

# Stinson Beach Village Association

## Meeting Minutes

Stinson Beach Community Chapel

November 1, 2014

*The SBVA acts as a steward of the Stinson Beach Community Plan, serves as a conduit for information, and advocates on behalf of the community to support the rural atmosphere of the Village. The SBVA provides a forum to promote communication regarding county, state, and federal regulations that affect all areas of the Village, including the commercial area, the hill, Panoramic, the Calles, the Patios, and Seadrift.*

Minutes can be read at the Stinson Beach Library or online at [www.stinsonbeachvillage.com](http://www.stinsonbeachvillage.com)

### I. Call to Order

Larry Crutcher called the meeting to order at 10:03 am. The following SBVA officers were present: Larry Crutcher, Sam Matthews, Mike Matthews, and Chris Ruppe. **(Quorum was met.)** Larry announced that regretfully, Susan Banta has resigned from the SBVA Board due to increased family obligations.

### II. Approval of minutes from last meeting

The directors previously approved the minutes for October 4, 2014 via email.

### III. Treasurer's Report

Sam Matthews reported that the bank balance as of 9/30/2014 was \$11,756.00. In October, there were expenditures of \$400.00 and deposits of \$235.00, leaving a bank balance as of 10/31/2014 of \$11,446.00. The SBVA sent out solicitation letters in August to 81 out-of-town addresses and to 505 mailboxes in Stinson Beach. The SBVA has received 118 contributions as of 11/1/14, totaling \$6,420.00 with an average contribution of \$54.00. Last year at this time the SBVA received 145 contributions for a total of \$8,355.00.00 with an average donation of \$58.00. In comparison with other years, in 2010 we had a total of 110 contributions for a total of \$5,495.00. **(Treasurer's Report attached to original minutes)**

### IV. New Business

- A. Formation of Nominating Committee to Nominate SBVA Board Members for 2015:** Larry Crutcher will be the lead coordinator on the nominating committee. Mike Matthews and Barbara Boucke will also serve on this committee.
- B. GGNRA: The Final Design for the New Wastewater Treatment System, GGNRA representative, Steve Ortega, and Chris Carpenter, Civil Engineer project lead for the NPS reporting:** For the past 2 years in previous SBVA meetings, Steve Ortega has announced that the GGNRA is redesigning their wastewater system and when it was 30% complete, they would share the design with the Stinson Beach community and ask for their input. Chris Carpenter presented the design of the proposed system, which is intended to mitigate the risk of the impact of ground water and bring the GGNRA's wastewater treatment and disposal from public facilities and administrative facilities within regulation and code. The new design contains three major components: 1) a rehabilitated and partial adaptive reuse of existing primary treatment systems for the North and South Comfort Stations and the Maintenance Area facilities with a new location of the primary treatment tanks for the Life Guard/Grill Facility and parking lot Modular Building and Central Comfort Station; 2) a new secondary treatment system that will be a textile re-circulation membrane system co-located with a central equalization tank in the storage area and that will produce a much higher quality effluent that will then be pumped to 3) a new pressure disposal field located in a parcel west of Highway 1 and east of the Maintenance Area. What will the community see that is different? The work on the primary treatment is mostly underground so the community will not see much of a difference. However, where the GGNRA's central comfort station is located, both the old septic tank and the pumping tank will be cleaned out and left in place so that 1) beach goers can sit on them, and 2) they will also serve as a wave buffer. All the effluent will flow

underground to the secondary treatment system that is an above-ground, closed, quiet, pumping and circulation system and that will be located in the GGNRA's administrative area behind wood fences. The new system is designed to accommodate peak flows such that it will continue to operate if power were lost for up to 3 days without engaging the backup generator. Chris Carpenter commented that the secondary treatment plant could be pumped out manually if necessary. Finally, the leach field will be located on the vacant lot adjacent to Jim Gillam and Steve Rubin's properties. It will be landscaped with plants appropriate for a leach field. The field will be fenced so that vehicles will not have access. Several large trees on the lot will be removed, as their aggressive root systems are not compatible with leach field, although the GGNRA is hoping to maintain the tree line along Highway 1 as well as along the property line adjacent to the Gillam's. The soonest construction would start is in late summer or fall of 2015. The public is invited to submit feedback on this proposed project from Friday, November 7, through Friday, December 12, 2014. To comment online, please go to [http://parkplanning.nps.gov/Stinson\\_Wastewater\\_Treatment](http://parkplanning.nps.gov/Stinson_Wastewater_Treatment). To request alternate formats of this information or to receive general accessibility information, please visit the GGNRA's park accessibility website at [goga\\_accessibility@nps.gov](mailto:goga_accessibility@nps.gov) or call 415-561-4958. In addition, Chris Carpenter's contact information is as follows: [chris\\_carpenter@nps.gov](mailto:chris_carpenter@nps.gov) or call 415-561-4932.

## V. Old Business

**A. Pathway along Highway 1 into Town, Larry Crutcher reporting:** Jamie Sutton organized a meeting with various players from Caltrans and the County to discuss this project. The Caltrans "lead" appeared to be Oliver Iberien, Senior Environmental Planner in the Oakland Office. Three or four of his colleagues also were in attendance, along with John Neville, Asst. Engineer for the Marin DPW, who kept an attendance record. Oliver Iberien strongly cautioned the group to think not in terms of sidewalk, or multi-use path, or anything that suggests the involvement of pedestrians. He also cautioned the group to always think small. His advice seemed to boil down to adding a "choker," or a width of permeable pavement extending up to 6 feet beyond the fog line, allowing it to narrow to 4 1/2 feet by the rock. He suggested another meeting, in which some official body (hopefully County of Marin) would be petitioned. The petition would need to be quite detailed, with accurate mapping and identification of potential obstacles. Several of the physical obstacles are: 1) There is a drain that brings spring water under the highway and extends only about three-five feet beyond the fog line. It needs to be covered over, somehow; 2) A wetland is nearby; and 3) A rock is within 4 1/2 feet of the roadway. Several of the non-physical impediments are: 1) If the word "pedestrian" is used, there will be an immediate Americans with Disabilities Act involvement, forcing an elaborate walkway, engineering studies (he mentioned \$400,000), two-three years of delays, and the likely failure of the project; 2) Because the project would go through a wetland, environmentalists would enter the discussion, spending a good deal of time and energy counting frogs and butterflies and potentially derailing the the project; 3) There would need to be an archaeological evaluation, and if Native American artifacts are found, there could be a potential stop-work while Native American consultants examined any artifacts and recommend protective action; 4) From Marin County's perspective, if they preformed the work in response to a petition, they would be liable financially for any accidents or fatalities 5) The California Coastal Commission needs to approve anything done in the area by Caltrans, the solution possibly being to keep the description provided to CCC de minimus. Oliver Iberien seemed encouraged that GGNRA supported doing something, although Sutton did not mention that GGNRA's current idea is to accommodate the ADA and to veer well off the highway with a path toward its gate. However during the SBVA Meeting, Steve Ortega stated that he would make his superiors aware of the potential pitfalls in putting in a "pathway" into town. Larry Crutcher also pointed out that Stinson Beach's Fire Chief, Kenny Stevens was concerned that any sort of "pathway" would automatically encourage tourists to park along side the highway, causing even more traffic issues than currently exists. Mike Matthews stated that a MUP is mentioned in the Community Plan and that it is the responsibility of the SBVA to support the Community Plan. More discussion will take place in future meetings.

## VI. Community Reports

- A. **GGNRA, Tamalpais District, Steve Ortega reporting:** The construction project underway in the north parking lot is to repair the damage from last winter's flood and will wrap up in the next few weeks. The project will change the location of the beach access.
- B. **Bolinas Lagoon Advisory Council: no report.**
- C. **Friends of Bolinas and Stinson Beach Libraries, Ann Walsh reporting:** A Contemporary Marin Artists exhibit is in the library; the opening reception is at 3 pm today.
- D. **Bolinas-Stinson Union School District, Pamela Lichtenwalner reporting:** Pamela asked voters to support Measure B, the bond measure on the November 4<sup>th</sup> ballot. If the bond passes, the funds generated will be used to upgrade the BSUSD facilities. Superintendent John Carroll held an informational meeting at the library regarding Measure B last Tuesday.
- E. **Stinson Beach Montessori School, Pamela Lichtenwalner reporting: 1)** The school currently has 10-12 students enrolled. **2)** They sponsored a wonderful Halloween fundraiser last night in Bolinas and a second fundraiser begins next week. **3)** Currently, the preschool is in negotiations with the SBCWD involving the preschool's holding tank. **4)** They hope to have their loan to a private citizen paid off shortly.
- F. **CSA33-Village Green 1 & 2: No report.** On behalf of the SBVA, Larry Crutcher thanked Al Engel for his ongoing and continued stewardship of the Village Green.
- G. **Seadrift Association:** The roads in Seadrift are being repaired and repaved.
- H. **Stinson Beach Community Center: No report.** A documentary film festival will be held at the SBCC on Nov 7-9. Tickets to the event can be purchased online or at the door. Kids are welcome.
- I. **Stinson Beach Disaster Council, Fire Protection:** The emergency telephone number to call on a cell phone is 415 472-0911. From a landline, call 911. Get your free flu shots from 12-2 pm today at the firehouse.
- J. **Stinson Beach Historical Society:** The holiday luncheon is scheduled for December 12, 2014 at the SBCC.
- K. **Stinson Beach Medical Center: No report.**
- L. **Stinson Beach Water District, Morey Nelsen reporting: 1)** Water use in Stinson Beach is down by 10-15% compared to last year. As a result, there is no immediate plan to limit water usage in Stinson Beach. **2)** The SBCWD has been approved for \$1,200,000 in grants from the State of California Department of Water Resources. This money will be used to help the district dig a new well and to map the watershed. **3)** Morey invited everyone to attend the wastewater committee hearing to be held on Wed, Nov 12, 2014 at 8:30 a.m. to address the preschool's notice of appeal involving their holding tank. **4)** A leak in a pipe caused by the road construction in Seadrift was fixed quickly. **5)** As a result of the earthquake in Napa, a disaster drill was held, and Morey was very pleased both with the SBCWD's preparedness and their timely response.
- M. **Flood Advisory Board: No report**
- N. **Stinson Beach Community Church: No report.**
- O. **West Marin Senior Services, Ann Walsh reporting:** On December 11, 2014, the WMSS will hold an open house in their new offices in Pt. Reyes Station for the communities that they serve. They are also expanding their transportation and nutritional service to match the growing population of seniors living in West Marin.

## VII. Committee Reports

### A. Standing Committees

#### 1. Compliance Review: Mike Matthews reporting.

- a. Rolandson: Variance (14-0067)
- c. Kinberger—40 Buena Vista (14-0192): Application to legalize a detached deck was ruled complete. The Kinbergers stated that the County deemed that they had an illegal 2<sup>nd</sup> unit as a part of their house. This space is now considered a non-habitable space. Their architect is handling the permits. A DZA Hearing is scheduled for November 13, 2014. Scott Tye asked the SBVA to take a stance on 2<sup>nd</sup> units because of the lack of rental space in Stinson Beach. Mike Matthews responded that certainly, the SBVA could comment on 2<sup>nd</sup> units, but we would need to know more about the Kinberger's situation prior to taking a stance.
- d. Hjorth (Wilson)—Calle del Embarcadero vacant lot (14-0051): A hearing before the Planning Commissioners was held on October 27, 2014. Several of the neighbors pointed out that the project was too close to the creek. The hearing was continued and will be

rescheduled after the project's proximity to the creek is verified by a legitimate survey report. The roofline has also been redesigned.

- g. Osterweis (Tidelands Permit)—Seadrift Association intake valve (14-0027): no hearing scheduled.
- h. Jordan—308 Seadrift-Initial Review (14-0267): landscape/hardscape site improvements (outdoor kitchen deck, spa). No hearing scheduled.
- i. Carrigan/Ford Coastal Permit (2014-0348)—Calle Del Onda Project (14-0348): The plans have just been submitted to the County. The Plan is to merge three properties, creating a 25,998 square foot lot, and building a 747 square foot, one-story addition that will include a bedroom, a bathroom, and a laundry room to an existing 1000 square foot house. The addition will push toward the highway. The FAR is less than 10%. The septic system has already been approved by the SBCWD. The County Planner is Heidi Scoble.

## **B. Ad Hoc Committees**

**1. Keep the Beach Clean: no report.**

**2. Traffic-No report**

**3. Committee to Recommend Bylaw Amendments, Sam Matthews reporting:** After consulting with Tom Silk and in order to satisfy the legal requirements to make a good faith effort to contact all eligible SBVA members, the committee agreed to send a mailing with a registration form, which would include a requirement to provide contact information, to all past donors, active post office boxes in Stinson Beach, water district customers, and those registered owners on the tax rolls, eliminating any duplications.

Discussions of content of the mailing led the committee to the conclusion that it would be appropriate to send two versions, both containing a registration form. One version would be sent to those who received the August 2014 SBVA Annual Letter—Stinson Beach P.O. Boxes and the 81 out of town addresses on the SBVA's mailing list—which included the sentence: "All Stinson Beach residents, as well as property and business owners, who are above the age of 18 are members of the SBVA." This version would contain a brief explanation of why this particular definition of membership, as well as our current bylaws, is invalid. In the Board's recent efforts to ensure that the SBVA Bylaws are compliant with California law governing nonprofit corporations, we have received legal advice that the Bylaw Amendments of 2010 and 2014 are invalid, because the votes to adopt those amendments were conducted in the absence of a quorum and proper notice, as defined by California Code. Therefore, the only Bylaws by which the SBVA can now operate legally are those that were submitted in 1991 to the California Secretary of State in the SBVA's application for approval as a 501(c)(3) nonprofit corporation, which was granted in 1992.

However, there is a basic flaw in the 1991 Bylaws. They state: "Membership is open to all residents, property owners and business owners of Stinson Beach," but they provide no method for those who are qualified to become members, nor require contact information so that they may be notified of matters requiring members' votes in regular or special meetings. In order to rectify this oversight, the Board is sending a mailing with a registration form to all who may be qualified, asking that if they wish to become members of the SBVA, they attest to their qualification and provide contact information in order that they may receive proper notice of upcoming meetings and matters requiring the members' votes.

The other version would be sent to those who did not receive the Annual Letter: out of town SBCWD customers and registered property owners on the County tax rolls, not included in the first group. This version would be an invitation to become a member.

Both mailings would announce the Annual Meeting of February 7, 2015, at which members will be voting on amendments to the Bylaws (final language TBD): **1)** All permanent residents; property owners, including trustees of trusts that are the registered property owners; and business owners who are 18 years or older may become members by registering with the

Secretary of the SBVA, and **2)** The names of the Offices, but not the duties, of First Year Coordinator, Second Year Coordinator, and Third Year Coordinator will be changed to Parliamentarian, Vice President, and President, respectively. **3)** Also announced will be the annual election of officers, including the newly named office of Parliamentarian.

The committee will consult with Tom Silk and make a final determination of whether the two mailings will achieve the committee's goal of being able to meet the legal requirement to give "proper notice" and also, that the proposed bylaw amendments will enable the SBVA to begin the process towards full compliance.

- 3. Advisory Committee to Address Sea Level Rise, Larry Crutcher reporting:** Several months ago, Larry Crutcher attended a Sea Level Rise workshop that was sponsored by Brian Crawford and led by Jack Liebster. Storm activity, wave action, and wind combined with high tide can all affect the rise of sea levels. With Steve Kinsey as a special guest, the County repeated this workshop in Stinson Beach on Oct 29, 2014, unfortunately the same day as the last World Series Game. As a result attendance was poor. Even so, it was discussed that the Calles are the most threatened by sea level rise. In addition, Larry has been asked to be a collaborator on a stakeholder advisory committee with other residents, Chris Harrington, Jeff Loomens, and Katie Beacock.

#### **VIII. For the Good of the Order:**

Katherine Rose stated that the glass in the one and only telephone booth in town was being vandalized continually. She asked that if any Stinson Beach residents see vandalism taking place, they report it to the Sheriff's department.

Mike Matthews made a motion to adjourn the meeting at 11:46 a.m. Larry Crutcher seconded the motion, and the motion was passed by unanimous consent.