

**MUIR BEACH AREA
SERVICE REVIEW AND
SPHERE OF INFLUENCE UPDATE**

Marin Local Agency Formation Commission

October 2007

Peter Banning, Executive Officer
Evelyn Ellis, Assistant Planner
Candice Bozzard, Commission Clerk

165 North Redwood Drive, Suite 160
San Rafael, California 94903

ACKNOWLEDGEMENT

The staff of Marin LAFCO gratefully acknowledges the time and effort of the County of Marin and Muir Beach Community Services District who provided information and insight during the preparation of this report.

I. INTRODUCTION

This report is presented as part of a process mandated by Section 56425 of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. As stated in that section, "In order to carry out its purposes and responsibilities for planning and shaping the logical and orderly development and coordination of local government agencies so as to advantageously provide for the present and future needs of the county and its communities, the Local Agency Formation Commission shall develop and determine the sphere of influence of each local governmental agency within the county." As used in this section, "*sphere of influence*" means a plan for the probable physical boundaries and service area of a local government agency.

In determining a sphere of influence, the Commission is required to consider and make written findings with respect to the following factors:

- ❑ The present and planned land uses in the area, including agricultural and open space lands.
- ❑ The present and probable need for public facilities and services in the area.
- ❑ The present capacity of public facilities and adequacy of public services which the agency provides or is authorized to provide.
- ❑ The existence of any social or economic communities of interest in the area if the commission determines they are relevant to the agency.

Changes to State law effective on January 1, 2001 require LAFCOs to study the service relationships between agencies providing municipal services within different sub-regions in each county prior to the periodic review of adopted spheres of influence. In this report, discussion of service review determinations precedes recommendations for the sphere of influence of the public agency under study, the Muir Beach Community Services District.

The actual effect of these or any other adopted spheres of influence will be to provide LAFCO and local communities with policy guidance on matters relating to the boundaries and organization of local government agencies. In short, the purpose of the Commission's sphere determinations is to answer the question, "What local agencies should provide which services to what geographical area as communities change?" More information on LAFCO and on all of Marin County's local governments, services and boundaries may be found on the Commission's website at www.lafco.marin.org.

II. MUNICIPAL SERVICE REVIEW

Description of Community

The unincorporated residential community of Muir Beach is located in the southwestern part of Marin County. It is bounded on the west by the Pacific Ocean, on the east by Highway 1, and on the north and south by Federal park land under the Golden Gate National Recreation Area (GGNRA). The main access is through Highway 1.

Description of District

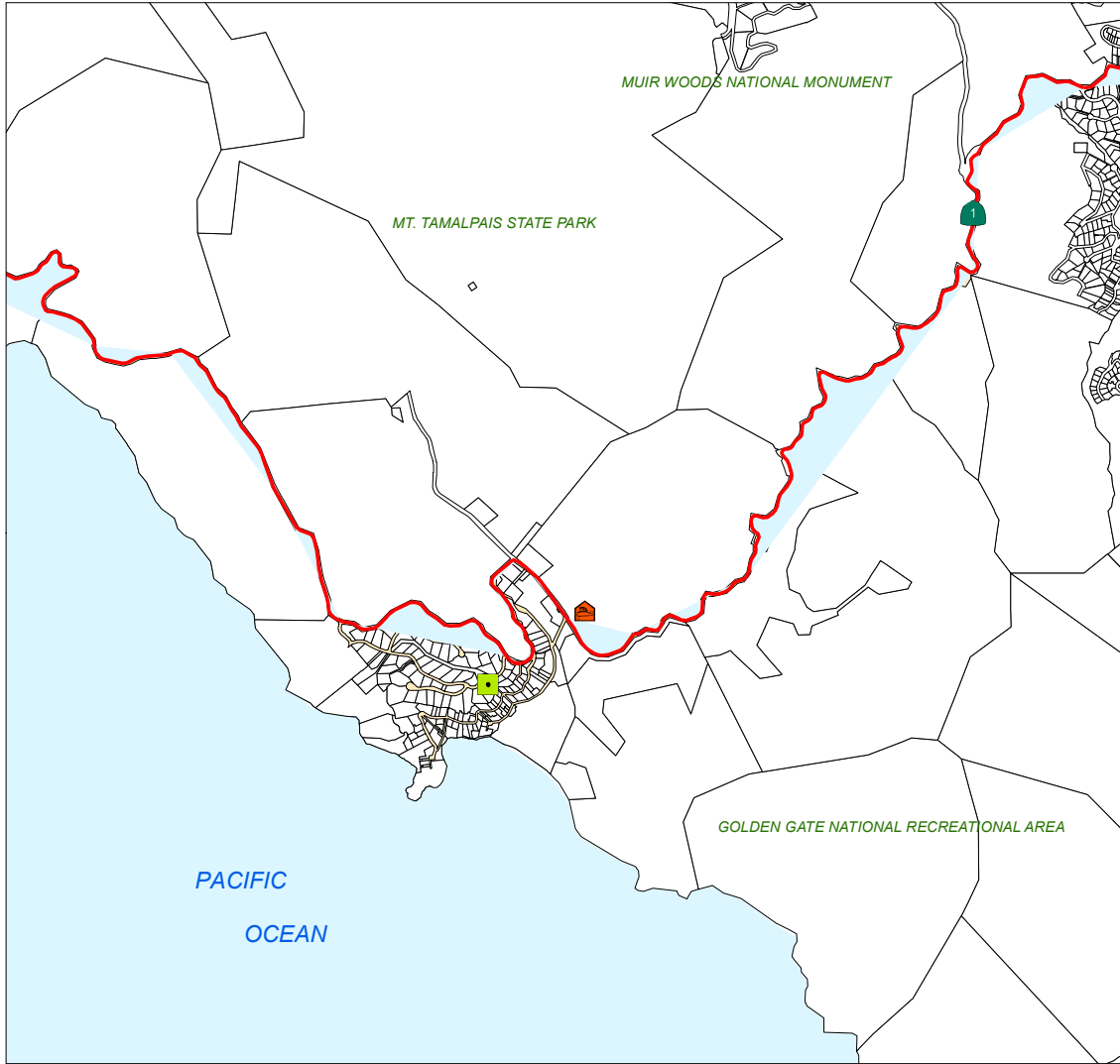
The Muir Beach Community Services District (MBCSD) was formed in 1958 under Section 61600 and 61601 et seq. of the California Government Code.

The district is responsible for fire protection; water distribution, supply and treatment; road and access easement maintenance; and recreation. A five-member Board of Directors, elected at-large, governs the MBCSD. A District Manager is responsible for administrative functions.

The MBCSD is located within the community of Muir Beach and encompasses approximately 820 acres. Properties include the Muir Beach residential area, Green Gulch Zen Center agricultural lands, Pelican Inn, and public lands of GGNRA (including Muir Beach). The MBCSD's boundaries and sphere of influence are coterminous. A map of the MBCSD and its sphere are included on Map 1.

Water System

The water system is owned and operated by the MBCSD, which was established following a voter petition and approval in 1958. The purpose for the District's formation was to take over the assets of the Muir Beach Water Company, which had been formed in 1928, to furnish water to the original Bello Beach Subdivision properties. In 1970, the District acquired the assets of the Seacape Mutual Water Company, which served the Seacape Subdivision properties.







Muir Beach Area
Service Review
July 2007

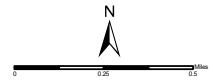
Marin Local Agency
Formation Commission

Map 1
**Muir Beach Community
Services District**

Legend

-  Muir Beach Volunteer Fire Station
-  Muir Beach Community Services District Office and Community Center
-  Parcel Boundary
-  Muir Beach Community Services District

Prepared by:
COUNTY OF MARIN
COMMUNITY DEVELOPMENT AGENCY MAPPING/GRAPHICS
for the:
LOCAL AGENCY FORMATION COMMISSION
JULY 2007 FILE: MUIR_BEACH_SVC_REV.AMKO
THIS MAP IS REPRESENTATIONAL ONLY. DATA ARE NOT SURVEY PRECISE.



The current distribution system is divided into two service zones. The High Zone serves the uphill properties of the Seacape Subdivision and the Low Zone serves the properties of the Bello Beach Subdivision. The combined High Zone and Low Zone systems have a total of 147 water services, including two commercial services; one service to the MBCSD Community Center; one service to the State Park lands on Frank Valley Road; one service to the Muir Beach public park area; and 142 individual residential meters.¹

A major engineering study and evaluation of the District's complete system was conducted in 1987 by Harris Consultants, Inc. in response to concerns regarding the marginal water quality, system reliability and fire flow capacity. The failure of one of the two Low Zone redwood storage tanks awakened the residents to the fact that the water system had severe problems. This evaluation included a review of water supply requirements for domestic use and fire protection, the condition and adequacy of the well supply, water storage requirements and alternatives, the physical condition and hydraulic adequacy of the transmission and distribution system, and a review of water quality.

Since that study, a 20 Year Plan for Water System Capital Improvements (1997-2017) was written in joint by Henry Hyde and Associates and the Associated Business and Community Consultants, Inc. This study laid out the needed capital improvements schedule for the water system including funding mechanisms.

Fire Protection Services

The Muir Beach Volunteer Fire Department (MBVFD) is a department of MBCSD and is a 16 person, 100% volunteer department. The MBCSD allocates funds to the MBVFD. Additional funds are raised by the Fire Department. It also receives monies from the federal government for its assistance in fire protection in the surrounding public lands.

The Muir Beach Volunteer Fireman's Association (MBVFA) is responsible for generating and managing funding for the MBVFD. It has an eight person Board which is also 100% volunteer. There are neither paid administration nor support personnel. All volunteers operate from their homes using their own personal equipment and supplies. Other than the MBVFD Station House provided by the U.S. National Park Service, there are no facilities operated by the Department.

¹ Muir Beach Community Services District, Twenty Year Plan for Water System Capital Improvements, 1997-2016, Henry Hyde and Associates, Associated Business and Community Consultants, Inc. Section 1, Page 1

The fire service responsibilities have expanded dramatically since the inception of the volunteer fire department. In addition to training for structural fires, the MBVFD volunteers are also trained to respond to wildland fires, medical emergencies, vehicle accidents, biking and hiking accidents, floods, mudslides, earthquakes, even chemical and biological emergencies. The response area includes Muir Beach, Green Gulch Farm, Slide Ranch, Muir Woods National Monument, and Mt. Tamalpais State Park. Many of the incidents involve tourists unfamiliar with twisty Highway 1.²

Municipal Service Review Determinations for Muir Beach Community Services District

This report addresses the Municipal Service Review factors specified in LAFCO's governing statute.

1. Government and Operations Structure

A Technical Advisory Committee completed the *Adaptive Management Plan for Well Operations and Water Conservation* in 2003 (adopted in 2005) and looked at alternative water sources including relocation of the District's wells, importation of water from MMWD, water reclamation, and desalination.

The conclusion of this portion of the study stated that due to the District's small size (less than 160 water services) and income potential limits its ability to fund significant costs for providing alternative water facilities and increase water storage. For this reason, it was generally agreed that if and when such improvements are to be done, the funding will be from sources outside the District, including but not limited to grant sources.

The closest option to providing service outside the district boundary would be to expand service to Muir Woods National Park, currently served by Marin Municipal Water District. This would not be feasible due to the demands on the limited water supply would exhaust the otherwise generous safety margin between capacity and actual usage. However, it might be useful to extend the boundary up Muir Woods Road (0.5 mile) to include the District's well sites.³

According to the Marin LAFCO Special District Sphere of Influence Study written in 1984, no alternative government structures are feasible for either the water system or fire department.

² Muir Beach Volunteer Fire Department website; <http://www.muirbeachfire.com/about.html>

³ Leighton Hills, District Manager, Questionnaire and Data Request, 6/12/07

2. Infrastructure Needs and Deficiencies

Water System

According to the Twenty Year Plan for Water System Capital Improvements (1997-2016), the Muir Beach water system is comprised of the following major components:

- Two wells (drilled in 1996 and 2002) located at Santos Meadow between California State Parks and GGNRA on MBCSD property adjacent to Frank Valley Road. The wells draw from an aquifer that flows parallel to Redwood Creek, flowing from Muir Woods to the ocean.
- Chlorination, booster pumping and metering facilities. These are located in a small building adjacent to the wells that also serves as a District office.
- A four inch transmission main running from the wells to the service area.
- A 150,000 gallon redwood storage tank serving the high zone of the system. The high zone tank is located on Seacape Drive adjacent to the Muir Beach Overlook.
- A 100,000 gallon redwood storage tank serving the low zone of the system. The low zone tank is located adjacent to a private road extending from the cul-de-sac at the end of Starbuck Drive.

For infrastructure replacement, MBCSD staff has contracted with outside consulting engineering firms to develop and prioritize recommendations for capital improvements.

Fire Department

The MBVFD owns and maintains engine 676, a donation from the County, with capabilities of fighting wildland and structural fires. Also owned and maintained at that location is apparatus 606, a 4-wheel drive with squad capabilities. All equipment in support of those vehicles, such as turnouts, hoses, nozzles, medical, air tanks, is maintained in the Department's single fire house.

The MBVFD and the MBVFA are working with the U.S. National Park Service (USNPS) to relocate the MBVFD fire house from the inadequate dairy building to the adjacent barn. If this arrangement can be made with the USNPS, then the cost of retrofitting the barn will be substantial.

The MBVFD is trying to replace its antiquated and deteriorating squad truck to provide its volunteer firefighters with safer and more effective quick attack

capabilities. The cost of this fire squad truck replacement is approximately \$150,000

The MBVFD and MBVFA have developed, with the support of grant funds, a substantial fuel abatement program for the wildland-urban interface location. This service requires ongoing funding for the operation, maintenance, replacement and acquisition of the required equipment.

The MBVFD and the MBVFA are working with the Muir Beach residents and the neighboring communities of West Marin to develop an emergency/disaster preparedness program, including shelters, training, supplies and equipment to respond to a long-term isolating event. This service requires ongoing funding for the operation, maintenance, replacement and acquisition of the required equipment.

The MBVFA in collaboration with the MBVFD has developed a 20 year long-range needs analysis that includes all infrastructure and service needs. This long-range budget is then annualized with operating items budgeted for one year, capital and non-consumable items budgeted for up to 20 years (e.g., fire truck, ladders). This long-range budget is re-evaluated and adjusted annually. At this time, all non-consumable and capital acquisitions are made with grant funds and donations.

3. Growth and Population Projections

Based on the 2000 U.S. Census information, the Muir Beach CDP (Census Designated Place) planning area had a population of approximately 295. According to the Marin County Community Development Agency, there were 144 existing units in 2005. It is projected that there will be 31 additional units by 2030 with 13 of them being second units. The 2030 total buildout projection is 175 units. The estimated maximum population projection (2030) is 389, an increase of 31.9% with no accounting for constraints on water capacity.

The District's service area is prevented from expansion as it is surrounded by federal and state park lands and agricultural preserves. According to the Marin County Local Coastal Plan, the Muir Beach area will experience limited expansion of its single-family residential housing.

4. Financing Constraints and Opportunities

Water System

Since 1997, the MBCSD sought to impose an annual parcel tax to fund capital improvements to its water system. In November 2005, they sought an extension of four years for \$300 per household (and \$3,250 per commercial property). It required 66.67 percent (2/3) approval and the measure won with 87 percent of the vote. This new rate will remain in effect for four years. Due to this parcel tax, the district now has a reserve account balance of over \$400,000 (FYE 05/06).

Fire Department

With 148 homes and 295 residents, Muir Beach is one of the smallest communities in the area. Because MBVFD is not a fire district, residents do not pay taxes to support its operation. As a result, the Muir Beach Volunteer Firemen's Association was founded in 1994 to raise money for training, equipment and operations. The annual Memorial Day barbeque, grants, and donations from neighboring fire districts and members of the community are the principal sources of funds.

There has been a significant increase in the fire department's annual budget due to the following factors:

- California legislation now requires volunteer fire departments to provide equipment, training and proficiency levels equal to the State's paid firefighting units.
- MBVFD recently added emergency preparedness (\$8,750/year) and fuel abatement programs (\$11,250/year) to its list of responsibilities.
- Currently, there are no regular funding sources to replace major capital equipment used by the volunteers (two fire trucks, chipper, splitter, tractor and trailer). Both fire trucks have outlived their 20 year life expectancy. At least \$35,000 needs to be set aside annually for funding to replace capital equipment. ⁴

With this increase in the budget, funds raised by the fire department are not adequate anymore. The MBVFD is proposing a \$200 annual parcel tax to help fund fire service responsibilities for Muir Beach. A ballot to impose a special tax will be submitted to the voters in November, 2007.

⁴ Tax Assessment Overview, Fire Department website: <http://www.muirbeachfire.com/news.html>

However, should the \$200/year assessment be rejected, the Emergency Preparedness and Fuel Abatement projects would be abandoned and there would be no funding for equipment replacement. In the long term it is possible that the MBVFD could be disbanded and firefighting responsibilities would be reassigned to the County's Throckmorton Ridge Fire Station.

5. Cost-Avoidance Opportunities

Staff has not identified significant cost avoidance opportunities in fire or water services in the Muir Beach study area that could result from annexations anticipated by adopted spheres of influence or other changes in the relationships between local agencies.

6. Opportunities for Rate Restructuring

Water System

Revenue sources for water service for FY 2005/06 came from water fees (\$88,388); property taxes (\$70,776 plus ERAF of \$19,817); voter-approved parcel tax of \$300 per year for water capital improvements (\$52,703); and investment income (\$17,863).

All water customers (residential and commercial) are charged per the same rate schedule.

Fire Department

MBCSD allocates approximately \$2,800 of its budgeted \$71,000 of property taxes to the fire department. The total fire service revenues from events, grants and donations were \$31,000 in FY 2005/06. Other revenues were from investment income (\$2,800). See page 7 for information on possible future changes in the fire budget due to proposed parcel tax.

7. Opportunities for Shared Facilities

MBCSD has arrangements with the US National Park Services to use its dairy facility at Muir Beach to house the MBVFD fire trucks and equipment. They have a contract with the USNPS for mutual aid and informal mutual aid agreements with Stinson Beach Fire District and Southern Marin Fire. They share purchasing opportunities with County Fire, Stinson Beach Fire District and Bolinas Fire District. They receive Worker's Compensation insurance through County Fire of Marin.

The MBVFD provides mutual aid to the neighboring parklands and communities.

8. Management Efficiencies

Budget and other documents published by MBCSD are generally informative on the nature of services, allocation of resources to those services, performance measures, and projections. The documents are written in plain language for a general audience with an affirmative effort to keep the Muir Beach community informed.

Since the 20 year water capital improvement plan was written and has been implemented, services have improved dramatically and an adequate reserve fund has developed.

9. Local Accountability and Governance

The MBCSD is the governing agency responsible for fire protection and therefore emergency services for the Muir Beach area. The MBVFA is governed by an eight person Board of volunteers who help raise funds for fire services through fundraising events, donations, and grants.

III. SPHERE OF INFLUENCE REVIEW AND UPDATE

Description of Current Sphere of Influence

The Muir Beach Community Facilities District is located in the western part of Marin County. It is bounded on the west by the Pacific Ocean, on the east by Shoreline Highway, and on the north and south by Federal parkland under the GGNRA. Properties include the Muir Beach residential area, Green Gulch Zen Center agricultural lands, Pelican Inn, and public lands of GGNRA (including Muir Beach).

The boundaries and sphere of influence of MBCFD are coterminous. A map of the district and its sphere is shown on page 2.

Service Relationships

Table 1 summarizes the sources of municipal services for the Muir Beach area.

Table 1. Sources of Municipal Service: Muir Beach Area

Area	Police	Fire/Emergency. Medical	Water	Wastewater Disposal	Solid Waste	Comm. Development	Street Maintenance	Parks & Recreation	Library
Muir Beach Area	County Sheriff	Muir Beach CSD CSA #31	Muir Beach CSD	On-site	Waste Management	County	County	County	County - no local branch

The Muir Beach area receives fire and water services from Muir Beach Community Services District as well as mutual aid fire services from County Fire with the nearest county fire station on Throckmorton Ridge. The residences in the Muir Beach area are on septic systems for wastewater disposal. Library services are available through the County, with the nearest branch library located in Stinson Beach. A County public library is also located in Mill Valley on Throckmorton Avenue. Muir Beach has a wide range of recreational opportunities available to residents from Federal, State, and County park facilities.

Need/Demand for Services

Existing and potential housing units and population for the Muir Beach area is shown in Table 3.

Table 3. Estimated Population and Development Potential - Muir Beach Area

	Land Area (acres)	2000 Population	2005 Existing Housing Units	2030 Buildout Housing Units	Estimated Maximum Population	% Potential Area Population Increase
Muir Beach Area	345	295	144	175	389	31.9%

Note: Muir Beach Area 2030 Buildout based on Countywide Plan scenario most likely to be adopted. Second unit projection is based on State and local policy.

The 2000 population of the greater Muir Beach area was approximately 295 within a land area of 345 acres. According to the Marin County Community Development Agency, there is currently 144 housing units with a future development potential of 31 additional units (which includes 13 second units), with maximum population of 389 under current zoning designations.

Ability to Extend Services

Muir Beach is entirely an unincorporated area whose effective boundaries for fire protection are permanently defined by the surrounding state and federal parklands. Consequently, they are a critical wildland-urban interface area that must pro-actively address an abundant and increasing fuel load, in concert with District resources, County, State and Federal agencies. Because of the limited resources of the District, responsibility for areas beyond the immediate boundaries of the District falls largely on the County, State and Federal agencies.

Due to limitations of equipment, volunteer training program, and full-time personnel, fire protection service capacity is below desired levels, especially during the dry months.

MBCSD's water system provides services to a very small area (147 connections) within the District's boundary. Low water supplies indicate expansion of capacity may be needed in order to accommodate future growth.

City and County General Plans

The Muir Beach Community Plan was prepared pursuant to the requirements of the California Coastal Act and the Marin County Local Coastal Program. This plan was completed in 1978.

At the time the Community Plan was written, it was shortly after the drought of 1975-77 which caused a severe water shortage in Marin County. During this time, Muir Beach CSD saw the reality of a limited supply of water from Redwood Creek. The plan states that it is the responsibility of MBCSD to educate the community in water conservation and it is the policy to discourage the sale of water outside the boundaries of the District or to enlarge the boundaries. Also, because of potentially negative impacts on water supply, recreational development in Frank Valley is strongly opposed.

The policies of the Local Coastal Program and the Marin Countywide Plan are aimed at preserving the physical integrity of the coastal villages, keeping them from expanding into the agricultural lands and other open spaces designated for preservation. Because there is no potential for additional visitor-serving uses in Muir Beach, additional water use is limited to the build out of the residential lots and increased demand from the beach park.

Recommendation

Staff recommends that the Commission affirm the current coterminous sphere of influence designation for the Muir Beach Community Services District based on a lack of advantage of organizational alternatives, on the public ownership of all surrounding territory and lack of water supply to support extension of service beyond existing district boundaries.

Consider extending the boundary up Muir Woods Road (0.5 mile) to include the District's well sites. Is this something to consider? It was noted by the manager in data request.