

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

1. Call to Order.

7:31 p.m.

2. Roll.

Directors Alexander Green, Godino, McElroy, and Siedman present; director Walker absent (but attending remotely via Zoom); director Siedman presiding.

3. Community Expression.

Director Siedman said before entertaining any other items of community expression, he would like the Board to observe a moment of silence in honor of the passing of Charlie Docherty and Amleto Rossi; the Board did so.

**Moment of Silence in Honor of the Passing of
 Charlie Docherty and Amleto Rossi**

Jennie Pfeiffer inquired if the BCPUD has been involved in any discussions with other officials about the precipitous closure of the Bolinas Post Office. Director Siedman said the BCPUD was approached by the Mesa Park Board and asked if the BCPUD would be willing to enter into a lease with the U.S. Postal Service to locate a temporary post office facility in the Mesa Park parking lot; the district confirmed it is in favor of facilitating the return of the post office as quickly as possible. Director Siedman said Congressman Huffman's office has been contacted as well as Supervisor Rodoni. Staff confirmed that representatives from both Congressman Huffman and Supervisor Rodoni's office attended the recent community meeting at which several powerful testimonials were given about the deleterious impact of the post office closure (lost medications, important insurance documents misplaced, etc.) Discussion ensued and director Siedman directed staff to prepare a strongly worded letter about the adverse impacts of the post office closure on district and town operations with a request that the U.S. Postal Service negotiate with the district to locate a temporary facility at Mesa Park as soon as possible.

Don Murch said he has been asked to maintain and repair an existing ditch on the east side of Pine Road, and clear three culverts under driveways there that currently are blocked, to prevent storm water from sheeting across Pine Road to the property across the street and, ultimately, down to Queen Road. The ditch and three culverts all are adjacent to a single property and the work will be confined to the right-of-way adjacent to that property. Don said he has spoken with all of the residents on Pine Road and explained that the project is confined to removing the dirt and grasses that have sloughed off into the ditch in recent years to restore the ditch back to what it used to be, and clearing out the culverts. In response to questions from directors Alexander Green and McElroy, Don said the ditch he would like to clear (about 9 - 12 inches in depth) connects with maintained ditches adjacent to properties on the north and south sides of this one, all of which drain to the end of Pine at Ocean Parkway; he said the project does not pose any implications for BCPUD infrastructure but he will connect with the BCPUD crew to be sure all water lines are marked before he starts work. After a brief discussion, director Siedman said the project as described appears to be repair and maintenance of an existing ditch and culverts in the right-of-way adjacent to a single property and therefore no action/permit is required from the district under BCPUD Ordinance 30.

4. Manager's Report and Project Updates.

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

Staff reported that as of March 13, 2023, the district has received 31.74 inches of rain thus far in the 2022-23 rain year, with most of that rain received during the succession of "atmospheric river" storm events in late December and the first half of January. An additional 1.41 inches fell over the last 2 days, bringing official total to 33.15 inches. This cumulative rainfall is just above the average rainfall for this time of year, even if there is no more rainfall in March. A rainfall progress correlation analysis indicates there are 46 years in the BCPUD's rain records when the district has received 31.74 inches or less of rain through the end of March. During those 46 years, the district subsequently received a maximum annual rainfall of 34.49 inches, and a "best fit" of 35.38 inches.

Between February 14, 2023 and March 13, 2023, staff reported water production in the district averaged 58,879 gallons per day (GPD), which is an increase of approximately 7,000 GPD in production as compared to the last reporting period, when production averaged 51,657 GPD. Staff noted the water treatment plant was off for just three (3) days during this reporting period for operational reasons (as compared to five (5) days during the prior reporting period). Water consumption during this same timeframe averaged 60,652 GPD (approximately 103 GPD per

connection), and is quite similar to the prior reporting period, when consumption averaged 61,552 GPD, or approximately 105 GPD per connection.

As for water in storage, both reservoirs are full and spilling. With regard to the district's preferred water source, the Arroyo Hondo Creek, the district's updated base flow recession model confirms that creek flows have responded to the rains with a current creek flow of approximately 240,000 GPD, and a projected creek flow of close to 180,000 GPD by June 1, 2023 if historic average rainfall occurs during April and May.

Staff directed the Board's attention to the district's Drought Report for February 2023, which was submitted to the Department of Water Resources earlier this month.

- *Update on the Tank Site Pipeline Replacement Project.*

Staff reported that Allan Richards of Stetson Engineers has prepared updated plans and specifications for this project based on staff's review of and comments on the preliminary plans and specifications. He also revised the pertinent dates schedule, which staff noted may need to be revised again as the Chief Operator currently is on an emergency medical leave of absence and his input will be needed during the bid process and mandatory pre-bid site visit. Overall, the schedule currently contemplates that bids will be due May 1st for consideration by the Board at the regular monthly meeting in May, and that contract will be awarded by the end of May with a notice to proceed issuing on June 26th.

- *Update on the Groundwater Wells Project.*

Nearly a year after the district was notified by the California Department of Water Resources that its grant application was approved, the district finally has received a draft Funding Agreement for the project to install the treatment facilities needed to add the Wharf Road well and the Resource Recovery well as emergency sources of water to the district's water system. Staff currently is reviewing and revising the draft agreement with the district's engineer and consulting hydrogeologist. In addition, after several months, the district finally has obtained a meeting with County planners to determine whether any additional permitting from the County is needed for this project.

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

Staff attended a remote meeting hosted by Supervisor Rodoni on February 16th with various County representatives, members of the Bolinas Eucalyptus Project ("BEP"), representatives from Marin Water, and consulting biologists to consider the permitting and other potential issues posed by projects such as the BEP and/or the Marin Water Salmon Habitat Restoration Project, which involve the removal of a significant number of eucalyptus trees from the grove on BCPUD land. Staff also met afterward with Ole Schell and Mia Monroe from the National Park Service to share the details of the County meeting, listen to their concerns about implications for monarch habitat, and establish a clear line of communication.

During the County meeting, there was extensive discussion of the BEP and the emergency nature of the safety concerns of the project proponents. Staff said the BEP representatives made a passionate case as to why the County should issue an emergency coastal permit to authorize the project, particularly in light of the recent winter storms, danger to the public and the damage to the grove. Staff said the County staff clearly listened to these arguments, but they also explained that the emergency exceptions under the Coastal Act and the local coastal program are extremely limited, and a full coastal permit would still be required, even if an emergency permit was issued. Supervisor Rodoni said that County staff will need to meet internally to confer and decide whether they can issue an emergency permit to remove some or all of the eucalyptus of concern from the BCPUD property and the properties across the street; how to approach Coastal Commission staff to discuss the work and applicable permits, and whether there is any possibility of moving quickly on the permitting for the proposed Marin Water project.

Late yesterday, Supervisor Rodoni followed up with an email stating that the County staff are not in a position to decide at this time whether an emergency coastal permit might be available for the BEP; he said that early indicators are such a permit cannot be issued. Supervisor Rodoni said that the biological assessment of the BEP area is a crucial next step and likely will inform the remainder of the permitting. Supervisor Rodoni also said he personally is concerned about whether there is adequate funding available for the project, including the restoration phase.

As for the Marin Water Salmon Habitat Restoration Project, staff said Marin Water remains interested in obtaining the trees they need for this project from the BCPUD grove, and has the funding to do so, but believes the BCPUD as the owner of the property in question should handle the necessary environmental and permitting work. Staff said the Board therefore needs to decide whether it wants to take the next step and ask the district's consulting biologists at WRA to submit a proposal

for a biological site assessment of the project area. Staff noted the Marin Water project area is not necessarily the same as the BEP area because Marin Water will need to select the trees it proposes to remove based on its criteria for that project (i.e., trees of a certain size near an area suitable for storage of the trees/root balls for one year). After some discussion, the Board directed staff to obtain proposal from WRA for a biological site assessment for the Board to consider at the next regular meeting. The Board also asked staff to inquire with Marin Water (per a previous suggestion from Ilka Hartmann) whether trees that already have fallen in the grove and/or elsewhere in Bolinas (whether eucalyptus or other species) can be used for the project.

- *Proposal for Assessment of Trees on BCPUD Lands (Urban Forestry Associates, Inc.).*

Following the January storms, staff reached out to Ray Moritz at Urban Forestry Associates to request an assessment of the fallen trees in the eucalyptus grove and also on other BCPUD lands, including 270 Elm Road and the water storage tank site, where numerous trees sustained damage and/or were toppled in the storms. Specifically, staff noted that there are a number of eucalyptus trees in the grove that fell unexpectedly during the storms and said the BCPUD would like to understand, if possible, why these particular trees fell and whether any nearby trees are similarly vulnerable. Ray has submitted a proposal at a cost of \$3,110, which is responsive to staff's request and which also includes a general hazard assessment of trees on BCPUD lands that could pose a risk to persons or property; staff recommended that the Board approve the proposal.

A. Alexander Green/G. Godino four in favor, director Walker absent to approve the assessment proposal submitted by Ray Moritz of Urban Forestry Associates, Inc. at a cost of \$3,110.

- *Operations Update.*

Staff reported the district has experienced a considerable number of operational challenges posed by the recent winter storms. At the present time, the district is supplying the community with water from the Woodrat 1 Reservoir as the Arroyo Hondo Creek water source is too turbid. The water quality in the Woodrat 1 Reservoir is not great, so staff hopes the turbidity levels in the creek will decline in the near term (there is only minimal rain in the extended forecast) and the district can return to that source. Water consumption jumped up in the last few days and staff located leaks at two customer properties.

The district received notice recently that the Marin District 25 staff of the State Water Resources Control Board ("SWRCB")'s Division of Drinking Water will be coming to the district on March 22nd to conduct a sanitary survey inspection. This is a form of inspection that occurs every five to ten years and typically focuses on the Woodrat Water Treatment Plant and the district's three water sources (i.e., the Arroyo Hondo Creek and the Woodrat 1 and 2 Reservoirs).

The SWRCB has released the 2022 Electronic Annual Report form template and the district's report is due on May 13th. This is a comprehensive report staff completes about the district's water system that typically takes quite a bit of time to complete. The SWRCB uses this report as a means by which to collect a variety of types of data from the water systems it regulates.

As previously reported, the BCPUD was randomly selected by the Environmental Protection Agency ("EPA") to be monitored for polyfluoroalkyl substances -- known as PFAs -- as a representative small water system. BCPUD therefore will be conducting quarterly monitoring during 2022. The first sample kits arrived on Monday; staff recently attended a webinar on accessing and communicating the results of the PFAs testing, which must be reported to the public within 12 months of sampling. In response to questions from the Board, staff clarified that the samples will be taken from the district's treated drinking water (not from its raw water sources).

Staff noted that information about a variety of potential grant programs are included in the Board books, including information from Congressman Huffman's office about potential federal funds made possible from the Bipartisan Infrastructure Law; staff will endeavor to research these programs for potential funds for the water main replacement project on the Big Mesa.

On the sewer side of operations, staff continues to work with customers who have been directed to repair their sewer laterals; the district continues to experience infiltration and inflow ("I&I") of ground/storm water into the sewer collection system during rain events. Staff said the district regrettably may need to commence enforcement proceedings and notify the customers that have not yet made the required repairs that their water service will be terminated unless/until a repair is completed. Discussion ensued and the Board members queried whether the district can install the necessary repairs and then charge the customers and/or place a lien on their properties. Staff said this is possible, but would place an enormous burden on the district's small staff and would require the district to expend \$50,000 - \$100,000 in unbudgeted funds (which would be repaid, eventually, but which would have to come from district reserves). In response to a question from director McElroy as to whether any repairs are needed to the BCPUD's sewer mains, staff said one repair site was identified and the repair was installed several months ago. Staff said the affected customers appear to be encountering significant difficulty getting repair bids from qualified contractors. Further discussion ensued and the Board ultimately directed staff

to issue letters to the affected customers stating that they have 30 days from the date of the letter to provide the district with a copy of a signed repair agreement with a qualified contractor to install their repair on a date certain or their water service will be terminated. Director Siedman clarified that the repair does not need to be completed within 30 days, but the Board wants to have confirmation that all needed repairs have been scheduled.

Staff reported that all sewer systems in California have been ordered to transition to the new statewide order regarding sanitary sewer collection systems and the BCUD must enroll for coverage under the new order by no later than June 4, 2023. Staff said there are a lot of new requirements for the district to follow and staff will be updating the Board on various specific requirements in the upcoming months. Among other things, the BCPUD's Sewer System Management Plan will need to be further updated; staff is scheduled to attend a webinar hosted by the SWRCB next week to learn more about the new order.

The district recently received a signed, revised grant agreement from the California Department of Parks and Recreation with the new, extended deadline for completion of the pedestrian/bicycle path resurfacing project. Staff is working with the district's biologists on the environmental assessment and a meeting has been scheduled with County planners to determine if the project is exempt from coastal permitting as repair and maintenance under the existing permit (which was issued in 2008 when the path was originally installed).

Staff continues to work on the district's portion of the Marin County Multi-Jurisdictional Local Hazard Mitigation plan update; an initial draft of the plan update is expected to be completed by August.

- *Alliance of Coastal Marin Villages.*

Staff and other representatives to the Alliance of Coastal Marin Villages ("ACMV") plan to attend a retirement event for retiring coastal planner Jack Liebster at the Civic Center at the end of the month.

Staff directed the Board's attention to the materials in the meeting binders concerning the California Coastal Commission's draft Public Trust Guidelines. This is a document the ACMV has commented on in the past as the guidelines regrettably fail to include coastal communities as one of the resources to be protected under public trust principles vis-à-vis anticipated sea level rise -- the ACMV believes this oversight is a fundamental flaw in the guidelines because the Coastal Act expressly recognizes and protects coastal communities as critical coastal resources. Staff has not yet reviewed the revised draft guidelines, but recommended the public due so as these guidelines could be very consequential for coastal communities, particularly since the Coastal Commission staff tend to apply enacted guidelines like these in a regulatory manner.

5. BCPUD Resolution 707: Declaring that an Emergency Exists, Waiving the Competitive Bid Process and Authorizing a Sole Source Contract for the Immediate Abandonment of the Queen Road Water Main South of Cherry Road and Finding that the Project is Statutorily Exempt under the California Environmental Quality Act ("CEQA"), Section 15269(b) (emergency repairs to publicly owned service facilities necessary to maintain service essential to public health, safety or welfare).

Staff explained the district proposes to install this emergency project in order to ensure the reliability of the water distribution system in light of the on-going erosion at the south end of Queen Road. The district has a 6-inch asbestos-concrete water main in the Queen Road right-of-way that serves only two customers and it is now threatened by bluff erosion. Staff proposes to abandon the existing water main in place and install new service lines to each of the two properties on this road from the nearby water main in Cherry Road. In this manner, very little ground disturbance or excavation will be needed to install the project. District staff have installed similar projects in the past in other locations on the Bolinas Mesa, but this project presents complications due to the location of the water main in Cherry Road, which is a paved County right-of-way (and pavement will need to be restored after the work is complete). Staff proposes to engage Piazza Construction to work with the crew to install the project on a time and materials basis.

K. McElroy/A. Alexander Green four in favor, director Walker absent to approve
BCPUD Resolution 707.

6. 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 Siedman said the Board enacted Resolution 681 at the request of the Bolinas Community Land Trust and in support of the Bolinas Septic System Pilot Program in order to help community residents more efficiently repair or replace their septic systems. Now, the Board is being asked to amend that resolution for two purposes: (1) to allow water lines to be expended across public rights-of-way and (2) to allow septic lines to be extended across public rights-of-way. Director Siedman proposed the Board consider these requests (and whether to vote on them or not) separately; there was no objection

from the Board. Director Siedman said he knows there is a lot of concern in the community about the prospect of running water lines across a public right-of-way in light of Resolution 173; he inquired whether any director on the Board would like to make a motion to amend Resolution 681 to allow the extension of a water line in this manner.

Director McElroy said he is not prepared to make such a motion, but he believes the words “property”, “parcel” and “lot” need to be clarified as he sees them used interchangeably and that is confusing. Director Siedman explained that lots comprise a parcel. Director McElroy said the BCLT request appears to be to run water lines across a street to serve the same parcel (merged and owned by one property owner) and he believes it is important the community understands this. Director Alexander Green said he is a potential participant in the Bolinas Septic System Pilot Program and asked if he should recuse himself; director Siedman said the question of whether to allow water lines to run across a right-of-way is independent of the septic program if director Alexander Green would like to comment on that. Director Alexander Green said he is concerned about implications for the water moratorium and also feels that the County of Marin should be consulted in this discussion.

Staff said the question whether lots can be legally merged across a right-of-way is a new one to be presented to the BCPUD. It has been clearly established that adjoining lots on the same side of a right-of-way can be merged and, if one of those lots has an established primary use (and a water meter), then secondary uses are permitted on the entire merged property. Authorized secondary uses include the building of accessory dwelling units and staff noted that several such projects have been presented to the BCPUD in recent years (and are now subject to limited water use permits). Staff stated that transferring water to an unmerged parcel not served by the BCPUD’s water system is clearly prohibited as doing so would create a new connection in violation of the moratorium. Staff has reached out to the County Planning department to ask if the County allows parcels to be merged across a right-of-way (and then consider them a single lot of record) and, if so, whether the County will permit secondary uses on the portion of the newly merged parcel that is a vacant lot. Staff requested a written answer from the County Planning department on these questions so that it can be shared with the community. Staff also asked the Environmental Health Services department whether they will allow a leach field to be installed across a right-of-way from the other portion of a septic system and was told there is no engineering reason why this could not happen (as long as all required separation from water lines is ensured), but whether it can be permitted is a question for the County Planning department to decide.

John Bryant said there are two properties he knows of in Bolinas that are merged across the public rights-of-way; it isn’t a question of whether mergers can occur across public rights-of-way, he said, there are parcels that have been so merged already. Cheryl Ruggiero agreed this is true, but she said she has not been able to see the applicable notices of merger despite making a request with the County. Genie McNaughton said the issue is whether the parcels are “contiguous” – merging is a term to denote a process that affects the tax bill for the property, but does not render the parcels contiguous and therefore does not impact allowable uses across a right-of-way. Ed Mann said that a pipe is a structure, just like a building or a fence; if lots are merged across a public right-of-way, he said that does not mean a structure can be installed in that public right-of-way.

Cheryl Ruggiero said Resolution 173 states that in no case shall a customer extend a water line across a street or property in order to furnish water service for an adjacent property through one meter. Director McElroy said that isn’t being proposed; as he understands it, the BCLT’s proposal is to extend water lines to serve a single (merged) property. Cheryl said Resolution 173 likely never contemplated the County would allow parcels on opposite sides of the street to be deemed a single parcel, so that may need to be looked at. John Bryant said once lots are merged –as he has done with his property, on the same side of the street and across the street -- they are no longer adjacent because they are one legal lot of record, so the language of Resolution 173 does not apply and water can be used on the entire lot.

Director Siedman noted John is speaking about his specific property, but the agenda item relates to a general concept. Arianne Dar said it makes sense to her for the BCPUD to obtain written confirmation from the County Planning department about the applicable policies on mergers and allowable secondary uses on merged lots, and the BCLT then can come back to the BCPUD with specific proposals about the two properties in the pilot septic program that would like to run their water lines across the public right-of-way. Director Siedman inquired again whether any director would like to make a motion to amend Resolution 681; if not, the request on the agenda fails for lack of a motion. No motion was forthcoming.

Director Godino said she recused herself from discussion of amending Resolution 681 during the prior meeting because she is a participant in the pilot septic program, but her parcel is not impacted by the request pending before the Board, so she said would like to say that she is very interested in following up on comments in one of the letters submitted to the Board recommending the district obtain legal advice about extending water lines across the street and whether it would be fruitful to consult the original attorneys involved in the moratorium litigation.

Lyndon Comstock complimented the Board on arriving at the right solution; he said he believes the original BCLT request was far too broad, it is much better for the BCLT to submit specific proposals for specific properties in so far as extending water lines across the public rights-of-way is concerned. As for running septic lines across the right-of-way, he noted that the County permits septic systems in Bolinas

and if the County approves a plan for the location of a septic system, and that approval includes installing septic lines in the right-of-way, then the BCPUD can simply follow the precedent it has established for other utility lines in the rights of way – i.e., electric lines and internet cable lines – which it has approved subject to all applicable engineering requirements and no interference with BCPUD infrastructure.

Caitlin Lacey said Resolution 173 is very clear that water lines cannot be installed across a street; as such, if someone asks to do so in the future, Caitlin requested that the Board clearly indicate on the meeting agenda that Resolution 173 is at issue, because this caught many in the community by surprise. She also said a careful study should be done about the implications of allowing water lines to be extended as it would be a major land use shift in Bolinas. Staff pointed out that Resolution 471 was enacted in 2001 to amend Resolution 173 to add the language in question about extending water lines across a street; staff will conduct further research into the history of Resolution 471.

John Bryant said Resolution 173 has been changed several times over the decades and it is important for the community to recognize this. Director McElroy emphasized that no amendment of Resolution 173 is under consideration at the present time by the Board. Ed Mann said while that may be the case, others may be pursuing an agenda of trying to persuade the Board to amend Resolution 173. Arianne Dar said she understands the concerns in the community and fully respects the moratorium and the basis for it. Discussion then ensued about the prospect of extending septic lines across a street to a leach field (within a merged lot); director Alexander Green expressed concern this could lead to additional development on the lot with the leach field on it. Director Siedman said the question of land development is the purview of the County of Marin. Ed Mann expressed concern that the BCLT seems to make changeable proposals without sufficient clarity and he finds this worrisome. Jeff Clapp said he is on the Board of the BCLT and the BCLT is simply trying to help people improve their septic systems -- there is no agenda other than that. Jeff explained four of the people in the pilot program do not have sufficient land on the same side of the street to upgrade their system so they need to be able to do so on land they own across the street, if the BCPUD will allow them to run the septic line across the street.

Cheryl Ruggiero said again that she believe the issue of running a water line across a street to serve a merged lot needs to be evaluated in light of Resolution 173 as she does not believe the resolution contemplated that lots could be merged across a street. Cheryl is concerned there could be a slippery slope whereby people will purchase vacant lots across the street from their primary property in order to develop them as there could be a lot of money to be made. Cheryl said this has significant implications for what the Bolinas Mesa will look like in twenty years because there are a lot of empty lots across the street from developed properties whose owners will want to sell them for a much higher price if they can be developed. Director Siedman said he believes that the County did not allow the merger of lots across a public right-of-way at the time Resolution 173 was enacted in the 1970s. Arianne Dar said the County's merger rules are now stricter because the updated Local Coastal Program mandates that a coastal permit is required to merge lots. Janine Aroyan commented that if people are able to locate a leach field across the street, it may open up their main property to additional development.

Lyndon Comstock said it warrants repeating that the BCPUD does not have control over land use, or the placement of septic systems – the County and the Coastal Commission have control over these issues. The BCPUD does have control over water and enacted a water moratorium because of the limited nature of the water supply. The Pacific Legal Foundation claimed the BCPUD was enacting land use restrictions under the guise of a water moratorium, but that argument did not prevail because the court affirmed the legitimacy of the moratorium after a careful study of the district's water supply. Lyndon said the BCPUD cannot solve land use concerns because it does not have jurisdiction to do so. The BCPUD can restrict water use per its established rules and regulations, and it can require that engineering rules be followed when installing septic lines in the rights-of-way, but if folks are concerned about land use implications or the placement of septic systems, Lyndon said they need to go to the County or the Coastal Commission.

Genie McNaughton said the BCPUD does have ways to help people with their septic systems by improving drainage and should pursue that before allowing people to run septic lines across a street. Caitlin Lacey said the subsequent amendments to Resolution 173 bolstered the protections on water use and this would be an erosion of those protections. While she understands Lyndon's point, Caitlin said the prohibition in Resolution 173 against running water lines across a road does limit development. She wonders how much water loss could be expected if water lines are extended across the roads. Caitlin encouraged the Board to consult the BCPUD operators for their views on this topic. Jeff Clapp noted the participants in the septic program will have limits imposed on their water use, so the program is very consistent with the objectives of the moratorium.

Director Siedman said the BCLT is focused on specific projects it is working on, whereas many people commenting tonight are concerned about the general implications of amending Resolution 681 in the manner originally proposed given the potential conflicts with Resolution 173. He said again there is no motion to amend Resolution 681, so no action will be taken. Finally, he said the BCLT can come back to the BCPUD with specific projects once the BCPUD receives clarification from the County Planning department about its policies on mergers and allowable secondary uses on lots merged across a public right-of-way.

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

Director Alexander Green said that CSW-Stuber Stroeh Engineering Group, Inc. (“CSW/ST2”) has completed its field work for the boundary survey/topographic work and the deliverables are scheduled to be completed by April 1, 2023.

8. Volunteer Committee Reports:

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

-- *Resource Recovery*: Nothing to report.

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

-- *Land Stewardship Committee*: Janine Aroyan said there was concern about branches from a cypress trees located on the Talucci property over-hanging the BCPUD’s property adjacent to the Brighton ramp and posing a hazard to the public. As it turns out, many of the branches came down during the winter storms and Mark Talucci did a considerable amount of tree and clean-up work. Janine said some work remains to be done and offered to get an estimate for the BCPUD to consider to pay for the remaining work needed. Staff said the responsibility for the tree is Mr. Talucci’s responsibility if the tree is on his property, notwithstanding the fact that its branches extend off the property. Janine said the BCPUD has the right to remove the overhanging branches if they pose a public to the public and noted Mr. Talucci paid for a lot of clean-up of branches that fell onto the BCPUD property. Discussion ensued and the directors thanked Janine for offering to obtain an estimate, whether from Pacific Slope Tree Cooperative or another company, and encouraged her to do so.

9. Other Business.

a. Board Committee Reports.

- *Finance: Second Quarter FY 2022-23 Financial Statements; Finalization of the FY 2021-22 Audit; Update on the Draft FY 2023-24 Budget.*

Staff expected to have the second quarter financial statements for presentation to the Board, but the district’s bookkeeper (who is now based in Idaho) has been without power for several days and therefore unable to complete them. Staff also expected to have the final fiscal year 2021-22 audited financial statements for distribution to the Board, but they have not yet arrived, likely due to the post office situation. As for the draft FY 2023-24 budget, the Finance Committee meeting scheduled for last week was postponed to March 24th due to on-going storm impacts, so there is no update on this item.

- *Legal*: Director Siedman commented it may be necessary to ask the County Counsel’s office to confirm the County’s official position on lot mergers and permitted secondary uses; staff will follow-up as necessary.
- *Mesa Septic, Flood Control and Roads*: Directors McElroy and Walker are scheduled to tour the Mesa with Chief Operator Stew Oakander next week.
- *Water and Sewer Operations*: Nothing to report.
- *Personnel*: Nothing to report.

b. Minutes of the February 15, 2023 Regular Board Meeting; Minutes of the March 3, 2023 Special Board meeting.

Staff apologized that the minutes of the February 15, 2023 regular Board have not yet been drafted, so this item was deferred to a future Board meeting.

G. Godino/A. Alexander Green three in favor, director McElroy abstaining, director Walker absent to approve the minutes of the March 3, 2023 special Board meeting.

c. Warrants.

Director McElroy inquired about the two warrants paid to Coast Sanitary for services at 400 Mesa Road. Staff explained that a crack developed in the district’s holding tank at this location. The tank therefore had to be pumped twice in connection with the repair.

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

d. Scheduling of Next Meeting(s):

Regular Meeting: April 19, 2023 at 7:30 p.m.

Director McElroy asked if it would be possible to move the Board meetings to an earlier time. Director Siedman said that historically Board members and the public have favored the 7:30 p.m. meeting start time as it allows people to have dinner before the meeting. Director Godino said that she would prefer to keep the 7:30 p.m. meeting start time as it allows her to have dinner after work and before the meeting. Director Alexander Green agreed. Director Walker said she would prefer to have an earlier meeting start time as she begins her work day at 5:00 a.m., but believes that she and director McElroy are in the minority. Director Siedman said the Board also is mindful of the public's preference for the 7:30 p.m. meeting start time.

10. Adjournment.

10:09 p.m.