

**Bolinas Community Public Utility District**  
**A Regular Meeting Of The Board Of Directors**  
**October 23, 2019 270 Elm Road, Bolinas**

**1. Call to Order.**

7:30 p.m.

**2. Roll.**

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

**3. Manager's Report and Project Updates.**

*-- East Tank Rehabilitation Project.*

Staff reported that the repair of the East Tank roof is complete and the interior blasting and coating is nearly complete. The interior floor blasting will be finished tomorrow and the first coat of zinc will be applied in the afternoon, with the intermediate coat applied on Friday and the finish coat applied next week. During this point in the process, the dehumidifier unit will need to run 24/7 to maintain a controlled environment for the next five to seven days. Staff said the unit is relatively quiet, but because the neighbors are accustomed to complete silence at night, the sound will be noticeable. Director Amoroso inquired about the cost of the project vis-à-vis the original budget. Staff said the district originally budgeted \$320,000 for the project; this budget was increased to \$450,000 to account for the required seismic upgrade work; then, to \$570,000 to account for the roof replacement component; in addition, various change orders during the course of the project result in the project running well over \$600,000 at this point. Staff stated that a representative from the exterior paint company will be on-site next week when the exterior is painted. Staff has requested an updated project schedule several times from the contractor but has not yet received one; staff estimates that the project will require another month or so to complete.

*-- Updated Assessment of West Tank and Recommendations for Next Steps.*

Per the Operations Committee request, the district's coating inspector conducted an updated visual assessment of the condition of the West Tank's roof exterior; a copy of the written assessment is in the Board's binders. The inspector recommends the district address certain areas of the roof exterior within one to two years to prevent further corrosion. The inspector was not able to fully access the roof interior but noted several areas of possible concern near the roof vent/rafters. Staff noted that per the district's Five-Year Capital Improvement Plan, the West Tank is scheduled to be fully rehabilitated in approximately three years and expressed concern that the exterior roof work proposed by the coating inspector could be duplicative of that scope of work and it may make more sense to simply move up the timetable for the full rehabilitation project. Staff requested an opinion from the district's engineer as to best next steps and he recommends taking the West Tank out of service, draining it and conducting a full interior inspection/inventory of all coating and steel repairs needed on this tank to inform the district's decision. Staff will solicit proposals to have an inspection done this Spring; the Board had no objection.

*-- Wastewater Pump Station Replacement Project: Update on Schedule and Status of Bid Documents.*

The pump station has been ordered and the submittal process is underway within the Gorman-Rupp Company. Staff met for two hours yesterday with the local Gorman-Rupp representative in Novato to discuss all aspects of the project, including but not limited to the construction schedule. Staff confirmed that the station is warranted for five years and the pumps can be serviced locally in Novato. The representative recommends that the district request an inspection of the pump station after two years of operation to check the interior of the pumps. He noted that if the inspection reveals any issues, the district could consider a ceramic coating of the interior casing of the pumps, but he does not recommend doing so at the outset as he does not expect any problems because the district's wastewater is PH- neutral.

Staff directed the Board's attention to a letter from the district's engineers concerning the adequacy of electrical power to the project site for the pump station. The engineers confirmed that the power from PG&E to the BCPUD's property is adequate; the question is whether the existing electrical lines from the PG&E drop to the pump station site are in good shape or not given their age. These lines currently power the existing pump station, so the engineers do not recommend replacing them unless/until required as this would be a significant additional cost to the project.

Staff anticipates the following schedule for the project (assuming that the delivery of the pump station likely would occur in late April 2020): (1) project will go out to bid during the week of November 18, 2019; (2) the mandatory pre-bid site meeting for potential contractors will be held during the week of December 9, 2019; (3) the bids will be due on January 10, 2020; (4) the Board will be scheduled to award the project contract at its regular monthly meeting on January 15, 2020; (4) the construction window will be from March through April 2020, with requirement to coordinate installation of pump

station and enclosure at end of April as information becomes available; and (5) start-up of the pump station will take place in late April-early May 2020.

*-- Woodrat Reservoir Rehabilitation Project.*

Staff is scheduled to have a conference call with the district's consultant, Eli Kersh, regarding next steps on the Woodrat Reservoir Rehabilitation project, namely aeration of the reservoir. Eli previously recommended installation of a diffuser system at a cost of approximately \$3,300. The timeline for installation is prior to the beginning of Summer 2020.

*-- Alliance of Coastal Marin Villages.*

The Alliance of Coastal Marin Villages ("ACMV") met on Monday, September 23<sup>rd</sup> with Supervisor Katie Rice, the newly appointed California Coastal Commissioner. The purpose of the meeting was to introduce the ACMV representatives and let Supervisor Rice know about the purposes of the ACMV, which are to advocate for local solutions to local coastal issues and to serve as a communication conduit for, to and within the coastal communities. The discussion generally touched on the impact of coastal visitation on West Marin and the need to consider local stakeholder input and concerns during the Local Coastal Plan update process (specifically with regard to the Environmental Hazards sections). Supervisor Rice suggested the ACMV establish a direct line of communication with CCC staff via periodic meetings (one or twice a year) in the coastal Marin village locations so that CCC staff can better understand local conditions and concerns, and she offered to facilitate the meetings. Overall, the meeting was very cordial and productive. The next meeting of the ACMV will be tomorrow, October 24<sup>th</sup>, to "debrief" about the meeting with Supervisor Rice and plan any follow-up next steps, as well as plan for the next quarterly meeting with Supervisor Rodoni, which will be early in January 2020.

With regard to general water operations, staff directed the Board's attention to the most recent water consumption data, which indicates that consumption was up considerably for the quarter ending in September as compared to this time last year. The data is for the downtown area and four property owners used approximately 42,200 cubic feet of water (combined), which explains much of the increase.

The most recent results of the district's quarterly sampling for chlorine disinfection byproducts are available and confirm that the district's in-line, pre-filtration coagulation treatment process is working well. For the Vine Road sample site, the results were 28.21 ppb for total trihalomethanes ("TTHMs") (80 ppb is the maximum contaminant level or "MCL") and 8.3 ppb for haloacetic acids ("HAA5s") (60 ppb is the applicable MCL). For the Lift Station sample site, the results were 30.59 ppb for TTHMs and 10.9 ppb for HAA5s.

The crew focused on a variety of operational issues during the last month, which was particularly challenging during the PG&E planned power shut-down. The planned power outage presented different issues than the unplanned power outages that occur during storm events, which usually are of much shorter duration. As such, the crew is conducting a review of events and formulating policies and procedures to ensure adequate back-up power supply (such as sufficient propane for the generator at the Woodrat Water Treatment Plant) at critical facilities, and so forth. The crew also repaired a leak on a service line along Olema-Bolinas Road across from the Bolinas School, continued to closely monitor the East Tank Rehabilitation project, and repaired a blown fitting at the treatment plant (which flooded the plant last Friday).

On the wastewater side of operations, the district experienced a small spill on the sewer system on September 20<sup>th</sup>. Keith Hansen noticed the spill and called the district immediately. Staff responded within 10 minutes and a repair was completed that evening; all required reporting has and will be submitted to regulatory authorities. The cause of the spill was a blown O-ring on the check valve in the vault outside of 45 Wharf Road. Staff noted that this is the third issue with the same piece of equipment – the check valve-- which is a new valve that was installed when the lift station pumps were replaced.

Staff received a call from Becky Gondola at the Marin County Environmental Health Services ("EHS") department concerning the pilot septic system pilot program proposed by the Bolinas Community Land Trust ("BCLT") whereby residents would be allowed to install smaller septic systems if they agree to come under a limited water use permit. Ms. Gondola wanted to obtain more information about the district's limited water use permit process and how it is enforced. In general, EHS appears to be very supportive of the pilot program.

Staff received an inquiry from the new owners of 276 Mesa Road, a property which is in the process of being annexed into the district boundaries (and to which the Board approved the transfer of a water meter, subject to the successful completion of the annexation process with Marin LAFCO), asking whether the BCPUD would object to or have any concerns about the owners installing a swimming pool. Staff advised the owners' representative that the BCPUD does not get involved in *how* customers use their water, but rather regulates the *amount* of water that can be used. Staff advised the owners' representative to carefully evaluate whether the available water will be sufficient to provide for a pool as well as the owners' other water needs. Director Comstock said that while it is true that the district does

not dictate how to use water, the district does encourage water conservation – as such, the district does not affirmatively endorse swimming pools; rather, the district does not prohibit or object to their installation.

The district's outside auditors conducted the field work for the audit of the district's FY 2018-19 financial statements on September 26<sup>th</sup> and are finalizing the audit now; staff expects to present the statements for approval at the Board's regular meeting in November.

Staff directed the Board's attention to a report in the binders from the district's IT Consultant Kris Backenstose. Staff is seeking an alternative to AT&T for the district's telephone and internet service as the monthly bills have almost doubled in one year (from \$800/month to \$1400/month). Staff has attempted to work with AT&T for years, but this requires hours of time on the phone and only limited reduction to bills. Kris's proposal is limited right now to the service at 270 Elm Road, which is over \$600/month; he proposed to switch the internet over to Tomales LAN and VOIP for phones, which would bring the cost down to \$136.74/month. Kris is doing some testing to ascertain reliability in the event of internet outage so the proposal at this point is for information only.

Staff reported that a meeting was held at the Bolinas Firehouse on October 2, 2019 during which the College of Marin presented its current re-design of the Field Station on Wharf Road. The Marin Independent Journal reported that the College Board of Trustees approved the re-design at its most recent meeting. Director Siedman noted that there are some outstanding issues relating to fencing and parking spaces that remain to be finalized.

The Board reviewed correspondence sent and received since the last regular Board meeting, including an update from Supervisor Rodoni on efforts to regulate downtown parking.

Director Siedman said because director Godino cannot attend the entire meeting tonight, he is going to ask her to provide her update now on the West Marin Mosquito Control Coordinating Council.

-- *West Marin Mosquito Control Coordinating Council*: director Godino reported that the Council met with representatives from the Marin/Sonoma Mosquito & Vector Control District on Monday in Point Reyes Station to review their reported use of approved biological treatment controls for mosquitos and wasps during 2019 and the Council was very pleased with the report and the District's compliance with the non-toxic protocol. The Council and District are planning to meet again in January 2020 to discuss a five-year extension of the current protocol.

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

Ralph Camiccia suggested the community consider holding a "town hall" meeting to provide a forum for all residents to express their views on topics of concern. Director Amoroso inquired about the topics that would be addressed at such a meeting. Ralph said there are a large number of topics of concern to the town these days, including the conceptual direction of the town, affordable housing, parking and so forth. He said that a meeting would provide people a chance to participate in a way other than posting on NextDoor or writing articles in the Hearsay. He noted that meetings like this were held about saving Terrace Avenue and were well-attended and productive.

Ralph also reported that he attended a meeting of the Bolinas Lagoon Advisory Committee ("BLAC") last Friday and the subject of moorings in the Bolinas Lagoon was discussed. The Greater Farallones National Marine Sanctuary wants to consider a mooring plan for Bolinas; in recent years, new people are coming to town and are buying boats and seem to think they can simply install a mooring wherever they want in the lagoon. Ralph noted that the Rod & Boat Club has good control over moorings used by its members, but not all boat owners are in club. He suspects the County will form a small working group to consider the moorings installed in the lagoon and may want the Rod & Boat Club to officially monitor the moorings because neither the County nor the Marine Sanctuary want to do so.

Director Smith noted that Supervisor Rodoni is holding regular "office hours" for the town and this may be a good base for a Town Hall meeting. He also announced that there will be a really good jazz concert on Saturday evening at the Bolinas Community Center and he encouraged everyone to attend.

#### **5. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 455 Aspen Road (J. Guthrie).**

Mr. Guthrie was present and said that he and his wife feel badly about the water loss. He explained that they are part-time residents and knew the toilet was running – he adjusted it several times and thought he had taken care of any issues. His best guess is that the toilet was leaking for a while and suspects it was running when we weren't there; in response to a question from director Amoroso, he said the toilet has now been repaired. Mr. Guthrie said that he and his wife have done their best to reduce their landscape irrigation use of water.

Director Smith explained that in past similar cases the Board has forgiven a 25% of the amount of the bill attributable to the leak, but that is usually compared to the past three years of water use during the same quarter. In this case, however, the owners acquired the property about a year ago, so previous

historic use is not representative and he suggested the Board look only to the prior year during the same quarter. Finally, he said that because the owners here have made an effort to significantly reduce their landscape irrigation, under those circumstances he would be willing to consider a 50% reduction. Director Godino said she would defer to director Smith's ultimate recommendation; director Comstock said he would be willing to support a 50% reduction and director Amoroso agreed.

D. Smith/V. Amoroso all in favor to forgive 50% of the amount of the bill attributable to the leak as determined by the historical water use at this property during the same quarter last year.

**6. Request for Financial Relief from Quarterly Water Bill pursuant to BCPUD Resolution 553 – 190 Birch Road (J. Fitzpatrick).**

John Fitzpatrick was present and explained that he believes he left a hose running when he came to the property; no one is living there at this time. Director Smith said that in past cases like this involving carelessness he is not comfortable granting financial relief. Director Comstock agreed that it was careless, but it was clearly accidental and he feels more sympathetic as a result, particularly since the bill is \$1600. He noted that water use at the property is consistently quite modest and indicates a pattern of careful water use. He therefore recommends the district forgive between 25% - 50% of the bill attributable to the leak. Director Godino agreed with this analysis and said she also is sympathetic given the past modest water use. Director Smith indicated he would not object.

V. Amoroso/ L. Comstock all in favor to forgive 50% of the amount of the bill attributable to the leak as determined by the historical water use at this property during the same quarter for each of the prior three years.

**7. Limited Water Use Permit Application – 35 Queen Road, Bolinas (addition to single-family residence, update and repair of septic system with new tanks, APN# 191-221-06; relocation of septic leach field, APN# 191-221-01) (N. Rosenberg and B. Connelly).**

Nina Rosenberg was present and explained that her family purchased the property as a vacation home that it plans to use approximately two months of the year. She explained that the house is a two-bedroom, although per the County records it is considered a one-bedroom because the prior remodel was done without permits. The remodel includes the addition of a new bathroom within the footprint of the existing home. Director Comstock said that since there is a potential for water use to increase with an additional bathroom, per applicable BCPUD regulations the Board will impose a limit on the water use of 2,700 cubic feet per quarter.

L. Comstock/V. Amoroso all in favor to issue a limited water use permit with a maximum quarterly water use limit of 2,700 cubic feet.

**8. Limited Water Use Permit Application – 22 Crescente, Bolinas (addition to and remodel of single-family residence) (A. Rothman).**

Alethea Patton was present on behalf of the property owners and explained that the project includes the addition of a guest bathroom, foundation repair, roof repair, and the remodel of the kitchen and garage.

L. Comstock/V. Amoroso all in favor to issue a limited water use permit with a maximum quarterly water use limit of 2,700 cubic feet.

**9. Request from Save Terrace Avenue at Surfer's Overlook Committee to Reimburse Hillside Road property owners \$8,200 for Cost of Rainwater Diversion Portion of Repaving Project.**

Ralph Camiccia reported that Remick Hart approached the Committee to request a financial contribution of funds toward a project to repave Hillside road. The property owners paying for that project are willing to expand the project to include a component to reduce rainwater runoff that normally would flow off Hillside road toward Terrace Avenue at Surfer's Overlook by installing a ditch on the east side of Hillside as well as a culvert under Hillside to divert the rainwater into the existing County storm water catchment system at that location. Ralph said the Committee feels a financial contribution from the funds raised to Save Terrace Avenue is appropriate because of the benefit to the recent repair of the road-level retaining walls. Director Comstock inquired why the BCPUD is involved given that the funds are not BCPUD funds but rather collected from the community. Staff concurred that the project is not a BCPUD project but rather a private project approved by the County of Marin; the reason it is on the agenda is for transparency purposes so that the community is aware of the distribution of these funds. Director Siedman clarified that the BCPUD is not authorizing the use of funds per se, but rather expressing support for and endorsement of the Committee's decision to approve a contribution of \$8,200 to reimburse the property owners for the rainwater diversion portion of the project

V. Amoroso/L. Comstock all in favor expressing support for and endorsement of the Save Terrace Avenue Committee's decision to reimburse Hillside Road property owners \$8,200 for the cost of the rainwater diversion portion of their repaving project.

**10. Proposal to Lease BCPUD Lands (I. Rich) – Recommendation of BCPUD’s Land Stewardship Committee.**

Ian Rich was not present to address the Board on his proposal. Janine Aroyan explained that she was present on behalf of the Land Stewardship Committee (for a second time, noting that she attended the prior meeting) in the event of any questions about the committee’s recommendation that the BCPUD reject the proposal. In response to an inquiry from the Board, staff said that Ian indicated via email that he planned to attend the meeting yet he was not here.

L. Comstock/V. Amoroso all in favor to reject the proposal submitted by Ian Rich to lease BCPUD lands.

**11. Request from Bolinas Community Coastal Alliance (“BCCA”) to Appoint a Downtown Parking & Traffic Committee to Develop a Residential Permit Parking Plan for Downtown Bolinas.**

Director Amoroso recused himself from consideration of this item.

Bruce Bowser said that he was present along with three other members of the Bolinas Community Coastal Alliance (“BCCA”); the BCCA is actively involved in the effort to move Measure X forward. While Measure X is a big step in the right direction, the BCCA believes that some form of residential permit parking is necessary for downtown Bolinas. He noted that he was the chair of the latest Downtown Parking Committee and is now part of the BCCA, which is mostly comprised of downtown residents who want to keep the pressure on the County to help solve the downtown parking and traffic problems.

Director Siedman asked for Board input on the concept of appointing a new committee for this purpose. Director Godino said she supports the concept because the parking problems downtown will not be fully solved by Measure X – she noted the main barrier to progress is the Coastal Commission and an official tie-in to the BCPUD may be helpful here, as it has been on other topics of general concern to the community. Director Comstock said he is fine with the concept of reviving the committee for this purpose. Director Smith said he is strongly in favor of residential parking permits and he is hearing rumors that the Coastal Commission staff may be more open to this concept than they used to be; that said, he noted that this effort will require the committee to work initially with the County Planning Department and likely will take years to implement.

Director Siedman suggested that BCPUD staff run an ad in the Hearsay and on NextDoor to invite interested people to apply to serve on the committee. Director Godino said she knows that homeowners downtown have a strong interest in this topic, but there are a wide variety of stakeholders in town and the committee should be representative of the entire community. Discussion ensued about the scope of the new committee – is it only to work on a residential permit parking plan, or should it have a broader mandate to deal with other parking-related issues that may arise? Lucy Reid urged the Board to keep the focus of the committee very narrow on the development of a residential permit parking plan to begin with as the scope of work can be broadened if necessary; as it stands, the work needed to develop and implement a residential parking permit program will be very onerous, requiring traffic studies and other criteria the County has established. She underscored that the County has made it clear that it will support only very narrowly tailored approaches to parking regulation in light of the Coastal Commission staff reluctance/resistance to broader plans. Following a brief discussion, the Board agreed the scope of the work of the committee should be limited to the development of a residential permit parking plan and should not extend to other possible parking restrictions or regulations.

D. Smith/G. Godino four in favor, director Amoroso recused to solicit community membership on a BCPUD committee to be appointed for the purpose of developing a residential permit parking plan for downtown Bolinas.

**12. Request from the Bolinas Community Land Trust (“BCLT”) for a Special BCPUD Board of Directors Meeting to Consider the Water Use Limit Applicable to the Proposed Development at 31 Wharf Road and Any Implications for Sewer Service.**

Arianne Dar, Executive Director of the Bolinas Community Land Trust (“BCLT”), explained that the BCLT seeks to be as transparent as possible about its planned development of the property at 31 Wharf Road and therefore is requesting a special BCPUD Board meeting dedicated to the topics of water and sewer use so that community members can come and ask any questions they may have. Arianne said she believes that sewer service at the property is fairly straightforward as there is an existing hook-up at the property. As for water, the BCLT intends to propose that the current limited water use allotment for its property at 20 Wharf (13,750 cubic feet per quarter) be transferred to 31 Wharf and vice versa (meaning the existing meter at 31 Wharf would be transferred to 20 Wharf); in addition, the BCLT proposes to transfer a second meter to 20 Wharf Road so that the limited water use allotment for 20 Wharf would then be 5,400 cubic feet per quarter (i.e., 2,700 cubic feet per quarter for each of the two meters, assuming that the Board approves the community average water use plus 50% per existing BCPUD regulations).

Director Siedman clarified that for purposes of tonight's agenda, the BCLT's request is limited to a request for a special meeting and not a decision on the merits of its water use proposal; Arianne agreed and said it would be helpful to have that meeting as soon as possible as the BCLT's major donor has imposed an 18-month deadline for the BCLT to obtain the required approvals for the project. Arianne noted that BCLT also will have its annual meeting on November 14<sup>th</sup> and will present the project design for 31 Wharf, which will be another opportunity for public comment and questions. Discussion ensued about possible dates and times for a special Board meeting and conflicting travel obligations and other commitments of the directors over the next several weeks. Ultimately, discussion focused on including an item on the next regular Board meeting (November 20<sup>th</sup>) agenda as the first item of business and starting the meeting early to allow sufficient time for public questions and comments; the Board also discussed holding the meeting at the Firehouse meeting room to accommodate the expected attendance.

Arianne requested that the BCPUD conduct whatever research it deems necessary in advance of the November 20<sup>th</sup> Board meeting to determine if the BCLT's proposal for water use/limit transfer is possible as the BCLT is on a timeline, as she previously mentioned, imposed by the project donor and the BCLT is seeking to move forward as expeditiously as possible. Director Siedman directed staff to seek a legal opinion on the BCLT's water use limit transfer proposal including whether any revisions to existing BCPUD ordinances would be necessary to allow it. Jennie Pfeiffer asked if sea-level rise implications of the project will be discussed at the BCPUD meeting and director Siedman said no, the BCPUD will focus on water and/or sewer use issues.

L. Comstock/D. Smith                      four in favor, director Amoroso recused                      directing that the November 20, 2019 regular Board meeting begin at 6:00 p.m. at the Bolinas Firehouse, if available, with the BCLT water use limit transfer proposal as the first item of business on the agenda.

Director Godino departed the meeting at approximately 9:30 p.m.

### **13. PG&E's October 8-11, 2019 "Public Safety Power Shut-Down": *Option for Public Electrical Utility? Concerns about Diesel-Powered Generator at BCPUD Lift Station (E. Lyman).***

Director Siedman opened a discussion about whether/how the BCPUD could become a local electrical utility. Arianne Dar noted that the BCLT is setting up a meeting with alternative energy consultant (and former Bolinas resident) Tom Williard to discuss options for solar and other green energy options for the BCLT's developments and he may be willing to discuss the more comprehensive strategy for the community. Director Smith cautioned that this would be an enormous undertaking and he wants people to be aware of the complications, including but not limited to setting up an entity to perform all of the distribution maintenance and setting up 24/7 back-up power. He said he is a huge solar power fan and has been for decades, but has strong reservations about whether it would be advisable/financially feasible to become a local electric utility. That said, he is very interested in what Tom Williard has to say on the topic. After further discussion, it was agreed that the BCLT will organize a local stakeholder meeting for entities such as the school, the community center, the BCPUD and others to meet with Tom to discuss the pros and cons of forming a local electrical utility in Bolinas.

Discussion turned to the existing back-up generator at the BCLT's lift station and staff said it would be possible to replace it with a propane-fueled generator at cost of approximately \$40,000. Alternatively, staff also could consider a change in procedure whereby the lift station pumps are manually turned on and off during fire-threat power shut downs (which occur during warm, dry months when flows into the sewer system are low), thereby limiting the amount of disturbance from the generator. Director Smith inquired whether it would be possible to install some sort of filter and/or sound dampener and staff agreed to research options in this regard.

### **14. Update on 100 Brighton Avenue Seawall Repair Project; *CCC Staff Request for "Mitigation Measures", Grant of Easement Agreement between the BCPUD and AMJT Capital, LLC.***

Anne Blemker with McCabe & Company appeared by telephone and explained that her company represents the property owner, AMJT Capital LLC. She said that she has been in detailed discussions with the California Coastal Commission ("CCC") staff analyst Sara Pfeiffer concerning her calculations for a "sand mitigation fee" and "recreational impact fee" for this project, which the CCC staff has calculated to be \$1.89 million. In lieu of this fee, the CCC staff has proposed "on the ground" improvements for the public (to offset the supposed loss of sand and loss of recreational opportunities for the public), such as the installation of benches, trash bins, and the like. CCC staff has identified the BCPUD property across the ramp as the possible location of these proposed public improvements. CCC staff also has suggested the remnants of the groin on the other side of 100 Brighton should be removed to improve the public's "lateral access" across this area of beach; however, that property is owned by a neighbor who is out of the country. Anne said she has advised CCC staff that any changes to BCPUD property will require input from the Board and public, so an immediate decision will not be possible. Given that the CCC staff report is scheduled to be released tomorrow afternoon, Anne has asked CCC staff to craft any special conditions as flexibly as possible.

Discussion ensued about the CCC staff's suggestion that the width of the bulkhead should be reduced to a maximum of 6-feet in width and Board members expressly strong opposition to this suggestion.

Director Smith noted that the top of the bulkhead IS the public's access, particularly for people with mobility limitations; he said that narrowing the width of the bulkhead will not result in any additional sandy beach area given the conditions at the site. Anne acknowledged these views and said AMJT is proposing a seawall width much wider than 6-feet at this point; she also said she is working on educating CCC staff on the fact that a reduction in width of the bulkhead will not result in more recreational area and that the public uses the top of the seawall as a recreational area. Director Smith suggested that if the seawall is going to be raised by 2-feet as the revised plans indicate, perhaps a "mitigation measure" could be extending the beginning of the pedestrian access ramp to the top of the bulkhead out to Brighton Avenue as that would facilitate disabled access to the top of the bulkhead. He strongly opposed removal of the remaining groin on the neighboring property because it captures sand and reduces wave scour. Director Amoroso noted that the top of the bulkhead is the only recreational public access area at this location when the sand is out for the winter; director Smith agreed, noting that removing the riprap in front of the seawall will not create any more sandy beach either.

Director Comstock said the BCPUD has spent a lot of hours working with the property owner on a project that is workable and that will provide public benefits. The seawall has public access benefits to it and the BCPUD wants to ensure those benefits continue – however, via its comments and suggested revisions to the project design the CCC staff effectively is seeking to *reduce* the public benefits of the seawall. The Board is willing to allow an easement across its property for the seawall repair precisely because there are public access benefits to the community from its repair and continued existence and use. Director Comstock questioned whether it would be possible for the CCC staff to come to the site for a meeting so that she could better understand why her suggested project design changes are not well taken. Anne said CCC staff claims to have come to the project site, although she does not know when that visit occurred or with whom. Director Smith said CCC staff should visit the site with BCPUD representatives so that the Board's objections can be explained.

Director Siedman asked what the BCPUD Board can do at this point to help move things along. Anne said that she would like the Board's input on the CCC staff's recommendations that (1) the property owner remove the riprap in front of the seawall; (2) the BCPUD install public improvements on its property as "mitigation measures"; and (3) that the stairway in middle of seawall be removed. Also, the property owner would like to install gate access from his home to the top of the seawall on the beach ramp side of the seawall. The Board had no objection to the removal of the stairway in the middle of the seawall. Anne said the Bolinas Fire Protection District has a similar opinion. As for removing the riprap in front of the seawall, the Board members expressed unanimous support for preserving the riprap, with the suggestion that it could be restacked. Director Comstock noted that Bolinas is likely to be at loggerheads with the CCC staff and commission about the concept of managed retreat, because that concept essentially means that the town will be gone. He said he favors preservation of the riprap because he favors preservation of the community via seawalls and/or riprap or other protective structures – he said that by promoting managed retreat, the CCC staff and commission are ignoring the mandate in the Coastal Act to protect coastal communities. Director Comstock said the issue here is far beyond preserving a single house; rather, the Board is trying to preserve and protect the entire community.

Anne commented that the property owner is proposing to restack the riprap to its original placement area, which was permitted by the CCC years ago. She inquired about the Board's view on the property owner's proposed gate access to the top of the ramp as this would be on BCPUD property. After a brief discussion, the Board had no objection. Director Siedman inquired about the status of the easement agreement; staff said the BCPUD's attorney has reviewed it and is prepared to send it back to AMJT's attorney, noting that a condition of the BCPUD's agreement to be a co-applicant is conditioned upon the execution of an easement agreement with acceptable hold harmless and indemnification provisions.

Discussion turned to the timing of the CCC hearing on the seawall permit application during the week of November 11<sup>th</sup> in Half Moon Bay. Anne said that when the staff report issues they will learn which day of that week the permit application will be heard; she affirmed that there will be an opportunity to respond in writing to any issues raised in the staff report prior to the CCC hearing. She said that she may circle back with BCPUD staff to develop a joint response, if necessary, to the staff report. Anne said that Steve Kaufmann, counsel for AMJT, likely will prepare a written response to the staff report and McCabe & Company will prepare briefing materials (a graphic-heavy presentation) to provide to the commissioners prior to the meeting and will meet with any commissioners willing to have ex parte meetings (4 of the 12 commissioners are so willing at this point in time) to discuss the briefing materials. The applicants will be allowed a 15 minute presentation at the hearing and the property owner is working to cultivate local letters of support and presence at the CCC meeting.

Director Siedman noted that this is the last Board meeting prior to the CCC hearing and he suggested Anne work directly with BCPUD staff on any issues arising prior to the hearing. Staff will be out of town during the week of November 11<sup>th</sup>, so director Siedman will attend the CCC hearing on behalf of the BCPUD. BCPUD staff asked Anne whether any consideration is being given to requesting a postponement of the CCC's consideration of the permit application given the current areas of disagreement. Anne said that if the staff report reveals that there continue to be significant areas of disagreement, a decision will be made at the time about going forward vs. postponing, which likely would be to the next Northern California CCC meeting in Monterey in March 2020.

BCPUD staff said the Board has reviewed the graphic provided by CCC staff as the area identified for public improvements vs. the assessor parcel map, noting that the BCPUD only owns a portion of the area highlighted by CCC staff and therefore cannot authorize improvements on property it does not own. Also, BCPUD staff noted that the Board will want to engage in significant public outreach to solicit input about what sorts of improvements the public actually wants rather than agree to improvements suggested by CCC staff. Anne acknowledged that the property owner would be willing to pay for the improvements ultimately agreed-upon on the BCPUD property, which would be much less costly than the \$1.89 sand mitigation and recreational access mitigation fee. Finally, staff noted that the project design envisions a railing on the seaward side of the seawall (none exists now) which is required by code; however, the CCC staff suggested at one point that the railing be a solid wall, which would be objectionable. A brief discussion ensued and it was agreed that the staff report ultimately will indicate whether a solid railing is still an outstanding CCC staff recommendation.

**15. Request to Use Parking Lot at Mesa Park (APN# 193-020-45) for Household Hazardous Waste Collection Event (“Toxic Away Day”) on November 2, 2019.**

L. Comstock/D. Smith four in favor, director Godino absent to approve the use of the Mesa park parking lot for Toxic Away Day on November 2, 2019, subject to the BCPUD’s standard terms and conditions (including but not limited to acceptable insurance provisions).

**16. Volunteer Committee Reports:**

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

-- *Resource Recovery: August 2019 Inspection Report.* The Board received an inspection report from the Environmental Health Services department.

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

-- *Land Stewardship Committee:* Nothing to report.

-- *Internet Access Committee:* Director Comstock said that at some point the BCPUD will need to decide whether to facilitate Muir Beach LAN installing additional antennae spots to extend internet service in Bolinas.

**17. Other Business.**

a. Board Committee Reports.

-- *Finance:* Nothing to report.

-- *Legal:* Nothing to report.

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

-- *Operations: Minutes of the October 2, 2019 Committee Meeting.*

L. Comstock/D. Smith four in favor, director Godino absent to approve the minutes of the October 2, 2019 Operations Committee meeting.

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

-- *Personnel:* Director Comstock asked whether the district is going to try and do a survey to determine if its staff is competitively paid; staff said an effort will be made to do so when time permits. Director Amoroso noted that the Chief Operator plans to retire in December 2020 and suggested the district should be planning accordingly. Director Comstock said the Finance Committee likely needs to budget for a transition to a new Chief Operator in the upcoming budget cycle for the FY 2020-21 year. Director Siedman said the Personnel Committee has discussed a timetable to commence the hiring process at the beginning of 2020.

-- *Sewer:* BCPUD staff has started to work on the treatment capacity analysis with Kathryn Gies at West Yost and recommends that the Board delegate either the Sewer Committee or Operations Committee to work with staff on this project vis-à-vis the request from 14 and 16 Canyon property owners to connect to the sewer system. After a brief discussion, the Board agreed the Operations Committee will work with staff on this project.

b. Minutes of the September 18, 2019 regular Board meeting.

Directors Comstock and Smith offered clarifying revisions to the draft minutes of the September 18, 2019 regular Board meeting.

L. Comstock/D. Smith                      four in favor, director Godino absent                      to approve the minutes  
of the September 18, 2019 regular Board meeting, as clarified.

c. Warrants.

Director Comstock asked about an invoice from Gospel Flats Engineering for mowing and staff agreed to research the invoice and report back the directors. He also inquired about an invoice from BWS and staff said this is for the sewer spill equipment previously approved by the Board.

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

d. Scheduling of Next Meeting(s):

November 20, 2019 at 6:00 p.m.

**18. Adjournment.**

10:51 p.m.