

MUIR BEACH COMMUNITY SERVICES DISTRICT

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



**Wed, April 23, 2008
7:00 PM – Regular Meeting**

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

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.

AGENDA

Item 1 CALL TO ORDER

Steve Shaffer, Board President
Dan Fitzpatrick, Director
Danny Hobson, Director
Peter Rudnick, Director
Shere Stoddard, Director

Maury Ostroff, District Manager
Sharry Mullin, Meeting Secretary

Item 2 CONSENT CALENDAR

All items on the Consent Calendar are considered to be either routine or non-controversial, and will be enacted by a single action of the Board. Upon request from a Board member, staff, or member of the public, specific items may be transferred from the Consent Calendar to the Regular Agenda for separate discussion and consideration.

- A. **Approval of Minutes** – Regular meeting March 26, 2008 as attached.
- B. **Approval of Financial Statements** – For the period ended March 31, 2008, as attached.

Item 3 NATIONAL PARK SERVICE REPORT

A representative of the National Park Service may be present to update the community on various ongoing NPS projects.

Item 4 FIRE DEPARTMENT REPORT

By John Sward, Fire Chief, or other representative of the Fire Department.

Item 5 PROPOSAL FOR REMEDIATION OF EROSION AT 285 SUNSET WAY

The new owner of 285 Sunset Way has discovered significant erosion around supporting posts of his house. Due to the proximity of the property boundary to the supporting posts of the house, alternatives proposed involve construction and modification of CSD owned property along Cove Lane where seasonal drainage water runs, including additional culverts and fill dirt.

Item 6 RESOLUTION 2008-1, Opposition to Aerial Spraying

A Resolution of the Muir Beach Community Services District opposing the California Department of Food and Agriculture Aerial Spray Program to Eradicate the Light Brown Apple Moth.

Item 7 DISTRICT MANAGER'S REPORT

- 1. Update on FEMA Projects** –Nearly all of the FEMA projects have been completed. New Backup well scheduled for drilling in the next few weeks.
- 2. Water Capital Improvements.** A contract has been signed with Forster to complete the tie-in of the new water line to the lower tank, and to install new pumps at both the current well, the new backup well, and at the Lower Tank. Once completed, all water from the well be pumped directly to the Lower Tank (instead of the Upper Tank as is done currently) and only the additional water required for the Upper Tank will then be pumped from the Lower Tank to the Upper.
- 3. Redwood Creek Levels and Water Conservation.** Met with Darren Fong and other representatives of NPS to review our compliance with the Adaptive Management Plan, and to agree on creek level monitoring procedures for the upcoming season.
- 4. Marin Community Foundation Grants** – The grants brought up at the last meeting were administered by the Marin Community Foundation, but in fact the funds were donated by individual benefactors in Stinson Beach and Bolinas and earmarked specifically for those communities.

Item 8 RECREATION ITEMS

1. Proposals for simplifying Community Center Rental rates, and for requiring outside renters to pay for having someone from Muir Beach onsite during events as a facilitator.
2. Updates on Storage Shed for the Community Center.

Item 9 ROADS AND EASEMENTS

Proposal to restore Pedestrian Easement going from beginning to Sunset Way down to Pacific Way. This may require installation and/or repair of stairs requiring expenditure of funds. A specific proposal will be made for the next meeting. Routine maintenance of other roads and easements is underway, (i.e. weed-whacking, trimming overgrown shrubs, etc.)

Item 10 ITEMS REMOVED FROM THE CONSENT CALENDAR

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

Item 11 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).*
- 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 12 SELECTION OF DATE FOR NEXT MEETING

The 4th Wednesday in May is the 28th. 4th Wednesday in June is the 25th.

Item 13 ADJOURNMENT

Muir Beach Community Services District
Statement of Revenues and Expenditures

March 2008

Accrual Basis

	<u>TOTAL</u>
Ordinary Income/Expense	
Income	
Water Operations Income	4,871
Water Capital Improvement Revs	1,305
Tax Revenues	121
Recreational Activities Income	1,025
Grant Revenues	747
Interest Income	<u>2,292</u>
Total Income	10,361
Expense	
Accounting & Bookkeeping	1,704
Community Classes & Functions	261
Employee Benefits	956
FEMA Expenditures	759
Legal & Professional	313
Licenses, Permits & Fees	150
Misc Operating Expenses	42
Office Expense	41
Payroll Expenses	5,255
Repair & Maintenance	1,559
Supply	53
Travel Expense	135
Utilities	629
Water Enterprise	<u>1,784</u>
Total Expense	<u>13,641</u>
Net Ordinary Income	<u>-3,280</u>
Net Income	<u><u>-3,280</u></u>

**Muir Beach Community Services District
Revenue and Expenditures
Budget vs Actual**

Accrual Basis

	<u>Jul '07 - Mar 08</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
Water Operations Income	62,486	78,000	80%
Water Capital Improvement Revs	79,342	70,400	113%
Tax Revenues	57,543	92,000	63%
Recreational Activities Income	10,416	12,800	81%
Donations	50		
Grant Revenues	192,703	218,291	88%
Interest Income	31,262	20,000	156%
Other Income	300		
Total Income	<u>434,102</u>	<u>491,491</u>	<u>88%</u>
Expense			
Accounting & Bookkeeping	15,840	22,000	72%
Administration Fees	0	30,000	0%
Community Classes & Functions	1,916	5,000	38%
Dues & Memberships	427	400	107%
Employee Benefits	9,159	4,750	193%
FEMA Expenditures	171,540	203,391	84%
Insurance	8,214	7,621	108%
Legal & Professional	2,955	29,500	10%
Licenses, Permits & Fees	3,704	5,000	74%
Meals & Entertainment	127		
Misc Operating Expenses	371	1,000	37%
Office Expense	1,804	2,500	72%
Payroll Expenses	35,669	52,700	68%
Repair & Maintenance	14,744	20,000	74%
Supply	734		
Travel Expense	1,259	1,620	78%
Utilities	6,640	8,300	80%
Water Enterprise	13,442	4,000	336%
West Marin Expenditures	14,352		
Total Expense	<u>302,895</u>	<u>397,782</u>	<u>76%</u>
Net Ordinary Income	<u>131,207</u>	<u>93,709</u>	<u>140%</u>
Net Income	<u><u>131,207</u></u>	<u><u>93,709</u></u>	<u><u>140%</u></u>

Muir Beach Community Services District
Expenditures
March 2008

	<u>TOTAL</u>	<u>Admin</u>	<u>FEMA</u>	<u>Fire</u>	<u>Rec</u>	<u>Roads</u>	<u>Water</u>	<u>Cap Impr</u>
Brenntag Pacific	2,475.90	0.00	0.00	0.00	0.00	0.00	2,475.90	0.00
Mullin, Sharon	1,606.00	1,040.00	0.00	0.00	0.00	0.00	566.00	0.00
Ostroff, Maury	1,595.00	210.36	0.00	184.62	184.62	276.92	369.24	369.24
Harvey Pearlman P/R	1,463.00	0.00	44.00	0.00	198.00	176.00	1,045.00	0.00
Elliott, Dave - storage cabinets	1,425.71	0.00	0.00	0.00	1,425.71	0.00	0.00	0.00
CalPers	955.91	955.91	0.00	0.00	0.00	0.00	0.00	0.00
Salvador Gonzalez P/R	731.00	0.00	119.00	0.00	255.00	323.00	34.00	0.00
Payroll taxes	629.11	616.64	12.47	0.00	0.00	0.00	0.00	0.00
JL Wingert Company	596.56	0.00	0.00	0.00	0.00	0.00	596.56	0.00
Martin Bros. Supply	555.59	0.00	555.59	0.00	0.00	0.00	0.00	0.00
Juana Gonzalez P/R	360.00	0.00	0.00	0.00	360.00	0.00	0.00	0.00
State Compensation Insurance Fund	345.28	33.51	28.10	13.40	90.20	28.09	125.17	26.81
PG&E well site	316.03	0.00	0.00	0.00	0.00	0.00	316.03	0.00
Marin County Tax Collector	312.50	312.50	0.00	0.00	0.00	0.00	0.00	0.00
Wang, Emiko	228.00	0.00	0.00	0.00	228.00	0.00	0.00	0.00
Lonna Richmond P/R	210.00	0.00	0.00	0.00	210.00	0.00	0.00	0.00
Pearlman, Harvey	187.77	0.00	0.00	0.00	52.77	0.00	135.00	0.00
AT&T	169.16	98.33	0.00	38.16	0.00	0.00	32.67	0.00
Technical Learning College	149.95	0.00	0.00	0.00	0.00	0.00	149.95	0.00
Paychex, Inc.	138.85	138.85	0.00	0.00	0.00	0.00	0.00	0.00
Jose Alcala P/R	125.43	0.00	0.00	0.00	0.00	0.00	125.43	0.00
Shamrock Mat'l	104.89	0.00	0.00	0.00	0.00	104.89	0.00	0.00
Home Depot	55.16	0.00	0.00	0.00	55.16	0.00	0.00	0.00
Pace Supply Corp.	41.93	0.00	0.00	0.00	0.00	0.00	41.93	0.00
Chevron	39.12	0.00	0.00	0.00	39.12	0.00	0.00	0.00
AT&T Mobility	35.12	0.00	0.00	0.00	0.00	0.00	35.12	0.00
United Site Services, Inc.	32.25	0.00	0.00	0.00	32.25	0.00	0.00	0.00
PG&E CC	30.58	0.00	0.00	0.00	30.58	0.00	0.00	0.00
Marin County Public Health Laboratory	30.00	0.00	0.00	0.00	0.00	0.00	30.00	0.00
Delano's Market	29.12	29.12	0.00	0.00	0.00	0.00	0.00	0.00
Knox, Nancy	22.25	0.00	0.00	0.00	22.25	0.00	0.00	0.00
Maxemail	20.85	20.85	0.00	0.00	0.00	0.00	0.00	0.00
Paytrust	12.95	12.95	0.00	0.00	0.00	0.00	0.00	0.00

Muir Beach Community Services District
Expenditures
March 2008

Misc Vendor - bistro exp	11.00	0.00	0.00	0.00	11.00	0.00	0.00	0.00
PG&E pumphouse	10.17	0.00	0.00	0.00	0.00	0.00	10.17	0.00
Goodmans	8.78	0.00	0.00	0.00	0.00	0.00	8.78	0.00
TOTAL	<u>15,060.92</u>	<u>3,469.02</u>	<u>759.16</u>	<u>236.18</u>	<u>3,194.66</u>	<u>908.90</u>	<u>6,096.95</u>	<u>396.05</u>
Paid from FEMA Grants			759.16					
Paid from the Water Capital Improvements Fund			396.05					
Paid from West Marin Funds			0.00					
Paid from General Funds			<u>13,905.71</u>					
Total expenditures per above				15,060.92				
Paid from the Rental Security Deposit Trust								
Hertzberg			500.00					
Total paid from the Rental Security Deposit Trust				500.00				
Paid from the Water Security Deposit Trust								
Batey			100.00					
Total paid from the Water Security Deposit Trust				100.00				
Total checks issues				<u>15,660.92</u>				

The above bills were approved for payment by the Muir Beach Community Services District Board of Directors on the _____ day of _____, 2008.

MUIR BEACH COMMUNITY SERVICES DISTRICT

Steve Shaffer, Board President

Maury Ostroff, District Manager

RESOLUTION NO. 2008-1

**A RESOLUTION OF THE MUIR BEACH COMMUNITY SERVICES DISTRICT
OPPOSING THE CALIFORNIA DEPARTMENT OF FLOOD AND AGRICULTURE
AERIAL SPRAY PROGRAM TO ERADICATE THE LIGHT BROWN APPLE MOTH**

WHEREAS, the Light Brown Apple Moth (LBAM) is a pest subject to Federal and State quarantine and eradication orders; and

WHEREAS, there is a confirmed presence of Light Brown Apple Moths in Marin County; and

WHEREAS, the California Department of Food and Agriculture (CDFA) plans to begin an LBAM aerial spraying program in the Marin County and surrounding areas in spring of 2008; and

WHEREAS, modern Integrated Pest Management (IPM) relies on the least-toxic, environmentally sensitive control methods; and

WHEREAS, aerial and other blanket pesticide applications have been shown in the past to upset natural ecosystem balance in unpredictable ways; and

WHEREAS, the proposed materials to be used in the LBAM spraying program have not been tested for toxic health effects when used in areas of concentrated population.

NOW, THEREFORE, BE IT RESOLVED that the Muir Beach Community Services District opposes the CDFA aerial spray program to eradicate LBAM and supports a moratorium on all proposed aerial spray programs until complete, independent study of the potential health effects of all substances, both active and inert, have been completed and requests that CDFA protect the health and welfare of the residents and natural environment of Marin County by immediately shifting its LBAM control methods to least-toxic Integrated Pest Management methods.

The foregoing resolution was adopted at a regular meeting of the Muir Beach Community Services District Board of Directors, County of Marin, State of California, held on 23rd day of April, 2008 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN

Attest:

Secretary

District Manager

Proposal #1

Addition To the Rules and Regulations of the Muir Beach Community Center.

Require all non Muir Beach renters to employ a facilitator on the premises for the duration of their event to include set up and clean up. The facilitator shall be paid \$25/hr by the renter at the time of employment.

Proposal # 2

Changes to the Rental Rate Structure for Non-Muir Beach Residents.

Current Rate Schedule, Non-Muir Beach Residents

Groups of 75 or more:	\$100 per hour - minimum 7 hours
Groups of 31 –74:	\$ 75 per hour - minimum 5 hours
Groups of 0-30:	\$ 50 per hour - no minimum

Minimum rental 4 hours on weekends.

Proposed New Rate Schedule, Non-Muir Beach Residents

\$100 per hour, irrespective of group size.
Minimum 4 hours, 7 days a week, (i.e. no difference in policy on weekends versus weekdays.)

This proposed rate change does not affect the Muir Beach resident and non - profit rates that remain at \$10 per hour with no minimums.

1
2 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
3 **Minutes of the Board of Directors' meeting held on**
4 **Wednesday, March 26, 2008**
5
6

7 **OFFICIAL MINUTES ONLY UPON APPROVAL**
8

9 Prior to approval of these minutes by the Board of Directors in a public meeting, these
10 minutes are draft only and subject to change. Upon approval by the Board, these minutes
11 become the Official Minutes of the meeting.
12

13 **Item 1 CALL TO ORDER**
14

15 Director Shaffer called the regular meeting of the Muir Beach Community Services District
16 Board of Directors to order at 7:19 PM on Wednesday, March 26, 2008.
17

18 **Roll Call**
19

20 DIRECTORS PRESENT: Shaffer, Hobson, Rudnick, Stoddard

21 OFFICERS PRESENT: District Manager Ostroff, Secretary-Treasurer Mullin
22

23 **Item 2 CONSENT CALENDAR**
24

25 A. **Approval of Minutes** – Regular meeting January 23, 2008.
26

27 B. **Approval of Financial Statements** – February 29, 2008.
28

29 It was noted that the January 23, 2008 minutes indicated that Director Hobson was in
30 attendance when she was not.
31

32 MOTION: To approve item A as corrected and item B above.

33 Moved: Rudnick, seconded by Stoddard

34 Vote: AYES: Unanimous
35

36 **Item 3 NATIONAL PARK SERVICE REPORT**
37

38 No National Park Service personnel were in attendance to issue a report.
39

40 **Item 4 APPOINTMENT OF NEW BOARD MEMBER**
41

42 Dan Fitzpatrick will be filling the vacant board seat for the remainder of a two-year term.
43 Maury issued the Oath of Office to Dan and he joined the Board.
44

45 MOTION: To approve appointment of Dan Fitzpatrick to the Board of Directors of the
46 CSD for the remainder of a two-year term.

47 Moved: Rudnick, seconded by Stoddard

48 Vote: AYES: Unanimous

1 **Item 5 FIRE DEPARTMENT REPORT**

2
3 John Sward reported. He has been in ongoing negotiations with the Park Service for Fire
4 Department use of the Dairy buildings and believes the negotiations are going well. The
5 main fire truck is out of service due to a leak in the water tank. It will go in for repair on
6 Friday. BBQ preparations are moving along. A new grant has been received. Regular drills
7 continue.
8

9 **Item 6 PROPOSAL FOR REMEDIATION OF EROSION AT 285 SUNSET WAY**

10
11 The new owner of 285 Sunset Way has discovered significant erosion around posts
12 supporting the house. Due to the proximity of the property boundary to the supporting posts
13 of the house, corrective alternatives proposed involve construction and modification of CSD
14 owned property along Cove Lane where seasonal drainage water runs.
15

16 The owner, Eric Scalera, along with David Schwartz, gave a presentation and slide show
17 detailing three options for corrective measures: 1) use rip rap to support the slope where the
18 support posts are; 2) build a retaining wall to support the slope; 3) fill the culvert with dirt to
19 be removed from the Scalera property. The property owner favors option 3. He would like
20 the project to be engineered and constructed to county code but would like to forego
21 obtaining permits. Any option allowed will be at no cost to the CSD.
22

23 Audience and Board discussion included weighing the pros and cons of the various options.
24 Concerns voiced included liability issues, how the work done would affect water flow,
25 precedence setting regarding other Cove Lane residences that border the creek and how
26 individuals perceive the aesthetics of the creek.
27

28 The Board requested a formal proposal for whatever option is chosen by the owner. A public
29 hearing for the project will be scheduled for the next Board meeting.
30

31 **Item 7 DISTRICT MANAGER'S REPORT**

32
33 **1. Update on FEMA Projects**

34
35 Maury reported that work has begun on several FEMA projects. Others have been
36 completed. The last two remaining projects are drilling a new backup well and a new
37 concrete entranceway to Charlotte's Way.
38

39 **2. Quote for new liner on Upper Tank**

40
41 The existing liner is reaching the end of its useful life. A new liner will be expensive but
42 cheaper than a new tank. A temporary tank would be utilized while the new liner was being
43 installed. It is anticipated that the liner will have to be replaced sometime in the next 2 to 4
44 years.

1
2
3 **3. BBQ site/well site clean-up**
4

5 Good progress has been made on cleaning up the CSD owned property at the well site. The
6 intent is to schedule a day with Harvey and the Fire Department to finish the work.
7

8 **Item 8 RECREATIONAL ITEMS**
9

10 **1. Updates on storage shed proposal**
11

12 Kathy Sward reported. The Quilters are considering a shed size of 12' x 28' but will get an
13 estimate for a 12' x 32' shed as that is the maximum the space will allow. Construction costs
14 in Marin County are rising dramatically and could reach \$50 per square foot even utilizing
15 volunteer labor. They are considering a design with sliding 3' barn doors and no windows
16 and a possible future second stage of construction that includes decking and a door at the
17 back of the shed. They want the design to be in harmony with the design of the Community
18 Center.
19

20 **2. Proposals for changing Community Center rental rates and for requiring**
21 **outside renters to pay for having someone from Muir Beach on site during**
22 **events.**
23

24 Laurie Piel has been in the process of making improvements to the way rentals of the
25 Community Center are handled. She has noted several problem areas and would like the
26 Board to consider the following two proposals to be added to the next Board meeting agenda
27 for a vote: Proposal #1: Rental rates will be a flat rate of \$100 per hour with a four hour
28 minimum. Proposal #2: Renters must pay for an on-site facilitator.
29

30 **Item 9 VERIZON WIRELESS PROPOSAL**
31

32 Several weeks ago, Maury received a call from a Verizon Wireless agent wanting to renew
33 negotiations for installation of a cell phone antenna at Muir beach. Maury requested proof
34 that a land line connection is possible, as this is a prerequisite of the project. To date, there
35 has been no further contact.
36

37 **Item 10 ITEMS REMOVED FROM THE CONSENT CALENDAR**
38

39 No items were removed from the Consent Calendar.
40

41 **Item 11 PUBLIC OPEN TIME**
42

43 Bob Jacobs would like to see the Balance Sheet indicate restricted versus non-restricted
44 funds. Treasurer Mullin explained that the Balance Sheet will be reformatted to indicate
45 such when she prepares for the next audit which will happen soon after April 15.

1
2 Kathy Sward reported that she and several residents have been preparing a written
3 communication to send to various public officials with regards to the aerial spraying for the
4 Brown Apple Moth that is to occur in Marin County during the month of August. They feel
5 the Muir Beach water supply is at risk of contamination. She has petition available for
6 signature and would like a resolution by the Board expressing aversion to the spraying.
7

8 John John Sward informed the Board that Bolinas and Stinson Beach each receive grants for
9 their communities through the Marin Community Foundation. He would like to know if
10 Muir Beach would qualify for the grant. Maury stated he would look into it.
11

12 **Item 12 NEXT MEETING DATE**

13
14 The next public meeting date is scheduled for Wednesday, April 23, 2008.
15

16 **Item 13 ADJOURNMENT**

17
18 The meeting was adjourned at 8: 52 PM.