

## **Bolinas Community Public Utility District**

**A Regular Meeting Of The Board Of Directors**

**September 21, 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 and Smith present via Zoom, director Walker absent; 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.**

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

Following a brief discussion, the Board concurred that effective as of the October 2022 regular meeting, the Board will resume in-person meetings and also will offer the public the opportunity to attend and participate via Zoom.

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

The Board received a copy of an email from Janine Aroyan. Janine was present and stated that she has concerns about the County process relating to the Bolinas Community Land Trust (“BCLT”) project on Aspen Road. Janine said the County initially noticed a public hearing concerning the BCLT’s coastal permit application for this project, but then issued a notice saying the coastal permit hearing would be cancelled unless someone petitions otherwise. Janine said that the neighbors were hoping the BCLT might provide some sort of opportunity for input on this project in a more informal way, but the County advises that the BCLT is not legally obligated to hold such a meeting. Janine noted that the BCPUD previously approved the transfer of a water meter to serve this proposed development, but she doesn’t recall any opportunity to provide input on the project itself at that time. Janine said she hopes the BCPUD will continue the practice of providing a local forum for comments on development projects in Bolinas. Staff noted the BCPUD also approved a limited water use permit for this project at a past public meeting at which time there was opportunity for comment. As for the BCLT’s coastal permit application, staff explained that the County no longer notifies the BCPUD directly of pending coastal permit applications; instead, the BCPUD has to regularly track the County planning website for this information. Staff was not aware of the status of the coastal permit application for the BCLT’s Aspen Road project at the time the limited water use permit application was heard by the BCPUD Board and therefore did not expressly include an agenda item for it; staff apologized for the oversight.

### **5. Manager’s Report and Project Updates.**

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

Staff reported that thus far in the 2022-23 rain year, the district has received 1.38 inches rain; 0.7 inches of rain were received in July, 0.23 inches of rain were received in August, and 0.45 inches of rain have been received thus far in September. Between August 17, 2022 and September 20, 2022, water *production* in the district averaged 78,143 gallons per day (GPD), which is a small decline in production as compared to the last reporting period, when production averaged 79,650 GPD and which was due to the fact that the water treatment plant was off for two days during this reporting period for operational reasons. Water *consumption* during this same timeframe averaged 74,912 GPD (approximately 128 GPD per connection), and is a decline of approximately 9% as compared to the last reporting period, when consumption averaged 82,762 GPD, or approximately 141 GPD per connection. During the extreme heat wave earlier this month, the district experienced several days where consumption approached or exceeded 90,000 GPD.

The district's stored usable water supply in the Woodrat 1 and Woodrat 2 reservoirs as of September 20, 2022 (combined), plus the amount of treated water in storage, is estimated to be approximately 13.75 million gallons. The Woodrat 1 Reservoir is essentially full (7.6 million gallons, 6.9 million of which are usable) and the Woodrat 2 Reservoir is approximately 71% full (6.6 million gallons, 5.9 million of which are usable). As noted in previous updates, losses from evaporation and seepage are evident in the Woodrat 2 Reservoir, which is more exposed to wind and has a larger surface area than the Woodrat 1 Reservoir; that said, the rate of decline in stored water has slowed since the last report due to the presence of fog, some rain and a shortening of the length of day. Some loss also occurred at the Woodrat 1 Reservoir, but more favorable conditions (this reservoir is more protected from the wind) result in smaller losses which are not evident as a result of ongoing operations (i.e., water from filter backwashing is returned to reservoir).

With regard to the Arroyo Hondo Creek, the district moved from its upper diversion point to the lower diversion point last month and staff has been able to obtain periodic creek flow estimates. For example, between September 9 and September 17, average daily creek flows were estimated at approximately 110,000 GPD. If consumption stays close to the most recent seven-day running average of 70,500 GPD for the remainder of the year *and* the district receives 9.9 inches of rain by January 31, 2023 (a relatively conservative assumption), the district will have over 13 million gallons of water in storage through January 2023. Results would be less favorable if less/no rain occurs since creek flows would drop and no reservoir inflows from runoff would occur. Staff noted that the community continues to conserve water and the district has received some early rains; these two facts have made it possible for the district to supply the town with water exclusively from the creek (and not tap the district's stored water supply).

Staff directed the Board's attention to the most recent drought report (for August 2022) filed with the state: the district produced 2,176,753 gallons of water that month. As for consumption, the most recent quarterly metered billing data for the back of the Mesa for the June, July, August quarter, was up as compared to the same time last year; that said, the increase in consumption was quite modest (and second only to last year in terms of usage dating back to 2006).

- *Operations Update.*

Staff reported that the big story of the last month was the big heat wave during the Labor Day weekend. Staff was told that the PRBO field station at Palomarin recorded temperatures of 104 degrees. The heat wave strained the state's power grid and the BCPUD received numerous requests to reduce power use during peak hours. BCPUD staff therefore shut down the Woodrat Water Treatment Plant during peak hours (roughly 3 pm- 9 pm). Consumption did spike up, but it was manageable for the district under the circumstances.

As reported previously, staff continues to work on a solution to resolve the problems the operators are having with piping breaks at the water treatment plant. At this point, staff believes the problems are due to the pressure at which the raw water is entering the plant from the Arroyo Hondo Creek. The district in the past had a pressure reducing valve ("PRV") on this line, which was removed when the Arkal pre-filter was installed as part of the coagulation pre-filtration treatment project. Staff therefore consulted with the engineers at Brelje & Race who designed that project and they have agreed to prepare some plans and specifications for staff to reinstall the PRV at a not-to-exceed cost of \$2,000. Staff proposed to execute an amendment with the district's existing contract with Brelje & Race (for the watershed sanitary survey update) to cover this work; there was no objection from the Board.

Staff directed the Board's attention to the most recent chlorine disinfection byproduct results (for total trihalomethanes, or TTHMs, and for haloacetic acids, or HAA5s. With regard to TTHMs, at the Vine Road sample point the result was 37.04 ppm and at the Lift Station sample point the result was 39.02 ppm; the maximum contaminant level ("MCL") is 80 ppm. As for HAA5s, the Vine Road sample point result was 13.6 ppm and the Lift Station sample point result was 16.6 ppm; the MCL for HAA5s is 60 ppm.

Staff also conducted "at the tap" lead and copper sampling at the end of August at 10 customer properties. This testing is required every three years. The district does not yet have the test results for these samples.

On a related topic, as has been reported in the past, the district's "Lead Service Line Inventory" is due in October 2024. As such, staff will need to inventory approximately 10 service lines per week between now and then to complete this task on time. Staff has organized an approach to this project by developing a checklist for each property served by a water meter in the district, creating a binder, and methodically documenting conditions. Staff have started with the "easy" meters in town and, for the moment, are skipping those that present challenges because they are behind fences, or inappropriately concreted in place, for example. Staff inventoried more than 30 service lines in the last few days.

- *East Tank Anniversary Inspection Report.*

The one-year anniversary inspection of the East Tank occurred on September 1<sup>st</sup>. District staff, the district's engineer and the tank inspector all were on hand. The BCPUD crew lowered the water level in the East Tank by about 5-6 feet in advance of the inspection in order to enable the inspector to enter the tank in a raft to inspect the interior ceiling and rafters. An inspection report was then submitted: while a few minor exterior touch up tasks are recommended, no "remedial coating repairs" are recommended. The report has been provided to the responsible contractor and the district is awaiting a response as to when the touch up work can be performed. The inspection confirmed that the repaired tank roof is in very good condition.

Following the tank inspection on September 1<sup>st</sup>, staff and the district's engineer also discussed the Water Storage Tank Piping project; the engineer surveyed the site and is drafting plans and specifications for the project, which are due on November 30, 2022.

Staff reminded the Board about a major leak on Wharf Road that occurred in August due to the sudden failure of a service saddle caused by electrolysis. Staff met with representatives from the County's Department of Public Works at the beginning of the month about the paving restoration and the County appears to be poised to require extremely extensive repaving on the grounds that Wharf Road is a "moratorium road". Staff reminded the Board that the County paved Wharf Road back in either 2013 or 2014 and the district was told at that time that the "moratorium" status would be five years. Staff therefore intends to try to negotiate a reduced paving requirement; as it stands, the cost of the repaving will far exceed the cost of the actual repair.

On the sewer side of operations, staff continues to work with Mark Wilson of Nute Engineering to develop a scope of work for the rehabilitation of the wetwell and the possible installation of a grinder. Mark Wilson strongly recommends the district first identify why the lift station pumps incurred such significant damage after less than 5 years before he designs a grinder installation. Mark is working on a predesign study proposal for the district's consideration and it should be available for the Board's consideration at the October meeting.

As reported last month, the district conducted a video inspection of the district's sewer system on portions of Wharf road on the night of August 9<sup>th</sup>, which was a full moon/high tide event. This video inspection confirmed the presence of I&I ("infiltration and inflow") from three customer laterals; staff sent notices to the affected customers and requested that the necessary repairs be completed by September 30, 2022. The three customers are now organized as a unit and diligently pursuing a repair with a single contractor. Staff said the customers likely will not make the September 30<sup>th</sup> deadline, but they are proceeding in good faith to complete the repairs as soon as possible.

Staff said that there is an infestation of bats in the sewer lab building that presents a health and safety issue for the crew. Staff is meeting with bat removal service providers and has learned that the general approach is to seal off all points of entry into the building when the bats are not present, which then prevents them from re-entering; after this, a clean-up of the interior area can be performed. There are time constraints as to when the work can be done which, of course, the district will observe.

Staff noted that there is an item later on the agenda for the bike path project: for now, staff is pleased to report that the contractual details have been resolved with the granting agency, California State Parks, and the California Legislature recently extended the completion deadline for all projects funded by the Proposition 68 funds from June 30, 2024 to June 30, 2028.

Staff continues to perform a number of SB 1383-related compliance activities including, but not limited to, finalizing an amendment to the district's franchise agreement with Recology Sonoma Marin, coordinating with other General Managers of small jurisdictions in Marin to jointly request a collaborative approach to SB 1383 enforcement as has been done in Sonoma County, and preparing required reports to CalRecycle.

Staff also has been meeting recently with County staff from DPW and Offices of Emergency Services on the topic of including the BCPUD as a "participating jurisdiction" in the update to the County's Multi-Jurisdictional Local Hazard Mitigation Plan ("MCM-LHMP"). To be eligible for certain types of hazard mitigation funding, it is essential for the BCPUD either to be covered in the County's plan, or have a plan specific to the BCPUD. Staff noted that there is an action item later on the agenda for the Board to consider whether to approve a letter of intent for the BCPUD to be a participating jurisdiction in the County's plan, which staff recommends over the prospect of the BCPUD preparing its own plan. The County has hired a consultant to complete the MCM-LHMP update and will cover the cost of BCPUD being added, subject to staff time needed to participate in the planning meetings and prepare required documentation. The County strongly urges the BCPUD to submit a letter of intent as soon as possible as the update process will be underway very soon.

Staff directed the Board's attention to a County notice about a workshop on September 29<sup>th</sup> concerning changes for the upcoming November election – the notice indicates that the County is going to implement several multi-day regional vote centers (rather than one-day polling places) and every voter will be mailed a vote-by-mail ballot.

- *Alliance of Coastal Marin Villages.*

Nothing to report.

**6. Announcement: November 8, 2022 Election - Candidates Night! - BCPUD Board of Directors – Monday, September 26, 2022 at 7:00 p.m. at the Bolinas Firehouse Public Meeting Room, 100 Mesa Road, Bolinas.**

Director Siedman said that the Board is hereby announcing a Candidates Night prior to the November 8, 2022 general election; it will take place on Monday, September 26<sup>th</sup> at 7:00 p.m. at the Bolinas Firehouse Public Meeting Room. The event will be in-person and also via Zoom. Staff said the format for the event will begin with opening statements by the candidates, then a time for the public to ask questions of the candidates, then time for the candidates to ask questions of each other, followed by closing statements. Staff will moderate the event.

**7. Coastal Permit and Design Review (P3743), Vacant Parcel with Frontage on Elm Road, Hawthorne Road and Grove Road, APN# 191-031-33 (construction of a new 780 square foot barn, a new 1,000 square foot hoop greenhouse and a new 100 square foot shed) (D. Alexander).**

In response to questions from director Siedman, David Alexander confirmed that the property in question is a vacant lot approximately one-half acre in size with three agricultural wells. Director Siedman then opened the matter for public discussion, noting that the BCPUD does not have jurisdiction over this project itself, but is providing a forum for public discussion.

Toby Nemeć said he opposes the proposed project for several reasons. First, he says that the size of the proposed barn is out of scale relative to the amount of available farmable land. Also, he said that this development should not be allowed to constrain future development of his property, but it does – specifically, the existing agricultural wells will permanently and adversely affect his ability to develop his property and thereby cause him financial harm. He suggested the entire project be placed on hold until the legality of the three agricultural wells is determined.

Steve Marcotte said he supports the project. He noted that for many years the property was full of debris and brush; he said the work David Alexander already has done has made the property far more attractive and fire-safe. He said he’s heard rumors of a potential community garden on part of the land, and he supports that, too. Vanessa Marcotte said she supports the project for the same reasons and she likes the idea of a community garden, especially if it would not be using BCPUD water. Don Murch also expressed support and said he generally supports agriculture on the Mesa, noting that there are many other properties with similar small scale agriculture and the proposed project is much better than a big multi-bedroom house being developed there.

Cheryl Ruggiero questioned why the proposed barn needs to be so tall if its purpose is to house tractors and other farm equipment, and she asked whether on-site sales of agricultural projects will be conducted, which would impact the residential neighborhood. Mr. Alexander said the upper portion of the barn will be used for storage and that no on-site sales are planned as public use of the site is not allowed.

Director Siedman asked Toby Nemeć if his concerns about the project relate to the agricultural activities proposed for the land, or with the number and size of the proposed structures. Toby said that he’s concerned about both; he said that he supports farming in town, but the proposed uses at this property that will adversely impact his property by placing constraints on his use of his property. David Alexander said that the County Counsel has provided a letter to Toby stating that the wells on his property are legal agricultural wells; David noted the wells cannot be used for domestic purposes and the use will be limited to agricultural purposes only. In response to a question from Janine Aroyan, David Alexander said that the property is for private use only and the public will not be allowed because a septic system would be needed for that purpose.

Christina Chin-Nemeć said the legality of the wells on Mr. Alexander’s property have not been finally determined by the County and these wells constrain the use of the Nemeć property; she said she and Mr. Nemeć have submitted a formal request to the County about this. Ms. Chin-Nemeć also expressed concern that someone could live in the upper portion of the barn and that public events there could have a huge impact on the neighborhood. She feels that more time for public comment is needed for this project. Mr. Alexander repeated that he is not going to be conducting on-site sales, but said he may conduct off-site sales.

Finally, Ms. Ruggiero submitted the following comment in the meeting chat box: “I want to submit one more comment, as my hand was raised but I was not called again. My research of the history of the Dwaaleebes’ and now Alexander’s wells reflects a Board of Supervisor’s denial of the Dwaaleebes’ domestic water permit that made it clear that the wells, regardless of their purpose, did, in fact, constrain developments rights of neighbors who never consented to such infringement/encroachment. This presents a fundamental question in Bolinas about property rights.”

Director Siedman reiterated that the BCPUD serves as a public forum for discussion on coastal permit applications in town and staff will send the County planner a letter reflecting the comments made tonight by the public about this project.

**8. Complaint Concerning Obstruction of the Iris Right-of-Way and Extension of Water Lines Across the Iris Right-of-Way – 250 Iris Road, Bolinas APN# 191-032-34.**

Roger Hillyard was present and said he is the owner of 250 Iris Road and the lot across the street. He said that the picket fence obstructing the right-of-way has been removed and he submitted photos to confirm this. Director Siedman said the Board has copies of the photos and he thanked Mr. Hillyard for taking this prompt action.

Mr. Hillyard explained that he purchased the property at 250 Iris Road and the parcel across the street twenty years ago and the water line across the Iris right-of-way existed at that time; he explained that a shed was on the parcel across the street and a fellow named Rocky was living there. Three years ago, Mr. Hillyard said he made some improvements on the parcel across the street. He asked for BCPUD's permission to retain the water line to this parcel.

In response to a question from the Board, staff explained that BCPUD Resolution 173 (aka the "moratorium resolution") explicitly prohibits the extension of water lines off of the property on which the water meter is located; in this case, the meter serves the property at 250 Iris Road. Director Siedman explained to Mr. Hillyard that the rules here are very clear and do not allow the Board to permit this to continue. Mr. Hillyard emphasized that he owns both parcels on each side of the Iris right-of-way. Mr. Siedman explained that this does not matter, nor does the fact that the arrangement evidently existed for some time: per Resolution 173, customers may not run water lines off of their parcels to serve other properties that do not have water meters. After a short discussion, the Board directed Mr. Hillyard to cut and cap off the water line to the parcel across from 250 Iris Road within the next 30 days and then notify the BCPUD so that the work can be inspected. Mr. Hillyard agreed to do so.

**9. Proposition 68 Per Capita Grant Project to Hard-Surface the Pedestrian/Bicycle Path on BCPUD Lands: *Preliminary Cost Estimate for Pathway Improvements; Proposal for Civil Engineering and Land Surveying Services; Conceptual Pathway Cross-Section Alternatives (BKF Engineers).***

Staff said that this agenda item was included on the agenda before the BCPUD received notification that the California Legislature has extended the term of the Proposition 68 grant contracts from June 30, 2024 to June 30, 2028. Staff had been planning to recommend that the Board authorize engineering and design work to proceed as soon as possible for the project to go out for bid in early 2023 for construction next Fall. Thankfully, there is now much more time to plan, design and install the project. That said, there is a preliminary cost estimate for pathway improvements as well as a proposal from BKF Engineers for additional services in the meeting binders for the Board's consideration and Becky Dower from BKF Engineers is present to answer any questions.

Staff said that BKF Engineers' preliminary cost estimate confirms that revising the scope of work to extend the path route beyond its existing route is not advisable at this time due to likely cost and permitting considerations; instead, efforts would be best focused on rehabilitating as much as possible of the existing route. The estimate confirms that a more robust resurfacing design for the path site conditions (which are challenging due to vegetation encroachment, gophers and horses, as well as erosion) would be more expensive, not surprisingly, than leaving the existing gravel base (where it exists). Staff and director Smith recently met with BKF Engineers to discuss alternative engineering designs with the goal of rehabilitating as much of the path as possible while maintaining desirable quality standards. Director Smith commented that if the district elects to remove the old gravel in place and replace it with new bedding (one of the BKF design options), the cost would increase such that the BCPUD probably would be limited to improving about 2/3 of the route rather than the entire path. However, he said, if the district leaves the existing gravel in place and "scarifies" the ground surface (rather than excavate and re-bed the path route), while there would be a higher risk of settling and cracks in the new asphalt, the cost estimate suggests nearly the entire route could be done. Director Smith said his goal is to pave as much of the path as possible and he is willing to take the risk of the path cracking, which could be handled via on-going maintenance. Director Smith said he conferred with Ken Masterton, who has been the lead fundraiser of private funds contributed to the project, and Ken concurs that the best option is to pave as much of the route as possible with the funds on hand.

In response to a question from director Siedman, staff clarified that in light of the State's recent extension of the grant term, no action is needed by the Board at this meeting. Staff recommended that the district engage in more discussion and analysis concerning design trade-offs and options (quality of path construction vs. length of path rehabilitated) as the Board ultimately will need to provide direction to BKF Engineers regarding the design approach. Also, with regard to BKF Engineers' proposal, staff noted that the County may be willing to waive the boundary survey, which would provide an opportunity for some design cost savings.

Director Comstock inquired whether the extension of the path into downtown could be pursued given the extra four years the State is now allowing for the work. He said that in his view, the extension of the path along the BCPUD property and then along the adjacent property to allow a safe route all the way into downtown should be the top priority of this project. He said he understands there are complications with the extension but wanted to re-raise this in light of the time extension.

Director Godino said she is delighted the district has more time to work on this project. As someone who works at the school and watches the kids ride from school downtown, she said that her top priority is safety. She said that paving the existing route is very important due to the protruding tree roots and other impacts on the rideability of the surface, but she concurs with Lyndon that the extension also is important from a safety perspective, even if just the extension across the BCPUD property at the Resource Recovery area. Jennie Pfeiffer said she agrees with Grace from a school kid safety viewpoint and suggested that perhaps the BCPUD could begin with the extension of the path downtown rather than focus on paving the existing route. Further discussion ensued about the potential path extensions and director Smith ultimately noted that the project can be put out to bid with the extensions included as alternatives – the BCPUD then would know whether it has sufficient funds to pay for any extension. Staff reminded the Board that any extension of the current path route would require a coastal permit (and therefore additional time and cost), whereas the current project may qualify as repair and maintenance under the original coastal permit for the existing path. Director Siedman said this point is well taken but, based on the discussion thus far, it seems to be the consensus of the Board and community that the extension across the BCPUD land in front of the Resource Recovery Project should be included in the project, if possible.

Becky Dower of BKF Engineers then spoke and said her firm works on path projects all over the Bay Area, particularly those that are funded via the Safe Routes to Schools program. Based on the discussion this evening, she said the proposed path extensions would seem to be ideal candidates for funding from that program. Becky said it seems there are two projects here: (1) the resurfacing of the existing path and (2) extending the existing path by constructing extensions (i.e., new sections). The first project is straightforward, is approved for funding under the Proposition 68 grant program, and has an existing coastal permit. Becky said it is in the district's interest to keep this project as streamlined as possible. She cautioned that the second project to extend the existing path may delay and complicate the first project, and could bog it down in a permitting quagmire, which would be very unfortunate. Moreover, Becky said, the second project is one the County may be willing to lead; in her experience, the cities and counties tend to be the entities applying for the Safe Route to Schools funds. In this case, Becky said the County may be willing to dedicate part of its Olema-Bolinas right-of-way to the path extension which could simplify its installation. She suggested it would be worthwhile to have a conversation with the County at some point relatively soon to start working on building support for the "extensions project" and, in the meantime, keep the BCPUD's focus on the project to resurface the existing path.

Discussion ensued with a variety of perspectives offered. Director Godino said that Becky's suggestions make sense and the community may have a better chance of getting Safe Routes to Schools funding if the existing path has been improved. Jennie Pfeiffer wondered if the County might be willing to put a boardwalk of some kind over the existing deep ditch adjacent to the Resource Recovery Project pending a more permanent solution to improve safety (so that pedestrians/cyclists have somewhere to walk/ride off of the actual road at this location). Director Comstock said he agreed with the logic of involving the County (and likely also the school) on the extension project, but is concerned about allowing the opportunity to pursue the extensions now with the current funding slip away. Director Siedman said that while it does seem there are two projects, they are not mutually exclusive and there does not seem to be any reason why the district should not to pursue them at the same time. He agreed that once the path extends off the BCPUD property, other entities become involved, including at least the County and the neighboring property owner. Ultimately, he suggested the district should do what it can with the funds that it has and, at the same time, start working with the school and the County on planning the extensions, knowing they will take time and additional resources and permitting.

Director Godino agreed, noting she does not think the school board is aware the BCPUD has been working on the project to improve the existing path for so long (for which she thanked director Smith), so some outreach would be beneficial here, particularly to let the school know it may be requested to participate in the extensions/Safe Route to Schools segments. She said she is in favor of moving forward with the current project to resurface as much as possible of the existing path, and simultaneously start a discussion about the extensions. Director Smith agreed, noting that the district may start by asking the County if the extension across the BCPUD land at the Resource Recovery Project could qualify for a "de minimis" coastal permit; if so, there may be time to include this as an "alternate" when the project is put out to bid. Director Comstock concurred.

Becky Dower said that the district will need to officially confirm with the County that the rehabilitation of the existing path will qualify as "repair and maintenance" under the existing coastal permit and that will be a good time to inquire about what the proposed extensions will require in terms of permitting. Depending on the answer, she said, the district can then decide whether to decouple the extensions from the main project. She noted that drainage features such as the County ditch often create wetlands and possible environmental features that could significantly complicate matters. At the conclusion of the discussion, director Siedman said the next step will be for staff and the consultants to

confer with the County for a determination of whether the first extension can be approved via a de minimis coastal permit in which case it will be included as an alternate in the project bid package.

**10. Amendment #2 to Franchise Agreement for Solid Waste, Recycling and Greenwaste Services between the BCPUD and USA Waste of California (as previously amended and assigned to Recology Sonoma Marin) (*designating certain roles and responsibilities that Recology shall perform to implement SB 1383 regulations*).**

Staff said the amendment is not yet ready for consideration by the Board. Staff met with Recology Sonoma Marin today and narrowed the scope of issues considerably but a few items remain outstanding; staff believes the amendment will be ready for Board consideration next week and, if so, a special meeting could be held. Staff asked the Board to hold time on September 28<sup>th</sup> for this purpose. Staff advised the Board that a Proposition 218 notice and hearing process will be applicable to the increase in rates for both SB 1383 purposes and the upcoming CPI-based increase for the 2023-27 calendar years.

**11. Request to Use Parking Lot at Mesa Park (APN# 193-020-45) for Household Hazardous Waste Collection Event (“Toxic Away Day”) on November 5, 2022.**

L. Comstock/G. Godino four in favor, director Walker absent to approve the use of the Mesa Park parking lot for Toxic Away Day on November 5, 2022.

**12. BCPUD Letter of Intent to Participate in the Marin County Multi-Jurisdictional Hazard Mitigation Planning Effort.**

G. Godino/L. Comstock four in favor, director Walker absent to approve the BCPUD letter of intent to participate in the Marin County Multi-Jurisdictional Hazard Mitigation Planning effort.

**13. Update from the Ad Hoc Committee re: BCPUD Building at 270 Elm Road, Bolinas.**

Director Siedman said that he and director Walker are the Board members of the Ad Hoc Committee; Andrew Alexander Green and Steve Matson also are members. Andrew said that the immediate items to be completed are the consultant engagements for the boundary and topographic surveys, the geotechnical report, and a preliminary septic design. He noted that the Board has approved a budget of \$93,500 for this preliminary site assessment work, and the committee is hopeful the needed work can be done for less than this budgeted amount. Andrew said that consultant proposals were solicited by the committee and provided to staff. After a brief discussion, staff was directed to work with the committee to evaluate the proposals and select the appropriate consultants.

**14. Volunteer Committee Reports:**

-- *Resident Permit Parking Plan Committee*: The Board received a written update from the Resident Permit Parking Plan Committee.

-- *Resource Recovery*: Nothing to report.

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

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

**15. Other Business.**

a. Board Committee Reports.

- *Finance: Addendum to Engagement Letter with Maze & Associates dated June 3, 2022.* Staff reported that Maze & Associates issued an addendum to their engagement letter with a set of disclosures relating to their responsibilities with regard to the district’s State Controller’s Office report.

- *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 August 17, 2022 regular Board meeting.

L. Comstock/G. Godino three in favor, K. Walker absent, D. Smith abstained to approve the minutes of the August 17, 2022 regular Board meeting.

c. Warrants.

L. Comstock/D. Smith four in favor, director Walker absent to approve the warrant list.

c. Scheduling of Next Meeting(s):

Possible special meeting: September 28, 2022 at 2 p.m.

Regular meeting: October 26, 2022 at 7:30 p.m.

**16. Adjournment.**

9:46 p.m.