

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
September 18, 2019 270 Elm Road, Bolinas

1. Call to Order.

7:31 p.m.

2. Roll.

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

3. Manager's Report and Project Updates.

-- East Tank Rehabilitation Project -- -- Proposal to Weld Interior Seams of New Roof Plates.

Staff reported that the repair of the East Tank roof is nearly complete. All of the replacement roof sheets have been fabricated, coated, installed and welded on the exterior seams. Late last week, staff authorized the welding of the interior seams at an additional cost of approximately \$10,200. It was determined that while welding is not required by AWWA standards (those standards allow for caulking of interior seams), those are minimum standards and there is the potential for caulked seams not to perform as well as welded seams. If the seams are welded, as long as the seams are then properly blasted and coated, they won't rust; if the seams are caulked, there is the potential for moisture to get behind the caulking if it degrades, resulting in rust. Staff noted that the only way to discover whether there is any rusting is by an interior inspection, which is costly, and the cost to repair interior rust resulting from failed caulking would be significant. All things considered, staff said the additional cost of welding the seams should be well worth the improved performance and reduced anxiety about future caulk failure. The interior welding is now underway and is expected to be finished by the end of the week. The project experienced two days of late starts due to the welding subcontractor's lack of preparation for confined space entry. Staff complimented the district's staff for enforcing these important safety requirements, noting that district staff has received extensive training on confined space entries. The district's engineer will inspect the welds because roof plate welds require a visual inspection by a "competent person" with experience and/or training to do so. After this, the containment will be re-established around the entirety of the tank and the blasting and coating will be completed.

-- Wastewater Pump Station Replacement Project.

California Coastal Commission ("CCC") staff confirmed that there was no appeal of the coastal permit issued by the County of Marin for the district's pump station replacement project, so the permit is now final and the district is clear to proceed. Staff met with the district's engineers on September 5th and carefully reviewed the latest design drawings, copies of which are in the Board binders. Staff identified some design changes needed and raised questions regarding the electrical sheets, so the engineers are following up on those comments. In addition, staff raised questions about the intake lines that are going to be floated on top of Pond 3 and connected via anchors to the sides of the pond; engineers responded via email last Friday and staff is analyzing the response. Gorman-Rupp has confirmed that it will honor its pump station price for another 60 days. Given the lead time needed for pump station, staff will set the bidding and construction schedule accordingly, likely putting the project out to bid in November, with bids due in either December or January, and construction in March or April 2020.

-- Woodrat Reservoir Rehabilitation Project.

The next step of this project is to install aeration at the reservoir prior to next summer. The district's consultant on this project, Eli Kersh, will be reviewing the district's most recent monitoring data (from samples taken at the reservoir), copies of which are in the Board binders. Director Smith observed that the data confirms that the reservoir is anoxic in summer and is consistent with the data Lewie Likover collected a few years ago.

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

No update at this time.

-- Alliance of Coastal Marin Villages.

The Alliance of Coastal Marin Villages ("ACMV") met on August 29th to plan for a then-upcoming quarterly meeting with Supervisor Rodoni on September 5th and for a meeting the ACMV will have on Monday, September 23rd with Supervisor Rice, the newly appointed California Coastal Commissioner. Topics of current concern to the ACMV and across the coastal communities include the impact of short-term rentals, the lack of affordable housing, and the changes proposed by the CCC staff to the "Environmental Hazards" ("EH") sections of the Marin County Local Coastal Plan ("LCP").

At the September 5th meeting with Supervisor Rodoni, the supervisor told the ACMV that the County plans to resume its work on the EH sections of the LCP later this year and will appoint a “working group” of local stakeholders to be part of that effort, which is expected to take place over the next three years. Supervisor Rodoni mentioned that the town of Manhattan Beach experienced similar “re-writes” of its LCP by CCC staff during the update process but ultimately was able to successfully update its plan without including all of the CCC staff re-writes.

ACMV members – particularly those from Bolinas, Dillon Beach, Marshall, Point Reyes Station and Tomales – told Supervisor Rodoni about extensive parking, traffic and trash problems during the summer season resulting from the ever-increasing numbers of coastal visitors. Marshall’s representative expressed strong concern about conditions imposed by CCC staff on the project to remodel the Marshall Tavern, including requirements to build a public dock with a concession stand and restroom, because Marshall cannot accommodate a public restroom on its limited wastewater system and there is insufficient parking to accommodate visitors to a public dock. Communities also reported concerns about wildfire preparedness in West Marin. Supervisor Rodoni said the County is working on a ballot measure to create a Joint Powers entity to address vegetation management and wildfire preparedness.

As for the upcoming September 23rd meeting with Supervisor Rice, the purpose is to introduce the ACMV representatives and let her know about the purpose of the ACMV, which is to advocate for local solutions to local coastal issues, and to serve as a communication conduit for, to and within the coastal communities.

With regard to general water operations, staff directed the Board’s attention to the most recent water consumption data, which indicates that consumption was down on the back of the Mesa (quarter ending in August) as compared to this time last year. The crew has been busy completing the disposal of “sludge” in the clarifier, supervising the East Tank rehabilitation job, and preparing for the abandonment of a hydrant and a section of the water main in the Juniper right-of-way near Ocean Parkway. Staff also has been dealing with a leak on a water line off of Mesa Road, uphill from the Woodrat Water Treatment Plant. The district historically had two water treatment plants, one for the Arroyo Hondo water source (located at end of paved portion of Mesa Road near the Coast Guard station) and another for the Woodrat Reservoir water sources (located near the current treatment plant site). It appears that a portion of the abandoned water line from the old Woodrat plant is still charged and is leaking. Staff is excavating in the area to locate all of the underground lines in this location and determine where the leak is so that the old water line can be completely and permanently abandoned. The work must be performed very cautiously so as not to damage the main water line from the treatment plant to the water storage tanks, particularly in light of the fact that the East Tank is out of service.

The district received the results from its 2019 lead and copper testing and reported the results to the customers who participated in the testing, copies of which are in the Board binders. Director Comstock asked if this test is focused on the water in people’s homes vs. the water supplied by the district. Staff confirmed that the sources of lead and copper are plumbing fixtures in customer homes; the district has no lead fixtures in its distribution system.

Staff reported that the new office computers have been installed and working well. Staff has been working extensively in recent weeks with the district’s bookkeepers to preparing for the upcoming audit of the district’s fiscal year 2018-19 financial statements. The audit field work is scheduled for September 26, 2019.

On the wastewater side of operations, the district purchased the new “spill equipment” approved by the Board at the last meeting. The district continues to spray, although spraying was suspended for two weeks in August to allow time for the fields to dry out and be mowed. Staff directed the Board’s attention to correspondence from Rebecca Ng, the Director of the Marin County Environmental Health Department in which she inquires about the district’s ability to “receive septage”. Staff advised Director Ng that since July 2016, the district has not accepted septage from any source due to the impact of same on the biological processes essential to the sewage treatment process at the district’s ponds. Staff also directed the Board’s attention to a copy of the letter previously approved by the Board concerning the district’s willingness to participate in a pilot septic system pilot program proposed by the Bolinas Community Land Trust (“BCLT”).

Staff recently met with Eric Miller, the new Senior Engineer at the County’s Department of Public Works (“DPW”), about a project to repave Hillside Road that was proposed, planned and funded by nearby residents (the project is now underway). Staff learned that DPW approved the residents’ proposal to divert drainage off of Hillside and into the County’s storm water drain on the “uphill” side of Hillside so that it does not flow via gravity toward Surfer’s Overlook. Staff was informed that the Save Terrace Avenue at Surfers Overlook Committee believes this diversion will benefit the road level retaining wall stabilization project and plans to recommend that \$8,200 be released from the remaining project funds to reimburse the Hillside property owners for the cost of this “drainage diversion” portion of the project.

There will be a meeting on October 2, 2019 at the Bolinas Fire House beginning at 6:00 p.m. for the College of Marin to present its current design for the replacement Field Station on Wharf Road. Director

Siedman said the “working group” of local residents reviewed the design and made recommendations, most of which were incorporated by the College. The outstanding concern of the local group is about a fence proposed by the College along the front of the property. The College has argued that security concerns require them to secure the building and full site when the building is not in use. Unfortunately, this fence will eliminate several “off street” parking places. Sherry Hirsch said that vandalism downtown is a real concern (she lives two houses away), but she thought the parking places were going to remain available. Director Siedman said there may be an opportunity to persuade the College to make the parking spaces available on the weekends.

The district’s assigned “risk manager” from ACWA/JPIA was in Bolinas for a site visit on September 4, 2019. The visit included a defensive driving course for district employees, which was held at the Fire House public meeting room and was open to neighboring districts. Operators from the Stinson Beach County Water District also attended.

The Board reviewed correspondence sent and received since the last regular Board meeting, including a letter of support written by staff in support of a grant application submitted by the Bolinas Fire Protection District to PG&E’s “Better Together” program for \$100,000 to buy a new loader for the Resource Recovery Project, and a letter from DeCarli’s about past-due payments from many years ago allegedly owed to the company by the BCPUD.

4. Community Expression.

Jennie Pfeifer announced that the Bolinas-Stinson Beach Union School District will hold a walk-out in protest of inaction on climate change on Friday, September 20, 2019.

5. Proposal to Lease BCPUD Lands (I. Rich) – *Recommendation of BCPUD’s Land Stewardship Committee.*

Staff reported that Ian Rich is out of town at this time and therefore unable to attend the meeting. Director Siedman directed staff to send Mr. Rich a copy of the committee recommendation, which is to not approve his lease proposal, and ask if he accepts it or would like to speak with the Board. The committee determined that the proposed parcels are not suitable for agriculture either because they are in the spray fields or in critical drainage ways.

6. Report on Implementation of Parking Regulations in Downtown Bolinas: *Update on County of Marin’s Refinements to Proposed “Measure X” Parking Regulations in Response to Coastal Commission Staff Comments.*

Bruce Bowser said that he and several other Bolinas residents (Al Minvielle, Sherry Hirsch and Joyce Clements) accompanied BCPUD director Lyndon Comstock and BCPUD staff to a meeting convened by Supervisor Rodoni last week to consider the CCC staff letter raising objections to some aspects of the proposed regulation of parking in downtown Bolinas. Numerous County personnel also were there, from the County Counsel’s office, Sheriff’s Office, Department of Public Works and Planning. Bruce said he and the other residents do not feel that Measure X is being implemented in a way that fulfills what people voted for. He said the “real answer” needs to include vehicle height and length restrictions in the regulations, but the County believes such restrictions would not be favorably viewed by the CCC staff. Bruce said the residents want to consult with their recently-formed group, the Bolinas Community Coastal Alliance (“BCCA”), and obtain the feedback of the members and provide a response to the CCC staff comments.

Sherry Hirsch said she wrote a letter summarizing how the concepts of Measure X might be able to be more enforceable, and a copy of her letter is in the Board binders. She noted that the current laws do not contain specific definitions of automobiles or pickups, which makes enforcement a big challenge. She said that while a previous effort in Bolinas (in 2005-2006) to implement a residential permit parking plan did not move forward due to opposition of CCC staff at the time, County Counsel seems to think the CCC staff viewpoint on such permit plans has changed. In fact, County Counsel said that hourly parking limits and residential permits might be workable. On the other hand, Supervisor Rodoni promised to have something in place by summer 2020 and changing tactics to pursue a residential permit parking plan would set back that timeline by at least a year. Sherry said she and a few others in the BCCA developed maps and tried to refine a plan to implement Measure X in a way that responds to the CCC staff concerns; they provided the maps to the County at the meeting.

Director Amoroso said he was recusing himself because he lives and works downtown and may have a conflict of interest as a Board member on this topic.

Sherry said County staff seems to be most concerned about CCC staff objections relating to public access and environmental justice issues allegedly posed by the implementation of Measure X. Director Siedman asked if the BCCA has conducted any research into other beach communities in California and how they are grappling with this issue; Sherry deferred to staff. Staff said that while other communities have implemented parking restrictions, the specifics of those restrictions depend on whether the

community is an incorporated city or town, whether it has off-street parking facilities, whether it has a budget for enforcement officers and permitting authorities and so forth. Because Bolinas is unincorporated and no agency in town has the authority to implement, administer or enforce parking restrictions, Bolinas therefore must rely on the County. The County is trying to help, but there are real issues to deal with; for example, hourly parking restrictions sound great, but with two deputies for all of West Marin, the ability to enforce hourly parking restrictions is very questionable (and the Sheriff's Office has been clear about the limitation on its resources). Also, CCC staff evidently indicated to the County that three hours is the minimum amount of time that parking can be limited because their studies indicate that three hours are needed for someone to comfortably visit the beach. Staff noted the County is trying to make some changes to the 72-hour parking rule, but any such changes would apply County-wide, so the full Board of Supervisors need to approve the changes.

Director Siedman asked about the County's response to the BCCA suggestions for vehicle height and length restrictions. He said the Board has photos provided by the BCCA of all kinds of extremely large vehicles parked on Brighton Avenue as a regular matter. Al Minvielle said the County feels the restrictions would not receive approval from the Coastal Commission, but he questions this because such restrictions are in place in San Francisco on the Coastal Highway. Staff noted that County Counsel said that the CCC staff does not believe there is a rational connection between the height of a vehicle and the availability of parking spaces which is why they oppose height restrictions (i.e., such restrictions seem targeted at something other than parking availability); in contrast, CCC staff might be persuaded that vehicle length restrictions are appropriate in specific circumstances.

Vic Amoroso said it seems the maps proposed by the BCCA would have the effect of moving the parking problem near the beach closer to his area of downtown and perhaps even over onto Wharf Road because there are no parking restrictions in those areas. Bruce Bowser said the intent was to show CCC staff that they are not trying to impose restrictions everywhere in town. Al Minvielle said that the parking problems downtown are exponentially worse now than they were just a few years ago. For example, on the Friday morning before the Labor Day weekend at 6:30 a.m., there were only three parking spaces available anywhere downtown. He said the character of the town is completely changed as a result and has become intolerable. He feels the only way to enact real change and reclaim the residential character of the town will be to legislate a vehicle length restriction

Director Siedman said the BCPUD Board has appointed committees and written multiple letters of support for parking regulations downtown, but the BCPUD does not have any actual power over these County roads. He questioned what the BCPUD actually can do to address this problem with "the powers that be". Director Comstock said Supervisor Rodoni convened the recent meeting because Measure X hit an unexpected road block with CCC staff; the County is now trying to tweak the language of the proposed parking ordinance so that CCC will support it. He noted that the BCCA representatives made valuable points at the recent meeting with the County: first, they had data in hand, photos of the large vehicles and maps about the available parking spaces, which was clearly appreciated by County staff. Also, the BCCA representatives were trying to think creatively about how to tweak and improve Measure X. Director Comstock said the County personnel reacted constructively; however, the question remains, what is the Bolinas community's opinion about the BCCA maps and suggested tweaks to Measure X? He noted the community generally seems to agree there is a parking problem downtown, but the community is not of one mind about what to do about it. On top of this, the County has its own set of issues as to what it has the capacity to do, and CCC staff seems to like to wait until years of local work are done and then weigh in with objections. Director Comstock said that Supervisor Rodoni wants to implement some form of parking restrictions that honor Measure X so that another advisory vote would not be required and he wants local feedback, hence the supervisor's office hours this Friday afternoon at the Community Center. He asked if the BCCA representatives are saying they would prefer that the County wait to press forward with any parking restrictions until more detailed and specific restrictions can be crafted?

Sherry Hirsch said that she thinks the BCPUD should urge the County to include language to make Measure X enforceable. Also, she thinks the town should weigh in as to where unrestricted parking areas should be located. Finally, she said the town should also consider designating an area where some of the displaced long-term parkers can go as an alternative. Al Minvielle said that the BCCA would like the BCPUD to ask Supervisor Rodoni to delay implementation of parking restrictions in order for the BCCA to better examine his ultimate proposal (presumably to be revealed at the Friday office hours) and have some aggressive problem-solving sessions. Director Siedman said the BCCA should tell Supervisor Rodoni this at his office hours on Friday. He said if the BCCA develops a parking proposal it wants the BCPUD to support, the Board will consider it. Vic Amoroso said that if the BCCA proposal deviates significantly from Measure X, another advisory vote will be needed.

7. Grant of Easement Agreement between the BCPUD and AMJT Capital, LLC (100 Brighton Avenue seawall repair project).

Director Amoroso rejoined the Board meeting.

Staff reported that AMJT's counsel provided copies of the exhibits referenced in the Easement Agreement this afternoon, so the district's counsel has not had time to review them. Director Siedman

therefore directed staff to defer this matter to the October meeting. Staff noted that CCC staff also has provided comments to the property owners which may result in significant changes to the design of the seawall. Director Comstock said the BCPUD's willingness to be a co-applicant on this project may change if the design changes are significant. Director Smith said the width of the top of the bulkhead now is about 10-feet and it sounds like the CCC staff wants that narrowed to about 6-feet, perhaps based on the Fire District comments about the minimum width needed for emergency access; however, an important objective of the bulkhead is public access for people who can't otherwise navigate the beach conditions, so the 10-foot width should not be reduced. After a brief discussion, director Siedman commented that the Board's willingness to be a co-applicant and execute the easement agreement may be withdrawn if the property owners agree to significant adverse design concessions.

8. Revised Form of BCPUD Letter to Customers re: Limited Water Use Permit Application Requirement for Projects Requiring a Coastal, Building and/or Use Permit from the County of Marin.

Director Siedman suggested that the draft letter be revised to indicate that it "may not" be necessary for applicants to attend Board meetings at which their permit will be considered, depending on the nature of their project, and that staff will let the applicant know prior to the meeting if they should attend. Director Smith said in general, if someone is not adding living space, the Board does not impose a limit on water use; that said, the Board wants to hear from customers to confirm the scope of their project. Accordingly, director Smith suggested that customers could sign an affidavit rather than attend the Board meeting. Director Godino said customers should not need to come to a Board meeting for minor projects. Director Comstock said he agrees with the objective of making the permit application process easier, but he is concerned an affidavit would not make things easier. He favors director Siedman's idea of directing customers to check in with staff as to whether their appearance is necessary.

Discussion ensued and staff noted that the incident at the prior Board meeting was the first time staff is aware of anyone being so displeased about attending a Board meeting. Staff said the Board should consider all water use permits at public meetings and noted that the Board necessarily relies on customers' permit applications, plans and statements about their projects to make appropriate decisions about limitations on water use. If applicants do not tell the truth on their applications or in the meetings about their projects, the Board cannot control that, but the Board can and should require detailed information from the applicant so that there is a record to support the Board's resulting permit decision. Director Godino said she appreciates these points and is persuaded to change her mind about the utility of customers attending the Board meetings. Director Amoroso said he prefers not to institute an affidavit system.

V. Amoroso/L. Comstock all in favor approving the revised form of BCPUD letter to customers, as clarified by director Siedman's suggestions, concerning the district's limited water use permit application process.

9. Update of the BCPUD's Sewer System Management Plan.

Staff presented a brief overview of the updated sewer system management plan, noting it largely updates staff contact information and other outdated provisions in the existing plan. As such, the revisions primarily consist of "housekeeping" changes to ensure the plan is current. Staff noted that next year the district is due to conduct its five-year recertification of the plan, and can make further (more substantive) revisions at that time if the directors would like to do so.

D. Smith/G. Godino all in favor to approve staff's update of the BCPUD's sewer system management plan.

10. Volunteer Committee Reports:

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

-- *Resource Recovery:* Staff attended a meeting with Marin County Zero Waste representatives, Recology representatives and Ed Schmidt from the Stinson Beach County Water District last month to discuss curbside collection of food scraps and implications for the Resource Recovery Project. Staff said the bottom line appears to be that haulers are going to be required by new state laws to offer curbside food scrap service to all customers and the only efficient way to do so will be to allow food scraps in the green waste cans. Unfortunately, the RRP cannot accept food scraps. As such, this may mean that all Recology-hauled green waste (with food scraps) will need to be hauled out of town and only self-hauled green waste will be brought to RRP. Staff will examine the financial implications of this consequence and discuss any options (including composting of food scraps on local farms) with Jeff Creque.

-- *West Marin Mosquito Control Coordinating Council:* Director Godino reported that the Council will hold its annual meeting on October 28th to assess the treatment activities of the Marin/Sonoma Mosquito & Vector Control District activity over the past year.

-- *Land Stewardship Committee*: The Board accepted the minutes of the most recent Land Stewardship Committee meeting.

-- *Internet Access Committee*: Director Comstock said he is recommending that folks with questions about the status of the fiber optic broadband internet project in Bolinas contact Leighton Hills at Muir Beach LAN for updates.

11. Other Business.

a. Board Committee Reports.

-- *Finance*: Nothing to report.

-- *Legal*: Nothing to report.

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

-- *Operations: Minutes of the August 15, 2019 Committee Meeting*.

Directors Amoroso and Smith offered clarifying revisions to the draft minutes of the August 15, 2019 committee meeting.

L. Comstock/D. Smith all in favor to approve the minutes of the Operations Committee, as clarified.

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

-- *Personnel*: Nothing to report.

-- *Sewer*: Nothing to report.

b. Minutes of the August 21, 2019 regular Board meeting.

Directors Amoroso offered clarifying revisions to the draft minutes of the August 21, 2019 regular meeting.

D. Smith/LC all in favor to approve the minutes of the August 21, 2019 regular Board meeting, as clarified.

c. Warrants.

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

d. Scheduling of Next Meeting(s):

October 16, 2019 at 7:30 p.m.

18. Adjournment.

9:21 p.m.