

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 Minutes of the Board of Directors' meeting held on
3 Wednesday, May 22, 2024
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 minutes
9 become the Official Minutes of the meeting.
10

11 **Item 1: Call to Order**

12 Meeting is called to order at 6:45 for Closed Session.
13

14 Board: Leighton Hills (Board President), Christine Murray (Board Vice President), Steve
15 Shaffer (Director), David Taylor (Director), Nikola Tede (Director)
16 Staff: Mary Halley (District Manager), Chris Gove (Fire Chief)
17

18 **Item 2: Public Comment (if any) for Closed Session**

19 None.
20

21 **Item 3: Closed Session (Directors and District Manager)**

22 The California Government Code provides that certain matters such as litigation, personnel
23 matters, and real estate negotiations may be conducted in closed session. The matters shall
24 be set out below. After any closed session, the legislative body shall reconvene in open
25 session prior to adjournment and make disclosure of action taken during the closed session –
26 authorized by CA Gov't Code Section 54954.5(e)
27

28 Public Employment – Title: District Manager – authorized by CA Gov't Code Section 54957
29 (b)(1)
30

31 **Item 4: Reconvene in Open Session**

32 Evaluation of District Manager; Board has nothing but satisfaction for her performance over
33 the past year. She has requested, and the Board is granting, a CPI rate increase, about
34 \$3500, which will take effect as of the next Fiscal Year (July 1).
35

36 **Item 5: Approval of Agenda**

37 *Item(s) not included in this agenda: None.*
38

39 MOTION: That the agenda is approved as submitted.
40 Moved: Taylor, seconded by Murray
41 Vote: AYES: Unanimous.
42

43 **Item 6: Consent Calendar**

44 A. Approval of Quarterly Financial Reports dated 4/30/24. (See attached)
45 B. Approval of Draft Minutes from Regular Board Meeting on 3/27/24. (See attached)

1 C. Approval of Resolution 2024-2: To Authorize Holding Election on 11/5/24. (See attached)

2
3 MOTION: To approve the consent calendar.

4 Moved: Murray, seconded by Shaffer

5 Vote: AYES: Unanimous.

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

9 None

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11
12 **Item 8: Presentation of Xmas check** – Laurie Piel

13 Christmas Fair organizer Laurie Piel will present Xmas Fair 2023 donation check and any
14 2024 fair updates.

15
16 It was \$1200; Laurie said it would have been more but kept some back to pay for the tent
17 which was destroyed. Fair went well; the addition of music was great, student string quartet
18 and so on. The time to apply for next year's fair will be announced mid-August.

19
20
21 **Item 9: Fire Department Report** – Fire Chief Chris Gove

22 Fire Chief Chris Gove will give his quarterly report including Firehouse update. *(See attached)*

23
24 ACTIVITY. The Fire Department thanks Assistant Chief Robert Allen for his 35 years of
25 service to the department and the community. It is hard to imagine the fire department
26 without him. Some of his many responsibilities are being assigned to others. Chris Vallee
27 will manage the personal protective equipment for the department. David Taylor will assume
28 the role of Assistant Chief.

29
30 FIREHOUSE PROJECT. We have initiated the building permit process. The first steps
31 involve working with Michael Watkins who is doing a plan check and then will guide and
32 expedite the permit through the next steps with the county.

33
34 FIREWISE. We have received a second \$10,000 grant from PG&E to reduce the risk of
35 wildfire related to electrical transmission equipment in the community. We are evaluating the
36 best ways to continue this project.

37 There are three remaining chipper dates this year. Signs will be posted to remind everyone.

38
39 BBQ. Preparations are well underway for this weekend's 50th annual celebration and
40 fundraising opportunity.

41
42
43 **Item 10: District Cybersecurity** – Christine Murray/Leighton Hills

44 *Cybersecurity Ad hoc subcommittee to provide a brief progress report on this continuing*
45 *research project.*

1
2 Waiting for a report from Cybersecurity and Infrastructure Security Agency (CISA), which is
3 hoped to provide insights from them about minor improvements we can make in a cost-
4 effective manner. We are going to be slowing our effort on this front. Majority of work on
5 documenting where our IT assets are is already done; now a matter of waiting for that report
6 on our most important location.

7
8
9 **Item 11: Lagoon Drive** - Discussion and/or Approval
10 Lagoon Drive becomes impassable for days at a time for emergency vehicles and high-
11 clearance 4WD trucks. This is due to increasing siltation in the adjacent Redwood Creek such
12 that the roadway is lower than the bed of the creek. The neighbors and the District have
13 solicited a bid from Rodas Brothers Construction & Engineering for \$36,455 to raise the road
14 level 18", with an additional \$7,757 option to replace the 53-year-old water line.

15
16 Steve Shaffer advocates for doing this project. It would involve using the dirt from preparing
17 the ground for the new Fire Station at the Overlook. Last time it was three days that they
18 couldn't get vehicles in or out of their driveways. Taylor points out that even with raising the
19 road, this will continue happening.

20
21 Cost of replacing the water line could be more than this estimate, including replacing the line
22 with 6" C900 piping (rather than restricting down to 4" as currently) and replacing the fire
23 hydrant. Timeline depends on the progress of the Fire Department; hopefully August of this
24 year.

25
26 Discussion continues.

27
28 MOTION: To approve the backfilling and raising of the road on Lagoon Way with
29 Osman Rodas as the contractor, for an amount not to exceed \$50,000
30 Moved: Shaffer, seconded by Murray
31 Vote: AYES: Unanimous.

32
33
34 **Item 12: Pacific Way Future Improvement Planning** - Discussion
35 Should the District commence a comprehensive rebuild of Pacific Way, similar to what
36 occurred with Sunset Way, using borrowed funds?

37
38 Hills points out that looking at last year's budget, we've finished indebtedness and have cash
39 on hand. Would envision starting in next fiscal year (12-13 months from now).

40
41 Graham Groneman is concerned about ramifications of CSD funds for the status of the road,
42 which he understands to be a private road. He and other residents want to see it continue as
43 a private road and retain property rights for the Bello Beach Subdivision. So, they do want to
44 see the road repaired, but do it in a way that protects their rights.

1 Hills says that the legal opinion that our counsel gave, which is on the website, she says that
2 even though we call these roads “private roads”, they’re not. They’re just not county-
3 maintained roads. They’re CSD-maintained roads. She and other county counsels have given
4 us the opinion that because we have used public funds to maintain the roads, they are public
5 roads. Even the Coastal Commission, decades ago, said that we don’t have the right to close
6 off Sunset or Pacific Way from use by the public. Groneman is hesitant to support a project if
7 it means that definitively it is not a private road. They want to have the ability to close the
8 gate. Hills says to look at the legal opinions, and that there’s no risk of losing anything that we
9 currently have.

10
11 Discussion continues. Groneman says that there are others who may be “pointed” in hearing
12 the legal opinion that the road is not a private road. Shaffer, who has lived on Pacific Way for
13 40 years, says nothing will change — it is a public road, and people put up “no parking” signs,
14 but there is no legal validity to them at all and never was. Hills comments that if you spend
15 public funds on a road, it becomes a public road. That was Shaffer’s first project when he was
16 first on the board 40 years ago, to pave that road, which happened with public funds.

17
18 Discussion continues with comments from several residents on Pacific. Drainage issues
19 would also be addressed by the work on the road. Halley: As easements, the roads are
20 privately owned by the residents to the middle of the road, and so permission and
21 involvement from residents is required for moving forward with the project. Another important
22 aspect is restoring the turnaround at the end of the road. Residents like the idea of meeting to
23 walk the road to discuss further.

24
25

26 **Item 13: District Manager Report** – Mary Halley
27 District Manager Mary Halley will present brief highlights from her DM report including Prop
28 68 Per Capita Grant Project update. (See attached) Her report as always is available in full as
29 part of each meeting packet at <https://muirbeachcsd.com/meetings/> .

30
31 Marin Water Seasonal Intertie possibility. The preliminary feasibility study is now complete. It
32 found that the installation of the proposed pipeline is feasible, however several details need
33 further investigation if the project is to move forward.

34
35 On the new firehouse, Halley attended and commented at the meeting of the Marin County
36 Board of Supervisors where they approved another \$100,000 grant toward the structure of
37 the facility, which we received on May 13.

38 Hills doesn’t want to do anything more on the intertie until we hear more about grants coming
39 through. It’s now up to \$6.8 million.

40
41 On cybersecurity Murray comments that a \$1 million stand-alone policy for an entity of our
42 size is too much. Would think \$100,000 policy is enough.

43
44 **Item 14: FY2024-25 Draft-Budget** – First review

1 The first reading of the proposed FY2024-25 Draft-Budget will be presented by the District
2 Manager for further discussion and preliminary review. (See attached FY2024-25 Draft-
3 Budget – May2024) The Budget Hearing and final approval of the FY2024-25 Budget will be
4 at the July 24, 2024 Board meeting.

5
6 Everyone is encouraged to look over the budget.

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9 **Item 15: Public Open Time**

10 None

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

14 District Manager Halley was already recognized for her good service by the Board at the
15 beginning of the meeting.

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18 **Item 11: Next Meeting Date and Adjournment**

19 Next Agenda Meeting Date: Wednesday, July 17, 2024.

20 Next Board Meeting Date: Wednesday, July 24, 2024.

21
22 Hills suggests that the “Agenda Meeting Date” is not required here, as it is made clear in
23 emails from the District Manager at the time of seeking agenda items and can be removed
24 from future agendas.

25
26 There being no further business to come before the board, the meeting is adjourned.

27 Meeting adjourned at 8:15 pm.