

Bolinas Community Public Utility District

A Regular Meeting Of The Board Of Directors

March 17, 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.

7:30 p.m.

Request all to mute their phones during meeting unless called to speak

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 directed the Board's attention to a memorandum in the meeting binders which presents updated information about the district's water supply through March 15th. From February 24 – March 15 2021, the district's diversions from the Arroyo Hondo Creek averaged 56,054 gallons per day; no water was diverted from Woodrat 1 reservoir during this time, which demonstrates the beneficial impact of the community's conservation efforts and the rain received so far this year. Rainfall since July 1, 2020 (as of today) is 14.95 inches. As a reminder, Bolinas 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 usable water supply in the Woodrat reservoirs as of March 15, 2021 (combined) is 9,341,931 gallons¹, an increase of 499,133 gallons in reservoir storage when compared to the 8,842,818 gallons in storage on January 28, 2021 and an increase of 2,520,547 gallons in storage when compared to the 6,821,384 gallons in storage on December 31, 2020. The district also had 780,540 gallons of treated water in storage in the East and West tanks (combined) as of March 14, 2021 for total water storage (treated + raw) of 10,122,471 gallons. Again, this reflects the beneficial impact of the community's water conservation efforts (since the district has not needed to use reservoir water to meet demand in January or February or thus far in March) as well as the rain received to date. In addition, the district has been able to transfer some water into the Woodrat 2 reservoir to bolster stored water supplies.

As for consumption, the town is averaging 54,482 gallons per day, or 92 gallons per day per connection, which is fantastic and helping the district preserve its precious stored water supply. Individual water consumption remains uneven but the range of consumption is narrowing; in February 2021, the highest 11 water users logged an average consumption of 308 to 1,403 gallons of water per day, and 23 customers (including the 11 just referenced) used an average of more than 200 gallons of water per day. Overall, in February, 46 customers used more than the requested 150 gallons per day and 96 customers used more than the anticipated ration amount of 125 gallons per day.

Staff presented updated models indicating that at the current rate of water consumption in the district – as long as consumption stays at or below current levels – the district will have water available in storage into January 2022, albeit only about 2 million gallons. If, however consumption does climb up to the 125 gallons per day ration amount, water supplies are projected to be depleted by December *assuming no more rain after March 15, 2021*. While the district's stored water supply position has improved, reservoir levels remain well-below full, which is highly unusual for this time of year. Turning to the current base flow recession model, staff noted that while creek flows have increased as a result of the rain, the model (created and updated by the district's consulting hydrogeologist, Rob Gailey), projects that the beneficial impact of the rainfall on creek flows will quickly dissipate without more rain.

As for rainfall, while the district is above the minimum recorded rainfall for this time of year, it remains well below average. Looking at rainfall progress as of March 15th in the context of the total annual rainfall for the available historical record (preceding 68 years), the district has experienced only 6 other years where the rainfall received was 14.65 inches or less as of March 15th (partial month). Those rain years generally turned out to be *much* drier than normal years with a minimum total rainfall received

¹ We also had 780,540 gallons of treated water in storage in our East and West tanks (combined) as of March 14, 2021 for a total water storage (treated + raw) of 10,122,471 gallons

of 15.6 inches, a maximum of 18.4 inches, an average of 17.2 inches and a line of best fit projection of 18 inches. These statistics suggest there is an increasingly high potential for the 2020-21 year to be a well-below average rainfall year.

Importantly, if rainfall in fact totals only 18 inches for the 2020-21 rain year, it is likely the mandatory daily per connection ration amount enacted via BCPUD Resolution 680 will need to be adaptively managed (lowered) as it was formulated on the basis of an assumed projected rainfall of 20.7 inches. Staff urged the community to check the district's website every day as current water consumption data is posted there. In addition, staff is working on a sign to post at the corner of Mesa and Olema-Bolinas Road with current 7-day town-wide consumption numbers.

Director Comstock inquired about the total combined storage capacity of the Woodrat reservoirs; staff said it is about 16 million gallons, so the reservoirs are currently at less than 2/3 capacity. Typically at this time of year, the reservoirs would be full and spilling. Director Comstock asked how much water the district has been able to divert into the reservoirs. Staff estimates the district has diverted approximately 50,000 gallons each day into the reservoirs on the days it has been able to do so.

- *Irrigation Pump Station Replacement Project.*

This project is close to completion. Staff had a site meeting last week with the contractor and engineers to confer about the buoyancy of the floating intake structure. Staff and the contractor were concerned the intake structure was not sufficient to support the weight of the three intake hoses. Ultimately, the engineers concurred and redesigned the structure to provide additional buoyancy; the total additional cost to the district will be \$1,650, with no construction or engineering cost increases. There is one more day of work needed to assemble and install the intake structure and conduct the start-up and training during March 30 - March 31st.

- *Woodrat Reservoir Rehabilitation Project:*

Staff today poured a concrete pad today on which to place the new, enriched air nanobubble unit at Woodrat 2 and the delivery and installation of the new unit should occur sometime this month.

- *Emergency Purchase of Replacement Generator for Downtown Lift Station.*

The district's back-up generator for the downtown lift station recently failed and is in need of urgent replacement. The district had been considering switching to a propane-powered generator for this site, but the cost to change out the fuel source and the additional noise from this type of generator discouraged that decision. Staff recommends instead that the district purchase a diesel-powered generator such as the Tier 4 unit currently rented because it's extremely quiet and the neighbors are very pleased with it. New generators like this also have internal fuel tanks, which would enable the district to remove the existing external fuel tank and obtain more space in this location. Staff is researching this and will present a definitive proposal to the Board as soon as possible.

- *Bolinas Beach Groin Maintenance and Repair Project:* At the previous meeting the Board requested staff to obtain more information about Ron Noble's engineering firm; a copy of the firm resume is in the binders. As for the Board's request for a construction cost estimate, Mr. Noble believes the initial cost of a phase 1 to repair the hand railing and minor repairs near the staircase would be very reasonable; the cost of a phase 2 to install the repairs to the concrete panels and steel work will be better known once the project is fully designed. Mr. Noble recommends the district contact the California Coastal Commission staff to confirm that all of the needed work can all proceed as a maintenance and repair project and the Board directed staff to do so.

- *Alliance of Coastal Marin Villages.*

Staff reported that the Alliance of Coastal Marin Villages ("ACMV") met earlier this week and the various village representatives voiced concern about the upcoming visitation season and likely impacts on communities, especially with regard to parking, traffic and waste. In addition, the ACMV discussed the likely resumption of work by the County on updating the Environmental Hazards sections of the Local Coastal Program. That work is expected to resume this Spring.

Coastal Communities Working Group.

Nothing to report.

With regard to water operations, staff reported that consumption was way down on the back of Mesa for the Dec-Jan-Feb quarter; in fact, it was the lowest on record since 2006, reflecting the community's amazing conservation efforts. The staff has been focused on overall water supply and demand management and continues to track data closely and read all water meters in town every month.

Today staff drained the clarifier to assess the accumulated amount of sludge and discovered that there already was 2 ½ feet of sludge accumulated in just one quarter. Staff believes this likely is due to the late-year heavy use of the Woodrat reservoirs and will perform the same check in June to confirm whether a quarterly pumping schedule is needed.

Staff reported that Muir Beach LAN has offered to connect the BCPUD to its system for free, with no commitment required; in other words, the BCPUD can elect to be served by a fiber optic cable service provider if it wishes to do so when that service is available. Muir Beach LAN is providing this internet service to the BCPUD as a community service. Unless the Board has any objection, staff would like to proceed with the installation; there was no objection.

Staff noted that some of the crew have submitted time-off requests, which prompted a review of the district's Covid protocols and a determination of whether there are any quarantine or other requirements currently in place at either the federal, state or local level concerning employees returning to work post-travel. Staff consulted with legal counsel and there are no post-travel restrictions in place at the present time. Staff met to discuss this and agreed that since the district observes all current protocols (face-coverings, social distancing, hand-sanitizing, PPE, separate equipment and so forth), everyone is comfortable with a "no post-travel quarantine" approach unless, of course, someone is experiencing any symptoms. Staff noted that water and wastewater employees have been added to the list of eligible persons to receive the Covid vaccine and four of the six staff members have received their first shots. Staff anticipates that all BCPUD personnel will be vaccinated by the end of next month.

The ACWA/Joint Powers Insurance Authority Spring conference is scheduled to be held remotely again this year on May 10, 2021 and staff will attend as the district's representative.

The State Water Resources Control Board ("SWRCB") has reinstated its various training/testing programs relating to operator certification, all of which had been stopped due to the pandemic since March 2020. The district's operators have all now registered for upcoming certification exams and courses. The SWRCB also is concerned about "cyber vulnerability" at water districts in California; staff has made the district's IT consultant aware of these vulnerability concerns so that he can take appropriate action to ensure the district is as protected as possible.

Staff recently alerted the Marin County Department of Public Works ("DPW") to another sink hole forming near the residence at 95 Wharf Road. DPW responded by saying it has "very little planned for this location other than continuing to patch or fill the area when needed". Discussion ensued with directors Smith and Walker expressing frustration with this response given the clear need to address the failing crib wall below the road. Staff was directed to contact Supervisor Rodoni and indicate the Board's concerns about DPW's response. Director Walker pointed out that Wharf Road is a key County road and an emergency access way, as well, so it should be a priority for the County to secure it.

Staff reported that the County is working on proposed parking restrictions on Olema-Bolinas Road and Terrace Avenue to address emergency access and safety concerns and has requested the opportunity to present the proposed restrictions at the Board's regular meeting in April.

Staff contacted the Community Development Agency ("CDA") concerning the rules applicable to development on vacant lots in Bolinas to ensure the district is dispensing accurate information to the public on this topic. The County Code Enforcement office previously had advised the district that *any* development of any kind on vacant lots in Bolinas (meaning empty lots with no "established primary use" – i.e., as a residence), requires a coastal development permit. The CDA confirmed this is accurate due to the zoning laws; as such, any development of any kind on vacant lots in Bolinas (including but not limited to fences or small storage structures) requires a coastal development permit.

Staff reported that the Hearsay News asked for permission to use a portion of the former Bolinas Children's Center space for a very limited period to complete an archiving report for the Marin County Library. Staff said while the district is not generally willing to rent this space at the present time, a limited temporary use for an existing tenant seems reasonable. The Board had no objection.

4. Community Expression.

Director Siedman noted that the Board has a letter in the binders from a customer requesting to use more water than the anticipated ration amount for a brief period of time; staff was directed to respond to the customer.

5. Application for Domestic Water Well (10-feet from existing well and more than 100-feet from all property lines) at 288 Mesa Road, Bolinas, APN# 188-170-41 (R. Deiter).

Director Siedman explained that the district's purpose in having this item on the agenda is to apprise the community of the permit application and forward any comments. Director Comstock asked if the water well is within the boundaries of the district. Staff said no, this well is not in the district. Per an agreement with the County dating back to 2007, the County appraises the district of *all* well permit

applications in the area to ensure that property line setbacks are observed and do not interfere with septic systems. Director Walker asked if this is a new well or the improvement of an existing well. Staff stated that there is an existing well at the property; the application is to drill a new, deeper well. There was no public comment on the application.

6. Proposal to Form the Bolinas Advisory Forum (J. Aroyan, R. Camiccia, R. Ferris, G. McNaughton, J. Pfeiffer).

Genie Mc Naughton said that she and the others proposing to form the Bolinas Advisory Forum all are present to provide information and answer questions. She explained that each of the proposers will address a specific aspect of the proposal. First, she said the idea is to provide a forum to consider issues that come up in the community and also to educate people about the town's history, values and current challenges. Ralph Camiccia said they want to provide a safe place to discuss issues, unlike Nextdoor (where people need to have a thick skin) – issues that aren't directly under the purview of the BCPUD or the Bolinas Fire Protection District, such as bringing groups in town together to talk and work on social issues, for example. Rudi Ferris said he believes the town needs a discussion forum for the multitude of issues confronting the town, such as wildfire threat, the condition of Terrace Avenue, water issues, visitation impacts, parking challenges, the status of the Bolinas Lagoon and so on. He stressed that the forum would not be comprised just of "old-timers" and that many or all of the people proposing the creation of the forum may not even be on it. Janine said that the structure of the forum could be like a wheel, where the forum is the hub and different town groups are the spokes with representatives of each of the groups. She said there would be an application process to be on the forum, which likely would be about 7 people; they would like to have a liaison from the BCPUD, as well. The goal would be an efficient means by which to communicate across all of the groups in town and achieve compromises on difficult issues. Jennie Pfeiffer thanked the BCPUD of considering the proposal and said the group would like to be under the umbrella of the BCPUD and/or endorsed by the BCPUD.

Director Comstock expressed concern about the proposal insofar as it implicates the BCPUD's role in the forum specifically. He noted that at a prior Board meeting he expressed his opinion that decision-making about water policy in town is the core responsibility of the BCPUD and should not be the role of the forum. He said there are other topics of concern in town for which the BCPUD has created a committee, such as parking. He questioned why the BCPUD would sponsor a second entity on the same topic? He noted that the idea for the forum seems to have grown out of discussions concerning the Bolinas Community Land Trust ("BCLT")'s downtown affordable housing project; he noted the BCPUD has not taken a position on that project other than make decisions concerning water. He noted that many of the people supporting the creation of the forum are people opposing the BCLT project. He does not want the BCPUD to be sponsoring an entity that is viewed as "anti" or "against" the BCLT.

Director Walker said she appreciates director Comstock's insights and expressed concern about whether the proposal could impact district staff time if the BCPUD sponsors the forum. Director Godino said she also shares director Comstock's concerns. She said she understands having a community place to discuss community issues, but those issues tend to be discussed at the meetings of the specific entities handling them. She is concerned about "triangulating" existing organizations and is not quite clear about how the forum would operate. Director Smith said that the concept of having a group that broadly represents the town's viewpoints to discuss town needs and obtain input is a good idea, and he applauds the efforts to create such a group and move it forward. That said, he does not see how the BCPUD fits into this since the district needs to remain focused on its core activities. He said he would be willing to support the general idea of community members being involved in town issues and fostering broad communication to build consensus. He noted the meetings of the forum might best be held at the Bolinas Community Center which has long served as a gathering space for discussion of town's issues. Director Siedman said he concurs with the other Board members; the idea of a community forum where people could come together to discuss issues affecting the town is a good idea, but the BCPUD likely would need to be limited to sending a representative (and not involved in organizing or running the forum).

Genie said that the proposing group does not want the BCPUD to take on responsibility of running the forum and the group recognizes this is a big job. She said the group came to the BCPUD to present the topic as it seemed to be the right way to get started. Janine said that the proposing group does not see the BCPUD as carrying the weight of the forum at all; the forum will need to be comprised of people who are open-minded and who are ready and willing to commit themselves to doing the work necessary to operate the forum effectively. She commented that a person adamantly opposed to the BCLT project, for example, would not be an appropriate forum member. Jennie Pfeiffer said she would like to underscore that the intent is not to add more work to BCPUD staff, but rather to take some of the burden off of BCPUD staff. Rudi agreed, noting that integrated management is needed on issues such as the stabilization of Terrace Avenue, the fire danger posed by the eucalyptus grove adjacent to Mesa Road, the incredible density of visitation to downtown Bolinas, the status of the moorings in the Bolinas Lagoon, and so on. Rudi said these challenges are real and need to be addressed – not at all in an antagonistic manner. Ralph said the BCPUD has long served as the closest thing to a town council for the unincorporated community of Bolinas, which is why the proposers came to the BCPUD to present this proposal. Jennie Pfeiffer said that Supervisor Rodoni has indicated that the forum is a good idea; Ralph likened the forum to an equivalent of the Stinson Beach Village Association.

Director Siedman said that based on the director comments, he thinks the BCPUD would be willing to send an emissary to the forum, or village association, whatever form the entity eventually takes, and that the BCPUD has no objection to the proposers forming such an entity. Director Smith agreed, noting that the forum should be an independent entity and the BCPUD should interact with it as it does with other independent entities in town. Directors Godino and Walker concurred. Director Comstock said he is comfortable with the concept of the formation of a village association – not under the sponsorship of the BCPUD – that is broadly based; he agreed the BCPUD should send a representative. Genie McNaughton expressed thanks to the Board on behalf of the proposers.

7. Proposal for the BCPUD to Conduct Meetings via Zoom rather than via Teleconference.

Staff said that community members have requested the district consider moving to Zoom as the teleconference meeting process can be unwieldy. Staff spoke with the district's IT consultant and a pro-version license of Zoom is available at a cost of \$200/year for one administrator. If the Board wishes to offer the ability for committees to meet via Zoom, then the district would have to purchase a minimum of 10 licenses, which increases the cost to \$2,000/year. After a brief discussion, the Board directed staff to purchase a single license and move the regular and/or special Board meetings to the Zoom platform. Director Godino noted that because there is the ability to call in to a Zoom meeting, community members with poor internet will still be able to participate; Director Walker agreed that the ability to call in is a critical feature.

8. BCPUD Letter to CalPERS Requesting that CalPERS Divest from Fossil Fuel Assets and Invest Those Assets in Clean Renewable Energy Projects.

Director Comstock said that he asked staff to include an agenda item for the BCPUD to submit a divestiture letter to CalPERS because he believes it is long-past time for CalPERS to divest the fund from fossil fuel assets and redirect the fund to clean renewable energy. He noted staff has prepared a draft letter which is in the binders; he said it is well-written and he has no changes. Director Comstock asked that the letter also be copied to the two state representatives representing Bolinas in the state Senate and Assembly (in addition to the Governor) as well as other West Marin districts; director Siedman concurred, suggesting that the letter also could be copied to the Bolinas Fire Protection District and the Bolinas-Stinson Union School District.

L. Comstock/D. Smith all in favor to send a letter to CalPERS requesting CalPERS divest from fossil fuels assets and invest those assets in clean renewable energy projects, with copies to the various identified legislators and entities.

9. Request from the Association of California Water Agencies (“ACWA”) for BCPUD to Support ACWA-Sponsored Senate Bill 323 (authorizing an agency or interested person to bring a validation action to determine the validity of a fee or charge for water and/or sewer service).

Staff reported that ACWA contacted the district to request support for the effort to pass Senate Bill 323 and sign on to ACWA's letter. Director Comstock said he is supportive of the request if the ACWA description of the bill is accurate as the validation action process seems to streamline challenges to water and sewer service fees and charges. Staff offered to conduct more research to ensure the district understands what it would be signing up for to support this measure.

L. Comstock/K. Walker all in favor requesting staff to conduct further research and ensure the district accurately understands the import of Senate Bill 323 and if so, authorizing staff to sign the district on as a supporter of ACWA-Sponsored Senate Bill 323.

10. Volunteer Committee Reports:

-- Resident Permit Parking Plan Committee: Update on March 11, 2021 Meeting with County Representatives re Next Steps on a Resident Permit Parking Plan.

Sherry Hirsch reported that the committee recently had a meeting with Supervisor Rodoni and representatives of the Community Development Agency (“CDA”), Sheriff's Office, and Department of Public Works to obtain feedback about the feasibility of certain proposals under consideration by the committee to address the parking and traffic problems downtown. The committee's presentation was well-received and Tom Lai with the CDA offered to share it with Jeannine Manna at the Coastal Commission staff. A central question is which entity at the County can/should issue residential parking permits and/or whether the BCPUD should do so; as of now, there is no clear answer to this question. As for enforcement, the Sherriff's Office is responsible, even if an entity other than the County issues the parking permits. Sherry noted that the Measure X parking restrictions will need to be extended past the two-year trial period because a new resident permit parking plan will not be completed in time to replace it. Sherry said the committee feels strongly that it needs to know from the County/Coastal Commission what is or is not going to be permissible before bringing a specific parking plan to the community.

-- *Resource Recovery*: Nothing to report.

-- *West Marin Mosquito Control Coordinating Council*: Director Godino reported that the council has not met recently and there is nothing relevant to report at this time.

-- *Land Stewardship Committee*: Janine Aroyan said that the committee has not met since early 2020 due to the Covid 19 pandemic. She said that a lot of the committee's work has been either on the land or seeking grants for the improvement of the bike path. Janine noted that Vic Amoroso faithfully served as the BCPUD's representative to the committee for six years; now that he has retired, Janine asked if another Board member could serve in this position or if Vic can serve as an "emeritus" Board member. Janine said that Vic asked her to raise this with the Board; he is willing to continue to serve with the Board's permission. After a brief discussion, Janine was told to let Vic know the Board gratefully accepts his offer to serve as an emeritus Board member liaison to the committee.

11. Other Business.

a. Board Committee Reports.

--*Finance*: : *Memo re: Financial Reserve Policy Compliance; FY 2020-21 Second Quarter Financial Statements; Update on Status of the FY 2021-22 District Budget; Minutes of the January 27, 2021 Finance Committee meeting; Minutes of the March 9, 2021 Finance Committee meeting.*

The Board received staff's memo attesting that the district is in compliance with its Financial Reserve Policy; this memo previously was presented to and accepted by the Finance Committee.

As for the second quarter financial statements, staff noted the district is on track with regard to its "budget to actual" expenses with the exceptions of expenses in excess of budget for: (1) power (due to the failed inverter at the water treatment plant, the solar arrays at that site are not operating at full capacity); (2) legal services (due to review needed of the district's mandatory rationing resolution and related materials); and (3) other contract services (due primarily to unbudgeted hydrogeologist expenses for work needed to inform the staff's water supply analyses and projections).

With regard to the FY 2021-22 district budget, the Finance Committee met on January 27 and March 9th, with a third meeting scheduled for March 31st, to work on the budget. Staff projects that a substantive update on the budget and updated capital improvement plan will be presented at the Board's regular meeting in April.

The minutes of the January 27th and March 9th Finance Committee meetings were deferred to a future meeting.

-- *Legal*: Nothing to report.

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

-- *Water and Sewer Operations: Proposal from JMB Renewables, LLC for Removal and Reinstallation of Solar Inverters at the Woodrat Water Treatment Plant.*

Director Smith said that JMB Renewables LLC has submitted a proposal and he is evaluating whether there are any alternatives as the installation as proposed would be very expensive.

-- *Personnel: Request by General Manager for Payment of Accrued but Unused Vacation Time.*

Director Siedman noted that the General Manager has requested to be paid out accrued but unused vacation time because she is not able to take any vacation due to the press of business and therefore per district policy will cease accruing any vacation unless her balance drops below the accrual maximum. Staff stated that her specific request it to be paid out 100 hours of accrued vacation at a cost of approximately \$5,573 (pre-tax) to the district.

D. Smith/G. Godino all in favor to approve the General Manager's request to be paid 100 hours of accrued but unused vacation time.

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; Minutes of the February 24, 2021 Regular Board meeting.

Directors Smith and Comstock offered clarifying corrections to the minutes of the January 20, 2021 regular Board meeting.

D. Smith/L. Comstock all in favor to approve the minutes of the January 20, 2021 regular Board meeting, as clarified.

Director Comstock offered clarifying corrections to the minutes of the February 3, 2021 special Board meeting.

L. Comstock/D. Smith all in favor to approve the minutes of the February 3, 2021 special Board meeting, as clarified.

L. Comstock/D. Smith all in favor to approve the minutes of the February 8, 2021 special Board meeting.

The minutes of the February 24, 2021 regular Board meeting were deferred to a future meeting.

c. Warrants.

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

c. Scheduling of Next Meeting(s):

April 21, 2021 Regular Board meeting at 7:30 p.m. on Zoom

12. Adjournment.

9:40 p.m.