



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

Wednesday, November 06, 2024 at 5:30 PM

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## AGENDA

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### LOCATIONS:

#### **Open Session to start at or after 6:30 p.m.**

Marin Water Board Room – 220 Nellen Avenue, Corte Madera, CA 94925

#### **Closed Session begins at 5:30 p.m.**

Marin Water Mt. Tam Conference Room, 220 Nellen Avenue, Corte Madera, CA 94925

### **Public Participation:**

The public may attend this meeting in-person or remotely using one of the following methods:

On a computer or smart device, go to: <https://marinwater.zoom.us/j/88134852296>

By phone, dial: **1-669-444-9171** and use Webinar ID: **881 3485 2296**

### **HOW TO PROVIDE PUBLIC COMMENT:**

**During the Meeting:** Typically, you will have 3 minutes to make your public comment, however, the board president may shorten the amount of time for public comment due to a large number of attendees. Furthermore, pursuant to Government Code, section 54954.2 (the Brown Act), the Board may not take action or discuss any item that does not appear on the agenda.

-- **In-Person Attendee:** Fill out a speaker card and provide to the board secretary. List the number/letter (ex: 6a) 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.

-- **Remote Attendee:** Use the "raise hand" button on the bottom of the Zoom screen. If you are joining by phone and would like to comment, press \*9. The board secretary will use the last four digits of your phone number to call on you (dial \*6 to mute/unmute).

**In Advance of the Meeting:** Submit your comments by email in advance of the meeting to [boardcomment@marinwater.org](mailto:boardcomment@marinwater.org). To ensure that your comment is provided to the Board of Directors prior to the meeting, please email your comment 24 hours in advance of the meeting start time. Comments received after this cut off time will be sent to the Board after the meeting. Please do not include personal information in your comment such as phone numbers and home addresses.

## AGENDA ITEMS:

1. **Call to Order and Roll Call**
2. **Adoption of Agenda**
3. **Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s)**

Following announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session. The Board will convene to Closed Session in the Mt. Tam Conference Room after public comment.

- a. **Conference with Legal - Existing Litigation**

(California Government Code §54956.9)

California Native Plant Society, Marin Audubon Society, and Marin Conservation League vs. Marin Municipal Water District

Case No. CV0004078

Adjourn closed session and reconvene to open session in the Board Room and via Zoom.

4. **Reconvene to Open Session; Closed Session Report Out**

5. **Public Comment on Non-Agenda Matters**

This is the time when any person may address the Board of Directors on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Board.

6. **Directors' and General Manager's Announcements (6:40 p.m. – Time Approximate)**

7. **Board Committee Reports**

Each Committee Chair or Vice Chair will provide a report on recent committee meetings. Directors may ask questions or provide brief comments or requests for additional information on an item.

8. **Consent Items (6:50 p.m. – Time Approximate)**

All Consent Items will be enacted by a single action of the Board, unless specific items are pulled from Consent by the Board during adoption of the agenda for separate discussion and action.

- a. Minutes of the Board of Directors' Regular Bi-Monthly Meeting on October 15, 2024

**RECOMMENDATION:** Approve the minutes

- b. Amendment No. 3 to Agreement 6240

**RECOMMENDATION:** Authorize the General Manager to execute Amendment No. 3 to Agreement 6240 with Black and Veatch to extend the contract date and expand the scope of services in support of grant application development for critical infrastructure projects, increasing the budget by \$205,000 from the current, not to exceed amount of \$95,000, and a new total not to exceed amount of \$300,000

- c. Amendment No. 1 to Professional Service Agreement with Best, Best and Krieger LLP for Environmental Law and Litigation Legal Services

**RECOMMENDATION:** Approve Amendment No. 1 to MA-6328, professional services agreement with Best, Best and Krieger to add \$200,000 for environmental law and litigation legal services

- d. Amendment No. 2 to Professional Service Agreement with Kronick, Moskovitz, Tiedemann & Girard for Water Law and Environmental Legal Services

**RECOMMENDATION:** Approve Amendment No. 2 to MA-6200, professional services agreement with Kronick, Moskovitz, Tiedemann & Girard to add \$200,000 for water and environmental law and legal services

- e. Contract Amendment with Acclamation Insurance Management Services (AIMS) for Liability Claims Management

**RECOMMENDATION:** Approve a Fifth Amendment to Miscellaneous Agreement (MA) No. 5204 with AIMS to add \$50,000 for liability claims management services through June 30, 2025

- f. Adopt the 2024 Revised Marin Municipal Water District Board of Directors Handbook

**RECOMMENDATION:** Adopt the 2024 Revised Marin Municipal Water District Board of Directors Handbook (Board Handbook) setting forth the recently reviewed revisions and updates, including incorporation of appropriate provisions of the Board's Ethics Policy, Board Policy No. 50, and sunset Board Policy No. 50

- g. Award of Contract No. 2019 Marin City Phase I Pipeline Replacement Project (GC25005)

**RECOMMENDATION:** Approve a resolution authorizing award of Contract No. 2019, Marin City Phase I Pipeline Replacement Project, to Maggiora & Ghilotti, Inc. in the amount of \$2,594,594; and, approve a reimbursement agreement with the County of Marin for paving costs and authorize the Board President to execute the agreement

- h. Request to Fill Records Manager Position in the Engineering Division

**RECOMMENDATION:** Authorize the General Manager to recruit and hire one Records Manager in the Engineering Division

- i. Purchase of SCADA Replacement Equipment to Replace Outdated Equipment at the Bon Tempe Treatment Plant

**RECOMMENDATION:** Authorize the General Manager to execute a purchase order for replacement SCADA Equipment from Graybar to replace the outdated SCADA Equipment at the Bon Tempe Treatment Plant in the amount of \$159,576

- j. Enterprise Resource Planning (ERP) Software Modernization

**RECOMMENDATION:** Approve an agreement with SAP SuccessFactors for software entitlements required to modernize the District's Enterprise Resource Planning software

**9. Regular Items (6:55 p.m. – Time Approximate)**

- a. Grant Program Update

**RECOMMENDATION:** Receive a staff update on the District's recent grant activities

- b. Nicasio Spillway Environmental Compliance Contract

**RECOMMENDATION:** Authorize the General Manager to execute a professional services agreement with Environmental Science Associates (ESA) for the Nicasio Spillway Modification Project Environmental Review, Permitting, and Fisheries Services Contract in the amount of

\$1,738,360 with a staff requested contingency of \$260,754, for a total not to exceed amount of \$1,999,114

**10. Future Board and Committee Meetings and Upcoming Agenda Items**

This schedule lists upcoming board and committee meetings as well as upcoming agenda items for the next month, which may include Board interest in adding future meeting items. The schedule is tentative and subject to change pending final publication and posting of the meeting agendas.

**a. Upcoming Meetings**

**11. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s) - None.**

Following announcement of Closed Session items and prior to recess into Closed Session, the public may speak up to three minutes on items to be addressed in Closed Session. The Board will convene to Closed Session in the Mt. Tam Conference Room after public comment.

**12. Reconvene to Open Session; Closed Session Report Out - Not applicable.**

**13. Adjournment (7:30 p.m. – Time Approximate)**

**ADA NOTICE AND HEARING-IMPAIRED PROVISIONS**

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water’s policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact the Board Secretary/ADA Coordinator at 415.945.1448, at least two business 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 Administration Building, and [marinwater.org](http://marinwater.org).*

Posted: 11-01-2024