

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
February 15, 2023 270 Elm Road, Bolinas

1. Call to Order.

7:36 p.m.

2. Oath of Office for Newly Appointed Director (K. McElroy).

The oath of office was administered to newly appointed director Kevin McElroy.

3. Roll.

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

4. Community Expression.

Dale Polisar asked if there will be an opportunity to speak about the BCPUD's proposed eucalyptus project with Marin Water at this meeting; director Siedman said there will be such an opportunity when that item is presented during the Manager's Report.

5. Manager's Report and Project Updates.

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

Staff reported that as of February 15, 2023, the district has received 26.52 inches of rain since July 1, 2022, with most of that rain received during the succession of "atmospheric river" storm events in late December and the first half of January. As of the end of January, the district had received 25.02 inches of rain, with an additional 1.5 inches received thus far in February. The cumulative rainfall to-date is just above the average rainfall for this time of year, even if there is no more rainfall in February; however, more rain is needed this season to meet or exceed the average annual rainfall.

The district's rainfall progress correlation analysis indicates that there are 53 years in the BCPUD's rain records when the district has received 25.02 inches or less of rain through the end of January. During those 53 years, the district subsequently received a maximum annual rainfall of 48.80 inches, an average annual rainfall of 26.82 inches, and a "best fit" of 39.15 inches. Given the relatively dry February thus far, at this time staff expects this "best fit" prediction may drop when next month's rainfall progress correlation analysis is conducted if the remainder of the month and weeks following are similarly dry.

Between January 17, 2023 and February 13, 2023, water production in the district averaged 51,657 gallons per day (GPD), which is a decline of approximately 8,000 GPD in production as compared to the last reporting period, when production averaged 59,479 GPD. This is partially explained by the fact that the water treatment plant was off for five (5) days during this reporting period for operational reasons. Water consumption during this same timeframe averaged 61,552 GPD (approximately 105 GPD per connection), and is quite similar to the prior reporting period, when consumption averaged 60,259 GPD, or approximately 103 GPD per connection, but the district experienced a significant leak on the booster pump line on February 10, 2023 which impacted the consumption data.

The Woodrat 1 Reservoir is full (7.6 million gallons, 6.9 million of which are usable), as is the Woodrat 2 Reservoir (9.3 million gallons, 8.6 million of which are usable).

The district's base flow (BF) recession model for the Arroyo Hondo Creek has been updated to depict predictions of the base flow portion of the creek flows through April 2, 2023. Creek flows have responded to the rains with a current flow of approximately 250,000 GPD, and a projected flow of close to 300,000 GPD if historically average rainfall occurs during February (5.11 inches) and March (4.37 inches). However, if virtually no rainfall is received in either February or March, the projected flows for early April are much less, below 150,000 GPD.

- *Eucalyptus Grove on BCPUD Property: Potential Project to Remove Eucalyptus Trees for Use in Connection with Salmon Habitat Restoration Project (Marin Water).*

Staff noted this item was deferred last month as Marin Water was reevaluating the potential costs of the project and available grant funding; however, it now appears more likely that the project is viable, so staff would like to present it to the Board. Marin Water is planning a major salmon habitat enhancement project on Lagunitas Creek in 2024 and the project manager is seeking approximately 100 eucalyptus logs with root balls. For past projects Marin Water has harvested eucalyptus at Point Reyes National Seashore, but the seashore staff does not have time in the coming year to help coordinate another harvest.

As such, Marin Water is seeking another source of eucalyptus trees. Marin Water is aware of efforts in Bolinas to reduce fire risk from eucalyptus, so the project manager reached out to inquire if the district would be interested in collaborating. The selected trees would need to be topped into an open area and the cut lengths of approximately 30-feet (with root balls) would need to be cleaned of organic matter and stored on site for approximately about a year to make sure they won't resprout in Lagunitas Creek.

Staff reported that the County and the Bolinas Eucalyptus Group have been informed about this potential project and a meeting has been scheduled tomorrow with Supervisor Rodoni, County planners and others to discuss permit requirements and environmental compliance issues. If the Board approves proceeding with the project proposed by Marin Water, then Marin Water would like the BCPUD to handle permitting and environmental compliance issues as the property owner. It is staff's understanding that the primary environmental concern is whether there is an environmentally sensitive habitat area or "ESHA" in the project area, and that is a scientific, biological determination. As it happens, the district is working with the environmental consulting firm WRA, Inc. on a biological assessment of the pedestrian bicycle path route for the project to hard-surface the path, so it would seem logical to engage them to perform the assessment work needed for this separate project if and when the time comes.

Staff reminded the Board that Ole Schell attended the most recent Board meeting on behalf of West Marin Monarchs and the Xerces Society to express concerns about impact of any eucalyptus removal on monarch habitat. Staff has scheduled a meeting with Ole and also Mia Monroe from the National Park Service tomorrow to obtain more information from them about the monarchs, hear their concerns about impacts to habitat and obtain their input. Staff will update the Board further at the next meeting as to developments from these meetings and next steps.

Dale Polisar requested to speak and reminded the Board about the proposal decades ago to remove all of the eucalyptus trees in the grove on BCPUD lands and how divided the community was on the topic. He said that many people in town love the eucalyptus forest and would not support the Marin Water project; he noted it was decided years ago that BCPUD would do some clearing of the forest to reduce fire danger, but not more than that. Dale expressed concern that the Board may rush to adopt the Marin Water project out of fear of fire and falling trees, but he said that would be precipitous. Dale said the grove has been a beautiful part of his 50 years in Bolinas and he urged the Board to act, if at all, with great caution.

Ed Mann said he recalls the divide in town over the proposal to remove all of the trees in the grove – half were in favor and half were opposed, he said -- but he believes the Board should strongly consider the proposed salmon habitat restoration project. He said the idea of creating habitat for salmon sounds wonderful and it appears the project would involve carefully selecting trees, not removing them all by any means. Ed also said the idea of two water districts collaborating on such a project is also attractive. Others queried whether Marin Water could simply utilize the trees that already have fallen throughout West Marin for the project rather than take down more; others expressed concern that taking out as many as 100 trees could damage the remaining trees, and still others expressed concern about monarch habitat.

Howard Dillon said he is a supporter of the Bolinas Eucalyptus Project, which is trying to take action to ensure that the only access road in and out of town remains safe in the event of natural disasters. He noted that during the January atmospheric river storms, Mesa Road and Terrace Avenue both were blocked by fallen trees, trapping most of the town. A petition was circulated and obtained more than 500 signatures in favor of removing the trees adjacent to Mesa and Olema-Bolinas Roads. He also expressed support for the salmon habitat restoration project.

Judy Molyneux said when she moved to Bolinas in 1970, the monarchs came to Bolinas in magnificent droves and it was spell-binding. She said the monarchs are part of Bolinas' heritage and great care should be taken as the numbers of monarchs have increased slightly after the enormous decline in population. She noted that large numbers of eucalyptus have been removed in the state for home construction and for electrical power lines, and so forth. Judy said it used to be possible to walk through the grove and be covered in monarchs; she acknowledged she is very emotional about the topic and feels if there is any possible way to save the remaining monarchs and their beautiful presence in Bolinas, she feels it is essential to do so.

Janine Aroyan said she would like to think there are two values here that are not in total conflict with each other: (1) the desire to exert some control of the eucalyptus and (2) the preservation of monarch habitat. She said she does not think people have to be on one side or the other. She believes the salmon habitat restoration project will include a habitat study and Marin Water does not intend to take all the trees but rather a very selective sub-set, noting that it is expensive to thin out trees, so this is a gift for the town -- she urged the Board and public to support the project.

Director Siedman said he vividly remembers the discussions and debates decades ago about removing all of the eucalyptus trees in the grove – it was highly divisive, emotional and friends with different viewpoints stopped speaking to each other. He said he would like to see the town not allow that to happen again but rather have a good civil debate among everyone in the community, listen to and consider all points of view, and endeavor to craft a solution that works for as many as possible. He

believes the district should consult with biological experts and determine if the environmental habitat concerns can be met should this project proceed.

Director Alexander Green said he is a big supporter of science and the decision here should be based on science. He said that while the historic character of the community is very important, safety, clear evacuation routes and human protection are critical. He suggested that a town hall meeting might be worthwhile to consider all points of view and also hear from biologists and scientists.

Director Godino said the safety concerns are very important to her – trees down on both Terrace Avenue and Mesa Road is a “worst nightmare” situation with people trapped. She, too, recalls that historic arrival of the monarchs in the past and agrees it was magical. She believes there is improved science on monarch habitat and that science must be a part of the decision process here; that said, the concept of removing trees that should come down to create habitat for another threatened species is an incredible idea. She urged everyone to maintain compassion and open-heartedness as discussion of this project continues.

Director Walker said she supports Janine’s comments about working together and not in conflict. She supports consulting scientists to make informed decisions and supports moving forward to learn more and work together. Director McElroy said he believes it will be possible to come up with a solution everyone can live with. He said he grew up on the Monterey Peninsula where Pacific Grove is another monarch over-wintering site, so he also has a deep affection for the monarchs; he also has had a tree fall on his car while he was driving, so he understands the fear about dangerous trees and sees both sides of the issue.

Director Siedman said it sounds like the upcoming meeting at the County is the next step, after which he expects reports will be prepared by experts for the Board and public to consider at future meetings and continue this discussion. Dale Polisar inquired about the County meeting and whether anyone opposed to the removal of the eucalyptus will be there. Staff said the meeting is informational in the sense that issues around permitting and environmental analyses will be discussed with the County, no decision about whether to proceed with the project will happen at that meeting. Staff assured Dale that any BCPUD Board decision about this project will happen only at duly noticed public meetings.

- *Operations Update.*

Staff reported the district is now supplying water to the community from the Arroyo Hondo Creek water source with good water quality and the treatment plant is operating well. Staff continues to assess and evaluate storm damage to district facilities and property. To that end, staff has requested a meeting with the Point Reyes National Seashore to discuss the district’s need to remove debris and fallen trees from the Arroyo Hondo Creek access road and behind the upper impoundment, as well as potentially some minor road repair. Staff also is in the process of evaluating downed trees on district land (i.e., in the eucalyptus grove, at the office property and near the water storage tanks) and how best to clean them up and evaluate any remaining hazards. Staff noted that some of this work may qualify for federal or state disaster assistance funding.

Staff directed the Board’s attention to an Updated Emergency Notification Plan the district recently submitted to the State Water Resources Control Board (“SWRCB”)’s Division of Drinking Water (“DDW”) to reflect the BCPUD’s inclusion in the newly formed Marin District of the DDW; the Marin District has approved the new Plan. The district also recently submitted an amended Lead & Copper report to the Marin District DDW because the BCPUD was notified by the lab of an error in its previous reported results for Bolinas – the prior report had included a detected of lead in the water samples from a residential property, but that report was in error and has been corrected.

Staff reported the district drained the West Tank last week in preparation for an inspection on February 11, 2023. The inspection went well and a written report will be forthcoming. The district’s engineer attended the inspection and told staff the interior of the West Tank generally appears to be in much better condition than the East Tank was prior to its rehabilitation, although the dollar plate at the top of the West Tank (where the rafters converge) will need repair. While the tank was empty, the district replaced the inlet, outlet and hydrant valves on the tank (work that can only be done when the tank is empty).

On the sewer side of operations, staff continues to try and assist customers in their efforts to install repairs to their sewer laterals (which are allowing infiltration and inflow (“I&I”) of groundwater to enter the sewer collection system). Staff reported that during thirteen days in January, the district exceeded its permitted flows to the treatment ponds as a result of the heavy rains and damaged laterals. Staff noted the district’s new video camera already has been very helpful to assist customers with identifying precisely where their laterals need repair, and this service saves those customers the cost of an outside video-inspector. In one case, the district was able to pinpoint that a customer’s underground clean-out had a broken cap that was allowing groundwater intrusion into the lateral; in another case, the district was able to confirm that a tree root had punctured through the lateral, thereby allowing groundwater in. In response to questions from director Walker, staff said the camera purchase was approximately \$4,000, but that amount has been “repaid” to the customers in time and costs saved preparatory to their repairs.

The Board reviewed correspondence sent and received since the last regular meeting, including but not limited to a letter from CalRecycle sent out to all jurisdictions outlining strong concerns that the State is not on track to meet its goal of diverting 50% of the volume taken to landfill, despite the enactment of SB 1383, which mandates that food scraps be diverted. Also included in the correspondence are documents relating to the BCPUD's efforts (along with other special districts in Marin) to persuade the County to undertake the enforcement of SB 1383; staff is very concerned that enforcement of SB 1383 compliance is an inappropriate role for BCPUD operators.

Staff said efforts are underway to schedule the engineers' site visit for the updated assessment of the bluff below Surfer's Overlook (particularly the County's wooden seawall at the toe of the bluff). While the BCPUD has engaged the engineers, the assessment will be paid for from the funds raised by the Save Terrace Avenue Committee. The members of the Committee also are concerned that erosion under Terrace Avenue may have occurred this winter and caused some cracking of the road surface. Staff notified the County of these concerns and the County's Department of Public Works is evaluating the site.

The County's Local Hazard Mitigation Plan Update process is in full swing; staff is attending monthly meetings, working on the district's jurisdictional profile, and identifying hazard mitigation projects to be submitted for inclusion in the plan.

- *Alliance of Coastal Marin Villages.*

Staff reported the Alliance of Coastal Marin Villages ("ACMV") met on Monday and there is growing interest within the villages to address the impact of short-term rentals ("STR's") in West Marin. The County last year enacted a temporary moratorium on the issuance of any additional STR licenses in unincorporated Marin as a means by which to pause and assess their impacts. Based on the discussion at the ACMV meeting, staff said the various villages clearly have different points of view concerning the potential regulation of STRs (and perhaps a fair amount of disagreement within the villages themselves) and it would be helpful to ascertain where there is common ground on this topic and then communicate that unified point of view to the County. The ACMV intends to take this topic up with Supervisor Rodoni at the next quarterly meeting, which is likely to be scheduled sometime in late April.

Director McElroy raised several questions pertaining to the Manager's Report. First, he asked if, in connection with the BCPUD's updated Emergency Notification Plan, the district could issue text alerts in the event of a water emergency. Staff said the district currently does not have that capability, but staff certainly can look into it as this could be very helpful. Director McElroy then asked if the BCPUD has the ability to test more customer residences for the potential presence of lead in their home plumbing as this certainly would be useful information. Staff explained that the required testing for lead and copper at the customer tap must follow a specific protocol established by the State (i.e., a specific number of homes required to be tested and then retested every three-years). Staff noted that the water supplied by the district does not contain any detectable lead – the testing at issue here is to determine if any customer plumbing contains lead. Staff said if there is customer interest in expanded testing (the cost of which would be the customer's responsibility), the district can look into that. Finally, director McElroy asked if the district has or can purchase an emergency supply of disinfection tablets in the event of a water emergency. Staff will ask the operators, noting that it is important to be aware of the "shelf life" of these tablets, and commented that the district's new membership in CalWARN renders it eligible for mutual aid relief such as the emergency delivery of disinfection tablets.

6. Coastal Permit (CP) and Accessory Dwelling Unit (ADU) – Project ID P3983, 191 Poplar Road, Bolinas, APN# 192-071-21 (to construct a detached 1,196 square-foot ADU on an existing developed property); Limited Water Use Permit Application (D. Smith).

Director Siedman said that the applicant, former BCPUD Board member Don Smith, is proposing to build an Accessory Dwelling Unit ("ADU") on his property and, since that project could implicate water use, it appears that a conditional limited water use permit is required. Director Siedman inquired if Don was present on Zoom; staff said no, that Don is expecting that the Board will approve a limited water use permit pursuant to BCPUD Resolution 655 with a maximum quarterly water use limit of 2,700 cubic feet per quarter. If the Board is inclined to make a different decision, then he would like to be notified so that he could join the meeting.

K. Walker/A. Alexander Green all in favor to approve a limited water use permit for the property at 191 Poplar Road with a maximum quarterly water use limit of 2,700 cubic feet.

There was no public comment on the coastal permit application for this project.

7. Water Meter Transfer Application (from 117 Terrace Avenue (APN# 193-172-14) to a Vacant Lot at the corner of Elm and Evergreen (APN# 192-202-12); Limited Water Use Permit Application (B. Heffelfinger).

Director Siedman recused himself from consideration of this item; director Godino (Vice President of the Board) chaired this agenda item.

Staff explained that Bobby Heffelfinger has applied to transfer the water meter serving his property at 117 Terrace Avenue, which is threatened by bluff erosion, to a vacant lot at the corner of Elm and Evergreen Roads, where he plans to build a replacement home (the existing home on Terrace will be demolished). The terms of the water meter transfer will be subject to BCPUD Ordinance 38, which requires an agreement be executed to contain the required terms and conditions. Bobby also will need to apply for a limited water use permit in connection with his development of the vacant lot on Elm and Evergreen Roads, which will then be recorded as a covenant affecting the property.

Bobby presented the Board with copies of his plans for the new development. In response to questions from the Board, Bobby said that the County wants to have assurance that the new development will be served by the BCPUD water system. Staff said that in connection with prior projects like this, when time is needed to formalize the water meter transfer agreement, the BCPUD has issued letters attesting that water service will be provided to the property subject to the County's approval of the building plans as submitted and contingent upon the completion of all requirements set forth in Ordinance 38 pertaining to the transfer of the water meter.

Alexander Green/K. McElroy all in favor to approve the Heffelfinger application for the transfer of a water meter from 117 Terrace Avenue to the vacant lot at the corner of Elm and Evergreen Roads, Bolinas, contingent upon all applicable requirements of the County Planning Department and BCPUD Ordinance 38.

8. Request to Amend BCPUD Resolution 681 concerning the Bolinas Septic System Pilot Program to Allow for the Extension of Water and/or Wastewater Lines Across the Public Rights of Way on the Bolinas Mesa. (*Bolinas Community Land Trust*).

Director Godino recused herself from consideration of this item.

Arianne Dar, Executive Director of the Bolinas Community Land Trust ("BCLT"), explained she is working with approximately 20 residents who have applied to the pilot septic program the BCLT is managing for residents in Bolinas to upgrade their compromised septic systems and also incentivize the creation of ADU's. Four of the applicants have different reasons for seeking to extend pipelines across the public rights of way: two of those residents have properties that they have merged across a right-of-way and therefore have the right to do so as a matter of law, she said, and the other two residents do not have sufficient land at their primary property to improve their septic system but do own land across the right-of-way where they can install a leach field, so they are seeking to install a pipeline across the right-of-way to convey their wastewater to the new leach field. The BCLT therefore is seeking to amend Resolution 681 to accommodate these four applicants; in response to a question from director Siedman, Arianne said the pilot program essentially will be capped at 20 participants.

Discussion turned to the fact that BCPUD Resolution 173 (the "moratorium resolution"), Section 7, expressly prohibits the extension of water lines "across a street or property line in order to furnish water service for an adjacent property through one meter." Director Siedman noted there is no proposed document for the Board to consider with the amended language the BCLT is seeking. Staff explained the BCLT's request is before the Board for decision as to whether staff should be directed to undertake this work. Director Siedman suggested that staff could draft a proposed amendment for the Board's consideration at the next regular meeting. Arianne said the BCLT is under some time pressure because it will be applying to the County for permits to upgrade the septic systems very soon. Staff said that Board could hold a special meeting to consider proposed amendments to Resolution 681 should it wish to do so.

In response to requests from the public, director Siedman invited comment on the agenda item. Ed Mann said that he does not know much about this request, but he is shocked by it as it sounds like a very bad idea, particularly if only one group is allowed to do extend pipelines across the public rights of way. He said allowing water or wastewater lines to cross the rights-of-way would greatly escalate the value of vacant lots on the Mesa that currently are not developable. Arianne said the proposed amendment of Resolution 681 would apply only to legally merged lots (i.e., lots merged across the rights of way) and those lots cannot be "unmerged". Ed said that vacant properties across the street from developed properties currently have very little value, but if the BCPUD allows water or wastewater lines to cross over to such vacant lots, they will be developable and far more valuable, which seems like an unfair advantage being granted to an exclusive group of property owners.

John Bryant said he is an owner of one of the merged lots in question; he asked what is the difference if he runs water to an ADU directly next to his home versus an ADU across the street if it is all the same legal parcel due to the merger? Ed said that the moratorium resolution expressly prohibits running water lines across a street. John said that provision in the moratorium resolution seeks to prohibit a property owner from providing water to another property owner (whether across the street or adjacent) who does not have a water meter, it does not simply prohibit the water lines from running across the street for no stated purpose. In effect, John explained, the law of merger ignores the existence of the rights-of-way. Ed argued that a vacant lot across the street from a developed lot in Bolinas will now be worth far more (because it will be developable if merged across the street) but only to the property owner directly across the street, which is unfair. Arianne said this is true – it may be inequitable, but it is the way of real estate. Ed said that before now, a person could not do anything with a lot across the street. Director Siedman

commented that properties become more valuable all of the time if a person buys the properties directly adjacent to their property to enlarge their lot.

Director Alexander Green said it is his understanding that the County will not allow the development of a secondary use on the opposite side of the street from an established primary use, even if the property is merged across a right-of-way; he said the secondary use has to be on the same side of the street as the primary use. With regard to septic systems, he said he is concerned that if a septic system is allowed to be installed across the road, how can any further development on that lot be restricted? Arianne noted the extension of the septic lines across the right-of-way is proposed only for properties in the pilot septic program and will be monitored closely by the BCLT. Director Siedman commented that their water use also will be restricted per Resolution 681. Arianne said there is a property owner in the pilot septic program who wants to convert a garage across the street from his primary residence into an ADU; she said the garage was legally permitted as an accessory structure to the primary resident and the properties are merged across the right-of-way. The property owner would like to create the ADU and an affordable rental and source of income in retirement.

Janine Aroyan said the BCPUD Board recently enforced the moratorium resolution at the September 2022 Board meeting against a property owner who had run water lines to a lot across the street to a dwelling unit. She acknowledged that water lines can break or cause leaks and said it would be unbelievable to allow sewage lines across the roads and where would those lines be relative to the water lines? Staff explained that regulations apply to govern this and require a specific separation (several feet) between water and sewer lines; sewer lines are required to be installed under water lines. Arianne said the septic lines also would be required to be double-contained. In response to further questions, staff confirmed that the property owner would be legally responsible for the maintenance of the septic system in all respects, including all pipelines in the rights of way. Janine asked if anyone who merges their property across a right of way will then be able to run a septic pipeline across the right of way. Director Siedman said that is not the question before the Board; here, the question is whether the Board will amend Resolution 681 to facilitate the upgrade of septic systems or development in specific circumstances consistent with promoting the development of affordable housing.

Lyndon Comstock said the agenda item may not indicate all of the potential implications of amending Resolution 681 as proposed. When he first read the agenda item, he said he thought the question presented was largely an engineering issue and limited to the pilot septic program. He did not understand why water lines also were referenced in the agenda item but, now that he does – because someone may want to develop an ADU across the street rather than just a septic leach field – that is a much bigger issue as it appears to directly conflict the existing moratorium resolution. He urged the Board to carefully consider all of the implications.

Jennie Pfeiffer said she has been at BCPUD Board meetings when residents were told they cannot run water lines across the road. She also recalls the Questa project in the past which received huge opposition, in part because people did not want septic lines running off of properties (effectively creating neighborhood sewer systems). She said she believes the pilot septic system is a good thing and thanked the BCLT for managing it, but said the BCPUD should be very careful about what it allows in the rights of way notwithstanding the laudable goal of promoting affordable housing. She urged the BCPUD to evaluate the issue much more carefully.

Director Siedman said the district will need to prepare draft language to amend Resolution 681 and then have that language legally reviewed for consistency with the water moratorium. He acknowledged that may take longer than ideal from the BCLT perspective. Arianne said the BCPUD also should inquire whether the fact that property owners are legally allowed to merge their properties across the rights of way affects the analysis in any way – does the BCPUD have the authority to deny someone the ability to install a water or sewer line in the public right of way under that circumstance? Director Siedman said it may be that the Board should deal with the water and sewer pipelines separately given the language of the moratorium resolution.

Jenny Pfeiffer asked if the lot across the street has to be directly across from the primary property, or can it be kitty-corner across the right of way? Arianne said that two of the properties in the pilot septic program have lots that meet at the corners; they are not merged, but are owned by the person. Director Siedman said he had been assuming all of the lots in question are one parcel. John Bryant said that there is a difference between lots and parcels – once merged, there is one legal lot of record, but it may have more than one assessor parcel number. He also noted the moratorium resolution addresses only water pipelines in the rights of way, not septic pipelines.

At the conclusion of the discussion, director Siedman directed staff to prepare draft language to amend Resolution 681 and have district counsel review it in time for presentation to the Board for consideration at the next regular Board meeting.

9. Update from the BCPUD's Resident Permit Parking Plan Committee: Proposed 22-foot Vehicle Length Restriction for Downtown Bolinas.

Sherry Hirsch, Charles McParland and Bruce Bowser were present on behalf of the Committee. Sherry said they are hoping to receive feedback from the Board on the options available for next steps in light of the expiration of the existing ordinance regulating downtown parking (“Measure X”) in November. Last month, Supervisor Rodoni presented a proposed resident permit parking program for Brighton Avenue, which is a much less ambitious proposal than the Committee originally envisioned, but serious concerns were expressed about the expiration of Measure X. Supervisor Rodoni explained that Measure X was not enforceable and the Sheriff’s Office does not support its renewal. The Committee is grateful that something will be done by the County rather than nothing, but is concerned about the loss of Measure X to regulate parking in the areas of town not covered by the County’s proposed resident permit parking program.

The County now has indicated it is willing to consider a modified 22-foot vehicle length restriction if the community supports it. Sherry said this concept originally was rejected by the Committee because the County was proposing this as a 24/7 restriction on the non-residential side of Brighton Avenue only. The Committee felt that would encourage large vehicles to park on the residential side of the street, exacerbating the existing problems. In response to those concerns, the County has proposed a night-time only 22-foot vehicle length restriction on the non-residential side of Brighton Avenue and the Sheriff’s Office supports that proposal. Before raising this with the Coastal Commission staff, the County and the Committee want to be sure the community supports the concept. The Committee has contacted residents who were opposed to a 22-foot vehicle length restriction in the past and, given the expiration of Measure X and the limited scope of the permit parking program as proposed by the County, these residents are now in support of the vehicle length restriction. All things considered, given the Coastal Commission restrictions as well as court-established rights of the unhoused, the Committee believes the County’s proposed resident permit parking program plus the night-time only 22-foot vehicle length parking restriction should be pursued as the best available solution at this time.

Charles McParland read a statement from Committee member Al Manville expressing appreciation for the County’s efforts to implement a resident permit parking program, but noting it will not address the core issues of extensive long-term camping on downtown Bolinas streets, the long-term storage of trailers taking up parking spaces and the overall misuse of local streets. He said Measure X was a statement by the community of Bolinas that the management of the town commons is desirable and should be acted upon. The creation of a permanent comprehensive parking ordinance needs to be the next step taken to protect our community and protect the character of our downtown.

Director Siedman said he attended the most recent meeting with Supervisor Rodoni to discuss the resident permit parking program and the Supervisor was very clear that the program proposed by the County is the only realistic path forward at this time -- it is enforceable by the Sheriff’s Office and will likely be approved by the Coastal Commission. The Supervisor said the County has dedicated significant staff time to help the community with this problem and, if the community rejects the proposed program, the County will have no choice but to move on. In that case, there will be no regulation of downtown parking in Bolinas once Measure X expires in November.

A brief discussion ensued about details of the resident permit parking plan and the modified 22-foot vehicle length restriction. Sherry Hirsch said the 22-foot vehicle length determination is a “bumper to bumper” measurement; if a trailer is connected to a car or truck, then it is considered a single vehicle for measurement purposes. She said the supervisor is looking for guidance from the community via the BCPUD Board about the modified 22-foot vehicle length restriction. Director Godino said that if this is the best possible proposal, coupled with the resident permit parking program, then the Board should support it. All of the directors concurred.

Joyce Clement posted a comment in the Zoom chat saying that she supports the modified 22-foot vehicle length restriction, but would prefer that the existing signs be left up (so that the signs are not modified to expressly state the 22-foot length restriction). Director Siedman said that will be up to the County as to what they deem the signs need to state in order to be enforceable. Lucy Reid encouraged the Board to ask Supervisor Rodoni not to include the 22-foot restriction on the sign; she believes the County Department of Public Works has the discretion not to include the specific restriction and that it will not hurt to ask. Ed Mann commented that a 22-foot vehicle length restriction is not going to prohibit very many of the vehicles that regularly park for long lengths of time downtown, but he supports the restriction even though there is a chance it could make things worse (i.e., drivers of large vehicles shorter than 22 feet may view this as permission to park for extended periods). After further discussion, director Godino suggested that the BCPUD Board advise Supervisor Rodoni the community would prefer signage that says something such as “no over-sized vehicles” rather than tell the County what to include on their signs; director Walker suggested the Board could request that the County provide some clarification about the intended language for the signs. Lucy Reid said asking the County to leave up the existing signs when it enacts the 22-foot vehicle length restriction would not be inconsistent with signage elsewhere in the County.

Following the discussion, in deference to the Committee’s long and dedicated work on this project, the Board ultimately asked Sherry Hirsch to confer with the full Committee and then draft a proposed letter to Supervisor Rodoni for review and finalization by staff. The letter should reflect the BCPUD Board’s support for the County’s resident permit parking proposal and the modified 22-foot vehicle

length restriction. Any language addressing what the signage downtown should or should not say should be developed by the Committee and consistent with the discussion at this meeting.

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

Staff reported that CSW-Tuber Stroh Engineering Group, Inc. (“CSW/ST2”) will be on site beginning February 16, 2023 to perform the boundary survey/topographic work needed for this project and the deadline for the work to be completed is April 1, 2023. Staff is in communication with the geotechnical consultants and the septic system engineer to get those contracts in place. Jennie Pfeiffer asked if the ad hoc committee could present an update to the community at the upcoming Bolinas Civic Group meeting about the status of the building. Director Walker said that the ad hoc committee is regularly updating the community at the BCPUD Board meetings; she noted that the survey, geotechnical and septic evaluations must be completed in order for the committee to be able to talk with the public about specific proposed uses for the replacement building. Director Godino said that the district cannot allow any alternative uses of the current building and asked if it would be helpful to say that at the community meeting; Jennie said that she believes that would be useful.

Ed Mann said he was born in Bolinas and the historical buildings here are very important to him. He referenced the College of Marin’s deplorable handling of its marine lab project on Wharf Road and pleaded with the BCPUD not to follow that example. He asked the Board to explore whether there is any way to save the BCPUD building and make every effort to do so; failing that, he urged the Board to incorporate as many of the historic features of the current building as possible into the design of the new one.

11. Letter of Authorization between the BCPUD and the National Park Service to Extend Term of Special Use Permit MISC-8530-6000-2006.

Staff explained this special use permit pertains to the district’s former water treatment plant located north of the Coast Guard Station and inside the boundaries of the Point Reyes National Seashore; although the plant is not currently in use, staff recommends the district agree to extend the term of the special use permit so as not to relinquish it/allow it to expire.

K. Walker/K. McElroy all in favor to authorize staff to execute the letter of authorization with the National Park Service to extend the term of special use permit MISC-8530-6000-2006.

12. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee:* Nothing further to report.

-- *Resource Recovery:* Staff reported there are new personnel in charge of the Stinson Beach County Water District and the Stinson Beach Fire Department (two of the four founding members of the Resource Recovery Project, along with the BCPUD and the Bolinas Fire Protection District) and this Committee plans to resume meetings soon.

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

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

13. Other Business.

a. Board Committee Reports.

- Finance: Update on FY 2021-22 Audit.

Staff said the audit of the district’s fiscal year 2021-22 financial statement should be complete by the end of the month and asked the Board to hold February 28, 2023 for a possible special meeting to accept the statements.

The Finance Committee met yesterday and started work on a draft budget for fiscal year 2023-24. The committee is seeking to balance a number of considerations, including declining water sales revenue due to the drought, as well as a big drop in interest income, combined with rising operational costs and capital improvement needs. Staff is recommending that the district establish a new position in the office, essentially an assistant General Manager, as the current office staffing level is not sufficient to meet the district’s needs. Staff noted that director Alexander Green is new to the Board and to the Finance Committee, so this initial meeting was several hours and covered a lot of fundamentals about the district’s financial position and budget development process. At this time, based on a very preliminary draft budget, staff projects that an increases in water and sewer rates will be needed.

- 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 January 18, 2023 Regular Meeting.

Director McElroy said the draft minutes do not reflect the Board's approval of the minutes of the December 2022 regular meeting. Staff apologized for the omission and said the motion to approve the minutes of the December 2022 regular Board meeting was made by director Alexander Green and seconded by director Walker and all directors present in favor to approve the minutes as corrected (to fix a typo). Staff will revise the draft minutes accordingly.

A. Alexander Green/G. Godino all in favor to approve the minutes of the January 18, 2023 regular meeting, as amended.

a. Warrants.

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

c. Scheduling of Next Meeting(s):

Tentative Special Board meeting: February 28, 2023 at 9:00 a.m.

Regular meeting: March 15, 2023 at 7:30 p.m.

14. Adjournment.

10:47 p.m.