

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 Minutes of the Board of Directors' meeting held on
3 Wednesday, January 23, 2019

4 **OFFICIAL MINUTES ONLY UPON APPROVAL**

5
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
9 minutes become the Official Minutes of the meeting.

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

12
13 Victoria Hamilton-Rivers called the meeting of the Muir Beach Community Services
14 District Board of Directors to order at approximately 7:02 pm.

15
16 Directors present: Gary Friedman, Victoria Hamilton-Rivers, Leighton Hills,
17 Peter Lambert, Steve Shaffer

18
19 Staff present: Mary Halley, District Manager
20 Leslie Riehl, Treasurer

21
22
23 **Item 2: Approval of Agenda**

24
25 Hamilton-Rivers notes that when she took the chair, we agreed that we would open
26 agenda points to the community and consider them; and whether or not they were
27 included in the agenda we would state them so that everyone knows. One item that has
28 come up and is causing concern is the issue of recall over conflict of interest. It's item 5
29 under items not included on the agenda. Point 11A will address the legalities of Hills'
30 offer to be board delegate for the Sunset Way Project.

31
32 Shaffer comments that we're doing this because it was felt that the previous board
33 discarded agenda items without acknowledging them, but that perhaps we should guard
34 against scurrilous or harmful items showing up on the agenda. It could open the door for
35 slander. Shaffer wants to revisit the current policy (which he voted for) at some point.
36 Hills notes that the person who suggested the agenda item was Mark Pandapas.
37 Further discussion ensues, including the idea that if someone proposes something, they
38 should attend the meeting. Friedman agrees that no anonymous items should be
39 included.

40
41 Hills proposes moving Item 3 to after Item 11.
42 Laurie Piel requests to move Item 9 up to before Item 5.

43
44 MOTION: To approve the agenda
45 Moved: Shaffer, seconded by Lambert
46 Vote: AYES: Unanimous

1 **Item 3: Election of Board Officers**

2
3 Hamilton-Rivers suggests that in light of the Sunset project for the next 6 months, she'd
4 volunteer to stay in the chair through the end of the project, rather than to elect a new
5 president. Hills suggests they could move to not hold an election.

6
7 MOTION:

8
9 Moved: Shaffer, seconded by Hills

10 Vote: AYES: Unanimous

11
12 Shaffer moves to Leave Hamilton-Rivers in place until such time as we are ready to
13 hold a new election, after the Sunset project. Hills seconds.

14 Friedman nominates Hills to serve as President; Lambert seconds. Hamilton-Rivers
15 feels that it's unrealistic to have Hills both as President and running the Sunset project.

16 Friedman notes that it's not really different to be President than other board positions,
17 other than setting the agenda and running the meeting. Hills appears to be the swing
18 vote, so he suggests that it's deferred until the next meeting. The Board turns to
19 audience comments. Further discussion of the pros and cons; board decides to put off
20 the topic to the next meeting.

21
22
23 **Item 4: Consent Calendar**

24
25 Lambert notes that minutes from the last meeting were not yet available and that he
26 didn't vote on the motion. He had voiced concerns which were not settled. No lack of
27 confidence in Hills' ability at all; merely concern about legality, appropriateness,
28 reporting, etc. He would have voted No.

29
30 Hamilton-Rivers notes that the reason minutes have not yet been made available from
31 the previous meeting was simply due to the quick turnaround, but that an audio
32 recording of the meeting has been made available on the CSD website.

- 33
34 1. Approval of Draft Minutes from Regular Board Meeting of 12/12/18.
35 2. Approval of Quarterly Financial Reports dated 12/31/18.
36 3. *Approve Resolution No. 2019-1: To Change Board Elections from Even to Odd*
37 *Years*

38 *(already approved in 2018, needs to be additionally approved and submitted in 2019)*

39
40
41 MOTION: To adopt the consent calendar

42 Moved: Shaffer, seconded by Hills

43 Vote: AYES: Unanimous
44
45
46

1 **Item 5: Items Removed from Consent Calendar**

2
3 No items removed.
4
5

6 **Item 6: Treasurer's Report**

7
8 Reihl reviews the highlights of the Quarterly Treasurer's report. The Sunset project is a
9 big part of this and is being closely monitored. Reihl characterizes the state of the
10 budget as peachy keen.

11 Q: What's the status of the reserve fund?

12 A: There are two: water and general. General is running around 800K, water at 188K.
13 By the time we're done with the Sunset project, the water will be down to 17K, and
14 general down to 180-190K, of which 180K is restricted.

15 Further discussion about various costs associated with the Sunset project.
16

17 **Item 7: District Manager Report**

18
19 Halley has been putting time in on water rate analysis. We have to do a full analysis of
20 our water system. The increase was necessary because of a shortfall, so we're
21 evaluating our costs, useful lives, capital planning, consumption analysis, and so on. On
22 trees: we got eight of the most dangerous trees cut and stacked down by the
23 pumphouse for \$6K. The reason we had to take those out because all the alder trees
24 down by Redwood Creek are diseased and dying. Sunset Way Project: focusing on
25 getting the last of the cost estimates. Working on a line of credit with the county; has
26 done an analysis to give the board on this.
27
28

29 **Item 8: Fire Department Report**

30 Chris Gove is not present this evening; he's with his father who is on his deathbed. He
31 will take on his report in February.
32
33

34 **Item 9: Christmas Arts Fair Donation**

35
36 Christmas Fair organizers Laurie Piel and Suzanne Miller will present a check for
37 \$2800.01 from the Muir Beach Christmas Arts Fair proceeds to the Board. Several
38 people have ideas about how to use it for community events.
39

40 **Item 10: MBCSD Line-of Credit**

41
42 Given the costs associated with the Sunset Project, the Board is being asked to discuss
43 and approve Draft-Resolution No. 2019-2 which will allow the District Manager to apply
44 to the County of Marin, Department of Finance, Treasurer Roy Givens, for a pre-
45 approved MBCSD Line-of-Credit in the amount of \$300,000 to be used for Emergency
46 purposes only.

1 If not a water emergency, we'd be hard pressed to pay back more than \$150,000, but
2 for a water emergency, we could have the full \$300,000 available. This would be a nice
3 thing to have just as a security measure for us.
4

5 Hamilton-Rivers asks about interest rates. Halley responds that the rates are under
6 market, and that we would always analyse rates before borrowing money. Friedman
7 asks at what point in time we decide how many years out we would go. Halley responds
8 that she would have to have Board approval to make the application, and at that point in
9 a Special meeting that question would be addressed. Further discussion about interest
10 rates.
11

12
13 MOTION: To approve Resolution 2019-2
14 Moved: Shaffer, seconded by Hills
15 Vote: AYES: Unanimous
16

17 18 **Item 11: Sunset Way Project Oversight** 19

- 20 A Legal Review – the District Manager gave an overview of District's legal position
21 for delegating the oversight of the Sunset Way Improvement Project to a member
22 of the MBCSD Board of Directors. County Counsel has advised that up to two
23 board members can be delegated to supervise a project. The board can un-
24 appoint them if the situation is unsatisfactory.
- 25 B Oversight Responsibilities and Delegation of Duties – Further to the findings from
26 the legal review, Director Hamilton-Rivers proposed a list of delegated
27 responsibilities for the oversight of the Sunset Way Project along with proposed
28 Board oversight and controls. Halley has agreed to step up to any duties the
29 board requires of her, and to keep an hourly log of that time separate to her
30 district duties, and to be remunerated at the same rate as her DM salary.
31 Hamilton-Rivers feels that both Hills and Halley are quite generous with this. The
32 current proposal is a starting place, and Hills proposes some changes.
33 Discussion ensues. Hamilton-Rivers proposes that they meet, thresh these out,
34 and come up with something to present at the next meeting; all agree.
35
- 36 C Update – Director Leighton Hills, who was appointed by the Board to oversee the
37 Sunset Way Project, gave an update on the current status of the project. He's
38 been in touch with the contractor and discussed the form of the contract; the
39 format we used for the Overlook Tank was acceptable to them, and they will
40 come up with a draft of the contract based on that.
41

42 Bob Jacobs comments that it would be good if there were a contemporaneous
43 record of what's going on so that other Board members can be kept abreast of
44 what's happening. Hills agrees. Another question about bonding with the
45 contractor; Hills answers that they're exploring that. Further discussion about
46 how the project will be managed.

1 **Item 12: Public Open Time**

2 Shaffer brings up offer from Lloyd Gross from a friend who wants to donate a good
3 Kawai piano to the MBCC. It would cost \$300 for delivery. The current piano would be
4 donated. It would probably require a cover for \$150. If people are interested, we can put
5 it on the agenda. Kathy Sward wonders if we should talk to a real pianist rather than to a
6 saxophonist about this. Shaffer thinks a cover would do something for humidity etc.
7 Friedman points out that a piano needs to be tuned regularly. People are in favor; Hills
8 suggests that the DM could just decide to do it.
9

10 Shaffer asks if flowers could be sent to the family of Chris Gove.

11
12 Shaffer's third point is a sexual analogy having to do with current discussions that he
13 has been having concerning the potential repair of the Cove Lane culvert.
14
15

16 **Item 12: Adjournment**

17
18 MOTION: To adjourn
19 Moved: Shaffer, seconded by Friedman
20 Vote: AYES: Unanimous
21

22 Meeting adjourned at 8:25 pm.
23
24