

Bolinas Community Public Utility District

A Regular Meeting Of The Board Of Directors

October 20, 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 conducted by the BCPUD Board, staff and public via Zoom.

1. Call to Order.

7:31 p.m.

2. Roll.

Directors Comstock, Godino, Siedman, Smith and Walker present via Zoom; director Siedman presiding.

3. BCPUD Resolution 693: Proclaiming a Local Emergency, Ratifying the Proclamation of a State of Emergency by the Governor (March 4, 2020), and Authorizing Remote Teleconference Meetings of the Legislative Bodies of the Bolinas Community Public Utility District for the Period of 30-Days Pursuant to Brown Act Provisions.

President Siedman noted that the draft resolution sets forth the findings necessary to authorize the BCPUD to continue to hold remote meetings; this resolution, which must be renewed every thirty days, is required due to a new law (AB 361), which took effect on October 1, 2021.

K. Walker/L. Comstock all in favor to approve BCPUD Resolution 693.

4. Manager’s Report and Project Updates.

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

Staff presented an update on the status of the District’s water supply since the September 2021 report. Between September 14, 2021 and October 15, 2021, diversions from the Arroyo Hondo Creek to the Woodrat Water Treatment Plant averaged 53,695 gallons per day (GPD), which was 12,270 GPD less than the average diversions to the plant the prior month (65,965 GPD). No water was diverted from the Woodrat reservoirs to meet demand during this time. Rainfall thus far for the 2021-22 rain year (July 1, 2021 – June 30, 2022), through October 15, 2021 is 1.52 inches. The persistent marine layer in July and August, the relatively cool temperatures and the shorter days have resulted in highly beneficial impacts on both Arroyo Hondo Creek flow and evaporation/seepage from storage (particularly as compared to last year, when it was much less foggy during the summer and much warmer in September and October). And, of course, the community’s incredible conservation also means the district is in the best possible position it can be at the outset of an uncertain rainy season given the depth and persistence of the current drought.

The district’s stored usable water supply in the Woodrat reservoirs as of October 15, 2021, (combined), plus the amount of treated water in storage, is estimated to be 8,885,601 gallons, a decline of 396,903 gallons in storage as compared to the 9,282,504 gallons of water in storage on September 6, 2021 due to evaporation and seepage, which is consistent with predictions. As for water production and consumption, both are averaging just under 52,000 GPD, or 88 GPD per connection; as such, there is virtually no “unaccounted for water loss” (i.e., leaks) in the system right now.

Staff next presented updated “scenario summaries” reflecting the actual water storage data recorded as of October 15, 2021 and projections as to how much stored water the district will have available through January 31, 2022 based on differing rates of overall community water consumption *and* (1) assumed (but hypothetical) receipt of 9.9 inches of rain during October 2021 through January 2022 and (2) updated projections to the Arroyo Hondo Creek base flow recession model, including the beneficial impact of fog. These scenarios predict that the district will have just over 10 million gallons of water in storage through January 2022, or approximately 58-60 percent of capacity, which is a decline from the storage predicted last month due to the loss in storage from September 6th – October 15th. Although the district is heading into the mid-Fall with slightly less water in storage than this time last year, the rate of decline in storage is predicted to be far shallower if current consumption patterns hold, because the district is able to meet demand via the Arroyo Hondo Creek (and not diverting from storage). As a reminder, last year at this time, consumption was averaging approximately 86,000 GPD and the district was diverting from storage to meet demand. The scenarios below predict the district will end the calendar year in a better position than last year in terms of storage, even though the district experienced a second and more severe year of drought. Conservation really helps!

Staff then discussed the updated base flow (BF) recession model for the Arroyo Hondo creek. While the total creek flow is less than it was at this time in 2020, it is more stable over time, which likely is the result of (1) the groundwater system starting less full and draining at a lower rate and (2) more fog (as best staff can determine given the spotty data). And, of course, the daily demand is far lower than it was this time last year, and generally less than the current creek flow, as a result of the community's commendable conservation. The model currently projects that flows in the creek will be increasing over the next few months due to the beneficial impact of assumed rainfall. In response to questions from the Board, staff confirmed that the district is prepared to divert water from the creek to the Woodrat reservoirs effective November 1st. Staff is planning to raise the gate at the lower diversion point this weekend in anticipation of the forecasted rains and expects the district thereafter to be operating off the upper dam.

- *Emergency Groundwater Well Projects.*

The Board approved proceeding with the two emergency groundwater well projects at a special meeting on September 22, 2021 and, on October 11, 2021, staff held a site meeting with the district's project engineer and consulting hydro-geologist, as well as the architect and Executive Director for the Bolinas Community Land Trust ("BCLT") to better map out the installation of the treatment facilities for the Wharf Road well. Staff is researching the potential for grant funding from federal and/or state agencies for the installation of the well projects. The California Department of Water Resources' Small Community Drought Relief Program appears to be the most promising with \$200 million in available funds.

- *Operations Update.*

Staff reported that a meeting is planned for next week with consultant Eli Kersh concerning the Woodrat Reservoir Rehabilitation Project. Staff has encountered some unexpected difficulties purchasing an appropriate boat for use in the reservoirs. Although azolla currently is very minimal on the surface of the reservoirs, staff intends to manually remove it once it is possible to do so safely from a boat.

As for the Woodrat 1 Overflow CMP Slip-line Project, the Board approved proceeding with this project on an emergency basis at the September 22 special meeting and found it to be categorically exempt under the California Environmental Quality Act ("CEQA"). Staff filed the CEQA Notice of Exemption at the County the next day and prepared the contract documents, which the district's attorneys have reviewed. The contract documents have been provided to Miksis Services, Inc. and staff is endeavoring to schedule the work as soon as possible.

The Irrigation Pump Station and East Tank Rehabilitation Projects are both complete. With regard to the solar arrays at the Woodrat Water Treatment Plant, a repair of the failed inverter was performed in August and additional preventative maintenance work was done in early September after the arrays were re-cleaned and poison oak was removed at the top of the arrays near the combiner boxes. The solar technician will be submitting a report for the cost of additional preventative work, primarily the replacement of the corroded combiner boxes at the top of the arrays. Finally, staff has enlisted Piazza Construction to perform an emergency repair of a leaking water service on the booster pump line between the Woodrat water treatment plant and Commonweal, likely next week, weather permitting.

- *Alliance of Coastal Marin Villages/Coastal Communities Working Group.*

Nothing to report.

With regard to general water operations, staff presented an updated spreadsheet showing the financial implications of reduced water consumption, which is a corresponding decline in water sales revenue. Included in the Board binders were copies of the district's weekly drought reports required by the State Water Resources Control Board ("SWRCB"): creek flows and intake flows have been very stable in the last month, but very responsive to current weather conditions (flows drop measurably during sunny weather, and increase when the weather is wet).

Earlier today, the Marin County water district managers met via Zoom with Supervisor Rodoni and all managers reported on their district's current water supply status and plans for future projects to augment supply. Marin Water (formerly Marin Municipal Water District) is focused on the pipeline across the Richmond Bay bridge and North Marin Water District prevailed over opposition at a recent California Coastal Commission hearing on an application to install a new well.

In response to a request from the SWRCB, staff submitted a report detailing all drought-related costs incurred by the district between April 21, 2021 and the present. For the BCPUD, these costs total \$137,966, roughly \$80,000 of which was for professional services relating to the emergency groundwater well projects and the balance is staff time spent on meter readings, conservation education and outreach and work relating to the emergency groundwater well projects.

On the sewer side of operations, the Regional Water Quality Control Board (“RWQCB”) notified the district on September 28th that it plans to update the BCPUD’s waste discharge permit, which is the permit that pertains to the operation of the treatment plant (i.e., ponds and spray disposal fields at 101 Mesa Road) by transitioning the district to the new (much more extensive) General Order. Upon receiving this notification, staff reached out to the district’s consulting engineer at West Yost Associates, Kathryn Gies. Kathryn is very familiar with the district’s treatment plant and the new general order; she recommends that the district request a telephonic meeting with the RWQCB engineers to discuss the district’s treatment plant and the best path forward given that it may be difficult for the district to comply with some of the provisions in the General Order. Kathryn is preparing a consulting proposal for the Board to approve to authorize the technical work needed to assist the district with this permit update process.

At staff’s request, West Yost Associates also provided a proposal for \$34,284 to conduct a condition assessment of the wetwell and nearby manhole at the sewer lift station. Staff is not seeking action from the Board at this point with regard to the assessment. Rather, this is a step in the process of rehabilitating the wetwell, a project on the district’s capital improvement plan for the sewer system.

On October 7, 2021, the district experienced another small, fully-contained spill inside the check valve vault in Wharf Road. Once again, Piazza Construction assisted with the replacement of a blown gasket. A replacement check valve and plug valve was ordered several weeks ago, but unfortunately is backordered at the present time.

On October 8, 2021, Supervisor Rodoni along with Department of Public Works (“DPW”) Director Rosemarie Gaglione and Assistant Director Eric Miller conducted a site walk of the eucalyptus groves near the intersection of Olema-Bolinas and Mesa Roads at the request of the Bolinas Eucalyptus Project (a local group advocating for the removal of the eucalyptus in this area due to fire danger/evacuation route implications). The meeting was very productive; the County personnel were very engaged and emphasized the need for the Bolinas Eucalyptus Project to commission a biological site assessment as that document will be key to determining the permitting process.

Supervisor Rodoni held remote “Office Hours” via Zoom on October 18th and the Director of the Community Development Agency, Tom Lai, was present to discuss the Local Coastal Program (“LCP”) update process. Progress on the LCP regrettably has stalled in recent months due to staff turnover at the local California Coastal Commission office. Tom Lai noted that whereas some jurisdictions in California are implementing what is known as “managed retreat” (relocating existing development and/or not permitting new or rehabilitation work), Marin County is seeking to implement an adaptation, nature-based strategy. Tom also gave an overview of the County’s new pilot septic system program (originally proposed by director Don Smith) that may be able to lower costs for property owners seeking to legalize their system and/or install affordable second units.

The Board reviewed correspondence sent and received since the last regular Board meeting, including but not limited to communications relating to the implementation of SB 1383 (the BCPUD is pursuing a “low population” waiver from some of the reporting requirements), the College of Marin’s Wharf Road property (soil testing to be conducted on October 26th) and ACWA/JPIA (follow-up letter concerning September 22, 2021 site visit).

5. Community Expression.

Director Smith observed that Jannick Pitot submitted an informational packet about fog harvesting as a possible source of water for the community; he said he investigated this very topic a few years ago and determined it is not practical for our area because Bolinas does not have a sufficient portion of each day in foggy conditions and because the harvesting requires a large surface area, which would be very impractical during the strong (frequent) wind events. Director Siedman said the Board also received a copy of a letter sent to the Coastal Commission (also copied to Supervisor Rodoni) complaining about various activities on Brighton Avenue.

6. BCPUD Right-of-Way Permit Application: Request to Install Underground Fiber-Optic Cable Across the Grove Road Right-of-Way, north of the Intersection with Alder Road (D. Moritz).

Paulette Bilgart and David Moritz were present to answer questions about their request to install a conduit for underground fiber-optic cable across the Grove Road right-of-way. Staff recommended the Board require that the conduit be installed by a licensed contractor at least one foot below the district’s water main. Director Smith further recommended the conduit be installed in a bedding of sand; David Moritz had no objection to these conditions.

L. Comstock/K. Walker all in favor approving the requested right-of-way permit application, subject to the requirements that the conduit be installed by a licensed contractor in a bedding of sand at least one foot below the district’s water main.

7. BCPUD Right-of-Way Permit Application: Request to Install Underground Fiber-Optic Cable Across the Laurel Road Right-of-Way, north of the Intersection with Ocean Parkway (DJ O'Neil).

No one was present on behalf of the property owners at 15 Laurel Road. A brief discussion ensued, with staff recommending the same conditions (licensed contractor to imbed the conduit in sand at least one-foot below the BCPUD's water lines) plus a requirement that the staff approve the final route of the conduit as several water service laterals are present in this location, in addition to the water main. A brief discussion ensued about the possible need for the BCPUD to formulate a general policy concerning fiber-optic conduit installations in the event a number of these are presented in the future, which is not necessarily anticipated as, in most cases, Horizon Cable is able to string the cable directly to the property in question.

D. Smith/L. Comstock all in favor approving the requested right-of-way permit application, subject to the requirements that the conduit be installed by a licensed contractor in a bedding of sand at least one foot below the district's water infrastructure and that BCPUD staff approve the final route of the trench.

8. Proposed Relocation of BCPUD Water Meter Serving 10 Olema-Bolinas Road (APN# 193-072-02) (E. Smith).

Erik Smith was present and explained that he is asking for permission to relocate his water meter about four feet closer to the road bed along Olema-Bolinas Road and outside of a small rock wall he is building as part of a front yard project. The County of Marin granted an encroachment permit for him to build the rock wall partially in the County's right-of-way at this location. Discussion ensued, with Mr. Smith sharing his project plans and responding to questions from the Board. Staff commented that while the district generally has a policy against accommodating encroachments into the public rights-of-way, this situation is somewhat unique given the County encroachment permit and district staff would prefer the meter is relocated as proposed in order to facilitate staff access. Staff explained that the crew will relocate the meter and charge Mr. Smith for that work on a time and materials basis; Mr. Smith will be responsible for all work from the meter to (and within) the house. In response to a request from director Comstock, Mr. Smith agreed to provide the district with copies of the approved plans and County-issued encroachment permit for the rock wall project.

G. Godino/D. Smith all in favor to approve the request to relocate the BCPUD water meter serving 10 Olema-Bolinas Road at the property owner's expense.

9. Request to Use Parking Lot at Mesa Park (APN# 193-020-45) for Household Hazardous Waste Collection Event ("Toxic Away Day") on November 6, 2021

K. Walker/L. Comstock all in favor approving the requested use of the parking lot at Mesa Park for the annual Toxic Away Day on November 6, 2021.

10. BCPUD Paid Leave Donation Policy: BCPUD Staff Request for Board Approval of Policy Allowing Employees to Donate Accrued Paid Time Off to Fellow Employees.

Staff requested this item be included on the agenda because Board approval is needed for a proposed paid leave donation policy allowing employees to donate accrued time off to other employees. Staff does not yet have a written policy from the district's attorneys but expects to receive it soon; policies such as this need to be carefully crafted to meet Internal Revenue Service regulations to ensure that both employees are not taxed on the donated leave (only the recipient employee). Director Siedman suggested the Board approve the policy in principle, subject to legal review for compliance with all applicable requirements.

D. Smith/K. Walker all in favor to approve a paid leave donation policy for the district, subject to legal review for compliance with all applicable requirements.

11. Volunteer Committee Reports.

-- Resident Permit Parking Plan Committee: Report from Committee.

Sherry Hirsh submitted a written update on the Resident Permit Parking Plan Committee's ongoing work. She noted that the County next month will meet with the Committee to provide feedback as to the feasibility of the ideas they have come up with thus far to address the parking problems downtown. Director Walker said she noticed Marin County personnel in town earlier in the week changing out signs along the end of Wharf Road to designate fire lanes/no parking. Sherry said the Bolinas Fire Chief asked for the fire lanes to be designated on Wharf and several other places in town, which raises the fine from \$99 to \$163

-- Resource Recovery: Inspection Report.

The Board received an inspection report issued by the County concerning the Resource Recovery Project; no violations were identified.

-- *West Marin Mosquito Control Coordinating Council*: Nothing to report.

-- *Land Stewardship Committee*: Director Walker requested that staff provide her with some past information relating to the proposed seawall project at 100 Brighton Avenue to share with the committee concerning possible improvements to BCPUD property on the other side of the access ramp.

12. Other Business.

a. Board Committee Reports.

-- *Finance*: Staff continues to work with the district’s outside bookkeepers on the FY 2020-21 audit of the district’s financial statements.

-- *Legal*: Nothing to report.

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

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

-- *Personnel: Request by General Manager to Rescind Authorization for Payment of 100 Hours of Accrued but Unused Vacation Time.*

Staff requested that the Board rescind its previous approval of her request at the September 2021 Board meeting to be paid out 100 hours of accrued but unused vacation time so that this time is available for donation to a fellow employee per the paid leave donation policy earlier approved in principle by the Board.

D. Smith/L. Comstock all in favor to rescind its September 2021 approval for payment of 100 hours of accrued by unused vacation time to the General Manager

b. Minutes of the July 1, 2021 Special Board meeting; Minutes of the July 21, 2021 Regular Board meeting; Minutes of the August 18, 2021 Regular Board meeting; Minutes of the August 25, 2021 Special Board meeting.

D. Smith/L. Comstock all in favor to approve the minutes of the July 1, 2021 Special Board meeting.

Staff explained that due to the on-going press of business, the draft minutes of the July 21, August 18 and August 25 meetings have not yet been prepared.

b. Warrants.

In response to questions from director Comstock concerning the August 14th – September 10th warrant list, staff explained that a warrant in the amount of approximately \$13,000 to Piazza Construction was in payment for several water and sewer emergency jobs earlier in the year and that a warrant for approximately \$75,000 to PlasticMart was a “pass through” payment for the water storage tank purchase project.

L. Comstock/G. Godino all in favor to approve the August 14th - September 10th warrant list

L. Comstock/D. Smith all in favor to approve the September 11th – October 15th warrant list.

c. Scheduling of Next Meeting(s):

Special Board meeting: November 9, 2021 at 11:00 a.m. (rescheduled meeting to visit the Arroyo Hondo Creek water source, subject to availability of staff and consulting hydro-geologist).

Regular Meeting: November 17, 2021 at 7:30 p.m.

13. Adjournment.

9:07 p.m.