



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

Tuesday, February 24, 2026 at 5:00 PM

AGENDA

LOCATIONS:

Open Session to start at or after 5:00 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. 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. 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.

4. Directors' and General Manager's Announcements (5:10 p.m. – Time Approximate)

5. 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.

6. Consent Items (5:20 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. February 3, 2026 Board Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on February 3, 2026

b. General Manager's Report January 2026

RECOMMENDATION: Approve Report

c. Award of Contract No. 1901 - Capital Improvement Program – Bolinas Road Pipeline Replacement Project (D18026)

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 1901, Capital Improvement Program – Bolinas Road Pipeline Replacement Project, to Argonaut Constructors, Inc., in the amount of \$2,320,855

d. Approve An Assignment of Professional Services Agreement, MA-6406, for Construction Services for the Pine Mountain Tunnel Phase 2 Project (i.e., Gibson Tanks) from Consor PMCM, Inc. to Consor North America, Inc.

RECOMMENDATION: Authorize the General Manager to execute consent to the assignment of Professional Services Agreement No. MA-6406, providing the District construction support services for the Pine Mountain Tunnel Phase 2 Project (the tanks are now named the Gibson Tanks), from Consor PMCM, Inc. to Consor North America, Inc., pursuant to a Master Assignment Agreement

7. Regular Items (5:25 p.m. – Time Approximate)

a. Proposed Amendments to Memorandum of Understanding with Service Employees International Union Local 1021 for Represented Employees and Resolution No. 8760 for Unrepresented Employees

RECOMMENDATION: Approve proposed amendments to the Memorandum of Understanding (MOU) between the District and Service Employees International Union (SEIU) Local 1021 for represented employees and Resolution No. 8760 for unrepresented employees

establishing the salaries and other terms and conditions of employment for these employee groups through June 30, 2029

b. Approve Board Compensation and Board Handbook Policy Updates

RECOMMENDATION: Approve revisions to Board Policy No. 42, Compensation of Marin Municipal Water District Directors (Board Compensation Policy) and Board Policy No. 1, the Board Handbook

8. 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

9. 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. Public Employment

(California Government Code §54957(b))

Title: General Manager

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

10. Reconvene to Open Session; Closed Session Report Out

11. 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.

Posted: 02-20-2026



STAFF REPORT

Meeting Type: Board of Directors
Title: February 3, 2026 Board Meeting Minutes
From: Terrie Gillen, Board Secretary
Through: Ben Horenstein, General Manager
Meeting Date: February 24, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Accept the minutes of the Board of Directors’ Regular Bi-Monthly Meeting on February 3, 2026

SUMMARY: The Board of Directors held their regular bi-monthly meeting on February 3, 2026. The minutes of that meeting are attached for your approval.

DISCUSSION: None.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Draft February 3, 2026 Regular 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, February 03, 2026 at 5:00 PM

MINUTES

LOCATIONS:

Open Session to start at or after 5:00 p.m.

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

Director Matt Samson - Ayres Hotel Redlands, Business Center, 1015 West Colton Avenue, Redlands, CA 92374

Director Larry Russell - Residence Inn, Business Center, 120 W. Huron Street, Ann Arbor, MI 48104

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

Board President Jed Smith called the meeting to order at 5:00 PM.

DIRECTORS PRESENT

Ranjiv Khush

Diana Maier

Matt Samson

Larry Russell

Jed Smith

2. Adoption of Agenda

Director Khush made the motion to adopt the agenda. Director Maier seconded the motion.

There were no public comments.

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

Motion passed.

3. Regular Items

a. Ranger John McConneloug Retirement Resolution

RECOMMENDATION: Approve Retirement Resolution for Ranger John McConneloug
(Resolution No. 8827)

Watershed Resources Director Shaun Horne presented this item.

The Directors congratulated Ranger McConneloug.

Director Maier made the motion to adopt the resolution. Director Khush seconded the motion.

The Board unanimously voted to adopt Resolution No. 8827 and presented it to Mr. McConneloug.

There were approximately four (4) public comments.

4. Public Comment on Non-Agenda Matters

There were two (2) public comments on non-agenda items.

5. Directors' and General Manager's Announcements

- Director Samson acknowledged the Watershed staff for putting together the community site walks for the Roads and Trails Management Plan.
- Director Khush mentioned that he attended the Association of California Water Agencies (ACWA) Board Meetings in Sacramento and mentioned some highlights from that meeting. He also announced upcoming ACWA meetings: Legislative Symposium in Sacramento, Federal Affairs Conference in Washington D.C., and the Annual Spring Conference also in Sacramento.

6. Board Committee Reports

- Finance & Administration Committee Chair Maier and Planning Committee Chair Russell provided highlights from their committee meetings in January.
- Director Samson reported that he and Director Maier attended the Tomales Bay Foundation Meeting and mentioned that the meeting was focused on the Foundation's annual State of the Tomales Bay event planned for September 30.

7. Consent Items

- a. January 20, 2026 Board Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors’ Regular Bi-Monthly Meeting on January 20, 2026

- b. Professional Services Agreement for Insurance Brokerage & Risk Management Services

RECOMMENDATION: Approve a Professional Services Agreement for Insurance Brokerage and Risk Management Services with Arthur J. Gallagher Risk Management Services, LLC for fiscal years 2026/27 through 2028/29 and authorize the General Manager to execute the contract

Before adoption of the Consent Calendar, Director Khush commented on the proposed annual brokerage fees agreement.

He also made the motion to adopt the Consent Calendar. Director Maier seconded the motion.

There were no public comments.

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

Motion passed.

8. Regular Items

- a. Bay Area Ridge Trail Dedication – Mt Tamalpais Watershed East

RECOMMENDATION: Approve the Bay Area Ridge Trail dedication resolution for 11.26 miles of fire road on the Mt. Tam Watershed (*Resolution No. 8828*)

Watershed Resources Director Horne and Environmental Planner Carly Blanchard presented this item.

Discussion followed.

There were no public comments.

Director Maier made the motion to approve the resolution. Director Khush seconded the motion.

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

Motion passed.

- b. Atmospheric River Capture (ARC) Project Update

RECOMMENDATION: Receive an update on the Atmospheric River Capture (ARC) Project

Water Resources Director Paul Sellier and Water Resources Manager Lucy Croy presented this item.

Discussion occurred during and after the presentation.

There were four (4) public comments.

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

c. Capital Program Update

RECOMMENDATION: Receive a staff update on Fiscal Year 2026 second quarter Capital Improvement Program

Engineering Director Alex Anaya presented this item.

Discussion ensued.

There was one (1) public comment.

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

9. Future Board and Committee Meetings and Upcoming Agenda Items

a. Upcoming Meetings

Board President Smith announced upcoming meetings.

There were no comments or actions taken.

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

There were three (3) public comments on the Closed Session item.

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

a. Liability Claim

(California Government Code §54956.9 (e)(3))

Claimants: Sacha Bunge and Howard Gillis

Agency Claimed Against: Marin Municipal Water District

The closed session was adjourned.

11. Reconvene to Open Session; Closed Session Report Out

The Board reconvened to Open Session. Board President Smith reported that no reportable action took place.

12. Adjournment

There being no further business, the Board of Directors' Regular Bi-Monthly Meeting adjourned at approximately 7:40 p.m.

Board Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: General Manager’s Report January 2026
From: Ben Horenstein, General Manager
Meeting Date: February 24, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve Report

SUMMARY:

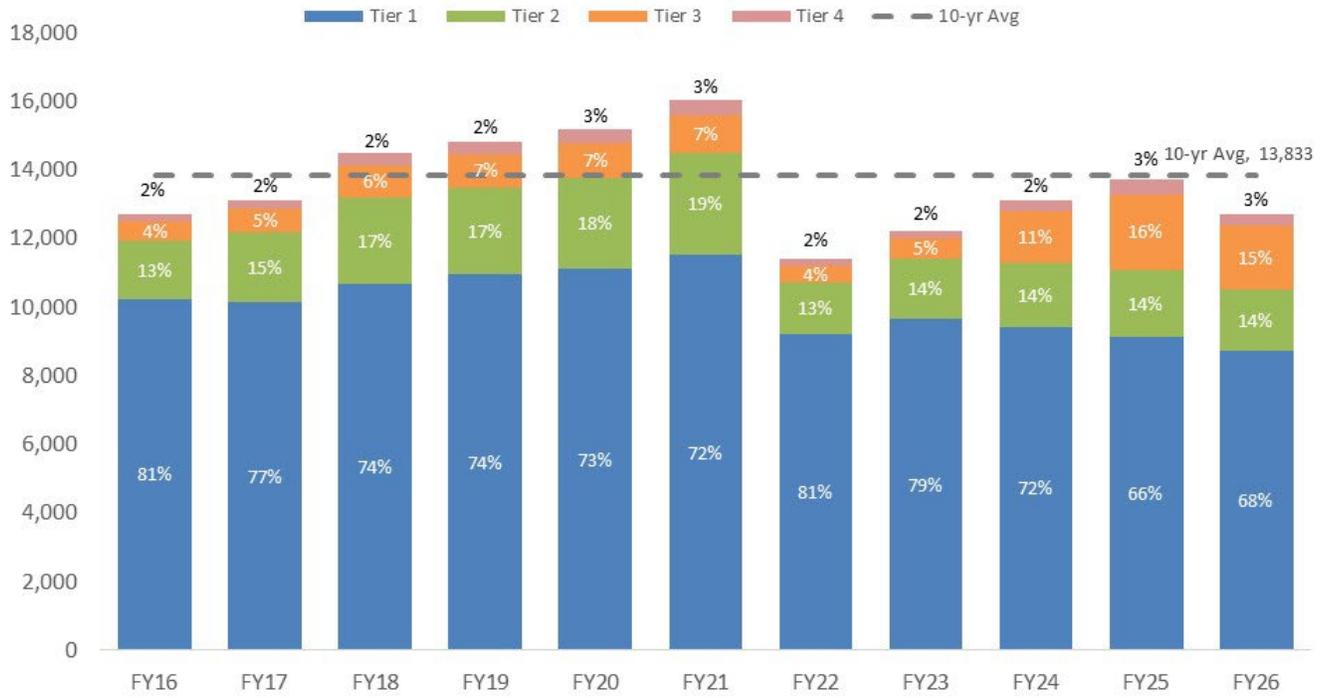
A. HIGHLIGHTS:

- The daily average net production for the month of January 2026 was 13.8 MGD compared to 14.3 MGD for the month of January 2025. Typical usage for January is 17.1 MGD.
- Staff completed the 60% design of the Hind Tanks Replacement Project. This project will replace two of the four remaining redwood tanks in our system with two new 200,000-gallon welded steel tanks, improving system reliability and seismic resiliency in the District’s distribution system.
- Staff responded to 1,480 underground service alert tickets and marked out approximately 39,324 feet (~7.5 miles) of pipe in the month of January, helping ensure that District underground infrastructure was not damaged by contractors or homeowners during excavation work.
- Staff implemented an alarm protocol designed to notify Distribution System Operators through SCADA of unchanged data from the U.S. Geological Survey flow sensor at Samuel P. Taylor State Park. Receiving real-time data information allows for improved flow control with Kent Lake stream release.
- Staff responded for two after hour back-to-back water main breaks on January 26th. The first was reported at the 4200 block of Redwood Highway in San Rafael and shortly thereafter the second was reported just down the road at 370 Channing Way in San Rafael. Two initial crews were dispatched to repair the leaks with one crew being relieved at two o’clock in the morning ensuring repairs continued throughout the night at the 4200 block of Redwood Highway, and the second crew being relieved at the start of the next working day to continue repairs at 370 Channing Way.
- The District continued implementation of BFFIP Year 7 through December 2025 with a focus on forest maintenance in several units surrounding Bon Tempe Treatment Plant totaling 200+

acres. New work included continued Forest Thinning project in a 71 acre unit near Fish Grade, and ongoing Fuelbreak Construction in a 15 acre unit near Fern Canyon Tank.

- Watershed Pile Burning work resumed in the Ross Reservoir area, and across 6 burn days in December the District burned 320 piles.
- On January 10 the District led an educational walk for over 50 people on Lagunitas Creek to highlight recently completed restoration work and ongoing fisheries monitoring efforts.
- Fisheries staff continued weekly salmon surveys throughout the Lagunitas Creek watershed, with preliminary results indicating high numbers of Chinook and steelhead and a below-average number of Coho. Salmon Monitoring data can be viewed here <https://www.arcgis.com/apps/dashboards/8885849c033f45daae033aaa45c6606b>

TIER CONSUMPTION AS OF JANUARY 2026 (Acre Feet)



AWARDED GRANTS							
PROJECT	FUNDER	FUNDER PRIORITIES	FUNDING OPPORTUNITY	MATCHING PROJECT	DESCRIPTION	STATUS	AWARD AMOUNT
Prop.1. Round 2 IRWM Disadvantaged Community	DWR	Water Infrastructure	Prop.1. Round 2 IRWM Disadvantaged Community	Marin City/San Rafael Infrastructure	Replacing aging transmission lines and laterals in Marin City and San Rafael's Canal District	Awarded; in progress and on track. Coordinating site visit with DWR/SFEP.	\$6,408,000
Forestry Corps	CCNB	Vegetation Management		Ongoing Forestry work	Workforce development; state funding directly to CCNB to fund crews working on the watershed	Awarded; in progress and on track.	\$500,000
Fisheries Restoration Grant Program	CDFW	Fisheries	Fisheries Restoration Grant Program (FRGP)	Lagunitas Creek Restoration	Lagunitas Creek Coho Habitat Enhancement Plan - 100% Designs for Phase 2 Sites (7, 8, 9, 10, 11); CEQA	Awarded; in progress and on track.	\$599,689
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	DWR	Fisheries	Riverine Stewardship Program (RSP)	Lagunitas Creek Restoration	Gravel augmentation for Lagunitas CreekThe Lagunitas Creek Salmon Spawning Gravel Project will inject 1,700 tons of clean river-run gravel just below Peters Dam and Kent Lake at two sites within Lagunitas Creek. This project is part of a larger 13-site project with over 100 large wood structures and gravel to restore 4 miles of Lagunitas Creek to its historical geomorphic condition. This would be the first time that gravel augmentation would be conducted in Lagunitas Creek.	Awarded; in progress and on track.	\$590,000
Lagunitas Creek Salmonid Spawning Gravel Improvement Project	USBR Environmental Restoration Project	Fisheries		Lagunitas Creek Restoration	Gravel augmentation for Lagunitas Creek Sites 1-3	Awarded; in progress and on track. Working on no-cost extension.	\$1,400,000
Rain Water Harvesting Project	MCSTOPP	Conservation		Conservation	Barrels for customers	Awarded; in progress and on track.	\$15,032
Water Conservation: turf rebates	USBR	Conservation	Water and Energy Efficiency Grant (WEEG)	Conservation		Awarded; in progress and on track.	\$722,925
Prop 1. Fisheries Restoration Grants Concept Proposals	CDFW	Fisheries	Lagunitas Creek Coho Enhancement Project Phase 1	Lagunitas Creek Restoration	Lagunitas Creek Restoration Sites 1-6	Awarded; in progress and on track.	\$4,659,898
Azalea Hill Trail Restoration	California State Parks	Trail Restoration	Recreational Trails Program (RTP)	Watershed	Azalea Hill Restoration	Awarded; in progress and on track. Working on no-cost extension to wrap up closeout items.	\$952,657
One Tam Regional Forest Health Project	CA WCB	Forestry Restoration		BFFIP Implementation		Awarded; in progress and on track. MMWD funds have all been spent down.	\$4,260,000
WaterSMART Applied Science	USBR	Water Resources		Advanced Weather Modeling	Funding for weather modeling to inform water resources management	Awarded; in progress. Expect that funds will be entirely spent down by the next reporting period.	\$150,628.00
One Tam Regional Forest Health Project Phase II	CAL FIRE	Forestry Restoration	California Climate Investments Department of Forestry and Fire Protection Forest Health Program 2023-2024	BFFIP Implementation	BFFIP Implementation for 2-3 years	Awarded; in progress and on track.	\$6,966,078
TOTAL FUNDED:							\$27,224,907

PENDING GRANTS							
PROJECT	FUNDER	FUNDER PRIORITIES	OPPORTUNITY	DATE SUBMITTED	AMOUNT REQUESTED	DESCRIPTION	STATUS
Lagunitas Creek Coho Enhancement Phase 2	Wildlife Conservation Board	Restoration	Full Application	8/27/2025	\$1,109,000	Short pre-application submitted to WCB for review 5/27/25. The District was invited to submit a full proposal on 7/10.	Pending; on the agenda for the February 26, 2026 WCB board meeting.
One Tam Block Grant	California Natural Resources Agency	Forestry Restoration	Block/Regional Grant	7/2/2025	\$10,371,070	One Tam block grant request to CNRA to increase the pace and scale of forestry work between FY26 and FY32. Total request across One Tam agencies is \$28,378,435. MMWD's request of \$10,371,070 would enable us to complete an estimated 2,700 additional treatment acres during the project period.	Pending

UPCOMING GRANTS						
FUNDER	OPPORTUNITY	FUNDER PRIORITIES	PROJECT	DESCRIPTION	STATUS	
Various	Prop. 4 Bond Funding	Various	TBD	granting agencies complete or update program guidelines. A legislative fix (AB 35) has passed the Assembly and is in the Senate.	Monitoring	
Economic Development Agency	Economic	Disaster Recovery	TBD	Federal - \$1.45B in available funds on a rolling (first-come, first served) basis. Staff attended an informational webinar on 11/13 to inform next steps and better understand alignment. This opportunity is primarily focused on funding public-private partnerships that will increase economic output (e.g., building a data center).	On hold	
U.S. Army Corps of Engineers	Water Resources Development Act 2022	Various	TBD	\$2M for Marin Water is written into the current FY26 Army Corps funding bill, which was passed by the House and Senate and signed into law. The Army Corps is now working on a FY26 work plan based on the bill. Once the Corps has a work plan in place, we will begin coordinating with the San Francisco District of the Army Corps.	Secured	

DISCUSSION:

B. SUMMARY:

- AF = Acre Feet
- Mg/L = milligrams per liter
- MPN = most probable number
- MPY = mils per year
- MG = million gallons
- NTU = nephelometric turbidity units

1. Water Production:

	FY 2025/26		FY 2024/25	
	(million gallons)	(acre-feet)	(million gallons)	(acre-foot)
Potable				
Total production this FY	4,139	12,703	4,499	13,808
Monthly production, January	428	1,314	458	1,405
Daily average, January	13.82	42.40	14.77	45.33
Recycled				
Total production this FY	127.98	392.76	167.64	514.45
Monthly production, January	4.22	12.95	8.86	27.19
Daily average, January	0.14	0.42	0.29	0.88
Raw Water				
Total production this FY	71.58	219.66	73.38	225.2
Monthly production, January	25.62	78.62	11.82	36.27
Daily average, January	0.83	2.54	0.38	1.17
Imported Water				
Total imported this FY	1,509	4,630	1,433	4,397
Monthly imported, January	26	79	12	36
Reservoir Storage				
Total storage, January	25,767	79,077	25,927	79,566
Storage change during January	1,800	5,525	00	00
Stream Releases				
Total releases this FY	1,893	5,811	1,931	5,926
Monthly releases, January	267	819	421	1,293

2. Precipitation:

	<u>FY 2025/26 (in.)</u>	<u>FY 2024/25 (in.)</u>
ALPINE	24.64	29.76
BON TEMPE	18.97	24.35
KENT	22.2	31.60
LAGUNITAS	23.77	28.09

NICASIO	14.27	21.22
PHOENIX	21.56	29.10
SOULAJULE	14.6	23.05
Average to date = 30.11 inches		

3. Water Quality:

<u>Laboratory</u>	<u>FY 2025/26</u>	<u>FY 2024/25</u>
Water Quality Complaints:		
Month of Record	12	18
Fiscal Year to Date	96	135
Water Quality Informational Inquiries:		
Month of Record	6	10
Fiscal Year to Date	67	85

The WQ Lab ensured that the water supplied met or surpassed water quality regulations by collecting and analyzing 1,626 analyses on treatment plants and distribution system samples.

Mild steel corrosion rates averaged 1.96 (0.24 – 3.92) MPY. The AWWA has recommended an operating level of <5 MPY with a goal of <1 MPY.

Complaint Flushing: No flushing events were performed for the month on record.

Disinfection Program: 2,072’ of new pipeline was disinfected during the month of January. Performed chlorination on 7 water storage tanks to ensure compliance with bacteriological water quality regulations.

Tank Water Quality Monitoring Program: Performed 101 water quality-monitoring events on storage tanks for various water quality parameters this month to help ensure compliance with bacteriological water quality regulations.

Summary:

The Lab analyzed 1,626 treatment plant and distribution water samples, and the water quality department treated 7 tanks for low chlorine and checked an additional 101 tanks for low chlorine residual in January 2026.

4. Water Treatment:

<u>Treatment Results</u>	<u>San Geronimo</u>		<u>Bon Tempe</u>		<u>Ignacio</u>	
	Average	Monthly	Average	Monthly	Average	Monthly
		Goal		Goal		Goal
Turbidity (NTU)	0.06	≤ 0.10	0.03	≤ 0.10	0.06	≤ 0.10
Chlorine residual (mg/L)	2.79	2.75 *	2.74	2.75 *	2.72	2.75 *
Color (units)	0.4	≤ 15	0.1	≤ 15	0.1	≤ 15
pH (units)	7.8	7.8*	7.8	7.8*	8.0	8.1**

- * Set monthly by Water Quality Lab
- ** pH to Ignacio is controlled by SCWA

5. Capital Improvement:

- a. Pine Mountain Tank Phase 2 – New Water Tanks Project (D21043): The Pine Mountain Tunnel Tanks Replacement Project is a multi-year two-phased project that will replace the existing Pine Mountain Tunnel. The current project (Phase 2) will construct two 90-foot inside diameter pre-stressed concrete potable water storage tanks, install yard piping and control systems, and complete final site grading.
 - Project Budget: \$19,142,500
 - Monthly Activities: The Contractor has completed the first season of Phase 2 construction work and demobilized equipment for the Northern Spotted Owl work prohibition period beginning February 1. The District will begin construction work after the prohibition period ends on August 1, 2026, or after biological surveys identify that owls have fledged their nests. The District will begin tank construction in summer 2026 for three more construction seasons, with an anticipated completion in 2029.

- b. San Geronimo Treatment Plant Roof Replacement Project (D21034): The San Geronimo Treatment Plant Roof Replacement Project is a component of the District’s Capital Improvement Program. This project will remove and replace the existing leaky roof membrane with a new Class A Fire Rated Thermoplastic Polyolefin (TPO) and add fall protection to the San Geronimo Treatment Plant and North Marin Line Pump Station.
 - Project Budget: \$ 1,495,747.00
 - Monthly Activities: The Contractor continues to install the new roofing system. When the roof installation is complete, the contractor will install fall protection guardrails and access ladders. Project completion is estimated Summer 2026.

- c. Canal Pipeline Replacement Project (GC25005): The Canal Pipeline Replacement Project will install approximately 3,800 feet of new 12”, 8”, 6”, and 4” welded steel pipe to replace

asbestos-cement pipe and leak-prone plastic service laterals installed as early as 1951. The District was awarded a Bay Area Integrated Regional Water Management (IRWM) Proposition 1 Round 2 grant in the amount of \$6,408,000 to implement the Marin City/San Rafael Water Supply Resilience Project. The grant also includes funding for community partners to conduct project-related outreach to support implementation and community-based water education activities.

- Project Budget: \$2,958,870
 - Monthly Activities: The Contractor continues to perform water service installations, final paving, and punch list items. Project completion is estimated in March 2026.
- d. Bon Tempe Treatment Plant Backwash Valve Replacement Project (D23008): This project is part of the District's Capital Improvement Program and will address the deteriorating condition of the existing backwash system by replacing existing backwash valves, select pipe, and associated appurtenances.
- Project Budget: \$1,200,960
 - Monthly Activities: The Contractor has completed all exterior construction work including the 24-inch filter backwash pipeline, a motor operated valve vault, and 8-inch plant water pipeline. The contractor demobilized equipment for the Northern Spotted Owl work prohibition period beginning February 1. Work that remains includes interior backwash valve replacements, interior 8-inch plant water pipeline, and miscellaneous construction items. The project completion is estimated May 2026.
- e. Kastania Pump Station Rehabilitation Project Phase II (D21027): This project will install a single, new high efficiency pump and motor and will incorporate various new drainage features at Kastania Pump Station. The project will also install a new 16" pressure relief valve and 8,000-gallon pressure relief discharge tank at Ignacio Treatment Plant.
- Project Budget: \$3,733,577
 - Monthly Activities: The contract was awarded at the December 9 Board of Directors meeting, and has been executed. A preconstruction meeting was held January 6, and current work activities include submittal review and material procurement. Project completion is estimated Summer 2027.
- f. Marin City Phase II Pipeline Replacement Project (GC25005): Marin City Phase II Pipeline Replacement Project is a component of the District's Capital Improvement Program. The Project will install approximately 10,440 feet of 16, 8, 6 and 4-inch welded steel pipe to replace the old, leak prone, seismic deficient cast iron and asbestos cement piping installed as early as 1961.
- Project Budget: \$5,387,010
 - Monthly Activities: The Contractor has mobilized equipment to the project site and begun potholing and main pipeline installations. The project is estimated to be completed by July 2026.
- g. Sleepy Hollow Pipeline Replacement Project (F24002): Sleepy Hollow Pipeline Replacement Project is a component of the District's Fire Flow Improvement Program. This Project will install approximately 4,250 feet of new 12-, 8-, and 6-inch welded steel pipe to replace old, leak-prone, fire flow deficient piping installed as early as 1932.
- Project Budget: \$2,328,132

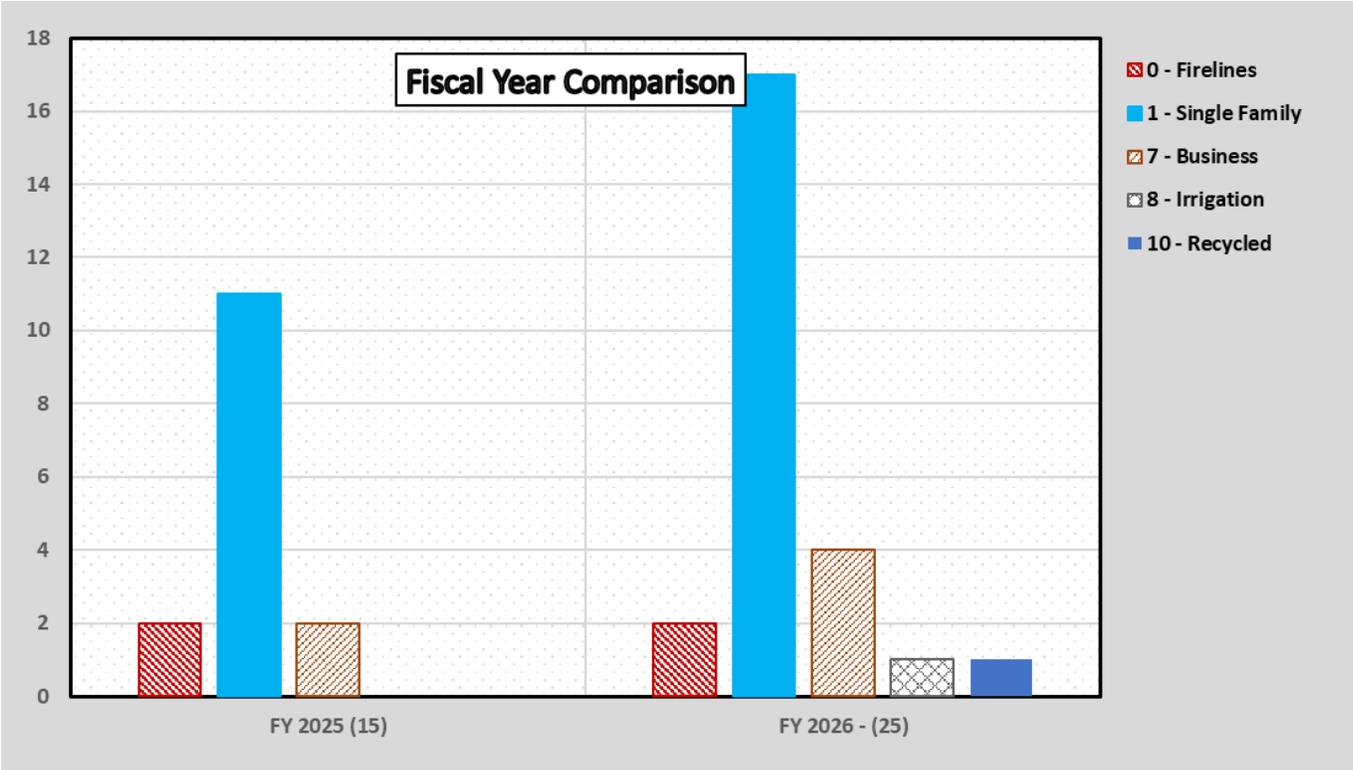
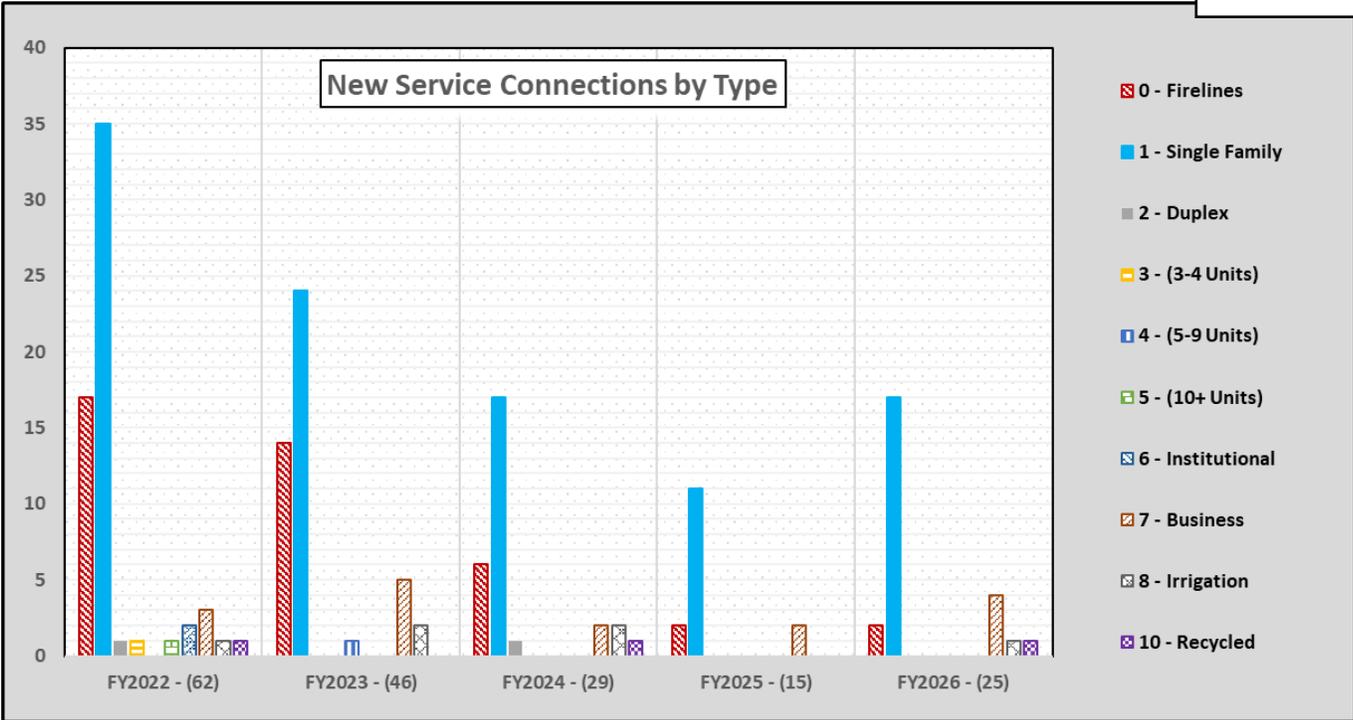
- Monthly Activities: The contract was awarded at the December 16 Board of Directors meeting, and the contract has been executed. Work is anticipated to begin February 2026, and be completed Summer 2026.

h. Alpine Barge Anchor and Pipe Float Replacement Project (D24010): This project will install new pipe floats, barge anchoring, connections, and appurtenances at the Alpine Reservoir pump barges located within District Watershed Lands.

- Project Budget: \$262,000
- Monthly Activities: The District has begun preparations for performing this work using the On-Call Capital Construction Contract. A preconstruction meeting was held with the District’s Contractor in December and work is anticipated to begin February 2026.

6. Other:

Pipeline Installation	FY 2025/26	FY 2024/25
Pipe installed during January (feet)	1,407	1,890
Total pipe installed this fiscal year (feet)	10,893	17,861
Total miles of pipeline within the District	908*	908*
<i>* Reflects adjustment for abandoned pipelines</i>		
Pipe Locates (1,480 Responses)	FY 2025/26	FY 2024/25
Month of January (feet)	39,324	37,375
Total this fiscal year (feet)	233,849	265,736
Main Line Leaks Repaired	FY 2025/26	FY 2024/25
Month of January	3	9
Total this fiscal year (7/1/25-5/31/26)	85	94
Services	FY 2025/26	FY 2024/25
Service upgrades during January	10	23
Total service upgrades this FY	100	115
Service connections installed during January	1	3



7. Recruitments and Hires:

The District recruited for the following positions:

- 1. Accounting Supervisor
- 2. Administrative Analyst
- 3. Assistant or Associate Engineer
- 4. Field Supervisor
- 5. Landscape and Facilities Maintenance Coordinator
- 6. Park Ranger I/II
- 7. Watershed Aide (Veg Management)

The District hired new employees for the following positions:

- 1. Associate Engineer

Employees promoted through competitive process:

- 1. Superintendent of Operations (Mechanical, Electrical, and Corrosion)
- 2. Water System Technician

8. Demand Management:

	Jan-26	FY 25/26 TOTAL	FY 24/25 TOTAL	FY 23/24 TOTAL
WATER-EFFICIENCY PROGRAMS				
<i>Water-Use Site Surveys</i>				
Conservation Assistance Program (CAP) Consultations				
Residential properties resi 1-2 (single-family)	62	539	692	404
Residential properties resi 3-5 (multi-family units)	0	9	10	6
Non-residential properties resi 6-7 (commercial)	0	0	1	0
Dedicated irrigation accounts resi 8-10 (large landscape)	0	3	7	0
Marin Master Gardeners' Marin-Friendly Garden Walks				
Residential garden walks	7	86	147	173
<i>Public Outreach, Education, Customer Service</i>				
Public outreach events (number of people attending)	22	2522	3870	7022
Public education events (number of participants)	0	330	265	425
Department customer calls/emails	379	3546	6124	4485
Outreach to new Marin Water customers (letters sent)	240	1084	1483	1908
<i>School Education</i>				
School assemblies				
Number of activities	0	6	19	19
Number of students reached	0	1885	7212	21850
Field trips				
Number of activities	0	3	22	16
Number of students reached	0	60	471	343
Classroom presentations				
Number of activities	0	5	13	14
Number of students reached	0	114	390	457
Other (e.g. Earth Day booth events, school gardens)				
Number of activities	0	0	2	3
Number of students reached	0	0	225	400
<i>Incentives</i>				
Rain Barrel/Cisterns approved	0	3	14	9
Rain Barrel/Cisterns gallons	0	1860	13650	0
Rain Barrel Give-a-way (Gallons)	0	9150	33550	4840
"Cash for Grass" Lawn Replacements total properties approved	11	55	81	61
"Cash for Grass" (Best Practices) square ft. lawn replaced	0	3721	17699	0
"Cash for Grass" (Standard) square ft. lawn replaced	28686	72032	51049	0
"Cash for Grass" (MCSTOPP) square ft. lawn replaced	4300	5420	3555	0
Number of Laundry-to-Landscape Systems (kits) approved	0	0	0	1
Hot water recirculating system rebates	2	4	6	11
Pool Cover rebates	2	4	25	35
Number of Smart Home Water Monitor "Flume Direct Distribution" redeemed	30	266	456	544
Number of Smart Controllers MW rebates approved	1	14	37	49
Number of Smart Controllers "Rachio Direct Distribution" approved	1	67	184	219
Custom Rebate - Commercial and Multi-Family	0	0	1	0
<i>Advanced Metering Infrastructure (AMI)</i>				
AMI leak letters sent to customers (>200 GPD)	72	675	1319	1330
ORDINANCES				
<i>Water Waste Prevention</i>				
Water Waste Reports Received	5	67	177	224
Water Waste Notifications Sent	0	11	34	49
<i>Landscape Plan Review</i>				
Plans submitted	10	67	90	117
Plans exempt	0	11	15	23
Plans completed	2	16	23	30
Plans in workflow (pass & fail)	6	109	139	172
<i>Tier 4 Exemption</i>				
Inspections that resulted in a pass	0	0	1	2

9. Watershed Protection:

Waterfall Season on the Watershed

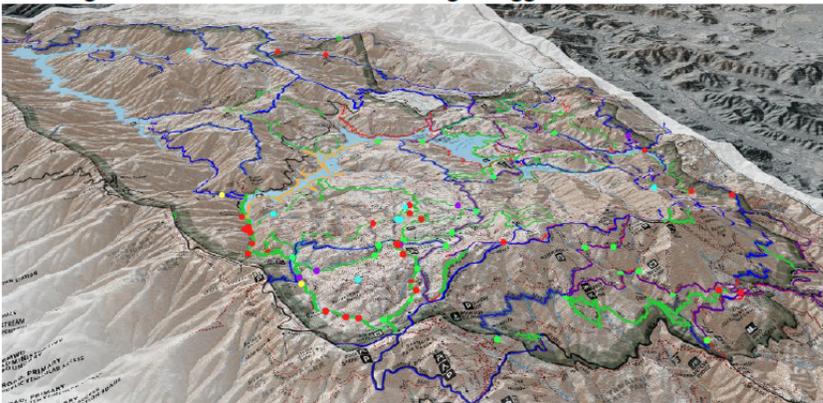
The heavy rains in late December and early January recharged the major waterfalls on the Mount Tamalpais Watershed. With this recharge and exposure in both traditional and social media, the crowds came out. The most significant impact was on Cataract Trail, where on weekends, the rangers often observed more than 500 people in just over an hour on the lower portion. The Cataract Trailhead near Alpine Dam was also heavily impacted. There are approximately 100 safe parking spots at that location, but a ranger counted nearly 200 cars one Saturday. The rangers increased patrols on Cataract Trail to manage visitation and reduce impacts from off-trail use, littering, and other violations. Cataract Trail also saw two medical aid calls that the rangers handled. One person broke their ankle and was taken by ambulance to the hospital, and the other involved a person that was having a diabetic emergency who declined medical transport to the hospital.



Cataract Trail on Saturday in January

Rangers Digitally Track Patrol Activities

In January, the rangers began using the CalTopo team app to track patrol activities, including foot, bike, UTV, and boat patrols. This allows for better tracking of patrols and lets the rangers mark locations that need more attention or follow-up, such as downed trees or signs that need replacement. It also has a live track feature that, when turned on, shares the ranger's location with the other ranger logged into the account.



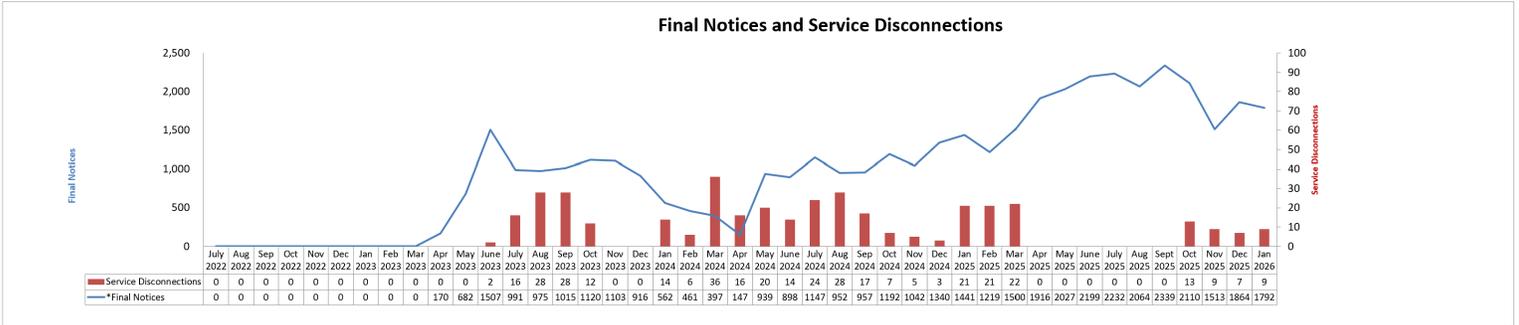
The Rangers CalTopo Patrol Map for January

RANGER ACTIVITIES	
Law Enforcement	#
MMWD Ordinance Violations	
• Cites	59
• Dog off Leash	2
• Bike on Trail	1
• Parking	56
Penal Code Violations	
• Vandalism	15
• Auto Burglary	1
• Theft	2
Vehicle Code Violations	
• Parking Violations Cites	27
• Vehicle Code Violation Warnings	14
Fish and Wildlife	
• License Checks	25
• Warning for Fishing Violations	2
Warnings	
• All	243
Other	
Misc. Law Enforcement Calls	25
Ranger Callout	2
Medical/Fire Responses	
• Medical Calls	2
Search and rescue	
Search and Rescue	2
Preventive Search and Rescue	9
General	
Visitor Assists	322
Dam Checks	67
Assist MMWD groups	54
Watershed Observation Reports	
Received	7
Additional Patrols	
Foot	138 miles
Bike	76 miles
ATV/UTV	183
Boat patrols	3
LIDAR patrols	3



10. Shutoff Notices and Disconnections:

- *Final Notices
- Service Disconnections
- * Includes 10 day and final notices



FISCAL IMPACT: Not Applicable.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Office of the General Manager	<hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> Ben Horenstein General Manager	<hr style="border: 0; border-top: 1px solid black; margin-top: 5px;"/> Ben Horenstein General Manager

Porteous Ave	55	1937	6" CI
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*CI = Cast Iron, **WSP = Welded Steel Pipe

This street segment was evaluated for the installation of recycled water piping. The nearest recycled water pipeline is approximately 6.6 miles away, located on the intersection of San Pedro Road and Sequoia Road in the community of Los Ranchitos. The closest wastewater treatment plant, Central Marin Sanitary Agency, is located 6.4 miles away, however, this facility is not equipped to provide tertiary recycle water.

On February 12, 2026, the District opened seven (7) bids, as shown in Table 2, for the Capital Improvement Program – Bolinas Road Pipeline Replacement Project. Argonaut Constructors, Inc. submitted the lowest responsive and responsible bid in the amount of \$2,320,855. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 1901 to Argonaut Constructors, Inc. in the amount of \$2,320,855 and authorizing the General Manager to execute any necessary amendments to Contract No. 1901, which do not exceed \$350,000.

**Table 2
Bid Results
Bolinas Road Pipeline Replacement Project**

Bid Rank	Contractor Name	Bid Amount
1.	Argonaut Constructors, Inc.	\$2,320,855
2.	Maggiora & Ghilotti, Inc.	\$2,838,373
3.	D & D Pipelines, Inc.	\$2,853,500
4.	Team Ghilotti	\$3,230,000
5.	W.R. Forde Associates, Inc.	\$3,342,850
6.	Piazza Construction	\$3,464,000
7.	Westrock Engineering	Non-Responsive

Engineer’s Estimate: \$3,000,000

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

Budget:

Contract Award:	\$ 2,320,855
Contingency (15%):	\$ 350,000
Materials:	\$ 430,000
District Labor/Inspection:	\$ 200,000
Total Budget:	\$ 3,300,855
Budget Category:	A1A02A

Project Implementation:

Project Advertisement:	January 29, 2026
Bid Opening:	February 12, 2026
Project Award:	February 24, 2026
Estimated Completion Date:	September 30, 2026
Duration:	218 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 or Reconstruction, and statutorily exempt under Public Resources Code section 21080.21, Pipelines less than one mile. The Project qualifies for exemption pursuant to Section 15302 (c) inasmuch as it is the replacement of existing water pipeline involving negligible or no expansion of capacity and statutorily exempt pursuant to Public Resources Code section 21080.21 since the Project will replace less than one mile of pipe within the public right of way or street.

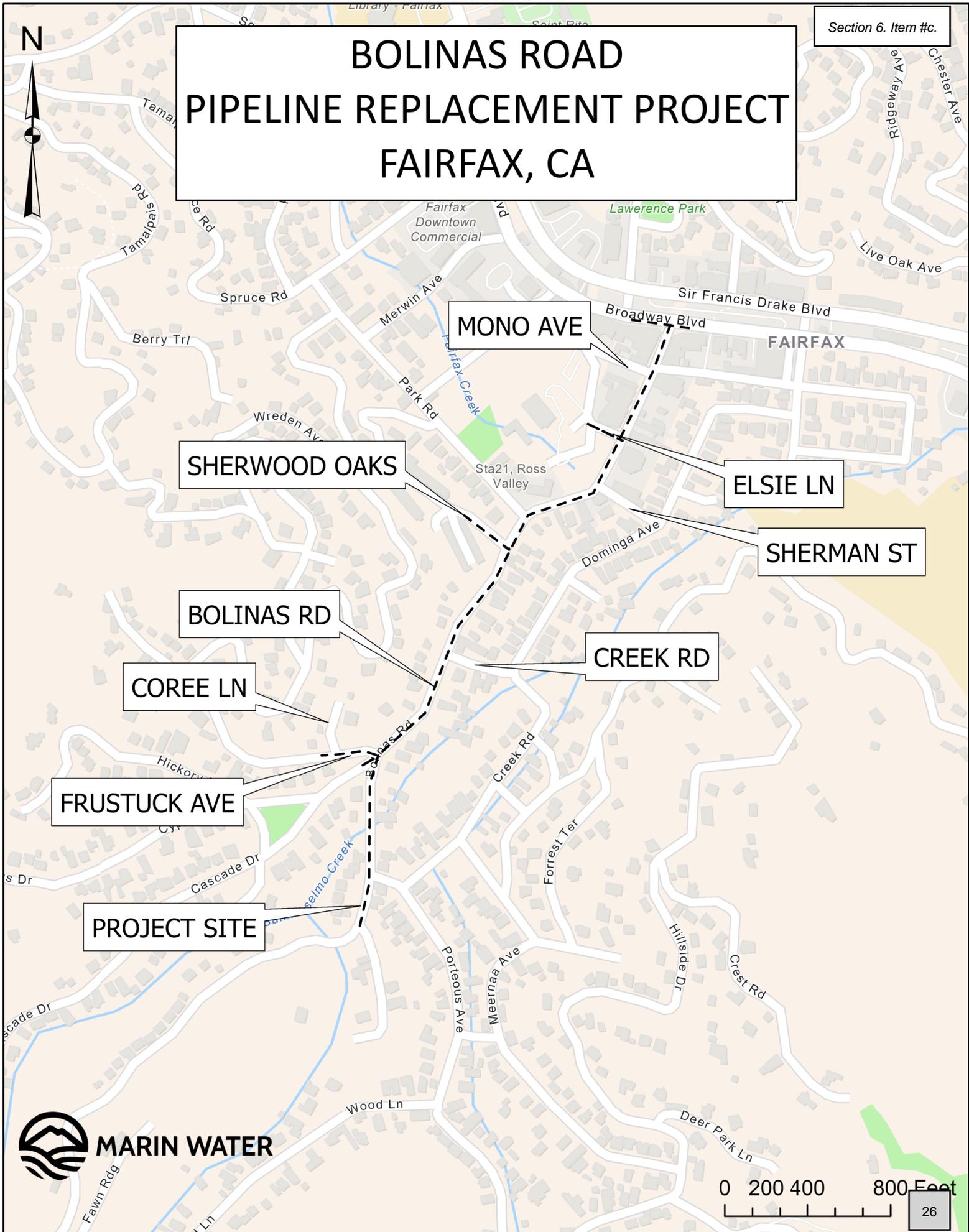
FISCAL IMPACT: The total cost to complete the Bolinas Pipeline Replacement Project is \$3,300,855, inclusive of District labor, materials, and contingency.

ATTACHMENT(S):

- 1. Site Map
- 2. Proposed Resolution
- 3. Notice of Exemption

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

BOLINAS ROAD PIPELINE REPLACEMENT PROJECT FAIRFAX, CA



0 200 400 800 Feet

Attachment: 2

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 1901 TO ARGONAUT CONSTRUCTORS, INC. FOR THE BOLINAS ROAD PIPELINE REPLACEMENT PROJECT

WHEREAS, on January 29, 2026, the District advertised Contract No. 1901, Bolinas Road Pipeline Replacement Project (D18026), which will replace approximately 4,350 feet of piping; and

WHEREAS, the District received and publicly opened seven (7) bids on February 12, 2026, of which the Argonaut Constructors, Inc. bid of \$2,320,855 was the lowest responsive and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES THAT:

1. The bid of \$2,320,855 submitted by Argonaut Constructors, Inc. for the Capital Improvement Program – Bolinas Road Pipeline Replacement Project under Contract No. 1901 (“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 \$350,000.
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 Argonaut Constructors, Inc. are to be rejected.
5. The project is Categoricaly Exempt from review under Section 15302(c) of the CEQA Guidelines inasmuch as it is the replacement of existing water pipeline involving negligible or no expansion of capacity.
6. The project is statutorily exempt pursuant to the California Public Resources Code Division 13 Environmental Quality Section 21080.21

inasmuch as the project involves the replacement of less than one mile of pipeline.

PASSED AND ADOPTED this 24th day of February, 2026, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Jed Smith
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Notice of Exemption

Attachment 3



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: Capital Improvement Program – Bolinas Road Pipeline Replacement Project (D18026)

Project Location: Town of Fairfax

Project Location – County: Marin

Project Description: This Project will install approximately 4,350 feet of new 10, 8, 6, and 4-inch welded steel pipe to replace failure prone, cast-iron pipe installed as early as 1920 as part of the District’s Capital Improvement Program.

The project will take place in the locations described in Table 1 and shown on the map provided in Attachment 1.

Table 1

STREET	LENGTH	INSTALLATION DATE	EXISTING SIZE AND TYPE*
Broadway	125’	1921	4” CI & 8” CI
Bolinas Road	3600’	1920	8” CI
Elsie Lane	150’	1975	8” CI
Sherman Oaks	205’	1962	6” CI
Frustuck Ave	165’	1960	6” CI
Cascade Drive	50’	1969	10” WSP
Porteous Ave	55’	1937	6” CI

*CI = Cast Iron, **WSP = Welded Steel Pipe

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 and California Public Resource Code Division 13 Environmental Quality Section 21080.21, less than one mile of pipeline.

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 water pipelines involving negligible or no expansion of capacity. This project is also statutorily exempt pursuant to the California Public Resource Code Division 13 Environmental Quality Section 21080.21 inasmuch as the project involves the replacement of less than one mile of pipeline.

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 February 24, 2026.

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

Telephone: (415) 945-1588

Alex Anaya, Director of Engineering

Date

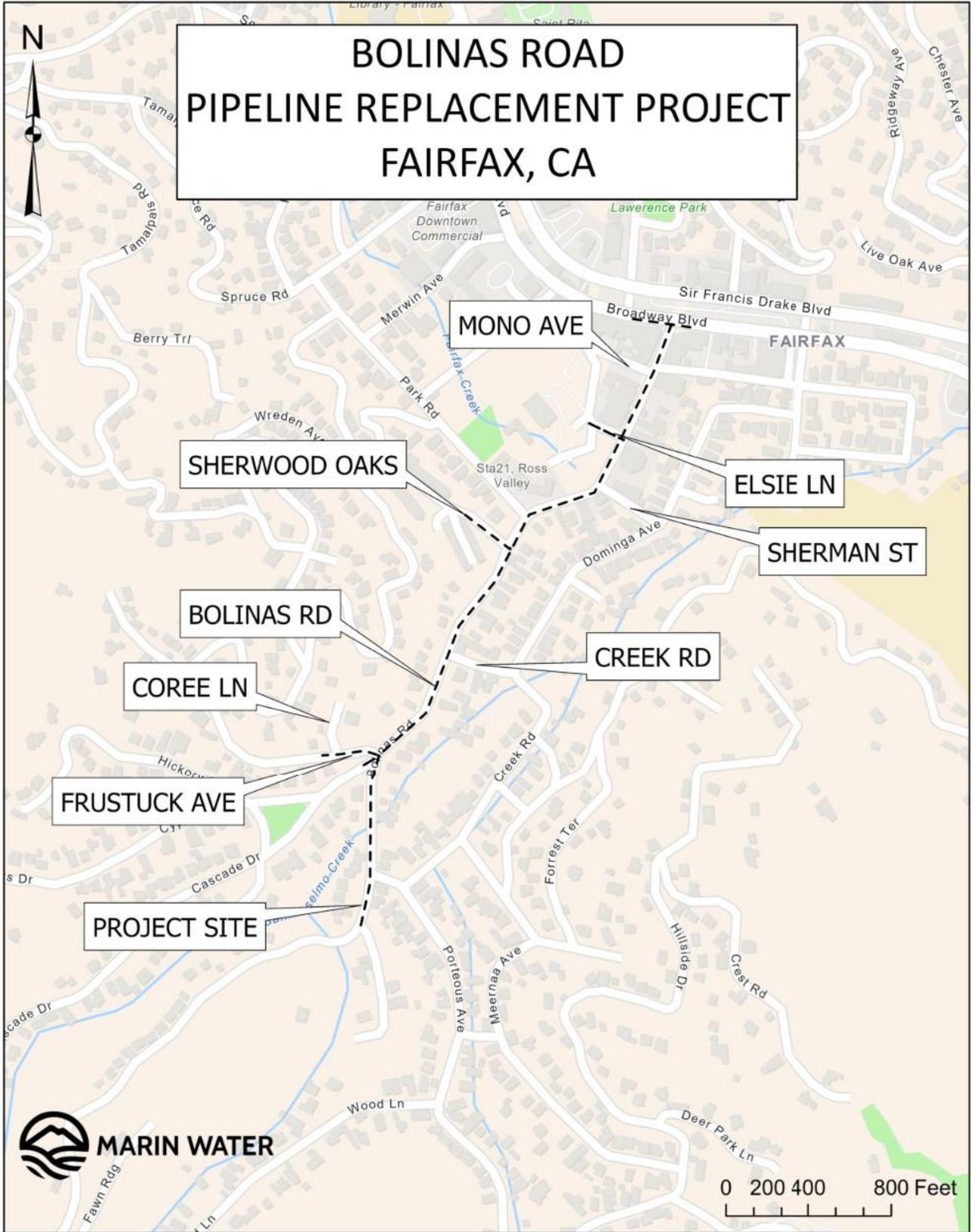


Figure 1. Site Map for the Capital Improvement Program – Bolinas Road Pipeline Replacement Project.



STAFF REPORT

Meeting Type: Board of Directors

Title: Approve An Assignment of Professional Services Agreement, MA-6406, for Construction Services for the Pine Mountain Tunnel Phase 2 Project (i.e., Gibson Tanks) from Consor PMCM, Inc. to Consor North America, Inc.

From: Alex Anaya, Director of Engineering

Through Ben Horenstein, General Manager

Meeting Date: February 24, 2026

TYPE OF ITEM: X Action Information

RECOMMENDATION: Authorize the General Manager to execute consent to the assignment of Professional Services Agreement No. MA-6406, providing the District construction support services for the Pine Mountain Tunnel Phase 2 Project (the tanks are now named the Gibson Tanks), from Consor PMCM, Inc. to Consor North America, Inc., pursuant to a Master Assignment Agreement

SUMMARY: On March 18, 2025, the Board authorized the General Manager to execute Professional Services Agreement MA-6406 with Park Engineering, Inc. (Park) for construction management services in support of the Pine Mountain Tanks Phase 2 Project in the amount of \$828,870.10, with a staff requested contingency of \$300,000, for a total not to exceed amount of \$1,128,870.10. On May 20, 2025, the Board authorized the General Manager to execute consent to the assignment of MA-6406 from Park to Consor PMCM, Inc. pursuant to a Master Assignment Agreement.

Following execution of agreement with Park and the subsequent assignment from Park to Consor PMCM, the District received notification from Consor PMCM, Inc. indicating that it had merged with and into Consor North America, Inc. (Consor).

DISCUSSION: On March 18, 2025, the Board approved Professional Services Agreement MA-6406 with Park Engineering Inc. with a scope of work including construction management and administration services, preparing and leading construction meetings, providing document management system for all project documentation, processing and logging contractor correspondence including submittals and RFIs, reviewing proposed change orders, issuing field directives and notices of non-compliance, reviewing payment requests, preparing progress payments, and supporting public communications on the Pine Mountain Tanks Phase 2 Project.

On May 20, 2025, the Board authorized the General Manager to execute consent to the assignment of MA-6406 from Park Engineering, Inc. to Consor PMCM, Inc. pursuant to a Master Assignment

Agreement, following a notification from Consor PMCM, Inc. indicating that it had merged with Park and were now operating as Consor PMCM, Inc.

On December 13, 2025, staff received notification from Consor PMCM, Inc. announcing the merger of Consor PMCM, Inc. with and into Consor North America, Inc., and the consolidation of its legal entities and brands. District legal staff has reviewed the Master Assignment Agreement between Consor North America, Inc. and Consor PMCM, Inc. wherein Consor PMCM, Inc. has assigned all its rights and obligations to Consor and Consor has accepted all rights and obligations under Professional Services Agreement MA-6406 for the express benefit of the District.

Consor North America is a San Francisco-based company providing project and construction management services throughout California. Established in 1993, Consor specializes in aviation, utility infrastructure, transportation, and building projects. The firm offers programming and construction management services, inspection, project controls, scheduling, cost estimating, claims analysis and document control. Consor brings 30 years of experience in water, wastewater, public utilities, bridge, aviation, highway, transportation, and building projects with an annual revenue over \$20M. According to Duns and Bradstreet, Consor is considered a very financially stable company with a low overall business risk and high likelihood of continued operations.

The original contract Principal in Charge, Resident Engineer, and staff will remain assigned to the Pine Mountain Tanks Phase 2 project, which will provide the benefit of continuity on this project despite this merger. There are no changes to the scope of services, hourly rates, or fee structure, and all other terms of the Professional Services Agreement remain in full force and effect.

Staff recommends that the Board of Directors authorize the General Manager to execute consent to the Master Assignment Agreement between Consor PMCM, Inc., and Consor North America, inc. which will include assignment of Professional Services Agreement No. MA-6406 from Consor PMCM, Inc. to Consor North America, Inc.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Consor North America, Inc. Consolidation Letter
- 2. Master Assignment Agreement

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



Notification of Change – Legal Entity Changes

December 13, 2025

Marin Municipal Water District

220 Nellen Ave
Corte Madera, CA 94925

RE: Consor Project: P250021CA.00 - MMWD Pine Mountain Tanks Phase II Project Misc. Agreement No. 6406

Dear Valued Client,

Conсор is taking steps to consolidate and reorganize our workforce. Effective December 13, 2025, we merged Consor PMCM, Inc. with and into Consor North America, Inc. This transition in legal entities will streamline our structure by aligning similar services to enhance resource sharing and improve project delivery. This change does not alter the scope of services, terms, or your project team.

Pursuant to our contract requirements, we hereby notify you of this legal entity change. As a result, **we are requesting an assignment of this contract from Consor PMCM, Inc. to Consor North America, Inc. (FEIN 93-0768555).**

Insurance: Marsh, our third-party insurance provider is unchanged; however, for updated certificates of insurance (and bonds and other required documentation as applicable) please contact legal@consoreng.com, and we will provide updated documents if you have not already received them directly. Marsh will send updated certificates as part of the annual policy year renewal on January 1, 2026.

Assignment Template: If an assignment is required due to this notice, our assignment template can be found at www.consoreng.com/assignment. Email legal@consoreng.com and we will prepare or review the document for execution.

Accounts Receivable Location Update: We have updated how we process payments. **Our Accounts Receivable mailing address is now a JPMorgan Chase Bank lock box: Consor North America, Inc., P.O. Box 739710, Dallas, TX 75373-9710.** Please see the attached letter from JPMorgan Chase Bank. If updates to ACH payments are required, please email ar@consoreng.com. Please also find attached an updated copy of our W-9.

If further actions or changes are required on our active contracts due to this change, please let us know by emailing us at legal@consoreng.com. Our contracts team is ready to address your questions or requests. If this notification was sent to the wrong contact within your organization, please forward it to the appropriate person or let us know where to redirect it.

If you have any questions, please contact Cameryn Erickson at Cameryn.Erickson@consoreng.com or +1.650.823.0922.

Sincerely,
Conсор North America, Inc.

Robert Cardina, Esq., *Manager, Legal Advisor*
+1.984.261.3359 | Robert.Cardina@consoreng.com

Attachments: W-9, Banking Letter



Master Assignment Agreement

This Master Assignment Agreement is made and entered into effective _____, (“Effective Date”) by and between Marin Municipal Water District (“Client”), Consor PMCM, Inc. (“Assignor”), and Consor North America, Inc. (“Assignee”).

Recitals

WHEREAS, Client has entered into certain contracts and agreements (“Contracts”) for professional services with Assignor including, but not limited to, those active contracts and agreements listed on “Appendix 1” which is incorporated into this Agreement by reference. The term “Contracts,” as used in this Agreement, means the Contracts and all other contracts, price agreements, work order contracts and purchase orders, including all amendments and modifications, made between Client and the Assignor before the effective date of this Agreement (whether or not performance and payment have been completed);

WHEREAS, Assignor and Assignee exist and operate under common ownership and control;

WHEREAS, Assignor desires to shift its rights and obligations pursuant to the Contracts to Assignee, and Assignee seeks to assume those rights and obligations;

WHEREAS, as of the effective date of this Master Assignment Agreement, Assignor shall assign and transfer the Contracts to Assignee (the “Assignment”), and Assignee does agree to accept all rights and obligations in connection with the Contracts and does seek Client’s consent to the Assignment;

WHEREAS, Client does agree to approve the Assignment.

Agreement

NOW, THEREFORE, in consideration of the mutual covenants contained herein, Client, Assignor, and Assignee hereby covenant and agree as follows:

- (1) Assignor hereby assigns to Assignee all of its rights, duties, liabilities, and obligations as set forth in the Contracts, incorporated herein by reference.
- (2) Assignee hereby agrees to assume, perform, and discharge all duties, liabilities, and obligations of Assignor as set forth in the Contracts.
- (3) The Contracts, as amended, are unaffected by the assignment and remain in full force and effect.

- (4) Assignee has provided or shall provide to Client new insurance certificates (and bonds and other required documentation as applicable and specified by Clients) issued in Assignee’s name or its parent company’s name.
- (5) Without necessarily executing separate amendments for all the Contracts, the Contracts are hereby amended by replacing the name of Assignor with the name of Assignee wherever it appears in the Contracts.
- (6) Client hereby approves the assignment of the Contracts from Assignor to Assignee.
- (7) All notices to Assignor or Assignee may be made to the address shown above, with cc to legal@consoreng.com.

IN WITNESS WHEREOF, the Client, Assignor, and Assignee have each caused this Master Assignment Agreement to be executed by their duly elected and authorized officers as of the effective date written above.

ASSIGNOR

DocuSigned by:
Mindy Shimanek
796A4D0F8EBD4B2...

By: Mindy Shimanek
Its: Executive Vice President

ASSIGNEE

DocuSigned by:
Mindy Shimanek
796A4D0F8EBD4B2...

By: Mindy Shimanek
Its: Executive Vice President

CONSENT BY:

Marin Municipal Water District
By: Bennett Horenstein
Its: General Manager



6505 Waterford District Drive, S
Miami, FL 33126
888.451.6822

Section 6. Item #d.

Appendix 1

Contract/Project Name	Client Contract Reference Number	Consor Project Number
Misc. Agreement No. 6406 "Pine Mountain Tunnel Phase II Project"	6406	P250021CA.00



STAFF REPORT

Meeting Type: Board of Directors

Title: Proposed Amendments to Memorandum of Understanding with Service Employees International Union Local 1021 for Represented Employees and Resolution No. 8760 for Unrepresented Employees

From: Vikkie Garay, Human Resources Manager

Through: Ben Horenstein, General Manager

Meeting Date: February 24, 2026

TYPE OF ITEM: X Approve Review and Comment

RECOMMENDATION: Approve proposed amendments to the Memorandum of Understanding (MOU) between the District and Service Employees International Union (SEIU) Local 1021 for represented employees and Resolution No. 8760 for unrepresented employees establishing the salaries and other terms and conditions of employment for these employee groups through June 30, 2029

SUMMARY: Staff recommends that the Board of Directors approve amendments to the MOU, covering working conditions for represented employees, and a new resolution amending and restating Resolution No. 8760, covering working conditions for unrepresented employees,. The proposed amendments provide for Cost of Living (COLA) adjustments of 4% annually for fiscal year FY 27, FY 28 and FY 29 for represented and unrepresented employees. The proposed amendment to the MOU also provides a 6% equity adjustment for the Engineering and Treatment Plant Operator classifications and the extension of a due date for the completion of a benchmark compensation study.

DISCUSSION: The District and SEIU participated in a comprehensive bargaining process in 2023, which provided the parties with the current MOU. The MOU covers working conditions for represented employees. Resolution No. 8760, also adopted in 2023, covers unrepresented employees and mirrors the MOU with few exceptions.

In January 2026, District staff and SEIU representatives met to discuss a modification and an extension of the current MOU. The parties reached a tentative agreement, pending Board approval, to modify the COLA during the last year of the current MOU (FY 27) and to extend the MOU for two additional years through June 30, 2029 with the following terms: (1) COLA adjustments of 4%, effective the first full pay period following July 1, for each fiscal year of the proposed modified and extended contract including FY 27, FY 28 and FY 29; (2) a 6% salary equity adjustment for the Treatment Plant Operator classifications and Engineer classifications; and (3) extend the due date for a benchmark study to be

completed at least six (6) months prior to the expiration of the MOU. If approved, the term of the MOU will be extended through June 30, 2029.

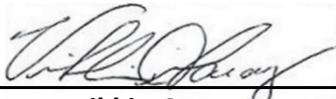
A meeting was also held with unrepresented employees regarding the proposed amended and restated resolution. The proposed amendments to the resolution will provide for a COLA mirroring the proposed COLA for represented employees, which includes adjustments of 4%, annually during FY 27, FY 28 and FY 29. The District Division Directors (considered "department heads" for purposes of California Government Code section 54953(d)(3)) will receive an annual salary adjustment of 5.25% in FY 27, to reflect the additional 1.25% increase already approved for FY 27, which will be offset by an additional contribution requirement to the Employer Paid Member Contribution to CalPERS, and an annual adjustment of 4% in FY 28 and FY 29.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: For all employees, represented and unrepresented, the total fully benefited cost associated with the proposed Cost of Living Adjustment (COLA) is \$1,646,900 in FY 27. The cost increase attributable to the equity adjustments for specified job classifications is an additional \$79,150 in FY 26 and \$235,165 in FY 27. Funding for the FY 26 and FY 27 salary adjustments is currently available in the approved budget for FY 2025-27. The cost of living adjustments for FY 28 and FY 29 are \$1,722,185 and \$1,791,075, respectively, and will be included in the proposed FY 2027-29 budget.

ATTACHMENT(S):

1. Proposed Amendment No.1 to the MOU between District and SEIU
2. Proposed Resolution Replacing Resolution No. 8760

DEPARTMENT OR DIVISION	DEPARTMENT MANAGER	APPROVED
Human Resources Department		
	<p>Vikkie Garay Human Resources Manager</p>	<p>Ben Horenstein General Manager</p>

AMENDMENT NO. 1 TO
THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MARIN MUNICIPAL
WATER DISTRICT AND SERVICE EMPLOYEES INTERATIONAL UNION SEIU
LOCAL 1021

This contract amendment (Amendment No. 1”) is entered into by and between Marin Municipal Water District (“District”) and Service Employees International Union, Local 1021 (“Union”).

For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. The District and the Union entered into a memorandum of understand effective November 7, 2023 through June 30, 2027 (“MOU”).
- B. The parties desire to extend the term of the MOU until June 30, 2029 and amend Article 10.1 entitled “General Salary Increase,” Article 10.4 entitled “Benchmark and Equity” and Article 30 entitled “Duration” all as described below.

Section 2. Amendments:

- A. Amendment to MOU: This Amendment No. 1 modifies the MOU. Except for the modifications contained herein, all the terms of the MOU shall apply.
- B. Terms:

1. **Article 10. Salaries, Section 10.1 entitled “General Salary Increase” is hereby amended as follows:**

Subsection 4 of Article 10. 1 is hereby deleted and replaced to read as follows:

Effective the first full pay period following July 1, 2026, the District shall provide all classes a four percent (4%) increase in base wages.

A new subsection 6 of Article 10.1 shall be added to read as follows:

Effective the first full pay period following July 1, 2027, the District shall provide all classes a four percent (4.0%) increase in base wages.

A new subsection 7 of Article 10.1 shall be added to read as follows:

Effective the first full pay period following July 1, 2028, the District shall provide all classes with a four percent (4.0%) increase in base wages.

A new subsection 8 of Article 10.1 shall be added as follows:

Equity adjustment for Treatment Plant Operator Trainees, Treatment Plant Operators and Water Treatment Supervisors - Effective the first full pay period following January 28, 2026, the rate of pay for the Treatment Plant Operator classifications will be increased by six percent (6.0%). This equity adjustment is in addition to the general salary increases set forth in Section 10.1. .

A new subsection 9 of Article 10.1 shall be added as follows:

Equity adjustment for Junior Engineers, Assistant Engineers and Associate Engineers - Effective the first full pay period following January 28, 2026, the rate of pay for the Engineer classifications will be increased by six percent (6.0%). This equity adjustment is in addition to the general salary increases set forth in Section 10.1.

2. **Article 10. Salaries, Section 10.4 entitled “Benchmark and Equity” is amended as follows:**

All terms regarding the benchmark and equity study shall remain except for the completion date, which shall be extended to at least six (6) months prior to the June 30, 2029 expiration of this MOU.

3. **Article 30. entitled “Duration” is amended to read as follows:**

This First Amendment to the MOU shall be effective upon adoption by the District Board of Directors, except for those provisions of the MOU which have been assigned other effective dates, and shall remain in full force and effect to and including June 30, 2029.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment No. 1 to the Memorandum of Understanding.

MARIN MUNICIPAL WATER DISTRICT

Jed Smith, President
Board of Directors

Dated: _____

Ben Horenstein
General Manager

Vikkie Garay
Human Resources Manager

SEIU LOCAL 1021

Aaron Burton, Lead Field Representative
SEIU Local 1021

Dated: _____

Justin Turnham, Chief Steward

Suzanne Whelan, Secretary

Ian Thompson, Membership Coordinator

Jules Bassermann, Union Steward

Nicholas Busse, Union Steward

Daniel Collins-Maida, Union Steward

Mariette Shin, Union Steward

Cole Yungert, Union Steward

RESOLUTION NO.

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE MARIN MUNICIPAL WATER DISTRICT
ESTABLISHING THE TERMS AND CONDITIONS OF EMPLOYMENT
FOR UNREPRESENTED EMPLOYEES**

WHEREAS, the Board of Directors of the Marin Municipal Water District (District) has adopted resolutions and subsequent amendments thereto establishing salaries, benefits and other conditions of employment for employees who are employed by the District but who are not members of SEIU Local 1021; and

WHEREAS, the unrepresented employees consist of the following groups: Division Directors, Mid-Managers, and Confidential Employees (collectively referred to as “Unrepresented Employees”); and

WHEREAS, on August 15, 2023, the Board of Directors adopted Resolution No. 8760 modifying the terms and conditions of employment for the Unrepresented Employees; and

WHEREAS, it is in the interest of the District and the Unrepresented Employees to modify the terms and conditions of employment to reflect current market conditions and industry trends as well as to align certain benefits with those adopted in the most recent Memorandum of Understanding for union represented employees as set forth in Resolution No. 8760 .

WHEREAS, this resolution will replace Resolution No. 8760 in full.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES HEREBY RESOLVE, AS FOLLOWS:

1. Division Directors include: Director of Engineering; Finance Director/Treasurer; Operations Director; Director of Water Resources; and Director of Watershed Resources; and
2. Mid-Managers include the following classifications which are salaried positions and exempt from the overtime and hourly provisions of the Fair Labor Standards Act (FLSA): Communications & Public Affairs Manager, Customer Service Manager, Engineering Manager I/II, Engineering Records Manager, Engineering Support Services Manager, Finance Manager, Financial Management Analyst , Human Resources Manager, Information Technology Manager, Natural Resources Program Manager, Principal Grant and Legislative Analyst, Principal Human Resources Analyst, Safety & Emergency Response Manager, Senior Human Resources Analyst, Staff Attorney I/II/III, Superintendent of Operations, Superintendent of System Maintenance & Support Services, Water Efficiency Manager, Water Resources

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Manager, Water Quality Manager, Watershed Protection Manager-Chief Ranger, Watershed Resources Manager; and

- 3. For the purposes of this resolution, Division Directors and Mid-Managers shall collectively be referred to as the “Unrepresented Classes”; and
- 4. Confidential Employees include: Administrative Assistant-Confidential, Administrative/Legal Support Specialist, Board Secretary, Business Systems Analyst Confidential I/II/III, Executive Assistant to the General Manager, Finance Analyst, Human Resources Analyst, Human Resources Technician, Payroll Technician; and

All terms and conditions of employment that are contained in the Memorandum of Understanding between SEIU Local 1021 and the District as approved by the Board of Directors on November 7, 2023, and any subsequent amendments thereto, shall apply to Confidential Employees; and

- 4. That sitting members of the Board of Directors are eligible to receive medical and dental benefits pursuant to this resolution; and
- 5. That the following provisions are applicable to the Unrepresented Classes.

6. Salaries

6.1 Salaries

General Salary Increase

- 1. Effective the first full pay period following July 1, 2026, the District shall provide all Unrepresented Classes a four percent (4.0%) increase in base wages.
- 2. Effective the first full pay period following July 1, 2027, the District shall provide all Unrepresented Classes a four percent (4.0%) increase in base wages. .
- 3. Effective the first full pay period following July 1, 2028, the District shall provide all Unrepresented Classes a four percent (4.0%) increase in base wages. .

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6.2 Acting Assignment Pay

Acting assignment work authorized in advance by the Division Director or the General Manager in a higher classification shall be paid at a rate 8% above the employee’s regular pay. Such pay shall occur after one hundred sixty (160) consecutive hours of acting assignment work and shall continue until the employee is relieved of the acting assignment. Vacation or sick leave taken during the appointment will be paid at the employee’s regular pay.

6.3 Incentive Pay for Higher Level Certifications

The District will provide incentive pay for employees who are required to hold a Distribution System Operator or Water Treatment Operator certification, in their classification, when the employee obtains a valid Distribution Systems Operator’s or Water Treatment Plant Operator’s certificate that is:

- One level above their job classification minimum qualification a \$25 per month stipend; or
- Two or more levels above their job classification minimum qualification a \$40 per month stipend.

For the following cross-classification certifications, the District will provide incentive pay as follows:

- Treatment Plant Operator Managers holding a: D3 certification are eligible for a \$10 per month stipend; or a D4 certification are eligible for a \$20 per month stipend; or a D5 certification are eligible for a \$30 per month stipend.
- Distribution System Operator Managers holding a: T3 certification are eligible for a \$10 per month stipend; or a T4 certification are eligible for a \$20 per month stipend; or a T5 certification are eligible for a \$30 per month stipend.
- For example, a Treatment Plant Operator Manager holding a D5 certification will receive \$10 monthly for the D3, \$10 monthly for the D4 and \$10 monthly for the D5 certifications, totaling \$30.

Employees on unpaid status for two consecutive pay periods due to illness or injury will have their license/certificate premium payments discontinued until they return to work. Employees who request leave without pay for reasons other than illness or injury will have their license/certificate premium payments discontinued effective the first full pay period after their leave begins, and the payments will be resumed once they return to work.

7. Step Increases

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No increase in salary shall be automatic merely upon completion of a specified period of service. All increases shall be based on merit as established by record of the employee's performance and shall require recommendation of the Division Director and approval of the District General Manager.

New employees who enter a classification at Step One (1) will be eligible for increase to Step Two (2) upon successful completion of their one (1) year probationary period, and such employees will be eligible to receive additional step increases annually thereafter, up to and including Step Five (5).

Employees promoted into a classification at Step One (1) will be eligible for increase to Step Two (2) after successful completion of their three (3) month probationary period and such employees will be eligible to receive additional step increases annually thereafter, up to and including Step Five (5). Employees who enter a classification at Step Two (2) or higher will be eligible for increase to the next higher step after completion of one (1) year in the classification, and such employees will be eligible to receive additional step increases annually thereafter, up to Step Five (5).

8. Health and Welfare

8.1 Medical Insurance

Active Employees

An employee becomes eligible to participate in the District's health plan on the first day of the month following the receipt of the employee's application for coverage by Human Resources. Employees may elect coverage with any of the health insurance plans authorized under the PERS medical insurance coverage program. For active employees, the District pays up to the premium amount based upon the CalPERS middle priced plan as described below for the employee and one (1) eligible dependent, with any additional premium amounts to be paid by the employee.

The medical insurance contribution of the District shall be set at the rate of the plan that falls in the middle of the list of available medical plans (sequentially, i.e., if the number of plans offered is odd the rate shall be set at the plan in the middle, for example, if eleven (11) plans are offered, the rate will be set at the plan sixth from the bottom. If the number of plans offered is even the rate shall be set at the lower of the two middle plans, for example if twelve (12) plans are offered the rate would be set at the plan sixth from the bottom.) Any additional costs for the PERS medical insurance coverage chosen by the active employees shall be their responsibility.

Any premiums paid by the employee eligible for Section 125 will be deducted from the employee's pay on a pre-tax basis.

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The District will continue to offer Domestic Partner coverage for health insurance based on the PERS requirements and following the required PERS process.

Retirees

The District will contribute toward covered retired employees’ medical insurance premiums, as defined by CalPERS regulations for the CalPERS covered retiree. The District’s contribution amount shall be based on the following formulas. Any additional costs for the CalPERS medical insurance coverage chosen by the retired employees shall be their responsibility.

Retiree Healthcare- Employees hired before January 1, 2024

Employees hired prior to January 1, 2024, shall be eligible for retiree health insurance after they have completed five (5) years of continuous full-time District service. The District’s contribution for the retiree and (1) one eligible dependent will be the same as that for active employees as set forth above in this section.

Retiree Healthcare- Employees hired on or after January 1, 2024

Employees hired on or after January 1, 2024, who retire from the District and enroll in the District’s retiree healthcare plan (CalPERS Health Benefit Program- Public Employees’ Medical and Hospital Care Act (PEMHCA)) shall receive a District paid contribution towards their retiree healthcare and their spouse’s healthcare based on the employee’s completed years of credited service with the District subject to criteria set forth in this section.

For purposes of determining the District’s contribution toward the retiree’s and the retiree’s spouse’s healthcare cost, years of credited service shall mean the employee’s continuous full-time years of service with the District as follows:

Years of Credited Service with the District	District’s Payment Percentage of Premium Cost for Retired Employee	District’s Payment Percentage of Premium Cost for Retired Employee’s Spouse
0-9 years of District service	Minimum Employer Contribution Amount set forth in Government Code Section 22892	0%
10-14 years of District service	50%	0%
15-19 years of District service	75%	50%
20+ years of District service	100%	75%

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Notwithstanding the provision above, for employees hired on or after January 1, 2024, the maximum amount of the District's contribution toward the retiree's and the retiree's spouse's healthcare costs shall not exceed the District's contribution for active employees' healthcare at the time of the employee's retirement from the District. For example, if the District contributes \$1,035 monthly for an active employees' healthcare at the time of the employee's retirement, both the retiree and the retiree's spouse, if applicable, would receive a contribution towards their healthcare based upon a percentage, as set forth in the table above, of the \$1,035 monthly maximum paid for active employees. Continuing the example, a retiree with 15 years of District service would receive 75% of the \$1,035 monthly maximum (\$776.25), and their spouse, if applicable, would receive 50% of the \$1,035 monthly maximum (\$517.50) until age 65.

For those retirees, hired on or after January 1, 2024, with less than 20 years of District service, the District's contribution toward the retiree's and spouse's healthcare premium shall terminate at age 65. For those retirees, hired on or after January 1, 2024, with 20 years of District service or more, the District's contribution toward the retiree's and spouse's healthcare premium shall be capped at the age of 65, at \$300 per month for the retiree and the retiree's spouse's coverage, if applicable, shall be capped at \$150 per month.

All medical insurance provided in this section is governed by PEMHCA. Any benefit amounts set forth in this section shall be based on either the amount herein or the PEMHCA minimum employer contribution (Government Code section 22892), as may be amended from time to time, whichever is greater. Retirement health benefits are also based on the CalPERS vesting requirement of five years and applicable retirement ages. California Public Employees' Retirement Law governs vesting requirements for public agencies and is subject to change at the State level.

8.2 Medical Plan Exemption

An employee who is eligible for coverage under the District's medical plan specified in Section 8.1, but who is covered by another qualifying medical plan, may elect not to be covered by the District's medical plan by furnishing the District with proof of such qualifying medical coverage and by signing a waiver of benefits. In return for not contributing on said employee's behalf for qualifying medical coverage, the District shall pay the employee one hundred (\$100) per pay period until such time as said employee is reinstated under the District's medical plan. The employee's election to not be covered by the District's medical plan shall be made for one (1) year and may be renewed on a year to year basis upon submission of evidence of continued coverage under another qualifying medical plan. As an exception to the above, an employee, who elects not to be covered by the District's medical plan and who prior to the one (1) year period for making such election loses alternate qualifying medical coverage because of a change in marital status, will be eligible to participate in the District's medical plan on the first of the month following

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official notification to Human Resources of loss of coverage subject to the rules and regulations of the respective medical plan.

8.3 Section 125 of the IRS Code

The District will continue to have employee deductions for medical plan premiums and dependent care calculated on a pre-tax basis, consistent with current IRS regulations and requirements.

8.4 Dental Insurance

After three (3) months of employment, eligible employees may participate in the District's dental insurance program through the Delta Dental Plan. The District pays the full premium for employees and their eligible dependents, including domestic partners as eligible dependents.

The maximum calendar year benefits shall be two thousand dollars (\$2,000). Beginning January 1, 2024, Orthodontia coverage for dependent children of employees will be covered up to a lifetime maximum of \$3,000 per child.

8.5 Retirees

For those employees hired prior to January 1, 2024, the District shall pay for dental coverage, in accordance with Section 8.4, for a retiree plus one dependent for those retirees with ten (10) or more full years of continuous service with the District, until the retiree attains age 65.

For those employees hired on or after January 1, 2024, the District shall not pay any portion of the retiree's dental coverage.

8.6 Eligibility

In order to be eligible for Medical, Dental, Life, and Long Term Disability Insurance an employee must have eighty (80) hours of pay credit during the two previous pay periods.

It is the employee's or retiree's sole responsibility to notify Human Resources of any change in status (e.g., marital or dependent change) which may affect the employee's benefit coverage or that of the employee's family within thirty (30) calendar days of the qualifying event. For the dental benefit described in Section 8.4, changes in status will be allowed to begin at the next open enrollment period when reported timely and in accordance with District procedures.

8.7 Life Insurance

Division Directors:

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After one (1) month of employment, the District will provide each Division Director with a life insurance policy equal to one and one half the employee’s annual salary (rounded to the nearest thousand) but no greater than one hundred and fifty thousand dollars (\$150,000). Eligible employees may elect additional life insurance coverage of an amount equal to the employee’s annual salary (rounded to the nearest thousand) with the premium to be paid by the employee on a voluntary basis by payroll deduction. The District shall also provide for the Division Director’s Accidental Death and Dismemberment Insurance (AD&D) in the amount of one hundred and twenty thousand dollars (\$120,000).

Mid-Managers:

After one (1) month of employment, the District will provide each eligible employee with a life insurance policy equal to the employee’s annual salary (rounded to the nearest thousand) but no greater than one hundred thousand dollars (\$100,000). Eligible employees may elect additional life insurance coverage of an amount equal to the employee’s annual salary (rounded to the nearest thousand) with the premium to be paid by the employee on a voluntary basis by payroll deduction. This additional life insurance coverage purchase may be made in whole or part at minimum increments of \$10,000, subject to agreement of the insurance provider.

8.8 Long Term Disability

The District will provide each eligible employee with long term disability insurance.

8.9 Vision Care

The District will reimburse employees for vision care expenses of the employee not covered by existing District health plans or any other insurance plan. The amount of said reimbursement shall not exceed three hundred and fifty dollars (\$350.00) in a fiscal year. An employee may carry over any remaining monies for an accumulated total of seven hundred dollars (\$700).

8.10 Retirement Plan

8.10.1 The following provision applies only to those employees hired prior to January 1, 2013 or those new employees who qualify as ‘classic’ members of CalPERS.

The present Retirement Plan contract between the District and the Public Employees Retirement System (PERS) shall continue at the current benefit level.

Reduction of Employer Paid Member Contribution for Division Directors

The District currently pays 1.25% of the Division Directors’ share of the retirement cost. Effective July 1, 2026, the District shall no longer pay any portion of the Division Directors’ share of the retirement cost.

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The employer paid employee’s share shall be used in the calculation of the retirement annuity per Government Code Sections 20691 (which allows the District pay a portion of the member contribution) and 20636(c)(4) (which allows the District to pay and report the value of the employer paid member contribution).

There will be no employer payment of any part of the mandatory employee contribution for any other Unrepresented Employees.

Division Directors shall receive a 1.25% salary increase to offset the reduction to the Employer Paid Member Contributions set forth herein. Such salary adjustment shall occur on July 1, 2026. This adjustment shall be additive to any salary increases provided pursuant to Section 6.1. For example, if the salary increase provided pursuant to Section 6.1 is 4% during this time period, the Division Director would receive a 5.25% increase.

Participation in the PERS plan and Social Security is mandatory.

8.10.2. The provisions below apply to all employees hired beginning January 1, 2013, and who do not qualify as ‘classic’ members of CalPERS.

There will be no employer payment of any part of the mandatory employee contribution. All other provisions shall be as required by the Public Employees’ Pension Reform Act (PEPRA). Participation in the PERS plan and Social Security is mandatory.

8.11 Amendment to Medical Coverage

In the event any Federal or State legislation which provides health care coverage for employees covered by this resolution is enacted into law during the term of this resolution and such legislation has an adverse impact on either party, the parties will meet to discuss the impact of such legislation.

In the event that the level of financial contribution by the District, on the effective date of such legislation is greater than required to satisfy the terms of the medical insurance contribution rate as set by this resolution, the District agrees to make the amount in excess of what is required available for the benefit of employees covered by this resolution.

8.12 Deferred Compensation

The District will offer to employees deferred compensation plans pursuant to the "Deferred Compensation Plan" approved by the District Board of Directors on May 22, 1985 consistent with current IRS regulations and requirements.

9. Non Discrimination

The District and employees agree that no person employed or applying for employment shall in any way be discriminated against because of race, color, creed,

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religion, sex, national origin, physical or mental disability, age, political affiliation or opinion, sexual orientation, gender identity, marital status, or other legally protected characteristic, nor shall a person be the subject of sexual harassment as prohibited by District policy and applicable law.

Complaints under this section shall be filed and processed in accordance with the District's Anti-Harassment and Discrimination Policy. If the District policy does not resolve the issue, the complaint may proceed in accordance with applicable law.

10. Holidays

Recognized Holidays

The District recognizes the following days as holidays to be taken off with pay by full-time employees:

- | | |
|-----------------------------------|-------------------------------|
| (1) New Year's Day | (7) Labor Day |
| (2) M. Luther King Jr.'s Birthday | (8) Veteran's Day |
| (3) President's Day | (9) Thanksgiving Day |
| (4) Memorial Day | (10) Day after Thanksgiving |
| (5) Juneteenth | (11) Day before Christmas Day |
| (6) Independence Day | (12) Christmas Day |

If Christmas Day falls on a Saturday, Sunday or Monday, the Day before Christmas Day shall be observed on the last working day before the day on which Christmas is observed by the District.

10.1 Floating Holidays

Effective January 1, 2024, employees shall receive one (1) floating holiday. Effective July 1, 2024, and each July 1st thereafter, employees shall accrue two (2) floating holidays per fiscal year.

New employees hired during the period of July 1st to December 31st in the calendar year will be credited with two (2) floating holidays for that fiscal year. New employees hired during the period of January 1st to June 30th in the calendar year will be credited with one (1) floating holiday in the first full pay period following active employment.

Employees who receive floating holidays may use one of their accrued floating holidays on Cesar Chavez Holiday (March 31) as long as minimum staffing levels as determined by the employee's Division Director or General Manager are maintained.

An employee's accrued floating holiday(s) received pursuant to this section shall be exchanged for the first day(s) of vacation taken by the employee, but shall not be counted against the employee's total accrual of vacation days for the fiscal year.

Floating holidays not used by the employee prior to the end of the fiscal year will be forfeited without pay.

10.2 Holidays Falling on Saturday or Sunday

If and whenever any holiday provided for in Section 10 above, other than Christmas, falls on a Saturday, it shall be observed on the preceding Friday. If and whenever a holiday provided for in Section 10 above falls on a Sunday, it shall be observed on the following Monday.

11. Vacation

11.1 Vacation With Pay

Full-time employees shall earn vacation with pay at the following rates for each complete paid year of service with the District:

Division Directors

For the first fifteen (15) years of service	6.16 hours/pay period
Sixteen (16) years of service	6.47 hours/pay period
Seventeen (17) years of service	6.77 hours/pay period
Eighteen (18) years of service	7.08 hours/pay period
Nineteen (19) years of service	7.39 hours/pay period
For Twenty (20) or more years of service	7.70 hours/pay period

Mid-Managers

For the first nine (9) years of service	4.62 hours/pay period
For the next six (6) years of service	6.16 hours/pay period
Sixteen (16) years of service	6.47 hours/pay period
Seventeen (17) years of service	6.77 hours/pay period
Eighteen (18) years of service	7.08 hours/pay period
Nineteen (19) years of service	7.39 hours/pay period
For twenty (20) or more years of service	7.70 hours/pay period

11.2 Vacation Scheduling

Vacations will be scheduled by the Division Director or General Manager in accordance with work load and District seniority. Seniority is defined as the total continuous time of service with the District, as defined in the paragraph entitled “Seniority Defined.” The most senior person in each work unit, based on overall District seniority, will have first choice in selecting a single block of vacation, with the scheduling then proceeding to the next senior person until all vacation has been scheduled. If at all possible, the selected time will be assigned. If there is a conflict, employees may be asked to select another time. Once vacation time is assigned, it will not be changed except with advance approval of the Division Director or General Manager. If scheduled vacation time is not taken, the employee may not invoke seniority when rescheduling vacation.

11.3 Lump Sum Vacation Pay

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An employee whose service with the District terminates for any reason or who is granted a leave of absence shall be paid a lump sum for all accrued vacation earned prior to termination date or last day worked. The District shall be reimbursed for any unearned vacation, either by debiting the final check or by direct payment to the District. Upon separation, the employee shall reimburse the District for any used but unearned vacation.

11.4 Vacation Carry Over

Unrepresented Classes may carry over accrued, unused vacation from calendar year to year, to a maximum of five hundred (500) hours. When an employee’s vacation balance reaches five hundred (500) hours, the employee shall no longer accrue vacation hours. Vacation hours shall again begin to accrue when the employee's accrued hours drop below the five hundred (500) maximum.

11.5 Vacation Cash-In

Annually, in November, Unrepresented Classes may irrevocably elect to cash-in up to eighty (80) hours of accrued vacation during the following calendar year, as long as they maintain a minimum accrued vacation balance of at least eighty (80) hours after the cash-in. No CalPERS service credit shall accrue from a vacation cash-in.

12. Administrative Leave

In recognition of the extended hours worked by Unrepresented Classes and since they are exempt from overtime under the FLSA, effective January 1, 2024, Unrepresented Classes employees managing twenty- four (24) hour operations (Director of Operations and Superintendents) will be entitled to 100 hours of administrative leave per calendar year; all other employees will be entitled to 80 hours of administrative leave per calendar year.

13. Sick Leave

Sick Leave Accumulation

Full-time employees shall earn and accumulate paid sick leave without limit at the rate of 4.62 hours per pay period hours for each complete pay period of service with the District. The District Board of Directors may, in its discretion, grant additional sick leave not to exceed seven hundred twenty (720) hours to any employee who has used all of their accumulated sick leave and is unable to work due to illness or injury if the employee's work record and years of service so warrant.

13.1 Sick Leave Use

All employees shall be entitled to use accumulated sick leave under the following circumstances:

- 1) The employee is incapable of performing the job duties due to illness or injury;

- 2) To attend a medical examination or treatment in a doctor's office, dentist's office, hospital or other medical facility for the employee's own health condition; provided that the amount of sick leave used for such visits is the amount of time reasonably necessary to travel to and from and attend the medical appointment;
- 3) To attend to an illness of the employee's "immediate family" member or "designated person" as defined in Section 13.2 below. An employee may use up to one-half of the District's annual sick leave accrual (60 hours /calendar year) for this purpose. Employees may use sick leave under this provision to attend routine medical and dental appointments that the family member or designated person could not keep on their own. Employees may use a day of sick leave under this provision to be with their spouse or registered domestic partner at the time of birth of a child;

In the case of a serious health condition, after use of sixty (60) hours for "immediate family" members or "designated person" (as defined in Section 13.2 below) leave in any calendar year, employees may use other forms of paid time off, including but not limited to vacation and compensatory time off. Once all other forms of paid leave have been exhausted employees may use any remaining sick leave, the total amount of paid time used may not exceed the total of time allowed under the Family Medical Leave Act (FMLA) or California Family Rights Act (CFRA); or

- 4) The employee is pregnant and may take up to six (6) months of leave per pregnancy based on certified medical needs and subject to related Federal and State provisions.

13.2 Immediate Family/Designated Person Defined

An employee's immediate family, as it applies for sick leave and Funeral/Bereavement Leave is defined as the employee's spouse, registered domestic partner, children, foster children, parents, foster parents, grandparents, brothers, sisters, and the parents, foster parents or children, or grandparents of the employee's spouse or registered domestic partner or for a family member for whom the employee is standing in loco parentis.

"Designated person" is defined by CFRA. Pursuant to CFRA, an employee may elect a "designated person" at the time the employee requests leave pursuant to Section 13.1. The employee's election of a "designated person" shall be limited to one person per twelve (12) month period.

13.3 Sick Leave Approval

The District may require a doctor's certificate stating the necessity for sick leave and may make such other investigation as to the necessity for sick leave as it deems appropriate.

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In the event an employee fails to provide satisfactory evidence of the necessity for sick leave within five (5) working days after being instructed to provide such evidence claiming or applying for sick leave, the employee's sick leave rights for the period applied for shall be deemed to have been voluntarily waived and released.

An employee who is absent from work due to their own or a family member's or designated person's illness, injury or other medical condition must notify their supervisor of their absence within a reasonable time prior to the start of their scheduled shift. If an employee is unable to place a call, a friend or relative should be asked to contact the supervisor on behalf of the employee. An employee who requires sick leave to attend a medical appointment must notify their Division Director or the General Manager of the planned absence within a reasonable amount of time following the time the appointment is made.

13.4 Sick Leave Incentive Program

Employees accruing sick leave hours in excess of eight hundred (800) hours, may annually elect one of the following options with respect to such excess hours accrued on or after November 1st of each year:

- (1) Accumulation option: continue to accumulate sick leave hours in accordance with this resolution;

- (2) Compensation option: In November of each year, employees may irrevocably elect to be compensated in the following calendar year for all accumulated hours in excess of eight hundred (800) hours at fifty percent (50%) of their regular salary rate; or

- (3) Combination option: combine the accumulation option and compensation option with fifty percent (50%) allotted to each.

No CalPERS service credit shall accrue from the sick leave compensation provided under this Section.

13.5 Sick Leave Payout

- (1) Every employee upon retirement shall be paid a lump sum equal to seventy five percent (75%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of retirement. The maximum payout shall not exceed 750 hours.

- (2) Every employee having five (5) or more years of continuous service with the District upon discharge or lack of work or lack of funds within the employee's

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classification shall be paid a lump sum equal to fifty percent (50%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of their discharge.

(3) The estate of every employee upon death of the employee shall be paid a lump sum equal to fifty percent (50%) of the number of hours of the employee's accumulated sick leave, based upon the employee's salary at the time of death.

No CalPERS service credit shall accrue from the sick leave compensation provided under this Section.

13.6 Special Sick Leave

Employees disabled from their regular work by injury received in the course of employment shall be granted special sick leave, not exceeding sixty (60) working days except with special approval of the District Board of Directors. Such special sick leave shall not be charged against an employee's earned sick leave. An employee may be requested to perform temporary limited duties during such period of disability if the attending physician finds the employee able to perform such duties.

Every employee entitled to special sick leave shall, for each day of such special sick leave taken, be paid the differential between the employee's regular salary or wage and the amount of workers' Compensation disability payments to which such employee is entitled for such day; provided, that such differential shall not be paid for any day on which the employee declines to perform temporary limited duties requested of them.

14. Attendance Policy

Regular attendance by every employee is important and necessary to the successful operation of the District.

15. Funeral/Bereavement Leave

An employee may use up to forty (40) hours, with twenty-four (24) hours paid by the District, of Funeral /Bereavement leave in the case of a death in an employee's "immediate family" or the death of the individual who is currently predesignated as the employee's "designated person".

16. Leaves of Absence

16.1 Leave Without Pay

The District General Manager may grant regular full-time employees leave without pay for a bona fide reason for up to six (6) months. Any such leave without pay may be extended for additional periods not to exceed thirty (30) calendar days each. Seniority and longevity shall continue to accrue only during the first thirty calendar (30) calendar days of any leave without pay. The granting or not granting of such leave without pay is at the sole discretion of the District General Manager.

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In instances where an employee has exhausted all paid leave accruals and there is a bona-fide reason for an absence, requests for two weeks (80 hours) or less of leave without pay may be authorized by the Division Director or their designee.

16.2 Family and Medical Leave Act

Family and medical leave shall be granted in accordance with the Federal Family and Medical Leave Act and the California Family Rights Act.

16.3 Jury Duty and Work Related Subpoenaed Court Appearance

Whenever an employee is summoned for jury duty as a state or federal trial juror or grand juror, or is subpoenaed to appear as a witness before a grand jury or at a preliminary hearing, trial, or deposition, in a case in which the employee is not a party but which is related to the employee's official District duties, such employee's regular pay shall continue and time spent in jury service or in giving testimony shall not be charged to the employee's sick leave or vacation time, but employee shall reimburse District for compensation received for any service or witness fees received, not including mileage.

16.4 Military Leave

Employees shall be granted military leave in accordance with the provisions of California Military and Veterans Code Section 395, et. seq. and the Uniformed Services Employment and Reemployment Rights Act shall be entitled to the salary continuation rights and status and any reinstatement rights specified therein.

16.5 Disability Absence

A disabled employee may be provided an unpaid leave of absence of a specific duration as a reasonable accommodation where it is likely the employee will be able to return to their job at the conclusion of the leave. If, during the course of such leave, the District reasonably determines that it is unlikely that the employee will be able to return to their position because of a disability, the District may terminate the employment, provided that there is no available alternative position for which the employee is qualified to perform.

The District may deny a request for leave under this section where the length of the leave imposes an undue hardship on the District.

When an employee becomes disabled due to a work related injury, the maximum duration of an occupational injury leave is as required by law.

This section is not intended to abridge rights involving disability leave where said rights are otherwise established by local, state or federal statute.

16.6 Pregnancy Leave

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A pregnant employee may take a pregnancy leave of up to six (6) consecutive months, with approval by their Division Director. The employee may use their paid leave time, in the form of accrued sick time, as per section 13.1 (4), and/or any accrued vacation and compensatory time during the period of the pregnancy leave.

16.7 Parental or Adoptive Leave

A prospective parent or adoptive parent may take a parental leave of up to six (6) consecutive months, with approval by their Division Director. The employee may use their paid leave time, in the form of accrued sick time, as per section 13.1 (3), and/or any accrued vacation and compensatory time during the period of the parental leave.

17. Layoff

Need For Layoff

In determining the necessity for a layoff, the factors to be included will include, but may not be limited to, the following:

- 1) The need and funding for the position;
- 2) Whether the job experience, skills and educational training of an employee being considered for layoff qualify the employee for another position;
- 3) Overall level of performance with the District of an employee being considered for layoff; and
- 4) Seniority.

17.1 Seniority Defined

Seniority is defined as the total continuous time of service with the District, excluding any service time during which the employee was classified as part-time. Seniority will accrue for each two preceding consecutive 80 hours of pay credit.

17.2 Notice of Layoff

The District will make every effort to give as much advance notice of layoff as possible. Regular full-time employees will receive a minimum of ninety (90) calendar days written notice; full-time temporary employees will receive a minimum of sixty (60) calendar days written notice, except that when the position is scheduled for six (6) months or less, the employee will receive a minimum of thirty (30) calendar days written notice; part-time hourly employees may be laid off without advance notice.

18. Automobile Use

18.1 Employee Vehicle

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The District will reimburse employees at the rate currently approved by the I.R.S. for authorized use of their private vehicle for District use, for miles traveled on paid time. Private vehicles may be used only when no appropriate District vehicle is available and with the advanced approval of the employee's Division Director or General Manager.

18.2 District Vehicles

To facilitate the District's operation, the District General Manager may assign a District vehicle to certain employees who are required to be on call for and respond to operational problems or emergencies after normal work hours. In compliance with the District's "Vehicle Use Policy", District vehicles are not to be used for personal business and are to be operated only by District employees.

19. Management Professional Allowance

19.1 Education and Training

The District will reimburse tuition, books, laboratory fees and examination fees in the amount of up to \$3,500 per employee per fiscal year in connection with educational courses taken by regular full-time or regular part-time non-probationary employees. The educational course must be related to the employee's current position or to a position within the District to which the employee may aspire. The written request for cost reimbursement must be completed by the employee and approved by the Division Director and District General Manager before the course begins. In order to be reimbursed for educational costs, the employee must attain a grade of at least "C" or its equivalent, and class and study time must be outside the employee's normal work hours. To qualify, courses must be given by an accredited school or college, or a recognized professional or training organization acceptable to the District. Transportation or other costs are not reimbursable.

Unrepresented Classes may also use the \$3,500 annual educational and training allotment for other professional development such as the purchase of books, computers and attendance at professional conferences not covered by the District. Unrepresented Classes may also choose to use this allowance to offset the cost of their medical coverage, to offset the costs not covered by their insurance for medical, dental or vision procedures for the employee or eligible family members, or to place part or all of these funds into a deferred compensation plan.

19.2 Training and Conference Expenditures

All requests for attendance at training courses, seminars and conferences shall be approved in advance by the employee's Division Director or General Manager.

20. Flexible Work Hours

An individual employee's request for an alternate work schedule (9/80 or 4/10) shall be considered on an individual or departmental basis and may be approved on an individual or departmental basis provided there is no adverse effect on District

operations, and shall be at District's sole discretion. It is understood that such alternate work schedule may not be permanent. Alternate work schedules may be revoked upon ten (10) working days' notice to the employee or group of employees affected by the revocation. The District will endeavor to respond to the request within ten (10) business days.

21. Probationary Period

21.1 New Hire Probationary Period and Promotions

The probationary period for newly hired employees covered by this resolution shall be one (1) year of paid service. Newly hired employees who are reclassified or promoted during their initial probationary period will be required to complete an additional year of probation in their new classification.

At the discretion of the District General Manager, the probationary period for a newly hired employee may be extended for up to six (6) months, if circumstances warrant, by giving notice to the employee fifteen (15) working days before the scheduled completion date of the normal probationary period. During the probationary period or any extension thereof, an employee may be dismissed or disciplinary action taken against the employee and the employee shall not have the right to a hearing with respect thereto.

21.2 Promotion of Current Employees

The probationary period for newly promoted employees, excluding newly hired employees covered by Section 21.1, shall be three (3) months of paid service in the new classification. During this period of time the employee may return or be returned to his/her original position without the right to appeal.

At the discretion of the District General Manager, the probationary period of a promoted employee may be extended for up to three (3) additional months, if circumstances warrant, by giving notice to the employee fifteen (15) working days before the scheduled completion date of the normal probationary period. During this period of time the employee may be returned to his/her original position without the right to appeal.

21.3 Employment Status

Upon completion of the probationary periods in Section 21.1 and 21.2, an employee shall be designated as a non-probationary employee who shall be subject to disciplinary action only for cause.

22. Discipline and Discharge

Upon completion of the designated probationary period an employee shall be designated as a non-probationary employee who shall be subject to disciplinary action only for cause. The District shall use progressive disciplinary steps (i.e., reprimand, suspension, demotion, termination) unless the violations are extremely serious.

22.1 Preliminary Notice

A non-probationary employee shall receive, in accordance with the law, a preliminary written notice of any proposed disciplinary action that involves the loss of pay. The notice must contain a specific statement of charges or grounds upon which the proposed disciplinary action is based and the date the disciplinary action will be effective.

Any known written materials, reports or documentation upon which the disciplinary action is based must be attached to the notice. Adverse documents that did not result in a loss of pay and which are more than three (3) years old shall not be utilized in subsequent disciplinary action.

In cases of discipline which involves no loss of pay, the employee shall have ten (10) working days to appeal to the District General Manager, who shall schedule a meeting with the employee to review the proposed discipline within ten (10) working days of receipt of an appeal. After hearing the response of the employee the District General Manager may order that the proposed disciplinary action or modification thereof be imposed.

Upon the receipt of the notice involving a loss of pay, the employee shall have ten (10) working days to appeal the matter in writing to the District General Manager. If a written appeal is filed, no disciplinary action shall be imposed until the District General Manager has conducted a hearing with the employee (and employee's representative, if the employee so designates a representative) present and having heard the response of the employee. The District General Manager shall schedule the hearing within ten (10) working days of receipt of an appeal.

22.2 Disciplinary Action and Appeal

After hearing the response of the employee the District General Manager may order that the proposed disciplinary action or modification thereof be imposed.

Thereafter, the employee shall notify the District within ten (10) working days that the matter is appealed.

23. Dispute Resolution

23.1 Definitions

- (1) A dispute which involves the interpretation or application of any provision of this Resolution.
- (2) A day shall mean any that the District Office is open for business, excluding Saturdays, Sundays and the holidays recognized by the District.
- (3) A dispute may be filed by an individual employee or a group of employees on matters involving the District and the employee/group relationship.

(4) Time limits begin with the day following the event causing the dispute or the day following receipt of a decision.

23.2 Procedure

Step 1.

Within seven (7) working days of when the employee knew or should have known of the act or omission causing the dispute the employee shall present either in writing or verbally a clear and concise statement of the dispute to the immediate supervisor.

Within five (5) working days thereafter the immediate supervisor shall investigate and respond to the allegations of the employee.

Step 2.

If the employee is not satisfied with the resolution at Step 1, they must reduce the dispute to writing and present it to the Division Manager within ten (10) days.

The written statement shall contain a statement of facts about the nature of the dispute, and shall identify the specific provisions of this Resolution alleged to be violated, applicable times, places and names of those involved, the remedy or relief requested, and shall be signed by the employee.

The Division Manager shall confer with the employee and within ten (10) working days respond to the allegations in writing.

Step 3.

If the employee is not satisfied with the resolution at Step 2, the employee shall within five (5) working days appeal the matter to the District General Manager.

The District General Manager shall investigate the matter, conduct a hearing if he deems it appropriate and within ten (10) days, thereafter, respond to the allegations in writing.

Step 4.

If the dispute remains unresolved after Step 3, the employee may, by written notice to the District Personnel Office within ten (10) working days after the receipt of the response in Step 3, notify the District that the employee wishes to appeal the dispute to advisory arbitration. The parties shall attempt to agree upon an arbitrator. If no agreement is reached, they shall request a list from the State Conciliation Service of nine (9) names.

Each party shall then alternately strike a name until only one (1) name remains, said person to be the arbitrator. The order of striking shall be determined by the flip of a coin.

23.3 Arbitration

The arbitrator shall be empowered to conduct a hearing and to hear and receive evidence presented by the parties. The hearing shall be informal and need not be conducted

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according to technical rules of evidence. Repetitious evidence may be excluded and oral evidence shall be taken only under oath. The arbitrator shall determine what evidence is relevant and pertinent, as well as any procedural matters limited to the conduct of the proceeding, and may call, recall and examine witnesses as the arbitrator deems proper.

The burden of proof shall be upon the employee in dispute matters and upon the District in disciplinary matters.

After the conclusion of any hearing and the submission of any post hearing evidence or briefs agreed upon by the parties, the arbitrator shall render a written decision which shall be advisory upon the District, and any employee(s) involved in the dispute or disciplinary matter.

The arbitrator shall not be empowered to add to, subtract from, or in any way modify or alter any provision of this Resolution. The arbitrator shall only determine whether a dispute exists in the manner alleged by the employee, and what the proper remedy, if any, shall be, or in the case of a disciplinary matter whether the District's allegations are accurate and the appropriateness of the disciplinary penalty.

23.4 General Provisions

- (1) Unrepresented Classifications who participate in the Dispute Resolution process by filing a complaint or acting as a witness on the behalf of either party shall be free from discrimination by the District.
- (2) An employee has the right to be represented at each stage of the procedure, to cross examine witnesses, and have access to all information regarding the basis of the dispute upon which the District relies in making its determinations. The right to cross examine witnesses applies only at hearings held under this section and not to the Skelly (pre-discipline) process.
- (3) If the District management fails to respond within the specified time limits, the dispute shall, at the request of the employee, automatically be moved to the next step of the procedure. If the employee fails to process or appeal a dispute within the specified time limits, the matter shall be deemed settled. The parties may by mutual agreement waive the steps in the procedure.
- (4) If a hearing is held during the work hours of employee witnesses, such employees shall be released from duties without loss of pay or benefits to appear at the hearing. Witnesses requested by the parties shall be compelled to attend said hearings.
- (5) The Human Resources Department shall act as the central repository for all dispute documentation.

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(6) Time limits contained herein may be extended by mutual agreement of the parties. Absence for bona fide reasons by an employee, any management official involved in responding to the complaint shall automatically extend the time limits by the same number of days of absence.

24. Uniforms

Uniforms are furnished to employees to provide a means of identification for District employees contacting the public and to present the best image possible of the District. Where applicable, the District will reimburse employees for the purchase of uniforms. The District shall designate those classifications for which uniforms and/or boots shall be required. Employees furnished uniforms are expected to keep themselves neat and clean and the uniform in good repair.

25. Board of Directors

25.1 Medical Insurance

A member of the Board of Directors is eligible to participate in the District's health plan. A Director becomes eligible to participate in the District's health plan on the first day of the month following the receipt of the Director's application for coverage by the Human Resources Department. An eligible Director may elect coverage with any of the health plans authorized under the PERS Medical Insurance Coverage Program. The District's contribution towards a Director's healthcare cost shall be the same as that for active District employees as set forth in Section 8.1.

26.2 Dental Insurance

After three (3) months in office, a Director may participate in the District's dental insurance program through the Delta Dental Plan. The District pays the full premium for Directors and their eligible dependents. The maximum yearly benefits shall be two thousand dollars (\$2,000).

Orthodontia coverage for dependent children of the Directors will be covered up to a lifetime maximum of \$3,000 per child.

PASSED AND ADOPTED this day 24th of February, 2026, by the following vote of the Board.

AYES:

NOES:

ABSENT:

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President, Board of Directors

ATTEST:

Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: Approve Board Compensation and Board Handbook Policy Updates
From: Molly MacLean, General Counsel
Through: Ben Horenstein, General Manager
Meeting Date: February 24, 2026

TYPE OF ACTION: X Action Information

RECOMMENDATION: Approve revisions to Board Policy No. 42, Compensation of Marin Municipal Water District Directors (Board Compensation Policy) and Board Policy No. 1, the Board Handbook

SUMMARY: At the January 6, 2026 Board of Directors’ meeting, the Board received an update on new laws to take effect in 2026 that are of import to public agency officials and reviewed key Board Policies; specifically, Board Policy No. 1, the Board Handbook, Board Policy No. 42, Compensation of Marin Municipal Water District Directors, and Board Policy No. 41, Reimbursement of Travel Expenses for Marin Municipal Water District Directors. Based on input from the Board, legal staff prepared proposed revisions to update the Board Compensation and Board Handbook Policies for the Board’s consideration.

DISCUSSION: The Board Handbook, Board Policy No. 1, was initially adopted on February 2, 2021. It is a guidance document for incumbent and newly elected members of the District Board of Directors as it contains general information and specific authorities regarding the function of the Board and oversight of the District, including processes for the election of Board officers and committee appointments, among other topics. The Handbook is intended to facilitate the handling of Board affairs, assist the Board in complying with legal requirements such as the open meetings laws (i.e., the Brown Act), and is complementary to applicable laws and other requirements.

Following adoption of the Handbook, it was subsequently updated on September 21, 2021. In 2024, the Board of Directors undertook a thorough review and update to incorporate pertinent provisions of the Board Ethics Policy, Board Policy No. 50, which was then sunset, as well as updates to reflect legal changes and actions of the Board, such as clarifying the time for seating of newly elected Board Directors. Regular review of the Handbook is important to promote familiarity and to ensure it reflects current legal authorities, District policies, Board directives and best practices. Staff reviewed the Board Handbook and is proposing several minor revisions to assure alignment with recent legal changes and prior Board actions, such as committee restructuring.

The Board Compensation Policy, Board Policy No. 42, last updated on May 21, 2024, further governs what constitutes compensable service by board members. Directors are entitled to per diem compensation pursuant to District Code section 2.10.060. The Board adopted Ordinance No. 468 on November 21, 2024, which adjusted the per diem compensation amount to \$250, but capped the number of days per month for which each Director could receive compensation to eight (8).

Based on input provided at the January 6, 2026 Board meeting, staff is proposing revisions to the policy to help clarify areas where questions have been raised. Specifically, staff is proposing adding the following language to clarify what constitutes “official attendance”, which will better inform when Director activities are deemed compensable.

For purposes of this policy, “official attendance” shall mean attendance attributable to duties assigned by the Board of Directors (such as committee assignments) or those performed at the request of the District General Manager or the Board (i.e., this would exclude compensation for attendance of non-committee members at committee meetings and attendance at stakeholder group meetings unless specifically requested by the Board or the General Manager).

Staff is also proposing language to update the policy consistent with the changes adopted in District Code to increase the per diem amount to \$250, as already adopted in the code, and to cap the number of days per month subject to compensation to no more than eight (8). This change will align the Board Compensation Policy with the District Code.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Redline of the Proposed Board Compensation Revisions
- 2. Redline of the Proposed Board Handbook Revisions

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
General Counsel’s Office	 Molly MacLean General Counsel	 Ben Horenstein General Manager

**Board Policy No. 42****Original Policy Date: 01-18-06****Revised Policy Date: 05-21-24****Revised Policy Date:****COMPENSATION OF MARIN MUNICIPAL WATER DISTRICT DIRECTORS****Introduction**

The purpose of this document is to establish a consistent policy for compensating Marin Municipal Water District (District) Directors, which includes those officials elected or appointed to fill a position on the District Board of Directors, for attending Board meetings, committee meetings and other official District business.

Policy

The District is subject to various provisions of state law concerning compensation of its Board of Directors for attending meetings of the Board and serving as a representative of the District at other functions. Assembly Bill 1234, which became effective on January 1, 2006, instituted in part the following sections of the Government Code.

53232.1(a) When compensation is otherwise authorized by statute, a local agency may pay compensation to members of a legislative body for attendance at the following occurrences:

(1) A meeting of the legislative body.

(2) A meeting of an advisory body.

(3) A conference or organized educational activity conducted in compliance with subdivision (c) of Section 54952.2, including, but not limited to, ethics training required by Article 2.4 (commencing with Section 53234).

(b) A local agency may pay compensation for attendance at occurrences not specified in subdivision (a) only if the governing body has adopted, in a public meeting, a written policy specifying other types of occasions that constitute the performance of official duties for which a member of the legislative body may receive payment.

This policy authorizes compensation for all functions set forth in Government Code section 53232.1(a)(1-3), as may be amended from time to time, and pursuant to section

53232.1(b), specifies the other types of occasions for which the Board of Directors has determined the activities constitute performance of official District duties and are compensable.

District Code Regarding Director Compensation

The District’s Code includes the following section related to compensation for Board members.

2.10.060 Compensation. Each director shall receive as compensation \$250.00 per day for each day’s attendance at meetings of the board or for each day’s service rendered as a member of the board by request of the board. No director may receive compensation for more than eight days in any calendar month.

This policy is intended to further elucidate District Code, which shall take precedence, with respect to what may constitute services rendered for purposes of compensation.

Consistent with District Code ~~and state law~~, payment of compensation shall be limited to a maximum of ~~810~~ days in any calendar month.

Activities Authorized for Compensation

In addition to those compensable events set forth in Government Code section 53232.1(a), the following shall constitute service rendered to the District for purposes of receiving compensation:

1. Attendance, in the Director’s official role as a representative of the District, at ~~meetings~~, events or functions, ~~including meetings~~ of civic, business, and nonprofit organizations as well as meetings of local, regional, statewide or federal public officials, public agencies or regulatory or judicial entities on topics related to the water industry or other work of the District that could impact the District or provide relevant information for the benefit of the District.
2. Official attendance at orientation, evaluation, educational activities, and briefings for Board member(s) organized by District staff (e.g., Staff-organized Board Member training or site visits to regional water or District-owned facilities, special briefings with the General Manager or Executive Staff to prepare Board Member(s) for other meetings, etc.).
3. Official attendance by a Director on behalf of the District at community, ceremonial or public outreach events held by or supported by District staff.
4. Official attendance by any Director at meetings, conferences, seminars, educational events, regional and committee meetings and trainings and webinars on topics related to the water industry, water policy, or other issues that could impact the District.
5. Other official District business with prior authorization by the Board of Directors.

For purposes of this policy, “official attendance” shall mean attendance attributable to duties assigned by the Board of Directors (such as committee assignments) or those performed at the request of the District General Manager or the Board (i.e., this would exclude compensation for attendance of non-committee members at committee meetings and attendance at stakeholder group meetings unless specifically requested by the Board or the General Manager).

Compensation for days of travel will only be provided if such travel days are reasonably necessary to attend the meeting or activity. Travel days are considered reasonably necessary if attendance at the meeting or activity would require travel outside the hours of 7:00 a.m. to 8:00 p.m. on the actual beginning or ending days of the activity. Unless specifically approved by the Board in advance, a Director will not be eligible for compensation for more than one travel day before the beginning, nor more than one travel day after the end of the activity attended, respectively.

Authorization and Approval of Compensation

To ensure proper accounting of expenses, Directors will notify the Board Secretary on a monthly basis concerning the days of service ~~meetings that they attended~~ during that month. The Board Secretary will compile the compensation report and verify its accuracy with each of the Directors.

The General Manager shall review and approve the compensation requests submitted by the Board Secretary.



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MARIN MUNICIPAL WATER DISTRICT

BOARD OF DIRECTORS HANDBOOK

Adopted: February 2, 2021

Revised: September 21, 2021

Revised: November 6, 2024

Revised: _____, 2026

SECTION 1: Purpose and Background

Purpose

This handbook is compiled as a guidance document to provide incumbent and newly elected members of the Marin Municipal Water District (“District”) Board of Directors (“Board”) with general information and specific authorities regarding oversight of the District. This handbook is intended to facilitate the handling of Board affairs, assist the Board in complying with open meeting laws, and is complementary to applicable laws and other requirements.

The proper operation of the District requires that Board members remain objective and responsive to the needs of the public they serve, make decisions within the proper channels of governmental structure, and not use public office for personal gain. To further these objectives, certain ethical principles govern the conduct of each member of the Marin Municipal Water District Board of Directors.

In addition to providing guidance to the Board on process, this handbook will also promote awareness of ethics, integrity and fidelity as critical elements in Board members’ conduct and in achievement of the District’s mission.

Background

The District is an independent special district, formed pursuant to the Municipal Water District Law of 1911 and approved by voters to provide specific services to residences within the District’s service area. The District is a single function, enterprise special district because it charges its customers for the service provided. The District is governed by a five-member Board elected by voters within a specified limited boundary or division. Each Board member must be a resident of the division from which he or she is elected. Regular elections for Board members are held every 2 even years for staggered 4-year terms (i.e., divisions I, III & IV are elected in one 2-year election cycle and divisions II & V in the other 2-year election cycle). The District contracts with the Marin County Department of Elections to facilitate all candidate filings and services for Board member elections.

The Board holds publicly noticed meetings in accordance with the Brown Act where citizens may address the Board regarding matters within the subject matter jurisdiction of the District.

Governing Laws and Regulations

The District was formed pursuant to California Water Code Section 71000 *et seq.*, commonly known as the Municipal Water District Law of 1911. The California Constitution, the Government and Water Codes and other state statutes contain a number of provisions applicable to the District and Board member activities including, but not limited to: the Ralph M. Brown Act (Open Meetings Law), Public Records Act (Public Access to Information), Government Code Section 1090 and the Political Reform Act and associated regulations (Conflict of Interest), Assembly Bill 1234 (Ethics), and Assembly Bill 1661 (Sexual Harassment Prevention), and Assembly Bill 827 (Fiscal and Financial).

Board Policies and Administrative Procedures

The mission of the District, as established by the Board of Directors, is to manage “the lands, water, and facilities in our trust to provide reliable, high-quality water and adapt and sustain these precious resources for the future.”. The Board communicates its direction, or its philosophy, toward fulfilling this mission by developing and periodically reviewing its values and goals, and creating and updating various policies and procedures to ensure that the District’s customers and the public are treated in a fair and consistent manner. In most instances, policy is established by an affirmative vote of a majority of the members of the Board. However, some circumstances may necessitate the approval of a supermajority of the Board. The District’s General Counsel will advise the Board of the approval requirements necessary to bind the Board to a given course of action.

Current District values and goals developed as part of the 2024-2028 Strategic Plan are listed below:

Values

- **Health and Safety**
 - We are committed to the health and safety of our colleagues and community.
- **Stewardship**
 - We recognize the essential connection between people and natural resources and manage our lands and facilities for sustained benefits now and in the future.
- **Innovation**
 - We strive for excellence and innovation in managing water and watersheds.
- **Efficiency and Responsiveness**
 - We value efficiency, cost-effectiveness, and timely service in our work with customers and communities.
- **Accountability**
 - We operate with the highest levels of individual and organizational accountability to each other and the community.
- **Respect**

- We maintain a welcoming environment that embraces differences and offers respect, dignity, and fairness for all people and partners.
- **Listening and Learning**
 - We enhance ourselves and the organization by listening to others, reflecting on our performance, sharing knowledge with others, and making informed decisions.
- **One Water**
 - We work together to anticipate the challenges ahead and achieve our mission.

Goals

- **Reliable Water Supply**
 - Provide a high quality, reliable and resilient water supply now and for the future.
- **Resilient Water System**
 - Invest in and maintain a resilient water system through effective infrastructure management and planning.
- **Watershed Stewardship**
 - Protect and manage Marin Water lands for the long-term benefits for the community and environment.
- **Fiscal Responsibility**
 - Judiciously manage customer revenue and other financial resources for operating, maintaining and upgrading the water system today and in preparation for the future.
- **Organizational Excellence**
 - Support and sustain an innovative organization that lives by its values, leads by example, delivers valued benefits for its customers and is regarded as an employer of choice.

District governing documents include but are not limited to: the Marin Municipal Water District Code, Board Policies, Administrative Policies, Operating Procedures, and applicable state and federal laws, which collectively constitute the policies and procedures that District staff follow when carrying out their day-to-day duties.

District administrative and operating procedures are approved by the General Manager pursuant to the authority delegated by the Board and are implemented to ensure that the District operates in a uniform and businesslike manner, and in accordance with legal requirements and the established policies and direction of the Board.

SECTION 2: Board Officers and Board Appointed Staff

Board Officers and General Board Duties

Newly Elected Directors Time of Taking Office

Pursuant to the California Water Code section 71253, newly elected directors shall take office at noon on the first Friday in December succeeding their election. If the election results have not yet been certified by the Marin County Elections Officer by the first Friday in December, however, then the newly elected directors shall take office as soon as possible thereafter but not later than the next meeting of the Board following certification of the election results.

Appointment of Officers and Duties

The Board elects one of its members President and one of its members Vice President each year. The election of board officers shall take place at the first meeting in January following a nonelection year, and at the first meeting of the board at or after which the newly elected directors take office following district elections in November. The Board President and Vice President have no additional powers beyond those of any other Board member except that all committees of the Board are appointed by the President, with the advice and consent of other Board members. Appointment of committee chairs and vice chairs occurs in January. When a committee chair or vice chair vacancy is created following an election, the President may request another member of the board to fill in, or may assume this duty, until such time as new committee appointments are made.

The following are the responsibilities of the Board President:

- Serve as presiding officer of all Board meetings and maintain proper and appropriate parliamentary procedure (Robert’s Rules of Order) and agenda management (e.g. ensure that actions are taken with proper motions and seconds);
- Run effective and efficient Board meetings and keep the Board discussions focused on agenda items to steadfastly move the Board toward making decisions true to its proper role and responsibility;
- Maintain proper conduct at Board meetings and diplomatically facilitate appropriate public participation in the activities of the Board in accordance with the Brown Act, while managing time and avoiding diversions from the agenda or disruptions in conducting District business;
- Allow other Board members to complete their comments on an item before offering his or her own;
- Vote, discuss, and make motions the same as other Board members; however, the President only makes motions and seconds when other Board members are reluctant to do so;
- Sign various Board-approved documents, including every original ordinance and resolution passed and adopted by the Board; and
- Act as the official representative of the District for ceremonial purposes, unless unavailable or delegated to another Board member or the General Manager.

The Vice President exercises the powers and responsibilities of the President in his or her absence.

Responsibilities of Public Office

District Board members are dedicated to the concepts of effective and democratic governance by responsible elected officials. As such, the Board members will:

- Uphold the Constitution of the United States and the Constitution of the State of California, and carry out the laws of the nation, the state and local governmental agencies;
- Comply with applicable laws regulating their conduct, including open government, conflict of interest, and financial disclosure laws;
- Fulfill all applicable training requirements, including attending two (2) hours of ethics (AB 1234) training and two (2) hours of fiscal and financial training (AB827) every two (2) years; and,
- Work in full cooperation with other public officials, unless they are legally prohibited from doing so.

District Board members promote diversity and equality in personnel matters and in contracting, consistent with state and federal laws.

- Board members, in performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, religion, color, creed, age, marital status, national origin, ancestry, gender, sexual orientation, medical condition or disability.
- Board members will not grant any special consideration, treatment, or advantage to any person or group beyond that available to every other person or group in similar circumstances.
- Board members will cooperate in achieving the equal opportunity objectives of the District.

The Board ensures that the District maintains a healthy work environment.

- The General Manager has primary responsibility for ensuring compliance with the District’s personnel/administrative policies and procedures, and ensuring that District employees do not engage in improper activities, for investigating allegations of improper activities, and for taking appropriate corrective and disciplinary actions. The Board ensures that the General Manager is operating the District according to law and the policies approved by the Board.
- Board members will disclose to the General Manager, to the extent not expressly prohibited by law, improper activities within their knowledge. Board members will not interfere with the General Manager’s responsibilities in identifying, investigating and correcting improper activities, unless the Board determines the General Manager is not properly carrying out these responsibilities.

- A Board Member will not directly or indirectly use or attempt to use the authority or influence of his or her position to intimidate, threaten, coerce, command or influence any other person for the purpose of preventing such person from acting in good faith to bring to the attention of the General Manager or the Board any information that, if true, would constitute: a work-related violation by a Board Member or District employee of any law or regulation, gross waste of District funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of a District official or employee, use of a District office or position or of District resources for personal gain, or a conflict of interest of a District Board Member or District employee.

Board members exercise responsible financial management in the conduct of District business.

- The Board ensures that the District maintains a system of auditing and accounting that completely and at all times shows the financial condition of the District in accordance with generally accepted accounting principles and legal requirements.
- The Board retains an independent auditor who conducts an annual audit of the District's books, records and financial affairs. The District's Finance Director and auditor will meet with the Board at the conclusion of the audit each year to review the audit results and recommendations.
- Board members will safeguard District property, equipment, moneys, and assets against unauthorized use or removal, as well as from loss due to criminal act or breach of trust.
- A Board Member will not ask or require a District employee to perform services for the personal benefit or profit of a Board Member or employee.
- Each Board Member will protect and properly use any District asset within his or her control, including information recorded on paper or in electronic form.
- Board members will maintain written records, including expense accounts, in sufficient detail to reflect accurately and completely all transactions and expenditures made on the District's behalf.

The Board is collectively the unit of authority within the District. Apart from a Board member's normal function as a part of this unit, an individual Board member has no authority to bind the District to a specific course of action.

The Board, as governing body of the District, is charged with full jurisdiction over all water works necessary for the acquisition, storage, treatment, sale and distribution of water served to District customers. The General Manager is charged with carrying out this responsibility on a day-to-day basis.

- The Board sets District policy and the General Manager is responsible for execution of policy.
- The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly convened Board ~~and Board committee~~ meetings.

- Members of the Board deal with matters within the authority of the General Manager through the General Manager, except as it pertains to the functions of the General Counsel.

Among other duties the Board has the authority to:

- Acquire or sell the District’s real property, to construct and operate facilities, to purchase equipment and enter into contracts;
- Adopt and oversee annual District budgets and finances, set water rates and charges, and approve the purchase of resources needed by management to carry out District policies; and
- Appoint and conduct annual performance evaluations of the General Manager and General Counsel, and approve compensation for all District employees.

Communication to/from the Board

The tone and content of all communications should reflect the highest degree of professionalism and respect. Board members are responsible for the content of all text, audio, or images that they place or send, including those sent over the District computer network. Messages with fraudulent, harassing, abusive, obscene, vulgar, profane, offensive, or sexually suggestive content are prohibited. Messages with derogatory or inflammatory remarks related to a person’s membership in any protected class are also prohibited.

When a Board member receives a complaint or inquiry from the public regarding the District’s services and/or staff, the Board member should acknowledge the complaint or inquiry without making any promise or commitment as to what will happen on behalf of the District and forward the message to the General Manager. Board members are encouraged to engage the public on matters of District interest and concern, but cannot guarantee an outcome or result before the Board has acted.

Emails/ Text Messages

The District provides each Board member his or her own District email address. Routine communication should be by District email. Board members should refrain from using any communication method that may result in a serial meeting. For example, Board members should refrain from using the “reply all” function to respond to emails sent to the Board and should not use email or other means of communication to develop a consensus on any issue within the Board’s subject matter jurisdiction outside of a public meeting. (See later reference to the Brown Act, Section 3).

Email messages related to District business, sent from either District email accounts or personal accounts, are considered “public records” and accordingly, unless exempt from disclosure pursuant to the provisions of the California Public Records Act, may be disclosed in response to a public records request. These emails may also be subpoenaed as evidence in litigation. The District reserves the right to access and disclose all messages sent over its computer network and email system for any lawful purpose. The use of personal email accounts and personal electronic devices for District business is still subject to the disclosure requirement of the Public Records

Act or a subpoena. Board members should carefully consider whether the use of personal email for District business is appropriate.

Board members are responsible for checking their incoming email frequently, reading its contents and responding in a timely manner. Messages transmitted over the District email system should only involve District-related activities for the accomplishment of business-related tasks or any communication directly related to District business, administration or practices. The District email system should not be used for personal correspondence. All email messages received at or sent through the District server system, including emails sent and received by Board members' District email addresses, are property of the District and are not private.

Board members should remain aware that the rules applicable to emails also apply to text message communications. Therefore, Board members should use good judgment when sending and receiving electronic communications of any kind, including text messages. Board members should refrain from sending any electronic communications regarding matters within the subject matter jurisdiction of the Board during Board or committee meetings. Instead, Board member comments and discussions should occur aloud during the meeting in order to ensure members of the public may properly observe their elected official's opinions on District matters.

Social Media

Board members may use social media to engage in separate conversations or communications on an internet-based social media platform to answer questions, provide information to the public, or to solicit information from the public regarding matters that are within the subject matter jurisdiction of the Board provided that a majority of the members of the Board do not use the internet-based social media platform to discuss among themselves business within the subject matter jurisdiction of the Board. Board members should remain aware that the phrase "discuss among themselves" is broadly defined to include any communications made, posted, or shared on an internet-based social media platform between members of the Board, including comments or use of digital icons that express reactions to communications made by other members of the Board, such as "like". For this reason, Board members should not comment or use any digital icons (i.e., like, dislike, etc.) expressing reactions to fellow Board members' social media posts related to District business. Board members should also refrain from taking positions on social media regarding any matter that is pending or may become before the Board.

Board members should remain aware that using social media accounts to discuss District business may create a "public forum", which may thereafter restrict the Board member's right to remove public comments on the account or block other users. It is recommended that Board members who utilize social media label personal accounts as such and do not use the accounts to speak on behalf of the District or to discuss District business. If the Board member desires to maintain an official account that is intended to speak on District issues, it is recommended that the Board member consult with the District's Communications Department and General Counsel.

Contact with Media

Because the public receives much of its information regarding District programs, policies and operations through the media, it is important that the District provide the media with the most complete and accurate sources of information available. Thus, the General Manager or his designee shall serve as the District's primary spokesperson and the media's primary source of contact with the District. Media inquiries about official District business, including requests for explanations of District policy, should be directed to the General Manager or his designee. Press releases and any other media communications are coordinated as part of the District's communications strategy and should therefore be prepared by and at the direction of the General Manager or his designee, including opinion/editorial pieces, which are reserved to address timely or critical topics, including matters of greater urgency, sensitivity or public interest.

Any Board member communications with the media, including the submission of opinion/editorial pieces by a Board member or members, in which the District is a subject matter of discussion shall be clearly identified as an expression of personal opinion of the individual Board member who is expressing his or her opinion to the media in accordance with *Use of Title/Advocacy on Non-Board Approved Matters* and as such should not use District time or resources.

Use of Title/ Advocacy on Non-Board Approved Matters

Elected or appointed officials may not take positions on behalf of the District without the express prior permission and direction of the Board. When Board members are asked for the District's opinion on an issue, the response should reflect the position of the Board. Any position of the Board is developed through a collective action taken by the entire Board. If a Board member is uncertain as to the official position of the District, he/she should contact the General Manager.

If an individual Board member elects to engage in producing any correspondence, public comment or oral presentation or to engage in advocacy on matters other than in representation of a Board position, the Board member may not use his or her Board title, or otherwise suggest or imply that their positions reflect the position of the Board or the District. If a Board member produces or engages in advocacy that does not reflect a collective action taken by the entire Board and finds that it is necessary to make reference to their Board title, the Board member must include a disclaimer that immediately precedes and follows the opinion expressed by the individual Board member. The disclaimer must indicate that the position being expressed is that of the individual Board member and does not reflect the position of the District or the Board.

Board Appointed Staff

General Manager

The General Manager is appointed by and reports to the Board to carry out the day-to-day activities of the District pursuant to adopted ordinances, resolutions and policies. The General Manager has full charge and control of the maintenance, operation and construction of the waterworks system of the District and authority to employ and discharge employees, except

those appointed by the Board, and determine employee duties necessary to carry out these responsibilities. The General Manager shall provide a written monthly report to the Board summarizing the work performed during the month and other items of importance or interest to the Board, and approve, or appropriately delegate, all requisitions for materials, supplies, equipment and services necessary for carrying out the work, with Board approval where required.

General Counsel

The General Counsel is appointed by and reports to the Board, and is the legal advisor to the District regarding all legal matters pertaining to the District. The General Counsel performs such duties in relation to the District's legal matters as the General Manager, or Board may request. The General Counsel is authorized to retain outside counsel from time to time to represent the District in various matters.

Board Secretary

The Board Secretary is appointed by the Board and reports to the General Manager and attends all Board meetings and committee meetings; keeps a complete record of the proceedings including attendance; prepares and maintains official correspondence as directed; maintains custody of the District seal; countersigns all District warrants; maintains oaths of office of all appointed or elected officials and performs such other duties as may be required by the Board.

Finance Director/Treasurer

The Finance Director/Treasurer is appointed by the Board and reports to the General Manager and is the chief financial officer of the District. He or she supervises and administers the financial accounts, records and accounting controls in accordance with generally accepted accounting procedures regarding the financial status and requirements of the District.

Consulting Auditor

The Consulting Auditor shall be an independent public accountant annually retained by and reporting solely to the Board to make an examination of the District's financial position in accordance with generally accepted accounting and auditing standards. The Consulting Auditor may perform other services as requested by the Board from time to time. The Consulting Auditor is not an employee of the District and is engaged on a fee basis for the services rendered.

Evaluation of Board Appointed Staff

Annually, the Board should conduct performance evaluations of the General Manager and General Counsel. Any discussions among the Board regarding the performance or the evaluation of the General Manager or General Counsel will occur in closed session in compliance with the Brown Act.

District Organization and Communications between Board Members and Staff

Organization

The District is organized into five divisions with each division leader reporting directly to the General Manager. The five divisions are as follows:

- Administrative Services Division, including functional responsibilities of Finance, Customer Service & Meters, and Information Technology;
- Engineering Division, including functional responsibilities of Engineering, Planning, Design, Construction and Real Property;
- Water Resources Division, including the functional responsibilities of Water Supply, Water Quality, Water Laboratory Services and Water Conservation;

- Operations Division, including Water Treatment and Distribution, Distribution System Maintenance, and the functional responsibilities of Facilities Maintenance & Support; and
- Watershed Division, including Watershed Maintenance, Watershed Protection, and Safety/ Emergency Response.

Additionally, the District’s Human Resources and Communications & Public Affairs Departments report directly to the General Manager. The General Counsel’s Office reports directly to the Board and provides ongoing support to the General Manager and District staff regarding legal and related matters.

Communication between Board Members and Staff

All communication between Board members and staff regarding District business should be coordinated through the General Manager, including requests from individual Board members. The General Manager will then generate a staff assignment to develop information or reports responsive to the Board member(s) request.

Responses from staff shall be communicated through the General Manager’s Office or designee to the requesting Board member(s) and, if the General Manager believes that the information may be of general interest, the response may be sent to all Board members. This does not apply to requests for routine information (e.g. lake storage status, stream flows, fire conditions on the watershed, etc.). Routine information will be provided to Board members in the same way that it is provided to the general public.

SECTION 3: Board Meetings

Scheduling Meetings

Regular Meetings

The principal type of meeting at which District business is conducted is at a regular bi-monthly meeting of the Board. Regular bi-monthly meetings of the Board of Directors will normally be held the first and third Tuesdays of each month, to begin at or after 5p.m., ~~with the typical start time at 6:30p.m.,~~ in the boardroom located at the District office (220 Nellen Avenue, Corte Madera, California) unless otherwise stated in a Board adopted calendar for the upcoming year. The Board will endeavor to adopt a Board calendar for the upcoming calendar year prior to December 31st, but not sooner than the seating of any new Directors elected in the November election. The Board Calendar will include the calendar of regular Board and committee meetings for January into the following calendar year.

Meeting notices and agendas for regular meetings are posted online at marinwater.org, and physically posted at the District office in Corte Madera, and at the Corte Madera, Fairfax, Mill Valley and San Rafael Civic Center public libraries on the Friday (at least 72 hours) before each meeting. Reports and other materials related to the agenda items are posted on the District's website and hard copies are available for review at the District office.

Special Meetings

Occasionally, special meetings of the Board are held to consider a particular topic, conduct a workshop or study session or, if necessary, hold a meeting at a time or date other than a regularly scheduled Board meeting. Agendas for special Board meetings must be posted in a public place and online at least one-day (24 hours) prior to the meeting. However, the District makes every effort to provide more than one-day (24 hours) notice prior to the meeting, when possible.

Regular and special meetings of the Board should generally be held within the boundaries of the District's jurisdiction with certain exceptions. The Board may adjourn a regular or special meeting to another place, date or time if the business considered at that particular Board meeting has not yet been completed and/or if Board deliberations would benefit from re-convening the meeting to another place, date or time.

Emergency Meetings

When an emergency occurs, such as a crippling disaster, work stoppage or other activity that severely impairs public health, safety or both, as determined by a majority of the Board, an emergency meeting may be called. Notice of an emergency meeting must be given to local media at least one hour prior to the meeting. However, in the case of a dire emergency such as mass destruction, terrorist act, or threatened terrorist activity posing peril so immediate and significant that providing one-hour notice may endanger public health, safety or both, as determined by a majority of the Board, notice need only be provided at or near the time that notice is provided to members of the Board.

Public Hearings

Public hearings are held on matters of special importance when required by law.

Closed Sessions

Meetings of the Board are either fully open or fully closed, and there is nothing in between. The Brown Act strongly favors open meetings and private discussions among a majority of the Board members are prohibited, unless expressly authorized by the Brown Act. Closed sessions are an exception to open meeting requirements, and the authority for such sessions is narrowly construed. The fact that material may be sensitive, embarrassing or controversial does not justify consideration in a closed session unless authorized by a specific statutory exception(s) to the Brown Act. The most commonly cited statutory exceptions relate to litigation (including threat of), real property negotiations, public employment issues, and labor negotiations.

Closed sessions are generally held immediately prior to or following regular bi-monthly meetings of the Board but may also be scheduled at other designated times. While public comment is permitted prior to the Board convening to closed session, only individuals having an official role in the closed session subject matter may attend and the confidential information discussed during the closed session is explicitly prohibited from unauthorized disclosure. It is incumbent upon those attending closed sessions to protect the confidentiality of those discussions.

Following a closed session the Board shall reconvene in open session and publicly report out final decisions and the votes for or against any final decisions. The Board President or General Counsel generally makes these public reports.

Committee Meetings

Board committees act in an advisory capacity to the Board. Two Board members (Chair and Vice Chair) are annually appointed to each committee by the Board President with the advice and consent of other Board members.

Committee meetings are typically held in the boardroom at the District office, 220 Nellen Avenue, Corte Madera, California, unless otherwise noticed. Committee meeting notices and agendas are prepared and posted in accordance with the Brown Act similar to regular Board meetings and minutes are prepared for each meeting. The minutes are included in the next committee meeting agenda packet and approved by the committee during a subsequent meeting of the committee.

The District dually notices some of its committee meetings as both committee meetings and ~~special~~ meetings of the Board. This ensures that a quorum of the Board may attend and participate in the dually noticed committee meeting, while maintaining compliance with the Brown Act. If less than a quorum of the Board (less than three Board members) participates in the meeting, it is a committee meeting. When a quorum of the Board (three or more Board members) participates in the meeting, it is a Board meeting. The Board, as a practice, generally does not take final action on items during dually noticed committee/Board meetings, unless

District staff determines the urgency of the item requires immediate action that cannot be delayed until a subsequent regular bi-monthly Board meeting. This practice generally allows members of the public multiple opportunities to submit comments and participate in the Board's decision-making process prior to the Board taking final action on an item.

Currently there are ~~four~~three Board committees:

- ~~Communications & Water Efficiency Committee, which generally meets quarterly on the 3rd Wednesday of the month in February, May, August and November;~~
- Finance & Administration Committee, which generally meets on the 4th Thursday of each month;
- ~~Operations-Planning~~ Committee, which generally meets on the ~~4th Tuesday~~3rd Friday of each month; and
- Watershed Committee, which generally meets quarterly on the 3rd Thursday of the month in March, June, September and December.

From time-to-time the Board may establish ad hoc committees to address issues with a limited scope and duration. The Board President may appoint Board members to ad hoc committees. These committees are not subject to the Brown Act and, since a quorum of the Board (3 or more members) does not attend or participate.

Additionally, Board members may be assigned to represent the District before other broad based regional groups, such as: Tamalpais Lands Collaborative Executive Committee, Lagunitas Creek ~~Sediment and Riparian Management Plan~~ Technical Advisory Committee, North Bay Watershed Association, Tomales Bay Watershed Council, Sonoma County Water Agency Water Advisory Committee, North Bay Water Reuse Authority, ~~Las Gallinas Recycled Water Committee~~, and Association of California Water Agencies.

Preparation of Agenda and Order of Business

Agendas

Meeting agendas specify the date, time and location of the meeting, in accordance with Brown Act requirements, and must contain a brief general description of each item of business to be transacted or discussed at the meeting. It should be clear from the agenda wording what will be discussed and what action is being proposed so members of the public can determine if they would like to observe or participate in the meeting. The Brown Act generally prohibits any Board action or substantive Board discussion of items that are not on the agenda.

Most items on the agenda originate from the General Manager and District staff. Staff maintains a detailed list of upcoming agenda items that is updated after each Board and committee meeting. Typical types of agenda items include the following:

- Policy direction from the Board;
- Public hearings;

- Items with overarching policy implications (e.g. strategic planning, budgeting, labor negotiations);
- Actions required by law;
- Actions on the overall implementation of a Board approved project or program (e.g. award of construction contracts, consideration of an environmental review document, etc.);
- Discretionary decisions for which authority has not been delegated to the General Manager; and
- Informational items to update the Board and public on District matters.

A draft agenda for regular Board meetings is developed by the General Manager and reviewed by the Board President prior to the agenda being publicly posted. The Board formally adopts the agenda for each meeting as an initial order of business after each meeting is called to order.

Future Agenda Items

Board members may request that items be placed on agendas during discussion of the “Future Board and Committee Meetings and Upcoming Agenda Items” portion of the agenda. A motion by a Board member and a second by another Board member will initiate bringing the item to a future meeting for discussion and consideration.

Urgency Items

In rare cases, a legitimate urgent need may arise that must be acted upon even though the item was not included on a posted agenda. The General Counsel shall be consulted on all urgency items. In order for the Board to take action on an urgency item, two determinations must be approved by a two-thirds vote of the Board members present (or by unanimous vote if less than two-thirds (2/3) but more than a quorum of members are present):

- There is an immediate need to take action; and
- The need for action arose after the agenda-posting deadline.

If the above requirements are met, the Board may vote to add the urgency item to the agenda.

Attendance, Conduct, Quorum and Voting, Rules of Order, Brown Act

Board members should strive to attend all Board and committee meetings in person. If a Board member will be absent, he or she should notify the General Manager, ~~and~~ Board President and Board Secretary as soon as possible.

Teleconferencing

A Board member may participate in meetings via teleconference when not able to attend in person. Unless a Board member has ~~an emergency circumstance or a~~ just cause, as those events are defined under Government Code section 54953.8.3 (i)(1) and (2)(c) of the (Brown Act), for each meeting that a Board member will participate by teleconference, the Board member should notify the Board Secretary of his or her teleconference location prior to the agenda being posted,

so that the agenda for the meeting will properly identify the teleconference location. All teleconference locations must be accessible to the public, have a copy of the agenda posted, and allow members of the public to address the Board at the teleconference location. A quorum of the Board must be located within the District boundaries, regardless of remote participation.

Alternatively, if the Board member has need to attend the meeting remotely due to familial caregiving needs, a contagious illness, ~~a disability~~ a physical or mental condition (not otherwise accommodated), ~~or~~ travel on District business or that of another state or local agency or other physical family or medical emergency ~~that~~ prevents ~~that~~ member from participating in person, the Board member need not provide their remote location, but should notify the Board Secretary as soon as possible. The Board member participating under the just cause ~~or emergency~~ provisions of the Brown Act, will need to inform the Board of the need for remote participation, must disclose whether there is any other person over 18 years old in the room with them during the meeting and must participate in the meeting via audio and visual technology. A quorum of the Board must be physically in attendance at the meeting. The minutes will identify the specific just cause provision for such member who is attending remotely in the minutes. Use of the just cause exception for remote participation is limited to five (5) times per calendar year.

When a Board member or members, participate via teleconference meeting all votes must be taken by roll call.

Quorum/ Board Action

The Board shall act only by motion, resolution or ordinance. A majority of the board shall constitute a quorum for the transaction of business; however, no ordinance, motion or resolution shall be passed to become effective without the affirmative vote of a majority of the members of the board. A supermajority of votes is necessary to consider an urgency item not previously posted on the Board meeting agenda or to take certain actions in response to an emergency situation. The District utilizes the parliamentary procedure from Robert’s Rules of Order to conduct Board meetings.

Brown Act (Opening Meetings Law)

In compliance with the Ralph M. Brown Act (“Brown Act”), all meetings of the Board are to be held in open session, unless a closed session is expressly permitted by the Brown Act, and the general public is permitted to attend all open sessions. District Board members promote fair and open public processes. Board members, and persons elected but who have not yet assumed office as members of the Board, will fully comply with California’s the Brown Act. In order to ensure proper public participation and that all decisions are reached only during public meetings, Board members should refrain from participating in phone calls or emails that:

- Discuss issues within the Board’s subject matter jurisdiction and are directed to a majority of the Board members;
- Take a position or make commitments on matters yet to be decided by the Board; and/or

- Communicate his/her position on a matter pending before the Board to all other members of the Board.

Meeting Minutes

Draft meeting minutes are prepared by the Board Secretary and presented to the Board and/or committee for approval-acceptance at the next meeting of the Board or applicable committee.

Safeguard Confidential Information

Board members will not disclose information that legally qualifies as confidential to unauthorized persons without approval of the Board of Directors. This includes information that (1) has been received for, or during, a closed session Board meeting, (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or (3) is not disclosable under the California Public Records Act.

A Board member may make a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury necessary to establish the alleged illegality of a District action. Prior to disclosing confidential information, however, a Board member will first bring the matter to the attention of either the President of the Board or the full Board, in a lawful and appropriate manner, to provide an opportunity to cure an alleged violation.

SECTION 4: Conference, Training, Reporting Requirements

Conferences

In accordance with Board policy, Board members may elect to attend conferences, meetings and other functions from which the District derives specific benefit through attendance, including those affiliated with District membership in various associations. After attending the conference, meeting or training, the Board member who attended on behalf of the District should provide a brief oral report during the Directors’ and General Manager’s Announcements portion of the agenda to share information about the event with fellow Board members and the public.

Mandatory Ethics, Fiscal and Financial and Sexual Harassment Prevention Training

This Policy promotes awareness of ethics, integrity and fidelity as critical elements in Board members’ conduct and in achievement of the District’s mission. The proper operation of the District requires that Board members remain objective and responsive to the needs of the public they serve, make decisions within the proper channels of governmental structure, and not use public office for personal gain. Pursuant to provisions of the California Government Code set forth in Assembly Bill 1234, Board members are required to receive two hours of ethics training within the first six months of taking office and every two years thereafter. Pursuant to SB827,

each board member must receive fiscal and financial training within the first six months of taking office and every two years thereafter.

Board members must also receive two hours of sexual harassment prevention training within the first six months of taking office and every two years thereafter. The District’s current Sexual Harassment Policy is intended to prevent sexual harassment in the work environment and provides procedures for resolving complaints of sexual harassment.

The Board Secretary maintains certificates of completion and a training log for all Board member training. The Board Secretary keeps Board members informed of all training requirements and applicable due dates to ensure compliance with applicable laws.

Board members are encouraged to seek other training pertinent to local public agency officers. Such training may be found online through the Institute for Local Government at www.ca.ilg.org and other similar organizations or providers.

Public Records Act

All records of the District, except those exempt from disclosure pursuant to the California Public Records Act and/or other applicable laws, are public records. Any person may examine public records during regular business hours of the District or may obtain a copy of requested records in accordance with the California Public Records Act. For convenience to the public, the District has a Public Records Act Request form on its website and provides electronic records at no charge to the public.

The Board Secretary maintains a records retention policy and works with the General Counsel’s Office in responding to Public Records Act requests. The Board Secretary and the General Counsel conduct periodic in-house trainings pertaining to the California Public Records Act. Board members are encouraged to participate in said training.

Conflicts of Interest

Board members should avoid both actual conflicts of interest and the appearance of conflicts of interest in their roles as members of the Board.

- A Board member will not have a financial interest in a contract with the District, or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless his or her participation is legally authorized.
- A Board member will not participate in the discussion, deliberation or vote on a matter before the Board, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter under California law.
- A Board member will not accept any honoraria.
- A Board member will not accept gifts that exceed the limitations specified in California law. Board members will report all gifts, campaign contributions, income and financial

information as required under the District’s Conflict of Interest Code and the provisions of the Fair Political Practices Act and Regulations.

- A Board member will not recommend the employment of a relative to the District or to any person known by the Board member to be bidding for or negotiating a contract with the District.

Form 700

State laws attempt to eliminate any action by a Board member that may implicate a conflict of interest. The purpose of such laws and regulations is to ensure that all actions taken are in the public interest. The Political Reform Act of 1974 requires public officials and designated employees to disclose financial interests that could cause a conflict of interest. Public officials may be required to disqualify themselves from making, participating in, or attempting to influence any decision that will materially affect their financial or economic interest. If a Board member is unsure whether or not he or she may have a disqualifying economic interest, he or she should consult the General Counsel as soon as possible.

Economic interests include, but are not limited to, those items public officials are required to report on the Form 700, Fair Political Practices Commission (“FPPC”) “Statement of Economic Interest” and include sources of income, business interests and real estate investments. The Form 700 also requires the annual reporting of all gifts received that are valued at \$50 or greater in a calendar year. The Political Reform Act precludes the acceptance of any gifts over a specified value, currently more than ~~\$630590~~ in a calendar year. These Form 700s are provided to Board members each calendar year, and within 30 days of assuming or leaving office, and filed with the Board Secretary who forwards them to the FPPC and makes them available for public inspection and reproduction.

Conflict of Interest Reporting at Board Meetings

A Board member may be disqualified from participating in agenda items that present a financial conflict of interest. If a Board member is disqualified due to a financial conflict, he or she must abstain from the item, state the reason for the disqualification, and leave the room during the agenda item (unless the item is listed on the consent calendar).

Incompatible Offices

Except as expressly permitted by law, Board members appointed or elected to another public office, the duties of which may legally require action contradictory or inconsistent with the interests of the first entity, will resign from the former Board.

Political Contributions/Campaign Rules

The Levine Act (the Political Reform Act section 84308) Prohibits an Official from soliciting, accepting or directing campaign contribution of ~~\$500250~~ or more from a participant (or their agent) having any a proceeding in front of the agency. If a Board member has accepted campaign contributions within the past twelve months, he/she is prohibited from participating

in the proceeding involving the donor or donor’s agent, unless the Board member has cured the conflict by returning the donation within thirty days of learning of the donation or proceeding.

Additionally:

- Board members will not solicit political funds or contributions of in-kind services at District facilities.
- A Board member will not use the District’s seal, trademark, stationary, or other indicia of the District’s identity or facsimile thereof in any solicitation for political contributions.

Candidate’s Statement

A Board member will not include false or misleading information in a candidate’s statement for a general District election filed pursuant to Section 13307 of the Elections Code.

Ethics Violations

A perceived ethics violation by a Board member should be referred to the District General Counsel for review and consideration of any appropriate action warranted. An ethics violation may be addressed by remedies available by law, including but not limited to:

- Adopting a resolution expressing disapproval of the conduct of the Board member who has violated this policy,
- Injunctive relief, or
- Referral of the violation to the District Attorney and/or the Grand Jury.

SECTION 5: Compensation/Benefits

Board Compensation

The District Board members receive a per diem amount as compensation “for each day’s attendance at meetings of the Board or for each day’s service rendered as a member of the Board by request of the Board.” (District Code §2.10.060) That per diem amount is set by ordinance of the Board not to exceed payment for more than eight (8) days in any calendar month. Pursuant to ~~to~~This is more restrictive than State law, which provides no director may receive compensation for more than ten (10) days in any calendar month. Additionally, Board members receive medical and dental benefits consistent with other District employees.

The District Board of Directors has adopted a Board policy regarding Compensation of Elected or Appointed Officials to address Board member compensation, Board Policy No. 42. Each Board member shall review and abide by the Board Compensation Policy.

Reimbursement of Travel Expenses

Board members may attend, travel and seek reimbursement of all normal and necessary expenses incurred while attending conferences, training, meetings and other functions from which the District derives a specific benefit through attendance. Only that travel/attendance which serves a District purpose and is deemed necessary and/or advantageous to the District shall be approved and reimbursed. Travel shall be by means most economical to the District.

Board members are expected to exercise sound judgment in the incurring and submittal of travel expenses in keeping with the standards and proprieties of a visible and accountable public agency.

The District Board of Directors has adopted a Board Travel Reimbursement Policy, Board Policy No. 41. All Board members shall review and abide by the Board Travel Reimbursement Policy.

SECTION 6: Other Related Information

Human Resources

The Board has established a District objective to “cultivate a meaningful work environment that successfully recruits, retains, and develops an engaged, high performing, mission- and vision-focused team.” This objective is based on District values of promoting diversity in and equitable treatment of its employees; providing a healthy work environment; and continuously improving through the promotion of initiatives, leadership and personal development and training. Ensuring District HR policy is current and consistent with this strategy is a shared responsibility between staff and the Board. Board members should be familiar with key HR documents including but not limited to: the Equal Employment Opportunity Policy, labor agreements with both represented and non-represented employees, benefit summaries, job descriptions and salary schedules.

Risk Management and Emergency Operations

The District maintains a range of insurance coverage to limit financial risks, which may occur from an uncertain event or loss. The District’s insurance portfolio includes both a self-insured component and third-party insurance coverage. The third-party insurance coverage provides coverage for the following: Property Damage, General & Auto Liability (including vehicle physical damage), Public Officials Errors and Omissions (E&O) and Employee Practices Liability, Employee Fidelity, Workers’ Compensation and Cyber Liability coverage.

The Public Officials E&O coverage insures Board members and District officers against claims made against them for “breach of duty” occurring through negligence, error or unintentional omission. Violations of certain laws and regulations by a Board member, such as discrimination, harassment or fraud, may result in that individual member being personally liable for damages that may not be covered by this insurance policy.

All insurance coverage is annually reviewed and approved by the Board. Additionally, District contract language for procuring equipment, supplies and services (including consultant services), includes general provisions that reduce potential risks to the District. These contracting provisions include, but are not limited to, the following topics: indemnification, insurance, nondiscrimination and conflict of interest.

The District maintains an active emergency preparedness program that includes an Emergency Operations Plan (EOP) to help manage District critical functions during an emergency and ensure the safety of staff. The EOP has been prepared to provide a plan of action in response to various emergencies that may involve the District and/or its facilities. The plan primarily addresses the

possible emergencies of earthquake, electrical power failure, fire, flood, hazardous or toxic spills, potential water contamination, vandalism and sabotage, and vehicle or personnel accidents. The District coordinates its EOP, functions and response with first responders from other public and private entities and organizations, and the District designates staff as liaisons with general-purpose government Emergency Operations Centers as necessary. The General Manager, or his designee, may request mutual aid assistance from other local government or public agencies, or commit District resources to other agencies requesting aid. The General Manager provides regular reports to the Board on the District's response to emergency situations and presents annual reports on the District Emergency Preparedness Program. Each Board member receives a copy of the EOP, which is updated from time to time.

When an emergency situation arises, the General Manager may award necessary contracts without competitive bidding. The Board must ratify the emergency contract award at the next regular Board meeting, or within 14 days, whichever is sooner.

Electronic Equipment, Data and Software

The District's employees are given access to the District's software, information and applications to perform the functions of the District. Information and applications developed by employees are added to the District's overall information system. The District purchased data for the District's Geographic Information System from the County of Marin.

Board members are regarded as "District employees" with respect to the use of District electronic equipment, data and software and should follow the same rules as District employees. As with any District employee, Board members should only use these materials for District business and assure no dissemination of the materials to the public. Any requests for use of District electronic data and software will be subject to approval by the General Manager.

Community Outreach

Supplementing Board member assignments to participate in broad based regional groups, the District provides extensive community outreach programs through its Water Efficiency Conservation, Watershed Resources Management and Communications and Public Affairs-Information departments. Outreach activities and opportunities can be located on the District's website and through its social media accounts.

Association Memberships

The District holds memberships in and attends meetings of associations, which have applicability to District functions, and looks upon such memberships as opportunities for in-service training. Board members may participate in the following associations with which the District holds memberships: the American Water Works Association (AWWA), the Association of California Water Agencies (ACWA) and others as may be prescribed to by the District. Board members who vote or hold a formal position in these associations recognize that they are representing the District when attending these functions.

When Board members are attending meetings on their own accord, and are not requested to attend by the Board, Board members are cautioned that they are not authorized to officially represent the District at those meetings.

Orientation of New Board Members

Newly elected Board members are subject to the Brown Act immediately upon being elected to office, even though their swearing in does not occur until noon on the first Friday in December, or following certification of the election results. Current and newly elected Board members should remain cognizant of this when communicating with each other or other Board members in order to prevent an ~~unnoticed/unintentional/serial~~ meeting from occurring, which would constitute a violation of the Brown Act.

The Board Secretary is the point of contact for newly elected Board members regarding:

- Filing an assuming office Statement of Economic Interests Form 700 with the FPPC within 30 days of taking office;
- Completing mandatory Ethics, Fiscal and Financial and Harassment training;
- Procuring a suitable photograph and developing a brief biography to be posted on the District website;
- Completing employee on-boarding, payroll and benefit paperwork and setting up a District email account; and
- Providing important reading materials including the Brown Act, Board of Directors Handbook, District policies, recent water rate information and Cost of Service Analysis, budgets, capital improvement program information and Water Resources Plan.

The General Manager is the point of contact for newly elected Board members to tour District offices, meet staff, visit key facilities and address pertinent questions.

The General Counsel is the point of contact for all legal matters, including conflicts of interest and the Brown Act.



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)
Thursday, Feb. 26, 2026 9:30 a.m.	Finance and Administration Committee Meeting	Annual Investment Policy
Tuesday, Mar. 3, 2026 5:00 p.m.	Board of Directors' Regular Bi-Monthly Meeting with Closed Session to follow	AMI Update
Tuesday, Mar. 17, 2026 5:00 p.m.	Board of Directors' Regular Bi-Monthly Meeting with Closed Session to follow	
Thursday, Mar. 19, 2026 9:30 a.m.	Watershed Committee Meeting/Special Meeting of the Board of Directors	Lagunitas Creek Restoration Project Phase Ib, RTMP Update, and Watershed Trail Maintenance Update

External Meetings	
Meeting Date	Meeting Type
Friday, Mar. 6, 2026 9:30 a.m.	North Bay Watershed Association Meeting
Friday, Mar. 13, 2026 9:00 a.m.	Lagunitas Creek Technical Advisory Committee Meeting
Wednesday, Mar. 18, 2026 3:00 p.m.	Tomales Bay Foundation Meeting