



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

Tuesday, October 07, 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

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 (6:35 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 (6:45 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. September 16, 2025 Board Meeting Minutes

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on September 16, 2025

- b. First Amendment for Contract No. 1956 with Western States Oil Co. for Motor Fuels

RECOMMENDATION: Authorize the General Manager to execute the First Amendment to Contract No. 1956 exercising an option to extend the contract term for one (1) additional year, in an amount not to exceed \$527,000 plus up to a 15% contingency

- c. Renewal of Enterprise License Agreement for Geographic Information System (GIS) Software

RECOMMENDATION: Authorize the General Manager to execute a license agreement with Environmental Systems Research Institute (ESRI) for a total amount not to exceed \$180,900 over a three-year term

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

- a. Updated Marin Community Foundation Fund Agreement

RECOMMENDATION: Review and approve the updated fund agreement for the District's Mount Tamalpais Watershed Fund with the Marin Community Foundation

- b. Purchase of SCADA Replacement Equipment to Replace Outdated Equipment at the San Geronimo Treatment Plant

RECOMMENDATION: Authorize the General Manager to execute a purchase order, in the amount of \$151,252.95, for the purchase of replacement SCADA Equipment from Graybar to replace the outdated SCADA Equipment at the San Geronimo Treatment Plant

c. Capital Program Update

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

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: 10-03-2025



STAFF REPORT

Meeting Type: Board of Directors
Title: September 16, 2025 Board Meeting Minutes
From: Terrie Gillen, Board Secretary
Through: Ben Horenstein, General Manager
Meeting Date: October 7, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Accept the minutes of the Board of Directors' Regular Bi-Monthly Meeting on September 16, 2025

SUMMARY: The Board of Directors held their regular bi-monthly meeting on September 16, 2025. The minutes of that meeting are attached for your approval.

DISCUSSION: None.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

1. Draft September 16, 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, September 16, 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

Closed Session begins at 5:30 p.m.

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

Public Participation:

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

AGENDA ITEMS:

1. Call to Order and Roll Call

Vice President Jed Smith presided over the meeting on behalf of President Matt Samson and called the meeting to order at 5:30 p.m.

DIRECTORS PRESENT

Ranjiv Khush

Diana Maier

Larry Russell (*arrived at 5:45 p.m.*)

Jed Smith

DIRECTOR ABSENT

Matt Samson

2. Adoption of Agenda

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

There were no public comments.

Voting Yea: Directors Khush, Maier, and Smith

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

Vice President Smith announced that the Board will go to Closed Session to discuss the following item.

There were no public comments.

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

a. Conference with Legal Counsel - Existing Litigation
(California Government Code §54956.9)

Augustine Gerena v. Marin Municipal Water District
Marin Superior Court, Case No. CV0003722

Director Russell arrived at 5:45 p.m.

The Board adjourned the closed session at approximately 6:10 p.m. and reconvened to open session in the Board Room and via Zoom.

4. Reconvene to Open Session; Closed Session Report Out

The Board reconvened to Open Session at 6:30 p.m. Vice President Smith reported out that no reportable action was taken at the Closed Session.

5. Public Comment on Non-Agenda Matters

There were no public comments.

6. Directors' and General Manager's Announcements

- Director Khush reported that he along with General Counsel Molly MacLean and Principal Grant and Legislative Analyst Haley Eligio attended the *North Bay Water Innovations in Action* educational tour presented by ACWA Region 1 and highlighted some topics that were discussed and shown at this event.
- Director Maier reported that she took the District's new employees tour of the watershed and operations and recommended it for new employees.

- General Manager Ben Horenstein announced that the District received the Association of Metropolitan Water Agencies (AMWA) Gold Award for Exceptional Utility Performance, and that he and President Samson will accept the award next month.

7. Board Committee Reports

- Director Russell reported that he attended the North Bay Water Association (NBWA) meeting and provided highlights of what were discussed.

8. Consent Items

- a. September 2, 2025 Board Meeting Minutes
RECOMMENDATION: Accept the minutes of the Board of Directors’ Regular Bi-Monthly Meeting on September 2, 2025
- b. General Manager's Report August 2025
RECOMMENDATION: Approve Report
- c. Reject Bids for Contract No. 2017- Alpine Barge Anchors and Pipe Floats Replacement Project (D-24010)
RECOMMENDATION: Approve a resolution rejecting all bids for Contract No. 2017, Alpine Barge Anchors and Pipe Floats Replacement Project

There was one (1) public comment.

Director Khush made the motion to approve the Consent Calendar. Director Maier seconded the motion.

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

9. Regular Items

- a. 2025 Annual Strategic Work Plan Progress Update
RECOMMENDATION: Receive progress update on the 2025 Annual Strategic Work Plan

General Manager Horenstein presented this item.

Discussion between the Board and the general manager occurred during and after the presentation.

There were two (2) public comments.

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

10. Future Board and Committee Meetings and Upcoming Agenda Items

- a. Upcoming Meetings

The board secretary announced upcoming committee meetings and regional meetings for the remainder of September.

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 September 16, 2025 at approximately 7:45 p.m.

Board Secretary



STAFF REPORT

Meeting Type: Board of Directors
Title: First Amendment for Contract No. 1956 with Western States Oil Co. for Motor Fuels
From: Darren Machado, Operations Director
Through: Ben Horenstein, General Manager
Meeting Date: October 7, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Authorize the General Manager to execute the First Amendment to Contract No. 1956 exercising an option to extend the contract term for one (1) additional year, in an amount not to exceed \$527,000 plus up to a 15% contingency

SUMMARY: On October 5, 2021, the Board of Directors approved a four-year contract with Western States Oil Co. for the furnishing and delivery of motor fuels to five District locations. The contract included options to extend the term of the contract in one (1) year increments for up to an additional two years. Staff is requesting that the Board authorize the General Manager to execute the first amendment and any additional necessary amendments to this contract in an amount not to exceed \$527,000 plus up to a 15% contingency.

DISCUSSION: This contract is for the furnishing and delivery of approximately 100,000 gallons of gasoline and diesel fuels to five District locations. The District has two fuel dispensing sites that require frequent fuel deliveries. Of the frequent fuel deliveries, approximately 85% of the fuel used for the District's fleet is dispensed at the Corporation Yard in Corte Madera, and the other 15% is dispensed at the Sky Oaks Watershed Headquarters located in Fairfax. The three other locations require significantly fewer fuel deliveries. These deliveries are for the emergency generators at the Ignacio Booster Pump Station, Bon Tempe Treatment Plant and San Geronimo Treatment Plant.

The fixed pricing included in the original contract will remain the same during the additional proposed one (1) year term. The daily price of gasoline and diesel fuels will continue to fluctuate as reported by the Oil Price Information Service (OPIS). In the event that fuel prices increase significantly or an emergency event results in a substantial increase in consumption, staff will rely on the requested 15% contingency to ensure sufficient funding for necessary fuels.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: Funding for this First Amendment is budgeted in FY 2026 at \$527,000, as an operating expenditure under the Automotive Services Department (ASD) (10-6130-5120).

ATTACHMENT(S):

1. Proposed First Amendment to the Contract No. 1956

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Operations		
	Darren Machado Operations Director	Ben Horenstein General Manager

FIRST AMENDMENT TO
CONTRACT NO. 1956 BETWEEN
MARIN MUNICIPAL WATER DISTRICT AND WESTERN STATES OIL Co.

This First Amendment to Contract No. 1956 ("First Amendment") is entered into by and between Marin Municipal Water District ("District") and Western States Oil Co. ("Contractor").

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

Section 1. Recitals:

- A. On November 1, 2021, the District and the Contractor entered into Contract No. 1956 for the Furnishing and Delivery of Motor Fuels ("Contract") for a period of four years, which expires on October 31, 2025.
- B. The Contract contains an option for the District to extend the term in one year increments for up to an additional two years.
- C. At this time, the Parties desire to execute this First Amendment to the Contract to extend the services of Contractor for a term of one additional year, until October 31, 2026, with a District option to extend the term of the Contract for one subsequent year.
- D. The Contract and this Amendment No. 1 shall be referred to herein as "Agreement" and shall constitute the complete agreement of the parties.

Section 2. Terms:

- A. Amendment to Contract: This Amendment No. 1 modifies the Contract. Except for the modifications contained herein, all the terms of the Agreement shall apply.
- B. Terms:
 - 1. Special Provisions Part 1-General-Paragraph 1.2 entitled "Scope of Contract" is amended to read as follows:

This contract is for the furnishing and delivery of motor fuels to various District locations set forth on the Bidding Sheet, pages IV and IV-a, and Bid Planning Schedule, page IV-b. Contractor shall continue providing its services to District for one additional year commencing November 1, 2025 until October 31, 2026. Prior to the expiration of the term, the District shall have the option to extend the contract for one (1) additional year. The Contractor agrees to proceed with the performance of this agreement immediately upon the date of issuance of written notice, by the Marin Municipal Water District, to proceed with the work.

2. The fixed pricing differential for the term of this First Amendment shall remain the same as set forth in the Contract, as referenced in the Contract Special Provisions Part 1-General-Paragraph 1.5 entitled "Pricing", subsection (D) which states, "The bidder's fixed price differential is to remain firm for the duration of the contract agreement term and each option period exercised by the District thereafter".
3. Total amount paid to the Contractor for all work performed under this First Amendment, for the period beginning November 1, 2025 and ending October 31, 2026, shall not exceed the total amount of \$527,000.

Dated: _____

WESTERN STATES OIL Co.

By _____
Robin Jackson

Dated: _____

MARIN MUNICIPAL WATER DISTRICT

By _____
Bennett Horenstein, General Manager



STAFF REPORT

Meeting Type: Board of Directors
Title: Renewal of Enterprise License Agreement for Geographic Information System (GIS) Software
From: Bret Uppendahl, Finance Director
Through: Ben Horenstein, General Manager
Meeting Date: October 7, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Authorize the General Manager to execute a license agreement with Environmental Systems Research Institute (ESRI) for a total amount not to exceed \$180,900 over a three-year term

SUMMARY: Staff presented this item at the September 23, 2025 Planning Committee meeting. Over the past 32 years, District staff have used geographic information systems software for many mapping and decision making purposes. The District currently uses GIS products from Environmental Systems Research Institute (ESRI). In 2022, the District purchased an ESRI ArcGIS Enterprise License Agreement, which allowed the District to expand GIS accessibility to additional staff and to utilize additional features. The current 3-year license agreement will expire in October 2025, and staff is recommending a 3-year renewal of the existing agreement in an amount not to exceed \$180,900.

DISCUSSION: The District currently has approximately 130 ArcGIS users across multiple departments. The GIS system is highly integrated with the District's Enterprise Resource Planning (ERP) software (SAP), and the services provided by GIS and SAP are essential tools for engineering, watershed and field staff. The GIS software and SAP integrations enable staff to conduct water modeling, planning analyses, capital project tracking, and mapping for valve exercising. Watershed and Water Quality staff utilize the mobile features to collect data, update field maps, and develop dashboards that can be shared with the public. As part of the District's ERP modernization effort, staff will be upgrading the GIS software to the new utility network model and will develop new integrations for SAP's cloud-based S/4Hana platform. The proposed enterprise agreement includes software required for the future GIS utility network model, which will help facilitate the transition and migration of existing integrations to the new model.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: The annual cost for the Enterprise License Agreement is \$60,300, for a total 3-year cost of \$180,900. This represents an increase of \$5,300 annually compared to the current agreement. Funding for this software available in the District's IT operating budget.

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: Updated Marin Community Foundation Fund Agreement
From: Shaun Horne, Director of Watershed Resources
Through: Ben Horenstein, General Manager
Meeting Date: October 7, 2025

TYPE OF ITEM: X Action Information

RECOMMENDATION: Review and approve the updated fund agreement for the District's Mount Tamalpais Watershed Fund with the Marin Community Foundation

SUMMARY: Marin Community Foundation, which manages the District's Mount Tamalpais Watershed Fund, has requested that the District update its fund agreement with the Foundation to include new language to conform to current fund agreements. The current fund agreement dates back to 1996 when the fund was established.

DISCUSSION: The District established the Mount Tamalpais Watershed Fund in 1996 with the Marin Community Foundation, which was established to give watershed visitors the opportunity to help protect the mountain through tax-deductible donations and to support watershed management activities. Projects supported by donations to the fund are conducted by the District to advance stewardship and management of the Mt. Tamalpais Watershed and associated facilities. Since the creation of the Fund, the District has issued grants totaling \$618,220 for planning and implementation of projects on the Mt. Tamalpais Watershed and the current fund balance is \$593,918. Recently, the District updated its watershed visitor map with a QR code to help raise awareness about opportunities to donate to the Mt. Tamalpais Fund. The Board of Directors also approved use of up to \$200,000 from the fund for work on a watershed facilities assessment and conceptual plan on April 1, 2025.

The proposed amended agreement would update District information and fund access as well as include current language consistent with Marin Community Foundation management of its other funds. Specifically, the proposed amended agreement would update the list of fund contacts to reflect current staff. The proposed amended agreement would also include newer language to conform to current fund agreements managed by the Marin Community Foundation, as the original agreement dates back to 1996 when the fund was established.

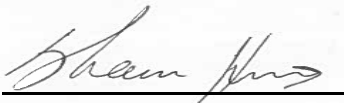

Staff will provide a brief presentation highlighting past projects funded by the Mt. Tamalpais Fund and the Watershed Staff and Visitor Facility Assessment that is currently underway.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: None.

ATTACHMENT(S):

- 1. Marin Community Foundation Fund Agreement (1996)
- 2. Marin Community Foundation Fund Agreement (2025)

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
<div>Watershed</div>	<div> Shaun Horne Watershed Resources Director</div>	<div> Ben Horenstein General Manager</div>



Marin Community Foundation
17 E. Sir Francis Drake Blvd.
Suite 200
Larkspur, California 94939
415 461 3333
415 461 3386 (Facsimile)

**AGREEMENT ESTABLISHING
THE MOUNT TAMALPAIS WATERSHED FUND
OF THE MARIN COMMUNITY FOUNDATION
a designated organization fund**

WHEREAS, the Marin Community Foundation (the "Foundation") has been established for the purpose of engaging in nonprofit, charitable, and philanthropic activities in Marin County, California and, except for funds received from the Leonard and Beryl Buck Foundation, in other geographic locales; and

WHEREAS, residents of Marin County have expressed continuing desire to preserve and protect one of its greatest treasures, the Mount Tamalpais watershed; and

WHEREAS, the Directors of the Marin Municipal Water District (the "Directors"), the duly elected protectors of this valuable natural resource, have expressed their desire consistent with these residents of Marin County by resolution and by the commitment to initiate a fund that will be able to preserve this vital resource over time; and

WHEREAS, the Trustees of the Foundation (the "Trustees") wish to participate in partnership with the Directors in an effort to preserve and protect Mount Tamalpais for the future enjoyment of Marin and regional visitors;

NOW THEREFORE, the Trustees and the Directors hereby agree to establish the Mount Tamalpais Watershed Fund of the Marin Community Foundation (the "Fund"). The assets of the Fund shall be held and administered by the Foundation under the following terms and conditions.

TERMS AND CONDITIONS OF THE FUND:

1. Name and Nature of the Fund.

The name of the Fund shall be "The Mount Tamalpais Watershed Fund of the Marin Community Foundation."

By its nature, the Fund is fully expendable.



2. Purpose of the Fund.

The purpose of the Fund is to accept contributions and, with the advice of the Directors, to distribute assets to support the watershed management activities of the Mount Tamalpais watershed and other MMWD watershed lands. These activities include, but are not limited to: the preservation, protection, and enhancement of native flora, wildlife, trails, roads, and other natural features of the Mount Tamalpais watershed and other MMWD watershed lands. Ranger, resource management, and other services will be used as necessary for fire protection and vegetation management, and to provide for passive recreation and public safety. All contributions accepted by the Trustees and distributions made by the Trustees shall be consistent with established plans and policies of the Directors.

3. Effective Date; Contributions to the Fund.

The effective date of the fund agreement is the date on which an initial contribution to the Fund is accepted by the Foundation (___/___/___). The Directors or others may make additional contributions to the Fund provided that these contributions are acceptable to the Foundation. The Foundation shall have the right to refuse any additional contribution of property which the Trustees, in their sole discretion, find unacceptable. Any additional contributions accepted by the Trustees shall be subject to the terms of this Agreement.

4. Expiration of the Fund.

This Fund may expire one year after all assets of the Fund have been distributed and if it appears unlikely that the Directors or others will replenish the Fund within a reasonable time.

5. Holding Assets in the Fund.

Assets of the Fund need not be segregated from assets of other component funds of the Foundation for investment purposes, but the Trustees shall keep separate accounts for the assets of the Fund if the assets are mixed for investment purposes, and investment returns (including interest, capital appreciation, and dividends) on the assets of the Fund shall inure to the benefit of the Fund.



6. **Administrative Procedures:**

Foundation activities in support of the Fund will include administration of the Fund; consultation with the Directors concerning the Fund; payment of distributions from the Fund to the Directors or their agents in furtherance of the purposes of the Fund; and quarterly reporting to the Directors on the status of the Fund and distributions therefrom.

The President of the Foundation will designate a lead staff person who will be responsible for the administration of the Fund, consistent with an approved budget. All staff time, materials, services or other costs will be rendered to the Fund only through the lead staff person and only with the approval of Foundation.

Limited secretarial, accounting, legal and other support services necessary to administer the Fund will be provided by the Foundation.

7. **Distributions.**

The Trustees shall determine distributions to be made from assets of the Fund based upon the recommendations of the Directors.

The recommendations of the Directors are advisory only and are not binding on the Trustees. The Trustees have the authority to distribute assets of the Fund at such intervals and in such greater or lesser amounts as they shall deem appropriate after having considered the recommendations of the Directors.

The Foundation will distribute payments from available assets of the Fund based upon the decisions of the Trustees. All distribution decisions of the Trustees will be conveyed in writing to the Directors and will be final. All distribution payments will be made in the name of "The Mount Tamalpais Watershed Fund" unless otherwise advised by the Directors.

8. **Administrative Fees.**

The Foundation shall charge an annual fee of 0.5 per cent of the assets of the Fund, annually evaluated and assessed quarterly, to cover the cost of administering the Fund. In no case shall the total annual fee be less than \$250.00. In its initial year, the Foundation may elect to assess this fee on the basis of each contribution made to the Fund. As the Fund grows, this fee will be reassessed by the Foundation and will be reduced should the volume of assets merit such reduction.



This administrative fee will cover normal administrative services, including the Foundation staff time required to maintain an accounting of the Fund, to process deposits into the Fund, and to process distribution payments from the Fund. If the Foundation determines that the actual cost of administering the Fund exceeds the fee set forth in this Agreement, the Foundation may set a different administrative fee based on such actual costs.

Fees for management of Fund assets by investment managers not normally utilized by the Foundation for its general purposes shall be deducted at cost from gross income before income is credited to the Fund account. Extraordinary costs associated with the acquisition of any contribution to the Fund also shall be deducted from gross income before income is credited to the Fund account.

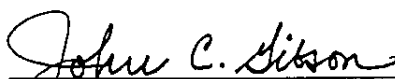
9. **Component Part.**

The Fund is intended to be and shall be administered as a component part of the Foundation under Treasury Regulation Section 1.170A-9(e)(11), and is specifically subject to the powers of the Trustees as the governing body of a community trust as required therein and as set forth in the Articles of Incorporation and Bylaws of the Foundation. Such powers include the power to unilaterally modify any restriction or condition of the Fund in the event such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the needs of the community served by the Foundation.


10. **Amendment.**

This Agreement may be modified, amended, or terminated by an instrument in writing signed by the Directors and the Foundation.

SIGNED:


 John C. Gibson, President
 Board of Directors
 Marin Municipal Water District

Dated: April 29, 1996


 Stephen M. Dobbs
 President and CEO
 Marin Community Foundation

Dated: 4/30/96



RATIFIED:

The Trustees of the Marin Community Foundation ratified this fund agreement at their meeting on 4/30/96.



Agreement Restating

Mount Tamalpais Watershed Fund
of the Marin Community Foundation

An expendable organization fund

WHEREAS, the Marin Community Foundation (the “Foundation”) has been established for the purpose of engaging in nonprofit, charitable, and philanthropic activities in Marin County, California and in other geographic areas; and

WHEREAS, **Marin Municipal Water District (MMWD)**, a municipal water district, has an interest in obtaining and maintaining the financial resources to preserve the **Mount Tamalpais watershed** and other MMWD watershed lands, and Foundation wishes to provide an effective means for the district to continue its mission;

WHEREAS, the Foundation hereby amends the Agreement governing the Fund, as adopted by the Foundation on 4/30/1996; in order to update language with current fund agreement requirements; and

NOW THEREFORE, the Foundation and **Marin Municipal Water District** hereby restate the Agreement governing the Fund. The assets of the Fund shall be held and administered by the Foundation under the following terms and conditions.

TERMS AND CONDITIONS OF THE FUND

1. *Name and Nature of the Fund*

The name of the Fund shall be “**Mount Tamalpais Watershed Fund** of the Marin Community Foundation.”

The Fund is fully expendable.

2. *Definitions*

The following definitions shall apply to the following terms used in this document:

“*Fund Contact(s)*” refers to the person or persons who are entitled to advise the Foundation as to grants from the Fund, receive reports on the Fund from the Foundation and who shall be authorized to communicate with the Foundation on behalf of the Fund.

3. Purpose of the Fund

The purpose of the Fund shall be to accept contributions to support the watershed management activities of the **Mount Tamalpais watershed** and other MMWD watershed lands. These activities include, but are not limited to: the preservation, protection, and enhancement of native flora, wildlife, trails, roads, and other natural features of the **Mount Tamalpais watershed** and other MMWD watershed lands. Ranger, resource management, and other services will be used as necessary for fire protection and vegetation management, and to provide for passive recreation and public safety.

4. Effective Date; Contributions to the Fund

The Fund became effective on 09/09/1996, the date on which an initial contribution was accepted by the Foundation. Anyone may make contributions to the Fund provided that these contributions are acceptable to the Foundation. The Foundation shall have the right to refuse any additional contribution of property which the Foundation, in its sole discretion, finds unacceptable. Any additional contributions accepted by the Foundation shall be subject to the terms of this Agreement.

5. Holding Assets in the Fund

The assets of the Fund may be combined with other Foundation assets for investment purposes. However, the Foundation shall keep separate accounts of the Fund, and investment returns (including interest, capital appreciation, and dividends) on the assets of the Fund shall inure to the benefit of the Fund.

6. Administrative Procedures

Foundation activities in support of the Fund will include: administration of the Fund; consultation with the Fund Contacts concerning the Fund; payment of distributions from the Fund to or for the benefit of **MMWD** for the purpose stated in Section 3 – Purpose of the Fund – of this Agreement; and quarterly reporting to the Fund Contacts on the status of the Fund.

Limited secretarial, accounting, legal and other support services necessary to administer the Fund will be provided by the Foundation.

7. Distributions

The Foundation shall determine distributions to be made from assets of the Fund to **MMWD to preserve the Mount Tamalpais watershed and other MMWD watershed lands** with the advice of the Fund Contacts. The Foundation may authorize distributions to the **MMWD** at such intervals as they shall deem appropriate. All distribution payments will be conveyed in writing to the Fund Contacts and will be final.

8. *The Fund Contacts*

The General Manager shall be the Fund Contact with respect to distribution of funds authorized by the Board. Director of Watershed Resources and Principal Grant and Legislative Analyst for the Marin Municipal Water District shall be the Fund Contacts for purposes of receiving any Fund accounting or other reports. Any direction regarding Fund distributions in excess of one hundred thousand dollars (\$100,000) shall require a resolution of the Board of Directors of the Marin Municipal Water District. On the date of this Agreement, Ben Horenstein, Shaun Horne and Haley Aniceta Eligio are the General Manager, Director of Watershed Resources and Principal Grant and Legislative Analyst, respectively.

9. *Amendments*

This Agreement may be amended, in writing, upon the written consent of the Foundation and by action of the Board of Directors of MMWD; *provided, however*, that in no event shall Section 7 be amended to allow distributions to be made from the assets of the Fund to any person or entity other than **MMWD to preserve the Mount Tamalpais watershed and other MMWD watershed lands.**

10. *Administrative and Other Fees*

The Foundation shall charge the Fund an annual administrative fee, which shall be based upon the prevailing Administrative Fee Schedule of the Foundation. This fee is intended to cover administrative services. If the Foundation determines that the actual cost of administering the Fund exceeds the fee set forth by the prevailing Administrative Fee Schedule, then the Foundation may set a different administrative fee based on such actual costs, provide that it first provides not less than thirty (30) business days notice to MMWD. The prevailing Administrative Fee Schedule on the date of this Agreement is outlined in Attachment A attached to this Agreement and made part hereof.

Fees for management of Fund assets by outside investment managers shall be deducted at cost from gross income after income is credited to the Fund account. Extraordinary costs associated with the acquisition of any contribution to the Fund also shall be deducted from gross income after income is credited to the Fund account.

11. Component Part

The Fund is intended to be and shall be administered as a component part of the Foundation under Treasury Regulation Section 1.170A-9(f)(11), and is specifically subject to the powers of the Directors as the governing body of a community trust as required therein and as set forth in the Articles of Incorporation and Bylaws of the Foundation. Such powers include the power to unilaterally modify any restriction or condition of the Fund in the event such restriction or condition becomes, in effect, unnecessary, incapable of fulfillment, or inconsistent with the needs of the community served by the Foundation.

SIGNED:

Matt Samson, *Board President*
Marin Municipal Water District

Date: _____

ACCEPTED:

Andrea Henderson, *VP Philanthropic*
Planning
Marin Community Foundation

Date: _____

Attachment A

ADMINISTRATIVE FEE SCHEDULE

Fund Balance	Service Fee
Up to \$500,000	0.75%
The next \$500,000 - \$5 million	0.65%
The next \$5 million - \$20 million	0.50%
The next \$20 million - \$30 million	0.30%
Over \$30 million	0.12%

Minimum Fees: The minimum annual aggregated fee for the funds is \$1,000.

Investment Fees: MCF does not charge any investment fees, but third-party fees charged by investment managers are passed through to each fund.

Expense on the Sale of Gifts: When brokers, agents, or others charge fees for liquidating stocks or other assets made as gifts to a fund (e.g. real estate), these fees are passed through to the fund.



STAFF REPORT

Meeting Type: Board of Directors

Title: Purchase of SCADA Replacement Equipment to Replace Outdated Equipment at the San Geronimo Treatment Plant

From: Darren Machado, Director of Operations

Through: Ben Horenstein, General Manager

Meeting Date: October 7, 2025

TYPE OF ITEM: X Approve Review and Comment

RECOMMENDATION: Authorize the General Manager to execute a purchase order, in the amount of \$151,252.95, for the purchase of replacement SCADA Equipment from Graybar to replace the outdated SCADA Equipment at the San Geronimo Treatment Plant

SUMMARY: As water treatment plant automated control technology advances, equipment must be upgraded to maintain functionality, efficiency and availability. Most controls upgrades are in the form of electrical components, which must be replaced more often than traditional water components like pipes and valves due to shorter lifecycles and becoming functionally obsolete. The Supervisory Control and Data Acquisition (SCADA) system that District Operators use to run the San Geronimo Treatment Plant is hosted on numerous Programmable Logic Controllers and support equipment. To perpetuate reliability, planned replacement of existing controls equipment was implemented using a phased approach. The first phase, which included purchase of replacement Programmable Logic Controls, was carried out in July of this year. This second phase of replacement includes remote Input-Outputs, and other appurtenant devices.

DISCUSSION: San Geronimo Treatment Plant is a conventional surface water treatment plant that uses staged clarification, flocculation, and sedimentation processes. While these treatment processes are widely known to reliably produce high quality finished water, advances in water treatment technologies and monitoring requirements have changed notably since San Geronimo Treatment Plant was first brought online in 1961.

While initial operation of the treatment process was once done completely by Treatment Plant Operators, technology developed over the last 40 years has reduced the manual operations processes by using programmable equipment and remote monitoring. Currently, processes can be automated using sensors that monitor flow, pressure, voltage, current, electrical charge, chemical residual or other water quality characteristics. Operators interact with the San Geronimo Treatment Plant through

a SCADA system, which is customized software that allows operators to interface with the remote sensors.

The SCADA software is implemented through the installation of Programmable Logic Controller (PLC) and Input-Output (I/O) equipment that are utilized to provide communication between the Operator and the remote equipment. Programming was introduced to the San Geronimo Treatment Plant in 1982 with the first version of PLCs. Since then, various components have been upgraded through maintenance, and once with a planned overhaul. Currently, San Geronimo Treatment Plant is running on its' second generation of PLCs installed around 2005. The PLCs, including appurtenant hardware like controllers, hot standby units, remote I/Os, and Ethernet cards, were discontinued in 2022 and new installations can no longer be purchased. According to the manufacturer, replacement parts for the existing units will soon become unavailable.

In July 2025, the District purchased replacement PLCs for the San Geronimo Treatment Plant under a first phase of an overall controls program upgrade. Parts included in this purchase will allow for a completion of the second phase of planned improvements. Installation will be completed by District staff over several days during planned treatment plant shutdowns.

Staff is recommending the Board authorize the General Manager to purchase replacement input-Outputs in support of the SCADA X80 Upgrade Phase 2 project from Graybar for the San Geronimo Treatment Plant in the amount of \$151,252.95.

ENVIRONMENTAL REVIEW: Not applicable.

FISCAL IMPACT: Funding for this operational maintenance item was identified in the 2025/2026 Capital Budget. The cost of the equipment purchase is \$151,252.95.

ATTACHMENT(S): None.

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
Operations	 Darren Machado Operations Director	 Ben Horenstein General Manager



STAFF REPORT

Meeting Type: Board of Directors
Title: Capital Program Update
From: Alex Anaya, Director of Engineering
Through: Ben Horenstein, General Manager
Meeting Date: October 7, 2025

TYPE OF ITEM: Action X Information

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

SUMMARY: Staff has been working on various capital projects identified in the District's adopted Fiscal Year 2026 (FY26) Budget since the last Capital Program Update to the Board on June 17, 2025. Most projects identified in the adopted budget span over two or more years and completion for these projects are on track within this timeframe. Staff has been working on a variety of capital projects underway including tank, pump station, treatment plant and pipeline projects, as well as unplanned projects.

DISCUSSION: Staff has been diligently working on various capital projects identified in the District's adopted budget for FY26 ranging from treatment plant to pipeline projects. To help execute some of the more complicated work, staff hired consulting firms for design assistance on pump station, tank, treatment plant and dam projects. The majority of projects identified in the current budget cycle span a two-year period due to the size and timing of the projects. Overall, projects identified in the two-year capital program budget are on track as projected.

Some of the current capital projects underway this fiscal year include large, highly visible pipeline projects such as the Glenwood Fire Flow Improvement Program and the Canal and Marin City Pipeline Replacement Projects. Construction on the Phase 2 Gibson Tanks Project (formerly Pine Mountain Tanks) is currently underway with site improvement in preparation of the tank foundation and vertical construction. Tocaloma Pump Station is currently in design and staff anticipates advertising this project this winter 2025. The San Geronimo Roof Replacement Project is currently underway and expected to be completed in October. The Hind Tank Replacement Project is in design and staff anticipates advertising this project later this year.

Staff will be advertising a modified Kastania Pump Station Phase 2 Project, with a reduced level of improvements that will provide reliable pumping from Kastania while at the same time consider the

future larger pump station needed to be constructed to meet any possible future pumping capacity for the Atmospheric River Capture Project.

On occasion, unplanned projects not identified in the adopted capital budget do come up that require the District’s immediate attention. Staff has been working with the Town of Fairfax on the Fairfax Manor Pump Station replacement since the PG&E incident in May 2024. Staff quickly mobilized to set up a temporary pump station at an alternate location in Fairfax while fast tracking the design for a replacement pump station. Staff is working with the Town of Fairfax on final right of way issues. In addition, staff was notified in connection with a storm drain project in the Town of Fairfax that approximately 1,700 feet of old, leak prone cast iron and asbestos cement pipe was identified. Given that the Town would be repaving the entire street following its storm drain project and given the age and leak history of the pipe, staff designed and advertised this pipeline replacement project. The project was completed within this first quarter of FY26. Completing this project was important to eliminate future pipeline leaks, improve system resiliency and seismic reliability and avoid the need for repaving the newly paved road in the Town of Fairfax.

ENVIRONMENTAL REVIEW: Not Applicable.

FISCAL IMPACT: None.

ATTACHMENT(S): None.

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



UPCOMING MEETINGS

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

Internal Meetings		
Meeting Date	Meeting Type	Key Item(s)
Tuesday, Oct. 21, 2025 5:30 p.m.	Board of Directors' Regular Bi-Monthly Meeting with a Closed Session at the beginning	
Thursday, Oct. 23, 2025 9:30 a.m.	Finance & Administration Committee Meeting	Purchasing Policy, Reserve Policy
Tuesday, Oct. 28, 2025 9:30 a.m.	Planning Committee Meeting/Special Meeting of the Board of Directors	Public Hearing on Public Health Goals, Kastania Pump Station Phase 2 Project

External Meetings	
Meeting Date	Meeting Type
Friday, Oct. 10, 2025 9:30 a.m.	North Bay Watershed Association
Wednesday, Oct. 15, 2025 3:00 p.m.	Tomales Bay Foundation
Friday, Nov. 7, 2025 9:00 a.m.	Lagunitas Creek Technical Advisory Committee
Friday, Nov. 7, 2025 9:30 a.m.	North Bay Watershed Association