

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 Minutes of the Board of Directors meeting held on
3 Wednesday, March 2, 2016
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 draft
8 only and subject to change. Upon approval by the Board, these minutes become the Official Minutes of
9 the meeting.

10
11 **Item 1 Call to Order:**
12

13 Gary Friedman called the meeting of the Muir Beach Community Services District Board of Directors to
14 order at approximately 7:14 PM.
15

16 Directors present: Paul Jeschke, Gary Friedman, Victoria Hamilton-Rivers, Lynda Grose,
17 Peter Lambert
18

19 Directors absent: None
20

21 Staff present: Bill Hansell, District Manager
22 Ciana DeBernardo, Meeting Secretary
23

24 **Item 2 Agenda:**

25 MOTION: To adopt the agenda as submitted.
26 Moved: Jeschke, Second by Friedman
27 Vote: AYES: Unanimous
28

29 **Item 3 Rosenberg's Rules of Order & Principles of Unity:**
30

31 Freidman gave a brief description of each and how they can be used effectively in meetings.
32

33 MOTION: To adopt both Rosenberg's Rules of Order & Principles of
34 Unity
35 Moved: Friedman, Second by Grose
36 Vote: AYES: 4, NAYS: 1
37

38 A resident spoke out in opposition to both rules because they limit public open time and shorten
39 individual's time to speak. Friedman assured the importance of having the public involved but also
40 reiterated the importance of moving the meetings along in a timely manner.
41

42 **Item 4 Consent Calendar:**
43

44 **Item 4A:** Draft minutes from January 28, 2016 and February 3, 2016, as attached:
45

46 Hansell spoke about inconsistencies with the draft minutes due to the fact that there were different
47 secretaries for each meeting. Also, two meeting drafts were included because of the change in the board
48 meeting schedule. Hamilton-Rivers suggested audio recording all the meetings from now on to help with
49 human error of note taking the minutes. The pros and cons of audio recording the meeting minutes were
50 discussed.
51

52 **Corrections to the Jan 28, 2016 minutes:**
53

54 **Item 12** - Jeschke received an e-mail from Suzanne Bender. The Mill Valley City Council is supporting a
55 public bus program and there were individuals who would like it extended to Muir Beach.
56

1 **Item 7** - Speed bump noted was near Hamilton-Rivers' home not Don Cohon's home

2

3 **Item 14** - Grose added to statement that the members of The Board would like to review the workload of
4 the District Manger over time in context with cash flow and finances.

5

6 **Corrections to the February 3, 2016 minutes:**

7

8 **Item 3** - Hansell's hope for Brown Act compliance is to add transparency to government. The Brown Act is
9 a way to comply with the spirit of open government. The forming of committees is a way to get things
10 done more efficiently.

11

12 **Item 5** - Hamilton-Rivers made a request to have Hansell's hours be added to the agenda. This request
13 was not accurately recorded by the secretary and therefore left out of the March 2, 2016 meeting agenda.

14

15 **Item 4B:** Financial Report dated 01/31/16, as attached:

16

17 MOTION: To approve items A and B on the consent calendar

18 Moved: Lambert, Second by Hamilton-Rivers

19 Vote: AYES: Unanimous

20

21

22 **Item 5 Selection of Date for Special Meeting on Financial Review:**

23

24 Friedman proposed a meeting on Saturday, March 26, 2016 at 9:30AM devoted fully to discuss the
25 financial picture of Muir Beach.

26

27 A resident asked if the Board will be coming to the special meeting with a firmer grasp of the current
28 financial situation and get the pertinent information out to the public at least a week prior to the meeting.
29 Friedman reiterated that is in violation of The Brown Act to have a meeting without inviting the residents to
30 attend. He also stated the importance of having a transparent, open conversation on the financial
31 situation and is working with the rest of The Board to get the information out to the public.

32

33 Grose commented that the purpose of this meeting for The Board is to deliberate on the financial situation
34 and it is required to be open to the public in accordance to The Brown Act.

35

36 A resident stated that there has been a long history of the lack of understanding of the financial status.

37

38 MOTION: To have a special meeting on financial review on Saturday,
39 3/26/16

40 Moved: Hamilton-Rivers, Second by Jeschke

41 Vote: AYES: Unanimous

42

43 **Item 6 District Mangers Report:**

44

45 The full District Manger's Report available at <http://muirbeachsd.com/meetings.html> or hard copy upon
46 request. Per a request by Hamilton-Rivers, Hansell suggested that he include updates from The Muir
47 Beach Advocacy Group in future DM Reports similar to the way he reports NPS info. This saves time with
48 repetitions in the agenda items and more time for action items on the District's Charter.

49

50 Hamilton-Rivers brought attention to Item 18 in the District Manger's Report re: Hansell's hours. He is
51 currently monitoring his hours and is doing an excess of 20 hours/week which she finds unacceptable. He
52 should be paid for the extra hours he is working. She requested an agenda item be added to compensate
53 Hansell for his additional hours. Various board members suggested not taking action until the current
54 financial situation is discussed. Grose questioned how to use Hansell's time more wisely. Friedman
55 recommended making Hansell's compensation for extra time retroactive after the full financial picture is
56 discussed. He also suggested getting help from the community to help with Hansell's less urgent tasks.

1 Hamilton-Rivers reiterated the bylaws stating that the District Manager should be exclusively responsible
2 for the implementation of Board policy and decisions.

3
4 A resident asked when the audit will take place. Both Friedman and Hansell noted that it is a top priority
5 and it will take time to complete eight years of missing audits.

6
7 Friedman stated that all the issues regarding finances, audits, and pay will all be discussed at the
8 Financial Review Meeting on March 26 and another meeting regarding a personnel committee that will be
9 set at a later date.

10
11 **Item 7 Fire Tax Ballot Update:**

12
13 The Districts Fire Tax expires 06/30/16. Hansell reported that it is too late to put a replacement Fire tax on
14 the ballot for the June election. In order to put the proper measure on the ballot, the Board needs to have
15 a proposition for the language, hold a special meeting with public notice and then time for the public to
16 comment before a final vote. The past Fire taxes expired every 4 years and required a 2/3 majority vote.
17 Hansell recommends that because the tax is for operational expenses it should be considered an on-
18 going tax and voted on once. He would like further discussion on making it a permanent tax. The deadline
19 for the November ballot is August 11, 2016. Hansell recommended that the District take the lead in
20 renewing the tax ballot instead of leaving it in the hands of the Fire Dept. Association. Friedman
21 commented that there is now plenty of time for The Board to meet and get public response with the now
22 August 11 deadline.

23
24 **Item 8 Frank(s) Valley Name Update:**

25
26 Jeschke gave a brief 200-year history to answer the question: Who is the Frank in Frank Valley Road?
27 Jeschke requested that the CSD ask the County to designate the section between Highway 1 and Muir
28 Woods be restored to its original name of Frank Valley Road. Hansell said he would write a letter on the
29 Board's behalf to the county requesting the renaming of the road.

30
31 **Item 9 Capital Projects Inventory & Facilities Planning Review:**

32
33 Friedman commented on the importance of forming Ad Hoc committees as a way to move items along
34 and take action. He noted that Hansell agrees with these committees and that there has been some
35 confusion in the past on the difference between an Ad Hoc Committee and a Standing Committee.

36
37 Hansell talked about a Capital Projects Inventory. He would like to form an Ad Hoc Committee to find the
38 best way to use the District's funds and what projects the community would like to focus on. He already
39 has suggestions from the Elderberries on some projects.

40
41 Hamilton-Rivers is opposed to forming another Ad Hoc Committee because of the limitation of not
42 including input of other board members and the rest of the community on vital constructive content.

43
44 Lambert is not in favor of Ad Hoc Committees but said it makes sense in certain situations to move things
45 along. Hansell states that Ad Hoc Committees help him out tremendously. Various Directors gave their
46 thoughts on forming committees. A resident spoke out against Ad Hoc committees and wants everyone to
47 be able to attend. They asked if it should be a Standing Committee instead. Another resident agrees that
48 this should be a Standing Committee.

49
50 MOTION: To form an Ad Hoc Committee on Capital Projects
51 Moved: Jeschke, Second by Grose
52 Vote: AYES: 3, NAYS: 2

53
54 Jeschke was appointed to Chair the Committee.

55
56

1 **Item 10 Community Skills Inventory/Survey:**

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3 Grose made a presentation on surveying the community to find Muir Beachers with certain skills that can
4 benefit the community. She asked The Board for approval on forming a committee that would design
5 questions and outreach on finding certain skill sets in the community. The data collected will be presented
6 in a scientific manor. The final results will be held by the CSD.

7

8 MOTION: To create a Community Skills Inventory Ad Hoc Committee

9 Moved: Friedman, Second by Grose

10 Vote: AYES: 4, NAYS: 1

11

12 **Item 11 Committee Reports:**

13

14 **Ad Hoc Committee on Spindrift:**

15

16 Grose reported the committee will be meeting Sunday, people have signed-up, and she is very pleased.

17

18 **Ad Hoc Committee on Water Manager's Retirement:**

19

20 Lambert reported that there are two goals: How to replace Harvey and take an inventory on all he does
21 and also to come up with a retirement package for him. The committee would like a replacement in
22 training by June/July to allow Harvey to transition over the last six months of 2016. The committee will
23 meet again at the beginning of April.

24

25 **Ad Hoc Committee on Sunset Way:**

26

27 Hamilton-Rivers reported that the plans were reviewed in detail at the committee's first meeting and the
28 issues discussed were the entrance to Sunset with a wider turn-around to aid the right turn from HWY 1,
29 the cross slope to direct the water run-off, the swales and speed bumps, and other upgrades. The
30 retaining wall at 161 Sunset was discussed and potential impact on the road if the wall gives away.
31 Leighton suggested a concrete wall be built and that the CSD consider contributing to the cost of the new
32 wall. Hamilton-Rivers also noted that the top of Cove Lane's widening was discussed and that Cove
33 Lane's scope is controversial. Hamilton-Rivers suggested the Cove Lane turn-around be added to a
34 future agenda. She noted several members of the community have raised concerns that the Board will
35 need to address: Beach parking, signage and enforcement on Sunset Way and other local streets. She
36 also noted that the planting of trees on CSD land have roots that undermine the road and trees that
37 scrape the sides of cars and cause view issues for neighbors. Hansell stressed the importance of getting
38 everything in writing from the County with regards to the entitlement process as the CSD learned an
39 expensive lesson when it was denied planning approval on the Shoreline property. A second committee
40 meeting date has not been set yet.

41

42 **Item 12 District Personnel Needs & Policy Review:**

43

44 Not discussed due to time constraints and postponed to a future meeting.

45

46 **Item 13 School Bus Pilot Program:**

47

48 Resident April Randle asked for a letter of support from the CSD to allow Muir Beach to participate in the
49 School Bus Pilot Program in Mill Valley.

50

51 MOTION: To support the Bus Pilot Program with a letter

52 Moved: Hamilton-Rivers, Second by Lambert

53 Vote: AYES: Unanimous

54

55

56

1 **Item 14 Public Open Time:**

2

3 A resident spoke out on behalf of the retaining wall at 161 Sunset. She felt it was a violation that she was
4 not invited to attend Ad Hoc meeting to discuss the issue given the fact that she is 50% owner. She
5 disagreed that the wall is "failing" and noted that the road has drainage problems that are actually causing
6 the problem there. The Board apologized to the owner and invited her to join the committee. Hansell
7 noted that the current ILS drawings do not show replacement of the wall so it is not in the scope of work
8 at this time.

9

10 A resident made a request that a motion be on the agenda for next meeting to reject the current dog plan
11 for the beach because it will have a huge impact on the community especially Little Beach. The same
12 resident also formally requested that Hansell remove Page 14 & 7 on the ILS plan set for further
13 discussion because that plan takes up 400ft of the individual's property on Cove Lane. He is opposed to
14 the plan set that was submitted to the county.

15

16 A resident requested direct discussion with Hansell on the Sunset Way project. Other residents may
17 attend the discussion.

18

19 **Item 15 Recognitions and Board Member Items of Interest:**

20

21 Hansell thanked Harvey Pearlman and the other volunteers for their work on the Valentine's Day Dance.

22

23 **Item 16 Request for Future Meeting Agenda Items:**

24

25 Hamilton-Rivers requested that the Cove Lane Scope and Hansell's hours be on the next agenda.

26

27 **Item 17 Items Removed from Consent Calendar:**

28

29 No items were removed from the consent calendar.

30

31 **Item 18 Adjournment:**

32

33 MOTION: To adjourn the meeting
34 Moved: Jeschke, Second by Hamilton-Rivers
35 Vote: AYES:Unanimous

36

37 Meeting was adjourned at 9:37pm