

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**November 18, 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.**

7:32 p.m.

**2. Roll.**

Directors Comstock, Godino, Siedman and Smith present via teleconference; director Amoroso absent (note: he subsequently joined the meeting during the Manager’s Report). Director Siedman presiding.

**3. Manager’s Report and Project Updates.**

- *Update on the Status of the BCPUD’s Water Supply, the Heightened Water Conservation Alert and Community Voluntary Conservation Efforts.*

Since the last regular Board meeting in October (for the period October 21 – November 17), the district has produced an average of 66,768 gallons of treated water per day at the Woodrat Water Treatment Plant (“WWTP”) to meet current demand (more detail on demand below). In September, the district was producing 82,000 – 92,000 gallons of water per day, so this most recent data represents a welcome trend down in demand. As reported last month, the amount diverted from the district’s primary (preferred) water source, the Arroyo Hondo Creek, and the amount diverted from the Woodrat 1 Reservoir emergency storage supply on any given day varies depending on a number of factors, the most significant of which is the creek flow that day (which is monitored on a daily basis). The amounts diverted from these two sources tend to “mirror” each other; in other words, as the creek flow rises, the amount diverted from the reservoir declines, and vice versa. From November 1 – 17, the district’s diversions from the Arroyo Hondo Creek averaged of about 34,000 gallons per day and diversions from the Woodrat 1 Reservoir averaged about 38,000 gallons per day. (By way of contrast, in September the district was diverting 50,000 gallons per day from each source to meet demand). Finally, the total usable stored water supply in the Woodrat reservoirs (combined) as of November 13, 2020 is approximately 7,335,150 gallons.

Water consumption in the district has averaged approximately 66,981 gallons per day, or 115 gallons per day per connection, since the last regular Board meeting in October. Staff said this is a commendable reduction in water use by the community and the district is very appreciative of the community’s efforts in this regard. In contrast, during the first part of October (October 1 – 21), consumption averaged 85,988 gallons per day, or 148 gallons per day per connection.<sup>1</sup> As such, water consumption in the last month has declined by approximately 19,000 gallons per day, or 33 gallons per day per connection, as compared to the first part of October.

While water consumption has declined appreciably, staff continues to measure extremely uneven individual water consumption across the customer base. For example, in October, the highest 25 water users consumed an average of 300 - 1,365 gallons of water per connection per day<sup>2</sup>, and 76 customers (including the 25 just referenced) used more than 200 gallons of water per day.<sup>3</sup> Overall, in October 2020, 149 customers consumed more than the requested 150 gallons of water per day at their properties (as compared to 233 customers who were using more than 150 gallons of water per day in September).

Staff continues to follow-up with these “high water use” customers to help them identify the source of their high usage and reduce it as soon as possible. The two most commonly reported explanations of high water usage are landscape irrigation and/or a large number of people living at the property. Staff hand-

<sup>1</sup> As a reminder: water consumption in the district averaged 123,527 gallons per day in June 2020 (or 210 gallons per day per connection); 102,027 gallons per day in July (or 174 gallons per day per connection); 97,282 gallons per day in August (or 166 gallons per day per connection); 98,562 per day in September (or 168 gallons per day per connection).

<sup>2</sup> In September, the highest 25 water users consumed between 400 and 1,700 gallons per day; as such, while the highest users are still quite high, they reduced their consumption overall in October.

<sup>3</sup> In September, more than 60 customers (including the top 25) used more than 300 gallons per day.

delivered and mailed letters to nearly all customers who used more than 300 gallons per day of water in October asking them to reduce their usage. The letter asks all recipients to call or email the office to acknowledge receipt of the letter and to make clear they understand the urgency of the situation, and most of them have done so. Staff is doing its best to follow up with spot meter reads to confirm that landscape irrigation systems have been turned off or usage otherwise has been reduced.

Director Comstock said the community's conservation efforts are a great accomplishment and he complimented staff's extensive education and outreach activities. He then asked staff if there is any data to suggest the district is losing stored water from its reservoirs, whether by evaporation or otherwise. Staff noted that on September 26<sup>th</sup>, the available usable stored water in the reservoirs was approximately 9 million gallons, so the stored water has declined by about 1.7 million gallons over the last 6 weeks (based on the November 13<sup>th</sup> storage numbers). Staff said the district is averaging 38,000 gallons per day diversion from the reservoir and, over 47 days, the amount diverted correlates very closely with the decline in the stored water supply; that said, some amount of evaporation is inevitable.

Director Comstock said the Board has been very concerned about the decline in creek flows (and corresponding impact on emergency stored water supplies) this year, which is why director Smith and the district's consultant Rob Gailey, engaged in the extensive analysis as presented at the September 30<sup>th</sup> special Board meeting; he asked if the creek flow projections presented at that meeting have turned out to be accurate now that additional actual data is available. Staff said the written report in the Board binders contains updated graphs and charts covering the period of September 26<sup>th</sup> – October 31<sup>st</sup>. These graphs and charts show that during the period of October during which consumption remained higher than requested at the September 30<sup>th</sup> special Board meeting (i.e., more than 150 gallons per day per connection) and the weather remained dry, the actual data had a "pessimistic" impact on the models. For example, the chart entitled "Scenario Summary" includes revised information from all of September and October; it indicates that at the town's current consumption rate of 115 gallons per day per connection, the district will be at the purple line (third from top) with about 2.2 millions of gallons of stored water remaining at the end of March 2021 if it does not rain, whereas the model as of September 26<sup>th</sup> had predicted the district would have 3.8 million gallons of stored water remaining at that time/

With regard to the projections about creek flows in particular, the chart labeled "Estimated Flows for Arroyo Hondo" now includes the additional data from the end of September through October and the resulting "Projected Flows for Arroyo Hondo" chart therefore is slightly more pessimistic (due to continued dry weather and water consumption not fully reduced throughout the community during October). The model now predicts that the creek flow will average 20,168 gallons per day by the end of February 2021 if it does not rain, whereas on September 26<sup>th</sup> the model predicted the creek flow would be averaging 26,842 gallons per day at that time.

Staff is endeavoring to assess the impact of sunny days vs. foggy days on the creek flows; staff directed the Board's attention to a new chart in the Board materials. Preliminary data suggests the creek flows increase by as much as 2,500 gallons per day when there is a run of foggy days and the flows decrease by as much as 5,500 gallons per day when there is a run of sunny days. Finally, staff is tracking rainfall progress relative to historical minimums and maximums based on BCPUD's nearly 70 years of recorded rain data and noted that there is a new chart in the Board materials on this topic, as well.

Director Comstock commented that director Smith's model focuses more on historical data than does Rob Gailey's model, which is based on current year actual data only. He asked director Smith if he had analyzed how closely the actual data tracked his model. Director Smith said the actual results appear to be somewhere in between the two models, but he wants to analyze the creek flow data through the end of November to better answer this question.

Finally, while staff shares director Comstock's appreciation for the community's demonstrated efforts to conserve since mid-October, staff cautioned that if the district does not receive appreciable rain within the next month, the district likely will need to revisit the prospect of mandatory rationing, perhaps as soon as the Board's regular meeting in December. Staff says the models show that if there is no rain during the next month, the ration amount allotted will need to be well below 150 gallons per day per connection.

- *East Tank Rehabilitation Project.*

The district is processing the final progress payment for this job, \$28,483.09, and the retention payment (\$27,883.48 or 5% of job) will be made after the Board accepts the project and the Notice of Completion is filed and applicable deadlines have been met. At this point in time, the project is not ready to accept as there are a few items outstanding on the contractor's "punch list". Staff expects those items to be wrapped up within the next month.

- *Irrigation Pump Station Replacement Project.*

Staff issued the Notice of Award on November 5, 2020 per the Board's approval at last month's meeting and expected to issue the Notice to Proceed on or about November 30th. The contract documents are in process and the district is awaiting the contractor's submission of the bonds, certificates of

insurance, construction progress schedule, etc. The district received notice from Gorman Rupp, the pump manufacturer, of another shipping delay of the pump station itself, but this doesn't seem likely to affect the project schedule at this point. Staff noted the district does have 30 days' free storage of the station with Gorman Rupp in Ohio.

- *Woodrat Reservoir Rehabilitation Project:*

The azolla removal project began on Monday, November 16<sup>th</sup> and is proceeding well. Staff is working on finalizing the contractual details with Moleaer on the purchase of the new enriched air nanobubble unit for Woodrat 2. Staff will be reinstalling the existing nanobubble unit at Woodrat 1 after the azolla had been removed.

- *Alliance of Coastal Marin Villages.*

The Alliance of Coastal Marin Villages ("ACMV"), a group comprised of representatives of all of the villages in coastal West Marin, had a busy few days at the end of October and beginning of November preparing comment letters on two items on the California Coastal Commission ("CCC")'s November 2020 meeting agenda: specifically, the ACMV commented on a document called "Shared Principles for Adaptation Planning" and the CCC's 2021-25 "Strategic Plan". The Shared Principles were prepared by a Local Government Working Group comprised of representatives from the California State Association of Counties, the League of California Cities and a CCC subcommittee consisting of Commissioners Groom and Wilson. The Local Government Working Group is seeking to improve collaboration and communication between local governments and the CCC on sea level rise ("SLR") adaptation planning and Local Coastal Program ("LCP") updates. The ACMV letter expressed strong support for the Shared Principles and this apparent return to the core principles of the Coastal Act – creativity, flexibility, and consideration of unique local contexts (rather than a rigid, one-size fits all approach with hard deadlines despite the very different SLR hazards faced by coastal communities) – and also commended a letter submitted by Assistant Director Tom Lai at the Marin County Community Development Agency. There was a last minute change to the Shared Principles posted on the CCC website eliminating all language pertaining to the principle that shoreline armoring may be a viable near-term adaptation strategy in some locations, which was disappointing and the ACMV objected to this last-minute revision in its letter. Supervisor Bruce Gibson from San Luis Obispo (who serves on the Local Government Working Group) wrote a very thoughtful email acknowledging the ACMV's letter, noting that armoring is not off-the-table but rather simply not promoted in the Shared Principles (which is why the reference was deleted), and suggesting coastal communities all keep in touch.

As for the CCC's 2021-25 Strategic Plan, the ACMV submitted a letter urging the CCC to correct an oversight in that the draft Strategic Plan failed to acknowledge the unique coastal communities of California as coastal resources, notwithstanding express language to that effect in the Coastal Act (and in the CCC's prior Strategic Plan for 2013-2018), or the need for affordable housing for coastal residents, among other things. The ACMV met with Marin County Supervisor Rice before submitting the letter to apprise her specifically of the ACMV's concerns. The ACMV was very gratified to see the CCC make significant changes to the Strategic Plan before adopting it to recognize these important points.

- *Coastal Communities Working Group.*

The meeting of the Coastal Communities Working Group scheduled for October 29<sup>th</sup> was cancelled to wait for the outcome of the CCC hearing on the Shared Principles given the potential implications for the County's LCP Update process.

On the water side of operations, consumption on Mid-Mesa for the quarter ending in October was the lowest it has been since 2011, which is not surprising given the district's continuing pleas for conservation. On the sewer side of operations, staff reported that average flows into the system jumped up a bit earlier this month to approximately 40,000 gallons, likely due to the ongoing pandemic and stay-at-home recommendations. Spray season ended on November 15<sup>th</sup>. Staff plans to pull out one of the pumps in the lift station on December 2<sup>nd</sup> and install the new pump purchased earlier this year; the original pump will then be shipped out for evaluation and repair as it is not functioning properly.

Staff attended a video-conference yesterday with representatives from Recology Sonoma Marin to discuss compliance with AB 1826, a law applicable to customers generating 2 cubic yards or more of solid waste service (trash, recycling and organics combined) and requiring those customers to arrange for curbside composting service (i.e., food waste, landscaping waste, non-hazardous wood waste and food-soiled paper). AB 1826 went into effect on September 15, 2020 and the County is requiring affected customers to comply by February 1, 2021. For Bolinas customers, the problem is that the Resource Recovery Project ("RRP") site cannot accept compost waste; such waste in Stinson Beach has been authorized to go in the green waste bins, so the RRP site no longer accepts green waste from Recology's Stinson Beach customers (whereas green waste self-hauled from Stinson Beach is fine). After discussing the matter for some time, including several ideas offered by staff to combine the pick-up of affected Bolinas customers with Stinson, it was eventually agreed that Recology will outreach to affected customers in Bolinas to help them complete and submit an exemption request form (due to RRP site

limitations). In the meantime, Recology and the district will begin to plan for January 2022, when another law – SB 1383 – goes into effect and requires ALL residential customers to be offered curbside composting service regardless of the amount of waste they generate. This suggests that Bolinas residents will have to be authorized to place compost waste in their green cans, which will mean no such material collected by Recology will be allowed at the RRP site. There will be revenue implications for the RRP to work through in order to continue its valuable fire fuel reduction service to the community. RRP data indicates that about 2/3 of the revenue collected by the RRP is from self-haul customers and the remaining 1/3 is from revenue paid by Recology.

Director Amoroso commented for the record that he is present at the meeting.

Staff concluded that the recent “Toxic Away Day” held on November 7, 2020 at the Mesa Park parking lot went very well and the community is fortunate to have an annual event held locally for the proper and safe disposal of hazardous waste.

#### **4. Community Expression.**

Steve Heilig said that “by popular request” he has been asked to read a semi-official proclamation in honor of director Amoroso; a full copy of the proclamation as read into the record is attached to these minutes. Applause and appreciative hooting by the public followed. Director Amoroso urged everyone not to believe a word of the proclamation.

Supervisor Dennis Rodoni said that he would like to say a few words to recognize the occasion of director Amoroso’s retirement from the BCPUD Board of Directors. He said that he is amazed at the work the district does and he knows director Amoroso has been a key part of it. Supervisor Rodoni said he has appreciated his friendship with director Amoroso over the years and enjoyed working with him on many issues, noting that he never doubted director Amoroso’s position on any issue as he always made his point of view very clear. He thanked director Amoroso for his long service to the BCPUD, to the community of Bolinas and to the County of Marin and wished him the very best in his retirement. Director Amoroso thanked Supervisor Rodoni and said he feels very lucky to have him as the supervisor. Jennie Pfeiffer and Genie McNaughton also expressed their thanks to director Amoroso.

Turning to an unrelated matter, Keith Hansen asked if there are any plans moving forward to deal with the “cave” under Wharf Road, which is worsening and undermining the road at this point. Supervisor Rodoni said that he believes that the County Department of Public Works (“DPW”) is monitoring it and that he will check in and report back on what he learns.

#### **5. Proposed Installation of a Stop Sign at Brighton and Park Avenues; Proposed Placement of Red (No Parking) Zones along Park and Brighton Avenues at the Intersection (County of Marin Department of Public Works).**

Director Siedman asked if there are any comments from the public on the County’s proposal to install a stop sign and paint red zones at the intersection of Park and Brighton Avenues, presumably to slow traffic and improve the sight line for drivers coming down Park and entering Brighton Avenue. Director Amoroso inquired whether any trees will be removed. Director Comstock noted the BCPUD has received letters of support for the proposal and these letters should be conveyed to the County. Director Smith said there has been discussion of a stop sign on the inbound side of Wharf Road at the intersection with Brighton Avenue and he wondered if there was an update on that concept; none was forthcoming.

Staff said the BCPUD received a letter from the County DPW’s Assistant Traffic Engineer explaining that a resident in the area requested the stop sign and red zones and he therefore requested comment from the district and/or the public on the proposal, which is why the matter is on the agenda. Director Siedman suggested the BCPUD write a letter to the County Traffic Engineer saying the district received favorable public comment. Director Amoroso noted that while people have written letters, no public comment has been verbally expressed at the meeting. Al Minvielle, Michelle Sullivan and Sherry Hirsch all stated their support for the County’s proposal. Director Siedman asked staff to reflect the public support in a letter to the Traffic Engineer.

#### **6. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 73 Olema-Bolinas Road (N. Franklin).**

Neshama Franklin submitted a written request for financial relief due to a leak at her property. Director Siedman asked if the leak was underground; she replied that it was and no one at the property was aware of it until the meter was read. The leak was discovered to be at the pressure reducing valve on the customer side of the meter and she commended the BCPUD staff for promptly helping her investigate the leak, locate a plumber and complete a repair. Director Smith noted that this appears to be a blind leak that the customer dealt with right away and he moved to grant the maximum 90% relief.

D. Smith/V. Amoroso all in favor to grant financial relief equivalent to 90% of the amount attributable to the leak, as determined by the average historical water use at this property during the same quarter during the prior three years.

**7. Request for Increase to Solid Waste Disposal Service Rates per Section 3 of the Franchise Agreement between Recology Sonoma Marin and the BCPUD (*Additional Rate Increase Request re: Customers Requesting Third Green waste or Recycling Can*).**

Director Siedman said this item is on the agenda because the BCPUD grants the solid waste disposal service franchise in the district and Recology Sonoma Marin currently holds the franchise; the franchise agreement provides for an annual rate increase pursuant to a specific formula. Staff said the general rate increase proposal is consistent with the terms of the franchise agreement – the increase for 2021 will be 5%; no additional increase is allowed because the cost-of-living increase for the past year was less than 2.5%. Staff noted that the request pertaining to a charge for servicing a third green waste or recycling can is outside the terms of the franchise agreement and was prompted by requests from customers for whom Recology currently is servicing two such cans (at no additional charge) for a third can.

Discussion ensued and, in response to Board questions about how Recology developed the specific proposed rates for the third cans, staff said Recology no doubt would be happy to provide a representative to explain that rate increase. Staff said the Board could approve the rate increase clearly authorized by the franchise agreement and defer the other request pending more information from Recology. Director Smith said he feels the request is reasonable in principle, but would prefer more information. Director Comstock concurred that the request is not unreasonable and he is inclined to allow it because three cans of the same type seems quite generous for a single customer and he would rather approve this request than open a discussion of allowing extra charges for second cans currently serviced at no additional charge.

L. Comstock/D. Smith all in favor to approve the rate increase per Section 3 of the Franchise Agreement as well as the additional rate increases for third green waste and/or recycling cans.

**8. BCPUD's Volunteer Resident Permit Parking Plan Committee Update.**

Sherry Hirsch and Bruce Bowser presented the Committee update. Sherry noted that the last time the Committee came before the Board, the members were working on a community survey that remains under development. The Board had advised the Committee to try and put more details into a specific resident permit parking plan and the Committee is endeavoring to do so for presentation next month. She said that Director Comstock has provided extensive and very helpful comments to the Committee for which the Committee members are very grateful.

In addition to working on the resident permit parking plan, some Committee members also attended a virtual meeting with Supervisor Rodoni on October 22, 2020 to discuss the concept of a Community Services Officer ("CSO") position to address downtown matters – including but not limited to parking problems – in Bolinas. Supervisor Rodoni said he is working on obtaining increased parking enforcement for Bolinas, Stinson Beach and other coastal villages; Sherry said a letter of support from the BCPUD in favor of such enforcement may be needed. Bruce Bowser said he is skeptical that the increased enforcement would be very meaningful given the huge territory to cover from Dillon Beach to Muir Beach. As for the CSO proposal, Supervisor Rodoni suggested that a formal proposal should be submitted. Director Smith said the CSO likely could pay for itself from the revenue generate by parking tickets, but apparently the Sheriff's Office won't agree to "give up" the income from such tickets. Sherry said the topic of the County DPW's proposed stop sign and red zone at the bottom of Park Avenue also was discussed, as was the fact that Measure X is up for evaluation by the County. Evidently Phase 1 is nearly complete and the County's evaluation of the impact of Phase 1 will determine whether Phase 2 is implemented. Finally, at the meeting Supervisor Rodoni said the CCC had not located any recent precedent to provide the Committee of approved resident permit parking plans in the Coastal Zone.

In closing their presentation, Bruce Bowser and Sherry Hirsch said they would like to thank director Amoroso and express their gratitude to him for his many years of service.

**9. Coastal Permit Application (Project P2764); Limited Water Use Permit Application – 46 Crescente (M. Sullivan) (*demolish existing single-family residence and construct a new 3,356 sq. ft. residence on APN # 193-092-18*).**

Director Siedman read the agenda item and noted that a project of this scope ordinarily would require a limited water use permit. Staff said the property currently has a limited water use permit with a maximum quarterly water usage of 3,900 cubic feet. Director Siedman inquired about any past water use issues. Staff said there was a period of undetected over-water use at this property that persisted during the time when BCPUD staff were not reading meters located behind fences. Once that over-use was detected, the district's normal permit enforcement procedures were implemented and recent water use generally has been in compliance with the terms of the permit.

Director Smith said this permit has a very high maximum quarterly limit for historical reasons – 3,900 cubic feet, or approximately 325 gallons per day – which is 100 gallons per day more than would likely

be granted per the district's revised LWUP allotment policy/water use formula. He questioned whether the permit should stand as-is, or be revised consistently with the district's revised procedures. Director Comstock said he would like to hear from the homeowner as to whether they need more water than usually granted by the Board per the revised procedures; this doesn't seem to be a multi-family property, for example, he said.

Michelle Sullivan explained that she and her husband bought the house in July of 2016. The existing home is three bedrooms and three bathrooms and the Sullivans propose to lower the profile of the existing home (i.e., the height of the roof), remove the chimney and install a slab on grade foundation; they will add a larger kitchen, dining and stairway area. She explained that most of the additional proposed square footage is in the kitchen and stairway area. The Sullivans have had extensive discussions about water usage at the property with BCPUD staff and she noted that there will be two persons living there (as compared to many more under prior ownership). Michelle said they have worked on a xeriscape landscaping plan and reduced lawn area. Finally, she noted that they have acquired several surrounding lots, so the overall property is much larger than it used to be.

Director Smith said that the water usage over the last two years has not been significantly reduced to date; in fact, water use during the quarter ending in September 2020 appears to be over the current permit amount. Director Smith suggested it may be better policy for the Board to reduce the maximum quarterly water use cap on this permit to further incentivize conservation, although he does appreciate that the Sullivans have tried to do so. Director Godino said she would have expected a bigger reduction in use after the property purchase with fewer people living in the home and she noted that the BCPUD presently does not have sufficient water to support such high usage. Director Comstock said the question now before the Board appears to be whether the Sullivans should receive more water than the Board ordinarily would grant to a homeowner applying for a limited water use permit today. Director Amoroso inquired about this history of the limited water use permit now applicable to the property; staff said it was issued under prior ownership.

Michelle Sullivan said when they bought the property they purchased three separate parcels and were assured that they would have 350 gallons of water per day at the property. Director Siedman said that 350 gallons per day is the water use *limit* currently applicable; the question for the Board is whether that should change. Michelle said they are proposing a house of the same footprint and the lot is now larger; she said they love living part time in Bolinas and they are not building a mansion, but rather trying to improve upon the floor plan and reduce their water use by xeriscaping and removing lawn. Director Siedman said it would seem the Sullivans do not need 350 gallons per day if they are part-time and xeriscaping, and perhaps the Board should impose an updated (lower) limitation on authorized use. Director Smith said he would like to correct the misunderstanding that 350 gallons of water per day is "guaranteed" by the district; he said the BCPUD is under a chronic water shortage emergency and is authorized to limit water use or promulgate other rules or policies to best manage its supply. (The limited water use permits impose caps on water use; these permits do not guarantee amounts of water.). He suggested the Board revise the limited water use permit maximum quarterly amount for this property to the default of 2,700 cubic feet or, evaluating the past water use here over 12 quarters (correcting for quarters during which the permit limit was exceeded) to 2,900 cubic feet.

Director Comstock said he believes this homeowner is hearing how concerned the BCPUD is about her water use; the district has been pleading with customers to conserve this year. The property is under a limited water use permit and he believes the Board should let it stand as issued, consistent with past practice; that said, the Board really wants the Sullivans to be much more restrictive of their water use during a period such as now, when the district is under a heightened water conservation alert. Director Amoroso said he does not believe the Board can or should reduce the maximum quarterly water use limit on an existing permit such as this, noting the Board has not done so before. Director Godino said that the track record of water conservation at this property is not encouraging; it is hard to understand for her how so much water is being used at a part-time home. On the other hand, director Godino said she does understand the points made by directors Amoroso and Comstock.

Michelle Sullivan said she appreciated these points, but noted again that the property is much larger than it was when they purchased it with the current limited water use permit. She agreed that irrigation takes an enormous amount of water and they are developing a more appropriate landscaping plan. She said again that they believed they were entitled to use 350 gallons per day when they bought the home, but will do their absolute best to conserve as much as possible. She said this is a family home; they have one son and they want to keep this property and be part of Bolinas and be the best residents they can be.

Director Siedman said he is hearing that the Board is willing to let the permit stand as currently issued but remains very concerned about water use; he said he also is hearing that the Sullivans will try hard to conserve. As such, the Board will continue to carefully monitor water use at this property and if the Sullivans do not remain in compliance (or, preferably, use far less water than the permit cap), the permit may need to be revisited.

Director Comstock inquired whether the fence at this location is on the property, or not, given that the meter here is "fenced in". Staff confirmed the meter is behind the fence; she asked if a survey has been



done as that would definitively determine if the fence is off the property or not. Michelle Sullivan said that a survey has been done and she will provide it. Director Comstock said if the survey reveals the meter is on the Sullivan's property, he wants staff to move the meter to the right of way; and, if the survey shows the fence is not on the property line, then he wants the Sullivans to move the fence. Michelle agreed that they will move the fence if necessary. Director Comstock asked if any member of the public has any comment on the project. Al Minvielle said he lives directly below the Sullivans home and he would very much appreciate a lower profile for this home. Director Godino said she would like to make the point that, while the property owner has referenced the size of the property several times, that does not have any relationship to the amount of water allowed per district policy.

Director Comstock moved to continue the terms of the existing limited water use permit, on the condition that if any infrastructure (such as a fence) is not on the property and is obstructing BCPUD infrastructure, the property owner will relocate the structure. Staff noted that under the BCPUD's sewer ordinance, the homeowner also should be required to conduct an inspection of the sewer lateral and make any needed repairs, Director Comstock said he would like to add that condition to his motion.

L. Comstock/V. Amoroso all in favor to continue the terms of the current limited water use permit applicable to this property on the conditions that the property owner relocate any structure not on the property and obstructing access to BCPUD infrastructure and that the property owner perform an inspection of the sewer lateral and promptly make any needed repairs.

**10. Coastal Permit Application (Project P2942); Limited Water Use Permit Application – 8 Ocean Avenue (M. Casado) (construct a new solidier-pier and tieback system to prevent further erosion; scope includes a 7-foot retaining wall and underground improvements on the eastern side of the property and a 137-foot retaining wall and underground improvements on the western portion on APN# 193-172-17).**

The project applicant was not present. Staff stated that this application appears to be for the purpose of legalizing an existing seawall installed by the previous owner on an emergency basis due to a slide that endangered the property. Staff reported that there is no limited water use permit applicable to this property at the present time and this project does not appear to implicate any water use; director Smith said there will be some new construction as the retaining wall is going to be enhanced. No motion was forthcoming to take any action and no public comment was offered on this project.

**11. Coastal Permit Application (Project P2688); Limited Water Use Permit Application – 72 Wharf Road (College of Marin) (demolish three existing structures and construct a new 2,416 sq. ft. structure on APN # 193-081-14).**

Joe Mueller, instructor, Kent Khtikian and Perkins Eastman Architects, were present on behalf of the College of Marin. Director Smith inquired as to how much water the College anticipates the facility will use. Joe Mueller said there is no recent history of water use at this property but he does not anticipate a large amount of water needed; he said the toilets and sinks in the restrooms will be the main water use. The architect said all of those fixtures will all be updated with low-flow models. Joe Mueller noted that marine tanks will be filled with water from the Bolinas Bay. Director Smith said that the standard 2,700 cubic feet per quarter limit, or about 224 gallons per day, likely would be quite adequate for this project. Kent Khtikian concurred, noting that previously an apartment in the existing building was used by one of the faculty members, including a shower -- that kind of use will not be possible in the future, so the water use going forward likely will be less than previously. Director Smith moved to grant a limited water use permit with 2,700 cubic feet per quarter; director Comstock seconded for purposes of discussion.

Discussion ensued and Kirsten Walker noted that the project seems to include two restrooms, a mechanical room, and some sinks, so if the College has analyzed the likely anticipated water use of these fixtures, she encouraged the College to provide it. Also, she said it would be helpful to have more information about the marine tanks. Joe Mueller said the tanks will be saltwater tanks; not freshwater tanks. Kirsten noted the tanks are not indicated on the plans; the architect said they can be added to the plans (with a note that they are seawater tanks). Also, she said it would be helpful to know the occupancy anticipated by the College on a weekly basis as well as what the College anticipates in terms of water use; with so many people in town during the pandemic and the current water shortage, she encouraged the Board to think long-term on this. The architect said that information can be provided. Director Amoroso said the project will result in reduced parking spaces and director Godino concurred. Director Comstock requested that the Board complete the LWUP process before turning to the coastal permit issues. Further discussion ensued and Kent Khtikian pointed out the maximum occupancy is 24 students plus an instructor; if all of them use the bathroom two times while they are there, the usage would clearly be well below the quarterly allotment, especially since it is not a full-time use building and no landscaping will be irrigated.

D. Smith/L. Comstock all in favor to grant a limited water use permit for this property with a maximum quarterly water use limit of 2,700 cubic feet.

Discussion turned to the specifics of the coastal permit application for the project. In response to questions from the Board, the College representatives explained that the students will be shuttled to the site in vans from the main campus; they will not drive individually to Bolinas. The property will have seven off-

street parking spaces and four to five on-street parking spaces. Director Godino said she is unhappy to see that the design of the new building is so different from the rest of downtown and to learn that the community will be losing the off-street parking spaces it has used for some time at this property. She said she supports the project overall, but is not completely happy with how it has been rolled out. Genie McNaughton said she is in favor of the project; she understands the parking concerns, but the marine biology educational opportunities outweigh those concerns. Kirsten Walker said she concurs with director Godino's comments; she asked where the project is in the entitlement process and if this is the first time it has been presented to the Bolinas community "on the BCPUD platform". The College's architect referenced prior public meetings in Bolinas and said that the coastal permit has been submitted to the County of Marin and it is scheduled for a permit approval hearing on December 3<sup>rd</sup>.

Kent Khtikian described the prior public meetings about the project held at the Bolinas Firehouse which were well attended and resulted in the formation of a local Working Group (he was part of this group, as was director Siedman). This group reviewed drawings, suggested design changes, and so on; many of the suggestions were adopted by the College and presented in revised drawings at a follow-up public meeting. The design drawings were available for public review at the BCPUD office and at the Bolinas library. Discussion then ensued about specific suggestions made at the prior public meetings, such as design comments, concerns about parking implications, and so forth. Kent then said he and others affiliated with the College had understood after the last public meeting that the project design was overall acceptable to and approved by the community. Joe Mueller said the same concerns raised tonight were raised during those meetings -- meaning comments pertaining to design/character of the building, parking, traffic implications and so forth -- all of which were taken into consideration by the College.

Ralph Camiccia said he was on the Working Group and he had raised a suggestion about including a portico over the doorway, which was an acknowledgement of the design of the existing building, and using the old Marine Lab sign. He acknowledged that a dormer window has been included, but he was hoping for something stronger. As for parking, he said there is a parking problem downtown irrespective of this project and he is looking forward to having the College rehabilitate the site and reinstitute educational classes. He asked whether the BCPUD approves the fire suppression systems such as the system installed at Smiley's and the system that likely will be required here and at the BCLT project. Staff said these are fire department requirements, but the BCPUD does inspect the backflow prevention devices required in connection with such projects and other water system implications. Ralph asked if there is enough water to deal with potential fires downtown; director Siedman said that all of the hydrants in town are served by the BCPUD's water system.

Director Siedman said he concurs with director Godino and Ralph Camiccia about the overall design and he asked if there is time for cosmetic suggestions to be offered to the exterior of the building to add more character and some historic preservation features. Janine Aroyan said she attended the prior public meetings and design changes definitely have been made by the College; that said, a few cosmetic changes could be really helpful to better integrate the building downtown. She noted that downtown is going through incredible change and the implications for parking posed by this project and the BCLT project, which together may result in the loss of as many as 20 parking spaces. Janine said she appreciates that the College made the effort to meet with the public on this project.

Kent said that it is his understanding that changes such as a portico vs. a dormer can be made and will not affect the County permit process. The College architect cautioned that the project as developed with community input has been very carefully designed and cannot really be changed at this time; he described numerous changes that were made to the original design in response to community comments. A question was asked as to whether the off-street parking places could be made available for the public's use during the weekend when the building is not in use for instructional purposes. Kent Khtikian said that this question was raised during the prior public meetings; the problem is that the fence is included in the project design for security reasons and there will be some outdoor lab tables between the building and the street. In order to open the parking spaces, the fence would have to be open and the security function would then be lost. Director Siedman said it would be best if something could be worked out to allow the use of the off-street parking; this is something the community would really appreciate.

Discussion continued with some present asking if there could be another opportunity for community members to revisit the project with the College before it is considered by the County. Director Godino agreed, directors Comstock and Smith passed on the suggestion, director Amoroso said he agrees that parking remains a concern. Director Siedman said this can be reflected in a letter from the BCPUD expressing overall approval of the project, passing on public comment, but noting the ongoing concerns about design, fencing and parking. Director Siedman asked staff to prepare a draft letter for Board review; staff agreed and recommended that the letter include a requirement for the College to inspect its sewer lateral and make any necessary repairs as a condition of project approval. The Board had no objection.

**12. Announcement of Special (Telephonic) BCPUD Board Meeting on December 1, 2020 at 7:30 p.m. re: Coastal Permit Application (Project P2835); Limited Water Use Permit Application – 31 Wharf Road (Bolinas Community Land Trust).**

Director Siedman announced that there will be a special meeting of the Board to consider the coastal permit application and limited water use permit application of the Bolinas Community Land Trust for its



property at 31 Wharf Road; the Board is holding a special meeting dedicated to this project due to the high level of public interest in this project.

### 13. Other Business.

#### a. Board Committee Reports.

-- *Finance*: Staff reported that the FY 2019-20 audit is underway and that the First Quarter Financial Statements should be ready for presentation to the Board at the December 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: Hiring of Chief Operator: Position Description and Hiring Schedule*. Director Siedman noted that the Personnel Committee members have reviewed the announcement, hiring schedule and job description prepared by staff for the Chief Operator position as the district's current Chief Operator is retiring at the end of June 2021. The position will be posted on or about November 30<sup>th</sup> with applications due the first week of January; interviews will be conducted in mid-January with an offer extended by the end of January. The budget anticipates a transition period for the new hire to start work as of March 1<sup>st</sup> to cross-train with the district's current Chief Operator.

Director Comstock said he does not have a comment on the job description as he previously reviewed it and provided comments; however, he does have a comment on the position description. He recommends the district delete the reference to a specific hourly range in compensation in favor of stating that compensation will be commensurate with experience, certifications and qualifications. The other directors concurred. Director Comstock noted the announcement also requires specific minimum certification requirements and suggested the district may want to be more flexible on this; staff said these certifications are legally required, so director Comstock withdrew his comment.

-- *Sewer*: Nothing to report.

#### b. Minutes of the September 10, 2020 Operations Committee meeting; Minutes of the October 21, 2020 Regular Board meeting; Minutes of the October 27, 2020 Special Board Meeting.

Directors Comstock and Smith offered clarifying corrections to the minutes of the September 10, 2020 Operations Committee meeting.

D. Smith/L. Comstock all in favor to approve the minutes of the September 10, 2020 Operations Committee meeting, as clarified

Directors Comstock and Amoroso offered clarifying corrections to the minutes of the October 21, 2020 regular Board meeting.

L. Comstock/D. Smith all in favor to approve the minutes of the October 21, 2020 regular meeting of the Board, as clarified.

D. Smith/L. Comstock all in favor to approve the minutes of the October 27, 2020 special meeting of the Board.

#### c. Warrants.

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

#### d. Scheduling of Next Meeting(s):

Special Board meeting on December 1, 2020 at 7:30 p.m.; Regular Board meeting on December 16, 2020 at 7:30 p.m.

### 14. Adjournment.

10:38 p.m.

**SEMI-OFFICIAL BCPUD PROCLAMATION  
IN HONOR OF  
VICTOR CHURCHILL AMOROSO**



BE IT HEREBY DECLARED in this surreal month of November, 2020, that:

WHEREAS, one Victor Churchill Amoroso has served on the Board of Directors of the Bolinas Community Public Utility District with great loyalty and distinction for almost 40 years and is now retiring from this august position; and

WHEREAS, despite numerous attempts to prematurely remove himself from this role over the years, Vic repeatedly re-upped his membership on the Board as confirmed by overwhelmingly consistent majority community endorsement via non-corrupted voting too many times to count; and

WHEREAS, overcoming his upbringing as a military brat, growing up in the Deep South cultures of Texas and Georgia, ROTC service, prestigious academic training as an engineer, and employment for such monstrous industrial and corporate entities as DuPont, Allied Chemical, and Mattel industries, Vic liberated himself from that perilous path by traveling the world in the 1960s and "retiring from the straight world" to Marin County in the early 1970s (not a moment too soon); and

WHEREAS, Vic found Bolinas by accident and was most impressed by the various states of personal freedom and undress witnessed in town at that time, where he thereafter became the most esteemed professional hotelier between Agate Beach and the Lagoon; a discerning "Junk Store" (his term) vendor of recycled materials of all kind needed locally; a steward of the lives of numerous cats and dogs; and, especially, a beloved family man with his late great wife Nancy, met in the traditional local manner (i.e., at the bar) and resulting daughters Kristina and Sonja, son-in-law Andre, and now grandson Theo, all themselves part of the local community; and

WHEREAS, throughout his steady and studious role on the BCPUD Board, Vic stood up consistently for the visionary work of those who first shepherded and stewarded the precious and limited water supplies for his town, sometimes against nefarious attempts by those who sought to breach that vision for their own profit and profligacy; now be it

RESOLVED: that the BCPUD, both on its own behalf and on behalf of the greater Bolinas community, very sincerely and publicly thanks, commends, and honors Victor Churchill Amoroso for his decades of dedicated service as a respected member of the BCPUD Board, for which he is now appointed an Honorary Lifetime de Facto Non-Voting member in highest possible standing -- whether he likes it or not; and be it further

RESOLVED: That this commendation be entered into the relevant official records of the BCPUD, whatever and wherever those might be!

*Officially Socially-Acknowledged this day of November 18, 2020, in accordance with Bolinas Measure G of 2003, which Vic opposed simply because he feared it would bring more attention to town, and boy was he right as usual.*