

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
March 20, 2024 270 Elm Road, Bolinas

1. Call to Order.

7:32 p.m.

2. Roll.

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

3. Community Expression.

None.

4. Manager's Report and Project Updates.

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

Staff reported that the water supply update will be transitioned to a monthly format beginning at the next regular Board meeting. To date, the water supply updates have covered a "Board meeting to Board meeting" time period, which is cumbersome and inconsistent with how the district reports supply and consumption data to its regulators and elsewhere. Staff said the full March data will be reported at the regular meeting in April. Since nearly all of the February water supply data was reported at the February 28, 2024 regular Board meeting, tonight's update consists of a few brief highlights: as of March 12th, the district has received 29.32 inches of rain. Additional rain is now in the forecast and is it likely the district will meet or exceed the average annual rainfall of 32.52 inches. Thus far in March, water production is averaging 56,458 gallons per day ("GPD") and consumption is averaging 55,332 GPD, which is quite similar to the data reported at the February 28th Board meeting. Both of the district's reservoirs are full and spilling and the district is meeting demand exclusively from the Arroyo Hondo Creek.

- *Update on the BCPUD's Groundwater Wells Project.*

Staff continues to work with the district's consulting engineers to prepare the supplemental documentation required by the County of Marin in connection with the district's coastal permit applications for the groundwater wells project; this supplemental documentation is now due on April 19th (per a request from the district, the County granted a one-month extension of the prior deadline of March 19th). Staff also continues to coordinate with the Bolinas Community Land Trust ("BCLT") about this project and the BCLT's planned housing development at 31 Wharf Road to ensure the projects are compatible. Staff and the BCLT plan to meet tomorrow to finalize a letter requested by the County's Department of Public Works affirming the BCLT's grant of a license to the BCPUD to use and operate the well and access its facilities via the BCLT's planned driveway. Finally, the district's consulting hydrogeologist Rob Gailey recently supervised the installation of a pressure transducer in the Wharf well to obtain data needed for a water quality report.

- *Operations Update.*

Staff is working on several regulatory reports for the district's water system and the wastewater system that are due on or before April 1st.

The district received the funds it applied for from the Federal Emergency Management Authority (“FEMA”) to reimburse the district for the costs incurred from the 2022-23 winter storms, which totaled just under \$54,000.

In the field, the operators have been busy with post storm clean-up and preparing for spring. Unfortunately, the district’s riding mower has broken down and cannot be repaired. Due to changes in air quality regulations, gas-powered mowers of this size no longer are being sold in California, so staff is evaluating other, larger mowers that might enable the operators to do more of the major mowing.

The Chief Operator plans to schedule inspections of the district’s three pressure reducing valves (“PRV’s”) in the distribution system (i.e., the two located at the intersection of Olema-Bolinas and Mesa Roads and the third located on Park Avenue). He is conferring with his counterpart at the Stinson Beach County Water District to coordinate regular inspections of the districts’ respective PRV’s on a going forward basis (every five years). The operators also are experimenting with a revised azolla removal strategy (azolla has reappeared on the surface of the Woodrat 1 Reservoir and staff is concerned the growth will become exponential with the upcoming longer days and warmer temperatures) involving the installation of large nets at the bottom of the Woodrat 1 overflow pipe to trap the azolla -- which currently is prevented from entering the pipe by a screen in order to ensure it does not run-off the district’s property -- and then using the backhoe to lift and empty the net.

The district’s incubator at the sewer lab has stopped working; this piece of equipment is used in connection with the operators’ sampling of wastewater for regulatory compliance purposes. A replacement incubator will cost approximately \$4,000 and is on backorder until May 22. In meantime, staff must submit the wastewater samples to Brelje & Race laboratory for analysis. Georgia Woods is exploring the option of purchasing a second, back-up incubator for the district from her former employer.

The operators are beginning to prepare the disposal fields for spray season, which officially begins on April 16th. At this time, staff does not anticipate spraying immediately and plans to wait for the disposal fields to dry out a bit more. Staff is pleased to announce that Stew Oakander has received his Wastewater Treatment Grade 1 certification. He passed the examination for the certificate months ago, but was required to complete a requisite number of “contact hours” under the supervision of a credentialed operator. Staff reminded the Board that the district contracted with this the California Rural Water Association (“CRWA”) for this purpose and Stew has been working under Mike Lane’s supervision. Mike recommends that the district notify its regulators at the Regional Water Quality Control Board about Stew’s certification and request approval to formally designate him as the Chief Operator of the district’s wastewater treatment plant, which staff plans to do shortly. In response to comments from the Board, staff said that in addition to supervising Stew, Mike Lane has provided valuable training and feedback to all of the operators

Staff directed the Board’s attention to correspondence in the meeting materials from the Association of California Water Agencies (“ACWA”) urging all member water districts to join a coalition supporting AB 2257, a bill designed to help agencies defend against Proposition 218 lawsuits by requiring that any complaints about the Proposition 218 process be raised during the rate-setting process so that there is an opportunity for agencies to resolve disputes and avoid litigation. Staff recommends the district join the coalition supporting AB 2257 and the Board had no objection.

With regard to downed trees from the recent winter storms, staff reported that PG&E currently is in the process of cleaning up wood on the north and south sides of Mesa Road from trees that fell from and across the County right-of-way. As a general rule, PG&E leaves wood on-site after it removes trees that threaten or fall across its power lines, but the company has an agreement with the County whereby the County pays for the removal for wood from trees located in its rights-of-way. Staff received an email from PG&E indicating that there appears to be debris from five (5) trees to be cleaned up.

Staff said the district informed Marin Water that trees were blown down in the eucalyptus grove during the winter storms and Marin Water responded to say that they will come out to inventory the

newly fallen trees to determine if any meet the parameters for their salmon habitat restoration project. As staff previously reported, Marin Water no longer plans to source the trees needed for that project itself; rather, it intends to place that responsibility on the habitat restoration contractor. Marin Water's preference is for the contractor to locally-source the wood and will advise the contractor that Bolinas has trees available.

The Bolinas Eucalyptus Project ("BEP") submitted a written update to inform the Board that Dr. Weiss's Monarch Butterfly Assessment has been completed and the BEP expects the final report to be submitted as soon as next week. Matt Richmond at WRA, Inc. has been waiting for Dr. Weiss's report to finish WRA's biological assessment of the project. The BEP would like to meet with the district to discuss the next steps on permitting the project; staff will follow-up to schedule a mutually convenient time.

Staff reported that CalRecycle approved the district's application for a waiver of the SB 1383 requirements and confirmed that the waiver thereby relieves the district from all SB 1383 reporting and enforcement responsibilities. Staff noted that Recology will continue to provide three-container service and customers will remain able to dispose of their food waste in connection with their green waste service.

The district will host an ACWA/JPIA Defensive Driving training session at the Firehouse Public Meeting Room tomorrow, with nearby districts invited to attend. The Stinson Beach County Water District operators are planning to be there. Following the training, the ACWA/JPIA Risk Advisor will tour the district's facilities with the Chief Operator.

- *Update on the BCPUD's Pedestrian/Bicycle Path Project: Presentation of Conceptual Drawings, Updated Construction Cost Estimates and Project Schedule; Staff Recommendation to Appoint an Ad Hoc Committee of the Board.*

At last month's meeting, staff presented the Concept Design, Schedule and Probable Cost Estimate for the bike path project. Staff was scheduled to present the 30% design drawings at tonight's meeting; however, staff and BKF Engineers had a remote meeting with the County Planning department at the end of last month to review the Phase 1 Concept Design and the County planner raised questions concerning certain aquatic features on the property. Staff and BKF Engineers therefore are working with WRA, Inc. to answer those questions and has paused BKF's design work in the meantime.

- *BCPUD's Jurisdictional Profile in the Updated Marin County Multi-Jurisdictional Local Hazard Mitigation Plan.*

Staff said the updated Marin County Multi-Jurisdictional Local Hazard Mitigation Plan (including the district's jurisdictional profile) remains under review at CalOES. Once that review is complete, the plan will be sent to FEMA for approval. Staff anticipates presenting the profile to the Board for approval within the next couple of months.

The Marin County Office of Emergency Management will be conducting a county-wide test of its emergency alert system on Saturday, March 23, 2024.

Staff said the California Coastal Commission on March 15, 2024 approved the BCPUD's withdrawal as a co-applicant on the 100 Brighton seawall project and also approved changes to the coastal permit for the project that are acceptable to the property owner.

- *Alliance of Coastal Marin Villages:*

The Alliance of Coastal Marin Villages ("ACMV") has a meeting scheduled with Supervisor Rodoni on April 5, 2024. Among other things, the ACMV members would like to discuss a newly announced sea level rise planning study the County just announced. Members of the ACMV are concerned the County's

study as described in the press release is focused primarily on east Marin; the ACMV members want to ensure that coastal west Marin is included in the study.

Finally, Jennifer Blackman noted this is her out-going meeting as General Manager and gave the following statement of thanks to the Board, staff and community:

“I would like to take this opportunity to thank the Board, staff and community for your support and confidence during the past 19 years. We have been through a lot together – severe droughts, atmospheric rivers, large capital improvement projects, stressful all-night infrastructure repairs, the occasional long and crowded meetings on controversial issues, medical crises, changes in town culture and cost-of-living challenges. Despite all of that, I would not have wanted to work with or for anyone else.

“The Board members throughout my tenure have been dedicated and supportive, always keeping the town’s best interests in mind. The staff throughout my tenure have been similarly dedicated and the current staff is exemplary. The community also is special – we all feel an ownership of our water system and that is how it should be. I would like to give a special shout-out to Belle Wood, who has served as the district’s administrative assistant the entire time I’ve been the general manager. I feel pretty certain I have spent more time with Belle over the last 19 years than I have with my husband. I will be forever grateful to her for putting up with me for all of these years and for providing me exceptional support – both professional and personal.

“Finally, I would like to say how pleased I am that Georgia Woods will be taking over as General Manager of the district. We have worked together for a couple of months now, and I can say without question that the district is “trading up”. Georgia is incredibly smart, detail-oriented and a fast study. I have full confidence in her and look forward to benefiting from her leadership as a customer in the upcoming years!”

The Board members and employees attending the meeting thanked Jennifer Blackman for her many years of service to the community.

5. In-Coming Manager’s Report.

- Modification to Water Supply Memo.

Georgia Woods, the BCPUD’s Incoming General Manager, reiterated that the water supply memo will continue to be provided at the regular Board meetings, but in a month-to-month format. She and Belle met with Rob Gailey (who created the underlying excel spreadsheet on which the memo is based) to learn how to populate the data in the various worksheets. As staff earlier noted, the next update will include the March 2024 data and will be presented at the April 2024 regular meeting.

- Automated Meeting Minutes.

Georgia would like to streamline the minute preparation process to shorten the time needed to produce minutes of the Board and Committee meetings. She has identified an artificial intelligence (“AI”) software program called “Otter AI” that will contemporaneously transcribe meetings as well as create a meeting summary. Georgia and Belle will pilot the program to determine if it saves time while still producing acceptable (i.e., detailed and accurate) minutes and will report back about its capabilities at the April meeting. More broadly, Georgia said she also would like to propose a discussion about the Board meetings, including the location and start time of the meetings, as well as the structure of the meeting agendas.

- Update on IT Needs.

Georgia said updated software has been installed on the office computers. Georgia and Belle met with the district’s IT consultant to evaluate how to best digitize the district’s workflow and whether to digitize some of all of the large volume of historical paperwork at the district. Georgia expressed

appreciation to the Board and staff for providing the time for her, prior to officially taking on the general manager role, to conduct an in-depth evaluation of the district's IT needs.

Director Godino said she is in favor of streamlining the minute preparation process, via AI or any other means; however she has found the detailed minutes to be extremely helpful and informative. Georgia affirmed that the quality of the minutes definitely will be a part of the analysis, assessed vis-à-vis the time needed to prepare them.

With regard to overall operations, director McElroy asked if the non-operational solar inverter at the water treatment plant has been repaired and/or replaced. Staff said a company who had committed to a site visit did not follow-through, so staff has reached out to another company for a proposal.

6. BCPUD Resolution 721: To Adopt a Resolution of Opposition to Initiative #1935: Limits Ability of Voters and State and Local Governments to Raise Revenues for Government Services (requested by the California Special Districts Association).

The California Special Districts Association ("CSDA") has asked special districts in California to pass resolutions opposing Initiative 1935. If enacted, the CSDA contends Initiative 1935 would amend the state constitution to make it more difficult for special districts to implement rate increases; in addition, it would be applied on a retroactive basis to nullify rate increases enacted by special districts in the prior year. Furthermore, CSDA advises the language of the initiative is burdensome because it requires that rate increases must be tied to the so-called "actual costs" of providing services, which evidently would mean current operational costs and not capital improvements or other long-term costs (such as planning for climate change). Staff agrees with CSDA that tying rate increases to "actual costs" is short-sighted, circumvents local control, and would not allow the district to plan for future needs; staff recommends the Board approve Resolution 721. Staff noted that Governor Newsom has filed an emergency petition for a pre-election challenge to Initiative 1935 with the California Supreme Court, arguing that it improperly revises the constitution via an initiative. The California Supreme Court has issued an order to show cause why the initiative should not be removed from the state ballot.

G. Godino/K. McElroy all in favor, director Walker absent to adopt BCPUD Resolution 721 in opposition to Initiative #1935.

7. Proposed Amendments to BCPUD Resolution 553: Establishing Criteria for Requests by District Customers for Relief from Quarterly Metered Water Delivery Charges in the Event of a Leak or other Water Loss.

Staff reminded the Board that it requested an item be included on this month's meeting agenda to discuss possible modifications to Resolution 553; this request was made after the Board considered two different and relatively large leak relief requests at last month's meeting. Director Godino said she does not believe there is a "one-size fits all" approach to leak relief given the differing circumstances the Board evaluates. Director Alexander Green said he previously expressed a preference for a more unified leak relief policy but, in considering it further, he now believes the district first needs better (and more frequent) data about customer water use. He spoke with the Chief Operator and learned there may be an opportunity to retrofit the district's water meters via a radio-signal remote read meter system; the operators would then be able to drive by the customer properties and remotely obtain meter reads rather than physically read each meter. This would greatly streamline the meter reading process and enable the staff to quickly obtain data while, at the same time, continue to have their eyes on customers properties and district infrastructure. Staff confirmed that the district recently received a proposal for the retrofit of meters in this manner from the distributor and the proposal will be presented to the Finance Committee at the next meeting; staff noted the cost was in the hundreds of thousands of dollars. Director Alexander Green suggested it may be possible to retrofit the meters in stages, perhaps in accord with pipeline replacement projects.

Georgia Woods commented that the Board's discussion at the prior meeting concerned how to potentially encourage or require customers to install Flume or other similar remote monitoring devices on

their water lines to alert them to leaks and avoid potentially large water losses. Director McElroy noted the Flume device requires a smart phone and some customers may not have a compatible phone; he suggested perhaps the Board could limit leak relief to one per customer so that customers have an incentive to avoid large leaks. Jennie Pfeiffer said that during the recent drought, many community members read their own meters to monitor their water use; she said it is very productive for the district to encourage customers to be involved like this in the data collection process.

Director Godino suggested the district might be able to enter into some kind of an agreement with Flume to offer discounts to community members willing to purchase and install the devices. Rob Gailey said he installed a Flume device at his property and, on two different occasions, he was alerted via email to small leaks at his property and he was able to address them immediately. Rob said he initially was concerned that gopher activity in the meter box might impair the functionality of the device; after checking with the BCPUD, he learned he should not under any circumstances install cement in the meter box, so he installed chicken wire instead and that has been sufficient to deter the gophers. Discussion ensued among the directors, including but not limited to whether the Flume device also can push alerts or meter reads to the district and whether a pilot project could be attempted to verify the operational capabilities of various different remote read meters. Ultimately, director Siedman asked Georgia to further evaluate the options available to the district (Flume, other company devices, remote read meters, etc.) and report back at the next meeting. Director McElroy asked Georgia also to check with the Stinson Beach County Water District about their remote read system.

8. Draft Financial Report of the Bolinas Community Public Utility District for the Fiscal Year Ending June 30, 2023 (*O'Connor & Company*).

Staff presented the auditor's final draft report of the district's financial statements for the fiscal year ending June 30, 2023. Staff has reviewed the draft report, as has the district's outside CPA at Maze & Associates. Staff directed the Board's attention to the key statement by O'Connor & Company in the report that the district's financial statements "present fairly, in all material respects, the respective financial position of the business-type activities and the major fund of the [BCPUD] as of June 30, 2023, and the respective changes in financial position and cash flows thereof" in accordance with generally accepted accounting principles of the U.S. and the State Controller's Minimum Audit Requirements for California special districts. Staff said some minor clarifications are needed in the management and discussion analysis, as well as some changes in footnote 4 to accurately reflect the employer contribution rate and other requirements of GASB 68. Following a brief discussion, the Board asked staff to make any necessary requested changes and instruct the auditors to finalize the report.

A. Alexander Green/K. McElroy all in favor, director Walker absent instructing staff to convey any necessary requested changes to the draft financial report to the auditor and request that the auditor finalize the financial report.

9. Volunteer Committee Reports:

-- *Resident Permit Parking Plan Committee*: Belle and Georgia met with Resident Permit Parking Plan Committee members Sherry Hirsch and Bruce Bowser. The County is still in the process of finalizing the parking plan program and implementing ordinance. Staff will report back as information becomes available.

-- *Resource Recovery*: Staff will have an on-site meeting with RRP staff next week. The site was significantly impacted by recent storms and is temporarily closed to regular operations. In the meantime, a debris box has been brought in so that community members can drop off green waste in small loads. Staff asked the community to please treat the RRP staff nicely notwithstanding the temporary site closure; apparently some people have been taking out their frustrations about the site closure on the RRP staff, which is unfortunate and inappropriate.

-- *Land Stewardship Committee*: Nothing to report

10. Other Business.

a. Board Committee Reports.

- *Finance*: Staff said the upcoming Finance Committee meetings are scheduled for March 25, 2024 and April 1, 2024; the draft budget and related documents will be presented to the full Board at the regular meeting in April.
- *Legal*: Nothing further to report.
- *Mesa Septic, Flood Control and Roads*: Director Godino noted there are a lot of blocked culverts on the Mesa right now and she asked if staff could publicize the availability of the district's drainage services. Staff will do so and will follow-up with the operators and ask them to keep an eye out and address blocked culverts. Staff commented that some culverts in town are too long for the district's equipment to effectively clear them, but it may be possible to enlist the assistance of the Bolinas Fire Protection District to clear lengthy obstructed culverts.
- *Personnel*: Nothing to report.
- *Ad Hoc Building Committee*: Georgia Woods said she inadvertently included this ad hoc committee item under the standing Board committee reports on the agenda and apologized for the error.

Director Alexander Green said the Committee, Georgia and Stew Oakander did a "walk through" of district facilities to assess whether any of those facilities might be suitable for immediate use as office space or other long-term administrative use. He noted several of the buildings need considerable deferred maintenance; in contrast, the water treatment plant is in very good shape. The lab building at the sewer pond property is in relatively good shape with the exception of a recurring bat issue. Director Alexander Green said the buildings in the yard next to the office building do not have adequate drainage facilities and have experienced water damage. Georgia emphasized this was a general tour of facilities; the Committee has not yet had an opportunity to have an in-depth discussion about them.

Director McElroy inquired whether the Committee believes it may be possible to use an existing building as temporary office space rather than rent a portable office. Georgia said she had not seen all of the district facilities prior to the tour and, since the district is embarking on a large building replacement project, she believes it makes sense to look at the other facilities owned by the district and take their condition and district needs into consideration. With regard to a portable office, Georgia said it may be economical to purchase one rather than rent if it can be repurposed to serve other district needs.

Director McElroy noted the Board inadvertently skipped over the Operations Committee report.

- *Water and Sewer Operations*: In response to questions from director McElroy, staff said the radial gate assessment project will be scheduled in the late summer or early fall when the creek flows are as low as possible. The groin repair project will move forward more quickly, likely early this summer. As for the Terrace Avenue seawall project, the County has assumed responsibility for the repair and currently is evaluating whether the splicing repair suggested by Gannett Fleming is feasible. Director Alexander Green inquired about the Canyon Road lateral connection project and staff said the Operations Committee should meet to discuss it and then schedule a meeting with the homeowners.

b. Minutes of the February 28, 2024 Regular Board Meeting.

Staff apologized that the draft minutes of the February 28, 2024 regular Board meeting are not yet complete; the draft minutes will be presented at the regular meeting in April.

c. Warrants.

In response to a question from director McElroy, staff confirmed that the monthly bill for the district's remaining AT&T land lines is \$1,000; this landlines serve the district's alarm systems and must remain in place until a reliable alternative can be identified.

K. McElroy/A. Alexander Green all in favor, director Walker absent to approve the warrant list.

d. Scheduling of Next Meeting(s):

April 17, 2024 at 7:30 p.m.

11. Adjournment.

9:26 p.m.