



MUIR BEACH COMMUNITY SERVICES DISTRICT

19 Seacape Drive Muir Beach, CA 94965 415 383 9969 www.muirbeachcsd.com

AGENDA

Regular Meeting of the Board of Directors

Wednesday, September 22, 2021 7:00 PM

Meeting held by Teleconference

Agenda will be emailed and posted

Zoom invitation will be emailed

Muir Beach, CA 94965

SPECIAL NOTICE: Due to the COVID-19 pandemic, with both current State and County orders to shelter-in-place, along with not allowing for groups to congregate publicly who do not normally shelter together, Governor Newsom signed Executive Order N-25-20 "Brown Act During a Pandemic" which allows for the temporary use of teleconferencing as a means to hold public meetings to prioritize public safety and health. The MBCSD will provide for public meeting participation via online "Zoom" access with a dial-in option. The public will be allowed to fully participate and provide public comment as well as all Board votes are required to be by roll call. Public noticing of meetings and instructions will use the same resident email address and be posted on your local bulletin boards.

TIMING OF AGENDA ITEMS: The Board attempts to hear all items in order as stated on the agenda, however it reserves the right to take items out of the order listed at any time during the course of the meeting. The following items will be considered, and any item can be discussed, acted upon, or approved during the course of the meeting.

SPECIAL NEEDS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District Manager at 415-388-7804. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure participation in the meeting.

7:00 pm	Item 1: Call to Order
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Board: Steve Shaffer (Board President), David Taylor (Board Vice-President), Lisa Eigsti (Director), Leighton Hills (Director), Paul Jeschke (Director)

Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting Secretary)

Item 2: Approval of Agenda

The following item or items were not included in this agenda, along with the reason for not being included. Pursuant to the Bylaws of the Muir Beach Community Services District, the Board of Directors may now by motion require that the item or items be added back to this meeting's agenda. Should the item or items require research or preparation by staff or by member(s) of the Board of Directors in order to be properly heard, the item or items may be deferred to a subsequent meeting. The motion to approve this agenda may be without change or may be to re-include any item or items listed below.

Item(s) not included in this agenda:

Item 3: Consent Calendar

All items on the Consent Calendar are considered to be either routine or non-controversial and will be enacted by a single blanket action of the Board. Upon request from a Board member or any member of the public, individual items may be removed from the Consent Calendar in which case they will be discussed in the meeting (under Items Removed from the Consent Calendar).

- A. Approval of Draft-Minutes from Regular Board Meeting of 7/28/21.

Item 4: Items Removed from Consent Calendar

Items moved from the Consent Calendar to the Regular Agenda, if any.

Item 5: District Manager Report

District Manager Mary Halley will present brief highlights from her DM report.

Item 6: Fire Chief Report

Fire Chief Chris Gove will give his quarterly report.

Item 7: MBCC Rental Coordinator

Laurie Piel and Harvey Pearlman will present their MB Community Center use plan including how to enhance the Rental Coordinator job as part of the larger discussion on the MBCC rentals and events.

The CSD Board is being asked to listen to the presentation and possibly consider:

1) the larger purpose and uses of the MBCC, 2) issues related to CC rentals, 3) would enhancing the rental coordinator position to include events planning be useful in job recruitment 4) what would be the appropriate salary to fill the Rental Coordinator's job position, and 5) when would the position need to be filled given the continuing pandemic and indoor masking requirements.

Item 8: Water Conservation Measures

The State has declared that California is experiencing 'severe' water drought conditions. The Board is being asked to review, discuss, and consider whether the MBCSD water district should voluntarily implement any specific water conservation measures similar to those previously adopted and implemented in the 2014 'Resolution Prohibiting Non-Essential Uses of Water' until drought conditions improve. (*See attached Resolution 2014-8-28: A Resolution Prohibiting Non-Essential Uses of Water*)

Item 9: Public Open Time

Please note:

1. Topics should be within the jurisdiction of the CSD (Water, Roads, Fire Protection, & Recreation).
2. The topic should not be elsewhere on the agenda.
3. The Board and staff may only briefly respond to statements and questions (i.e. the legal requirement for items not posted on an agenda which otherwise informs community members that a topic is up for discussion and/or action.)
4. Public comments are limited to 3 minutes per speaker, unless waived by the Board.
5. The period for public open time is limited to 10 minutes, unless waived by the Board.

Item 10: Recognitions & Board Member Items

Board recognitions and pending events of interest to the community.

Item 11: Adjournment

Next Agenda Meeting Date: Wednesday, October 20, 2021

Next Board Meeting Date: Wednesday, October 27, 2021

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**

2 Minutes of the Board of Directors' meeting held on

3 Wednesday, **Thursday, July 28, 2021**

4
5
6 **OFFICIAL MINUTES ONLY UPON APPROVAL**

7
8 Prior to approval of these minutes by the Board of Directors in a public meeting, these minutes
9 are draft only and subject to change. Upon approval by the Board, these minutes become the
10 Official Minutes of the meeting.

11
12 **Item 1: Call to Order**

13 Steve Shaffer called the meeting of the Muir Beach Community Services District Board of
14 Directors to order at approximately 7:04 pm.

15
16 Directors present: Steve Shaffer (Board President), Leighton Hills (Director), Paul
17 Jeschke (Director), David Taylor (Director)

18
19 Staff present: Mary Halley, District Manager
20 Chris Gove, Fire Chief
21 Ernst Karel, Meeting Secretary

22
23
24 **Item 2: Approval of Agenda**

25 Item(s) not included in this agenda: None

26
27 MOTION: To approve the agenda
28 Moved: Hills, seconded by Taylor
29 Vote: AYES: Unanimous

30
31
32 **Item 3: Board Vacancy Appointment and Election of Board Vice-President**

33 Board will appoint a new Director to serve out the term of the seat vacated on 6/9/21. The new
34 appointee will serve until December 2022. Board will elect a Board Vice-President to serve until
35 December 2021.

36
37
38 MOTION: To nominate and appoint Lisa Eigsti to the Board
39 Moved: Jeschke, seconded by Hills
40 Vote: AYES: Unanimous

41
42 MOTION: To elect David Taylor as Board Vice President
43 Moved: Jeschke, seconded by Hills
44 Vote: AYES: Unanimous

45
46 Lisa Eigsti is sworn in as a Director of the Board.

47
48
49 **Item 4: Consent Calendar**

- 50 A. Approval of Draft-Minutes from Regular Board Meeting of 6/23/21.
51 B. Approval of Quarterly Financial Reports dated 6/30/21.

1
2 MOTION: To approve the consent calendar
3 Moved: Hills, seconded by Jeschke
4 Vote: AYES: Unanimous
5
6

7 **Item 5: Items Removed from Consent Calendar**

8 No items removed.
9
10

11 **Item 6: District Manager Report**

12 District Manager Mary Halley will present brief highlights from her DM report, a written
13 document which (as always) is included with the monthly meeting packet available online at
14 <http://www.muirbeachcsd.com/meetings>.
15

16 Covid update: on the uptick again. The state and now the federal government are again
17 recommending wearing masks in public settings.
18

19 On water: the Redwood Creek flow shows isolated pooling around July 11, and so on July 13
20 we went on mandatory water conservation. We took readings on the 16th, and will monitor the
21 highest users at least monthly to track their water use.
22

23 At the Community Center, classes are starting again, but those classes and groups that have
24 set days and times will go forward, but there will not be rentals yet for now.
25

26 Chipper day: we're making a dent, removing all the dead Echium from around the CC.
27

28 Discussion continues about water issues and the mandatory conservation mode. Halley will look
29 up the previous water regulations which were imposed by the state a few years ago, with the
30 idea of voluntarily imposing similar restrictions.
31
32

33 **Item 7: Prop 68 Per Capita Project Update and Parking Plan Review**

34
35 time: 7:26

36 The engineer's drawings and cement color-card will be presented by the District Manager for
37 review ahead of the application submittal to the County for Design Review, Coastal Permit,
38 CEQA Exemption, Encroachment Permit and Prop 68 Per Capita Grant funding. The funicular
39 (tram) will only require a building permit so those plans will be shared with the community at a
40 later date when Michael Moore returns from being out of town. (*See attached Muir Beach*
41 *Parking Plan and Profile*)
42

43 Discussion begins with the process and costs for coastal review, DPW permit, and building
44 permit, and continues concerning planned funicular, the garbage and recycling, wood for the
45 fireplace, retaining walls for the parking spaces, asphalt vs. permeable paving for the parking
46 spaces, and so on.
47
48

49 **Item 8: FY21-22 Final Draft-Budget**
50

1 The proposed FY21-22 Final Draft-Budget will be presented by the District Manager for any
2 further discussion and final approval. (*See attached FY21-22 Final Draft-Budget*)
3

4 MOTION: To approve the final Draft-Budget for the upcoming year
5 Moved: Hills, seconded by Jeschke
6 Vote: AYES: 4, Eigsti abstains. The motion passes.
7
8

9 **Item 9: Public Open Time**

10 Maury Ostroff comments that he's surprised at the low attendance. Shaffer says it's because not
11 much is on the agenda, which in turn is because the board has been getting things done. Fire
12 Chief Chris Gove has broken his leg -- Eigsti has alerted the Muir Beach Care network and he
13 has care for this week but will need care for next week. For purposes of drills and calls, Deputy
14 Chief Rob Allen will serve as Chief.
15

16 Jeschke brings up the recent thefts from mailboxes and asks if a security camera is in place.
17 Not yet. Many mailboxes remain unlocked.
18
19

20 **Item 10: Recognitions & Board Member Items**

21 Halley thanks Maury Ostroff for compiling a list of former MBCSD directors and staff, going back
22 to 1971, which is now available at <https://muirbeachcsd.com/contact-links/> under 'View Board
23 and Staff Historic Roster'.
24

25 Paul Jeschke wishes to acknowledge the passing of Linda Gibbs.
26

27 Lisa Eigsti brings up Day of the Dead observances being organized.
28
29

30 **Item 11: Adjournment**

31 Next Agenda Meeting Date: Tuesday August 17, 2021
32 Next Board Meeting Date: Wednesday, August 25, 2021
33

34 There being no further business to come before the board, the meeting is adjourned.
35

36 Meeting adjourned at 20:57.

Muir Beach Community Services District
Balance Sheet

Accrual Basis

As of August 31, 2021

	Aug 31, 21
ASSETS	
Current Assets	
Checking/Savings	
TriC Checking	
TriC Fire	259,020
TriC Lower Tank Reserve	80,001
Prop 68 20% Matching Reserve	24,648
TriC General Fund	18,721
TriC Pipes & Equip Reserve	13,137
TriC Water	(38,755)
Total TriC Checking	356,772
TriC MMF - General Fund	
TriC MMF - General Fund - Other	119,688
Reserve for County Loan Pmt	81,920
Total TriC MMF - General Fund	201,608
Total Checking/Savings	558,380
Other Current Assets	
Due from Water Ops to Gen'l Fd	39,903
Undeposited Funds	452
Total Other Current Assets	40,355
Accounts Receivable	
Receivables	637
Total Accounts Receivable	637
Total Current Assets	599,371
Fixed Assets	
Other Fixed Assets	
Road Improvements	1,135,952
Land	755,573
Buildings	604,364
Playground Upgrades	174,189
Equipment	153,535
Land - Fire Station	147,918
Equipment - Fire Trucks	103,871
Buildings - Fire Station	57,623
Furniture & Fixtures - CC	10,467
Electric Gate	6,967
Shed Roof	3,688
Accumulated Depreciation	(874,832)
Total Other Fixed Assets	2,279,314
Water System Assets	
100-Year Equipment Post 2008	652,370
Historic Water System Equipment	546,323
40-Year Equipment Post 2008	354,261
Mains and Valves (historic)	60,939
Other Water System Assets	54,217
10-Year Equipment Post 2008	51,235
15-Year Equipment Post 2008	44,944
Wells (historic)	21,620
20-Year Equipment Post 2008	7,312
Equip and Controls (historic)	6,973
5-Year Equipment Post 2008	4,084

Muir Beach Community Services District

Balance Sheet

Accrual Basis

As of August 31, 2021

	Aug 31, 21
Accumulated Depreciation	(688,429)
Total Water System Assets	1,115,850
Total Fixed Assets	3,395,164
TOTAL ASSETS	3,994,535
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Loan from Marin Co Treasurer	203,420
Due to Gen'l Fd from Water Ops	39,903
Loans Payable	16,750
Total Other Current Liabilities	260,073
Accounts Payable	
Accounts Payable	5,190
Total Accounts Payable	5,190
Credit Cards	
Credit Card	650
Total Credit Cards	650
Total Current Liabilities	265,913
Total Liabilities	265,913
Equity	
Retained Earnings	3,756,763
Net Income	(28,141)
Total Equity	3,728,622
TOTAL LIABILITIES & EQUITY	3,994,535



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Statement Ending 08/31/2021

MUIR BEACH COMMUNITY SVCS




Page 1 of 6

Account Number: 342025376

ADDRESS SERVICE REQUESTED

MUIR BEACH COMMUNITY SVCS DIST
19 SEACAPE DR
MUIR BEACH CA 94965-9701

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Member FDIC

Overall Balance Summary

Account Type	Account Number	Ending Balance
Public Checking Images	342025376	\$367,235.38

Public Checking Images-342025376

Account Summary

Date	Description	Amount
08/01/2021	Beginning Balance	\$388,316.39
	8 Credit(s) This Period	\$11,717.85
	24 Debit(s) This Period	\$32,798.86
08/31/2021	Ending Balance	\$367,235.38

Deposits

Date	Description	Amount
08/12/2021	DEPOSIT	\$8,183.25
08/19/2021	DEPOSIT	\$694.45
08/26/2021	DEPOSIT	\$1,066.65

Electronic Credits

Date	Description	Amount
08/05/2021	DOI TREAS 310 MISC PAY MUIR BEACH COMMUNITY S	\$108.74
08/05/2021	DOI TREAS 310 MISC PAY	\$79.73

EQUAL HOUSING
LENDER
NMLS #458732



Member FDIC

Public Checking Images-342025376 (continued)
Electronic Credits (continued)

Date	Description	Amount
08/10/2021	MUIR BEACH COMMUNITY S DOI TREAS 310 MISC PAY	\$162.76
08/11/2021	MUIR BEACH COMMUNITY S INTUIT 34417975 DEPOSIT	\$1,410.51
08/17/2021	MUIR BEACH COMMUNITY S COUNTY OF MARIN COM PAY	\$11.76
	MUIR BEACH CSD	

Electronic Debits

Date	Description	Amount
08/03/2021	INTUIT 10219555 ACCT FEE	\$20.00
	MUIR BEACH COMMUNITY S	
08/04/2021	PAYCHEX INC. PAYROLL	\$7,627.35
	MUIR BEACH COMMUNITY S	
08/05/2021	PAYCHEX EIB INVOICE	\$156.83
	MUIR BEACH COMMUNITY S	
08/05/2021	PAYCHEX TPS TAXES	\$3,460.60
	MUIR BEACH COMMUNITY S	
08/11/2021	INTUIT 71896765 TRAN FEE	\$45.26
	MUIR BEACH COMMUNITY S	
08/16/2021	PGANDE WEB ONLINE	\$20.28
	MUIR BEACH CSD	
08/16/2021	PGANDE WEB ONLINE	\$55.75
	MUIR BEACH CSD	
08/16/2021	PGANDE WEB ONLINE	\$253.67
	MUIR BEACH CSD	
08/16/2021	PGANDE WEB ONLINE	\$597.94
	MUIR BEACH CSD	
08/19/2021	ATT Payment	\$84.92
	MUIR BEACH	
08/24/2021	CHASE CREDIT CRD AUTOPAYBUS	\$2,067.25
	HILLS LEIGHTON J	

Checks Cleared

Check Nbr	Date	Amount	Check Nbr	Date	Amount	Check Nbr	Date	Amount
2147	08/12/2021	\$15.51	2152	08/10/2021	\$1,675.50	2158	08/27/2021	\$900.00
2148	08/17/2021	\$120.00	2153	08/16/2021	\$34.47	2159	08/27/2021	\$66.62
2149	08/13/2021	\$900.00	2154	08/24/2021	\$3,900.00	10251*	08/09/2021	\$2,018.71
2150	08/13/2021	\$121.66	2155	08/24/2021	\$815.67			
2151	08/20/2021	\$7,806.40	2157*	08/23/2021	\$34.47			

* Indicates skipped check number



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Statement Ending 08/31/2021

MUIR BEACH COMMUNITY SVCS




Page 1 of 2

Account Number: 342024049

ADDRESS SERVICE REQUESTED

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19 SEACAPE DR
MUIR BEACH CA 94965-9701

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For more details, visit TriCountiesBank.com/creditcards/business.



Member FDIC

Overall Balance Summary

Account Type	Account Number	Ending Balance
Business MMI Images	342024049	\$201,608.16

Business MMI Images-342024049

Account Summary

Date	Description	Amount
08/01/2021	Beginning Balance	\$201,604.74
	1 Credit(s) This Period	\$3.42
	0 Debit(s) This Period	\$0.00
08/31/2021	Ending Balance	\$201,608.16

Interest Summary

Description	Amount
Interest Earned From 08/01/2021 Through 08/31/2021	
Annual Percentage Yield Earned	0.02%
Days in Statement Cycle	31
Interest and/or Reward Paid	\$3.42
Interest Paid this Statement Cycle	\$3.42
Interest Paid Year-to-Date	\$26.81

Other Credits

Date	Description	Amount
08/31/2021	INT PMT SYS-GEN	\$3.42

EQUAL HOUSING
LENDER
NMLS #458732



Member FDIC

9/22/21 District Manager Report – Mary Halley

Water, Fire, Recreation, Roads, Finance, and Communications

General:

Covid-19 – coronavirus cases continue on the uptick due to the Delta variant. Marin County HHS is once again recommending mask wearing for indoor gatherings. CSD September Board meeting will be held again by 'zoom' out of an abundance of caution. Also the governor signed assembly bill AB 361 which allows public agencies to continue meeting remotely, as they do now under the Governor's Executive Order, beyond their September 30 rescission date.

Coastal Communities Working Group (CCWG) – attended LCP-EH meeting with Marin County Planning staff on 8/26. The revised 8-18-21 version was presented with a request for comments by 9/7 from the working group members. County staff meets with the CCC staff 10/18, release of new draft 10/28, with public workshops held 10/29 – 11/18.

Board Member news – the Board appointment Lisa Eigsti to fill the Board vacancy for the balance of the current remaining term until December 2022. All paperwork has been filed with the Marin County Elections Office. The Board elected Director Taylor to serve as new Board Vice-President for the rest of the current year which runs until December 2021. Welcome Lisa to the Board! Congratulations David for becoming next in line as Board VP!

Water:

Redwood Creek Stream Monitoring – stream flows have flatlined and isolated pools have occurred. MB water customers were sent notice of Mandatory Water Conservation on 7/13/2021. The 20 highest water users' meters were read on 7/16, 8/16 and then again 9/16 to track their 30-day water usage as required by the conservation notice. As of 8/16 we had a 15% reduction in water use overall and a 25% consolidated reduction for the 20 highest users. I can report the results of the 9/16 water meter reading at the 9/22 Board meeting.

Well monitoring – given the current drought conditions, the water team is in the process of installing a 'WellIntel ST System' automatic well monitoring device in the 2002 well. This will allow us to monitor the static water level, pumping levels, and even coordinate data with other wells within 5 miles of our wells in our watershed.

Fire:

Firehouse – Fire Chief Chris Gove should be able to give an update at the 9/22 meeting.

Fire Tax – Fire tax processing cycle complete for FY21-22. The tax will be \$249 p/eligible parcel (158) this year.

WMJPA – completed first Measure C audit report. We have received \$12,034.12 to-date and spent none.

Recreation:

MB Community Center – the MBCC has now opened for existing classes with County recommendations for facial coverings for indoor activities. The playground remains open with no further Covid-19 restrictions as an outdoor activity. Bistro has not resumed as of yet. Juana (CC cleaner) was out for 6 weeks due to surgery but returned this week. Pilar covered cleaning at the CC for those 6 weeks. More echium has been removed from the MBCC property for the 9/27 'chipper day'. Still researching fireproof screening material for underneath the CC deck as part of our firesafe hardening work on CC property. Also, someone dumped a pile of building materials down the side of the hill at the CC near the firewood pile which Cuco has been scheduled to haul off. I will setup a "no dumping allowed" sign until the parking project is complete to avoid further haul-off costs.

Prop 68 Per Capita Recreation grant – received Coastal Permit status of 'Incomplete' on 9/10. Required the addition of a van accessible ADA parking space with required markings/signage for resubmittal. Civil engineer did a quick turnaround, but ADA space now creates the need for a 5.7 ft. retaining wall which may change the permitting requirements. I am inquiring as to if we can reduce that somehow. I was also informed by Marin County Planner,

that due to the implementation of the amended Marin LCP, the CSD project could now possibly qualify for a 'De minimis waiver' but that was prior to the ADA stall. Soil samples were taken 9/2 and we have received report. Soils are of poor quality and reside in a 'slide scarp' zone so deep piers to bedrock are recommended as well as surface pavement (which will likely be required for the ADA stall as well). The structural engineer is ready to start designing the footings, retaining walls, and any railings (if required by DPW) for building permit submittal. Marin County DPW would still oversee our project, as the majority of the work is within the Marin County roadway easement, which requires an Encroachment permit. It is unlikely that both the funicular project and parking project can move forward in the grant application because there is not sufficient funds to do both at this time, but the utilities have been located and marked by USA. Grant application deadline 12/31/21.

Trails – Cuco has replaced about half the metal tread support brackets on the lower Ahab to Sunset stairs (as the brackets were rusted and one stair had already broken) and is waiting for the other half to arrive. Am looking at the upper trail with regards to additional chaconnes on the downhill runs where bikes are more likely to speed.

Measure A Funding – we received our first Measure A FY21-22 check for \$19,650.36. This year have split planned spending between the MBCC and Park trail work in this year's Measure A Work Plan.

Roads:

Sunset Way Project – (same as last month) still waiting to finish any last payments and tracking costs as required. Have not yet received release request for retainer.

Communications:

Website – am waiting for new Board member bios and photos to update Elected Officials page. Then, as always, continuing to update pages and post routine documents on the website.

Muir Beach Directory – is current thru 9/14/21 and continue to post every new updated version on the district website 'Contact and Links' page.

Finance:

Audits – Sharry has sent over FY20-21 financials to the district auditor, and he has begun the auditing process.

Budgets – the FY21/22 Draft-Budget was approved at the July 2021 Board meeting.

Water Billing – 9/16 water billing statements will include the most recent CPI adjusted water billing rates for FY21/22.

Capital Planning – currently the only capital projects in planning are those using grant funding: Measure A, Recreation Per Capita OGALS, and the Firehouse. No other major infrastructure projects are being planned until the Sunset Way project loan is fully paid off over next two years.

Insurance – received \$302 refund from Worker's Comp reconciliation due to subcontracting grounds maintenance.

District Office Business – drop-in visitors allowed again at the MB office but facial coverings still required due to Marin County HHS recommendation that masks be worn indoors. The district will continue to hold CSD meetings on zoom until further notice. As always, I am continuing to process all District mail and work with Sharry to make sure payroll timesheets, routine/event reimbursements, Credit Card expenditures, incoming payments and outgoing checks are all processed and expedited between agencies, employees, and vendors promptly.

Respectfully submitted,

Mary Halley

MBCSD District Manager

RESOLUTION No. 2014-8-28

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE MUIR BEACH COMMUNITY SERVICES DISTRICT PROHIBITING NON-ESSENTIAL USES OF WATER

The Board of Directors of the Muir Beach Community Services District does resolve as follows:

Section 1 Purpose

This program is intended to comply with the State Water Resources Control Board's adoption of California Code of Regulations Title 23, Section 863, 864 and 865 which require urban water suppliers to implement certain drought emergency water conservation measures. The purpose of this resolution is (1) to conserve the water supply of the Muir Beach Community Services District ("District") for the greatest public benefit with particular regard to the environment, public health, fire protection and domestic use, (2) to conserve water by reducing waste, and (3) to the extent necessary by reason of drought and an existing water shortage emergency condition to reduce water use fairly and equitably. This resolution is adopted pursuant to the California Water Code Section 350 through and including Section 358, and Section 31026 through and including Section 31029.

Section 2 Declaration of Water Shortage Emergency

The Board of Directors finds and declares that due to drought conditions within the District, a water shortage emergency exists within the District.

Section 3 Prohibition of Non-Essential Uses of Water

No water furnished by the District shall be used for any purpose declared to be non-essential by the Board of Directors. The following is a list of non-essential uses and restrictions:

1. **No Waste in General.** The application of landscape irrigation water in any wasteful manner, such that areas become saturated or cause water to run off onto adjacent streets or other areas.
2. **No Watering During Peak Daytime Hours.** The application of landscape irrigation water between the hours of 11 a.m. and 7 p.m., being the time of greatest evaporation of irrigation water.
3. **Watering Limited to Two Times per Week.** The application of landscape irrigation water more frequently than two times per week. Permitted time periods shall be from 7 p.m. Tuesday evenings through 11 a.m. Wednesday mornings, and 7 p.m. Friday evenings through 11 a.m. Saturday mornings.
4. **Watering of Lawns Limited to One Time per Week.** The application of landscape irrigation water to any area that includes a lawn, residential or commercial, more frequently than one time per week. Permitted time periods shall be from 7 p.m. Tuesday evenings through 11 a.m. Wednesday mornings.
5. **Hoses Must Have Shut-off Nozzles.** The use of a garden hose without a shut-off nozzle at the discharge end of the hose.

6. **No Use of Water to Wash Surfaces**. The washing of sidewalks, driveways, parking areas or any other exterior hard surfaces with potable water.
7. **No Filling of Pools**. The filling or refilling of any swimming pool by more than 5% of its capacity within any 90-day period.

Section 4 Violations

If and when the District becomes aware of any violation of this resolution, a warning shall be issued. The warning shall specify the nature of the violation, how it may be corrected and a timeframe for correction, either to be immediate or within a specified time as determined by the District Manager. If the violation is continued or repeated, the District shall assess a \$100 fee to account for the District's costs of dealing with the violation and may also forthwith disconnect water service to the property where the violation has occurred. Upon receipt of assurances that the violations will not continue or be repeated, the District may restore water service to the property. Should the violation be thereafter repeated, the District shall assess a fee of \$400 and may install a device which will restrict the flow of water to the property in question. Should violations continue even with flow restricted, the District may forthwith disconnect water service to the property for an indefinite period.

Section 5 Effective Period

This resolution shall be effective on the date of its adoption. The restrictions contained in this resolution may be partially or fully lifted as conditions change, as determined by the District Manager and with notice provided by the District.

PASSED AND ADOPTED this 28th day of August, 2014 by the following vote of the Board of Directors.

Ayes: Scott Bender, Paul Jeschke, Peter Lambert, Gerry Pearlman, Steve Shaffer

Noes: None

Absent: None

/s/ Steven Shaffer
Steven Shaffer, Board President

Attest:

/s/ Leighton Hills
Leighton Hills, District Manager