



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

Tuesday, June 04, 2024 at 6:30 PM

AGENDA

LOCATIONS:

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

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

Outside location for Director Larry Russell, Venetian Hotel, Business Center, 3355 S. Las Vegas Blvd., Las Vegas, NV 89109

Outside location for Director Monty Schmitt, 5932 Miners Creek Road, Etna, CA 96027

Closed Session to immediately follow

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. 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) - None.**
- 4. Reconvene to Open Session; Closed Session Report Out - Not applicable.**
- 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 Directors' Regular Meeting on May 21, 2024

RECOMMENDATION: Approve the meeting minutes

- b.** Water and Energy Efficiency Grant Funding

RECOMMENDATION: Approve the Water and Energy Efficiency Grant funding and authorize the General Manager to execute the grant agreement with Sonoma Water

- c.** Asphalt Concrete Paving and Concrete Work Contract (CN 2031)

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2031, Asphalt Concrete Paving Restoration and Concrete Work Contract to W.K. McLellan Co. Inc.

- d.** Award of Contract No. 2032 for the 2024 Anode Replacement Contract (D24024) to Exaro Technologies Corporation

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2032, for the 2024 Anode Replacement Contract, to Exaro Technologies Corporation in the amount of \$67,850

- e.** Request for Marin County Elections to Perform Election Services for November 2024 District Elections

RECOMMENDATION: Adopt a resolution calling for and consolidating the election of District Directors in Divisions II and V with the November 5, 2024 Statewide General Election, and requesting that the Marin County Elections Department perform all necessary election services and canvassing of said election

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

- a.** Capital Program Update, Request to Fill Two Construction Inspectors and One Environmental Specialist in the Engineering Division

RECOMMENDATION:

1. Receive staff update on the status of the Capital Program
2. Authorize the General Manger to recruit and hire two Construction Inspectors in the Engineering Division
3. Authorize the General Manger to recruit and hire one Environmental Specialist in the Engineering Division

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)

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 Counsel - Pending Litigation

(California Government Code §54956(a))

Arbitration, Minerva Rogina and Marin Municipal Water District

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

12. Reconvene to Open Session; Closed Session Report Out

13. Adjournment (8:30 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.

Posted: 05-31-2024



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

Tuesday, May 21, 2024 at 6:30 PM

MINUTES

LOCATIONS:

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

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

Outside location for Director Larry Russell, Red Hawk Resort Hotel, Business Center, 1 Redhawk Parkway, Placerville, CA 95667

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 Khush called the meeting to order at 6:30 p.m.

DIRECTORS PRESENT

Larry Russell
Monty Schmitt
Jed Smith
Matt Samson
Ranjiv Khush

2. Adoption of Agenda

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

There were no public comments.

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

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

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

5. Public Comment on Non-Agenda Matters

There were two (2) public comments.

6. Directors' and General Manager's Announcements

- Director Smith reported that he attended a Sonoma Water Meeting on May 2nd, where there was discussion of renewing the contract between Sonoma Water and Marin Water. He also reported that he attended One Tam's 10th Anniversary on May 9th and the Point Blue event later that evening.
- Vice President Samson reported that he, too, attended the One Tam event, as well as the Marin Realtors Annual Meeting on May 10th, and California Water Association Spring Policy Symposium on May 16th. He also announced that he was planning to attend the June 12th Tomales Bay Foundation meeting.
- Director Russell reported that he attended the Sonoma Water Advisory Committee (WAC) meeting on May 7th.

7. Board Committee Reports

- President Khush provided a summary of the agenda items discussed at the Communications & Water Efficiency Committee Meeting on May 15th and Director Russell presented highlights from the Operations Committee Meeting/Special Meeting of the Board of Directors that took place on May 17th.

8. Consent Items

President Khush read the following items that were on the Consent Calendar.

- a. Minutes of the Board Directors' Special Meeting on April 25, Regular Meeting on April 30, and Special Meeting on May 1

RECOMMENDATION: Approve the meeting minutes

- b. General Manager's Report April 2024

RECOMMENDATION: Approve Report

- c. Emergency Contracting Provisions West Peak Power Pole Removal

RECOMMENDATION: Adopt a resolution approving the continuing use of the District's emergency contracting procedures for West Peak Emergency Power Pole Removal, to Pinnacle Power Services as executed by the General Manager to ensure prompt removal of downed and partially downed power poles and associated infrastructure at West Peak

- d. Approve Updates to Board Travel Reimbursement and Compensation Policies
RECOMMENDATION: Approve revised Board Policy No. 41 (Travel Reimbursement) and Board Policy No. 42 (Compensation)
- e. Conveyance of Easement to Marin County for Widening of Pt. Reyes - Petaluma Road
RECOMMENDATION: Approve and authorize the General Manager to finalize and execute an easement agreement and any related documents with the County of Marin for the widening of Pt. Reyes - Petaluma Road
- f. FY 2025 Purchase of Water Treatment Chemicals
RECOMMENDATION: Authorize the General Manager to execute agreements for the purchase of water treatment chemicals in an amount not to exceed \$2,326,866
- g. Water Efficiency Program – Proposed Changes to Incentives
RECOMMENDATION: Approve the proposed changes to the District water efficiency incentives
- h. Microsoft Enterprise Agreement
RECOMMENDATION: Authorize the General Manager to finalize and execute a Licensing Solution Provider Agreement with Dell Marketing LP to provide Microsoft M365 Services in an amount not to exceed \$434,351 over a three-year period

A motion was made by Director Smith and seconded by Vice President Samson to adopt the Consent Calendar.

There was one (1) public comment.

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

9. Regular Items

- a. Award of Contract No. 2022 for the Lagunitas Creek Coho Habitat Enhancement Phase 1A Project (GC-21001), Approval of ESA Contact MA 5884 Amendment No. 2, and Approval of CDFW Grant Resolution Accepting Funds for the Phase II Design Work
RECOMMENDATION:
 - 1. Approve a resolution awarding Contract No. 2022 for the Lagunitas Creek Coho Habitat Enhancement Project to Hanford Applied Restoration & Conservation
 - 2. Approve contract Amendment with ESA for Design of Phase 2 and Construction Support Services for Phase 1A and 1B
 - 3. Approve California Department of Fish and Wildlife Grant Resolution to accept funds for design of Phase 2

Watershed Resources Director Shaun Horne and Fisheries Program Manager Jonathan Koenig presented the Lagunitas Creek Coho Habitat Enhancement Project, proposed construction and design of phase 2.

Discussion ensued.

There were no public comments.

A motion was made by Director Smith and seconded by Director Schmitt to approve all three items within the recommendations.

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

b. Legislative Update

RECOMMENDATION: Receive a legislative update and consider adopting a position of support on Senate Bill (SB) 867 and Assembly Bill (AB) 2257

Watershed Resources Director Horne provided updates on SB 867 and AB 2257 and sought feedback from the Board.

A motion was made by Director Schmitt and seconded by Director Smith to continue to watch SB 867.

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

A motion was made by Vice President Samson and seconded by Director Schmitt to support AB 2257.

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

There were no public comments.

10. Future Board and Committee Meetings and Upcoming Agenda Items

a. Upcoming Meetings

The directors proposed the following items to be discussed at future meetings.

- A motion was made by Director Smith and seconded by President Khush to have a high-level staff presentation about contract negotiations with Sonoma in the next couple of months.
- Director Schmitt inquired about a future item to look at the impacts on Ross Creek when transferring water from Phoenix Lake to Bon Tempe Lake. General Counsel MacLean stated that staff had been completing additional work on this issue and planned to bring the Phoenix-Bon Tempe Project to the Board in the near future.

The Board Secretary announced upcoming internal and external meetings. A correction was made that the next Finance & Administration Committee Meeting on May 23rd would begin at 9:30 a.m. instead of 5 p.m.

- 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 Board of Directors' Regular Bi-Monthly Meeting adjourned at 7:33 p.m.

Board Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: Water and Energy Efficiency Grant Funding
From: Paul Sellier, Director of Water Resources
Through: Ben Horenstein, General Manager
Meeting Date: June 4, 2024

TYPE OF ACTION: X Action Information Review and Refer

RECOMMENDATION: Approve the Water and Energy Efficiency Grant funding and authorize the General Manager to execute the grant agreement with Sonoma Water

SUMMARY: Staff presented the grant funding to the Board at the May 15, 2024 Communications and Water Efficiency Committee Meeting. The District has been awarded grant funding to support the District’s water efficiency incentives through a grant application submitted by the Sonoma County Water Agency (Sonoma Water). The award allows use of funds for many rebates issued since April 2022. The remaining funds will be used for future turf rebates and smart irrigation controllers.

DISCUSSION: This item was previously presented at the Communications and Water Efficiency Committee on May 15, 2024.

The United States Bureau of Reclamation (Bureau) has awarded WaterSMART FY 2023 Water and Energy Efficiency grant program funds to the Sonoma-Marin Saving Water Partnership (Partnership), which is administered by Sonoma Water. The grant supports a regional drought resiliency program that will offer consumer rebates for water saving measures, including turf removal, replacement of inefficient clothes washing machines, installation of home water-use monitoring devices, and smart irrigation controllers. The grant application, prepared by Sonoma Water on behalf of the Partnership, requested \$2,000,000 in grant funds to implement the program. Partners will each administer their own rebate programs and provide the required matching funds for the 3-year program, beginning in 2023.

Marin Water’s portion of the 3-year grant funding is \$722,000 with \$882,000 in matching funds and the grant funding must be utilized by September 30, 2026. The grant award provides specific rebate levels and total grant funds for each different incentive program. Due to the delayed implementation of the grant contracts, the Bureau is allowing for pre-award submittal for rebates issued starting in April 2022 on smart controllers, toilet and clothes washer rebates. Marin Water is able to utilize these

pre-award funds to receive reimbursement of \$31,612.50 as shown in the table below. Turf rebates issued prior to award of the grant are excluded from the pre-award reimbursement per the Bureau.

Incentive Costs Pre- Award of Grant Eligible for Reimbursement

Program	Grant Funded Rebate	Pre-Award Submittal (units)	Pre-Award Invoice (\$)	Incentive Program Maximum (\$)	Amount Remaining (\$)
High Efficiency Washer Rebate	\$45.00	220	\$9,900	\$9,900	\$0
HE Toilet Rebate - 0.80 toilets	\$67.50	65	\$4,387.50	\$4,387.50	\$0
Smart Irrigation Controller	\$45.00	385	\$17,325	\$22,500	\$5,175
Reimbursement Total			\$31,612.50		

Staff recommends the \$685,125 in turf grant funding be utilized to provide a higher turf conversion rebate, while grant funds are available. The terms of the grant would allow the turf rebate to be increased by \$0.68/ sqft bringing the total rebate amount available to the customer up to \$2.18/ sqft for the standard rebate and \$3.68/ sqft for the best practices rebate. Once the grant funds are exhausted the rebate would go back to the current level of \$1.50 and \$3.00 for the standard and best practices rebate, respectively.

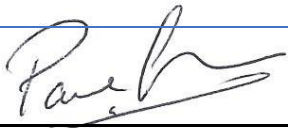

Staff recommends the smart irrigation controller remain at the current rebate level of \$100/controller and the grant funds be utilized to offset a portion of the District’s contribution to the rebate. With the pre-award submittal, 77% of the smart controller grant funding is already exhausted and therefore this program needs less of a boost to fully utilize the grant funds.

Sonoma Water is in the process of finalizing the contract terms with the Bureau. Once the agreement is signed, Sonoma Water will provide a pass through agreement for each of the partners, including the District. Approval of this item will allow the General Manager to execute the agreement with Sonoma Water, pending legal review and approval.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources		
	<hr/> <p data-bbox="646 369 987 436">Paul Sellier Water Resources Director</p>	<hr/> <p data-bbox="1110 369 1344 436">Ben Horenstein General Manager</p>



STAFF REPORT

Meeting Type: Board of Directors
Title: Asphalt Concrete Paving and Concrete Work Contract (CN 2031)
From: Alex Anaya, Director of Engineering
Through: Ben Horenstein, General Manager
Meeting Date: June 4, 2024

TYPE OF ACTION: X Action Information Review and Refer

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2031, Asphalt Concrete Paving Restoration and Concrete Work Contract to W.K. McLellan Co. Inc.

SUMMARY: The Operations Committee reviewed this item on May 17, 2024, and referred it to a future Regular Bi-Monthly Meeting of the Board of Directors to consider contract award.

On May 21, 2024, the District received and opened one (1) bid for the Asphalt Concrete Paving Restoration and Concrete Work Contract to furnish labor, equipment, and materials for asphalt concrete paving and concrete flatwork restoration associated with water facilities repairs and maintenance performed by the Operations Division. W.K. McLellan Co. Inc., submitted the lowest responsive and responsible bid in the amount of \$13,899,201. Staff reviewed the bidding sheet schedule submitted by W.K. McLellan Co. Inc., and found the pricing to be within expectations.

Staff recommends that the Board of Directors approve a resolution awarding Contract No. 2031 to W.K. McLellan Co. Inc., in the amount of \$13,899,201, and authorizing the General Manager to execute the contract as well as any necessary amendments to Contract No. 2031 which do not exceed \$700,000. The project is categorically exempt from the California Environmental Quality Act (CEQA) pursuant to Section 15301(c) of the CEQA Guidelines as the work consists of repair or maintenance activities to existing streets, sidewalks, gutters, and similar facilities with no expansion of use.

DISCUSSION: The Asphalt Concrete Paving Restoration and Concrete Work Contract (CN 2031) is a component of the District’s Paving Program, which utilizes a construction contract to perform asphalt concrete paving and concrete repairs after District crews perform necessary water system maintenance or repairs. The work will occur anywhere within the District’s service area. This contract is estimated to perform more than 400 individual asphalt concrete and concrete site restorations per year. The average restoration size typically ranges from 230 square feet to 320 square feet, while the square foot area of any individual restoration may be significantly greater or less than this average.

Therefore, the contract award and contingency is a not to exceed amount, but could be less depending on the actual needs of the District.

The daily maintenance, repairs, and system improvements performed by District’s crews require excavations in asphalt and concrete. The different city jurisdictions and the county of Marin require that the site be restored to a condition that meets their restoration standards upon completion of work. This restoration work is critical and costly as local jurisdictions are increasingly emphasizing the importance of maintaining and improving the conditions of roadway infrastructure.

The base contract term will cover a 36-month period commencing July 1, 2024 and ending June 30, 2027, and contains two options for the District to extend the contract in 1-year increments for a fourth and fifth year (ending June 30, 2028, and June 30, 2029, respectively). In the event that the District chooses to exercise the option to extend the term of the Contract for an additional year, contract unit prices adjustments are limited by a factor not greater than the Engineering News-Record (ENR) Construction Cost Index (CCI) for the San Francisco Bay Area.

On May 21, 2024, the District received one (1) bid for the contract. Bid results are provided in Table 1.

**Table 1
Bid Results
Contract No. 2031 Asphalt Paving Restoration and Concrete Work Contract**

Bid Rank	Contractor Name	Bid Amount
1.	W.K. McLellan Co. Inc.	\$13,899,201

W.K. McLellan Co. Inc. submitted the lowest (and only) responsive and responsible bid. Staff reviewed the bidding sheet schedule submitted by W.K. McLellan Co. Inc., and found the pricing to be within expectations. Average asphalt and concrete unit pricing for the 2025 fiscal year remained flat from the prior fiscal year. Bid pricing aligns with District engineering estimates, historical asphalt unit pricing escalations, and the ENR CCI.

Staff are familiar with W.K. McLellan Co. Inc. as they are currently under contract to perform asphalt concrete paving and concrete work for the District. Their performance to date has been satisfactory.

W.K. McLellan Co. Inc. hold a Class A – General Engineering License, License No. 240701, which is current and active, and expires on 6/30/2025. As required by State Law, W.K. McLellan Co. Inc. is registered with the California Department of Industrial Relations under PWCR Number 1000017099. Following contract award, District Staff will register the Project with the California Department of Industrial Relations.

Summaries of the estimated Project costs and schedule are provided below.

Estimated Contract Amounts:

Fiscal Year 2025 Contract Award:	\$4,198,254
Fiscal Year 2026 Contract Award:	\$4,621,204
Fiscal Year 2027 Contract Award:	\$5,079,743
3-Year Total Contract Award:	\$13,899,201

5% Contingency: \$700,000
Total Estimated 3-Year budget: \$14,599,201

Contract Implementation:

Contract Award: June 4, 2024
3-Year Base Contract Period: July 1, 2024 - June 30, 2027
Optional 4th Year Extension: June 30, 2028
Optional 5th Year Extension: June 30, 2029

ENVIRONMENTAL REVIEW: Staff has reviewed the Project pursuant to the California Environmental Quality Act (CEQA) and has found that the Project is Categorical Exempt pursuant to CEQA Guidelines Section 15301(c), Existing Facilities. The Project qualifies for exemption pursuant to Section 15301(c), inasmuch as the work consists of repair or maintenance activities to existing streets, sidewalks, gutters, and similar facilities with no expansion of use.

FISCAL IMPACT: Funding for this contract will come from the Operating budget and various capital and reimbursable projects for FY25, FY26 and FY27. Approximately 85% of the total costs of this contract are associated with Fund 10 (Operations), while 10% and 5% of the costs are associated with Fund 20 (Capital Projects) and Fund 40 (Reimbursable Projects), respectively.

Fund Center 10-6220-5810 (construction contracts) is currently budgeted for \$4,406,000 for the 2025 fiscal year. Staff will budget funds for this contract in future fiscal years under various operating and capital fund centers.

ATTACHMENT(S):

- 1. Proposed Resolution
- 2. Draft Notice of Exemption

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Engineering	 <hr/> Alex Anaya Engineering Director	 <hr/> Ben Horenstein General Manager

Attachment: 01

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2031 TO W.K. MCLELLAN CO., INC. FOR ASPHALT CONCRETE PAVING RESTORATION AND CONCRETE WORK

WHEREAS, on April 23, 2024, the District advertised Contract No. 2031, Asphalt Concrete Paving Restoration and Concrete Work Contract, which will perform asphalt and concrete paving restoration work at various locations within the District’s service area; and

WHEREAS, the District received and publicly opened one (1) bid on May 21, 2024, of which W.K. McLellan Co., Inc. bid of \$13,899,201 was the lowest response and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of \$13,899,201 submitted by W.K McLellan Co., Inc., for Contract No. 2031 Asphalt Concrete Paving Restoration and Concrete Work Contract, was the lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.
2. A Contract for this project be awarded to said low bidder, and the General Manager is authorized and directed to execute said Contract on behalf of the District upon receipt of a performance bond, payment bond, proof of insurance, and the executed contract for the work from said bidder.
3. The General Manager is authorized to execute any and all future amendments to the Contract, which he deems necessary, without further Board approval, so long as those amendments to the Contract do not exceed \$700,000.
4. Upon complete execution of said Contract, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than that of W.K. McLellan Co., Inc. are to be rejected.
5. The project is Categorically Exempt from review under Section 15301(c) of the CEQA Guidelines inasmuch as the work consists of repair or maintenance activities to existing streets, sidewalks, gutters, and similar facilities with no expansion of use.

PASSED AND ADOPTED this 4th day of June 2024 by the following vote of the Board.

AYES:

NOES:

ABSENT:

Ranjiv Khush
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



Notice of Exemption

Filing Requested By and When Filed Return To:

Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925
Attn: Alex Anaya, Director of Engineering

Project Title: Asphalt Concrete Paving Restoration and Concrete Work

Project Location: Various Locations

Project Location – County: Marin

Project Description: The Contract is for furnishing labor, equipment, and materials for asphalt concrete paving and concrete flatwork restoration associated with water facilities repair and maintenance activities performed by the Marin Municipal Water District. The work will occur at various locations anywhere within the District’s service area in the County of Marin, California.

Public Agency Approving Project: Marin Municipal Water District

Name of Person or Agency Carrying Out Project: Marin Municipal Water District

CEQA Exemption Status: Categorical Exemption Section 15301(c), Existing Facilities.

Reason for Exemption: This project qualifies for exemption pursuant to Section 15301(c) of the CEQA Guidelines inasmuch as the work consists of repair or maintenance activities to existing streets, sidewalks, gutters, and similar facilities with no expansion of use.

Project Approval: The Marin Municipal Water District Board of Directors approved the award of a contract, which represents project approval as defined by Section 15352 of the Guidelines for Implementation of the California Environmental Quality Act, at their regularly scheduled meeting on June 4, 2024.

Lead Agency Contact Person: Alex Anaya, Marin Municipal Water District

Telephone: (415) 945-1100

Alex Anaya, Director of Engineering **Date**



STAFF REPORT

Meeting Type: Board of Directors

Title: Award of Contract No. 2032 for the 2024 Anode Replacement Contract (D24024) to Exaro Technologies Corporation

From: Alex Anaya, Director of Engineering

Through: Ben Horenstein, General Manager

Meeting Date: June 4, 2024

TYPE OF ACTION: X Action Information Review and Refer

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2032, for the 2024 Anode Replacement Contract, to Exaro Technologies Corporation in the amount of \$67,850

SUMMARY: This item was reviewed by the District Operations Committee on May 17, 2024, and was referred to the Board for contract award. The 2024 Anode Replacement Contract will install 59 new magnesium anodes at 53 corrosion test sites throughout the County of Marin to improve cathodic protection of the water distribution system.

DISCUSSION: The 2024 Anode Replacement Contract is a component of the District’s Capital Improvement Program. The District has approximately 6,930 corrosion test stations throughout the distribution system, most of which utilize magnesium anodes, to prevent corrosion damage to the pipelines. These magnesium anodes extend the useful life of the pipelines by preventing leaks and costly damage caused by corrosion. Magnesium anodes gradually deplete over time and have a typical service life of 20 to 30 years. Once depleted, the anode requires replacement in order to provide adequate protection for the pipeline against corrosion. Maintaining the operation of cathodic protection systems is a cost-effective means of preventing premature failure and/or replacement of pipelines in the distribution system.

The District routinely replaces depleted anodes on an annual or bi-annual basis. Anodes needing replacement are determined by the District’s Corrosion Control Technicians when performing system testing and maintenance, and are based on pipe-to-soil readings and current output readings.

On May 9, 2024, the District opened five (5) bids, as shown in Table 1, for the 2024 Anode Replacement Contract. Exaro Technologies Corporation submitted the lowest responsive and responsible bid in the amount of \$67,850. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 2032 to Exaro Technologies Corporation in the amount of

\$67,850 and authorize the General Manager to execute the contract as well as any necessary amendments to Contract No. 2032, which does not exceed \$6,800.

**Table 1
Bid Results
2024 Anode Replacement Contract**

Bid Rank	Contractor Name	Bid Amount
1.	Exaro Technologies Corporation	\$67,850
2.	W.R. Forde Associations	\$73,875
3.	Corcus Construction, Inc.	\$75,800
4.	D&D Pipelines, Inc.	\$83,700
5.	Michael Paul Company, Inc.	\$103,309

Engineer’s Estimate: \$72,100

Summaries of the estimated project costs and schedule are provided below.

Budget:

Contract Award:	\$ 67,850
Contingency (10%):	\$ 6,800
Materials Fees:	\$ 16,800
District Labor/Inspection:	\$ 23,800
Total Budget	\$115,250
Budget Category:	A1A01

Project Implementation:

Project Advertisement:	April 23, 2024
Bid Opening:	May 9, 2024
Project Award:	June 4, 2024
Estimated Completion Date:	September 2, 2024
Duration:	90 days

ENVIRONMENTAL REVIEW: The Director of Engineering has found that the Project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guideline Section 15302 (c), Replacement of Reconstruction. The project qualifies for exemption pursuant to Section 15302 (c) inasmuch as it is the replacement of cathodic protection involving negligible or no expansion of capacity.

FISCAL IMPACT: The total cost to complete the 2024 Anode Replacement Contract is estimated at \$115,250, which has been identified in the CIP adopted budget.

ATTACHMENT(S):

1. Resolution
2. Draft Notice of Exemption

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Engineering	 Alex Anaya Engineering Director	 Ben Horenstein General Manager

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2032 TO EXARO
TECHNOLOGIES CORPORATION FOR THE 2024 ANODE REPLACEMENT CONTRACT**

WHEREAS, on April 23, 2024, the District advertised Contract No. 2032 for the 2024 Anode Replacement Project (D24024), which will install 59 new magnesium anodes at 53 corrosion test sites throughout the County of Marin; and

WHEREAS, the District received and publicly opened five (5) bids on May 9, 2024, of which Exaro Technologies Corporation bid of \$67,850 was the lowest response and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES THAT:

1. The bid of \$67,850 submitted by the Exaro Technologies Corporation for the 2024 Anode Replacement Contract under Contract No. 2032 (“Contract”) was the lowest responsive and responsible bid submitted therefor, and said bid is hereby accepted.
2. A Contract for this project be awarded to said low bidder, and the General Manager is authorized and directed to execute said Contract on behalf of the District upon receipt of a performance bond, payment bond, proof of insurance, and the executed contract for the work from said bidder.
3. The General Manager is authorized to execute any and all future amendments to the Contract, which he deems necessary, without further Board approval, so long as those amendments to the Contract do not exceed \$6,800.
4. Upon complete execution of said Contract, the bonds and/or checks of the other bidders are to be returned to said other bidders, and all bids other than that of the Exaro Technologies Corporation are to be rejected.
5. The project is Categorically Exempt from review under Section 15302(c) of the CEQA Guidelines inasmuch as it is the replacement of cathodic protection involving negligible or no expansion of capacity.

PASSED AND ADOPTED this 4th day of June, 2024, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Ranjiv Khush
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Notice of Exemption

Attachment 2



Filing Requested By and When Filed Return To:

Marin Municipal Water District
220 Nellen Ave
Corte Madera, CA 94925
Attn: Alex Anaya, Director of Engineering

Project Title: 2024 Anode Replacement Contract (D24024)

Project Location: Various locations throughout Marin County

Project Location – County: Marin

Project Description: This Project will install 59 new magnesium anodes at 53 corrosion test sites throughout the County of Marin to improve cathodic protection of the water distribution system as part of the District’s Capital Improvement Program.

Public Agency Approving Project: Marin Municipal Water District

Name of Person or Agency Carrying Out Project: Marin Municipal Water District

CEQA Exemption Status: Categorical Exemption Section 15302(c), Replacement or Reconstruction.

Reason for Exemption: This project qualifies for exemption pursuant to Section 15302(c) of the CEQA Guidelines inasmuch as it is the replacement of existing cathodic protection involving negligible or no expansion of capacity.

Project Approval: The Marin Municipal Water District Board of Directors approved the award of a contract for project construction, which represents project approval as defined by Section 15352 of the Guidelines for Implementation of the California Environmental Quality Act, at their regularly scheduled meeting on June 4, 2024.

Lead Agency Contact Person: Alex Anaya, Marin Municipal Water District

Telephone: (415) 945-1588

Alex Anaya, Director of Engineering

Date



STAFF REPORT

Meeting Type: Board of Directors
Title: Request for Marin County Elections to Perform Election Services for November 2024 District Elections
From: Adriane Mertens, Communications & Public Affairs Manager
Through: Ben Horenstein, General Manager
Meeting Date: June 4, 2024

TYPE OF ACTION: X Action Information Review and Refer

RECOMMENDATION: Adopt a resolution calling for and consolidating the election of District Directors in Divisions II and V with the November 5, 2024 Statewide General Election, and requesting that the Marin County Elections Department perform all necessary election services and canvassing of said election

SUMMARY: Historically, the District has requested that the Marin County Elections Department (County) perform all necessary election services and canvassing of its elections. Staff recommends that the District continue this practice by requesting that the County perform these services for the 2024 Director elections to take place on November 5, 2024.

DISCUSSION: A five-member Board of Directors governs the District, with each Director elected to represent one of five geographic areas. The directors serve overlapping four-year terms of office. The terms of office for Directors in divisions II and V run through December 2024, and those offices will be up for election during the November 5, 2024 statewide election.

The County has carried out all necessary election services and canvassed the results of the District’s elections. Staff recommends that the District continue to have the County perform these election services, consistent with past practice and given the County Registrar of Voters’ experience in this area.

Therefore, staff recommends that the Board of Directors adopt a resolution calling for and consolidating the election of District Directors in Divisions II and V with the November 5, 2024 Statewide General Election, and request that the Marin County Elections Department perform all necessary election services and canvassing of said election.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: The District will reimburse the County for all costs associated with performing these election services. After the General Election of November 3, 2020, the District paid \$21,195.58 for the Division II Election and \$25,919.02 for the Division V Election. The total cost was \$47,114.60, which was approximately \$1.047 per registered voter. The County charges the District according to how many other elections (city/school/special districts) occurs throughout Marin County and how many voters are registered in that division or district. According to the County, the estimated cost per voter this year is \$1.20. If the number of voters remain the same in Divisions II and V, the District will pay approximately \$54,000.

ATTACHMENT(S):

- 1. Draft Resolution

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Communications & Public Affairs		
	Adriane Mertens Communications & Public Affairs Manager	Ben Horenstein General Manager

Attachment 1
MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

A RESOLUTION OF MARIN MUNICIPAL WATER DISTRICT’S BOARD OF DIRECTORS CALLING FOR A REGULARLY SCHEDULED ELECTION TO BE HELD IN THIS JURISDICTION; REQUESTING THE BOARD OF SUPERVISORS TO CONSOLIDATE WITH ANY OTHER ELECTION CONDUCTED ON SAID DATE, AND REQUESTING ELECTION SERVICES BY THE MARIN COUNTY ELECTIONS DEPARTMENT

WHEREAS, it is the determination of said governing body the regularly scheduled election to be held on the 5TH day of November, 2024, at which election the issue to be presented to the voters shall be to elect the following members to the Board of Directors:

Number of Regular Term Positions (4-year) 2

Number of Short Term Positions (2-year)

NOW, THEREFORE, BE IT RESOLVED, pursuant to Elections Code §10002, the Board of Supervisors of the County of Marin is hereby requested to:

- 1) Consolidate said election with any other applicable election conducted on the same day in the manner prescribed in Elections Code §10418;
- 2) Authorize and direct the Elections Department at District expense, to provide all necessary election services and to canvass the results of said election.

PASSED AND ADOPTED this 4th day of June, 2024 by the following vote of the Board:

AYES:

NOES:

ABSENT:

Ranjiv Khush
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary
Resolution



STAFF REPORT

Meeting Type: Board of Directors

Title: Capital Program Update, Request to Fill Two Construction Inspectors and One Environmental Specialist in the Engineering Division

From: Alex Anaya, Director of Engineering

Through: Ben Horenstein, General Manager

Meeting Date: June 4, 2024

TYPE OF ACTION: X Action Information Review and Refer

RECOMMENDATION:

1. Receive staff update on the status of the Capital Program
2. Authorize the General Manger to recruit and hire two Construction Inspectors in the Engineering Division
3. Authorize the General Manger to recruit and hire one Environmental Specialist in the Engineering Division

SUMMARY: Since the last Capital Program Update to the Board in March 5, 2024, staff have been working on the delivery of the capital projects identified in the District’s adopted FY 24-25 Budget. Most projects identified in the adopted budget will take place over two years and completion for these projects are on track within the two or more year timeframe. During FY 24, two projects had delays causing the need to carry the budget forward into FY 25. The District has a variety of capital projects underway including dam, tank, pump station, and pipeline projects.

Staff also completed a resource analysis to ensure the District has capacity for the increased CIP. The analysis included compiling data on current and past staff workload capacity, comparison of other agencies with similar CIP budgets, and projecting workforce needed to execute the CIP through FY 28. Staff identified the need to hire additional staff to execute Capital Project delivery. To accomplish this, staff is seeking to reclassify three existing vacant positions to hire two Construction Inspectors and one Environmental Specialist. Staff anticipates returning to the Board in the next fiscal year (FY25) with a modest request to create four additional positions within the Engineering Division.

DISCUSSION: During this past year, staff have been diligently working on various capital projects identified in the District’s adopted budget for FY 24-25. These capital projects range from pipelines to dams to pump stations. The majority of projects identified in the two-year adopted budget cycle span a two-year period due to the size and timing of the projects. Most identified projects in the two-year

capital program budget are still on track as projected with the exception of two projects, which had unanticipated delays this fiscal year. Unanticipated delays on projects do occur from time to time and staff have been able to pivot and focus on other CIP projects to continue moving the capital program forward while issues with delayed projects get resolved. The delay of these projects necessitated contract expenditures to be carried forward into the next fiscal year and will allocated funds be used next fiscal year.

Some of the current capital projects underway this fiscal year include large, highly visible pipeline projects such as the Granada Drive Pipeline Replacement Project and the Sir Francis Drake Pipeline Replacement Project (PRP). The second year of the Pine Mountain Tunnel Tanks Replacement Project is scheduled to start in August this year and will be completed by January 2025, which will roll into the second phase of tank construction. Tocaloma Pump Station and the San Geronimo Roof Project are both currently in design with construction of the roof project scheduled this upcoming fiscal year.

On occasions, unplanned projects not identified in the adopted capital budget do come up and require the District to do some capital program reprioritization. Two such projects did arise this past fiscal year. The Edwards Avenue PRP came about after the District was notified by the City of Sausalito in February 2024 that they were running into shallow water services that would be in conflict with their project thus requiring relocation. Staff expedited a project plan set and worked with the City of Sausalito to execute a reimbursement agreement allowing their contractor to install the new water main and service laterals to ensure timely completion. The Bridgeway PRP was identified due to multiple main breaks on a 300 foot section of 1943 cast iron pipe that has resulted in large claims against the District. Given the type of material, age of pipe, leak history and risk of future main breaks, staff reprioritized some projects to allow this project to be initiated. Staff will have a project design ready and will be utilizing the District's on-call construction contract to complete this work.

In line with the expanded capital program, staff completed a detailed evaluation of resource needed to execute the delivery of the CIP. Staff reviewed past project hourly charge out time for pipeline, tank and pump station projects to identify an average hourly rate for department staff time for each different type of project to establish a workload capacity. Staff also reached out to local Bay Area utilities that have a similar CIP budget to the District's future budget and gathered information on their respective staff size that were used as a point of comparison to evaluate current and future District staffing needs. Staff compiled all capital projects identified in the adopted budget thru FY28 and used the established workload capacity to project staffing needed to execute the CIP over this time frame. Various combinations of staffing and consultant support in the different departments within Engineering were also evaluated to determine the ideal combination of staff and consultants to help execute this work. The analysis identified that the Planning, Design and Construction Departments had an immediate need for additional staffing. Staff identified a hybrid approach of converting three existing vacant positions within the Engineering Division with a plan to return to the Board with a request to create select additional positions within the Engineering Division to fill the remaining staffing needs, while also hiring consultants to support execution of the CIP, going forward.

The initial staffing need is the reclassification of three existing vacant position into three new positions. An existing vacant Senior Engineer position will be reclassified into the Environmental Specialist position that will be integrated within the Planning Department in order to better address the District's growing environmental service's needs, including supporting work in the Watershed such as the update to the Road and Trails plan. The existing vacant Real Property Agent and Senior CAD Specialist

positions will be reclassified into a new Construction Inspector positions that will be integrated within the Construction Management Department in order to better address the project inspection needs for upcoming capital projects.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: The reclassifications of the Senior Engineer, Real Property Agent and Senior CAD Specialist positions to positions of Environmental Specialist and two Construction Inspectors are included in the Engineering Division FYE 2024 and 2025 budget. Filling these positions will not increase the total number of full time employees (FTEs).

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Engineering	 Alex Anaya Engineering Director	 Ben Horenstein General Manager



UPCOMING MEETINGS

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 each meeting agenda.

Internal Meetings		
Meeting Date	Meeting Type	Key Item(s)
Tuesday, June 18, 2024 6:30 p.m.	Board of Directors' Regular Bi-Monthly Meeting	2024 Strategic Annual Work Plan Quarterly Progress Update (2 nd Quarter)
Thursday, June 20, 2024 9:30 a.m.	Watershed Committee Meeting/Special Meeting of the Board of Directors	Trails Pilot Project
Friday, June 21, 2024 9:30 a.m.	Operations Committee Meeting/Special Meeting of the Board of Directors	Spillway Assessment and Modification Contract
Thursday, June 27, 2024 9:30 a.m.	Finance & Administration Committee Meeting/Special Meeting of the Board of Directors	Mid-Cycle Budget Review

External Meetings	
Meeting Date	Meeting Type
Friday, June 7, 2024 9:00 a.m.	Lagunitas Creek Technical Advisory Committee Meeting
Friday, June 7, 2024 9:30 a.m.	North Bay Watershed Association Conference
Monday, June 10, 2024 thru Thursday, June 13, 2024	American Water Works Association Annual Conference
Wednesday, June 12, 2024 4 p.m.	Tomales Bay Foundation Meeting