

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
July 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.

- *Water Consumption and Status of Heightened Water Conservation Alert.*

Staff updated the Board on the status of water consumption in the district in response to the Heightened Water Conservation Alert issued by the Board in June. For the first half of July 2020 (July 1 – July 15), consumption averaged approximately 180 gallons per day per property across the district. This is a welcome trend down in consumption as compared to June 2020 – staff noted that during the first half of June, consumption averaged approximately 216 gallons per day per property, and during the second half of June consumption averaged approximately 202 gallons per day per property. As such, water consumption has declined approximately 17% during a time when the district ordinarily experiences its highest consumption (i.e., the middle of summer), so staff is very encouraged by the community's response to the district's conservation alert. That said, staff would like to encourage further conservation down to a target of 170 gallons per day per property, which is about 100,000 gallons per day overall for the town.

Staff directed the Board's attention to an update staff has prepared for distribution to the community via the press, social media and postings in town to let customers know how their conservation efforts are going. At the office level, staff is focusing time and effort on engaging with the 30 highest water users in the community, 24 of which are single family residents. Staff noted that these 30 customers constitute 5% of the district's customers overall and, in June, these customers collectively used an average of 24,321 gallons of water per day. In other words, 5% of the district's customers are using nearly 25% of the district's targeted daily water supply for the entire community; staff said that because they are having a disproportionate impact on the town's water supply, it is only fair to ask them to conserve more than customers using far less water.

The Board reviewed water consumption for the most recent quarter and, as expected, consumption for April, May and June (in the downtown area) was up dramatically as compared to last year; however, that consumption was not as high as during the same time period in 2018. Staff reminded the Board that 2019 was a heavy rainfall year (41.90 inches) and therefore consumption was low during this quarter in 2019, whereas 2018 was a low rainfall year (28.30 inches), hence the high consumption during the same quarter in 2018. This data underscores how responsive water consumption is to weather conditions and indicates that the primary reason for the jump up in consumption at this time of year is likely due to landscape irrigation.

- *East Tank Rehabilitation Project.*

Staff directed the Board's attention to the meeting binders in which there is a report from the district's engineer and inspector regarding the status of the East Tank and a detailed inventory of the outstanding repairs needed. Staff submitted this report to the project contractor and the painting subcontractor and a site meeting was held last week (on July 8th). At this meeting, the contractor and subcontractor agreed to perform all repairs and apply a full final exterior coating of the tank. Per the advice of the paint manufacturer, inspector and engineer, the district agreed to allow this work to be done without containment, but only if weather conditions are appropriate. Director Comstock said he was disturbed to see so much rust documented on the tank and asked what this implies for the future. Staff emphasized that the job is not yet complete and the very purpose of an inspection at this stage is to identify any outstanding issues (such as rust) that need to be corrected before the job is accepted. After a brief further discussion, the Board directed staff to confirm the scope of the coating warranty with the district's engineer.

- *Woodrat Reservoir Rehabilitation Project: Update on Nanobubble Pilot Project.*

After a promising start, the district has hit a setback on this project. The Board received a memorandum from the district's limnology consultant, Eli Kersh, which outlines the chronology of events on this project: (1) the monitoring equipment was installed on March 16th and azolla was removed from the surface of the reservoir; (2) the nanobubble unit was installed on April 15th and the dissolved oxygen levels rose appreciably for the next two weeks; notably, however, the azolla had grown back to about 25% coverage of the reservoir surface at this point; (3) a power outage occurred on April 30th so the equipment was not functioning for a period of time; there has been a steady decline in the dissolved oxygen levels in the reservoir since this date and azolla had grown back to about 50% coverage of the surface of the reservoir; (4) a site visit from Moleaer on May 21st confirmed the nanobubble unit was not functioning properly (it was not oxygenating as it should) and the azolla had reached about 85% coverage of the surface of the reservoir; and (5) Moleaer returned to the site in late June to install an upgraded oxygen generator; by this point, the azolla had grown back to 100% coverage of the reservoir surface. At this point, staff said it is not yet possible to know exactly what is going wrong and more time is needed to evaluate all of the factors; in the meantime, Moleaer is going to submit a revised proposal to extend the pilot project.

Staff presented a proposal from the engineering firm Tully & Young, the firm now engaged to prepare and submit the district's annual water license reports, for the installation of digital direct read water level gauges to comply with the monthly monitoring and reporting requirements applicable to the district's stored water supplies (i.e., its reservoirs). The district has met this reporting requirement thus far by having staff shoot water level elevations in both reservoirs on a monthly basis with a laser level and mathematically calculate the required data, but this is time-consuming and would be greatly simplified (and more accurate) with the recommended equipment. The cost of the proposal is \$5775 and staff intends to authorize the project to proceed unless the Board would prefer to agendaize this project for discussion at a future meeting. Otherwise, Tully & Young can install the equipment at the end of the month. The Board had no objection.

Staff reported that water treatment plant technician John Lewis came to the Woodrat Water Treatment Plant for his annual site visit on June 22nd and he conducted training sessions for the new shift operators. He also diagnosed a problem the district had been having with air hold test failures on one of the four plant filters – the failures were caused by an aged filter block, which essentially is the “housing” for the six membranes in each filter, and the block needs to be replaced at a cost of \$3680, including \$500 in shipping fees. The new block has been ordered and staff will install it when it arrives.

The operations staff has been very busy reading water meters in town to monitor consumption and conducting water audits to help people reduce their consumption. Staff noted that there are heightened concerns in Marin County about the impact of the Coronavirus pandemic as there has been a rise in infection rate. Staff is working on revised protocols for employee safety as Fall/Winter approaches, as many public health professionals seem to believe this will be a very challenging period.

As for the tree removal at 315 Larch Road, the project was completed this week. The contractor encountered complications during the stump grinding – most of the roots are under Larch Road and they are huge. It would have destroyed the road to grind out all of the roots, so staff directed the contractor to stop and staff is evaluating whether to move the meter serving this property to facilitate the placement of a new water service line, or simply trench through the heavy root system of the now defunct tree.

- *Alliance of Coastal Marin Villages.*

The Alliance of Coastal Marin Villages (“ACMV”) had its quarterly meeting with Supervisor Rodoni via Zoom this past Monday, July 13th, and a wide range of topics were discussed. Supervisor Rodoni opened the meeting with an update on the rising number of Coronavirus cases in Marin. The County has been placed on the state's “watch list” as of July 5th due to this increase in cases; as such, indoor malls have been re-closed, along with non-essential offices and personal service (unless performed outdoors). The supervisor reported that 95% of fatalities from the virus are persons over 75 years of age and 75% of all cases in Marin are in the Latinx community. ACMV members asked the supervisor if the County could supply signs with messages such as “Wear A Mask, It's the Law” for posting in the downtown West Marin communities. Supervisor Rodoni said the County is working on this and staff received an email notification this morning from the County Sign Shop stating that signs will be distributed throughout West Marin in the next few days. Enforcement will be a challenge; rather than a misdemeanor violation, the County is considering a civil fine system which it believes will be easier to enforce.

ACMV members raised concerns about the increase in tourism to West Marin during the pandemic and Supervisor Rodoni said there is not much the County can do unless there is another statewide lockdown. The supervisor stressed that public health officials believe the risk of transmission is low from outdoor visitation and he encouraged anyone concerned to protect themselves by not going to crowded places. Supervisor Rodoni was complimentary of the West Marin businesses for their safe and careful re-openings to the public.

With regard to current projects impacting West Marin, the supervisor noted that Sir Francis Drake Boulevard in the Point Reyes National Seashore is closed for resurfacing from Drakes Beach to lighthouse. PG&E plans to conduct flyovers over its high voltage lines on July 21st to pre-inspect those lines in anticipation of possible public safety power shutdowns (“PSPS”). PG&E also plans to install equipment to create “micro-grids” to minimize the number of customers who lose power during PSPS events – Marin County pushed for this because at present 98% of Marin customers lose power during PSPS events. Supervisor Rodoni reported that vegetation management and other fire season preparation activities in Marin County have wrapped up for the 2019 year and work is being assessed for the work needed in the Fall of 2020. As for the new Marin Wildfire Prevention Authority, Supervisor Rodoni is the Vice Chair of the Board; the Authority recently issued an RFQ for its Executive Director and received 81 applications.

Finally, Supervisor Rodoni said that the Community Development Agency (“CDA”) is preparing for the resumption of negotiations with California Coastal Commission over the update to the County’s Local Coastal Plan, which most likely will resume in early 2021. Also, he reported that CDA director Brian Crawford will retire at the end of August and deputy director Tom Lai will be interim director pending a national search to replace Director Crawford.

The Board reviewed correspondence sent and received since the most recent meeting, including an email from Veronica Pearson at Marin County Parks with an update on the North End Project, which will eliminate the cross-over road to Highway 1 and redesign of the intersection to the north. Virtual public meetings will be held about the design of the project, probably in the first week of September. The district also received a written request from Mickey Murch to renew his lease of BCPUD lands, which expires on June 15, 2021. The Board also reviewed correspondence from the County’s Environmental Health Services (“EHS”) department concerning a recent inspection of the Resource Recovery Project (“RRP”) site; the site received a notice of violation for insufficient training records, so Jeff Creque plans to conduct a training there next week and the documentation thereof will be submitted to the EHS.

Staff directed the Board’s attention to email correspondence from David Duffin about recent work performed at Mesa Park by many of the local dirt-bike riders and their parents. Staff had reached out to Mr. Duffin to request his assistance with directing the kids off of the BCPUD’s sewer pond property due to numerous complaints about speeding and related unsafe behavior. Staff therefore wanted to be sure the Board was aware of Mr. Duffin’s email with many positive details about the young riders.

Director Comstock asked if there is any update on the irrigation pump station project. Staff reported that staff had a call with the engineers last Friday; the pump station is under construction with delivery expected in September. Staff is working on the bid package and expects the project will be installed this Fall. Director Comstock inquired about the current odor at the sewer treatment ponds. Staff reported that the aerator in Pond 1A recently broke down and is the reason for the odor; a replacement aerator has been moved to Pond 1A and should have a positive impact soon.

4. Community Expression.

Arianne Dar said that the Bolinas Community Land Trust (“BCLT”) would like to know if there is any update on the Septic Pilot Project and the role of the BCPUD as a “managing entity” to limit water to participating properties. Staff said the district’s attorney is analyzing the enforcement options as the BCPUD’s current regulations require the district to follow a minimum 60-day termination of water service protocol; it isn’t yet clear whether BCPUD is authorized to immediately terminate water service to participating customers. Arianne asked if there is any way for the BCPUD to restrict the flow of water to the allotted amount so that customers cannot violate their water use limits. After a brief discussion, the Board directed staff to seek legal advice for the district with regard to its enforcement rights. Director Smith noted that customers participating in the pilot program essentially would waive their rights to the 60-days’ notice.

Janine Aroyan asked about the sewer system capacity study discussed last Fall and whether it was ever carried out; she recalled the study needed to be conducted in the winter to analyze current infiltration and inflow. Staff reported that the cost estimates from engineers for this study were very high and then the winter was so dry it turned out to be a poor year to try and run the study; for both reasons, staff recently resolved that the first step should be to meet with the Regional Water Quality Control Board (“RWQCB”) regulators to obtain guidance about what, if anything, they need from the district to determine whether the BCPUD can add the customers on Canyon Road with a goal of saving the expense of an extensive study if the RWQCB is willing to allow a small number of new connections.

5. Update on California Coastal Commission (“CCC”) Permit Decision on July 9, 2020 re: 100 Brighton Avenue Seawall Repair: *Are the Permit “Special Conditions” Acceptable to the BCPUD? Letter from the BCPUD to the CCC re: Commissioner Comments That Public Testimony from Bolinas Residents Was “Not Organic” but rather “Gamed” by the Property Owner.*

Director Siedman reported that the CCC hearing on the permit application for the seawall repair at 100 Brighton Avenue occurred via Zoom and was about three and half hours long. He noted that there was considerable discussion about the width of the seawall and testimony was provided by local residents in favor of retaining the current width because that would accommodate the on-going, multiple uses of the wall, including but not limited to access to the upcoast beach, emergency access for first responders, recreational uses such as fishing, gathering when the tide is high, and so forth. Director Siedman said that CCC staff issued some amendments to its recommendations about the permit at 9:30 p.m. the night before the hearing which caused some confusion and which the BCPUD did not have time to fully absorb before the hearing started. CCC staff repeatedly said during the hearing that BCPUD's concerns about legal and financial responsibility were addressed via the amended recommendations, but director Siedman said that it is not at all clear this is true; overall, he said, it was very difficult to understand what the CCC actually approved and/or did not approve. As for the related agenda topic of the commissioner comments, director Siedman said two of the commissioners made rude comments suggesting that the permit was really about a rich guy in town who hired people to testify for his project, which director Siedman said was quite insulting. Director Siedman said the people in town who testified at the meeting are well known in the community and none of them were paid or influenced to do so – as such, staff has prepared a letter taking issue with the commissioner comments.

Staff concurred with the fact that there was insufficient time for the BCPUD to assess the amended document issued by CCC staff at 9:30 p.m. the night prior to the hearing. At the hearing, staff said the applicants (AMJT and the BCPUD) were allowed a total of 15 minutes to make their presentations. AMJT went first and highlighted five issues of concern with the permit as recommended by CCC staff: (1) the width of wall, (2) the location of a portion of a fence and shed now known to be encroaching onto the BCPUD's property, (3) the location of a privacy fence behind the seawall, (4) the removal of an upcoast wooden groin unrelated to project; and (5) a redevelopment date measured as of January 1, 1977 (when the Coastal Act went into effect) rather than as of the date the permit for the project is issued.

Staff noted that when it was time for the BCPUD's presentation, director Siedman was unable to join the meeting due to internet connectivity problems so AMJT's counsel had to jump in; this was very unfortunate as it was a missed opportunity for the BCPUD to speak for itself as to its issues of concern. Public testimony then ensued, most of it by local residents in favor of the AMJT/BCPUD permit application and most of it submitted via pre-recorded video out of specific concern that the notoriously poor internet service in Bolinas would preclude the public from otherwise testifying remotely (a concern that was validated by the inability of director Siedman to make the BCPUD's presentation). The videos were filmed by a local college freshman and numerous local residents testified as to why they are in favor of repairing the seawall in its current footprint.

Extensive discussion then ensued during the hearing with various Commissioners questioning CCC staff extensively about project details and particular aspects of the CCC staff's recommended special conditions, including those in the addendum issued the night prior to the hearing. Staff is still evaluating this, but it appears mistakes of fact and possibly mistakes of law were made during this portion of the hearing. For example, in response to questions from Commissioner Rice and others, CCC staff said the special conditions had been modified to place all responsibility for the construction and maintenance of the seawall on AMJT, but this is not correct. Also, CCC staff represented that narrowing the width of the seawall will result in more beach for the public, but this is not factually accurate at this location. The CCC staff also was unwilling to acknowledge any of the recreational uses of the seawall.

Staff does not have a specific recommendation as to next steps at this time; however, if the Board should wish to seek reconsideration of the CCC decision (once it is understood exactly what the CCC decided), it must do so within 30 days of the hearing, or by August 7, 2020 (since August 8, 2020 is a Saturday).

Director Siedman said staff has prepared a letter addressing the unfair and untrue statements made by two of the Commissioners during the hearing in which they questioned the authenticity of the local public testimony; he said he supports sending such a letter. Director Smith agreed and said the letter is very good; he noted one typographical error. Director Comstock concurred that the letter should be sent; he offered minor clarifications of language and suggested the letter should be published in the Hearsay News and on Nextdoor so that the public is informed about the Board's concerns as to how the public's testimony was characterized by these Commissioners. Director Godino endorsed sending the letter and suggested it also be sent out more widely than just the local media as she found the Commissioners' comments to be really egregious; for example, she suggested sending the letter to Governor Newsom as this is a state agency that arguably no longer functions as it was authorized to do when the people of California voted to create it decades ago. Discussion ensued and the Board ultimately directed staff to send the letter to the Chair of the Commission and distribute it to the Hearsay News and Nextdoor.

L. Comstock/G. Godino all in favor approving the letter from the BCPUD to the Chair of the California Coastal Commission with the revisions suggested by directors Smith and Comstock.

6. Request for BCPUD Support for the Establishment of a “Community Services Officer” position at the County of Marin to be Assigned to Downtown Bolinas and Bolinas Beach. (Bolinas Community Coastal Alliance).

Director Siedman commented that he wrote an article in the Hearsay News twenty years ago concerning the concept of a Community Services Officer, meaning a local person appointed/empowered to enforce parking violations and other matters at the beach that do not require a deputy sheriff’s intervention; the position could potentially pay for itself by the fines collected from the parking violations. Director Smith said he thinks this is a good idea, but noted that the Sheriff’s Office always pushes back and says only a deputy can fulfill this role and his office does not have resources for such a position. Discussion ensued, with directors raising questions about the logistics; for example, who would employ this officer, would the position have benefits, whose budget would pay for the officer and so forth? Director Godino noted that the right person in this job could make a real difference, but if the person encountered a lot of pushback in the position, how would that be resolved? She said she supports the concept in principle, but the details are considerable and will need to be worked out. Director Amoroso suggested a meter maid may solve the problem and he would support such a position. Director Comstock said the Sheriff’s Office is likely to resist the establishment of a Community Services Officer as a form of “defunding the police”. That said, he believes the police generally are poorly equipped to handle a lot of the issues they are tasked with handling; a paramilitary force should not be handling social service issues, he said. Director Comstock said if the town wants such a position, it will need to make a compelling argument to the Board of Supervisors to overcome anticipated sheriff resistance to the idea. Director Siedman said it sounds like the Board members support the concept of a Community Services Officer and should inform the Bolinas Community Coastal Alliance accordingly. Director Amoroso said his support is for the enforcement of parking regulations (not a broader mandate).

Bruce Bowser said that he, Sherry Hirsch and Al Minvielle are all in attendance and they all are members of the Residential Permit Parking Plan Committee. He explained that the idea for a Community Services Officer arose out of discussions during Committee meetings about how to deal with increased visitation, rowdiness, and so forth; they modeled the Community Services Officer proposal on similar positions in other counties. Director Siedman said the Board supports the idea in principle, but the details need to be worked out; he suggested perhaps the Committee should ask Supervisor Rodoni for input and support. Director Smith clarified that the Board does not support the concept of a private security guard to enforce matters beyond parking violations. Bruce said that someone is going to need to enforce Measure X now that the signs have been posted, but no one is doing that, nor is anyone citing cars illegally parked in driveways or elsewhere. He noted there is yet another newly-appointed lieutenant for West Marin so the learning curve is steep there again right now. Director Smith said it seems the Sheriff needs to be convinced it would be a good idea to support the Community Services Officer position.

Sherry Hirsh said the Committee was looking at this position as one aligned with the Sheriff’s Office but more community-based. She said the impetus for this now is the redirection of law enforcement funds in the current environment; it is hard enough already to get the deputies out to Bolinas when needed. Also, given the Coronavirus pandemic, there are concerns about enforcement of face-coverings. The BCPUD’s support of the Community Services Officer concept will be very critical to moving the concept forward with the County. Now, she said, community members need to step up and evaluate the concept and decide if they support it when the details are worked out.

7. Bolinas Community Land Trust (“BCLT”): *Report on BCLT’s Installation of a Water Well at 31 Wharf Road and Proposal for a Potential Community Water System.*

Arianne Dar reported that the BCLT drilled a test boring and installed an 8-inch diameter pipe for a possible water well to serve the BCLT’s planned development at 31 Wharf (as an alternative to or supplement to the existing water meter). She said the County of Marin has advised that the BCLT can permit a domestic water well to serve a maximum of 4 units; if the BCLT would like to serve all 8 of the planned units by this well, it must be permitted by the State Water Resources Control Board (“SWRCB”) as “community water system” (“CWS”). Because the property is inside the district of the BCPUD, the SWRCB would want the BCPUD to be the permittee rather than the BCLT. Arianne noted the water well may be able to provide surplus water to the BCPUD, which could be of benefit to the entire community. In response to questions from directors, Arianne said the BCLT is planning eight units at the site: four of the units will have 2 bedrooms and four of the units will have 3 bedrooms, for a total of 20 bedrooms. In addition, there will be some commercial space, so the number of people to be served is impacted by this, as well.

Director Comstock said he thinks it is great that the BCLT is trying to find an alternative water source for its project and that the BCLT has offered to share any benefit with the entire town. He noted that the BCPUD spent a lot of time and money evaluating the irrigation well just up the street at the Resource Recovery Project (“RRP”) site with less promising results than originally hoped, particularly given the risk of seawater intrusion. Arianne said she is aware of the circumstance there; she noted the BCLT has not yet tested the well it installed and it may be served by a different aquifer. She said she feels it is worth determining how much water is there and the BCLT would like to work in partnership with the BCPUD in that effort. Director Godino said this would seem to be part of BCPUD’s on-going responsibility to investigate potential water sources. Director Comstock agreed, noting this is why the BCPUD spent the time and money it did on

evaluating the RRP well; that said, he is skeptical that the well at 31 Wharf will be able to serve more than the current planned development based on the RRP well evaluation results. Director Comstock emphasized that he supports the BCLT's efforts to permit a CWS and believes the BCPUD should cooperate.

Director Smith agreed that the district should explore the potential of this well with the BCLT, noting that it is possible the well site at 31 Wharf would be more productive than the RRP well as it also may be part of the aquifer flowing from Spring Road and because it is much shallower. He commented that the treatment of well water is much easier and less expensive than treating surface water and that if the well is sufficiently productive, it may be possible to plumb it into the BCPUD water distribution system at Wharf Road after a simple chlorination process.

Arianne said the BCLT has received a quote of \$7,000 - \$8,000 to conduct the initial testing needed to permit the well as a CWS. She noted that is a lot of money to spend if the BCLT does not have the support of the BCPUD to create a CWS. Director Comstock asked what sort of obligations the requested support by the BCPUD would entail for the district. Arianne said that the BCLT would operate and maintain the water well, but it would be under BCPUD auspices. Director Siedman cautioned about a potential risk to the BCPUD in the future: if the well is permitted but then fails to produce sufficient water for the development at 31 Wharf Road, the people depending on that water might seek to petition the BCPUD for that water, which would raise serious moratorium issues. Director Smith suggested that the water meters originally intended for that project could be required to be held on "stand by" to ensure the well water source is sufficiently reliable. Director Siedman said it could require several years to determine the sustainability of the well. After further discussion, director Siedman said the sense of the Board appears to be conceptually supportive of the BCLT's water well, but directors want to see how the well produces over at least a year. He isn't sure the BCPUD can be a partner with the BCLT on the well, but the district could support the BCLT's efforts to permit it as a CWS.

Arianne asked if there is any financial support the BCPUD can provide for the testing. Director Amoroso queried why the district would do so - -wouldn't then this set a precedent for the district to support other property owners seeking to install wells on private property? Director Smith said he believes the BCPUD has an obligation to financially support this well as part of its responsibility under the moratorium to explore additional water sources because there are some indications that this well has the potential to produce extra water to benefit the community by supplementing the district's existing water sources. Director Siedman asked how much support the BCLT is seeking. Arianne said she has a quote of \$7,000 - \$8,000 for the initial testing required for a CWS, which the BCLT plans to do during the dry season over the next few weeks; that said, it sounds like the BCPUD is suggesting testing that would continue over an entire year to determine the sustainability of the well. Director Smith said he believes the longer-term testing would be much like what the district does at the RRP irrigation well, which is to measure the water table depth and salinity on a monthly basis, which is not very time-consuming or expensive. Director Smith estimated that the time needed to conduct the testing is approximately 30 minutes of BCPUD staff time per month; he said this type of testing should enable the BCLT to determine the sustainable yield of the well and he volunteered to help with this effort by maintaining the data as he does for the BCPUD.

BCLT Board member Howard Dillon commented that it does seem like the BCPUD has an obligation to help the BCLT investigate the potential of the well in light of the potential benefit to the town. He noted that the Francisco Mesa is on a different geological formation than the RRP irrigation well so there could be a different aquifer supplying the BCLT well. Arianne said she would like to get a statement from the Board that the BCPUD is willing to support the BCLT in its pursuit of a CWS permit with the SWRCB. After a brief discussion, it was agreed that Sean Kennings, consultant to the BCLT, would draft a statement for the BCPUD to consider at an upcoming meeting. Directors Smith and Comstock suggested that this statement should remind the SWRCB that the BCPUD has a moratorium on new connections due to its limited water supply, which is why the BCLT's application to permit a CWS inside an existing district is not "competitive" with the existing district (i.e., the BCPUD). Director Comstock emphasized that the more difficult issue is to ensure the BCPUD is not put in a situation where it acquires any obligation to provide water that it cannot meet.

8. BCPUD Response to 2019-20 Marin County Civil Grand Jury: *Follow-Up Report on Web Transparency of Agency Compensation Practices (Recommendation 7).*

Staff reported that the Marin County Civil Grand Jury has been reviewing and studying public agency compensation practices to encourage full transparency of how these agencies compensate their elected Board members and their employees. The BCPUD was not audited in this report; rather, the BCPUD was asked to review its website for compliance with the high level of transparency standards recommended by the Grand Jury and asked to respond whether its website complies with the standards. Staff evaluated the district's website and, as recommended by the Grand Jury, staff made two changes to the district's website. These changes are the inclusion of a prominent link to the *publicpay.ca.gov* website where the BCPUD's Board and staff compensation is detailed, and an update to the district's Board webpage to make clear that directors only receive a \$250 monthly fee and reimbursement of any expenses related to their duties for their service, and nothing else. Staff recommended the Board respond to the Grand Jury report by indicating the district agrees with all of the report findings and has implemented Recommendation 7.

V. Amoroso/L. Comstock all in favor to approve the BCPUD's Response to the 2019-20 Marin County Civil Grand Jury: *Follow-Up Report on Web Transparency of Agency Compensation Practices (Recommendation 7)*.

9. BCPUD Resolution 173: Amendment to Enhance Enforcement Procedures.

Director Siedman noted that in the Board binders is language to amend the BCPUD's process for enforcing limited water use permits by shortening the time frame for compliance and enhancing the district's monitoring procedures. Director Siedman inquired whether the district legally can shorten the notification period of potential permit revocation from 60 days to 30 days for customers in violation of their permits. Director Smith agreed and said he added up all the time needed under the district's existing resolutions and procedures (including BCPUD Resolution 312) about how long it would be after the customer is found to be in violation of their limited water use permit until the water could be turned off and it would be 5.3 months, which is far too long to be a useful enforcement tool. Discussion ensued and the Board directed staff to work with the district's outside counsel on how the district can reduce the various notification timeframes to speed up its enforcement process and bring a revised recommendation to the Board at a future meeting. Director Comstock asked for counsel to advise whether, if the reason for shutting off water is not due to a failure to pay but rather for violation of a permit, does that make a difference with regard to the notification periods? Also, if the district declares mandatory rationing and a customer is exceeding the ration amount, does that make a difference?

10. Five-Year Update and Recertification of the BCPUD's Sewer System Management Plan.

The Board deferred consideration of the item to a special meeting of the Board to be held on July 23, 2020 at 2:00 p.m.

11. Amendments to the BCPUD's Accounting Controls Procedures and Policies.

Staff reported that every year the district's auditors make recommendations about how to improve the district's internal controls. Last year, the auditors made three recommendations: review district policies and procedures to (1) ensure timely review, reissuance and/or voiding of outstanding un-cleared checks; (2) ensure proper check sequencing is observed, and (3) ensure payees cannot self-approve reimbursements. Staff reviewed the BCPUD's Accounting Controls Procedures and Policies and made the necessary changes, along with additional small updates and recommended the Board approve the amendments.

L. Comstock/D. Smith all in favor to approve the amendments to the BCPUD's Accounting Controls Procedures and Policies.

12. BCPUD Resolution 674: Approving the 2020-21 District Budget.

L. Comstock/V. Amoroso all in favor to approve BCPUD Resolution 674.

13. BCPUD Resolution 675: Replaces Resolution No. 667, Stating the Current Rates and Charges for District Services and Authorizing Placement of Charges on the Marin County Property Tax Bill Where Appropriate.

Staff noted that Exhibit A to Resolution 675 has been updated to include the sewer connection charges (treatment and collection) through 2050.

D. Smith/L. Comstock all in favor to approve BCPUD Resolution 675.

14. Other Business.

a. Board Committee Reports.

- Finance: Staff reported that the district's fiscal-year end was June 30, 2020 and staff is now preparing for the FY 2019-20 audit of the district's financial statements.
- Legal: Nothing to report.
- Mesa Septic, Flood Control and Roads: Nothing to report.
- Operations: Nothing to report.
- Park and Recreation: Nothing to report
- Personnel: Nothing to Report.
- Sewer: Nothing to Report.

b. Minutes of the June 17, 2020 Regular Board Meeting; Minutes of the July 7, 2020 Special Board meeting.

The Board deferred consideration of the minutes of the June 17, 2020 Regular Board meeting to the special meeting of the Board on July 23, 2020 at 2:00 p.m.

D. Smith/L. Comstock all in favor to approve the minutes of the July 7, 2020
special meeting of the Board.

c. Warrants.

V. Amoroso/G. Godino all in favor to approve the warrant list.

d. Scheduling of Next Meeting(s):

 Special Meeting of the Board: July 23, 2020 at 2:00 p.m.

 Regular Meeting of the Board: August 19, 2020 at 7:30 p.m.

15. Adjournment.

9:55 p.m.