

**NORTH MARIN WATER DISTRICT  
MINUTES OF REGULAR MEETING  
OF THE BOARD OF DIRECTORS  
December 20, 2005**

**CALL TO ORDER**

President Schoonover 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 District Secretary Renee Roberts, Auditor-Controller David Bentley and Chief Engineer Drew McIntyre. General Manager Chris DeGabriele was absent.

District employees Robert Clark (Facilities Maintenance Superintendent), Mike McMaster (Operations Superintendent), Doug Moore (Construction Superintendent), Ryan Grisso, Program Manager, Sonoma County Water Agency and Bob Abeling were in the audience.

**CLOSED SESSION**

President Schoonover immediately adjourned the Board into closed session for the purpose of Conference with Real Property Negotiators (David Bentley), regarding property in West Marin (Government Code Section 54956.8).

**OPEN SESSION**

Upon returning to regular session at 7:43 p.m., President Schoonover stated that the Board unanimously voted to authorize the General Manager to enter into negotiations with Point Reyes National Seashore for properties they are interested in and market the other properties for private sale.

**MINUTES**

On motion of Director Petterle, seconded by Director Fraites, the Board approved the minutes from the previous meeting as mailed by the following vote:

AYES: Directors Fraites, Petterle, Rodoni and Schoonover  
NOES: None  
ABSTAIN: Director Baker  
ABSENT: None

## **GENERAL MANAGER'S REPORT**

### **Baker's Dozen H2O**

Due to the absence of the General Manager, Mr. Bentley reported that Mr. DeGabriele will be attending the Baker's Dozen H2O meeting hosted by Gary Giacomini on Wednesday, December 21, 2005.

He also advised the Board that Mr. DeGabriele will be out of state from Thursday, December 22, 2005 to Wednesday, December 28, 2005.

### **OPEN TIME**

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

Mr. Bob Abeling, 1625 Indian Valley Road, stated that he would like to see the District's Board agenda posted on the District's website 72 hours before the meeting and that the approved minutes also be posted. There was a brief discussion and staff will investigate posting the agenda on the website in the near future.

Mr. Bentley reported that the District received written approval from the State Water Resources Control Board on the State Revolving Fund loan for the Recycled Water Project.

Mr. Bentley also reported that new state legislation requires that directors of special districts attend an ethics class some time in 2006, and that the California Special Districts Association has requested that the District provide a site for a class to be held in Novato on April 7, 2006. Mr. Bentley advised that the District's directors' tuition would be free if North Marin hosted the workshop. There was no objection by the Board; however, Director Fraites stated that the North Bay Watershed Association conference is scheduled for the same day. Mr. Bentley stated he would see if another date could be arranged for the workshop.

Mr. McIntyre stated that Michelle Leonard, Project Manager with Harris & Associates, is ill and unable to attend tonight's meeting, and requested that Item 11 be deferred to the next meeting.

Mr. McIntyre stated that he was scheduled to make a presentation to the Bel Terre homeowner's association board meeting regarding the lot line adjustment for the Palmer Drive tank, but that the meeting was cancelled due to lack of a quorum. He stated that the property manager assured him that the HOA board president will sign the documents necessary to move the process forward.

## **MONTHLY PROGRESS REPORT**

Mr. Bentley reviewed the November Monthly Progress Report stating that water production in Novato is up 10% over last year, production in West Marin is down 10% over the last year and that no water has been produced at Stafford Treatment Plant due to the construction project. He noted that 829 new meters have been added over the past twelve months, and in the Safety/Liability category, the District enjoyed 72 days without a lost time accident; however, an employee suffered a back injury which put the calendar back to 0 as of December 2. He stated that 439 toilets and 179 washing machines were rebated over the past five months. The Auditor-Controller reported that the LAIF account is 23% of portfolio and that \$1,031,000 was received from the SRF, and that the Complaint Report will be back on track next month when the now vacant Receptionist/Cashier position is filled.

## **CONSENT CALENDAR:**

On the motion of Director Fraites, seconded by Director Baker and unanimously carried the following items were approved on the Consent Calendar:

### **Cooperative Agreement for Funding and Administration of NMWD Water Conservation Programs FY 2005/06**

The Board authorized the General Manager to execute the Cooperative Agreement with Sonoma County Water Agency for Funding and Management of the North Marin Water District Water Conservation Program FY 2005/2006. The subject agreement is consistent with the California Urban Water Conservation Council's Best Management Practices.

### **Renewal of Oceana Marin Liability Insurance**

The Board approved the purchase of liability insurance for Oceana Marin through the California Sanitation Risk Management Authority (CSRMA) for an annual premium not-to-exceed \$6,000 effective January 1, 2006. The District's annual premium for Oceana Marin sewer improvement liability insurance will see an increase of less than 5% in 2006.

### **Disbursements**

The Board authorized payroll and accounts payable vouchers totaling \$1,045,501.41.

## **ACTION CALENDAR**

### **BILL ADJUSTMENT POLICY REVISION**

Mr. Bentley provided a PowerPoint presentation to the Board illustrating the current Bill Adjustment Policy with graphical examples. He also included a historical perspective of NMWD bill adjustment policies, other agencies' policies and staff's proposed policies including a Split-the-Difference adjustment policy, District Cost (whereby the customer's usage in excess of normal

would be billed at the cost the District pays for its water from SCWA) and the existing formula (150% of normal use, plus use in excess of 150% of normal at 25% of the normal rate). He stated that the reason the Board requested revising the current policy is due to the difficulty customers have in understanding the formula.

Mr. Bentley stated that approximately one year ago, after the adoption of the Conservation Incentive Rate, customers who experienced a leak and found their water use exceeded the CIR threshold of 150 Ccf, but was not 2 times their normal bill, did not qualify for the District's bill adjustment policy. In response, the District adopted a leak adjustment policy for those customers who could demonstrate they had experienced a leak. He stated that staff proposes to lower the threshold to qualify for a bill adjustment to 150% of normal and eliminate the leak adjustment, moving the District back to a single policy applicable to all customers regardless of the reason for their high bill. A discussion followed.

Director Rodoni stated that the existing policy, while giving the best benefit to the customer, is confusing and no one understands it. He stated that the goal is to make a policy that is easy to understand and be fair. He stated that "split-the-difference" is the way to accomplish this.

Director Petterle suggested having a cap on the amount customers pay, noting that even after an adjustment, some customers may not be able to make payment. He also advocated for a one time only adjustment for high bill due to negligence on the part of the customer.

After further discussion on the amount of threshold to use for qualification for an adjustment, whether there should be a cap on the amount of adjustment, and whether to eliminate the leak adjustment policy, the Board reached a consensus that the "split the difference policy" using a threshold of 150% of normal use, would be integrated into a new policy and that Mr. Bentley will present the new policy for Board approval at a future meeting.

#### **APPLICATION FOR A STATE REVOLVING FUND LOAN – STAFFORD LAKE SEDIMENT REDUCTION PROJECT**

Mr. McIntyre reported that the District is applying for a State Revolving Fund Loan in the amount of \$135,000 for slide repair on the Grossi Ranch. He stated that a report prepared by Prunuske Chatham, Inc. (May 2004), entitled, "Stafford Lake Watershed Erosion Site Assessment," identified this landslide as a high priority repair project and that there is a high potential of excess sedimentation being introduced into Stafford Lake if this landslide is not repaired. He stated that a resolution approved by the Board of Directors authorizing submittal of the SRF Loan Application is a requirement and must be included with the application, but the District is not committed to accepting the loan.

Mr. McIntyre stated that the General Manager is in communication with Mr. Grossi to develop a cooperative financial arrangement, and that in the meantime, staff will move forward with the loan application as a funding mechanism.

On motion by Director Rodoni, seconded by Director Baker and unanimously passed, the Board authorized Resolution 05-47 entitled, "Resolution of the Board of Directors of North Marin Water District – Safe Drinking Water State Revolving Fund Loan."

**INFORMATION ITEMS:**

**HARRIS & ASSOCIATES RE STAFFORD TREATMENT PLANT REHABILITATION PROJECT PROGRESS REPORT NO. 9**

This item was deferred to January 3, 2006 due to the illness of Michelle Leonard, Project Manager for Harris & Associates.

**WATER CONSERVATION SCHEDULE UPDATE 2005**

Ryan Grisso, Sonoma County Water Agency Water Conservation Program Manager for North Marin Water District reviewed the past year's programs and presented the 2006 schedule for water conservation activities. He outlined the programs in the following categories, Public Outreach; Residential Program Schedule; Large Landscape Schedule; Commercial, Industrial, Institutional (CII) Program Schedule; Water Efficiency Regulatory Schedule; New Programs to Consider; Regional and Statewide Programs.

He stated that in the Public Outreach category he will again attend the Novato Farmer's Market and give away canvas bags with the District's logo to market-goers as a means to promote District water conservation programs. He said that the Residential Program for 2006 will be the same as the previous year with the addition of the initiation and management of the Weather-Based Irrigation Controller Replacement Program and initiation and management of the Swimming Pool Cover Rebate Program. Mr. Grisso also said that in the Large Landscape Schedule, 10 more sites will be targeted for audits and the 2005 programs will continue; the CII Program will continue as before; and the Water Efficiency Regulatory Program will continue developing "new development" requirements for water use efficiency in all customer sectors. Mr. Grisso also reviewed new programs under consideration including continuation of the Senior Citizen Toilet Replacement Program (in partnership with Novato Sanitary District); Urinal Replacement Program with Novato Unified School District; High Efficiency Toilet Replacement (Rebate) Pilot Program; initiation of tiered commodity rate structures and reinstate movie theatre and community access television advertisements. Mr. Grisso reviewed the regional and statewide programs including the Sonoma

Marin Saving Water Partnership and Marin Municipal Water District Water Conservation Cooperation.

Mr. Grisso distributed handouts with information on waterless urinals, and charts prepared by Bill Maddaus, consultant for Sonoma County Water Agency, depicting the per capita water usage of SCWA contractors, and he answered questions from the Board.

**MISCELLANEOUS:**

The Board received the following miscellaneous information: Cost of Annual sick Leave Buy-Back Benefit, 2005 Fall ACWA Conference, State Water Resources Control Board approval of State Revolving Fund Preliminary Loan Commitment.

The Board also received the following news articles: Wallace Assumes Post Vacated by Graves (12/14), Climate Strategy for State Proposed (12/9), Officials: RP Woman Admits to Theft from Water District (12/9), The Battle Over Toilet Testing (12/8), RP Woman Suspected of Embezzling \$150,000 (12/8), Embezzlement at Water District (12/7), NMWD Cashier Admits \$150,000 Embezzlement (12/7).

**ADJOURNMENT**

President Schoonover adjourned the meeting at 9:33 p.m.

Submitted by

Renee Roberts  
District Secretary