

Bolinas Community Public Utility District

A Regular Meeting Of The Board Of Directors

August 17, 2016 270 Elm Road, Bolinas

1. Call to Order.

7:30 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.

Staff reported that the old pump stands, the pumps and all associated plumbing have been removed and/or demolished from and within the drywell at the lift station. The contractor has installed new check valves on the incoming side (between wetwell and dry well) and one of the two pumps has been lowered in via crane; the second pump is scheduled to be lowered in tomorrow. There will be a change order on this project because staff has discovered that the check valve on the force main is frozen and must be replaced. As such, the extra work will be to expose the pipe outside the vault on Wharf Road (outside of the lift station) and replace the check valve, gate valve and auxiliary fittings. Staff estimates that this extra work will require three work days to complete.

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

On August 5, 2016, the district (via its engineers at Brelje & Race) officially submitted its application to the State Water Resources Control Board ("SWRCB") to amend its water treatment permit to include inline coagulation prior to filtration as part of the treatment process to reduce the levels of chlorine disinfection byproducts in the BCPUD's drinking water.

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

Staff continues to work on this survey project as time permits. Staff has surveyed the Aspen, Birch, Cedar and Dogwood rights-of-way, noting where there are critical access issues, including but not limited to obstructions or encroachments over water mains or service lines, as well as where there are fenced-in meters. On a related topic, the Bolinas Fire Protection District ("BFPD") recently was awarded several thousand dollars in grant funds to reduce fire fuels in Bolinas and therefore was able to hire a crew to remove encroaching vegetation in the Evergreen, Fern, and Opal rights-of-way, along with a few other key spots on the Mesa.

With regard to water operations, staff reported that consumption was almost exactly the same in the mid-Mesa section of the district as compared to this time last year. Staff repaired a leak that occurred in the Cedar right-of-way this week (the 100 block, between Elm and Ocean Parkway) and has been replacing fire hydrants along the Evergreen right-of-way. Three hydrants were replaced in the last month and staff will schedule more as soon as the next order of hydrants arrives.

Staff is beginning to plan for the East Tank Rehabilitation Project. Both the East and West tanks were inspected in 2014 and the inspector recommended that the East Tank should be rehabilitated first. (The tanks were last rehabilitated in 1998 and 2000.) Staff has requested that the inspector submit a proposal for technical specification writing and quality assurance inspection services for the district's consideration. Staff's goal is to go out to bid this Fall with the work to occur in the Winter when consumption drops off as the district must empty the tank in order for the rehabilitation work to occur.

Staff recommended last month that the district remove a cypress tree in the Ivy right-of-way because it is undermining the district's infrastructure. Staff received a bid of \$4,400 for this work from the Professional Tree Care Company and recommends accepting this bid unless the Board has any objection. As for the eucalyptus tree in the Grove right-of-way that the Board previously approved for removal, the bid from Professional Tree Care is \$4,400 to remove the large secondary growth branches and \$3,100 to grind the stump (which is 18-foot tall). This bid is more than expected, but staff is concerned about re-growth. After a lengthy discussion, staff agreed to explore alternatives to stump grinding, including covering the stump and "girdling" it to prevent re-growth. The Board had no objection to the cost of the tree removal but did not approve the \$3,100 cost of the stump removal.

On a related topic, staff is planning a project to complete the removal of hazardous trees over the sewer force main near Olema-Bolinas Road. Specifically, staff is planning to grind out the stumps of the 35 eucalyptus removed from this area and mow to prevent resprouting (which already is occurring). A

bid has been submitted for a price of \$1,700 per day to grind out the stumps at an estimated 2.5 to 3 days, with a not-to-exceed price of \$5,100.

Staff directed the Board's attention to documentation in the binders regarding the final cost of the Surfers Overlook Road-Level Retaining Wall Replacement Project: the final cost of the project was \$353,168.44 and the community share (90%) was \$317,851.60, which was paid by the Bolinas Community Center as the fiscal sponsor of the project. The next step is for the fundraising committee to meet again and discuss how/whether/when to proceed with a second phase of work, which would be the planning and permitting of the full bluff stabilization. Staff anticipates that a meeting will occur sometime this Fall.

Staff updated the Board on the district's plan to comply with the requirements set forth in the USDA/Rural Development letter dated July 13, 2016 with regard to services for those with Limited English Proficiency ("LEP"). Given the complexity of the requirements, the district is not able to meet the July 31st deadline, but staff has reviewed the requirements and there are specific steps the BCPUD can take to ensure it is better reaching LEP customers, including having translations of important documents. Staff is working with the Bolinas School to identify community members to assist the district with outreach to LEP community members and plans to hold a meeting to assess needs/obtain input.

On the wastewater side of operations, the sprayfields are being mowed and staff is clearing around each of the sprayheads. With regard to the inner ponds, Pond 1A is improving and continuing to recover from the overload of organics (likely caused by septage dumping). Staff also is performing an overland transfer from Pond 2 to Pond 3.

In the office, staff is working with the County to implement the assessment process and ensure that the district's charges are properly on the property tax statements and preparing for the FY 2015-16 audit. Staff noted that Administrative Assistant Belle Wood is doing an excellent job on those projects. Staff will be meeting with the district's bookkeeper and CPA next month in preparation for audit field work in mid-October.

The Board reviewed correspondence sent and received since the last regular meeting, including a letter to Mesa Park with a bill for the district's installation of a noncontact meter at the well site and various letters to customers concerning their leak relief requests.

-- Drainage Project Manager's Report.

The Board received a drainage report from Lewie Likover.

4. Community Expression.

None.

5. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 400 Hawthorne (Micah Franklin).

Director Smith noted that the water loss in this case was due to a hose running in the garden; in similar cases, the Board has excused 50% of the water attributable to the leak. Director Siedman explained to Micah that the district will look at the average historic water use during the same quarter for the past three years as the "baseline" and, applying past practice, forgive the amount of water loss equal to 50% of the amount over the historical average. He noted that the average use at this meter is 2,400 cubic feet for the same quarter and, when the loss occurred, the usage was 3,600 cubic feet, so the difference is 1,200 -- the district therefore will forgive 600 cubic feet.

V. Amoroso/L. Comstock all in favor to forgive 50% of the water loss attributable to the leak as compared to the historical average water use over the last three years at the property during the same quarter.

6. Update on Bolinas Participation in the ZeroWaste Marin Grant Program (J. Aroyan).

Janine Aroyan explained that the ZeroWaste program is run by Marin County and, in recent years, the BCPUD has received \$3,000 annually to disburse for projects specifically devoted to reducing amounts diverted to landfills by enhanced recycling efforts, such as reimbursing the Bolinas Community Center and Lion's Club for arranging for extra recycling bins for major holiday events, extra hires and beach clean-up. This year, the amount of grant funds available has been increased to \$5,000. Janine has assisted as a volunteer but would like to streamline the paperwork process and hand this over to the BCPUD to administer; staff has no objection and thanked Janine for all of her volunteer efforts on this program. Janine noted that this year the district's application for funds will include \$750 to study the potential for a food scrap program, which is a new activity. After a brief discussion, the Board directed staff to meet with Janine and transition the ZeroWaste grant administration to the BCPUD.

7. Request for a Non-Exclusive Easement on BCPUD Property to Repair/Replace and Maintain an Existing Seawall and for an Exclusive Easement on BCPUD Property (Fenced-In Area) at 100 Brighton Road, Bolinas (AMJT Capital).

Director Siedman reported that Taylor Robinson contacted him on behalf of the property owners and inquired whether the BCPUD would be willing to provide an easement over its property at the end of Brighton Road to the property owners in exchange for consideration to the community so that a coastal permit can be obtained to upgrade the seawall in front of the house. Director Siedman suggested that Taylor and the property owners develop a proposal for the Board's consideration and present it at a public meeting. A proposal has now been submitted and Taylor is present to provide more information and answer questions.

Taylor thanked the Board and introduced Ron Noble, an engineer with significant experience in designing and installing seawalls on the California coast, who is designing the project for the property owners. Ron said that while there are no as-built records for the seawall, historical photos show it present on the property before 1970. The property owners want to replace it and to improve public access across the top of the seawall, particularly over to the "back side" where currently there is not a good way down to the beach from the top of the wall. Ron said that a new seawall is proposed to be constructed inside the footprint of the existing seawall and high tension rods would be drilled back 30-feet into bedrock underneath the house.

Discussion ensued with Board members asking questions about possible disturbances to the rocks in front of the wall, or to the stairs leading up to the wall, or the garden adjacent to the boat ramp, among other things. Rob explained that the existing stairs would be eliminated and access to the top of the wall will be almost level; access will be added on the other side of the seawall back down to the beach. The garden will be disturbed during construction, as well the existing rocks, but will be replaced at the conclusion of the job. Suggestions were offered about the width of access, design of the wall, and so forth.

Discussion then turned to the specific easements requested. Director Comstock noted that an exclusive easement is requested for property belonging to the BCPUD (that was fenced in years ago by a prior property owner) in return for improved public access and new landscaping, as well as a non-exclusive easement across BCPUD property for purposes of replacing and maintaining the seawall. He said he assumes the BCPUD Board has no objection to the property owners' replacing the seawall and granting the non-exclusive easement for that purpose, and notes that the exclusive easement would pertain to property the property owners already are using (and have been using for some time -- the fenced in area next to the public garden). Director Amoroso expressed concern about the precedent that would be set if the BCPUD approves an exclusive easement to its property; he suggested the BCPUD should be able to revoke the easement if the district ever needs access to the property for operational reasons and that there should be a condition that the property owners cannot build on the easement area. Director Amoroso also expressed skepticism as to whether the improvements to the seawall actually will improve public access. Directors Comstock and Godino expressed support for the concept of improved public access across the seawall and said the proposal would appear to make real improvements. Staff recommended, in light of the precedent that would be set if the BCPUD allows an exclusive easement on its property, that the exclusive easement only be granted in exchange for a real and specific benefit to the district's customers; for example, staff suggested the district could request that the property owners repair and maintain the boat ramp down to Brighton Beach (adjacent to the seawall) as consideration for the exclusive easement. Director Comstock said the issue seems to be whether the BCPUD sees a compelling set of benefits to the public that justify granting the requested easements and if so, what is that set of benefits?

The Board directed staff to ask the district's attorneys to review the proposed easement documents and provide input and recommendations for the Board's consideration at the September regular Board meeting. Director Comstock said the BCPUD should be sure the community is aware of this project and has the opportunity to ask questions and provide input, as well. Director Siedman asked staff to include an item on the Board's September meeting agenda to further discuss this project.

Director Godino left the meeting at 9:30 p.m.

8. BCPUD Response to Marin County Civil Grand Jury Report : 2015-16 Web Transparency Report Card: *Bringing Marin County's Local Governments to Light.*

In March 2016, the Marin County Civil Grand Jury released a report analyzing whether local government websites in the county are sufficiently transparent and easy to use for members of the general public. With the availability of website creation software, the grand jury was not sympathetic to the suggestion that special districts lack the resources to develop informative websites. (The BCPUD received an A+ from the grand jury for its website.) The grand jury requested the BCPUD to respond to one specific finding and recommendation, which is that the BCPUD should file and keep updated its Statement of Facts with the California Secretary of State and the Marin County Clerk. Staff recommends that the BCPUD respond that it regularly files its updated Statement of Facts with the Marin County Clerk and henceforth also will do so with the California Secretary of State.

D. Smith/L. Comstock four in favor, director Godino absent to approve staff recommendation that the BCPUD henceforth file its updated Statement of Facts with the California Secretary of State.

9. 2016 Local Agency Biennial Notice – Conflict of Interest Code.

Staff reported that the BCPUD's Conflict of Interest Code is embodied in BCPUD Resolution 572, which most recently was amended in 2014. Staff reviewed the code and concluded that no amendments are necessary this year. Staff recommends advising the County's Board of Supervisors that no amendments are necessary at this time.

V. Amoroso/L. Comstock four in favor, director Godino absent to approve staff recommendation that no amendments are necessary at the time to the BCPUD's Conflict of Interest Code.

10. BCPUD Resolution 645: Cites Board of Directors' Choices for Determining Fiscal Year 2016-17 Appropriations Limits.

Staff said that Article 13B of California State Constitution was enacted by voters in 1979 and placed limits on how much local government can spend from state tax proceeds. The base year was established as the 1979-80 fiscal year and is adjusted each year as determined by the local government. This resolution states the cost-of-living and population changes as the Board's choice of factors for determining the upcoming fiscal year appropriation limit.

L. Comstock/D. Smith four in favor, director Godino absent to approve BCPUD Resolution 645 setting forth the Board's choices for determining fiscal year 2016-17 appropriations limits.

11. BCPUD Resolution 646: States District's Appropriation Limits for Fiscal Year 2016-17.

L. Comstock/D. Smith four in favor, director Godino absent to approve the BCPUD's appropriations limit for the fiscal year 2016-17.

12. Water Supply Update: *Agreement re: Installation of Monitoring Well at 3 Olema-Bolinas Road.*

Staff reported that the BCPUD received a permit from the County's Environmental Health Services to install a monitoring well at the corner of Wharf and Brighton on the property leased by the hardware store and owned by Mike Aitken. This well is being installed per the Board's direction to enable staff to monitor groundwater at this location for total dissolved solids as a proxy for salinity/seawater potentially migrating toward the well at the Resource Recovery Project (there are no signs of this at this time). One of the conditions of the permit is that the BCPUD has written permission from the property owner to install the well, hence this agreement.

L. Comstock/D. Smith four in favor, director Godino absent to approve the agreement concerning the installation of a monitoring well at 3 Olema-Bolinas Road.

13. Volunteer Committee Reports.

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

-- *Downtown Parking & Traffic Committee*: Director Amoroso said that there was supposed to be a committee meeting the prior evening, but it did not happen.

-- *Resource Recovery*: Staff reported that the County is still trying to coordinate a meeting with the Regional Board personnel to come to the site and evaluate the current setbacks for the compost piles from the drainage ditch at the perimeter of the site.

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

-- *Land Stewardship Committee: Request for Funds to Maintain Pedestrian and Bicycle Trails*. After a brief discussion of a proposed budget from the committee for work to maintain the pedestrian/bicycle path, it was agreed that director Smith and staff will meet with committee representative Tish Brown to discuss the best ways to achieve the committee's objectives.

D. Smith/L. Comstock four in favor, director Godino absent to approve up to \$4,600 in expenditures to pay for ongoing maintenance and some remedial work to be used as efficiently as possible for the upkeep of the pedestrian/bicycle path.

14. Other Business.

a. Board Committee Reports.

-- *Finance*: Nothing to report.

-- *Legal*: Nothing to report.

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

-- *Operations: Report re: Water Use Reduction Strategies at 420 Overlook Road*. Director Smith reported that he met with Nancy Sweet at her property and discussed various strategies for reducing water use, all of which are detailed in a report in the Board binders. Staff affirmed that the district is researching light-weight meter lids to enable Ms. Sweet (or her gardener) to more easily read her meter and monitor water use. Director Smith said he is persuaded that Ms. Sweet is genuinely interested in water use reduction and will comply with the conditions detailed in the report; as such, he recommended that staff proceed to process the financial relief approved by the Board at the previous meeting.

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

-- *Personnel*: Nothing to report.

-- *Sewer*: Director Smith reported that he and staff had a phone conference with the district's engineers working on the irrigation pump station replacement project and they are going to evaluate whether Vogelsang pumps are an option, as well as alternative options for the electrical control panels.

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

Director Comstock offered several clarifying revisions to the draft minutes of the July 20, 2016 regular Board meeting to correct typographical errors.

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

c. Warrants.

Director Amoroso noted that one warrant was printed out of sequence; staff said this likely was due to a printer issue, but will check and report back

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

d. Scheduling of Next Meeting(s):

September 21, 2016 at 7:30 p.m.

17. Adjournment.

9:56 p.m.