

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
August 16, 2005**

**CALL TO ORDER**

President Baker called the regular meeting of the Board of Directors of North Marin Water District to order at 7:30 p.m. at the District headquarters and the agenda was accepted as presented. Present were Directors Jack Baker, Rick Fraites, Steve Petterle, Dennis Rodoni and John Schoonover. Also, present were General Manager Chris DeGabriele, Acting Secretary Renee Roberts, Auditor-Controller David L. Bentley and Chief Engineer Drew McIntyre.

District employees Robert Clark (Facilities Maintenance Superintendent), Mike McMaster (Operations Superintendent) (8:00), Joyce Arnold (District Secretary) and David Jackson (Associate Engineer) were in the audience. Also attending were Aldo Gigliotti and Curt Kruger from Novato Horsemen, Inc. and Brian Smith representing the Bolinas Community Public Utilities District's West Marin Mosquito Control Committee.

**MINUTES**

On motion of Director Rodoni, seconded by Director Schoonover and unanimously carried the Board approved the minutes from the previous meeting as amended.

On motion of Director Fraites, seconded by Director Petterle and unanimously carried the Board approved the minutes from the adjourned meeting (August 9, 2005) as mailed.

**GENERAL MANAGER'S REPORT**

**Black Point Partnership**

The General Manager reported that he spoke with Mr. Maddow, District legal counsel, regarding Black Point Partnership, and that legal counsel advised that the amount to research the title report and the review of financial statements increased from \$12,500 to \$17,500. He stated that Black Point Partnership has been so advised and the payment will be received by Wednesday, August 17, 2005. Mr. DeGabriele will keep the Board apprised.

**Grass Fire at Stafford Lake**

Mr. DeGabriele reported to the Board that a grass fire near the treatment plant at Stafford Lake occurred Monday evening. He said that there was no appreciable damage reported and that the Novato Fire Protection District contacted the District's on-call person who then responded.

### Labor Day at the Lake

Mr. DeGabriele advised the Board that Labor Day at the Lake is scheduled for Sunday, September 4, 2005. He stated that the lake is high this year necessitating an earthen pad be constructed adjacent to the shore line, and that a fence will be installed between the picnic area and the lake as a safety measure to the attendees and that the fireworks will be lower and smaller shells will be used.

### Joint Board Meeting

Mr. DeGabriele stated that a joint meeting with the Boards of Directors of Marin Municipal Water District and North Marin for the purpose of exploring areas of mutual interest will be scheduled some time in October. He requested that the Board advise him if there is a date that is not available, and President Baker stated that he would be on vacation for the first two weeks in October.

### **OPEN TIME**

President Baker asked if anyone in the audience or staff wished to bring up an item not on the agenda and the following items were discussed:

#### Palmer Drive Tank Workshop

Mr. McIntyre reported that on August 4, 2005 the District conducted a workshop on the Palmer Drive Tank project for the purpose of keeping the area homeowners apprised of the project. He stated that David Jackson and Mark Soldati and Pat Collins of Winzler & Kelly were present to answer any questions from the audience. Mr. McIntyre said that approximately 450 notices were sent to area homeowners and seven people attended. He stated that except for one person all were supportive of the project. He said that the next step is to work closely with the homeowners' association in regards to the alternative siting of the tank.

#### Tour of Stafford Treatment Plant

Director Fraites reported that he toured the new treatment plant at Stafford Lake and he was very impressed with the facility and encouraged all Board members to tour the facility.

#### Drought Tolerant Garden

Director Fraites also reported that he held a brief conversation with County Supervisor Charles McGlashan who said he would explore using County funds to construct a garden at the District's office for the purpose of promoting drought tolerate landscaping to the public.

## **MONTHLY PROGRESS REPORT**

Mr. DeGabriele stated that this report is for the first month of the new Fiscal Year. Water production in Novato was up 5% from last year, but that water production in West Marin had decreased 11%. He noted that Stafford Treatment Plant is still not producing water; however, the operating trials are moving along well. He said that Stafford Lake is higher than normal for this time of year because water is not being produced, and that the Oceana Marin pond freeboards are at safe levels.

Mr. DeGabriele said that the District has had twenty days without lost time since the injury reported in July. He said that at last month's meeting, Director Fraites requested a review of energy conservation data, and Mr. DeGabriele handed out a table of annual water and energy use comparison for the past three years. He said that both energy costs and energy usage have decreased since 2003. Mr. Clark added that all new pumps at the Stafford Treatment Plant are high efficiency pumps and that the District has applied for a PG&E rebate in the amount of \$45,000 for installing the new high efficiency pumps at the high service lift station.

Mr. Bentley reviewed the Auditor-Controller's Monthly Report of Investments which shows a 2.93% increase in yield. He added that the Cash-on-Hand summary shows the connection fee fund at over \$4M and that that amount is sufficient to fund the District's Palmer Drive Tank Project.

## **CONSENT CALENDAR**

On the motion of Director Schoonover, seconded by Director Rodoni and unanimously carried the following items were approved on the consent calendar (the item regarding the Water Agreement – Bel Marin Keys Storage was removed from the consent calendar for additional discussion):

### **Water Agreement - Bel Marin Keys Storage**

This item was removed from the Consent Calendar for clarification and discussion.

Director Rodoni inquired as to why twelve Equivalent Units for irrigation was calculated for this project. Mr. McIntyre responded that this is a self-storage project located on approximately nine acres. He explained that all the landscape plans met District's non-turf requirement for commercial projects and the project consists of all drought tolerant plants utilizing drip irrigation.

Director Rodoni requested that staff come back to the Board at a future meeting with an explanation of why there is that much irrigation required on that project and whether it is the applicant's preference or driven by the City of Novato or Novato Fire Protection District

requirements. Mr. Jackson said that the landscape plans show trees and groundcover bordering the roadways.

On motion of Director Schoonover and seconded by Director Fraites, the Board unanimously approved Resolution 05-30 entitled, "Water Service Facilities Construction Agreement for Bel Marin Keys Self Storage."

#### ACWA Region 1 Voting Delegate and Election Candidate

The Board authorized the appointment of Chris DeGabriele as North Marin Water District's ACWA authorized Voting Delegate and endorse the Region 1 Nominating Committee's recommendations for Officers and Representatives.

#### Disbursements

The Board authorized payroll and accounts payable vouchers totaling \$1,163,761.56.

#### **ACTION CALENDAR**

#### **APPROVE RESOLUTION OF APPRECIATION (JOYCE ARNOLD, NMWD EMPLOYEE 1983 – 2005)**

Mr. DeGabriele stated that Joyce Arnold, District Secretary, will be retiring at the end of September after twenty-two years of dedicated service to the District. He stated the Resolution of Appreciation is to acknowledge Ms. Arnold's many contributions to the District and to extend best wishes to her on behalf of the General Manager, Board of Directors, Staff and District customers.

President Baker stated that Ms. Arnold will be greatly missed.

On motion of Director Fraites and seconded by Director Schoonover, the Board unanimously approved Resolution 05-31 entitled, "Resolution of Appreciation to Joyce Arnold."

#### **APPROVE APPOINTMENT OF NEW DISTRICT SECRETARY EFFECTIVE SEPTEMBER 1, 2005**

Mr. DeGabriele stated that Renee Roberts will be replacing Joyce Arnold as District Secretary and requested that the Board appoint Ms. Roberts effective September 1, 2005.

Director Schoonover inquired whether Ms. Roberts will be joining a community service organization on behalf of the District. Mr. DeGabriele stated that she will.

On motion of Director Rodoni and seconded by Director Baker, the Board unanimously authorized the appointment of Renee Roberts as District Secretary effective September 1, 2005.

Ms. Arnold requested a moment to speak before the Board. She stated that becoming a District officer was a milestone in her life and that her twenty-two years of employment at the District have been remarkable. She thanked the Board for hiring general managers, specifically John

Nelson and Chris DeGabriele, who are exemplary leaders and have the capacity to bring out the best in their employees. She stated that she is proud of her co-workers for their service to the community and she is proud to be an employee of North Marin and delighted to be a retiree.

The Board thanked Ms. Arnold and she left the meeting.

### **APPROVE NOVATO HORSEMEN WATER AGREEMENT**

Mr. McIntyre introduced Mr. Aldo Gigliotti and Mr. Curt Kruger of Novato Horsemen, Inc. (NHI). He reviewed the history of the current water agreement with NHI and stated that the District has been providing water service to NHI since 1966 and that in 2001, the District reviewed NHI's water usage after being noticed by the County of Marin of the legalization of the caretaker's mobile home. Mr. McIntyre stated that for several years (since 1989), NHI was supplementing its 5/8-inch water meter with a hydrant meter during the summer months for dust control use in the horse arena, and that during that time, NHI's water usage increased significantly. Mr. McIntyre stated that in 2003 he advised NHI that the supplemental water use could not continue, and that since then, NHI has worked to improve their system to provide additional on-site storage and has reduced their water usage in the last two years. Mr. McIntyre stated that staff determined that, even with their reduction in water use, NHI's future water use will average two Equivalent Dwelling Units (EDU). He stated that in order to determine the entitlement, staff looks at the first ten years of water usage history and that this has been the standard approach of the District. He stated that the NHI disagrees with staff's standard approach for establishing historical entitlement for services established prior to Facilities Reserve Charges based on EDUs in 1973. Mr. McIntyre stated that it is NHI's position that based upon their historical usage that the District should allocate NHI's entitlement at two EDUs, and therefore, there would be no additional charge and no need for this agreement. He noted that since the NHI facility was established in 1966, entitlement was measured by the size of the meter instead of EDUs.

David Jackson, Associate Engineer, explained staff's method of determining the entitlement for services using a graphical presentation of NHI's historical water usage spanning approximately forty years.

Mr. Aldo Gigliotti of NHI stated that in 1966, NHI paid connection fees based upon the meter size. He said that in 2001, NHI was approached by the District to come up with a permanent connection and after study and design it was determined that a new service line was not necessary. He stated that the issue is the amount of water that NHI is entitled to based on the original agreement. He stated that using the first ten years of historical use does not present an accurate picture.

Mr. Curt Kruger stated that the original agreement between NHI and the District allowed for an entitlement based upon the size of the meter. He said that NHI disputes the standard method the District uses to determine the additional EDU saying it is inconsistent with District Regulation 1.c.

Director Rodoni stated that if this was a new application and the EDUs were based on the clubhouse, caretaker's unit and arena, the entitlement would be more than two EDUs. He stated that this was a fair entitlement.

Director Fraites asked if it is the District's standard policy to average ten years' usage and Mr. McIntyre replied that yes it is.

Directors Schoonover and Petterle both stated that they felt the District was being fair and both agreed with staff.

Director Baker noted that staff is trying to be consistent and agreed with staff's assessment.

On motion of Director Rodoni seconded by Director Fraites, the Board unanimously approved Resolution 05-33 entitled, "Water Service Facilities Construction Agreement for Novato Horsemen."

Messrs. Gigliotti and Kruger thanked the Board and left the meeting.

**APPROVE CONSULTING CONTRACT WITH BRACEWELL ENGINEERING – OCEANA MARIN MASTER PLAN UPDATE**

Drew McIntyre reported that in 1996 Bracewell Engineering, Inc. prepared a Long Range Master Plan for the Oceana Marin Sewer Service Area that addressed current and future sewer connections in Oceana Marin. He stated that a pre-application has been submitted to the county for subdivision of the 16.7 acre "Parcel K" and stated that Parcel K must be annexed into the District's service area before sewer services can be provided. Mr. McIntyre stated that he met with the Applicant and the Applicant's engineer and that he informed the Applicant that the Long Range Master Plan for Oceana Marin requires updating in order to evaluate the current treatment and disposal system capacities and subsequent feasibility of providing sewer service to said parcel. Mr. McIntyre stated that in response to the District's request, Bracewell Engineering provided a proposal to update the Long Range Master Plan for a fee of \$12,200. The Applicant has made an application and paid \$15,000 for the study plus staff costs.

On motion of Director Rodoni and seconded by Director Petterle, the Board unanimously authorized the General Manager to execute a contract with Bracewell Engineering, Inc. in the amount of \$12,200 for a Master Plan Update of the Oceana Marin Wastewater System.

**INFORMATION ITEMS:**

**PRESENTATION REGARDING WEST MARIN MOSQUITO CONTROL COMMITTEE RECOMMENDATIONS**

Mr. Barry Smith, a representative of the Bolinas Community Public Utilities District's West Marin Mosquito Control Committee (Committee), made an informational presentation to the Board. He stated that he was advocating for the Committee's recommended protocol in how to control mosquitoes in West Marin. Mr. Smith advised the Board that the residents of West Marin communities are very concerned about the use of pesticides and the possible public health effects. He stated that there is also concern about introduction of mosquito fish to control mosquitoes in the West Marin area because of possible effects on the natural environment, especially endangered species, i.e. Coho salmon. He stated that several West Marin special districts, associations, Supervisor Kinsey and the National Park Service have supported the protocol recommendations of the West Marin Mosquito Control Committee. He stated that he is requesting the North Marin Water District consider writing a letter of support of these protocols.

After much discussion the Board requested that this item be brought back as an action item on a future agenda to consider support of the Committee's recommended protocol.

Mr. Smith thanked the Board and left the meeting.

**QUARTERLY PROGRESS REPORT – MAINTENANCE DEPARTMENT**

Mr. Clark presented the Board with a progress report on the Maintenance Department activities for the fourth quarter of FY 04/05. He reported that all twenty-two activities have been completed in the Transmission & Distribution area and that building and grounds activities have increased due to weed and grass eradication as well as catch-up on deferred maintenance.

Mr. Clark reported that there have been staff changes in the Electrical/Mechanical (E/M) section due to the retirement of Lou Butti and the promotion of Kerry Lemos. He reported that Mike Baccei is now working as an apprentice in the E/M section, working closely with Mr. Lemos and Roman Latanyszyn as well as attending electrical classes. Mr. Clark stated that the majority of projects have been completed except for the completion of the security fence and the mainscape improvements.

**QUARTERLY PROGRESS REPORT – OPERATIONS DEPARTMENT**

Mr. McMaster provided the Board with a PowerPoint presentation regarding the fourth quarter as well as the end of the fiscal year on the Operations Department for FY 04/05. He stated that as a result of heavy early rains last winter, Stafford Lake filled rapidly causing the lake to spill on January 1, 2005. The maximum lake elevation of 197.50 feet occurred in February. He reported

that rainfall for this fiscal year is 39.13 inches which is more than the ten-year average. Mr. McMaster reported that two unique situations affected aqueduct flows this quarter: the shutdown of Stafford Treatment Plant during the construction and the shutdown of the aqueduct during the Redwood Landfill overpass project. He reported that in the West Marin system, the treatment plant operators finished repairs to the chemical injection systems without shutting down the plant and the work was done efficiently and economically. He also stated that two significant leaks occurred in Point Reyes which were indicated in the monitoring system reports.

### **YEAR END REPORT – FY IMPROVEMENT PROJECTS – ENGINEERING DEPARTMENT**

Mr. McIntyre provided the Board with the fiscal year end status report of improvement projects for the Engineering Department, including a photo presentation of certain projects. He reported that of the fifty-six improvement projects, fifty-three were completed under budget and that thirty-three improvement projects were the sole responsibility of the Engineering Department. He stated that the majority of Novato and West Marin projects were completed at or below the original budget and that no budget augmentation was needed during this fiscal year for either Novato or West Marin improvement projects. He stated that the mid-year projected completion performance for Novato was 88% and the actual project completion was 82%. He noted that in West Marin 82% of projects were completed of a mid-year projected 85% project completion.

Director Baker commended the Engineering Department on a job well done.

### **MISCELLANEOUS:**

The Board received the following miscellaneous information: Letter from Consumer re Minimum Charge (Salerno), Bill Adjustment Policy Graphics, Outstanding Invoices, California Water Service Company Letter dated August 1, 2005 re Rates and NMWD History of Liability Claims Paid.

The Board also received the following news articles: Novato Water – It's Worth Saving! (8/10/05), Conservation Key to Water Supply (8/5/05), NMWD Plans Pt. Reyes System Improvements (8/4/05), Novato Water – It's Worth Saving! (8/3/05) and Huge Milestone by Petaluma on Sewer Plant (7/30/05).

### **ADJOURNMENT**

President Baker adjourned the meeting at 9:50 p.m.

Submitted by

Renee Roberts  
Acting District Secretary