

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
March 15, 2017 270 Elm Road, Bolinas

1. Call to Order.

7:31 p.m.

2. Roll.

Directors Comstock, Godino, Siedman and Smith present; director Amoroso absent, Siedman presiding.

3. Manager's Report.

-- Update on the BCPUD Chlorine Disinfection Byproduct Reduction Project.

Director Amoroso arrived at 7:34 p.m.

The day following the February 2017 BCPUD Board meeting, consultant Jonathan Van Bourg held a morning training session for the BCPUD staff on operational requirements of the new inline coagulation treatment process. A copy of the training materials is in the Board books. Overall, the training went very well and since then the staff has been fully engaged in its operation. For the first two weeks, the plant was running on raw water from the Woodrat #1 reservoir; raw color coming in to the plant was close to 700 and the color after coagulation was 0. The results have been similar on Arroyo Hondo raw water (although the color is much lower to begin with). The air-assist Arkal prefilter is working extremely well; it removes both color and total organic carbons ("TOCs") from the raw water. Finally, the dosage of ACH needed is much lower than initially projected (about 6 ppm rather than 16-20 ppm). At this point, the capital installation of this project is essentially complete and the continued expenses of the project will be covered under the district's operations and maintenance budget in the forthcoming fiscal year and beyond.

-- Update on the East Tank Rehabilitation Project.

Nothing to report at this time.

-- Update on BCPUD/BFPD Survey of Obstructions and Encroachments in the Public Rights-of-Way on the Bolinas Mesa.

The district is re-engaged in this project by hiring a temporary part-time employee and we anticipate completing the survey within the next few months.

The rainy winter season has continued into March. As of today's date, the district has received 43.4 inches of rain (42.1 inches through February). This compares with 22.25 inches of rain through February 2016 and 30.25 through March 2016, so we're about 50% over where we were at this time last year. As for water consumption, the data sheet indicates it was up a bit in February 2017 as compared to the same time last year, but 18,000 cubic feet of that increased amount was used by the BCPUD to flush distribution lines (needed to achieve the required chlorine residual) and another 18,800 cubic feet is water loss at a property with a significant leak, so the actual consumption (taking those events into account) was 137,500 cubic feet for the past quarter, so consumption in fact was *below* the level measured at the same time last year.

The main news on water operations has been the training and work in support of the new inline coagulation treatment process, but staff also has been replacing fire hydrants (several downtown) and taking advantage of a short break in the rains to conduct some mowing on the district's various properties.

On the wastewater side of operations, flows into the collection system are declining as rains have slowed. Currently, flows are about 40,000 gallons per day as compared to the 100,000 gallons per day average during the month of February. The BCPUD discharged (i.e., sprayed) out-of-season as was reported to the Board last month to ensure sufficient capacity in the ponds and notified the Regional Water Quality Control Board. The discharge took place over 7 days and daily samples were taken for nitrate and coliform.

The BCPUD and the Bolinas Fire Protection District sent a joint letter to CalTrans earlier this month concerning the chronic flooding across Highway 1 near Audubon Canyon Ranch and the urgent need for an emergency repair. The Bolinas-Stinson Union School District also sent in a letter, citing the hazards posed to the school busses/students as they travel between the two campuses.

The BCPUD also sent a letter to the County Elections Department per the action taken by the Board at its March 2, 2017 special meeting to request to move to even-numbered year elections. The Elections Department advised today that the Board of Supervisors will consider the request on March 21, 2017.

The Board received an update from the Save Terrace Avenue Committee indicating that the left-over funds raised for the repair of the road-level retaining walls remain on deposit with the Bolinas Community Center as fiscal sponsor and that the committee intends to explore the possibility of “Phase 2”, which is a comprehensive bluff stabilization project at this location.

Staff reported that a “working group” of representatives from the various West Marin Villages have been asked to serve on an on-going basis to meet with the federal, state and local representatives present at the forum last month at the Dance Palace in Point Reyes Station. Staff volunteered to so serve unless a Board member preferred to do so. The Board had no objection to staff serving as the Bolinas representative.

Staff informed the Board that Supervisor Rodoni called to inquire whether the BCPUD is going to establish a committee to consider the issue of vehicle habitation; the supervisor would like the community to take the lead on this topic and forge a local solution vs. a “top down” solution imposed by the County, if possible. Discussion ensued and the Board directed staff to reach out broadly in the community to entities like the churches, West Marin Social Services, the Coastal Health Alliance, the Bolinas Community Land Trust, the Bolinas library, etc., and inform them about the issue and invite their input and participation. The Board directed staff to include an item on the April 2017 meeting agenda to discuss this topic.

Staff has requested an arborist assessment of the cypress trees on the perimeter of the western edge of the BCPUD property at 270 Elm Road due to several dropped limbs and the tendency for vehicles to park under the trees.

The Board reviewed correspondence sent and received since the last Board meeting, including but not limited to a letter from the Marin County Civil Grand Jury inviting the district to submit topics for investigation and/or nomination for residents to serve on 2017-18 grand jury, and a County memo approving the lot line adjustment proposed for the Reusch property adjacent to the district’s sewer pond property.

Staff reminded the Board members to complete their required sexual harassment training and ethics training.

-- Drainage Project Manager’s Report.

The district’s new temporary, part-time employee is receiving training from Lewie Likover.

4. Community Expression.

None.

5. Request to Suspend Water Service and for Waiver of Reactivation Fee – 135 Rosewood (K. Lye).

Director Siedman stated that the property owner of 135 Rosewood has requested to suspend his water service as a result of the loss of the home to bluff erosion. The property owners requested that the Board waive the \$2,000 reactivation fee if and when he applies to transfer the meter and use it elsewhere in the district. Discussion ensued, with several Board members expressing support for the request; director Amoroso clarified that the Board would not be waiving the eventual repayment of the annual service fee, plus interest, but rather only the separate reactivation fee.

L. Comstock/D.Smith all in favor to suspend the water service to 135 Rosewood and waive the associated reactivation fee.

6. Update on Project to Repair/Replace and Maintain an Existing Seawall; Proposed Non-Exclusive Easement Agreement and Proposed Lot Line Adjustment Agreement between BCPUD and AMJT Capital -- 100 Brighton Road, Bolinas (AMJT Capital).

Taylor Robinson reported that a permit application for the project was submitted to the County last week. The Marin Land Title Company has researched the history of ownership of the Brighton Avenue right-of-way since the recording of the subdivision and confirmed that, other than specific conveyances, property owners on Brighton Avenue technically own to the center of the right-of-way. The property at 100 Brighton is unique in that half of that land never has been used for roadway/public access. Taylor submitted a draft set of “findings” for the Board to consider if it agrees to the proposed lot line adjustment that cites the public benefits to be gained by the exchange of a portion of BCPUD land for an equivalent

square footage portion of land owned by the owners of 100 Brighton, including but not limited to continued public access and preservation of artist expression on the seawall. Taylor noted that one of the goals of the proposed lot line adjustment is for the engineered part of the seawall all to be contained within the property belonging to 100 Brighton; as such, all of the project and all of the ongoing maintenance will be located on one property (as of now, the project crosses property lines with the seawall partially on BCPUD property).

Discussion ensued with Board members asking clarifying questions concerning the various maps submitted to depict the proposed lot line adjustment. Director Comstock said the Board has made clear that it is supportive of non-exclusive easement for the property owners to install the seawall improvement, which presumably has helped move along the permit application for the work, and the “land swap” (and associated public benefit thereof) is now the focus. Taylor concurred. Director Smith offered an alternative proposal for a more aesthetically pleasing entryway to the beach; right now, beachgoers see a nice garden, which abruptly ends – another possibility would be to draw a straight line for the fence that would carry the distinction between private/public property to top of stairway. Discussion ensued about this concept, with Taylor acknowledging that further surveying is necessary to determine specific ownership of the driveway and other points; Janine Aroyan agreed, noting that part of the area belongs to 98 Brighton. Director Smith said that he reviewed the coastal permit application for the project and the design is nice, but he noted that there are some stone carvings on the riprap in front of the existing seawall that should be preserved as part of the project. He suggested that the specific carved rocks be set aside during the course of the repair project and reinstalled thereafter for public viewing. He offered to send photos of the subject rocks and Taylor thanked him, noting that the easement agreement can be revised to reflect a commitment to preserve and protect the stone carvings. Director Siedman said the Legal Committee would schedule another meeting to review the proposed lot line adjustment and easement agreement in more detail and make a recommendation to the full Board.

7. BCPUD and Bolinas Rod & Boat Club Letter to the College of Marin Requesting to Meet and Confer Regarding the College’s Wharf Road Properties in Bolinas.

Director Siedman said he asked for this item to be on the agenda because recently Supervisor Rodoni’s aide sent an email to the BCPUD indicating that the College of Marin is not interested in disposing of its Wharf Road properties for at least a couple of years. Director Siedman said the buildings are only deteriorating and, if they instead were rehabilitated, they could be a considerable benefit to the community. He noted that Wharf Road residents are tired of the status quo as well. Several years ago, when it seemed the College of Marin was actively planning to dispose of the properties, director Siedman was part of a group mobilizing to acquire the properties, which includes the boat dock, which is very important to the town. Director Siedman said that he is ready to put energy into this project if the Board wishes him to do so; in addition, Ralph Camiccia from the Rod & Boat Club is willing to work with him to approach the college.

G. Godino/L. Comstock all in favor approving director Siedman to act on behalf of the BCPUD to pursue negotiations with the College of Marin concerning the disposition of its Wharf Road properties.

8. Marin Local Agency Formation Commission: *Election of a Regular Special District Member; Draft Amendments to Policies on Outside Service Extensions (Extended Agency Review Period to Wednesday, March 22, 2017).*

D. Smith/L. Comstock all in favor to rank the district’s ballot for the Election of a Regular Special District Member as follows: (1) Lew Kious, (2) Craig Murray, (3) T. Gates.

The Board briefly discussed Marin LAFCO’s proposed amendments to its policies on outside service extensions and the possible implications to the district’s effort to secure broadband internet access for the community; staff agreed to clarify this point with Marin LAFCO staff.

9. Water Supply Update.

Nothing to report.

10. Volunteer Committee Reports.

-- *Bolinas Lagoon Advisory Committee:* Director Amoroso said the next meeting has been scheduled for the end of the month at the Stinson Beach Community Center for an update on the North End project.

-- *Downtown Parking & Traffic Committee: Request for Appointment of New Members to Serve on the Committee.*

V. Amoroso/L. Comstock all in favor to appoint Chuck McParland to the committee to replace Chris Weare.

-- Resource Recovery: Recommendation to Grant BCPUD's Solid Waste, Recycling and Green Waste Disposal Franchise Fee to the Resource Recovery Project.

Staff requested that the Board approve a grant to the Resource Recovery Project of the district's annual franchise fee from the North Bay Company (dba Redwood Empire Disposal) to assist with increased operating expenses.

L. Comstock/D. Smith all in favor to grant up to \$5000 to the Resource Recovery Project, subject to an equivalent match from the Stinson Beach County Water District.

-- West Marin Mosquito Control Coordinating Council: Nothing to report.

-- Land Stewardship Committee: Director Siedman reported that the next meeting is March 24, 2017.

-- Internet Access Committee: Recommendation that BCPUD Issue a Request for Proposals for Broadband Internet Services; Request for Appointment of a New Committee Member.

Director Comstock requested that the Board first consider the request from the committee to appoint a new committee member and then discuss the recommendation for the BCPUD to issue a request for proposal; there was no objection.

L. Comstock/V. Amoroso all in favor to appoint Ian Johnson to the Internet Access Committee.

Director Comstock reported that during the committee meeting on Monday, the committee members agreed to recommend that the BCPUD issue a Request for Proposal ("RFP") from internet service providers ("ISPs") to present turn-key solutions (e.g., system design and engineering, assistance with financing/grant application to the California Public Utilities Commission ("CPUC") to fund the majority of the project, building out the system, serving as primary ISP and operating the system on BCPUD's behalf) to extend broadband internet service to Bolinas. The committee proposes that the BCPUD own the infrastructure (preferably fiber optic cable) and that it be a high-quality system that will be scaleable (ability to provide higher quality speed for customers) and capable of 1 gigabyte per second data speed. Director Comstock noted that, in contrast, AT&T provides 6 megabits per second of download (although it rarely ever achieves that speed). The committee envisions a modified form of open access with a designated primary ISP. A draft RFP is in the Board binders, but there are several legal issues to evaluate (i.e., Is the BCPUD eligible to apply to the CPUC for funding? Can BCPUD "own" fiber optic cable outside of its jurisdictional boundary (such as out Horseshoe Hill Road and in Dogtown)? Does BCPUD have the right to attach infrastructure to poles owned by PG&E? Will the CPUC award grant funds to public agencies or only private service providers?)

Leighton Hills introduced himself and said that he lives in Muir Beach; some years ago, he put together a wireless internet system in Muir Beach that has a fixed wireless link starting with fiber in Berkeley, which is then beamed over a wireless signal to Mt Tam and on to the Muir Beach overlook. He agrees that focusing the BCPUD's RFP on local distribution, not the "middle mile", is a good one because ISPs all have different ideas about how to do the middle mile. His company, for example, would send a wireless signal from the Muir Beach overlook to a location on the south edge of the Mesa, then into the new distribution system.

Kevin Daniels from Horizon Cable spoke next, stating that his business currently serves Stinson Beach, Point Reyes Station and Inverness; he said that he has endeavored to serve Bolinas in some capacity for a long time. He is exploring whether it is possible to install an underground line from Seadrift to Wharf Road (under the channel – a pipe currently is there, but the quality makes it too poor to use), which would enable his company to offer the same service as he provides in Stinson Beach, namely internet, television and some telephone. In response to question from the Board, Kevin said the company is in discussions now with the relevant permitting agencies about the underground line.

Peter Pratt thanked the Board for moving the issue of broadband internet access forward in the Bolinas community. His firm serves as consultant to the County of Marin on broadband access issues and the County fully supports the BCPUD's efforts and encourages West Marin communities to work together on this important issue. Ideally, West Marin should seek an open access system funded by public money. Unfortunately, however, there does not seem to be any precedent for the CPUC granting money to public entities to install broadband infrastructure; instead, the grants have been issued to experienced private ISPs. That said, while the legal questions are evaluated, it makes sense for BCPUD to approve issuance of an RFP now in the event it is determined BCPUD is an eligible applicant for CPUC grant funds as the district may need to move quickly if the process is on a "fast track" to select a qualified ISP with whom to partner to install the broadband infrastructure. Peter noted this also could be helpful in discussions the County is having with the CPUC about the grant program.

L. Comstock/ D. Smith all in favor to authorize the district to issue an RFP for a public/private owned and installed local broadband internet distribution system in Bolinas per the recommendation of the Internet Access Committee, subject to resolution of the identified legal issues.

Director Siedman stated that the Board likely will include an item on the April 2017 meeting agenda to approve a specific form of RFP for the project.

11. Other Business.

a. Board Committee Reports.

-- *Finance: Q2 Financial Statements; Report on FY 2017-18 Draft Budget; Status of Debt and Status of Reserves Spreadsheets; Minutes of the February 14, 2017 and February 28, 2017 committee meetings.*

Staff presented the Q2 Financial Statements for the Board’s consideration; the district’s enterprises are on budget for the most part, with the exception of the Resource Recovery Project which is over budget on “other contract services” due to the more frequent grinds and off-hauling of material so far this year.

As for the draft budget and related spreadsheets, the committee is considering increases in both the sewer and water annual service charges to fund operations and capital improvement projects scheduled for the upcoming year on the Five Year Capital Improvement Plan. The spreadsheet on debt depicts the reduction in debt scheduled to be paid over the next two fiscal years.

V. Amoroso/L. Comstock all in favor to approve the minutes of the February 14, 2017 and February 28, 2017 Finance Committee minutes.

-- *Legal:* Director Siedman asked if the Board members wanted to provide any guidance to the committee concerning the seawall project discussions to be scheduled in the near future. Director Comstock said the the district really needs to insist on tangible benefit to the public if it is going to agree to dispose of or exchange any public property. For example, at present, the public benefit appears to be a repaving of the ramp and a \$5,000 contribution toward the trash enclosures – is this sufficient?

-- *Mesa Septic, Flood Control and Roads:* Nothing to report.

-- *Operations:* Nothing to report

-- *Park and Recreation:* Nothing to report

-- *Personnel:* Nothing to report.

-- *Sewer:* to meet on March 22, 2017 to discuss engineering and design proposal for irrigation pump station

b. Minutes of the February 15, 2017 regular Board meeting; minutes of the March 2, 2017 special Board meeting.

Directors Amoroso and Comstock offered clarifying corrections to the minutes of the February 15, 2017 regular Board meeting.

D. Smith/L. Comstock all in favor to approve the minutes of the February 15, 2017 regular Board meeting, as amended.

L. Comstock/D. Smith all in favor to approve the minutes of the March 2, 2017 special Board meeting.

c. Warrants.

L. Comstock/G. Godino all in favor to approve the warrant list.

d. Scheduling of Next Meeting(s):

April 19, 2017 at 7:30 p.m.

15. Adjournment.

10:00 p.m.