



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

Tuesday, December 09, 2025 at 6:30 PM

AGENDA

LOCATIONS:

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

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

Outside location for Director Larry Russell – Hotel Cumbres Lastarria, José Victorino Lastarria 299, Business Center, 8320114 Santiago, Región Metropolitana, Chile

Public Participation:

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

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

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

HOW TO PROVIDE PUBLIC COMMENT:

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

-- **In-Person Attendee:** Fill out a speaker card and provide to the board secretary. List the number/letter (ex: 6a) of the agenda item(s), for which you would like to provide a comment. Once you're called, proceed to the lectern to make your comment.

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

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

AGENDA ITEMS:

1. **Call to Order and Roll Call**
2. **Adoption of Agenda**
3. **Announcement of Closed Session Item(s); Public Comments on Closed Session Item(s) - None.**
4. **Reconvene to Open Session; Closed Session Report Out - Not applicable.**
5. **Public Comment on Non-Agenda Matters**

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

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

7. **Board Committee Reports**

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

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

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

- a. November 18, 2025 Board Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on November 18, 2025

- b. Award of Contract No. 2038 - Kastania Pump Station Phase 2 Rehabilitation Project (D21027) to Corcus Construction, Inc.

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2038, Kastania Pump Station Phase 2 Rehabilitation Project, to Corcus Construction, Inc., in the amount of \$2,356,500, and authorize the General Manager to execute any necessary amendments to Contract No. 2038, which do not exceed \$240,000

- c. Award of Contract No. 2019B - Marin City Phase II Pipeline Replacement Project (GC25005) to Maggiora & Ghilotti, Inc.

RECOMMENDATION: Approve a resolution awarding Contract No. 2019B, Marin City Phase II Pipeline Replacement Project, to Maggiora & Ghilotti, Inc. in the amount of \$3,637,010, and authorize the General Manager to execute any necessary amendments to Contract No. 2019B, which do not exceed \$350,000

- d. First Amendment to District Lease No. 84, Ross Valley Sanitary District (RVSD) at Forbes Reservoir Site, San Rafael (APN 010-261-02)

RECOMMENDATION: Approve a First Amendment to District Lease No. 84 with Ross Valley Sanitary District (RVSD) at Forbes Reservoir Site, San Rafael

- e. Water Efficient Landscape District Code Changes and Local Jurisdiction MOU

RECOMMENDATION: Approve adoption of Ordinance No. 470 updating the District's Water Efficient Landscape Code provisions to reflect the 2025 changes to the State Model Water Efficient Landscape Ordinance (MWELO) and incorporate State requirements from Assembly

Bill (AB) 1572 regarding prohibitions on the irrigation of non-functional turf; and approve an extension of the memorandum of understanding (MOU) with local jurisdictions to collaborate on MWELo implementation

f. Renewal of SAP Software Maintenance Support

RECOMMENDATION: Approve a professional services agreement with SAP (MA# 6499) to renew annual software maintenance and support services for a total amount not to exceed \$216,350 in calendar year 2026 and authorize the General Manager to execute the agreement

g. Quarterly Investment Report

RECOMMENDATION: Receive report on the District's investment portfolio

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

a. District Cross-Connection Control Program and Proposed Ordinance No. 471 Amending Chapter 11.14 of the District Code Regarding Cross-Connections

RECOMMENDATION: Receive an update on the District Cross-Connection Control Program and Proposed Ordinance No. 471 Amending Chapter 11.14 of the District Code Regarding Cross-Connections

b. 2026 Board and Committee Meetings Calendar

RECOMMENDATION: Approve the 2026 Calendar of Board and Committee Meetings

10. Future Board and Committee Meetings and Upcoming Agenda Items

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

a. Upcoming Meetings

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

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

13. Adjournment (8:00 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: 12-05-2025



STAFF REPORT

Meeting Type: Board of Directors
Title: November 18, 2025 Board Meeting Minutes
From: Terrie Gillen, Board Secretary
Through: Ben Horenstein, General Manager
Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on November 18, 2025

SUMMARY: The Board of Directors held their regular bi-monthly meeting on November 18, 2025. The minutes of that meeting are attached for your approval.

DISCUSSION: None.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Draft November 18, 2025 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, November 18, 2025 at 5:30 PM

MINUTES

LOCATIONS:

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

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

Outside location for Director Larry Russell - Harrahs Resort Southern California, 777 Harrahs Rincon Way, Business Center, Valley Center, CA 92082

Closed Session begins at 5:30 p.m.

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

Public Participation:

The public attended this meeting in-person or remotely using one of the following methods: on a computer or smart device, go <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 Matt Samson called the meeting to order at 5:30 p.m.

DIRECTORS PRESENT

Ranjiv Khush

Larry Russell

Jed Smith

Matt Samson

DIRECTOR ABSENT

Diana Maier

2. Adoption of Agenda

Director Khush motioned to adopt the agenda. Board Vice President Jed Smith seconded the motion.

There were no public comments.

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

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

There were no public comments regarding the Closed Session items.

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

a. Closed Session - Liability Claim

(California government code §54956.9 (d)(2) and (e)(3))

Claimant: Mark Luria

b. Conference with Real Property Negotiations

(California Government Code §54956.8)

Property: APN 125-202-13 & APN 125-202-14 (7701 Redwood Blvd., Novato)

Agency Negotiation: Ben Horenstein, General Manager

Negotiating Parties: Roshan Patel (Golden State Properties)

Under Negotiation: Price and Terms

The Board adjourned the Closed Session and went back to the Board Room.

4. Reconvene to Open Session; Closed Session Report Out

The Board reconvened the Open Session. Board President Samson reported that no reportable action took place.

5. Public Comment on Non-Agenda Matters

There were two (2) public comments.

6. Directors’ and General Manager’s Announcements

- Vice President Smith reported that he met with the new executive director of the Marin Conservation League.
- President Samson reported that he went on a site tour of the watershed with staff and Assemblyman Damon Connolly to discuss wildfire risk reduction and view the control burn sites and defensible space at the Bon Tempe Treatment Plant.

7. Board Committee Reports

- Planning Committee Chair Russell summarized the agenda items discussed at last month's meeting.
- Both Directors Samson and Russell attended the North Bay Watershed Association (NBWA) meeting, and Director Samson announced that NBWA will have its Conference on April 9 and mentioned that staff will be presenting.

8. Consent Items

- November 4, 2025 Board Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on November 4, 2025

- General Manager's Report October 2025

RECOMMENDATION: Approve Report

Vice President Smith motioned to adopt the Consent Calendar. Director Khush seconded the motion.

There was (1) public comment.

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

9. Regular Items

- Lagunitas Creek Enhancement Project Phase 1B Construction and Monitoring

RECOMMENDATION: Receive staff update on Lagunitas Creek Enhancement Project Phase 1B construction, monitoring, and grant funding

Fisheries Program Manager Jonathan Koehler and Natural Resources Technician Sterling Meus presented this item.

Discussion between staff and the directors occurred during and after the presentation.

There were two (2) public comments.

This was an information item. The Board did not take any formal action.

- Approve a Professional Services Agreement for Nicasio Hydrology Study

RECOMMENDATION: Approve a Professional Services Agreement with Environmental Science Associates (ESA) for Nicasio Hydrology Study in the amount not to exceed \$387,685 and authorize the General Manager to execute the agreement

Water Resources Director Paul Sellier presented this item.

Discussion ensued.

There were two (2) public comments.

Board Vice President Smtih motioned to approve staff's recommendation. Director Khush seconded the motion.

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

10. Future Board and Committee Meetings and Upcoming Agenda Items

a. Upcoming Meetings

The board secretary announced the next two upcoming internal meetings.

There were no comments from the Board or the public.

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

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

13. Adjournment

There being no further business, the Board of Directors' regular bi-monthly meeting adjourned on November 18, 2025, at 7:34 p.m.

Board Secretary



STAFF REPORT

Meeting Type: Board of Directors

Title: Award of Contract No. 2038 - Kastania Pump Station Phase 2 Rehabilitation Project (D21027) to Corcus Construction, Inc.

From: Alex Anaya, Director of Engineering

Through: Ben Horenstein, General Manager

Meeting Date: December 9, 2025

TYPE OF ITEM: X Approve Information

RECOMMENDATION: Approve a resolution authorizing award of Contract No. 2038, Kastania Pump Station Phase 2 Rehabilitation Project, to Corcus Construction, Inc., in the amount of \$2,356,500, and authorize the General Manager to execute any necessary amendments to Contract No. 2038, which do not exceed \$240,000

SUMMARY: This item was reviewed by the District's Planning Committee on October 28, 2025. The Kastania Pump Station Phase 2 Rehabilitation Project will install a new pump and motor at Kastania Pump Station and a new pressure relief valve and discharge tank at Ignacio Pump Station.

DISCUSSION: The District supplies water to approximately 191,000 people throughout central and southern Marin County. Approximately 75 percent of the District's water supply comes from seven reservoirs within the Mount Tamalpais Watershed and in west Marin, and about 25 percent of the water supply is imported from the Sonoma County Water Agency (Sonoma Water) via the North Marin Aqueduct.

The Kastania Pump Station, located in Petaluma California, was built by the District in 1977 to increase flow and pressure in the North Marin Aqueduct and to offset the hydraulic impact of increased consumption of imported water by Petaluma and the North Marin Water District.

In 2004, the California Department of Transportation began planning its Marin-Sonoma Narrows US 101 highway-widening project (CalTrans MSN Project), which required the relocation of portions of the North Marin Aqueduct. This led to the development of North Marin Water District's Aqueduct Energy Efficiency Project (AEEP). The AEEP included installation of a new larger pipeline that would bypass the Kastania Pump Station and allow gravity flow to meet current demand. Upon completion of the AEEP in August 2015, the Kastania Pump Station was decommissioned.

In 2020 and 2021, Marin County and much of California faced an exceptional drought, and after two successive dry winters with significantly below average rainfall, District reservoir storage volumes were at historically low levels. In response to the emergency drought conditions in Marin County, the District pursued the rehabilitation and recommission of the pump station. This booster pump station along the North Marin Aqueduct provides operational flexibility for the District to meet its imported water supply needs when they cannot be met by gravity flow through the North Marin Aqueduct.

In order to get the pump station in operation as efficiently as possible, the District pursued rehabilitating and recommissioning the Kastania Pump Station with a two-phase approach. The first phase of the project was completed in 2021 and installed new yard piping to reconnect the Kastania Pump Station back to the North Marin Aqueduct. After piping was installed, the District recommissioned the pump station.

In August 2023, the District began the design of the Kastania Pump Station Phase 2 Rehabilitation Project. The scope of this phase of the project included an extensive rehabilitation of the pump station including the installation of a new electrical motor control center, variable frequency drives, pumps, motors, roof, pump station site drainage improvements and the addition of a new pressure relief valve and tank at Ignacio Pump Station. The objective of this project was to enhance transmission system reliability.

Occurring simultaneously to the Kastania Pump Station Phase 2 design, the District was evaluating larger water storage and conveyance alternatives. The Board selected the water conveyance Atmospheric River Capture Project as the preferred water supply alternative and directed staff to advance this project into design and environmental review. During review of the Atmospheric River Capture Project, staff identified an opportunity to modify the Kastania Pump Station Phase 2 design to avoid investing in a pump station that would not fully serve the proposed Atmospheric River Capture Project into the future.

At the April 22, 2025 Planning Committee/Special Board Meeting, staff presented a scaled down scope of work for the Kastania Pump Station Phase 2 Project, which would allow the District to operate the first phase of the proposed Atmospheric River Capture Project without making a costly investment at the Kastania Pump station that could require upsizing and full reconstruction in the future.

The scaled down Kastania Pump Station Phase 2 Project (Project) will install a single, new high efficiency pump and motor and 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.

The project will increase the maximum flow rate from the existing 17.5 million gallons per day (MGD) via gravity up to 24 MGD with the use of the pump station. The District will continue to operate the system within contractual limits pursuant to the recently approved agreement with Sonoma Water, as well as its existing transmission agreement with the North Marin Water District. The Project’s selected upgrades with new, modern equipment will increase the operational efficiency and reliability at Kastania Pump Station. The installation of the pressure relief valve at Ignacio Treatment Plant will protect both Ignacio Treatment Plant and the North Marin Aqueduct from high-pressure surge during unplanned power failure events.

The District advertised the project on October 14, 2025 and on November 18, 2025, the District opened three (3) bids for the Kastania Pump Station Phase 2 Rehabilitation Project. As shown in Table 1, Corcus Construction, Inc. submitted the lowest responsive and responsible bid in the amount of \$2,356,500. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 2038 to Corcus Construction, Inc. in the amount of \$2,356,500 and authorizing the General Manager to execute any necessary amendments to Contract No. 2038, which do not exceed \$240,000.

Table 1
Bid Results
Kastania Pump Station Phase 2 Rehabilitation Project

Bid Rank	Contractor Name	Bid Amount
1.	Corcus Construction, Inc.	\$2,356,500
2.	C. Overaa & Co	\$2,417,000
3.	Piazza Construction	\$2,450,892

Engineer’s Estimate: \$2,100,000

Budget:

Contract Amount:	\$ 2,356,500
Contingency (10%):	\$ 240,000
Professional Fees:	\$ 587,077
District Labor/Inspection:	\$ 550,000
Total Budget:	\$ 3,733,577
Budget Category:	A1A07

Project Implementation Schedule:

Project Advertisement:	October 14, 2025
Bid Opening:	November 18, 2025
Project Award:	December 9, 2025
Estimated Completion Date:	April 1, 2027
Duration:	478 days

ENVIRONMENTAL REVIEW: Consistent with prior environmental analysis of the Kastania Pump Station Rehabilitation Phase 1 Project, the Director of Engineering has found that the Project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guideline Sections 15301, Existing facilities. The project would also qualify for exemption pursuant to CEQA Guidelines 15302(c), Replacement or Reconstruction. The project qualifies for exemptions pursuant to Sections 15301 and 15302 (c) inasmuch as it includes the installing new equipment involving negligible or no expansion of capacity, as even with project enhancements total Sonoma Water usage is anticipated to remain consistent within historical use and must comply with contractual limitations. Furthermore, no exceptions set forth in Section 15300.2 are applicable.

FISCAL IMPACT: The total cost to complete the Kastania Pump Station Phase 2 Rehabilitation Project is estimated at \$3,733,577, inclusive of District Labor, professional fees, materials and contingency.

ATTACHMENT(S):

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

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

MARIN MUNICIPAL WATER DISTRICT**RESOLUTION NO.****A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2038 TO CORCUS
CONSTRUCTION, INC. FOR THE KASTANIA PUMP STATION PHASE 2
REHABILITATION PROJECT**

WHEREAS, on October 14, 2025, the District advertised Contract No. 2038, Kastania Pump Station Phase 2 Rehabilitation Project (D21027), which will install a new pump and motor at Kastania Pump Station and a new pressure relief valve and discharge tank at Ignacio Pump Station; and

WHEREAS, the District received and publicly opened three (3) bids on November 18, 2025, of which the Corcus Construction, Inc. bid of \$2,356,500 was the lowest responsive and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of \$2,356,500 submitted by the Corcus Construction, Inc. for the Kastania Pump Station Phase 2 Rehabilitation Project under Contract No. 2038 ("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 \$240,000.
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 the Corcus Construction, Inc. are to be rejected.

5. The Project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guideline Sections 15301, Existing facilities. The project also exemption pursuant to CEQA Guidelines 15302(c), Replacement or Reconstruction. The project qualifies for exemptions pursuant to Sections 15301 and 15302 (c) inasmuch as it includes the installing new equipment involving negligible or no expansion of capacity, as even with project enhancements total Sonoma Water usage is anticipated to remain consistent within historical use and must comply with contractual limitations. Furthermore, no exceptions set forth in Section 15300.2 are applicable.

PASSED AND ADOPTED this 9th day of December, 2025, by the following vote of the Board of Directors.

AYES:

NOES:

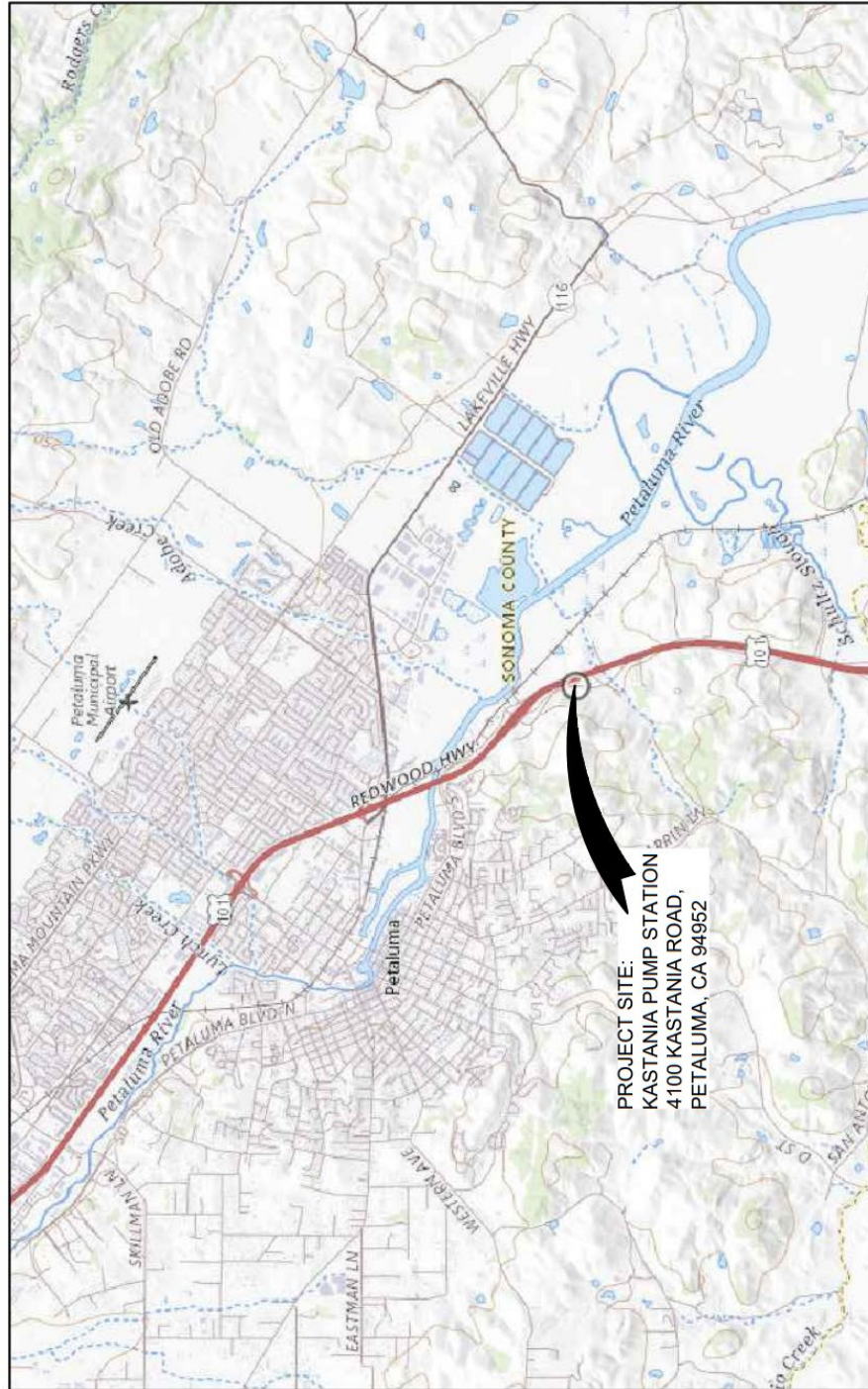
ABSENT:

Matt Samson
President, Board of Directors

ATTEST:

Terrie Gillen,
Board Secretary

Kastania Pump Station Location Map



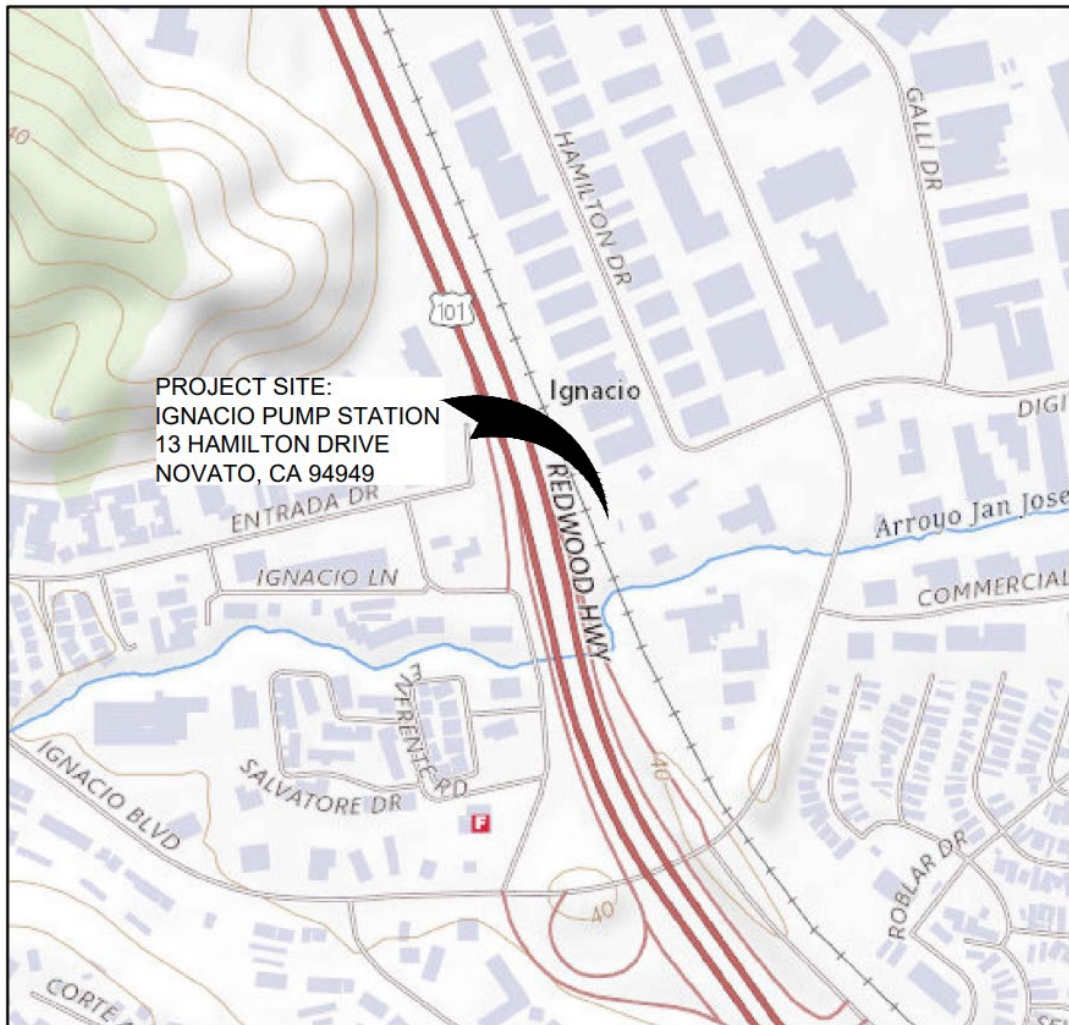
KASTANIA PUMP STATION LOCATION MAP

SCALE: NTS



SOURCE: MMWD 2025

Ignacio Pump Station Map



IGNACIO PUMP STATION LOCATION MAP

SCALE: NTS

SOURCE: MMWD 2025

Notice of Exemption

Attachment 3



Section 8. Item #b.

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: Kastania Pump Station Phase 2 Rehabilitation Project (D21027)

Kastania Project Location: County of Sonoma

Project Location – County: Sonoma

Ignacio Project Location: Novato

Project Location – County: Marin

Project Description: This Project will install a new pump and motor at Kastania Pump Station and a new pressure relief valve and discharge tank at Ignacio Pump Station as part of the District's Capital Improvement Program.

The project site Kastania is shown in Figure 1

The project site Ignacio is shown in Figure 2

Public Agency Approving Project: Marin Municipal Water District

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

CEQA Exemption Status: Categorical Exemption Section 15301, Existing Facility and Section 15302(c), Replacement or Reconstruction.

Reason for Exemption: This project is Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guideline Sections 15301, Existing facilities. The project is also exemption pursuant to CEQA Guidelines 15302(c), Replacement or Reconstruction. The project qualifies for exemptions pursuant to Sections 15301 and 15302 (c) inasmuch as it includes the installing new equipment involving negligible or no expansion of capacity, as even with project enhancements total Sonoma Water usage is anticipated to remain consistent within historical use and must comply with contractual limitations. Furthermore, no exceptions set forth in Section 15300.2 are applicable.

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 December 9, 2025.

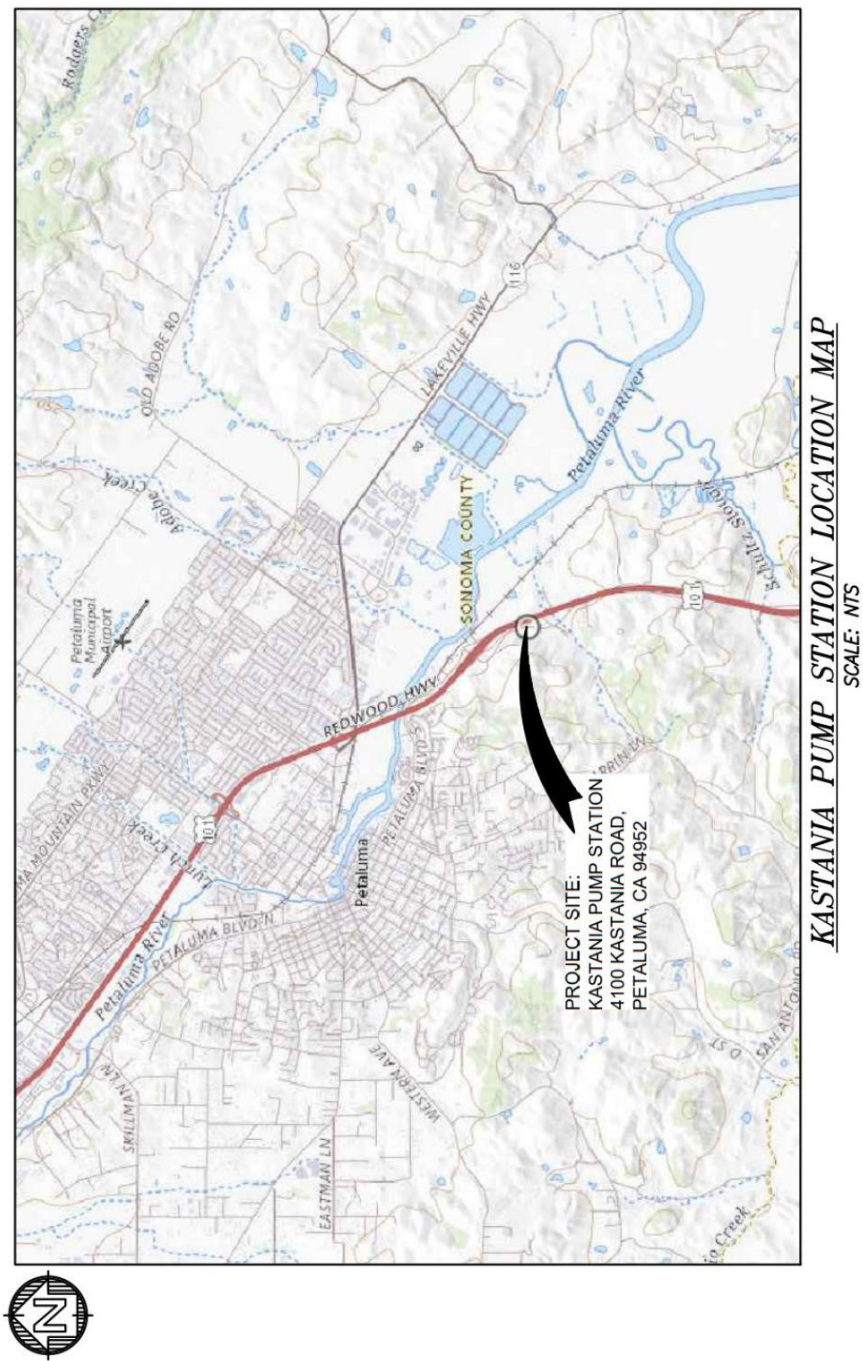
Lead Agency Contact Person: Alex Anaya, Marin Municipal Water District

Telephone: (415) 945-1588

Alex Anaya, Director of Engineering

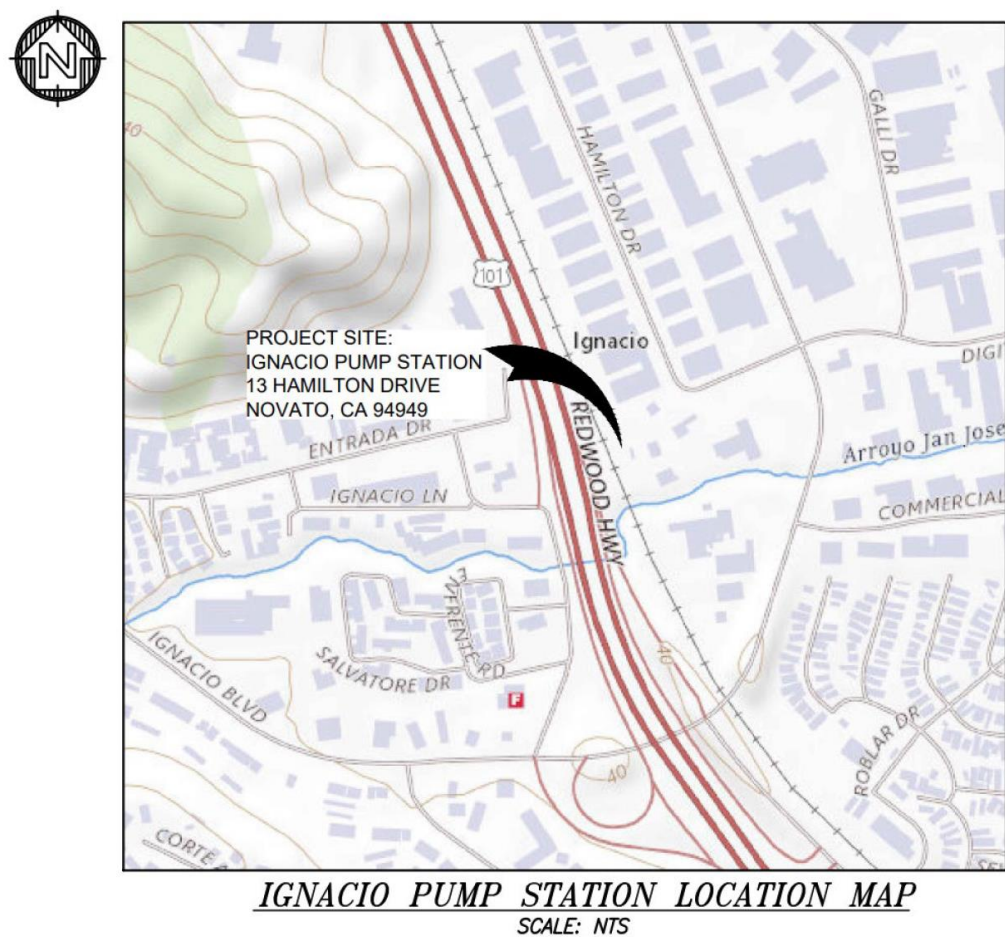
Date

Figure 1: Kastania Pump Station



SOURCE: MMWD 2025

Figure 2: Ignacio Pump Station



SOURCE: MMWD 2025



STAFF REPORT

Meeting Type: Board of Directors

Title: Award of Contract No. 2019B - Marin City Phase II Pipeline Replacement Project (GC25005) to Maggiora & Ghilotti, Inc.

From: Alex Anaya, Director of Engineering

Through: Ben Horenstein, General Manager

Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve a resolution awarding Contract No. 2019B, Marin City Phase II Pipeline Replacement Project, to Maggiora & Ghilotti, Inc. in the amount of \$3,637,010, and authorize the General Manager to execute any necessary amendments to Contract No. 2019B, which do not exceed \$350,000

SUMMARY: This item was reviewed by the District Planning Committee on August 26, 2025. The Marin City Phase II Pipeline Replacement Project will install approximately 10,440 feet of new pipe to replace the old leak prone pipe in unincorporated community of Marin City within the County of Marin, California.

DISCUSSION: The Marin City Phase II Pipeline Replacement Project (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.

The Project takes place in the locations described in Table 1 and shown on the Map provided in Attachment 2.

Table 1
Pipeline Replacement Locations

STREET	LENGTH	INSTALLATION DATE	EXISTING SIZE & TYPE
Park Circle	1400 ft	1962	6" CIP
Donahue Street	2980 ft	1962	6", 8" and 16" CIP
Bay Vista Circle	2100 ft	1962	6" AC
Bucklew Street	2310 ft	1962	6" AC
Braun Court	480 ft	1961	6" CIP
Burgess Ct	850 ft	1961	4" and 6" CIP

Bay Vista Court	320 ft	1962	6" AC
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*CIP = Cast Iron Pipe and AC = Asbestos Concrete

These street segments were evaluated for the installation of recycled water piping. The nearest existing recycled water pipeline is approximately 12.0 miles away located on intersection of San Pedro Road and Sequoia Road in the community of Los Ranchitos. The closest wastewater treatment plant, Sewage Agency of Southern Marin (SASM), is located approximately 3.5 miles away in Mill Valley however their facilities are not equipped to provide tertiary recycled water.

On November 20, 2025, the District opened seven (7) bids for the Marin City Phase II Pipeline Replacement Project, as shown in Table 1. Maggiora & Ghilotti, Inc. submitted the lowest responsive and responsible bid in the amount of \$3,637,010. Therefore, staff recommends that the Board of Directors approve a resolution awarding Contract No. 2019B to Maggiora & Ghilotti, Inc. in the amount of \$3,637,010 and authorizing the General Manager to execute any necessary amendments to Contract No. 2019B, which do not exceed \$350,000.

Table 1
Bid Results
Marin City Phase II Pipeline Replacement Project

Bid Rank	Contractor Name	Bid Amount
1.	Maggiora & Ghilotti, Inc.	\$3,637,010
2.	Westrock Engineering	\$3,640,280
3.	W.R. Forde Associates	\$3,891,520
4.	Team Ghilotti	\$4,007,007
5.	Ranger Pipeline	\$4,017,760
6.	Mitchell Engineering	\$4,310,340
7.	Argonaut Constructors	Non-Responsive

Engineer's Estimate: \$4,450,000

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

Budget:

Contract Award:	\$3,637,010
Contingency (10%):	\$350,000
Materials:	\$1,050,000
District Labor/Inspection:	\$350,000
Total Budget:	\$5,387,010
Budget Category:	A1A02A

Project Implementation:

Project Advertisement:	November 6, 2025
Bid Opening:	November 20, 2025
Project Award:	December 9, 2025
Estimated Completion Date:	September 15, 2026
Duration:	280 days



ENVIRONMENTAL REVIEW: The Board approved filing of the Notice of Exemption by the Director of Engineering at the regularly scheduled Board meeting on August 1, 2023. The project was found to be Categorically Exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15302(c), replacement or reconstruction of existing pipelines involving no or negligible expansion of capacity. The Notice of Exemption was filed with the County of Marin on August 2, 2023.

FISCAL IMPACT: The District was awarded a Bay Area Integrated Regional Water Management (IRWM) Proposition 1 Round 2 grant in the amount of \$6,408,000. The IRWM grant selected Marin City and San Rafael to receive funding for water resiliency projects. Marin City Phase II Pipeline Replacement Project will be cost shared with grant funding from the IRWM and the District's Capital Program.

The total cost to complete the Marin City Phase II Pipeline Replacement Project is estimated at \$5,387,010, inclusive of District labor, materials, and contingencies.

ATTACHMENT(S):

1. Resolution
2. Site Map

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

Attachment: 1

MARIN MUNICIPAL WATER DISTRICT

RESOLUTION NO.

**A RESOLUTION OF THE BOARD OF THE MARIN MUNICIPAL WATER DISTRICT
APPROVING AWARD OF CONSTRUCTION CONTRACT NO. 2019B TO MAGGIORA &
GHILOTTI, INC. FOR THE MARIN CITY PHASE II PIPELINE REPLACEMENT PROJECT**

WHEREAS, on November 6, 2025, the District advertised Contract No. 2019B, Marin City Phase II Pipeline Replacement Project (GC25005), which will replace approximately 10,440 feet of piping; and

WHEREAS, the District received and publicly opened seven (7) bids on November 20, 2025, of which Maggiora & Ghilotti, Inc. bid of \$3,637,010 was the lowest responsive and responsible bid.

NOW, THEREFORE, THE BOARD OF DIRECTORS RESOLVES that:

1. The bid of \$3,637,010 submitted by the Maggiora & Ghilotti, Inc. for the Pipeline Replacement Project under Contract No. 2019B ("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 the Maggiora & Ghilotti, Inc. are to be rejected.
5. The project is Categorically Exempt from review under Section 15302(c) of the CEQA Guidelines inasmuch as it is the replacement of existing water pipeline involving negligible or no expansion of capacity.

PASSED AND ADOPTED this 9th day of December, 2025, by the following vote of the Board of Directors.

AYES:

NOES:

ABSENT:

Matt Samson
President, Board of Directors

ATTEST:




Terrie Gillen
Board Secretary

MARIN CITY PHASE II PIPELINE REPLACEMENT PROJECT MARIN CITY, CA

Attachment 2



Legend

-  MARIN CITY - PHASE II PIPELINE REPLACEMENT PROJECT
-  PS MARIN CITY PUMP STATION
-  TANK MARIN CITY WATER STORAGE TANK



Esri Community Maps Contributors, County of Marin, California State Parks, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA, USF



STAFF REPORT

Meeting Type: Board of Directors

Title: First Amendment to District Lease No. 84, Ross Valley Sanitary District (RVSD) at Forbes Reservoir Site, San Rafael (APN 010-261-02)

From: Alex Anaya, Director of Engineering

Through: Ben Horenstein, General Manager

Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve a First Amendment to District Lease No. 84 with Ross Valley Sanitary District (RVSD) at Forbes Reservoir Site, San Rafael

SUMMARY: The District currently leases a portion of the Forbes Reservoir property to the Ross Valley Sanitary District (RVSD) for use as a communications facility (Site). The lease term is set to expire on December 31, 2025, and RVSD has requested an extension.

DISCUSSION: Believed to be California's oldest sanitary district, RVSD operates and maintains approximately 200 miles of collection sewer lines and 19 pumping stations which collect, pump, and transport approximately four million gallons of wastewater per day serving several communities in Marin County including, Fairfax, San Anselmo, Ross and Larkspur. As a public utility providing an important service, RVSD has requested a waiver of the market rent for the entirety of the lease term.

Summary of Current Lease Terms

- Current Lease Term – July 1, 2025 to December 31, 2025
- Current Lease Area – 1,430-square-feet
- Initial Contract (Base) Rent – \$1 for the initial term with approval of a waiver to current market rent

Summary of Proposed Lease Amendment



- Extend the Lease term from January 1, 2026 through June 30, 2026
- Waive market rent during the extended lease term

ENVIRONMENTAL REVIEW: Staff finds that this proposed First Amendment to the Lease will have no impact on the environment given that the facilities are already existing and in place and therefore the approval is not subject to further review under the California Environmental Quality Act.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. First Amendment to Lease No. 84
2. Location map

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

FIRST AMENDMENT TO
MARIN MUNICIPAL WATER DISTRICT
LEASE NO. 84
FORBES HILL RESERVOIR SITE
APN 010-261-02

This Lease Amendment (“First Amendment”) is entered into by and between Marin Municipal Water District (“District”), and Ross Valley Sanitary District (“RVSD”).

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

Section 1. Recitals:

- A. District and RVSD entered into a Lease fully executed on September 2, 2025 (“Lease”), which commenced on July 1, 2025 (“Commencement Date”), whereby RVSD, in order to operate a communications facility, leased certain real property described in Section 1 and Exhibit A of the Lease (the “Premises”), together with access and utility easements described in Section 5 of the Lease (“Access Easement”), all located within certain real property commonly known as the Forbes Hill Reservoir, owned by District (the “Property”) as described in Section 1 of the Lease.
- B. The Lease was due to expire on December 31, 2025 and RVSD desires to extend the term of the Lease through June 30, 2026.
- C. RVSD is requesting, per Section 4 of the Lease, a waiver of the market rent during the extended term of the Lease.
- D. District and RVSD desire to amend the Lease to extend the term of the Lease and to waive the market rent for the extension period.

Section 2. Terms:

- A. This First Amendment modifies the Lease. Except for the modifications contained herein, all other terms of the Lease shall apply.
- B. The Lease is amended to extend the term of the Lease through June 30, 2026 (“Extension Period”) and to waive the market rent during the Extension Period.

MARIN MUNICIPAL WATER DISTRICT

By: _____

Benjamin Horenstein

General Manager

Date: _____

ROSS VALLEY SANITARY DISTRICT

By: _____

Steven M. Moore

General Manager, RVSD

Date: _____

LOCATION MAP





STAFF REPORT

Meeting Type: Board of Directors
Title: Water Efficient Landscape District Code Changes and Local Jurisdiction MOU
From: Paul Sellier, Director of Water Resources
Through: Ben Horenstein, General Manager
Meeting Date: December 09, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve adoption of Ordinance No. 470 updating the District's Water Efficient Landscape Code provisions to reflect the 2025 changes to the State Model Water Efficient Landscape Ordinance (MWELO) and incorporate State requirements from Assembly Bill (AB) 1572 regarding prohibitions on the irrigation of non-functional turf; and approve an extension of the memorandum of understanding (MOU) with local jurisdictions to collaborate on MWELO implementation

SUMMARY: This item was reviewed by the District Planning Committee on November 13, 2025, for review and comment. To align with recent changes to the State's Model Water Efficient Landscape Ordinance (MWELO), staff discussed proposed modifications to the District's current Water Efficient Landscape Code provisions at the November 13, 2005 Planning Committee meeting. Staff also recommend incorporating non-functional turf prohibitions required by Assembly Bill (AB 1572) into the District Code.

At the Planning Committee, staff also reviewed the MOU developed by the District in 2021 to allow District Water Efficiency staff at the District to review landscape plans on behalf of the towns and cities in the District's service area for compliance with MWELO. Staff is proposing minor updates to the MOU, including extending the term of the MOU, which is currently set to expire in December 2025.

DISCUSSION: In January 2025, the Department of Water Resources (DWR) released an updated version of the State's Model Water Efficient Landscape Ordinance (MWELO). MWELO establishes standards for efficient landscape design, installation, management and maintenance, in both new and retrofitted landscapes that require a building permit, plan check or design review by local jurisdictions. All local agencies throughout the State must adopt, implement, and enforce MWELO, or adopt a local Water Efficient Landscape Ordinance (WELO) that is at least as effective as the State Ordinance.

The 2025 revisions to the MWELO were done with the goal of providing overall clarity, revising definitions and reordering sections to allow for easier interpretation and implementation of the requirements. DWR worked with local agencies, water suppliers, including District staff, landscape

industry groups and interested parties on the regulatory changes. Following discussions on how to best align the District’s Water Efficient Landscape Code with these new State MWELO revisions, and as a way of keeping pace with future revisions to MWELO, staff recommends adopting the State’s MWELO by reference as an alternative to fully embedding the State MWELO text into the District’s Water Efficient Landscape code (or WELO), while also maintaining and preserving some of the more progressive requirements adopted by the District in an effort to conserve additional water.

State Non-Functional Turf Regulation- AB 1572

In October 2023, the State of California passed AB 1572, which established a timeline for implementation of the prohibition of the use of potable water to irrigate nonfunctional turf on all non-residential properties, including homeowner association (HOA) common areas. The State created a cascading implementation timeline for categories of properties beginning in January 2027 with properties owned by public entities followed by commercial sites in 2028, and HOA common areas in 2029. The law includes some exceptions for the use of potable water to ensure the health of trees and other perennial plantings, or when necessary to address an immediate health and safety need. AB 1572 requires that public water systems, such as the District, revise their regulations, ordinances and policies to include these requirements and communicate such requirements to customers on or before January 1, 2027. Staff propose to incorporate the requirements of AB 1572 into the District Code changes to ensure the District’s compliance.

MOU with Local Jurisdictions

In 2021, the District and the 11 local jurisdictions within the District’s service area signed a Memorandum of Understanding memorializing the roles and responsibilities of the District and the local jurisdictions related to water efficient landscape requirements. As part of the MOU, local jurisdictions agreed to notify their project applicants of the District’s requirements and, in return, The District agreed to perform landscape plan review on behalf of these agencies ensuring consistency and compliance with MWELO, as well as the more stringent District standards. In addition, the District agreed to report completed projects’ details to the State annually on behalf of the local jurisdictions. The current MOU expires on December 31, 2025.



Staff have worked with the local jurisdictions to develop an updated MOU which reflects the proposed changes to the District Code related to Landscape Plan Review and adds Cross Connection Control (Backflow) Requirements and use of Recycled Water. As a result of the proposed changes to the MOU, District requirements will be communicated to applicants by the local towns and cities as early as possible, leading to clarity of process and improved outcomes for applicants. The new MOU, once approved, would be in place through December 31, 2030.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Draft Ordinance No. 470
- 2. Local Jurisdiction MOU

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Water Resources	 Paul Sellier Water Resources Director	 Ben Horenstein General Manager

**MARIN MUNICIPAL WATER DISTRICT
ORDINANCE NO. 470**

**AN ORDINANCE AMENDING CHAPTER 13.02 OF TITLE 13 OF THE MARIN
MUNICIPAL WATER DISTRICT CODE ENTITLED WATER SERVICE CONDITIONS
AND WATER CONSERVATION MEASURES UPDATING DISTRICT WATER
EFFICIENT LANDSCAPE REQUIREMENTS**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL
WATER DISTRICT AS FOLLOWS:**

SECTION 1. Purpose: The purpose of this Ordinance is to amend District Code section 13.02.021 entitled “Water Conservation: Normal Year Water Conservation” to align with the state of California’s revised Model Water Efficiency Landscape Ordinance (MWELO), which will become effective January 2, 2026. Additionally, this Ordinance will reaffirm several water efficient landscape requirements that are more stringent and intended to yield more water savings than those set forth in MWELO. Furthermore, this Ordinance will adopt provisions of California Water Code section 10608.14 pertaining to the use of potable water for the irrigation of nonfunctional turf.

SECTION 2. A new Subsection 6 of Section 13.02.020 of the Marin Municipal Water District Code entitled “Water waste prohibitions” is hereby added to read as follows:

(6) The District hereby adopts subsections (a) and (b) of section 10608.14 of the California Water Code, which provisions set forth future restrictions on the use of district potable water for the irrigation of nonfunctional turf, as such provisions may be amended from time to time. All terms in this section shall be assigned the meaning set forth in Water Code section 10608.12, as may be amended from time to time, and the definitions set forth in Section 13.02.021(2) of this Chapter shall be of no effect.

SECTION 3. Subsection 5 of Section 13.02.021 of the Marin Municipal Water District Code entitled “Water Efficient Landscaping” is deleted in its entirety and replaced with the following:

Section 13.02.021, Subsection (5) entitled “Water Efficient Landscaping”

(5) Water Efficient Landscaping.

- A. The District hereby adopts the California Department of Water Resources Model Water Efficient Landscape Ordinance (MWELO), set forth in Title 23, Section 490 *et seq.* of the California Code of Regulations, as may be amended from time to time. For the purposes of this subsection (A), all terms shall be assigned the meaning set forth in Title 23, Section 490.2 of the California Code of Regulations and the definitions set forth in Section 13.02.021(2) of this Chapter shall be of no effect.

- B. Notwithstanding the requirements of subsection (A), the more stringent water efficiency requirements set forth in this subsection (B) shall apply and all terms herein shall be assigned the meaning set forth in Section 13.02.021(2) of this Chapter.
1. All of the following projects shall comply with the District Water Efficiency Landscape Plan Review and the requirements set forth in this subsection (B) or conform to the prescriptive measures contained in Appendix D of Section 13.02.021(12):
 - (a) New construction projects with a landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review;
 - (b) Rehabilitated landscape projects with a landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review; and
 - (c) Any project with a landscape area of less than 1,000 square feet requiring a building or landscape permit, plan check, or design review.
 2. Prohibition on the Irrigation of Non-Functional Turf.
 - (a) For projects subject to the requirements set forth in 13.02.021(5)(B)(1)(a-c), nonfunctional turf irrigated with district water shall be prohibited.
 3. Requirements for Submetering and Manual Shut-Off Valves
 - (a) Separate district landscape water service meters shall be required for all new landscapes, other than single-family and two-unit residential landscapes, for which the irrigated area is equal to or greater than 1,000 square feet.
 - (b) A private submeter shall be required for all rehabilitated landscapes for which the irrigated landscape area is equal to or greater than 2,500 square feet.
 - (c) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required, as close as possible to the point of connection of the water supply and before each valve or valve manifold, to minimize water loss in the event of an emergency (such as a main line break) or routine repair.
 4. Submission of District Water Efficient Landscape Worksheet.
 - (a) The Water Efficient Landscape Worksheet shall be submitted to the District utilizing the Maximum Applied Water Allowance and Estimated Total Water Use worksheet, as may be amended from time to time.
 5. Turf Limits For New Development of Single-Family Residences and Duplexes.
 - (a) Newly developed single-family or duplex residences shall not

install more than 20% of the total residential landscape area, or 1,200 square feet, whichever is less, with turf. This prohibition shall apply to the residential landscapes of all newly developed single-family and duplex residences within the district.

SECTION 4. Subsection 8 of Section 13.02.021 of the Marin Municipal Water District Code entitled “Turf Limits for New Development of Single-Family Residences and Duplexes” is hereby deleted in its entirety and replaced with the following:

(8) Reserved.

SECTION 5. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional and, to that end, declares the provisions of this ordinance severable from one another.

SECTION 6. Effective Date: This Ordinance shall become effective thirty (30) days following its adoption.

PASSED AND ADOPTED this 9th day of December, 2025, by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Matt Samson
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary

Attachment 2

**Memorandum of Understanding (MOU)
Between Marin Municipal Water District and Local Land Use, Development,
Planning and Permitting Jurisdictions Regarding Collaboration and
Enforcement of Regional Cross Connection, Recycled Water and Water Conservation Programs**

WHEREAS, Marin Municipal Water District (“District”) has codes and ordinances whose effectiveness benefits from coordination with local land use, planning, development and permitting jurisdictions;

WHEREAS, local land use planning, development and permitting jurisdictions within the District service area include City of Belvedere, Town of Corte Madera, Town of Fairfax, City of Larkspur, City of Mill Valley, Town of Ross, Town of San Anselmo, City of San Rafael, City of Sausalito, Town of Tiburon and the County of Marin (“Jurisdictions”);

WHEREAS, the State of California (“State”) continues to issue water conservation requirements, including that new development and retrofitted landscapes comply with water efficiency standards governed by the Model Water Efficient Landscape Ordinance (“MWELO”);

WHEREAS, the State mandates a Cross Connection Plan be adopted to prevent contamination of the potable water supply by identifying, controlling, and monitoring potential backflow hazards, which is administered by the District;

WHEREAS, the District has an interest in expanding the supply of recycled water throughout its service area to reduce the use of potable water supplies;

WHEREAS, These Jurisdictions all receive and process applications for land use permits that are potentially subject to MWELO and cross connection and recycled water requirements (“Applications”);

WHEREAS, water conservation cross connection and recycled water are an important regional initiative to ensure clean and adequate water supply for current and future generations in Marin County;

WHEREAS, water use efficiency and recycled water are an important component of the District’s water supply strategy and therefor the District has an interest in assuring full compliance with MWELO;

WHEREAS, the State requires all Jurisdictions to adopt, implement, and enforce the MWELO or a more stringent ordinance;

WHEREAS, District has the expertise to assist Jurisdictions in complying with water conservation regulations and requirements as Jurisdictions process Applications, including inspections to ensure the implementation of MWELO;

WHEREAS, State water conservation laws require Jurisdictions to annually report to the State regarding implementation and enforcement of the MWELO or a more stringent ordinance; and

WHEREAS, Jurisdictions and District agree this MOU shall govern the regional collaboration for complying with State and local water conservation, cross connection and recycled water requirements.

NOW THEREFORE, in order to ensure coordination and compliance with water conservation, cross connection and recycled water requirements, Jurisdictions and District mutually agree to the following:

I. ROLES AND RESPONSIBILITIES

- A. District will:
 - i. Conduct Landscape Plan Review within 10-15 business days of submittal by the person or persons seeking the Applications (“Applicant”).
 - a) District will provide an approval (or exemption) letter to the Applicant for Landscape Plan Review. Sample letters of approval and exemption, which may be amended by District

from time to time, are attached hereto as Exhibit B, and incorporated herein by this reference.

- b) District will conduct all inspections necessary for Landscape Plan Review described in Section I (A)(i).
- c) District will inform Jurisdictions of all current District Codes applicable to MWELo reporting and compliance and will notify Jurisdictions of any future District Code revisions or amendments, which would impact MWELo reporting and/or water conservation legislative compliance.
- d) District will annually file, on behalf of the Jurisdictions, MWELo reporting as required pursuant to Title 23, Section 495 of the California Code of Regulations utilizing the Department of Water Resources reporting database, based on the information collected through inspections referred to the District, or as otherwise provided by the Jurisdictions. However, the District shall have no obligation to report 2025 MWELo data to the State for the January 31, 2026 compliance date, unless the Jurisdiction and the District extend the term of this MOU in writing pursuant to Section V of this MOU obligating the District to complete this report. Notwithstanding the above, the District will not be responsible for gaps in reporting due to lack of information provided by the jurisdictions.
- e) District will inform Jurisdictions of all current District Codes applicable to recycled water and cross connection and will notify Jurisdictions of any future District Code revisions or amendments, which would impact Applicants.

B. Jurisdictions will:

- i. Inform Applicant of District requirements at project initiation in Jurisdictions' Planning and Building Departments and refer Applicant's project to District for review. Current District requirements, which may be amended by District from time to time, are attached hereto as Exhibit A and incorporated herein by this reference.
- ii. Incorporate District requirements into the Planning Application Checklist and/or Building Application Checklist.
- iii. Maintain compliance with all applicable MWELo requirements, including referring all applicable projects to the District and providing District all requested information needed for proper MWELo reporting, but excluding the submission of the required annual MWELo reporting described in Section 1(A)(i)(d) above which is being performed by the District.
- iv. Prior to final inspection of a project, the Jurisdiction shall require evidence from the Applicant that the project has received approval (or is exempt from review) for Landscape Plan Review from the District. Sample letters of approval and exemption are attached hereto as Exhibit B and incorporated herein by this reference.

II. COSTS

Each party to this MOU shall be solely responsible for the costs to complete its share of the work described in Section I, above, entitled "Roles and Responsibilities."

III. HOLD HARMLESS AND LIABILITY

The Jurisdictions and the District each agree to hold harmless, indemnify, and defend the other from and against any and all liability claims, costs, penalties, causes of action, demands, and losses of any nature whatsoever, including reasonable attorneys' fees, arising from the performance of this MOU, including but not limited to personal injury and injury to property, or any violation of any law or ordinance, or other harm caused by any negligent act, error or omission, or willful acts or omissions of the indemnifying party

or its officers, employees, subcontractors, or agents acting pursuant to this MOU. This indemnification shall survive termination or expiration of this MOU.

IV. DISPUTE RESOLUTION

Any dispute or claim in law or equity between the District and the Jurisdictions arising out of this agreement, if not resolved by informal negotiation between the parties, shall be mediated by referring it to the nearest office of Judicial Arbitration and Mediation Services, Inc. (JAMS) for mediation. Each party shall provide the others with a list of four mediators. The parties shall confer on the list and select a mutually agreeable mediator. Mediation shall consist of an informal, non-binding conference or conferences between the parties and the judge-mediator jointly, then in separate caucuses wherein the judge will seek to guide the parties to a resolution of the case. If the parties cannot agree to a mutually acceptable member from the JAMS panel of retired judges, a list and resumes of available mediators with substantial experience in mediating claims of the type at issue between the parties, numbering one more than there are parties, will be sent to the parties, each of whom will strike one name leaving the remaining name as the mediator. If more than one name remains, JAMS arbitrations administrator will choose a mediator from the remaining names. The mediation process shall continue until the case is resolved or until such time as the mediator makes a finding that there is no possibility of resolution.

V. TERM & TERMINATION

This MOU shall terminate on December 31, 2030, unless extended by written agreement of the parties before that date. Any party may terminate participation in this MOU at any time by providing 30-days prior written notice. Upon termination, any obligations hereunder shall terminate, except as otherwise expressly herein provided.

VI. NOTIFICATION

The following personal shall be the primary contact for the identified party to this MOU:

Marin Water Carrie Pollard capollard@marinwater.org 415-945-1522	Town of Ross Roberta Feliciano rfeliciano@townofross.org (415) 453-1453	Town of Corte Madera Amy Lyle alyle@ cortemadera.gov 415-500-5213
Town of Fairfax Jeff Beiswenger jbeiswenger@townoffairfaxca.gov 415-458-2346	City of Larkspur Alex Othon aathon@cityoflarkspur.org (415) 927-5026	City of Mill Valley Patrick Kelly pkelly@cityofmillvalley.org 415-388-4039
City of Belvedere Rebecca Markwick rmarkwick@cityofbelvedere.org 415-435-8931	Town of San Anselmo Eric Robbe erobbe@townofsananselmo.org (415) 258-4637	City of San Rafael Micah Hinkle Micah.hinkle@cityofsanrafael.org (415)485-3085
City of Sausalito Kevin McGowan kmcgowan@sausalito.gov 415-289-4176	Town of Tiburon Samantha Bonifacio sbonifacio@townoftiburon.org 415-435-7393	County of Marin Jeremy Tejirian jtejirian@marincounty.org 415-473-3798

VII.COUNTERPART SIGNATURES

This MOU may be executed in counterparts, and each executed counterpart shall have the same force and effect as an original instrument and as if all of the Jurisdictions to the aggregate counterparts had signed the same instrument.

VIII. ASSIGNMENT

Neither the District nor the Jurisdictions may assign any portion of this MOU without the prior written authorization of the District General Manager.

IX. VENUE

This MOU and all matters relating to it shall be governed by the laws of the State of California. Any legal action brought related to this MOU shall be brought exclusively in the County of Marin.

X. SECTION HEADINGS

The section headings contained in this MOU are for convenience and identification only and shall not be deemed to limit or define the contents of the section to which they relate.

XI. NO PRESUMPTION REGARDING DRAFTER

The Parties acknowledge and agree that the terms and provisions of this MOU have been negotiated and discussed between the parties and their attorneys, and this MOU reflects their mutual agreement regarding the same. Because of the nature of such negotiations and discussions, it would be inappropriate to deem any party to be the drafter of this MOU, and therefore no presumption for or against validity or as to any interpretation hereof, based upon the identity of the drafter shall be applicable in interpreting or enforcing this MOU.

XII.MODIFICATION

This MOU shall not be modified except by prior written agreement of the Parties.

XIII. EFFECTIVE DATE

The effective date of this MOU shall be the date that each Jurisdiction and the District has signed this MOU.

XIV. SEVERABILITY

If any term, condition or covenant of this MOU, or the application thereof to any person or circumstance shall be held invalid or unenforceable, the remainder of this MOU, or the application of such term, condition or covenant to persons or circumstances other than those as to whom which it is held invalid or unenforceable, shall not be affected thereby, and every provision of this MOU shall be valid and enforceable to the fullest extent permitted by law.

XV.AUTHORITY

Each individual signing this MOU represents and warrants that they are duly authorized and has legal capacity to execute and deliver this MOU, and that the MOU is a valid and legal agreement binding on each party and enforceable in accordance with its terms.

MARIN MUNICIPAL WATER DISTRICT

Dated: _____ By _____
Bennett Horenstein, General Manager

CITY OF BELVEDERE

Dated: _____ By _____
Rebecca Markwick, Director of Planning and Building

TOWN OF CORTE MADERA

Dated: _____ By _____
Adam Wolff, Town Manager

TOWN OF FAIRFAX

Dated: _____ By _____
Heather Abrams, Town Manager

CITY OF LARKSPUR

Dated: _____ By _____
Dan Schwarz, City Manager

CITY OF MILL VALLEY

Dated: _____ By _____
Todd Cusimano, City Manager

TOWN OF ROSS

Dated: _____ By _____
Roberta Feliciano, Planning & Building Director

TOWN OF SAN ANSELMO

Dated: _____ By _____
Dave Donery, Town Manager

CITY OF SAN RAFAEL

Dated: _____ By _____
Cristine Alilovich, City Manager

CITY OF SAUSALITO

Dated: _____ By _____
Chris Zapata, City Manager

TOWN OF TIBURON

Dated: _____ By _____
Greg Chanis, Town Manager

COUNTY OF MARIN

Dated: _____ By _____
Derek Johnson, County Administrator

Exhibit A: District Codes

The following are the District's Applicable Codes:

Water Efficient Landscaping (District Code: 13.02.021(5))

Landscape Plan Review is required in the following instances:

1. New construction projects with an aggregate landscape area equal to or greater than 500 square feet requiring a building or landscape permit, plan check or design review.
2. Rehabilitated landscape projects with an aggregate landscape area equal to or greater than 1,000 square feet requiring a building or landscape permit, plan check, or design review.
3. Any project with an aggregate landscape area of less than 1,000 square feet requiring a building or landscape permit, plan check, or design review shall comply with the performance requirements of the MMWD ordinance or conform to the prescriptive measures.

Backflow Prevention (District Code: 11.14.010)

Backflow inspection is required in the following instances:

All sites that contain an auxiliary water source.

Interior Plumbing Fixtures (District Code: 13.02.021(3))

All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.

Non-Residential Interior Plumbing Fixtures (District Code: 13.02.021(4))

- A. All plumbing installed, replaced or moved in any new or existing water service shall meet the applicable standards in effect within the governing municipality, but at minimum shall comply with the California Green Building Standards Code, Part 11 of Title 24 of the California Code of Regulations (CALGreen) Tier 1 efficiency standards, as may be amended from time to time.
- B. Commercial Equipment Specifications. The following additional requirements shall apply, where applicable to any commercial use.
 1. *Dishwashers*. Dishwashers shall meet, at minimum, the CEE High Efficiency Specifications for Commercial Dishwashers as may be amended from time to time.
 2. *Steamers*. Steamers shall meet, at minimum, the current specifications set by the CEE's "High Efficiency Specifications for Commercial Steamers" as may be amended from time to time.
 3. *Dipper Wells*. Dipper well flow rates shall be 0.3 gallon, or less, per minute.
 4. *Ice Machines*. Ice machines shall: (1) be Energy Star qualified; and (2) meet the highest Tier specification set by the CEE "High Efficiency Specifications for Air-Cooled Ice Machines" as may be amended from time to time.

Use of Recycled Water Service Required (District Code: 11.32.120)

All existing customers of the district and any new applicants for water service whose properties may be served by recycled water provided by the district shall connect their property to such recycled water service for those

uses for which the use of potable domestic water would be deemed a waste or unreasonable use of water as specified in Division 7, Chapter 7, of the California Water Code and the state and local regulations promulgated pursuant thereto. Failure of an existing district customer to accept service of recycled water when it is made available by the district where use of potable water would otherwise be deemed a waste or unreasonable use of water as specified above shall be grounds for termination of the customer's potable water service. Failure of a customer for recycled water to comply with the conditions specified for its use set out in this code and in the application for water service shall be grounds for termination of recycled water service and curtailment and/or termination of any potable water service provided to the extent the customer attempts to apply potable water to the uses specified for recycled water. No connection fee shall be assessed where recycled water replaces potable water to which a customer already had a water entitlement; however, the customer shall be liable for the cost of connecting his plumbing at the point of connection as determined by the district and any costs of making his private plumbing and irrigation system conform to state health standards.

Exhibit B: Sample Letters



Date

<Company>
<Street Address>
<City>, CA <Zip>

Re: <Project Name>
Project #: <20XX-XX>; APN: <XXX-XXX-XX>; Service #: <XXXXXX>
WATER CONSERVATION ORDINANCE 430

Landscape Plan Compliance Letter

Dear <Applicant>:

The landscape plans submitted to Marin Water for Ordinance 430 review have passed. It is the landscape architect's or the owner's agent's responsibility to ensure that the installing contractor is supplied with a copy of Marin Water's **stamped and approved** landscape plans prior to installation.

Upon completion of the project the landscape architect or agent must submit the required Certificate of Completion form and irrigation audit results to the Water Efficiency Department. A final inspection will then be scheduled to verify field compliance with the ordinance. A copy of the stamped landscape plans must be onsite during construction.

Any changes to the stamped approved landscape plans must be approved by Marin Water prior to installation.

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>
<Title>

Cc: Nole Studley, MMWD
Joseph Eischens, MMWD

Water Use for SV-XXXXX: 0.XX AF
Maximum Flow Rate SV-XXXXX: XX GPM



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

WATER CONSERVATION ORDINANCE 430

Landscape Prescriptive Compliance Option Letter

Dear <Applicant>:

The landscape details submitted to the District for review have passed. It is the landscape architect's or the owner's agent's responsibility to ensure that the installation complies with the Prescriptive Compliance Method Checklist.

Upon completion of the project the landscape architect or agent must submit the required Certificate of Completion form and irrigation audit results to the Water Conservation Department. A final inspection will then be scheduled to verify field compliance with the ordinance.

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>

<Title>

Cc: Nole Studley, MMWD

Joseph Eischens, MMWD

Water Use for SV-XXXXX: N/A

Maximum Flow Rate: N/A



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

In Attendance: <Give names and company of persons attending, including self>

WATER CONSERVATION ORDINANCE 430

Landscape Inspection Compliance Letter

Dear <Applicant>:

On date, a site inspection was performed. The project is in compliance with the landscape portion of Ordinance 430 and the water entitlement/baseline has been established for the project.

The District thanks you for your cooperation in our effort to conserve water.

Sincerely,

<Signature>

<Name>

<Title>

<Phone Number>



Date

Name

Company

Address

City, State, Zip

Re: Project Name, City

Project #: <>; APN: <>; Service #: <>

WATER CONSERVATION ORDINANCE 430

Landscape Project Exemption Letter

Dear <Applicant>:

This project does not need to be in compliance with the landscape portion of Water Conservation Ordinance 430 because *no irrigation system will be installed*.

Please contact the following departments if you have further questions regarding:

Meters and water service: Engineering Services (415-945-1530)

Backflow prevention devices and recycled water: Backflow & Reclamation (415-945-1488)

If you have questions, please call me at (415) 945-XXXX.

<Signature>

<Name>

<Title>

Cc: Nole Studley, MMWD

Joseph Eischens, MMWD

Water Use for SV-XXXXX: Exempt

Maximum Flow Rate: Exempt



STAFF REPORT

Meeting Type: Board of Directors
Title: Renewal of SAP Software Maintenance Support
From: Bret Uppendahl, Finance Director
Through: Ben Horenstein, General Manager
Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve a professional services agreement with SAP (MA# 6499) to renew annual software maintenance and support services for a total amount not to exceed \$216,350 in calendar year 2026 and authorize the General Manager to execute the agreement

SUMMARY: Staff presented this item at the November 20, 2025, Finance and Administration Committee meeting. The District's Enterprise Resource Planning (ERP) solution is officially called "SAP ERP Central Component" (SAP ECC) version 6. The SAP ECC solution supports operations in and across all of the District's business units. The software maintenance agreement expires in December 2025, and staff is recommending a one-year renewal for calendar year 2026.

DISCUSSION: Software maintenance is essential to keeping the District's ERP systems stable and secure and access to SAP technical support is essential to keeping the District's ERP systems running smoothly. In a separate effort, staff is working to modernize all modules in SAP and move toward the cloud-based version of S/4 HANA. However, the modernization effort will continue for multiple years and the District needs to maintain support for the existing, on-premise version of the software in the interim. This agreement will renew SAP support for the next calendar year.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: Funds are currently budgeted in the Information Technology department's operating budget for this service.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Finance	 Bret Uppendahl Finance Director	 Ben Horenstein General Manager



STAFF REPORT

Meeting Type: Board of Directors
Title: Quarterly Investment Report
From: Bret Uppendahl, Finance Director
Through: Ben Horenstein, General Manager
Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Receive report on the District's investment portfolio

SUMMARY: Pursuant to District Investment Policy No. 33, the quarterly investment report is submitted to the Board for fiscal year 2025-26 as of September 30, 2025.

DISCUSSION: The District's Board Policy No. 33 Investment Policy was updated in May 2025, to include investments in joint powers authorities (JPAs). In August 2025, the District initiated investments with the California Asset Management Program (CAMP), which is a California JPA established in 1989 administered by PFM Asset Management, a division of U.S. Bancorp Asset Management Inc.

The District's investment portfolio (pooled cash) carried a market value of \$115.3 million as of the end of September. The investments held included \$73.4 million on deposit in the Local Agency Investment Fund (LAIF), \$14 million on deposit in CAMP, \$8.3 million on deposit in the Fidelity Government Money Market Fund, \$11.1 million on deposit in the Vanguard Reserves Federal Money Market Fund, and \$8.4 million in the District's general checking account. Fiscal year to date interest earned as of September on the District's portfolio totaled \$1.1 million. The average annual effective yield for LAIF investments for the first quarter of the fiscal year 2026 was 4.34 percent, compared to 4.71 percent average effective yield for the first quarter of fiscal year 2025.

Pursuant to subsection (b) (2) of California Government Code § 53646, the District portfolio complies with the District's investment policy. Pursuant to subsection (b) (3) of California Government code §53646, the District establishes that it is able to meet its pooled expenditure requirements for the next six months.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

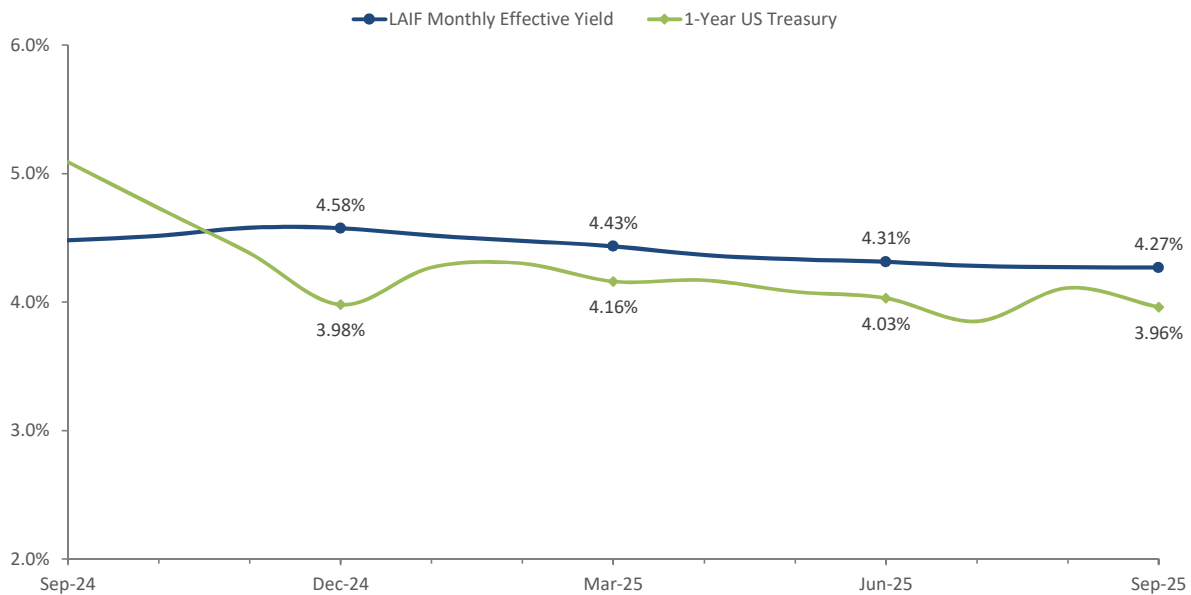
1. Schedule of Investments as of September 30, 2025

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Finance	 Bret Uppendahl Finance Director	 Ben Horenstein General Manager

**Marin Municipal Water District
FY 2025 Schedule of Investments
As of September 30, 2025**

District Investments	Investment Type	Beginning Balance	Purchases / Deposits	Investment Income/(Loss)	Withdrawals	Ending Balance	% of Portfolio
Local Agency Investment Fund	Local Government Investment Pool	74,566,715	-	802,643	(2,000,000)	73,369,358	64%
CAMP Pooled Investment Fund	Joint Powers Authority Pool	-	14,000,100	39,320	-	14,039,420	12%
Fidelity Investments Money Market Government Portfolio Class I	Money Market Mutual Fund	11,223,797	-	113,512	(3,001,000)	8,336,309	7%
Vanguard Reserves Federal Money Market Fund	Money Market Mutual Fund	11,000,000	-	115,991	-	11,115,991	10%
Lehman Brothers Holdings	Medium Term Note	400	-	-	(400)	-	0%
US Bank Checking Account	Checking Account	14,629,424	52,949,634	3,137	(59,170,524)	8,411,672	7%
TOTAL INVESTMENTS		111,420,336	66,949,734	1,074,603	(64,171,924)	115,272,750	100%

**Comparison of LAIF Yield to 1-Year US Treasury
Sept 24 to Sept 25**



1. Source: California State Treasurer and U.S. Department of the Treasury websites.

2. LAIF Pooled Money Investment Account has maturities from 1 day to 5 years and a weighted average maturity of less than 1 year



STAFF REPORT

Meeting Type: Board of Directors
Title: District Cross-Connection Control Program and Proposed Ordinance No. 471 Amending Chapter 11.14 of the District Code Regarding Cross-Connections
From: Paul Sellier, Director of Water Resources
Through: Ben Horenstein, General Manager
Meeting Date: December 09, 2025

TYPE OF ITEM: Action X Information

RECOMMENDATION: Receive an update on the District Cross-Connection Control Program and Proposed Ordinance No. 471 Amending Chapter 11.14 of the District Code Regarding Cross-Connections

SUMMARY: In 2023, the State repealed sections of Title 17 of the California Code of Regulations relating to cross-connections and replaced those sections with the State Water Resource Control Board's (State Board) *Cross-Connection Control Policy Handbook* (Handbook). In line with the Handbook, the District submitted a *Cross-Connection Control Plan* (Plan) to the State Board for review and approval. Marin Water's Plan was approved in July 2025. To appropriately reflect these changes, Chapter 11.14 of the District's Code related to cross connections must be updated to include appropriate and accurate references to the new requirements. Staff is proposing to adopt the new Handbook and Plan requirements, as may be amended from time to time, by reference as opposed to repeating the detailed requirements within the District Code.

DISCUSSION: At the July 1, 2025 Board of Directors meeting, staff brought an update on the changing requirements of the District's Cross-Connection Control Program and the new requirements included the State *Cross-Connection Control Policy Handbook*. As required by the State Handbook, staff drafted a Plan, which was submitted to the State Water Board for approval. On July 10, 2025, the District was notified that the Plan was approved.

The new requirements in the Handbook and the District Plan need to be updated in the District's Code. Prior practice when drafting ordinances and updating the District Code was often to copy and paste the text of the requirements into a District ordinance to be incorporated into the District Code. While an acceptable method, it can necessitate frequent updates as new legislation or regulations are adopted or revised. Staff is instead proposing to adopt the new requirements, as they may be amended from time to time, by reference thereby automatically ensuring ongoing compliance with the State Handbook and District Plan as they change over time.

With the repeal of Title 17 of the California Code of Regulations, some references in Marin Municipal Water District's Code, Chapter 11.14 entitled "Cross-Connections" must be updated to remove repealed references. To ensure compliance with the new Handbook and Plan requirements, staff is proposing the changes set forth in the table below.

Existing District Code Section	Proposed Revision
11.14.010 Purpose	Update to identify and reference the <i>Handbook</i> and <i>Plan</i>
11.14.020 California Administrative Code provision adopted	Remove references to Title 17, incorporate and adopt by reference the <i>Handbook</i> and <i>Plan</i> , update section title
11.14.030 Definitions	Relevant definitions are included in both the <i>Handbook</i> and <i>Plan</i> , Shift existing 11.14.040 Inspection to this section and update title
11.14.040 Inspection	Shift existing 11.14.080 "Consumer responsibility" to this section, update title, and update for grammatical consistency
11.14.050 Backflow Prevention	Shift existing 11.14.090 "Discontinuance of service" to this section, update title, minor reference change
11.14.060 Type of backflow prevention assemblies required	Remove section as site requirements are identified in District Plan
11.14.070 Installation of backflow prevention assemblies	Remove section as installation requirements are identified in the State Handbook
11.14.080 Consumer Responsibilities	Remove this section as contents were shifted
11.14.090 Discontinuance of service	Remove this section as contents were shifted

Both the existing Chapter 11.14 and proposed amendments are attached. The proposed changes to the existing District Code provisions will be brought to a future board meeting for consideration of approval of the proposed Ordinance No. 471.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Existing District Code Chapter 11.14 *Cross-Connections*
2. Proposed Ordinance No. 471 - District Code Revised Chapter 11.14 *Cross-Connections*

CHAPTER 11.14
CROSS-CONNECTIONS

Note: Prior ordinance history: Ord. 176.

§ 11.14.010. Purpose.

All water service connections are subject to the installation of backflow prevention assemblies in order to safeguard the public drinking water supply. The requirements of this chapter are in addition to any requirements of federal, state or local law.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.020. California Administrative Code provisions adopted.

California Administrative Code, Title 17, Sections 7583 et seq., are adopted and incorporated by reference herein, insofar as the same are applicable to the protection of the water supply of the district.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.030. Definitions.

Definitions used in this chapter, unless the context requires otherwise, are as follows:

"Air gap separation - approved" means a physical break between the supply pipe and a receiving vessel. The air gap shall be at least double the diameter of the supply pipe, measured vertically above the top rim of the receiving vessel, and in no case less than one inch.

"Auxiliary water supply" means any water supply on, or available to, premises other than the district's supply.

"Backflow" refers to the flow of water or other fluid or substance or combination or mixture thereof into the potable water supply distribution pipes from any source or sources other than the intended source of supply.

"Check valve - approved" means a check valve that is drip-tight in the normal direction of flow when the inlet pressure is at least one psi and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g. clapper, poppet and other design) shall be internally weighted or otherwise internally loaded to promote rapid and positive closure. An approved check valve is only one component of an approved backflow prevention assembly, i.e., pressure vacuum breaker, double check valve assembly or reduced pressure principle assembly.

"Cross-connection" means any unprotected actual or potential connection or structural arrangement between a public or a consumer's potable water system and any other source or system through which it is possible to introduce into any part of the potable system any used water, industrial fluid, gas, or substance other than the intended potable water with which the system is supplied. Bypass arrangements, jumper connections, removable sections, swivel or change over devices and other temporary or permanent devices through which or because of which backflow can or may occur are cross-connections.

"Double check valve assembly - approved" means an assembly composed of two single, independently acting, approved check valves, including tightly closing shut-off valves located at each end of the assembly and fitted with properly located test cocks.

"Reclaimed water" means wastewater which as a result of tertiary treatment is suitable

§ 11.14.030

§ 11.14.060

for uses other than potable use.

"Reduced pressure principle backflow prevent assembly - approved" means a device containing two independently acting approved check valves, together with a hydraulically operating, mechanically independent pressure relief valve located between the check valves and at the same time below the first check valve. The unit shall include properly located test cocks and tightly closing shutoff valves at each end of the assembly.

"Service connection" means the terminal end of a service connection from the public potable water system, i.e., where the water purveyor loses jurisdiction and sanitary control over the water at its point of delivery to the consumer's water system. If a meter is installed at the end of the service connection, then the service connection shall mean the downstream end of the meter.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.040. Inspection.

The consumer's system shall be open for inspection at all reasonable times to authorized representatives of the district to determine whether cross-connections or sanitary hazards, including violations of this chapter exist.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.050. Backflow prevention.

Every water service connection to premises on which any of the following conditions exist or are planned shall be protected against backflow from the premises by suitable backflow prevention assemblies as specified in Section 11.14.060:

- (1) An auxiliary water supply which is not certified by the State Health Department as a domestic water supply; or
- (2) The handling of any substance under pressure in such a manner as to permit possible ultimate entry into the district's system; or
- (3) Internal cross-connections that are not permanently correctable; or
- (4) Intricate plumbing arrangements which make it impractical or impossible to ascertain whether or not cross-connections exist.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.060. Type of backflow prevention assemblies required.

The type of backflow prevention assemblies required shall be as follows, depending upon the degree of hazard which exists:

- (1) At the service connection to any premises where there is an auxiliary water supply handled in a separate piping system with no known cross-connections the district's system shall be protected by an approved double check valve assembly. If such service is subject to any back siphonage, the district's system shall be protected by an approved reduced pressure principle backflow prevention assembly.

§ 11.14.060

§ 11.14.070

- (2) At the service connection to any premises on which a substance that would be objectionable but not necessarily hazardous to health, if introduced into the district's system, is handled so as to constitute a cross connection, the district's system shall be protected by an approved reduced pressure principle backflow prevention assembly.
- (3) At the service connection to any premises on which an auxiliary water supply with cross-connections, the district's system shall be protected by an approved reduced pressure principle backflow prevention assembly.
- (4) At the service connection to any premises on which any material dangerous to health or toxic substances in toxic concentration is or may be handled under pressure, or in a situation subject to siphoning, the district's system shall be protected by an approved air gap separation. If the approved air gap separation requirement cannot reasonably be met, an approved reduced pressure principle backflow prevention assembly may be substituted if acceptable to both the district and the Marin County health department.
- (5) At the service connection to any sewage treatment plant or sewage pumping station, the district's system shall be protected by an approved air gap separation. If the approved air gap separation requirement cannot reasonably be met, an approved reduced pressure principle backflow prevention assembly may be substituted if acceptable to the district, the Marin County health department, and the State Department of Public Health.
- (6) At the service connection to any property where reclaimed water is provided, the district may also require that its potable system be protected by a backflow prevention assembly.
- (7) At the service connection to any premises to which an irrigation service is supplied, the district's system shall be protected by an approved double check valve assembly:
 - (a) If such service is subject to any back siphonage, or if fertilizers, herbicides, pesticides, or any other hazardous substance will be injected into the consumer's piping system, the district's system shall be protected by an approved reduced pressure principle backflow prevention assembly.
 - (b) The district may also require that its system be protected by a backflow prevention assembly appropriate to the degree of hazard to the public drinking water supply determined by the district to exist at any service connection not covered in subsection (a) of this section.
 - (c) Any protective assembly required in this section shall be a model approved by the district. In general, a double-check valve assembly or a reduced pressure principle backflow prevention assembly to be approved by the district shall be listed on the State Department of Public Health's list of approved backflow prevention assemblies.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.070

§ 11.14.090

§ 11.14.070. Installation of backflow prevention assemblies.

All backflow prevention assemblies shall be installed in a horizontal position a minimum of twelve inches above finished grade and in accordance with all district rules and regulations.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.080. Consumer responsibility.

It shall be the duty of the consumer, at any premises where backflow protection assemblies are required, to furnish, install, maintain and have tested by a certified tester, the assemblies at his own expense. A test shall be made as soon as is practical after installation and at least once a year thereafter; however, the district may require more frequent tests if extreme hazards exist or successive inspections disclose repeated failures in the operation of any assembly. The consumer shall notify the district when the assembly has been installed. Assemblies shall be repaired, overhauled, or replaced at the expense of the consumer whenever they are found to be unapproved or defective. Records of such tests, repairs and overhaul shall be kept by the consumer and shall be promptly forwarded to the district by the consumer.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

§ 11.14.090. Discontinuance of service.

Water service to any premises may be discontinued by the district, pursuant to Chapter 11.28 if a backflow prevention assembly, required by this chapter is not installed, tested and/or maintained; or if any deficiency is found in the installation or operation of a backflow prevention assembly; or if it is found that a backflow prevention assembly has been removed, or bypassed. Service shall not be restored until such conditions or defects are corrected. Any cost to the district for the investigation and abatement of a deficiency shall be included in the charges due before service is restored.

(Ord. 236 §1, 1983; Ord. 314 §2, 1990)

**MARIN MUNICIPAL WATER DISTRICT
ORDINANCE NO. 471**

**AN ORDINANCE AMENDING CHAPTER 11.14 OF TITLE 11 OF THE MARIN
MUNICIPAL WATER DISTRICT CODE ENTITLED WATER SERVICE RULES AND
REGULATIONS UPDATING DISTRICT CROSS CONNECTION PREVENTION
MEASURES**

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE MARIN MUNICIPAL
WATER DISTRICT AS FOLLOWS:**

SECTION 1. Purpose: The purpose of this ordinance is to amend Chapter 11.14 of the District Code entitled Cross Connections to ensure compliance with the State Water Resource Control Board's Cross Connection Control Policy Handbook adopted pursuant to California Health and Safety Code section 116407 and the District's Cross Connection Control Plan approved by the State's Division of Drinking Water in order to protect the public health through the establishment of standards intended to ensure that the District's drinking water distribution system will not be subject to the backflow of liquids, gases, or other substances.

SECTION 2. Chapter 11.14 of the Marin Municipal Water District Code entitled "Cross-Connections" is hereby deleted in its entirety and restated to read as follows:

Section 11.14.010- "Purpose"

This chapter is intended to ensure that all new and existing district water service connections shall comply with the requirements of the State Water Resources Control Board (SWRCB) Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems (CCCPH) adopted pursuant to California Health and Safety Code section 116407 and the District Cross Connection Control Plan (District Plan) approved by the State Division of Drinking Water, as may be amended from time to time, to protect the district drinking water distribution system from the backflow of liquids, gases, or other substances. The requirements of this chapter are in addition to any requirements of federal, state or local law.

Section 11.14.020- "SWRCB CCCHP and District Plan provisions adopted and incorporated herein."

The requirements of the State Water Resources Control Board (SWRCB) Cross-Connection Control Policy Handbook Standards and Principles for California's Public Water Systems (CCCPH) and the District Cross Connection Control Plan (District Plan), as may be amended from time to time, are hereby incorporated by this reference and made a part of district code subject to implementation and enforcement by the district.

Section 11.14.030- “Inspections.”

The consumer's system shall be open for inspection at all reasonable times to authorized representatives of the district to determine whether cross-connections or sanitary hazards, including violations of this chapter exist.

Section 11.14.040- “Consumer responsibility.”

It shall be the duty of the consumer, at any premises where backflow protection assemblies are required, to furnish, install, maintain and have tested by a certified tester, the assemblies at their own expense. In accordance with this chapter, a test shall be made as soon as is practical after installation and at least once a year thereafter; however, the district may require more frequent tests if extreme hazards exist or successive inspections disclose repeated failures in the operation of any assembly. The consumer shall notify the district when the assembly has been installed. Assemblies shall be repaired, overhauled, or replaced at the expense of the consumer whenever they are found to be unapproved or defective. Records of such tests, repairs and overhaul shall be maintained by the consumer and shall be promptly forwarded to the district by the consumer.

11.14.050- “Discontinuance of service.”

In accordance with Chapter 11.28 of this Code, water service to any premises may be discontinued by the district, pursuant to this chapter if a backflow prevention assembly is not installed, tested or maintained as required hereunder; or if any deficiency is found in the installation or operation of a backflow prevention assembly; or if it is found that a backflow prevention assembly has been removed, or bypassed. Service shall not be restored until such conditions or defects are corrected. Any cost to the district for the investigation and abatement of a deficiency shall be included in the charges due before service is restored.

SECTION 3. Severability: If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this code. The Board of Directors hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase, part or portion thereof, irrespective of the fact that any one or more sections subsections, sentences, clauses, phrases, parts or portions be declared invalid or unconstitutional and, to that end, declares the provisions of this ordinance severable from one another.

SECTION 4. Effective Date: This ordinance shall become effective thirty (30) days following its adoption.

PASSED AND ADOPTED this ____th, of ____ (month), ____ (year), by the following vote of the Board of Directors:

AYES:

NOES:

ABSENT:

Matt Samson
President, Board of Directors

ATTEST:

Terrie Gillen
Board Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: 2026 Board and Committee Meetings Calendar
From: Adriane Mertens, Communications & Public Affairs Manager
Through: Ben Horenstein, General Manager
Meeting Date: December 9, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Approve the 2026 Calendar of Board and Committee Meetings

SUMMARY: The Board of Directors adopts a calendar of Board and Committee Meetings for the coming year pursuant to Section 3 (Board Meetings) of the Board Handbook, adopted as Board Policy No. 1 (Board Handbook).

DISCUSSION: Annually, the District's Board of Directors adopts the Board and Committee Meeting Calendar. As part of this process, the Board may choose to modify meeting dates, start times, meeting frequency, and/or the formation of the various committees proposed in the draft calendar.

Staff has developed the draft 2026 Meeting Calendar based on the Board Handbook guidelines, past Board practices, and input received during discussions at the Board of Directors' December 1, 2025 Annual Planning Retreat.

Board Meetings

Regular Board Meetings are the primary venue for the Board to conduct District business and pursuant to the Brown Act, California Government Code section 54954.2, meeting agendas must be posted at least 72 hours in advance of the meeting. Regular meetings of the full Board require a quorum of at least three Directors. Pursuant to the Board Handbook, regular bi-monthly Board meetings are held on the first and third Tuesday of each month and begin at or after 5:00 p.m., unless otherwise adopted by the Board in the annual calendar.

In recent years, the regularly adopted start time for Board meetings has been 6:30 p.m. At the December 1, 2025 planning retreat, the Board and staff discussed the potential benefits of an earlier start time and the Board members directed staff to return with a proposal as part of the annual draft calendar. Reflecting this input, the draft 2026 calendar proposes regular Board meetings begin at 5:00 p.m., with any planned closed session beginning at 4:00 p.m., unless otherwise noticed.

Notwithstanding this change, the Board retains discretion to especially notice a different meeting start time for matters of greater public interest. The proposed earlier start time aligns with the end of the typical workday for many individuals, continues to provide for convenient public participation – whether remote or in-person – and may offer several other benefits:

- Improved operational efficiency by aligning meetings more closely with when staff workdays wind down, which can increase staff availability to attend or present at meetings and support broader organizational exposure to Board processes.
- Enhanced meeting effectiveness by reducing decision-fatigue and supporting clearer focus on agenda items at a more reasonable hour.
- Fewer long, late workdays for staff and the Board, supporting overall work-life balance.

Committee Meetings

Standing Committees are created by the Board and consist solely of fewer than a quorum of Directors. Each committee is composed of two Board members appointed annually by the Board President, with the advice and consent of the full Board. Standing committees address continuing subject-matter jurisdiction and serve as the venue for routine and regular consideration of items within their respective focus areas. The District currently has three standing committees:

- Finance & Administration Committee, which meets on the 4th Thursday of each month.
- Planning Committee, which meets on the 4th Tuesday of each month.
- Watershed Committee, which meets quarterly on the 3rd Thursday of the month.

When a full Board discussion is warranted for items scheduled at a committee meeting, the District’s practice is to dual-notice the meeting, meaning it is noticed both as a standing committee meeting and as a Special Meeting of the Board of Directors to allow all Directors to participate. Consistent with current practice, all Planning and Watershed committee meetings are proposed to be dual-noticed in 2026 and this is reflected in the attached draft calendar.

Additional Considerations

Development of the proposed 2026 Meeting Calendar also seeks to account for the Board’s participation in regional boards and committees; potential attendance at both the spring and fall Association of California Water Agencies (ACWA) conferences and the annual American Water Works Association (AWWA) conference; District-observed holidays and other religious observances; and planned local public school closures that could limit Board member or public attendance. Where such conflicts occur, proposed alternate dates for regular Board or committee meetings are noted in the attached draft 2026 Board and Committee Meetings Calendar.

Staff recommends that the Board adopt the draft 2026 calendar included with this report, subject to any direction on modifications, which will be incorporated into the final adopted calendar.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Draft 2026 Board and Committee Meetings Calendar

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

Attachment 1

2026 BOARD & COMMITTEE MEETINGS SCHEDULE

MONTH	BOARD MEETINGS Bi-monthly (1 st & 3 rd Tuesdays) 5:00 p.m.⁽¹⁾	Planning Committee/Board (4 th Tues of the month unless otherwise noted) 9:30 a.m.	Finance & Administration Committee (4 th Thurs of the month unless otherwise noted) 9:30 a.m.	Watershed Committee/Board (3 rd Thurs of each quarter unless otherwise noted) 9:30 a.m.
JANUARY	6 20	27	22	
FEBRUARY	3 24⁽³⁾	10⁽²⁾ (Tuesday)	26	
MARCH	3 17	24	26	19
APRIL	7 21	28	23	
MAY	12⁽⁴⁾ 26⁽⁶⁾	14⁽⁵⁾	28	
JUNE	2 16	30⁽⁷⁾	25	18
JULY	7 21	28	--⁽⁸⁾	
AUGUST	--⁽⁹⁾ 18	25	27	
SEPTEMBER	1 15	22	24	17
OCTOBER	6 20	27	22	
NOVEMBER	4⁽¹⁰⁾ 17	10⁽¹¹⁾	19⁽¹²⁾	
DECEMBER	--⁽¹³⁾ 15	10⁽¹⁴⁾ (Thursday)	--⁽¹⁵⁾	17

WATER INDUSTRY CONFERENCES:

Association of California Water Agencies (ACWA) Spring Conf., May 5-7

American Water Works Association (AWWA) Annual Conf., June 21 - 24

Association of California Water Agencies (ACWA) Fall Conf., Dec. 1 - Dec. 3

Water Environment Federation's Technical Exhibition and Conference (WEFTEC), Sep.26 - Sep.30

Notes:

1. **Start times for Bi-monthly Board of Directors Meeting** – Propose to begin regular open sessions at 5:00 p.m. with closed sessions to begin as early as 4:00 p.m., unless otherwise noticed.
2. **February 10 Planning Committee Meeting** – Propose to move the Feb. 24 Planning Committee meeting to Thursday, Feb. 24 due to the mid-winter school break February 16 – 20.
3. **February 24 Board of Directors Meeting** – Propose to move the Feb. 17 Board meeting to Feb. 24 due to the mid-winter school break February 16 - 20.
4. **May 12 Board of Directors Meeting** – Propose to move the May 5 Board Meeting to May 12 due to the ACWA Spring Conference.
5. **May 14 Planning Committee Meeting** – Propose to move the May 26 Planning Committee meeting to May 14 to avoid holding the Planning Committee Meeting the day after a District-observed holiday.
6. **May 26 Board of Directors Meeting** – Propose to move the May 19 Board meeting to May 26 to avoid Board meetings occurring consecutive weeks.
7. **June 30 Planning Committee** – Propose to move the Jun. 23 Planning Committee meeting to Jun. 30 due to the AWWA Conference.
8. **No July Finance and Administration Committee** – To provide staff preparation time for the end of year close outs and audits, no Finance and Administration Committee Meeting is proposed for July.
9. **No Board Meeting first Tuesday of August** – Propose to hold only one Board meeting in August.
10. **November 4 Board Meeting** – Propose to move the Tuesday, Nov. 3 Board meeting to Wednesday, Nov. 4.
11. **November 10 Planning Committee Meeting** – Propose to move the Nov. 24 Planning Committee meeting to Nov. 10 due to the fourth week of the month falling on the school Thanksgiving recess November 23-27.
12. **November 19 Finance & Administration Committee** – Propose to move the Thursday, Nov. 26 Finance & Administration Committee Meeting to Nov. 19 due to the District-observed holiday.
13. **No Board Meeting on December 1** – Propose to not have a Board Meeting on Dec. 1 due to the ACWA Fall Conference.
14. **December 10 Planning Committee** – Propose to move the Dec. 22 Planning Committee Meeting to Dec. 10 due to the fourth week of the month falling on the first week of the winter school break December 21 – 25.
15. **No Finance & Administration Committee in December** – No December 24 Finance and Administration Committee Meeting due to District-observed holiday.



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, Dec. 11, 2025 9:30 a.m.	Planning Committee Meeting/ Special Meeting of the Board of Directors	Scenic Ave. Tank Replacement Project
Tuesday, Dec. 16, 2025 5:30 p.m.	Board of Directors' Regular Bi- Monthly Meeting, with a Closed Session at the beginning and at the end	
Wednesday, Dec. 18, 2025 9:30 a.m.	Watershed Committee Meeting/Special Meeting of the Board of Directors	Road and Trail Management Plan Update
(TENTATIVE) Tuesday, Jan. 6, 2026 6:30 p.m.	Board of Directors' Regular Bi- Monthly Meeting	