

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**July 20, 2016 270 Elm Road, Bolinas**

**1. Call to Order.**

7:32 p.m.

**2. Roll.**

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

**3. Manager's Report.**

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

Staff reported that the district's contractor now has a firm shipping date for the valves long-needed to install this project. The valves will ship tomorrow, July 21<sup>st</sup>, and are expected to be delivered one week later. The contractor will be on site in Bolinas this week to assess the job site and go over the schedule for the project; the contractor will begin the project during the week of August 1<sup>st</sup>, assuming the valves are delivered as promised.

Staff met with residents last month to discuss the project schedule and listen to concerns and understandable complaints about the amount of time the temporary bypass pump has been in place. It was a constructive meeting; the nearby residents have been through a lot. Roger Peacock and Bill Pierce discussed sound-proofing possibilities and were able to design a project on-the-spot (based in part on sound-proofing at Smiley's) that has been very effective at reducing the noise when the pump is operating.

Staff's request to Hertz Equipment Rental for a waiver of one month's rental fee for the temporary bypass pump due to poor performance of the pump for several weeks and failure of their trouble-shooting staff to identify and resolve the cause was successful; the company agreed to waive the July rental payment.

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

The district's engineers from Brelje & Race are finalizing the BCPUD's submission to the State Water Resources Control Board ("SWRCB") to 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. A copy of the district's agreement with Brelje & Race is included in the Board binders; a small amount of additional engineering may be necessary due to tight space limitations in the wall behind the filters. The district hopes to submit its amendment application by the end of the first week of August.

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

The survey is underway and staff has included a reminder about the survey and its intended purpose in the Summer issue of the BPUD Pipeline newsletter.

With regard to water operations, staff reported that consumption was down in the downtown section of the district as compared to this time last year; in fact, it was the second lowest rate of consumption in the last ten years. In related news, the district's annual water license reports were timely submitted in advance of the July 1st deadline. In 2015, the district produced 93.32 acre feet from the Arroyo Hondo Creek and 2.42 acre feet from the Woodrat #1 reservoir, for a total of 95.74 acre feet of water produced. In 2014, the district produced 90.99 acre feet, so the 2015 figures represent about a 5% increase in production, but still constitute a significant reduction from the baseline year of 2013, when the district produced approximately 127 acre feet of water.

The SWRCB recently issued a new proposed regulation seeking to amend the Drinking Water Fee Regulations and, if passed as proposed, the district's annual fee paid to the SWRCB will increase by about 50% (from \$4 per water service to \$6 per water service).

The district received a letter from the USDA/Rural Development office dated July 13, 2016 advising that the district must comply with a new Executive Order requiring recipients of Rural Development funding to identify any need for services to those with Limited English Proficiency by July 31, 2016. Given the complexity of the requirements, it is unlikely the district will be able to comply within this very short window. Staff notes that the Executive Order was passed in January but the USDA/Rural Development office just notified the district of these requirements within the last few days.

The staff completed the replacement of all of the membranes in the district's four filters at the Woodrat Water Treatment Plant, so all of the filters at the plant now have the new L-10 filters. The district has purchased five more new fire hydrants and staff will be replacing more of the aging hydrants on the distribution system during the next couple of months. The district is planning to remove several trees in the rights-of-way on the Mesa that are undermining the water distribution infrastructure and/or presenting hazards to persons or property.

Staff directed the Board's attention to correspondence sent to two different customers within the last month to advise them that it is a violation of existing BCPUD regulations to connect a water line from an existing service for the purpose of conveying water to another property, even if that property is owned by the same person. Specifically, customers may not install a water line across a public right-of-way to convey water from a developed property to a vacant lot across the street. To ensure that all customers are reminded about this important issue, staff will include an article on this topic in the BPUD Pipeline newsletter.

On the wastewater side of operations, staff is focused on employee training, operating the treatment plant during spray season, and managing odor at Pond 1A. Pond 1A recently "turned", likely as a result of too many deliveries of septage from tanks on the Mesa; as a result, the district temporarily has banned septic haulers from dumping at the ponds. In the meantime, staff is recirculating and transferring water from Pond 1B into 1A to facilitate its recovery from the organic overload.

The Board reviewed correspondence sent and received since the last regular meeting, including but not limited to an application for grant funds from ZeroWaste Marin, which was prepared by Janine Aroyan as community volunteer on behalf of the BCPUD as the eligible applicant, and a letter from the Bolinas Childrens' Center requesting to reconfigure the interior space to use more of the area currently used for storage as a "quiet space" for the children. Staff recommended approval of the BCC request. The Board had no objection.

*-- Drainage Project Manager's Report.*

Nothing to report.

Director Siedman arrived at the meeting at approximately 8:00 p.m. and presided over the remainder of the meeting.

#### **4. Community Expression.**

None.

#### **5. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 22 Terrace Avenue (M. Marcotulli).**

Staff asked the Board to defer this item to a point later in the meeting as the resident requesting relief is not yet in attendance; the Board had no objection.

#### **6. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 80 Terrace Avenue (D. Stewart).**

David Stewart explained that he recently experienced a second leak on another section of the same water service line that he repaired in 2014 with plumber Rudi Ferris. He was unaware of leak until he received a call from the BCPUD about a high water bill; he immediately investigated and discovered the leak, which he repaired by replacing the entire section of pipe. Director Smith said this appears to be a classic blind leak that was repaired promptly after it was discovered, so he recommended the district excuse all of the water loss attributable to the leak.

D. Smith/V. Amoroso all in favor to forgive 100% of the amount of water loss attributable to the leak, based on the historical three year average amount of use at this property during the same quarter.

#### **7. Expanded Water Use Permit Application – 105 Wharf Road, Bolinas (APN#193-082-07) (M. Segal).**

Stephanie Felch from Praxis Architects was present on behalf of the applicant/homeowner, Marcus Segal, who is out of the country. She explained that her client purchased the property within the last year and would like to raise the house out of the flood plain to protect the lower level. In response to questions from the Board, Ms. Felch said that no bedrooms or bathrooms will be added to the house and that as part of the Coastal Commission permit process, story poles will be erected to show the proposed new height of the structure. A brief discussion ensued as to whether the expanded water use permit should be

conditional (as proposed by director Amoroso, due to the potential for the expansion of living space if the structure is raised) or unconditional (since no living space is proposed to be added at this time).

D. Smith/L. Comstock four in favor, director Amoroso opposed to approve an unconditional expanded water use permit for 105 Wharf Road.

#### **8. Update on Proposal to Install a Childrens Play Structure in the County of Marin’s Park Near the Tennis Courts on Brighton Avenue (C. Gussis).**

Director Siedman opened the discussion by noting that the BCPUD Board meetings often serve as a community forum for members of the public to express their opinions on issues of community concern, even on topics that do not directly implicate BCPUD operations. For example, when the County was evaluating whether to ban camping on Brighton beach, the BCPUD Board appointed a committee, held many meetings, and ultimately placed an advisory measure on the ballot to gauge community sentiment on the topic. The County made the final decision to ban camping, but only after a detailed public process at the local level.

Chrysanthe Gussis said she owns a house on Hillside just off of Terrace Avenue; she also serves on the Bolinas Museum Board and has a 3-year-old daughter. If the community is interested, she explained that there is an opportunity to install a children’s play structure in the County park by the tennis courts on Brighton Avenue. As of yet, there is no particular structure in mind, but the concept is a wooden play structure built for 5 – 12 year olds, including “nature play” features. Before proceeding with a design for the project, the County would like to receive confirmation that the community supports it; the County is prepared to donate the permit fees, as well as the design and maintenance of the structure, which would be paid for by funds raised privately in the community. In response to questions from the Board and public, Chrysanthe said the existing walkway to the bathrooms would not be disturbed by the installation of a play structure and there is no specific size of structure yet selected, although the play area as laid out conceptually is roughly the size of the tennis court; she said the play area can be reduced if the community feels that is too large.

Bruce Bowser, a resident of Brighton Avenue, spoke on behalf of the opponents of the project. He said that the County park adjacent to the tennis courts is the oldest of the County parks in Bolinas; it is part of the original subdivision of the neighborhood and consistutes open space with lots of wildlife. Given the constantly circulating cars looking for parking and the density of the neighborhood, this park is a much-needed refuge for neighborhood residents. Bruce said the opponents are concerned that if a play structure is installed, the park will become a hangout for late-night revelry; already there are numerous people inhabiting vehicles along Brighton Avenue, he said, and they may move into the park if facilities are installed. He noted that the neighborhood also is trying to cope with the tourist influx and increased use of the tennis courts with balls banging against the back wall all day; given the plunging school enrollment, the opponents doubt a play structure is needed. Bruce submitted a petition with 62 signatories opposing the installation of a play structure at the County park.

Chrysanthe said that as a young mom, she became interested in working on a project to install a play structure downtown so that she and her child could walk to it from their home. She and other downtown moms have wondered why there isn’t a play structure or swing set in the downtown park on Wharf Road; the County park location is proposed as an alternative for families downtown to access a play structure without having to get into cars to visit the structures at Mesa Park or in downtown Stinson Beach. Several people with children and/or grandchildren expressed support for a downtown play structure. In response to a question from director Amoroso, Chrysanthe said that she approached Mesa Park about installing the play structure at the downtown park, but there was no interest.

Mark Butler thanked Chrysanthe and said he really likes the concept of a natural play structure. Mark thinks it is important to have some sort of a play structure downtown so that parents and their kids can gather together; “being together creates community and makes us stronger”, he said. His concern is the proposed location off of Brighton Avenue, which has so much traffic and tourist impact; he suggested Chrysanthe reconsider the possibility of installing a play structure at the downtown park to encourage more use of that park overall and said he would be willing to work on such a project. Several other people expressed their support for locating a play structure at the downtown park rather than the County park near the tennis courts. Dieter Trepmp expressed support for Mark’s vision of a gathering place in the community for parents and kids; he noted that Mesa Park unfortunately is not well used. Further discussion ensued with additional people expressing support for the concept of a play structure downtown, with many stating a preference for the downtown park location.

Director Comstock thanked Mark for his remarks and inquired whether there will be opposition from the neighborhood nearby the downtown park to the concept of installing a play structure there. Director Siedman said he was on the committee that designed the downtown park and, at the time, the primary desire was for an open grassy area. Nearby business owners (the dentist practice and senior care facility in particular) were concerned about the noise potential if a play structure was part of the design. Director Siedman said the decision was made at the time not to include a play structure at the downtown park, but

the committee left room for further development; he advised that any effort to explore the downtown park as a potential location for a play structure should include the immediate neighbors.

Director Godino said she appreciated Mark's comments and agrees with him; having been a single mom in Bolinas, she knows that the opportunity to gather with other moms and kids is very community-building. She has worked at the Bolinas School for many years and is aware of certain challenges posed by declining enrollment, but doesn't think that a play structure downtown needs to be predicated on the number of kids enrolled at the school. Director Godino regrets that the downtown park is not more widely used and thinks it would be if swings and a play structure were installed there; she pointed out how much the plaza outside the People's Store is used by parents and kids.

Director Amoroso expressed cautious support for the concept of a play structure at the downtown park rather than near the tennis courts, depending on community input. Director Smith said he believes it is important to have a downtown play areas for kids, but is persuaded that a structure near the tennis courts is not the answer. He urged the play structure supporters to go back before Mesa Park and advocate for a structure at the downtown park. After further discussion along the same lines, director Siedman said there appears to be three options for the play structure supporters: continue to advocate for the location near the tennis courts, marshal forces and approach the Mesa Park Board about locating a structure at the downtown park, or drop the proposal altogether. He said he thinks the Mesa Park Board will be willing to listen to a proposal as long as the structure would be paid for by proponents or other donors.

**5. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 22 Terrace Avenue (M. Marcotulli).**

Director Siedman recalled agenda item #5 as Molly Marcotulli is now present to present her request for financial relief. Molly said that during the winter, someone must have turned on a hose at the property (likely a surfer) and, since it was raining, Molly did not notice. A neighbor eventually saw the water running and turned off the hose. Molly contacted the BCPUD immediately to report the water loss; she also removed the handle from the hose bib and installed a lock on it. Director Siedman commented that the water loss essentially was due to vandalism. Molly agreed, and recommended that all downtown residents install locks on their hose bibs as unauthorized water use of residents' water by surfers is becoming a fairly common problem.

D. Smith/L. Comstock all in favor to forgive the full amount of the water loss attributable to the leak as determined by the historical average amount of water used during the same quarter over the past three years.

**9. Invitation to the BCPUD from the Point Reyes Station Village Association to Participate in a Community and Tourism Forum at the Dance Palace on September 22, 2016; Update on the County's Visitor Services Needs Assessment.**

Staff reported that the district was contacted by Ken Levin with the Point Reyes Station Village Association's concerns about the focus of the County's current "Visitor Services Needs Assessment" as it seems focused on accommodating more visitors rather than assessing the impacts of those visitors on local residents and infrastructure. The Association is organizing a Community and Tourism Forum for the West Marin communities to meet and discuss/identify topics of common concern. After a brief discussion, directors Amoroso and Godino volunteered to attend, along with staff, on behalf of the BCPUD.

**10. Master Improvement Plan (Phase 1) for the BCPUD Wastewater Treatment and Disposal System (B. Green, Oswald Green Technologies, Inc. and R. Dawyot, Allied Engineers, Inc.)**

Staff directed the Board's attention to the meeting binders and the questions submitted by director Smith about the Master Improvement Plan for the sewer treatment plant. Discussion ensued and director Smith volunteered to participate in a call with staff and the engineers to discuss his questions and comments about the plan. Director Comstock said he is very glad the district is engaged in this planning effort and his only question is whether these engineers have sufficient expertise in selection of specific irrigation pumps, or whether a more specialized analysis should be performed to ensure the district obtains the best possible pumps for the application. He also noted that there are timing and financing questions about the recommended improvements in the plan that will need to be carefully planned and implemented.

**11. Amendment 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.**

Director Smith said that the recent request for financial relief by Nancy Sweet for water loss due to a malfunctioning irrigation system prompted him to reconsider the text of BCPUD Resolution 553, which generally prohibits relief in such circumstances, and he offered suggested language to amend the

resolution. Director Comstock noted the Board has the discretion, as it did in that case, to make an exception under compelling circumstances. Director Amoroso cautioned against making exceptions other than for extremely unusual circumstances. After a brief discussion, director Siedman suggested that the Board include an “except in extraordinary circumstances” clause for Section 3(h).

Director Godino left the meeting at 9:50 p.m.

L. Comstock/D. Smith four in favor, director Godino absent to amend BCPUD Resolution 553 by adding the words “except in extraordinary circumstances” to Section 3(h) directly after the words “provided, however, that”.

## **12. BCPUD Resolution 643: Approving the 2016-17 District Budget.**

V. Amoroso/L. Comstock four in favor, director Godino absent to approve BCPUD Resolution 643 approving the 2016-17 District budget.

## **13. BCPUD Resolution 644: Replaces Resolution No. 638, Stating the Current Rates and Charges for District Services and Authorizing Placement of Charges on the Marin County Property Tax Bill Where Appropriate.**

D. Smith/L. Comstock four in favor, director Godino absent to approve BCPUD Resolution 644, stating the current rates and charges for District services and authorizing placement of charges on the Marin County property tax bill.

## **14. Water Supply Update.**

Staff is working with Rob Gailey to process the district’s application for the installation of a monitoring well in the vicinity of the Wharf and Brighton intersection. The purpose of the monitoring well is to provide a sampling point for the district to retrieve monthly groundwater samples to test for total dissolved solids (a proxy for salinity) as a potential “early warning” of seawater intrusion. Cascade Drilling submitted the lowest responsive bid and is available to install the well on August 12<sup>th</sup> and develop it on August 15<sup>th</sup>.

## **15. Volunteer Committee Reports.**

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

-- *Downtown Parking & Traffic Committee*: Director Siedman noted that the committee has prepared a draft survey to collect data about downtown parking and traffic issues. Bruce Bowser, a member of the committee, affirmed that this is a final draft of the survey for Board review. He said that the committee had hoped to enlist assistance from the BoCan folks to implement the survey, but that might not work. The Fire Chief and County traffic staff have provided very helpful input (about emergency response needs and possible striping, curbs, etc., respectively) and Supervisor Kinsey’s office is providing advice on the likely Coastal Commission concerns about any sort of regulation of parking in the coastal zone. Director Comstock cautioned that the committee should be mindful of its resources and take care not to “burn out” -- the task of assessing the parking and traffic issues, as well as developing a plan to mitigate those issues, can be very draining and time-consuming. He is concerned the committee members could run out of energy and he very much wants them to stay engaged on this important effort. Director Smith commented that it may be difficult to get visitors to Bolinas to answer detailed survey questions verbally and, as such, the committee may want to consider developing a form of card or flyer to leave on windshields asking visitors to complete an on-line survey – even if only 1 in 50 respond, he said, the committee will receive a lot of data with much less investment of committee member time and effort.

-- *Resource Recovery*: Staff reported that efforts continue to schedule a meeting with the County Environmental Health Services staff to resolve any setback issues (i.e, the distance that green waste or compost must be set back from the peripheral drainage ditch) and agree upon a “dry season” exception to the setback requirements, which were created for the purpose of protecting water quality in the ditch.

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

-- *Land Stewardship Committee*: *Committee Request for Bolinas Community Center to Serve as Fiscal Sponsor for Community Donations to Enhance Native Oak Habitat on BCPUD Lands*. Director Siedman reported that committee member Meg Simonds has been tasked with liaising with the Bolinas Community Center on this project but has not yet been able to meet with the responsible person there, so there is nothing to report at this time.

## **16. Other Business.**

a. Board Committee Reports.

-- *Finance: Transfer of Accrued Net Income (Septic/Drainage) to Designated Fund.* Staff reported that the district has carried over income from the septic/drainage enterprise for a number of years. Staff recommends the accrued income be transferred to the septic/drainage reserve account on deposit with the County of Marin. Although the final accounting has not yet been completed for FY 2015-16, staff estimates the amount of accrued income to be approximately \$150,000.

L. Comstock/V. Amoroso four in favor, director Godino absent to approve a transfer of up to \$150,000 from the district's operating account at the Bank of Marin to the district's designated fund for septic/drainage at the County of Marin.

-- *Legal: Engagement for Legal Services: Meyers Nave.* Staff recently worked with attorneys from the Meyers Nave firm based in Oakland. Staff was very impressed by the attorneys' prompt, efficient and professional work product. Staff recommends the district retain Meyers Nave as the district's outside counsel on public law matters.

V. Amoroso/D. Smith four in favor, director Godino absent to retain the Meyers Nave law firm as the district's outside counsel on public law matters.

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

-- *Operations:* Nothing to report.

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

-- *Personnel:* Nothing to report.

-- *Sewer:* Nothing to report.

b. Minutes of the June 15, 2016 regular Board meeting.

Director Smith offered clarifying corrections to the draft minutes of the June 15, 2016 regular Board meeting.

L. Comstock/D. Smith three in favor, director Siedman abstaining and director Godino absent to approve the minutes of the June 15, 2016 regular Board meeting, as amended.

c. Warrants.

V. Amoroso/L. Comstock four in favor, director Godino absent to approve the warrant list.

d. Scheduling of Next Meeting(s):

August 17, 2016 at 7:30 p.m.

**17. Adjournment.**

10:36 p.m.