

MUIR BEACH COMMUNITY SERVICES DISTRICT

19 Seacape Drive ♦ Muir Beach, CA 94965 ♦ 415-388-7804 ♦ www.muirbeachcsd.com



Wed, October 19, 2005
7:00 PM – Regular Meeting

Board of Directors
Community Center
19 Seacape Drive
Muir Beach, CA 94965

TIMING OF ITEMS ON AGENDA

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.

SPECIAL NEEDS

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact Leighton Hills 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.

AGENDA

Item 1 CALL TO ORDER

Steve Shaffer, Board President
Peter Rudnick, Board Vice President
Danny Hobson, Director
Deborah Kamradt, Director
Maury Ostroff, Director

Leighton Hills, District Manager
Sharry Mullin, District Secretary-Treasurer

Item 2 NATIONAL PARK SERVICE REPORT

A representative of the National Park Service may be present to provide an update or report on activities relevant to Muir Beach.

Item 3 CONSENT CALENDAR

All items on the Consent Calendar are considered to be either routine or non-controversial, and will be enacted by a single action of the Board. Upon request from a Board member, staff, or member of the public, specific items may be transferred from the Consent Calendar to the Regular Agenda for separate discussion and consideration.

- A. **Approval of Expenditures** – For September 2005, attached at page 6
- B. **Approval of Minutes** – Regular meeting September 28, 2005, attached at page 11

Item 4 FIRE DEPARTMENT REPORT

By John John Sward, Fire Chief, or other representative of the Fire Department.

Item 5 PUBLIC HEARING ITEMS

Public hearings provide the general public and interested parties the opportunity to provide testimony on certain items, such as ordinances, rather than to simply comment on regular agenda items. If you later challenge an action on a hearing item in court, you may be limited to raising only those issues you or someone else raised in testimony at the Public Hearing, or in written correspondence delivered to the Board of Directors at or prior to the Public Hearing.

Second Reading of Ordinance (by title only) and Adoption – Ordinance No. 2005-2, An ordinance of the Board of Directors of the Muir Beach Community Services District establishing a schedule of rate charges for water service. The ordinance is attached at page 4.

Having introduced and read the proposed Ordinance (by title only) at the meeting on September 28, 2005, the Board will take public testimony at this meeting. The Board will consider the merits of the proposed Ordinance and may then act upon the proposed Ordinance.

Steps: (1) Reading of Ordinance by title; (2) brief presentation by District Manager; (3) Board President will open a public hearing for testimony; (4) Board President will close the public hearing; (5) the Board will discuss and consider the merits of the proposed Ordinance; (6) a motion may be made to act upon the Ordinance.

Item 6 DISTRICT MANAGER'S REPORT

Discussion of proposal by Dave Elliott, via Harvey, regarding upgrades to ladies restroom.

Item 7 RECREATIONAL ITEMS

Reports/comments from the audience.

Item 8 LETTER REGARDING HERBICIDE/PESTICIDE USE IN WATERSHED

Since the time of the last meeting, Peter Rudnick discussed the matter with Karla Andersdatter and will report on their suggested proposal.

Item 9 ITEMS REMOVED FROM THE CONSENT CALENDAR

Discussion and action on items, if any, transferred from the Consent Calendar to the Regular Agenda.

Item 10 PUBLIC OPEN TIME

1. *Topics should be within the jurisdiction of the CSD (water, roads, fire & public recreation).*
2. *The topic should not be elsewhere on the agenda.*
3. *The Board and staff may only briefly respond to statements and questions (legal requirement for items not posted on an agenda).*
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 15 minutes, unless waived by the Board.*

Item 11 SELECTION OF DATE FOR NEXT MEETING

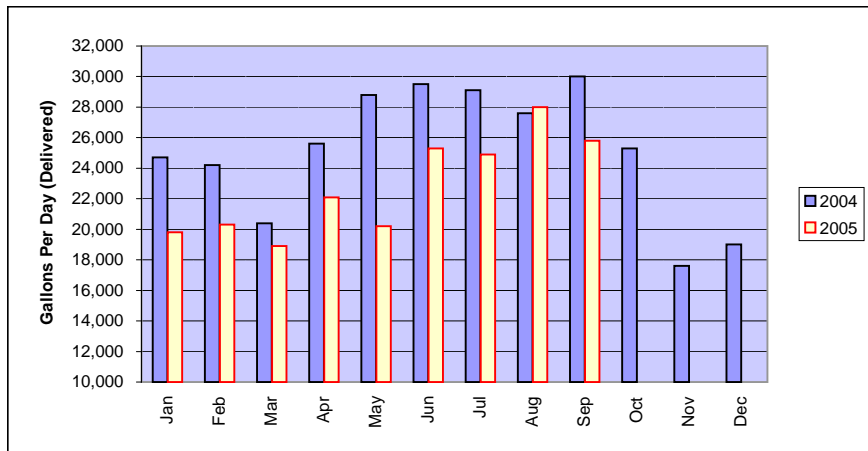
- 5th Wednesday is November 30th
- 4rd Wednesday is November 23rd (day before Thanksgiving)
- 1st Wednesday in December is December 7th

Item 12 ADJOURNMENT

Water Production Table

End Date	Gallons Per Day					Billings	
	Pumped	Delivered	12 Mo Avg (Delivered)	Leaks		Month	12 Mos Rolling Avg
Sep 16, 05	29,500	25,800	22,300	3,520	12%	\$ 7,683	\$ 77,840
Aug 16, 05	29,700	28,000	22,600	1,480	5%	\$ 8,364	\$ 78,930
Jul 16, 05	27,000	24,900	22,600	1,980	7%	\$ 7,083	\$ 78,640
Jun 16, 05	26,900	25,300	22,900	1,580	6%	\$ 7,352	\$ 79,760
May 16, 05	24,400	20,200	23,300	3,850	16%	\$ 5,847	\$ 81,020
Apr 16, 05	25,300	22,100	24,000	2,380	9%	\$ 6,421	\$ 83,390
Mar 16, 05	23,600	18,900	24,300	4,110	17%	\$ 5,239	\$ 84,380
Feb 16, 05	23,500	20,300	24,400	3,120	13%	\$ 6,048	\$ 84,840
Jan 16, 05	21,900	19,800	24,700	2,110	10%	\$ 5,902	\$ 86,260
Dec 16, 04	25,900	19,000	25,100	6,180	24%	\$ 5,431	\$ 87,300
Nov 16, 04		17,600	25,500	-	N/A	\$ 5,265	\$ 88,590
Oct 16, 04	27,300	25,300	26,300	1,920	7%	\$ 7,200	\$ 91,370
Sep 16, 04	32,300	30,000	26,300	2,240	7%	\$ 8,777	\$ 91,560
Aug 16, 04	29,400	27,600	26,200	1,720	6%	\$ 8,069	\$ 91,060
Jul 16, 04	31,400	29,100	25,900	2,150	7%	\$ 8,207	\$ 90,200
Jun 16, 04	31,100	29,500	26,200	1,540	5%	\$ 8,618	\$ 91,070
May 16, 04	30,000	28,800	26,000	1,090	4%	\$ 8,213	\$ 90,370
Apr 16, 04	28,100	25,600	25,500	1,860	7%	\$ 7,411	\$ 87,080
Mar 16, 04	22,500	20,400	25,200	1,310	6%	\$ 5,695	\$ 84,700
Feb 16, 04	26,200	24,200	25,300	1,300	5%	\$ 7,467	\$ 83,440
Jan 16, 04	32,100	24,700	25,100	6,910	22%	\$ 6,948	\$ 80,660

Comment:
Note the steady drop in average revenues over the past year.



ORDINANCE No. 2005-2

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE MUIR BEACH COMMUNITY SERVICES DISTRICT ESTABLISHING A SCHEDULE OF RATE CHARGES FOR WATER SERVICE

The Board of Directors of the Muir Beach Community Services District does ordain as follows:

Section 1 Repeal of Existing Ordinance

Ordinance 2003-02-26-01 establishing the existing schedule of rate charges for water service is repealed with regard to charges for water service after the effective date of this ordinance.

Section 2 Purpose

The purpose of this ordinance is to adopt a revised schedule of rate charges for water service provided to customers of the Muir Beach Community Services District ("District") such that the expenses of the District continue to be properly and fairly distributed among its customers.

Section 3 Findings of Necessity

The Board of Directors finds as follows:

1. Water is a finite and precious resource.
2. California Constitution, Article X Section 2 provides, "It is hereby declared that because of conditions prevailing in this State the general welfare requires that the water resources of the State be put to beneficial use to the fullest extent of which they are capable, and that the waste or unreasonable use of or unreasonable method of use of water be prevented, and that the conservation of such water is to be exercised with a view to the reasonable and beneficial use thereof in the interest of the people and for the public welfare."
3. The State Water Resources Control Board authorizes the District's use of water under Permit 21085 ("Water Rights Permit") subject to the limitation, among other things, that the District utilize a system of tiered water rates.
4. Conservation efforts by the District's water users have resulted in reductions in total daily water usage by the District of more than 15% from the time that water rates were last established. This has resulted in fewer gallons of water over which the District can spread its costs of operation, thereby creating a need for the District to revise its rates charged for water service in order to properly and fairly distribute its costs of operation among its customers.

Section 4 Incorporation of 25% Capital Surcharge into Rates

Existing rates are subject to a 25% surcharge reserved for capital improvements in accordance with District Ordinance 2001-07-25-1. The Board of Directors finds that water billing statements will be clarified and simplified through the incorporation of the 25% surcharge into a single schedule of water rates as provided in Section 5 of this ordinance.

Section 5 Adoption of Schedule of Rate Charges for Water Service

All water consumers using District water shall be subject to monthly charges for water as follows:

Tiers	Gallons	Charge
<i>Tier One</i>	0 to 2,250	\$ 23.00 Flat charge
<i>Tier Two</i>	2,251 to 5,000	\$ 0.85 per 100 gallons used, plus charge from prior tier
<i>Tier Three</i>	5,001 to 15,000	\$ 1.19 per 100 gallons used, plus charge from prior tier
<i>Tier Four</i>	15,001+	\$ 1.49 per 100 gallons used, plus charge from prior tier

Note

1. Rates **include** a 25% surcharge reserved for capital improvements to the community's water system.
2. Charges are calculated per gallon; rates are shown per 100 gallons for clarity only.

Section 6 Effective Date

This ordinance shall be effective upon adoption by the Board of Directors.

Section 7 Severability

If any section, subsection, sentence, clause, phrase, portion or part of this ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such section shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance, any section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses, or phrases may be declared invalid or unconstitutional.

PASSED AND ADOPTED this _____ day of _____, 2005 by the following vote of the Board of Directors.

Ayes:

Noes:

Absent:

Steven Shaffer, Board President

Attest:

Sharon Mullin, District Secretary

Muir Beach Community Services District
Expenditures
September 2005

	TOTAL	Admin	Water Cap Impr	Fire	Rec	Roads	Water
Harvey Pearlman	2,541.00	0.00	0.00	0.00	187.00	319.00	2,035.00
Jose Alcalá- CC fence repair	2,162.40	0.00	0.00	0.00	2,162.40	0.00	0.00
Hills, Leighton - DM	2,101.08	538.83	416.60	208.30	208.30	312.45	416.60
Harper, Kevin - Auditor	2,087.00	2,087.00	0.00	0.00	0.00	0.00	0.00
Bay Cities Fire- CC sprinkler rep, Title 19	2,045.00	0.00	0.00	0.00	2,045.00	0.00	0.00
Mullin, Sharon	1,811.05	1,451.05	0.00	0.00	0.00	0.00	360.00
Golden State Lumber- CC fence repair	1,222.99	0.00	0.00	0.00	1,222.99	0.00	0.00
Payroll taxes	418.23	418.23	0.00	0.00	0.00	0.00	0.00
Salvador Gonzalez	397.50	0.00	0.00	0.00	90.00	180.00	127.50
PG&E	390.41	0.00	0.00	0.00	276.99	0.00	113.42
CalPers	354.14	354.14	0.00	0.00	0.00	0.00	0.00
State Compensation Insurance Fund	324.83	0.00	0.00	0.00	101.52	39.46	183.85
Juana Gonzalez	288.00	0.00	0.00	0.00	288.00	0.00	0.00
Psychex, Inc.	189.85	189.85	0.00	0.00	0.00	0.00	0.00
Lonna Richmond	180.00	0.00	0.00	0.00	180.00	0.00	0.00
Martin Bros. Supply- rock for hydrants	176.53	0.00	0.00	0.00	0.00	0.00	176.53
Pearlman, Harvey- mileage + OOP reimb	155.18	0.00	0.00	0.00	20.18	0.00	135.00
Western Water Products	125.45	0.00	0.00	0.00	0.00	0.00	125.45
Wang, Emiko - Tai Chi	108.00	0.00	0.00	0.00	108.00	0.00	0.00
Cingular Wireless	92.19	57.21	0.00	0.00	0.00	0.00	34.98
Marin County Tax Collector- LAFCO	91.00	91.00	0.00	0.00	0.00	0.00	0.00
SBC	89.80	57.63	0.00	0.00	0.00	0.00	32.17
Home Depot	66.29	0.00	0.00	0.00	66.29	0.00	0.00
Marin County Public Health Laboratory	60.00	0.00	0.00	0.00	0.00	0.00	60.00
Pace Supply Corp.	49.12	0.00	0.00	0.00	0.00	0.00	49.12
Goodman Building Supply	41.07	0.00	0.00	0.00	41.07	0.00	0.00
Knox, Nancy - Bistro exp	30.00	0.00	0.00	0.00	30.00	0.00	0.00
Paytrust	12.95	12.95	0.00	0.00	0.00	0.00	0.00
Misc Vendor - Bistro exp	7.95	0.00	0.00	0.00	7.95	0.00	0.00
TOTAL	17,619.01	5,257.89	416.60	208.30	7,035.69	850.91	3,849.62

Muir Beach Community Services District
Expenditures
 September 2005

Total paid out of the Water Capital Improvements Fund	416.60
Total paid out of the General Fund	17,202.41
	<u>17,619.01</u>
Total paid out of the Rental Security Deposit Trust	500.00
Total paid out of the Water Security Deposit Trust	0.00
Total paid out of the Shaffer Medical Trust Fund	369.74
Total checks issues	<u><u>18,488.75</u></u>

The above bills were approved for payment by the Muir Beach Community Services District Board of Directors on the _____ day of _____, 2005.

MUIR BEACH COMMUNITY SERVICES DISTRICT

 Steve Shaffer, Board President

 Leighton Hills, District Manager

**Muir Beach Community Services District
P&L Budget vs. Actual
July through September 2005**

Accrual Basis

	<u>Jul - Sep 05</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
Water Operations Income	18,391	65,910	28%
Consumption Surcharge	4,671	16,790	28%
Recreational Activities Income	3,597	14,830	24%
Donations	3,350		
Grant Income	0	15,140	0%
Tax Income	11	128,000	0%
Interest Income	2,356	5,320	44%
Total Income	<u>32,375</u>	<u>245,990</u>	<u>13%</u>
Expense			
Accounting & Bookkeeping	2,605	18,500	14%
Administration Fees	9,999	25,000	40%
Bank Service Charges	13		
Bistro Expenses	174	600	29%
Employee Benefits	1,067	4,620	23%
Event Costs	0	750	0%
Insurance	0	7,640	0%
Legal & Professional	6,117	11,500	53%
Licenses, Memberships & Fees	3,116	5,900	53%
Meeting Expense	74		
Misc Operating Expenses	0	2,100	0%
Office Expense	58	1,200	5%
Outside Services	841	2,940	29%
Payroll Expenses	13,335	40,224	33%
Postage & Delivery	130	1,010	13%
Repair & Maintenance	3,724	16,500	23%
Supply	118	10,170	1%
Telephone	635	1,910	33%
Travel Expense	586	1,620	36%
Utilities	1,286	9,160	14%
Water Testing & Expense	564	9,000	6%
Total Expense	<u>44,443</u>	<u>170,344</u>	<u>26%</u>
Net Ordinary Income	<u>-12,069</u>	<u>75,646</u>	<u>-16%</u>
Net Income	<u><u>-12,069</u></u>	<u><u>75,646</u></u>	<u><u>-16%</u></u>

Muir Beach Community Services District

Balance Sheet

As of September 30, 2005

Accrual Basis

	<u>Sep 30, 05</u>
ASSETS	
Current Assets	
Checking/Savings	
Smith Barney General Funds	8,464
428 Gen'l Fd	13,178
429 Inv Fd	
Water Capital Improvement Fund	347,513
Fire Station Reserve Fund	14,744
General Investments	100,552
Total 429 Inv Fd	<u>462,809</u>
Petty Cash Fund	75
Total Checking/Savings	<u>484,527</u>
Accounts Receivable	
Receivables	13,452
Total Accounts Receivable	<u>13,452</u>
Other Current Assets	
Undeposited Funds	4,999
Deposits	1,333
Total Other Current Assets	<u>6,332</u>
Total Current Assets	<u>504,311</u>
Fixed Assets	
Building	16,518
Furniture & Fixtures	3,000
Machinery & Equipment	34,979
Roads & Easements	
CC Steps	376
Easement Lighting	5,103
Total Roads & Easements	<u>5,479</u>
Water System Improvements	
Water Well	18,020
Total Water System Improvements	<u>18,020</u>
Total Fixed Assets	<u>77,995</u>
TOTAL ASSETS	<u>582,306</u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Rental Security Deposits	2,250
Shaffer CalPers Trust	3,616
Water Security Deposits	7,350
West Marin Funds on Deposit	8,106
Total Other Current Liabilities	<u>21,322</u>
Total Current Liabilities	<u>21,322</u>
Total Liabilities	21,322
Equity	
Retained Earnings	573,052
Net Income	<u>-12,069</u>

Muir Beach Community Services District

Balance Sheet

As of September 30, 2005

Accrual Basis

	Sep 30, 05
Total Equity	<u>560,984</u>
TOTAL LIABILITIES & EQUITY	<u><u>582,306</u></u>

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 **Minutes of the Board of Directors' meeting held on**
3 **Wednesday, September 28, 2005**
4
5
6

7 **Item 1 CALL TO ORDER**
8

9 President Shaffer called the regular meeting of the Muir Beach Community Services District
10 Board of Directors to order at 7:15 pm on Wednesday, September 28, 2005.
11

12 **Roll Call**
13

14 PRESENT: DIRECTORS: Shaffer, Rudnick, Ostroff, Hobson
15 PRESENT: OFFICIALS: District Manager Hills, Secretary/Treasurer Mullin
16

17 **Item 2 NATIONAL PARK SERVICE REPORT**
18

19 Carolyn Shoulders reported on a number of NPS issues:
20

21 There is a 40 foot wood jam by the parking lot that is scheduled for removal next month.
22 The work will require a NOA Fisheries permit as well as other permits.
23

24 NPS is planning to move the picnic area this year so that a 46-foot wide channel can be
25 excavated to alleviate flooding in the area. The plan is to excavate down to the level of the
26 natural flood plain. They are proposing to leave a small area in that location for picnic tables
27 that will be ADA accessible and will add another picnic area on the opposite side of the
28 boardwalk where the picnic tables were located years ago. That area will be fenced and open
29 for seasonal use only. Invasive grass that is excavated will be taken to a composting site.
30 The lower excavation will be used for fill on the Big Lagoon and various trail projects.
31 Approximately 500 yards will be removed which represents up to 10 truckloads per day for
32 1-2 weeks. The roads will remain open. Most of the fill will go north on Highway One.
33 Carolyn said she could put a notice on the bulletin board to alert residents. One resident
34 suggested putting picnic tables in the area where the levy road and bridge meet and was told
35 NPS did not have the maintenance personnel to service areas that were not centralized.
36

37 The initial actions of the Big Lagoon Project could begin in 2007. It will be a multi-year
38 project.
39

40 Paul Bignardi would like to attend the October meeting to discuss transportation issues.

1
2 Nothing will be done with the Pacific Way bridge this year. NPS is working with the County
3 on a joint Environmental Impact Statement / Environmental Impact Review. They hired a
4 contractor and conducted a hydraulic analysis of the bridge, looking at what happens in flood
5 events from small to as large as the flood of 1982. From a flooding point of view, the
6 flooding is unobstructed but once a bridge and ramp are built, the flood plain has been filled
7 in. Various residents raised questions about possible solutions such as building a culvert
8 under the ramp and/or realigning the bridge. Carolyn said models are being run on many
9 different configurations. They do not want to increase upstream flood elevations. President
10 Shaffer pointed out that the residents of Pacific Way are not looking for a solution to the 100
11 year event, just the 6 week event – a way to get through in the winter.
12

13 **Item 3 CONSENT CALENDAR**

14
15 A. **Approval of Expenditures** – For August 2005, which includes a total of
16 \$11,105.01 in General Fund expenditures, \$416.60 in Water Capital Improvement
17 Fund expenditures, and \$371.31 in checks issued from the trust funds, for a total
18 of \$11,892.92 in warrants issued.
19

20 B. **Approval of Minutes** – Regular meeting August 31, 2005
21

22 MOTION: To adopt the Consent Calendar, which includes Items A and B above.

23 Moved: Ostroff, seconded by Hobson

24 Vote: AYES: Unanimous
25

26 **Item 4 FIRE DEPARTMENT REPORT**

27
28 Chief John Sward reported. A large storage container has been installed in the fire barn. The
29 contract to build a foundation for the house at the dairy is beginning next month. Local labor
30 is anticipated to do the work so that the building can be configured to meet the needs of the
31 Fire Department. Information has been given to Leighton for the Notice of Appreciation that
32 will be sent to Dave Carniglia for his years of service. Leighton will be attending the
33 upcoming MBVFA meeting to discuss the relationship between the two organizations. The
34 MBVFA is working on revitalizing the Emergency Disaster Committee. Methods for
35 communication and allocating responsibility are being discussed.
36
37

38 **Item 5 PUBLIC HEARING ITEMS**

39
40 **Introduction and Reading of Ordinance (by title only)** – Ordinance No. 2005-2, An
41 ordinance of the Board of Directors of the Muir Beach Community Services District
42 establishing a schedule of rate charges for water service.

1
2 District Manager Hills read the title of the new ordinance and indicated that it is attached to
3 the agenda for tonight's meeting and is also available online. After some discussion, one
4 resident suggested that a more detailed explanation of the increase be provided to the public.
5

6 MOTION: To put Ordinance No. 2005-2 on the agenda for the next meeting and insert a
7 notice in the September water billing giving a detailed explanation of the
8 increase.

9 Moved: Ostroff, seconded by Rudnick

10 Vote: Unanimous
11

12 **Item 6 DISTRICT MANAGER'S REPORT**

13
14 Harvey was praised for his handling of a leak over Labor Day weekend. He arranged for
15 water service to the affected people (Starbuck Extension) at scheduled times and arranged for
16 and helped with the repairs.
17

18 **Item 7 RECREATIONAL ITEMS**

19
20 Harvey would like some renovations to be made to the ladies bathroom.
21

22 MOTION: To approve an expense of up to \$1,500 to renovate the ladies bathroom, to be
23 overseen by Shaffer and Hills.

24 Moved: Hobson, seconded by Ostroff

25 Vote: Unanimous
26

27 **Item 8 ITEMS REMOVED FROM THE CONSENT CALENDAR**

28
29 No items were removed from Consent Calendar.
30

31 **Item 9 PUBLIC OPEN TIME**

32
33 Resident Karla Andersdatter expressed her concern about the possible use of pesticides or
34 herbicides on the trunks of the trees that were removed at the dairy. John Sward related that
35 Alex Naar told him the trees would be cut low and tarped. Karla then requested that the
36 Board write letters to the NPS, County of Marin, Caltrans, GGNRA and California State
37 Parks requesting prior notification when pesticides or herbicides are to be used in the
38 watershed. There was some discussion about a prior letter that Karla had drafted. Director
39 Rudnick offered to work with Karla to help draft a letter to address her concerns..

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Item 10 NEXT MEETING DATE

The next meeting date is scheduled for Wednesday, October 19, 2005.

The meeting was adjourned at 8:30 pm.

These minutes were approved by the Muir Beach Community Services District Board of Directors, during their meeting on _____.

Steve Shaffer, Board President

Sharon Mullin, Secretary