

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
March 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.

7:32 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.

None.

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.)*

Staff reported that the low rainfall trend of 2022 has continued; regrettably, the district has received only 0.43 inches of rain since January 18, 2022, bringing the year-to-date total to 22.66 inches. The good news is that last year at this time the district had received only 16.2 inches of rain, so rainfall to-date remains well above last year’s rainfall. The current forecast is for rain on March 19, 2022, but no significant rain events are predicted in the 10-day forecast. The current forecast and seasonal trend suggest the district will not receive its average annual rainfall (which is approximately 33 inches) this year, but rather will receive approximately 26 inches of rain. If so, the 2021-22 rain year will be a third consecutive year of below-average rainfall in the district.

From February 15, 2022 – March 14, 2022, water *production* averaged 68,798 gallons per day (GPD) or approximately 116 GPD per connection, which is a 16% increase over the last reporting period, when production averaged 59,100 GPD, or approximately 100 GPD per connection. Water *consumption* during this same timeframe averaged 65,852 GPD, which is approximately 111 GPD per connection, which is an 8% increase over the last reporting period, when consumption averaged 61,079 GPD, or approximately 103 GPD per connection. (Staff noted that consumption was down on the back of the Mesa during the quarter ending in February; it is likely that most of the increase in water use was in the downtown area of town as overall water consumption has been increasing on the weekends recently.) The stored usable water supply in the district’s Woodrat 1 and Woodrat 2 reservoirs as of March 14, 2022 (combined), plus the amount of treated water in storage, is estimated to be approximately 16.3 million gallons: Woodrat 1 is full and spilling and Woodrat 2 is just below spilling at 99.5% capacity.

With regard to the Arroyo Hondo Creek, which is the district’s primary water source, the base flow recession model predicts that if the district receive *average* rainfall in April - June, creek flows will be approximately 85,000 GPD on June 30, 2022, whereas flows were approximately 75,000 GPD on June 30, 2021. If, however, the district receives the same amount of rainfall as it received last year for April – June 2022, the model predicted creekflows on June 30, 2022 will be slightly lower than at the same time last year: 67,000 GPD as compared to 75,000 GPD on June 30, 2021.

In response to questions from the Board, staff said it is not yet time to “raise an alarm” about water use as the district is in a better position in terms of supply than it was at this time last year; that said, staff

is watching water use trends closely and will alert the community if and when unsustainable use patterns occur.

- *Operations Update.*

Staff reported that the recent project to replace an old valve in the Brighton Avenue right-of-way near the intersection with Wharf Road was completed last month. A trench plate is still present on top of the road because staff is waiting for the County to delineate the area of paving that needs to be restored at the project site. Persistent high groundwater conditions in this vicinity also complicated the project.

The operations crew continues to work on the manual removal of invasive azolla from the surface of the Woodrat 1 Reservoir and has continued to develop ways to increase the efficiency of the work, removing considerable quantities of this fast-growing plant which is so detrimental to the water quality of this important emergency back-up source.

Staff conferred with a new engineering firm this week – David’s engineering out of Davis – concerning the Arroyo Hondo lower gate repair project. This firm is very familiar with this type of gate, which is more commonly used by irrigation districts, and is interested in the project, but the engineers need to determine whether they can fit it into their 2022 work plan. It seems clear at this point that a replacement gasket is needed, at a minimum, which will need to be custom-made as the gate is not a standard size (per the manufacturer).

Staff conferred earlier this month with Allan Richards of Stetson Engineers and requested a proposal for engineering services for the replacement of the discharge piping at the storage tank site on Mesa Road for the Board’s consideration at the April meeting. This project is listed on the Five-Year Capital Improvement Plan and staff would like to complete it prior to the West Tank Rehabilitation Project. As part of the project, staff will drain the West Tank (as it will need to be empty for the replacement of certain appurtenances) and this will provide an opportunity to inspect the interior.

The district continues to await word on the outcome of the grant applications it submitted to the Department of Water Resources (“DWR”) for funds to install the treatment facilities at the Wharf and Resource Recovery wells. Unfortunately, the word is not encouraging at this time because there evidently are 60 applications ahead of the district’s and not enough funding for all of them. Staff has made clear that the district considers these to be urgent projects to diversify the district’s water sources in light of the ongoing drought and climate change predictions of longer and deeper drought conditions.

Staff previously reported that the district has been randomly selected by the Environmental Protection Agency (“EPA”) to participate in the Unregulated Contaminants Monitoring Rule (UCMR 5) for polyfluoroalkyl substances (“PFAS”). Staff will be attending a 3 ½ hour UCMR 5 “stakeholder” meeting on March 17, 2022 to learn more about the implications for the district. Staff also previously reported that the new Lead and Copper Rule requires all community water systems to inventory all of their *customer’s service lines* (i.e., piping from the water meter to the home) and determine the materials of the lines and fittings, which is a massive undertaking. The deadline to complete the survey is October 16, 2024. The State Water Resources Control Board is hosting a webinar on how to comply with the new rule on March 29, 2022 and staff plans to attend.

On the sewer side of operations, staff continues to work with the district’s consulting engineer at West Yost on the permit transition process and to obtain permission from the Regional Water Quality Control Board (“RWQCB”) for the seven proposed connections to the sewer system on Canyon Road. The RWQCB staff have requested the district conduct a specific analysis to demonstrate that the treatment ponds and disposal fields have sufficient capacity to handle the additional flow from these seven connections, and West Yost is working on this analysis per the Board’s direction at a previous meeting. In response to questions from director Comstock, staff said that it will be during the permit transition process that the district will be able to consider the broader question of whether additional connections can be added (beyond the seven on Canyon Road) and, if so, what sort of system improvements will be required/how will they be funded (i.e., presumably via grants under the state’s “septic to sewer” program).

Staff has reached out to two engineering firms for proposals to rehabilitate the wet well and install a manhole grinder at the Wharf Road lift station, and for the replacement of the cleanout assembly on Olema-Bolinas Road.

Staff reported that one of the solar inverters at the wastewater treatment facility has failed. The failure was reported to Day Electric, who negotiated with the manufacturer to obtain a refurbished replacement inverter at no cost under warranty. The refurbished inverter was delivered last week and the installation (by Day Electric) is planned for next Friday at a cost of \$1,075.

Staff directed the Board’s attention to a proposal from Gannett Fleming (by Drew Kennedy and Bill Millhone, formerly with Sage Engineers) to update the 2011 bluff evaluation and assessment of the

wooden seawall at toe of the bluff at Surfer's Overlook at a cost of \$24,890. Staff participated in a conference call the engineers as well as Ralph Camiccia and Remick Hart from the Save Terrace Avenue at Surfer's Overlook Committee about the scope of work. Ultimately, it was agreed that the work should stay narrowly focused (for now) on the condition of the bluff and wooden seawall with the goal of providing updated information to the County in order to advocate for a "public-private partnership" project to repair the wooden seawall (which the County originally installed in the 1960's), much as occurred with regard to the project to repair of the road-level retaining walls above several years ago. Ralph Camiccia confirmed that the Committee is satisfied with the Gannett Fleming proposal; staff said it will be included on the agenda for consideration during the Board's regular meeting in April.

Earlier in the day staff and director Smith conducted a site walk of the bike path with a biologist and civil engineer from whom the district has requested proposals for the biological site assessment and engineering plans and design needed for the project to hard-surface the bike path. Proposals are expected to be submitted in time for the Board to consider them at the April regular meeting. The district continues to wait for an amended contract from California State Parks with the increased grant amount (due to the transfer of allocation from Mesa Park) and a resolution of the deed restriction issue.

Staff reported that the court hearing on the petition for writ of mandate filed by AMJT Capital LLC and the district concerning the California Coastal Commission decision on the Bolinas seawall repair project will be held this Friday.

The Board reviewed correspondence sent and received since the last regular Board meeting, including but not limited to a copy of the draft Marin Local Agency Formation Commission ("LAFCO") Municipal Service Review ("MSR") of the West Marin Special Districts which has been issued for public comment; staff will include an item on the April regular Board agenda for consideration of the draft MSR.

Alliance of Coastal Marin Villages/Coastal Communities Working Group.

The Alliance of Coastal Marin Villages ("ACMV") met remotely on March 3, 2022 with Supervisor Rodoni and his guests, Sarah Jones, Assistant Director of the Community Development Agency, and Chloe Cook, Manager of West Marin Health and Human Services. There was considerable discussion about the status of the Local Coastal Program ("LCP") Update, as well as the County's update of the Housing and Safety Elements of the Countywide Plan. Sarah Jones said that County staff are working actively and collaboratively with California Coastal Commission ("CCC") staff on a new approach for completing the Environmental Hazards chapters of the LCP, focusing first on topics where the County and CCC staff are more closely aligned, and then tackling the more controversial issues.

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

Neshama Franklin said that she had no idea there was a leak on her property until a BCPUD shift operator came to her door after reading the meter and advised her there was a huge leak. She said the operator shut off the meter to stop the water loss and connected her with a local plumber who was able to complete a prompt repair. Staff confirmed that the leak occurred right near the meter on Olema-Bolinas Road and the water accumulated in the road-side ditch, rather than on any portion of the property near the house. Director Godino noted that the leak occurred during the quarter ending in December and the district received a considerable amount of rain during October, November and December, so it is understandable that the leak was not noticed at this time. Director Smith concurred and suggested this be considered a blind leak, eligible for a 90% forgiveness.

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

7. Marin County Community Development Housing and Safety Elements of the Countywide Plan 2023-2031: Site Selection in Bolinas.

Staff said that this item is on the agenda to ensure that the Bolinas community is aware of the site selection process underway at the County, particularly since Supervisor Rodoni is urging local residents to participate and provide input during the County's development of the housing and safety elements. Briefly stated, the County of Marin has received a mandate from the state to create 14,000 new housing units in Marin from 2023-31 (3,600 units to be located in West Marin). Accordingly to County staff, this number was a shock because during the prior 8-year cycle, Marin was mandated to create 800 new units, 200 of which have been built. Per Supervisor Rodoni, this is a crucial opportunity for the public to provide input as to how the County should manage "inevitable" change as the state legislature demands that more housing be developed in California to meet the housing crisis – counties failing to do so could face significant consequences under the new housing laws. Staff directed the Board's attention to a letter from the Alliance of Coastal Marin Villages submitted to the County on this topic, which emphasizes the importance of considering community plans in West Marin during the site selection process.

Janine Aroyan said that she attended one of the recent County meetings on this topic and learned that a firm was hired by the County to identify areas in West Marin that should be considered for development; she noted that this firm's site selection recommendations have been met with considerable opposition in the local communities.

8. 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).

Director Comstock recused himself from consideration of this matter.

Staff presented the draft grant of license and agreement which has been negotiated between the BCPUD and the Bolinas Community Land Trust ("BCLT") concerning the Wharf well. It is a three-year agreement which could be extended by mutual agreement of the parties. District staff and the consulting engineers believe an initial three-year term will be adequate for the district to study and analyze the sustainability of the well from water production and water quality standpoints.

D. Smith/K. Walker four in favor, director Comstock abstaining to approve the grant of license and agreement between the BCLT and the BCPUD concerning the well located at 31 Wharf Road, Bolinas.

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

Director Siedman said that the district has ordered a preliminary title report for its property, which is needed to move ahead with the various surveys and site assessments that will be needed for this project. He said that the Ad Hoc Committee will next meet in a couple of weeks and more substantive detail should be available to report by the next Board meeting. At a high level, he said that both the BCPUD and BCLT are evaluating their respective space needs and engaging in preliminary design considerations.

10. BCPUD Resolution 699: Granting Director Godino Permission to be Absent

Director Godino said that she will be away for several months to walk the Camino de Santiago in Spain and she requested Board approval to be absent from the district beginning April 29th through July 31st.

L. Comstock/D. Smith four in favor, director Godino abstaining to approve BCPUD Resolution 699, granting director Godino permission to be absent from the district.

11. 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, the new organic waste diversion law in the state of California. At the February meeting, the Board adopted a first reading of the proposed new ordinance and waived further reading into the record. Staff now requests that the Board move to adopt the second reading and waive further reading into the record, read the ordinance by title only, and adopt Ordinance 40.

L. Comstock/K. Walker all in favor to adopt the second reading, waive further reading into the record, read the ordinance by title only, and adopt BCPUD Ordinance 40, repealing and replacing Ordinance Numbers 2, 23, and 24 related to solid waste collection.

On related matters, staff reported that Cal Recycle has officially approved the district's compliance schedule with SB 1383 and that the County has implemented a grant program whereby the BCPUD will be reimbursed up to \$9,628 of its compliance costs. This is in addition to a potential grant from Cal Recycle for approximately \$20,000. Staff is working on the district's "Initial Jurisdiction Report" to Cal Recycle, which is due on April 1, 2022.

12. Volunteer Committee Reports:

-- Resident Permit Parking Plan Committee: Update on Survey of Brighton Avenue Residents To Obtain Their Input Concerning a Resident Permit Parking Plan for Brighton Avenue.

Sherry Hirsch submitted a memorandum to the Board which summarizes the committee's work to develop a survey of Brighton Avenue residents concerning the County's proposed resident permit parking plan for Brighton Avenue; the committee has worked collaboratively with County staff on the survey. Briefly stated, the County's proposed plan is to prohibit parking between 2 am and 5 am on the residential side of Brighton Avenue except for residents, who will be exempt. There are some additional aspects to the County's plan that are not yet entirely clear (i.e., a proposed 22-foot long vehicle size restriction), so the committee has requested clarification from the County. As soon as all details are understood, the committee will finalize the text of the survey and will then conduct the survey door-to-door with residents during the last week of April. Finally, Sherry noted that the

committee recently had a “walk through” of the downtown area with Sarah Jones, Assistant Director of the County’s Community Development Agency, and that was very helpful and much appreciated.

-- *Resource Recovery*: Nothing to report.

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

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

13. Other Business.

a. Board Committee Reports.

--*Finance: Minutes of the February 8, 2022 Finance Committee meeting; Update on Draft FY 2022-23 Budget and Five-Year Capital Improvement Plan FY 2022-27; Second Quarter Financial Statements for FY 2021-22; Engagement Letter for 2022 – Maze & Associates (bookkeeping services).*

Staff reported that the Finance Committee held a meeting on February 8, 2022, which focused primarily on the updated Five-Year Capital Improvement Plan; the approved minutes of the meeting are in the Board binders. The committee also met on March 8, 2022 and this meeting focused on the development of the FY 2022-23 budget, with emphasis on the identification of adequate revenue sources to meet anticipated expenses and capital improvements. Over the last 12-18 months, the district has experienced a significant decline in water sales revenue due to the drought (approximately \$50,000), as well as a dramatic decline in interest income (approximately \$40,000). While the district’s share of County property tax revenues is expected to increase during the FY 2022-23, annual service charge increases for water and sewer will be necessary, particularly to fund planned capital improvement projects. The committee is working on specific recommendations for proposed service charge increases to present to the Board next month.

Staff presented the second quarter financial statements, which confirm that operating revenue is below budget due to low water sales and declines in interest income; staff observed that plant expenses are running over budget due to emergency water and sewer system repairs this fiscal year.

Maze & Associates has not yet presented its updated engagement letter, so this item was deferred to a future meeting.

-- *Legal*: Nothing to report.

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

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

-- *Personnel*: Nothing to report.

b. Minutes of the November 17, 2021 Regular Board Meeting; Minutes of the January 19, 2022 Regular Board Meeting; Minutes of the February 16, 2022 Regular Board Meeting.

K. Walker/L. Comstock	all in favor	to approve the minutes of the November 17, 2021 Regular Board meeting
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D. Smith/L. Comstock	all in favor	to approve the minutes of the January 19, 2022 Regular Board meeting.
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G. Godino/L. Comstock	all in favor	to approve the minutes of the February 16, 2022 Regular Board meeting.
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c. Warrants.

L. Comstock/K. Walker	all in favor	to approve the warrant list.
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c. Scheduling of Next Meeting(s):

Regular Meeting: April 20, 2022 at 7:30 p.m.

14. Adjournment.

8:52 p.m.