

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT



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BCPUD Regular Meeting of the Board of Directors
Wednesday, July 16, 2025
Bolinas Fire Dept Meeting Room
100 Mesa Rd, Bolinas CA 94924
6:00PM

Link to Meeting Video: https://www.youtube.com/watch?v=CsmC7dAOL_4

Call meeting to order **(0:53)**

Roll (present: J. Siedman, A. Alexander Green, K. McElroy, Kirsten Walker; absent: G. Godino)

Community Expression **(1:17)** None

Consider amending order of items in the agenda **(1:33)** No changes

Item 2. Recommendation from the BEP/BIKE Path Ad-Hoc Committee to Approve Proposal from Arborist Re: Bolinas Roadside Hazardous Tree Study 2025-26 (2:06) To be discussed at a future meeting (may need to be a special meeting) – no proposal from arborist yet due to scheduling conflict. DPW has informally committed to reimbursing removal costs for trees that are not on BCPUD property.

Item 3. Resolution No. 744 - Accepting Completion of the Tank Site Pipeline Replacement Project (6:20) Waiting on as-builts from contractor before closing out project; will approve at future meeting.

Item 4. Amend Resolution No. 738 - Declares An Emergency Exists and Authorizes Groundwater Monitoring Well Installation and Destruction for the Bolinas Community Public Utility District Wastewater Treatment Plant (6:45) Resolution is amended to reflect that BCPUD is in contract directly with Penecore Drilling.

Motion to approve Resolution 738 as amended

A. Alexander Green / K. McElroy

All in favor to approve amended resolution.

Item 5. Approve Contracts associated with Groundwater Monitoring Well Installation and Destruction Project: (1) West Yost, (2) PeneCore Drilling and (3) Rob Gailey (8:00) Revamp of BCPUD treatment facility over the next 10 years; existing wells need to be destroyed as to not contaminate groundwater, three new wells need to be installed. West Yost is the engineer, PeneCore is the drilling contractor, Rob Gailey is the overseeing hydrologist ensuring the work is done appropriately. PeneCore agreement page has an error – location of wells needs to be revised from “31 Wharf and Mesa Park” to “BCPUD wastewater treatment plant at 101 Mesa Rd”. Director McElroy has a question about West Yost report cost – GM Woods explains that reports are required and submitted to regional board on behalf of BCPUD.

Motion to approve contracts

K. McElroy / A. Alexander Green

All in favor to approve contracts.

Item 6. Discussion of Obstructions and Encroachments in the Public Rights-of Way – Josh

Churchman (14:20) President Siedman explains that as a friend and neighbor, he previously attempted to mediate this dispute, as he knows both the Oakanders and the Churchmans well; President Siedman may recuse himself if he feel necessary to remain neutral. Director Walker expresses that she may recuse herself as well, as she knows both parties personally.

Kyle Churchman explains that he wasn't sure where the property lines were; after looking into it, he discovered that the previous owner in 1955 added on to his house by building 35 feet into the middle of the paper road.

(20:48) President Siedman explains that a paper road is one that is shown on subdivision maps but was never developed or used as a road. Discussion of paper roads and easements throughout the mesa – often people erect fences within the public right of way.

Josh Churchman claims that vacant roads can be considered part of the owner's property – President Siedman argues that this is not the case, encroachment upon and use of the public road does not equate to ownership, the BCPUD will continue to exercise control over the road. Mr. Churchman explains that previously there was a "gentleman's understanding" between the two property owners, with no encroachment or driveways. Now there is a driveway and a shipping container in the paper road, which Mr. Churchman feels is unfair. Mr. Oakander hopes to install a propane tank. The Churchmans suggest installing a fence where the cypress hedge used to be for privacy, and they ask that Oakander/Hicks do not put their driveway in his property.

(29:29) President Siedman asks what the Churchmans would like the BCPUD to do. Mr. Churchman asks if the BCPUD can indicate where the roads (Locust and Opal) are located; President Siedman explains that usually for boundary disputes regarding private property and public roads, the property owners are required to pay for a survey. Cass Hicks explains that historically, their property had a propane tank installed 5 feet into the road. They are hoping to move the propane tank back, onto a cement pad, which would not be visible from the Churchman's property. Ms Hicks points out that all of the Churchmans' fences are in the road. Mr Oakander explains his position of wanting to be a good neighbor and uphold the gentlemen's agreement previously mentioned.

(39:53) President Siedman asks what Ms Hicks and Mr Oakander would like the BCPUD to do. Mr Oakander explains that there is an existing marker at the corner of Locust and Opal from a survey done in the past. GM Woods provides context: the BCPUD and the Fire Department have both separately assessed this situation and have no reason to side one way or the other – there is no infrastructure or emergency access involved. She suggests the Board take a mediation role in this conflict with the intention that it can be resolved amicably.

(43:18) Director Walker asks if BCPUD has a policy in place regarding paper roads and suggests that a surveyor be hired to determine the property lines and road boundaries.

(46:21) Director McElroy asks if the propane tank can be relocated out of the right of way. Ms Hicks explains that there is not a more suitable location and reiterates that the proposed location will be encroaching only 5 feet into the 120 foot right of way. Director McElroy expresses concern that if the

BCPUD grants this encroachment, it will set a precedent for other such action. President Siedman states that historically, the BCPUD grants encroachments under the road (for pipes, electric, etc.).

(50:44) Director Alexander Green shares his view that both parties have been benefiting from encroachment. If the propane tank had not already been in this location for over 50 years, he would argue that it should not go in the road. However, he explains that he doesn't consider the paper road a proper road, as it has never been and most likely never will be used as a road, and the fire department agrees that it's not necessary for emergency access.

(53:55) GM Woods argues that a survey will be expensive and would not provide helpful or new information as both parties are encroaching in the right of way. Discussion continues with both sides expressing their frustration. Mr Churchman explains that he wants to put up a fence to prevent cars from driving on his land. Ms Hicks responds that putting the propane tank back in its original location will help open up the paper road.

(1:07:08) Community member expresses concern for this issue as extending beyond this single case, needing greater discussion and application throughout the Gridded Mesa. President Siedman responds that from a BCPUD point of view, as well as from the county, there is only a response when a complaint is issued; if no one complains about an encroachment, it becomes the new status quo. When there is a complaint, the BCPUD has to address it while attempting to develop an appropriate policy simultaneously. President Siedman suggests that the BCPUD Roads Committee can meet with the concerned parties on site to discuss the best way forward, which will have to be a compromise.

(1:13:15) GM Woods mentions the development of a right of way encroachment permit for new construction/obstruction but alludes to this type of policy not necessarily being helpful in cases such as Churchman/Oakander/Hicks. All parties agree to meet with the Roads Committee and try to come to a solution.

Item 7. Potential for Temporary Overflow/Employee Parking at Resource Recovery Project - Leila Monroe (1:25:42) No one present – item moved to be revisited later in the meeting.

Item 8. Request from Mesa Park Board of Directors for Financial Support: Discount of Annual Service Fee and Repair of Downtown Park Well (1:26:57) Mesa Park pays \$3713 per water meter = \$7400 annually. GM Woods explains that because there is a JPA between BCPUD and Mesa Park, BCPUD will need to document the mutually beneficial elements of this relationship, assign a dollar value to them, and factor this amount into a potential discount. Land management is one benefit, as well as the Resource Recovery well – existing infrastructure that Mesa Park installed and managed over the years.

GM Woods feels that an MOU needs to be created between Mesa Park and BCPUD, with more formalized agreement on use of land/parking lot by BCPUD, which would support BCPUD giving Mesa Park a discount on annual service fee. She also suggests that BCPUD should pay Mesa Park for whatever amount of money they have spent on the RR well so there will be no question that it belongs to BCPUD. Director Siedman mentions that although BCPUD owns the property, Mesa Park is responsible for insurance.

(1:39:55) GM Woods shares her view that numerous BCPUD projects (bike path, beach groin, etc.) benefit the community broadly but are currently paid for by water/sewer customers. She suggests the Board could consider how to support Mesa Park more strategically by augmenting BCPUD's tax base for community-based projects. Neither BCPUD or Mesa Park has enough money for these projects; thus, GM Woods argues, there needs to be increased revenue to support them. In addition to discounted annual service fee, Mesa Park needs \$13K to replace their downtown park well.

(1:47:37) GM Woods shares that in the past, BCPUD has loaned Mesa Park money. Discussion of if/when to loan money for Mesa Park to repair their well, considering that BCPUD does not have excess money. GM Woods suggests that the loan could come from the LAIF, this way the BCPUD budget would not be directly impacted; the only loss would be interest not accruing in the LAIF account.

Motion to approve loan to Mesa Park **(1:54:16)**

K. Walker / K. McElroy

All in favor to approve loan.

Discussion of Mesa Park project costs and funding. Discussion of need to clean up JPA to establish responsibility and authority between BCPUD and Mesa Park.

Item 10. Amendment of Firehouse Community Park Agency JPA (2:08:01) Under the current JPA, there is an annual audit; the JPA could be amended to require the audit every 5 years, which will save Mesa Park money.

Motion to approve amendment to JPA

K. McElroy / A. Alexander Green

All in favor to approve amendment.

Item 7. Potential for Temporary Overflow/Employee Parking at Resource Recovery Project -

Leila Monroe (2:11:59) Proposal for seasonal and occasional use of resource recovery lot for Smiley's staff and guest parking on busy weekends during construction at 31 Wharf (planned to take two years). Permanent parking for Smiley's won't be approved until construction is complete. Smiley's will pay \$100/month to use the space; Mickey Murch has approved the use of this area for parking. Discussion of how cars can best access the space; will need additional consideration to determine what will make the most sense and have minimal impact. Discussion of construction timing and weather considerations. Discussion of the need to coordinate with and involve Mickey in the conversation. Discussion of other possible locations for temporary parking, as well as the need to consider liability. Board decides Belle should explore the proposal further and work with Mickey/Smiley's regarding temporary parking.

Item 12. Manager's Update (2:34:25)

STATUS OF BCPUD'S WATER SUPPLY

Monthly production and consumption are both increasing. Lower impoundment still spilling. Discussion of max draw, draw level, need for radial gate repair. Woodrat 2 still spilling at a "drip rate"; WR1 no longer spilling.

OPERATIONS UPDATES (2:41:13)

Leaks: Many leaks this month; multiple leaks on the booster line, multiple leaks on Cedar, leak on Birch, leak on Grove. Potential leak on Arroyo Hondo access road – monitoring but don't believe it is a leak.

Arroyo Hondo Access Road (2:44:34) Road has not been repaired yet (need to wait until nesting season ends); Trail Closed sign has been posted.

Plant Hardware Updates (2:44:50) John Lewis of Mountain View Services upgraded filters in water treatment plant.

Wells Project (2:45:45) Trojan UV equipment to be delivered soon; other major equipment purchases for both well projects.

Automated Billing (2:46:08) Encouragement to customers to sign up for online billing. Director Walker suggests using the sign at the entrance to town to inform customers about online billing. Discussion of ebilling process and online portal appearance.

Item 15. Resident Permit Parking Plan Committee (2:51:30) All permits have been sent out, enforcement should have begun. Discussion of future for parking committee as this work is coming to an end. Proposed termination of committee will be on August agenda.

APPROVAL OF MINUTES (2:56:13)

Item 24. Regular Meeting – June 18, 2025

K. McElroy / K. Walker

All in favor to approve minutes.

APPROVAL OF WARRANTS (2:56:37)

Item 25. June 1 – June 30, 2025

A. Alexander Green / K. McElroy

All in favor to approve the warrants.

MEETING CLOSING

- Materials to be signed by Board Members
- Future agenda items: Termination of Parking Committee; presentation of ROW permit; possibly arborist report
- Next meeting date – August 20
- Adjournment – 8:58PM