

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 Minutes of the Board of Directors' meeting held on
3 Wednesday, March 27, 2019
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
8 minutes are draft only and subject to change. Upon approval by the Board, these
9 minutes become the Official Minutes of the meeting.
10

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12 **Item 1: Call to Order**
13

14 Victoria Hamilton-Rivers called the meeting of the Muir Beach Community Services
15 District Board of Directors to order at approximately 7:08 pm.
16

17 Directors present: Victoria Hamilton-Rivers, Leighton Hills, Peter Lambert,
18 Steve Shaffer
19

20
21 Staff present: Mary Halley, District Manager
22 Chris Gove, Fire Chief
23 Ernst Karel, Meeting Secretary
24

25
26 **Item 2: Approval of Agenda**
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28
29 MOTION: To approve the agenda
30 Moved: Lambert, seconded by Hamilton-Rivers
31 Vote: AYES: Unanimous
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33
34 **Item 3: Election of Vice-President**
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36 Victoria Hamilton-Rivers has requested that a Board Vice-President be elected to
37 replace her in that role. She nominates Steve Shaffer.
38

39 MOTION: To elect Shaffer as Vice-President for the next year.
40 Moved: Hamilton-Rivers, seconded by Lambert
41 Vote: AYES: Unanimous
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44 **Item 4: Consent Calendar**
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46 A. Approval of Draft Minutes from Regular Board Meeting of 2/27/19.

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4 MOTION: To adopt the consent calendar
5 Moved: Hamilton-Rivers, seconded by Lambert
6 Vote: AYES: Unanimous
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9 **Item 5: Items Removed from Consent Calendar**

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11 No items removed.
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14 **Item 6: Treasurer's Report**

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16 Hills notes that we've switched to having the report every quarter, so there is no
17 Treasurer's Report today. More significantly, Hills passes on that the board received
18 notice on Monday that Leslie Reihl is no longer interested in being Treasurer. Hills
19 commends the work she's been doing and recognizes that the task is arduous and
20 unpaid. According to the by-laws, the DM can be the treasurer. Halley agrees to take on
21 the Treasurer role on an interim basis, and the board will try to find someone to take the
22 position.
23

24 The board would like to make a formal gesture to thank Riehl for her excellent work and
25 decides to put \$200 towards this. Hamilton-Rivers comments that it's a huge blow that
26 she's no longer in the position and wants to remind us to be mindful of one another.
27 Lambert says that she advanced the financial reports of the CSD and hopes we can
28 continue to build on that. Hills also comments that she was invaluable with the audits.
29
30

31 **Item 7: District Manager Report**

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33 Halley goes over highlights of her 3/27/19 DM report, which as usual was distributed
34 with the packet for this meeting.
35

36 Water service cost study has been making headway. They've cleaned out underneath
37 the playground. Flooring project for MBCC is going forward, and she has brought
38 samples for us to view. John-John Sward will be doing the flooring, and the project will
39 be undertaken April 15-23. The tile sample is handmade by a woman in Mendocino. We
40 got a designer discount thanks to Hamilton-Rivers.
41

42 There are a number of issues with encroachments onto CSD property. Leighton
43 comments that he was able to contact the so-far-unresponsive owner of 50 Starbuck by
44 text message and they have a conversation scheduled for Friday. At 66 Starbuck Halley
45 is hopeful for a resolution.
46

1 Halley discusses the details of the line of credit being offered by Marin County. Hills
2 proposes that the board give Halley the authority to enter into the agreement with Marin
3 County. It's useful even if we don't use it, because it means we can spend what we
4 have without worrying that we'll be unable to face an emergency should it arise.

5
6 Hamilton-Rivers asks about cleanup on a pathway below Sunset. The CSD should be
7 taking care of such cleanup. In general, if there's something that needs attention on
8 CSD easements and the like, residents should contact the CSD.

9
10
11 **Item 8: Approval of Marin LAFCO (Marin Local Agency Formation Commission)**
12 **Ballot Candidate**

13
14 The MBCSD has been requested by Drew McIntyre, General Manager for North Marin
15 Water District (NMWD), to exercise our District's vote in the upcoming LAFCO Election
16 for Special District Representative to vote for Jack Baker from NMWD. The other two
17 candidates are Lewis Kious, Almonte Sanitary District, and Tod Moody, Sanitary District
18 #5. A representative from a neighboring water district may align better with MBCSD
19 operations and interests. The Board is being asked to approve submitting a ballot with a
20 vote for Jack Baker. Directors Leighton Hills and Steve Shaffer provide some
21 background on previous requests by LAFCO candidates for votes in their favor.

22
23 Alternate Commissioner Lew Kious of LAFCO is present. Board members are elected
24 by agency members. Alternate members go to the meetings, but alternate members
25 don't get a vote unless primary members are absent. Kious is now running for a regular
26 position. He lives in Mill Valley, which he notes is 5.4 miles and 12 minutes away. Kious
27 gives his own background with LAFCO and makes the case for his own candidacy as
28 someone who can represent Muir Beach's interest to the LAFCO board. He asks for our
29 vote; it's rank choice voting. Ballots have to be received by April 22nd.

30
31 Hills proposes ranking Kious in first place, Todd Moody second, Jack Baker third.
32 Further discussion ensues.

33
34 The question is raised of what's in it for Muir Beach. LAFCO has the ability to create or
35 terminate agencies. Lew responds that connections to MBCSD water has to go through
36 LAFCO board. Halley adds that they have potential control over the size of spheres of
37 influence. Kious says that LAFCO could theoretically force the consolidation of Muir
38 Beach with neighboring districts. Furthermore, there are "latent powers" such as issuing
39 parking tickets that we might want to activate and which could come before LAFCO.

40
41 MOTION: To vote for Lew Kious in first place, Jack Baker second, and Todd
42 Moody third
43 Moved: Shaffer, second Hamilton-Rivers
44 Vote: AYES Hills, Hamilton-Rivers, Shaffer
45 Lambert abstains
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2 **Item 9: Sunset Way Project Update**
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4 Hills gives updates. The AIA-based draft contract has been received from legal counsel
5 and provided to the contractor for comments. Issues include a retention or a per-diem
6 penalty if the project is not finished in time. The contractor is considering a 10%
7 retention until the project is 50% completed, and then the retention shifts to 0% for the
8 remainder of the work. If we go with this reduced retention (versus a flat 10% retention),
9 then Hills has proposed a \$1,000/day per diem penalty. He thinks it's very unlikely that
10 this would be collected but would provide a financial incentive for the contractor to
11 complete the work.. These and other issues are currently being discussed/negotiated.
12

13 Current start date: they want to wait until things are pretty dry, so late April or early May.
14 Pre-project cleanup could happen sooner, as soon as the contract is signed. Hamilton-
15 Rivers suggests that we give people advance notice for the cleanup so that people can
16 salvage what they will.
17

18 Building on last meeting's discussion concerning Charlotte's Way, there's now an idea
19 that maybe Charlotte's Way could be paved. Hills is asking for a bid on this, and this
20 would be paid for mainly by those residents with the CSD perhaps contributing one
21 share (i.e. 1/10 if there are nine residents). Grindings could also be useful for Green
22 Way (the road by Wendy Johnson/David Taylor/Jon Rauh). Discussion also turns to
23 possible work on a water main down there. Further discussion about future projects for
24 which the grindings or gravel could be useful, such as the upcoming new firehouse.
25
26

27 **Item 10: Fire Department Report**
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29 Chris Gove was hoping to give an update on Measure W funds, an occupancy tax, and
30 the new firehouse but is still waiting for people to get back to him on both counts, so
31 doesn't have a report currently. It looks as though we'll get the first six months of the
32 Measure W fund, possibly \$20,000-25,000.
33
34

35 **Item 11: Water Policy Update – Additional Fees**
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37 Lack of physical access to a water meter can be costly to the District in terms of extra
38 management time when staff must go back repeatedly to read a meter or check for
39 critical leaks. It is the responsibility of the homeowner/water customer to make sure that
40 their water meter box is readily accessible – meaning clear of debris, dirt, mud, and
41 obstructions such as cars, trailers, trash cans, etc., that prevent access to the meter box
42 by the water operators and staff. It has been brought to the District's attention that
43 obstructed water meters, whether when trying to determine if a leak is present or during
44 routine meter readings, has become a persistent problem at some locations. The
45 proposed addition to our meter reading policies is the implementation of a \$45 "Water
46 meter box obstruction & cleaning fee" when the meter has to be cleared of debris, dirt,

1 mud, etc. before being able to access the meter, and, a \$45 “Water meter repeat trip
2 fee” when it takes more than one visit to read a water meter. Also, because of increased
3 costs, staff proposes increasing the “Delinquent account fee” from \$25 to \$45 and the
4 “48-Hour Termination Notice fee” be increased from \$25 to \$45.

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6 **Summary of Fees:**

7 A. Meter Box Obstruction & Cleaning Fee - \$45

8 B. Water Meter Repeat Trip Fee - \$45

9 C. Delinquent Account Fee – increased from current \$25 to \$45

10 D. 48-Hour Termination Notice – increased from current \$25 to \$45

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12 This will be noted in the water bill.

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14 MOTION: To accept the new charges
15 Moved: Lambert, seconded Hamilton-Rivers
16 Vote: AYES unanimous

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19 **Item 12: Public Open Time**

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21 Paul Jeschke follows up on the topic of a generator from the last meeting – he’d like to
22 schedule a trial run using one of the existing generators.

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25 **Item 13: Recognitions & Board Member Items**

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27 Shaffer would like to recognize Victoria Hamilton-Rivers for the spectacular job she’s
28 done as President. Without her, we wouldn’t be doing this Sunset Way project. A round
29 of applause.

30
31 Hamilton-Rivers repeats that as a board and as a community, we owe a huge debt of
32 gratitude to erstwhile Treasurer Leslie Riehl – we understand our finances much better
33 than we did, and she’s also been a huge support to Mary, so we thank her very very
34 much.

35
36
37 **Item 12: Adjournment**

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39 There being no further business to come before the board, the meeting is adjourned.

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41 Meeting adjourned at 8:28 pm.