

# **MUIR BEACH COMMUNITY SERVICES DISTRICT**

19 Seacape Drive . Muir Beach, CA 94965 . 415-388-7804 . www.muirbeachcsd.com



**Thu, August 28, 2014  
7:00 PM – Regular Meeting**

**Board of Directors  
Community Center  
19 Seacape Drive  
Muir Beach, CA 94965**

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## **TIMING OF ITEMS ON AGENDA**

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.

## **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.

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## **AGENDA**

### **Item 1 CALL TO ORDER**

Steve Shaffer, Board President  
Scott Bender, Director  
Paul Jeschke, Director  
Peter Lambert, Director  
Gerry Pearlman, Director

Leighton Hills, District Manager  
Sharry Mullin, Meeting Secretary

### **Item 2 MOTION TO APPROVE 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 later in the meeting (under items removed from the Consent Calendar).*

- A. **Approval of Minutes** – As attached: Draft Minutes from June 19, 2014 meeting.

### **Item 3 NATIONAL PARK SERVICE REPORT**

Due to the litigation filed against the NPS by the Mt. Tam Task Force, and on the advice of legal counsel, NPS is not presently able to have contact with Muir Beach. NPS has asked its counsel if this prohibition can be narrowed. If so, representatives from NPS may be present at the meeting.

**Item 4 FIRE DEPARTMENT**

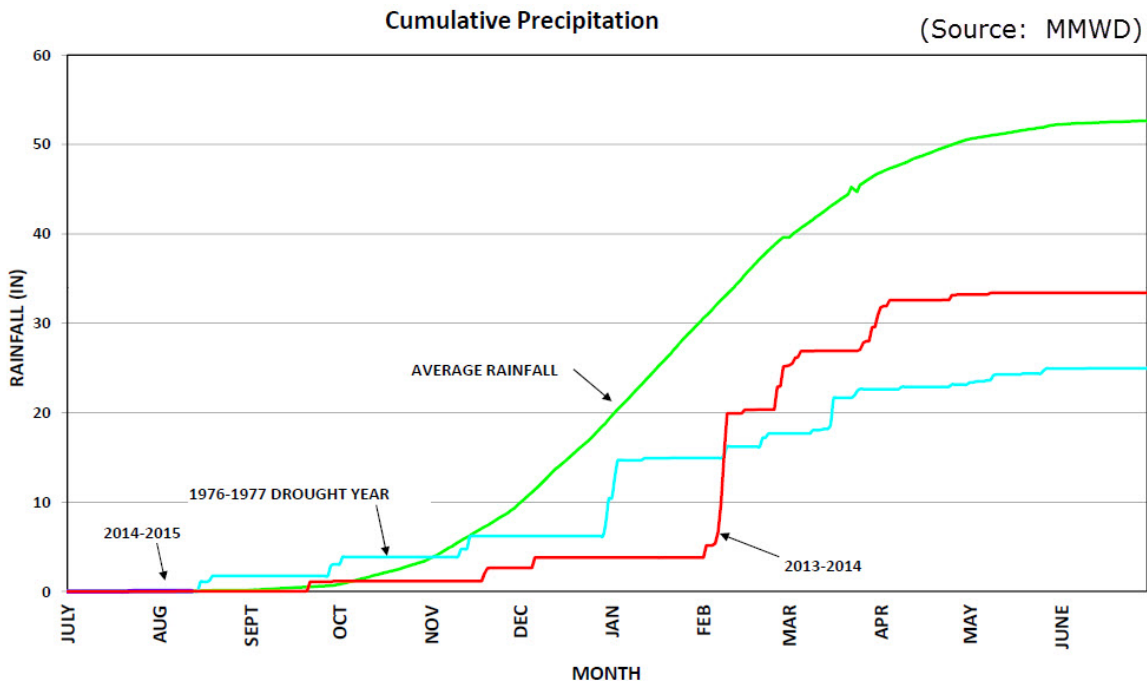
**Report by Fire Chief** – Steve Wynn may be available to provide a brief update to the Board on the activities of the fire department.

**Item 5 DISTRICT MANAGER REPORT**

**Water Main Replacement and Road Improvements** – As reported last meeting, we have engaged ILS Associates, Civil Engineers, to provide the necessary engineering work for the project to upgrade Sunset Way and Cove Lane – replacement water main, drainage improvements, fire truck turnaround, and repaving. The first draft of engineering drawings should be available next week. We will provide comments as well as meet with neighbors. We still hope to have this work completed this season – the schedule will likely be dependent upon the length of the bidding process.

**State Required Prohibition on Non-Essential Uses of Water** – Although water conditions in Redwood Creek remain surprisingly good for this time of year, with fully connected flows between the ponds in the creek, the total rainfall in our watershed is of course very low and there are extreme drought conditions.

See the chart below comparing rainfall for (1) an average year (green line), (2) the infamous multi-year drought of the late 1970s (blue line), and (3) this year (red line). This year is only about 63% of an average year, with the vast majority of that coming in a very brief set of storms in February.



As a result, the State Water Resources Control Board issued a mandate to water providers such as the CSD to implement mandatory restrictions prohibiting “non-essential” uses of water. I have reviewed the programs implemented by MMWD and North Marin Water District and attach a proposed program that I believe is the best fit for Muir Beach and which complies with the State requirements. Outdoor watering drives almost all of Muir Beach’s higher user’s consumption. To comply with the State mandate, outdoor watering is restricted to two days a week; watering of lawns (the highest water use possible) is limited to one day a week. MMWD has found that watering during the peak hours of the day is an inefficient means of getting water to the plants and so the

program also restricts watering to periods outside peak daylight hours. See the attachment for details.

If the resolution with the Boards approval, please pass a motion adopting the proposed program – it can then be distributed to residents.

**Item 6 AGENDA ITEMS BY PAUL JESCHKE**

**Chipper Program** – Following up on conversations Paul and I have had following our insurance company's safety review of the CSD, Paul would like to have this discussed.

**Size of Buses on Frank Valley Road** – Paul will report.

**Vacation Rentals** – Paul would like to propose that a community forum be held on this topic of concern to the community.

**Item 7 AGENDA ITEMS BY GERRY PEARLMAN**

**Bus Stop** - Gerry has asked Matt Bucholz and Christian Riehl present their views to the CSD regarding the bus stops being proposed by NPS.

**Spindrift Point** - Gerry has had a conversation with one of the staff at The Nature Conservancy about plans to reopen the preserve to the community once a recently undertaken restoration project is complete. He would like to report on the status.

**Item 8 RECREATION ITEMS**

**Community Center Playground Upgrades** – Scott Bender will provide an update.

**Item 9 ITEMS REMOVED FROM THE CONSENT CALENDAR, IF ANY**

Discussion and action on items, if any, removed from the Consent Calendar to the Regular Agenda.

**Item 10 PUBLIC OPEN TIME**

1. *Topics should be within the jurisdiction of the CSD (water, roads, fire & public recreation).*
2. *The topic should not be elsewhere on the agenda.*
3. *The Board and staff may only briefly respond to statements and questions (legal requirement for items not posted on an agenda which lets members of the community know a topic is up for discussion).*
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 15 minutes, unless waived by the Board.*

**Item 11 SELECTION OF DATE FOR NEXT MEETING** – Supervisor Steve Kinsey would like to attend the next meeting. His schedule is limited and tentative dates at present are Thu, Sep 18 and Thu, Oct 16.

**Item 12 ADJOURNMENT**

## 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 \_\_\_\_\_ day of \_\_\_\_\_, 2014 by the following vote of the Board of Directors.

Ayes:

Noes:

Absent:

\_\_\_\_\_  
Steven Shaffer, Board President

Attest:

\_\_\_\_\_  
Leighton Hills, District Manager

1                                   **MUIR BEACH COMMUNITY SERVICES DISTRICT**  
2                                   Minutes of the Board of Directors meeting held on  
3                                   Thursday, June 19, 2014  
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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 are draft  
9 only and subject to change. Upon approval by the Board, these minutes become the Official Minutes of  
10 the meeting.  
11

12 **Item 1    CALL TO ORDER**

13  
14 Steve Shaffer called the meeting of the Muir Beach Community Services District Board of Directors to  
15 order at approximately 7:05 PM and presided at the meeting.  
16

17 Directors present:                   Steve Shaffer, Scott Bender  
18   Paul Jeschke, Gerry Pearlman  
19

20 Directors not present:             Peter Lambert  
21

22 Staff present:                       Leighton Hills, District Manager  
23   Sharry Mullin, Meeting Secretary  
24

25 **Item 2    MOTION TO APPROVE CONSENT CALENDAR**  
26

27 A. Minutes – As attached: Draft Minutes from May 29, 2014 meeting.  
28

29                           MOTION:        To approve item A  
30                           Moved:         Scott Bender, seconded by Paul Jeschke  
31                           Vote:          AYES: Unanimous  
32

33 **Item 3    NATIONAL PARK SERVICE REPORT**  
34

35 No National Park Service representatives were present to report.  
36

37 **Item 4    FIRE DEPARTMENT REPORT**  
38

39 No report was given.  
40

41 **Item 5    DISTRICT MANAGER REPORT**  
42

43 Leighton offered a brief recap of last night’s public meeting with the National Park Service in Tam Valley.  
44

45 **Item 6    ITEM BY SCOTT BENDER**  
46

47 **Use of Pull Outs** –The National Park Service requires commercial bus services going to Muir Woods to  
48 use Panoramic while the Muir Woods Shuttle operated by Marin County is required to use Highway 1. In  
49 response to complaints about busses not pulling over the Benders received the following statement: “I  
50 have spoken to the Operations Manager for that service and she will both issue a memo to all drivers  
51 reminding them to use the pull outs when cars are following them and have a road supervisor speak to  
52 the drivers individually. It is always our intent to be part of the congestion solution and not part of the  
53 problem. That said, there are only two turn outs on Route 1 that can safely accommodate our buses; one  
54 of them is at the start of the descent, so we will be particularly vigilant about having the drivers turn out  
55 before starting the descent. With that in mind, if you continue to experience a problem, feel free to let me  
56 know.”

1  
2  
3 **Item 7 ITEMS BY GERRY PEARLMAN**  
4

5 **Committee to Study and make Recommendations on NPS Issues of Interest to the Community** – At  
6 the last meeting two weeks ago, the Board agreed to form a standing committee to be chaired initially by  
7 Gerry Pearlman to provide study of the impacts of existing and proposed activities of the NPS and to  
8 make recommendations to the Board as to possible policy recommendations that could then be  
9 considered by the Board.

10  
11 Having had a first committee meeting to discuss impacts of the NPS parking lot at Muir Beach, a list of  
12 concerns and possible solutions was circulated and discussed. There was then a discussion about the  
13 appropriate way for the CSD to contact NPS, which concluded in the following motion.

14  
15 MOTION: To have the District Manager discuss the identified concerns and  
16 possible solutions with NPS staff and possibly also with Superintendent  
17 Frank Dean. Any meeting with NPS might also include one or two board  
18 members at the District Manager’s option.  
19 Moved: Jeschke, seconded by Bender  
20 Vote: AYES: Unanimous  
21

22 **Item 8 RECREATIONAL ITEMS**  
23

24 **Community Center Playground Upgrades** – Mike Moore is now involved in the Community Center  
25 playground project along with Schwartz & Associates. The next phase of the project is to purchase and  
26 install three classes of playground equipment. Multiple bids for the work have been solicited by Scott  
27 Bender.

28  
29 MOTION: To approve \$37,000 to cover the costs of the equipment and installation  
30 labor  
31 Moved: Bender, seconded by Jeschke  
32 Vote: AYES: Unanimous  
33

34 **Item 9 ITEMS REMOVED FROM THE CONSENT CALENDAR**  
35

36 No items were removed from the Consent Calendar for discussion.  
37

38 **Item 10 PUBLIC OPEN TIME**  
39

40 Michael Kaufman requested an update on the propane project, which is not a CSD project, but several  
41 people involved in it were present. There is a concern that many tanks in the community are not strapped  
42 down to resist seismic movement. A survey of Michael’s immediate neighborhood showed that only 6 of  
43 24 tanks were strapped to good pads. Michael offered to assist by gathering information on tanks in the  
44 rest of the community.  
45

46 **Item 11 SELECTION OF DATE FOR NEXT MEETING**  
47

48 The date for the next meeting was set for Thursday, August 28, 2014.  
49

50 **Item 12 ADJOURNMENT**  
51

52 The meeting was adjourned at approximately 8:35 PM.