



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

Tuesday, December 10, 2024 at 6:30 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 to immediately follow Open Session**

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 Swearing In Ceremony

### 2. Roll Call

### 3. Adoption of Agenda

### 4. 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.

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

### 6. 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.

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

### 8. 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.

### 9. 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 November 19, 2024

**RECOMMENDATION:** Approve the minutes

#### b. California Water Efficiency Partnership Agreements to Extend Flume and Rachio Incentives and Adopt Grant Funded Increase to Turf Rebates

**RECOMMENDATION:** Authorize the general manager to execute the CalWEP agreements extending the Flume and Rachio direct distribution programs for two years; and, Approve the increased turf program rebates utilizing grants funds, until exhausted

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

#### a. Board of Directors Reorganization 2024

**RECOMMENDATION:** Elect a President and Vice President to the Marin Municipal Water District Board of Directors for 2025, and recognize the outgoing Board President

#### b. Water Supply Roadmap Update on Costs

**RECOMMENDATION:** Receive staff presentation on Updated Costs for Water Supply Roadmap project

### 11. 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

**12. 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.

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

(California Government Code §54956.9)

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

Marin County Superior Court, Case No. CV0004078

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

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

**14. 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](http://marinwater.org).*

Posted: 12-06-2024



# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** Minutes of the Board of Directors' Regular Bi-Monthly Meeting on November 19, 2024  
**From:** Terrie Gillen, Board Secretary  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** December 10, 2024

**TYPE OF ACTION:** X Action Information Review and Refer

**RECOMMENDATION:** Approve the minutes

**SUMMARY:** The Board of Directors held their regular meeting on November 19, 2024. The minutes of that meeting are attached.

**DISCUSSION:** None.

**ENVIRONMENTAL REVIEW:** Not applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):**

- 1. Draft November 19, 2024 Meeting Minutes

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Communications & Public Affairs Department	 Terrie Gillen Board Secretary	 Ben Horenstein General Manager



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

Tuesday, November 19, 2024 at 6:30 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

Outside location for Director Jed Smith - 227 Summit Ave. Apt. #e405, Brookline, MA 02446

#### Closed Session to immediately follow Open Session

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 6:30 p.m.

#### DIRECTORS PRESENT

Monty Schmitt

Jed Smith

Matt Samson

Larry Russell

Ranjiv Khush

**2. Adoption of Agenda**

Director Schmitt made the motion to adopt the agenda. Vice President Samson seconded the motion.

There were no public comments.

Voting Yea: Directors Samson, Schmitt, Smith, Russell, 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. Regular Item**

a. Resolution of Commendation for Outgoing Director Monty Schmitt

**RECOMMENDATION:** Recognize Outgoing Director Monty Schmitt for his years of service as District Director on the Marin Municipal Water District Board of Directors

President Khush read the Resolution of Commendation.

Director Smith made the motion to adopt the resolution. Vice President Samson seconded the motion. (*Resolution No. 8798*)

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

Abstaining: Director Schmitt

Director Schmitt thanked the directors, family, staff, and many others, and reflected on the District’s accomplishments, which he was proud to partake in.

Some directors provided comments.

There were no public comments.

The Board recessed at 6:45 p.m. and reconvened at 6:59 p.m.

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

There were six (6) public comments.

**7. Directors’ and General Manager’s Announcements**

- Director Smith reported that he attended the Marin-Sonoma Coordination Meeting on November 7th and took a tour of the District's Water Quality Lab on November 15.
- Vice President Samson thanked staff for attending the Red Sky Summit on November 12.

- President Khush reported that he met with representatives from MALT on November 8, and hiked with the San Anselmo Open Space committee to Red Hill to see their efforts in maintaining a trail. He also mentioned that he went on a tour of the District’s Water Quality Lab.
- General Manager Ben Horenstein thanked Director Schmitt for his service and leadership.

**8. Board Committee Reports**

Operations Committee Chair Larry Russell provided highlights of what occurred at the Operations Committee/Special Board meeting on November 15.

**9. Consent Items**

- a. Minutes of the Board of Directors’ Regular Bi-Monthly Meeting on November 6, 2024  
**RECOMMENDATION:** Approve the minutes
- b. General Manager's Report October 2024  
**Recommendation:** Approve Report
- c. 3rd Amendment to District Lease No. 67, Marin Emergency Radio Authority (MERA) at Forbes Reservoir Site, San Rafael (APN 010-261-02)  
**RECOMMENDATION:** Approve 3<sup>rd</sup> Amendment to District Lease No. 67 with Marin Radio Emergency Authority (MERA) at Forbes Reservoir Site, San Rafael
- d. Acceptance of Permanent Grant of Easement to Marin Municipal Water District for Existing Water Facilities at 1876 Centro West Street, Tiburon (APN: 059-061-42)  
**RECOMMENDATION:** Approve the acceptance of a permanent grant of easement in favor of the District and authorize the General Manager to accept and execute the Easement Agreement
- e. Resolution of Commendation for John Clark (*Resolution No. 8799*)  
**RECOMMENDATION:** Approve resolution recognizing John Clark for his 32 years of service to the at Marin Water

Vice President Samson made the motion to approve the Consent Calendar. Director Schmitt seconded the motion.

There were no public comments.

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

**10. Regular Items**

- a. Adjustment of Board Compensation  
**RECOMMENDATION:** Review the per diem amount of compensation paid to members of the Board of Directors and consider adjusting the per diem amount based on the regional Consumer Price Index

General Counsel Molly MacLean presented this item.

Discussion ensued.

There was one (1) public comment.

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

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

a. Upcoming Meetings

The Board Secretary announced upcoming internal and external meetings.

**12. Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s)**

President Khush announced the upcoming agenda items that would be discussed during Closed Session.

There were no public comments.

The Board adjourned to Closed Session at 7:43 p.m. and went to the Mt. Tam Conference Room.

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

(California Government Code Section 54956.9)

Prandi v. Marin Municipal Water District

Workers Compensation Board of Appeals Case No. ADJ13514441

b. **Conference with Legal - Pending Litigation**

(California Government Code §54956.9)

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

Marin County Superior Court, Case No. CV0004078

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

The Board reconvened to Open Session in the Board Room at 8:59 p.m. President Khush reported that the Closed Session adjourned at 8:55 p.m. with no reportable action taken.

**14. Adjournment**

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting adjourned on November 19, 2024 at 9:00 p.m.



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Board Secretary



# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** California Water Efficiency Partnership Agreements to Extend Flume and Rachio Incentives and Adopt Grant Funded Increase to Turf Rebates  
**From:** Paul Sellier, Water Resources Director  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** December 10, 2024

**TYPE OF ACTION:**    X    Action                            Information                            Review and Refer

**RECOMMENDATION:** Authorize the general manager to execute the CalWEP agreements extending the Flume and Rachio direct distribution programs for two years; and, Approve the increased turf program rebates utilizing grants funds, until exhausted

**SUMMARY:** The Flume and Rachio incentive program continues to be popular amongst District customers and there is a desire to retain these programs for the next two years. These agreements will deposit funds with the California Water Efficiency Partnership (CalWEP) to provide funding for the next two (2) years of anticipated program participation. Additionally, grant funding has been made available through the Water & Energy Efficiency Grant to increase District customer rebate amounts by \$0.675 per square foot (sqft) for up to 775,000sqft of turf replacement or through September 30, 2026 when the term of the grant expires. Additionally, the Marin County Storm Water Pollution Prevention Program has indicated the desire to support the Best Practices Turf Program by increasing the rebate by \$1/sqft for sites that install rain gardens fed by disconnected downspouts.

**DISCUSSION:** During the November 20, 2024 Communications and Water Efficiency Committee (CWE) meeting the Board reviewed and referred an item to execute two agreements with CalWEP to provide funding for Flume devices, RainBird irrigation controllers and Rachio irrigation controllers for the next two years.

The Flume point-of-purchase program, offered through CalWEP, allows single-family residential customers to purchase a Smart Home Water Monitor directly from Flume at a discounted price. Flume devices offer an effective and immediately available tool to help customers manage their water consumption. Flume also has an add on option to purchase a discounted Rainbird irrigation controller that synchronizes irrigation water use with the Flume device. The District's current contribution is \$136 and the customer co-payment is \$94 at checkout (reduced to \$69 after a \$25 refund following installation). The Rainbird irrigation controller has a \$100 contribution from the District, and the customer pays \$50 (plus tax) at checkout. A total of 3,088 Flume devices have been installed as of

November 2024 and 1,828 remain active. The current contract expires December 31, 2024. The proposed agreement will provide \$162,192 in funding for 400 Flume devices and 200 Rainbird controllers each year during the next 2 years.

The Rachio irrigation controller point-of-purchase program offered through CalWEP, allows single-family residential customers to purchase a Rachio Smart Irrigation Controller directly from Rachio at a discounted price. Rachio controllers self-adjust based on weather conditions to increase irrigation efficiency for customers and help manage their irrigation water use. The District's current contribution is \$100 per controller, and the customer co-payment ranges from \$69.99 to \$89.99 (plus tax) at checkout, depending on the Rachio model chosen. The current contract expires December 31, 2024. The proposed agreement will provide \$43,600 in funding for 200 Rachio irrigation controllers, each year, during the next 2 years.

*Turf Rebate Changes Utilizing Grant Funds*

The tiered turf rebate program began July 1, 2022 offering a Standard Rebate of \$1.50/sqft and a Best Practices Rebate of \$3/sqft. Since inception through November 1, a total of 123,060sqft of turf removal has been incentivized through the Standard Rebate Program and 28,736sqft of turf has gone through the Best Practices Program.



On June 4, 2024, the Board authorized the General Manager to execute an agreement with Sonoma Water to utilize Water & Energy Efficiency Grant funds which support implementation of water efficiency incentives. Utilization of the turf program grant funds to increase the turf removal rebate by \$0.68/sqft was approved on June 4, 2024 and was discussed once again with the Board on November 20, 2024. Staff is proposing that the District utilize these grant funds to increase both turf rebate tiers, the Standard and the Best Practices, such that the Standard Practices Rebate would rise from \$1.50/sf to \$2.18/sf and the Best Practices Rebate would rise from \$3/sf to \$3.68/SF with the increases paid for by the grant funding.

During the February 28, 2024 Communications and Water Efficiency Committee/Special Board meeting, staff presented a proposal working in cooperation with Marin County Storm Water Pollution Prevention Program (MCSTOPPP) to leverage a multi-benefit approach to funding Marin Water efficiency initiatives that align with their Stormwater and Creek Protection regulations, such as Low Impact Development, reduction of runoff and reducing pollutants that might make their way to waterways. On November 20, 2024, staff presented a proposal to increase the Best Practices Turf Rebate by \$1/sqft for sites that implement raingardens and disconnected downspouts, using funding provided by MCSTOPPP. This funding would increase the Best Practices rebate to \$4.68/SF while these additional funds are available.

**ENVIRONMENTAL REVIEW:** Not Applicable.

**FISCAL IMPACT:** Funding for the CalWEP agreements is included in adopted the Water Conservation Budget. Funding for the turf program will not be impacted by these changes. The WEEG grant's match of \$0.83/sqft was approved with the FY25 budget. The MCSTOPPP funding does not require a match and will be reimbursed by MCSTOPPP up to \$24,466 for fiscal year 25.

**ATTACHMENT(S):** None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources	 <hr/> <b>Paul Sellier</b> Water Resources Director	 <hr/> <b>Ben Horenstein</b> General Manager



# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** Board of Directors Reorganization 2024  
**From:** Adriane Mertens, Communications & Public Affairs  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** December 10, 2024

**TYPE OF ACTION:**    X    Action                    Information                    Review and Refer

**RECOMMENDATION:** Elect a President and Vice President to the Marin Municipal Water District Board of Directors for 2025, and recognize the outgoing Board President

**SUMMARY:** Annually, the Board of Directors elects a president and vice president of the Board, consistent with District Code section 2.20.010 and Board Policy No. 1, the Board Handbook, and subsequently recognizes the outgoing board president for his or her service

**DISCUSSION:** As provided in section 2.20.010 of the District Code, both a president and vice president are elected to the board every first meeting of the year or at the first meeting seating new directors in an election year. Pursuant to Board Policy No. 1, the Board Handbook, the president leads the regular bi-monthly and special meetings of the board, assigns directors to internal and external committees with the consent of the Board, and signs the approved resolutions and adopted ordinances on behalf of the agency. The vice president acts on behalf of the president, when the president is absent or unavailable.

*Reorganization Process*

The current board president can either make the motion or ask the directors to make the motion to nominate the new board president. If there is a second motion by another director, then the board secretary will conduct a roll call vote. If there is not a majority or unanimous decision for board president, then the process will repeat itself until a majority or unanimous decision has been made.

If there is a majority or unanimous vote, then the newly elected board president will immediately assume the Board President role, including conducting the remainder of the Board meeting. The newly elected board president and outgoing board president will switch seats, so that the new board president will be sitting at the center of the dais.

After the new board president is elected, the appointment of the vice president begins, which follows the same process as that used for the election of the Board President. Once there is a majority or unanimous vote, then the newly elected board vice president will immediately assume that role and move to the seat on the right of the new board president.

Following the elections of the new Board President and Vice President, the new officers may acknowledge the outgoing board president for his service to the District.

**ENVIRONMENTAL REVIEW:** Not applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Communications & Public Affairs Department		
	<b>Adriane Mertens</b> Communications & Public Affairs Manager	<b>Ben Horenstein</b> General Manager



# STAFF REPORT

**Meeting Type:** Board of Directors  
**Title:** Water Supply Roadmap Update on Costs  
**From:** Paul Sellier, Director of Water Resources  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** December 10, 2024

**TYPE OF ACTION:**                      Action              X              Information                      Review and Refer

**RECOMMENDATION:** Receive staff presentation on Updated Costs for Water Supply Roadmap project

**SUMMARY:** Staff will present an update on the costs of the Water Supply Roadmap projects.

**DISCUSSION:** The Roadmap consists of 5 broad strategies for developing a resilient water supply including Water Efficiency, In-District Improvements, Sonoma-Marin Partnership, Local Storage Enlargement and New Supply Development which includes desalination and recycled water. At this meeting, staff will review cost estimates for all of the Water Supply Roadmap alternatives. Staff will continue the discussion on project criteria and preferred alternative selection at future board meetings.

**ENVIRONMENTAL REVIEW:** Not Applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.



**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.

<b>Internal Meetings</b>		
<b>Meeting Date</b>	<b>Meeting Type</b>	<b>Key Item(s)</b>
( <i>Tentative</i> ) Friday, Dec. 13, 2024 9:30 a.m.	Special Board of Directors Meeting ( <i>Closed Session</i> )	
Tuesday, Dec. 17, 2024 5:30 p.m.	Board of Directors’ Regular Bi-Monthly Meeting	Workplace Safety and Emergency Response; 2025 Board and Committee Calendar
Thursday, Dec. 19, 2024 9:30 a.m.	Watershed Committee Meeting/Special Meeting of the Board of Directors	Azalea Hill Update; Jubata Grass Restoration Project
Friday, Dec. 20, 2024 9:30 a.m.	Operations Committee Meeting/Special Meeting of the Board of Directors	Above Ground Infrastructure Assessment Update

<b>External Meetings</b>	
<b>Meeting Date</b>	<b>Meeting Type</b>
Wednesday, Dec. 18 3 p.m.	Tomales Bay Foundation Meeting