

**MARIN MUNICIPAL WATER DISTRICT
BOARD OF DIRECTORS**

MEETING MINUTES

Tuesday, February 21, 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: Jed Smith, Ranjiv Khush, Larry Russell, Matt Samson, and Monty Schmitt

Directors Absent: None

ADOPTION OF AGENDA

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

Ayes: Directors Smith, Khush, Russell, Samson, 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 5:04 p.m.

CLOSED SESSION ITEMS

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

Chamberlin vs. MMWD
Case No.: CIV 2102266

2. Conference with Legal Counsel – Anticipated Litigation
(California Government Code Section § 54956.9)

Number of Cases: Unknown

CONVENE TO OPEN SESSION

The board reconvened to Open Session at 6:30 p.m.

CLOSED SESSION REPORT OUT

President Schmitt reported that the board adjourned the Closed Session at 6:24 p.m. with no reportable action. However, they would reconvene Agenda Item 2 of the Closed Session immediately following the last agenda item of the open session.

PUBLIC COMMENT – ITEMS NOT ON THE AGENDA

There were no public comments.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

- Vice President Khush reported on highlights from the Communications & Water Efficiency Committee Meeting of February 15, 2023.
- Director Russell provided highlights of the Operations Committee Meeting of February 17, 2023.
- Director Samson thanked District staff for their public outreach and the work they did in producing the 2023 Rate Setting Community Workshops and Watershed Recreation Management Planning Community Workshop. He also reported his attendance at both virtual workshops. Director Samson thanked staff and the volunteers for their work on the watershed at Phoenix Lake and noted that there is more work to be done.
- President Schmitt reported his attendance at the 2023 Rate Setting Community Workshop in San Rafael. He, too, thanked staff for their work putting together all the community workshops.
- Director Smith reported his attendance at the Mill Valley 2023 Rate Setting Community Workshop and Watershed Recreation Management Planning Community Workshop. He, also, thanked District staff for all the work they did in managing these community workshops. Director Smith also acknowledged Engineering Division Manager Crystal Yezman and Engineering Design Manager Alex Anaya for providing him a tour of some of the District's tank sites.

CONSENT CALENDAR (ITEMS 3-9)

- Item 3 Minutes of the Board of Directors' Special Meeting (Board Retreat) of February 2, 2023, Special Meeting (Closed Session) of February 6, 2023, and Regular Board Meeting of February 7, 2023**
- Item 4 General Manager's Report January 2023**
- Item 5 Purchase of Meters for Annual Meter Change Program**
- Item 6 Request to Fill Engineering Technician Position in the Engineering Division**
- Item 7 Request to Fill Construction Inspector Position in the Engineering Division**
- Item 8 Request to Fill Associate or Assistant Engineer Position in the Engineering Division**
- Item 9 Request to Fill Customer Service Representative III Position in the Administrative Services Division**

On motion made by Director Smith and seconded by Director Samson, the board approved the Consent Calendar.

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

There were no public comments for the Consent Calendar items.

REGULAR CALENDAR (ITEM 10)

- Item 10 Resolution Adopting the 2019 San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP) Update (Resolution No. 8736)**

Grant and Legislative Coordinator Matt Sagues explained the purpose and benefit of the IRWMP, including its proposed grant for the Marin City and City of San Rafael's Water Supply Resilience Project. A brief discussion ensued.

There were no public comments.

On motion made by Vice President Khush and seconded by Director Smith, the board approved Resolution 8736 to adopt the 2019 San Francisco Bay Area Integrated Regional Water Management Plan (IRWMP).

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

PUBLIC HEARING (ITEM 11)

Item 11 Updated 2023 Water Shortage Contingency Plan and Implementation Ordinance No. 462

Water Resources Division Manager Paul Sellier provided key elements of the 2023 Water Shortage Contingency Plan (WSCP) and the proposed ordinance to implement the WSCP. Discussion followed.

President Schmitt opened the public hearing. There were four (4) public comments. Afterwards, President Schmitt closed the public hearing.

On motion made by Director Smith and seconded by Vice President Khush, the board approved Resolution 8737 to adopt the 2023 Water Shortage Contingency Plan and the adoption of Ordinance 462 to implement the 2023 Water Shortage Contingency Plan.

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

REGULAR CALENDAR (ITEMS 12-13)

Item 12 Rate Setting Process Update

Finance Director Bret Uppendahl provided a review of the rate setting process, highlights from the 2023 Rate Setting Community Workshops, and an overview of the mechanics of drought rates. Afterwards, the board and staff conversed on this item.

There were three (3) public comments.

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

Item 13 Future Meeting Schedule and Agenda Items

The board secretary reported on upcoming internal and external meetings. However, afterwards Vice President Khush and Director Russell provided the change of dates for both the North Bay Water Reuse Authority and the North Bay Watershed Association meetings.

There was no public comment.

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

At 7:51 p.m., the board concluded the open session and reconvened to closed session to discuss Agenda Item 2.

CLOSED SESSION ITEM

2. Conference with Legal Counsel – Anticipated Litigation
(California Government Code Section § 54956.9)

Number of Cases: Unknown

CONVENE TO OPEN SESSION

The board reconvened Open Session at 9:00 p.m.

CLOSED SESSION REPORT OUT

President Schmitt reported that the board adjourned the Closed Session at 9:00 p.m. with no reportable action.

ADJOURNMENT

There being no further business, the regular Board of Directors' meeting of February 21, 2023, adjourned at 9:00 p.m.



Terrie Gillen, CMC
Board Secretary

The minutes were approved at the Board of Directors' Regular Bi-Monthly Meeting of March 7, 2023.