination's on 11 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 53 water quality-monitoring events on storage tanks for various water quality parameters this month to help ensure compliance with bacteriological water quality regulations.

Summary:

The lab performed 20 sanitary tank surveys, treated 11 tanks for low chlorine, and check an additional 53 tanks for low chlorine residual in February 2022.

4. Water Treatment:

	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
<u>Treatment Results</u>	Average	Monthly	Average	Monthly	Average	Monthly
		Goal		Goal		Goal
Turbidity (NTU)	0.06	≤ 0.10	0.03	≤ 0.10	0.05	≤ 0.10
Chlorine residual (mg/L)	2.69	2.75 *	2.47	2.50 *	2.74	2.75 *
Color (units)	0.8	≤ 15	0.3	≤ 15	0.4	≤ 15
pH (units)	7.8	7.8*	7.8	7.8*	8.1	8.1**

* Set monthly by Water Quality Lab

** pH to Ignacio is controlled by SCWA

5. Capital Improvement:

a. San Geronimo Treatment Plant Permanent Emergency Generator Project

Summary: This project involves the installation of two 1.5 MW generators, electrical equipment, fuel storage tanks and site grading all within the community of Woodacre.

- Project Budget: \$5,375,600
- Monthly Activities: Final generator yard redesign was completed and the contractor has mobilized back onsite to restart construction activities. Project

scheduled to be completed in June 2022.

- b. Fire Flow Improvement Program Monterey Ave Pipeline Replacement Project (F18006)
Summary: This project involves the replacement of 7,200 feet of old leak prone, fire flow deficient pipe in the Town of San Anselmo.
- Project Budget: \$2,180,000.70
 - Monthly Activities: Pipeline has been completed and roadway has been repaved, contractor currently completing punchlist.
- c. Southern Marin Pipeline Replacement Project Phase II (D20022)
Summary: This project will install 530 feet of pipe to replace old, undersized fire flow deficient pipe in the City of Belvedere and Town of Tiburon.
- Project Budget: \$378,495.50
 - Monthly Activities: Finalizing alignment and digging pits for horizontal boring work.
- d. Berry Lane Pipeline Replacement Project (D21007)
Summary: This project involves the replacement of approximately 350 feet of old leak prone pipe in the Town of Ross.
- Project Budget: \$331,333
 - Monthly Activities: This project has been completed and is currently finalizing punch list items.
- e. Kastania Pump Station Project (D21027)
Summary: This project involves installing 220 feet of pipe and recommission the pump station.
- Project Budget: \$1,637,777
 - Monthly Activities: Contractor has completed most of the work with the exception of some long lead time items that are still pending delivery and installation. Final delivery of pending items anticipated March 2022. Construction closeout is expected before March 15.
- f. Fire Flow Improvement Program Ridge Road Pipeline Replacement Project (F21002)
Summary: This project involves installing 5,310 feet of old leak prone, fire flow deficient pipe in the Town of Tiburon.
- Project Budget: \$2,284,120
 - Monthly Activities: Currently installing welded steel pipe mainline on Mountain View, and anticipate finishing remaining mainline about mid-March. Remaining

work includes HDPE mainline section, service transfers, and tie-ins. Paving and punchlist anticipated later in spring.

- g. San Rafael 3rd Street Pipeline Replacement Project (D17026): This project involves installing approximately 10,530 linear feet of pipe and 54 water service laterals.
 - Project Budget: \$4,512,603
 - Monthly Activities: Pre-construction meetings held with parties on February 16th and 22nd. Contractor has mobilized and begun potholing.
- h. Mill Valley East Blithedale Pipeline Replacement Project (D20021): This project involves installing 5,490 feet of pipe to replace 100-year old pipe in coordination with Mill Valley's road paving project
 - a. Project Budget: \$3,154,237
 - Monthly Activities: Bid opening complete with Maggiora & Ghilotti Inc. as low bidder.
- i. Sunny Oaks Drive Pipeline Replacement Project (D20028): This project involves installing 850 feet of pipe in the Community of Santa Venetia.
 - Project Budget: \$367,410
 - Monthly Activities: Pipeline work is complete and paving and punchlist items remain.

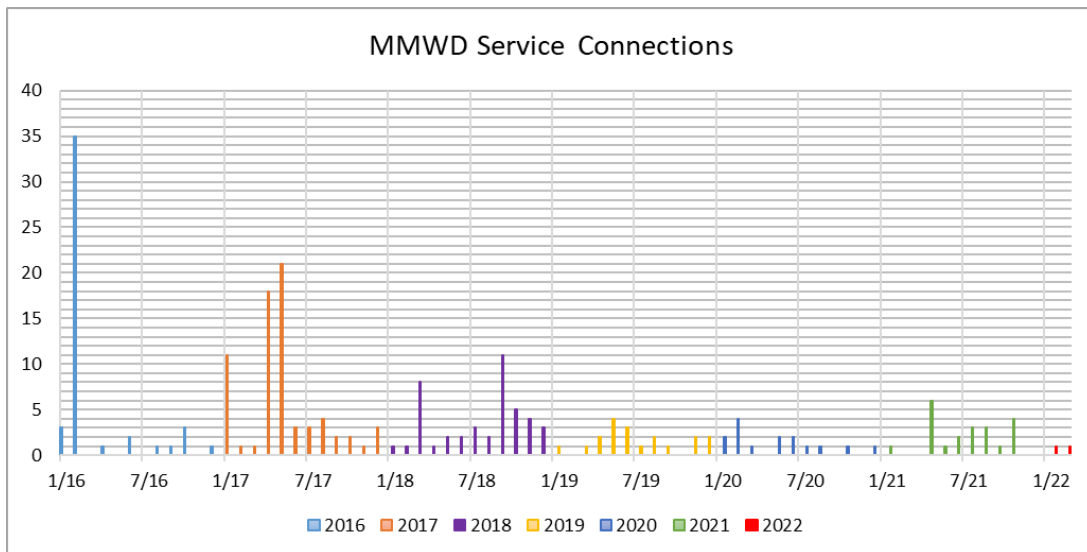
6. Other:

<u>Pipeline Installation</u>	<u>FY2021/22</u>	<u>FY2020/21</u>
Pipe installed during February (feet)	3,627	2,882
Total pipe installed this fiscal year (feet)	16,746	12,299
Total miles of pipeline within the District	908*	908*

* Reflects adjustment for abandoned pipelines

<u>Pipe Locates</u>	<u>FY2021/22</u>	<u>FY2020/21</u>
Month of February (feet)	27,185	36,776
Total this fiscal year (feet)	315,602	288,462
<u>Main Line Leaks Repaired:</u>	<u>FY2021/22</u>	<u>FY2020/21</u>
Month of February	17	1

Total this fiscal year	128	106
<u>Services:</u>	<u>FY2021/22</u>	<u>FY2020/21</u>
Service upgrades during February	13	18
Total service upgrades this FY	93	113
Service connections installed during February	1	0
Total active services as of March 1, 2022	60,450	60,486



7. Demand Management:

	Feb-22	FY 21/22 TOTAL	FY 20/21 TOTAL	FY 19/20 TOTAL
WATER-EFFICIENCY PROGRAMS				
Water-Use Site Surveys				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	16	608	117	127
Residential properties resi 3-5 (multi-family units)	0	4	5	30
Non-residential properties resi 6-7 (commercial)	0	0	5	3
Dedicated irrigation accounts resi 8-10 (large landscape)	0	1	6	-
Marin Master Gardeners' Marin-Friendly Garden Walks			0	
Residential garden walks	5	79	129	91
CYES Water/Energy Surveys			0	
Residential surveys (on hold due to pandemic)	0	0	0	86
Public Outreach and Education, Customer Service			0	
Public outreach events (number of people attending)	0	0	0	1,150
Public education events (number of participants)	0	0	0	-
Laundry-to-Landscape Graywater webinars (participants)	0	85	397	-
Customer calls/emails admin staff	629	6994	5738	2,230
School Education			0	
School assemblies			0	
Number of activities	0	0	0	15
Number of students reached	0	0	0	6,349
Field trips			0	
Number of activities	0	0	0	11
Number of students reached	0	0	0	91
Classroom presentations			0	
Number of activities	0	0	1	11
Number of students reached	0	0	22	305
Other (e.g. booth events, school gardens)			0	
Number of activities	0	0	0	-
Number of students reached	0	0	0	-
Incentives			0	
Number of HECWs approved	12	149	163	53
Number of Rain Barrel/Cisterns approved	14	64	19	4
"Landscape Your Lawn" Turf Replacements approved	34	305	6	
Number of Laundry-to-Landscape Systems approved	0	26	0	-
Hot water recirculating system rebates	9	99	0	
Pool Cover rebates	6	258	0	
HET rebates	5	54	214	850
Number of Smart Controllers rebates approved	3	43	85	12
Number of Smart Controllers "Flume Direct Distribution" redeemed	37	1449	1140	-
Number of Smart Controllers "Rachio Direct Distribution" approved	8	143	233	-
Advanced Metering Infrastructure (AMI)			0	
AMI leak letters sent to customers (>200 GPD)	114	645	1601	1,384
			0	
ORDINANCES			0	
Water Waste Prevention			0	
No. of properties reporting activity	54	4168	589	147
Landscape Plan Review			0	
Plans submitted	4	29	94	89
Plans exempt	0	1	4	5
Plans completed	3	10	19	23
Plans in workflow (pass & fail)	8	76	154	145
Tier 4 Exemption			0	
Inspections that resulted in a pass	0	0	1	1
Graywater Compliance Form			0	
Applications Received (as of Dec 2019)	4	25	106	39
Systems installed	1	4	7	11

8. Watershed Protection:

Rangers Investigate Firearms Violation

Rangers found evidence of illegal use of firearms just west of the Azalea Hill Parking area where they located numerous spent shell casings. This is the second time this year Rangers have investigated firearms violations in this area of the watershed. This appears to be a case of target practicing occurring at night.

Medical Aid Calls

The Rangers responded to nine medical aid calls during February. Six of the patients were transported to the hospital. One of the patients suffered a cardiac arrest during a bike ride near West Point Inn. He was airlifted to the hospital where he was pronounced dead. Another patient required surgery after suffering a compound leg fracture after a fall from a horse on Deer Park Road. Three hikers suffered leg or ankle injuries on lower Cataract Trail. Finally, an elderly e-biker was airlifted to the hospital after receiving serious injuries after crashing on Laurel Dell Road.

Cyclist Flees Ranger

A Ranger attempted to stop a female mountain biker riding illegal on the Matt Davis Trail. The cyclist ignored the verbal orders and refused to stop and fled from the Ranger. Rangers are continuing to investigate the incident.

Visitation Remains High on Weekends

During the month of February watershed visitation remained high, often resulting in parking lots reaching capacity. On five occasions Rangers had to restrict parking at Bon Tempe and Lake Lagunitas due to capacity issues.

Rangers Foot and Bike Patrols for February

In addition to regular patrols, Rangers completed 80 miles of foot and bike patrols during the month. This allows Rangers to access various parts of the mountain not accessible by vehicle alone.

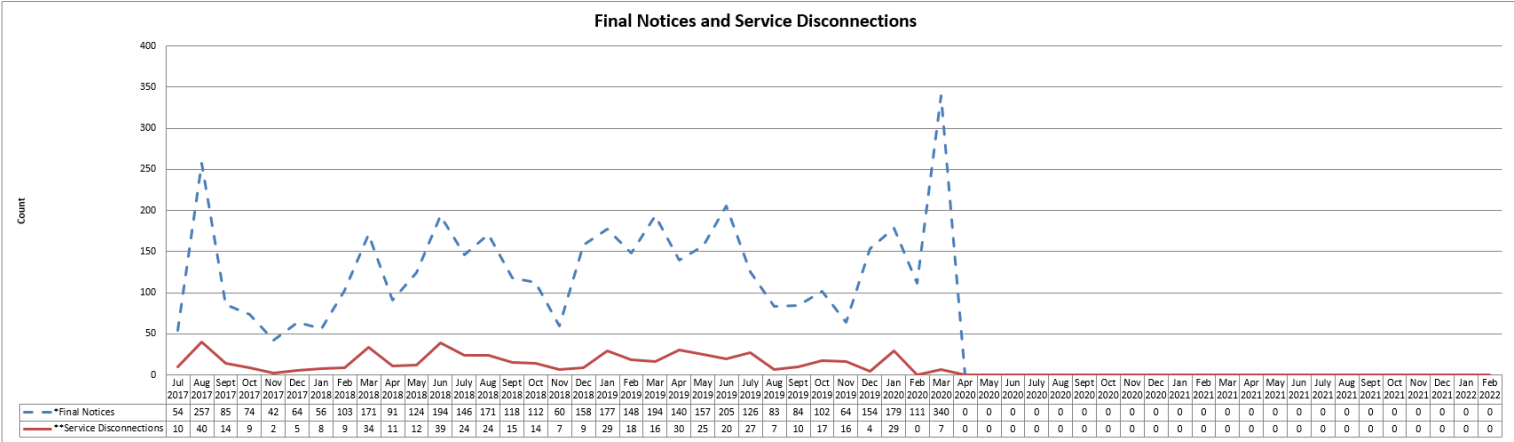
Incidents and Events	424
Visitor Assists	125
Warnings	119
Citations	89
Vandalism	22
Dam Check	15
Medical Aid	9
Closed Parking Due to Capacity Issues	5
Assist Watershed Maintenance	5
Complaint: Illegal Bike Use	4
Preventative Search and Rescue	4
Illegal Trail Work	4
Suspicious Circumstance	2
Misc. Call for Service	2
Misc. Law Enforcement Calls	2
Citizen Complaint: Recreational Impacts	2
Citizen Complaint: Off Leash Dogs	2
Theft	2
Search and Rescue	1
Public Outreach/Interp Activity	1
Found Property	1
Ranger Callout	1
Humane/Animal Call for Service	1
Resist Officer	1
Assist Other Agency	1
Citizen Complaint: Misc.	1
Illegal Encampment	1
Illegal Dumping	1
Weapons Violations	1

Citations	89
Non-Payment of Parking Fees	70
Parking After Sunset	6
Parking with 6 ft. of Center/Travel Section of Road	1
No Parking	8
Dog off Leash	3
Blocking Fire Hydrant	1

9. Shutoff Notices and Disconnections:

Month	February 2022
Final Notices	0
Service Disconnections	0

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



FISCAL IMPACT
None

ATTACHMENT(S)
None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Office of the General Manager	<div></div> Ben Horenstein General Manager	<div></div> Ben Horenstein General Manager

Approval Item

TITLE

Continuation of Virtual Board and Committee Meetings Pursuant to Assembly Bill (AB) 361

RECOMMENDATION

Approve a Resolution for the Marin Municipal Water District to allow continued virtual Board and Committee meetings due to public health and safety concerns in accordance with AB 361

SUMMARY

On September 17, 2021, the Governor signed Assembly Bill (AB) 361, which codifies certain changes to the Brown Act allowing teleconference (or virtual) meetings to continue during a health emergency. The Board has taken action to allow virtual meetings to continue in accordance with AB 361 based on health and safety concerns due to COVID-19.

DISCUSSION

AB 361 authorizes local agencies to continue holding their public meetings virtually during a proclaimed state of emergency under section 8625 of the Government Code (i.e., the California Emergency Services Act), under any of the following circumstances:

- State or local officials have imposed or recommended measures to promote social distancing.
- The meeting is being held for the purposes of determining, by majority vote, whether as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- The legislative body has determined that as a result of the emergency, meeting in person would present imminent risks to the health or safety of attendees.

AB 361 requires the Board to reconsider the emergency circumstances every 30 days.

State and local public health officials have recently relaxed some COVID-19 public health emergency orders as COVID-19 case rate and hospitalization data improves. While the number of new COVID-19 infection rates have significantly declined, the District's board room may not be able to accommodate a full return to in-person meetings consistent with current social distancing guidelines. Therefore, staff is recommending that the Board adopt a resolution continuing to allow virtual meetings for Board and Committee meetings. The proposed resolution will require a majority vote of the Board for adoption.

Based on discussions at the March 1st board meeting, the District will commence some in-person participation as soon as the March 24th Finance and Administration Committee meeting to allow staff to test use of the new technology that will allow hybrid participation. This could include key staff and allow some of the Board members to participate in person, while continuing to accommodate a virtual component for other staff, board members and the



public. These parallel steps are a reasonable but cautious incremental step to transition to fully in-person meetings as circumstances improve, but also provides the flexibility to step back to fully virtual meetings if conditions worsen.

FISCAL IMPACT

There is no fiscal impact associated with this item.

ATTACHMENT(S)

- 1. Proposed Resolution

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

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE MARIN MUNICIPAL WATER DISTRICT BOARD OF DIRECTORS TO
ALLOW VIRTUAL BOARD AND COMMITTEE MEETINGS PURSUANT TO AB 361**

WHEREAS, Assembly Bill (AB) 361 was adopted by the California State legislature as an urgency item and was signed into law on September 16, 2021, which allows the Board of Directors to consider whether to continue virtual meetings during a proclamation of emergency under section 8625 of the Government Code (i.e., the California Emergency Services Act); and

WHEREAS, The Governor's March 4, 2020 Proclamation of Emergency pursuant to the California Emergency Services Act, California Government Code Section 8625, addressing the COVID-19 pandemic is still in effect and continues to remain in effect; and

WHEREAS, the Marin County Director of Health & Human Services continues to recommend social distancing following careful practices consistent with the guidance provided in the September 22, 2021 letter issued to the Marin County Board of Supervisors; and

WHEREAS, the limited size of the District's boardroom may not be able to accommodate compliance with social distancing guidelines, and the Board has a strong interest in protecting the health and safety of District staff and members of the public and seeks to maintain the ability to continue virtual meetings as necessary to assure public safety.

NOW THEREFORE, BE IT RESOLVED THAT:

1. The Board has reconsidered the circumstances of the COVID-19 state of emergency since the Board Meeting of March 1, 2022.

2. There remains an ongoing proclaimed state of emergency relating to the novel coronavirus causing the disease known as COVID-19.

3. The state of emergency continues to directly impact the ability of the Board to meet safely in person in particular in its boardroom, which lacks the capacity to accommodate social distancing with more than a small number in attendance.

4. Local officials continue to recommend, pursuant to Government Code Section 54953(e)(1), measures to promote social distancing, and, a result of that emergency, meeting in person would present imminent risks to the health or safety of attendees at heavily-attended in-person meetings of this legislative body, unless special circumstances that will allow social distancing and mitigate possible transmission can be made.

PASSED AND ADOPTED this 15th day of March, 2022, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Larry Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Approval Item

TITLE

FY2023 Cost of Living Adjustment (COLA) for District Employees

RECOMMENDATION

Adopt a resolution implementing a COLA effective July 1, 2022, for District Employees

SUMMARY

The District adopted Resolution 8213 on June 18, 2013, establishing the salaries and other terms and conditions of employment for SEIU 1021 District employees. On December 15, 2020, the contract was amended to extend the agreement until June 30, 2023. The agreement provides annual Cost of Living Adjustments, based upon the previous calendar year San Francisco-San Jose-Oakland metropolitan area Consumer Price Index. The adjustments are effective July 1 of each year, and are limited to a minimum of 2.0% and a maximum of 3%. Additionally, the District adopted Resolution 8214 on June 18, 2013, regarding unrepresented employees and established the salaries, benefits and other conditions of employment for those employees. On December 15, 2020, the Board adopted Resolution 8617 amending Resolution 8214 to extend the agreement until June 30, 2023. The agreement provides an increase for all unrepresented employees equivalent to the change in the Consumer Price Index U, as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period, for each year preceding the adjustment, for the San Francisco-San Jose-Oakland metropolitan area. The wage increase for these employees is also limited to be not be less than 2.0% or greater than 3.0%.

Additionally, the contracts for the General Manager and the General Counsel specify that the base salary shall be increased on July 1st of each fiscal year by a percentage change equivalent to the change in the California Consumer Price Index for Urban Wage Earners and Clerical Workers.

DISCUSSION

The change in the Consumer Price Index U, as reported by the United States Department of Labor Bureau of Labor Statistics for the preceding annual calendar period for the San Francisco-San Jose-Oakland metropolitan area increased by 4.2%.

As per the amended contract approved on December 15, 2020, Staff prepared the updated pay schedule reflecting 3% COLA increase for the District Employees.

The change in the Consumer Price Index W, as reported by the United States Department of Labor Bureau of Labor Statistics for the preceding annual calendar period for the Urban Wage Earners


and Clerical Workers, increased by 5.5%. As per the approved contract by the Board, Staff prepared the updated pay schedule reflecting 5.5% COLA increase for the General Manager and the General Counsel.

FISCAL IMPACT

The projected costs for the COLA increase is \$850,000, and included in the FY23 Budget.

ATTACHMENT(S)

1. Proposed Resolution
2. Exhibit A : Updated Pay Schedule including COLA of 3% for District Employees
3. Exhibit B : Updated Pay Schedule including COLA of 5.5% for General Manager and General Counsel

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Admin Services Division		 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF DIRECTORS APPROVING FY2023 COST OF LIVING
ADJUSTMENT FOR DISTRICT EMPLOYEES**

WHEREAS, on June 18, 2013, the Board of Directors adopted Resolution No. 8213 regarding SEIU Local 21 employees and later approved subsequent amendments to extend the terms of employment through June 30, 2023; and

WHEREAS, on June 18 2013, the Board of Directors adopted Resolution No. 8214 regarding unrepresented employees and later approved subsequent amendments to extend the terms of employment through June 30, 2023; and

WHEREAS, each of these Resolutions and their subsequent amendments authorize an annual salary increase for the respective employees equivalent to the change in the Consumer Price Index U for the San Francisco-San Jose-Oakland metropolitan area (Consumer Price Index U), as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period, for each year preceding the adjustment; and

WHEREAS, the change in the Consumer Price Index U, as reported by the United States Department of Labor Bureau of Labor Statistics for the preceding annual calendar period was an increase of 4.2%; and

WHEREAS, the District General Manager and General Counsel are employed pursuant to at-will employment agreements with the District, which authorize an annual salary increase equivalent to the change in the California Consumer Price Index - Urban Wage Earners and Clerical Workers for the San Francisco metropolitan area (Consumer Price Index W), as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period, for each year preceding the adjustment; and

WHEREAS, the change in the Consumer Price Index W, as reported by the United States Department of Labor Bureau of Labor Statistics for the annual calendar period was an increase of 5.5%; and

WHEREAS, California Code of Regulations Title 2, Section 570.5 requires the annual adoption of a pay schedule for District employees.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors does hereby approve implementation of a salary increase of 3.0% for District employees, effective July 1, 2022, based the previous calendar year change in the Consumer Price Index-U as set forth in the revised pay schedule attached hereto as “Exhibit A” and incorporated herein by this reference.

BE IT FURTHER RESOLVED, that the Board of Directors does hereby approve implementation of a salary increase of 5.5% for the General Manager and the General Counsel, effective July 1, 2022, based upon the previous calendar year change in the Consumer Price Index-W as set forth in the revised pay schedule attached hereto as “Exhibit B” and incorporated herein by this reference.

PASSED AND ADOPTED this 15th day of March, 2022, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Larry Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

ATTACHMENTS:

Exhibit A: Updated Pay Schedule including COLA of 3% for District Employees
Exhibit B: Updated Pay Schedule including COLA of 5.5% for General Manager and General Counsel

EXHIBIT A

POSITION TITLE - SEIU	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
Account Clerk I	\$5,047	\$5,298	\$5,547	\$5,855	\$6,149
Account Clerk II	\$5,567	\$5,878	\$6,173	\$6,491	\$6,763
Account Clerk III	\$5,930	\$6,183	\$6,542	\$6,832	\$7,136
Accountant I	\$6,738	\$7,077	\$7,430	\$7,801	\$8,193
Accountant II	\$7,626	\$8,054	\$8,468	\$8,907	\$9,338
Accounting Supervisor	\$9,076	\$9,529	\$10,004	\$10,506	\$11,031
Administrative Analyst	\$7,397	\$7,740	\$8,131	\$8,584	\$9,027
Administrative Assistant	\$6,458	\$6,788	\$7,075	\$7,491	\$7,823
Aquatic Ecologist	\$8,531	\$9,011	\$9,476	\$9,969	\$10,455
Assistant Engineer	\$8,848	\$9,302	\$9,757	\$10,229	\$10,716
Assistant Engineer - Civil	\$8,848	\$9,302	\$9,757	\$10,229	\$10,716
Assitant Utility-Maintenance Worker	\$5,563	\$5,837	\$6,139	\$6,399	\$6,773
Associate Engineer	\$10,228	\$10,713	\$11,231	\$11,784	\$12,354
Associate Engineer - Civil	\$10,228	\$10,713	\$11,231	\$11,784	\$12,354
Automotive Mechanic I	\$5,901	\$6,151	\$6,508	\$6,798	\$7,100
Automotive Mechanic II	\$6,846	\$7,163	\$7,522	\$7,947	\$8,355
Backflow & Reclamation Specialist	\$7,233	\$7,611	\$8,011	\$8,434	\$8,879
Backflow & Reclmation Supervisor	\$8,173	\$8,628	\$9,080	\$9,543	\$10,007
Business Systems Analyst I	\$7,844	\$8,189	\$8,558	\$8,957	\$9,408
Business Systems Analyst II	\$8,936	\$9,388	\$9,911	\$10,421	\$10,966
Business Systems Analyst III	\$9,827	\$10,323	\$10,903	\$11,464	\$12,060
Business Systems Support Technician	\$7,397	\$7,740	\$8,131	\$8,584	\$9,027
Chemist I	\$7,484	\$7,837	\$8,232	\$8,694	\$9,142
Chemist II	\$8,542	\$9,022	\$9,488	\$9,976	\$10,462
Chief Mechanic	\$7,915	\$8,357	\$8,793	\$9,246	\$9,692
Communications Specialist	\$8,127	\$8,478	\$8,863	\$9,275	\$9,745
Construction Inspection Supervisor	\$10,241	\$10,815	\$11,370	\$11,964	\$12,543
Construction Inspector I	\$7,557	\$7,901	\$8,269	\$8,687	\$9,171
Construction Inspector II	\$8,608	\$9,088	\$9,554	\$10,053	\$10,541
Control Systems Administrator	\$10,401	\$10,923	\$11,468	\$12,042	\$12,645
Control Systems Specialist	\$9,535	\$10,026	\$10,510	\$11,020	\$11,544
Control Systems/Corrosion Control Supv	\$10,701	\$11,300	\$11,884	\$12,497	\$13,102
Controls Technician I	\$7,371	\$7,706	\$8,066	\$8,473	\$8,946
Controls Technician II	\$8,321	\$8,789	\$9,242	\$9,722	\$10,195
Corrosion Control Technician I	\$7,434	\$7,757	\$8,107	\$8,486	\$8,914
Corrosion Control Technician II	\$8,465	\$8,890	\$9,389	\$9,872	\$10,384
Customer Service Field Inspector	\$5,927	\$6,273	\$6,545	\$6,840	\$7,157
Customer Service Representative I	\$4,772	\$5,011	\$5,246	\$5,536	\$5,813
Customer Service Representative II	\$5,547	\$5,851	\$6,146	\$6,462	\$6,734
Customer Service Representative III	\$5,927	\$6,273	\$6,545	\$6,840	\$7,157
Customer Service Supervisor	\$9,076	\$9,529	\$10,004	\$10,506	\$11,031
Distribution System Operator	\$7,612	\$7,942	\$8,302	\$8,688	\$9,126
Distribution System Operator Trainee	\$6,920	\$7,218	\$7,547	\$7,898	\$8,298
Ecologist I	\$7,392	\$7,740	\$8,131	\$8,584	\$9,027
Ecologist II	\$8,531	\$9,011	\$9,476	\$9,969	\$10,455
Engineering Aide	\$6,091	\$6,350	\$6,718	\$7,018	\$7,331

EXHIBIT A

POSITION TITLE - SEIU	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
Engineering Technician	\$6,979	\$7,290	\$7,614	\$7,971	\$8,372
Engineering Technician Supv - Records	\$8,173	\$8,628	\$9,080	\$9,543	\$10,007
Field Supervisor	\$9,402	\$9,838	\$10,337	\$10,912	\$11,475
Heavy Equipment Operator	\$7,096	\$7,416	\$7,762	\$8,153	\$8,611
Information Systems Analyst I	\$7,844	\$8,189	\$8,558	\$8,957	\$9,408
Information Systems Analyst II	\$8,936	\$9,388	\$9,911	\$10,421	\$10,966
Information Systems Analyst III	\$9,827	\$10,323	\$10,903	\$11,464	\$12,060
Information Systems Analyst Supervisor	\$11,302	\$11,874	\$12,538	\$13,183	\$13,869
Junior Engineer	\$7,589	\$7,966	\$8,416	\$8,853	\$9,307
Laboratory Technician	\$7,033	\$7,363	\$7,735	\$8,169	\$8,594
Land Surveyor	\$8,846	\$9,302	\$9,789	\$10,263	\$10,738
Maintenance Crew Leader	\$7,901	\$8,267	\$8,685	\$9,170	\$9,643
Maintenance Worker I	\$6,135	\$6,394	\$6,770	\$7,062	\$7,383
Maintenance Worker II	\$6,771	\$7,063	\$7,385	\$7,732	\$8,121
Mechanical & Electrical Maint Worker I	\$6,684	\$6,968	\$7,373	\$7,697	\$8,044
Mechanical & Electrical Maint Worker II	\$7,489	\$7,810	\$8,163	\$8,545	\$8,973
Mechanical & Electrical Maint Worker III	\$7,838	\$8,195	\$8,576	\$9,009	\$9,513
Mechanical & Electrical Maint Worker IV	\$8,742	\$9,146	\$9,610	\$10,148	\$10,670
Mechanical & Electrical Maintenance Plan	\$9,176	\$9,605	\$10,088	\$10,654	\$11,201
Mechanical & Electrical Operations Supv	\$10,401	\$10,923	\$11,468	\$12,042	\$12,645
Meter Operations Supervisor	\$9,076	\$9,529	\$10,004	\$10,506	\$11,031
Meter Reader and Repair Worker I	\$5,639	\$5,973	\$6,229	\$6,510	\$6,814
Meter Reader and Repair Worker II	\$6,338	\$6,707	\$6,998	\$7,316	\$7,657
Meter Service Technician	\$7,233	\$7,611	\$8,011	\$8,434	\$8,879
Office Assistant II	\$5,081	\$5,327	\$5,587	\$5,851	\$6,179
Park Ranger I	\$6,013	\$6,282	\$6,560	\$6,867	\$7,213
Park Ranger II	\$6,979	\$7,289	\$7,614	\$7,973	\$8,372
Project Coordinator	\$7,144	\$7,512	\$7,880	\$8,352	\$8,773
Real Property Agent	\$8,186	\$8,649	\$9,094	\$9,563	\$10,027
Safety & Technical Training Specialist	\$7,987	\$8,357	\$8,780	\$9,270	\$9,750
Senior Administrative Assistant	\$7,397	\$7,740	\$8,131	\$8,584	\$9,027
Senior Buyer	\$7,453	\$7,775	\$8,129	\$8,506	\$8,933
Senior Chemist	\$9,229	\$9,747	\$10,250	\$10,775	\$11,299
Senior Communications Specialist	\$8,939	\$9,326	\$9,750	\$10,203	\$10,719
Senior Construction Inspector	\$9,098	\$9,576	\$10,083	\$10,612	\$11,172
Senior Customer Service Representative	\$7,159	\$7,519	\$7,939	\$8,347	\$8,785
Senior Distribution System Operator	\$8,379	\$8,767	\$9,210	\$9,723	\$10,225
Senior Drafting Tech-CAD System Spec	\$8,266	\$8,684	\$9,169	\$9,642	\$10,142
Senior Engineer I	\$10,979	\$11,507	\$12,070	\$12,655	\$13,290
Senior Engineering Technician	\$7,579	\$7,956	\$8,353	\$8,771	\$9,210
Senior Engineering Technician - Fac Des	\$7,579	\$7,956	\$8,353	\$8,771	\$9,210
Senior Meter Reader and Repair Worker	\$6,741	\$7,137	\$7,449	\$7,787	\$8,146
Senior Park Ranger	\$7,549	\$7,884	\$8,235	\$8,622	\$9,056
Supv Facilities Maint & Special Projects	\$9,477	\$9,962	\$10,447	\$10,953	\$11,475
Treatment Plant Trainee I	\$6,726	\$7,027	\$7,337	\$7,683	\$8,067
Treatment Plant Trainee II	\$7,338	\$7,682	\$8,069	\$8,524	\$8,967

EXHIBIT A

POSITION TITLE - SEIU	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
Treatment Plant/System Operator III	\$8,069	\$8,524	\$8,965	\$9,422	\$9,881
Treatment Plant/System Operator IV	\$8,473	\$8,950	\$9,412	\$9,896	\$10,379
Utility Crew Leader	\$7,901	\$8,267	\$8,685	\$9,170	\$9,643
Utility System Specialist	\$7,901	\$8,267	\$8,685	\$9,170	\$9,643
Utility Worker I	\$6,135	\$6,394	\$6,770	\$7,062	\$7,383
Utility Worker II	\$6,771	\$7,063	\$7,385	\$7,732	\$8,121
Vegetation Ecologist	\$8,531	\$9,013	\$9,476	\$9,969	\$10,455
Warehouse Worker I	\$5,837	\$6,084	\$6,441	\$6,718	\$7,022
Warehouse Worker II	\$6,560	\$6,847	\$7,156	\$7,491	\$7,869
Water Conservation Specialist I	\$7,140	\$7,447	\$7,878	\$8,224	\$8,594
Water Conservation Specialist II	\$8,127	\$8,478	\$8,863	\$9,275	\$9,745
Water Conservation Specialist III	\$8,512	\$8,897	\$9,312	\$9,782	\$10,328
Water Conservation Specialist Supervisor	\$9,657	\$10,095	\$10,564	\$11,097	\$11,717
Water Quality Field Supervisor	\$8,898	\$9,400	\$9,888	\$10,394	\$10,897
Water Quality Technician	\$7,628	\$7,971	\$8,322	\$8,715	\$9,154
Water System Technician	\$7,588	\$7,917	\$8,272	\$8,658	\$9,094
Water Treatment Plant Supervisor	\$10,154	\$10,662	\$11,195	\$11,754	\$12,341
Watershed Maintenance Supervisor	\$9,351	\$9,822	\$10,372	\$10,907	\$11,474
Watershed Volunteer Coordinator	\$7,392	\$7,740	\$8,131	\$8,584	\$9,027
Welder/Fabricator	\$7,802	\$8,164	\$8,579	\$9,056	\$9,524

EXHIBIT A

POSITION TITLE - UNREPRESENTED & MID-MANAGERS	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
Assistant Superintendent of Operations	\$12,107	\$12,698	\$13,301	\$13,942	\$14,633
Assistant Superintendent Water Treatment	\$11,769	\$12,355	\$12,975	\$13,622	\$14,304
Communications & Public Affairs Manager	\$13,629	\$14,544	\$15,455	\$16,372	\$17,286
Customer Service Manager	\$11,218	\$11,794	\$12,361	\$12,963	\$13,581
Engineering Manager I	\$12,327	\$12,924	\$13,554	\$14,210	\$14,924
Engineering Manager II	\$13,399	\$14,297	\$15,197	\$16,096	\$16,999
Engineering Support Services Manager	\$12,491	\$13,151	\$13,843	\$14,568	\$15,338
Director of Engineering	\$16,821	\$17,662	\$18,545	\$19,473	\$20,449
Director of Water Resources	\$16,821	\$17,662	\$18,545	\$19,473	\$20,449
Finance Director/Treasurer	\$16,821	\$17,662	\$18,545	\$19,473	\$20,449
Finance Manager	\$13,629	\$14,544	\$15,455	\$16,372	\$17,286
Financial Management Analyst	\$10,155	\$10,663	\$11,195	\$11,756	\$12,345
Grant Program Coordinator	\$9,317	\$9,809	\$10,324	\$10,865	\$11,438
Human Resources Manager	\$13,629	\$14,544	\$15,455	\$16,372	\$17,286
Information Technology Manager	\$13,629	\$14,544	\$15,455	\$16,372	\$17,286
Natural Resources Program Manager	\$10,461	\$11,049	\$11,616	\$12,225	\$12,817
Operations Director	\$16,821	\$17,662	\$18,545	\$19,473	\$20,449
Safety & Emergency Response Manager	\$10,461	\$11,049	\$11,616	\$12,225	\$12,817
Senior Human Resources Analyst	\$10,293	\$10,871	\$11,436	\$12,021	\$12,760
Staff Attorney I	\$10,659	\$11,193	\$11,753	\$12,341	\$12,957
Staff Attorney II	\$12,994	\$13,645	\$14,328	\$15,042	\$15,795
Staff Attorney III	\$15,065	\$15,819	\$16,610	\$17,440	\$18,311
Superintendent of Operations	\$12,717	\$13,323	\$13,965	\$14,654	\$15,363
Superintendent of Sys Mnt & Sup Svcs	\$13,036	\$13,669	\$14,320	\$15,014	\$15,751
Water Efficiency Manager	\$12,350	\$13,043	\$13,720	\$14,421	\$15,119
Water Quality Laboratory Manager	\$12,436	\$13,027	\$13,657	\$14,333	\$15,026
Water Quality Manager	\$13,399	\$14,297	\$15,197	\$16,096	\$16,999
Watershed Protection Mgr - Chief Ranger	\$11,333	\$11,929	\$12,558	\$13,216	\$13,911
Watershed Resources Manager	\$13,516	\$14,158	\$14,841	\$15,575	\$16,326

EXHIBIT A

POSITION TITLE - CONFIDENTIAL	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
Administrative Assistant - Confidential	\$6,622	\$6,964	\$7,254	\$7,680	\$8,021
Administrative/Legal Support Specialist	\$7,397	\$7,740	\$8,131	\$8,584	\$9,027
Board Secretary	\$8,701	\$9,093	\$9,516	\$9,994	\$10,556
Business Systems Analyst Confidential I	\$7,844	\$8,189	\$8,558	\$8,957	\$9,408
Business Systems Analyst Confidential II	\$8,936	\$9,388	\$9,911	\$10,421	\$10,966
Business Systems Analyst Conf III	\$9,827	\$10,323	\$10,903	\$11,464	\$12,060
Executive Assistant to the GM	\$8,701	\$9,093	\$9,516	\$9,994	\$10,556
Finance Analyst	\$7,626	\$8,054	\$8,468	\$8,907	\$9,338
Human Resources Analyst	\$8,332	\$8,801	\$9,258	\$9,731	\$10,333
Human Resources Technician	\$7,102	\$7,435	\$7,809	\$8,244	\$8,672
Payroll Technician	\$6,964	\$7,287	\$7,656	\$8,081	\$8,501

EXHIBIT A

POSITION TITLE - HOURLY	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3
Engineering Intern	\$26.92		
Information Systems Analyst - Ret Ann	\$69.59		
Intern	\$19.65		
Law Clerk-Temporary	\$51.23		
Special Assignment-Blog Writer	\$69.59		
Summer Helper	\$16.55	\$18.38	\$20.21
Water Efficiency Technician Intern	\$22.66	\$24.38	\$26.15
Watershed Aide	\$22.66	\$24.38	\$26.15

Exhibit B

Marin Municipal Water District
Monthly Pay Scale for General Manager and General Counsel
Effective 7-1-22 COLA

POSITION TITLE	FY2023	FY2023	FY2023	FY2023	FY2023
	Step 1	Step 2	Step 3	Step 4	Step 5
District General Counsel	\$21,100	\$21,100	\$21,100	\$21,100	\$21,100
General Manager	\$23,439	\$23,439	\$23,439	\$23,439	\$23,439

Approval Item

TITLE

Adopt the Marin Municipal Water District Hazard Mitigation Plan

RECOMMENDATION

Adopt resolution to adopt the Marin Municipal Water District Hazard Mitigation Plan

SUMMARY

The Federal Emergency Management Agency (FEMA) awarded the District a grant in the amount of \$150,000 for development of the District's first Hazard Mitigation Plan (HMP). FEMA has reviewed and approved the District's HMP pending adoption by the Board of Directors. Adoption of this HMP is required for the District to be eligible to receive mitigation grant funding awarded through State and Federal grant programs, and to be eligible to receive and maximize post-disaster recovery funding. The HMP is a living document and will need to be updated every five years for the District to continue to be eligible for mitigation grant and post-disaster recovery funding.

The Operations Committee reviewed the proposed Hazard Mitigation Plan and referred adoption to this regular board meeting. Staff recommends that the Board of Directors adopt a resolution adopting the Marin Municipal Water District Hazard Mitigation Plan.

DISCUSSION

In April 2020, the District secured a \$150,000 grant to fund a Hazard Mitigation Plan (HMP). At the November 17, 2020 Board Meeting, the Board authorized the General Manager to execute a professional services agreement with Tetra Tech to develop the District's first HMP. This project is primarily funded by the Federal Emergency Management Agency (FEMA), with the District contributing 25% of the cost via staff labor.

A HMP is a document that identifies natural hazard vulnerabilities and outlines strategies to reduce associated risks. In the development of the HMP, staff and the District's consultant strived to identify risk reductions for District assets that are vital for its continuity of operations following hazard events. The plan's goals and recommendations lay the groundwork for implementing mitigation activities. The contents of the plan comply with requirements of the federal Disaster Mitigation Act, under which communities with approved hazard mitigation plans are eligible for various hazard mitigation funding programs provided by FEMA.

The HMP assesses the potential risk that natural hazards pose to people, as well as buildings, infrastructure and equipment owned by the District. The District's key assets generally consist of buildings, dams, pumps, tanks, and pipelines, which are defined for this plan as the District's

critical facilities. The HMP is a living document and will need to be updated every five years for the District to continue to be eligible for certain state and federal mitigation grant funding.

Development of the HMP involved three main parts. The first part was identifying and ranking hazards of concern, the second was completing a risk assessment and the third was developing mitigation actions. Each of these parts are briefly discussed below.

Part One: Hazards

A rating system was used to rank each hazard to determine which hazard presents the greatest risk to the District. The ranking was determined by multiplying a probability factor by the sum of the weighted impact factors for people, property, and continuity of operations. The hazards that present the greatest concern are ranked in Figure 1 below.



Figure 1. Hazard Risk Rating

In addition to the ranked hazards of concern, the plan recognizes other hazards that present risks to the District but are difficult to quantify. These other hazards of interest are cyber-attacks, hazardous materials, terrorism, and public health emergencies (including pandemics). The hazard mitigation plan provides general descriptions of the nature of these hazards. It also presents an overview on climate change, and how all hazards have the potential to be affected by it.

Part Two: Risk Assessment

Risk assessments for each identified hazard of concern were developed. For each hazard, a general profile was developed and an assessment was completed to determine the number of District critical facilities that the hazard could affect (this is called “exposure”) and the potential damage that could result (this is called “vulnerability”). This risk assessment found that, although many District facilities have exposure to all of the identified hazards of concern, quantifiable damage to facilities would likely only come from earthquakes, dam failure, and flood hazards. Table 1 below summarizes loss estimates for these hazards.

Table 1 – Estimated Overall Damage to Critical Facilities from Earthquakes, Dam Failure, Flooding and Tsunamis

	Loss Value of Damage		
	Structure	Contents	Total
Earthquake			
Hayward/Rodgers Creek Fault, Magnitude 7.58	\$122,006,170	\$3,795,236	\$125,801,407
North San Andreas Fault, Magnitude 7.88	\$182,271,408	\$4,951,975	\$187,223,383
San Gregorio Fault, Magnitude 7.44	\$112,825,239	\$2,663,901	\$115,489,139
West Napa Fault, Magnitude 6.97	\$5,681,055	\$442,276	\$6,123,331
100-Year Probabilistic Earthquake	\$101,028,358	\$1,343,377	\$102,371,735
Dam Failure			
Mapped Inundation Area	\$4,465,207	\$234,891	\$4,700,098
Flood			
1% Annual Chance Flood	\$1,245,306	N/A	\$1,245,306
0.2% Annual Chance Flood	\$1,300,423	N/A	\$1,300,423
Tsunami			
Mapped Inundation Area	\$150,641	N/A	\$150,641

Phase Three: Mitigation Plan

Based on the hazard ranking and risk assessment, 23 actions were identified that the District can take to mitigate the loss potential associated with the hazards of concern. These actions were chosen from a range of alternatives, using the following goals and objectives for guidance:

Goals:

1. Protect life and property during disasters
2. Minimize damage to critical infrastructure to maintain continuity of essential water services
3. Protect natural resources, including local water supply sources
4. Increase public awareness of the risk of loss of water

Objectives:

1. Implement projects that assist in protecting lives by making infrastructure, critical facilities, and other property more resistant to natural hazards

2. Address aging infrastructure issues to reduce/minimize the impacts from future hazards and disasters
3. Implement projects that reduce/minimize the impacts on our natural resources from future hazards and disasters
4. Raise awareness and communicate risk to District assets

Recommended hazard mitigation actions make up the action plan which is used to prioritize actions for implementation and pursuing grant funding. These priorities are based on estimated benefits and costs of each action, how many objectives the action can accomplish, the availability of existing funding, and the action's eligibility for various grant programs. As the district updates its planning studies and/or identifies new actions, the HMP will be updated periodically to reflect current priorities.

Throughout the development of the HMP, the District provided opportunities for public comment by developing a survey, providing opportunities for the public to participate in committee meetings, and providing a public review and comment period for the draft HMP. This information was shared on the District's website throughout the plan's development. Opportunities for the public to provide input will be ongoing with each five-year update.

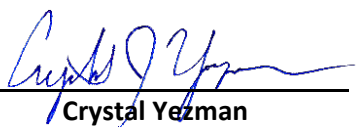

FEMA reviewed and approved the District's HMP pending adoption by the Board of Directors. Adoption of this HMP is required for the District to be eligible to receive mitigation grant funding awarded through State and Federal grant programs, and to be eligible to receive and maximize post-disaster recovery funding.

FISCAL IMPACT

No additional fiscal impacts.

ATTACHMENT(S)

1. Proposed Resolution adopting MMWD Hazard Mitigation Plan
2. [Web Link to the Draft MMWD Hazard Mitigation Plan](#)

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

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT
ADOPTING THE MARIN MUNICIPAL WATER DISTRICT HAZARD MITIGATION PLAN**

WHEREAS, the Federal Disaster Mitigation Act of 2000 requires all cities, counties and special Districts to adopt a Hazard Mitigation Plan (HMP) to receive disaster mitigation funding from Federal Emergency Management Agency (FEMA); and

WHEREAS, to be eligible for FEMA funding for disaster mitigation and emergency funding, the District must have an approved Hazard Mitigation Plan; and

WHEREAS, the District applied for a Pre-Disaster Mitigation Competitive Grant and was awarded \$150,000 to assist with the costs associated with preparing the Hazard Mitigation Plan; and

WHEREAS, the District executed a contract with Tetra Tech (Consultant) at the November 17, 2020 Board Meeting to develop the District's HMP; and

WHEREAS, the District seeks to maintain and enhance a disaster –resistant service area by reducing the potential loss of life, property damage, and environmental degradation from natural disasters, while accelerating economic recovery from those disasters; and

WHEREAS, staff with the assistance of the Consultant, developed the proposed HMP and submitted it for review to the California Office of Emergency Services (CalOES) and the Federal Emergency Management Agency (FEMA) and both agencies provided comments which were addressed by the District; and

WHEREAS, after District staff addressed comments to the HMP, FEMA as the lead agency has conditionally approved the HMP pending adoption by the District's Board of Directors.

NOW, THEREFORE, BE IT RESOLVED THE BOARD OF DIRECTORS, hereby adopts the Marin Municipal Water District Hazard Mitigation Plan dated November 2021.

PASSED AND ADOPTED this 15th day of March, 2022, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Larry Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Approval Item

TITLE

Approval to Fill Utility Crew Leader position in the Operations Division

RECOMMENDATION

Authorize the General Manager to recruit and hire one Utility Crew Leader in the Operations Division

SUMMARY

A Utility Crew Leader position in the Operations Division will become vacant in March of 2022 due to a separation of the current incumbent. Staff is requesting authorization for the General Manager to recruit and hire one permanent Utility Crew Leader and any other subsequent positions that may become vacant as a result of this recruitment.

DISCUSSION


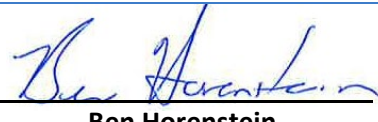
The Utility Crew Leader is an advanced journey lead classification which combines direction of a crew with performance of the most complex and difficult assignments in the repair and maintenance of water system facilities. Incumbents are expected to train workers, apply safety regulations to work assignments, and prepare and maintain records and written documents.

FISCAL IMPACT

The total annual salary with benefits for the Utility Crew Leader position ranges from a minimum of \$124,271 to a maximum of \$151,665. Salary and benefits for the Utility Crew Leader are budgeted in the Project Maintenance, Operations Division budget for FY2022 and 2023. Filling this position will not increase the total number of budgeted Full Time Equivalents (FTEs) within the Operations Division.

ATTACHMENT(S)

None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Operations Division	 Paul Sellier Director of Operations	 Ben Horenstein General Manager

Approval Item

TITLE

Grant and Legislative Program Update, Authorize Grant Agreement and Consider Adopting a Position on AB 2142 Pending Legislation

RECOMMENDATION

Authorize the General Manager to enter into a grant agreement with the California Department of Fish and Wildlife for \$869,178 under the Proposition 1 North Coast Coho Recovery Grant Program and consider a position of support on AB 2142

SUMMARY

Staff will provide an update on recent grant activities and Marin Water's involvement in the 2021-2022 State Legislative session. The staff report summarizes the status of recent grant activities, in particular the recent Proposition 1 grant award of \$869,178 for Coho recovery work. Staff will also review pending legislation AB 2142 (Gabriel) Income Tax Exclusion for Turf Replacement. Staff is requesting that the Board authorize the General Manager to enter into a grant agreement with CDFW and recommends that the Board adopt a position of support for AB 2142.

DISCUSSION

The table below summarizes awarded grant applications submitted by the District in recent months and applications that are pending.

Project	Funder	Amount	Status	Date
California Water and Wastewater Arrearages Payment Program	State Water Board	\$2,144,461	Funded	December 2021
Lagunitas Creek Coho Habitat Enhancement Final Design Plan	CDFW	\$869,178	Awarded	February 2022
Conservation Corps Wildfire Resilience Youth Workforce	CalVolunteers	\$1,459,692	Applied	February 2022
Forest Health and Resiliency Project	State Coastal Conservancy	\$1,057,000	Applied	January 2022
Forest Health Fuels Reduction Phase II	CalFIRE	\$3.5M	Applied	February 2022
Azalea Hill Trail Phase 1	State LWCF	\$667,000	Applied	January 2022
San Geronimo Treatment Plant Emergency Generator Project	Member Request--Levine	\$1,000,000	Requested	February 2022

USACE Water Resources Development Act (WRDA) Request	Member Request-- Huffman	\$28M	Requested	February 2022
WIFIA Tank Replacement Loan	US EPA	\$10M	Application Pending	January 2021
WaterSMART Drought Resiliency Project (Intertie)	USBR	\$2M	Denied	December 2021
Intertie Drought Funding	DWR	\$27M	Requested	December 2021

District funding efforts in late 2021 targeted the State's Water and Wastewater Arrearages Payment Program, which offered relief funding for debts accrued during the COVID pandemic. The District applied for and received \$2.1M, which was the amount of unpaid debt accrued between April 15th, 2020, and June 15th, 2021 that remained unpaid at the time of the District's application in October of 2021. In December, the District received approval and payment from the State, which was then credited to 2579 eligible customer accounts early last month. Per program guidelines, customers were notified by mail of the credits to their accounts from this State funding program in the second week of February.

The District submitted a grant to the California Department of Fish and Wildlife (CDFW) Coho Recovery Program for the Lagunitas Creek Habitat Enhancement Plan. In 2020, the District received a grant from CDFW's Watershed Program for the development of the 30% Designs for the Lagunitas Creek Habitat Enhancement Plan. Staff worked with the Lagunitas TAC, resource agencies and a design consultant to develop the 30% restoration designs, and in February 2022 the District submitted the final grant report. The Coho Recovery Grant will provide an additional \$869,000 in funding to advance designs from the 30% to the 100% stage for seven (7) restoration sites within the Samuel P. Taylor State Park Reach of Lagunitas Creek. Staff will bring a contract amendment to the March 17th Watershed Committee for review.

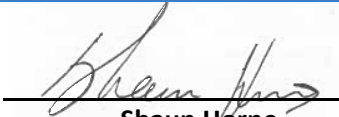

Staff has been following upcoming pending legislation for this legislative calendar and is proposing that the Board consider taking a formal position on AB 2142. This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.

The Association of California Water Agencies (ACWA) is co-sponsoring AB 2142, which would reinstate the California personal income tax exemption for turf replacement rebates to help incentivize participation in water efficiency programs.

Given the Board's ongoing interest in this issue, staff recommends that the Board formally adopt a "support" position on this bill, which can then be communicated to legislators by ACWA and other supporters to promote passage and adoption of this legislation.

FISCAL IMPACT
No fiscal impact

- ATTACHMENT(S)**
- 1) Marin Water Definition of Legislative Positions
 - 2) AB2142 Bill Text
 - 3) Proposed Resolution for CDFW Grant

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

ATTACHMENT 1

Marin Water Definition of Legislative Positions:

Support— Measure has substantial significance; District actively supports the proposed legislation.

Support and Seek Amendments— Measure has substantial significance; District will actively support the proposed legislation while continuing to seek specific amendments.

Support if Amended— Measure has substantial significance; District will actively support the proposed legislation if it is amended to address specific shortcomings identified by the District.

Favor— Legislation is generally beneficial to District; it will join other organizations in support but will not engage actively in advocacy for the measure.

Favor if Amended— Legislation is generally beneficial to District; it will join with other organizations in support if legislation is amended to address specific shortcomings identified by the District but will not engage actively in advocacy for the measure.

Watch— Measures or general issues of potential significance to District but have not been sufficiently defined for a formal position.

Not Favor— Legislation is generally detrimental to District; it will join with other organizations in opposition but will not engage actively in advocacy against the measure.

Oppose Unless Amended— Measure has substantial significance; District will actively oppose the proposed legislation unless amended to address specific shortcomings.

Oppose— Measure has substantial significance; District actively opposes the proposed legislation.

CALIFORNIA LEGISLATURE—2021–22 REGULAR SESSION

ASSEMBLY BILL**No. 2142****Introduced by Assembly Member Gabriel**

February 15, 2022

An act to add and repeal Sections 17138.2 and 24308.9 of the Revenue and Taxation Code, relating to taxation, to take effect immediately, tax levy.

LEGISLATIVE COUNSEL'S DIGEST

AB 2142, as introduced, Gabriel. Income taxes: exclusion: turf replacement water conservation program.

The Personal Income Tax Law and the Corporation Tax Law, in conformity with federal income tax law, generally defines “gross income” as income from whatever source derived, except as specifically excluded, and provides various exclusions from gross income. Existing law provides an exclusion from gross income for any amount received as a rebate or voucher from a local water or energy agency or supplier for the purchase or installation of a water conservation water closet, energy efficient clothes washers, and plumbing devices, as specified.

This bill would, for taxable years beginning on or after January 1, 2022, and before January 1, 2027, under both of these laws, provide an exclusion from gross income for any amount received as a rebate, voucher, or other financial incentive issued by a local water agency or supplier for participation in a turf replacement water conservation program.

Existing law requires any bill authorizing a new tax expenditure to contain, among other things, specific goals, purposes, and objectives that the tax expenditure will achieve, detailed performance indicators, and data collection requirements. Existing law limits the collection and

use of taxpayer information and makes any unauthorized use of this information a misdemeanor.

This bill would require the Department of Finance to include an analysis of these expenditures in its annual tax expenditure report provided to the Legislature and further provides that taxpayer information collected pursuant to this requirement is subject to the limitation on the collection and use of that information. By expanding the scope of a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

This bill would take effect immediately as a tax levy.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17138.2 is added to the Revenue and
- 2 Taxation Code, to read:
- 3 17138.2. (a) For taxable years beginning on or after January
- 4 1, 2022, and before January 1, 2027, gross income does not include
- 5 any amount received as a rebate, voucher, or other financial
- 6 incentive issued by a local water agency or supplier for
- 7 participation in a turf replacement water conservation program.
- 8 (b) This section shall remain in effect only until December 1,
- 9 2027, and as of that date is repealed.
- 10 SEC. 2. Section 24308.9 is added to the Revenue and Taxation
- 11 Code, to read:
- 12 24308.9. (a) For taxable years beginning on or after January
- 13 1, 2022, and before January 1, 2027, gross income does not include
- 14 any amount received as a rebate, voucher, or other financial
- 15 incentive issued by a local water agency or supplier for
- 16 participation in a turf replacement water conservation program.

(b) This section shall remain in effect only until December 1, 2027, and as of that date is repealed.

SEC. 3. (a) The Legislature finds and declares all of the following:

(1) Utility-sponsored financial incentives, including consumer rebates, are among the most important and cost-effective tools available to local water providers to achieve water use efficiency objectives, particularly for turf replacement, irrigation controllers, leak detection devices, and other high-cost water saving options. Local public utilities are using incentive programs to encourage local property owners to manage storm water onsite, thus reducing urban flooding, improving water quality, and increasing water supplies.

(2) Rebates, vouchers, or other financial incentives issued by local water agencies or suppliers have been an effective tool in advancing efficiency and water management objectives statewide, and individual consumers and businesses should not be taxed for providing this statewide benefit.

(3) Financial incentives issued by a local water agency or supplier as part of a water conservation or efficiency program, the primary purpose of which is to reduce consumption of water or to improve the management of water demand, provide a significant public benefit. Financial incentives issued by a local water agency or supplier as part of a water runoff management improvement program, the primary purpose of which is to reduce the amount or manage the quality of storm water runoff, provide a significant public benefit.

(4) The income tax exclusions allowed by Sections 17138.2 and 24308.9 of the Revenue and Taxation Code, as added by this act, have the objective of eliminating disincentives to participation in water conservation or efficiency and storm water runoff management improvement programs aimed at increasing water conservation or efficiency or improving storm water quality in California.

(b) (1) To enable the Legislature to determine whether the tax expenditures allowed by this act are meeting, failing to meet, or exceeding the objective of the act, the Department of Finance shall include an analysis of these tax expenditures in the annual report required pursuant to Section 13305 of the Government Code.

1 (2) Taxpayer information collected pursuant to this subdivision
2 is subject to Section 19542 of the Revenue and Taxation Code.

3 SEC. 4. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 the only costs that may be incurred by a local agency or school
6 district will be incurred because this act creates a new crime or
7 infraction, eliminates a crime or infraction, or changes the penalty
8 for a crime or infraction, within the meaning of Section 17556 of
9 the Government Code, or changes the definition of a crime within
10 the meaning of Section 6 of Article XIII B of the California
11 Constitution.

12 SEC. 5. This act provides for a tax levy within the meaning of
13 Article IV of the California Constitution and shall go into
14 immediate effect.

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT
AUTHORIZING ENTERING INTO GRANT AGREEMENT WITH THE CALIFORNIA DEPARTMENT OF FISH
AND WILDLIFE FOR THE LAGUNITAS CREEK COHO HABITAT ENHANCEMENT FINAL DESIGN PLAN**

WHEREAS, the Recovery Plan for Evolutionarily Significant Unit of Central California Coast Coho Salmon, Final Plan (National Marine Fisheries Service, September 2012) identified Action Step LaC-CCC-13.1.1.2 to "Conduct rehabilitation activities that restore channels, floodplains and meadows to extend the duration of the summer flow and provide refuge from high winter flows."; and

WHEREAS, the District is committed to supporting enhanced habitat in Lagunitas Creek and to expand on the successes of its previous habitat enhancement work to support recovery of endangered coho salmon and threatened steelhead; and

WHEREAS, the District's *Lagunitas Creek Stewardship Plan*, stemming from the *Lagunitas Creek Sediment and Riparian Management Plan* generated as a condition under the State Water Resources Control Board Water Rights Order 95-17, includes winter habitat enhancement assessment as an action MMWD will lead (Category 2) and participate in (Category 3), and

WHEREAS, the California Department of Fish and Wildlife has established the Watershed Restoration Grants Branch which provides funds to meet the urgent need for restoration of salmonid habitat; and

WHEREAS, Marin Municipal Water District submitted a grant application under the Summer 2021 Proposition 1 North Coast Coho Recovery Proposal Solicitation seeking \$869,178 for the *Lagunitas Creek Coho Habitat Enhancement Final Design Plan*; and

WHEREAS, the District has been notified that the project is to be awarded the full \$869,178 requested, to finalize designs for the Enhancement Plan at priority restoration reaches in the Lagunitas Creek watershed; and

WHEREAS, procedures established by the California Department of Fish and Wildlife require the applicant's governing body to certify, by resolution, that the project is approved; and

WHEREAS, the applicant will enter into a grant contract with the State of California.

NOW, THEREFORE, BE IT RESOLVED that the Marin Municipal Water District Board of Directors hereby:

1. Approves the Marin Municipal Water District accepting grant funds in the amount of \$869,178 from the California Department of Fish and Wildlife's Watershed Restoration Grants Branch in order to conduct *Lagunitas Creek Coho Habitat Enhancement Final Design Plan*; and
2. Authorizes the Marin Municipal Water District General Manager to negotiate and enter into on behalf of the District, a grant agreement with California Department of Fish and Wildlife, as necessary for implementation of the grant award; and
3. Appoints the Marin Municipal Water District General Manager, or his designee, as agent to conduct all negotiations and execute and submit all other documents including, but not limited to applications, agreements, payment requests and/or any documents that may be necessary for the completion of the project.

PASSED AND ADOPTED this 15th day of March, 2022, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Larry Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Item Number: 10
Meeting Date: 03-15-2022
Meeting: Board of Directors

Informational Item

TO: Board of Directors

FROM: Paul Sellier, Water Resources Director

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Operations

ITEM: Water Supply Update

SUMMARY

Overall, reservoir storage is 93% of capacity and 104% of the average for this time of year. With reservoirs nearly at capacity the District is well positioned to provide water for both potable and environmental needs in the coming year. Storage level projections indicate that were there no additional rainfall from this point forward, reservoir levels on December 1, 2022 will be between 50,000 AF and 60,000 AF. Staff will provide a brief presentation and discussion on water supply.

FISCAL IMPACT

None

ATTACHMENT(S)

None

Approval Item

TITLE

Adopt Ordinance 459 prohibiting the irrigation of Non-Functional Turf in new non-residential landscape installations using District water

RECOMMENDATION

Approve Ordinance 459 to establish a definition of Non-functional Turf and add a prohibition on irrigating Non-functional Turf with District water

SUMMARY

A prohibition on irrigating Non-Functional Turf (NFT) with District water in new non-residential developments and non-residential rehabilitated landscapes that are subject to the District's landscape plan review process is intended to prevent water waste and preserve District water supplies for other more beneficial uses.

DISCUSSION

Over the past few months, the Board has received numerous presentations regarding the options for addressing non-functional turf within the service area. Based on Board feedback, staff is bringing forth an ordinance that would add a non-functional turf prohibition for new non-residential developments and non-residential rehabilitated landscapes subject to the District's landscape review process, which is a part of the District's normal year water conservation measures. Projects required to undergo landscape plan review include:

- New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
- Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review.

Non-functional Turf will be defined as: Any Turf planted within Non-Residential Landscapes, excluding Recreational Areas, and other areas where the Turf is necessary for the intended function of the planted area and no alternative materials are suitable for the anticipated site use.

Under the District's current Code, Section 13.02.021(2)(FFF), defines Non-Residential Landscape as, *"Landscapes in commercial, institutional, industrial and public settings that may have areas designated for recreation or public assembly. It also includes portions of common areas of common interest developments, such as home owners associations, with designated*

recreational areas.” The proposed restriction would be applicable to all of these newly installed non-residential landscapes.

Section 13.02.021(2) (SSS) defines Recreational Area as, “*Areas dedicated to active play or recreation such as sports fields, school yards, picnic grounds, or other areas with intense foot traffic, parks, sports fields and golf courses where turf provides a playing surface.*” These areas would be exempt from the proposed non-functional turf restrictions, as well as other areas where the Turf is necessary for the intended function of the planted area and no alternative materials are suitable for the anticipated site use.

Staff propose to add the following restrictions on newly installed non-functional turf to the District Code: Non-Functional Turf irrigated with District water shall be prohibited.

The prohibition on NFT would apply to projects subject to the Water Efficient Landscaping requirements set forth in Section 13.02.021(5) of the District Code. Adoption of the ordinance will coincide with targeted marketing of the turf incentive program to sites with existing NFT. During this first phase, staff will track participation to inform the Board on the progress of converting existing NFT. The NFT prohibition would be subject to the current variance process at District Code 13.02.050, where applicable.

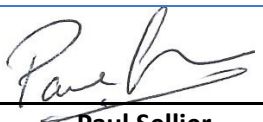

The Ordinance also includes an update to Appendix A, incorporating the latest version on the Maximum Applied Water Use Calculator. If adopted, the Ordinance will become effective thirty (30) days following adoption, on April 15, 2022.

FISCAL IMPACT

The proposed code change only applies to sites that will be landscaping through the building permit, plan check or design review process. Therefore, there is no anticipated additional cost associated with a non-residential non-functional turf prohibition.

ATTACHMENT(S)

Proposed Ordinance 459

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

DRAFT

MARIN MUNICIPAL WATER DISTRICT

ORDINANCE NO. 459

AN ORDINANCE AMENDING CHAPTER 13.02 ENTITLED “WATER CONSERVATION AND DRY YEAR WATER USE REDUCTION PROGRAM” OF TITLE 13 OF THE MARIN MUNICIPAL WATER DISTRICT CODE ENTITLED “WATER SERVICE CONDITIONS AND WATER CONSERVATION MEASURES” PROHIBITING THE IRRIGATION OF NON-FUNCTIONAL TURF USING DISTRICT WATER IN NEW NON-RESIDENTIAL LANDSCAPES

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

SECTION 1. Purpose: Article X, Section 2 of the California Constitution requires that water resources be put to the most beneficial uses and that the waste or unreasonable use of water be prevented. Approximately 50% of all water used in the District’s service area is for outdoor irrigation. This Ordinance will prohibit the use of District water for the irrigation of Non-Functional Turf in new landscape installations to prevent the unreasonable use of water and ensure that the District’s water resources are preserved for more beneficial uses such as public health, safety, fire suppression and human consumption.

SECTION 2. Section 13.02.021 of the Marin Municipal Water District Code entitled “Water Conservation: Normal Year Water Conservation”, Subsection (2) entitled “Definitions” is hereby amended to add the following definition to the alphabetical list of definitions:

Non-Functional Turf: Any Turf planted within Non-Residential Landscapes, excluding Recreational Areas, and other areas where the Turf is necessary for the intended function of the planted area and no alternative materials are suitable for the anticipated site use.

SECTION 3. Section 13.02.021 of the Marin Municipal Water District Code entitled “Water Conservation: Normal Year Water Conservation”, Subsection (5)(G)(1) entitled “Plants” is hereby amended to add the following language as subsection (o):

Section 13.02.021(5)(G)(1)(o):

Non-Functional Turf irrigated with District water shall be prohibited.

SECTION 4. Section 13.02.021 of the Marin Municipal Water District Code entitled “Water Conservation: Normal Year Water Conservation”, Subsection (12) entitled “Forms” is hereby amended to delete the form entitled “Appendix A- Maximum Applied Water Allowance (Residential & Commercial)” and replace it with the new Appendix A set forth herein.

Appendix A- Maximum Applied Water Allowance (Residential & Commercial)

**MARIN WATER
WATER BUDGET & WATER USE CALCULATOR**

Zip Code:	
Date:	
Project Name:	
Project Address:	
Project Contact:	
Project Contact Email:	



Maximum Applied Water Allowance (MAWA)	Project Type	ET _o	ETAF	Special Landscape Area (SLA)	Total Landscape Area including SLA	MAWA (CCF/yr)
		-		-		-

Estimated Total Water Use (ETWU)	ET _o	(SF * PF) / IE	SLA	ETWU (CCF/yr)
	-	-	-	-

Project meets water budget.

Difference between MAWA and ETWU

ETWU Calculation (Regular landscape areas)	Zone #	Description	Select Irrigation	Square Feet (SF)	Plant Factor (PF)	Irrigation Efficiency (IE)	(SF * PF) / IE
	1						-
	2						-
	3						-
	4						-
	5						-
	6						-
Landscape area (not including SLA)				-			-

ETWU Calculation Special Landscape Areas (SLA)	Description	Square Feet (SF)	Plant Factor / Irrigation Efficiency (PF/IE)	(SF * PF) / IE
	Edible planting area		1.0	-
	Multi-use and sports field turf area		1.0	-
	Area irrigated with recycled water		1.0	-
	Pool		1.0	-
	Total SLA	0		0

Total Landscape Area (including SLA) from ETWU Calculation	0
--	---

Water Use Table	ETWU	Gallons:	0	Units:	0	AF:	0
Billing Period	Jan/Feb	Mar/Apr	May/Jun	Jul/Aug	Sep/Oct	Nov/Dec	
Baseline (CCF)	0	0	0	0	0	0	

1 CCF (hundred cubic feet) = 748.05 gallons; 1 AF (acre foot) = 435.6 CCF

MarinWater.org

SECTION 5. Findings of Necessity: The Board of Directors, after considering all of the information and testimony presented at its March 15, 2022 meeting regarding this Ordinance, finds as follows:

- A. Water is a finite and precious resource.
- B. The District's water supply currently remains limited to water captured in its seven reservoirs; water transported from the Russian River via the North Marin aqueduct; and recycled water produced at the Las Gallinas Valley Sanitary District Plant (for a variety of non-potable purposes). About 73% of the District's water supply comes from its reservoirs, 25% from the Russian River through the North Marin aqueduct and 2% from recycled water. Although options to increase the District's water supply are being evaluated, the implementation of any preferred alternative will not be immediate and will not supplant the need to use District water efficiently.
- C. The water conservation program, including the mandatory water conservation measures already adopted by this Board, is necessary to conserve additional water for beneficial use and to preserve the District's water supply, and this Ordinance would further supplement previously adopted water conservation measures.
- D. Article X Section 2 of the California Constitution declares that the general welfare requires that water resources be put to beneficial use to the fullest extent of which they are capable and that the waste, unreasonable use or unreasonable method of use of water be prevented, and that conservation of such waters is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and the public welfare.
- E. Approximately half of the District's water supply is used for outdoor irrigation, and actions are necessary to reduce this usage.
- F. This Ordinance will reduce the amount of water used for outdoor irrigation by prohibiting the use of the District's water supply to irrigate non-functional turf, which is by definition non-essential as it provides no functional purpose, and preserve the District's water supply for more essential uses.

SECTION 6. Environmental Determination: This project has been reviewed for compliance with the California Environmental Quality Act (CEQA) and based upon the above findings and purposes of this ordinance, qualifies for an exemption pursuant to Section 15061(b)(3) of the CEQA Guidelines as there is no possibility that the activity in question may have a significant effect on the environment.

SECTION 7. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or

Ordinance 459 *Page 3*

more sections subsections, clauses, phrases, parts or portions be declared invalid or unconstitutional.

SECTION 8. Effective Date: This Ordinance shall become effective thirty (30) days following the date of its adoption.

PASSED AND ADOPTED this 15th day of March, 2022, by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Larry L. Russell
President, Board of Directors

ATTEST:

Terrie Gillen
Secretary, Board of Directors

Informational Item

TO: Board of Directors

FROM: Terrie Gillen, Board Secretary

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Communications & Public Affairs Department

ITEM: Future Meeting Schedule and Agenda Items

SUMMARY

Review of the upcoming Board of Directors and Committee meetings

DISCUSSION

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

Internal Meetings

- Thursday, March 17, 2022
Watershed Committee/Board of Directors (Watershed) Meeting
1:30 p.m.
- Thursday, March 24, 2022
Finance & Administration Committee/Board of Directors (Finance & Administration)
Meeting
9:30 a.m.

External Meetings

- Thursday, March 17
Tomales Bay Watershed Foundation Meeting
12 p.m.
- Friday, March 21, 2022
Lagunitas Creek Technical Advisory Committee Meeting
9:00 a.m. to 12 p.m.
- Monday, April 4, 2022
Special WAC/TAC Meeting
9 a.m.

- Friday, April 8, 2022
North Bay Watershed Association 2022 Virtual Conference
9:00 a.m. to 3 p.m.

FISCAL IMPACT

None

ATTACHMENT(S)

None