

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**December 14, 2022 270 Elm Road, Bolinas**

**1. Call to Order.**

7:31 p.m.

**2. Oaths of Office for Newly Elected Directors (J. Siedman, G. Godino, A. Alexander Green)**

The oath of office was administered to the newly elected directors, Jack Siedman, Grace Godino and Andrew Alexander Green.

**3. Roll.**

Directors Alexander-Green, Godino, Siedman and Walker present; director Siedman presiding.

**4. Community Expression.**

Deborah Manetta said she would like to donate a sculpture garden of yoga postures for the public to use; she would like them to be placed on the BCPUD property to the west of the office building at 270 Elm Road. Director Siedman said the district is embarking on a project to build a new office building and the Board would be happy to consider this donation offer in connection with that project. Ms. Manetta indicated she understands the project is underway and expressed her gratitude for the Board's consideration; director Godino thanked Ms. Manetta for the generous offer.

**5. Manager's Report and Project Updates.**

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

Staff reported that the district has received 7.12 inches of rain thus far in the 2022-23 rain year, with 3.74 inches of rain measured thus far in December; staff noted this cumulative rainfall is less than the average rainfall for this time of year in the district. A rainfall progress correlation analysis performed by the district's hydrogeologist indicates there are 17 years in the BCPUD's rain records when the district has received 7.12 inches or less of rain through the end of December; during those 17 years, the district subsequently received a minimum annual rainfall of 14.49 inches, a maximum annual rainfall of 31.63 inches, an average annual rainfall of 22.18 inches, and a "best fit" of 24.65 inches

Between November 15, 2022 and December 12, 2022, water production in the district averaged 62,393 gallons per day (GPD), which is a decline of approximately 6% in production as compared to the last reporting period, when production averaged 66,311 GPD. Staff said the water treatment plant was off for five (5) days during this reporting period for operational reasons, which accounts for some of the reduction in production. Water consumption during this same timeframe averaged 65,159 GPD (approximately 110 GPD per connection), which is a slight decline as compared to the previous reporting period, when consumption averaged 67,123 GPD, or approximately 114 GPD per connection. Staff noted that there was a significant leak on the district's water system on December 8, 2022, when a service saddle blew off the main in front of 116 Olema-Bolinas Road, resulting in 128,066 GPD water consumption for that day.

The district's stored usable water supply in the two reservoirs as of December 11, 2022 (combined), plus the amount of treated water in storage, is estimated to be approximately 13.52 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 70% full (6.6 million gallons, 5.9 million of which are usable) – the recent rains have offset any losses from evaporation or seepage from the reservoirs.

The district's base flow (BF) recession model for the Arroyo Hondo Creek has been updated to depict predictions of creek flows for the remainder of the calendar year and through January 31, 2023. Creek flows have responded to recent rains in early December, with the projected creek flow for December 31, 2022 just under 113,000 GPD. Prior to the early December rains, the projected creek flow for December 31, 2022 was just under 104,000 GPD. Based on the healthy creek flow and low seasonal water consumption it does not appear that the district will need to draw upon its reservoirs to meet demand, so the reservoirs are projected to fill during the upcoming rainy season.

Staff noted that the Board binders include the quarterly metered water data, updated to include the mid-Mesa and back of the Mesa – as has been the trend this year, water consumption is up as compared to the same quarter last year, but remains low by historic standards. The district's most recent drought report (for November 2022), also in the meeting binders, confirms that the district produced 2,061,200 gallons of water in November.

As staff reported last month, the district's triennial sampling for lead and copper was completed in August; the results were reported to the State Water Resources Control Board ("SWRCB")'s Division of Drinking Water ("DDW") in October. The DDW has confirmed that the district's results do not exceed either the lead or the copper action level and that the district will remain on triennial sampling frequency, with the next samples due in 2025.

- *Proposed BCPUD Membership in the California Water/Wastewater Agency Response Network (CalWARN) per Senate Bill 552.*

Per Senate Bill 552, the BCPUD is required to maintain membership in CalWARN or a similar mutual aid organization by January 1, 2023. In the meeting binders are copies of the CalWARN Mutual Assistance Agreement and Articles of Agreement. Staff has spoken with the CalWARN representative assigned to Marin and confirmed that there are no hidden costs to the district resulting from this membership. Staff also informed the district's insurance authority, ACWA/Joint Powers Insurance Authority about the district's intent to join CalWARN and confirmed the required liability coverage. Staff recommended the Board approve the district's membership in CalWARN.

K. Walker/A. Alexander Green                      four in favor                      to approve the district's membership in CalWARN.

- *Operations Update.*

Staff directed the Board's attention to the revised schedule for the Tank Site Pipeline Replacement Project in the meeting binders, which the district plans to install prior to commencing the project to rehabilitate the West Tank. Staff expects to receive the draft plans and specifications for this project from the district's engineer tomorrow for review and comment, and a final set of plans and specifications for the Board to review and approve at the January 18, 2023 Board meeting. Assuming that occurs, the project will be out to bid on January 30<sup>th</sup>, with bids due on March 1, 2023, so that the Board can approve an award of contract to the lowest responsible bidder at the regular meeting in March 2023. Staff anticipates issuing a Notice to Proceed on May 1<sup>st</sup> with a project completion deadline of July 31, 2023.

The district has received a report documenting the exterior inspection of the West Tank and it is in the meeting binders. As the report indicates, the biggest "unknown" with regard to the condition of this tank was the condition of the rafters at the center of the tank where they are bolted to the dollar plate; with the vent screen removed for the inspection, the corrosion and metal loss there is evident and welding repairs likely will be necessary. The roof vent, handrail and roof hatch all need to be replaced, as well as some sections of the roof plates at the perimeter. The rehabilitation project for this tank will include the installation of a second "manway" in addition to the full removal and recoating of the exterior. The inspector conducted a limited inspection of the interior (he was on a raft about 5-feet down from the roof of the tank), which indicates the interior coating on the ceiling is breaking down and in need of removal/replacement.

Staff next plans to drain the West Tank (by isolating it and supplying the town with water exclusively from this tank until it is empty) so that the inspector can return for a full inspection of the interior tank ceiling, walls and floor. The inspector also will disinfect the tank afterward and has submitted a proposal for this work (i.e., interior inspection and disinfection of the West Tank) at a cost of \$1,104.80, which staff has approved. The inspection is scheduled for January 15, 2023 and the district's engineer also plans to attend. Replacement discharge valves (previously purchased by the district) will be installed on exterior of the tank the following day as this work needs to be done when the tank is empty.

The district's watershed sanitary survey has been updated and the district's engineer at Brelje & Race expects to submit a finalized copy of it to the State Water Resources Control Board ("SWRCB")'s Division of Drinking Water prior to the end of the month.

On the sewer side of operations, Nute Engineering's assessment of the Wharf Road Lift Station is underway; the electrical engineer will be on site on January 6<sup>th</sup> to perform his evaluation of the station's electrical components.

The district experienced another problem with a blown gasket at the check valve on the force main (in front of Smiley's) last month (the day before Thanksgiving), which resulted in a fully contained spill inside the check valve vault. Staff initially installed a replacement custom gasket but this did not hold; as such, based on advice from Nute Engineering, staff engaged Piazza Construction on an emergency basis to remove the check valve entirely and install bypass piping. There are check valves on the discharge piping from both pumps in the lift station to protect the dry well, but staff has decided to run the sewer system manually (to keep operator eyes on the pumps while in operation) until a replacement check valve can be installed. Staff conferred with Nute Engineers and selected a more robust "swing" check valve – it has been ordered and should arrive for installation next week.

In the meantime, the district continues to experience significant infiltration and inflow ("I&I") from privately owned sewer laterals which have not yet been repaired despite the district's notifications to the responsible customers in August, as well as unknown sources during rain events. Last weekend, the

district received approximately 1.25 inches of rain and flows into the sewer system doubled. Staff is planning another detailed video inspection of the sewer collection system next week to find the sources of this I&I.

The SWRCB has issued an updated statewide sanitary sewer system general order pertaining to sewer collection systems and sanitary sewer overflow response/reporting. This new order will apply to the BCPUD's sewer system. Staff is scheduled to attend a four hour webinar on January 11<sup>th</sup> to learn about the new requirements, which are likely to have significant cost implications.

Staff continues to participate in the County's Local Hazard Mitigation Plan Steering Committee meetings on behalf of the BCPUD. Staff invited the Bolinas Fire Protection District to participate in this planning process since that district is a first responder for natural disasters and Assistant Chief Steve Marcotte attended the most recent meeting. Staff will soon undertake a review of all district assets to identify their vulnerability to various natural hazards as well as projects to render these assets more resilient.

As a follow-up to last month's meeting, staff drafted a letter of support on behalf of the BCPUD for the Dark Sky Reserve in West Marin to be sent to Supervisor Rodoni and asked if the Board had any objection to submitting the letter as drafted; the Board had no objection.

- *Alliance of Coastal Marin Villages.*

Staff reported the Jack Liebster, lead planner on the Marin County Local Coastal Plan Update, has announced his retirement in March 2023; the Alliance of Coastal Marin Villages plans to submit a letter to the Marin County Board of Supervisors expressing the appreciation of the member villages for Jack Liebster's many years of excellent work on behalf of the County and its coastal villages.

#### **6. Public Hearing: Proposal to Increase Solid Waste, Recycling and Green Waste Collection Rates in the Bolinas Community Public Utility District.**

Director Siedman opened a public hearing to consider proposed increases to the solid waste, recycling and green waste collection rates charged by Recology Sonoma Marin in the district. For purposes of background, staff said that the district's current Franchise Agreement with Recology runs until 2030; it was amended in 2015 for a 15-year term and a specific rate-setting formula was set out for this period. The Board previously held a public hearing like this one to approve the rates set out in the 2015 amendment, which provides – in pertinent part – that the 2023-2030 rates shall be adjusted by the San Francisco Bay Area Consumer Price Index ("CPI") percentage increase each year. Per the advice of counsel, the district conducts a Proposition 218 public hearing process every five years since the agreed-upon rate increase is based on CPI. The district therefore issued a Proposition 218 notice to all customers for the proposed rate increases for the 2023 – 2027 calendar years. The district did not receive any written objections to the proposed rate increases.

In addition to the CPI annual increase, a one-time rate increase of 2.9% is proposed to cover Recology's costs of complying with SB 1383; this additional increase is explained in the Proposition 218 notice. If approved, the franchise agreement will need to be amended to reflect this (and the SB 1383-related services Recology will perform (see agenda Item 7). The district received grant funds from CalRecycle for specific SB 1383 compliance purposes and staff said the Board should decide during this hearing whether to use some of these funds to offset the 2.9% increase for the 2023 calendar year (the customers will be directly responsible thereafter). The payment that would be due from the district to Recology for the 2023 SB 1383 compliance costs is \$9,455. In response to questions from director Godino, staff said the available grant funds are approximately \$20,000 and the district may be able to apply the remaining grant funds toward SB 1383 enforcement costs. Staff introduced Nikki Burke from Recology Sonoma Marin, who is present at the meeting to answer questions.

A brief discussion ensued, at the conclusion of which the Board resolved to apply \$9,455 of the grant funds it received from CalRecycle to pay the 2.9% portion of the proposed rate increase for 2023 SB 1383 compliance costs directly to Recology. As a result, customers in the district will not be charged this 2.9% increase in collection rates until calendar year 2024.

G. Godino/A. Alexander Green                      four in favor                      to pay \$9,455 directly to Recology from SB 1383 grant funds the district received from CalRecycle for the 2.9% portion of the 2023 rate increase needed to cover SB 1383 compliance costs.

#### **7. Amendment to Franchise Agreement for Solid Waste, Recycling and Green Waste Services between the BCPUD and Recology Sonoma-Marin.**

K. Walker/G. Godino                      four in favor                      to approve the amendment to the Franchise Agreement for Solid Waste, Recycling and Green Waste Services between the BCPUD and Recology Sonoma-Marin concerning SB 1383 services.

## **8. Request to Rebuild and Partially Relocate Fence on BCPUD Property Adjacent to 52 Crescente Avenue (C. Deam).**

Chris Deam is re-designing his house and would like to relocate and replace the chain link fence on BCPUD property adjacent to his property at 52 Crescente to improve the views from his home; he emphasized this would be at his expense and at no cost to the district. He met with Chief Operator Stew Oakander on-site recently and they agreed in principal to leave 10-feet of space around the tanks for access purposes; however, after conducting some measurements, it turns out that there is about 8 feet, 9-inches of space around the tanks, which Chris proposes to maintain. Chris said he does not seek to use any portion of the BCPUD property from which the fence will be removed other than perhaps to plant it with native plants.

Discussion ensued and director Walker asked if Chris has any recommendations for the specific type of fencing to use in the rebuild. Chris said he has not made a final decision, but commented that split cedar is very common in the neighborhood. Director Siedman asked if staff has any objection to the fencing request. Staff said the Board previously indicated it would like to be a good neighbor here and, in that spirit, staff does not have any objections to the proposal, but recommends that approval be subject to revocation if the district should need to reposition the fence at some point in the future for operational reasons. After additional discussion, the Board directed staff to prepare an agreement to cover the Deam's permissive use of BCPUD property and responsibility for all costs relating to the relocation and rebuild of the fence for the Board's consideration at the next regular meeting.

## **9. Bolinas Bike Safety Concerns: *How To Make Bolinas Safer and More Welcoming for Bicyclists* (N. Hahn Niman).**

Nicolette Niman said she has lived in Bolinas for 19 years and tries to ride her bicycle as much as possible as part of a healthy lifestyle; she said she is trying to teach her kids how to ride safely and adopt the habit of regular bicycle riding, as well. Over the years, she has concluded that Bolinas is not very welcoming to bike riding and she would like to discuss what can be done to change this. Nicolette met with BCPUD staff recently to discuss her concerns and she also raised this topic at the most recent school board meeting (she is a school board member). Nicolette said it is very difficult to ride or walk safely to school here in Bolinas – what can be done in the way of signage or infrastructure to improve this? She said some of her most unpleasant interactions with motorists have been with locals who seem to think bicyclists should not be on the road. She said she usually does not ride on the unpaved path on BCPUD land because it is often littered with tree debris from the eucalyptus grove. In addition, there are visitors to Bolinas who race into town along Olema-Bolinas and Mesa Roads to arrive at their peaceful hiking destination (ironically). Nicolette said she would like to spark a dialog on this topic in the community. She said the school board is supportive and willing to collaborate, although she acknowledged that both districts have limited roles in this regard.

Director Siedman suggested that the BCPUD, the Bolinas Fire Protection District (“BFPD”) and the School Board could form a “consortium” to approach the County to better address this problem (since County roads are the most problematic). Discussion ensued about safety issues, particularly in the downtown area for walkers and cyclists. Genie McNaughton commented that the Land Stewardship Committee has been working with the BCPUD on a project to harden (pave) the pedestrian/bicycle path on BCPUD land, which should be a significant safety improvement; she noted that an extension of the path into downtown would be a clear next step if it can be done (presumably in part in the County's easement on Olema-Bolinas Road). Genie said she would welcome Nicolette's participation on the Land Stewardship Committee if she would like to work on the issues pertaining to that path. Jennie Pfeifer suggested that perhaps the Parking Committee, which already is working with the County, might be able to serve a helpful role. Director Siedman said that committee's plate probably is full, so the Land Stewardship Committee seems the most appropriate committee to work on this.

Rob Gailey said he is a recreational cyclist and has had several experiences with motorists yelling at him for cycling on Mesa Road and not being on the BCPUD path; he, too, avoids the BCPUD path due to tree debris and because he usually is riding faster than he would think appropriate on the path. Director Alexander Green said he also has had harrowing experiences as a cyclist in town and he strongly supports the BCPUD, BFPD and school working together to improve bicycle safety. Director Walker suggested that Nicolette and/or others could work on a larger plan to improve cyclist and pedestrian safety from the Mesa to the school and downtown. Nicolette said it would help if the BCPUD path could be cleared more regularly and discussion ensued about possible volunteer assistance for this work. Ron Gailey commented that vegetation growing on either side of the driveway from the Buell barn obstructs views of that path, which also can be very dangerous to riders. Nicolette said she recently spoke with maintenance people at the property about cutting back the vegetation for exactly this reason.

At the conclusion of the discussion, director Siedman encouraged Nicolette to stay in communication with the Land Stewardship Committee and keep the BCPUD Board updated on ideas for safety improvements.

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

Staff reported that the district selected CSW-Stuber Stroeh Engineering Group, Inc. (“CSW/ST2”) to perform the boundary survey/topographic work needed for this project and a contract has been agreed upon; the district is waiting to receive a signed copy back from CSW/ST2. The deadline for the work to be completed is April 1, 2023. Director Walker commented that once this work is underway, attention can be turned to lining up the septic and geotechnical consultants.

**11. Volunteer Committee Reports:**

-- *Resident Permit Parking Plan Committee:* Staff said the committee is scheduled to meet tomorrow with Supervisor Rodoni; the supervisor is going to explain to the committee what the County has concluded it will be able to implement in the way of an enforceable resident permit parking plan that the California Coastal Commission will not oppose.

-- *Resource Recovery:* Staff said the committee will resume meetings in the new year and that the new General Manager of the Stinson Beach County Water District plans to join the committee.

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

-- *Land Stewardship Committee:* Janine Aroyan submitted an email stating that she continues to pursue an estimate from Chuck Oakander for the cost of tree work at the end of Brighton Avenue.

**12. Other Business.**

a. Board Committee Reports.

- *Finance:* Staff reported that the audit for the FY 2021-22 is wrapping up and that the Finance Committee’s proposed FY 2023-24 budget schedule will be on the January 2023 meeting agenda; staff noted that a new Finance Committee member will need to be appointed in light of director Comstock’s departure from the Board.

- *Legal:* Nothing to report.

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

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

- *Personnel:* Nothing to report.

b. Minutes of the October 26, 2022 regular Board meeting; Minutes of the November 16, 2022 regular Board meeting.

K. Walker/G. Godino                      three in favor, A. Alexander Green abstaining                      to approve the minutes of the October 26, 2022 regular Board meeting.

G. Godino/K. Walker                      three in favor, A. Alexander Green abstaining                      to approve the minutes of the November 16, 2022 regular Board meeting.

c. Warrants.

A. Alexander Green/G. Godino                      all in favor                      to approve the warrant list.

c. Scheduling of Next Meeting(s):

Regular meeting: January 18, 2023 at 7:30 p.m.

**13. Adjournment.**

9:05 p.m.