



Inverness Public Utility District

Fire Department ~ Water System

50 Inverness Way No., P.O. Box 469, Inverness CA 94937 ~ (415) 669-1414

Board of Directors

Minutes, Regular Meeting

Wednesday, February 24, 2021, 9:00 a.m.

Teleconference

1. Call to Order

President Emanuels called the meeting to order on Teleconference at 9:05 a.m.

Attendance Report

Directors Present: Kenneth J. Emanuels, Kathryn Donohue, Brent Johnson, Dakota Whitney, David Press

Directors Absent: None

Staff Present: Shelley Redding, Clerk and Administrator; Jim Fox, Chief of Operations; Wade Holland, Customer Services Manager; Ken Fox, Senior Water Operator (joined at 9:45 am)

Legal Counsel

Present: Peter Spoerl

Public Present: Jerry Meral, Kathy Hartzell, George and Cassandra Zigounakis, Ann Elliott, Woody Elliott, Murray Suid, Scott McMorrow, Mike Durrie, Michael McEneany, Skip Shapiro

2. Award Contract for Tenney Tanks Replacement Project to Lowest Qualifying Bidder

Superintendent Fox provided a brief overview of the history of the Tenney Tanks Replacement Project. Administrator Redding reported that the next step after the Board awards the contract will be for a final budget approval request to be submitted to the SWRCB together with documentation about the winning bid. A preliminary notice-to-proceed date will be issued by the Water Board's assigned project engineer. Administrator Redding presented a letter from Brelje & Race Consulting Engineers reporting on the opening of the bids for the project and recommending that the contract be awarded to the low bidder, Piazza Construction.

M/S Emanuels/Donohue to approve the following: (1) to award the construction contract for the Tenney Tanks Replacement Project to Piazza Construction for the bid price of \$539,488, including cathodic protection, as recommended by Brelje & Race Consulting Engineers, (2) to authorize and direct the President of the Board of Directors to execute the contract documents, and (3) to accept Brelje & Race's Construction Management Assistance Amendment Proposal, dated February 19, 2021, at a budget estimate of \$35,000.

Roll Call Taken: AYES 5, NOES 0

3. Inverness Foundation Survey on Proposed Parcel Tax Initiative Ordinance

- *Presentation by Jerry Meral and Kathy Hartzell of the Inverness Foundation*

BOARD OF DIRECTORS: **KENNETH J. EMANUELS**, PRESIDENT • **DAKOTA WHITNEY**, VICE PRESIDENT
KATHRYN DONOHUE, TREASURER • **BRENT JOHNSON** • **DAVID PRESS**



SHELLEY REDDING, ADMINISTRATOR • **JAMES K. FOX**, CHIEF OF OPERATIONS

Kathy Hartzell described the survey sent to registered voters within the District to identify interest in a proposed parcel tax initiative that could provide funds to enhance fire protection. She said that the survey had been successful in raising awareness of the needs for enhanced water conservation and fire protection. She reported that at its meeting on February 23, 2021, the Board of Directors of the Inverness Foundation voted unanimously to defer to the District instead of pursuing their own initiative proposal. Jerry Meral reported that 540 surveys had been mailed and 195 responses have been received. The survey asked whether voters would support a tax on structure space at 20¢ per square foot and at 30¢ per square foot to support both fire and water projects; 79% of the responses were supportive at the 20¢ rate, while 53% supported the 30¢ rate. He summarized the results of asking whether respondents were interested in participating in various fire protection and water conservation programs if cost rebates were made available, including rainwater collection systems, gray water systems, private water storage tanks, leak detection programs, irrigation system inspections, dead tree removal, and wildfire mitigation efforts. Mr. Meral expressed his support and offered his assistance to the District to explore the possibility of a tax initiative to address the community concerns expressed in the survey results.

- **Staff report on its analysis of the proposed ordinance:** Chief of Operations Fox thanked Kathy Hartzell, Jerry Meral, and the Inverness Foundation for focusing on these important issues. He said that staff's reading of the proposed initiative ordinance had identified three principal areas about which there may be legal issues that staff feels need to be clarified:
 - Whether there could be problems relating to gifts of public funds at the level of rebates to property owners that was proposed,
 - Whether some of the required programs may not be within the District's jurisdiction as a structure fire protection agency,
 - Whether the proposed ordinance would have enabled the District to utilize revenue from the proposed tax to defray its overhead costs in administering and implementing the specified programs.

He said that staff would welcome funding for expanded leak detection programs, but staff does not believe that devoting large expenditures to building additional tank storage would be an effective method of addressing drought shortages. Only a reservoir could be effective as mitigation for water shortages caused by droughts. However, given the topography of the District and socio-economic factors, a reservoir is not deemed as being realistic. He noted that in the past each tank replacement project has added additional storage capacity, and more will be added as part of future programs (after the Tenney project currently underway) that will replace the four remaining wooden tanks (at the Colby and Seahaven sites). He assured the Board that the distribution system is not a source of system leaks because of the types of pipe that are in use, how recently virtually all of the mains were replaced, and their long life expectancy. He explained how staff uses the Water System's SCADA system to monitor the treatment, storage, and distribution systems, which has enabled the staff to identify that the leading sources for where water is being lost are the remaining wooden storage tanks and leaks in customer plumbing and irrigation systems.

He also commented on challenges and legal uncertainties related to taking on fuel control and vegetation management projects in Tomales Bay State Park and Point Reyes National Seashore, including especially with respect to environmental compliance and interagency coordination. He said that staff would like to be able to expand removal of dead trees, especially on non-county maintained roads used for evacuation routes, but there may be legal issues with funding removal of fire-hazard trees on private property.

He noted that installation of private water storage tanks may be a good idea in some circumstances, but as much as possible the fire services prefer to use fire hydrants and regard private tanks as a resource of last resort. He noted that there may be significant permitting considerations with the

County and the Coastal Commission in installing private storage tanks. In addition, there are public health issues that would almost certainly preclude connecting private tanks to the public water supply.

- **Public comments:** Director Emanuels invited comments from the public. George and Cassandra Zigounakis expressed support for the District to explore practical water conservation efforts and encouraged more public education for visitors and owners of vacation properties. They also asked if the proposed tax would apply only to residential properties. Skip Shapiro asked about responsibility for wildfire mitigation and how structure square footage would be determined. Gordon Bennett asked about the District's ISO rating.

Wade Holland and Jim Fox responded to questions:

- 1) The tax would apply to all structures on taxable parcels within the District.
- 2) Structure square footage data is provided by the County Assessor's office and would be reviewed by the District annually; a procedure for appealing a parcel's tax base would be provided.
- 3) ISO is the Insurance Services Office, a service bureau that rates communities on their level of fire protection based on water system and fire department criteria. It assigns a rating from 1 to 9 (the lower being the better). Inverness properties within the Water System's service area currently have a rating of 5, which is a significant improvement from the rating of 8 that was in place before IPUD acquired the Water System. He noted, however, that use by insurance companies of the ISO ratings is voluntary, and increasingly it appears that insurance companies are not paying much attention to the ratings.

- Jerry Meral commented that the IPUD report distributed last week by email to the Water System's customers was comprehensive, but he reiterated his concern about climate change. Fire protection is a big concern, he said, and the District's position that it is responsible only for structure fire protection seems inadequate.
- **Questions/comments by the Directors:** Director Emanuels noted that the Inverness Foundation raised some important issues, and he expressed his pleasure at the prospect of working with the community on a possible parcel tax that could be submitted to the voters.

4. **Approval of Minutes:** Regular Meeting of December 16, 2020

M/S Johnson/Press to approve the minutes of the Regular Meeting of December 16, 2020, as submitted.
Roll Call Taken: AYES 5, NOES 0

5. **Management Report**

Financial Reports: Administrator Redding presented the financial reports for December and January.

2019/2020 Audit Update: Administrator Redding reported that the auditor has submitted a request for some additional data. It is anticipated that the completed audit will be submitted for the District's review by the end of March.

Capital Projects Accounting, December 2020 and January 2021: Administrator Redding presented updated capital projects reports to the Board.

Tenney Tanks Replacement Project Update: Nothing further to add from item #2.

MWPA Update: Director Donohue reported that the MWPA Board met for a retreat with communication as the focus. The primary concern is to ensure the public has current information for preparation, planning, and resources such as grab-and-go bags, alert systems, evacuation routes. Chief Fox acknowledged the importance of these topics. He said that further discussion about the content and frequency of information dissemination will be addressed within the next month. Administrator Redding reported that a disbursement of \$22,369 for local-discretion projects and defensible space inspections has been received from MWPA;

this amounts to approximately 55% of the District's allocation for the current year for local-discretion projects and defensible space work. Our local-discretion projects this year are going towards clearing and maintaining evacuation routes. Director Donohue inquired about how the District keeps track of how the funds are expended. Administrator Redding reported that tracking has been established and will be able to be reported at future meetings as projects are administered. President Emanuels asked how the defensible space inspection program is administered in the unincorporated areas outside of the District and if we were paying County Fire Department to do in our District what they do on their own within areas under their jurisdiction. Chief Fox explained that the unincorporated areas outside of any local jurisdiction are covered by County Fire which also has a separate MWPA allocation for that purpose. Chief Fox is in discussion with Chief Webber about scheduling defensible-space inspections within IPUD and how the District will pay for the inspections. Chief Fox also discussed the partnership MWPA has with FIRESafe Marin to conduct this year's chipping program. He said that Inverness will be utilizing the FIRESafe curbside chipping program this year rather than continuing our own Chipper Day. In response to a question from Director Johnson, Chief Fox said he expects there will be two Chipper Days offered in Inverness by FIRESafe Marin this year, and that FIRESafe Marin is able to sponsor the County-wide program with greater efficiency and at lower cost than is the case were we to continue doing it ourself.

Disaster Council Update: Sally Fairfax reported on the activities of the Disaster Council. She and Connie Morse, acting as interim coordinators, are very encouraged with their progress. They have filled nearly all the vacant neighborhood liaison positions, helped by a recent article in the Point Reyes Light. They are also starting a new feature in the paper to provide disaster preparedness tips for the community. Also in the works is an outreach effort to owners of vacation properties to raise their awareness of the local emergency resources.

MERA Update: Chief Fox reported that the most recent MERA activities include land leases for communication towers, receipt of grant revenue for fire radios, and awarding of bids for construction projects. The current projected completion date for the next-generation MERA system is November 2023.

LAFCo Update: Administrator Redding reported that LAFCo has provided a flyer that summarizes ways to help local agencies and LAFCo will be conducting a workshop in April to assess ways that small agencies can collaborate with resources.

6. Water System Reports: December 2020 and January 2021

Senior Water Operator Fox submitted written reports for December and January showing previous year comparisons. It was noted that there was higher customer water use in January this year than in the previous year, believed to be because of the increased population as a result of sheltering in place due to COVID. It was also noted that rainfall so far this year is only 45% of the normal average for this time of year. Superintendent Fox reported that the water shortage emergency will remain in effect unless significant rainfall occurs within the next few months. Customers will be notified within the next month of the water system status and the expected need for continued conservation.

7. Fire Department Reports: December 2020 and January 2021

Chief Fox submitted written reports for December and January. He reported that December was fairly quiet, and January had more calls, mostly due to downed trees and blocked roadways. Fire Department drills and training are still suspended pending the County lifting the current stay-at-home orders. He also reported attending several Zoom meetings for MWPA, MERA, and the County Fire Chiefs Association.

8. Approval of Expenditures and Credit Card Charges

Administrator Redding presented the December 2020 and January 2021 expenditures lists and the December 2020 and January 2021 Cal Card statements for S. Redding and J. Fox. It was noted that the expenditures reports were difficult to review because they did not reproduce correctly in the packets.

Administrator Redding apologized for the error and said she would bring the reports back to the March meeting in the proper format.

M/S Press/Johnson to approve the expenditures for December 2020 and January 2021 (with the expectation that the reports will be provided in March), and credit card charges invoiced in December 2020 and January 2021. Roll Call Taken: AYES 5, NOES 0

9. Election of Officers and Committee Assignments for 2021

President Emanuels asked if any Directors wished to change their appointments or committee assignments: President, Ken Emanuels; Vice President, Dakota Whitney; Treasurer, Kathryn Donohue; Personnel Committee, David Press and Dakota Whitney. The consensus was to make no changes.

M/S Donohue/Whitney to continue the officer positions as currently in effect and the committee appointments as previously assigned. Roll Call Taken: AYES 5, NOES 0

10. Committee Meetings/Reports

Recruitment Update - Fire Chief Position: Administrator Redding presented for Board consideration a service agreement from Nelson Staffing. Administrator Redding and Director Donohue reported Nelson staffing was used by the MWPA for the recruitment of MWPA's Executive Officer and is highly recommended. Nelson's fee is based on 25% of the annual salary upon placement of a successful candidate. They conduct the recruitment through industry contacts, perform pre-screening based on eligibility, check references, and provide support for administration with recommendations. Chief Fox noted that in his discussions with Chief Webber, Marin County Fire is increasing staffing at its station in Point Reyes Station to assure operational availability 24 hours a day for responses. Director Emanuels expressed concern about housing for a new chief. He requested a plan for community outreach for the next meeting.

Recruitment Update – Water Superintendent Position: Administrator Redding reported that she has been working on updating the job description and will be asking Superintendent Fox to review the draft document. It will then be presented to the Personnel Committee for review and then sent to the Board for adoption.

11. Public Expression

No one asked to address the Board.

12. Announcements, Next Meeting, Adjournment

Director Emanuels requested notes from Staff so he can prepare a plan for communicating with the public in response to the Inverness Foundation's recommendations. The next regular meeting is scheduled for March 24, 2021, at 9 a.m. via Teleconference/Video.

President Emanuels adjourned the meeting at 11:33 a.m.

These minutes were approved by the Board of Directors at the regular meeting on March 24, 2021.

Attest: /s/

Date: 3/24/2021

Shelley Redding, Clerk of the Board