

Bolinas Community Public Utility District

A Regular Meeting Of The Board Of Directors

February 16, 2022 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.

7:30 p.m.

2. Roll.

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

3. Amend 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.

K. Walker/L. Comstock all in favor to adopt amended BCPUD Resolution 693, continuing the authorization of remote meetings of the BCPUD Board and committees for an additional 30 days.

4. Community Expression.

Director Siedman referenced an article from the San Francisco Chronicle that he submitted for the Board binders which describes the concept of a “vacancy tax” which would apply to people who own properties that are vacant for more than half of a year, the proceeds of which could go to the creation of affordable housing. He noted that many people in town have spoken to him about the fact that home sales in recent years are to people purchasing second or third homes which are then vacant for much of the year, depriving the community of much-needed housing stock. Evidently a vacancy tax of this sort has been enacted in Vancouver BC and resulted in more properties being rented out. Director Siedman asked if there is interest among the Board members to write a letter to Supervisor Rodoni in support of a vacancy tax in West Marin. A brief discussion ensued with Board members expressing support for the concept, but raising questions about implementation and enforcement; the concept of regulating short-term rentals to require owners to reside on the property also was discussed. At the conclusion of the discussion, director Siedman said it appears more appropriate for him to convey his view on the topic as an individual.

Jennie Pfeiffer said that with all of the difficult news about things like the “worst drought in 1200 years” in California, the projections for sea level rise from global warming, and the housing crises, among other things, she wishes there was a place for people to come together to discuss these issues and how to more coherently plan to address them.

Director Siedman said there is a letter in the Board binders from Janine Aroyan to the Code Enforcement office at the County about a large amount of dirt at the end of Nymph Road. A brief discussion ensued about the establishment of a goat farm in the area and the dirt has been transferred there to create a driveway. Staff noted that the operations crew assessed the situation to determine if it obstructed BCPUD access to any infrastructure, and it does not.

5. Manager’s Report and Project Updates.

- *Update on the Status of the BCPUD’s Water Supply. (Update will be posted on the BCPUD website.)*

Unfortunately, the district has received only 0.02 inches of rain (all of which fell on January 20, 2022) since the last Board meeting, bringing the district’s year-to-date rainfall total to 22.23 inches of rain. Last year, as of February 16, 2021, the district had received only 13.2 inches of rain, so rainfall to-date remains well above last year’s rainfall. However, there currently is no significant rain predicted in the 10-day forecast. A persistent ridge of high pressure has settled in, preventing storm events over the Pacific from reaching the district (and most of the rest of California). News reports today indicate that January and February 2022 thus far are the driest on record in California and no significant precipitation is in the forecast for March; these reports stated that the current drought is the worst in 1200 years and has

been made worse by human-caused climate change (in the form of overall worldwide temperature increases).

If the district does not receive any meaningful rain by the end of February 2022, the cumulative precipitation to-date will be below average (whereas the district was slightly above-average as of last month). In the last 68 years, the district has experienced 35 other years where the rainfall received was 22.23 inches or less as of the end of February. Those rain years generally turned out to be somewhat drier than normal years with a minimum total rainfall received of 14.49 inches, a maximum of 30.52 inches, an average of 22.65 inches and a line of “best fit projection” of 29.78. These statistics suggest there is potential for the 2021-22 year to be a below average rainfall year (average annual rainfall is 32.5 inches).

In better news, staff noted that the district’s two reservoirs are full and continuing to spill, with over 16 million gallons of water in storage, which is a significant improvement over this time last year when the reservoirs were at 60% capacity. As for the Arroyo Hondo Creek, the district’s base flow recession model predicts that creek flows will be at 115,000 gallons per day on June 1st if the district receives average rainfall from March through June; however, if the district receives the same amount of rain this year from March through June as it did last year, creek flows will be much lower, approximately 83,000 gallons per day. Staff said the district is growing concerned once again about water supply for 2022; March and April rainfall totals will be very important/informative about supplies for the remainder of the calendar year. As noted, the district is better off in terms of stored water and the district also has received approval to add two emergency groundwater wells to its system; in addition, the district’s customers are highly educated about the water supply in Bolinas and are continuing to conserve as consumption remains well below average.

Between January 15, 2022 and February 14, 2022, water production averaged 59,100 gallons per day, or approximately 100 gallons per day per connection. Water consumption during this same timeframe averaged 61,079 gallons per day, which is 103 gallons per day per connection. Water consumption was higher than water production during this time period because the treatment plant was off-line for three days for repair work. It is important to note that during the week of February 8 – February 14 (a period of unseasonably warm weather), consumption jumped up to an average daily use of 65,484, or 112 gallons per day per connection and, on February 13th, water consumption was 80,942 gallons across the district, or 138 gallons per day per connection.

- *Update on Statewide General Order Permit Transition Process for the BCPUD’s Sewer Treatment Facility; Task Order Agreement for Professional Services between the BCPUD and West Yost Associates, Inc.*

As staff reported in December, 2021, the district’s consulting engineer, Kathryn Gies of West Yost, sent a follow-up email to Regional Board staff explaining that the BCPUD Board in November 2021 authorized the district to conduct a preliminary assessment to determine whether the BCPUD is likely to be successful with an application for the state’s “septic to sewer” grant funding program to expand the district’s sewer system to bring additional customers online (and off of failing septic systems) over and above the seven customers on Canyon Road. Kathryn suggested in her email that it may therefore make sense to postpone the permit transition process until the BCPUD can complete the necessary studies to identify the additional customers that would come online and the expansions (if any) that would be needed for the treatment and disposal facilities. Kathryn also asked if the Regional Board staff would be willing to allow the district to modify the current moratorium on new connections to the sewer system to allow the seven additional Canyon Road connections, noting that the project is expected to increase the district’s average dry weather flows by approximately five (5) percent and wet weather flows by less than three (3) percent.

On January 28th, the Regional Board staff responded and expressed support for postponing the permit transition process until the necessary studies have been completed concerning potential additional customers. With regard to the seven Canyon Road connections, the Regional Board staff said it would like the BCPUD to provide the calculations used to determine the ponds have sufficient capacity to accommodate the increase in flows, and also the calculations used to determine that there is sufficient disposal capacity for the increased flows – if those calculations confirm that the BCPUD’s system can handle the additional flow, the Regional Board staff would support a modification of the moratorium.

Due to the additional work needed to develop the calculations requested by the Regional Board (a water balance analysis and treatment system capacity calculations), Kathryn has updated the Task Order scope of work and also increased the requested budget from \$10,000 to \$15,000. Staff noted that the additional work will be needed in any event for the larger permit transition process work, and staff recommended that the Board approve the updated Task Order Agreement.

D. Smith/L. Comstock all in favor to approve the Task Order Agreement for Professional Services between the BCPUD and West Yost Associates for an amount not to exceed \$15,000 and for the work detailed on the Task Order.

- *Operations Update.*

Staff reported on a recent replacement of an old valve on Brighton Avenue near the intersection with Wharf Road; this is a valve that was previously unknown to the staff, but a slow leak on the valve was undermining the paving in the area. This district sought assistance on an emergency basis from Piazza Construction due to the deep excavation work needed on a paved road. The water downtown had to be shut off for most of the day and the crew encountered extremely high groundwater conditions at the site. A welcome consequence of this emergency repair is the district now has a new shut-off valve that can isolate Brighton from Wharf Road, which will reduce the number of customers affected during future leaks on Brighton Avenue. Due to the high groundwater, however, it is not possible to pave the repair site, so it remains plated at this time.

Last month the operations crew worked with the district's consulting technician for the treatment plant filters to install a new filter block on filter 4 and to clean and pin membranes. The district's technician recommends that the district replace the existing membranes over the next couple of years because they are reaching the end of their useful life. The membranes cost approximately \$700 each and 24 of them will be needed for a full replacement at a cost of approximately \$16,800.

The operations crew has formulated an approach to remove the invasive azolla from the surface of the Woodrat 1 Reservoir; staff credited the crews' ingenuity and thoughtfulness in assembling a weighted "boom" system to collect the azolla, using an electric motor to pull it in to shore and a trash pump to extract the collected azolla from the surface of the reservoir directly into the district's dump truck. The crew had noted the azolla beginning to re-cover the surface of the reservoir after the rains ceased and the weather warmed and set about creating a solution for its removal which, if fully successful, will save the district more than \$20,000 in outside contractor costs to perform the work.

Staff reported that the BCPUD has been randomly selected by the Environmental Protection Agency ("EPA") to participate in the Unregulated Contaminants Monitoring Rule (UCMR 5) for polyfluoroalkyl substances ("PFAS"). It appears that the EPA will provide equipment and personnel assistance when the monitoring is underway. In the meantime, the initial next steps are to establish an account with the EPA via a secure portal and provide specific requested information. In addition, staff will be attending a UCMR 5 "stakeholder" meeting on March 17, 2022.

Staff said the district's annual water licensing reports are due on April 1, 2022, so staff is working with the district's consultants at Tully & Young on the reports. Staff noted that the reporting requirements have been changed such that the district will be reporting its data on a state "water year" basis, October – September, rather than a calendar year basis,

Staff directed the Board's attention to correspondence from various law enforcement authorities alerting water and wastewater systems to cyber threats to critical infrastructure and urging district's to implement heightened awareness. This district's IT consultant has been informed of the alerts. The district also is in the process of renewing its cyber insurance liability coverage.

Staff noted that copies of the district's weekly "drought reports", required by the State Water Resources Control Board ("SWRCB"), are in the Board binders, as are full copies of the grant applications the district submitted to the Department of Water Resources Small Community Drought Relief Program: the Water Wells for Drought Relief project application and the High Priority Pipeline Replacements project application.

Staff reported that the SWRCB has issued a notice of intent to update its Statewide Sanitary Sewer System General Order. This is a separate regulatory effort not related to the Regional Board decision to update the district's waste discharge permit. A draft of the new order suggests that there could be significant cost implications for the BCPUD if the order is enacted as drafted. The state's various wastewater trade associations are weighing in and advocating strongly for revised language to reduce the regulatory burden on districts.

Staff said there is a letter to the Board from director Comstock in the binders. Director Comstock said he wrote the letter to explain why he is recusing himself from matters before the Board relating to the Bolinas Community Land Trust ("BCLT"). Briefly stated, the BCLT has offered to sell him a 4,000 square foot parcel adjacent to his property and he has decided to purchase it, at fair market value. In response to a question asking how long he intends to recuse himself from matters relating to the BCLT, director Comstock said he does not know at this time; he said that he cannot find any specific legal requirement mandating that he recuse himself, as best he can tell it is a judgment call and one he is making for the time being.

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

Staff reported that the next quarterly meeting of the Alliance of Coastal Marin Villages ("ACMV") with Supervisor Rodoni is set for March 3rd. There is a lot of interest among the ACMV members in the County's current effort to update the Housing Element of the Countywide Plan. A recent state law mandates that the County add more than 14,000 housing units in Marin, approximately 3,500 of which are

to be located in unincorporated Marin. The BCPUD recently received an email from the County consultants working on the update about three sites that have been identified in Bolinas either as vacant or underutilized: the hardware store property, the downtown park, and the agricultural parcel next to the Bolinas Firehouse. The consultants have inquired whether the BCPUD has the water and sewer capacity to service close to 60 housing units proposed for these sites (combined).

6. BCPUD Right-of-Way Permit Application: *Request to Install Underground PG&E Service via Conduit in the Oak Right-of-Way South of Cherry (M. Griffith).*

In response to a question from director Siedman, staff stated that there has been a recent uptick in right-of-way permit applications, all of which are to underground infrastructure, primarily fiber optic cable and electrical lines, which present new and different challenges to the BCPUD in terms of its infrastructure. Staff recommended that the district follow the County's lead with regard to encroachment permits for work performed in County rights-of-way; those permits impose, among other things, specific requirements on the applicants such as ongoing maintenance and repair obligations as well as indemnification commitments to protect the County from liability. Staff recommended that any Board approval of right-of-way permit applications going forward be conditioned upon the applicant's acceptance of the BCPUD's permit requirements similar to those required by the County.

Ed Pohlman was present, along with Melinda Griffith, to explain the proposed project, which is to install underground electrical service to 40 Oak Road. Ed said it has taken a year to get plans approved by PG&E and the final hurdle now is to secure BCPUD approval. Ed met recently with Stew Oakander at the project site and confirmed that the district's water line at this location is 6-inch A/C pipe approximately 4 feet in depth. Ed said that they plan to hand dig near the pipe and run the proposed conduit under the water pipe; PG&E requires that the conduit be at least 39 inches deep. Ed said that he intends to install the conduit trench when BCPUD operators can be there.

Director Siedman asked Melinda Griffith if she has any concerns about the permit conditions described by staff, including but not limited to the indemnification provision, noting the permit conditions will be applicable to all applicants going forward; Melinda said she has no objection. Director Smith said that the County encroachment permit form refers to specific construction standards for electrical lines and trenches and suggested similar construction standard references be included in the BCPUD form of permit. Staff agreed with this suggestion.

D. Smith/K. Walker all in favor to approve the Griffith right-of-way permit application, subject to the applicant's acceptance of the form of permit required by the district, which shall include appropriate construction standards, indemnification and hold harmless provisions.

7. BCPUD Right-of-Way Permit Application: *Request to Install Underground PG&E Service via Conduit in the Fern Right-of-Way between Larch and Poplar (M. Hug).*

Mark Hug was present and said he heard all of the earlier discussion pertaining to the permit conditions and he has no objection to them. He said that he and Stew Oakander also met at his project site and agreed upon the likely route of the conduit. Mark said that as far as he knows, the conduit will not cross the district's water line, so it is less risky than the previous project.

G. Godino/K. Walker all in favor to approve the Hug right-of-way permit application, subject to the applicant's acceptance of the form of permit required by the district, which shall include appropriate construction standards, indemnification and hold harmless provisions.

8. BCPUD Right-of-Way Permit Application: *Request to Install 12-Inch Deep Swale Across Queen Right-of-Way (P. Pospisil, P.G., for N. Rosenberg).*

Paul Pospisil from Questa Engineering explained that he has prepared a "winterization" plan for the property at 35 Queen which is needed to protect the home located there from flooding during winter storms. Paul explained that there is an old culvert and grate on the east side of Queen Road that was intended to collect surface water and direct it further down slope, but that system is no longer working; in addition, there no longer is any upslope V-ditch to direct the water. Paul said that he does not want to direct any more water toward 35 Queen as there is an active landslide within 100 feet of the house. He explained that the best solution to protect the home seems to be to install a shallow swale across Queen Road to catch the water flowing downhill before it crosses the road and flows toward the home at 35 Queen and re-direct it into an 8-inch pipe at the bottom of the property where the natural drainage already flows. Paul noted that there is a water line in Queen Road approximately 4-feet down and he has been advised it is A/C. Paul said the property owner would like to install this winterization plan as soon as possible. Staff then shared her screen to show the Board the winterization project drawings prepared by Questa.

Julie Bider explained that she is a neighbor who lives at the top of the hill at the intersection of Cherry and Pine Roads; she and her husband, David, also own the property next to 35 Queen where the plan proposes to divert the water currently flowing toward the home at 35 Queen Road. Julie said that she

and her husband have maintained the lower property in its natural state to protect the stability of the bluff and she is concerned that a concentrated flow of water directed toward this property could erode the bluff. Julie said that she and her husband want the property owners at 35 Queen to be safe, but inquired whether there is any alternative to the current plan, which she feels could damage her property. She said she does not wish for her neighbor's home to fail, but the winterization plan feels like a short-term plan that could do more harm than good. In response to questions from director Siedman, Julie said that she and her husband are consulting with a civil engineer and would be happy to work with her neighbor at 35 Queen on a long-term plan that doesn't have the same potential to damage their property.

Discussion ensued and Paul Pospisil emphasized that the natural drainage in the area all flows downhill and the uphill surface water used to be controlled to flow under Queen Road and down to the proposed point below, so his plan proposes to keep the surface water within the existing drainage way and not have it divert elsewhere, thereby creating a nuisance and a hazard. Director Siedman inquired whether the County is permitting the project; Paul said the entire home remodel project was permitted by the County and subject to a very limited erosion control plan, but the owners don't feel that is sufficient so that is why they are proposing this additional work, which requires use of the Queen Road right-of-way, which is why they came to the BCPUD. Director Siedman asked if directing the water in the manner proposed is subject to any permit or approval from the County. Paul said he does not believe so because it mainly involves the installation of sandbags and erosion control fabric.

Discussion ensued with directors expressing concern about allowing the use of the Queen road in a manner that could cause damage to another property owner and saying they did not feel prepared to make a decision without more information. Director Comstock said the project appears to be outside the scope of BCPUD authority and he would like to see the neighbors talk and determine if they can work things out in a mutually agreeable manner. Director Walker agreed and said she also would like to see the neighbors develop a collaborative plan; director Godino concurred. Director Smith said it would help to have an independent engineering assessment for the Bider property, and then develop a compromise that benefits both property owners.

Nina Rosenberg, the owner of 35 Queen Road, spoke up to say that under the plan Paul developed, water will not be directed directly to Bider's, rather, it will all remain on her property and several feet back from the Bider's. She emphasized that the water flows there anyway after swirling under her home it follows the topography and flows back to the point Paul is proposing; she also said this is a temporary emergency plan, noting that they were inundated with water during the Fall storms and saw parts of the cliff falling away, so they are trying to prevent more land behind their house from sliding. Nina said that everything they have done at the property has been with the goal of protecting the cliff and the properties all around them. She said it has taken four years and numerous geological reports and surveys, to remodel their home and they have tried very hard to do the right thing – she noted if they don't protect the cliff as the closest property owner, it will become everyone else's problem.

Director Siedman said it does not appear that the Board is ready to vote until there is more information and he very much hopes Nina and the Biders can work things out. Paul Pospisil said he has not heard any logical argument about how the winterization project might damage the Bider property as all of the water flows from their property in the first place; it flows downhill and the plan he developed is consistent with the natural drainage but for bypassing the home at 35 Queen Road. David Bider suggested they all meet as soon as tomorrow to try and resolve matters so that everyone is happy; he said he and his wife really like their neighbor and want this to work out. Director Smith said there may be helpful information in the Todd Drainage plan, but it is quite outdated and he's not sure how useful it continues to be, particularly with projects near the edge of the bluff. Further discussion ensued about a possible conditional approval based on the neighbors arriving at a mutually agreeable plan; staff noted the Board can always hold an emergency or special Board meeting on very short notice to take action if and when needed. Ultimately, director Siedman said the matter would be continued to the next Board meeting or such time as the BCPUD is notified a decision is needed, to allow the neighbors more time to come to a mutually satisfactory position.

9. Lessin Use Permit and Design Review (P3380), 276 Mesa Road, Bolinas (APN# 188-170-54)
(construct a new 7,200 square foot outdoor sport court and a new 1,800 square foot barn).

Director Siedman asked if there is any public comment on this project, noting that the Board did receive written comments from a neighboring property owner. B.G. Bates was present and said that she is a neighbor and does not have any objection to the project. Director Smith noted that Bill and Nicolette Niman submitted a written letter of comment and that they seem to think the BCPUD may have jurisdiction over their topics of their concern – drainage from the septic system and animal waste impacting their reservoir – but those issues are properly directed to the Environmental Health Services Department. Director Siedman asked staff to pass the comments on to the County planner. Staff agreed to do so and noted for the record that this property already had a water use limit of 2,700 cubic feet per quarter.

10. Request from the Firehouse Community Park Agency (aka “Mesa Park”) for BCPUD to Approve the Renewal of the Firehouse Community Park Agency Joint Exercise of Powers Agreement.

Director Siedman explained that this item is on the agenda because the Joint Exercise of Powers Agreement (“JPA”), executed by the BCPUD and the Bolinas-Stinson Union School District nearly 40 years ago, expires in 2024. The Firehouse Community Park Agency (aka “Mesa Park”) is seeking grant funds for some park improvements and the state grant agency requires assurance that Mesa Park will have the use of the land on which the park exists (which is owned by the BCPUD) for at least an additional 30 years, hence the request for renewal. Director Siedman proposed the Board approve the JPA for either 30 or 40 years. Director Smith inquired whether the JPA should be updated or otherwise revised in connection with a renewal. Discussion ensued and the Board members agreed it would be best to consider the request to renew the JPA as it exists, with the request that the school review it for needed updates and circle back with the BCPUD if revisions are needed.

D. Smith/G. Godino all in favor to renew the Firehouse Community Park Agency Joint Exercise of Powers Agreement for another 40 year term, subject to a review of the agreement by all parties who will reconvene if any changes are requested.

11. Request for a Water Use Allocation Swap pursuant to BCPUD Resolution 671 between properties located at 20 Wharf Road and at 31 Wharf Road, Bolinas (Bolinas Community Land Trust).

Director Comstock recused himself from consideration of this item and the next item on the agenda.

Staff reported that the Bolinas Community Land Trust (“BCLT”) has submitted a request to combine the current allotments of water approved for its properties at 31 Wharf Road and at 20 Wharf Road, both of which are or will be deed restricted for affordable housing, which would result in a combined allotment of 16,450 cubic feet per quarter, and then to divide the allotment between the two properties resulting in 4,200 cubic feet per quarter allotted to 20 Wharf Road and 12,250 cubic feet per quarter allotted to 31 Wharf Road. The BCLT states that all fixtures will be installed or upgraded to be low flow compliant and the BCLT will work with its tenants to be as careful with water use as possible. In response to questions from the Board, staff said that the four-year history of water use at 20 Wharf Road is just under 4,200 cubic feet per quarter, but mainly because during the last year-plus, water use declined significantly. Otherwise, the average quarterly water use at 20 Wharf Road is closer to 4,500 cubic feet. Arianne Dar, Executive Director of the BCLT, acknowledged this, but said the fixtures there have not yet been updated to low flow. In response to a question from director Smith, Arianne said nine people live at 20 Wharf Road; director Smith said nine people should be able to easily comply with 4,200 cubic feet (349 gallons per day) if low flow fixtures are installed.

Janine Aroyan inquired about process and whether a new resolution is needed to permit the Board to combine and divide water use allotments; she noted that this is not “swapping and stacking” as previously approved by the Board. Staff stated that BCPUD Resolution 671 allows the “swap” or transfer of water use between properties owned by the same entity and if dedicated to affordable housing; the resolution does not require a complete swap, a partial swap such as proposed by the BCLT is allowed under this resolution.

Discussion ensued about whether the BCLT's proposed allocation amounts are appropriate/feasible for each property. Arianne said the BCLT would like to be able to include laundry facilities at 31 Wharf, which is why she is requesting the specific allotment between the properties. She said it is long past time when the fixtures should have been updated at 20 Wharf Road and the BCLT believes 4,200 cubic feet per quarter is adequate there. Director Siedman said the BCPUD Board ordinarily would never allow a transfer of water between properties, it is only allowed in the context of affordable housing and the BCLT’s proposal does not increase the total amount of water allocated.

G. Godino/D. Smith four in favor, director Comstock abstaining to approve the BCLT’s request for a water use allocation swap pursuant to BCPUD Resolution 671, allotting 4,200 cubic feet per quarter to 20 Wharf Road and 12,250 cubic feet per quarter to 31 Wharf Road.

12. Grant of License and Agreement between the Bolinas Community Land Trust and the BCPUD concerning the Well Located at 31 Wharf Road, Bolinas (APN#193-061-03).

Staff requested the Board defer this item to the next agenda as the district’s insurance authority has not yet completed its review of the agreement.

13. Appoint a BCPUD Representative to a new Multi-Agency Alternative Parking and Shuttle Committee for Bolinas.

Director Smith said that he has been serving as the Board representative to the BCPUD’s Resident Permit Parking Plan Committee and, during recent meetings of the Committee with Supervisor Rodoni

and County staff, Supervisor Rodoni suggested that a second committee should be formed to address the related topic of alternative parking sites in town from which a shuttle bus might be able to transport people downtown. This would need to be a multi-agency committee and Supervisor Rodoni has asked the various agencies to appoint a representative. Director Smith said he is willing to serve as the BCPUD's representative unless another director wishes to serve.

K. Walker/L. Comstock all in favor to appoint director Smith to serve as the BCPUD representative to the new multi-agency alternative parking and shuttle committee.

14. Report from Ad Hoc Committee re: BCPUD Building at 270 Elm Road, Bolinas.

Director Siedman reported that he and director Walker have been meeting with Steve Matson and Andrew Alexander-Green to discuss possible designs for a replacement building at 270 Elm Road; the BCLT has been involved due to an interest in partnering on the project to develop office space for the BCLT as well as affordable housing for local essential workers. The BCPUD and the Hearsay would retain their office space in the building, and a large public meeting room is envisioned as well. The ad hoc committee also has discussed potential additional uses to include in the building redesign, such as computer stations for public use. A brief discussion ensued and director Siedman said the ad hoc committee will continue to work on a concept to present to the Board and the rest of the community for the future building.

15. BCPUD Resolution 697: Authorizing the Submittal of Application(s) for all Cal Recycle Grant and Payment Programs for which the Bolinas Community Public Utility District is Eligible.

L. Comstock/D. Smith all in favor to approve BCPUD Resolution 697.

16. BCPUD Resolution 698: Authorizing the Bolinas Community Public Utility District to Accept from the Firehouse Community Park Agency ("FCPA") The Pass Through of \$177,952 (100%) of the FCPA's Per Capita Grant Fund Allocation from the California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018.

Director Smith said this resolution is formalizing in the form of a resolution the action the Board took last month in the form of a letter to California State Parks, verifying that the Firehouse Community Park Agency (aka Mesa Park) will transfer its allocation of Per Capital Grant funds to the BCPUD and the BCPUD will accept it and apply the funds (along with the BCPUD's own allocation of Per Capita Grant Funds) for use on the pedestrian/bicycle path hard-surfacing project. Director Smith said that due to the private fundraising campaign led by Ken Masterton, the BCPUD has raised enough money to provide the required match for the Mesa Park allocation, bringing the total amount available from the grant program and private funds to \$450,000.

D. Smith/K. Walker all in favor to approve BCPUD Resolution 698.

17. BCPUD Ordinance 40: Mandatory Organic Waste Disposal Reduction Ordinance; Amendment to Franchise Agreement with Recology Sonoma Marin for SB 1383 Compliance Services.

Staff reported that the district has worked with its attorneys to draft an ordinance that complies with the requirements of SB 1383; staff recommends that the Board rescind the existing solid waste disposal ordinances (which are out-of-date in any event) and enact a new, comprehensive ordinance that regulates solid waste disposal in the district and complies with SB 1383. Staff requested that the Board move to adopt the first reading of the ordinance and waive further reading into the record (without such a waiver, staff will need to read the entire ordinance into the record and it is 25 pages long).

D. Smith/L. Comstock all in favor to adopt the first reading of BCPUD Ordinance 40 and to waive further reading into the record.

The related topic of an amendment to the franchise agreement with Recology Sonoma-Marin was deferred to an upcoming meeting.

18. BCPUD Draft Financial Statements for the Fiscal Year Ending June 30, 2021 (R.J. Ricciardi, Inc.)

Staff reported that the district has received a "clean" opinion from its outside auditors attesting that the BCPUD's financial statements present fairly, in all materials respects, the respective positions of the business-type activities and funds of the district and that no deficiencies in internal control or other observations have been noted for the fiscal year ending June 30, 2021. Staff noted one edit needed to be made to the Management & Discussion Analysis to reflect that the decline in revenue during the last fiscal year was due primarily to a drop in water sales resulting from the drought. Staff recommended that the Board accept the draft financial statements.

L. Comstock/K. Walker all in favor to accept the draft financial statements for the fiscal year ending June 30, 2021.

19. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee: Proposal to Survey Brighton Avenue Residents To Obtain Their Input Concerning a Resident Permit Parking Plan for Brighton Avenue.*

Sherry Hirsch and Will Bartlett were present on behalf of the committee to request the Board's approval for the committee to survey Brighton Avenue residents about the County's parking proposal that will impact the east side of Brighton Avenue; the committee plans to share the survey with Supervisor Rodoni's office for approval before distributing it.

D. Smith/G. Godino all in favor to authorize the Resident Permit Parking Plan Committee to survey Brighton Avenue residents.

In response to a question from Sherry Hirsch, director Siedman asked her to send the draft survey to staff for distribution to the Board before it is sent out. Sherry reported that the committee also had scheduled a town walk with the new Assistant Director of the County's Community Development Agency, Sarah Jones, on February 26th, to show her first-hand the parking and traffic issues in Bolinas. Finally, since the County has made clear that a local agency will need to run a resident permit parking program if one eventually is approved, the committee is attempting to look more closely into that issue.

-- *Resource Recovery:* The Board reviewed an email from Fire Chief George Krakauer reporting that a loader has been purchased for the Resource Recovery Project (with grant funds from the Marin Wildfire Protection Agency).

-- *West Marin Mosquito Control Coordinating Council:* None.

-- *Land Stewardship Committee: Brighton Avenue Seawall Improvement Project.* Nothing at this time.

20. Other Business.

a. Board Committee Reports.

-- *Finance: Update on Draft FY 2022-23 Budget and Five-Year Capital Improvement Plan FY 2022-27.*

Staff reported that the Finance Committee held a meeting on February 8, 2022 and focused primarily on the draft update of the Five-Year Capital Improvement Plan and how that update will impact the development of the FY 2022-23 budget; the next meeting of the committee will be on March 8, 2022.

-- *Legal:* Nothing to report.

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

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

-- *Personnel:* Nothing to report.

b. Minutes of the November 17, 2021 Regular Board Meeting; Minutes of the December 6, 2021 Special Board meeting; Minutes of the December 15, 2021 Regular Board Meeting; Minutes of the January 19, 2022 Regular Board Meeting.

L. Comstock/D. Smith all in favor to approve the minutes of the December 6, 2021 special Board meeting

L. Comstock/G. Godino all in favor to approve the minutes of the December 15, 2021 regular Board meeting.

The minutes of the November 17, 2021 regular Board meeting and the minutes of the January 19, 2022 regular Board meeting were deferred to an upcoming meeting.

c. Warrants.

Staff noted that there are two warrant lists for the Board's approval because one of the lists inadvertently was not presented to the Board at the December 2021 meeting.

K. Walker/L. Comstock all in favor approve both warrant lists.

c. Scheduling of Next Meeting(s):

Regular Meeting: March 16, 2022 at 7:30 p.m.

21. Adjournment.

10:07 p.m.