



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

Tuesday, October 01, 2024 at 5:30 PM

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## MINUTES

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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 attended this meeting in-person or remotely using one of the following methods: on a computer or smart device, <https://marinwater.zoom.us/j/88134852296>, or by phone, 1-669-444-9171 using Webinar ID #: 881 3485 2296.

### AGENDA ITEMS:

#### 1. Call to Order and Roll Call

President Ranjiv Khush called the meeting to order at 5:30 p.m.

#### DIRECTORS PRESENT

Larry Russell  
Monty Schmitt  
Jed Smith  
Ranjiv Khush

#### DIRECTOR ABSENT

Matt Samson

## 2. Adoption of Agenda

General Counsel Molly MacLean requested that the Board consider adding a late item to the agenda for Closed Session: Conference with Legal Counsel - Existing Litigation, California Native Plant Society, et al. v. Marin Municipal Water District, Case No. CV0004078, which was served on the District after the posting of the agenda. Pursuant to California Government Code 54954.2(b)2, the Board may add this item to the agenda by a unanimous vote.

A motion was made by Director Schmitt and seconded by Director Smith to add the new agenda item.

Voting Yea: Directors Schmitt, Smith, Russell, and Khush

There were no public comments.

A motion was made by Director Smith and seconded by Director Schmitt to approve the amended agenda.

Voting Yea: Directors Schmitt, Smith, Russell, and Khush

## 3. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s)

President Khush announced the upcoming Closed Session Items.

There were no public comments.

The Board convened to Closed Session and went to the Mt. Tam Conference Room.

### a. Conference with Legal Counsel - Anticipated Litigation

Exposure to Litigation (California Government Code §54956(b))

Number of Cases: Unknown

### b. (New) Conference with Legal Counsel - Existing Litigation

(California Government Code §54956.9)

California Native Plant Society, et. al. v. Marin Municipal Water District  
Case No. CV0004078

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

The Board came back to the Board Room at 6:21 p.m.

President Khush reconvened the Open Session at 6:30 p.m., and stated that the Board had adjourned the Closed Session at 6:20 p.m. with no actions to report.

## 5. Public Comment on Non-Agenda Matters

There were six (6) public comments.

## 6. Directors' and General Manager's Announcements

- Director Smith reported that he attended the Marin Stables Annual Summer Fiesta and met with some residents in San Geronimo Valley discussing water efficiency programs.
- President Khush reported that he met with staff, some residents in San Geronimo Valley, and a representative from Supervisor Rodoni's Office to discuss safe paths to school.
- General Manager Ben Horenstein noted the recent federal district court decision directing the US EPA to reevaluate the risk of water fluoridation, and shared that the District would continue to adhere to California State Law and the voters' initiative requiring the addition of fluoride to the District's drinking water.

## 7. Board Committee Reports

Watershed Committee Vice Chair Monty Schmitt, Operations Committee Chair Larry Russell, and Finance & Administration Committee Chair Jed Smith, provided highlights from their committee meetings that took place last month.

## 8. Consent Items

- a. Minutes of the Board of Directors' Regular Bi-Monthly Meeting on September 17, 2024

**RECOMMENDATION:** Approve the minutes

- b. FY2025 - FY2027 Forestry Services General Services Agreement (CN 2034)

**RECOMMENDATION:** Approval of 'Forestry Services' General Services Agreement (CN 2034) in the amount of \$2,902,344 to the qualified low bidder Forster and Kroeger for continued implementation of the Biodiversity, Fire and Fuels Integrated Plan (BFFIP) and support of the Lagunitas Creek Watershed Enhancement Project

- c. Approve Contract MA-6356 with O'Connor Environmental Inc.

**RECOMMENDATION:** Approve MA-6356 with O'Connor Environmental Inc. for Lagunitas Creek sediment and streambed monitoring to support WR95-17 compliance and guide ongoing restoration planning in the amount of \$154,443

A motion was made by Director Smith and seconded by Director Schmitt to approve the Consent Calendar.

There were no public comments.

Voting Yea: Directors Schmitt, Smith, Russell, and Khush

## 9. Regular Items

### a. Capital Program Update

**RECOMMENDATION:** Receive a staff update on the third quarter Capital Improvement Program

Engineering Director Alex Anaya provided a presentation.

Discussion followed.

There were no public comments.

This was an information item. No formal action was taken.

### b. Request to Add Four Additional Positions in the Engineering Division

**RECOMMENDATIONS:**

1. Board authorization to create four new full time positions within the Engineering Division to be funded through the Capital Improvement Program Budget, and
2. Authorize the General Manger to recruit and hire two Associate Engineers, one Construction Inspector II and one Engineering Technician all within the Engineering Division

Engineering Director Anaya also presented this item.

The Board provided comments.

There were no public comments.

A motion was made by Director Smith and seconded by Director Schmitt to approve the recommendations.

Voting Yea: Directors Schmitt, Smith, Russell, and Khush

### c. Ordinance No. 467 Amending and Adding Watershed Use Regulations & Proposed Additions and Increases of Certain Watershed Fines

**RECOMMENDATION:** Adopt Ordinance No. 467 amending and adding watershed use regulations to Title 9 of the Marin Municipal Water District Code; Approve resolution updating the Watershed Fines Schedule adding fines for violations of the new regulations set forth in Ordinance 467 and increasing fines for certain violations

Watershed Resources Director Shaun Horne & Chief Ranger Don Wick presented this item.

Discussion ensued.

There were no public comments.

A motion was made by Director Smith and seconded by Director Schmitt to adopt the ordinance and resolution.

Voting Yea: Directors Schmitt, Smith, Russell, and Khush

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

a. Upcoming Meetings

The Board Secretary listed upcoming internal and external meetings in the month of October.

There were no comments.

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

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

**13. Adjournment**

There being no further business, the Marin Water Board of Directors' Meeting adjourned on October 1, 2024, at 7:39 p.m.



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Terrie Gillen, CMC  
Board Secretary

The minutes were approved at the Board of Directors' Regular Bi-Monthly Meeting on October 15, 2024.