

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
May 18, 2016 270 Elm Road, Bolinas

1. Call to Order.

7: 32 p.m.

2. Roll.

Directors Amoroso, Comstock, Siedman and Smith present; director Godino attending by telephone. Director Siedman presiding.

3. Manager's Report.

-- Update on the Wharf Road Lift Station Pump Replacement Project.

Piazza Construction submitted the required insurance documentation and bonds at the end of April and the district issued a Notice to Proceed on April 26, 2016; as such, the contractor now has 60 days to complete the project, which means the deadline is June 25, 2016. At present, the contractor is waiting on specific valves needed for the job. The contractor sent in equipment submittals to the district's engineers at Brelje & Race which are under review. Staff negotiated an amendment to the district's agreement with the engineers for this job to provide services during the project installation on a "time and materials" basis at a not-to-exceed cost of \$6,435.

-- Update on the BCPUD Chlorine Disinfection Byproduct Reduction Project.

Staff is working with the district's consultant, Jonathan Van Bourg, and engineer, Brent Beazor of Brelje & Race, to prepare the documents needed to formally apply for an amendment to the district's water treatment plant operating permit to include inline coagulation prior to filtration for the purpose of lowering chlorine disinfection byproducts. This documentation will include updates to the district's operations and disaster response plans and some of the documentation is required to be reviewed and stamped by a licensed engineer. Staff will do as much of the groundwork as possible to keep outside costs to a minimum.

-- Update on BCPUD/BFPD Survey of Obstructions and Encroachments in the Public Rights-of-Way on the Bolinas Mesa.

Nothing to report at this time.

With respect to water operations, staff reported that water consumption in the district was down for the Mid-Mesa area for the Feb/March/April quarter as compared to the same quarter last year. This is likely due to the fact that Bolinas received 8 inches of rain in March and 1.5 inches of rain in April. For the rain year-to-date, Bolinas received 31.8 inches of rain, the district's reservoirs are full and the treatment plant is running exclusively on Arroyo Hondo surface water. That said, district staff is seeing a distinct trend of increased consumption/use of the sewer system on the weekends. Staff will monitor this trend to try and quantify the "public access" impact of coastal visitors on the district's infrastructure.

Staff noted that ACWA has issued two advisories recently, both of which are in the Board books, one about a formal rule-making process underway at the State Water Resources Control Board ("SWRCB") to adjust the annual permit fees charged to water districts, and the other about proposed adjustments to the SWRCB's emergency water conservation regulations. The latter has been superseded by the news announced today that the SWRCB decided to scrap the statewide conservation mandate in favor of requiring local agencies to develop their own conservation programs to withstand three (3) consecutive years of extreme drought.

The federal Environmental Protection Agency ("EPA") issued a revised Total Coliform Rule and the district's chief operator, Bill Pierce, attended a training workshop about the new rule in Novato earlier in the month. It appears at this point that the new rule will not have a major effect on our operations or testing requirements.

The new shift operators are preparing for their upcoming Water Treatment 1 exams, which will take place this Saturday. They continue to receive hands-on training in the field. A recent project included the installation of new valves in the Poplar right-of-way, and more projects like this are planned in the upcoming weeks in order to be able to isolate smaller neighborhood sections when water needs to be shut off for leak repair or other reasons. Another project was the installation of a culvert under the bike path between the lower ponds and goat lease area. Both operators were able to log valuable hours operating the backhoe for this project.

Staff attended the annual ACWA/JPIA conference on May 2, 2016 in Monterey. Most of the meeting focused on a prolonged discussion whether to allow a specific district to rejoin after having been cut from the program two years ago. The subject district had made many adjustments and improvements to its operations since then, but the ACWA/JPIA membership was not yet prepared to vote the district back into the membership.

On the wastewater side of operations, staff continues to closely monitor the temporary sewage bypass pump to ensure a prompt response to any malfunction. Recently, the pump rental company replaced the pump's priming chamber, which may have been a cause of the recent malfunctions (in addition to the presence of unflushable items). Staff plans to request a rental price adjustment on the grounds that this chamber should have been replaced some time ago and the district's customers experienced significant inconvenience (and the district incurred a lot of staff overtime) due to the multiple malfunctions.

The Board reviewed correspondence sent and received since the last regular Board meeting, including a Notice of Completion filed by the County of Marin for the road-level retaining wall project at Surfer's Overlook. The total cost of the project was \$353,168.44, so the local share is \$317,851.60 (90%). Staff has passed this information on to the fundraising committee. In addition, the Board reviewed a notice from the County explaining the Local Coastal Plan Update status; the Coastal Commission staff wrote a very lengthy letter stating numerous alleged incomplete items and gave the County a deadline in November to submit the required information. Finally, the Board also received an update from a group of residents in the downtown area hoping to install a playstructure to the west of the tennis courts at the County park.

-- *Drainage Project Manager's Report.*

Nothing to report.

4. Community Expression.

None.

5. Request to Remove Hazardous Tree from the 300 Block of the Grove Right-of-Way near Alder Road (B. Scott).

Director Siedman noted that there is a report from an arborist in the Board binders documenting the hazard posed by the tree in the Grove right-of-way that Bob Scott is requesting to remove. Staff confirmed that the tree is in the public right-of-way. Staff explained that Bob is not able to be present due to family obligations, but separately submitted receipts to show that he has spent nearly \$3,500 to trim the tree and otherwise reduce the hazard posed to public health and safety; he therefore is asking the BCPUD to pay the remaining cost to remove the rest of the tree. Bob submitted two bids for the tree removal, one from TreeMasters (\$3,850) and one from Pacific Slope (\$2500-\$3500). Director Siedman asked if the neighbors had any objection to the removal of the tree and those present (Shelter Serra and David Do) said they did not.

L. Comstock/D. Smith all in favor to approve removal of the hazardous tree from the Grove right-of-way at BCPUD expense at a cost not to exceed \$3500.

6. Request for a Letter From the BCPUD to the County of Marin Sheriff re: Enforcement of the 72-hour Parking Limit in Downtown Bolinas; *Related Discussion re: Downtown Parking and Traffic Problems.*

Al Minvielle, who lives on Brighton Avenue, told the Board that there has been a problem for some time of extended parking by oversized vehicles on the section of Brighton Avenue across from his home and near the tennis courts. He said the vehicles take up a lot of space, making a bad parking situation near the beach even worse, and many are unsightly; he noted that drug dealers were living in one of the vehicles for nearly 6 months. He researched the applicable law and learned that there is a state law imposing a 72-hour limit on parking, but it isn't clear how far a vehicle must be moved after 72 hours. Al said he called the County and asked if they would be willing to legislate a distance that a vehicle must be moved (other jurisdictions require distances ranging between ¼ and ½ mile away), and he was advised to survey his neighbors on the topic. Al spoke to about 80% of the neighbors and all of them are supportive of enforcing the 72-hour limit and requiring a specific distance the vehicle must be moved, except for one neighbor who has reservations because a long-term community member is living in one of the oversized vehicles. Al requested that the BCPUD Board write a letter requesting enforcement of the 72-hour parking limit and advocating that a vehicles must be moved at least 1,000 yards after 72 hours.

Director Amoroso said that he lives downtown on Brighton Avenue and keeps vehicles on the street, some of which are parked there more than 72 hours, and he knows his neighbors do the same. Although he has some offstreet parking, it is not enough for the cars in his household. He questioned whether the requested action to enforce the 72-hour rule would have unintended consequences on local residents.

Director Amoroso also noted that several long-term community members who contribute a lot to the town are residing in vehicles downtown. Al Minvielle said that people needing a place to park a residential vehicle should be provided with an appropriate place rather than create what amounts to a campground on the public street. He noted that in Albuquerque, the city provides people who contribute to the community a place to live in exchange for their contributions and he said he favors such an approach.

Director Smith said that he understands the concerns and agrees that the downtown situation is getting out of hand, but there are genuine impediments to a viable solution. For example, providing people with a place to live in their cars is against County regulations – only an approved trailer park with appropriate sanitary facilities is allowable and special zoning is not allowed in the coastal zone. He said he does not believe that enforcing the 72-hour limit will help anything as tourists will simply flock in to fill the vacated spaces.

Director Comstock said he is sympathetic to the problem and understands why the Minvielles are concerned. As he understands it, there seem to be specific vehicles that are problematic whereas others aren't. He noted that the BCPUD Board recently reactivated the Downtown Parking & Traffic Committee and said he believes parking issues such as this should be dealt with first via this committee. Director Comstock advised Al to take his request to the committee and find out if the committee is willing to take a position on the 72-hour parking limit and/or make a recommendation to the Board and Al agreed to do so.

Discussion ensued with some advocating for less sheriff presence in Bolinas and others for more; some supported the concept of a specific distance for vehicles to be required to move. Directors Amoroso and Smith both commented that parking is beyond the jurisdiction of the BCPUD and the solution/enforcement ultimately is the County's responsibility. Director Siedman said that the BCPUD often serves as a local forum on issues of local concern and takes a leadership role on matters – even if outside its jurisdiction – when a community position is clear. Here, he noted, it is not yet known whether there is a specific community point of view on what to do to address the increasingly bad downtown parking and traffic problems.

7. Non-Toxic Protocol Agreement between West Marin Mosquito Control Coordinating Council and the Marin/Sonoma Mosquito & Vector Control District.

Director Godino reported that the West Marin Mosquito Control Coordinating Council (“WMMCCC”) approved a new non-toxic protocol agreement with the Marin/Sonoma Mosquito & Vector Control District (“M&VCD”) on May 9, 2016 and, in turn, the M&VCD approved the agreement at its regular monthly meeting on May 11, 2016. This agreement was reached after five months of intensive negotiation. Overall, the WMMCCC believes that having an agreement in place, even if not a perfect agreement, is a good thing and the compromise made by the M&VCD are very beneficial to West Marin.

Director Smith said he thinks the agreement is the best that could be achieved under the circumstances. He noted that the allowable use of methoprene under the agreement is extremely diluted, which he had not initially appreciated; in fact, the amount to be used is less than certain (different) chemicals allowed to be present in the district's drinking water. Director Godino agreed and said that she and the co-chairs of the WMMCCC wrote a guest column to be published in the Point Reyes Light explaining the agreement and the history/negotiation process. She said that while she is not happy about the use of methoprene, she can live with it as allowed under the agreement because the rest of the agreement is worth it. Director Amoroso said the BCPUD should be notified if any septic systems in Bolinas are treated with methoprene so that the district can ensure those tanks are not pumped and dumped at the sewer ponds until sufficient time has passed. Director Godino said the obligation to report is currently on the homeowner, but that she can inquire if the M&VCD is willing to notify the BCPUD, as well.

Director Comstock said that he is prepared to support the agreement and the WMMCCC did a good job negotiating it. With regard to the guest column to be published in the Point Reyes Light, director Comstock said that it makes no mention of the fact that the use of methoprene will be very limited under the agreement and will have no impact on agriculture, wetlands or public health – he said he feels these are important points to convey to the public. Also, he said the WMMCCC is only accepting the use of methoprene because there is no OMRI-approved product for this purpose; as such, the hope is the use of methoprene will be temporary and only until an OMRI-approved alternative is available – this point also should be conveyed to the public.

D. Smith/L.Comstock four in favor, director Amoroso abstaining to endorse and support the non-toxic protocol agreement negotiated by the WMMCC (with director Godino acting as the BCPUD representative) and the M&VCD.

At this time, director Godino left the meeting.

8. Donation of Asphalt/Concrete Grindings from Road Improvement Project on Highway One.

Staff reported that per district protocol, the district sent samples of the asphalt-concrete material for lab testing and the reported results are all under the allowable contaminant levels. Mesa Park is willing to store the grindings at the parking lot and Charles Whitefield will coordinate the delivery with the paving contractor. Director Smith suggested that Charles communicate with the clinic personnel and determine if there are any concerns/preferences as to where to store the material on the parking lot.

D. Smith/V. Amoroso four in favor, director Godino absent to accept a donation of asphalt/concrete grindings from the upcoming road improvement project on Highway One.

9. Update of BCPUD's Five-Year Capital Improvement Plan – 2016-2021.

Director Comstock said the Five-Year Capital Improvement Plan was approved last year and is scheduled to be updated annually. The Plan is a key document for the district's budget process, so the Finance Committee reviewed the update carefully and recommends its approval. In response to a question from director Smith, director Comstock explained that some of the projects are "Tier 1" and others are "Tier 2" reflecting their relative priority at this point in time.

L. Comstock/V. Amoroso four in favor, director Godino absent to approve the update of the BCPUD's Five-Year Capital Improvement Plan – 2016-2021.

10. BCPUD Resolution 642: Granting Director Grace Godino Permission to be Absent.

L. Comstock/D. Smith four in favor, director Godino absent to approve BCPUD Resolution 642 granting director Godino permission to be absent from the district through August 28, 2016.

11. Water Supply Update.

Director Smith reported that he and staff had a three hour conference call with the district's consulting hydrogeologist, Rob Gailey, about a monitoring approach for the irrigation well at the Resource Recovery Project site. Initially, director Smith hoped it would be possible to quantify the allowable safe yield of the well (so that it is not overdrawn by current users and so that seawater intrusion is not induced) by monitoring groundwater levels/water quality elsewhere downtown, but it is now clear this is not possible without spending tens or hundreds of thousands of dollars. Accordingly, director Smith recommends the district adjust its focus to an affordable monitoring program that can provide an early warning in the event that use of the well begins to induce seawater intrusion. Rob Gailey suggested that the district expand its monitoring of the irrigation well to include monthly sampling for sodium (as well as TDS) and that the district install a shallow monitoring well at the intersection of Brighton and Wharf to assess groundwater conditions at that location. The property owner and tenants have given the BCPUD permission to install such a well and staff is soliciting bids for the work. The water level, sodium and TDS at this well will then also be monitored monthly. The district will collect the data and provide it to Rob on an annual basis for analysis.

12. Volunteer Committee Reports.

-- *Bolinas Lagoon Advisory Committee*: Nothing to report.

-- *Downtown Parking & Traffic Committee*: Nothing further to report.

-- *Resource Recovery*: Nothing to report.

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

-- *Land Stewardship Committee: Request for Removal of Pampas Grass from Sewer Pond Property at an Estimated Cost of \$400.*

Director Siedman reported that the committee generally has decided to meet on the Friday following a BCPUD meeting, so the next meeting is this upcoming Friday. Staff noted the pampas grass removal proposal in the Board's meeting binders and said staff has no objection to the proposal.

V. Amoroso/L. Comstock four in favor, director Godino absent to approve the removal of pampas grass from the sewer pond property as recommended by the Land Stewardship Committee at a cost not to exceed \$400.

13. Other Business.

a. Board Committee Reports.

-- *Finance: Minutes of the April 14, 2016 committee meeting; Third Quarter Financial Reports.*

Director Smith noted that the term “Endowment Fund” in the committee minutes should be changed to “General Capital Improvement Project Fund” in light of the Board’s recent decision to change the name/purpose of this fund.

L. Comstock/V. Amoroso four in favor, director Godino absent to approve the minutes of the April 14, 2016 Finance Committee meeting, as corrected.

The Board received the third quarter financial reports.

-- *Legal*: Nothing to report.

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

-- *Operations*: Nothing to report.

-- *Park and Recreation*: Nothing to report.

-- *Personnel*: Nothing to report.

-- *Sewer*: Nothing to report.

b. Minutes of the April 20, 2016 regular Board meeting.

Directors Amoroso and Smith offered clarifying revisions to the minutes of the April 20, 2016 regular Board meeting.

D. Smith/L. Comstock four in favor, director Godino absent to approve the minutes of the April 20, 2016 regular Board meeting, as amended.

c. Warrants.

L. Comstock/D. Smith four in favor, director Godino absent to approve warrant list.

d. Scheduling of Next Meeting(s):

June 15, 2016 at 7:30 p.m.

14. Adjournment.

Nancy Sweet asked to address the Board about a customer issue not on the agenda. Director Siedman said she is welcome to speak, and was entitled to do so during the “Community Expression” agenda item rather than sit through the entire meeting. Nancy said this is not a community issue, but rather a problem she experienced at her home with a major water loss and enormous water bill. Director Siedman said this would need to be an agenda item in order for the Board to take action. Director Comstock said she can send in a letter explaining the circumstances and the Board can take action at the next meeting. Nancy explained that she will be in Maryland for the next two months taking care of her father. Discussion ensued, and staff offered to meet with Nancy to help her prepare a letter to address all of the points in BCPUD Resolution 553 concerning financial relief from quarterly water bills so that the Board can evaluate her request at the June meeting, even if she cannot be present.

The meeting was adjourned at 9:43 p.m.