

Bolinas Community Public Utility District
A Regular Meeting Of The Board Of Directors
August 15, 2018 270 Elm Road, Bolinas

1. Call to Order.

7:34 p.m.

2. Roll.

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

3. Manager's Report.

-- *Update on the Terrace Avenue Bluff Stabilization Project.*

No update at this time.

-- *Update on the East Tank Rehabilitation Project – See Item 9, below*

-- *Update on the Wastewater Pump Station Upgrade and Pond Recirculation Project.*

No update at this time.

-- *Update on the Fire Fuel Reduction Project in the Eucalyptus Grove above the Resource Recovery Center – See Item 8, below.*

Staff reported that the goat grazing of the understory in the eucalyptus grove has been completed and should greatly facilitate the work of the hand crews (removing ground-level vegetation, saplings and limbing up larger trees), which is scheduled to begin on August 20, 2018. Following completion of the fire fuel reduction project, staff intends to meet again with the owner of the goat grazing business to discuss a regular maintenance schedule to ensure that the understory vegetation does not reestablish itself in the grove.

-- *Update on BCPUD/BFPD Survey of Obstructions and Encroachments in the Public Rights-of-Way on the Bolinas Mesa: Staff Report and Draft Letter to Customers.*

The staffs of the BCPUD and the Bolinas Fire Protection District (“BFPD”) are next scheduled to meet on August 21, 2018; however, this meeting may need to be deferred until September due to other pressing business.

The Board reviewed the most recent quarterly water consumption data for the mid-Mesa during the May/June/July 2018 quarter. Staff noted that water consumption was up as compared to the same quarter last year and this is the eleventh month in a row of increased consumption. There are several customers with very significant water use, some of which may be due to leaks, and staff has reached out to these customers to check their properties and report in. That said, when the district’s shift operators read meters at the end of July, they reported seeing numerous sprinklers on for landscape irrigation. The district is meeting the demand for water, in part by drawing on the district’s emergency reservoirs. The Summer 2018 Pipeline newsletter lead article is focused on the need for conservation and asks that everyone reduce water use as much as possible.

The district recently received a “Notice of No Violation After Inspection” from CalOSHA. A very detailed and thorough inspection was conducted at the district by CalOSHA following a highly unusual incident this Summer whereby an employee received an electric shock when working on a valve installation on the district’s water distribution system due to electrical power backfeeding from a customer panel. The employee is now recovered and back at work and the district is pleased to receive this notice of no violation.

Staff repaired a leak yesterday on Birch Road near Elm, replaced about 20 feet of old pipe and installed a new service saddle. Staff also has been hard at work preparing the water storage tank site on Mesa Road for the upcoming rehabilitation of the East Tank by grading the project area and removing encroaching fencing to reestablish drainage around the tanks. The fencing will need to be replaced following the conclusion of the rehabilitation project.

Staff continues to urge the County to press forward with the enactment of an ordinance to clearly authorize deputy sheriffs to enforce the state Vehicle Code on the non-County-maintained roads in Bolinas. A Bolinas Mesa resident recently complained to the Sheriff and to Supervisor Rodoni about an abandoned vehicle in the Larch right-of-way between Hawthorne and Kale and the deputy sheriff said he could not do anything pending enactment of the new ordinance. When staff emailed Supervisor Rodoni’s

office for an update on the status, staff was told that the County Counsel, Planning and Public Works are conferring about “the nature of coastal permit required” for the ordinance. Director Smith questioned why a coastal permit is needed to enforce an existing state law in Bolinas as has been done for decades until very recently. Director Comstock queried whether the district is authorized to have vehicles towed from the non-County rights-of-way; staff recommended that the district continue to press the County Sheriff’s Office to perform its responsibilities to ensure public safety and enforce applicable law.

Supervisor Rodoni informed the four local districts (BCPUD, Bolinas Fire Protection District, Stinson Beach Fire Department and the Stinson Beach County Water District) that CalTrans is planning to clear out the culverts under Highway 1 around the Bolinas Lagoon to alleviate chronic flooding across the road at these locations. He requested assistance contacting “upstream owners” to secure their cooperation and willingness to maintain their properties. Staff contacted Audobon Canyon Ranch and the Bolinas Lagoon Advisory Council also is involved.

Marin LAFCO advised the district that the new owners of 276 Mesa Road requested an extension of time to submit the coastal permit application required to complete the annexation of this property into the boundaries of the BCPUD. As staff previously reported, the district will not physically relocate the meter to that location until annexation is complete. Staff advised Marin LAFCO that the district had no objection to the request.

The Coastal Commission staff at the North Coast office issued a letter to the owners of 100 Brighton Avenue concerning their proposed project to improve and repair the existing seawall in front of their home on Brighton Beach. The Coastal Commission staff requested verification of the assertion that the project will enhance emergency access and public safety, so staff passed the letter to the Fire Chief for response. In prior meetings, the Fire Chief has been clear that the proposed improvements to the sea wall will enhance emergency responder access to the beach below Surfer’s Overlook during high tide events and will submit a letter to that effect.

4. Community Expression.

None.

5. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 373 Ocean Parkway (S. Milani).

Sara Milani was present and explained that she experienced a leak on the underground water line to the front of her home. Her family is at the house every weekend and recently noticed water in a grate in front of the house; BCPUD staff investigated and determined the leak was on the customer side of the meter. Sara called a plumber and had the leak fixed immediately but she does not know how long the leak was going; when she received the water bill, it was for \$800 rather than the usual \$16. Director Smith said this seems to be an excusable water loss per the Board’s prior decisions concerning underground leaks that are repaired immediately and he recommended full financial relief.

D. Smith/V. Amoroso four in favor/ director Godino absent to forgive the amount of the water bill attributable to the leak based on the historic average water use during the same quarter over the past three years.

6. Deadlines for Submittal of Ballot Arguments (August 20, 2018) and Ballot Rebuttals (August 27, 2018) and Other Requirements re: the Advisory Ballot Measure concerning the Proposed Regulation of Overnight Parking in Downtown Bolinas.

Director Amoroso recused himself from consideration of this agenda item. Director Siedman said that the Board placed an advisory measure on the ballot to provide the community an opportunity to vote on whether to regulate parking downtown in the manner proposed by Supervisor Rodoni – specifically, whether to extend an existing County ordinance to Wharf/Brighton/Park and prohibit overnight parking between 11:00 p.m. and 5:00 a.m. by vehicles other than automobiles, motorcycles and pick-ups. Director Siedman said this agenda item is informational to let the public know about the applicable deadlines to submit arguments for and against the measure. Staff noted that Bruce Bowser is working on an argument in favor of the ballot measure and will submit it by the Monday deadline.

7. Application to Transfer Water Meter to APN ## 192-061-11, 12 & 13, Overlook Road; Application for Expanded Water Use Permit for APN ## 192-061-11, 12 & 13, Overlook Road (Bolinas Community Land Trust).

Arianne Dar and Meg Simonds were present on behalf of the Bolinas Community Land Trust (“BCLT”)’s application to transfer a water meter to the BCLT’s undeveloped lot on Overlook Road (near Poplar) and for an expanded water use permit in connection with the proposed development. Arianne noted that a site plan for the project was submitted to the Board and should be in the Board books. In response to questions from the Board, Arianne said that the plan is for a main house and a second unit with a total of six possible bedrooms. Staff confirmed that pursuant to Ordinance 38, the BCLT will need

to execute an agreement with the district concerning the water meter transfer, assuming the Board approves it, including but not limited to provisions relating to the BCLT's responsibility for the cost of the water meter installation (after it is transferred) and to record a covenant limiting water use (per the terms of the expanded water use permit). Director Smith noted that 14 people are living at the BCLT's downtown property under the terms of an expanded water use permit, albeit one with a relatively high maximum quarterly water limit. Director Smith said it will be tight to supply as many as 12 people on the Overlook property with 225 gallons per day (the likely water limit to be imposed per the BCPUD's regulations), although it is workable if water use is carefully monitored.

Director Comstock noted that the three lots on Overlook will need to be merged into one in order for the water meter to be transferred and serve both structures because BCPUD regulations prevent water lines from crossing property boundaries; Arianne affirmed that the BCLT will do so. Director Comstock said that the proposed development seems to be in keeping with other projects for which the Board has approved an expanded water use permit (including for another property on the same street several years earlier) on the Bolinas Mesa. In other words, he said, if the BCLT can abide by the terms of an expanded water use permit and not exceed the maximum water use, and the County of Marin is willing to permit the proposed land use, then the district in the past has approved expanded water use permits for such projects; here, the only difference seems to be that the Overlook property has not previously been developed.

Staff directed the Board's attention to public comments that were submitted in writing with regard to this agenda item.

Director Comstock noted that the building permit has not yet been applied for and, as happened with regard to the BCLT's project at 430 Aspen, he suggested that the Board's approval of an expanded water use permit in this case be contingent on the eventual submittal of building plans consistent with the site plan and other representations made to the BCPUD during this meeting. Arianne Dar said the BCLT is willing to wait for a decision on the expanded water use permit until after the building permit application is submitted if that is the Board's preference. She emphasized that for purposes of initial applications to the County, the most important issue is the establishment of water service to the property to support the proposed development.

V. Amoroso/D. Smith four in favor/director Godino absent approving the transfer of a water meter to APN##192-061-22, 12 & 13, contingent on the applicants satisfaction of all requirements of the district, including merging of the subject lots and compliance with BCPUD Ordinance 38.

Janine Aroyan asked if the public will be able to have input on the project at the time the building permit is applied for and director Siedman said yes, the BCPUD will include an item on the Board's meeting agenda for that purpose.

D. Smith/L. Comstock four in favor/director Godino absent approving a conditional expanded water use permit with a quarterly maximum water use of 2700 cubic feet per quarter, subject to the Board's review of the building permit ultimately submitted by the BCLT and contingent on the Board's determination that the final project is consistent with representations made by the BCLT at this meeting.

8. Authorize General Manager to Finalize Contracts for the Bolinas Eucalyptus Grove Hazardous Fuels Reduction Project, Subject to Certain Conditions.

The Board previously approved a proposal submitted by the Conservation Corps North Bay for fire fuel reduction work by an eight person crew plus one supervisor for a six week period, four days per week, at a cost of \$69,516 and that contract has been finalized. A second proposal was submitted by Small World Tree Company for a five-to-six person crew to perform fire fuel reduction work for a period of 20 work days at a total cost of \$68,000. A third proposal is pending from Pacific Slope Tree Company to perform similar work with a similar crew for a period of five work days at a cost of \$12,484. Staff requested that the Board authorize the General Manager to execute contracts with Small World Tree Company and Pacific Slope Tree Company consistent with the terms of the CalFire grant and not to exceed the total grant amount of \$150,000 without approval from the Board. In response to a question from director Comstock, staff confirmed that this recommendation is consistent with the Board's direction at the July 2018 meeting.

V. Amoroso/L. Comstock four in favor, director Godino absent authorizing the General Manager to finalize contracts with Small World Tree Company and Pacific Slope Tree Company consistent with the CalFire grant and not to exceed the grant amount of \$150,000 without Board approval.

9. BCPUD Resolution 658: Approving Form of Contract Documents for the East Tank Rehabilitation Project and Awarding a Contract for the Project to the Lowest Responsible Qualified Bidder, Subject to Certain Conditions.

Staff reported that the district is still in the process of checking references and verifying the ability of the Apparent Low Bidders to perform the project as bid, so staff is not yet prepared to recommend an award of contract for this project.

10. BCPUD Resolution 661: Cites Board of Directors' Choices for Determining Fiscal Year 2018-19 Appropriations Limits.

L.Comstock/D. Smith four in favor, director Godino absent approving BCPUD Resolution 661.

11. BCPUD Resolution 662: States District's Appropriations Limits for Fiscal Year 2018-19.

L. Comstock/V. Amoroso four in favor, director Godino absent approving BCPUD Resolution 662.

12. Fiscal Year 2018-2019 Memorandum of Understanding re Compensation and Benefits between the BCPUD Board of Directors and BCPUD Employees.

The Personnel Committee recommends approval of the Fiscal Year 2018-2019 Memorandum of Understanding ("MOU"), which renews the existing MOU on the same terms and conditions except for individual wage increases approved by the Personnel Committee. Staff noted that no employee submitted a request to propose any changes to the MOU and that the budget approved by the Board in July allows for maximum fiscal year individual wage increases of 3%.

V. Amoroso/D. Smith four in favor, director Godino absent approving the Fiscal Year 2018-2019 Memorandum of Understanding re Compensation and Benefits between the BCPUD Board of Directors and BCPUD Employees on the same terms and conditions as the existing MOU, subject to Personnel Committee determinations with regard to individual wage increases.

13. Water Supply Update.

Director Smith said that based on last month's monitoring data, it appears that electrical conductivity levels in the irrigation well have not started to rise. He believes the August data will be more informative. In the meantime, Mesa Park and Mickey Murch are working on strategies to reduce their respective water use.

14. Volunteer Committee Reports.

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

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

-- *Resource Recovery*: Staff reported that Resource Recovery experienced some difficulty obtaining permits for the grinder to be transported to the site through the construction on Highway 1, but ultimately was able to do so.

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

-- *Land Stewardship Committee*: In response to a question from Janine Aroyan, staff clarified that the district's fire fuel reduction project will take place between August 20, 2018 and September 28, 2018. The committee next plans to meet on August 17, 2018.

-- *Internet Access Committee*: Director Comstock reported that Inyo will be in Bolinas this week doing pole surveys to get use permits; most of the poles in Bolinas are owned by PG&E. He noted that the top priority is for Inyo to finish its project in Nicasio; the delays there previously posed by Marin County Department of Public Works and AT&T now have been resolved. Director Comstock said Inyo will be conducting tree trimming work in order to safely install the fiber optic cable lines on the subject poles.

--*Vehicle Habitation*: Nothing further to report.

15. Other Business.

a. Board Committee Reports.

-- *Finance*: Staff reported the Fiscal Year 2017-18 audit preparation work is underway and staff will meet with the district's outside bookkeeper and CPA next Friday, August 24th.

-- *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 July 18, 2018 regular Board meeting; Minutes of the August 8, 2018 special Board meeting.

Directors Smith and Comstock offered clarifying revisions to the minutes of the July 18, 2018 regular Board meeting.

L. Comstock/D. Smith four in favor, director Godino absent to approve the minutes of the July 18, 2018 regular Board meeting, as clarified.

Director Comstock offered clarifying revisions to the minutes of the August 8, 2018 special Board meeting.

D. Smith/L. Comstock four in favor, director Godino absent to approve the minutes of the August 8, 2018 special Board meeting, as clarified.

c. Warrants.

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

d. Scheduling of Next Meeting(s):

September 19, 2018 at 7:30 p.m.

15. Adjournment.

8:46 p.m.