

**TABLE OF CONTENTS
 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, SEPTEMBER 29, 2004
 IN THE COMMUNITY CENTER AT 19 SEACAPE DRIVE
 TO BEGIN AT 7:00 P.M.**

<u>DESCRIPTION</u>	<u>PAGES</u>
Agenda for the Regular Meeting	1 - 3
Bills to be Paid Report for 07//01/04 through 07/31/04	4 - 5
District Fiscal Consolidated Balance Sheet as of August 31, 2004	6
Statement of Revenues and Expenditures-Summary for August 2004	7
Draft Minutes of the August 25, 2004 Board Meeting	8 - 12

**AGENDA FOR THE MUIR BEACH COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS' REGULAR BOARD MEETING
ON WEDNESDAY, SEPTEMBER 29, 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 September 29, 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 August 1 through August 31, 2004 period.
 - VI. **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. **Roads and Easements:** The following items require Board consideration.
 1. **Sunset Way encroachments:** The construction of a retaining wall at 296 Sunset is contrary to the decision of the Board during a previous meeting. The owner has been contacted and has acknowledged the error.

During a recent inspection of Sunset Way, it was noted that other property owners are constructing stairs that encroach into the right of way. As the reconstruction of Sunset Way is in the process of being evaluated for presentation to the Sunset Way residents, the Board may find it necessary to consider the problem of new minor encroachments.
 2. It is anticipated that the Garden Club will make their recommendations for replacing the trees to reestablish the screening benefits to the adjacent property.
 - C. **WATER OPERATIONS:** In general water operations have been normal and no important repairs were necessary during the July 16 through August 16 billing period..
 1. Coliform tests taken during August were free of bacteria.
 2. **Water Billing :** The water billing analysis is tabulated in the following tables.

WATER BILLING ANALYSIS AND COMPARISON WITH PRIOR YEAR

Description	7/16/04 to 8/16/04	7/23/03 to 8/23/03	04 - 03 % Change
Water operations income	\$6,445.46	\$5,340.27	20.7%
Capital Improvement Surcharge	\$1630.03	\$1,356.63	20.15%

Comparison of current water production to last year

Description	6/16/04 to 7/16/04	6/23/03 to 7/23/03	04 - 03 % Change
Total volume pumped through master meter =	912,207 gallons	779,355 gallons	17.05% ¹
Average daily pumping rate	29,426 gallons	25,140 gallons	17.05%
Highest pumping day volume pumped =	34,527 gallons	37,840 gallons	-8.76%
Lowest pumping day volume pumped =	22,158 gallons	20,725 gallons	6.91%
Total volume billed through service meters =	855,911 gallons	723,047 gallons	-4.11%
Gross unaccounted for water loss =	55,296 gallons	56,308 gallons	-17.97%
Estimated un-metered maintenance use	1,000 gallons	300 gallons	
Estimated leak repair losses	2,000 gallons	gallons	-6.63%
Net unaccounted for water loss	52,296 g. 5.84%	56,008 g. 7.19%	-6.63%
Average daily consumption per meter =	187 gallons	150 gallons	24.66% ¹
Average service billing =	\$41.82	\$35.79	14.05%

¹ It is important to note that prior to this billing period all residents were cautioned to conserve water due to the dry rainfall year, and noticed that continued dry conditions would likely result in a formal "Water Conservation Notice". Actually, a formal "Water Conservation Notice" was issued on August 30 and a notice of continued official water conservation was included with the most recent water billing.

D. **Water Conservation:** As noted in the footnote above an "Official Water Conservation Notice" was mailed to all Muir Beach residents, dated August 30, 2004. The high consumption meters (meters that recorded more than 2,000 c.f. of use during the 7/16 through 8/16/04 billing period) were read on 9/3/04. Six (6) residents consumed more than 2,000 c.f. during the 7/16 through 8/16 billing period. Eight (8) residents exceeded 2,000 cubic feet during the 8/16 through 9/16 billing period, as follows:

1. Two(not formerly above 2,000c.f.) from leaks that were repaired,
2. One (not formerly above 2,000c.f.) that was noticed after the 9/16 meter reading; however, this resident has a history of high water consumption and a leak may not be the cause.
3. One 7/16 through 8/16 high consumer reduced their consumption to less than 2,000 c.f.
4. One resident actually increased their consumption during the 8/16 through 9/16 period; however, this was the result of a leak in their system.
5. The remaining high residential consumers did reduce their consumption,, but not below the 2,000 c.f. level. The single commercial user reduced consumption by more than 6%.

The data above indicates the need for additional study of the enforcement Resolution, and a brief analysis is included as a separate report to the Board.

- E. **Water Capital Improvements:** Scheduling and inspection problems resulted in delays in receiving estimates for activating the new well. Harvey's crew installed the necessary piping, and I hope to receive the cost estimates prior to the Board meeting.
- F. **Recreation:** The deck roof and community center roof are now completed and the workmanship is excellent. The quality of the work and materials will last for several generations. Michael Moore and his crew deserve our considerable appreciation.

During the last meeting I indicated that I would prepare plans and a cost estimate for additional storage for the community center. Due to other more pressing items concerning the water rights and water capital improvements, I have not completed this work. However, I hope to be able to present it to the Board in time for the meeting.

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

- VII. **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.

- VIII. **Review of the draft minutes** for the general meeting held on August 25, 2004.

- IX. **Next meeting date:** The forth Wednesday in October is October 27, 2004.

ADJOURNMENT OR CONTINUATION

Muir Beach Community Services District
 Bills to be Paid
 August 2004

	TOTAL	Admin	Cap Impr	Fire	Rec	Roads	Water
Pimental Paving, Inc.	8,000.00	0.00	0.00	0.00	0.00	8,000.00	0.00
State Compensation Insurance Fund	4,692.53	0.00	3,607.40	110.33	330.31	77.94	566.55
Mark C Felix	4,200.00	0.00	4,200.00	0.00	0.00	0.00	0.00
Thomas Streb	4,040.00	0.00	4,040.00	0.00	0.00	0.00	0.00
ABC Consultants, Inc.	3,906.00	956.00	725.00	225.00	500.00	500.00	1,000.00
Christopher Gove	3,490.00	0.00	3,160.00	330.00	0.00	0.00	0.00
Matthew Silva	2,080.00	0.00	2,080.00	0.00	0.00	0.00	0.00
Mullin, Sharon	2,029.27	1,474.27	0.00	0.00	0.00	0.00	555.00
Employer PR Taxes	1,372.18	1,372.18	0.00	0.00	0.00	0.00	0.00
Arthur A Streb	960.00	0.00	960.00	0.00	0.00	0.00	0.00
PG&E	830.03	0.00	0.00	0.00	96.11	0.00	733.92
Harvey Pearlman	830.00	0.00	0.00	0.00	80.00	80.00	670.00
Marcos I Navarro	588.00	0.00	588.00	0.00	0.00	0.00	0.00
CalPers	312.29	5.53	0.00	0.00	0.00	0.00	306.76
California Rural Water Assn.	240.00	0.00	0.00	0.00	0.00	0.00	240.00
Pearlman, Harvey	228.57	0.00	0.00	0.00	118.57	0.00	110.00
SBC	206.60	111.39	0.00	63.25	0.00	0.00	31.96
Salvador Gonzalez	187.50	0.00	0.00	0.00	75.00	112.50	0.00
USPS	160.50	0.00	0.00	0.00	0.00	0.00	160.50
Wang, Emiko	148.00	0.00	0.00	0.00	148.00	0.00	0.00
Juana Gonzalez	144.00	0.00	0.00	0.00	144.00	0.00	0.00
American Water Works Association	131.00	0.00	0.00	0.00	0.00	0.00	131.00
Forster Pump & Engineering, Inc.	100.41	0.00	0.00	0.00	0.00	0.00	100.41
Home Depot	95.38	0.00	0.00	0.00	78.25	0.00	17.13
Cingular Wireless	92.66	58.04	0.00	0.00	0.00	0.00	34.62
Kinko's	86.66	86.66	0.00	0.00	0.00	0.00	0.00
County of Marin, HHS Public Health Lab	60.00	0.00	0.00	0.00	0.00	0.00	60.00
SBC 9969	53.88	0.00	0.00	0.00	53.88	0.00	0.00
Herb's Pool Service	51.48	0.00	0.00	0.00	0.00	0.00	51.48

Accrual Basis

Muir Beach Community Services District

Bills to be Paid

August 2004

Knox, Nancy	40.00	0.00	0.00	40.00	0.00	0.00
Costco	33.28	33.28	0.00	0.00	0.00	0.00
AOL	32.85	32.85	0.00	0.00	0.00	0.00
Smith Barney Citigroup	25.00	0.00	0.00	0.00	25.00	0.00
Office Depot	19.38	19.38	0.00	0.00	0.00	0.00
Misc Vendor	16.00	0.00	0.00	16.00	0.00	0.00
TOTAL	<u>39,483.45</u>	<u>4,149.58</u>	<u>19,360.40</u>	<u>1,680.12</u>	<u>8,795.44</u>	<u>4,769.33</u>

Total paid out of the Water Capital Improvements Fund

Total paid out of the General Fund

725.00

38,758.45

39,483.45

Total paid out of the Rental Security Deposit Trust

Total paid out of the Water Security Deposit Trust

Total paid out of the Shafer Medical Trust Fund

Total checks issues

1,000.00

100.00

350.95

40,934.40

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

Leighton Hills, President

Donovan Macfarlane, General Manager

Muir Beach Community Services District

Balance Sheet

As of August 31, 2004

Accrual Basis

	<u>Aug 31, 04</u>
ASSETS	
Current Assets	
Checking/Savings	
Smith Barney	
General Funds	77,581
Total Smith Barney	77,581
428 Gen'l Fd	4,357
429 Inv Fd	
Water Capital Improvement Fund	266,335
Fire Station Reserve Fund	14,637
General Investments	87,152
Total 429 Inv Fd	368,124
Petty Cash Fund	230
Total Checking/Savings	450,292
Accounts Receivable	
Receivables	16,127
Total Accounts Receivable	16,127
Other Current Assets	
Undeposited Funds	135
Deposits	35
Total Other Current Assets	170
Total Current Assets	466,589
Fixed Assets	
Building	7,968
Machinery & Equipment	537
Roads & Easements	
CC Steps	376
Easement Lighting	5,103
Total Roads & Easements	5,479
Total Fixed Assets	13,984
TOTAL ASSETS	480,573
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Rental Security Deposits	2,950
Shaffer CalPers Trust	1,030
Water Security deposits	6,800
Total Other Current Liabilities	10,780
Total Current Liabilities	10,780
Total Liabilities	10,780
Equity	
Retained Earnings	474,237
Net Income	-4,444
Total Equity	469,793
TOTAL LIABILITIES & EQUITY	480,573

**Muir Beach Community Services District
Statement of Revenues and Expenditures**

August 2004

Accrual Basis

	Aug 04
Ordinary Income/Expense	
Income	
Water Operations Income	6,445.46
Consumption Surcharge	1,630.03
Recreational Activities Income	3,018.00
Donations	26,000.00
Total Income	37,093.49
Expense	
Administration Fees	3,750.00
Bank Service Charges	25.00
Bistro Expenses	109.93
Bookkeeping	2,025.00
Dues & Subscriptions	371.00
Employee Benefits	306.76
Insurance	4,692.53
Interest Expense	5.53
Meeting Expense	12.35
Mileage Allowance	266.00
Office Expense	77.43
Outside Services	148.00
Payroll Expenses	17,861.68
Postage & Delivery	160.50
Printing & Photocopies	86.66
Repair & Maintenance	8,078.25
Supply	64.64
Telephone	353.14
Utilities	830.03
Water Testing & Expense	229.02
Total Expense	39,453.45
Net Ordinary Income	-2,359.96
Other Income/Expense	
Other Income	
Interest Income	115.58
Total Other Income	115.58
Net Other Income	115.58
Net Income	-2,244.38

1
2 The NPS has asked Phil Williams and Associates to do a supplemental analysis on the effects
3 of the Big Lagoon Project to the groundwater upstream. The report will not be available for
4 comments in time for the scheduled public meeting. Carolyn said the report would be made
5 available to the Board during the second half of December. Director Kamradt, who protested
6 the delayed availability of the report and suggested that the meetings be rescheduled to dates
7 when the report is available, stated that she wants written assurance that there will be no
8 changes to the watershed, and wants it known that any adverse effects on the Community is
9 National Park Service responsibility.

10
11 Paul Bignardi reported on the status of the Comprehensive Transportation Management Plan
12 and the new extended timeline. There was a meeting today with all four major agencies
13 involved plus the Marin Advisory Committee. The next meeting will be September 11 at
14 Tam High and will be at the building-block level. In December there will be a task force
15 meeting in the evening at a large venue where preliminary alternatives will be presented,
16 similar to what was presented in the prior brochure. Public comment will be taken until early
17 October after which they will meet with MAC and put everything into workable concepts by
18 early November. The results will go out to the public by mid- to late November. Required
19 edits will be done after the December meeting. After January, no more public comments will
20 be accepted and an environmental consultant will be under contract. There are three more
21 opportunities for public input. Doug Widmayer will attend the MAC meeting tomorrow
22 night at 6:30 at the Stinson Beach Community Center.

23
24 Director Kamradt reported that the response letter, signed by members of the Board and
25 Greater Muir Beach Neighbors, was hand delivered to Supervisor Kinsey on Monday who
26 read it in its entirety as well as the three pages of element comments. He was heartened to
27 learn that the MBCSD and Greater Muir Beach Neighbors are in agreement. The letter and
28 spreadsheet are available on the CSD website. As the Board was not notified of the MAC
29 meeting with Doug Widmayer on July 17, it was not given the opportunity for input
30 regarding the scheduling of meetings. MAC scheduled all subsequent meetings for Thursday
31 evenings and when informed by Director Kamradt that she could not attend Thursday
32 meetings, indicated it would not make changes to accommodate her schedule. A lengthy
33 discussion followed regarding what has transpired within MAC to date and whether the
34 MBCSD should be part of the committee. The following points were raised: MAC's goals
35 seem to be in opposition to the goals of the communities affected by the CTMP. At the same
36 time, they have been reluctant to accept input from those communities. Chairman John
37 Leonard has resigned. MAC is attempting to delay the CTMP process until after the
38 November elections. MBCSD representation has been excluded. MBCSD withdrawal from
39 MAC will not affect its position on the task force nor its participation in the CTMP process.

40
41 MOTION: To withdraw from the Marin Advisory Committee.
42 Moved: Kamradt, seconded by Shaffer
43 Vote: AYES: Unanimous

1
2 **III. Fire Department, Emergency Disaster Committee:**
3

4 Chief John Sward reported that the Fire Department did not receive the FEMA grant applied
5 for to purchase a new truck. It did receive a grant for just under \$10,000. The drills are
6 going well. John has been unsuccessful in setting up an appointment to meet the historical
7 analyst for the dairy property but will keep trying.
8

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

10
11 MOTION: To approve the July report as submitted including a total of \$12,903.09 in
12 General Fund expenditures, \$725.00 in Water Capital Improvement Fund
13 expenditures, and \$1,600.95 in checks issued from the trust funds, for a total of
14 \$15,229.04 in warrants issued.

15 Moved: Shaffer, seconded by Kamradt

16 Vote: AYES: Unanimous
17

18 **V. General Manager's Report:**
19

20 **A. Administration:**
21

22 The General Manager reported that administrative activities have been normal and no
23 specific items currently require Board consideration.
24

25 **B. Roads and easements:**
26

- 27 1. Dan Qualls and Anna Tom have asked for Board permission to transverse the
28 District Parkland for the purpose of providing vehicular and equipment access
29 during the course of construction of their new home on Seacape Drive. This
30 would require either obtaining permission from the Lasky family to cross their
31 property at the beginning of Starbuck Drive or accessing via the Starbuck
32 extension. It was suggested by the General Manager that the Board consider
33 allowing Mr. Qualls, at his expense, to follow the recommendation of the trail
34 consultant to remove the pedestrian stairs at the Seacape/Starbuck intersection and
35 reshape the slope to allow for access there. Mr. Qualls stated that he would
36 strongly prefer this alternative as excavation equipment will already be on site.
37 Director Shaffer stressed the need for low impact to District property.
38

39 MOTION: To approve the Qualls' access to the parklands as requested.

40 Moved: Shaffer, seconded by Kamradt

41 Vote: AYES: Unanimous
42

- 43 2. The seven trees along the easterly boundary of the Community Center property
44 have been removed and recommendations from the Garden Club for replacement
45 vegetation are pending.

1
2 **C. Water operations:**
3

4 General Manager Macfarlane reported that water operations have been normal and no
5 important repairs have been necessary.
6

7 **D. Capital Improvements:**
8

9 The General Manager reported that due to vacations of District personnel, the
10 scheduled capital improvements to activate the new well and service the existing well
11 have been delayed. The work is ready to begin and the new well should be in operation
12 prior to the September meeting.
13

14 **E. Recreation:**
15

- 16 1. Vacations have also delayed installation of the basketball facility on Starbuck and
17 the water filter at the Community Center.
18
19 2. The General Manager has analyzed the need for additional storage space at the
20 Community Center and has concluded that a 12' x 12' storage shed with double
21 entry doors on the east side of the main building is most appropriate. The Quilters
22 have met with him and agree. Plans and a cost estimate will be prepared and
23 submitted at the September meeting.
24

25 **VI. Public open time:**
26

27 Resident Karla Andersdatter reported that she spoke with Lisa Croft regarding the use of
28 pesticides in the watershed. She was told that the State of California regulates the use of
29 pesticides and that no posting is required and no laws have been violated. Lisa was unable to
30 answer some of Karla's questions and so agreed to send Karla a copy of the State
31 Regulations. Director Kamradt stated that she had also followed up on the concerns voiced
32 at the last Board meeting. The NPS did follow County guidelines by taking out a County
33 permit, issued by Stacy Carlson, to use Garlon. Garlon is not approved by the FDA;
34 however, there is nothing the Community can do to protest since the law was adhered to.
35 Director Kamradt indicated she would like the Board to send a letter asking for coordination
36 and notification of pesticide use in the watershed. Karla submitted a draft letter which she
37 had prepared for that purpose.
38

39 **VII. Review of minutes:**
40

41 **MOTION:** To approve the draft minutes of the August 4, 2004 Board of Directors meeting
42 as submitted.

43 **Moved:** Shaffer, seconded by Kamradt

44 **Vote:** AYES: Unanimous
45

1
2
3
4
5
6
7
8
9
10
11
12

VIII. Next meeting date: The next meeting date is scheduled for Wednesday, September 29, 2004.

The meeting was adjourned at 8:45 pm.

These minutes were approved by the Muir Beach Community Services District Board of Directors, during their meeting on _____.

Leighton Hills, Board President

Sharon Mullin, Secretary