

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**February 24, 2021 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, Smith and Walker present via teleconference; director Siedman presiding.

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

- *Update on the Status of the BCPUD’s Water Supply*

Staff referenced a detailed memorandum on the district’s water supply as of February 23, 2021 which is posted on the district’s website and is an exhibit to the proposed water rationing resolution the Board will consider under item #10 of the agenda. At the present time, the district’s diversions from the Arroyo Hondo Creek (66,284 gallons per day on average during February thus far) are meeting demand and the district is not using any of its emergency stored water supplies in the reservoirs. This demonstrates the beneficial impact of the community’s conservation efforts and the rain received in January and thus far in February 2021. Rainfall received in January 2021 was 4.5 inches and in February (through today) was 3.5 inches, for an annual total rainfall (since July 1, 2020) of 13.7 inches. As a reminder, we received a total of 22.7 inches of rain last year. Average annual rainfall received in Bolinas is 32.5 inches.

As for stored water, the district’s stored usable water supply in the Woodrat reservoirs as of February 22, 2021 (combined) is 8,842,818 gallons, an increase of 496,348 gallons in reservoir storage when compared to the 8,346,470 gallons in storage on January 28, 2021 and an increase of 2,021,434 gallons in storage when compared to the 6,821,384 gallons in storage on December 31, 2021. Again, this reflects the beneficial impact of the community’s water conservation efforts (since we have not needed to use reservoir water to meet demand in January or February) as well as the rain received to date. Water consumption across the district continues to be commendably low, averaging 60,651 gallons per day, or 103 gallons per day per connection. Individual water consumption remains uneven, however, with a wide range of use across the district’s customers. For example, in January 2021, 122 customers used more than the anticipated ration amount of 125 gallons per day per connection.

Bolinas is not the only community experiencing serious drought conditions. Staff pointed to articles in the Board binders detailing the drought conditions throughout California, with 58% of the state in severe drought (last year, only 10% of the state was in severe drought). The National Oceanic and Atmospheric Administration (“NOAA”) is predicting drier than average conditions for March – May and some scientists are expressing concern about the possibility not only of a very dry 2021, but also a dry 2022, which is extremely concerning.

Staff will recommend that the Board pass a resolution tonight (item 680 on the agenda) authorizing the implementation of mandatory rationing of water and will detail the specifics of that recommendation later in the meeting. Staff directed the Board’s attention to the most recent quarterly water consumption data; not surprisingly, consumption was down considerably on the mid-Mesa for the quarter ending in January 2021 as district customers have enhanced their conservation efforts. On the water supply side of operations, staff is continuing to explore the possible emergency use of groundwater wells to supplement the district’s surface water supplies; the next step is a video conference with the district’s regulators.

- *Irrigation Pump Station Replacement Project.*

This project is moving along well. The pump station, electrical control panel, enclosure and much of the ancillary piping have been fully installed. At the present time, the district’s contractor and consulting engineers are conferring over the installation of the floating intake structure.

- *Woodrat Reservoir Rehabilitation Project:*

Staff is preparing for the installation of the new, enriched air nanobubble unit for Woodrat 2. Electric power will be installed at the site next week. Staff included a scientific technical article in the Board

binders about the optimization of iron removal in water by nanobubble units; iron reduction/removal certainly is one of the district's goals for this project.

- *Alliance of Coastal Marin Villages.*

The Alliance of Coastal Marin Villages ("ACMV") met with Supervisor Rodoni on February 1, 2021. Supervisor Rodoni presented a number of updates, including but not limited to updates about the County's Covid-19 vaccine distribution efforts, the Local Coastal Program ("LCP") Update process, and road improvement projects planned for 2021. Supervisor Rodoni is trying to get more parking enforcement in place prior to the summer visitation season; staff also requested enforcement for speeding violations on Olema-Bolinas, Horseshoe Hill and Mesa Roads in Bolinas.

- *Coastal Communities Working Group.*

Nothing to report currently as the County is deferring the next meeting of this group until further progress is made on the LCP update.

With regard to overall water operations, staff overall is focused on water supply and demand management, with staff engaged in extensive data collection on supply conditions and district consumption. Staff noted that the district's water license reports are due on April 1, 2021, its annual report to the State Water Resources Control Board is due on May 15, 2021 and the district's Consumer Confidence Report must be prepared and mailed out to customers no later than June 30, 2021.

On the sewer side of operations, staff reported at the last regular Board meeting that two of the districts three pumps at the lift station were out for repair in December. One pump was repaired, delivered back and reinstalled; however, within a few days the shift operators reported the pump does not sound "right". The pump repair owner has suggested that a blockage in the line from the wet well might be the source of the problem, so staff will endeavor to have the line cleaned out. Since the second pump still out for repair is more significantly damaged, staff is holding off on authorizing a repair until further investigation can be done because the estimated cost of repair of the second pump is more than \$20,000. Staff had an extensive video conference with the pump repair shop owner, who used to work for the pump manufacturer, and he recommends that the district install a "manhole grinder" in the collection system before the wastewater enters the wet well in order to pulverize solids and reduce the potential for the sort of pump damage that has occurred on the district's pumps in less than 5 years of use. Staff noted that "solids" includes *anything* that is not organic (human) waste or water, such as so-called "flushable" wipes – which are NOT flushable and which cause billions of dollars in damage to sewer system pumps all over the country – and staff pleaded with customers not to flush such wipes (or anything other than toilet paper and human waste) into the district's sewer system

Staff directed the Board's attention to a letter in the meeting binders to the Regional Water Quality Control Board in response to a request for the district to submit electronic monthly reports and an update on its wastewater facilities. The BCPUD's letter addresses all issues, including an overall update on treatment technology and discharge method, an update on waste source and discharge flow rate, a description of the current condition of the district's wastewater facilities, and foreseeable challenges to the district's wastewater operations. Staff noted that the SWRCB has issued a notice of intent to update the 2006 Statewide Sanitary System General Order concerning sewer spills, which could have meaningful impacts on district operations.

Staff reported that one of the photovoltaic arrays at the Woodrat Water Treatment Plant has been underperforming for some time. A technician confirmed that one of the inverters has failed. The district has an unusual electrical service at the treatment plant and many inverters unfortunately are not compatible with that service. Director Smith has been actively involved in this project and will be reviewing two options that have been proposed by the technician. Staff anticipates having a recommendation for the Board's consideration at the next regular meeting.

Staff directed the Board's attention to recent correspondence received since the last Board meeting, including a letter from ACWA/JPIA issuing a "President's Special Recognition Award to the BCPUD for low loss ratios in its liability and property insurance programs, as well as a communication from the Marin County Local Agency Formation Commission ("LAFCO") indicating that the BCPUD is due for a "municipal service review" in 2021.

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

Director Siedman noted the Board received two pieces of correspondence that are included in the meeting binders. One is a communication from Ned Hoke stating that he confirmed with Marin County that if the BCPUD were to swap properties with Carol Duchamp Katz as discussed in previous meetings and if the BCPUD were to deed restrict its parcels before swapping them, the deed restriction will be binding and run with the land following the swap. Director Siedman said the second communication is a letter from Terry Camiccia and sent to the County, expressing her concerns about the proposed Bolinas Community Land Trust ("BCLT") development at 31 Wharf Road.

**5. Information Session on the Expansion of Broadband Internet Availability in Bolinas - Bolinas Stinson Union School District Connectivity Committee. (A link to presentation materials will be posted on the BCPUD website in advance of the meeting.)**

Chloe Sladden and Georgia Woods were present on behalf of the Bolinas Stinson Union School District (“BSUSD”). Georgia thanked the Board for the opportunity to update the community and she introduced Ian Johnson, who is the school’s technical consultant. Chloe explained that the Connectivity Committee’s mission is to ensure that internet service is available and affordable to as many BSUSD families as possible, as soon as possible. She noted that 75% of BSUSD student families do not have access to reliable high speed internet at home, and 100% of the Spanish-speaking families do not have internet access, so this is a very real equity issue and student experiences during the Covid pandemic have been very seriously impacted by the lack of internet access. The committee was formed in September 2020 with the goal of expanding internet access to school children and their families, as well as the broader community. Chloe said there is a link to the presentation on the BCPUD’s website and posted on Nextdoor, and noted that Leighton Hills from Muir Beach LAN and Kevin and Susan Daniels from Horizon Cable also are present at the meeting to provide information and answer questions about their respective internet service.

Chloe said that all families in the BSUSD need to complete a survey that is publicly posted and available so that Ian Johnson can help determine how to best serve these families as soon as possible. The Connectivity Committee has been fundraising to help subsidize costs for lower income families. Muir Beach LAN has returned to resume new installations to BSUSD families (and the broader community) and has upgraded its service to handle the anticipated increase in demand. Horizon Cable also is in Bolinas, speeding up its installation of fiber optic cable and lowering prices for BSUSD families. Starlink may be an optional service for the Dogtown area (but not in Bolinas); Starlink is a satellite system with limited coverage at this time. Finally, Inyo Networks received a grant two years ago to bring high speed fiber optic cable internet service to Bolinas; the committee has requested more information from Inyo Networks about the company’s plans. As such, it appears there are/will be alternatives to AT&T’s DSL service, which is very expensive and extremely slow.

Chloe said that the BSUSD is fundraising to subsidize internet service so that it is affordable for BSUSD families. The BSUSD will pay up to \$450 per household to install internet at eligible family homes (there is a deadline of June 30<sup>th</sup> to complete the survey) and will subsidize the monthly bills to reduce the cost of internet service for BSUSD families. Discussion ensued about the specific costs charged by each of the service providers; Chloe noted there is a slide in the presentation which identifies the costs and availability of all existing service provider options for BSUSD families and for non-BSUSD families. She said that each family will get to choose the provider that works best for that family, subject to constraints such as availability in the neighborhood, and so forth. Ian Johnson reviewed download and upload speeds characteristic of the various services and said that all of them should be more than adequate for most customer needs.

Leighton Hills from Muir Beach LAN said the Connectivity Committee reached out to him last week and described the predicament faced by BSUSD families in particular during the pandemic due to the unavailability of high speed internet. He said his company had deferred new installations pending Inyo Networks expected installation in town, however the Connectivity Committee made a very compelling presentation about the immediate needs in the community. The Muir Beach LAN previously provided 25 megabyte connections for \$59/month; now, the company plans to provide 50 megabyte connections for \$25/month. Muir Beach Lan is making investments in its network to improve connections to the rest of Bolinas. Leighton announced that as of earlier in the day, Muir Beach LAN struck a deal with Inyo Networks to provide the local matching share needs to move forward with the grant, and Inyo Networks therefore plans to proceed with the high speed fiber-optic cable installation in the near future, perhaps as soon as May 2021; the build-out is expected to require 8 -12 months. Inyo Networks will be able to cover all areas of Bolinas (a requirement of the grant), out to Shipper and Rose Lanes on one end and out Horseshoe Hill Road on the other. In the meantime, Muir Beach LAN can provide service; Muir Beach LAN would like to line up as many customers as possible who will then switch over to Inyo Networks, which is a 1,000 megabyte service. There will be no installation charge for Inyo’s service and the company has a low income program of \$29/month. The success of this project is dependent on a large number of people signing up for it.

Director Smith said it sounds like there will be two competing fiber-optic networks in town and he inquired whether any form of collaboration between the service providers is possible. Leighton Hills agreed that collaboration would be beneficial; however, he said that for significant areas in Bolinas there will be only one provider possible (Inyo) due to terms of the grant. He said he believes that Inyo Networks and Horizon Cable use different technologies.

Kevin and Susan Daniels were present on behalf of Horizon Cable. Susan Daniels noted that Horizon Cable is a long-term cable provider in West Marin. Horizon attended many of the meetings years ago prior to the Inyo Networks grant award and it was clear that BCPUD wanted fiber to the home, so Horizon began to look at bringing fiber from Stinson to Bolinas and decided to proceed with a fiber-to-home build and engineering project. Horizon started the lengthy application process and was successful; the company has installed connections in downtown Bolinas, the Little Mesa, up Terrace Avenue and on

the Big Mesa. Pandemic-related supply chain issues have slowed down the installation, but Susan believes the company will complete its installation on the big Mesa by the end of the summer. Susan noted the system is very expensive to build and Horizon has not received any grant money, so it will need as many customers as possible. After speaking to some of the technical aspects of the Horizon service, Susan cautioned the community against assuming that the Inyo Networks build-out is a “done deal”, noting that Inyo recently pulled out of a similar grant-funded project in the Redding area. Finally, Susan said it does not make sense to have two fiber optic internet service providers competing over a small number of customers.

In response to questions from the Board and public, Leighton Hills and Susan Daniels said that “voice over internet” telephone service will be available on their platforms. Various technical questions also were asked about the speed of service and how many megabytes of service are foreseeably needed. Leighton Hills said that 50 megabytes is more than adequate for most family needs *right now*, but during the pandemic, internet use has increased by 400%. He noted that technology will change over time, and the prevalence of Zoom and other video-conference platforms might increase family needs; he therefore hopes people will sign on to Muir Beach LAN right now and then transition over to Inyo Networks fiber with a 100 – 1,000 megabyte service. Kevin Daniels agreed that 50 megabytes is adequate now, but new applications such as virtual reality programs and gaming require a lot of bandwidth, so 50 megabytes may not be adequate in the near future.

The Board complimented the BSUSD Connectivity Committee members on accomplishing an enormous amount of work in a short period of time on behalf of the community.

**6. Hug Coastal Permit and Use Permit Application (P2977), Limited Water Use Permit Application; 460 Fern Road, APN # 192-071-24 (construct a 840 sq. ft. addition to an existing 711 sq. ft. single family residence; construct a 488 sq. ft. accessory structure (garage, attached to the residence); construct a 219 sq. ft. addition to an existing detached 747 sq. ft. studio and convert the resulting 966 sq. ft. structure into an ADU; construct a 68 sq. ft. sauna; legalize a 70 sq. ft. detached storage unit; construct a 280 sq. ft. trellis and 5,000 gallon water storage tank) (M. Hug).**

Mark and Gina Hug were present to address any questions from the Board about their project. Director Siedman noticed the project includes the installation of several water storage tanks for landscape irrigation. He explained that the BCPUD Board reviews all projects in the permit process for implications for water use; he said that since considerable additional living space is proposed to be added as part of this project, a limited water use permit will be required. Staff stated that per BCPUD Resolution 655, the appropriate quarterly water limit to apply to this project is 2,700 cubic feet per quarter. Director Siedman first called for any public comment on the project itself; there was none.

Director Smith moved to approve a limited water use permit with a quarterly maximum use of 2,700 cubic feet. Director Comstock seconded the motion for purposes of discussion, but said he would like to make the approval contingent on the removal of any infringement on BCPUD infrastructure at this property. Mark Hug said that his meter is not fenced in; however, there is part of a fence that is veered out about 2 feet into the Fern Road right-of-way for about 20 feet (of 180 feet of fencing) and he would move it, but it has a concrete footing for a rolling gate and it would be very expensive to move. He inquired if it would be okay to leave this given that it does not impact any BCPUD infrastructure. Director Comstock said his focus is on right-of-way encroachments that block BCPUD access to its infrastructure, so as long as this section of fence does not do so, he will not object to it. Mark Hug said that if this section of fence is blocking any access to BCPUD infrastructure, he will move it.

D. Smith/L. Comstock all in favor to grant a limited water use permit with a maximum quarterly water limit of 2,700 cubic feet per quarter on the condition that any encroachments at this property into the public right-of-way that impede access to BCPUD infrastructure shall be relocated by the customer.

Director Godino reminded Mr. Hug that the district is in a severe water supply shortage and she urged him to install every possible water saving device in connection with this project. Mark Hug said that he has decided to add a second 5,000 gallon water collection tank and he does not anticipate using any BCPUD water for outdoor watering. He emphasized that his family is being extremely careful with water use, showering in buckets to reuse water and so forth, and he understands the water supply situation. Director Walker said she very much appreciates that he has included the installation of water storage tanks, the inclusion of bio-retention ponds from roofs, as well as photovoltaic arrays in this project.

**7. Water Meter Transfer Agreement between the BCPUD and the Bolinas Community Land Trust (“BCLT”) re: 530 & 534 Overlook Road; Receive Confirmation of Merger and Copy of Approved Building Plans**

Staff explained that this item is on the agenda for the Board to approve the completion of paperwork needed for the BCLT’s transfer of one of its active connections to the water system (i.e., water meter) to the property at 530 and 534 Overlook Road. The agreement memorializes the transfer process, the limited water use permit applicable to the property, requires certain covenants to be recorded at the County, and so forth; the BCLT also provided proof of merger of the lots at the subject property and

copies of the final approved building plans. Director Siedman asked if there is any public comment on this agenda item; there was none.

G. Godino/L. Comstock all in favor to approve the water meter transfer agreement between the BCPUD and BCLT regarding 430 & 534 Overlook Road.

**8. BCPUD Resolution 680: Establishing a Special Category of “Septic System Limited Water Use Permits” for Issuance in Connection with the Bolinas Septic System Pilot Program.**

Director Smith said he has tried for nearly ten years to persuade the Environmental Health Services Department at Marin County to lower the amount of water presumed for new septic systems (which is far beyond what the BCPUD has available for customers to use). The existing approach resulted in requiring property owners to build enormously oversized (and expensive) septic systems, which has deterred compliance. Two things recently helped move things forward, including (1) the retirement of EHS management personnel and (2) the development by the BCLT of a “package” design for a reduced hydrologic septic system to lower costs. The County is willing to move forward now with a pilot project of 20 properties that will be allowed to participate; all participants will have to agree to the terms of a “septic system” limited water use permit limiting water use to 2,700 cubic feet per quarter, or 224 gallons per day. He noted that the enforcement process is different; EHS required this to ensure prompt follow-up if a property owner is overloading the septic system in violation of the limited water use permit terms.

Discussion ensued about the resolution language and director Comstock expressed concern about certain technical issues that might arise if a property owner has a standard limited water use permit as well as a septic system limited water use permit, particularly where the water use limits are different. He suggested the Board authorize staff to finalize the language of the resolution to address the technical issues. Directors offered potential language revisions and amendments; after further discussion, director Siedman proposed that staff work on revising the resolution for presentation to the Board at the next meeting. Arianne Dar said there is some urgency to this matter as the BCLT is actively seeking funding for the pilot program and that would be facilitated if the resolution could be in place as soon as possible. Discussion continued with director Smith proposing conceptual revised language, subject to staff making final revisions consistent with that intent; director Comstock seconded. Staff said the Board should finalize all of the proposed language for the resolution prior to any vote and recommended the Board hold a special meeting in the near future for that purpose. The Board had no objection.

**9. BCPUD Resolution 681: Accepting Completion of the East Tank Rehabilitation Project.**

This matter was deferred to an upcoming meeting.

**10. BCPUD Resolution 682: Declaring a Prolonged Drought Condition in the Bolinas Community Public Utility District and Implementing Mandatory Conservation Measures Pursuant to a Previously Established Water Shortage Emergency. (A draft of this resolution will be posted on the BCPUD website in advance of the meeting.)**

Staff referred the Board to Exhibit A to this resolution, which details all of the action taken by the Board and staff since June 2020 to manage the district’s available water supply and implement heightened water conservation measures. The draft resolution, Exhibit A and a detailed staff memorandum to the Board all are posted on the district’s website. Staff said the district’s customers have responded admirably to the district’s pleas for conservation; however, the district has received only 13.7 inches of rain so far this year, which is less than average, and this is following a previous dry year in which the district received only 22.7 inches of rain. While creek flows have improved and some increase in storage in the district’s reservoirs has occurred, the creek flows are well below normal for this time of year and the reservoirs are not full as they ordinarily would be.

Staff said the Board held special meetings on February 3<sup>rd</sup> and 8<sup>th</sup> to allow staff the opportunity to explain the district’s water supply status and present scenarios for the remainder of 2021 based on differing levels of water supply and use. Staff explained during these meetings that if water demand increases with the seasons as it usually does in the Spring, Summer and Fall, the district projects that it will run out of water before the end of the year. Staff therefore initially recommended the implementation of mandatory rationing of water effective March 1, 2021 at a level of 100 gallons per day per connection, with 14 specific exceptions for businesses, multi-use and public-serving entities. After receiving considerable feedback from the Board and community, staff reevaluated its water supply projections and concluded that it would be possible to set the ration amount to 125 gallons per day per connection to begin with, to be enforced on a weekly basis, beginning effective March 1, 2021.

Staff continued to work on the rationing approach after the February 8<sup>th</sup> special Board meeting and tonight is recommending a “trigger” approach whereby Board authorizes staff to immediately implement the mandatory rationing of water when overall water consumption in the district exceeds 76,000 gallons per day (the level to be achieved by mandatory rationing of 125 gallons per day per connection), averaged over seven consecutive days. The reason for this change in approach is that the community currently is using *less* water than this. If the community can continue its current water use behaviors, it will not be necessary to mandatorily ration water, at least at this time (subject to reconsideration during the dry



Staff noted that the district received a “clean” opinion from the district’s auditor with regard to its financial statements.

L. Comstock/D. Smith all in favor to accept the BCPUD’s financial statements for the Fiscal Year ending June 30, 2020.

### 13. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee*: Director Smith reported that a meeting of the committee has been scheduled with County representatives on March 11th and he will attend as the BCPUD liaison; the goal of the meeting is to sort out a form of parking plan that will be approvable by the Coastal Commission and enforceable by the Sheriff.

-- *Resource Recovery*: Director Smith said the loader at the Resource Recovery site may need to be replaced soon as it is old and in need of repair. Director Walker said she believes that funding is available for solar-powered equipment; she is aware of property owners in town researching such equipment. Staff said that the district is working with the Fire District on a project to secure grant funding to replace the loader.

-- *West Marin Mosquito Control Coordinating Council*: Director Godino reported that a new candidate has been proposed for the Council from the Marin/Sonoma Mosquito & Vector Control District Board.

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

-- *Internet Access Committee*: Nothing more to report.

### 14. Other Business.

#### a. Board Committee Reports.

--*Finance: Status of the FY 2021-22 District Budget; Minutes of the January 27, 2021 Finance Committee meeting*. Staff reported that the February meeting of the Finance Committee was deferred to March 5, 2021 and a substantive report on the draft budget should be deferred until the March regular Board meeting.

-- *Legal*:

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

-- *Water and Sewer Operations*: Nothing to report.

-- *Personnel: Update on Hiring Process for Chief Operator*: Staff reported that selected applicants were interviewed on February 20<sup>th</sup> and the committee anticipates making a hiring recommendation to the full Board within the next few weeks.

#### b. Minutes of the January 20, 2021 Regular Board meeting, Minutes of the February 3, 2021 Special Board meeting, Minutes of the February 8, 2021 Special Board meeting.

The Board deferred approval of the listed minutes to the next meeting of the Board as staff was not able to prepare the minutes in time for consideration at this meeting.

#### c. Warrants.

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

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

March 3, 2021 at 11:30 a.m. special Board meeting.

March 17, 2021 regular Board meeting at 7:30 p.m.

### 15. Adjournment.

9:54 p.m.