

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**August 16, 2017 270 Elm Road, Bolinas**

**1. Call to Order.**

7:31 p.m.

**2. Roll.**

Directors Amoroso, Siedman and Smith present; director Godino attending by telephone and director Comstock absent. Director Siedman presiding.

**3. Manager's Report.**

Staff noted that the first documents in the Board binders pertain to the district's chlorine disinfection byproduct project, which no longer is an ongoing item on the Manager's report but staff has included the district's monthly report to the State Water Resources Control Board ("SWRCB") and the results of testing the district conducted to confirm that the new alum coagulation treatment process is not altering the chemistry of the finished water such that it could corrode the district's water lines. The district tests daily for alum residual and chlorine use has dropped dramatically as a result of the new coagulation process; it also is easier for staff to maintain the proper chlorine residual in the treated water storage tanks and in the distribution system. Recent problems with the alarm system at the Woodrat Water Treatment Plant have been resolved and a work report is included in the Board binders. Staff said the technician also has presented a proposal for the district's consideration to upgrade the plant control and monitoring system at a cost of approximately \$50,000. Staff will evaluate the proposal and report back to the Board.

*-- Update on the East Tank Rehabilitation Project.*

Staff has attempted to contact additional structural engineers, but has not had much time to focus on this project due to the press of other business.

*-- Update on the Wastewater Pump Station Upgrade and Pond Recirculation Project.*

Staff is finalizing the contractual documents with the engineers and planning a site visit at the end of the month to kick-off the design phase of the project. Staff and director Smith will have a conference call tomorrow with the engineers to discuss director Smith's questions about the type of pump recommended for the new station.

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

Staff is nearly done with the mapping of the Mesa after spending several days in the field cutting back vegetation in the rights-of-way in order to assess existing drainage facilities and identify problem areas and will be coordinating with the Bolinas Fire Protection District ("BFPD") on fire fuel reduction (i.e., mowing) projects. In general, staff has been cutting back encroaching vegetation if it either hits the top or the sides of the district trucks. In other words, the district is clearing a minimum 12-foot wide passage through the 40-60 foot-wide rights-of-way.

As for water consumption, the July 2017 consumption data is not yet available but overall consumption district-wide is about 115,000 gallons per day, an increase which is likely due to

landscaping irrigation and busy summer days downtown. It is anticipated that consumption will drop back down below 100,000 gallons per day after Labor Day.

The Board reviewed a report from director Comstock about the recent re-opening of the Redwood Empire recycling center earlier this month. The report notes that the purchase of the company by Recology appears to be on track and company representatives will be in touch with the district in upcoming months. The Redwood Empire company employees voted to unionize and the same drivers will be employed in Bolinas after the transaction closes. Director Comstock's report also addresses the latest news on potential broadband internet service for Bolinas.

Fire Chief Anita Tyrrell-Brown, Ralph Camiccia and staff met with Larry Kennings, a planner and the founder of LAK Associates, about possible next steps for the bluff stabilization project. More than \$200,000 in funds raised from the community remain on deposit from the fund-raising effort for "Phase 1" – i.e., the road-level retaining wall repair project. The Save Terrace Avenue Committee promised the community that any excess funds would be utilized solely for the next phase of the bluff stabilization and for no other community purposes. Larry Kennings remains interested in providing planning services for the next phase of work and submitted an updated proposal of \$50,500 for those services. The Save Terrace Avenue Committee will meet to evaluate Larry's proposal and make a recommendation to the Board at the September meeting.

*-- Drainage Project Manager's Report.*

Nothing to report.

#### **4. Community Expression.**

None.

#### **5. Request for Determination by the BCPUD concerning Water Service at 515 Aspen Road, Bolinas (M. Nisbet).**

Mary Nisbet explained that she purchased her property 30 years ago; it contained the plant nursery, a house and two water meters. She lived there 20 years and then the house burned down. Rather than rebuild on the same site, she applied to the district to transfer one water meter across the street and built a new house there. At this point, for personal reasons she needs to sell the house. To be able to remain in Bolinas, she would like to build a small home on the nursery property and, before applying to the County for a building permit, she is here to ask the Board if such a process is possible with the existing water service.

Directors Siedman, Smith and Godino said it seems the project would be subject to the district's "expanded water use" process under Resolution 173 whereby if the County approves her project, Mary would apply to the district for an "expanded water use permit" and the Board would place a limit on her quarterly water usage. Director Amorso suggested the district obtain a legal opinion. Mary noted she has 10,000 gallons of water catchment storage already at the property. Director Smith said that septic will be a challenge at the site and Mary said she may need to remove a greenhouse in order to have sufficient room for a new septic system. The Board directed staff to request a legal opinion about Mary's proposal and whether it is consistent with the requirements of Resolution 173.

#### **6. Proposal of Bolinas Community Land Trust to Partner with the BCPUD to Create a Septic System Upgrade Program for Bolinas (A. Dar).**

Arianne Dar said that the Bolinas Community Land Trust ("BCLT") is working to help property owners build or legalize second units for long-term affordable housing rentals, which is difficult because

of the expense of septic system upgrades. She said lots of people would like to upgrade their septic systems but cannot afford to do so. Arianne recently met with Becky Ng at the Marin County Environmental Health Services department, along with a septic engineer and a septic installer. The engineer confirmed that it is possible to design a septic system that will work for multiple sites, provided the general target location is specifically identified, and Becky Ng agreed. Arianne proposes to help 20 property owners design (using the generalized engineering design) and install upgraded septic systems financed by no-interest loans. She believes there are grant programs the BCPUD is eligible for to fund such improvements if the BCPUD is willing to be a grantee and allow BCLT to administer the funds for the no-interest loans. After a brief discussion, the Board expressed cautious support for the proposal as long as it does not require significant work by BCPUD staff.

**7. Public Comment on College of Marin Proposal to Declare the Biology Lab Building and the Boat Dock Surplus Property: *Expression of Support for Local Ownership*. (Comments due to College of Marin by September 12, 2017).**

Director Siedman reported that he, Ralph Camiccia and Supervisor Rodoni recently attended a meeting of the Board of Trustees of the College of Marin and at this meeting the College agreed to divest itself of the Biology Lab building and boat dock on Wharf Road. In order to do so, the College must follow a specific legal process and would like to know if the Bolinas community wants to acquire the property for whatever purposes the local community may decide. Director Siedman told the College Board that the BCPUD would include an item on its meeting agenda to solicit public comment on this question; hence, this agenda item. He suggested that the specific use(s) to which the property will be put should be debated and discussed by a committee, with community input; the question tonight simply is whether the community wants to have local ownership of these iconic properties. Ralph Camiccia concurred and said there is strong local support for the boat dock remaining a public pier. Supervisor Rodoni said he is very supportive of the Bolinas community owning the boat dock and the opportunity to obtain the Biology Lab building is a great thing for the town, as well, noting that there are many different uses/potential owners that need not be decided tonight.

Discussion ensued and Rudi Ferris said it has long been a priority of the Bolinas residents involved with the Bolinas Lagoon preservation work to see some sort of science carried on at the Biology Lab building. Eric Karpeles noted that one of the properties is a bit of a liability (the lab building, given the clean-up necessary) and the other is a benefit (the dock); he said it would be perfect if the lab building could be returned to educational purposes. Arianne Dar expressed strong support for local ownership of the lab building, noting that it could be a great location for senior housing. Director Siedman said that the following people have expressed support and interest in serving on a committee (in response to his article in the Hearsay News): Kirsten Walker, Michael Rafferty, Melinda Stone, Mindy Marin, Arianne Dar, Ralph Camiccia, and Eric Karpeles. Jennifer Pfeiffer said she supports local ownership of these properties and would like to serve on the committee.

Director Siedman said he would prepare a letter to the College of Marin Board of Trustees conveying the unanimous support for local ownership of these properties expressed at the meeting and Supervisor Rodoni said he would send in a letter expressing the County's support, as well.

**8. BCPUD Comments on California Coastal Commission Residential Adaptation Policy Guidance: *Interpretive Guidelines for Addressing Sea Level Rise in Local Coastal Programs* (Comment Period Closes September 15, 2017).**

Director Smith said the Coastal Commission's policy guidance is an interesting document and it provides a lot of insight into the thinking of Coastal Commission staff; he noted that the legal issues presented are very complicated and will take many years to work through (i.e., "takings" analysis, mean high tide line definition, seawall impacts, etc.). Director Smith said the County already has been working almost eight years to updated its local coastal plan and it is a shame for the entire effort to be held up on

the Environmental Hazards chapter. He suggested the County certify the local coastal plan update, minus the Environmental Hazards chapter at this point given the time that will be needed to sort through all of the legal issues. Finally, director Smith said it is not clear in this guidance document exactly when the cumulative time period starts running for the County to determine whether “redevelopment” permits are required. The Board directed staff to prepare a comment letter.

**9. Enforcement of California Vehicle Code Provisions on Non-County Maintained Roads in Bolinas.**

Director Siedman said this item is on the agenda because deputy sheriffs have questioned whether they have the authority to enforce the Vehicle Code on the unpaved roads on the Mesa given that the County never accepted these roads into its network of maintained roads. Director Siedman noted that for many years the BCPUD has enforced the access to and use of the unpaved roads as public rights-of-way and has exercised dominion and control over the roads to maintain the district’s infrastructure, provide access for the garbage company access, install drainage, etc. Until very recently, the deputy sheriffs have never had a problem enforcing the Vehicle Code on these roads. A brief discussion ensued and director Siedman said he would work with staff to prepare a letter to the County to articulate the BCPUD’s position that the unpaved roads are the public “highways” within the meaning of the Vehicle Code and the provisions of that code are enforceable by the County Sheriff.

**10. Discussion of New BCPUD Policies re: Water Meter Transfers and Installation Costs As Applicable to Affordable Housing Projects.**

Director Smith asked for this item to be on the agenda to discuss the Board’s previous decision (in connection with its response to the Marin Civil Grand Jury Report on affordable housing) to waive certain fees for affordable housing projects; specifically, the meter suspension reactivation fee and the charge for relocating a meter. Staff was instructed to include this item on the September agenda.

**11. BCPUD Comments on Marin Ocean Coast Sea Level Rise Adaptation Report – *Public Review Draft.***

D. Smith/V. Amoroso                      four in favor, director Comstock absent                      to approve the BCPUD’s comment letter on the Marin Ocean Coast Sea Level Rise Adaptation Report.

**12. Water Supply Update.**

Director Smith said he has questions about the district’s ongoing well monitoring effort and staff agreed to meet to discuss the questions.

**13. Volunteer Committee Reports.**

-- *Bolinas Lagoon Advisory Committee:* Ralph Camicca reported that a “green crab removal” project has been conducted in the Seadrift Lagoon, the North End Restoration Project is moving along, and there is a need to address a tree that fell across the lagoon and over to Kent Island.

-- *Downtown Parking & Traffic Committee:* Nothing to report.

-- *Resource Recovery:* Staff reported on a meeting that took place at the County about the possibility of adding food scraps to the green waste in Bolinas. Staff advised the County that the Resource Recovery Project is not permitted to accept food scraps and it not interested in taking this on; however, if Stinson Beach wishes to do so and have its greenwaste (other than the self-hauled material) sent elsewhere, the Resource Recovery Project would not object. Director Smith inquired about the possibility of screening the greenwaste to make it more valuable as compost to local

gardeners; Jennie Pfeiffer said that was tried several years ago and turned out to be very labor intensive and not worth the cost.

-- *West Marin Mosquito Control Coordinating Council:* Director Godino said she had nothing to report; she departed the meeting at this time.

-- *Land Stewardship Committee:* Director Smith reported that the committee met last week and talked about the erosion report, which was commissioned because the path is deteriorating, is difficult to maintain, and was hit hard by storms this winter. He said he has concluded that the path cannot be maintained as a gravel path and needs to be hard-surfaced so that it truly can serve as a “safe route to school” as it was designed to be. The committee is willing to take on the preservation of the path as part of its work and will look for grant funds to upgrade the path. The committee will seek knowledgeable estimates about the cost to resurface the path and evaluate alternative paving materials.

-- *Internet Access Committee:* Nothing to report.

--*Vehicle Habitation:* Staff reported that the committee held its first meeting yesterday afternoon and elected Evie Wilhelm as chairperson; staff will serve as secretary. The committee had a robust discussion of its scope of work and also reviewed a letter and related documents submitted by some downtown homeowners for the committee’s consideration. In sum, the committee members believe they need better factual information about the long-term vehicle parking problems downtown and an educated understanding of the applicable laws and enforcement authorities. The committee members agree that the presence of long-term uninhabited vehicles, boats, carts, etc. as storage containers on downtown streets should not be permitted and also agree that they need a better understanding of the implications of camping in the downtown and County parks. Finally, the committee agreed that a comprehensive solution is needed and not one that will simply transfer the problem elsewhere. The next meeting of the committee will be September 12, 2017 at 2:00 p.m.

Supervisor Rodoni thanked the Board for establishing a committee to take on this issue. He said the community input is vital and that solutions to the issues posed by vehicle habitation are not easy. He noted that the Board of Supervisors passed a resolution earlier this year which can be adapted on a street-by-street or community basis precisely so that towns can craft local solutions to local problems.

#### **14. Other Business.**

##### a. Board Committee Reports.

-- *Finance:* Staff is preparing for the upcoming audit of the district’s FY 2016-17 financial statements; staff will meet with the district’s bookkeeper and accountant on August 29<sup>th</sup> and the field work will occur thereafter.

-- *Legal:* Nothing to report.

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

-- *Operations:* Nothing to report

-- *Park and Recreation:* Nothing to report.

-- *Personnel:* Nothing to report.

-- *Sewer:* Nothing to report.

b. Minutes of the May 17, 2017 regular Board meeting; minutes of the June 21, 2017 regular Board meeting; minutes of the July 19, 2017 regular Board meeting.

Director Amoroso offered a clarifying revision to the minutes of the May 17, 2017 regular Board meeting.

D. Smith/V.Amoroso                      three in favor, directors Comstock and Godino absent                      to  
approve the minutes of the May 17, 2017 regular Board meeting, as amended.

V. Amoroso/D. Smith                      three in favor, directors Comstock and Godino absent                      to  
approve the minutes of the June 21, 2017 regular Board meeting.

D. Smith/V. Amoroso                      three in favor, directors Comstock and Godino absent                      to  
approve the minutes of the July 19, 2017 regular Board meeting.

c. Warrants.

V. Amoroso/D. Smith                      three in favor, directors Comstock and Godino absent                      to  
approve the warrant list.

d. Scheduling of Next Meeting(s):

September 20, 2017 at 7:30 p.m.

**15. Adjournment.**

9:33 p.m.