

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**

2 Minutes of the Board of Directors' meeting held on  
3 Wednesday, September 28, 2022

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 minutes  
8 are draft only and subject to change. Upon approval by the Board, these minutes become the  
9 Official Minutes of the meeting.

10  
11 **Item 1: Call to Order**

12 David Taylor called the meeting of the Muir Beach Community Services District Board of  
13 Directors to order at approximately 7:00 pm.

14  
15 Board: David Taylor (Board President), Paul Jeschke (Board Vice-President), Christine  
16 Murray (Director), Leighton Hills (Director), Steve Shaffer (Director)  
17 Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting  
18 Secretary)

19  
20 **Item 2: Approval of Agenda**

21 Item(s) not included in this agenda: None

22  
23 MOTION: To approve the agenda as submitted.  
24 Moved: Shaffer, seconded by Hills  
25 Vote: AYES: Unanimous

26  
27 **Item 3: Consent Calendar**

28 A. Approval of Draft-Minutes from Regular Board Meeting of 7/27/22. (See attached)  
29 B. Approve Resolution 2022-9 to make the findings that the proclaimed State of  
30 Emergency continues to impact the ability to meet safely in person and declaring that  
31 the Board of Directors will continue to meet remotely in order to ensure the health and  
32 safety of the public for the next 30-day period extending from September 28, 2022 to  
33 October 27, 2022 in order to hold (if necessary) our next regularly scheduled Board  
34 Meeting on August 24, 2022. (See attached MBCSD Resolution 2022-9: AB 361 30-Day  
35 Extension 9-28-22 to 10-27-2022)

36  
37 Minutes shall be corrected to reflect Steve Shaffer is not Board President.

38  
39 MOTION: To approve the consent calendar.  
40 Moved: Shaffer, seconded by Murray  
41 Vote: AYES: Unanimous

42  
43 **Item 4: Items Removed from Consent Calendar**

44 None.

45  
46 **Item 5: Supervisor Dennis Rodoni – Muir Beach Spring Office Hours**

47  
48 Reusable Foodware ordinance eliminates single-use plastic has been postponed to 2023 to  
49 encourage other municipalities to join. Encouraging businesses to become early adopters.  
50 There is some confusion about compostable materials, so they end up in the landfill. Too much  
51 waste in our waterways.

1 [https://www.marincounty.org/depts/cd/divisions/environmental-health-](https://www.marincounty.org/depts/cd/divisions/environmental-health-services/reusable-foodware-ordinance)  
2 [services/reusable-foodware-ordinance](https://www.marincounty.org/depts/cd/divisions/environmental-health-services/reusable-foodware-ordinance)

3  
4 Another thing that's comparable, is the Leave No Trace initiative along the whole coastline,  
5 which encourages visitors and residents to take solid waste when they leave.

6 [https://www.marincounty.org/main/county-press-releases/press-releases/2022/parks-](https://www.marincounty.org/main/county-press-releases/press-releases/2022/parks-leavenotrace-061522)  
7 [leavenotrace-061522](https://www.marincounty.org/main/county-press-releases/press-releases/2022/parks-leavenotrace-061522)

8  
9 Housing element update: Marin County Unincorporated is being asked to find locations for  
10 3700 housing units. All of Marin has 14,000 to build, so we're all scrambling to meet state  
11 requirements. Look for ways you can be creative to add new housing in the community.  
12 Anything we build will go towards Marin County numbers.

13 <https://www.marincounty.org/depts/cd/divisions/housing/housing-element>

14  
15 Local issues: Pacific Way Bridge is still on County's wish list. Federal Hwy project on Frank  
16 Valley Road is still being planned.

17  
18 Marin Wildfire Prevention Authority -- has gotten permits for Hwy 1 vegetation plan, could start  
19 this fall, 37 acres of work along the Hwy. That's really good news, cleared the coastal permit:

20 <https://www.marinwildfire.org/vegetation-management>

21  
22 Dark Sky Initiative: PRNSA has taken the lead. Dark Sky ordinance -- need to be adjacent to  
23 national park land. Please reach out to Pt Reyes Village Initiative if you'd like to be part of this.  
24 We have up to 10 years to meet all the requirements. Well-developed programs to determine  
25 the types of lighting that are appropriate.

26 <https://www.darksky.org/our-work/conservation/idsp/reserves/>

27  
28 LCP Environmental Hazard update is still in progress. Started 13 years ago. Updating list of  
29 environmental hazards, developed in the 1970s. The county doesn't want to commit any more  
30 resources to developing the Hazard's program amendments until we're sure we can get some  
31 agreement from Coastal Commission. Rodoni has decided this is the last time we'll do this.  
32 Probably means we'd use amendments if we needed to change anything from the old plan.

33 <https://www.marincounty.org/depts/cd/divisions/planning/local-coastal-program>

34  
35 Short term rental moratorium. Primarily Stinson and Bolinas were some of the driving forces  
36 behind the moratorium, so we could have a time-out to decide on appropriate regulation. Will  
37 be a county-wide ordinance eventually. Tonight, is the 3rd time the CDA has been here at an  
38 office hours to talk about that programs.

39  
40 Presentation from Sarah Jones and Kathleen Kilgariff, Marin CDA.

41 Purpose of moratorium is to stabilize things and deal with immediate fast-moving changes in  
42 the situation, to develop recommendations about what regulations should be. This is not a  
43 preparation for a permanent ban. Trying to get an understanding of the quantitative side (data)  
44 and also to understand the qualitative side -- what issues we need to look out for. Also seeking  
45 feedback of what should be our guiding principles.

46  
47 Detailed information covered in this presentation can be found at

48 <https://www.marincounty.org/main/short-term-rentals>

49 or contact STR@marincounty.org with questions or comments.

1 Christine Murray asks about numbers. Do we have an estimate of what percentage of homes  
2 are STRs in Muir Beach? Kilgariff: in May we learned that our numbers were slightly off. The  
3 numbers now, less commercial operations, puts it at about 21%. Rodoni: Stinson and Bolinas  
4 are outliers, closer to 30%. Murray: Airbnb has been around for 16 years. Are we seeing other  
5 communities instituting policies that serve as precedent for success? Jones: looking at others,  
6 coastal, vacation destination, etc. They have different strategies because their regulations are  
7 intended to solve specific issues that are local. Some have a cap on total number of properties  
8 (e.g., Sonoma), or the strategy that involves having a limit on the number of days p/year a  
9 property can be rented out, which balances out how much revenue can be derived.

10  
11 Pamela Tom Swarts asks about the November 14 meeting. That meeting will be solely about  
12 STRs.

13  
14 Harvey Pearlman asks if it's possible at least to get the road paved, even if the bridge is  
15 delayed. Second question about bookmobile. HP was a big user and supporter (tax-wise) of the  
16 bookmobile.

17 Rodoni: the librarian is looking at how to bring it back to Muir Beach but checking with CHP  
18 about safety issues related to bringing the bus to Muir Beach. After the last meeting, the  
19 librarian and Marin Transit met but weren't able to come up with anything with the current  
20 configuration of bus drivers and bus size.

21  
22 Paul Jeschke: the County charges a permit fee for people who apply for STR. Since so much  
23 impact is on the community itself, could some of that money from permitting come back to the  
24 CSD? Jones: Permit itself is very low, \$45 per year. We're not recovering the cost to the  
25 County. We're looking into increasing that fee. We can only charge in fees what it costs us to  
26 administer a program, so the fee revenue itself may not be a source of investment in the  
27 community. The Transient Occupancy Tax (TOT) is intended more for this.

28  
29 Ming asks about the environmental impacts of STRs, for example with regard to septic  
30 systems.

31  
32 Measure W Fund for Community Housing - Fund Expenditure and Working Group Information:  
33 8% of Measure W is allocated to Muir Beach.

34 **<https://www.marincounty.org/depts/cd/divisions/housing/measure-w#>**

35  
36 Measure W Oversight Committee and the Working Group are looking for new applicants—  
37 apply by October 7:

38 **[https://www.marincounty.org/main/county-press-releases/press-releases/2022/cda-](https://www.marincounty.org/main/county-press-releases/press-releases/2022/cda-committee-recruitment-091222)**  
39 **[committee-recruitment-091222](https://www.marincounty.org/main/county-press-releases/press-releases/2022/cda-committee-recruitment-091222)**

40  
41 **[https://www.marincounty.org/-/media/files/departments/cd/housing/measure-w/measure-](https://www.marincounty.org/-/media/files/departments/cd/housing/measure-w/measure-w-materials/april-2022-measure-w-audit-and-staff-report.pdf?la=en)**  
42 **[w-materials/april-2022-measure-w-audit-and-staff-report.pdf?la=en](https://www.marincounty.org/-/media/files/departments/cd/housing/measure-w/measure-w-materials/april-2022-measure-w-audit-and-staff-report.pdf?la=en)**

43  
44 Please contact me if you have any questions or interest in applying for one of our Measure W  
45 Committees: RKutter@marincunty.org 415-473-3246

46  
47 Chloe Cook is the new manager of the West Marin Service Center in Pt Reyes Station.  
48 Director at W Marin Senior Services for many years. Karen Gaitly is our new social worker in  
49 mainly southern W Marin. Involved in whole-person care. Any questions about how health and  
50 human services could be of service.

51 **<https://www.marinhhs.org/west-marin-multi-services-center>**

1  
2 Mia Monroe: echoes things Dennis said: fuel reduction in Hwy 1 corridor. Work crews have  
3 been active recently. Muir Woods and Muir Beach are Leave No Trace parks.  
4

5  
6 **Item 6: Fire Department Quarterly Report**

7 **ACTIVITY:** Year to date we've responded to 65 calls. All last year we responded to 69 calls.  
8 60% of calls are in the community or adjacent Overlook/Big Beach area. We continue to train  
9 on a regular basis and this last month we welcomed our most recent recruit Chris Vallee who  
10 lives on Sunset Way.  
11

12 **FIREWISE:** The Firewise committee organized a very successful event last week featuring a  
13 very detailed discussion with our homegrown fire fighters Graham Groneman and Jesse  
14 Rudnick speaking on adapting to living in the WUI, maintaining a defensible space, home  
15 hardening and their combined 40 years of wildland firefighting. They pointed out that Muir  
16 Beach has fewer high-risk days than inland areas but a much larger amount of unburned,  
17 dense, oily vegetation than regions that burn more often.  
18 The Firewise team also provided information about MWPA grants for homeowners to make  
19 improvements. The Fire Dept also presented about the MWPA vegetation management project  
20 in our area that we'll discuss in a moment.  
21 Also, this week marks the return of the free chipper program and quite a few residents have  
22 been using this service.  
23

24 **FIREHOUSE:** I'm still working with the county and MERA to settle the timing issues and start  
25 dates for both the MERA project and our project. The MERA project start date will impact both  
26 the grading work and potentially require a permit extension if it is further delayed.  
27 We had been waiting for the state budget process to be completed as we had asked for specific  
28 funds for this project. In the end, sadly, no funds were allocated.  
29 I'm also in the final stages of getting bids. It's proven to be complicated as all the different  
30 companies offer vastly different products. Expect a full report and recommendation at our next  
31 meeting in November.  
32

33 **DISASTER COUNCIL:** The committee continues to grow, and we just got new radios. A lot of  
34 new members have joined, and we'll be conducting a simulated earthquake drill next month.  
35

36 **MWPA:** Over the past two plus years David and I have worked on funding our proposal for a  
37 fuel break and evacuation corridor in our area. As this is federal land in the coastal zone with  
38 CalTrans easements, it has been a long process but we are able to move forward after  
39 extensive environmental review and coordination.

40 This is a 17-acre project on the NPS Banducci site that abuts all Muir Beach access points and  
41 the highway. It is on a downslope below the bulk of homes here and is a dense thicket of  
42 invasive vegetation. This is the first stage of what should be a multiyear process of vegetation  
43 management. Over the last two funding cycles we have received \$231,256 and are hoping to  
44 get more over the next several years.

45 The MWPA will be managing the project on our behalf as a Joint Powers Authority. Mike St.  
46 John, a long-time local firefighter and leader of MSAR who is also overseeing the Greater Ross  
47 Valley Shaded Fuel Break for MWPA will be the project manager. We are walking the site  
48 tomorrow with Mike and NPS. We plan to hold a public meeting to present the project and  
49 answer any questions.  
50

1 SCBA: After an initial grant rejection for our upgraded SCBA's, we were approved for  
2 purchasing new SCBA's, although not with sufficient funds to match our request.  
3 The due date for acceptance of the grant as funded is October 15<sup>th</sup>. All the agencies in West  
4 Marin applied for the grant and we are meeting next week to discuss. Our portion of the grant  
5 funding request was \$95,000 out of a total of \$778,678 requested for the five West Marin Fire  
6 districts we would be responsible for 5% of any grant awarded. The total award is only  
7 \$467,582, so as a group, we have some decisions to make.  
8 Until the West Marin chiefs meet, it is not clear what our allocation will be. We would have to  
9 purchase additional equipment outside of the grant to give us a complete setup. A decision  
10 would have to be made before the November CSD meeting.  
11 As our current equipment is over 15 years old, I think it would be prudent to replace it so I'm  
12 asking for approval to spend up to \$30,000 for an upgrade. I've been advised that it should cost  
13 considerably less but I'm asking for this amount to cover all contingencies.

14  
15 Thank you for allowing us to be of service  
16 Chris Gove, Chief MBVFD

17  
18 Discussion continues about the SCBA situation.  
19 Hills recommends in the future that if there is a request for funds, it be included on the agenda.  
20 But this would have been included on the general budget, and so the board can just signal its  
21 support at this point. Taylor: use of the reserve funds is appropriate.

22  
23 MOTION: To authorize the allocation of funds up to \$30,000 from the FD reserve  
24 budget to complete the purchase of SCBA equipment beyond the grant.  
25 Moved: Taylor, seconded by Schaffer  
26 Vote: AYES: Unanimous

27  
28 **Item 7: MBCC Updated Rental Facilitator Proposal – Joani Marinoff (CC Rental**  
29 **Coordinator)**

30 The Muir Beach Community Center no longer has facilitators available for rental events despite  
31 our outreach efforts which have included an email recruitment letter from the District Manager  
32 to all Muir Beach residents, an article in the latest Beachcomber, and networking with other  
33 local town Community Centers. Moving forward, the goal is to prioritize resident rentals through  
34 an updated rental facilitator policy to be able to maintain rental access to the MBCC for  
35 residents while also meeting the needs of surrounding neighbors and a responsible and  
36 reasonable level of care for the facility. The staff will continue efforts to recruit required  
37 facilitators for non-resident rentals, and as we train more residents to facilitate their own events,  
38 we also hope some may become interested in facilitating other non-resident events. (See  
39 *attached Draft-Updated MBCC Rental Policy Proposal*)

40  
41 *Residents: (pausing over-the-hill rentals)*

42 *Weekday rentals: \$100 flat fee; out by 10pm rule; for events over 25 people, our Muir Beach*  
43 *cleaner would be required.*

44  
45 *Weekend rentals: \$250 flat fee, with all out by midnight rule, again with cleaner required for*  
46 *events over 25 people.*

47  
48 All residents would be required to meet with Joani and sign off on rules and regulations, and  
49 the facilitator checklist, with a caveat that if there were any complaints, they would forfeit their  
50 \$750 deposit. To date there has been no forfeiting of deposits, but if there are complaints, it

1 should be written, and anyone who does forfeit due to a complaint it could be appealed to the  
2 CSD.

3  
4 More specifically, any complaint has to be written within 7 days with documentation  
5 (pictures/video), and any forfeiting of deposit will be appealable to the Board.

6  
7 MOTION: To approve the proposal with the above revision, to be reviewed  
8 and confirmed by Director Taylor.  
9 Moved: Hills, seconded by Schaffer  
10 Vote: AYES: Unanimous

11  
12 **Item 8: Community Events Budget – Laurie Piel**

13 Laurie Piel is requesting the Board approve a \$500 increase for each of the three major events  
14 to bring the reimbursable expenses up to \$2,000 annually per event. The Board is being asked  
15 to review and discuss as to whether the expense budgets for the three major community events  
16 should be increased. The three major events include Day of the Dead, Winter Solstice, and  
17 Summer Solstice. Each event has a local community event planner who volunteers their time to  
18 organize and oversee the event. Normal costs include some combination of music, decorations,  
19 and one event provides for catered tacos, whereas others are potluck. Originally the CSD paid  
20 up to \$500 to cover costs that were over what the event's donations brought in (which is still the  
21 case for the two Fall and Spring Elderberries events), but over the years, the cost of these  
22 events (especially outside music) has increased, so some additional funds were made available  
23 from other discontinued events, such as New Year's Eve and Valentine's Day due to lack of  
24 attendance, and some events were supplemented from the annual Christmas Faire donation,  
25 and others by local residents contributions. The three remaining major events currently have  
26 annual budgets of \$1500 each. The total FY 22/23 Community Center Events budget is \$8,000  
27 and comes out of the General Fund. Community Center rentals used to help offset event costs  
28 and other Community Center operating expenses, but since the pandemic, rental revenue has  
29 not contributed to these costs. The total Recreation budget has current projected expenses of  
30 \$32,489 (which includes the events budget at approximately 25%) and the General Fund has a  
31 current projected deficit of \$6,199 for FY22/23. It may be advisable that any increase in the  
32 Events budget should be considered for the next budget cycle in FY23/24 to avoid adding to  
33 current deficit spending.

34  
35 *(See below budgeted items included in the FY 22/23 Community Center Events budget).*  
36

2022-2023 Community Events Budget				
Event	Month	Amount	Coordinators	Event Details
1) Bistro (annual pmt)	July '22 (Paid)	\$ 300	Richmond(?)/Elderberries(?)	Annual fee / ingredients (original weekly=\$1200, now once monthly=\$300)
2) Elderberries	Fall '22	\$ 500	Schoenfeld/Jeschke	Catered dinner - CSD reimburses costs not covered by event fees
3) Halloween (Kid's)	October '22	\$ 200	Chase	Kids event / Pizza / decorations and games / parents organize
4) Day of the Dead	November '22	\$ 1,500	Eigsti	Decorations / Outside band music
5) Winter Solstice	December '22	\$ 1,500	Chase/Piazza	Community Potluck / BYOB
6) Elderberries	March '23	\$ 500	Schoenfeld/Jeschke	Catered dinner - CSD reimburses costs not covered by ticket sales
7) Summer Solstice	June '23	\$ 1,500	Piel/Shaffer	Cuco's Tacos / Shaffer music / community brings potluck side dish
8) Muir Beach Live!	All Year	\$ 500	Linda Campbell	4 p/yr - require CoL - CSD reimburses at a cost of \$125 p/event (max)
X Movies	Winter '22-'23	\$ 1,000	Harvey Pearlman	new event - budgeting \$1000 for screen/speakers/movies/popcorn
X Xmas Fair setup	December '22	\$ 500	L. Piel	Cuco to setup deck tent, etc. for Xmas Fair
Total:		\$ 8,000		

37  
38  
39 Discussion continues.  
40

1 MOTION: To approve \$100 per event for three events to address inflation,  
2 and Laurie will come back next FY with a revised budget.  
3 Moved: Hills, seconded by Schaffer  
4 Vote: AYES: Unanimous  
5  
6

7 **Item 9: District Manager Report**

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

11  
12 Reminder that board elections are coming up. The Elderberries will be sponsoring a  
13 candidate's night.  
14

15 Despite the recent rain, the creek went right back to previous levels, so we remain on water  
16 conservation.  
17

18 **Item 10: Non-Essential Water Use Policy**

19 *The State has declared that California is experiencing 'Extreme' drought conditions for much of*  
20 *the State and 'Severe' drought conditions for Marin County, so in response, the State has*  
21 *adopted 'Statewide Emergency Conservation Regulation 2022' that limits certain specific non-*  
22 *essential water uses that apply to all urban water users in all California counties (See attached*  
23 *Statewide Emergency Conservation Regulations 2022). The Board is being asked to review,*  
24 *discuss, and consider whether the MBCSD water district should voluntarily implement any*  
25 *specific water conservation measures similar to those previously adopted and implemented in*  
26 *the MBCSD 2014 'Resolution Prohibiting Non-Essential Uses of Water' until drought conditions*  
27 *improve. (See attached Resolution 2014-8-28: A Resolution Prohibiting Non-Essential Uses of*  
28 *Water)*  
29

30 Does the board want to implement this policy based on what the state has already put forth?  
31 Halley says that MB has been doing well in water conservation. Over last FY we had 25%  
32 reduction over the past FY, and 10% less this July than the previous July.  
33

34 Hills: good opportunity for people to change their watering schedule.  
35 There is enforcement capability here.  
36

37 Discussion continues.  
38

39 MOTION: That we implement this pre-existing 2014 resolution.  
40 Moved: Hills, seconded by Shaffer  
41 Vote: AYES: Unanimous.  
42 The motion passes.  
43

44 **Item 11: CALWARN – MBCSD membership?**

45 The California State Legislature in September 2021 passed Senate Bill 552 which includes new  
46 requirements for small water systems that do not voluntarily participate in an Urban Water  
47 Management Plan. New requirements include, among other items, that a small water system  
48 have membership in a mutual aid organization by January 1, 2023. The California  
49 Water/Wastewater Agency Response Network (CalWARN) is a mutual aid organization that  
50 MBCSD can join to meet this requirement. The mission of CalWARN is to support and promote

1 statewide emergency preparedness, disaster response, and mutual assistance processes for  
2 public and private water and wastewater utilities. MBCSD would be part of the Coastal Region  
3 II along with Marin Municipal Water District (MMWD or aka Marin Water) and North Marin  
4 Water District (NMWD) among many local sanitary districts. (See attached CalWARN Articles  
5 of Agreement 2007)

6  
7 MOTION: To agree to participate in the CALWARN network as part of the mutual  
8 aid agreement.

9 Moved: Taylor, seconded by Hills

10 Vote: AYES: Unanimous.

11 The motion passes.

12  
13 **Item 12: Public Open Time**

14 No items.

15  
16 **Item 13: Recognitions & Board Member Items**

17 Taylor would like to recognize that the Fire Chief is aging, and there will be a barbecue to  
18 celebrate his birthday on October 8 at 5:00 p.m. at Little Beach. He and David Taylor are both  
19 turning 60.

20  
21 Shaffer acknowledges Laurie Piel with gratitude for sticking through the MBCC issue all this  
22 time. Laurie Piel in turn recognizes the Board for all the work they do.

23  
24 **Item 14: Adjournment**

25 Next Agenda Meeting Date: Wednesday, November 9, 2022

26 Next Board Meeting Date: Wednesday, November 16, 2022.

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

29 Meeting adjourned at 21:37.