

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
April 15, 2020 270 Elm Road, Bolinas

In compliance with local and state shelter-in-place orders, and as allowed by the Brown Act as currently in effect under the State Emergency Services Act, the Governor’s Emergency Declaration related to COVID-19, and the Governor’s Executive Order N-29-20 (March 17, 2020), the BCPUD did not offer an in-person meeting location for the public to attend this meeting. The meeting was limited to essential district business items and was conducted by the BCPUD Board, staff and public via teleconference.

1. Call to Order.

7:30 p.m.

2. Roll.

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

3. Manager’s Report and Project Updates; *Coronavirus Impact on District Operations; Updated Emergency Notification Plan; Updated Operations Plan; Mutual Aid Assistance Planning.*

Staff provided an overview of the teleconference process and requested the public’s patience as the district implements this new process. Director Siedman asked the public to hold any comments or questions until he specifically states it is time for public comment or questions. He also asked anyone who may be trying to participate but is unable to do so to call the BCPUD office (415-868-1224) or send staff an email (jblackman@bcpud.org) and staff will attempt to resolve any problem.

Staff reported that on March 15, 2020, the BCPUD (an essential service provider) implemented Coronavirus protocols by closing the office to the public, postponing all Board and committee meetings and implementing procedures for proper disinfection protocols, use of personal protective equipment (“PPE”) and social distancing for BCPUD employees. Staff also began planning for possible mutual aid between local utility districts in the event of quarantined employees. As for district staff, the General Manager is working from the office during regular business hours 5 days a week; the office has been thoroughly cleaned and disinfected. The Administrative Assistant is working remotely from home other than two days a week, when she works from the office to maintain key functions she is not able to perform remotely. The district’s Chief Operator is working from home in observance of medical recommendations applicable to persons 65 years of age and older. The shift operators are working their regular schedules in the field, working largely independently, wearing PPE and using separate, disinfected trucks/equipment.

The district also updated the public about its Coronavirus protocols on NextDoor, the Bolinas Hearsay News and the BCPUD website; notices were posted around town as well. These notices included information to assure the community that the district’s treated drinking water is safe; to ask the community to conserve water as the district is concerned about the very low amount of rainfall received so far this year; and urgently reminding the public not to flush disinfecting wipes as they are *not* flushable – indeed, no wipes are truly “flushable” and they will cause damage to the district’s pumps if flushed..

Staff reported that the State Water Resources Control Board (“SWRCB”) has expressly informed the district that its water and wastewater services are essential functions, and that all district operations are ordered to continue in accordance with applicable safety recommendations and regulatory requirements. The SWRCB requested that the district update its Emergency Response Plan, which staff has done and SWRCB has approved the updated plan. The SWRCB also requested the district update its Operations Plan since the Chief Operator is working remotely; this is in process as a considerable amount of updating is necessary to reflect current operations (i.e., the pre-filtration coagulation treatment process, among other things). The SWRCB also conveyed numerous recommendations for pandemic planning, including that all districts identify back-up labs if needed to ensure uninterrupted service, conduct staff/resource sharing with neighboring water systems, cross-train employees on critical functions, communicate with critical supplies, and so forth. Staff has attended numerous industry webinars to ensure the BCPUD is following best practices and all applicable federal, state and local laws concerning the Coronavirus pandemic.

Staff said the SWRCB also advised the district to test and assess the back-up power sources at all of its facilities to ensure reliable service. Staff reminded the Board that the district recently replaced the generator at the WRTP and the new generator has been wired in and is working well. As for the Lift Station, staff recommended to the Finance Committee at a meeting on April 14, 2020 that the district replace the diesel generator at this location with a cleaner propane generator. Staff located such a generator, in stock, for \$21,000 from a nearby vendor; otherwise, new propane generators can be 12-16

weeks out. Staff is concerned about the possibility of an early fire season this year given the low rainfall received thus far, and the likelihood of more/more frequent Public Safety Power Shutoff notices from PG&E. The Finance Committee therefore has adjusted the draft update of the Five-Year Capital Improvement Plan to reflect that the district expend \$30,000 from sewer reserves now (to fund the propane generator purchase and installation), which will be repaid over the next two years.

Staff reported that the County of Marin significantly tightened its shelter-in-place order to address concerns about the disturbing influx of tourists to Bolinas (and elsewhere in West Marin) during the weekend of March 21st and March 22nd. The California Coastal Commission (“CCC”) also granted local authorities permission to restrict public access to the coast during the pandemic, as long as the responsible local authority notifies the CCC in writing about beach closure. Marin County has provided this notification to the CCC concerning the closure of Bolinas Beach.

On April 1, 2020 the BCPUD extended its office closure through May 3rd in accordance with updated shelter-in-place guidelines and instituted teleconference procedures for Board and Board Committee meetings. On April 2, 2020, Governor Newsom issued an Executive Order that suspends the ability of water service providers to terminate water service for non-payment by residential customers, as well as any qualified small businesses within a critical infrastructure sector. Director Smith commented that the order appears to limit the suspension of service terminations to the non-payment of bills only, so the district should be able to continue to enforce its limited water use permits by terminating service for customers in violation of the terms of their permits. Staff concurred, but noted that the district always attempts first to work with customers prior to shutting off water service for non-payment and/or for any water use permit violation issue. On April 2, 2020, the SWRCB also issued a recommendation that water suppliers start planning for potential financial/cash flow issues. Staff reported that the financial relief package recently approved by the Federal government for some business and individuals does not extend to special districts or local governments at this time. The Association of California Water Agencies (“ACWA”) is lobbying for financial relief for local governments and water systems.

The SWRCB also specifically instructed water systems of the need to continue with all essential procedures during the pandemic, including administration of cross connection control programs. The district has done so, and all required annual testing of backflow devices has been completed for the current year. That said, staff has determined that an updated survey of customers should be conducted to determine whether any additional backflow devices are needed and staff plans to mail out the survey to all customers by no later than April 30th.

On April 7, 2020, staff conducted a teleconference with representatives from the Inverness Public Utility District and the Stinson Beach County Water District to discuss mutual-aid planning. All three districts concurred that when the shelter-in-place orders are lifted and it is possible to do so in a safe manner, the districts should engage in cross-training of shift operators on the districts’ respective water systems so that all are better-positioned to continue operations in future pandemics or natural disasters.

Staff noted that the annual conference and Board of Directors’ meeting held each year by ACWA/JPIA in Northern California has been postponed from May to the end of July.

Staff directed the Board’s attention to a letter in the Board binders from the Bolinas Community Coastal Alliance (“BCCA”) expressing strong concerns about the continued vehicle camping on Brighton Avenue during the pandemic. Director Smith inquired whether the district has any information regarding the County of Marin’s closure of the public restrooms on Brighton Avenue (at the tennis courts) and installation of 6 port-a-potties at this location. He noted the BCCA letter raises this topic and he agreed the County’s action seems to send a mixed message. Staff will follow-up with the County.

Director Smith asked if the district has sufficient sodium hypochlorite on hand; staff said the district recently received a double order and staff will follow up with our operators to clarify the amount on hand. Staff commented that while the district currently has sufficient PPE in stock, staff is taking steps to ensure there will be a sufficient supply of the masks, gloves and disinfectant for employees.

With regard to current projects, staff directed the Board’s attention to a letter in the Board binders from Allied Engineers approving the Gorman-Rupp submittals for the replacement irrigation pump station. Staff has been informed that the station will go into production soon and will be delivered in August or September, 2020. Director Smith asked if the dispute concerning extra charges incurred by Allied Engineers has been resolved, and staff confirmed that it has.

As for the Woodrat Reservoir Rehabilitation project, the Moleare nanobubble unit has been installed and company representatives are scheduled to arrive tomorrow morning to start it up. The district will be pilot-testing the unit for three months to determine whether the district can improve the water quality in the reservoir. Per the direction of limnologist Eli Kersh, staff collected a month of baseline data per the recently installed remote monitoring system and water column samples to compare against data that will be collected once the nanobubble unit is operational. Staff is pleased this project is underway and staff anticipates the need to draw from the reservoir this year.

Staff noted that water consumption was down significantly in the last two months (Back of the Mesa and Downtown) which is welcome news given the low rainfall: the district has recorded 19.9 inches of rain as of the end of March, which is far below the annual average rainfall of 33 inches.

Staff reported that the district's annual water license reports were timely filed with the SWRCB on April 1, 2020.

Marin County Department of Public Works has announced its crews will begin implementing the overnight parking restrictions in downtown Bolinas as soon as next week. Staff will assist by alerting the community of the impending work via NextDoor and the Hearsay News. Staff also will ensure the installation work avoid district water and sewer facilities.

Director Smith asked whether the district has received the monthly water use data the Board requested for 61 Crescente; staff confirmed that this data was provided and the property owner used only 1000 cubic feet for the prior 3 months.

4. Community Expression.

None.

5. Request to Remove and/or Prune Hazardous Blue Gum Eucalyptus Tree in the Larch Public Right-of-Way -- 315 Larch Road near Vine Road (W. Poulsen).

Mr. Poulsen said the eucalyptus tree in question has been there for more than 50 years and there are continual issues with the tree roots damaging his water service line. He said that former BCPUD operator Bill Shoff moved the water pipes over the tree roots about 25 years ago. At current Chief Operator Bill Pierce's suggestion, Mr. Poulson said he obtained an arborist report attesting that certain limbs of the tree pose a direct danger to his house. Professional Tree Care Company has submitted a bid of \$8,300 to remove the tree and grind the stump. Mr. Poulsen said he favors removing the entire tree and the stump since the stump obstructs the water line.

Director Siedman asked the Board members for their comments. Director Godino noted the \$8,300 estimate and asked if neighbors had been approached for contributions as this usually is a condition required by the Board for tree removal projects. Director Comstock noted that \$8,300 is nearly half of the district's \$18,000 hazardous tree budget for the removal of only one tree. Director Smith questioned the need to remove the entire tree as this is a remote area (with little to no traffic) and the district could relocate its water line and meter for much less cost. Director Amoroso asked if has been confirmed that the tree is in the public right-of-way, and staff said it appears to be as best staff can determine without the benefit of a survey. Director Amoroso also asked if the tree poses a danger to property to Mr. Poulson's property. Mr. Poulsen said he believes the tree is in the right-of-way, not his property, and that he is not responsible for the tree. He said the tree does threaten his property – he asserted that if some of the branches were to fall off the tree they would fall right through the roof of his house.

Director Siedman said the arborist report provides two options to reduce the hazards posed by the tree: prune major portions or cut it down. Director Siedman noted that in the past the Board has looked to the adjacent property owner to contribute to the costs and proposed the Board do the same here. Discussion ensued, and Mr. Poulsen agreed that he would contribute financially to the project, noting that he already has paid more than \$400 for the arborist report.

L. Comstock/G. Godino all in favor approving the removal of the eucalyptus tree in the Larch public right-of-way near 315 Larch Road, with the district contributing 50% of the cost of the tree and stump removal as well as 50% of the arborist report, on the condition Mr. Poulsen pays the remaining 50% costs.

Mr. Poulson agreed to do so and thanked the Board.

6. Update on the BCPUD's Fiscal Year 2020-21 Draft Budget and Five-Year Capital Improvement Plan 2020-25.

Staff reported that prior to the Coronavirus pandemic, the Finance Committee had been poised to recommend a 10% increase in the water and sewer annual services charges to continue with the district's aggressive capital improvement planning and implementation. However, in light of the current and anticipated financial consequences of the pandemic, the Financial Committee met yesterday and agreed that it would not be a good time to propose any service charge increases. Instead, the committee adjusted the draft FY 2020-21 budget to continue current operations and continue moving the most important capital improvement projects forward while deferring contributions to reserves for some capital projects, and now recommends that the district not seek any increase to water or sewer service charge this year. In addition, the committee recommends the district reduce the septic/drainage service charge from \$70 to \$40 as the district has reserves to cover budgeted expenses (\$12,463) in excess of budgeted expenses.

Staff referred the Board to the revised draft FY 2020-21 budget in their binders. The draft budget reflects the Finance Committee recommendation that the district defer collection of funds for the following water system capital improvement projects as follows: (1) \$50,000 towards the water main replacement project engineering for the Bolinas Mesa (\$170,000 collected to date); (2) \$25,000 toward the SCADA project for Woodrat Water Treatment Plant (\$25,000 collected to date); (3) \$50,000 toward the purchase of a new backhoe or excavator (\$50,000 collected to date). In addition, the committee recommends the district use sewer reserves to purchase a propane generator for the Lift Station and repay those reserves over the next two fiscal years (\$15,000 per year), as previously reported by staff. The draft budget anticipates that the district will collect \$275,000 to pay off the East Tank Rehabilitation Project, \$20,000 to pay the remaining costs of the Woodrat Reservoir Rehabilitation project, and \$110,000 for the installation of the Irrigation Pump Station project.

Staff noted that the draft FY 2020-21 budget includes anticipated employee services costs, including the compensation of the district's current Chief Operator through the end of the 2020 calendar year, and his likely transition to a part-time consulting role for the district; the budget also anticipates compensating a new chief operator as of January 2021 and the new shift operator the district is in the process of hiring.

Director Comstock commented that while he agrees the district should not seek any service charge increases at this time, the district will likely need to access reserve funds to pay for capital improvement projects, as the need for such projects does not stop even when an emergency such as the Coronavirus pandemic occurs.

7. Update on the Hiring Process for BCPUD Shift Operator.

Staff reported that the district received five applications prior to the 3:00 p.m., April 3, 2020 deadline. The district formed a hiring committee consisting of the General Manager, Chief Operator and director Comstock. Due to conflicts of interest, Personnel Committee directors Siedman and Godino both recused themselves from the hiring process. Director Comstock, the alternate Personnel Committee Board member, graciously agreed to serve on the hiring committee. Applicant interviews are set for the week of April 20th.

8. Other Business.

a. Board Committee Reports.

-- *Finance: Second Quarter Financial Statements; Minutes of the February 25, 2020 Committee Meeting; Minutes of the March 10, 2020 Committee Meeting.*

With regard to the second quarter financial statements, staff noted that as of December 31, 2019, the district is right on track for budgeted expenses and revenue at this point in time.

Director Smith noted two typographical errors on the second page of the minutes of the February 25, 2020 Finance Committee meeting.

L. Comstock/D. Smith all in favor to approve the minutes of the February 25, 2020 Finance Committee meeting, as corrected.

L. Comstock/D. Smith all in favor to approve the minutes of the March 10, 2020 Finance Committee meeting.

-- *Legal:* Nothing to report

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

-- *Operations:* Nothing to report

-- *Park and Recreation:* Nothing to report

-- *Personnel: Minutes of the March 10, 2020 Committee Meeting.*

Director Amoroso offered clarifying corrections of the minutes of the March 10, 2020 Personnel Committee meeting.

V. Amoroso/D. Smith all in favor to approve the minutes of the March 10, 2020 Personnel Committee meeting, as clarified.

-- *Sewer:* Nothing to report

b. Minutes of the February 19, 2020 regular Board meeting; Minutes of the March 5, 2020 Special Board meeting; Minutes of the March 12, 2020 Special Board meeting.

Director Comstock and Smith offered clarifying corrections to the minutes of the February 19, 2020 regular Board meeting.

D. Smith/L. Comstock all in favor to approve the minutes of the February 19, 2020 regular Board meeting, as clarified.

Director Amoroso offered clarifying corrections of the minutes of the March 5, 2020 special Board meeting.

G. Godino/D. Smith all in favor to approve the minutes of the March 5, 2020 special Board meeting, as clarified.

L. Comstock/V. Amoroso all in favor to approve the minutes of the March 12, 2020 special Board meeting.

c. Warrants.

Director Smith moved to approve the warrant list and director Comstock seconded. Director Smith inquired about the payment to vendor Jackson Lewis. Staff explained that this is the firm's outside employment counsel.

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

d. Scheduling of Next Meeting(s): May 20, 2020

9. Adjournment.

8:53 p.m.