

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

MEETING DATE: 02-07-2023

TIME: 5:00 p.m. – Meeting Begins (Public)
5:01 p.m. or Thereafter - Closed Session (Only Board and Staff)
6:30 p.m. – Open Session (Public)

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

To participate online, go to <https://us06web.zoom.us/j/88134852296>. You can also participate by phone by calling **1-669-444-9171** or **1-669-900-6833** and entering the **webinar ID#: 881 3485 2296**.

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 5:00 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 5:01 p.m.
(Only the Board of Directors and staff will participate)

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

AGENDA ITEMS**RECOMMENDATIONS****Closed Session Items****1. Conference with Labor Negotiator**

(Government Code §54957.6)

Agency Designated Representative: Ben Horenstein, General Manager

Employee Organizations: Service Employees International Union, Local 1021;
Unrepresented Employees

2. Conference with Legal Counsel – Existing Litigation

(California Government Code Section § 54956.9)

Coalition of Sensible Taxpayers vs. Marin Municipal Water District
Case No.: CIV 1903160

Convene to Open Session at or after 6:30 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

(6:40 p.m. – Time Approximate)

Consent Calendar (6:45 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 January 17, 2023, Special Meeting of January 24, 2023, Special Meeting of January 26, 2023, and Special Meeting of January 31, 2023	<i>Approve</i>
4. Amendment No. 4 to District Lease Agreement No. 65, at 700 Donahue Street, Sausalito (APN: 052-140-27), with T-Mobile	<i>Approve</i>
5. Amendment No. 2 to Miscellaneous Agreement 5970 with ReDesign Group for Information Technology Services	<i>Approve</i>

AGENDA ITEMS	RECOMMENDATIONS
6. Quintel Management Consulting Contract Assignment to VistaVu Solutions	<i>Approve</i>
7. Request to Fill Environmental Compliance Specialist Position	<i>Approve</i>
8. Request to Fill One Utility Crew Leader Position in the Operations Division	<i>Approve</i>
Regular Calendar (6:50 p.m. – Time Approximate)	
9. Rate Setting Process Update (Approximate time 60 minutes)	<i>Information</i>
10. Future Meeting Schedule and Agenda Items (Approximate time 5 minutes)	<i>Information</i>
Adjournment (7:55 p.m. – Time Approximate)	

ADA NOTICE AND HEARING IMPAIRED PROVISIONS:

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

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

FUTURE BOARD MEETINGS:

Dates	Meetings
Tuesday, February 14, 2023 5 p.m. (Virtual)	<ul style="list-style-type: none"> Special Meeting of the Board of Directors: <i>Strategic Water Supply Assessment Working Session</i>
Wednesday, February 15, 2023 9:30 a.m. (Virtual)	<ul style="list-style-type: none"> Communications & Water Efficiency Committee/Board of Directors (Communications & Water Efficiency) Meeting

Board Secretary

Approval Item

TITLE

Minutes of the Board of Directors' Regular Bi-Monthly Meeting of January 17, 2023, Special Meeting of January 24, 2023, Special Meeting of January 26, 2023, and Special Meeting of January 31, 2023

RECOMMENDATION

Approve the adoption of the minutes

SUMMARY

On January 17, 2023, the Board of Directors held its regular bi-monthly meeting, followed by a special meeting for the *Strategic Water Supply Assessment Working Session* on January 24, 2023. Then, on January 26th and January 31st, the Board held two special meetings. The minutes of all four (4) meetings are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

1. Minutes of the Board of Directors' Regular Bi-Monthly Meeting of January 17, 2023
2. Minutes of the Board of Directors' Special Meeting of January 24, 2023
3. Minutes of the Board of Directors' Special Meeting of January 26, 2023
4. Minutes of the Board of Directors' Special Meeting of January 31, 2023

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, January 17, 2023

Via teleconference
(In accordance with Assembly Bill 361)

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 5:01 p.m.

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

Directors Absent: None

ADOPTION OF AGENDA

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

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

Noes: None

There were no public comments.

PUBLIC COMMENT – ONLY ON ITEMS ON THE CLOSED SESSION

There were no public comments.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 5:03 p.m.

CLOSED SESSION ITEMS

- 1. Public Employee Performance Evaluation**
(Government Code §54954.5)

Title: General Counsel

2. Conference with Legal Counsel – Anticipated Litigation

(Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9)

Unknown Number of Potential Cases

3. Conference with Legal Counsel – Existing Litigation

(California Government Code Section § 54956.9(a))

Coalition of Sensible Taxpayers vs. Marin Municipal Water District
Case Number: CIV 1903160

CONVENE TO OPEN SESSION

The board convened to Open Session at 7:31 p.m.

CLOSED SESSION REPORT OUT

President Schmitt reported that the board adjourned the Closed Session at 7:25 p.m. with no reportable action, and that the board would go back to Closed Session immediately after this open session.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There were no public comments.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- General Manager Ben Horenstein reported on the many accomplished tasks that District staff performed during and after the recent winter storms.
- Director Russell provided an Operations Committee report that occurred on January 13, 2023.
- Both Director Samson and Vice President Khush thanked General Manager Jason Dow and Central Marin Sanitation Agency (CSMA) for their tours at the CSMA facilities.
- Director Smith reported that he attended the Martin Luther King Jr. celebration event at Marin City and acknowledged the other elected officials in attendance.
- President Schmitt reported that as he was touring the watershed, he acknowledged and thanked the crews for clearing out the potential fire fuels.

CONSENT CALENDAR (ITEMS 4-8)

- Item 4 Minutes of the Board of Directors' Regular Bi-Monthly Meeting of January 3, 2023**
- Item 5 General Manager's Report December 2022**
- Item 6 Award a Two-Year Professional Services Agreement Contract with Exaro Technologies Corporation in an amount not to exceed \$300,000 for On-Call Potholing Services**
- Item 7 Award a Two-Year Contract to ML Cleaning in an amount of \$228,427.32 for Janitorial Services of the District's Facilities**
- Item 8 Resolution Continuing the Emergency Contracting Provisions for Repair of Pipe Failure on Paradise Drive, Tiburon (Resolution No. 8734)**

On motion made by Vice President Khush and seconded by Director Smith, the board approved the Consent Calendar

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

There were no public comments on the Consent Calendar items.

REGULAR CALENDAR (ITEMS 9-12)

- Item 9 2023 Marin Water's Board of Directors Committee Assignments**

Communications & Public Affairs Manager Adriane Mertens provided background information on the process of how directors are assigned to committees. Then, President Schmitt explained why he assigned the directors to the standing committees and as representatives and alternates to the regional committees. Discussion ensued.

On motion made by Director Samson and seconded by Vice President Khush, the board approved the committee assignments with the change that Director Russell would be the alternate to the Sonoma County Water Agency Water Advisory Committee.

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

There were no public comments.

Item 10 2023 Calendar of Marin Municipal Water District Board and Committee Meetings

Communications & Public Affairs Manager Mertens presented this item. Discussion followed.

There were two (2) public comments.

On motion made by Director Smith and seconded by Director Samson, the board adopted the calendar.

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

Noes: None

Item 11 Grant and Legislative Program Update

Watershed Resources Manager Shaun Horne introduced Grant and Legislative Program Coordinator Matt Sagues, who presented this item. Discussion between board and staff occurred throughout the presentation.

There were five (5) public comments.

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

Item 12 Future Meeting Schedule and Agenda Items

The board secretary reported on upcoming internal and external meetings. Afterwards, General Manager Horenstein provided additional information regarding the board retreat.

There was no public comment.

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

President Schmitt adjourned the open session and reconvened to closed session at 8:52 p.m. to discuss the following items:

2. Conference with Legal Counsel – Anticipated Litigation

(Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9)

Unknown Number of Potential Cases

3. Conference with Legal Counsel – Existing Litigation

(California Government Code Section § 54956.9(a))

Coalition of Sensible Taxpayers vs. Marin Municipal Water District

Case Number: CIV 1903160

CONVENE TO OPEN SESSION

The board convened to Open Session at 10:27 p.m.

CLOSED SESSION REPORT OUT

President Schmitt stated that there was no reportable action.

ADJOURNMENT

There being no further business, the regular Board of Directors' meeting of January 17, 2023, adjourned at 10:28 p.m.

Board Secretary

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

**STRATEGIC WATER SUPPLY ASSESSMENT WORKING SESSION
MINUTES**

Tuesday, January 24, 2023

Via teleconference
(In accordance with Assembly Bill 361)

CALL TO ORDER AND ROLL CALL

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

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

Directors Absent: None

DISCUSSION ITEM:

1. Strategic Water Supply Assessment – Portfolio and Roadmaps

Water Resources Director Paul Sellier provided a status of where the District was in this process. Then, he introduced consultants Armin Munevar and Marcelo Reginato with Jacobs Engineering. Mr. Munevar provided a review and roadmap of each portfolio (*Portfolio A: Maximize Existing Infrastructure, Portfolio B: New Local Supply, Portfolio C: Diversify Imports, and Portfolio D: Low Cost*), a comparison of the portfolios. He concluded with *Next Steps* that stated further evaluation of these portfolios and roadmaps, a development and presentation of a recommended water supply road map, and a final assessment report.

The board and staff had meaningful discussions throughout the presentation and after public comments.

There were 17 public comments.

Staff announced that there would be another Strategic Water Supply Assessment Community Workshop on February 6.

ADJOURNMENT

Without any further comments from the board or the public, the special meeting adjourned at 7:33 p.m.

Board Secretary

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

CLOSED SESSION MINUTES

Thursday, January 26, 2023

Via teleconference
(In accordance with Assembly Bill 361)

CALL TO ORDER AND ROLL CALL

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

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

Directors Absent: None

ADOPTION OF AGENDA

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

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

Noes: None

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

PUBLIC COMMENT – ONLY ON ITEMS ON THE CLOSED SESSION

There were no public comments.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 5:03 p.m.

CLOSED SESSION ITEMS

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

Coalition of Sensible Taxpayers vs. Marin Municipal Water District
Case No.: CIV 1903160

2. Conference with Legal Counsel – Anticipated Litigation

(Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9)

Unknown Number of Potential Cases

CONVENE TO OPEN SESSION

The board convened to Open Session at 7:24 p.m.

CLOSED SESSION REPORT OUT

President Schmitt reported that the board adjourned the Closed Session at 7:24 p.m. with no reportable action and direction to staff.

ADJOURNMENT

Without any further comments from the board or the public, the special meeting adjourned at 7:25 p.m.

Board Secretary

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

CLOSED SESSION MINUTES

Tuesday, January 31, 2023

Via teleconference

(In accordance with Assembly Bill 361)

CALL TO ORDER AND ROLL CALL

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

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

Directors Absent: None

ADOPTION OF AGENDA

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

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

Noes: None

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

PUBLIC COMMENT – ONLY ON ITEM ON THE CLOSED SESSION

There were no public comments.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 5:03 p.m.

CLOSED SESSION ITEM

1. Conference with Legal Counsel – Anticipated Litigation

(Significant Exposure to Litigation Pursuant to Paragraph (2) or (3) of Subdivision (d) of Section 54956.9)

Unknown Number of Potential Cases

CONVENE TO OPEN SESSION

The board convened to Open Session at 8:06 p.m.

CLOSED SESSION REPORT OUT

President Schmitt reported that the board adjourned the Closed Session at 8:05 p.m. with no reportable action.

ADJOURNMENT

Without any further comments from the board or the public, the special meeting adjourned at 8:06 p.m.

Board Secretary

Approval Item

TITLE

Amendment No. 4 to District Lease Agreement No. 65, at 700 Donahue Street, Sausalito (APN 052-140-27), with T-Mobile

RECOMMENDATION

Approve, and authorize the General Manager to execute Amendment No. 4 to Lease Agreement No. 65 at the 700 Donahue Street, Sausalito Site with T-Mobile to allow an upgrade of existing equipment with 5G technology equipment at the site

SUMMARY

The District received a request from Synergy (Sprint/T-Mobile contractor) to replace existing antenna equipment with new 5th generation (5G) technology along with ancillary equipment at their existing telecommunication facility at the Marin City Tank site.

DISCUSSION

T-Mobile leases the area from the District under the terms of the Amended and Restated Lease No. 65. Most recently, the lease was amended for the third time on July 12, 2022 allowing for the addition of a generator to the site. The terms of the third amendment required T-Mobile to pay a construction oversight fee of \$6,000 to the District and increased the annual base rent by \$6,000 annually. The proposed Amendment No. 4 will not expand the site location, but will allow for upgraded equipment at the site under the following proposed terms.

Summary of Proposed Terms under Amendment No. 4:

- One-time administration and construction oversight fee - \$6,000
- A fixed annual base rent escalator of 5%
- Initial 5-year term with 3 5-year extension options

FISCAL IMPACT

None

ATTACHMENT(S)

1. Proposed Equipment Modifications
2. Location Map

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

PROPOSED EQUIPMENT MODIFICATIONS**PROJECT DESCRIPTION**

THE PROJECT ENTAILS:

T-MOBILE PROPOSES TO MODIFY (E) WIRELESS TELECOMMUNICATIONS SITE BY:

CLUBBING ANCHOR & L600:

1. REMOVE (3) EXISTING APX16DWV-16DWV-S-E-A20 ANTENNAS
2. REMOVE (3) EXISTING TMA TWIN STYLE 1B, (1) PER SECTOR
3. REMOVE (3) EXISTING TMA TWIN STYLE 1A, (1) PER SECTOR
4. REMOVE (12) EXISTING 7/8" COAX, (4) PER SECTOR
5. ADD (2) NEW SITEPRO 1 RMV5-296 TRIPLE T-ARM MOUNT
6. ADD (3) NEW APXVAALL18_43-U-NA20(OCTO) ANTENNAS, (1) PER SECTOR
2. ADD (3) NEW AIR 6419 B41 ANTENNAS, (1) PER SECTOR
3. ADD (3) NEW RADIO 4480 B71+B85 RRUs, (1) PER SECTOR
4. ADD (3) NEW RADIO 4460 B25+B66 RRUs, (1) PER SECTOR

EQUIPMENT NOTES:

1. RETAIN (1) EXISTING DUG20 INSIDE EXISTING RBS 6102 EQUIPMENT CABINET
2. RETAIN (1) EXISTING BB 6630 INSIDE EXISTING RBS 6102 EQUIPMENT CABINET
3. REMOVE (3) EXISTING ANTENNA MOUNTS (1) PER SECTOR
4. REMOVE (6) EXISTING RUS01 B4 & (6) RUS01 B2
5. REMOVE (3) EXISTING RADIO TRX (AT CABINET), (1) PER SECTOR
6. REMOVE (1) EXISTING RBS 3106 EQUIPMENT CABINET
7. ADD (1) NEW E6160 SITE SUPPORT CABINET
8. ADD (1) NEW B160 BATTERY CABINET.
9. ADD (1) NEW RP6651 INSIDE NEW 6160 SITE SUPPORT CABINET
10. ADD (1) NEW RP6651 INSIDE EXISTING RBS 6102 EQUIPMENT CABINET
11. ADD (2) NEW PSU 4813 VR4A (KIT) & (1) CSR IXRe V2 ROUTER
12. ADD (1) NEW XMU
13. ADD (3) NEW 6x24 HCS 30m 4AWG

LOCATION MAP



Approval Item

TITLE

Amendment No. 2 to Miscellaneous Agreement (MA) 5970 with ReDesign Group for Information Technology Support Services

RECOMMENDATION

Approve Amendment No. 2 to MA-5970 between the Marin Municipal Water District (District) and ReDesign Group for an additional \$100,000 for a total amount not to exceed of \$170,000 and extend the term through October 1, 2023 and authorize the General Manager to execute same

SUMMARY

The Information Technology Department retains and frequently engages consulting firms to support core information technology systems on behalf of the District. The ReDesign Group was originally introduced to the District as the lead consultant for an ongoing capital project that has relocated and upgraded servers, cyber security, and data communications from the Corte Madera office to the Rancho Cordova data center (Capital Project No D-21041). This project upgraded the District's servers to a Dell VxRail hyperconvergence system which now hosts 90% of the District's software applications. The project also included installation of a High Availability communications network, overhaul of District firewalls, and installation of a new cyber security vault. The capital project will conclude with upgrade of the GIS server at Corte Madera to the Dell VxRail system, which is expected to be complete within the next two months.

Miscellaneous Agreement 5970 was initiated to allow for on-call dedicated support services for all of the newly installed systems as well as troubleshooting and maintaining the District's Cisco Unified Call Manager (CUCM) phone system and Software Defined Wide Area Network (SDWAN) network. Staff has been very satisfied with ReDesign's progress, performance, and almost daily assistance on high level technology issues that arise.

Contract Budget and Duration:

Contract Budget:	Total not to exceed \$170,000
Duration:	Term Ending October 1, 2023

FISCAL IMPACT

The total cost of ReDesign's information technology support services agreement including this Amendment No. 2 is \$170,000 and will be funded through the Information Technology, operations budget.

ATTACHMENT(S)
None

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

Approval Item

TITLE

Quintel Management Consulting Contract Assignment to VistaVu Solutions

RECOMMENDATION

Authorize General Manager to Execute Request for Consent to Assignment of Miscellaneous Agreement (MA) 5995 with Quintel Management Consulting to VistaVu Solutions

SUMMARY

On October 19, 2021, the Board of Directors approved MA 5995 with Quintel Management Consulting (Quintel). Quintel currently provides SAP consulting services to the District on a time and materials basis for finance, budgeting, billing, and work order support. On December 20, 2022, Quintel notified Marin Municipal Water District that Quintel entered into an Asset Purchase Agreement with VistaVu Solutions LE Corporation (VistaVu). Quintel has requested our consent to assign MA 5995 to VistaVu.

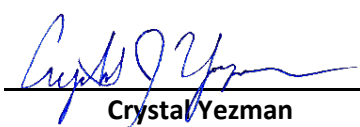

VistaVu is one of the largest SAP mid-market gold partners across North America and delivers SAP's Business One, Business ByDesign and new S4 Hana Enterprise Resource Program (ERP) solutions. They also have a partnership with AWS and are a system integrator for Boomi's iPaaS integration technology. In addition, VistaVu has developed their own add-on solutions for Wholesale Distribution called Resolv, and Industrial IoT and field management services called FieldVu. VistaVu has 100 employees and is headquartered in Calgary and Houston, with 365 customers and over 14,000 users across the US and Canada. Based on VistaVu's qualifications and experience, staff believe that they will be able to satisfactorily provide the necessary SAP consulting services for the District. Therefore, staff recommends that the Board authorize the General Manager to execute the Request for Consent to Assignment to permit assignment of the existing agreement with Quintel to VistaVu Solutions.

FISCAL IMPACT

None

ATTACHMENT(S)

1. Request for Consent to Assignment

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



January 27, 2023

Sent via: Email

Marin Municipal Water District
220 Nellen Avenue
Corte Madera, CA 94925
Attention: Steve Messick, Information Technology Manager

Re: Quintel Management Consulting Inc. – Consent Request

Dear Sir or Madam,

Reference is made to the Misc. Agreement No.5995, Agreement for Professional Services between Quintel Management Consulting Inc. ("Quintel") and Marin Municipal Water District dated as of November 16, 2021 (the "Agreement").

This letter is to advise you that Quintel entered into an Asset Purchase Agreement (the "APA") with VistaVu Solutions LE Corporation ("VistaVu"), pursuant to which, among other things, Quintel is to assign the Agreement to VistaVu (the "Assignment").

Pursuant to the Agreement, Marin Municipal Water District must consent to any assignment of the Agreement by Quintel.

This letter is meant to (i) seek your consent to the Assignment; and (ii) seek your agreement that the Agreement has not terminated and will not terminate as a result of the Assignment and remains in full force and effect in accordance with its terms.

Please indicate your (i) receipt of this letter, (ii) consent to the Assignment, and (iii) agreement that the Agreement has not terminated and the Agreement shall be considered not to have terminated as a result of the Assignment and remains in full force and effect, by signing one copy of this letter in the space provided below. By signing below, you also consent and agree that all of the notice and consent provisions, including minimum notice periods, if any, required under the Agreement in connection with the Assignment have been fully satisfied or waived by you. For the avoidance of doubt, the parties hereby agree that the Agreement shall be considered for all purposes not to have terminated as a result of the Assignment. Upon your execution of this letter, the Agreement shall be deemed to be assigned to VistaVu.

As we discussed we do not anticipate that Marin Municipal Water District will experience any changes to the support that Quintel currently provides. Please email a pdf of your signed letter to me at leslie.butorff@quintel-mc.com You should retain a duplicate copy of the signed letter for your records. . VistaVu provides an express statement that VistaVu will be accepting all rights, responsibilities and obligations under the current Agreement for the express benefit of the District.

If you have any questions, please do not hesitate to contact me. Thank you in advance for your cooperation in this matter.

Very truly yours,

Quintel-MC, Inc.

By: Leslie Buttorff
Name: Leslie Buttorff
Title: CEO

VistaVu Solutions LE Corporation

By: Jos De Smedt
Name: Jos De Smedt
Title: CFO

ACKNOWLEDGED AND AGREED as
of _____ 2023

Marin Municipal Water District

By: _____
Name:
Title:

Approval Item

TITLE

Approval to Fill Environmental Compliance Specialist Position

RECOMMENDATION

Authorize the General Manager to recruit and hire one Environmental Compliance Specialist

SUMMARY

The Environmental Compliance Specialist position is a new job classification that will replace a position held by an employee who recently retired in the Safety department. Staff is requesting authorization for the General Manager to recruit and hire an Environmental Compliance Specialist and any other subsequent positions that may become vacant as a result of this recruitment.

DISCUSSION

The Environmental Compliance Specialist will be a key member of the District, ensuring the District adheres to regulatory requirements, including all Marin County Certified Unified Programs Agency (CUPA) programs, which entail California Accidental Release Protection (CalARP), Aboveground Storage Tanks (AST), and Underground Storage Tanks (UST). In addition, this position will oversee all fire inspections, Storm-water Pollution Prevention Plans (SWPPP), Bay Area Air Quality Management (BAAQMD) permits, storm-water reporting for District facilities, as well reporting for National Pollution Discharge Elimination System (NPDES) requirements pertaining to system discharges.


Filling this position is integral to the District's efforts to continue to meet all regulatory requirements with city, regional, and state agencies. Staff requests that the Board authorize the General Manager to recruit and hire one Environmental Compliance Specialist.

FISCAL IMPACT

The total annual salary with benefits for the Environmental Compliance Specialist position ranges from \$149,500 to to a maximum of \$175,500. Salary and benefits for this position are budgeted in the District's Operating FYE 2023 and 2024 budget. Filling this position will not increase the total number of full time equivalents (FTEs) within the District.

ATTACHMENT(S)

None

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

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 became vacant upon retirement of the 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 and performance of the most complex and difficult assignments in the repair and maintenance of water system facilities. Under general direction, this Utility Crew Leader position assigns, directs and participates in the work of utility crews engaged in installing new water services and water system leak repairs. Incumbents are expected to train workers, input accurate information on work orders, prepare leak sketches, material requisitions, time entry and other required forms using personal computers as appropriate.

FISCAL IMPACT

The total annual salary with benefits for the Utility Crew Leader position ranges from a minimum of \$127,997 to a maximum of \$156,217. Salary and benefits for the Utility Crew Leader are budgeted in the System Maintenance, Operations Division budget. 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	 Darren Machado Director of Operations	 Ben Horenstein General Manager

Informational Item

TO: Board of Directors

FROM: Bret Uppendahl, Finance Director *BU*

THROUGH: Ben Horenstein, General Manager *BH*

DIVISION NAME: Administrative Services Division

ITEM: Rate Setting Process Update

SUMMARY

The District provides high quality water to over 191,000 residents in a 147 square mile area that includes most cities, towns and unincorporated areas within Marin County. Novato and West Marin are located outside of the District's service area.

As a municipal water district that relies on water rates to fund ongoing operations and capital improvements, Marin Municipal Water District (District) is subject to the procedural requirements of Proposition 218 in order to adopt new or increased rates. These procedural requirements include, but are not limited to, an analysis of the cost of providing water service and a public hearing to consider the proposed rate adjustment.

A fundamental step in the Proposition 218 process is an evaluation of the revenue required to support the cost of providing water service to customers within the District's service area. This includes a determination of costs required to maintain existing service levels (baseline), as well as costs to recover from the recent drought, secure future water supply, invest in capital infrastructure, and/or enhance current service levels. Staff will be providing a presentation to the Board to review the current revenue requirements and associated rate impacts of these scenarios.

DISCUSSION

The District's current (FY 2023) budget is \$116 million, including capital funds. Of this amount, approximately 70% is for ongoing operations and 30% is for capital projects and debt service. In response to the recent drought, the District's customers reduced their water consumption substantially. At the same time, the District increased the volume of water purchased from the Sonoma County Water Agency to ensure adequate water supply would be available during the height of the drought. To mitigate the revenue shortfalls and increased water supply expenses, the District relied on the use of reserves, held certain positions vacant, and reduced annual funding for the capital improvement program.

Although recent rainfall has largely replenished the District reservoirs, water consumption continues to remain well below historical averages. Under the District's existing rate structure, the lower level of water demand would result in a baseline operating shortfall of approximately \$25 million next fiscal year; and unless addressed in the upcoming rate adjustment, this shortfall would be expected to increase over the next four years due to inflationary pressures and non-discretionary cost drivers.

As part of the cost of service analysis, the District evaluated the current rate structure and the impacts of recent rate adjustments, as well as the projected revenue needs of the District in order to determine necessary rate adjustment scenarios. Staff will be providing an overview of potential changes to tier breaks, volumetric rates, and fixed fees, and how a revised rate structure would impact customer bills.

FISCAL IMPACT

None

ATTACHMENT(S)

None

Informational Item

TO: Board of Directors

FROM: Terrie Gillen, Board Secretary

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Communications & Public Affairs Department

ITEM: Future Meeting Schedule and Agenda Items

SUMMARY

Review of the upcoming Board of Directors and Committee meetings

DISCUSSION

Meeting Schedule

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

Internal Meetings

- Tuesday, February 14, 2023
Board of Directors' Special Board Meeting
Strategic Water Supply Assessment
5:00 p.m.
- Wednesday, February 15, 2023
Communications & Water Efficiency Committee/
Board of Directors (Communications & Water Efficiency) Meeting
9:30 a.m.
- Friday, February 17, 2023
Operations Committee/Board of Directors (Operations) Meeting
9:30 a.m.
- Tuesday, February 21, 2023
Board of Directors' Regular Bi-Monthly Meeting
6:30 p.m.

External Meetings

- Monday, February 27, 2023
North Bay Water Reuse Authority
9:30 a.m.

FISCAL IMPACT

None

ATTACHMENT(S)

None