

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
July 17, 2019 270 Elm Road, Bolinas

1. Call to Order.

7:30 p.m.

2. Roll.

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

3. Manager's Report and Project Updates.

-- East Tank Rehabilitation Project.

The BCPUD Board held a special meeting on July 9, 2019 and approved the contractor's cost proposal for the repair and replacement of approximately 50% of the East Tank roof and the work required to install the repair is now underway. The contractor estimates that the roof repair will require 4 – 6 weeks, which is an unfortunate but unavoidable set back to the project schedule. In the meantime, while the new roof sheets are being fabricated and coated, the contractor is blasting and primecoating the bottom third of the tank exterior and installing a security door on the bottom of the new access ladder.

Staff apologized for inadvertently neglecting to prepare written minutes of the July 9th special Board meeting and said those minutes will be available for Board approval soon; staff noted the Board also held a special meeting on June 17, 2019 and minutes of that meeting (at which the Board received an update on the seawall repair project at 100 Brighton Avenue) also inadvertently were overlooked. Director Siedman said he met with Kirsten Walker, one of the project planners, at the property earlier in the day; he reminded the Board that the BCPUD is involved in this project because the district owns property (the access ramp to the beach) across which the property owners will need an access easement to install the repair. Director Siedman said the BCPUD supports the project as it will greatly benefit public access to the beach and emergency access by the Bolinas Fire Protection District ("BFPD"); that said, the district has requested certain repairs to the access ramp across which the easement will be granted and the property owners are evaluating whether that work can be incorporated into the scope of the project.

-- Wastewater Pump Station Replacement Project: Authorize Competitive Bidding of Project Installation.

Staff attended a Marin County Deputy Zoning Administrator ("DZA") hearing on July 11, 2019 concerning the district's application for a coastal permit to install a replacement pump station at the sewer pond property. At the conclusion of the hearing, the DZA approved the permit; there is now a period of five working days during which an appeal may be submitted to the County Planning Commission. After that time, if no appeal is filed, the Planning Commission will then forward the permit approval decision to the California Coastal Commission, triggering a 10-day appeal period. Staff noted that the Board previously authorized staff to purchase the new pump station, but the order has been on hold pending the conclusion of the permit process. Staff had a conference call with the district's outside engineers on this project and developed a schedule for the development of the bid documents. The current plan is to publicize the project immediately after Labor Day with a goal of asking the Board to approve the award of a contract for the work at the October 2019 meeting.

-- Woodrat 1 Reservoir Rehabilitation Project.

Nothing to report at this time.

-- On-Site Wastewater System Repair Project (270 Elm Road).

The district's consulting engineer is continuing to work on a repair plan to submit to the County for a permit sometime this Fall.

-- Alliance of Coastal Marin Villages.

The Alliance of Coastal Marin Villages ("ACMV") met most recently on July 7th and the primary topic of conversation was Supervisor Katie Rice's appointment to the California Coastal Commission ("CCC"). The ACMV plans to request a meeting with the supervisor to introduce the group and also flag issues of immediate concern to West Marin residents (i.e., the Local Coastal Plan update and Residential Adaptation Guidelines). Importantly, the ACMV would like Supervisor Rice to understand that the CCC staff's current efforts to impose a "one size fits all" approach to issues in the coastal zone deprives coastal communities and other local stakeholders of the opportunity to make local decisions about local issues, directly contrary to the Coastal Act. The ACMV is not a "property rights" group or a "science denier"

organization; ACMV members and most coastal residents acknowledge the serious and genuine implications of climate change, but do not support the CCC's exclusive focus on "managed retreat" as an adaptation strategy – managed retreat is not even an option available for many coastal communities. Staff highlighted a "white paper" in the Board binders recently prepared by the Coastal Cities Group, League of California Cities, Coastal Counties Regional Association and California State Association of Counties which offers a detailed and thoughtful approach to policy-making in the Coastal Zone, noting that challenging coastal issues have exposed deeply conflicting perspectives between the CCC staff and local jurisdictions. The paper urges CCC staff to leave discretion to individual communities to develop appropriate time horizons for adaptation strategies tailored for local conditions and to support best practices for reviewing local coastal plans (minimizing "last minute" comments from CCC staff and developing a level of predictability as to what sorts of policies CCC staff may challenge, for example).

Director Comstock said he believes coastal communities should emphasize the Coastal Act's prioritization on the preservation of the historic character of coastal communities, which the CCC staff seems to virtually ignore. He noted that The Netherlands would not exist if that government imposed "managed retreat"; instead, thoughtful and careful planning and creative infrastructure has preserved the country. Similarly, downtown and other low-lying areas of Bolinas will not exist if CCC staff insists on the exclusive application of managed retreat. He urged staff to raise these arguments, among others, with CCC staff when the opportunities arise. Staff concurred and noted the BCPUD letters on various CCC guidelines and comments on the Marin County LCP Update have underscored these themes.

With regard to general water operations, staff directed the Board's attention to the most recent water consumption data, which indicates that consumption was very low downtown during the most recent quarter ending in June, likely due to the prolonged Spring rains -- in fact, consumption downtown during this period was the lowest in the last fourteen years. Given the summer season and overlapping staff vacations, work in the field has focused on maintenance tasks such as mowing and repairing existing equipment. Staff recently supervised the relocation of the electric service at the downtown lift station to be near the existing control panel rather than the wet well; in addition, the former dilapidated fence has been replaced with a new moveable fence and gate. Director Comstock inquired about the present condition of the existing dams on the Arroyo Hondo and whether any repairs or engineering analysis is needed with regard to either dam; after a brief discussion, director Siedman suggested director Comstock meet with staff separately to discuss his questions and concerns.

Staff directed the Board's attention to the most recent chlorine disinfection byproduct test results for June 2019 which show that TTHM and HAA5 levels at both sample locations (Vine Road and the downtown Lift Station) are well below the maximum contaminant levels.

As for the Terrace Avenue Bluff Stabilization project, staff received a reply on June 21st from Ernest Klock at the County of Marin's Department of Public Works stating that he forwarded the local residents' concerns about a possible compromise of the County repair of the road-level retaining walls to the Engineering Division for review. Ernest said someone there will contact the district soon to set up meeting with various stakeholders on site. Staff has not heard anything further since the June 21st email, so will circle back soon with Ernest to inquire about next steps.

Staff directed to the Board's attention to a letter to the College of Marin president David Wain Coon from Jack Siedman dated July 9, 2019 which includes comments from the local "working committee" on the design of the proposed new Field Station. Mr. Coon responded right away and said the comments will be considered by the design team; director Siedman has requested that any revised design be transmitted back to the working committee for review before presentation to the community. Director Siedman described some of the design improvements recommended and said the committee is particularly concerned that any revised design be shared/discussed with the community before the College applies for permits as substantial opposition to the design would significantly delay the project – as such, it's far preferable to resolve design issues *before* permit applications are submitted.

The Board reviewed correspondence sent and received since the last regular meeting, including a letter from the County Elections Department notice concerning the 2020 elections (with the primary in California now scheduled for March 2020); staff noted the BCPUD election also will be in 2020 for two of the five director seats. Staff said Bolinas has been selected for a case study to be conducted on traffic challenges in the event of a large wildfire event; the researchers intend to use data and lessons learned from the Camp Fire and apply it to Bolinas (which they view as a similarly-situated community with one road in and out of town). The Bolinas Fire Protection District will be very involved with the study and more information should be forthcoming in upcoming months.

4. Community Expression.

None.

5. Donation of Hand-Crafted Bench to the BCPUD (to be placed near Phil Buchanan's tree at the Sewer Pond property).

This item was deferred pending the arrival of the bench donor.

6. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 10 Park Avenue (D. Garone).

Dorothea Garone was present to explain that two years ago she was diagnosed with a rare form of cancer and she experienced a major fall in Whole Foods market immediately before the water pipe break at her property. She broke her left arm and could not drive to her weekly chemotherapy appointments in San Francisco from Bolinas, so she moved to San Francisco for a while. The water line to her house burst next to the water meter; since the pipe was buried, no one saw the leak for quite some time. Eventually the person who mows her lawn heard water running and called her; she called a friend (John Bryant) who went to the house and immediately turned the water off. She called a repair person and had the leak fixed; she also called the BCPUD and notified staff.

Director Comstock said this was clearly a “blind leak”, there were good reasons why she wasn’t at the property, and there is no history of irresponsible water use, so he favors providing some financial relief from the bill. The question is whether Ms. Garone should have any share in the bill because the water loss was approximately 100,000 gallons. John Bryant said when he initially went to the house he could not see any evidence of a leak, but he shut off the water as a precaution. Ian Cracknell came to repair the leak and found it right near the drainage ditch in front of the fence on Park Avenue; this occurred during the rainy season, so the ditch was full of water from recent rain storms. Director Comstock said the leak was clearly an accident, but the district had to run the water treatment plant for a full day to supply 100,000 gallons of water; as such, should the responsible customer here shoulder some of the cost, or should the cost be transferred in whole (indirectly) to the district’s customers? He noted that the Board has applied different formulas for leak relief depending on circumstances and, based on past decisions, director Comstock recommended the Board forgive 75% of the bill attributable to the leak.

Ms. Garone said the bill she received was for \$1,700, and it normally is \$5 - \$12. Director Amoroso agreed that leak relief should be granted for most of the bill, perhaps 90%. Director Smith said that the leak was difficult to find -- even when someone was right there at the property trying to find it. He observed that serious medical circumstances prevented the property owner from being home, she uses very little water in the normal course, and the leak occurred during the rainy season when the district is not short of water. Director Smith said the Board typically grants 100% relief for blind leaks and the Board should do so here. Director Godino said she agrees with director Smith; although she appreciates director Comstock’s point, she favors full relief for a blind leak. Director Siedman said he agrees; he said director Comstock makes a good point with regard to the size of the leak and impact on the district, but he does not believe this leak would have been found even if the property owner had been at home when it occurred.

D. Smith/V. Amoroso four in favor, director Comstock abstaining to forgive 100% of the amount of the bill attributable to the leak as determined by the historical water use at this property during the same quarter during the last three years.

5. Donation of Hand-Crafted Bench to the BCPUD (to be placed near Phil Buchanan’s tree at the Sewer Pond property).

Walter Hoffman was present and said that he and David Strathairn would like to donate the bench, which is being finished by Chuck Oakander at this time. He would like to place it on the south side of the oak tree planted in honor of former BCPUD General Manager Phil Buchanan; the tree will provide shade for the bench as it grows. He noted there is an amazing view from this location. After a brief discussion, during which staff expressed strong support for the donation, the Board concurred.

D. Smith/ L. Comstock all in favor to accept the donation of a hand-crafted bench to be placed near Phil Buchanan’s tree at the Sewer Pond property.

7. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 103 Wharf Road (J. Shaw).

Jennifer Shaw said that she is the daughter of Elaine Fredricks who died about 7 years ago; she and her siblings inherited the home and come to visit as often as they can. She said she never heard the toilet running, which appears to have been the cause of the leak. She explained that Toby Nemecek was doing some repair work at the house and he turned off water when he realized the toilet on the bottom floor was running; a repair was subsequently completed. Jennifer received a bill for \$1,300 and the next one was \$20, so she is confident the repair successfully resolved the leak.

Director Amoroso inquired whether the house is occupied on a full time basis. Jennifer said no, the family decided not to rent it out. In fact, the family has decided to sell the home as the four siblings cannot afford to keep it up. Director Smith said the Board has reviewed a lot of requests for relief due to toilet leaks. Such leaks are not considered to be “blind” leaks, he said, because people are able to hear toilets running, as Toby Nemecek did, if they are in the house. He said the past practice of the Board has

been to forgive 25% of the bill attributable to the leak and he recommended the Board do so here. Directors Comstock and Godino concurred.

D. Smith/L. Comstock all in favor to forgive 25% of the amount of the bill attributable to the leak as determined by the historical water use at this property during the same quarter during the last three years.

8. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 200 Ocean Parkway (M. Harris).

Director Siedman noted the property owner was not present, but there is a letter in the Board binders explaining the circumstances of the leak; he commented that the property owner is elderly and may have difficulty attending the meeting. Director Smith said the letter indicates there was water ponding all over the yard from the winter rains and the cause of the leak was a broken underground water line. He said this seems to be another case of a blind leak and he recommended 100% financial relief. Director Godino said she agrees. Director Comstock said he is going to abstain again because this leak resulted in a water loss of more than 130,000 gallons and he believes the property owner should have to pay something in cases of such large water losses. Director Amoroso noted that Ms. Harris used to be on the BCPUD Board of directors, but said that did not influence his opinion on the request.

D. Smith/V. Amoroso four in favor, director Comstock abstaining to forgive 100% of the amount of the bill attributable to the leak as determined by the historical water use at this property during the same quarter during the last three years.

9. Limited Water Use Permit Application - 260 Laurel (F. Vietor) (addition to existing accessory building).

Ed Pohlman, licensed contractor, was present on behalf of the property owner to explain the project. He said that he is adding 200 square feet to an accessory building to make it a rentable affordable housing unit; the building has been used as a studio until now. In so doing, he is adding a bathroom and a bedroom to the structure. The project also involves moving the building to meet setbacks and lifting the building to install a new foundation.

Director Comstock said the key question is whether the project could imply increased water use at the property. Staff said there is an existing limited water use permit for the property which caps water use at 2,340 cubic feet per quarter, which is below the “new minimum” of 2,700. Discussion ensued between the Board members as to whether the existing permit should be renewed on the same terms with the property owner invited to apply for an increase, or whether the Board should amend the existing permit to set a new cap of 2,700 cubic feet of water per quarter.

V. Amoroso/L. Comstock all in favor to revise the existing limited water use permit for this property to cap water use at 2,700 cubic feet per quarter.

10. Application to Transfer Water Meter from APN# 191-261-24 to APN# 191-251-17 (both parcels on Oak Road between Ocean Parkway and Cherry) (E. Karpeles for M. Griffith).

Eric Karpeles and Melinda Griffith were present to discuss the water meter transfer request and answer any questions. Eric explained that during the last storm season, the coastal bluff erosion was so severe that the house in front of his was condemned; his home is now perilously close to the current edge of the bluff, so he proactively is seeking to build a new house on a different parcel much further back from the bluff. Director Siedman inquired whether he is aware of all of the requirements of the BCPUD’s water meter transfer ordinance, including but not limited to the requirement to remove all development from the parcel to be abandoned; Eric affirmed that he is. Director Smith asked who owns the meter. Melinda Griffith confirmed that she owns the meter/property occupied by Eric Karpeles and the meter would be moved to another property she owns.

Katherine Coles, a neighboring property owner, said that she and her husband Gerry support the project, but are concerned about the placement of the new home where a beautiful garden now exists. Katherine said they have a very narrow view of the ocean from their home and the proposed site of the new home would obstruct it. She said she knows the BCPUD’s role with regard to the project is limited to the transfer of the water meter, but she asked that their concerns be taken into consideration. She said that from their perspective, the ideal location for the new home would be in the area closer to the garden shed. Director Siedman said that her concerns have been noted for the record.

Staff said that BCPUD Ordinance 38 requires that an agreement for the water meter transfer must be entered into and staff will work with the property owners to prepare such an agreement, which will include, but not be limited to, a requirement to apply for a limited water use permit when coastal and/or building permit applications are submitted. Director Smith said that if the square footage is the same and there is no other indicator of increased water use, a cap on usage may not be required; he said he was raising the issue as this information may influence the design. Eric said that the replacement home will be two bedrooms rather than three and the overall square footage will be less than the existing home.

L. Comstock/V. Amoroso all in favor to approve the transfer of the water meter from APN# 191-261-24 to APN# 191-251-17, subject to all of the terms and conditions of BCPUD Ordinance 38.

11. Request for BCPUD to Participate in the Bolinas Community Land Trust's Proposed Pilot Septic System Program (BCLT).

Arianne Dar, Executive Director of the Bolinas Community Land Trust ("BCLT"), reported that the BCLT has moved forward with a concept discussed with the Board some time ago – which now has the interest and support of the County Environmental Health Services ("EHS") department and the Regional Water Quality Control Board ("RWQCB") – for a pilot program involving 20 homeowners on the Bolinas Mesa with failing septic systems. The pilot program would enable these homeowners to fix their septic systems at about half the standard cost by installing a shallow sandbed/peat moss system, which is a form of modified "mound" system appropriate for smaller lots on the Mesa. The reason the BCLT is asking the BCPUD to participate is because one of the conditions of participation in the program will be the participating property owners' agreement to apply for and receive a limited water use permit from the BCPUD with a maximum quarterly water use of 2,700 cubic feet (or 224 gallons per day). BCLT is asking the BCPUD to agree to issue permits for those property owners and then monitor and enforce their compliance/water use as it does with other limited water use permit holders.

Staff explained that the reason why the limited water use permit is an important component of the program is because EHS and other regulatory agencies otherwise assume that every bedroom in a house could use 150 gallons of water per day. As such, when these agencies approve septic systems for a three bedroom house, for example, they require that the system be designed for 450 gallons per day of water. Very few people in Bolinas actually use that much water and the large-capacity septic systems are very expensive to design and install. If a property owner can demonstrate that water use at the property is limited, or capped, at 2,700 cubic feet per quarter, or 224 gallons per day (or less, as the case may be), then the regulatory agencies will allow a reduced septic system design and installation, significantly reducing costs for homeowners. Staff emphasized that the BCPUD will have no role in the evaluation or monitoring of the septic systems – the BCPUD's only role in this program will be to issue limited water use permits to participating property owners and then monitor and enforce compliance.

Director Comstock said the pilot program seems like a good idea, but it will be important for the participating property owners to understand that once a limited water use permit is issued, it is permanent. As such, he recommended that the BCPUD require the property owners themselves apply for the limited water use permit, not the BCLT on behalf of the property owners, so that the BCPUD has assurance that property owners understand and accept this result. Director Amoroso asked why the BCLT is involved in a pilot septic system program. Arianne explained that many people in Bolinas who would like to build a second unit to provide affordable housing cannot do so as they cannot afford to upgrade their septic systems (which would be required since a second unit results in an additional bedroom/bathroom); in addition, some people would like to legalize existing second units for affordable housing but face the same obstacles. In addition, the program has the potential to benefit many more property owners in Bolinas who otherwise have small lots or other property features which make it very difficult to successfully replace or repair an existing septic system under the current rules.

Discussion ensued about how to structure a motion to reflect the BCLT's request and decision of the Board. Director Godino said that the pilot program could have great potential benefits for the community as many people would like to improve their septic systems but cannot afford to do so; as such, asking the BCPUD to participate by doing something it already does – issue, monitor and enforce limited water use permits – seems well worth it. In response to questions from director Amoroso, Arianne clarified that participants in the pilot septic system program will be required to obtain a limited water use permit with a maximum quarterly water use limit of 2,700 cubic feet.

Janine Aroyan asked if the BCLT already has 20 participants for the pilot program. Arianne said she has 10 participants without having advertised the program, so she assumes an additional 10 participants will step forward. Arianne explained that participation in the pilot program will be available to anyone who wants to upgrade their septic system per the various terms and conditions of the program and at a much lower cost; however, participants who agree to deed restrict a second unit as affordable housing as part of their participation in the program will be eligible for a no-interest loan arranged by the BCLT for the cost of the septic system repair.

D. Smith/L. Comstock all in favor to participate in the BCLT's proposed pilot septic system program to the extent of issuing limited water use permits for customers upon their request and reporting any excess usage on a quarterly basis to the BCLT (as well as the property owner(s)).

12. Request to Renew Existing Agricultural Lease at BCPUD "Sewer Pond Property" (Lee Dodd and Melissa Wood); Comments from the Land Stewardship Committee.

Lee ("Kanoa") Dodd and Melissa Wood were present; Kanoa said he would like to respond to the comments submitted by the Land Stewardship Committee concerning their agricultural lease. First, he

said, it seems unnecessary to require them to submit an annual report describing any substantial changes in operations; he noted that any substantial changes in operations already have to be submitted and approved, so this seems redundant and unnecessary paperwork. Janine Aroyan said the Committee's intent with this comment (and other comments) is to render the lease consistent with the Murch lease, Director Comstock said he isn't clear why the Board would require any lessee to have to report on operational changes already approved. Director Smith agreed and noted that when the Murch lease next comes up for renewal, the Board should strike that requirement as excessive; director Godino concurred. Director Siedman said the Board consensus is not to require the submission of an annual report.

Kanoa next addressed a comment requiring them to "avoid damage to established trees". This is objectionable because the lease area has numerous non-native trees which are a food source for the goats (acacia). Also, the reason for brush-clearing herds of goats is to remove (damage) vegetation and/or trees. Director Siedman asked if he had any objection to the proposed language concerning erosion; Kanoa said that he does not. Janine said again that the Committee was trying to line up the language of this lease with the Murch lease. She said the property leased by the Murchs has oak trees; on the property leased by Kanoa and Melissa, there are a lot of shrubs. The Committee's comments are intended to protect existing trees. Discussion ensued and ultimately Kanoa agreed to language requiring them to avoid "damage to established non-invasive trees".

Kanoa turned to the Committee comments proposing to prohibit all pesticides or herbicides from the leased premises; he notes that he and Melissa use an herbal wormer and certain pesticide products to treat for fleas. The Land Stewardship Committee's comments also proposed to prohibit "toxic products", but such products are used for animal husbandry such as a fungicide for hoof treatment. He noted that all such products used for the care of the goats are stored, contained and locked at the property. Kanoa said he feels the existing language of the lease is adequate to address concerns about harmful products unrelated to goat farming. Janine said the proposed language again was taken from the Murch lease. Melissa said the language is appropriate for leases for agricultural uses, such as the Murchs', but it would not be appropriate to prohibit products needed for medical kits for animal care. Discussion ensued and, in response to a suggestion from director Siedman, Kanoa said it would be fine to include an exemption to this paragraph for "products used for goat/animal husbandry" or similar language as BCPUD staff may develop.

Kanoa said the next Committee comment proposes to require the development of an evacuation plan for the leased property and he said this is unnecessary because they already participate in a Bolinas-wide plan per the Bolinas Fire department, which includes livestock evacuation. After a brief discussion, Kanoa agreed to revised language stating that they shall "continue to participate in" an evacuation plan for animals (rather than "shall develop" an evacuation plan . . .). Kanoa said he did not object to the Committee's proposed prohibition on subleasing as they have no intention to sublease.

Kanoa next objected to the Committee's proposed language requiring a sixty-day review period for any proposed alterations or improvements of the leased premises. He said he usually runs any alterations informally by Chief Operator Bill Pierce and, if he has no objection, he moves forward. Director Siedman pointed out that the Committee's comments are addressed to any "substantial" alterations or improvements to the leased premises. Upon reflection, Kanoa said he has no objection to the proposed language. Discussion then ensued about the Committee's comments on the section of the lease concerning parking and the use of "driveways". Janine explained that the Committee was considering the potential impact of vehicular access to the leased premises in the event future improvements are made to the pedestrian/bicycle path. It was agreed that issue would be addressed if and when the need arises, and no changes were agreed upon for this section of the lease.

Janine said that the Land Stewardship Committee very much supports the goat farm and considers it to be an excellent example of how public land can be well-used.

L. Comstock/D. Smith all in favor to approve the lease renewal revisions as discussed, subject to any final revisions made by staff and the lessees, as long as such revisions are consistent with the intent of the discussion and agreements reached at tonight's meeting.

13. Request for Letter of Support from the BCPUD re: Enforcement of Downtown Overnight and Long-term Parking Restrictions.

Director Siedman noted that the California Coastal Commission ("CCC") staff has issued a letter to the County which is somewhat of a "bomb shell" in the midst of the community's effort to implement some reasonable regulation of downtown parking; he said it may be time to push back hard against this letter. Staff said the CCC letter concludes that the parking regulation does "not appear to be consistent with the Coastal Act", but that conclusion appears to be based on several misunderstandings about the proposed parking restrictions. Staff will attend a meeting tomorrow with Supervisor Rodoni and others at the County to strategize a potential response to the CCC letter. Director Smith said that the community is trying to distinguish between people displaced from their homes here and living on the street (people the community does not seek to displace) vs. people coming into town and using Brighton Avenue as a

campground for the weekend, which imposes major burdens on a residential neighborhood. He said he still believes a residential parking permit plan is the best solution.

Director Comstock disagreed, noting Supervisor Rodoni urged the community to implement a simple approach to survive CCC staff scrutiny: namely, prohibit over-sized vehicle parking on an overnight basis downtown in order to open up parking spaces and preserve access to the beach. Director Comstock said CCC staff has opposed parking regulation of any kind in Bolinas for years and the staff essentially is refusing to enforce the Coastal Act's mandate to preserve the historical character of the coastal communities. Director Comstock said it is stunning that the very simple and limited regulation proposed in Measure X would be met with a three-page letter of opposition from the CCC staff. He said he will be interested to know the County's proposed response but cautioned against any local action that would render it more difficult for Supervisor Rodoni and County staff to persuade CCC staff to allow this very limited parking regulation.

Arianne Dar commented that CCC staff seems to take a "one-size-fits-all" approach to all issues in the Coastal Zone. In this case, CCC staff comments do not acknowledge that Bolinas is a cul-de-sac; both streets downtown (Wharf and Brighton) dead-end at the beach. Bolinas is not Half Moon Bay and cannot manage the onslaught of tourist traffic in the same way. Arianne said that CCC staff should be required to visit local communities when certain regulations are proposed in order to ensure they apply the Coastal Act policies and procedures in a logical and appropriate manner. Director Siedman agreed and urged staff to convey that Bolinas wants the County to formulate an aggressive plan to push back against the CCC staff letter. Directors Amoroso and Godino both commented that there is a lack of internal logic to the CCC staff comments; director Godino suggested it may be advisable to measure the linear footage of parking available downtown vis-a-vis the size of the large vehicles parked downtown and determine how much of the total available parking is impacted by these vehicles.

Director Comstock said the CCC staff letter is reminiscent of the LCP Update process – i.e., the CCC staff submits last-minute comments which do not take into account the years of work that have been done (and communicated to them) and which ignore unique local conditions. The CCC staff comment letter seemingly envisions that a small rural unincorporated town like Bolinas has the resources to conduct traffic studies and the like. The CCC staff is not fulfilling the Commission's mandate to preserve the historic character of the town. All this said, the County needs to take on the CCC staff and make clear that Bolinas wants them to represent the town and push back against this letter. Director Godino urged staff to alert the ACMV to this topic and make sure Supervisor Rice (newly appointed Coastal Commissioner) is aware of this matter. Staff noted the Commissioners may have no knowledge of this letter or past CCC staff opposition to Bolinas' parking efforts – all of this has occurred at the staff level. Director Comstock concurred, noting all boards and commissions are reluctant to overrule their staff, so this will be a strategic issue for the County to consider.

Staff emphasized that the CCC staff letter is not a final decision. The letter has some internal inconsistencies which may indicate it was thrown together in advance of the deadline to comment on the County's coastal permit application to implement the parking regulations. Staff said there may well be room for negotiation and compromise between the CCC staff and County staff.

14. Proposals Submitted in Response to BCPUD's Request for Proposals for Audit Services for the Fiscal Year Ending June 30, 2020.

The district sent out a request for proposals for audit services for the fiscal year ending June 30, 2020 and received three proposals. The first proposal was submitted by Paul Kaymark of Nigro & Nigro, a firm based in the East Bay who was recommended by former Inverness Public Utility District general manager Kaaren Gann; it proposes an annual audit fee of \$16,500. A second proposal was submitted by Michael O'Connor of R.J. Ricciardi in San Rafael, a firm recommended by the district's former outside CPA, Sandra Reinhardt; it proposes an annual audit fee of \$12,750. A third proposal was submitted by Craig Fechter of Fechter & Company; he submitted a proposed annual audit fee that would increase over time as follows: \$13,200, \$13,665, \$14,145, \$14, 635, \$15,145 (in each case, after a \$3,500 "professional discount").

Overall, the approaches of each firm submitting a proposal is similar and the proposed hours to be spent on the work are largely equivalent. All of the proposed firms have the breadth and depth of experience required in the district's request for proposal. There is a difference in proposed annual fees with a relatively large swing factor if the next five years are taken into consideration (i.e., assuming the district decides to remain with the selected auditor after the first year). All things considered, staff recommended that the Board authorize staff to select the proposal submitted by the lowest bidder, Michael O'Connor of R.J. Ricciardi, subject to a satisfactory reference check. Director Comstock concurred. He noted that Nigro & Nigro had a "ding" in their peer review; he also noted that R.J. Ricciardi performs the audits of numerous local agencies and suggested staff focus on contacting local references.

L. Comstock/V. Amoroso all in favor authorizing staff to check references and, if the references are satisfactory, to accept the proposal submitted by R.J. Ricciardi firm to perform the district's audit for the fiscal year ending June 30, 2020.

15. Fiscal Year 2019-20 Memorandum of Understanding re: Compensation and Benefits between the BCPUD Board of Directors and BCPUD Employees.

Director Siedman said that the Personnel Committee recommends that the Board approve the memorandum of understanding for FY 2019-20. Staff noted the memorandum provides for an hourly wage increase of 3.5% (consistent with the San Francisco Bay Area Consumer Price Index), an increase in stand-by pay from \$53/shift to \$55/shift, an increase in cell phone reimbursement from \$35/month to \$43/month (the General Manager reimbursement will be aligned, from \$50/month to \$43/month), and one paid day of jury duty leave.

D. Smith/L. Comstock all in favor to approve the Fiscal Year 2019-20 Memorandum of Understanding re: Compensation and Benefits

16. Resolution 666: Approving the Fiscal Year 2019-20 District Budget.

L. Comstock/V. Amoroso all in favor to approve BCPUD Resolution 666, approving the Fiscal Year 2019-20 District Budget.

17. Resolution 667: Replaces Resolution No. 660, Stating the Current Rates and Charges for District Services and Authorizing Placement of Charges on the Marin County Property Tax Bill Where Appropriate.

D. Smith/L. Comstock all in favor to approve BCPUD Resolution 667, replacing BCPUD Resolution 660, stating the current rates and charges for District charges and authorizing placement of charges on the Marin County property tax bill, where appropriate.

18. Water Supply Update.

Nothing to report.

19. Volunteer Committee Reports:

-- *Bolinas Lagoon Advisory Committee*: Nothing to report.

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

-- *Resource Recovery*: The Bolinas Fire Protection District staff, BCPUD staff, Mike Aitken and Jeff Creque met recently to discuss concerns about the amount of green waste that may be delivered to the Resource Recovery site this Summer and Fall due to increased fire fuel reduction activities. The Resource Recovery project is able to process the green waste into compost, but the challenge is how to transport the compost to potential customers as it is very costly to do so -- as a result, the site often is at capacity. Jeff suggested approaching local farmers and ranchers to accept the compost and spread it on their properties (which has carbon sequestration benefits) if the Resource Recovery project is able to secure grant funding for the trucking.

The Board next reviewed a letter written by Jeff Creque in opposition to regulations proposed by the Bay Area Air Quality Management District; the proposed regulations were motivated by odor complaints at large compost facilities in the East Bay, but could put the Resource Recovery site out of business.

Staff is scheduled to meet tomorrow with the County's Zero Waste personnel to discuss new state regulations which require the composting of food waste and reduce diversions to landfill. The Resource Recovery project is not permitted to accept food waste. However, Jeff Creque has suggested some potential options involving food composting on local farms, which staff will raise at the meeting.

-- *West Marin Mosquito Control Coordinating Council*: Director Godino reported that Liza Goldblatt has drafted a letter that will go in the Point Reyes Light as a reminder to residents about mosquito control actions they can employ on their properties. She also reported that there will be a meeting of the Council in the Fall to review the annual report of the Marin/Sonoma Mosquito Vector & Control District. Director Godino left the meeting after providing her report.

-- *Land Stewardship Committee*: Nothing further to report.

-- *Internet Access Committee*: Director Comstock said he contacted Leighton Hill of Muir Beach LAN and he is trying to reach Inyo Networks, but there is no update at this time.

