

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
October 26, 2022 270 Elm Road, Bolinas

1. Call to Order.

7:33 p.m.

2. Roll.

Directors Comstock, Siedman and Walker present; director Godino absent. Director Siedman presiding.

3. Community Expression.

None.

4. Manager's Report and Project Updates.

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

Staff reported that the district has received 1.41 inches of rain thus far in the 2022-23 rain year; 0.7 inches of rain were received in July, 0.23 inches in August, 0.45 inches in September and 0.03 inches of rain have been received thus far in October. Between September 21, 2022 and October 25, 2022, water production in the district averaged 66,838 gallons per day (GPD), which is a decline in production of 11,305 GPD as compared to the last reporting period, when production averaged 78,143 GPD. (Staff noted that the treatment plant was off for three days during this period for operational reasons, which definitely affected the production numbers.) Water consumption during this same timeframe averaged 70,113 GPD (approximately 120 GPD per connection), which is a decline as compared to the last reporting period, when consumption averaged 74,912 GPD, or approximately 128 GPD per connection. As for stored water, the Woodrat 1 Reservoir is essentially full and the Woodrat 2 Reservoir is approximately 70% full at this time. The district continues to supply the town with water exclusively from the Arroyo Hondo Creek.

Staff directed the Board's attention to the drought report for September 2022, which indicates that the district produced 2,317,200 gallons of water that month. The quarterly metered water data for the downtown area indicates that water consumption for the July, August, September 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).

Staff said that the Marin County Department of Public Works issued a Request for Proposals ("RFP") last month to solicit proposals for the development of a Marin County Drought and Water Shortage Risk Plan. This plan is a requirement of Senate Bill 552, which imposes a broad array of drought and water shortage risk mitigation obligations on public entities. In this case, the County's Plan will apply to the BCPUD and other water districts/well owners in Marin, so it is in the BCPUD's interest to participate in its development. One of the consultants responding to the RFP contacted staff to make sure the district is aware of the RFP and can participate in its development to ensure the accuracy of data collected.

- *Operations Update.*

Staff reported that an inspection of the district's West Tank occurred this past Sunday, which is the first step in the capital project to rehabilitate, recoat and seismically retrofit this tank (as the district did for its East Tank). Before this, however, the district will complete the valve installation and discharge piping replacement project at the tank site. Staff expects to receive the engineering plans and specifications for this project at the end of November and currently plans to put the project out to bid in early 2023.

As reported last month, staff is working with outside engineers to resolve problems the crew is having with pipe breaks inside the Woodrat Water Treatment Plant. The engineers have advised that the crew re-install a pressure reducing valve on the raw water Arroyo Hondo line into the plant, and add some bracing to specific sections of pipe. The crew has ordered the needed equipment and will install it in November.

The crew recently had a work day with the district's consulting technician on the filters at the water treatment plant, troubleshooting and resolving many persistent issues. Based on the technician's recommendation, staff ordered and installed 12 new membranes in two of the filters; staff reports the plant is running really well as a result. Staff plans to order and replace the remaining 12 membranes in the two other filters next year. The technician has advised that the district replace each of the membranes every five years for optimal filter performance.

With regard to the pending “Lead Service Line Inventory”, staff reported last month that the crew has organized a methodical approach to this project with the goal of completing the inventory by the October 2024 due date. As it happens, the district received an internship proposal from a local resident that the Board will consider later on the agenda (item 10) which is a great opportunity for the BCPUD to obtain much-needed assistance for this project, and for the intern to receive valuable work experience.

On the sewer side of operations, staff continues to work with Mark Wilson of Nute Engineering to identify and resolve recurring issues at the Wharf Road Lift Station and staff will present a proposal he submitted later on the agenda. Spray season is not officially over, but the district stopped discharging several months ago to dry out the fields for the annual mowing that occurs in September. The flows into the sewer system are low right now, often 20,000 GPD or less, other than during high tide events. As reported last month, a video inspection of the district’s sewer system on portions of Wharf road on the night of August 9th, which was a full moon/high tide event, confirmed the presence of infiltration and inflow (“I&I”) from three customer laterals at that time. Staff will check in with the affected customers, who evidently are organized as a unit and diligently pursuing the needed repairs, on the status of the work.

Last month staff reported on a bat infestation at the sewer lab building. The district engaged a company specializing in approved bat removal procedures to seal off points of entry and then, when the bats had relocated, clean up and sanitize the building. Before the work was done, BCPUD staff installed several bat boxes nearby, behind the building and near one of the spray fields.

SB 1383-related compliance activities continue to consume a lot of staff time. The district’s SB 1383 Annual Report was timely submitted to CalRecycle on October 3rd and a copy is in the Board binders. Staff continues to coordinate with the General Managers of other small jurisdictions in Marin to collaboratively seek the County’s assistance with regard to SB 1383 enforcement, which is required effective January 1, 2024. Garret Toy from Tam Community Services District volunteered to take the lead on this effort; Garrett previously served as the Fairfax Town Manager and also is a past Chair of ZeroWasteMarin (“ZWM”). Garrett attended a ZWM meeting on October 20th to present the special districts’ request; the ZWM Board evidently agreed to appoint a special district representative to participate on a ZWM subcommittee that will work with a consultant on a “SB 1383 Regional Implementation Plan”, which is an encouraging first step. On a related note, the California Special Districts Association is seeking input from members impacted by the SB 1383 compliance process, so staff sent an email detailing the BCPUD’s experience thus far.

Per the Board’s approval at last month’s meeting, the BCPUD is now a “participating jurisdiction” in the development of the 2023 update to the County’s Multi-Jurisdictional Local Hazard Mitigation Plan. 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; the former is much easier and the Federal Emergency Management Authority (“FEMA”) expressly encourages special districts to seek coverage under County plans. Although the County has hired a consultant to lead the plan update, it is clear that there will be a lot of work the district will need to do, including but not limited to serving on the Steering Committee (which meets monthly), preparing a detailed jurisdictional profile, identifying and quantifying risks to district infrastructure, and more. Staff said it should be worth the effort when the district is covered under the updated plan and can then apply for funding for hazard mitigation projects, such as the West Tank rehabilitation and seismic retrofit project.

Staff currently is working with the district’s engineers and biologists to request a meeting with the County to discuss the pedestrian/bicycle path upgrade project and confirm that the County deems the project to be “repair and maintenance” under the coastal permit that was issued when the existing gravel path was installed in 2008.

- *Proposal from Case Pacific for Polyurethane Injection Work to Create a Cut-Off Behind Existing Concrete Catchment Box to Stop Water Flowing Under Overflow Pipeline at Woodrat 1 Reservoir.*

Staff presented a proposal from Case Pacific to address the seepage of water from the reservoir underneath the concrete catchment basin surrounding the intake of the overflow pipeline; water appears to be traveling under the overflow pipeline and daylighting under the outlet and into the ditch adjacent to Mesa Road. Case Pacific proposes to inject a hydrophobic polyurethane grout behind the existing catch basin to create a cut-off wall to stop water flowing under the pipeline; the grout is a thin liquid resin that reacts with water and expands to form a close cell, water-tight foam and is approved for use in contact with drinking water. The cost of the proposed work is \$9,200.00, plus \$195/per gallons of resin in excess of the quoted amount. Allan Richards of Stetson Engineers has reviewed the proposal and related submittals, and recommends the district approve the proposal. Staff also recommends Board approval of the proposal, subject to the district’s standard terms and conditions.

L. Comstock/K. Walker three in favor, director Godino absent to approve the proposal from Case Pacific at a cost of \$9,200.00 and to authorize the General Manager to approve any additional necessary materials costs.

- *Proposal From Nute Engineering for Assessment of Recurring Pump Damage, Potential Improvements to Existing Pump Station Electrical Switch Gear and Motor Control Center, and Location and Sizing of Potential Comminutor.*

Staff presented a proposal from Nute Engineering for a condition assessment of the Wharf Road Lift Station pumps, electrical and motor control components, as well as a possible pre-design of a grinder in advance of the wet well if the condition assessment confirms one is warranted. Nute Engineering recommends this assessment in order to identify the specific cause of damage to the existing pumps as well as to better inform next steps in terms of upgrades to the facility. The wet well itself also will be inspected and assessed for repairs that might be needed prior to coating. The proposed cost of the condition assessment is \$16,083.00; if the assessment confirms a grinder is needed, the cost of the pre-design for siting the grinder is \$4,740.00. Staff requested Board approval of the proposal. A brief discussion ensued during which director Comstock said that, in his view, engineering assessments like this are something the district should not hesitate to pursue as specialized advice of this nature can be invaluable for the rehabilitation and maintenance of the district's infrastructure.

L. Comstock/K. Walker three in favor, director Godino absent to approve the proposal from Nute Engineering at total cost of \$20,823.00, authorizing the General Manager to approve the grinder pre-design if indicated.

The Board reviewed correspondence sent and received since the last regular meeting, including a communication from PG&E that the company plans to remove six trees on the BCPUD property adjacent to Mesa and Olema-Bolinas Roads next year. Unfortunately, PG&E will not agree to remove the wood from the downed trees – the company claims its responsibility is to remove the threat to its power lines, but the property owner is responsible for the wood removal. The district also received a notice from the County of Marin that the Bolinas Community Center will operate as a 4-day “voting center” from November 5th through November 8th to facilitate voting/ballot drop-off. The Board also reviewed an offer from a property owner adjacent to the BCPUD office building to donate a parcel of vacant land to the BCPUD; staff was directed to include an item on the Board's November meeting agenda to consider the offer.

Staff reminded the Board that “Toxic Away Day” has been scheduled for November 5, 2022 at the Mesa Park parking lot from 9 am – 1 pm. Appointments should be made ahead of time by phone. Staff has placed notices in the Hearsay News and on NextDoor to alert the public to the event.

- *Alliance of Coastal Marin Villages.*

Staff noted the Alliance of Coastal Marin Villages is scheduled to meet in November to discuss any developments on the Local Coastal Program Update and/or the County's Housing Element.

5. Announcement: Notice of Vacancy on the BCPUD Board of Directors; Notice of Intent of BCPUD Board to Appoint A Replacement Director at its Regularly Scheduled Meeting on November 16, 2022; Adoption of Application Requirements.

Director Siedman announced that director Smith resigned from the BCPUD Board effective September 24, 2022. Staff said that, pursuant to consultations with the County and per the California Government Code, the Board needs to appoint a replacement director within 60 days of the effective date of director Smith's resignation, or by no later than November 23, 2022. The district must post a “Notice of Vacancy” in three or more conspicuous places in the district at least 15 days before the Board makes the appointment. If the Board resolves to make the appointment at the November 16, 2022 Board meeting, staff said, the notice then must be posted by November 1st. Staff said the Notice of Vacancy should include any specific requirements the Board wishes to establish, such as the submittal of a letter of interest, and any details the Board otherwise establishes about the appointment process, such as whether interviews will be conducted. Staff said the Board must establish application requirements tonight for inclusion in the Notice of Vacancy. The appointed director will serve the remainder of director Smith's term, which concludes on December 2, 2024.

A discussion ensued with the Board members discussing potential deadlines for the submittal of a letter of interest, with sufficient time after the November 8th election for interested persons to apply, and a requirement for interested persons to attend the November 16th Board meeting at which time they will be interviewed by the Board for the position, as well as detail to include in the Notice of Vacancy.

L. Comstock/K. Walker three in favor, director Godino absent authorizing the General Manager to issue a Notice of Vacancy informing the public of the Board's intent to appoint a replacement director to serve the remainder of director Smith's term at its regular meeting on November 16, 2022 and inviting interested persons to submit a letter detailing their interest and qualifications to the BCPUD by no later than November 11, 2022; the Notice further will state that interested candidates will be interviewed at the November 16th meeting if more than one candidate applies for consideration.

6. Request for Financial Relief from Quarterly Metered Water Bill pursuant to BCPUD Resolution 553 – 11 Brighton Avenue (J. Kurland).

Jordan Kurland was present to explain that he became aware of a leak on his water line when his neighbor called him to say that water was pooling in his yard and appeared to be coming from the Kurland property. Jordan immediately arranged for a repair and the source of the leak was discovered to be under his back deck. Following a brief discussion, director Siedman said this appears to be a classic blind leak which the customer addressed as soon as he knew about it. Director Comstock concurred, noting that the customer would then qualify for the maximum relief, which is 90% of the amount of water attributable to the leak.

L. Comstock/K. Walker three in favor, director Godino absent to forgive 90% of the water loss due to the leak as determined by the historical average water use at this property for the same quarter during the last three years.

7. Limited Water Use Permit Application: 40 Cliff Road, Bolinas APN# 193-114-02 (construction of a new accessory dwelling unit) (Morning Phase, LLC).

The Board deferred consideration of this matter to a future meeting as no one was present on behalf of the applicant and the district has not received copies of the building plans for the project.

8. BCPUD Right-of-Way Permit Application: Proposal to Implement a Modified Drainage Plan for the Queen Right-of-Way near 35 Queen Road (D. Murch for N. Rosenberg).

Don Murch said that he has been asked by Nina Rosenberg to help negotiate with her neighbors with regard to drainage on Queen Road. Don recounted a lengthy history of the past efforts of residents in the Queen, Pine and Cherry Road neighborhoods to deal with storm water that flows downhill from the vicinity of the Cherry and Pine intersection and toward the lower "swale" area between Queen and Cherry Roads. He said much of the storm water flows from uphill properties on Pine Road down the Queen right-of-way and toward Nina Rosenberg's home at 35 Queen; because the grade is somewhat uphill near the edge of the bluff at the end of Queen (past the Rosenberg home), the topography essentially directs the storm water into a swale under the Rosenberg house. Don said the storm water then continues in this direction (to the northwest), crosses over an adjacent vacant lot owned by the Bidens at the bottom of the hill/bluff near Cherry Road, and then into the "Cherry drain", which Don described as an elaborate system of black pipe installed by the owners of the property at the bottom of Cherry Road.

Don said Nina hired Questa Engineering to advise her how to divert storm water away from under her home and Questa recommended installing a system whereby the water would be diverted under the Queen right-of-way before reaching the swale under the Rosenberg house to an earlier point on the Rosenberg property where it would then proceed as it flows now, across the Rosenberg and Bider properties to the Cherry drain. Don reminded the Board that the Questa recommendation was presented to the BCPUD Board at a previous meeting and the Bidens were unhappy about it because they felt this approach would concentrate the flow of storm water onto their parcel. The BCPUD Board at that earlier meeting advised the property owners to meet and discuss the situation and try to reach a mutually agreeable solution.

Don said he initially submitted a more elaborate proposal to the Board to deal with storm water from upslope properties, but he now proposes to simply slope Queen Road so that storm water that currently travels along this road and flows under the Rosenberg home (before following the topography as previously described), instead will sheet across the sloped section of road, thereby dispersing the flow of storm water so that less of it flows under the Rosenberg home before rejoining the natural flow toward the Cherry drain. Don said he presented this proposal to the Bidens and they told him they do not want the section of Queen Road adjacent to their property sloped in this way; as such, Don proposes to slope only the section of Queen Road adjacent to the Rosenberg property. Don said he believes the Rosenbergs are entitled to do this without a permit under BCPUD Ordinance 30 because this grading of the road amounts to ordinary maintenance of a road adjacent only to their property.

Julie Bider said she would like to see a more comprehensive plan for drainage in the area, and she expressed concern about Don's proposal as she believes it would direct more water onto her vacant lot at the bottom of the hill. Don Murch said that the water already flows onto her vacant lot, it just goes under Nina's house first, which is what his plan seeks to avoid. Julie suggested a culvert could be installed under Queen Road instead -- where it intersects with Cherry on the south side -- to capture the water flowing down Cherry before it flows down Queen Road. Don told the Board he spoke with the Bidens about this proposal on-site and understood them to be suggesting that the water from such a culvert would then be directed under Cherry Road (at a point further downhill) to the north side of the road (and away from the swale into which it currently flows across the Rosenberg and Bider properties), which would be a distinct change to the existing drainage patterns. He noted that Cherry Road is a County maintained road, so the County would need to be involved. For these reasons, he favors simply grading Queen Road as he has proposed.

Discussion ensued, with Board members raising a variety of concerns about the level of engineering expertise needed to address a more comprehensive plan, with complicated drainage patterns on private property, particularly near the bluffs. Board members also discussed the limited nature of BCPUD's jurisdiction with regard to the rights-of-way. Discussion touched on the size of the watershed draining down Queen (with different opinions expressed) and historic storm water flow patterns. Board members

expressed dismay that the neighbors have not been able to reach agreement on an acceptable solution; director Siedman said that the neighbors appear to be at an impasse and there does not seem to be a role for the BCPUD at this point. Genie McNaughton suggested that perhaps the neighborhood could come together to hire a hydrologist to advise them.

Discussion then returned to the erosion already occurring at the bluff at the end of Queen Road; Don Murch said a 60-foot section of this bluff dropped off in the last year and that threatens the entire neighborhood. Don again said he believes the Rosenbergs are entitled to grade the road adjacent to their property without any permission from the BCPUD under Ordinance 30. Julie Bider again said the Biders do not want any portion of Queen adjacent to their property graded and Don said he respects that and will not do so. After further discussion, director Siedman said that the decision as to how the Rosenbergs will proceed is up to them; at this point the BCPUD is not going to take any action. In response to questions from the Board as to whether Don's proposal is consistent with the Todd drainage plan, Don said the plan does not address this area and does not even show the Rosenberg home. Staff was asked to confirm that the proposed grading does not violate the Todd Plan.

9. Request for BCPUD Letter of Support for the Creation of the Point Reyes Dark Sky Reserve (K. Levin, Point Reyes Station Village Association).

Ken Levin with the Point Reyes Station Village Association and Peggy Day, co-founder of Dark Sky Point Reyes, were present to request a letter of support from the BCPUD for the establishment of the Point Reyes Dark Sky Reserve. Peggy proceeded to conduct a slideshow to demonstrate the impact of night light pollution, which has four elements: glare, trespass, sky glow and clutter. The slides depicted different areas of Marin and the impact of unnecessary light; her organization is working with the County to convert street lights in West Marin away from the current LED models to a model that is more shielded, with a downward cast (so the light does not trespass as much) and yellow in color rather than blue. Peggy said that the blue LED street lights cast blue light sideways into the human eye, which disturbs the production of melatonin and results in health problems.

Light pollution also seriously impacts nocturnal bird migration. Peggy said that over 90% of North American migratory birds migrate at night and, where LED lights are in place, the birds cannot find their way – one researcher estimates that three billion birds have been lost to building collisions in the last fifty years. In Texas, the state has enacted a “Lights Out Texas” program to try and reduce the number of bird collisions – on certain nights, every building and home is asked to turn off their lights and there are far fewer bird fatalities on those nights. Peggy said that Home Depot sells outdoor light fixtures with “International Dark Sky Approved” symbols on the outside of the box, and other stores likely do as well – she encouraged people to look for this symbol when purchasing outdoor light fixtures.

Peggy presented a map of the area in Marin that would be covered by the Dark Sky Reserve ordinance. She said that the Point Reyes National Seashore approached the Point Reyes Station Village Association to suggest they join forces to pursue this. They broached the idea to the International Dark Sky Association and were advised to include all of the West Marin villages depicted in the map. The Point Reyes Station Village Association also is sponsoring monthly star gazing events with Don Jolley, former Bolinas middle school teacher, to educate people in the community and raise awareness of how important dark sky is for humans and animals. In order to qualify per International Dark Sky guidelines, all lights in the Reserve should be shielded with restricted illumination levels, and so forth – Marin County's Community Development Agency estimates it would take 10 years to fully comply. The County has asked Peggy's organization to come to the villages in West Marin to cultivate support for an ordinance regulating outdoor lighting. Peggy therefore is requesting that the BCPUD submit a letter to the County supporting the enactment of such an ordinance; she said Supervisor Rodoni is going to sponsor the ordinance.

Director Siedman asked the Board members for their views on the requested letter of support. Director Comstock said that the concept of the Dark Sky Reserve really appeals to him, but he wants to be sure the community is aware of this. He said he doesn't remember seeing anything about it in the Hearsay News or the Point Reyes Light. Peggy said that the effort has been covered on Channel 5, KWMR, KQED, and several travel magazines among other media; she said she would be happy to write an article for the Hearsay News. Director Comstock asked whether there is a deadline for the requested letter and Peggy said she is asking for them to be submitted by the end of the year as Supervisor Rodoni is going to take it up with the Board of Supervisors in early 2023.

Director Siedman suggested the Board defer action on the requested letter until the next Board meeting to allow time for Peggy to have a letter printed in the Hearsay News and/or the Point Reyes Light to educate the community and also alert them to the fact that the BCPUD Board will take action on the requested letter at the November regular meeting; there was no objection from the Board. Janine Aroyan commented that the brightest lights downtown seem to be at the Coast Café, so that business definitely should be made aware of the proposed ordinance. Peggy thanked the Board members for their time and consideration and said she would be happy to attend the November Board meeting if that would be helpful; in the meantime, she will follow-up and submit a letter to the Hearsay News.

10. Internship Proposal: California Department of Rehabilitation Work Study Program (N. Marcotte).

Staff explained that Nick Marcotte has proposed an internship with the BCPUD; the position would be funded by the California Department of Rehabilitation, who would be the employer of record, and he would be fully covered by their insurance. Staff and the Marcottes conferred over the terms of the internship and agreed upon a position whereby Nick will assist the operations staff in the field with the Lead Service Line Inventory; he will be under supervision of BCPUD staff at all times. Nick's proposed days of work will be Tuesdays and Wednesdays from 11:00 a.m. to 3:00 p.m. (so, 8 hours per week), subject to rescheduling if an emergency arises. Staff enthusiastically recommends that the Board approve the internship proposal, subject to any additional terms and conditions that might be imposed by the district's insurance authority, ACWA/Joint Powers Insurance Authority ("JPIA").

L. Comstock/K. Walker three in favor, director Godino absent to approve the proposed internship for Nick Marcotte, subject to any additional requirements imposed by ACWA/JPIA.

11. Proposition 218 Notice re: December 14, 2022 BCPUD Public Hearing on Proposed Increases to Solid Waste Disposal Services.

Staff reminded the Board that the district's Franchise Agreement with its hauler was amended in 2015 for a fifteen-year term; the agreement includes a rate-setting formula based on the San Francisco Bay Area Consumer Price Index ("CPI"). The district's counsel advises that the district must issue a Proposition 218 notice to cover the 2023-27 years (the district completed the Proposition 218 process for the prior five-years). In addition to the rate increases allowed by the Franchise Agreement, Recology Sonoma Marin is requesting a 2.9% increase to cover its costs of providing SB 1383 services. Staff directed the Board's attention to the meeting materials, which explain that Recology's SB 1383-related costs primarily are for an additional staff person to handle SB 1383-related tasks and some amortized capital costs. Staff said the district's Proposition 218 notice explains all of this (i.e., the CPI increases and the SB 1383 increase) and it needs to be issued by no later than October 28, 2022 to be sufficiently timely prior to December 14th regular Board meeting at which the Board will hold a public hearing to approve the rate increases effective January 1, 2023. A copy of a draft Proposition 218 notice is in the Board binders; staff noted that it may be possible for the district to apply SB 1383 grant funds received from CalRecycle to offset the first year of the SB 1383-related rate increase (in which case that particular 2.9% increase would not be paid by customers until 2024) and this is explained in the draft notice, as well.

K. Walker/L. Comstock three in favor, director Godino absent to approve the draft Proposition 218 Notice regarding Proposed Increases to Solid Waste Disposal Services in the District.

12. Update from the Ad Hoc Committee re: BCPUD Building at 270 Elm Road, Bolinas: Authorization for General Manager to Retain Site Survey Surveyor.

Director Walker reported that the committee met with the General Manager and provided two proposals the district received for site survey services (i.e., boundary survey and topographic mapping services). She noted the Board previously authorized proceeding with the site assessment work and approved a specific budget; accordingly, staff is in the process of analyzing the proposals and making a selection. Director Siedman emphasized that time is of the essence as the site survey and mapping work is the foundation on which all work relating the project will be done.

13. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee:* Bruce Bowser was present and said that Sherry Hirsch has been away this month, so he would like to express that the committee is unhappy with how things are progressing with the County; he said things are at somewhat of a stalemate and the committee may be asking the Board to send in a letter to urge action. Director Siedman requested that the committee submit a form of letter for the Board to consider if it decides to go this route.

-- *Resource Recovery:* Staff directed the Board's attention to the County's Q3 Inspection Report of the Resource Recovery Project – no violations or issues of concern were identified.

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

-- *Land Stewardship Committee:* Status report on Brighton Beach Entrance; Request for BCPUD to Contribute Funds to Remove Overhanging Limbs of Tree Located on Adjacent Private Property.

Janine Aroyan was present and referenced photographs and paperwork in the Board binders which show that branches from trees on Mark Talucci's property are overhanging public space, including the BCPUD parcel at the end of Brighton Avenue. Mark Talucci has offered to pay half of the cost of removing the limbs and an estimate from Pacific Slope Company of \$7,200.00 has been provided. Janine noted that more of the limbs overhang Talucci's property than overhang the BCPUD property; also, she said that the neighbor across the street is concerned about the branch

removal as the branches currently serve as a privacy buffer between the two properties. Chuck Oakander inspected the trees and said that it may be possible to “cable” the branches rather than remove them (which the neighbor across the street would be willing to pay for), but he won’t know until the work is underway and he can better assess the health of the trees.

Discussion ensued among the Board members about whether to participate in this project. Ultimately, the Board requested that Janine ask Chuck to provide a revised estimate for the work which allocates the costs of removing the limbs overhanging the Talucci property and separately identifies the cost of removing the limbs overhanging the BCPUD property. Staff noted the owner of a property on which trees are located generally has responsibility for the trees, notwithstanding where the branches extend; director Siedman agreed, but said the BCPUD has a right to prune any limbs overhanging its property to the extent needed to prevent property damage or injury, so the district could justify participation here to support public access to this area. Janine agreed to ask Chuck for a revised estimate and will submit it to the district as soon as it is available.

14. Other Business.

a. Board Committee Reports.

- *Finance*: Staff reported that work is underway with the district’s CPA and outside bookkeepers on the Fiscal Year 2021-22 audit.
- *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 September 21, 2022 regular Board meeting.

This item was deferred to the November regular Board meeting.

c. Warrants.

L. Comstock/K. Walker three in favor, director Godino absent to approve the warrant list.

c. Scheduling of Next Meeting(s):

November 16, 2022 at 7:30 p.m.

Staff reminded the Board that it previously agreed that the December regular Board meeting will be one week earlier than usual, on December 14, 2022, to accommodate holiday vacation schedules.

15. Adjournment.

10:10 p.m.