

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**May 16, 2018 270 Elm Road, Bolinas**

**1. Call to Order.**

7:30 p.m.

**2. Roll.**

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

**3. Manager's Report.**

-- *Update on the Terrace Avenue Bluff Stabilization Project.*

Staff attended a meeting at the Marin County Civic Center on April 19<sup>th</sup> to discuss this project. Fire Chief Anita Tyrrell-Brown and planner Sean Kennings, along with staff, attended on behalf of Bolinas and Supervisor Rodoni, Deputy Planning Director Tom Lai, Senior Planner Jack Leibster, Ernest Klock, Assistant Director of Public Works, and Berenice Davidson, Principal Civic Engineer were present on behalf of the County. Staff presented an overview of Phase 1 of the project, which was a repair of the road-level retaining wall at Surfer's Overlook installed as a public/private partnership, with the County performing the permitting, design and construction management services and the Bolinas community raising the necessary funds. Approximately \$200,000 in funds raised remain on deposit in a secure account managed by the Bolinas Community Center (the project's fiscal agent) and available for Phase 2, which is the full bluff stabilization project. LAK & Associates (Larry and Sean Kennings) is the project planner and the Bolinas agencies seek the County's continued support and assistance with next steps, which begins with the permitting process. Discussion ensued about various issues to be addressed, including the consent of private adjoining property owners and need for indemnification for the public agencies, alternatives to full bluff stabilization, whether the County will be the applicant for any project permits, jurisdictional questions for various state and federal agencies, and so forth. Staff said it was a constructive discussion and all agreed that a thorough survey of the bluff will be required to determine exactly where the public right-of-way is vis-à-vis private property. The County Public Works department representatives initially were reluctant for the County to be the permit applicant given that the work will not be confined to the public right-of-way, but the Planning department representative respectfully confirmed that the County most likely will need to be the permit applicant.

-- *Update on the East Tank Rehabilitation Project: 100% Design Submittal from Stetson Engineering; Authorize BCPUD Staff to Notice the Project for Bids.*

Staff presented a revised schedule of pertinent dates and the Board reviewed the 100% design submittal prepared by Stetson Engineering with the plan drawings and project manual. Staff noted that the specifications for the interior coating were provided by quality control consultant Dennis Gaya and that the engineers have concluded that the entire interior of the tank should be blasted to bare metal and recoated (not just the bottom third of the tank as originally contemplated), so the engineer's estimate for the project has been increased by \$40,000. Staff recommends the Board approve the project as submitted.

V. Amoroso/S. Smith                      four in favor, director Comstock absent                      to approve the 100% design submittal from Stetson Engineering and authorize staff to notice the project for bids.

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

The district's Chief Operator, Bill Pierce, traveled to San Francisco Airport to see a Gorman-Rupp pump station there and was very impressed. The pump station is nearly identical to the station recommended by the district's engineers to prepurchase for the wastewater treatment facility upgrade, including the prefabricated fiberglass enclosure to protect the equipment. The Gorman-Rupp representative is located in San Rafael and the pumps are manufactured in the United States. Staff anticipates bringing a formal recommendation to the Board for consideration at the July meeting.

-- *Update on the Fire Fuel Reduction Project in the Eucalyptus Grove above the Resource Recovery Center: Proposal for Goat Herd Grazing in Project Area to Remove Poison Oak and Other Ground Vegetation.*

The district received one bid for this project on May 15, 2018 in response to the district's solicitation of bids and staff will report further on that bid later on the agenda (item #10). Importantly, during the bid solicitation process it became clear that the extent of ground-level vegetation in the project area, particularly poison oak, was a significant impediment for interested

contractors. Staff contacted the district's consulting biologist to inquire if there are any environmental constraints to grazing goats in the project area ahead of time; the biologist confirmed that there are no constraints and concurred that the removal of this vegetation would greatly facilitate the contractor's work and enhance public safety. Staff noted that FireSafe Marin has a nearly identical project currently underway in San Anselmo and the goats have been well-received by the community. The district contacted several goat grazing companies and only one company has time available on the summer schedule to perform this work; the owner will be submitting a proposal shortly for an expected herd of 400 goats for a two-week period.

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

As recently reported, the staffs of the BCPUD and the Bolinas Fire Protection District are planning to meet in June to evaluate and prioritize the removal of obstructions and encroachments in the public rights-of-way. As the BFPD Fire Chief reported at a recent meeting, state code requires 20 feet width of driveable road with 10 feet clear of vegetation on either side. An example of a compliant right-of-way in Bolinas is the first block of Alder Road between Overlook and Aspen (note, however, that this right-of-way is 60-feet wide, so 20 feet of that right-of-way remains obstructed). The recent fires in North Bay and enhanced scrutiny of property conditions by fire insurance companies are raising awareness statewide of the need for defensible space and egress/access roads for evacuation and first responders.

The Board reviewed the most recent water consumption data for the downtown area for the February/March/April 2018 quarter. Staff noted that consumption continues to rise (this is the eighth month in a row of increased consumption), which is not a good trend given the below-average amount of rainfall this year. As of the end of April, the district recorded 27.6 inches of rain, whereas the annual average rainfall in Bolinas is 32 inches.

The district experienced a small spill on the sewer system on April 25<sup>th</sup> when a section of force main piping developed a hole about the size of a quarter due to electrolysis. Staff notified CalOES and the State Water Resources Control Board of the spill as required by state law. A temporary repair of the hole in the force main was performed on an emergency basis that day and sewer service resumed, thanks to Piazza Construction and Coast Sanitary and their immediate response to the district's call for assistance. Then, this week, the entire section of force main from the lift station to the check valve in the street near Smiley's Saloon was excavated and replaced and the County was notified of this emergency work in the Wharf Road right-of-way. Again, staff acknowledged the superb work of Piazza Construction and Coast Sanitary, as well as the BCPUD crew, all of whom worked very late to ensure the work would be completed as quickly as possible.

Staff attended the April 24<sup>th</sup> Board of Supervisors meeting at which the Supervisors considered Amendments 1, 2, 3, 6 and 7 to the Local Coastal Plan ("LCP") update. The BCPUD Board at its April regular meeting approved a letter of support to the County Board of Supervisors endorsing the County staff recommendation to accept Amendments 1, 2 and 6 to the LCP but reject Amendments 3 and 7. At the April 24<sup>th</sup> hearing, however, most of the West Marin entities urged the Board of Supervisors to reject ALL of the amendments and scrap the current LCP Update process as they see no way to reach mutual agreement on outstanding issues, particularly issues inherent in Amendments 4 and 5 concerning environmental hazards, consideration of which has been postponed due to the level of controversy. Ultimately, the Board of Supervisors voted to follow its staff recommendation and approve Amendments 1, 2 and 6 (and reject Amendments 3 and 7), likely because of a letter to the Supervisors dated April 20<sup>th</sup> from the Executive Director of the Coastal Commission, which was much more conciliatory and constructive than prior communications issued by the Commission during the LCP Update process.

On a related note, staff received an email from Senior Planner Kristin Drumm, who is working on the LCP Update planning team at the County, concerning the designation of a "commercial core" for downtown Bolinas as contemplated in the newly adopted Amendments. Preliminary maps are available for review on the County website. Kristin offered to attend the June 20<sup>th</sup> Board meeting to present the proposed maps and answer questions from the community. Director Siedman said it would be fine for her to come, but he feels the community should take a strong stand against the designation of a commercial core as too much micro-managing of local issues. Director Smith said that the downtown property owners should be notified and offered the opportunity to comment and question the proposed maps; he said it would benefit them to coordinate their comments. Director Godino said she believes it is important for the BCPUD to provide a local forum for residents to hear the County presentation and voice their input. After further discussion, staff agreed to notify key downtown property owners to ensure they know about the proposed maps and have an opportunity to review the materials and coordinate their efforts.

Staff reported that the BCPUD submitted comments on the Coastal Commission's Residential Adaptation Policy Guidance on April 30, 2018 and received an email confirmation back from the Coastal Commission that the comments were timely received.

On Monday, May 7<sup>th</sup>, staff attended the annual Board of Directors meeting of the ACWA/JPIA in Sacramento. There was a sad tone to the meeting due to the sudden death of Risk Manager Scott Wood, who passed away after officiating a rugby game, leaving behind his wife and young daughter. Scott Wood was assigned to be the ACWA/JPIA representative to Bolinas following the retirement of John Haaf at the end of 2017. Interesting points from the meeting: (1) ACWA/JPIA plans to pay off its net pension liability of \$1.1 million, and (2) the Kaiser Permanent premium increase this year for northern California is 4.64% , whereas for southern California the increase is 13%.

Staff met with new owner of 276 Mesa Road; following Marin LAFCO's approval of the annexation of this property into the jurisdictional boundary of the BCPUD and this Board's approval of the transfer of a water meter to this property, the former owner sold the property. The new owner wanted to discuss with staff the specific location of the transferred meter and possible uses of the property pending the construction of a single family residence there. However, staff recently learned from the County Elections department that Marin LAFCO will not finalize its approval of the jurisdictional boundary annexation until all conditions of approval are satisfied. As such, staff advised the new owner of 276 Mesa Road that the district cannot begin water service there until the annexation is complete.

Director Amoroso reminded staff to notify the community via the Hearsay News that the district will hold an election in November 2018 and that three seats on the BCPUD Board are up for election.

#### 4. Community Expression.

Rob Volker from Inyo Networks said he was present to thank the Board for its letter of support for the CASF grant fund application to bring fiber optic broadband internet service to Bolinas; the grant was approved recently by the California Public Utilities Commission and the company plans to begin installation of the infrastructure in Bolinas by Labor Day. Discussion started to ensue, and staff recommended that before any further discussion occurs, the Board approve moving Item 7 on the agenda up ahead of Item 4, Community Expression

V. Amoroso/S. Smith                      four in favor, director Comstock absent                      to approve  
consideration of agenda item 7 before agenda item 4.

#### 7. Update re: California Public Utilities Commission ("CPUC") Action on Draft Resolution T-17608: Approval of Funding for the Grant Application of Inyo Networks, Inc. (U-7159-C) from the California Advanced Services Fund ("CASF") up to the amount of \$1,868,881 for the Bolinas Gigabit Network Project.

In response to a question from director Siedman, Rob Volker said that high-speed internet service likely will be up and running in Bolinas by Thanksgiving. Rob said that there are certain "feed" issues to be worked out and Inyo Networks is working with Leighton Hills from Muir Beach LAN on a design proposal to bring to the BCPUD for the possible use of the water tank property on the Little Mesa for a colocation site. In response to a question from director Amoroso, Rob said that in addition to the CASF grant funds, he expects to be able raise the balance of the funds needed to install the project privately. Rob said Inyo Networks is very excited about the project and will be back soon with more details of the installation. He confirmed that the company expects to charge \$89/month for its high speed internet service. Director Smith said it would be great to have a community meeting to present this project to the town as he suspects many people are unaware of it, notwithstanding the year-long discussion and consideration of the project by the BCPUD Board during 2017. Rob said he will consider the timing of such a meeting vis-à-vis the actual installation so that the meeting is not scheduled too far in advance of the availability of the service; he noted that people ideally would be able to sign up for the new service at the meeting as an additional convenience. In response to a question from director Amoroso, Rob said that people may keep their existing telephone (wireless and land line) and DSL internet service if they wish to do so in addition to the new fiber optic service, there will be no obligation to terminate other services in order to obtain the new high speed internet service.

#### 4. Community Expression.

Director Siedman said Bolinas lost two tremendous community members this week, Erica Willig and Charlie Lenhoff, and he would like the minutes to reflect the community loss.

#### 5. Request to Keep Redwood Trees Planted in the Public Right-of-Way on Yucca Road near Zebra Road (E. McCrea).

Staff placed a call to Erica McCrea, who asked to participate in the meeting, but there was no answer.

Director Siedman noted that there is a letter in the Board binders from Erica McCrea asking to be allowed to keep the redwood trees she planted in the public right-of-way. Staff said the existence of the trees was documented as part of the district's survey and mapping of the Bolinas Mesa. Sue Verhalen, a neighboring property owner, was present and expressed opposition to the request because of the extent of encroachments into the Zebra right-of-way. She noted that redwood trees will grow very quickly and

should be removed from the public right-of-way. Director Godino said she feels very strongly that the district should protect the public rights-of-way for the community. Director Smith said he went to view the trees and is confused as to exactly which trees are at issue; he saw a group of trees approximately 2 inches in diameter outside the McCrea fence, but he also saw two larger redwood trees further up the hill toward the Verhalen home that are approximately 6 inches in diameter and directly under a high voltage power line – he said all of the trees should be removed. Staff said the larger trees may have been planted by Lawrence Juniper many years ago and those trees can be removed by staff as they likely are too large to relocate successfully. Director Siedman said that staff has recommended removal/relocation of the trees and notified the property owner as such; the property owner is now asking for reconsideration, but the Board does not seem inclined to do so.

D. Smith/V. Amoroso four in favor, director Comstock absent to deny the McCreas' request to keep redwood trees planted in the public right-of-way on Yucca near Zebra Road.

**6. Request to Remove Hazardous Trees from the Alder Right-of-Way near Fern Road (BCPUD staff).**

Staff said that two large hazardous trees in the Alder right-of-way at Fern Road need to be removed in order for a drainage project to be installed on Alder between Evergreen and Grove Roads. The neighborhood has been notified and there is no objection to the removal of the trees; to the contrary, there is strong neighborhood support for the project. The \$9,000 cost will be paid from the septic/drainage fund.

D. Smith/V. Amoroso four in favor, director Comstock absent to approve the removal of hazardous trees from the Alder right-of-way near Fern Road.

**7. Update re: California Public Utilities Commission (“CPUC”) Action on Draft Resolution T-17608: Approval of Funding for the Grant Application of Inyo Networks, Inc. (U-7159-C) from the California Advanced Services Fund (“CASF”) up to the amount of \$1,868,881 for the Bolinas Gigabit Network Project.**

See above.

**8. BCPUD Sewer System Management Plan - 2018 Audit; Amendments to BCPUD’s Sewer System Management Plan.**

Staff requested that the Board defer consideration of this agenda item to a later meeting.

**9. BCPUD Resolution 657: Granting Director Grace Godino Permission to be Absent.**

Director Godino recused herself from consideration of this agenda item.

D. Smith/V. Amoroso three in favor, director Godino abstaining and director Comstock absent to approve BCPUD Resolution 657.

**10. BCPUD Resolution 658: Approving Form of Contract Documents for the Bolinas Eucalyptus Grove Hazardous Fuels Reduction Project and Awarding a Contract for the Project to the Lowest Responsible Qualified Bidder, Subject to Certain Conditions.**

Staff reported that the district received only one bid in response to its solicitation of bids for this project (two contractors attended the mandatory pre-bid site meeting, but only one submitted a bid) and that bid is incomplete. As noted earlier, a major issue for contractors trying to bid the project is the difficulty of assessing the conditions on the ground due to the thick amount of ground vegetation, particularly poison oak, and another issue is the prohibition on ground-disturbing equipment. Both contractors were informed prior to the bid submittal deadline that the district will bring in a herd of goats to clear the ground-level vegetation in July and that the district’s biologist will conduct a survey of the project area after the goats are done. Staff recommends that the submitting contractor be granted 7 – 10 days to cure the problems with the bid and then hold another site meeting to determine whether agreement can be reached on the scope of work and how it will be conducted. If no agreement can be reached, staff will make a recommendation as to next steps following the failed bid process. Staff noted that this contractor’s bid is contingent on the use of mechanized equipment, which may be a fatal flaw given the environmental constraints. After a brief discussion, the Board concurred and affirmed staff’s authority to conduct this process with the submitting contractor and to finalize the arrangements for the goat grazing.

**11. Water Supply Update.**

Director Smith presented a set of graphs depicting his analysis of the performance of the irrigation well at the Resource Recovery Center (the source of water for Mesa Park’s ballfields) over the last year. He noted that the big spike in rain received in early April seems to have caused a huge drop in the electrical conductivity in the water at the well, which is very good news. He said that unless this was an

