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MUIR BEACH COMMUNITY SERVICES DISTRICT
Minutes of the Board of Directors' meeting held on
Wednesday, **December 7, 2021**

OFFICIAL MINUTES ONLY UPON APPROVAL

Prior to approval of these minutes by the Board of Directors in a public meeting, these minutes are draft only and subject to change. Upon approval by the Board, these minutes become the Official Minutes of the meeting.

Item 1: Closed Session

Item 2: Call to Order

Steve Shaffer called the meeting of the Muir Beach Community Services District Board of Directors to order at approximately 7:10 pm.

Directors present: Steve Shaffer (Board President), David Taylor (Board Vice President), Lisa Eigsti (Director), Leighton Hills (Director), Paul Jeschke (Director)

Staff present: Mary Halley, District Manager
Ernst Karel, Secretary
Chris Gove, Fire Chief

Item 3: Reconvene in Open Session

During the closed session, it was decided to get legal advice to further clarify to all board members what CSD responsibilities are for Charlotte's Way. They will engage Emily Longfellow to look over past documents, past road policies, and so on, and determine what level of responsibility the CSD has for Charlotte's Way.

Item 4: Approval of Agenda

Item(s) not included in this agenda: None

MOTION: To approve the agenda as submitted
Moved: Hills, seconded by Jeschke
Vote: AYES: Unanimous

Item 5: Consent Calendar

- A. Approval of Draft-Minutes from Regular Board Meeting of 10/27/21.
- B. Approval of Draft-Minutes from Special Board Meeting of 11/17/21.
- C. Approve Resolution 2021-4 to make the findings that the proclaimed State of Emergency continues to impact the ability to meet safely in person and declaring that the Board of Directors will continue to meet remotely in order to ensure the health and safety of the public for the next 30-day period extending from December 27, 2021 to January 26, 2022 in order to hold our next regularly scheduled Board Meeting on January 26, 2022.

1 (Please see attached MBCSD Resolution 2021-4: AB 361 30-Day Extension 12-27-21
2 To 1-26-2022)

3
4 MOTION: To approve the consent calendar.
5 Moved: Jeschke, seconded by Hills
6 Vote: AYES: Unanimous
7

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9 **Item 6: Items Removed from Consent Calendar**

10 None.
11

12
13 **Item 7: Charlotte's Way – requested by Charlotte's Way Property Owners**

14 *[2:10 until 36:15 on the audio recording]*

15 A long discussion about what the CSD's responsibility is with regards to Charlotte's Way.
16 Residents John Schick and Robin Collier provide their understanding of the history, according to
17 which the CSD has been and continues to be responsible for maintaining it just like any other
18 road in Muir Beach. Hills holds that the CSD's responsibility is to the roads in the old Bello
19 Beach, namely Sunset, Pacific, Cove, and Lagoon. Jeschke points out that there is a dilemma in
20 discussing this now since during the closed session the Board has decided to seek legal advice
21 regarding precisely this topic, and hence finds it difficult to speak publicly on these topics before
22 getting that advice. Addressing the logic that the CSD has an interest in maintaining a healthy
23 water system for the whole community, with regard to a concern about leech lines around a
24 water line, Schick points out that he became aware when Charlotte's Way was paved that there
25 is substantial leech field drainage from the Knoxs and Schoenfelds, and the line is 50-year-old
26 Schedule 20 four inches underground, and there is leech field effluent sitting right on top of it.
27 During excavation around that pipe, it seemed very fragile, and it seemed clear that particular
28 section of pipe should be lowered.
29

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31 **Item 8: Muir Beach Easements and Drainage – requested by Tayeko Kaufmann**

32 *[36:17 until 44:00 on the audio recording]*

33 Resident Tayeko Kaufmann is requesting that the Board discuss responsibility for maintaining
34 roads and easements on Lower Muir Beach. Tayeko suggests, if there is a policy, a note should
35 go out to the community stating who is responsible for what and also requesting that the CSD
36 coordinate a previously mentioned meeting between all the Ahab property owners whose
37 properties the drainage ditch transverses and the Sunset Way property owners who border
38 those Ahab properties.
39

40 *Current MBCSD Land Use, Easements, and Encroachment Policy with Guidance can be found*
41 *at: [http://muirbeachcsd.com/wp-content/uploads/2021/05/MBCSD-Land-Use-and-Easement-](http://muirbeachcsd.com/wp-content/uploads/2021/05/MBCSD-Land-Use-and-Easement-Policy-with-Guidance.pdf)*
42 *Policy-with-Guidance.pdf*
43

44
45 Discussion establishes that the drainage on each person's property is their own responsibility.
46 While all property owners may not be fully aware of this, Shaffer notes that one of the property
47 owners definitely does know because they have written us a letter saying the CSD has no right
48 to go on their property and that they're fully responsible for the drainage on their property.
49

50 With unanimous support, the board approves having DM Halley write a letter formally reminding
51 owners that they are responsible, so that everyone has this for insurance purposes.

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3 **Item 9: District Manager Report**

4 District Manager Mary Halley presents brief highlights from her DM report, a written document
5 which (as always) is included with the monthly meeting packet available online at
6 <http://www.muirbeachcsd.com/meetings>.
7
8

9 **Item 10: MBCC Rental Coordinator – Laurie Piel**

[45:50 until 1:19:45 on the audio recording]

10
11 Resident Laurie Piel presents for discussion a new “MBCC Manager” job description which
12 would expand the rental coordinator job to also include events planning, rental facilitator,
13 maintaining supplies inventory, and Bistro hosting, as compared with the current “Rental
14 Coordinator” position which currently only includes CC rental coordinating tasks. Salary, pay
15 and hours would still need to be determined for this potential new job position. Additionally,
16 there is currently a possible proposal from a Muir Beach resident to try out the old “Rental
17 Coordinator” job description at \$325 p/month to be reviewed in 3 months. There has also been
18 interest by one community member in being a rental facilitator for some but not all rentals.
19

20 Discussion continues about uses for the MBCC. It is being conceived primarily as something for
21 use by MB community members, in contrast to the old model of needing to be rented out for
22 events to people outside of the community, because it is less crucial to derive income for the
23 MBCC beyond what’s needed to keep the lights on.
24

25 MOTION: Starting in January, Joani Marinoff starts three-month trial at \$350/month
26 to see how it goes and how she likes it and to come back to us with some
27 recommendations about how to approve it.
28 Moved: Hills, seconded by Eigsti
29 Vote: AYES: Unanimous
30
31

32 **Item 11: CSD Equipment Use Policy – Director Hills**

33 The Board is being asked to approve reinstatement of CSD Equipment Use Policy. The District
34 has not been able to locate a copy of the policy passed in 2014 limiting the use of CSD
35 equipment (such as the tractor, trailers, and every other item of CSD equipment) to projects of
36 the CSD, and not for any personal use. As such, the following motion is being put forth for
37 approval: Moved, that all equipment owned by the CSD and all of its departments shall be used
38 only for CSD projects, and not for any personal use.
39

40 The main issue is the ASV, which Taylor explains if left unused and unmaintained is a problem
41 – it needs to be used, and people need to be well-trained on it. It’s actually rarely used and has
42 few uses. So, one possibility is that in order to incorporate those extra parameters, we look into
43 some other insurance language that could allow it to be used, and there could be a rental rate or
44 something. Another option is that we don’t continue to own an ASV and we sell it to someone in
45 the community who would keep it there, and let the CSD use it when it needs it, so shift the
46 ownership in exchange for the storage.
47

48 Discussion continues in terms of various possibilities for keeping and maintaining the ASV.
49 Ernst Karel, as a CSD employee, agrees to continue training in operating it.
50

1 MOTION: That all equipment owned by the CSD and all of its departments shall be
2 used only for CSD projects, and not for any personal use. With regard to
3 the ASV, Chris Gove has agreed to train Ernst Karel in being proficient on
4 it, and Ernst agrees to run it regularly to keep it working. This will be
5 revisited in six months' time.
6 Moved: Hills, seconded by Jeschke
7 Vote: AYES: Hills, Shaffer, Taylor, and Jeschke
8 Abstain: Eigsti
9 The motion passes.

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12 **Item 12: Public Open Time**

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

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19 None

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22 **Item 11: Adjournment**

23 Under current rules for remote meetings, rather than in-person, the next meeting will be held

24 within 30 days from this current meeting.

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27 Next Agenda Meeting Date: Wednesday, January 19, 2022

28 Next Board Meeting Date: Wednesday, January 26, 2022.

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

Meeting adjourned at 21:01.