



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

MEETING DATE: August 15, 2023

TIME: 6:30 p.m.

LOCATIONS: This meeting will be held remotely and in-person.

Open Session	Closed Session	Remotely
Marin Water Board Room 220 Nellen Avenue Corte Madera, CA 94925	Marin Water Mt. Tam Conference Rm. 220 Nellen Avenue Corte Madera, CA 94925	URL: https://us06web.zoom.us/j/88134852296 Webinar ID: 881 3485 2296 Phone Call: 1-669-444-9171

EMAILED PUBLIC COMMENTS: Submit your comments in advance of the meeting to BoardComment@MarinWater.org. All emailed comments received by 3:00 p.m. on the day of the meeting will be provided to the Board of Directors prior to the meeting. Please do not include personal information in your comment such as phone numbers and home addresses.

PARTICIPATION DURING THE MEETING:

In-person Attendee: Fill out a speaker card and place it next to the board secretary. List the number of the agenda item(s), for which you would like to provide a comment. Once you're called, proceed to the lectern to make your comment.

Virtual Attendee: Click on 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 staff will call on you by the last four digits of your phone number.

(Note: The board president may shorten the amount of time for public comment due to large numbers of both in-person and virtual attendees.)

AGENDA ITEMS	RECOMMENDATIONS
Call to Order and Roll Call*	
Adoption of Agenda	<i>Approve</i>
Public Comment - Items Not on the Agenda	
<p>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 to ensure that the meeting is conducted in an efficient manner.</p>	
Directors' and General Manager's Announcements <i>(6:40 p.m. – Time Approximate)</i>	
Consent Calendar <i>(6:45 p.m. – Time Approximate)</i>	
<p>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.</p>	
1. Minutes of the Board of Directors' Regular Meeting of August 1, 2023 and Special Meeting of August 8, 2023	<i>Approve</i>
2. General Manager's Report - July 2023	<i>Approve</i>
3. A Resolution Authorizing Award of Contract No. 2009, On-Call Capital Maintenance and Repair Contract, to Piazza Construction	<i>Approve</i>
4. Professional Services Agreement with VistaVu Solutions LE Corporation (MA-6211) in the Amount not to Exceed \$200,000	<i>Approve</i>
5. Lagunitas Creek Watershed Enhancement Plan and Filing of a Notice of Exemption	<i>Approve</i>
Regular Calendar <i>(6:50 p.m. – Time Approximate)</i>	
6. Update on Water Resiliency Roadmap <i>(Approximate time 40 minutes)</i>	<i>Information</i>

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

AGENDA ITEMS**RECOMMENDATIONS**

7. A Resolution Authorizing Award of Contract No. 2006, Spillway Condition Assessment Phase II Project in the Amount of \$588,956, to The Pressure Grout Company <i>(Approximate time 15 minutes)</i>	<i>Approve</i>
8. A Resolution Adding \$750,000 of Additional Contingency for the Pine Mountain Tunnel Tanks Phase 1 – Rough Grading Project <i>(Approximate time 20 minutes)</i>	<i>Approve</i>
9. A Resolution to Approve Cost of Living Adjustment for Unrepresented District Employees <i>(Approximate time 5 minutes)</i>	<i>Approve</i>
10. 2023 Annual Goals Update <i>(Approximate time 20 minutes)</i>	<i>Information</i>
11. Future Meeting Schedule <i>(Approximate time 1 minute)</i>	<i>Information</i>

CLOSED SESSION**Public Comment on Closed Session Item only (Board Room)**

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 (Mt. Tam Conference Room)

(Only the Board of Directors and Staff will participate.)

Closed Session Item**1. Conference with Labor Negotiators**

(Government Code §54957.6)

Agency Designated Representative: Ben Horenstein, General Manager

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

Reconvene to Open Session approximately 9:31 p.m. (Board Room)

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

Closed Session Report Out

Adjournment (9:32 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 AND COMMITTEE MEETINGS AND UPCOMING AGENDA ITEMS:

Dates	Meetings
Wednesday, August 16, 2023 9:30 a.m.	<ul style="list-style-type: none"> • Communications & Water Efficiency Committee Meeting/Special Meeting of the Board of Directors (Communications & Water Efficiency)
Friday, August 18, 2023 9:30 a.m.	<ul style="list-style-type: none"> • Operations Committee Meeting/Special Meeting of the Board of Directors (Operations)
Thursday, August 24, 2023 9:30 a.m.	<ul style="list-style-type: none"> • Finance & Administration Committee Meeting/Special Meeting of the Board of Directors (Finance & Administration)

<p>Upcoming Key Items for future Board Meetings</p> <ul style="list-style-type: none"> • <u>At September 5, 2023 Board Meeting</u> <ul style="list-style-type: none"> ○ Update on AMI/SAP


 Board Secretary



Approval Item

TITLE

Minutes of the Board of Directors' Regular Meeting of August 1, 2023 and Special Meeting
Minutes of August 8, 2023

RECOMMENDATION

Approve the adoption of the minutes

SUMMARY

The Board of Directors held their regular meeting on August 1, 2023 and a special meeting on August 8, 2023. The minutes of both meetings are attached.

DISCUSSION

None

FISCAL IMPACT

None

ATTACHMENT(S)

1. Minutes of the Board of Directors' Regular Meeting of August 1, 2023
2. Minutes of the Board of Directors' Special Meeting of August 8, 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, August 1, 2023

Via Remote and In-Person

Open Session Locations: Marin Water Board Room, 220 Nellen Avenue, Corte Madera, CA 94925, and 103 Herring Pond Road, Plymouth, MA 02360

Closed Session Location: Marin Water, Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 6:30 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 Vice President Khush and seconded by Director Samson, 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 – ITEMS NOT ON THE AGENDA

There were three (3) public comments on items not on the agenda.

DIRECTORS' AND GENERAL MANAGER'S ANNOUNCEMENTS & COMMITTEE REPORTS

There were no committee reports or announcements.

CONSENT CALENDAR (ITEMS 1-2)

Item 1 Minutes of the Board of Directors' Regular Meeting of July 25, 2023

Item 2 Project Approval of the Cole Drive and Canal Pipeline Replacement Projects and Notices of Exemption Filings Pursuant to the California Environmental

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

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

There were no public comments on the Consent Calendar.

REGULAR CALENDAR (ITEMS 3-5)

Item 3 Lagunitas Creek Watershed Enhancement Plan

Watershed Resources Manager Shaun Horne introduced Fisheries Program Manager Jonathan Koehler and consultant Jason White with Environmental Science Associates. Both Mr. Horne and Mr. Koehler presented this item. Discussion ensued.

There were was one (1) public comment.

This was an information report. The board did not take any formal action.

Item 4 Marin County Grand Jury Report Response; Accessory Dwelling Units

Acting Engineering Division Manager Alex Anaya introduced Engineering Support Services Manager Joseph Eischens, who provided the presentation. Discussion followed.

There was one (1) public comment.

This was an information report. The board did not take any formal action.

Item 5 Future Meeting Schedule

The board secretary reported on upcoming internal and external meetings.

There were no public comments.

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

CLOSED SESSION

Public Comment on Closed Session Item Only (Board Room)

There were no public comments regarding the Closed Session item.

Convene to Closed Session (*Mt. Tam Conference Room*)

The Board convened to Closed Session at approximately 7:35 p.m.

Closed Session Item

Item 6 **Public Employee Performance Evaluation**
(Government Code §54957.6)

Titles: General Counsel and General Manager

Reconvene to Open Session (*Board Room*)

The board reconvened to Open Session.

Closed Session Report Out

President Schmitt announced that the Closed Session adjourned at 8:40 p.m. with no reportable action.

ADJOURNMENT

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting of August 1, 2023, adjourned 8:40 p.m.

Board Secretary

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

MINUTES

Tuesday, August 8, 2023

Held Remotely and at In-Person Locations

Open Session Locations: Marin Water, Board Room, 220 Nellen Avenue, Corte Madera, CA 94925, and San Diego Airport – Southwest Terminal, Across from the Security Check Point, 3225 N Harbor Drive, San Diego, CA 92101

Closed Session Locations: Marin Water, Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925, and San Diego Airport – Southwest Terminal, Across from the Security Check Point, 3225 N Harbor Drive, San Diego, CA 92101

CALL TO ORDER AND ROLL CALL

President Monty Schmitt called the meeting to order at 4:00 p.m.

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

Directors Absent: Ranjiv Khush

ADOPT AGENDA

On motion made by Director Samson and seconded by Director Smith, the Board of Directors adopted the agenda.

There were no public comments.

Ayes: Directors Russell, Samson, Smith, and Schmitt

Noes: None

Absent: Director Khush

PUBLIC COMMENT ON CLOSED SESSION ITEMS

There were no public comments on the Closed Session item.

CONVENE TO CLOSED SESSION

The directors convened to Closed Session at 4:01 p.m. and went to the Mt. Tam Conference Room.

CLOSED SESSION ITEM

1. Conference with Labor Negotiators

(Government Code §54957.6)

Agency Designated Representative: Ben Horenstein, General Manager

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

RECONVENE TO OPEN SESSION

The Board adjourned the closed session and returned to the Board Room.

CLOSED SESSION REPORT OUT

President Schmitt announced that the Closed Session adjourned at 5:38 p.m. and there was no reportable action.

ADJOURNMENT

There being no further business, the special meeting adjourned at 5:39 p.m.

Board Secretary

Approval Item

TITLE

General Manager's Report July 2023

RECOMMENDATION

Approve Report.

SUMMARY**A. HIGHLIGHTS:**

- The daily average net production for the month of July 2023 was 25.2 MGD compared to 23.1 MGD for the month of July 2022. Typical usage for July is 32.5 MGD.
- The daily average flow from Sonoma County Water Agency for the month of July 2023 was 11.9 MGD.
- Staff installed two Anode wells in two locations in San Rafael. These Anode Wells sometimes called “deep ground beds,” house anodes, used to minimize electrolytic corrosion of metallic pipelines, tanks and other facilities in contact with the ground.
- Mechanical & Electrical Department assisted Operations in testing automated system valves. A new comprehensive list of automated valves was created for regular testing. Some automated system valves have hydraulic modes, which if not tested on a regular schedule can become stuck and not function during power failures when they are needed.
- Staff installed new cellular modems at various District sites. The cellular modems are used for SCADA communication. The cellular modems are replacing asynchronous data networks (ADNs), which are AT&T copper lines. The ADNs are obsolete and will no longer be maintained by AT&T as of January 2024.
- The District participated in a Voltus dispatch, a program that calls for shedding electrical load at predetermined times, to reduce demand on PG&E’s electrical grid during periods of high demand. This allows PG&E to avoid power outages. The District receives compensation for participating in the program.
- The District working with One Tam submitted a grant proposal to the Wildlife Conservation Board for implementation of the Marin Forest Health Strategy. The grant included up to \$6 million in funding for Marin Water projects. The District also submitted a grant proposal to the California Coastal Conservancy for implementation of the Azalea Hill Trail Restoration Project in the amount of \$1 million for Phase I of the project.

- The District carried out a trail volunteer day along the Azalea Hill Trail Restoration Project with volunteer support from the Marin County Bicycle Coalition.
- The District submitted a \$4.6M proposal to CDFW's Prop 1 grant program for implementation of six sites within the Lagunitas Creek Enhancement Project. A statutory CEQA exemption was issued for this project as part of CDFW's Cutting the Green Tape Initiative, resulting in a project savings of approximately \$200,000. Fisheries staff completed an inventory of existing wood (fallen and installed logs) within 10+ stream miles of the Lagunitas Creek watershed, as part of long-term habitat trend monitoring.
- The district started Year 5 of the Biodiversity Fire, & Fuels Integrated Plan with a collaborative Fuelbreak construction project with the MWPA, where their Greater Ross Valley Shaded Fuelbreak overlaps the Marin Watershed at Deer Park, Marin Stables, and Fawn Ridge Tank.

PROJECT DETAILS						REQUIREMENTS	BUDGET			
OPPORTUNITY	FUNDER	FUNDER PRIORITIES	APPLICATION DATE	MATCHING PROJECT	DESCRIPTION	STATUS	ACTION ITEMS	PREREQUISITE	FUNDS REQUESTED	MATCH REQUIREMENT %
CURRENT APPLICATIONS									\$76,096,000	
Forest Health	CalFire	Wildfire Prevention	3/3/18	Fuels Reduction on Watershed	Continuing Forest Health projects with another 1000 acres	Not funded		Vegetation plan, CEQA	\$7,000,000	30
Local Water Supply Storage Projects	DWR	Water Supply	1/3/23	Task	Three projects: recycled water, local storage enhancement, and winter water conveyance	Open		UWMP Compliance	\$53,000,000	50
Desal Feasibility Study	USBR	Desalination	2/28/23	Task	Exploring new brackish desal in Petaluma	Open		None	\$200,000	50
Local Storage Supply Enhancement	USBR	Environmental + Water Supply	3/28/23	Task	Evaluating increasing storage locally	Not funded		None	662,000	50
Prop.1 Round 2 IRWM Disadvantaged Community	DWR	Water Infrastructure	12/1/22	Marin City/San Rafael Infrastructure	Replacing aging transmission lines and laterals in Marin City and San Rafael's Canal District	Funded		IRWM CC Approval	\$6,408,000.00	0
Forestry Corps	CCNB	Vegetation Management	Jan 2023	Ongoing Forestry work	Workforce development; state funding directly to CCNB to fund crews working on the watershed	Funded		None	\$500,000.00	0
Pre-application for Coastal Access Projects	State Coastal Conservancy	Recreation/Coastal Access	Dec. 2024	Trail work	Watershed trail improvements	Open		None	\$850,000.00	0
Fisheries Restoration Grant Program	CDFW	Fisheries	4/20/23	Lagunitas Creek Restoration	Funding for Phase II site design and CEQA	Open		30% designs	\$599,689.00	5
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	DWR Riverine	Fisheries	11/1/22	Lagunitas Creek Restoration	Gravel augmentation for Lagunitas Creek	Funded		None	\$590,000.00	0
Lagunitas Creek Coho Enhancement Project Phase II	CDFW	Fisheries	July 2023	Lagunitas Creek Restoration	Comprehensive implementation funding	Open		65% designs	\$4,659,898.00	0
Building Resilience in Communities (BRIC)	FEMA	Natural Hazards	July 2023	Treatment Plant Clarifiers	Funds to address seismic hazards in water treatment facilities	NOI Submitted		CalOES APPROVAL	\$5,000,000.00	25
Azalea Hill Trail Restoration Project	SCC	Recreation/Coastal Access	July 2023	Trail work	Azalea Hill Trail Restoration Project	Open		N/A	\$1,076,000.00	0
One Tam Regional Forest Conservation Program	WCB	Forest Conservation	July 2023	Forestry Work	GGNPC (\$3,000,000.00 up to \$7,615,000.00 requested)	Open		N/A	\$6,400,000.00	30
UPCOMING OPPORTUNITIES									\$0	
Hazard Mitigation Program	FEMA	Natural Hazards	Summer 2023	Treatment Plant Clarifiers	Funds to address seismic hazards in water treatment facilities	TBD		NOI APPROVAL	TBD	25
Small Storage Program	USBR	Water Supply	Fall 2023	Phoenix Lake	Funding for new water supply projects	Feasibility Study started		Approved Feasibility Study	TBD	6
WaterSMART Aquatic Ecosystem Restoration	USBR	Fisheries	6/1/2023	Lagunitas Creek Restoration	Funding for fisheries program	Open		Unknown	TBD	50
Recreational Trails Program	State Parks	Trails	6/15/2023	Recreation Plan	Funding for new trails	Open		Unknown	TBD	0
National Culvert Removal, Replacement and Restoration grants (Culvert AOP program)	Office of the Secretary of Transportation / FHWA (IIJA)	Fisheries	Fall 2023	North Marin Line/Lag Creek Fisheries upgrade	Funding for major culvert upgrades, particularly in areas with sensitive fisheries.	Upcoming		TBD		
California Clean Vehicle Rebate Project	California Air Resources Board	Vehicle Fleet	Ongoing	Fleet EV Replacements	\$2000 to \$7500 rebate per vehicle (limit of 30 per year for public fleets)	Open				
TAM EV Matching Funding	Transportation Authority of Marin (TAM)	Vehicle Fleet	Ongoing	Fleet EV Replacements	Up to \$5K (\$2500 for EV) in funding matching CARB CVRP rebates (limit 5 vehicles per fiscal year)	Open		They might do more if we produce a fleet plan or climate plan		
LONG TERM OPPORTUNITIES (ongoing development)										
2024 Water Bond	State of CA	Water supply projects	Fall 2024	SWSA Water Supply Projects	Currently in Legislature	In legislature		Voter approval; District participation Authorization (secured 2022)	TBD	0
Water Resources Development Act	Army Corps of Engineers	Water supply projects	FY 2024	SWSA Water Supply Projects	Pursuing for No Regrets and regional projects	In appropriations			\$28,000,000.00	0

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 2023/24		FY 2022/23	
	(million gallons)	(acre-feet)	(million gallons)	(acre-feet)
Potable				
Total production this FY	780	2,394	716	2,199
Monthly production, July	780	2,394	716	2,199
Daily average, July	25.17	77.23	23.11	70.92
Recycled				
Total production this FY	36.28	111.34	32.64	100.17
Monthly production, July	36.28	111.34	32.64	100.17
Daily average, July	1.17	3.59	1.05	3.23
Raw Water				
Total production this FY	10.90	33.45	9.98	30.63
Monthly production, July	10.90	33.45	9.98	30.63
Daily average, July	0.35	1.08	0.32	0.99
Imported Water				
Total imported this FY	368	1,131	107	328
Monthly imported, July	368	1,131	107	328
Reservoir Storage				
Total storage	23,663	72,619	20,995	64,432
Storage change during July	1,619	4,969	-867	-2,660
Stream Releases				
Total releases this FY	221	677	200	612
Monthly releases, July	221	677	200	612

2. <u>Precipitation:</u>	<u>FY 2023/24 (in.)</u>	<u>FY 2022/23 (in.)</u>
Alpine	0.00	0.00
Bon Tempe	0.00	0.00
Kent	0.00	0.00
Lagunitas *	0.00	0.00
Nicasio	0.00	0.00
Phoenix	0.00	0.00
Soulajule	0.00	0.00

* Average to date = 0.06 inches

3. Water Quality:

<u>Laboratory:</u>	<u>FY 2023/24</u>	<u>FY 2022/23</u>
Water Quality Complaints:		
Month of Record	1	20
Fiscal Year to Date	1	20
Water Quality Information Phone Calls		
Month of Record	10	17
Fiscal Year to Date	10	17

The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 1,890 analyses on lakes, treatment plants and distribution system samples.

Mild steel corrosion rates averaged 1.99 (0.34 – 4.57) 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: 2 water storage tank sanitary surveys were performed during the month 51.16 % planned survey program has been completed for calendar year 2023.

Disinfection Program: No new water mains were disinfected during the month of July. Performed chlorination's on 25 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 33 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 2 sanitary tank surveys, treated 25 tanks for low chlorine, and check an additional 33 tanks for low chlorine residual in July 2023.

4. Water Treatment:

<u>Treatment Results</u>	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
	Average	Monthly Goal	Average	Monthly Goal	Average	Monthly Goal
Turbidity (NTU)	0.04	≤ 0.10	0.03	≤ 0.10	0.03	≤ 0.10
Chlorine residual (mg/L)	2.72	2.75 *	2.78	2.75 *	2.83	2.75 *
Color (units)	0.5	≤ 15	0.4	≤ 15	0.0	≤ 15
pH (units)	7.9	7.8*	7.8	7.8*	8.0	8.1**

* Set monthly by Water Quality Lab

** pH to Ignacio is controlled by SCWA

5. Capital Improvement:

- a. Treehaven Pipeline Replacement Project (F21003): This project is a component of the District's Fire Flow Improvement Program, and will replace nearly 8,000 linear feet of

undersized fire flow deficient pipe as old as 95-years with 8-inch and 6-inch welded steel pipe.

- Project Budget: \$3,654,990
 - Monthly Activities: The contractor has completed the installation of all water system infrastructure and the majority of roadway paving. Remaining work includes minor paving, concrete, and punchlist items. Project completion is estimated August 2023.
- b. Azalea Hill Trail Retaining Wall Project (R17008): This project will excavate approximately 150 cubic yards of hillside, will install a 100 foot long soldier pile retaining wall with concrete lagging, and will perform trail and drainage improvements.
- Project Budget: \$491,550
 - Monthly Activities: The contractor has completed the construction of the retaining wall, storm drain facilities, and rock slope protection. Final work includes final trail improvements and the installation of a redwood fence. Project completion is estimated September 2023.
- c. Pine Mountain Tank Phase 1 – Rough Grading Project (D21043): The Pine Mountain Tunnel Tanks Replacement Project is a multi-year two-phased project that will replace the existing Pine Mountain Tunnel. This project (Phase 1) will excavate approximately 45,000 cubic yards of hillside and will install a soil nail retaining wall in preparation for a future project that will install two 2-million gallon prestressed concrete storage tanks (Phase 2). This Phase 1 project will also perform site grading and drainage improvements.
- Project Budget: \$7,734,575
 - Monthly Activities: The Contractor has mobilized their equipment and begun vegetation work at the project site adjacent to Concrete Pipe Road, and storm drain and guard rail improvements on Sky Oaks Road.
- d. Worn Spring Road Slide Repair Project (D23017): This project will install a 60-foot long soldier pile retaining wall with concrete lagging and a guardrail on Worn Spring Road on Marin watershed lands approximately 400 feet from Phoenix Lake.
- Project Budget: \$289,910
 - Monthly Activities: The project was awarded at the July 11 Board of Directors meeting and the contract has been executed. The preconstruction meeting was held on August 7 and work as begun on site. The Project will be complete fall 2023.

- e. Bolsa Tank Removal Project (D16006): This project will install 90 feet of 6-inch pipe and a new pressure regulator valve to permanently decommission and remove the 45-year-old 200,000-gallon leak prone redwood Bolsa Tank located in the City of Mill Valley
- Project Budget: \$246,900
 - Monthly Activities: The project was awarded at the June 6 Board of Directors meeting and the contract has been executed. Work is estimated to begin August 2023 and the project is slated for completion September 2023.

6. Other:

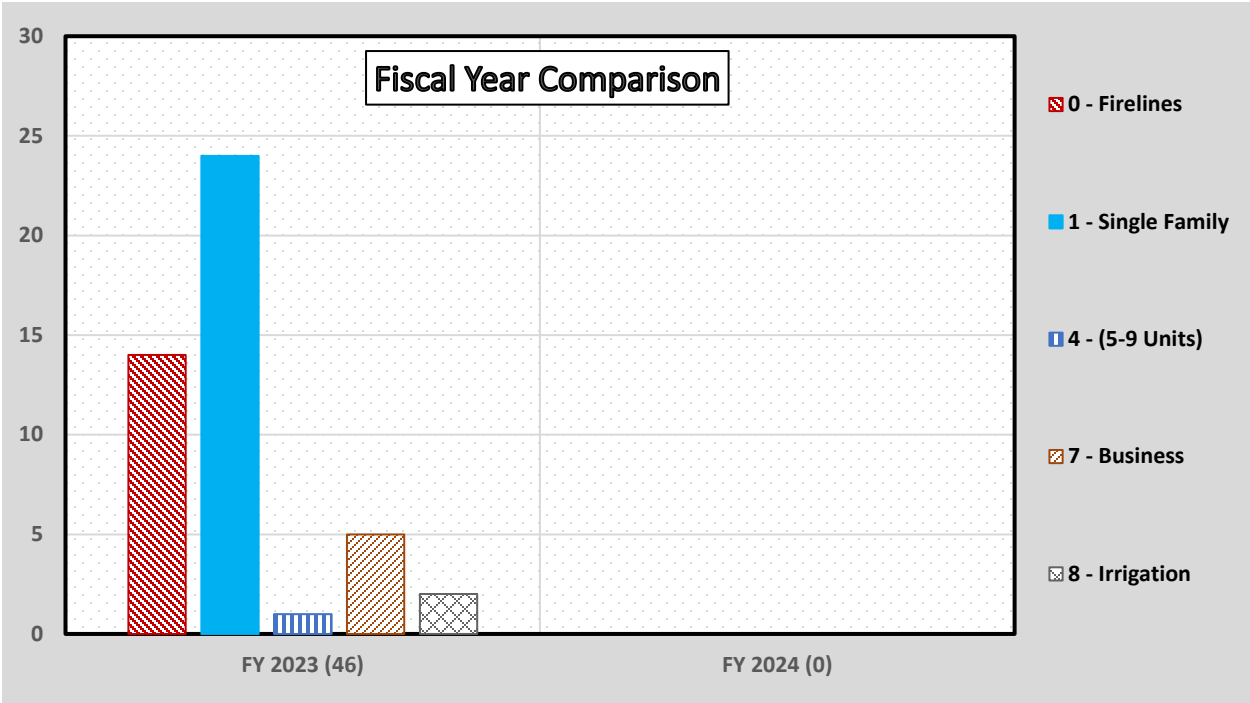
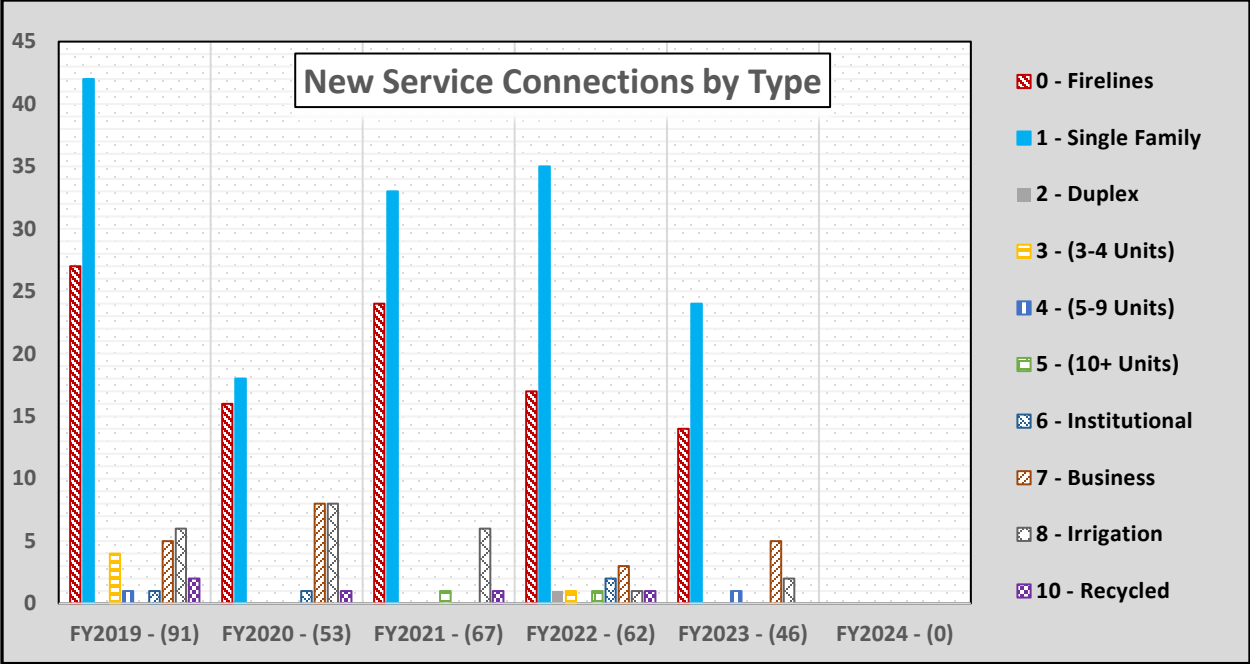
<u>Pipeline Installation</u>	<u>FY2023/24</u>	<u>FY2022/23</u>
Pipe installed during July (feet)	213	1,142
Total pipe installed this fiscal year (feet)	213	1,142
Total miles of pipeline within the District	908*	908*

* Reflects adjustment for abandoned pipelines

<u>Pipe Locates (1,115 Responses)</u>	<u>FY2023/24</u>	<u>FY2022/23</u>
Month of July (feet)	25,751	43,555
Total this fiscal year (feet)	25,751	43,555

<u>Main Line Leaks Repaired:</u>	<u>FY2023/24</u>	<u>FY2022/23</u>
Month of July	12	7
Total this fiscal year	39	7

<u>Services:</u>	<u>FY2023/24</u>	<u>FY2022/23</u>
Service upgrades during July	13	12
Total service upgrades this FY	13	12
Service connections installed during July	25	5
Total active services as of August 1, 2023	60,449	60,428



7. Demand Management:

	Jul-23	FY 23/24 TOTAL	FY 22/23 TOTAL	FY 21/22 TOTAL
WATER-EFFICIENCY PROGRAMS				
Water-Use Site Surveys				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	18	18	289	731
Residential properties resi 3-5 (multi-family units)	0	0	3	7
Non-residential properties resi 6-7 (commercial)	0	0	2	1
Dedicated irrigation accounts resi 8-10 (large landscape)	0	0	0	3
Marin Master Gardeners' Marin-Friendly Garden Walks				
Residential garden walks	8	8	73	100
Public Outreach and Education, Customer Service				
Public outreach events (number of people attending)	0	0	17775	1602
Public education events (number of participants)	0	0	186	536
Customer calls/emails admin staff	322	322	4150	9508
Outreach to new Marin Water customers (letters sent)	135	135	0	0
School Education				
School assemblies				
Number of activities	0	0	0	0
Number of students reached	0	0	0	0
Field trips				
Number of activities	0	0	15	0
Number of students reached	0	0	307	0
Classroom presentations				
Number of activities	0	0	17	0
Number of students reached	0	0	511	0
Other (e.g. booth events, school gardens)				
Number of activities	0	0	1	0
Number of students reached	0	0	480	0
Incentives				
Number of HECWs approved	5	5	103	190
Number of Rain Barrel/Cisterns approved	1	1	15	76
"Landscape Your Lawn" Turf Replacements approved	4	4	102	402
Number of Laundry-to-Landscape Systems approved	0	0	1	27
Hot water recirculating system rebates	1	1	30	122
Pool Cover rebates	0	0	27	298
HET rebates	0	0	22	92
Number of Smart Controllers rebates approved	5	5	35	69
Number of Smart Home Water Monitor "Flume Direct Distribution" redeemed	14	14	271	1568
Number of Smart Controllers "Rachio Direct Distribution" approved	75	75	77	178
Advanced Metering Infrastructure (AMI)				
AMI leak letters sent to customers (>200 GPD)	149	149	1168	1050
ORDINANCES				
Water Waste Prevention				
Water Waste Reports Received	30	30	391	4451
Water Waste Notifications Sent	0	0	81	0
Landscape Plan Review				
Plans submitted	12	12	82	77
Plans exempt	3	3	5	1
Plans completed	6	6	24	17
Plans in workflow (pass & fail)	21	21	127	123
Tier 4 Exemption				
Inspections that resulted in a pass	2	2	1	1
Graywater Compliance Form				
Applications Received (as of Dec 2019)	11	11	118	57
Systems installed	1	1	22	13

8. Watershed Protection:

Increase in Reported Swimmers

During July the Rangers responded to 38 events involving people illegally swimmers swimming in the reservoirs versus only six in June. This is likely due to hotter weather as well as schools being out on summer break. Swimming in domestic water supply reservoirs is illegal under MMWD Land Use Regulations and the California Health and Safety Code.

Thefts and Vandalism

Also during July, Rangers noted a dramatic increase of theft and vandalism cases. All the theft cases, and many of the vandalism cases, targeted MMWD regulation signs; especially the No Swimming signs. Rangers have a proactive program to replace stolen or damaged signs and to abate graffiti.

Ranger Program

Marin Water’s newest Ranger, Michael Faus, completed the Field Training Program (FTP), which he began in April. The District’s second new full time Ranger will begin in September. Additionally, Ranger’s opened recruitment for two Ranger Trainee Positions and are in the process of interviewing candidates.

World Ranger Day 2023

Two of our Rangers took part in the World Ranger Day event at Point Reyes National Seashore. Senior Ranger Matt Cerkel was one of the guest speakers at the event, which was attended by 155 people and 25 local, State and National agencies.



Incidents and Events	758
Warnings	200
Visitor Assists	161
Citations	109
Dam Check	74
Assist Watershed Maintenance	57
Fish and Game Checks	45
Misc Law Enforcement Calls	33
Vandalism	25
Suspicious Circumstance	11
Medical Aid	7
Illegal Trail Work	7
Theft	4
Misc. Calls for Service	4
Citizen Complaint: Illegal Bike Use	3
Search and Rescue	3
Citizen Complaint: eBike Use	2
Verbal Dispute Between Visitors	2
Resist Peace Officer	2
Humane/Animal Related Calls	1
Citizen Complaint: Fishing Violation	1
Citizen Complaint: Swimming	1
Citizen Complaint: Off Leash Dog	1
Citizen Complaint: Illegal Horse Use	1
Illegal Camping	1
Citizen Complaint: Bike Speed	1
Assist Other MMWD Work Group	1
Outreach/Interp Event	1

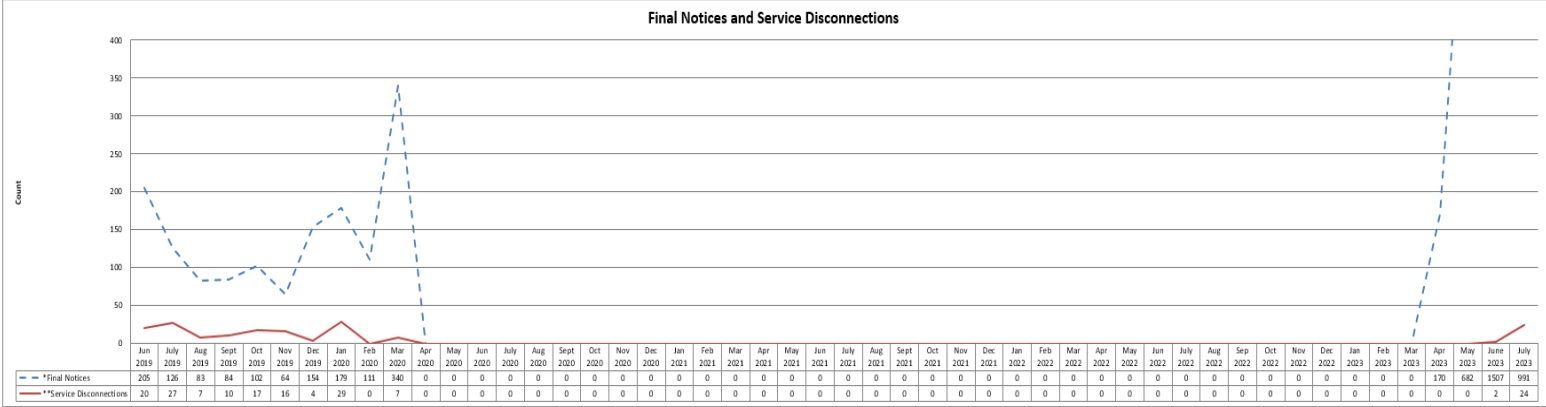
Citations	109
Non-Payment of Parking Fees	91
No Parking	5
Obstruct Traffic/Parking within 6' of Center	4
Blocking Fire Road Gate	4
Swimming	3
Vehicle Code	1
Parking After Sunset	1



9. Shutoff Notices and Disconnections:


Month	July 2023
Final Notices	991
Service Disconnections	24

* 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	_____	
	Ben Horenstein General Manager	Ben Horenstein General Manager

Approval Item

TITLE

Award of Contract No. 2009, On-Call Capital Maintenance and Repair Contract, to Piazza Construction, to perform various as-needed maintenance, repair, or rehabilitation work associated with District water system facilities, roadway infrastructure, hillside slopes, and related works

RECOMMENDATION

Approve a resolution authorizing award of Contract No. 2009, On-Call Capital Maintenance and Repair Contract, to Piazza Construction

SUMMARY

The Operations Committee reviewed this item on July 21, 2023, and referred it to a future Regular Bi-Monthly Meeting of the Board of Directors to consider awarding the contract.

On August 1, 2023, the District received and opened three (3) bids for the On-Call Capital Maintenance and Repair Contract to perform various as-needed maintenance, repair, or rehabilitation work associated with District water system facilities, roadway infrastructure, hillside slopes, and related works. Piazza Construction submitted the lowest responsive and responsible bid in the amount of a 12% labor markup for force account work. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 2009 to Piazza Construction to perform on-call force account work on an “as-needed” basis for a contract not to exceed amount of \$1,000,000.

Staff anticipates that the work to be completed under this Contract will be categorically exempt pursuant to CEQA Guidelines Section 15302(c), Replacement or Reconstruction, as this work will consist of maintenance and repair work and will not include the new construction or expansion of District facilities. To the extent the work involves the replacement of less than eight miles of pipeline, the work is also statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.23.

DISCUSSION

This contract will serve as a component of the District’s Capital Improvement Program to perform capital construction work on an “as-needed” basis, typically consisting of smaller projects that can be completed in one to two weeks.

Occasionally, the District identifies a need for a capital project that was not included in the original planned capital program. Examples of these projects may include small pipeline replacement projects (e.g. 200-300 linear feet) when the occurrence of emergency pipe breaks increases in frequency for a given pipe segment and/or installation or replacement of large

transmission line valves requiring resources beyond internal District capacity to perform the work. When these unforeseen projects arise, they often require significant project delivery efforts to prepare unplanned capital construction contracts through formal bid processes, which detracts from ongoing projects. As the District seeks to grow its capital program over the coming fiscal year, this On-Call Contract will allow District staff to direct maintenance or repair work that exceeds the capacity of District staff without detracting resources from ongoing planned projects. This contract will allow the District to have a standby contractor available to perform smaller as-needed projects.

Once a project is identified, individual installations or repairs will be reviewed in the field by District staff and the Contractor, and a scope of work will be agreed upon. The District Engineer will issue a Contract Change Order including the scope of work, applicable District technical specifications and/or drawings, and a Notice to Proceed for the contractor to begin. At the end of each work day, the District Engineer and Contractor will agree upon labor, materials, and equipment used in the direct performance of the work. Once the work is complete for each specific project, the contractor will submit completed Daily Extra Work Reports (DEWR) for the District's review.

The mechanism for competitive bids for this contract is the Contractor labor mark-up associated with force account work, pursuant to Article 42 of the District Standard Specifications and the District DEWR. Compensation for each on-call effort is based on time and expense tracking of direct costs for labor and equipment used to perform the work at a minimum rate equal to the Department of Industrial Relations "Prevailing Wage Rate" for labor, and Caltrans "Equipment Rental Rates" for equipment.

The maintenance or repair work to be performed under this contract includes, but is not limited to, the following: the installation of PVC or welded steel water main piping, valves, fittings, appurtenances and copper or high density polyethylene water services, minor work at District water tanks and pumping stations, welding, coating and painting, structural steel work, general carpentry, asphalt concrete pavement, striping and concrete flatwork, hillside slope stabilization and retaining structures, wood or metal fencing, and other related work.

The location of the work on this project may be anywhere within the District's service area. Work may also be performed within the Mount Tamalpais Watershed.

On August 1, 2023, the District received three (3) bids for the Project. Bid results are provided in Table 2.

**Table 2
Bid Results
On-Call Capital Maintenance and Repair Contract**

Bid Rank	Contractor Name	Bid Amount (Labor Markup)
1.	Piazza Construction	12%
2.	Maggiora & Ghilotti Inc.	24%
3.	Valentine Corporation, Inc.	39%

Piazza Construction submitted the lowest responsive and responsible bid. They hold a Class A – General Engineering License, License No. 406456, which is current and active and expires on 06/30/2025. As required by State Law, Piazza Construction is registered with the California Department of Industrial Relations under PWCR Number 1000008021. Following contract award, District Staff will register the Project with the California Department of Industrial Relations.

Budget (2 Fiscal Years):

Contract Not to Exceed Amount: \$1,000,000
10% Contingency: \$100,000
Materials and Professional Fees: \$150,000
District Labor/Inspection: \$200,000
Total Budget: \$1,450,000
Budget Category: Work will be charged to various budget categories

Contract Implementation:

Contract Advertisement: July 18, 2023
Bid Opening: August 1, 2023
Contract Award: August 15, 2023
Contract Completion Date: June 30, 2025
Duration: 2 years

ENVIRONMENTAL REVIEW

Staff has prepared the project scope pursuant to the California Environmental Quality Act (CEQA) and has found that the work to be completed under this Contract is categorically exempt pursuant to CEQA Guidelines Section 15302(c), Replacement or Reconstruction. The work will consist of maintenance and repair work, and will not include the new construction or expansion of District facilities and therefore qualifies for exemption pursuant to Section 15302(c). To the extent the work involves the replacement of less than eight miles of pipeline, the work is also statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.23.

PUBLIC OUTREACH EFFORTS

As projects arise, District staff will implement a multi-step process for notifying customers about the project as needed. Typical public outreach steps to be taken are described in the table below.

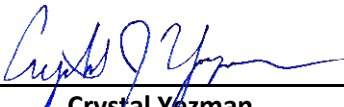

Department	Action
Engineering	Send Project information letter with a map to all customers along the Project route.
Public Information	Issue news release to local media (print and online outlets).
Public Information	Post on MMWD website.
Public Information	Post on MMWD Nextdoor page for affected neighborhoods.
Public Information	Send notice to Marin County for posting on their website.
Engineering	Provide signage at Project site throughout construction period.

FISCAL IMPACT

The total cost impact associated with this on-call Contract is estimated at \$1,450,000 over two fiscal years. Funds for the contract are included in the Adopted FY 2023-25 Budget and will be appropriated to the specific categories as individual projects are identified.

ATTACHMENT(S)

1. Proposed Resolution

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

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2009 TO PIAZZA
CONSTRUCTION FOR THE ON-CALL CAPITAL MAINTENANCE AND REPAIR
CONTRACT**

WHEREAS, on July 18, 2023, the District advertised Contract No. 2009, On-Call Capital Maintenance and Repair Contract to perform various as-needed maintenance, repair, or rehabilitation work associated with District water system facilities, roadway infrastructure, hillside slopes, and related works; and

WHEREAS, the District received and publicly opened three (3) bids on August 1, 2023 of which Piazza Construction bid of a force account labor markup of 12 percent was the lowest response and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of 12 percent labor markup submitted by Piazza Construction for the On-Call Capital Maintenance and Repair Contract under Contract No. 2009 ("Contract") was the lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.
2. The Contract be awarded to said low bidder, and the General Manager is authorized and directed to execute said Contract for a not to exceed amount of \$1,000,000 on behalf of the District upon receipt of proof of insurance and the executed contract for the work from said bidder, with payment bonds to be issued in connection with each piece of work to be performed under the contract.
3. Upon complete execution of said Contract, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than that of Piazza Construction, are to be rejected.
4. The work to be completed under this Contract is categorically exempt pursuant to CEQA Guidelines Section 15302(c), Replacement or Reconstruction inasmuch as the work will consist of maintenance and repair work, and will not include the new construction or expansion of District facilities.

5. To the extent that work completed under this Contract involves the replacement of less than eight miles of pipeline, the work is also statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.23.

PASSED AND ADOPTED this 15th day of August, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Approval Item

TITLE

Professional Services Agreement with VistaVu Solutions LE Corporation (MA-6211) not to exceed \$200,000

RECOMMENDATION

Approve a professional services agreement (MA-6211) with VistaVu Solutions LE Corporation (VistaVu) in an amount not to exceed \$200,000 and authorize the General Manager to execute the contract

SUMMARY

The Operations Committee reviewed this item on July 21, 2023, and referred it to a future Regular Bi-Monthly Meeting of the Board of Directors to consider approval of a professional services agreement with VistaVu in an amount not to exceed \$200,000 and authorization for the General Manager to execute the contract.

VistaVu (previously known as Quintel-MC, Inc.) has been a key technology consultant to the District for SAP Enterprise Resource Planning (ERP) and Work Management system support and upgrade services for the past seven years. VistaVu's most recent agreement with the District, executed in November 2021, had expired on July 31, 2023. This item seeks the Board's approval to approve a new professional services agreement thru June 30, 2024, in an amount not to exceed \$200,000 and authorize the General Manager to execute the contract.

DISCUSSION

District Information Technology (IT) and its Business Systems Analysts (BSA) provide primary SAP ERP and Work Management support to staff for functional enhancements, non-major upgrades, special reports, and data integration with other District systems. The District uses SAP consultants for large, complex projects beyond the scope and capacity of IT and BSAs. VistaVu provides skilled SAP technologists to assist with these larger projects. VistaVu also provides staff augmentation services, as needed, and that need exists as one BSA position is currently vacant.

VistaVu specializes in serving utilities and public sector clients using the same SAP ERP software used by the District. VistaVu has competitive rates, solid references, and skilled staff that have been responsive in meeting our needs for the past five years. The proposed staff augmentation and Scope of Work to be completed with this agreement will allow District staff to keep current projects in progress and have SAP experts available in the event of an unforeseen SAP outage. VistaVu provides advanced SAP technical support and staff augmentation for Finance, Human Resources, Operations, and Engineering Divisions. The proposed professional service agreement is on a time and materials basis and, while no minimum expenditures are required,

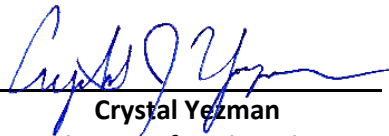

staff is proposing an amount not to exceed of \$200,000 to ensure sufficient funds are available as these services are needed.

FISCAL IMPACT

While all services will be billed on an hourly basis, with no minimum expenditures required, staff recommends a not to exceed amount of \$200,000 through June 30, 2024, which is budgeted within the Information Technology Department Operations Budget of the Engineering Division.

ATTACHMENTS

None

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

Approval Item

TITLE

Lagunitas Creek Watershed Enhancement Plan and Filing of a Notice of Exemption

RECOMMENDATION

Approval of Lagunitas Creek Watershed Enhancement Plan and Filing of a Notice of Exemption pursuant to the California Environmental Quality Act

SUMMARY

The District has been a leader in habitat restoration and salmon and steelhead monitoring in the Lagunitas Creek watershed since the late 1990's. Since 2020, the District has been working to develop habitat restoration designs with grant funding from the California Department of Fish and Wildlife. The Lagunitas Creek Watershed Enhancement Plan (Plan) is currently at the 65% stage for design, which provides the District with sufficient information to complete the California Environmental Quality Act (CEQA) review and begin the environmental permitting process. Since the proposed project is purely a restoration project it qualifies for a CEQA exemption per Section 21080.56 to California Public Resources Code. This section provides a new CEQA statutory exemption until January 1, 2025, for fish and wildlife restoration projects that meet certain requirements (SERP). The Lagunitas Creek Watershed Enhancement Plan, 30% restoration designs, and engineers estimate was presented at the December 16, 2021 Watershed Committee.

DISCUSSION

In 2020, the District was awarded a \$300,000 grant from the California Department of Fish and Wildlife (CDFW) Proposition 68 Rivers and Streams Program to develop 30% design plans for the Lagunitas Creek Watershed Enhancement Plan (Plan). In 2021, the District was awarded a grant from the Department of Fish and Wildlife (CDFW) Proposition 1 North Coast Coho Recovery Program in the amount of \$869,178 to develop final 100% design plans and conduct environmental review and permitting for restoration sites on Lagunitas Creek (Project). The District selected Environmental Sciences Associates (ESA) to develop restoration design plans for sites on publicly owned lands along Lagunitas Creek. The District and ESA have been working closely and collaboratively with watershed stakeholders and agencies during the past three years to develop the restoration design plans and supporting documents.

The restoration project has been broken up into two phases. The Project includes 13 in-channel habitat restoration sites along approximately 4,450 linear feet of channel. The Project proposes installing a total of approximately 278 logs and 12,282 tons of gravel to create nine riffle- pool-wood structures, one tributary confluence modification incorporating a riffle-pool-wood structure, and two gravel augmentation sites. The Lagunitas Creek watershed provides habitat for three State or Federally listed species: Coho salmon (*Oncorhynchus kisutch*), California

freshwater shrimp (*Syncaris pacifica*) (listed as State and Federally Endangered Species), and Steelhead (*Oncorhynchus mykiss*) (listed as a Federally Threatened Species).

Phase I includes eight sites encompassing a total of approximately 2,500 linear feet of stream channel in Lagunitas Creek. The Phase I sites are situated in such a way that high-quality existing habitat will be left undisturbed, while enhancements will be made to the intervening areas to create a contiguous reach of favorable spawning and rearing habitat for Coho Salmon and Steelhead. To support implementation of Phase I the District has secured \$1.4 million in grant funding for Sites 1, 2, and 3 from the U.S. Bureau of Reclamation Environmental Restoration Program. The District also secured \$590,000 for implementation of Sites 12 and 13 from the Department of Water Resources Riverine Restoration Program. In July of 2023, the District submitted a grant to California Department of Fish and Wildlife Proposition 1 Program for \$4.6 million to support implementation of Sites 4, 5, and 6. Construction of Phase I is anticipated to start in July 2024 and conclude in 2026. Once Phase I is completed the District will begin working to implement the Phase II sites.

Enhancement of Coho salmon habitat in SF Bay Area watersheds is a top priority for CDFW, National Marine Fisheries Service (NMFS), and the San Francisco Bay Regional Water Quality Control Board (RWQCB). Coho and Steelhead spawning and rearing in Lagunitas Creek are constrained by Seeger and Peters dams which cut off habitat upstream and block the transport of coarse sediment and large wood downstream. As a result, salmonid habitat is reduced in both quantity and quality compared with pre-dam conditions, with most spawning occurring in the Project Area. By restoring and enhancing adult spawning and juvenile rearing habitat for Coho salmon, the Project will assist in the recovery of Coho salmon. The habitat enhancement goal of the Project is to improve adult spawning and juvenile rearing habitat for Coho salmon, in a manner that is as self-sustaining as possible, recognizing that natural hydrographs as well as inputs of coarse sediment and large wood are limited primarily to those from San Geronimo Creek. Accordingly, the Project consists of the installation of Riffle-Pool-Wood Structures which will provide spawning habitat and cover. The Gravel Augmentation Sites would provide an immediate local benefit to inputs of coarse sediment, and a longer-term benefit as gravel is transported downstream to other spawning and rearing areas. Actions that improve spawning and rearing for Coho salmon are expected to also provide benefits for Steelhead spawning and rearing, and other life stages and species.

As the lead agency, the Marin Municipal Water District has determined that the proposed Project is exclusively a project to restore, enhance, and assist in the recovery of California native fish and wildlife and a project to restore and provide habitat for California native fish and wildlife. The overall population of California Central Coast Coho salmon population has dropped from 40,000-125,000 spawning adult Coho (historical estimate) to less than 5,000 (PCI, 2010). Lagunitas Creek is included in CDFW's North Coast Salmon Project, launched in 2018 to expedite and enhance efforts to recover threatened and endangered Coho salmon in California. The existing conditions of Lagunitas Creek downstream of Peters Dam is significantly altered

compared with its historic condition, in ways that impact salmonid habitat across a range of life stages.

ENVIRONMENTAL REVIEW

Staff finds that the project is statutorily exempt pursuant to the California Environment Quality Act (CEQA) Guidelines Section 21080.56 of the California Public Resources Code. The proposed Project qualifies for this exemption inasmuch as it is for the sole purpose of restoring fish and wildlife habitat. In accordance with section 21080.56, the proposed Project was reviewed in concert with CDFW to assess its compliance with the criteria set forth in the new statutory exemption and was found to qualify.

PUBLIC OUTREACH EFFORTS

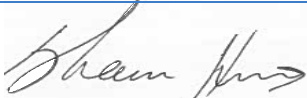

Collaboration with the Lagunitas Creek Technical Advisory Committee (Lagunitas TAC) has been integral to the planning process thus far. Staff from several state and federal agencies as well as members of watershed stakeholder groups were heavily engaged in the conceptual planning phase. On July 26, 2023 the District presented the 65% design to the California Department of Fish and Wildlife. On August 1, 2023 the District presented the 65% design to the Lagunitas TAC Subcommittee. Continued collaboration with watershed stakeholder groups and agencies will continue as the Project designs advance and the District enters the implementation phase.

FISCAL IMPACT

The Engineer’s estimate for the Lagunitas Creek Watershed Restoration Plan is \$11-\$12 million with environmental compliance and project management. Phase I is expected to cost \$5 million and the District has secured \$1,900,000 in grants and has a pending application for an additional \$4.5 million. Restoration sites will be implemented as grant funds are secured.

ATTACHMENT(S)

- 1. Lagunitas Creek Watershed Restoration Plan CEQA Notice of Exemption

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

Notice of Exemption

Item Number: 05
Attachment: 01



Filing Requested By and When Filed Return To:

Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925
Attn: Crystal Yezman, Director of Engineering

Project Title: Lagunitas Creek Watershed Enhancement Plan

Project Location: Lagunitas Creek Watershed, Unincorporated Marin County **Project Location – County:** Marin

Project Description: The Marin Municipal Water District (Marin Water) is proposing to construct the Lagunitas Creek Watershed Enhancement Plan (Project) consisting of 13 in-stream restoration sites along eight miles of Lagunitas Creek in west Marin County. The Project is located on property owned by Marin Water as well as on property in the adjacent Samuel P. Taylor State Park, which is owned and managed by the California Department of Parks and Recreation (State Parks). Thus, State Parks is a participating landowner and partner. All proposed restoration sites fall within land owned/managed by State Parks or Marin Water. As part of their watershed stewardship efforts, Marin Water identified a total of 13 potential restoration sites; each site could be implemented separately as they have independent utility and do not rely on another site for water or other connected resources in order to be successful.

Public Agency Approving Project: Marin Municipal Water District

Name of Person or Agency Carrying Out Project: Marin Municipal Water District

CEQA Exemption Status: Statutory Exemption Section 21080.56 Fish and Wildlife Restoration.

Reason for Exemption: The project qualifies for exemption Section 21080.56 of the California Public Resources Code, also known as the Statutory Exemption for Restoration Projects (SERP), provides a California Environmental Quality Act statutory exemption for fish and wildlife restoration projects that meet certain requirements.

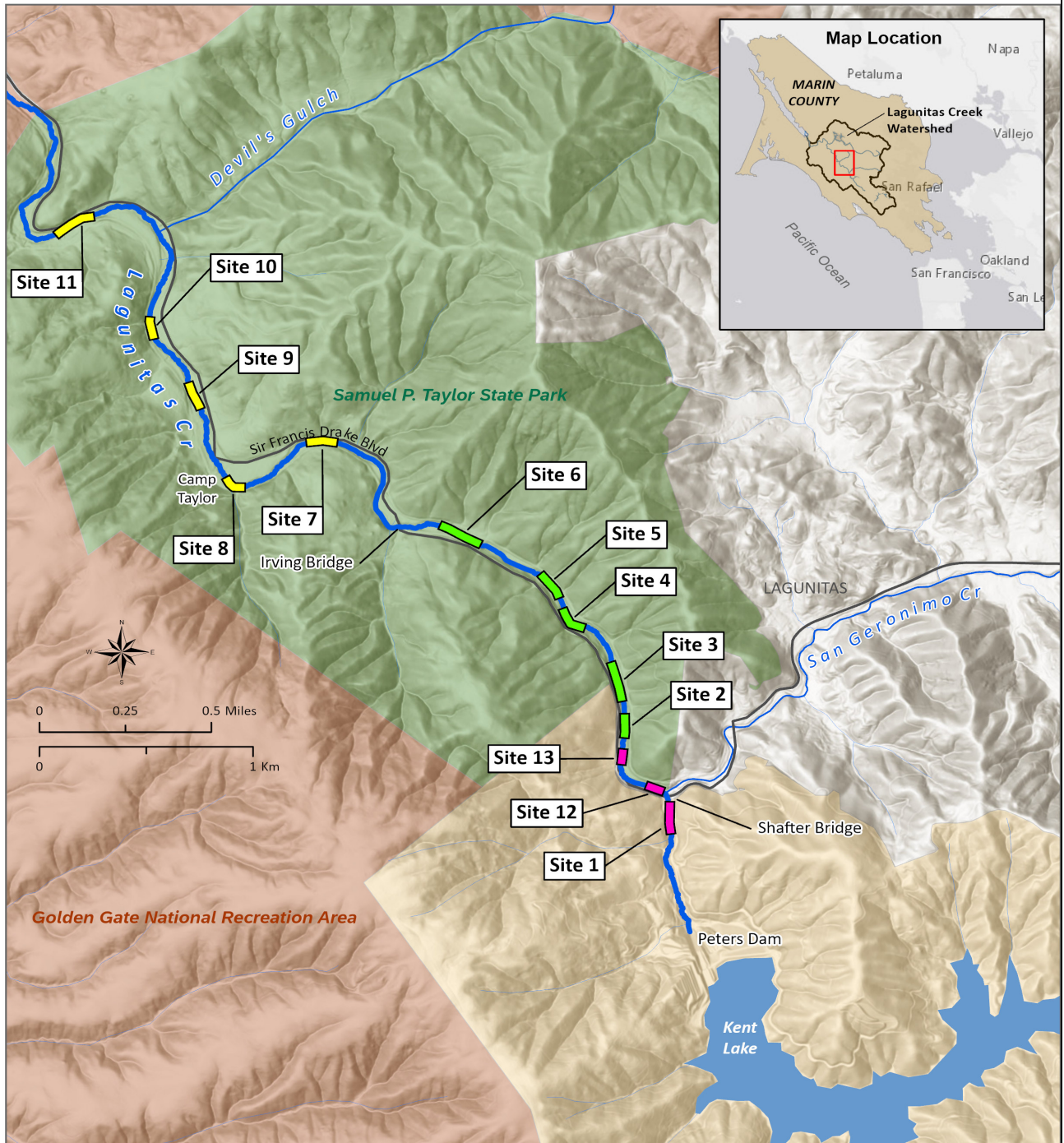
Project Approval: The Marin Municipal Water District Board of Directors approved the Lagunitas Creek Watershed Restoration Plan, which represents project approval as defined by Section 21080.56 of the Guidelines for Implementation of the California Environmental Quality Act, at their regularly scheduled meeting on August 15, 2023.

Lead Agency Contact Person: Ben Horenstein, Marin Municipal Water District **Telephone:** (415) 945-1460

Bennett Horenstein, General Manager

Date

Figure 1: Worn Spring Road Slide Repair Project



Lagunitas Creek Coho Salmon Habitat Enhancement Project



Project Sites

- Gravel Augmentation (Phase 1)
- Wood Structure and Gravel Installation (Phase 1)
- Wood Structure and Gravel Installation (Phase 2)

Land Ownership

- Marin Water
- California State Parks
- National Park Service



Informational Item

TO: Board of Directors

FROM: Paul Sellier, Water Resources Director

THROUGH: Ben Horenstein, General Manager

DIVISION NAME: Water Resources

ITEM: Update on Water Resiliency Roadmap

SUMMARY

On February 28, 2023, the Board selected the Integrated Roadmap for improved water supply resiliency (Roadmap); and since that time, staff has been implementing the early action projects, while in parallel working to procure consulting teams to implement the longer term more complex projects. Staff will provide a presentation on progress to date on Roadmap implementation.

DISCUSSION

In the presentation, staff will briefly review the status of the early action projects, including:

- Pumping water from Phoenix to Bon Tempe where the team is investigating the condition of a tunnel and pipeline within the tunnel.
- Electrification of Soulajule Reservoir where discussions with PG&E are now focused on developing line power for the pump station while PG&E is in the process of completing a load study.
- Stream Release Automation, where the team has been working through access and permissions for needed equipment installations.
- District water conservation efforts, which continue to target a range of incentives with a focus on turf removal. At the July 25, 2023 Board Meeting, staff presented proposed sun setting rebates for toilets and washing machines and adding a custom non-residential incentive program to our portfolio of incentives. Staff also presented possible changes to our graywater ordinance and a way to potentially accelerate the replacement of non-functional turf.

To support the longer-term projects, on May 24, 2023, staff released the requests for proposals for professional services on the conveyance of supplemental water and increasing local storage with site visits for prospective consulting teams held in June. Staff received two strong

proposals in response to the RFP for conveyance of supplemental water and staff expects to receive three proposals in response to the District's RFP on increasing storage. Staff anticipates selection of consulting teams under each of these RFPs in August and will be seeking board approval of professional service agreements for this work in order to commence the work this September.

Additionally, staff worked with the City of Petaluma to establish a memorandum of understanding (MOU) (Operations Committee May 19, 2023) to collaborate on the feasibility of the Petaluma River Brackish Desalination Project. As part of the City of Petaluma's water supply resiliency efforts, which is being performed by Kennedy Jenks, the City of Petaluma has agreed to task Kennedy Jenks with a preliminary groundwater yield analysis as part of the City's resiliency study.

Finally, in connection with the Water Resiliency Roadmap work, staff is also anticipating extensive environmental and regulatory work, including environmental analysis in compliance with the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA). Now that the Integrated Water Resiliency Roadmap (Roadmap) has been selected, and it is clear that the previous intertie pipeline project is not one of the prioritized alternatives, staff is re-tasking the services of Environmental Science Associates (ESA) scope of work previously directed towards full environmental analysis for the proposed intertie pipeline project to instead support work on the selected Roadmap projects. The funds allocated to support the intertie environmental work will enable the team to cover a range of environmental support activities over the next year. It is anticipated that the Roadmap projects will require additional resources to complete the environmental analysis required to comply with CEQA, as well as environmental permitting work.

In addition to the efforts described above, staff continue to be vigilant in its efforts to find appropriate grant opportunities to help support all projects identified in the Roadmap, including grants aimed at recycled water projects. Staff will also provide a brief update on the status of funding and grant applications.

FISCAL IMPACT

None

ATTACHMENT(S)

None

Approval Item

TITLE

Award of Contract No. 2006, Spillway Condition Assessment Phase II Project, in the amount of \$588,956, to The Pressure Grout Company

RECOMMENDATION

Approve a resolution authorizing award of Contract No. 2006, Spillway Condition Assessment Phase II Project to The Pressure Grout Company in an amount of \$588,956, for the cleaning and inspection of the underside of the spillway slabs on spillways at three District dams

SUMMARY

The concrete spillway at Peters Dam (Kent Lake), Seeger Dam (Nicasio Reservoir) and Soulajule Dam were inspected in 2018-2019 and were found to have surface defects that were repaired as part of the Phase I Non-Structural Spillway Repair Project. The District is now ready to execute the Phase II Spillway Condition Assessment Project which will include further investigation of the three dam spillways by using ground penetrating radar (GPR) to scan the dam spillway slabs and look for voids, conducting core drilling for small probe holes to video inspect the underside of the spillway slabs, and cleaning out spillway sub-drains to video inspect the sub drains on all three of the above mentioned dams.

DISCUSSION

As a result of the 2017 Oroville Dam spillway failure, the Division of Safety of Dams (DSOD) has required dam owners to conduct condition assessments of concrete lined spillways similar to the Orville spillway of certain capacity reservoirs. In response to DSOD requirements, AECOM was contracted by the District to conduct a condition assessments on the spillways of Peter's, Seeger, and Soulajule Dams in 2019. In those condition assessments, many minor imperfections were identified requiring attention and were repaired in the Phase I Non-Structural Spillway Repair Project. The scope of this Phase II Project is to further investigate the spillways by using ground penetrating radar (GPR) to scan the spillway slabs, drilling cores and probe holes through the spillway slabs to inspect the underside of the spillway slab and conducting sub-drain cleaning and video surveys of the sub drains. All cores and probe holes done under this Phase II work will be repaired so that no holes are left exposed on the spillway slabs.

On June 20, 2023, the District advertised the project with a three week advertising period ending with the bid opening on July 11, 2023. Half way thru this first bidding period, there were no contractors that had purchased plans and specifications for public bidding. District staff issued Addendum No. 1, which extend the bid opening to July 13, 2023. Staff reached out to six contractors prior to the July 13th bid opening and there was still no interest from the contractors in submitting a bid on this Project. As a result, District staff issued Addendum No. 2 which extended the bid opening date to July 20, 2023. District staff held the public bid opening

in the District Board Room on July 20, 2023 at 10:00am, however, the District did not receive any public bids for this Project. Per California Public Contract Code Section 22038(c), *“If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this article.”* District staff reached out to The Pressure Grout Company and requested that they provide the District with a proposal for this work, as staff understands that this company has successfully conducted similar work and have the necessary license, personnel and equipment to perform the needed work. The Pressure Grout Company provided their proposal at the amount stated in the table below. Staff reviewed the proposal and found it to be in line with engineering estimates for this type of work.

Spillway Condition Assessment Phase II Project

Bid Rank	Contractor Name	Proposal Amount
1	The Pressure Grout Company	\$588,956.00

Summaries of the estimated Project costs and schedule are provided below.

Budget

Contract Award:	\$ 588,956
Contingency:	\$ 100,000
Professional Fees:	\$ 345,000
District Labor/Inspection:	\$ 35,000
Total Budget:	\$ 1,068,956
Budget Category:	1A05

Project Implementation

Project Advertisement:	June 20, 2023
Bid Opening:	July 20, 2023 (No Bids Received)
Proposal Received:	August 10, 2023
Project Award:	August 15, 2023
Estimated Completion Date:	December 13, 2023
Duration:	120 days

Environmental Review



This project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines 15302(c), Replacement or Reconstruction. The project qualifies for exemption pursuant to Section 15302(c) inasmuch as the repair of existing spillways involves no facilities or expansion of capacity.

FISCAL IMPACT

The total cost to complete the Spillway Condition Assessment Phase II is estimated at \$1,068,956 and is budgeted in the FY24 and FY25 Capital Improvement Program Budget under fund center A1A05 – Replacements – Reservoir/Dam Facilities.

ATTACHMENTS

1. Proposed Resolution
2. Site Map
3. Draft Notice of Exemption

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

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2006 TO THE PRESSURE
GROUT COMPANY FOR THE SPILLWAY CONDITION ASSESSMENT PHASE II PROJECT**

WHEREAS, on June 20th, 2023, the District advertised Contract No. 2006, for the Spillway Condition Assessment Phase II Project (CN-2006), which includes investigation of the dam spillways by using ground penetrating radar (GPR) to scan the dam spillway slabs and look for voids, conducting core drilling for small probe holes to video inspect the underside of the spillway slabs, and clean out of the spillway sub-drains and video inspection the sub-drains on Peters Dam (Kent Lake), Seeger Dam (Nicasio Reservoir) and Soulajule Dam (Projec; and

WHEREAS, the District issued Addendum No. 1 to extend the bid opening date from July 11, 2023 to July 13, 2023; and

WHEREAS, the District reached out to six contractors prior to the July 13th bid opening but received no interest from contractors in the Project; and

WHEREAS, the District issued Addendum No. 2 to further extend the bid opening date to July 20, 2023; and

WHEREAS, the District held the public bid on July 20, 2023 at 10:00 am in the District Board Room but did not receive any public bids for the Project; and

WHEREAS, pursuant to California Public Contract Code Section 22038(c), *“If no bids are received through the formal or informal procedure, the project may be performed by the employees of the public agency by force account, or negotiated contract without further complying with this article.”*

WHEREAS, the District reached out to The Pressure Grout Company, which is a contractor that has successfully conducted this type of work and has the necessary license and resources to do so, and requested that they provide the District with a proposal for the Project; and

WHEREAS, the District received a proposal on August 10, 2023 for the Project from the Pressure Grout Company in the amount of \$588,956.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The proposal of \$588,956 submitted by The Pressure Grout Company for the Spillway Condition Assessment Phase II Project under Contract No. 2006 (“Contract”) was the only proposal submitted therefor, and said was evaluated by staff and found appropriate for the Project and is said proposal is hereby accepted.
2. A Contract for this Project be awarded to said contractor, and the General Manager is authorized and directed to execute said Contract on behalf of the District upon receipt of a performance bond, payment bond, proof of insurance, and the executed contract for the work from said contractor.
3. The Project is categorically exempt pursuant to California Environmental Quality Act (CEQA) Guidelines 15302(c), Replacement or Reconstruction. The Project qualifies for exemption pursuant to Section 15302(c) inasmuch as the repair of existing spillways involves no expansion of capacity.

PASSED AND ADOPTED this 15th day of August, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

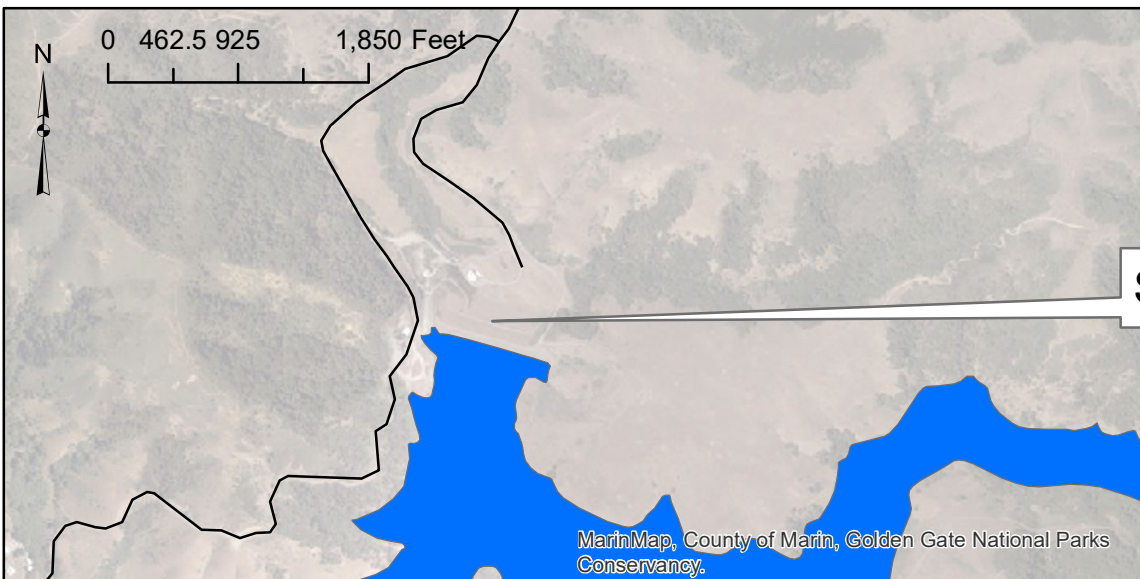
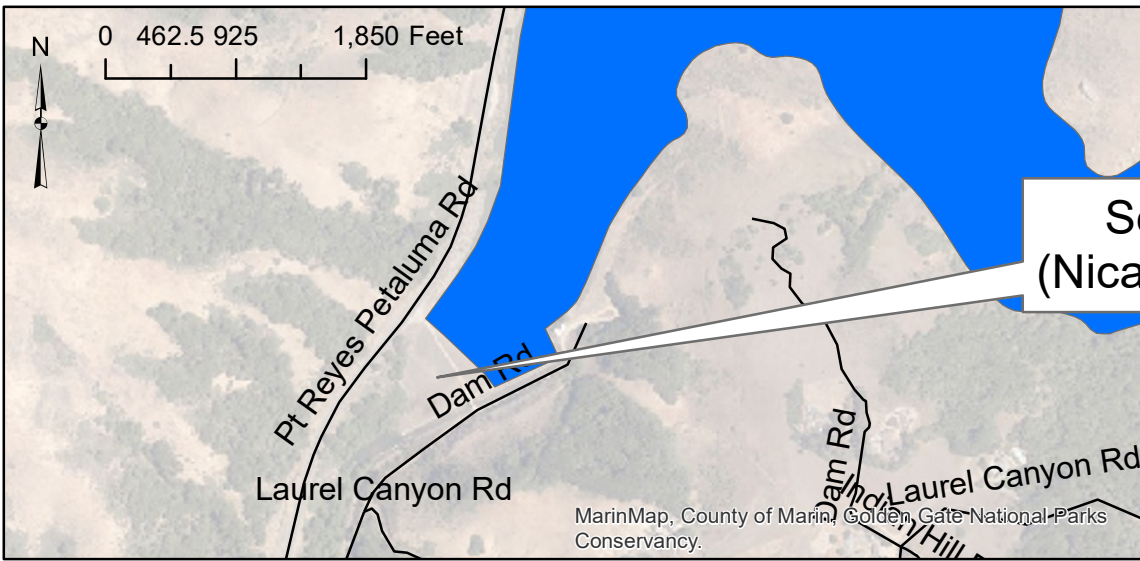
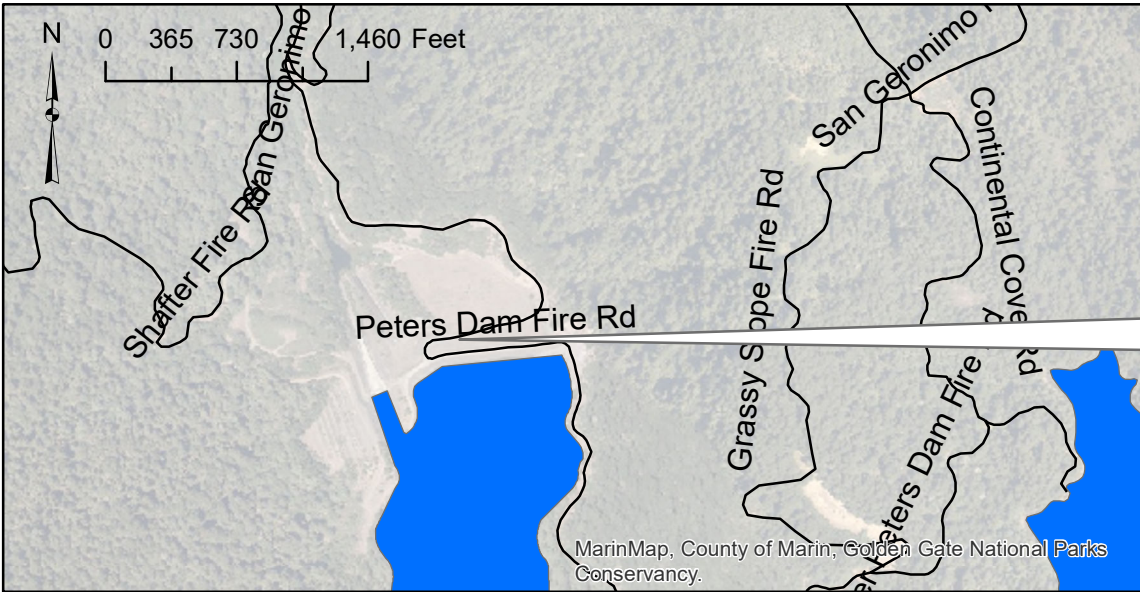
ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Non-Structural Spillway Repair Project Locations



Notice of Exemption

Item Number: 07

Attachment: 03



Filing Requested By and When Filed Return To:

Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925
Attn: Crystal Yezman, Director of Engineering

Project Title: Spillway Conditions Assessment Phase II Project (CN 2006)

Project Location – City: Kent Lake, Forest Knolls; Nicasio Reservoir, Nicasio; Soulajule Dam, Novato

Project Location – County: Marin

Project Description: The Spillway Conditions Assessment Phase II Project is a component of the District’s Capital Improvement Program. This project will include investigation of the dam spillways by using ground penetrating radar (GPR) to scan the dam spillway slabs and look for voids conducting core drilling for small probe holes to video inspect the underside of the spillway slabs, and clean out spillway sub-drains and video inspect the sub drains of all three Dams.

Public Agency Approving Project: Marin Municipal Water District

Name of Person or Agency Carrying Out Project: Marin Municipal Water District

CEQA Exemption Status: Categorical Exemption Section 15302(c), Replacement or Reconstruction

Reason for Exemption: The project qualifies for exemption pursuant to Section 15302(c) inasmuch as it is the repair of existing dam spillways that involves no expansion of capacity.

Project Approval: The Marin Municipal Water District Board of Directors approved the award of a contract for project construction, which represents project approval as defined by Section 15352 of the Guidelines for Implementation of the California Environmental Quality Act, at their regularly scheduled meeting on August 15, 2023.

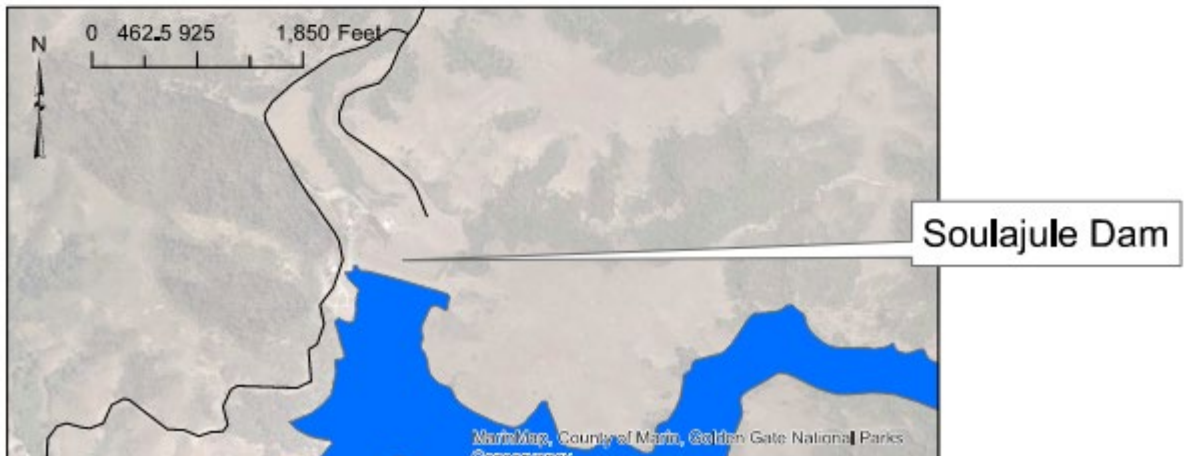
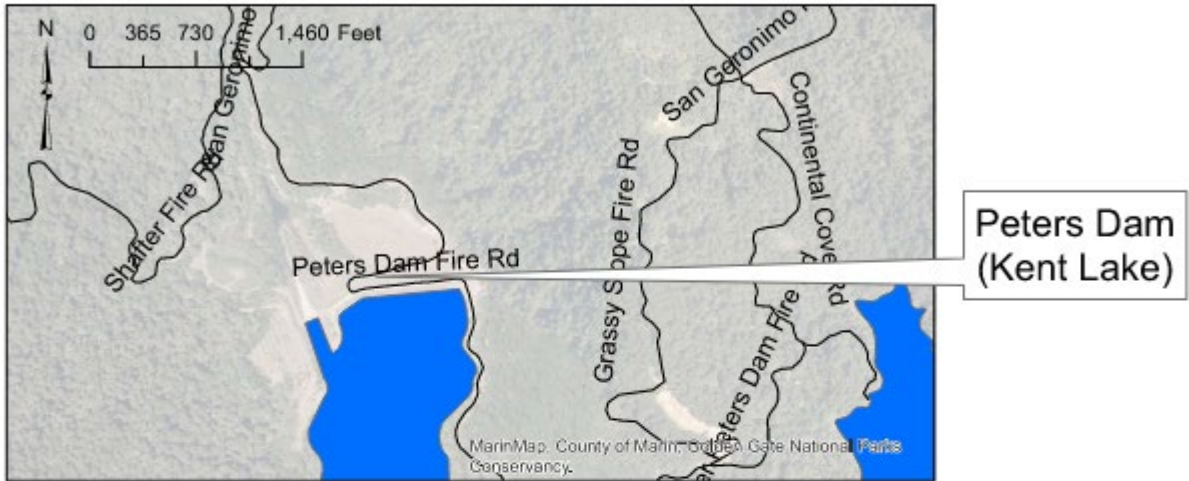
Lead Agency Contact Person: Crystal Yezman, Marin Municipal Water District **Telephone:** (415) 945-1100

Crystal Yezman, Director of Engineering

Date

Figure 1: Spillway Condition Assessment Phase II Project

Spillway Condition Assessment Phase II Project Locations



Approval Item

TITLE

Request for \$750,000 of additional contingency funds for the Pine Mountain Tanks Phase I – Rough Grading Project

RECOMMENDATION

Approve a resolution adding \$750,000 of additional contingency funds for the Pine Mountain Tanks Phase I – Rough Grading Project

SUMMARY

On May 24, 2022, the Board awarded a construction contract to Maggiora & Ghilotti, Inc. for the construction of the Pine Mountain Tanks Phase I – Rough Grading Project (Project) to perform site clearing, excavation, grading, drainage improvements and construction of a soil nail wall in support of the District’s Capital Improvement Program, on Marin Water Watershed lands. Maggiora and Ghilotti, Inc. submitted the lowest responsive and responsible bid in the amount of \$5,257,575. The Board of Directors approved a resolution awarding Contract No. 1965 to Maggiora and Ghilotti, Inc. in the amount of \$5,257,575, and authorized the General Manager to execute any necessary amendments to Contract No. 1965 that do not exceed a project contingency of \$1,128,000.

Prior to beginning the construction project on August 1, 2022, the District decided to pursue a Hazard Mitigation Grant from the Federal Emergency Management Agency (FEMA) and the California Governor’s Office of Emergency Services (CalOES), with the understanding that the two new prestressed concrete storage tanks would increase the District’s seismic resiliency by eliminating the antiquated Pine Mountain Tunnel currently still in operation. While in the application phase, grant requirements dictated that the project could not proceed and thus the project was placed on hold. After applying for the grant and subsequently coordinating with CalOES, the District learned that the project would not be referred by CalOES to FEMA for award and the District decided to proceed with the project using capital funds as originally planned.

As a result of the 1-year delay in pursuing the grant opportunity, the project start date was revised to August 1, 2023. This delay resulted in a direct increase to the contractor’s equipment, materials, and labor rates of approximately \$1,000,000, or a 19% increase to the original contract amount.

During the 2023 winter storm events, Fairfax-Bolinas Road suffered several landslides which has resulted in the need for the County to establish various traffic control measures and implement one emergency retaining wall project (now underway), as well as other projects in an effort to stabilize the roadway. The District’s Project includes the off-haul of approximately 5,000 cubic yards of soil, which was originally planned to be hauled east on Fairfax-Bolinas Road through

the town of Fairfax for landfill disposal. In coordination with the County, the District has decided to pursue an alternative soil off-haul route via Mount Tamalpais Watershed Lands east along the Shaver Grade Fire Road through Natalie Coffin Greene Park and the Town of Ross. This decision helps to reduce potential roadway impacts to Fairfax-Bolinas Road, as well as to reduce construction conflicts with the County's retaining wall project. The current estimated cost impact of this change is approximately \$400,000.

Additionally, changed conditions involving the proposed landfill disposal site were discovered, which was not anticipated by the District. As a result, the project will experience an additional unexpected expense of approximately \$131,000 to dispose of the soil to a landfill located farther away than originally estimated.

Staff requests the board approve increasing the original construction contract contingency amount by \$750,000 to cover the Project's cost escalation due to the 1-year delay and anticipated change orders.

DISCUSSION

The Pine Mountain Tunnel Tanks Replacement Project is a multi-year two-phased project that will replace the existing Pine Mountain Tunnel. The Pine Mountain Tunnel is an 8,700-foot long tunnel built in 1919 to convey and treat water from Alpine Lake to San Rafael and the Ross Valley, now known as the Ross Valley System, which consists of 44,000 District customers or roughly 23% of the District's service area. Due to regulatory constraints, the District abandoned the tunnel as a conveyance system in 1971, but retained the tunnel to provide storage (approximately 3 million gallons) and surge protection. The tunnel is well beyond its useful life. The District is in continuous communication with the State Water Resources Control Board regarding the District's progress for the tunnel's decommissioning and replacement.

Phase 1 of this project is the initial rough grading and construction of a retaining wall in anticipation of Phase 2, which will construction two 2-million-gallon pre-stressed concrete water storage tanks and connect them to the District's existing distribution system. The first phase involves excavation of the future tank site and off-hauling approximately 5,000 cubic yards of soil to a landfill for disposal. Additional Phase I scope includes installing a 400-foot-long 70-foot-tall soil nail retaining wall, and performing miscellaneous site civil and drainage improvements.

On May 24, 2022, the Board of Directors approved a resolution awarding Contract No. 1965 to Maggiora and Ghilotti, Inc. in the amount of \$5,257,575, and authorized the General Manager to execute any necessary amendments to Contract No. 1965 that do not exceed the project contingency of \$1,128,000.

The project experienced a 1-year delay due to the effort in pursuing Federal Hazard Mitigation Grant funding from FEMA. This resulted in a cost increase to the project due to escalations in labor, equipment, and materials. Additionally, the project has experienced two unanticipated

circumstances, which have resulted in early project cost increases as well. These changed conditions are detailed below.

PROJECT DELAY

The project was slated to begin construction on August 1, 2022. However, the project was delayed by approximately 1 year while the District pursued a Hazard Mitigation Grant from the Federal Emergency Management Agency (FEMA) through the California Governor's Office of Emergency Services (CalOES). Upon learning that the District was unlikely to obtain the Grant, the District reinitiated the project to commence construction on August 1, 2023. As a result of the delay, the contractor incurred cost increases for supplying the equipment, materials, and labor to complete the project.

Staff reviewed the contractor's request for contract change order and compared their rate schedules from their original bid in 2022 to the increased rate schedules for 2023. The rates were validated based on published prevailing wage rates from the California Department of Industrial Relations and published equipment rental rates by the California Department of Transportation. Material cost escalations were based on actual supplier quotations obtained at the time of bid and prior to the restart of the Project. Equipment, material, and labor cost escalations result in a contract increase of \$995,335.96, or an approximately 19% increase to the original contract amount.

FAIRFAX-BOLINAS ROAD LANDSLIDES AND COUNTY EMERGENCY RETAINING WALL PROJECT – HAULING ROUTE CHANGE

The Project has also incurred unanticipated changes associated with recent landslides occurring along Fairfax-Bolinas Road. The County has mitigated the most significant landslides by installing timed, signalized traffic control devices on either end of the slide to safely allow one lane of traffic, one way thru the area at a time. This segment of the road is the only thoroughfare for all those who use this road, including the District. Marin County Public Works has been in communication with District staff with regarding the landslide and County staff have been working diligently to expedite an emergency retaining wall project, which began on August 7, 2023.

Given the presence of several known landslides occurring along Fairfax-Bolinas and the need for the County to commence its emergency retaining wall project, the District began pursuing alternative options to off-hauling the 5,000 cubic yards of soil via Fairfax-Bolinas Road. Staff reviewed three options, which included permanently burying the additional topsoil at the District's Bullfrog Quarry, delaying the Project in anticipation of roadway repairs, and changing the hauling route to the District's Shaver Grade Fire Road and through the town of Ross. Permanently burying the additional soil at Bullfrog Quarry posed risks to the District's watershed as the material contains a deleterious soil-borne pathogen known as *phytophthora*, known to cause ecological damage to Oak and Madrone trees. Even with the implementation of multiple measures to protect against the release of this topsoil, it was determined that containing the topsoil at Bullfrog Quarry could not completely avoid the risk of impacting

healthy trees and subsequently raising the risk of fire on the watershed. Delaying the Project was also found to be problematic as this Project is critical to replacing the Pine Mountain Tunnel, which is beyond its service life and at risk of failure in the event of an earthquake.

The most feasible solution was to change the off-haul route through the Shaver Grade Fire Road and out through Natalie Coffin Greene Park and the town of Ross. Under this scenario, the District will require measures to prepare the fire-road for the hauling operation, which includes installing a stable road base material to smooth access for the trucks, removing and replacing water diversion bars, trimming tree limbs and mowing, filling ruts, and providing traffic and dust control for the hauling operation. This additional preparation work is currently estimated at \$200,000.

Additionally, hauling through the District's fire road reduces the size of hauling equipment that can be used, and therefore increases the number of trucks and personnel needed to maintain the same off-haul production each day. The contractor is estimating an additional need of 4 trucks per day at an estimated cost of \$200,000.

Currently, the total estimated cost for changing the soil hauling route is approximately \$400,000. However, these costs do not include repairing Shaver Grade Fire Road, which will likely be required at the end of the hauling operation. The District is working with the contractor to finalize the proposed change orders associated with the hauling route change. The modifications required for Shaver Grade are estimated to take two to three weeks to complete, while the hauling operation through Shaver Grade and the town of Ross is estimated at four weeks.

SOIL DISPOSAL – LANDFILL LOCATION CHANGE

The Project will also incur unanticipated costs associated with the disposal of the topsoil, which contains background arsenic concentrations that exceed the limits allowed for disposal at the Redwood Landfill in Novato, California. During the submittal phase of work, the District was made aware by Maggiora & Ghilotti, Inc. that various soil samples collected prior to construction showed arsenic concentrations that would require disposal at the Potrero Hills Landfill in Fairfield, CA versus the closer Novato Landfill identified by the contractor at the time of bid.

The contractor obtained representative soil samples of the soil scheduled to be off-hauled and performed three analytical soil tests: CAM17, TPH Gas, and VOC's. Arsenic concentrations ranging from 4.5 mg/kg to 8.5 mg/kg were found, which exceeded the low threshold limits of 3.0 mg/kg for acceptance by Redwood Landfill in Novato, CA. This will require the contractor to off-haul the material to a farther location at greater hauling and disposal costs, which constitutes a changed condition to the Project that was unknown at the time of bidding.

The estimated additional cost incurred due to the soil arsenic concentrations exceeding the limits for the Redwood Landfill soil is approximately \$131,000.

The estimated change orders to date are provided in Table 1, below.

Table 1
Project Change Orders to Date

Change Order	Description	Estimated Cost
1.	Project bid escalation due to 1-year delay	\$995,335.96
2.	Change in soil off-haul route change due to landslides along Fairfax-Bolinas Road and ongoing County Emergency Retaining Wall Project	\$400,000
3.	Change in soil disposal site due to the presence of background arsenic levels that exceed the acceptance limits of Redwood Landfill in Novato California.	\$131,284.23

Should the Board approve the additional contingency of \$750,000, the estimated remaining contingency is identified below.

Original Contingency:	\$1,128,000
Change Order 1 – 1-year delay	(\$995,335.96)
Change Order 2 – Alternative haul route (est.)	(\$200,000)
– Shaver Grade modifications	(\$202,178.00)
<u>Change Order 3 – new landfill location</u>	<u>(\$131,284.23)</u>
Remaining Contingency	(\$400,798.19)
Proposed additional contingency	\$750,000
Revised Contingency Remaining	\$349,201.81

The request for additional contingency for both the Project delay and change orders will increase the total estimated Project costs by the requested amount of \$750,000 as described below.

Budget:

Original Contract Award:	\$5,257,575
Original Contingency:	\$1,128,000
<u>Original Subtotal Contract Amount:</u>	<u>\$6,385,575</u>
Additional Contingency	\$750,000
<u>New Subtotal Contract Amount:</u>	<u>\$7,135,575</u>
District Materials and Professional Fees:	\$500,000
District Labor/Inspection:	\$480,000
Escalate to Mid-Point of Construction*:	\$369,000
<u>Total Budget:</u>	<u>\$8,484,575</u>

* Assumed 5% annual escalation at mid-point of construction

Budgetary Category: A1A11

Project Implementation:

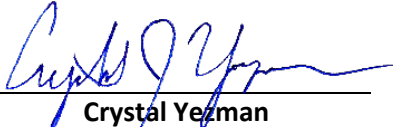

Project Advertisement: April 5, 2022
Bid Opening: May 10, 2022
Project Award: May 24, 2022
Original Construction Start Date: August 1, 2022
New Construction Start Date: August 1, 2023
Estimated Completion Date: January 31, 2025
Duration: 624 days

FISCAL IMPACT

The total cost for the additional contingency to Contract No. 1965 with Maggiora & Ghilotti is \$750,000 and is budgeted within the two year Capital Program Budget. The Pine Mountain Tanks Phase I – Rough Grading Project has an approved budget for FY24 and FY25 totaling \$8,500,000 in Fund Center A1A11.

ATTACHMENT(S)

1. Proposed Resolution

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

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT APPROVING ADDITIONAL CONTINGENCY FUNDS FOR THE PINE MOUNTAIN TANKS PHASE I – ROUGH GRADING PROJECT

WHEREAS, on May 24, 2022, the Board approved a resolution awarding Contract No. 1965 to Maggiora & Ghilotti, Inc. for the construction of the Pine Mountain Tanks Phase I – Rough Grading Project (Project) to perform site clearing, excavation, grading, drainage improvements and construction of a soil nail wall in support of the District’s Capital Improvement Program, on Marin Water Watershed lands, in the amount of \$5,257,575, and authorized the General Manager to execute any necessary amendments to Contract No. 1965 that do not exceed the Project contingency of \$1,128,000; and

WHEREAS, the Project was delayed by one year as the District anticipated approval of Hazard Mitigation Grant funding from the Federal Emergency Management Agency (FEMA) and the California Governor’s Office of Emergency Services (CalOES); and

WHEREAS, the one-year delay resulted in a revised construction start of August 1, 2023, and a construction cost increase of \$995,335.96 due to the cost escalation of equipment, materials, and labor; and

WHEREAS, additional unforeseen circumstances including recent landslides along Fairfax-Bolinas Road and changes in soil off-hauling route and disposal site locations have further increased the construction cost by approximately \$531,000; and

WHEREAS, \$750,000 is required to provide adequate funding and contingency budget for the construction work currently underway; and

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Board hereby approves additional contingency funds for the Project in the amount of \$750,000.

PASSED AND ADOPTED this 15th day of August, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Approval Item

TITLE

Cost of Living Adjustment (COLA) for Unrepresented District Employees

RECOMMENDATION

Approve a 5.4% COLA, retroactive to the first full pay period following July 1, 2023, for the District's unrepresented employees

SUMMARY

Historically, the District's Unrepresented Employees have received the same terms and conditions of employment, with few exceptions, as those negotiated by Service Employees International Union (SEIU) Local 1021 for represented employees. The District initiated negotiations with SEIU Local 1021 in April 2023, and those negotiations are ongoing. To ensure the COLA for unrepresented employees, which is generally provided in the beginning of each July, is not further delayed, staff recommend providing unrepresented employees a 5.4% COLA retroactive to the first full pay period following July 1, 2023.

DISCUSSION

The District has a workforce of 240 full time employees. While the majority of District employees are represented by SEIU Local 1021, about 40 employees are not represented by a union (Unrepresented Employees). The Unrepresented Employee group is comprised of approximately 40 employees including Division Directors, Mid-Level Managers and Confidential Employees. Historically, the terms and conditions of employment for Unrepresented Employees have mirrored those of the employees represented by SEIU Local 1021 with few exceptions. The District and SEIU Local 1021 initiated negotiations for represented employees in April 2023. However, those negotiations remain ongoing.

The current resolution governing the terms and conditions of employment for Unrepresented Employees has generally provided an annual COLA on or around July 1st of each year. Due to the ongoing negotiations with SEIU Local 1021, no COLA has been provided to Unrepresented Employees. Given that Unrepresented Employees are not participants in the negotiations, staff believe it is appropriate to provide the Unrepresented Employee group their COLA at this time. Other terms and conditions of employment for the Unrepresented Employee group will generally follow those negotiated between the District and SEIU Local 1021 for the represented employees.

The proposed 5.4% COLA for Unrepresented Employees reflects the Consumer Price Index (CPI) for the San Francisco-Oakland-Hayward area for calendar year 2022 (December to December), which was 4.9% plus an additional 0.5%.

Staff recommend approval of the enclosed resolution, which would provide Unrepresented Employees a COLA of 5.4% retroactive to the first full pay period following July 1, 2023. A comprehensive resolution with updated terms and conditions of employment for Unrepresented Employees will be brought to the Board for approval following the conclusion of negotiations with SEIU Local 1021 for represented employees.

FISCAL IMPACT

The total cost of this proposal is approximately \$350,000, assuming Step 5 (highest level of pay scale) for each Unrepresented Employee.

ATTACHMENT(S)

- 1. Proposed Resolution

DEPARTMENT OR DIVISION	DEPARTMENT MANAGER	APPROVED
Human Resources	 Vikkie Garay Human Resources Manager	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS
AMENDING DISTRICT BOARD RESOLUTION NO. 8214**

WHEREAS, on June 18, 2013, the Board of Directors adopted Resolution No. 8214 regarding the Marin Municipal Water District's unrepresented employees and established the salaries, benefits and other conditions of employment for those employees; and

WHEREAS, on June 7th, 2016, the Board adopted Resolution No. 8398 amending Resolution No. 8214 regarding general salary increases and the term of the agreement; and

WHEREAS, on January 2th, 2018, the Board adopted Resolution No. 8477 amending Resolution No. 8214 regarding general salary increases and the term of the agreement; and

WHEREAS, on September 15th, 2020, the Board adopted Resolution No. 8602 amending Resolution No. 8214 to update the job titles covered by the District's Unrepresented Employee Resolution; and

WHEREAS, on December 15th, 2020, the Board adopted Resolution No. 8617 amending Resolution No. 8214 regarding general salary increases and the term of the agreement; and

WHEREAS, the Board desires to again amend Resolution No. 8214 as described below.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES AS FOLLOWS:

A. This Resolution modifies Resolution No. 8214. Except for the modifications contained in the aforementioned Resolutions amending Resolution No. 8214 and those expressly contained herein, all the provisions of Resolution No. 8214 shall continue to apply.

B. Paragraph 1, formerly entitled "Division Directors" is amended to update the Division Director positions to the following:

Division Directors include: Director of Engineering, Director of Water Resources, Finance Director/Treasurer and Operations Director.

C. Paragraph 2 regarding "Mid-Managers" is hereby amended to update the Mid-Manager positions to the following:

Mid-Managers include the following classifications which are salaried positions and exempt from the overtime and hourly provisions of this resolution under the Fair Labor

Standards Act: Communications & Public Affairs Manager, Customer Service Manager, Engineering Manager I/II – Construction, Engineering Manager I/II, Engineering Support Services Manager, Finance Manager, Financial Management Analyst, Grant Program Coordinator, Human Resources Manager, Information Technology Manager, Natural Resources Program Manager, Principal Human Resources Analyst, Safety & Emergency Response Manager, Senior Human Resources Analyst, Staff Attorney I/II/II, Superintendent of Operations, Superintendent of System Maintenance & Support Services, Water Efficiency Manager, Water Quality Manager, Watershed Protection Manager-Chief Ranger, Watershed Resources Manager.

D. Paragraph 3 regarding “Confidential Employees” is amended to update the Confidential positions to the following:

Confidential Employees include: Administrative Assistant-Confidential, Board Secretary, Business Systems Analyst II, Executive Assistant to the General Manager, Finance Analyst, Human Resources Analyst, Human Resources Technician, Payroll Technician.

All terms and conditions of employment that are contained in the Collective Bargaining Agreement, SEIU Local 1021 as approved by the Board of Directors on June 18, 2013 and any amendments thereto approved by the Board shall continue to apply to Confidential Employees unless otherwise noted.

E. Paragraph 6.1 “Salaries, General Salary Increase” is amended to add the following language:

The following provision shall apply to all Division Directors, Mid-Managers and Confidential Employees (collectively “Unrepresented Employees”).

7. A cost of living increase for all Unrepresented Employees equivalent to 5.4%. Such increase shall be applied retroactively to the first full pay period following July 1, 2023.

G. Paragraph 27 entitled “Term” is added to read as follows:

This Resolution shall be effective upon adoption, and except for those provisions of this Resolution, Resolution 8214, as previously amended, shall remain in full force and effect until such time a successor resolution is adopted by the Board of Directors.

PASSED AND ADOPTED this 15 day of August, 2023, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Monty Schmitt
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Item Number: 10
Meeting Date: 08-15-2023
Meeting: Board of Directors

Informational Item

TO: Board of Directors

FROM: Ben Horenstein, General Manager

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ITEM: 2023 Annual Goals - Status Report

SUMMARY

Staff will review with the Board the status of the 2023 Annual Goals for the District that were initially discussed at the Board's Annual Retreat in February, and then reviewed again at the March 21, 2023 Board of Directors meeting.

DISCUSSION

A range of priority activities were reviewed with the Board of Directors at the Annual Board Retreat on February 2, 2023. The priorities, developed into 2023 Annual Goals, were from throughout the District and were presented as "additions" to the routine ongoing work of the District. Included in the discussion was the development of key milestones and associated dates. The Board provided comments and feedback that was captured and integrated into the final version of the annual goals. Staff will review the status of the Annual Goals, indicating whether each specific goal is complete, on track or delayed.

FISCAL IMPACT

None

ATTACHMENT(S)

None



Item Number: 11
Meeting Date: 08-15-2023
Meeting: 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

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 Meeting(s)

- Wednesday, August 16, 2023
Communications & Water Efficiency Committee Quarterly Meeting/Special Meeting of the Board of Directors
9:30 a.m.
- Friday, August 18, 2023
Operations Committee Meeting/Special Meeting of the Board of Directors
9:30 a.m.
- Thursday, August 24, 2023
Finance & Administration Committee Meeting/Special Meeting of the Board of Directors
9:30 a.m.

External Meeting(s)

- Monday, September 1, 2023
North Bay Watershed Association Meeting
Location TBD
9:30 a.m.

FISCAL IMPACT

None

ATTACHMENT(S)

None