



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

**MEETING DATE:** July 25, 2023

**TIME:** 6:30 p.m.

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

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

**EMAILED PUBLIC COMMENTS:** Submit your comments in advance of the meeting to [BoardComment@MarinWater.org](mailto: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
<b>Call to Order and Roll Call*</b>	
<b>Adoption of Agenda</b>	<i>Approve</i>
<b>Proclamation for Community Volunteer Annie Layzer</b>	
<b>Public Comment - Items Not on the Agenda</b>	
<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>	
<b>Directors' and General Manager's Announcements</b> <i>(6:45 p.m. – Time Approximate)</i>	
<b>Consent Calendar</b> <i>(6:50 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 July 11, 2023 and Special Meeting of July 19, 2023	<i>Approve</i>
2. General Manager's Report – June 2023	<i>Approve</i>
3. Resolution to Approve Department of Water Resources Funding for the San Geronimo Treatment Plan Emergency Generators	<i>Approve</i>
4. Request to Fill One Information Technology Systems Supervisor Position	<i>Approve</i>
<b>Regular Calendar</b> <i>(6:55 p.m. – Time Approximate)</i>	
5. Pine Mountain Tunnel Tanks Replacement Project Update <i>(Approximate time 15 minutes)</i>	<i>Information</i>
6. Water Efficiency Program Update <i>(Approximate time 30 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. Consider Dual Noticing of Committee Meetings as Special Board Meetings and Determine whether to Continue the Practice ( <i>Approximate time 10 minutes</i> )	<i>Approve</i>
8. Future Meeting Schedule ( <i>Approximate time 1 minute</i> )	<i>Information</i>
<b>Adjournment</b> ( <i>7:36 p.m. – Time Approximate</i> )	

**ADA NOTICE AND HEARING IMPAIRED PROVISIONS:**

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water’s policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact Board Secretary Terrie Gillen at 415.945.1448, at least two days in advance of the meeting. Advance notification will enable 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
Tuesday, August 1, 2023 6:30 p.m.	<ul style="list-style-type: none"> <li>Board of Directors’ Regular Bi-Monthly Meeting, including Closed Session starting at 5:30 p.m.</li> </ul>
Tuesday, August 15, 2023 6:30 p.m.	<ul style="list-style-type: none"> <li>Board of Directors’ Regular Bi-Monthly Meeting</li> </ul>
Wednesday, August 16, 2023 9:30 a.m.	<ul style="list-style-type: none"> <li>Communications &amp; Water Efficiency Committee Meeting/ Special Meeting of the Board of Directors</li> </ul>

<p><b>Upcoming Key Items for future Board Meetings</b></p> <ul style="list-style-type: none"> <li><u>At August 15, 2023 Board Meeting</u> <ul style="list-style-type: none"> <li>Update on AMI/SAP</li> </ul> </li> </ul>
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 Board Secretary

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



## Approval Item

**TITLE**

Minutes of the Board of Directors’ Regular Meeting of July 11, 2023, and Special Meeting  
Minutes of July 19, 2023

**RECOMMENDATION**

Approve the adoption of the minutes

**SUMMARY**

The Board of Directors held their regular meeting on July 11, 2023, and a special meeting on July 19, 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 July 11, 2023
2. Minutes of the Special Meeting of the Board of Directors of July 19, 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, July 11, 2023**

**Via Remote and In-Person**

**Open Session Locations:** Marin Water Board Room, 220 Nellen Avenue, Corte Madera, CA 94925, 83 Harrison Avenue, Newport, RI 02840, and Palazzo Hotel, 3325 S. Las Vegas Blvd., Room 44922, Las Vegas, CA 89109

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

**CALL TO ORDER AND ROLL CALL**

Vice President Ranjiv Khush called the meeting to order at 5:30 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 Director Samson and seconded by Director Smith, the board adopted the agenda.

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

Noes: None

There were no public comments on the *Adoption of the Agenda*.

**PUBLIC COMMENT – ONLY ON ITEM ON THE CLOSED SESSION**

There were none.

**CONVENE TO CLOSED SESSION**

The directors convened to Closed Session at 5:32 p.m. and went to the Mt. Tam Conference Room.

**CLOSED SESSION ITEM**

1. **Conference with Labor Negotiators**  
(California Government Code Section § 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 went back to the Board Room.

Vice President Khush reconvened the Open Session at 6:31 p.m.

**CLOSED SESSION REPORT OUT**

He stated that there was no reportable action taken.

**PUBLIC COMMENT – ITEMS NOT ON THE AGENDA**

There were 12 public comments on items not on the agenda.

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

- Director Samson reported that he attended the Tomales Bay Foundation Monthly Meeting on Friday, July 7.

**CONSENT CALENDAR (ITEMS 2-5)**

- |               |  |
|---------------|--|
| <b>Item 2</b> | <b>Minutes of the Board of Directors' Regular Meetings of June 6, 2023 and June 22, 2023</b>   |
| <b>Item 3</b> | <b>Resolution Authorizing Award of Contract No. 2005, Worn Spring Road Slide Repair Project, to Farallon Company Engineering in the Amount of \$175,910 for the Installation of New Retaining Wall (Resolution No. 8751)</b> |
| <b>Item 4</b> | <b>Renewal of Annual Insurance Policies for All Risk Property, Excess Liability, Automobile Physical Damage, Excess Workers Compensation, Pollution, Cyber, Drone and Crime and Fidelity for Fiscal Year (FY) 2023/24</b>    |
| <b>Item 5</b> | <b>General Manager to Execute the 5th Amendment to Contract MA-5652 with United Site Services of California, Inc. for Portable Toilet Services on the Watershed</b>  |

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

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

There were no public comments on the Consent Calendar.

### **REGULAR CALENDAR (ITEMS 6-8)**

#### **Item 6 Addendum to the Biodiversity, Fire, and Fuels Integrated Plan (BIFFIP) Program Environmental Impact Report, which incorporates updates to the BIFFIP**

Watershed Resources Manager Shaun Horne and Natural Resources Program Manager Carl Sanders provided the presentation. Discussion ensued.

There were two (2) public comments.

On motion made by Director Samson and seconded by Director Smith, the board approved the addendum to the BIFFIP Program Environmental Impact Report, which incorporates updates.

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

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

Water Quality Manager Lucy Croy presented this item to the Board. Discussion between the board and staff occurred throughout the presentation.

There were two (2) public comments.

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

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

#### **Item 8 Future Meeting Schedule**

The board secretary reported on upcoming internal meetings, and Director Russell encouraged the board and the public to be at the July 25<sup>th</sup> meeting to recognize Annie Layzer.

There were no public comments.

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

## **CONVENE TO CLOSED SESSION**

General Counsel Molly MacLean announced the continuation of the Closed Session.

The directors reconvened to Closed Session at 7:47 p.m. and went to the Mt. Tam Conference Room.

## **CLOSED SESSION ITEM**

1. **Conference with Labor Negotiators**  
(California Government Code Section § 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**

Vice President Khush announced that the Closed Session adjourned at 8:05 p.m., with no reportable actions.

## **ADJOURNMENT**

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting of July 11, 2023, adjourned at 8:12 p.m.

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Board Secretary



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

**MINUTES**

**Wednesday, July 19, 2023**

**Held Remotely and at In-Person Locations**

**Open Session Location:** Marin Water, Board Room, 220 Nellen Avenue, Corte Madera, CA 94925, and

**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 5:23 p.m.

**Directors Present:** Ranjiv Khush, Larry Russell, Matt Samson, and Monty Schmitt  
*(Director Samson arrived at 5:25 p.m. after Convening to Closed Session and Director Smith arrived at 6:19 p.m. during Closed Session)*

**Directors Absent:** None

**ADOPT AGENDA**

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

Ayes: Directors Khush, Russell, and Schmitt

Noes: None

Absent: Directors Samson and Smith

**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 5:24 p.m. and went to the Mt. Tam Conference Room.

Director Samson arrived at 5:25 p.m.

**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

Director Smith arrived at 6:19 p.m.

**RECONVENE TO OPEN SESSION**

The Board adjourned the closed session and returned to the Board Room at 7:56 p.m.

**CLOSED SESSION REPORT OUT**

President Schmitt announced that the Closed Session adjourned at 7:55 p.m. and there was no reportable action.

**ADJOURNMENT**

There being no further business, the special meeting adjourned at 7:56 p.m.

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Board Secretary

## Approval Item

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**TITLE**

General Manager's Report June 2023

**RECOMMENDATION**

Approve Report.

**SUMMARY****A. HIGHLIGHTS:**

- The daily average net production for the month of June 2023 was 23.0 MGD compared to 22.3 MGD for the month of June 2022. Typical usage for June is 30.4 MGD.
- Submitted the Annual Dam Instrumentation Report to the California DWR Division of Safety of Dams
- Staff repaired an 8" cast iron water main break at 124 Tunstead Avenue in San Anselmo that was installed in 1969. The water main was shutdown, excavated and a split on the bottom of the pipe was exposed. The repair required cutting out the damaged section of pipe and installing a section of C900 (PVC) just over eight and a half feet in length. This job also required extensive clean up to the street and sidewalks from the water discharge.
- Staff repaired a 12" cast iron water main break near 2660 Bridgeway in Sausalito. The 12" cast iron water main was installed in 1943. The water main was shut down, excavated and a small section of the sidewall of the pipe where it ruptured was missing. The repair required cutting out the damaged section of pipe and installing a section of C900 (PVC) just over seven and a half feet in length. The water discharge caused property damage to multiple offices within a storage unit building and required extensive clean up efforts to the surrounding area from District crews.
- Controls Techs repaired conduit to, and replaced the Alpine Lake level sensor. The level sensor is critical to providing accurate storage data.
- The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing over 1,796 analyses on lakes, treatment plants, and distribution system samples.
- The Lagunitas Creek smolt monitoring season was completed with a record high number of Coho Salmon observed.
- Design drawings and cost estimates for the Lagunitas Creek Phase-1 restoration sites (eight total) were advanced to the 65%-complete level by the District's consultant, ESA.

- Watershed staff continue coordinating with various county organizations who are also working in Marin County to address wildfire fuel and vegetation issues. Staff attend an all-day Marin Wildfire Prevention Authority (MWPA) field tour focused on the Greater Ross Valley Fuel Break. The site visit informed collaborative fuels work in the vicinity of Deer Park in Fairfax that is ongoing. Additionally, representatives from the Novato Fire Department (NFD) visited Sky Oaks and Resource Staff on June 21st, to learn specifics about BFFIP implementation and coordination, to inform NFD/MWPA efforts to construct the Greater Novato Fuel Break. Through June and July, Watershed staff will continue to coordinate advance Migratory Nesting Bird surveys for all planned veg clearing work on the watershed.

PROJECT DETAILS						REQUIREMENTS		BUDGET		
OPPORTUNITY	FUNDER	FUNDER PRIORITIES	APPLICATION DATE	MATCHING PROJECT	DESCRIPTION	STATUS	ACTION ITEMS	PREREQUISITE	FUNDS REQUESTED	MATCH REQUIREMENT %
<b>CURRENT APPLICATIONS</b>									<b>\$68,620,000</b>	
Forest Health	CalFire	Wildfire Prevention	9/9/18	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	1/9/23	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
<b>UPCOMING OPPORTUNITIES</b>									<b>\$0</b>	
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 (IJA)	Fisheries	Fall 2023	North Marin Line/Lag Creek Fisheries upgrade	Funding for major culvert upgrades	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		
<b>LONG TERM OPPORTUNITIES (ongoing development)</b>										
2024 Water Bond	State of CA	Water supply projects	Fall 2024	SWSA Water Supply Projects	Currently in Legislature	In legislature		Voter approval; District participation	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		Authorization (secured 2022)	\$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 2022/23		FY 2021/22	
	(million gallons)	(acre-feet)	(million gallons)	(acre-feet)
<b>Potable</b>				
Total production this FY	6,773	20,786	6,652	20,414
Monthly production, June	689	2,113	670	2,057
Daily average, June	22.95	70.44	22.34	68.56
<b>Recycled</b>				
Total production this FY	217.48	667.42	211.44	648.89
Monthly production, June	27.51	84.43	31.85	97.74
Daily average, June	0.92	2.81	1.06	3.26
<b>Raw Water</b>				
Total production this FY	54.73	167.96	44.22	135.71
Monthly production, June	7.71	23.66	10.30	31.61
Daily average, June	0.26	0.79	0.34	1.05
<b>Imported Water</b>				
Total imported this FY	1,581	4,851	2,899	8,896
Monthly imported, June	359	1,101	395	1,211
<b>Reservoir Storage</b>				
Total storage	24,923	76,485	22,044	67,652
Storage change during June	-544	-1,668	-753	-2,312
<b>Stream Releases</b>				
Total releases this FY	2,412	7,402	3,323	10,198
Monthly releases, June	223	684	241	740

<b>2. <u>Precipitation:</u></b>	<u>FY 2022/23 (in.)</u>	<u>FY 2021/22 (in.)</u>
Alpine	59.05	49.20
Bon Tempe	58.51	44.37
Kent	56.32	44.78
Lagunitas *	76.96	49.55
Nicasio	46.69	28.98
Phoenix	68.24	49.70
Soulajule	46.31	33.12
* Average to date = 52.25 inches		

**3. Water Quality:**

<u>Laboratory:</u>	<u>FY 2022/23</u>	<u>FY 2021/22</u>
Water Quality Complaints:		
Month of Record	6	20
Fiscal Year to Date	155	180
Water Quality Information Phone Calls		
Month of Record	7	17
Fiscal Year to Date	94	137

The WQ lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 1,796 analyses on lakes, treatment plants and distribution system samples.

Mild steel corrosion rates averaged 1.14 (0.55 – 2.10) MPY. The AWWA has recommended an operating level of <5 MPY with a goal of <1 MPY.

Complaint Flushing: One flushing event was performed at 47 Bulkley Ave Hy #00953 in Sausalito for this month on record.

Tank Survey Program: 12 water storage tank sanitary surveys were performed during the month. 50.78 % planned survey program has been completed for calendar year 2023.

Disinfection Program: 3,744' of new pipeline was disinfected during the month of May. Performed chlorinations on 10 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 25 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 12 sanitary tank surveys, treated 10 tanks for low chlorine, and checked an additional 25 tanks for low chlorine residual in June 2023.

**4. Water Treatment:**

<u>Treatment Results</u>	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
	Average	Monthly	Average	Monthly	Average	Monthly
		Goal		Goal		Goal
Turbidity (NTU)	0.06	≤ 0.10	0.04	≤ 0.10	0.04	≤ 0.10
Chlorine residual (mg/L)	2.69	2.75 *	2.76	2.75 *	2.84	2.75 *
Color (units)	0.6	≤ 150.5	≤ 15	0.3	≤ 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 is currently completing concrete flatwork and miscellaneous punchlist items. Final paving is scheduled for late July and early August. 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 initial site grading and installation of the soldier piles, and is currently installing the concrete lagging. Final work includes trail and drainage improvements, and rock slope protection. 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: District staff and the Contactor have been preparing the project for construction, and estimate fieldwork to begin August 2023. Initial work will consist of installing storm drain improvements on Sky Oaks Road, and initial tank site construction staking and pioneering near Concrete Pipe 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. Construction is slated to begin August 2023 and 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:**

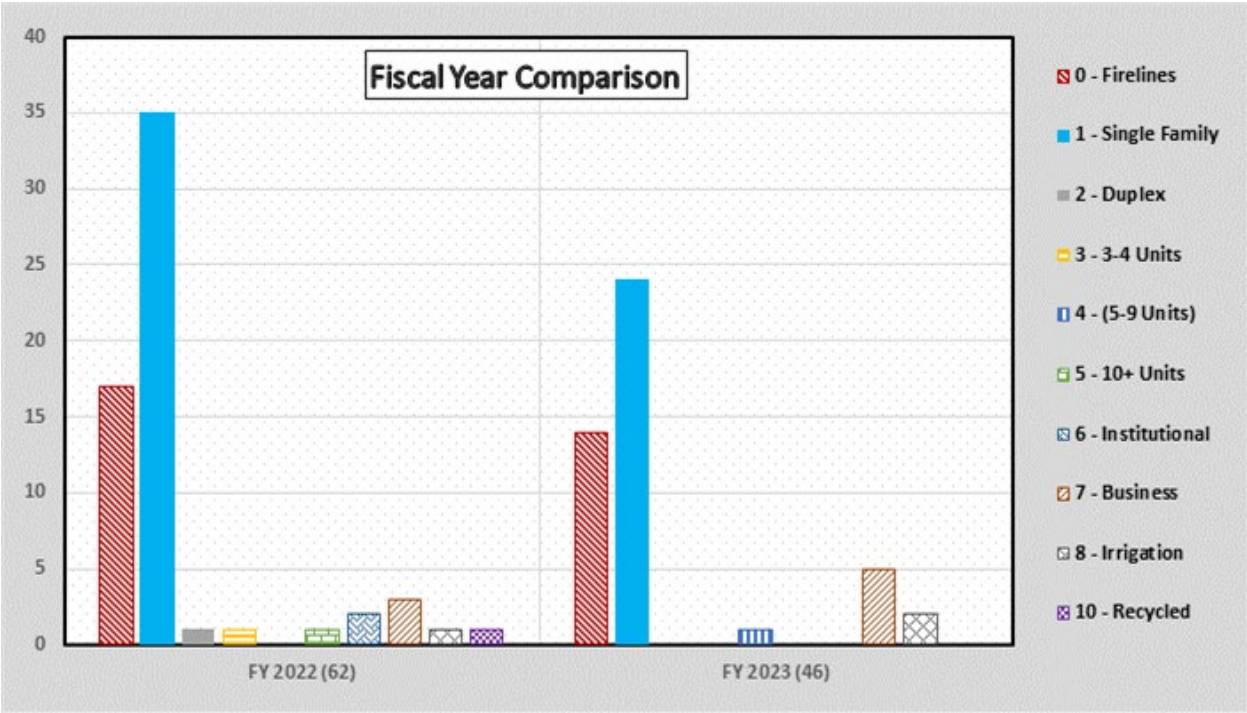
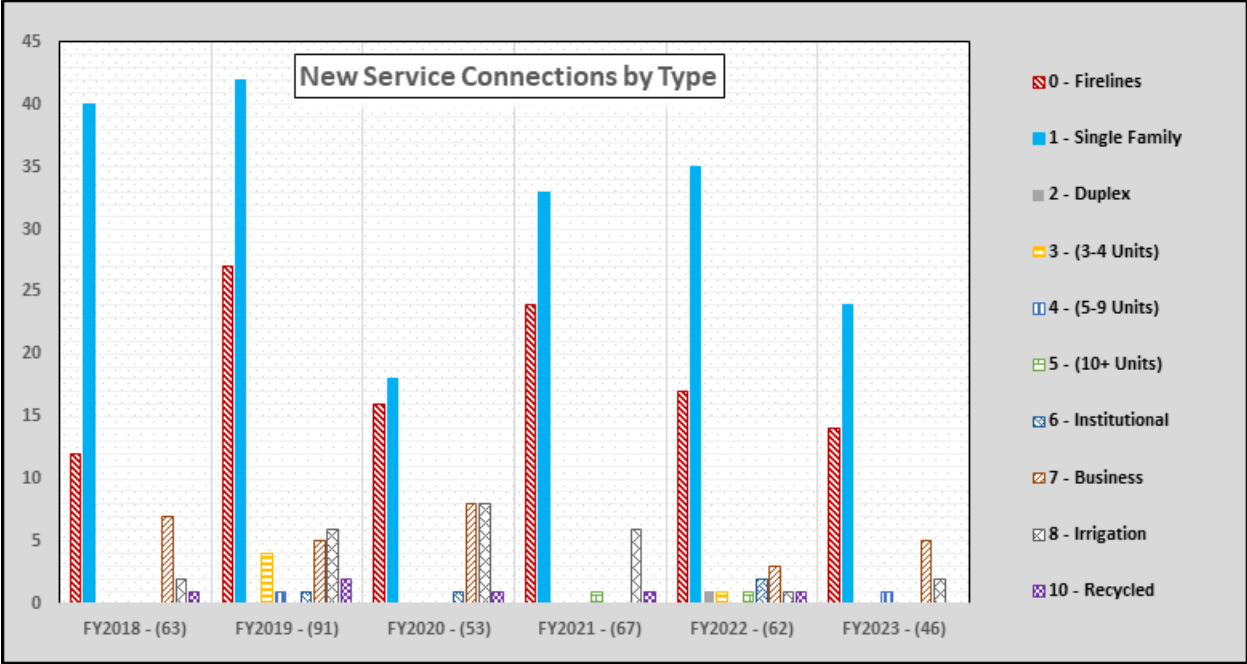
<u>Pipeline Installation</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Pipe installed during June (feet)	137	829
Total pipe installed this fiscal year (feet)	16,288	25,385
Total miles of pipeline within the District	908*	908*

*\* Reflects adjustment for abandoned pipelines*

<u>Pipe Locates (1,103 Responses)</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Month of June (feet)	15,949	20,527
Total this fiscal year (feet)	253,459	396,446

<u>Main Line Leaks Repaired:</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Month of June	5	17
Total this fiscal year	171	169

<u>Services:</u>	<u>FY2022/23</u>	<u>FY2021/22</u>
Service upgrades during June	18	9
Total service upgrades this FY	178	151
Service connections installed during June	3	5
Total active services as of July 1, 2023	60,445	60,399



7. Demand Management:

	Jun-23	FY 22/23 TOTAL	FY 21/22 TOTAL	FY 20/21 TOTAL
<b>WATER-EFFICIENCY PROGRAMS</b>				
<b>Water-Use Site Surveys</b>				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	11	289	731	117
Residential properties resi 3-5 (multi-family units)	1	3	7	5
Non-residential properties resi 6-7 (commercial)	0	2	1	5
Dedicated irrigation accounts resi 8-10 (large landscape)	0	0	3	6
Marin Master Gardeners' Marin-Friendly Garden Walks				
Residential garden walks	6	73	100	129
<b>Public Outreach and Education, Customer Service</b>				
Public outreach events (number of people attending)	5,000	17775	1602	0
Public education events (number of participants)	0	186	536	398
Customer calls/emails admin staff	383	4150	9508	5738
<b>School Education</b>				
School assemblies				
Number of activities	0	0	0	0
Number of students reached	0	0	0	0
Field trips				
Number of activities	1	15	0	0
Number of students reached	26	307	0	0
Classroom presentations				
Number of activities	0	17	0	1
Number of students reached	0	511	0	22
Other (e.g. booth events, school gardens)				
Number of activities	0	1	0	0
Number of students reached	0	480	0	0
<b>Incentives</b>				
Number of HECWs approved	10	103	190	163
Number of Rain Barrel/Cisterns approved	2	15	76	19
"Landscape Your Lawn" Turf Replacements approved	9	102	402	6
Number of Laundry-to-Landscape Systems approved	0	1	27	0
Hot water recirculating system rebates	2	30	122	0
Pool Cover rebates	0	27	298	0
HET rebates	3	22	92	0
Number of Smart Controllers rebates approved	5	35	69	85
Number of Smart Home Water Monitor "Flume Direct Distribution" redeemed	19	271	1568	1140
Number of Smart Controllers "Rachio Direct Distribution" approved	14	77	178	233
<b>Advanced Metering Infrastructure (AMI)</b>				
AMI leak letters sent to customers (>200 GPD)	130	1168	1050	1601
<b>ORDINANCES</b>				
<b>Water Waste Prevention</b>				
Water Waste Reports Received	26	391	4451	589
Water Waste Notifications Sent	4	81	0	0
<b>Landscape Plan Review</b>				
Plans submitted	15	78	77	94
Plans exempt	0	4	1	4
Plans completed	2	17	17	19
Plans in workflow (pass & fail)	8	136	123	154
<b>Tier 4 Exemption</b>				
Inspections that resulted in a pass	1	1	1	1
<b>Graywater Compliance Form</b>				
Applications Received (as of Dec 2019)	12	117	57	106
Systems installed	3	21	13	7

**8. Watershed Protection:**

**Rangers Respond to Numerous Medical Aid Calls**  
During the month of June the Rangers responded to 11 medical aid calls, the most in a month since the Pandemic Period of 2020/2021. Seven patients were transported by ambulance to local hospitals. Four of these patients were hikers and three were bicyclists. One bicyclist was airlifted to a trauma center with serious injuries. As the first half of the year ends the Rangers have responded to a total of 40 medical aid calls.



Rangers and Firefighters Treating a Patient on Worn Spring Road

**New High Pressure Fire Pumps**

At the end of June the Rangers received two new high pressure portable fire pumps that will greatly enhance Marin Water’s wildland fire suppression capabilities around roadless sections of our lakes and other remote areas of the watershed. These new pumps were purchased as a result of the After Action Review of the vegetation fire at Bon Tempe Lake last June.

Over the next two weeks the Ranger staff along with the Watershed Maintenance staff will be completing orientation training on the pumps and they will be in service before the end of the month.

Incidents and Events	498
Citations	118
Warnings	102
Visitor Assists	68
Fish and Game Checks	52
Assist Watershed Maintenance	45
Misc Law Enforcement Calls	36
Dam Check	25
Vandalism	14
Medical Aid	11
Suspicious Circumstance	5
Complaint: Illegal Bike Use	5
Humane/Animal Related Calls	4
Outreach/Interp Event	2
Citizen Complaint: Fishing Violation	2
Citizen Complaint: Swimming	2
Assist Fire/EMS	1
Citizen Complaint: Speeding Vehicles	1
Assist Outside Law Enforcement	1
Illegal Camping	1
Search and Rescue	1
Vehicle Accidents	1
Assist Other Agency	1

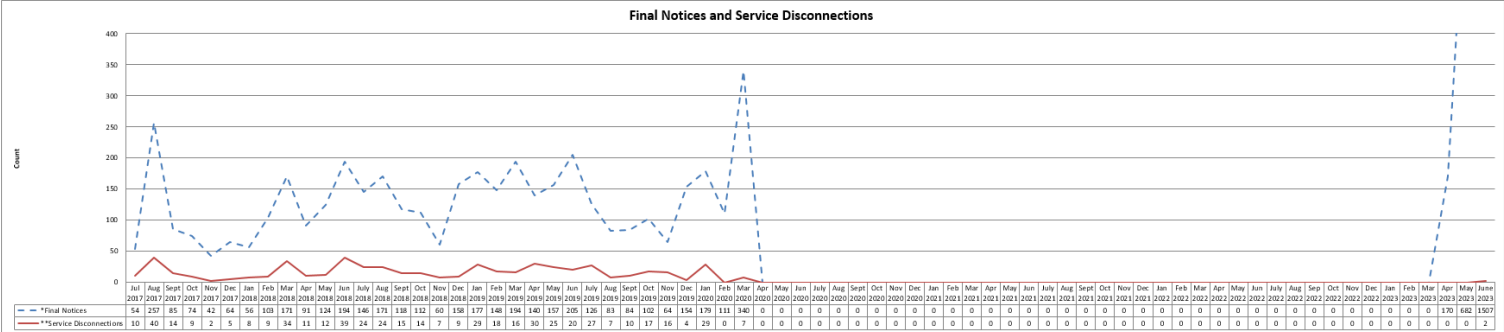
Citations	118
Non-Payment of Parking Fees	93
Obstruct Traffic/Parking within 6' of Center	12
Dog off Leash	2
Fishing without License	2
Closed Area	1
No Parking	1
Bike on Trail	1
Swimming	1
Parking After Sunset	1
Driving Off Road	1
Fishing in Closed Area	1
Blocking Fire Road Gate	1
Expired Registration	1



**9. Shutoff Notices and Disconnections:**

Month	June 2023
Final Notices	1507
Service Disconnections	2

- \* 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	_____	
	<b>Ben Horenstein</b> General Manager	<b>Ben Horenstein</b> General Manager

## Approval Item

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**TITLE**

Department of Water Resources Funding for the San Geronimo Treatment Plant Emergency Generators

**RECOMMENDATION**

Approve State Funding Appropriation Resolution

**SUMMARY**

Staff is requesting the Board of Directors approve a resolution authorizing the General Manager to negotiate and sign a funding agreement with the California Department of Water Resources (CDWR) to receive funds for the San Geronimo Treatment Plant Emergency Generators.

**DISCUSSION****State Funding Appropriation**

In 2022, the District requested funding from Assemblymember Marc Levine to help support implementation of the San Geronimo Treatment Plant Emergency Generator Project. The San Geronimo Treatment Plant Emergency Generator Project provides emergency power for the San Geronimo Treatment Plant and to ensure the District's continued ability to produce and supply water to its customers despite losing electrical service when PG&E shuts off power during a Public Safety Power Shut-off (PSPS) event and during any other unforeseen PG&E power outages. With support from the Assemblymember, in September of 2022, Assembly Bill 179 designated \$1 Million in funding for this project.

In order to accept the funding, which will be administered by the California Department of Water Resources (CDWR), staff is requesting the Board of Directors approve a resolution authorizing the General Manager to negotiate and sign a grant agreement with CDWR.



**FISCAL IMPACT**

There is no fiscal impact to this action, as the funding would augment project funding allocated previously by the Board.

**ATTACHMENT(S)**

1. Proposed CDWR Grant Resolution



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



**MARIN MUNICIPAL WATER DISTRICT**

**RESOLUTION NO.**

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL WATER DISTRICT AUTHORIZING ENTERING INTO AN AGREEMENT WITH THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES TO RECEIVE FUNDS FOR THE SAN GERONIMO TREATMENT PLANT EMERGENCY GENERATOR PROJECT**

**WHEREAS**, the September 2022 Assembly Bill 179 designated \$1,000,000 in funding to the Marin Municipal Water District for its San Geronimo Treatment Plant Emergency Generator Project (collectively, the “Project”); and

**WHEREAS**, the responsibility for the administration of the fund, including establishing the necessary procedures for disbursement of the fund, lies with the California Department of Water Resources (“CDWR”); and

**WHEREAS**, the Water Authority agrees that the funds should be allocated by CDWR to the Marin Municipal Water District; and

**WHEREAS**, CDWR requires a resolution from the Marin Municipal Water District Board of Directors authorizing the District to enter into an agreement with CDWR to receive funds and to authorize the General Manager to execute the agreement.

**NOW, THEREFORE, BE IT RESOLVED**, that the Marin Municipal Water District Board of Directors does hereby resolve and find as follows:

Authorize the Marin Municipal Water District to enter into an agreement with the State of California Department of Water Resources to receive \$1 million in funding for its San Geronimo Treatment Plant Emergency Generator Project and authorizes the General Manager, or designee, to execute the agreement, any amendments thereto; and to submit any required documents, invoices, and reports required to obtain State funds.

**PASSED, APPROVED, and ADOPTED** this 25th day of July, 2023, by the following vote:

**AYES:** Unless noted below all Directors voted aye.

**NOES:**

**ABSTAIN:**

**ABSENT:**

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**Monty Schmitt**  
**President, Board of Directors**

**ATTEST:**

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**Terrie Gillen**  
**Board Secretary**

## Approval Item

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**TITLE**

Approval to Fill One Information Technology (IT) Systems Supervisor Position

**RECOMMENDATION**

Authorize the General Manager to Recruit and Hire one IT Systems Supervisor in the IT Department

**SUMMARY**

The IT Department has been tasked with leading several major technological initiatives over the next few years, including replacement of the Enterprise Resource Planning Program, migration of Microsoft Exchange and Microsoft Office to Microsoft O365, conversion of the District's Geographical Information System to a network utility model, and integration of system-wide Automated Metering Infrastructure. The addition of an IT Systems Supervisor will provide key subject matter expertise in assisting the IT Manager with major projects that can require complex processes and procedures.

**DISCUSSION**

Under direction of the IT Manager, the IT Systems Supervisor provides direct ongoing supervision to assigned staff and may serve as the technical authority for one or more IT related specialties, projects or major systems. The IT Systems Supervisor will be responsible for diagnosis and resolution of system issues as assigned and will assist with administration and communication with our many technology consultants and vendors. The IT Systems Supervisor is needed to provide key subject matter expertise for upcoming IT Initiatives and will be filled by reclassifying a vacant Information Systems Analyst II position to IT Systems Supervisor.

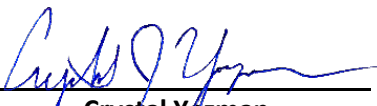
Staff requests that the Board authorize the General Manager to recruit and hire one IT Systems Supervisor in the Engineering Division and that the Board further authorize the General Manager to recruit and fill any other subsequent positions that may become vacant as a direct result of this recruitment.

**FISCAL IMPACT**

The total annual salary with benefits for the IT Systems Supervisor position ranges from \$180,380 to a maximum of \$221,349. Budget for this position is included in the Engineering Division FYE 2024 and 2025 budget from position vacancies and will be transferred to fund this position. Filling this position will not increase the total number of FTEs.

**ATTACHMENT(S)**

None

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



## Informational Item

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**TO:** Board of Directors

**FROM:** Crystal Yezman, Director of Engineering *CY*

**THROUGH:** Ben Horenstein, General Manager *BH*

**DIVISION NAME:** Engineering

**ITEM:** Pine Mountain Tunnel Tanks Replacement Project Update

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### SUMMARY

District staff will provide an update on the Pine Mountain Tunnel Tanks Project that is scheduled to begin Phase 1 construction on August 1, 2023.

### DISCUSSION

The District awarded the Pine Mountain Tunnel Tanks Replacement Project (Project) to Maggiora and Ghilotti, Inc. at the May 24, 2022 Board meeting. This first phase of the project involves performing site clearing and grubbing, excavation of approximately 45,000 cubic yards of hillside, site grading, site drainage improvements and construction of a soil nail retaining wall. As a result of the recent rain fall this past winter a portion of the Bolinas Road was undermined by a landslide coupled with two other segments of the road located below the Project construction site.

Marin County Public Works has been coordinating the road repair work with the District for the past few months to minimize impact to our respective projects. In spite of the efforts from Marin County Public Works to execute an emergency design and construction contract, the County has not been able to execute a contract and start construction for this road repair. The road structural integrity as a result of the rain damage poses a concern for all the uses of that thoroughfare.

In light of this concern, the District has been exploring construction options, and staff will review these at the Board meeting.

### FISCAL IMPACT

None

### ATTACHMENT(S)

None

## Informational Item

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**TO:** Board of Directors

**FROM:** Paul Sellier, Director of Water Resources

**THROUGH:** Ben Horenstein, General Manager

**DIVISION NAME:** Water Resources

**ITEM:** Water Efficiency Program Update

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### SUMMARY

During the May 30, 2023 Communications & Water Efficiency Committee Meeting, staff proposed the Board consider some refinements to our water efficiency program; specifically, revisions to existing Graywater Code requirements, and a new ordinance focused on existing Non-Functional Turf. The Committee provided input on each of the items. This report will bring additional details to allow for a future program changes to be developed to align with the Board's direction, which will be brought back to a future Board meeting for adoption.

### DISCUSSION

#### *Programmatic Changes*

Staff is proposing sunsetting both the High Efficiency Toilet Rebate program which was reinstated for the water shortage emergency and the long-standing High Efficiency Clothes Washer Rebate. The funding for these programs would be redirected to support indoor water use of commercial customers.

Through rebates, District policy, and state regulations, high flow toilets have been replaced with low flow and high efficiency fixtures resulting in a substantial level of efficient fixture saturation in the District's service area. Additionally, the current rebate program has very little participation, likely due to the saturation. From 1993 to 2019, over 48,000 toilets were incentivized for replacement in following District Programs:

- No-interest loan programs (1993-1998)
- ULFT Toilet rebate programs (1994-2002)
- Free Toilet Giveaways (1995-2000)
- Multi-Family Direct Install Program (2004-2005)
- School Retrofit Program (1996-2003)
- HET Rebate Program (2007-2009, 2012-2019)
- HET Water Shortage Emergency Reinstatement (2021)

In conjunction with the incentives, District policy through Residential Time-of-Sale Ordinances effective during the periods of 2002-2004 and 2004-2007, further expedited the fixture replacement resulting in an additional 14,000 replaced. California adopted AB715 in 2014 which restricted the flush volume for toilets sold in the State to 1.28 gallons per flush. In June 2023, EPA issued a Notice of Intent to revise the WaterSense Specification for Tank-Type Toilets to make improvements to the specification criteria. Changes to the WaterSense specification could potentially further reduce the flush volume of toilets sold in California in the future.

The High Efficiency Clothes Washer Rebate has been offered by the District for decades. Similar to toilets, clothes washer standards have ratcheted down the acceptable level of water and energy use allowed for fixtures available on the market. As a result market transformation through these ongoing code updates are reducing water use of clothes washers and reducing the need for incentives. The recent Flume analysis of clothes washers shows a high saturation of high efficiency washers. Since almost all washers on the market are efficient, there are likely a high number of “free riders”. Free riders are customers who would purchase the equipment regardless of the incentive. The current rebate program has about 8 participants each month.

Based on fixture saturation, low participation, and regulations limiting water use by both clothes washers and toilets, staff is recommending the high efficiency toilet and clothes washer rebate program sunset effective December 31, 2023. Having a delayed effective date allows one final opportunity for customers who have delayed installing their high efficiency fixtures to receive a rebate. The toilet rebate program was budgeted in FY24 at \$12,000 and the clothes washer program was budgeted at \$10,000. Staff believes that these funds would be more effective if directed to other Water Efficiency programing.

Staff recommendation is as follows:

- Direct staff to bring back a regular Board meeting item to sunset the current Toilet and Clothes Washer Rebate Programs effective December 31, 2023.

To assist non- single family residential District customers in reducing their water demands, staff is considering a customized rebate for Commercial, Industrial and Institutional customers (Custom CII Rebate). The Custom CII Rebate would provide an incentive for non-residential customers to implement water saving upgrades that are not covered though any other existing rebate program. The rebate could be calculated based on the following:

- Water savings, fixture life, and costs must be reliably estimated and verified by District staff prior to installation
- Similar to other incentive program elements, the rebate cost to the District for the water savings must be compared to costs of alternative water supply options
- Establish a customer cost share
- Rebate payments would be made in two installments: 1) Initial payment after installation, 2) remaining rebate after demonstrating water savings over a time period

- Establish a rebate cap for individual customers

Adding a new program for Commercial, Institutional, Irrigation and Multi-Family Customers will provide support for restaurants, schools, apartment dwellers and other customers who have had less access to financial support to make water efficient changes. Based on Board feedback staff will bring back this item for Board consideration.

#### *Graywater Code Update to Allow Alternative Compliance*

Ordinance 429 was adopted in May 2016 and requires all new connection applicants (those requesting new or upsized water meters) to install graywater systems at their sites.

*“All applicants requesting a water service for a new residential or commercial structure which requires the installation of a new service, and all applicants requesting an enlarged water service for a “substantial” remodel to an existing residential or commercial structure shall install a graywater recycling system to reuse the maximum practicable amount of graywater on site.”*

Despite administrative changes made to the program in 2022, 56% of sites are providing adequate documentation to be classified as “Not-Feasible,” meaning customers have provided documentation that their site cannot successfully accommodate a graywater system. Incorporating options other than graywater into the requirement would decrease the number of Not-Feasible sites, helping achieve intended water savings from new connection applicants. Applicants would have flexibility in choosing an option that works best at their site.

During the Water Efficiency and Communications Committee meeting on May 30, 2023 staff presented a proposal to expand the current graywater requirements to allow alternative compliance through implementing one of the following for all new connections and substantial remodels:

- Installation of drought-tolerant, “low” or “very low” plant material (as classified by WUCOLS) in 100% of any new or rehabilitated planting areas that total at least 500 square feet in size, utilizing no irrigation or low-volume irrigation.
- Install a graywater system; or
- Install a rainwater catchment system which has a minimum capacity of 500 gallons; or
- Irrigate site with recycled water (required where available)

To implement this change, the current graywater code requirements would be revised to incorporate the options outlined above. The applicability of the new ordinance would remain the same as the current Graywater Ordinance:

*“All applicants requesting a water service for a new residential or commercial structure which requires the installation of a new service, and all applicants requesting an*



*enlarged water service for a “substantial” remodel to an existing residential or commercial structure.”*

The lowest cost option to implement the current graywater requirement is by installing a “stub-out.” A stub-out entails installation of the interior or plumbing portion of a Laundry-to-Landscape graywater system, which costs approximately \$750-1,000 fully installed for a retrofit site. For the graywater to offset potable water use in the landscape, additional components at a cost of approximately \$750-1,000 would be required. The annual savings for a Laundry-to-Landscape System are estimated to be 4,400 gallons per residence per year. The Graywater installation requirement is currently only triggered when a site is under construction, so these cost estimates should be considered on the high end of the lowest cost Laundry-to-Landscape option. For more complex systems, staff has seen installation costs as high as \$16,000 for an 80 gpd, whole house retrofit system. These cost estimates are based on sites completing retrofits. New construction and substantial remodels will likely have lower costs for whole house systems.

As part of staff’s proposal, rainwater catchment systems would be added as an alternative option. To comply with this option, customers would need to install a system with a minimum of 500 gallons of storage capacity. This minimum capacity has been added recognizing not all parcels have the available space or topography to have a large rainwater system onsite. The cost for a professionally installed 500 gallon rainwater catchment system is approximately \$2,500 based on receipts submitted for the District’s rainwater rebate. The annual savings are estimated to be 1,000 gallons per residence per year.

Staff proposes that drought tolerant landscaping also be added as a compliance option. Customers could choose to install “low” or “very low” water use plant material in 100% of any new or rehabilitated planting areas which total a minimum of 500sqft. For sites required to complete Landscape Plan Review for their project area, this requirement would limit their ability to install the 25% “high” water use plant material, which is currently allowed. Using an assumed installation cost of \$8/sqft this option would cost approximately \$4,000 for the minimum area of 500sqft. The annual savings are estimated to be a minimum of 3,700 gallons per residence per year, assuming there are no additional water savings captured from prior irrigation in the project area. The project cost and water savings will vary greatly depending on the size and design of the project area.

District code requires the use of recycled water for any new applicants for water service whose properties may be served by recycled water. Including this option could be deemed redundant, yet staff recognizes that if recycled water is used on site, there is no need to require additional compliance.

The staff recommendation is as follows:

- Revise the current District Code requirements for graywater by adoption of a new Ordinance providing new compliance methodologies to be effective upon adoption.

### *Non-Functional Turf Ordinance*

Since the 2021 water shortage emergency the Board has been committed to minimizing Non-Functional Turf (NFT) in the District service area. The Board took action on March 15, 2022 to define non-functional turf and prohibit the installation of new non-functional turf on non-residential sites. There is interest to understand the opportunities and challenges with accelerating the replacement of the estimated 1.5 million sqft (35 acres) of identified, existing NFT. Converting these areas to locally appropriate, low water use plant material would result in approximately 164 AF water savings each year.

A path to accelerate the replacement of NFT could be adopting a Non-Functional Turf Ordinance, which would adopt a future irrigation prohibition that would take effect at date certain in the future. Based on the 35 acres of non-residential NFT, staff believes that a 4-year timeframe, beginning January 1, 2024, would provide an appropriate timeframe for customers to transition from a voluntary, incentive driven, initiative to a mandate prohibiting the irrigation of NFT with District water becoming effective January 1, 2028.

To support District customers with expediting the conversion, staff has developed robust incentive options for the Boards consideration. All of the options incorporate the NFT grant funding of \$685,125 awarded to the Sonoma - Marin Saving Water Partnership from the Bureau of Reclamation's Water and Energy Efficiency Grant. This grant funding provides a contribution of 45% of a \$1.50/sqft (\$0.68/sqft) rebate for 1,015,000 sqft for up to 3-years or until the funds are exhausted. The Districts minimum contribution is 55% of a \$1.50/sqft (\$0.82/sqft) rebate.

A robust rebate level was developed, with a declining annual scale with the goal of motivating non-residential customers to complete their turf conversion project while the rebate is higher. The grant funding will offset a portion of the rebate for up to 1,015,000 sqft. These rebate amounts can be adjusted based on Board feedback.

- Sample Rebate:
  - Year 1: \$6/sqft from January 1, 2024 - December 31, 2024
  - Year 2: \$4/sqft from January 1, 2025 - December 31, 2025
  - Year 3: \$1.50/sqft from January 1, 2026 - December 31, 2026
  - Year 4: \$0.50/sqft from January 1, 2027 - December 31, 2027

Staff has anticipated the participation level for Year 1 will align with the funds available in the adopted FY24 budget. The adopted FY24 budget allocated \$410,000 to turf rebates and the Board allocated an additional \$700,000 to the Water Efficiency budget which could be used for the NFT Rebate. If the sample rebate for Year 1 was implemented the NFT Rebate would result in 208,000 sqft being replaced in Year 1, if all funds were exhausted. The cost for the NFT

Rebate in Year 1 would be \$2,479/acft. If participation exceeds this budgeted amount, there is an opportunity to redirect incentive funds from other programs, if funding is not fully utilized.

Many of the sites identified as NFT have not been verified by District staff and there may be additional areas that non-residential customers identify as turf that provide no value which could be removed to provide water savings beyond the current NFT measurements. To maximize water savings staff proposes allowing any non-residential turf area which meets the minimum area of 250sqft to be eligible for the applicable NFT rebate.

Due to the nature of the NFT sites, replanting will not be required. Proposed NFT Rebate Program requirements would include:

- Ensuring a site specific strategy to maintain tree health
- Conversion from overhead spray to drip or low volume irrigation
- Mulch applied to rebated area
- Replanting where appropriate, with a focus on planting trees

Following the four years of a voluntary, incentive driven initiative a mandate prohibiting the irrigation of NFT with District potable or raw water would become effective January 1, 2028, aligning with the prohibition on irrigating new non-functional turf with District water. The prohibition would apply for all services as follows:

*On and after January 1, 2028, nonfunctional turf irrigated with district water shall be prohibited.*

While staff have attempted to capture the various legitimate uses of non-residential turf in the definition of non-functional turf as already set forth in the District Code, there may be instances where variances are appropriate. Staff will strive to ensure that any variance granted for both new development code and the conversion of existing non-functional turf is consistent. The variance process is intended to provide reasonable accommodations for sites and users which are not explicitly captured in the code.

In 2028, enforcement of the Non-Functional Turf irrigation prohibition would need to be addressed for any sites that have not taken action to cease irrigation. There are two primary options for enforcement: reducing the site water budget, thus forcing non-residential customers to pay a higher tier for irrigating NFT and/or utilize the enforcement notification procedures set forth in District Code 13.02.060 to educate the customer through notifications which may eventually lead to fines for continued noncompliance.

The State's Emergency Drought Regulation prohibiting irrigation of decorative turf grass has been renewed and extended to June 2024. To date, the only correspondence received by non-residential customers on this regulation is to inform them of this rule when it was enacted in

June 2022. If this regulation becomes permanent, the District's NFT Ordinance could be deemed unnecessary, including any incentive program providing rebates for removal of NFT.

The staff recommendation is as follows:

- Adopt a prohibition on irrigating NFT, effective January 1, 2028.
  - Implement the Non-Functional Turf tiered, declining rebate starting at \$6/sqft
  - Limit the Year 1 NFT rebate to \$1.11M; the amount budgeted for NFT Rebates and the \$700,000 reassigned to Water Efficiency by the Board
  - Establish a minimum rebate area of 250sqft
  - Allow any non-residential (Commercial, Industrial, Institutional, Dedicated Irrigation) customer to participate in the NFT Rebate Program
- Determine the level of enforcement needed at mid-point, in early 2026 for compliance with the irrigation prohibition.

#### **FISCAL IMPACT**

Programmatic Changes: The current Toilet and Clothes Washer Rebate funds could be reallocated to the Custom CII Rebate if adopted, or to other continuing incentive programs. This proposal would have no fiscal impact.

Changes to the graywater requirements would have no fiscal impact on the District.

Non-Functional Turf Ordinance and Rebate: The irrigation prohibition, which would be adopted by Ordinance to go into effect on January 1, 2028 would have no fiscal impact. The NFT Rebate Program could require additional funds if a cap on expenditures is not in place. The adopted FY24 budget allocated \$410,000 to turf rebates and the Board allocated an additional \$700,000 to the Water Efficiency Budget which would be used for the NFT Rebate. The staff recommendation of \$6/sqft for the NFT Rebate would result in 208,000 sqft being replaced in Year 1, if all funds were exhausted.

#### **ATTACHMENT(S)**

None

## Approval Item

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**TITLE**

Dual Noticing of Board Committee Meetings as Special Board Meetings

**RECOMMENDATION**

Consider dual noticing of committee meetings as special board meetings and determine whether to continue the practice

**BACKGROUND**

Staff provided an update at the March 28<sup>th</sup> Finance and Administration Committee/Special Board Meeting regarding the District's current practice of dual noticing all standing committee meetings as both committee/special board meetings. The Board elected not to change this practice at that time, but requested that this issue be revisited mid-year.

**DISCUSSION**

Standing Committees are created by the Board and consist solely of less than a quorum. Each committee consists of two board members annually appointed by the Board President, with the advice and consent of the other Board members. The purpose of a standing committee is to cover a "continuing subject matter jurisdiction" and to provide a venue for routine and regular consideration and recommendations on items within that specific subject matter. Standing Committees of the Board are subject to the requirements of the Brown Act.

Pursuant to direction provided by the Board of Directors in January 2020, the District dually notices each committee meeting as both a committee and a special board meeting, which allows all Directors to attend and participate. In accordance with the Board Handbook, the Board typically does not take action at a dually noticed committee/special Board meeting, unless there is an urgent need to act.

The Board has discussed revisiting the practice of dual notice for committee meetings and may choose to direct noticing of committee meetings only, which would still allow non-committee Directors to attend the committee meetings, but not to sit at the dais, speak or participate in the meeting.

The Board may want to consider a pilot to change dual noticing of standing committee meetings for a period of six months, as a point of comparison to the District's current practice. While the Board has taken this step in the past and chose to reinstate dual noticing, this was several year ago and prior to new membership currently on the Board. Further, all committee meetings are now recorded and viewable to all Board members and the public online following the meetings.



**RECOMMENDATION:** Consider whether there is an interest in revising the District’s current practice of dually noticing the committee meetings as special board meetings and provide direction to staff.

**FISCAL IMPACT**

There is no fiscal impact from this item.

**ATTACHMENT(S)**

None

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
General Counsel		
	Molly MacLean General Counsel	Ben Horenstein Executive Director



## Informational Item

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**TO:** Board of Directors

**FROM:** Terrie Gillen, Board Secretary

**THROUGH:** Ben Horenstein, General Manager

**DIVISION NAME:** Communications & Public Affairs Department

**ITEM:** Future Meeting Schedule

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### 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)

- Tuesday, August 1, 2023  
Regular Bi-Monthly Meeting of the Board of Directors  
6:30 p.m.
- Tuesday, August 15, 2023  
Regular Bi-Monthly Meeting of the Board of Directors  
6:30 p.m.
- 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.

External Meeting(s)

- Friday, August 4, 2023  
NBWA Meeting  
Zoom and In-Person at Napa Sanitation District (1515 Soscal Ferry Road, Napa)  
9:30 a.m.
- Monday, August 7, 2023  
Sonoma WAC/TAC Meeting  
35 Stony Point Road, Santa Rosa, CA  
9:00 a.m.

**FISCAL IMPACT**

None

**ATTACHMENT(S)**

None