MUIR BEACH COMMUNITY SERVICES DISTRICT

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



Regular Meeting of the Board of Directors Wednesday, September 20, 2023 7:00 PM Meeting held by Teleconference Agenda will be emailed and posted Zoom invitation will be emailed

MEETINGS BY ZOOM: Gov. Code section 54953(b provides that local agencies such as the Muir Beach Community Services District may hold its meetings using teleconferencing services, such as Zoom if certain conditions are complied with, all of which have been met by the MBCSD. As such, the District will email Zoom invitations to all residents and other members of the public asking to participate in the meetings, which will also include a dial-in option using your telephone. Please participate from your own locations/homes, however, if needed (and as required by the code), you may participate from the homes of the members of the Board of Directors, being 240 Pacific Way, 1821 Shoreline Hwy, 40 Sunset Way, and 209 Sunset Way where the meeting agenda will be available.

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

Board: Leighton Hills (Board President), Christine Murray (Director), Steven Shaffer (Director), David

Taylor (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: None

Item 3: Board Vacancy Appointment

Board will appoint a new Director to serve out the remaining term of the seat vacated by Director Paul Jeschke on 7/31/23. The new appointee will serve until December 2024. (DM will read Oath of Office to Swear in new Director)

Item 4: Election of Board Officers (if the Board deems necessary prior to January 2024)

Board will elect a Board Vice President.

Article 2.3 of the CSD Bylaws (available on the CSD website) provides: "The Board President and Board Vice President shall be elected at the first meeting of the calendar year or at another subsequent meeting as determined by the Board of Directors. The term of office shall commence upon election and shall continue for one year and until his/her successor is elected and takes office." The Election of Officer(s) will proceed accordingly:

- (1) Nominations Candidate(s) for Board Vice President should be nominated by any one or more Directors.
- (2) Motion to Close Nominations A motion should then be made to close the nominations, seconded and voted upon.
- (3) Vote The Board President should then call a vote for or against each nominated candidate, and declare the outcome of the election.

Item 5: 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 7/26/23.

Item 6: Items Removed from Consent Calendar

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

Item 7: NPS Update – Mia Monroe

NPS Park Ranger and Marin Community Liaison Mia Monroe will give an NPS update.

Item 8: Transfer of the title to the Terwilliger Grove Property on Pacific Way from Audubon Canyon Ranch (ACR) to Muir Beach – Jim White

Muir Beach resident Jim White (and possible representative from the ACR) will present this item for discussion.

Item 9: MERA PG&E Transformer Easement – Leighton Hills

PG&E needs to install a new transformer for the MERA tower under construction at the CSD's Overlook Tank parcel. This transformer will also provide service to the future firehouse as well as for the water tank equipment (which is currently being served by a small power line from the Smith's home). The easement is proposed to be 5 feet deep and 15 feet wide and would be close to the property line with the Smiths. It's in an area that won't interfere with the firehouse driveway or the water main leading to the Overlook Tank.

Oftentimes transformers are placed in the right of way but here there isn't enough width of the right of

MBCSD Agenda 9-20-2023

way to give it the legally required distance from the lanes of traffic on Seacape. As a result, PG&E will pay the CSD a one-time fee of \$1,000 for the easement for this transformer.

The transformer itself is considerably smaller than the proposed easement but the size satisfies all legal requirements for clearance. Here is a picture of an existing transformer at the beginning of Starbuck Dr.



This is an action item for the Board to authorize the DM to execute the easement on behalf of the District.

Item 10: Development of Activity Court – Chris Vallee

Muir Beach resident Chris Vallee will present for discussion his request for the CSD to consider development of a community court that would be tennis court size so that it is capable of being utilized as a multi-sport space, i.e. tennis, pickleball (4 courts fit on one tennis court), basketball, badminton etc.

Item 11: District Cybersecurity – Christine Murray/Leighton

Cybersecurity Ad hoc subcommittee to provide a brief progress report on this continuing project.

Item 12: District Manager Report

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

Item 13: 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.

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Item 14: Recognitions & Board Member Items

Board member recognitions and pending events of interest to the community.

Item 15: Next Meeting Date and Adjournment

Next Agenda Meeting Date: Wednesday, November 8 or November 29, 2023 Next Board Meeting Date: Wednesday, November 15 or December 6, 2023

MUIR BEACH COMMUNITY SERVICES DISTRICT



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NOTICE OF BOARD VACANCY September 5, 2023

NOTICE OF VACANCY ON THE MUIR BEACH COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

(GOVERNMENT CODE SECTION 1780)

Notice is hereby given that there is currently one vacancy on the Board of Directors of the Muir Beach Community Services District for the vacated term expiring December 2024.

The Board of Directors of the Muir Beach Community Services District intends to fill the vacancy by appointment at the Regular Board of Directors' meeting on:

Date: September 20, 2023

Time: 7:00 PM

Location: Muir Beach Community Center (or Via Teleconferencing)

19 Seacape Drive, Muir Beach CA, 94965

If you are interested in the position, you must be a registered voter in Marin County and reside within the Muir Beach Community Services District.

Any person interested in being appointed to fill the Board vacancy should request an application from the District Office at 19 Seacape Drive, Muir Beach, CA 94965 or contact the District Manager at districtmanager@muirbeachcsd.com to submit an application to the District Office by **Tuesday September 19, 2023.**

1	MUIR BEACH COMMUNITY SERVICES DISTRICT		
2 3	Minutes of the Board of Directors' meeting held on		
	Wednesday, July 26, 2023		
4			
5	OFFICIAL MINUTES ONLY UPON APPROVAL		
6			
7	Prior to approval of these minutes by the Board of Directors in a public meeting, these minutes are		
8	draft only and subject to change. Upon approval by the Board, these minutes become the Official		
9	Minutes of the meeting.		
10			
11	Item 1: Call to Order		
12	Paul Jeschke called the meeting of the Muir Beach Community Services District Board of Directors to		
13	order at approximately 6:45 pm.		
14			
15	Board: Paul Jeschke (Board President), Leighton Hills (Board Vice-President), Christine Murray		
16			
17	Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting Secretary)		
18	Have Or Burblic Comment for Closed Consists		
19			
20	NOTIE.		
21 22	Item 3: Closed Session (Directors and District Manager)		
23	The California Government Code provides that certain matters such as litigation, personnel matters,		
24	and real estate negotiations may be conducted in closed session. The matters shall be set out below.		
25	After any closed session, the legislative body shall reconvene in open session prior to adjournment		
26			
27	Section 54954.5(e)		
28			
29	Public Employment – Title: District Manager – authorized by CA Gov't Code Section 54957(b)(1)		
30			
31	Item 4: Reconvene in Open Session		
32			
33	given a 3.7% annual raise.		
34			
35	Item 5: Approval of Agenda		
36	Item(s) not included in this agenda: None.		
37	MOTION: That the agenda is approved as submitted.		
38	Moved: Shaffer, seconded by Taylor		
39	Vote: AYES: Unanimous.		
10			
11	Item 6: Consent Calendar		
12			
13 14	Financial Reports dated 6/30/23.		
14 15	MOTION: To approve the consent calendar.		
16	Morion. To approve the consent calendar. Moved: Shaffer, seconded by Taylor		
+0 17	Vote: AYES: Unanimous		

Item 7: Items Removed from Consent Calendar 1 2 None. 3 4 Item 8: Fire Department Report Director Taylor narrates the report in Chief Gove's absence. 5 6 7 MERA tower: The project is underway and is reported to be on schedule for November 2023 8 completion. 9 10 FIREHOUSE: Supervisor Rodoni has informed us that \$100,000 will be available for fire house construction costs. This discretionary allocation is from the Marin County General fund. The 11 12 stipulation is that we must use these funds by the end of calendar 2023. We are so grateful to the 13 Supervisor for his support. We were however unsuccessful in obtaining construction funds via a 14 collaborative West Marin/Marin County Fire grant application for State/Federal funds. 15 16 MEDICAL EQUIPMENT GRANT: We were informed that we will likely receive funding for new medical 17 equipment. The final amount could be as much as \$50,000. We are very grateful to the efforts of 18 MCFD Deputy Chief Martinelli for his work on this grant. 19 20 BBQ: Once again we had a great BBQ. We await the final tally but the net proceeds were approximately \$47,249. 21 22 23 Item 9: Plaque for John-John and Kathy Sward – Approval – Paul Jeschke 24 25 Muir Beach Friends and Neighbors seek approval to accept a donation of a small bronze plaque (3"x6" at the largest) to be placed to the left side of the Community Center fireplace. The plaque will 26 27 be inscribed with the following: 28 29 Come stand by the fire and warm your hearts. [5] John-John and Kathy Sward 30 31 32 MOTION: To accept the plaque and install it. 33 Shaffer, seconded by Taylor Moved: 34 Vote: AYES: Unanimous. 35 36 **Item 8: District Manager Report** District Manager Mary Halley presents brief highlights from her DM report, a written document which 37 38 (as always) is included with the monthly meeting packet available online at 39 http://www.muirbeachcsd.com/meetings. 40 42 the Board does not move to make appointments, and District staff and resources cannot be involved

41 Highlights: We know that Director Jeschke will be moving but has not yet officially resigned. Until then,

in appointments or elections, so currently waiting on the official process. 43

Leak detection: We discovered some leaks, and now our overall leakage is down 45% so that's very 44 45 good.

46 Community Center parking construction is now underway.

Cybersecurity Committee is working and will be reporting at the September meeting. 47

Finances: Last year we did very well on expenses. General came in 10% under budget, Fire 21% under budget, Recreation and Roads came in at 24-28% total of the budgeted amount, and Water came in 5% under.

1 2

Director Taylor asks about the amount of water lost. Halley explains that the 'unnaccounted for' amount is the discrepancy between the master meter amount and the total of the individual meters. For any water district, this will often be 10-12%, but we were starting to get up around 22%. The water team investigated and found an abandoned valve that had a leak, which was repaired, and that seemed to account for most of the increase.

Director Jeschke indicates that his resignation will be coming in the next few days.

<u>Item 11: Temporary Interfund Loan Agreement - Approval</u>

The purpose of this agreement is to document the temporary interfund transfer of funds from the Water Fund – Lower Tank Reserve account that is restricted within the MBCSD by California Constitution Article XIII D, Section 6, and for which, the District does not anticipate using the funds for the purpose of replacing the Lower Water Tank for another 6-10 years (at the earliest) on the current planned Water capital replacement schedule. This agreement allows for temporary authorization for these Water funds to be used by the General Fund for unassigned operational and general expenses to bridge a short-term cashflow gap between General Services expenses and FY 2023-24 December Property Tax revenues.

This temporary interfund loan agreement has been approved by the District auditor as being procedurally correct and by legal counsel under Government Code 53858 as long as the amount loaned does not generally exceed 85 percent of the monies that will eventually be made available in the debtor fund to pay back the creditor fund. Interfund loan will be 81.25%.

MOTION: To approve the Interfund Loan Agreement.

Moved: Shaffer, seconded by Taylor

Vote: AYES: Unanimous.

Item 12: FY23-24 Final Draft-Budget - Approval

The proposed FY23-24 Final Draft-Budget is presented by the District Manager for any further discussion and final approval.

Halley feels that it's a good budget: we'll be able to meet all costs and do the work we need to do. In general, we'll have an increase of \$10,000 in property taxes. MERA radio rental income will now provide an additional \$30,000 to general. The audit fee is going up by \$1,700. We should end the year with an estimated unrestricted funds of \$25,296 if we stick to the budget. In fire, an increase in Measure C grant spending of \$20,000 for defensible space. Decrease in fire equipment and tools by \$5,000, and hoping we'll have a grant to back-fill some expenditures there, and we will have an increase in restricted fire reserves of \$65,586 for this year's budget. Recreation budget is affected by the Community Center closure. One new item is an increase in repairs and maintenance for the volleyball court of \$1,500 as decided by the board, for a total of \$3,000 for trail repair and maintenance. Events budget will be as usual \$8,000, plus we still have a cushion of \$2,000 from the Christmas fund donations. For roads, it is the same, about \$10,000 for repairs and \$300 to maintenance. Water rate increase of 4.2%, but despite that, revenues will be down \$7,600 if usage continues to decrease as it has been with people continuing to conserve water. Halley will watch water revenues carefully. Water maintenance/repair stays the same. Bottom line is that we're

expecting a \$22,198 loss to water but will try to cushion that. But in our capital improvements fund for water, we expect to see a \$77,000 increase that can be spent on infrastructure improvements.

2 3 4

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MOTION: To accept the FY23-24 Final Draft-Budget

Moved: Shaffer, seconded by Taylor

Vote: AYES: Unanimous.

6 7 8

Item 13: Public Open Time

9 None.

10 11

<u>Item 14: Recognitions & Board Member Items</u>

12 Director Murray recognizes Director Jeschke for his work on the board, and in particular for the help

and counsel he's given to her in her time on the board. Grateful for all his work as a community

14 activist, and Paul and Anne will be sorely missed. Each Director in turn thanks Paul Jeschke.

15 16

Item 12: Adjournment

- 17 Next Agenda Meeting Date: Wednesday, September 13, 2023
- 18 Next Board Meeting Date: Wednesday, September 20, 2023.

19

- 20 There being no further business to come before the board, the meeting is adjourned.
- 21 Meeting adjourned at 19:30.

Muir Beach Community Services District Balance Sheet As of August 31, 2023

Accrual Basis

	Aug 31, 23
ASSETS Current Assets Checking/Savings TriC Checking TriC Fire TriC Pipes & Equip Reserve TriC Lower Tank Reserve TriC General Fund TriC Water Prop 68 20% Matching Reserve	380,445 65,391 30,001 146 (70,102) (128,129)
Total TriC Checking	277,752
TriC MMF - General Fund	201,689
Clearing	58
Total Checking/Savings	479,498
Other Current Assets Due from Gen Fd to Lwr Tk Res Due from Water Ops to Gen'l Fd	130,000 70,102
Total Other Current Assets	200,102
Accounts Receivable Receivables	19,469
Total Accounts Receivable	19,469
Total Current Assets	699,069
Fixed Assets Other Fixed Assets Road Improvements Land Buildings Playground Upgrades Equipment Land - Fire Station Equipment - Fire Trucks Buildings - Fire Station Furniture & Fixtures - CC Electric Gate Shed Roof Accumulated Depreciation	1,336,973 755,573 615,666 174,189 153,535 147,918 103,871 57,571 10,467 6,967 3,688 (1,176,531)
Total Other Fixed Assets	2,189,887
Water System Assets 100-Year Equipment Post 2008 Historic Water System Equipment 40-Year Equipment Post 2008 Mains and Valves (historic) Other Water System Assets 10-Year Equipment Post 2008 15-Year Equipment Post 2008 Wells (historic) 20-Year Equipment Post 2008 Equipt and Controls (historic) 5-Year Equipment Post 2008 Accumulated Depreciation	652,370 546,323 354,261 60,939 54,217 52,206 44,944 21,620 7,312 6,973 4,084 (766,600)

Muir Beach Community Services District Balance Sheet As of August 31, 2023

Accrual Basis

	Aug 31, 23
Total Water System Assets	1,038,650
Total Fixed Assets	3,228,537
TOTAL ASSETS	3,927,607
LIABILITIES & EQUITY Liabilities Current Liabilities Other Current Liabilities Due to Lwr Tk Res from Gen Fd Due to Gen'l Fd from Water Ops	130,000 70,102
Total Other Current Liabilities	200,102
Accounts Payable Accounts Payable	6,266
Total Accounts Payable	6,266
Credit Cards Credit Card	942
Total Credit Cards	942
Total Current Liabilities	207,310
Total Liabilities	207,310
Equity Retained Earnings Net Income	3,796,057 (75,761)
Total Equity	3,720,296
TOTAL LIABILITIES & EQUITY	3,927,607

Water, Fire, Recreation, Roads, Finance, and Communications – September 2023

General:

<u>Board of Directors</u> – Board President Paul Jeschke officially stepped down 7/31/2023 and Board VP Leighton Hills took over as Board President as of 8/1/2023. Notice of Board Vacancy was posted 9/5/2023 to meet the mandatory 15-day noticing for the Board to make an appointment at the 9/20 meeting to appoint a new Board member within the 60-day requirement.

<u>Remote meetings</u> – the District will continue to hold remote meetings as needed under the original Brown Act with special noticing provisions and posting requirements. Public attendance continues to be higher when held remotely.

District Manager – am scheduling to be out of town the week of 10/16.

Water:

<u>Redwood Creek Stream Monitoring</u> – stream height is still at .76 but discharge stream flows have dropped to .33. We are still above our required on-site monitoring levels for stream height and discharge.

Water Reports – all drought reports will have been submitted through August 2023.

NOAA Climate Resilience Regional Challenge Letter of Intent – the MBCSD, along with IPUD, BCPUD and SBCWD, have joined together to file a Letter of Intent to be able to jointly file for a \$1Million Track 1 NOAA Climate Resiliency grant. We should hear back by 10/11 if we are selected to submit a full application. Track 1 provides funding to study collaborative approaches to climate change which is the preliminary step in preparation to be able to submit for Track 2 project funding.

Marin Water Seasonal Intertie possibility — Marin Water (formerly known as MMWD) is putting together some preliminary cost numbers and engineering calculations to help prepare MBCSD to be able to apply for, or be a part of, regional funding grants for climate change. The Frank Valley Road repaving project will be in the design phase until planned construction starts in Spring 2026. This provides a potential window for MBCSD to possibly get grant funding to install an intertie pipeline before the road paving is completed. This would both, save the cost of demolition and paving for the pipeline project, but also, once the Frank Valley Road's 2 year construction project is completed, there will be a minimum 5-10 year moratorium on being able to do any utility work in the roadway afterwards, so intertie project has a narrow window of opportunity in the next 2 – 4 years. The intertie would allow for seasonal exchanges of water between MBCSD and Marin Water without a merger of systems.

<u>PWB Insurance claims</u> – continuing to file follow up with court paperwork for 2019 claim for restitution. Also, have now given District information to CHP to include in accident report for new damages to the PWB from accident that happened on 9/7/2023 around 10pm. Have requested quote from Rodas to repair damage to rock wall barrier that protects district water main that crosses the bridge at that location.

Fire:

<u>Firehouse</u> – PGE refunded the deposit for the electrical service engineering permit. MERA project needs a transformer easement for their tower (discussion will be on agenda for 9/20 board meeting) that may also serve the new fire house. Finished processing last information requests for the CSD to receive a \$100,000 grant promise from the County of Marin CDA (signed by Matthew Hymel) and recommended by Supervisor Rodoni to go towards construction of the firehouse once construction begins.

<u>Fire Barn</u> – have finally finished negotiations and signed the Fire Barn 2-year Special Use Permit for 9/1/2023 – 8/31/2025. The NPS removed the requirement that the CSD carry property fire insurance for the Creamery Building.

<u>Measure C and MWPA</u> – the District has budgeted to use some Measure C Local and D-Space funds to clear some vegetation and dead or dangerous trees from the road's edge on Charlotte's Way to reduce dead fuel load, protect roadbed stability, maintain emergency vehicle access, and provide a safer evacuation corridor for the residents at the end of the road.

Recreation:

<u>MB Community Center</u> – still waiting for delivery of new deck roof glass to replace several broken panes and repair the cracking seals. Chris Gove may try sourcing from a different vendor. The CC Parking Project continues to move forward.

<u>MB Community Center Rentals</u> – resident rentals and community events will resume in November after the parking project construction is complete. Project is so far on schedule to be completed by the end of October.

Prop 68 Per Capita Recreation grant – the construction is underway. Rodas Brothers Construction began on-stie July 24, but was delayed a week because of an unexpected AT&T bundle, so the construction schedule was pushed back an extra week, and will now continue for 13 weeks, wrapping up mid-late October. I submitted the first Prop 68 Request for Reimbursement for both pre-construction and initial construction costs to OGALS on 8/1 for \$60,979 or 34% of the grant amount. It took over a month for it to be reviewed and moved up for payment which they say can take as long as 14 months they are telling me. I will only submit one more construction reimbursement request for 46% that will then leave the last payment of 20% which they will not reimburse until the project is complete. So far, we have completed 4 out of 7 construction tasks with site prep, drilling 15ft piers, pouring pier cages, and constructing the grade beam. Next, the retaining wall, paying and finishing details.

Measure A – received our first FY23-24 installment of \$21,957 on time which will help with cashflow for the parking project.

Parks and Trails – have budgeted this year to do some minor repairs on the Sunset to Cove Lane trail.

Roads:

<u>Charlotte's Way</u> – have begun coordinating with several property owners on CW whose particular properties border the area of the roadway easement the district needs to do some vegetation and dead or dangerous tree removal. Measure C Local and some D-Space funding can be used for this evacuation corridor safety project. We have secured several estimates and have selected the most reasonable quote that includes all the work that needs to be completed within the budgeted amount. This project will be scheduled in mid-October after bird nesting season but before winter. We are also coordinating to add v-drains to two culvert grates to help keep tree leaves and pine needles from clogging the drains during winter storms.

Communications:

<u>Cybersecurity Committee</u> – Director Murray continues to Chair and move the committee forward in scouting out investigative resources for our district to evaluate the district's cyber vulnerabilities and possible security improvements. Our district IPs are now scanned weekly by CISA for vulnerabilities and are provided secure reports for review. I have begun a district IT, OT and physical asset inventory as a starting point to be able to track and update our equipment, software and security measures.

Website – as always, continuing to update pages and post routine documents, and do security updates on the website.

Muir Beach Directory – currently updated through 9/12/23 and posted on the district website 'Contact and Links' page.

Finance:

Audits – annual CSD audit well underway with all documents and worksheets completed and submitted.

<u>Budget</u> – Board approved a temporary interfund loan from the Water LT fund, similar to last year, which started 8/1 with repayment scheduled for January 2024. This will bridge operational cashflows until December property tax revenue installments.

<u>District Office Business</u> – our new checking account 'positive pay' system continues to run smoothly. 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