

1 *Close Regular Board Meeting and Open Public Hearing*

2 **Item 5: Public Hearing for Water Rate Increase and Revision**

3
4 A. Public Hearing

5 1. Board may provide a report

6 2. Public testimony

7 3. Board President will do “last call” for any protest votes

8 B. District Manager will count Protest Ballots and report results to Board

9 C. Board will report results of Protest Ballots

10 1. if a majority of protest votes 50%+1(79) are received, the Board shall not
11 proceed with further consideration of the rate increase

12 2. if no majority of protest votes 50% (78) or less are received, the Board may
13 proceed with discussion of ordinance by Board members and vote D. Vote
14 regarding Draft-MBCSD Water Rate Ordinance 2019-1

15
16 Hills asks Halley for a count of protests against the rate increase received so far: there
17 have been two. There are no further protests among those gathered. Since this is not
18 a majority of the number of parcel owners or representatives, which would be needed to
19 oppose the rate increase, discussion proceeds.

20
21 Hills reports that the rate has not been increased for nine years. He reiterates the
22 comments he’s made over the past few meetings, including an overview of the
23 proposed rate increase and the reasons behind it. Encouragement of water
24 conservation is one of the main goals for the meeting. For all but the very largest users,
25 it works out to about a 28% increase; a little less for the smallest users. For the largest,
26 it’s more like 38-39%. The reason for the imprecision is that the so-called “tiers” are also
27 changing. Now is the opportunity for public testimony.

28
29 Tayeko Kaufmann inquires about the base rate. Hills explains that the water capital
30 improvement fee ends and is folded into base rates. Further discussion goes into the
31 details which are included in the proposed rate increase document.

32
33 Ernst Karel asks if the proposed rate increase will actually encourage conservation. Hills
34 responds that the highest users will likely be undeterred. During noticed conservation
35 periods, however, even those users are required to conserve, for example changing
36 irrigation to drip, and that reduced usage has sometimes continued beyond the
37 conservation periods. Further discussion continues about what the CSD can do to
38 encourage conservation, and questions about what the relationship is between
39 Redwood Creek and the aquifer running alongside it from which the community draws
40 its water. Much of the community is conservation-minded; the vast majority of usage is
41 outdoors, for irrigation, much of which – given that we’re on the coast – is unnecessary.

42
43 Gerry Pearlman asks how the rate increase compares to those elsewhere in the county.
44 Hills responds that in terms of water costs, we have been among the lowest, and the
45 rate increase puts us into the middle of the range. But most of course don’t wait nine
46 years. Going forward, the CSD will follow the inflation index for annual increases.

1 (See draft included with meeting packet: MBCSD Water Rate Ordinance 2019-1)

2
3 **Close Public Hearing and Re-open Regular Board Meeting**

4
5 There is no further comment from the board.

6
7 MOTION: To adopt the ordinance
8 Moved: Shaffer, second Hamilton Rivers
9 Vote: AYES: Unanimous

10
11
12 **Item 6: Open in Regular Board Meeting – Approve FY2018 Draft-Audit**

13
14 FY2018 Draft-Audit is complete and posted for review on the MBCSD website. Board
15 approval is required for it to be finalized. (See www.muirbeachcsd.com then click on
16 the Administration tab, then Financial page, see Audits section)

17
18 There are no questions or comments.

19
20 MOTION: To approve the FY2018 Draft-Audit
21 Moved: Shaffer, seconded by Hamilton-Rivers
22 Vote: AYES: Unanimous

23
24
25 **Item 7: District Manager Report**

26
27 Halley goes over the highlights from the 6/26/19 District Manager Report, a written
28 document which (as always) is included with the monthly meeting packet available
29 online at <http://www.muirbeachcsd.com/meetings>.

30
31
32 **Item 8: Fire Department Report**

33
34 Chris Gove gives the report:

35
36 For the previously discussed warning siren, we continue to suffer from lack of funds to
37 continue with the project as envisioned. GGNRA wanted a warning siren for tsunami;
38 the previous fire chief wanted a more general siren. The site was chosen in Green
39 Gulch on top of a hill, where there's no power, and which is a long way away from here.
40 Looking into the high costs that would be associated with building a shed, backup
41 batteries, etc., various parties have offered funds, up to \$40,000, though we're looking
42 at a total cost of around \$120,000 (if judging by comparable installations elsewhere).

43
44 Shaffer clarifies that this whole thing hasn't even been approved by the CSD. Gove
45 replies that it would be on private land, funded by outside organizations. But it does
46 seem "dead in the water" at the moment. Hills suggests the whole thing just be tabled,

1 and we say we're out. Gove and Halley say the money from GGNRA has been held
2 separate and could be returned. The board is in general agreement to pull out of the
3 whole thing.

4
5 General fire news: they have switched into wildland training mode and have purchased
6 new backpacks for everyone, as the old ones have outlived useful service. The larger
7 truck, 676, has been serviced. Work on Twillinger grove should start soon. Gove reports
8 that they have \$20,000 to spend on it and are looking for matching funds. They are also
9 still looking for someone to spearhead a Firewise Community; please contact him if
10 you're interested or have ideas.

11
12 A question is asked about when the deadline is for moving out of the current fire station;
13 Gove replies that NPS is not in a hurry to kick us out, in part because 60-70% of their
14 calls are directly for the GGNRA.

15
16 Gove and Hills have met with MERA people (Marin Emergency Radio Authority), who
17 are in the midst of preparing a proposal to the community about extending their network
18 to Muir Beach. They are interested in the Overlook Tank site, and thus the new
19 firehouse site, for a radio tower which would serve as a node in their network, which
20 would provide coverage for the coastline all the way up to Bolinas. The idea is that they
21 would lease a spot from the MBCSD for an antenna tower. Hills comments that MERA
22 is a group which includes a lot of Marin County players, including the Department of
23 Public Works. MERA wants to proceed with a radio tower in the same general area as
24 the proposed fire station and have asked what Muir Beach would want; what Muir
25 Beach would want is for the new firehouse to be approved, and they could be helpful in
26 this. Furthermore, MERA has a sizable budget, due to property tax income. They have
27 about eight sites that they lease around the county, and Hills further feels that the CSD
28 should be fairly compensated for hosting a radio tower. If it weren't paid, then they could
29 figure out how to put it on NPS property. So, Hills plans to meet with them to find out
30 what they pay for the other locations. It's difficult for the Fire Department to make that
31 ask, so the CSD can take that heat and ask to be compensated in the same way other
32 Marin communities are. The board is on board (so to speak) with this way of thinking.
33 Friedman clarifies though that MERA and the county are separate, so that these two
34 things are not reliant on each other.

35
36 For the firehouse, they have hired an architect, Laura Van Amburgh, to assist them, and
37 will soon be meeting with county planners and hiring an engineer. The board asks that
38 as soon as there are plans, that they be submitted to the community for discussion and
39 input, and that's Gove's plan.

40
41 Bob Jacobs inquires about speeding along the process for the new firehouse. Lambert
42 and Shaffer reply that it's too early for the board to get actively involved. Hills adds that
43 we'll be seeing some plans from Gove in the near future.

1 Before moving on, Richard Kohn asks for a motion to shelve the whole siren project.
2 The board agrees that it couldn't hurt, and Gove agrees that it makes it easier to have a
3 clear position.

4
5 MOTION: To cancel the project and return money to agencies involved.
6 Moved: Shaffer, seconded by Hamilton-Rivers
7 Vote: AYES: Unanimous
8
9

10 **Item 10: Sunset to Lagoon Trail**

11
12 Ernst Karel has requested rebuilding and extending former stairs between Lagoon and
13 Sunset to make the path walkable year-round. This would be to go alongside the
14 existing bicycle path, which has become very difficult to walk on (especially when
15 muddy).

16
17 Bob Jacobs asks how much it would cost to repair the path – he used to use that trail
18 frequently to get mail and so on. Paul Jeschke reiterates that the community loves these
19 paths. They are important and would be a good use of Measure A money, that we put
20 emphasis on improving these trails. The Trails Project should receive a high priority
21 from the board.

22
23 Discussion turns to the idea of looking at the various paths in Muir Beach and making a
24 list according to higher or lower priority. Hamilton Rivers for example feels that the stairs
25 down to Little Beach would be a higher priority, in that in the event of a fire, everyone's
26 exit point is to the beach, and this is a main reason that the stairs to Little Beach get
27 fixed. Shaffer points out that this is not very expensive, and we should just do it, and
28 that in addition the CSD can do more than one thing at a time. Lambert asks for
29 clarification of what Measure A money is for. Halley responds that it's for three years,
30 and this year it's for windows, and the following year we're open; it's \$37,000 per year.

31
32 Karel will take a look at the list of easements/paths and will come up with a proposed
33 plan, ideally including estimates on costs. Halley has applied to the Parks Foundation
34 for a \$200,000 grant, and that could be used for this.
35
36

37 **Item 11: Sunset Way Project Update**

38
39 Hills provides an update on the project, which is proceeding apace. Traffic has been
40 cooperative; a makeshift delivery box has been set up at the entrance to Sunset which
41 is being used by the various delivery drivers. Discussion ensues about digging holes,
42 the schedule for various aspects of the project, and whatnot. Hills says that the
43 contractors are not behind schedule but have rather rearranged their schedule. There is
44 general appreciation for the good work.
45

1 Policy regarding fences and other encroachments will be postponed to a later meeting
2 date and the Board was being asked to approve Hills obtaining legal counsel to provide
3 advice in preparation for future meeting discussion. Friedman recommends that the Hills
4 talk to Peter Sandmann and, if further consultation is needed from additional legal
5 counsel, that Hills come back to the Board for subsequent approval and that any
6 lawyer's advice be in writing. Right now, we have an opinion about a landowner with
7 respect to easements in terms of vehicular access, but we need to expand that to
8 consider pedestrian access to easements, which do not seem to have been taken into
9 account in the last legal opinion by Sandman.

10
11 A lengthy discussion proceeds about what all Hills would be discussing with the lawyer
12 and if the former attorney would be contacted – yes.

13
14 MOTION: That Hills should go forward with a legal consultation as he sees fit,
15 to be limited to a maximum of \$2000.
16 Moved: Shaffer, seconded by Hamilton-Rivers
17 Vote: AYES: Shaffer, Hamilton-Rivers, Hills
18 OPPOSED: Friedman, Lambert
19

20 Finally, Hills has checked with Caroline Crawford, and says they are very happy to
21 extend the portion of the property for this road project, and that once it's finished, the
22 area can get surveyed and they'll sign documents.

23 24 **Item 13: Public Open Time**

25
26 Paul Jeschke raises an issue that he feels that the board has not been transparent
27 about. He's heard that the CSD spent \$5,000 for a rock wall next door at the Herwitz
28 property, and he would like to know how and why it happened, and why it happened in
29 secrecy. He has gone through two years of minutes, and financial statements, and
30 hasn't found anything about the board authorizing this payment. He's questioning how it
31 got authorized and why there wasn't public discussion about it.

32
33 A discussion ensues and it is agreed that this matter would be researched and placed
34 on the agenda for the next meeting.

35
36 Kathy Sward informs that Nancy Knox passed away last night, at age 91. Only 48 hours
37 ago they and others were together with her and she was totally alive. Friedman
38 acknowledges that she contributed to the community in many ways.

39 40 41 **Item 12: Recognitions & Board Member Items**

42
43 Hamilton-Rivers would like to recognize Chris Lamb, head of the Sunset Way project –
44 he's accommodating and kind and the right person for the job. She would also like to
45 acknowledge Steve Shaffer for offering an apartment to him, which saves him 2.5-hr

1 commute. And finally, thanks to Mary Halley for getting the budget together and all her
2 work on the water project.

3

4 **Item 15: Adjournment**

5

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

7

8 Meeting adjourned at 9:32 pm.