



MUIR BEACH COMMUNITY SERVICES DISTRICT

19 Seacape Drive Muir Beach, CA 94965 415 383 9969 www.muirbeachcsd.com

AGENDA

Regular Meeting of the Board of Directors

Wednesday, May 27, 2020 7:00 PM

Reconvened Wednesday, June 10, 2020 7:00PM

Meeting held by Teleconference

Zoom invitation will be emailed out and posted

Muir Beach, CA 94965

SPECIAL NOTICE: Due to the COVID-19 pandemic, with both current State and County orders to shelter-in-place, along with not allowing for groups to congregate publicly who do not normally shelter together, Governor Newsom signed Executive Order N-25-20 "Brown Act During a Pandemic" which allows for the temporary use of teleconferencing as a means to hold public meetings to prioritize public safety and health. The MBCSD will provide for public meeting participation via online "Zoom" access with a dial-in option. The public will be allowed to participate and provide public comment as well as all Board votes will be by roll call. Public noticing of meetings and instructions will use the same resident email address and be posted on local bulletin boards.

TIMING OF AGENDA ITEMS: 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. The following items will be considered, and any item can be discussed, acted upon, or approved 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.

7:00 pm	Item 1: Call to Order
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Board: Leighton Hills (Board President), Steven Shaffer (Board Vice-President), Gary Friedman (Director), Victoria Hamilton-Rivers (Director), Peter Lambert (Director)

Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting Secretary)

Item 2: Approval of Agenda

The following item or items were not included in this agenda, along with the reason for not being included. Pursuant to the Bylaws of the Muir Beach Community Services District, the Board of Directors may now by motion require that the item or items be added back to this meeting's agenda. Should the item or items require research or preparation by staff or by member(s) of the Board of Directors in order to be properly heard, the item or items may be deferred to a subsequent meeting. The motion to approve this agenda may be without change or may be to re-include any item or items listed below.

Item(s) not included in this agenda:

Item 3: Discussion of Election of Board Officers

Board will discuss election of Board President and Vice President.

At present, Leighton Hills is Board President, and Steve Shaffer is Board Vice President. Because of the fewer number of meetings due to the Shelter-in-Place orders, both Leighton and Steve are willing to remain in their positions until the Sunset Way project is completed (expected by July 2020) or until the July 2020 meeting. If that is acceptable to the Board, no further action is needed, or alternatively, election of officers can take place at this meeting.

Item 4: 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 in the meeting (under Items Removed from the Consent Calendar).

- A. Approval of Draft Minutes from Regular Board Meeting of 2/19/20.
- B. Approval of Quarterly Financial Reports dated 3/31/20.
- C. Approval of Resolution No. 2020-1: To have CSD participate in general elections on 11-3-2020 (Friedman and Hamilton-Rivers terms)
- D. Approval of JPA Board and Operations Committee nominations:
 - Board Member – Leighton Hills
 - Board Member Alternate – Victoria Hamilton-Rivers
 - Operations – Chris Gove / Operations Alternate – David Taylor

Item 5: Items Removed from Consent Calendar

Items moved from the Consent Calendar to the Regular Agenda, if any.

Item 6: Marin County Grand Jury Report

Approve response to Marin County Grand Jury Report on Web Transparency of Agency Compensation Practices *(See attached MBCSD Response to Marin County Grand Jury Report on Web Transparency of Agency Compensation Practices)*

Item 7: Muir Beach Christmas Fair Report

Christmas Fair organizer Laurie Piel will give a quick report and present check.

Item 8: Fire Department Report

Fire Chief Chris Gove will give his quarterly report.

Item 9: District Manager Report

District Manager Mary Halley will present highlights from her report.

Item 10: Approve FY2019 Draft-Audit

FY2019 Draft-Audit is complete and has been available for review on the MBCSD website for a week. Board approval is required to be finalized. *(See www.muirbeachcsd.com then click on the Administration tab, then Financial page, see Audits section)*

Item 11: FY12-21 Draft-Budget

The first reading of the proposed FY20-21 Draft-Budget will be presented by the District Manager for any discussion. *(See FY20-21 Draft-Budget attached)* The second reading and approval of the Preliminary budget will be held at the June 24, 2020 Board meeting with approval of the Final FY20-21 Budget to be held on July 22, 2020.

Item 12: Possible Lease of Portion of Lower Water Tank Property to Adjacent Neighbor

Discuss for possible approval, a lease of a portion of the lower water tank water system property adjacent to 66 Starbuck, that includes two parking spaces and an area used for landscaping, for \$1,500 per month. It would be either annual renewing or a 5-year renewing lease with 3% annual rent adjustment. The lease would reserve the right to cancel at any time if that area became needed for any water system purpose. Note that this parcel is neither park land nor easement property, rather a parcel owned by the District to house its lower water storage tank.

Item 13: Install gate at bottom of trail near 308 Pacific Way

Muir Beach homeowner Michael Warren strongly supports a gate on the easement at Shirley Nygren's and would like to contribute \$\$ towards the effort.

Item 14: CC Rental Coordinator (Paid Position)

Background: Amy Utstein has been the volunteer CC rental coordinator for the past five years having taken over the volunteer position from Laurie Piel who did the job for seven years prior. Amy is now looking to step down from her post on 5/31/20 after doing a stellar job these past many years. The CC coordinator started as a volunteer position and has always been passed along from one willing volunteer to the next. Amy sent out a letter on Muir Beach NextDoor several months ago describing the job and welcoming a new volunteer recruit – similar to what Laurie Piel sent out when she was ready to handoff the position. Additionally, both Amy and Laurie have also been asking around in the community for the last several months and have not found a new volunteer – which Amy has offered to train if recruited before her retirement date. So, with that background, the Board previously took up the issue at the 2/19/2020 Board meeting for discussion but there was no conclusive decision at that time. The Board is now being asked, having now looked into the history of the CC rental volunteer position, to discuss what might be the CC options if a volunteer cannot be found before Amy retires on 5/31/20. The Board has historically been involved in CC rental policy decisions but not in the volunteer CC rental coordinator position. At the last meeting Amy recommended that the position become a paid position. Laurie Peil did not think the compensation for the position should be based on a percentage of rental income or it would create the incentive to prioritize the outside rentals over local access. Other possible things to continue to consider as to job qualifications for a hired position are:

a) Both Laurie and Amy are responsible, fair, and incredibly organized people who both did an excellent job managing the center rentals, which have now become increasingly more complex over the years, and while other volunteers might apply (although none so far), not just anyone may be capable or as good at dealing with the various issues that arise. There are lots of ways in which things could go awry with just any person in the job. It is not a typical volunteer job. It is not running the soft drink booth at the BBQ. It's managing responsibly a significant amount of money, deposits, insurance certificates, various rental rate categories, coordinating and calendaring dates, scheduling cleaners and facilitators, making sure that *everyone* follows the many and various rules, and ensuring that there are no rentals which would cause liability issues for Muir Beach. It also entails sometimes having difficult conversations with neighbors including holding back deposits from renters (if necessary.) A board member could likely do it, but not just any volunteer can take on the responsibility of the job. It is a job where problems are just waiting to happen – and do! Also, the majority of rentals are residents, so income from rentals is low due to the lower 'resident' rental rates.

- b) Should booking rentals be discontinued until a qualified rental coordinator can be found?
- c) Should the CC try to find a volunteer just to coordinate the Community events calendar?
- d) If the CC rental coordinator is a paid position, what should be the compensation?
- e) Is net rental income that would have been \$11,511 for FY19/20, if not for a onetime expense of \$5,000 for a fence to mitigate impacts caused by rentals, sufficient to cover a paid position?
- f) Is it important that the position be filled by someone who lives locally?

Item 15: Sunset Way Project Update

Director Leighton Hills, Board appointed Project Manager, will give updates on the status of the Sunset Way Improvement Project and topics related to the project.

- 1. Wrap-up details – including speed bumps, signage, markings, and possible gates.
- 2. Peter Lambert's contribution to the repaving of Sunset Way holding over from the time of his home construction at 100 Sunset Way.
- 3. Sunset Way Road Use policy – including planting, construction damage, etc.

Item 16: Encroachment & Easement Policy

The Board is being asked to develop updated policies regarding use of its properties and easements. Leighton will report on the status of this project, including info from conversations with attorneys, one of whom represents several communities in Marin that deal with similar easement issues, known as Steps, Lanes and Paths, or SLPs. In addition, specific encroachments have been requested to be discussed as follows:

- 1. Deer fencing potentially blocking drainage ditch above Sunset Way
- 2. New entry gate on district easement at the bottom of Cove Lane
- 3. Driveway improvements at 66 Starbuck extending into Lower Starbuck

Item 17: Public Open Time

Please note:

- 1. Topics should be within the jurisdiction of the CSD (Water, Roads, Fire Protection, & Recreation).
- 2. The topic should not be elsewhere on the agenda.
- 3. The Board and staff may only briefly respond to statements and questions (i.e. the legal requirement for items not posted on an agenda which otherwise informs community members that a topic is up for discussion and/or action.)
- 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 10 minutes, unless waived by the Board.

Item 18: Recognitions & Board Member Items

Board recognitions and pending events of interest to the community.

Item 19: Adjournment

Next Agenda Meeting Date: Wednesday, June 17, 2020
Next Board Meeting Date: Wednesday, June 24, 2020