

1 **Item 5: Discussion of Election of Board Officers**

2 Board will discuss election of Board President and Vice President.

3 At present, Steve Shaffer is Board President and Peter Lambert is Board Vice President. Due to
4 the unexpected onset of the Covid-19 pandemic last year, Board officers were not voted in until
5 late July 2020. Now having only served a partial term as Board officers, both Steve and Peter
6 are willing to remain in their positions until the end December 2021. If that is acceptable to the
7 Board, no further action is needed, or alternatively, election of officers can take place at this
8 meeting.

9
10 The board decides to put this off for one year, until January 2022.

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12
13 **Item 6: Consent Calendar**

- 14 1. Approval of Draft Minutes from Regular Board Meeting of 12/9/20.
15 2. Approval of Quarterly Financial Reports dated 12/31/20.

16
17 Correction to minutes: p. 3 line 40, change “community” to “committee”.

18
19 MOTION: To approve the consent calendar, with agreed-upon correction to the
20 minutes
21 Moved: Hills, seconded by Lambert
22 Vote: AYES: Unanimous
23
24

25 **Item 7: Items Removed from Consent Calendar**

26 No items removed.
27
28

29 **Item 8: District Manager Report** *[audio recording: 6:50]*

30 District Manager Mary Halley will present brief highlights from her DM report, a written
31 document which (as always) is included with the monthly meeting packet available online at
32 <http://www.muirbeachcsd.com/meetings>.

33
34 Halley was successful pursuing the insurance claim from the car going into Redwood Creek.
35 Halley also goes over budget highlights; in general, the budget is looking right on track at this
36 point halfway through the year.
37
38

39 **Item 9: MBCSD Lands and Easements Management Committee (update)**

40 *[audio recording: 9:50]*

41 Committee Chair Mary Halley and fellow committee members give an update on the legal
42 research and progress towards developing land and easement draft-policies.
43

44 At the last meeting, the Committee was extended to the end of January 2021, so at the end of
45 the month it will either finish or ask for another extension. One board approved non-public
46 meeting was held on January 14 where the committee discussed any legal issues around the
47 Board review and release of the legal memos, as well as, what’s left for the committee to finish
48 and they felt that finishing the Lands Policy draft would be good. As for the budget, it has \$330
49 left and it is within budget.
50

- 1 A. The Board may be asked to approve additional funding (if necessary) to have outside
2 legal Counsel separate out 'sensitive' issues from portions of the legal findings to be
3 released to the public.
4

5 MOTION: To approve an additional \$1500 for the legal budget of the Lands and
6 Easements Management Committee

7 Moved: Hills, seconded Taylor

8 Vote: AYES: Unanimous
9

- 10 B. Would the LEMC be willing to take up Road policy being as it is inter-related to
11 easements?
12

13 The LEMC did not discuss this at its last meeting. They at least need to know whether we're
14 extending the LEMC past Jan 31 of this month.
15

16 MOTION: To extend the Lands and Easements Management Committee until June
17 30, 2021, and to authorize it to take up Road policies.

18 Moved: Jeschke, seconded Lambert

19 Vote: AYES: Unanimous
20
21

22 **Item 10: MERA Rental agreement** [audio recording 18:35]

23 Back on December 12, 2018, Ernest Klock, Civil Engineer for Marin County Public Works
24 Department, gave a presentation of the MERA (Marin Emergency Radio Authority) project at the
25 MBCSD Board meeting. The new inter-County radio network was proposing to incorporate the
26 Muir Beach Upper Tank property as a base for one of the radio towers. Based on those plans, a
27 Coastal Permit has been secured along with a proposed draft-rental agreement. The Board is
28 being asked to approve the proposed radio tower rental agreement between MERA and the
29 MBCSD at the Upper Water Tank property. (Please see attached 1) MERA-Muir Beach
30 Proposed Site Agreement and 2) MERA Coastal Permit
31 and 3) Full Coastal Permit Staff Report at the following link below:

32 https://marin.granicus.com/MetaViewer.php?view_id=46&clip_id=9880&meta_id=1046157
33

34 Shaffer reports that the negotiated agreement is for \$2,500/month rental income for ten years,
35 indexed at 4% per year, with two additional 10- year extension options. Approval at the January
36 meeting is pending in order to commence, which Hills reports took place this afternoon, and that
37 it was indeed approved.
38

39 A neighbor questions whether there has been enough public notice about the proposed tower,
40 with ensuing discussion about the number of public meetings both at the community and County
41 level that have taken place, the many benefits to the MBVFD, and therefore to the overall safety
42 and well-being of the community, and the cooperation of nearby neighbors.
43

44 MOTION: That the Board authorize Halley to approve the agreement as discussed,

45 Moved: Hills, seconded Taylor

46 Vote: AYES: Unanimous
47
48

49 **Item 11: Prop 68 Per Capita Grant Resolution No. 2021-1** [audio: 31:54]

50 The MBCSD has been approved to apply for a Prop 68 Per Capita grant of \$177,952 to be used
51 for recreational capital outlays or acquisitions. Project applications have various requirements

1 among which is that the Board approve a resolution agreeing to the terms of the grant. Project
2 applications are per 'location' when evaluating the various possibilities. The grant requires 20%
3 matching funds (unless a district serves a low-income population) which has been donated by
4 the community via a fundraising drive, plus there is a maximum of 50% pre-funding, and the
5 placement of a 30-year deed restriction on title fee properties (were the funds are to be used) to
6 make sure the properties remain in recreational use, among other conditions to be discussed.
7

8 DM Halley goes over the details of the conditions of the grant and the procedures for its
9 administration. The proposal is to use the grant for construction of public areas around the
10 Community Center, the original plans for which are currently posted in the window of the
11 Community Center. It involves work on the parking area above including retaining walls,
12 possibly for diagonal parking, and the conveyor for moving goods up and down from the street.
13

14 Michael Moore and Steve Schaffer are the community chairs for this, and once the proposal is
15 together, they are thinking of holding a special community meeting to discuss project details; it's
16 currently in the planning phase of gathering permitting issues, specifications, cost, and so on.
17 *(See attached Resolution 2021-1 Authorization for Prop 68 Per Capita Grant)*
18

19 MOTION: To approve Resolution 2021-1 Approving Application(s) for Prop 68 Per
20 Capita Grant Funds.
21 Moved: Taylor, seconded Lambert
22 Vote: UNANIMOUS
23
24

25 **Item 12: Lower Tank Property – Protective fencing** *[audio recording 49:13]*

26 There has been a history of unauthorized parking of various types of vehicles and equipment on
27 the CSD Lower Water Tank property for which treads and tires can tear up the moisture laden
28 soils leaving it vulnerable to damage and invasive weed growth. Following discussions at the
29 12/8/20 Board meeting, the Board instructed the District Manager to work with the property
30 owner at 66 Starbuck to come back with a solution. The current proposal is to install a section of
31 open split-rail fencing placed on the two sides of the property that borders the 66 Starbuck
32 driveway and the lower Starbuck extension roadway with a modified access gate at the Lower
33 Tank driveway. The owner of 66 Starbuck is willing to pay for installation to ensure quality of
34 work and materials.
35

36 MOTION: That the CSD builds the fence and accepts Kidd's offer to pay for it.
37 Moved: Jeschke, seconded Taylor
38 Vote: UNANIMOUS
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41 **Item 13: Public Open Time** *[audio recording 58:08]*

42 Marilyn Laatsch gives a shoutout to Dan Fitzpatrick for removing the \$10/month fee from
43 Recology for an off-road fee (for the newly paved Sunset). Those on auto-pay should be
44 reimbursed the \$30/billing cycle. The story is on Nextdoor.
45

46 Tayeko Kaufman asks for clarification about what's happening with the culvert easement behind
47 their property. She received an email from DM Halley which she understood to say that the CSD
48 does not have authority over the drainage ditch, or even the right to go onto the property, and
49 she would like clarification on that, with reference also to her recollection that when FEMA
50 money was used to maintain the ditch, there was also a promise from then-board members
51 Maury Ostroff and Steve Shaffer that it would continue to be maintained. Are property owners

1 now on their own? Hills responds that the topic is currently under review by the Lands and
2 Easements Committee, which has received additional advice that's different from what they had
3 previously. While we're still trying to come up with a solution so that the drainage ditch is well-
4 maintained, Hills says, what DM Halley said is correct: that it's not a CSD easement that we can
5 enter, and we have been told by the landowners not to enter. We agree that it's a potentially
6 dangerous situation and a high priority. Of many options being explored, one is that it could
7 potentially be designated as a nuisance, in which case the CSD would have additional rights,
8 but those considerations are still in progress. Kaufman would like to add to the public record
9 with photographs and video documenting obstructions, for example of stones placed to block
10 the opening of flaps that would allow water to drain, which create a very dangerous situation, to
11 be entered into future CSD meeting minutes. Everyone is invited to submit photos and other
12 such documentation, which could be very helpful. Halley comments that she had seen the flaps
13 down with rocks in front, and contacted the property owners at 25 Ahab, and subsequently saw
14 that the flaps were up and the ditch cleared, so there is potential for cooperation there on what
15 is a very serious issue.

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18 **Item 14: Recognitions & Board Member Items**

19 None.

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22 **Item 15: Adjournment**

23
24 Next Agenda Meeting Date: Wednesday, February 17, 2021

25 Next Board Meeting Date: Wednesday, February 24, 2021

26
27 There being no further business to come before the board, the meeting is adjourned.

28
29 Meeting adjourned at 20:10.

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32 **Addendum**

33
34 Fire report from Fire Chief Gove (whose reports are normally quarterly) for 1/27/2021:

35
36 We submitted the plans for the coastal commission this week, so fingers crossed we are on our
37 way to a new firehouse.

38 Friday is the deadline for a Grant we are pursuing along with Bolinas, Stinson, Inverness and
39 Nicasio for new SCBA's (self-contained breathing apparatus) for the departments. Our share is
40 just under \$90K of which we are responsible for 5% or approx. \$4,600.

41 Our garage door opener at the firehouse finally gave up the ghost, so we had a new one
42 installed with a battery backup.

43 David Taylor, Leighton Hills, and I completed flow testing of a significant percentage of the fire
44 hydrants to comply with the ongoing recertification for ISO which is a metric used by insurance
45 companies to set rates. We see no issue with maintaining our current rating of 3.

46 We continue to test every two weeks for COVID-19. And all the firefighters are now vaccinated
47 with our second dose. We have also resumed in-person training.

48 I have reviewed the proposed MERA agreement and urge the board to adopt it.

49 Last year we responded to 62 incidents which is slightly below average.

50 The MWPA meets again on Friday to hash out the details of fuel reduction in our area.

51 Thank you for allowing us to be of service.