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FOR THE
BOARD OF DIRECTOR'S INFORMATION PACKET
FOR THE
MUIR BEACH COMMUNITY SERVICES DISTRICT
REGULAR BOARD OF DIRECTORS' MEETING TO BE HELD
ON WEDNESDAY, DECEMBER 8, 2004
IN THE COMMUNITY CENTER AT 19 SEACAPE DRIVE
TO BEGIN AT 7:00 P.M.**

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**AGENDA FOR THE MUIR BEACH COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS' REGULAR BOARD MEETING
ON WEDNESDAY, DECEMBER 8, 2004 TO BEGIN AT APPROXIMATELY 7:00 PM IN THE
COMMUNITY CENTER LOCATED AT 19 SEACAPE DRIVE,
MUIR BEACH, CALIFORNIA.**

Directors: President Leighton Hills; Directors:, Deborah Kamradt, Maury Ostroff, Peter Rudnick, and Steve Shaffer.

- I. **President Hills** will call the general meeting to order, and then turn the meeting over to incoming President Kamradt
- II. **Review and consideration of the December 8, 2004 Agenda.** Agenda items may be deleted, postponed, continued, or changed in scheduled sequence from the posted agenda so as to accommodate the needs of the Board and the public in attendance. However, no item can be added to the Agenda, for the purpose of having the Board make a decision, except as defined below under "Public Open Time"
- III. **National Park Service:** Representatives from the National Park Service (N. P. S.) will offer information on the ongoing Muir Woods and Beach activities relevant to the Muir Beach Community.
- IV. **Fire Department, Emergency Disaster Committee:** Chief Sward will update the Board on the Fire Department activities.
- V. **Bills to be paid.** The Board will consider payment approval of the bills received requesting payment during the October 1 through October 31, 2004 period.
- VI. Linda Eigsti will update the Board on her request to establish a child care facility for the community.
- VII. **General Manager's Report:** The General Manager's written report follows, and the G. M. will be present to answer questions concerning the various elements in the report. This report is an integral part of the Agenda and the Board may take action on any or all items within the report.
 - A. **Administration:** Administrative activities have been normal, and no specific items currently require Board consideration.
 - B. **Recreation:** The following community events require Board consideration: During the October meeting, the Board approved funds for the "Day of the Dead" party and the forthcoming new Year's eve party. It is anticipated that Harvey will offer a brief report of the success of the "Day of the Dead" party and the plans for the New Year's eve party.
 - C. **Roads and Easements:** The following items are carried forward from the last Board meeting:
 1. **Sunset Way encroachment:** Mr. Crawford retained an engineer, as requested by the Board, and the engineer's report was forwarded to the Directors under separate cover in early November. The report offered several alternatives and time schedules for mitigation of the encroaching retaining wall. The Board is requested to make a decision as to its preference of the alternatives offered by the engineer's report.
 2. **Tree replacement:** Director Ostroff has been working with Mr. Wood, who has retained Tony Mekisich to install the screening plants suggested by the Garden Club. Director Ostroff will inform the Board on this matter.
 - D. **WATER OPERATIONS:** Late October and early November were very difficult days for water operations, with the most severe leak conditions for many years. The leaks have been repaired through the diligent efforts of Harvey and our sub contractors. Also, we have gained some valuable information for future leak detection, as we are now able to rent leak detection equipment from Hertz Rentals and Forster Engineering.
 1. Coliform tests taken during November initially indicated a contaminant. In accord with Health and Safety rules, Harvey performed the necessary steps for retesting, and the problem was corrected.

2. After considerable effort, the main line distribution leaks have been repaired. The final cost for resolving this problem has not been completed. However, there is little question that the combination of multiple repair crews, trucking of water to continue service to the upper service area, and additional electric costs for alternative pumping methods will substantially exceed the \$5,000 originally budgeted for repairs and contract services. Water operations was projected to operate at an \$11,327 loss in fiscal 04-05. This loss will now be substantially greater, and when combined with other departmental losses requires a careful study of the District's fiscal operations as of the '04 year end.
3. Water Billing for the 9/16 through 10/16/04 billing period was \$5,575 for service and \$1,394 for the consumption surcharge, which just 3.5% less than the previous year billing for the same period.
4. Water production analysis is tabulated below:

Comparison of current water production to last year

Description	9/16 to 10/16/04	9/16 to 10/16/03	09 - 10 % Change
Volume pumped through master meter =	649,040 gallons	955,425 gallons	-21.60
Average daily pumping rate	24,968 gallons	31,848 gallons	-28.35%
Highest pumping day volume pumped =	35,200 gallons	44,088 gallons	-20.16%
Lowest pumping day volume pumped =	0 gallons	15,097 gallons	N. A.
Total volume billed through service meters =	819,270 gallons	801,340 gallons	2.24% ³
Gross unaccounted for water loss =	68,227 gallons	154,085 gallons	-55.72%
Estimated un-metered maintenance use	gallons	gallons	
Estimated leak repair losses	gallons	gallons	
Net unaccounted for water loss	68,227 g. 8.33% ¹	154,085 g. 16.1% ²	-55.72%
Average daily consumption per meter =	168 gallons	154 gallons	-9.09% ³
Average service billing =	\$46.22	\$37.67	-3.85%

¹ Since August, there has been a gradual increase in the unaccounted for water loss. This leak finally came to the surface in late October, and since that discovery, three leaks in the main line system have been repaired. The value of the monitoring the unaccounted for water loss and its changes are now a major tool in indicating potential leak conditions in the distribution system. The general system is now tight enough that minor increases in the unaccounted for water loss indicate potential system leaks.

² The high unaccounted for water loss in Oct. 2003 indicated a substantial water leak that was repaired within a few days after the meter readings.

³ The larger real consumption, as measured through the service meters, versus reduced income as compared to the previous year indicates more conservative use by the large consumers and an more uniform increase in the average daily consumption per meter, which yields a lower gross income.

E. **Water Conservation:** Enforced water conservation remained in effect during the 9/16 through 10/16 billing period and as may be observed from the above table, the high consuming residents cooperated to reduce overall consumption by 19.3% from the previous billing period.

F. Water Capital Improvements: The following items involve water capital improvements.

1. **The new well pump** has been installed and activated. The well is using a used 10 hp motor with a new pump base, yielding production of approximately 60 g.p.m. which is more than twice the production rate of the older well. It is anticipated that when the new production and treatment system is installed, the well will actually produce at an even higher rate of 70 to 90 g.p.m.
2. **Grant applications:** Proposition 50 is the Water Security, Clean Drinking Water, Coastal and Beach Protection Act that offers 9 different grant programs offering grant funds for various water system projects, totaling approximately \$430 million to be distributed over 4 years beginning 2004. The largest allocation of \$260 million is restricted to systems dependent upon Colorado River water. Two of the remaining programs offer an opportunity for Muir Beach. Of these two, the Water Security program offers a total of \$50 million with a minimum grant of \$50,000 and maximum of \$10,000,000 per applicant. The Small Water Systems (less than 1,000 service meters and 3,300 population) program offers a total of \$14 million, with a \$5,000 minimum and \$2,000,000 maximum per applicant. Generally, the grants require matching funds, however, small water systems are exempt from this requirement. After researching the more than 300 pages of descriptive material, consultation with Directors Hills and Shaffer and brief discussion with Department of Health Safety (DHS) personnel, I prepared and submitted the required pre-application forms for a water security grant totaling \$1,720,000 and a small community water system grant totaling \$539,000.
 - a. The Water Security grant requires completion of the 2002 Water Security analysis which I completed. This is a lengthy questionnaire from the Department of Health and Safety (as a result of the terrorist activities), designed to indicate the security weaknesses in public water systems by natural disasters, vandalism, terrorist acts, etc. Completion of the forms indicated that our greatest weakness is in the two water storage tanks. Both are wide open to vandalism (and have been vandalized in the past), are aged and subject to earthquake damage that would render the district residents without water, inadequate for sustained fire protection, etc. After consultation with a DHS representative, this was indicated as a proper basis for requesting grant funds to replace the tanks, modernize the alarm systems, and provide for other security protection.
 - b. The small water system grant offers funds to mitigate the problems causing the required non compliance with drinking water, or DHS regulations or standards. Essentially, when our system is in normal operations, it complies with these regulations and standards. However, our system is more than 40 years old and over time the main lines have accumulated substantial deposits of iron precipitate which frequently becomes colloidal following earthquake tremors, turbulent water flow, and other causes of vibration, etc., resulting in minor to severely discolored water. This turbidity is in violation of the standards and qualifies under the conditions of this grant program. In our situation, the simple filtering of water will not eliminate the problem, for it is the deposits in the system becoming colloidal that causes the turbidity. Cleaning the distribution system of precipitate without provisions to remove the iron prior to entry into the distribution system will only provide temporary relief. The grant requests funds for full treatment of the raw water to remove the iron, combined with a complete cleaning of the distribution system to remove the precipitate deposits.
3. The grant program requires the pre-application be submitted by 5 pm December 1, 2004. The Security grant application was submitted by e-mail on November 29 and the small water application on November 30. DHS will review and rank the requests by February 28, 2005 which will be the first indication of grant approval for this application. Another 2.5 months is required for hearings, and full applications for the fundable portions of the grant requests. Applicants then have 6 months to submit the full applications including supporting engineering data, and budget projections. Once complete, DHS will take as many as 8 months to issue a letter of commitment and then the applicant has 6 months to fulfill the conditions of the letter of commitment. DHS then has 2 months to review followed by 4 months for D. W. R. and the applicant to execute the funding agreement.

Applicant can then begin construction of the work within 1 year of the agreement with 3 years to complete the construction. **Funds are not advanced, they are reimbursed after the applicant has paid, so the applicant must have funds available for the interim period of construction.** For this reason, I have contacted the companies that were preparing capital improvement proposals (two had already requested a time extension) and temporarily delayed submission until after the end of February. It should be noted that this grant process, using the maximum time allowances may require approximately 36.5 months before a successful grant application receives a letter of commitment.

4. **Capital Improvements special assessment tax.** The Board approved the consolidation of the tax measure for the March election. The County Elections Officer informs me that the request for consolidation (Dec 12, 2004 filing deadline) must include the exact wording to be voted on. Resolution 2004-12-08, which duplicates the wording of the previous approved 2001 Ordinance is attached for Board approval.

This concludes the General Manager's report in the Agenda.

- VIII. PUBLIC OPEN TIME:** California State Law prohibits Board action on any item, within its jurisdiction, that has not been listed on the lawfully posted Agenda unless: *1) upon a determination by a majority of the Board that an emergency situation exists; 2) upon a determination by a two-thirds majority of the Board (or by no less than three members, if less than the entire Board is present) that the need to take action arose subsequent to the Agenda being posted; or 3) the item was posted for a prior Board meeting, occurring not more than five (5) days prior to the date action is taken on the item, and at the subject prior meeting, the item was continued to the meeting at which action is being taken. Other items will generally be received as information, or referred to staff for further consideration prior to the next scheduled meeting of the Board. As a matter of procedure, the Board may limit individual presentations to no more than five minutes. Individual presentations should involve non-repetitive items, and non-repetitive supporting information.*

PUBLIC INPUT

Old business: The public may request further consideration, clarification, or modification of business items previously considered and acted upon by the Board. The public must reference the minute item and date of the approved minutes

New Business: The public may introduce items of new business, not included in the posted Agenda, that they wish the Board to consider at a future meeting, or they may present substantiating evidence to support emergency consideration. The presentation should include information and details offering a clear understanding of the problem to be considered.

In addition to the foregoing public input, the public has the right and will be invited to comment on any and all items listed on the posted Agenda. Comments are subject to the time and content limitations outlined above.

- IX. **Review of the draft minutes** for the general meeting held on October 27, 2004.
- X. **Next meeting date:** The 4th Wednesday in January is the 26th.

ADJOURNMENT OR CONTINUATION

Accrual Basis

Muir Beach Community Services District
 Bills to be Paid
 October 2004

	TOTAL	Admin	Roof Cap Impr	Water Cap Impr	Fire	Rec	Roads	Water
State Compensation Insurance Fund	4,224.76	0.00	2,763.65	94.71	55.16	445.61	62.58	783.05
ABC Consultants, Inc.	3,938.25	763.25	0.00	1,700.00	225.00	300.00	300.00	650.00
Allstar Fire Equipment, Inc.	2,411.38	0.00	0.00	0.00	2,411.38	0.00	0.00	0.00
Harvey Pearman	1,925.00	0.00	0.00	0.00	0.00	440.00	88.00	1,397.00
Mullin, Sharon	1,490.00	1,115.00	0.00	0.00	0.00	0.00	0.00	375.00
PG&E	892.19	0.00	0.00	0.00	0.00	108.56	0.00	783.53
Payroll taxes	200.30	200.30	0.00	0.00	0.00	0.00	0.00	0.00
Paychex, Inc.	396.48	396.48	0.00	0.00	0.00	0.00	0.00	0.00
CalPers	306.52	0.00	0.00	0.00	0.00	0.00	0.00	306.52
Juana Gonzalez	288.00	0.00	0.00	0.00	0.00	288.00	0.00	0.00
SBC	202.98	107.65	0.00	0.00	63.32	0.00	0.00	0.00
Salvador Gonzalez	225.00	0.00	0.00	0.00	0.00	0.00	87.50	37.50
Marin County Treasurer	169.00	169.00	0.00	0.00	0.00	0.00	0.00	0.00
Lonna Richmond	180.00	0.00	0.00	0.00	0.00	180.00	0.00	0.00
Pearman, Harvey (reimb for OOP)	146.93	0.00	0.00	0.00	0.00	28.37	0.00	118.56
Waste Management	121.05	0.00	0.00	0.00	0.00	121.05	0.00	0.00
Macfarlane, Donovan (reimb for OOP)	108.22	73.22	0.00	0.00	0.00	0.00	0.00	35.00
Goodman Building Supply	108.71	0.00	0.00	0.00	0.00	21.74	12.35	74.62
State Water Resources Control Board	101.02	0.00	0.00	0.00	0.00	0.00	0.00	101.02
Cingular Wireless	94.05	59.51	0.00	0.00	0.00	0.00	0.00	34.54
USPS	72.50	0.00	0.00	0.00	0.00	0.00	0.00	72.50
SBC 9969 (pay phone)	53.96	0.00	0.00	0.00	0.00	53.96	0.00	0.00
County of Marin, HHS Public Health Lab	30.00	0.00	0.00	0.00	0.00	0.00	0.00	30.00
Knox, Nancy	30.00	0.00	0.00	0.00	0.00	30.00	0.00	0.00
Smith Barney Citigroup	25.00	25.00	0.00	0.00	0.00	0.00	0.00	0.00
Misc Vendor	10.75	0.00	0.00	0.00	0.00	10.75	0.00	0.00
TOTAL	17,752.05	2,909.41	2,763.65	1,794.71	2,754.86	2,128.14	570.43	4,830.85

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Accrual Basis

Muir Beach Community Services District
Bills to be Paid
October 2004

Total paid out of the Water Capital Improvements Fund	1,794.71
Total paid out of the General Fund	15,957.34
	<u>17,752.05</u>
Total paid out of the Rental Security Deposit Trust	1,710.00
Total paid out of the Water Security Deposit Trust	0.00
Total paid out of the Shaffer Medical Trust Fund	350.95
Total checks issues	<u><u>19,813.00</u></u>

The above bills were approved for payment by the Muir Beach Community Services District Board of Directors on the _____ day of _____, 2004.

MUIR BEACH COMMUNITY SERVICES DISTRICT

Deborah Kamradt, President

Donovan Macfarlane, General Manager

6 of 17

Muir Beach Community Services District

Balance Sheet

As of October 31, 2004

	<u>Oct 31, 04</u>
ASSETS	
Current Assets	
Checking/Savings	
Smith Barney	
General Funds	46,430
Total Smith Barney	<u>46,430</u>
428 Gen'l Fd	4,370
429 Inv Fd	
Water Capital Improvement Fund	264,246
Fire Station Reserve Fund	14,637
General Investments	90,512
Total 429 Inv Fd	<u>369,395</u>
Petty Cash Fund	207
Total Checking/Savings	<u>420,402</u>
Accounts Receivable	
Receivables	14,616
Total Accounts Receivable	<u>14,616</u>
Other Current Assets	
Undeposited Funds	257
Deposits	35
Total Other Current Assets	<u>292</u>
Total Current Assets	435,310
Fixed Assets	
Building	16,518
Machinery & Equipment	537
Roads & Easements	
CC Steps	376
Easement Lighting	5,103
Total Roads & Easements	<u>5,479</u>
Water System Improvements	
Water Well	599
Total Water System Improvements	<u>599</u>
Total Fixed Assets	<u>23,133</u>
TOTAL ASSETS	<u><u>458,443</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Rental Security Deposits	1,750
Shaffer CalPers Trust	329
Water Security deposits	<u>7,000</u>

Accrual Basis

Muir Beach Community Services District

Balance Sheet

As of October 31, 2004

	<u>Oct 31, 04</u>
Total Other Current Liabilities	<u>9,079</u>
Total Current Liabilities	<u>9,079</u>
Total Liabilities	9,079
Equity	
Retained Earnings	474,239
Net Income	<u>-24,874</u>
Total Equity	<u>449,365</u>
TOTAL LIABILITIES & EQUITY	<u>458,444</u>

Muir Beach Community Services District
Statement of Revenues and Expenditures
 October 2004

	<u>Oct 04</u>
Ordinary Income/Expense	
Income	
Water Operations Income	5,668.34
Consumption Surcharge	1,458.68
Recreational Activities Income	2,324.65
Donations	40.00
Tax Income	12.79
Total Income	9,504.46
Expense	
Administration Fees	3,750.00
Bank Service Charges	25.00
Bistro Expenses	40.75
Bookkeeping	1,490.00
Employee Benefits	306.52
Insurance	4,224.76
Licenses, Permits & Fees	270.02
Misc Operating Expenses	-5.00
Office Expense	30.92
Outside Services	396.48
Payroll Expenses	2,818.30
Postage & Delivery	154.80
Repair & Maintenance	56.65
Supply	8.56
Telephone	297.03
Travel Expense	298.25
Utilities	1,095.57
Water Testing & Expense	82.06
West Marin Expenses	2,411.38
Total Expense	17,752.05
Net Ordinary Income	-8,247.59
Other Income/Expense	
Other Income	
Interest Income	1,326.63
Total Other Income	1,326.63
Net Other Income	1,326.63
Net Income	-6,920.96

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 **MINUTES OF THE BOARD OF DIRECTORS' MEETING**
3 **HELD ON WEDNESDAY, OCTOBER 27, 2004**

4
5
6
7 **CALL TO ORDER**

8
9 President Hills called the regular meeting of the Muir Beach Community Services District
10 Board of Directors to order at 7:10 pm on Wednesday, October 27, 2004.

11
12 **ROLL CALL**

13
14 **PRESENT: DIRECTORS:** Hills, Ostroff, Shaffer

15 **PRESENT: OFFICIALS:** General Manager Macfarlane, Secretary/Treasurer Mullin

16
17 **REGULAR AGENDA**

18
19 **I. Review and consideration of the October 27, 2004 Agenda:**

20
21 It was decided to include discussion about the recent water leaks during the Emergency
22 Disaster Committee presentation.

23
24 **MOTION:** To approve the Agenda as amended.

25 **Moved:** Shaffer, seconded by Ostroff

26 **Vote:** AYES: Unanimous

27
28 **II. National Park Service:**

29
30 No National Park Service personnel were present.

31
32
33 **III. Fire Department, Emergency Disaster Committee:**

34
35 Chief Sward reported that the Fire Department will be submitting a grant request for
36 approximately \$14,000 tomorrow for the purchase of protective equipment. He has been
37 unable to locate the written copy of the agreement MBVFD has with the Marin County Fire
38 Department. He is currently having discussions with Chief Ken Massucco to see if a new
39 one can be initiated. The written agreement is necessary in applying for various federal
40 grants. He has alerted the County to the District's water leak problem, covered below. All
41 other Fire Department activities have been normal.

1
2 General Manager Macfarlane reported that he had noticed an increase in unaccounted for
3 water loss - around 0.5% - over the past few months indicating a very small, undetectable
4 leak somewhere in the system. Sometime between the Sunday and Monday meter readings
5 the leak broke free and 42,000 gallons of water were lost. In the process of troubleshooting
6 the system to determine where the leak was, a second leak was indicated. Marin Municipal
7 Water District personnel were here for the day working with Harvey and John John but were
8 unable to precisely locate the leaks. The District's two water tanks are very low. The
9 General Manager brought in a potable water company to haul water from the well site to
10 replenish the two tanks. Today, another leak was detected on Starbuck Drive. In light of our
11 already severe water shortage, the Starbuck water line was shut off and the residents notified.
12 Marin Municipal Water District is unable to release their crew to us again. Ghilotti is
13 scheduled to come out first thing in the morning. American Leak Detection will be coming
14 out as well with very good leak detection equipment. Harvey was instructed to activate the
15 emergency system. The General Manager will call Forster to see if they can run electricity
16 over to the new well eliminating the need for the switch referenced in V(F)(1) of these
17 minutes. He will also send letters to the MMWD personnel thanking them for their help.
18 The Board concurred unanimously with the General Manager's handling of this emergency.
19 Had the water not been shut off immediately, the tanks would have been emptied due to the
20 prior leaks. The Board was very appreciative of General Manager Macfarlane's efforts in
21 this crisis.
22

23 **IV. Bills to be paid:**

24
25 **MOTION:** To approve the September report as submitted including a total of \$22,272.82 in
26 General Fund expenditures, \$725.00 in Water Capital Improvement Fund
27 expenditures, and \$1,450.95 in checks issued from the trust funds, for a total of
28 \$24,448.77 in warrants issued.

29 **Moved:** Shaffer, seconded by Ostroff

30 **Vote:** AYES: Unanimous
31

32 **V. General Manager's Report:**

33
34 **A. Administration:**

35
36 The General Manager reported that administrative activities have been normal and no
37 specific items currently require Board consideration.

1
2 **B. Recreation:**
3

- 4 1. Day of the Dead Celebration: The current budget includes a subsidy of \$200 for
5 this event.
6
7 2. New Year's Eve party: The current budget includes a subsidy of \$500 for this
8 event.
9

10 MOTION: To approve an expenditure of up to \$200 for the Day of the Dead Celebration
11 and up to \$500 for the New Year's Eve Party, if necessary, to pay for expenses
12 of the events not covered by specific donations and ticket sales.

13 Moved: Shaffer, seconded by Ostroff

14 Vote: AYES: Unanimous
15
16

- 17 3. Storage facility: Resident Julian Knox has agreed to prepare the plans and
18 specifications for the addition of a 144 square foot storage shed SE of the
19 Community Center. The cost estimate is just under \$8,000 and was not included
20 in the original budget for fiscal 2004-2005.
21

22 **C. Roads and easements:**
23

- 24 1. Sunset Way encroachment: Resident Tom Crawford was given 30 days from the
25 date of the September Board meeting to remove a retaining wall that he built on
26 District property and to retain the services of a licensed engineer to specify
27 methodology for either restoring the original slope or building a retaining wall on
28 his property that will mitigate possible sewage effluent problems. This has not
29 been accomplished to date. The General Manager has sent him a letter reminding
30 him that the deadline for compliance is the 29th of this month.
31
32 2. Replacement trees: The General Manager sent a letter to resident Peter Wood on
33 October 25 indicating which species have been approved to replace the trees he
34 removed and informing him that the work must be completed within 30 days.
35

36 **D. Water operations:**
37

38 General Manager Macfarlane reported that water operations have been normal and no
39 important repairs were necessary during the September 16 to October 16 billing period.
40

41 **E. Water Conservation:**
42

43 Enforced water conservation remained in effect during the September 16 to October 16
44 billing period and was effective in reducing overall consumption by 19.3% from the
45 previous billing period. Only one resident did not comply.

1
2 **F. Water Capital Improvements:**
3

- 4 1. The new well pump has been installed; however, due to a delay in delivery of the
5 control switch that permits switching from one well to the other, the electrical
6 facilities are not complete. This has also resulted in a delay for pressure testing
7 the piping installed to service the new well. As mentioned above, Donovan will
8 call Forster to see if they can run electricity over to the new well which will
9 eliminate the need for a switch.
10
11 2. Requests for proposals for the turn key design and construction of the well site
12 and water treatment facilities have been prepared and will be mailed to at least
13 five firms that have expressed interest. Estimated cost of the project is \$190,000
14 to \$275,000.
15
16 3. The Capital Improvement special assessment tax expires at the end of this fiscal
17 year and requires voter approval for continuation. The deadline for inclusion in
18 the March 8, 2005 election is December 10, 2004. The Registrar of Voters has
19 indicated the cost of the election will be \$4-6 per registered voter. As both water
20 tanks are anticipated to reach the end of their useful lives in the next four years,
21 the General Manager is recommending a continuation of the current tax, without
22 change, and that the Board approve the Resolution of Consolidation for the March
23 8, 2005 election.
24

25 **MOTION:** To approve the Resolution of Consolidation for the March 8, 2005 election.

26 **Moved:** Shaffer, seconded by Ostroff

27 **Vote:** AYES: Unanimous
28

29 **VI. Public open time:**
30

31 Dan Kemp from Columbia Pictures reported on the filming of *Memoirs of a Geisha* to take
32 place in Muir Beach on January 8 and 14, 2005. The January 8 filming will occur at the
33 overlook and will be shot from a helicopter. The aircraft will remain over the ocean during
34 the entire filming. There will be a crew of 50 plus various trucks and trailers. Vehicles will
35 be staged at the overlook with some possibly parking on Seacape Drive. He gave assurances
36 that weight limits for the roads will not be exceeded. He will inquire with the National Park
37 Service and County of Marin as to the proper permits required. The January 14 filming will
38 occur on Little Beach. Cast and crew will shuttle to the location in mini-vans or possibly 10-
39 passenger maxi-vans. Columbia wants to build steps or a ramp to get equipment down to
40 Little Beach. Director Hills informed Mr. Kemp that the Coastal Commission will most
41 likely be involved, that there is a section of the path to Little Beach that crosses private
42 property, that the use of Sunset Way and Cove Lane is not for commercial purposes, and that
43 he should contact the General Manager about obtaining a permit from the District.

1
2 Resident Dallas Saunders has sent a letter to the Board stating that she wants to deduct the
3 cost of clothing that was stained by dirty water while being laundered from her water billing.
4 The matter was discussed and the general feeling was that all residents contend with the same
5 water conditions. Ms. Saunders could have installed a water filter to alleviate the problem.
6 If she would like further consideration on this matter, she should ask the General Manager to
7 put it on the agenda for a future meeting.
8

9 Judith Yamamoto reported that two Comprehensive Transportation Management Plan
10 meetings are coming up. On November 16 there will be an open house at Park Headquarters
11 at Fort Mason to present the alternatives as they have been formulated thus far. On
12 December 15 there will be a Marin Parklands Taskforce meeting at the Tam Valley
13 Community Center at 7 pm in which public input will be received. She is hoping for a big
14 turnout from the community. Greater Muir Beach Neighbors has stayed involved with the
15 Marin Advisory Committee. The Quilters are working on the Holiday Crafts Faire. Harvey
16 suggested that permanent outlets be installed on the deck for the Faire. Director Shaffer
17 responded that, with only five weeks remaining before the Faire, there is not enough time to
18 obtain a permit and complete the job.
19

20 VII. Review of minutes:

21
22 General Manager Macfarlane had several corrections to the September 29, 2004 minutes:
23 Page 2, lines 12 and 13 – replace the word “shoots” with “trees”. Page 4, lines 21 and 22 –
24 delete the sentence beginning “He will obtain....” and add the sentence “He has ordered a
25 pump from Forster and will use a District motor.”
26

27 MOTION: To approve the draft minutes of the September 29, 2004 Board of Directors’
28 meeting as amended.

29 Moved: Shaffer, seconded by Ostroff

30 Vote: AYES: Unanimous
31

32 VIII. Next meeting date: The next meeting date is scheduled for Wednesday, December 8,
33 2004.
34

35 The meeting was adjourned at 8:35 pm.
36

37 These minutes were approved by the Muir Beach Community Services District Board of
38 Directors, during their meeting on _____.
39
40
41
42

43 _____
Deborah Kamradt, Board President

Sharon Mullin, Secretary

RESOLUTION NO. 2004 -12-08

**AN Resolution OF THE BOARD OF DIRECTORS OF THE
MUIR BEACH COMMUNITY SERVICES DISTRICT
APPROVING AND ADOPTING THE LEVY OF A
SPECIAL TAX ON THE REAL PROPERTY
LOCATED WITHIN THE DISTRICT**

WHEREAS, the Muir Beach Community Services District has been empowered by its' voters to supply water service to the District residents; and

WHEREAS, recent water system failures, problems with raw water supply, and marginal water quality conditions caused the District to authorize the development of a long term capital improvement plan to mitigate these problems; and

WHEREAS, the District subsequently received and has adopted a comprehensive "Twenty Year Plan" for water system capital improvements to resolve raw water supply problems, upgrade the water distribution system and increase the water storage capacity; and

WHEREAS, the District's water rights permit requires the development and adoption of an Adaptive Management Plan to govern the diversion of water, including a water conservation plan, a stream flow monitoring program and devices, and the installation of cost effective water storage facilities, and

WHEREAS, such services and the maintenance and improvement of the equipment and facilities required to provide such services are of benefit to all parcels within the District to which they are made available, whether or not the service is actually used, and offering but not limited to increasing the value of the land, improvements, and their possible future uses and by reducing the risk of their destruction by fire; and

WHEREAS, the present water service charges and connection fees neither raise the revenue necessary to pay the costs of improving this service nor equitably distribute the costs to all those who benefit from it; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF DIRECTORS OF MUIR BEACH COMMUNITY SERVICES DISTRICT AS FOLLOWS:

SECTION 1: The purpose and intent of the Board with respect to the special tax are:

- (A) To provide funds for implementation of the capital improvements necessary to fulfill the recommendations of the "Twenty Year Plan" and the requirements of the District's water rights permit.
- (B) To annually prioritize and implement the actions needed to provide the capital improvements within the guidelines of the "Twenty Year Plan", as deemed fiscally prudent within the funds provided by this tax measure and other possibly available District and grant funds.

- (C) To methodically upgrade the District's water supply and distribution system so as to meet the requirements and reliably provide potable water in compliance with the District's water rights permit, the laws of the State of California and the Federal Safe Drinking Water Act.

SECTION 2: Land parcels to be assessed under this Resolution shall be defined as a lawful parcel created through a land subdivision and which is capable of having a habitable structure constructed within its boundaries, in compliance with all applicable required building, planning and zoning codes. The special tax shall be applicable as follows:

- (A) \$2,500.00 per parcel for commercially zoned and improved property.
- (B) \$300.00 per separate habitable structure (as determined by units listed in the Marin County Assessment roll) on parcel containing residential property.
- (C) \$300.00 per parcel on all other parcels.
- (D) For the purpose of this tax, all contiguous parcels under common ownership and having no more than one habitable structure shall be considered as a single parcel.

SECTION 3: In addition to the above special tax and in a continued effort to equitably allocate the costs of the capital improvements, the District will levy a monthly water service surcharge not to exceed an amount of twenty-five percent (25%) of the monthly billing for water service consumption. Funds from the surcharge will be used for implementation of the improvements.

SECTION 4: Pursuant to the provisions of Article XIII-B of the California Constitution, the appropriations limit of the Muir Beach Community Services District is hereby increased by an amount equal to the special taxes imposed by this resolution for a period of four (4) years.

SECTION 5: Said special taxes shall be collected in the same manner and subject to the same penalties as and with other charges and taxes fixed and collected by Marin County on behalf of local agencies. Marin County may deduct the reasonable costs incurred by the County for this service before remittance of the balance to Muir Beach Community Services District.

SECTION 6: This Resolution shall not become effective until approved by a two-thirds (2/3) majority of the voting registered voters within the District.

SECTION 7: This Resolution shall become effective immediately upon the voter approval.

SECTION 8: When approved by the voters this Resolution shall remain in effect for a period of four (4) years and shall require a two-thirds (2/3) majority approval of the voting registered voters within the District for its continuation beyond the fourth (4th) year of existence.

SECTION 9: If any part of this resolution is held to be invalid for any reason, such decision