

Agenda for the Regular Meeting of the Marinwood CSD Board of Directors Tuesday – August 13, 2024 – 6:00 PM

Marinwood Community Center, 775 Miller Creek Road, San Rafael, CA 94903

Instructions on how to make a public comment during the meeting: At points in the meeting when the meeting chair requests public comment, members of the public shall indicate their desire to speak. All public comments shall be addressed to the Board of Directors and limited to three minutes per speaker. The Board of Directors may choose to respond to comments or request staff to respond at the conclusion of the public comment period.

Item Description:	Board Action
A. CALL TO ORDER & PLEDGE OF ALLEGIANCE	
B. AGENDA	Adopt
C. PUBLIC COMMENT ON CLOSED SESSION ITEMS	
D. CLOSED SESSION <i>Conference with Labor Negotiators Section 54957.6 Agency designated representatives: Eric Dreikosen. Represented Employees: Marinwood Professional Firefighters</i>	
E. OPEN SESSION: (Open Session will begin no earlier than 7:00PM)	
F. CONSENT CALENDAR a. Draft Minutes of Regular Meeting of July 9, 2024 b. Bills Paid Nos. 8504 – 8649	Approve
G. PUBLIC COMMENT OPEN TIME FOR ITEMS NOT ON AGENDA <i>Speakers may comment only on non-agenda items within the subject matter jurisdiction of the District. The Board may not take action on, consider or debate items not on the agenda except under narrow circumstances meeting statutory tests. Response to comments on non-agenda items will be limited to factual information or clarifying questions from staff or Board at the conclusion of the public comment period. The President may refer the matter to staff or to a future meeting agenda.</i>	
H. DISTRICT MATTERS	
1. Fiscal Year 2023-2024 Year-End Profit & Loss Financial Statements (Pre-audit)	Review
2. Resolution 2024-05: Adopting a Conflict of Interest Code	Approve
3. District Manager Report	Review
I. FIRE DEPARTMENT MATTERS	
1. Draft Minutes of Fire Commission Meeting of August 6, 2024	Review
2. Proposed Revisions to the Marin Wildfire Prevention Authority JPA Agreement	Approve
3. Chief Officer Report and Activity Summary	Review
J. PARK AND RECREATION MATTERS	
1. Draft Minutes of Park & Recreation Commission Meeting of July 23, 2024	Review
2. Recreation and Park Maintenance Activity Reports	Review
K. BOARD MEMBER ITEMS OF INTEREST - REQUESTS FOR FUTURE AGENDA ITEMS	
L. ADJOURN	
DATE OF NEXT REGULAR BOARD MEETING – September 10, 2024	

Requests for disability-related modifications or accommodations, aids or services may be made to the district office no later than 72 hours prior to the meeting by contacting (415) 479-0775

Marinwood Community Services District

Draft Minutes of Board of Directors Meeting
Tuesday – July 9, 2024 – 6:00pm

Time and Place: 6:00PM Marinwood Community Center classroom.

Note: *This meeting as well as prior meetings of the Board of Directors may be viewed on the Marinwood YouTube channel here:* <https://www.youtube.com/channel/UC0dvM2PvtsEzE25eRAf4Jmg>

Present:

Board Members: President Kathleen Kilkenny, Chris Case, Lisa Ruggeri and Bill Shea.

Staff: District Manager Eric Dreikosen, Recreation Director Luke Fretwell, and Accounting & Payroll Manager Tiffany Combrink.

Absent: Director Sivan Oyserman

A. Call to Order & Pledge of Allegiance

Board President Kilkenny called the meeting to order at 6:00pm.

B. Agenda

Agenda adopted as presented.

C. Public Comment on Closed Session Items

No public comments were received.

D. Closed Session

Conference with Labor Negotiators Section 54957.6. Agency designated representative: Eric Dreikosen. Represented Employees: Marinwood Professional Firefighters

Convened at 6:03PM and adjourned at 7:00PM with no reportable action taken

E. Open Session

President Kilkenny called the open session to order at 7:05PM

F. Consent Calendar

a. *Draft Minutes of Regular Meeting of June 11, 2024*

b. *Bills Paid Nos. 8398 - 8503*

Shea to approve/Ruggeri to second “consent calendar as presented.”

Aye: Kilkenny, Case, Ruggeri, Shea. Absent: Oyserman. Motion carried.

G. Public Comment Open Time for Items Not on Agenda

Board of Directors received public comments regarding:

a. Fire Department status and ongoing contract negotiations with firefighters

H. District Matters

1. *District Manager Report*

Board received District Manager Report

I. Fire Department Matters:

1. *Chief Officer Report and Activity Summary*

Board received Chief Officer Report and Activity Summary

J. Park and Recreation Matters:

1. *Recreation and Park Maintenance Activity Reports*

Board received Recreation and Park Maintenance Activity Reports

K. Board Member Items of Interest – Requests for Future Agenda Items

- Director Case requested information regarding fire department consolidation efforts

L. Adjourn

Meeting adjourned at 7:30PM

Tiffany Combrink, Secretary

**MARINWOOD COMMUNITY SERVICES DISTRICT
REQUEST FOR PAYMENT OF CLAIMS**

Treasury Fund 8067

Classes:
Street lights
Fire
Recreation
Park

Approved by the Board of Directors on August 13, 2024

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
8504	7/1/2024	Alonya van Rooyen	308.00	refund summer camp	Rec	4631920	Summer	308.00
8505	7/1/2024	Cicly Emerson	296.00	refund summer camp	Rec	4631920	Summer	296.00
8506	7/1/2024	Julie Pofsky	616.00	refund summer camp	Rec	4631920	Summer	616.00
8507	7/1/2024	First Foundation Bank	73,655.49	Maint. facility loan	Park	5211710	General	61,212.74
					Park	5211715	General	12,442.75
8508	7/1/2024	Racheal Smolen	616.00	refund summer camp	Rec	4631920	Summer	616.00
8509	7/1/2024	Delta Dental	2,042.48	Dental - July	Fire	5130120	General	1,158.27
					Park	5130120	General	468.83
					Rec	5130120	General	415.38
8510	7/1/2024	Marinwood CSD	50,535.27	Health - July	Park	5130120	General	11,009.02
					Rec	5130120	General	9,341.27
					Fire	5130120	General	30,184.98
8511	7/1/2024	SDRMA	257.40	Life ins - July	Fire	5130120	General	81.22
					Park	5130120	General	83.52
					Rec	5130120	General	92.66
8512	7/1/2024	VSP	387.94	Vision - July	Fire	5130120	General	214.51
					Park	5130120	General	95.86
					Rec	5130120	General	77.57
8513	7/1/2024	Astro Jump	1,599.00	summer camp entertainmen	Rec	5220819	Summer	1,599.00
8514	7/1/2024	Mike Della Penna	850.00	summer camp entertainmen	Rec	5220819	Summer	850.00
8515	7/1/2024	Oakland Zoo	2,534.00	summer camp field trip	Rec	5220819	Summer	2,534.00
8516	7/1/2024	Safari Encounters	1,650.00	summer camp entertainmen	Rec	5220819	Summer	1,650.00
8517	7/1/2024	Six Flags Discovery Kingdon	9,253.65	summer camp field trip	Rec	5220819	Summer	9,253.65
8518	7/1/2024	United Coach Tours	14,292.00	summer camp field trip trans	Rec	5220826	Summer	14,292.00
8519	7/10/2024	Jocelyn Wilson	660.00	refund summer camp	Rec	4631920	Summer	660.00
8520	7/10/2024	Kristen Holland	80.00	refund swim lessons	Rec	4631917	Aquatics	80.00
8521	7/10/2024	Neil Smith	1,200.00	MIP 07/12	Rec	5220819	Community	1,200.00
8522	7/10/2024	DKG Dave Garoutte	400.00	stage rental	Rec	5220819	Community	400.00
8523	7/10/2024	Marinwood CSD	482,870.00	FY24/25 Pension UAL	Park	5130510	General	45,825.00
					Rec	5130510	General	58,322.00
					Fire	5130510	General	378,723.00
8524	7/10/2024	Airgas	815.28	pool chems	Rec	5220710	Pool	815.28
8525	7/10/2024	AFLAC	26.50	disability - June	Park	5130120	General	26.50
8526	7/10/2024	Area Printhouse	2,155.72	camp shirts	Rec	5220819	Summer	2,155.72
8527	7/10/2024	AT&T	323.65	phones - June	Fire	5210725	General	150.24
					Park	5210725	General	29.16
					Rec	5210725	General	144.25
8528	7/10/2024	Buck's Saw Service	71.60	equipment maintenance	Park	5220210	General	71.60
8529	7/10/2024	C.A.P.F.	236.00	LTD - July	Fire	5130120	General	236.00
8530	7/10/2024	Comcast	159.80	internet - July	Rec	5210725	General	79.90
					Fire	5210725	General	79.90
8531	7/10/2024	County of Marin	357.31	Park fuel - April	Park	5220610	General	357.31
8532	7/10/2024	Coverall	1,176.00	janitorial - July	Rec	5211110	Building	1,176.00
8533	7/10/2024	DC Electric	315.40	SL maintenance - May	Streetlights	5210915	General	315.40
8534	7/10/2024	EverBank	687.51	copier lease (old)	Rec	5220130	General	446.88
					Fire	5220130	General	171.88
					Park	5220130	General	68.75
8535	7/10/2024	Ewing Irrigation	642.29	irrigation maintenance	Park	5220310	General	642.29
8536	7/10/2024	Got Gophers	275.00	pest control	Park	5211532	General	275.00
8537	7/10/2024	Grainger	413.19	supplies	Fire	5220810	General	413.19
8538	7/10/2024	Greatland	293.47	checks	Rec	5220110	General	293.47
8539	7/10/2024	Hagel Services	1,563.81	janitorial supplies	Rec	5220827	Building	1,563.81
8540	7/10/2024	Home Depot	692.50	supplies	Park	5220310	General	692.50
8541	7/10/2024	L&M Distribution	577.70	tennis nets	Rec	5220819	Tennis	577.70
8542	7/10/2024	Landesign	3,263.00	landscape contractor	Park	5211125	General	3,263.00
8543	7/10/2024	Liebert Cassidy Whitmore	43.50	legal services	Fire	5210131	General	43.50
8544	7/10/2024	Marin General Svcs Authorit	500.00	FY24/25 MGSA member fee	Streetlights	5211610	General	500.00
8545	7/10/2024	Marin Landscape Materials	21.70	wood stakes	Park	5220310	General	21.70
8546	7/10/2024	Marin Municipal Water Distri	11,444.60	Water May/June	Fire	5210835	General	515.00
					Rec	5210835	General	2,268.70
					Park	5210835	General	8,660.90
8547	7/10/2024	Marin Prof Firefighters	2,560.00	June dues	Fire	5211330	General	1,280.00
				July dues	Fire	5211330	General	1,280.00
8548	7/10/2024	Marin Resource Recovery	110.00	debris dump	Park	5210815	General	110.00
8549	7/10/2024	Marin Sanitary Service	3,198.35	Garbage - June	Park	5210815	General	2,238.85
					Rec	5210815	General	639.67
					Fire	5210815	General	319.83
8550	7/10/2024	Mill Valley Refuse Service	1,088.48	porta potty	Park	5211220	General	1,088.48
8551	7/10/2024	Ongaro & Son	600.00	annual backflow testing	Park	5210835	General	480.00
					Rec	5210835	General	60.00
					Fire	5210835	General	60.00
8552	7/10/2024	Pacific Sun	2,121.00	advertising	Rec	5210122	Preschool	531.00
					Rec	5210122	Summer	1,590.00
8553	7/10/2024	Pest Plus	259.00	pest control	Fire	5220310	General	90.00

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
8554	7/10/2024	Pitney Bowes	268.16	postage meter lease Q4	Rec	5220310	General	169.00
					Rec	5220110	General	160.90
					Park	5220110	General	53.63
					Fire	5220110	General	53.63
8555	7/10/2024	Pitney Bowes	500.00	postage	Rec	5220110	General	300.00
					Fire	5220110	General	100.00
					Park	5220110	General	100.00
8556	7/10/2024	Project A	40.00	email hosting	Rec	5220110	General	20.00
					Fire	5220110	General	20.00
8557	7/10/2024	Quill	141.75	cleaning supplies	Fire	5220827	General	141.75
8558	7/10/2024	Silbermann's Ice Cream	975.00	ice cream	Rec	5220826	Pool	975.00
8559	7/10/2024	SiteOne Landscaping Supply	983.36	irrigation maintenance	Park	5220310	General	983.36
8560	7/10/2024	Slembrouck Many Corporati	500.00	annual alarm testing	Park	5220310	General	500.00
8561	7/10/2024	Marin Ace	85.04	supplies	Park	5220310	General	85.04
8562	7/10/2024	Staples	134.74	office supplies	Rec	5220110	General	134.74
8563	7/10/2024	Studio Weeren	180.00	Web maint Q1	Park	5210122	General	36.00
					Rec	5210122	General	108.00
					Fire	5210122	General	36.00
8564	7/10/2024	T-mobile	153.24	cell phones	Fire	5210725	General	153.24
8565	7/10/2024	Wells Fargo	644.08	copier lease	Rec	5220130	General	418.65
					Fire	5220130	General	161.02
					Park	5220130	General	64.41
8566	7/11/2024	Marinwood CSD	207,622.00	Fire Salaries	Fire	5110110	General	28,476.00
				Fire OT	Fire	5120110	General	14,121.00
				Acting Pay	Fire	5110310	General	148.80
				4850 Pay	Fire	5110110	General	3,757.60
				Holiday Pay	Fire	5110313	General	3,453.60
				Admin Asst	Fire	5110110	Admin	1,063.36
				Admin Mgr	Fire	5110110	Admin	2,884.80
				Admin Asst	Rec	5110110	Admin	1,063.36
				Admin Asst	Park	5110110	Admin	531.68
				Admin Mgr	Rec	5110110	Admin	1,442.40
				Admin Mgr	Park	5110110	Admin	1,442.40
				Rec Dir	Rec	5110110	General	2,848.72
				Rec Dir	Park	5110110	General	1,220.88
				Rec salary	Rec	5110110	General	8,694.40
				Park salary	Park	5110110	General	7,850.40
				Park hourly	Park	5110210	General	45.00
				Building attendants	Rec	5110210	Building	160.00
				Pool Staff	Rec	5110210	Pool	28,358.36
				Swim Team	Rec	5110210	Swim Team	360.00
				Aquatics	Rec	5110210	Aquatics	9,114.76
				Summer	Rec	5110210	Summer	81,953.07
				PR fees	Fire	5210230	General	182.76
				PR fees	Rec	5210230	General	518.65
				PR fees	Park	5210230	General	25.79
				SS + Medicare	Fire	5140140	General	3,815.53
				SS + Medicare	Rec	5140140	General	10,491.10
				SS + Medicare	Park	5140140	General	601.74
				EDU + SUJ	Rec	5140145	General	1,876.09
				EDU + SUJ	Park	5140145	General	0.71
				Benefits withholding	Park	2120066	General	-1,209.64
				Benefits withholding	Rec	2120066	General	-1,543.73
				Benefits withholding	Fire	2120066	General	-6,127.59
8567	7/11/2024	Marinwood CSD	16,494.48	Retire 07/12	Park	5130510	General	1,807.89
					Rec	5130510	General	2,455.35
					Fire	5130510	General	12,231.24
8568	7/16/2024	Blake Bostwick	596.00	refund summer camp	Rec	4631920	Summer	596.00
8569	7/16/2024	Christina Cairns	205.00	refund swim lessons	Rec	4631917	Aquatics	205.00
8570	7/16/2024	Gina Jaeger	257.00	refund summer camp	Rec	4631920	Summer	257.00
8571	7/16/2024	Jaime McAllister	596.00	refund summer camp	Rec	4631920	Summer	596.00
8572	7/16/2024	Julia Cavanaugh	308.00	refund summer camp	Rec	4631920	Summer	308.00
8573	7/16/2024	Kevin Menchavez	388.00	refund summer camp	Rec	4631920	Summer	388.00
8574	7/16/2024	Rebekah Stout	257.00	refund summer camp	Rec	4631920	Summer	257.00
8575	7/16/2024	Beth Allan	228.00	refund pool membership	Rec	4631918	Pool	228.00
8576	7/16/2024	Briana Nix	616.00	refund summer camp	Rec	4631920	Summer	616.00
8577	7/16/2024	National Academy of Athletic	3,270.40	All Sorts of Sports camp	Rec	5210146	Summer	3,270.40
8578	7/16/2024	Jerry Mehciz	3,052.80	Tennis	Rec	5210146	Tennis	3,052.80
8579	7/16/2024	A&S Landscape Materials	539.68	lawn, sod, sand	Park	5220310	General	539.68
8580	7/16/2024	AT&T	80.25	internet - July	Park	5210725	General	80.25
8581	7/16/2024	Robyn Bruton	97.92	supplies	Rec	5220819	Preschool	9.26
					Rec	5220819	Summer	88.66
8582	7/16/2024	Derek Mantor	78.40	refund tennis	Rec	4631915	Tennis	78.40
8583	7/17/2024	Steve Adams	6,950.00	tennis courts 1&2 repair	Park	5220910	General	6,950.00
8584	7/17/2024	Barbara Sansone	617.00	refund summer camp	Rec	4631920	Summer	617.00
8585	7/17/2024	City of Foster City	4,078.00	Annual CalOpps membershi	Park	5210122	General	815.00
					Rec	5210122	General	1,631.50
					Fire	5210122	General	1,631.50
8586	7/17/2024	DC Electric	256.67	light shield installation	Streetlights	5210915	General	256.67
8587	7/17/2024	Joyce Day	1,006.00	refund summer camp	Rec	4631920	Summer	1,006.00

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
8588	7/17/2024	Katie Washington	1,608.00	refund summer camp	Rec	4631920	Summer	1,608.00
8589	7/17/2024	Margaret Turnball	477.00	refund summer camp	Rec	4631920	Summer	237.00
				refund swim lessons	Rec	4631917	Aquatics	240.00
8590	7/17/2024	Carolyn Sullivan	46.72	supplies	Rec	5220819	Aquatics	17.00
					Rec	5220819	Summer	29.72
8591	7/17/2024	Jochum Architects	4,151.25	bunkroom permit drawings	Fire	5220910	General	4,151.25
8592	7/17/2024	Leslie's Pool Supply	1,045.34	pool chems	Rec	5220710	Pool	1,045.34
8593	7/17/2024	Marinwood CSD	50,559.66	Health - Aug	Park	5130120	General	11,014.33
					Rec	5130120	General	9,345.78
					Fire	5130120	General	30,199.55
8594	7/17/2024	PG&E	1,075.19	Gas - June	Rec	5210810	General	1,046.11
					Fire	5210810	General	29.08
8595	7/17/2024	Silbermann's Ice Cream	780.00	ice cream	Rec	5220826	Pool	780.00
8596	7/17/2024	SolEd Solar Holdings	2,531.91	Solar - June	Rec	5210810	General	1,830.16
					Fire	5210810	General	701.75
8597	7/17/2024	SDRMA	257.40	Life ins - Aug	Fire	5130120	General	81.22
					Park	5130120	General	83.52
					Rec	5130120	General	92.66
8598	7/17/2024	State of CA - Industrial Relat	299.20	Pool inspection - green slide	Rec	5211610	Pool	299.20
8599	7/24/2024	Salma Taha	17.28	field trip mileage	Rec	5220819	Summer	17.28
8600	7/24/2024	Sean Silverman	1,500.00	Brewfest entertainment	Rec	5220819	Community	1,500.00
8601	7/24/2024	National Academy of Athletic	3,752.00	Flag Football camp	Rec	5210146	Summer	3,752.00
8602	7/24/2024	Jerry Mehcz	527.68	Tennis	Rec	5210146	Tennis	527.68
8603	7/24/2024	Play-Well TEKologies	3,589.04	Lego camp	Rec	5210146	Summer	3,589.04
8604	7/24/2024	CalPERS	8,333.00	CERBT July	Park	5130130	General	1,833.00
					Rec	5130130	General	833.00
					Fire	5130130	General	5,667.00
8605	7/27/2024	City of San Rafael	61,245.16	Chief officer services Q3-Q4	Fire	5210146	General	55,830.76
				SSA OT Q3-Q4	Fire	5120110	General	5,414.40
8606	7/24/2024	County of Marin	4,037.71	LAFCO FY24/25	Park	5211610	General	1,009.42
					Rec	5211610	General	1,009.42
					Fire	5211610	General	2,018.87
8607	7/24/2024	DC Electric	315.40	SL maintenance - June	Streetlights	5210915	General	315.40
8608	7/24/2024	Delta Dental	2,042.48	Dental - Aug	Fire	5130120	General	1,158.28
					Park	5130120	General	468.83
					Rec	5130120	General	415.37
8609	7/24/2024	City of San Rafael	36,465.17	D-space home evals	MWPA	5820100	General	35,367.75
				Local projects	MWPA	5820100	General	1,097.42
8610	7/24/2024	Kyocera	458.29	copier print overage	Park	5220130	General	45.83
					Rec	5220130	General	297.89
					Fire	5220130	General	114.57
8611	7/24/2024	Liebert Cassidy Whitmore	3,146.50	legal services	Fire	5210131	General	130.50
				MOU audit	Fire	5210131	General	3,016.00
8612	7/24/2024	Los Primos Tree Service	1,500.00	tree removal	Park	5211528	General	1,500.00
8613	7/24/2024	Marin County Fire Chiefs As	2,729.00	association dues	Fire	5211330	General	936.00
				County wide fire programs	Fire	5211610	General	1,793.00
8614	7/24/2024	Marin Health & Human Servi	104.00	EMT renewal - Brackett/Corr	Fire	5211340	General	104.00
8615	7/24/2024	Marinwood Market	6,887.00	camp lunches 0617-0621	Rec	5220819	Summer	3,231.75
				camp lunches 0624-0628	Rec	5220819	Summer	3,655.25
8616	7/24/2024	PG&E	1,697.18	Streetlights - July	Streetlights	5210825	General	1,697.18
8617	7/24/2024	PG&E	1,663.51	Electric - June	Rec	5210810	General	1,229.23
					Fire	5210810	General	209.22
					Park	5210810	General	225.06
8618	7/25/2024	Jamie Katoff	52.00	refund summer camp	Rec	4631920	Summer	52.00
8619	7/25/2024	National Academy of Athletic	4,300.00	Basketball camp	Rec	5210146	Summer	4,300.00
8620	7/25/2024	Kidscontent	3,993.38	Robotics camp	Rec	5210146	Summer	3,993.38
8621	7/25/2024	Jerry Mehcz	2,020.80	Tennis	Rec	5210146	Tennis	2,020.80
8622	7/25/2024	Marinwood CSD	240,627.57	Fire Salaries	Fire	5110110	General	28,230.54
				Fire OT	Fire	5120110	General	21,212.13
				FLSA	Fire	5110319	General	1,110.80
				Acting Pay	Fire	5110310	General	47.76
				4850 Pay	Fire	5110110	General	3,757.60
				Admin Asst	Fire	5110110	Admin	1,111.36
				Admin Mgr	Fire	5110110	Admin	2,884.80
				Admin Asst	Rec	5110110	Admin	1,111.36
				Admin Asst	Park	5110110	Admin	555.68
				Admin Mgr	Rec	5110110	Admin	1,442.40
				Admin Mgr	Park	5110110	Admin	1,442.40
				Rec Dir	Rec	5110110	General	2,976.40
				Rec Dir	Park	5110110	General	1,275.60
				Rec salary	Rec	5110110	General	9,085.60
				Park salary	Park	5110110	General	8,321.60
				Park hourly	Park	5110210	General	50.00
				Building attendants	Rec	5110210	Building	224.00
				Pool Staff	Rec	5110210	Pool	30,822.10
				Aquatics	Rec	5110210	Aquatics	10,509.25
				Summer	Rec	5110210	Summer	103,215.07
				PR fees	Fire	5210230	General	175.69
				PR fees	Rec	5210230	General	541.70
				PR fees	Park	5210230	General	24.16

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
				SS + Medicare	Fire	5140140	General	4,156.00
				SS + Medicare	Rec	5140140	General	12,341.88
				SS + Medicare	Park	5140140	General	735.76
				EDU + SUI	Rec	5140145	General	2,231.65
				EDU + SUI	Park	5140145	General	0.80
				Benefits withholding	Park	2120066	General	-1,370.38
				Benefits withholding	Rec	2120066	General	-1,464.83
				Benefits withholding	Fire	2120066	General	-6,131.31
8623	7/25/2024	Marinwood CSD	15,700.80	Retire 07/26	Park	5130510	General	1,892.94
					Rec	5130510	General	2,555.98
					Fire	5130510	General	11,251.88
8624	7/30/2024	Courtney Paulger	846.00	refund summer camp	Rec	4631920	Summer	596.00
				refund swim lessons	Rec	4631917	Aquatics	250.00
8625	7/30/2024	Laurie Purdy-McFadden	776.00	refund summer camp	Rec	4631920	Summer	596.00
				refund swim lessons	Rec	4631917	Aquatics	180.00
8626	7/30/2024	Ryan Mize	257.00	refund summer camp	Rec	4631920	Summer	257.00
8627	7/30/2024	City of San Rafael	17,754.00	E58 / E658 maintenance	Fire	5210910	General	17,754.00
8628	7/30/2024	City of San Rafael	11,244.26	E58 tires and maintenance	Fire	5210910	General	11,244.26
8629	7/30/2024	Comcast	206.16	Cable - July	Fire	5210725	General	206.16
8630	7/30/2024	Comcast	159.80	Internet - Aug	Fire	5210725	General	79.90
					Rec	5210725	General	79.90
8631	7/30/2024	County of Marin	1,144.94	Bunkroom plan review fees	Fire	5220910	General	1,144.94
8632	7/30/2024	County of Marin	219.44	Fuel - June	Park	5220610	General	219.44
8633	7/30/2024	Grainger	843.05	utility container	Park	5220310	General	156.08
				trash bags	Park	5220310	General	686.97
8634	7/30/2024	Curtis & Sons	835.30	foam concentrate	Fire	5220810	General	835.30
8635	7/30/2024	Marin Emergency Radio Autl	30,653.00	MERA 24/25 operating fee	Park	5210920	General	3,064.00
					Fire	5210920	General	27,589.00
8636	7/30/2024	Marinwood Market	5,406.50	camp lunches 0701-0703	Rec	5220819	Summer	2,141.50
				camp lunches 0708--0712	Rec	5220819	Summer	3,265.00
8637	7/30/2024	Michael Gast	250.00	refund summer camp	Rec	4631920	Summer	250.00
8638	7/30/2024	Mike Testa Plumbing	755.07	CC restroom repairs	Rec	5220310	Building	755.07
8639	7/30/2024	Pest Plus	259.00	pest control	Fire	5220310	General	90.00
					Rec	5220310	General	169.00
8640	7/30/2024	Pet Waste Eliminator	320.42	pet waste bags	Park	5220310	General	320.42
8641	7/30/2024	Project A	40.00	email hosting	Rec	5220110	General	20.00
					Fire	5220110	General	20.00
8642	7/30/2024	Silbermann's Ice Cream	805.00	ice cream	Rec	5220826	Pool	805.00
8643	7/30/2024	SDRMA	165,014.39	WC FY24/25	Fire	5140115	General	93,893.19
					Park	5140115	General	29,537.58
					Rec	5140115	General	41,583.62
8644	7/30/2024	SDRMA	81,907.89	P/L & Auto FY24/25	Fire	5210525	General	29,310.43
					Rec	5210525	General	25,751.15
					Park	5210525	General	26,846.31
8645	7/30/2024	Marin Ace	293.91	supplies	Park	5220310	General	293.91
8646	7/30/2024	T-mobile	153.26	cell phones	Fire	5210725	General	153.26
8647	7/30/2024	VSP	387.94	Vision - Aug	Fire	5130120	General	214.51
					Park	5130120	General	95.86
					Rec	5130120	General	77.57
8648	7/30/2024	Astro Jump	999.00	07/31 camp entertainment	Rec	5220819	Summer	999.00
8649	7/30/2024	State of CA - Industrial Relat	440.00	Pool slide inspections	Rec	5211610	Pool	440.00
TOTAL:			1,723,803.51					1,723,803.51

Total by Department:

Streetlights	3,084.65
Fire Department	843,203.41
Recreation Department	579,033.18
Park Department	262,017.10
Measure A	0.00
MWPA	36,465.17
Capital	0.00
Unclassified	0.00



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: August 13, 2024
Re: Preliminary Year-End Profit & Loss Financial Statements

Directors,

Please see the included pre-audit year-end *profit & loss budget to actuals* financial report for fiscal year 2023-2024. Please note, the associated financial statements solely represent operating revenue and expenditures for the fiscal year measured against the original operating budget approved by the Board of Directors. Information regarding the capital outlay for the emergency creek bank repair project are detailed further down in this report. All data remains subject to change in the event any adjustments are identified during the annual fiscal audit.

At the time of this writing staff are still awaiting final figures on two items that will be incorporated into the financial statements for FY 23-24. This consists of the Q4 interest revenue for our funds held in the County Treasury as well as a final reconciliation of workers' compensation costs based on actual payroll amounts.

For the fiscal year, total operating revenue exceeded operating expenses by approximately \$970K compared to the budgeted net gain of approximately \$443,000.

- Total combined ad valorem tax revenue (revenue minus County-levied fees) exceeded budget forecasts by approximately \$173,000.
- Capital Reserves Designation was budgeted at \$100,000. However, this is not an actual expenditure and accordingly not recognized within the P&L statement. It is included in the budget to account for these desired reserves during budget preparation. An adjusting journal entry will be made on the balance sheet during the audit process.

Other individual department specific summary and variance notes are included immediately following the financial statements.

The following notable items are represented within the P&L Statement but were booked as Accounts Payable or Accounts Receivable. The associated revenue and/or expenditures were known and earned or incurred prior to June 30, 2024 and booked against the balance sheet for accounting purposes:

Accounts Receivable:

- Shared Services overtime reimbursement from San Rafael FD (Fire – 4570110): \$12,968
- Paramedic incentive reimbursement from San Rafael FD (Fire – 4710631): \$16,288
Billing invoice for both items has been sent to City of San Rafael

Accounts Payable:

- San Rafael Chief Officer Services (Fire – 5210146): \$55,830
- Shared Services overtime incurred in Marinwood (Fire – 5120110): \$5,414
Invoice has since forth been received

Additionally, slightly over \$1.038 million in unearned revenue for summer camp and pool fees were received during FY 23/24 and deferred to FY 24/25 revenue accordingly.

Regarding operational budget capital expenditures, we were able to complete the following capital projects and expenditures during the fiscal year:

- Replaced Marinwood Park Play Structures
- Painted and stained community center and pool buildings
- Replaced pool shower
- Installed new pool pump and motor
- Installed new water flow pump on wildland fire engine

The following planned capital projects and expenditures were not completed and were subsequently carried over to the 2024/2025 fiscal year budget:

- New utility vehicle for park department to replace existing aging utility vehicle (*on order*)
- ADA chair lift for pool to replace aging existing chair lift.
- Fire station bunk room conversion to individual sleeping quarters

As mentioned earlier, the emergency creekbank repair capital project, which included rebuilding the creek with large boulders, construction of a retaining wall at top of bank and waterproofing the pool mechanical building is not reflected in the annual operating budget and associated financial statements. In total, the District expended \$727,088 during the fiscal year on this project (\$774,377 in total), allocated from our general fund. Staff remain optimistic a large portion of this expense will be covered through an ongoing FEMA claim, though it remains unclear as to when we will receive confirmation regarding coverage and to what amount, if any.

Factoring in this non-budgeted capital expense of \$727K against the operational net gain of \$970K, the actual fiscal year net gain is approximately \$243K.

Measure A: The District has \$65,036 remaining in available Measure A funds as of 6/30/24 with an additional \$115K anticipated to be received this fiscal year. The Board of Directors have authorized staff to use Measure A funds to replaster the pool(s) this coming fiscal year.

OPEB Trust: During FY 23/24 the District continued its practice of contributing \$100K into the OPEB Trust account. As of 6/30/24, the Trust balance was stated at just over \$752K.

In summary and taking all of the above information into account, the District managed to conclude the fiscal year with a positive financial performance. As of June 30, 2024, the cash balance in the District's General Fund (*includes \$223,634 in designated MWPA funds*) was approximately \$8.58 million, an increase of approximately \$290K from June 30, 2023.

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	DISTRICT TOTAL		
	Jul '23 - Jun 24	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	2,086,306.10	1,996,500.00	104.5%
4110111 · PropTax - Admin Fee (Contra)	-23,941.86	-25,000.00	95.77%
4110115 · PropTax - Unitary	17,962.57	11,500.00	156.2%
4110120 · PropTax - Current Unsecured	39,185.25	32,000.00	122.45%
4110140 · ERAF - Excess	240,877.93	200,000.00	120.44%
4110145 · ERAF - PY/Reverse	36,253.57	13,500.00	268.55%
4110210 · PropTax - Supplemental Current	38,460.88	36,000.00	106.84%
4110215 · PropTax - Supplemental Unsecure	2,492.94	500.00	498.59%
4110225 · PropTax - Supplemental Redempt	390.49	1,000.00	39.05%
4110510 · PropTax - Prior Unsecured	2,289.94	1,000.00	228.99%
4120610 · Special Tax Assessment	1,790,141.56	1,784,404.00	100.32%
4120611 · Special Tax- Admin Fee (contra)	-3,644.00	-4,000.00	91.1%
4220115 · Building Plan Review	11,546.00	8,500.00	135.84%
4410125 · Interest- Co. Pooled Investment	170,709.62	5,000.00	3,414.19%
4410127 · Interest- ERAF Co. Pooled	363.52	100.00	363.52%
4410215 · Rental Income - Pool & Picnic	38,054.36	30,000.00	126.85%
4410225 · Rental Income - Community Ctr	6,011.94	5,000.00	120.24%
4511210 · HOPTR	7,386.32	7,500.00	98.48%
4530527 · Grant Rev - Designated	142,362.00	177,952.00	80.0%
4570110 · Expense Reimbursements	16,038.36	500.00	3,207.67%
4631145 · Service Contract Revenue	112,027.00	107,226.00	104.48%
4631911 · Advertising Sales	4,323.02	4,000.00	108.08%
4631912 · Vending Sales	41,042.95	27,000.00	152.01%
4631914 · Community Events	22,324.01	17,840.00	125.14%
4631915 · Tennis	98,481.84	82,500.00	119.37%
4631917 · Pool Operating Rev	204,158.05	212,000.00	96.3%
4631918 · Pool Memberships	65,460.30	70,000.00	93.52%
4631919 · Adult Rec Programs	27,212.41	13,160.00	206.78%
4631920 · Summer Rec Programs	1,085,850.32	1,141,791.00	95.1%
4631922 · Youth Rec Programs	257,328.23	248,646.00	103.49%
4640321 · CSA 13 Contract Rev	734,960.00	723,630.00	101.57%
4710615 · Donations (General)	0.00	1,000.00	0.0%
4710631 · Paramedic Reimbursement	30,457.13	35,000.00	87.02%
4710642 · Miscellaneous Rev	10,737.72	900.00	1,193.08%
Total Revenue	7,313,610.47	6,966,649.00	104.98%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	DISTRICT TOTAL		
	Jul '23 - Jun 24	Budget	% of Budget
Expenditures			
5110110 · Salaries - Regular Staff	1,557,567.33	1,634,496.00	95.29%
5110210 · Salaries - PT/Seasonal/Temp	871,217.88	894,532.00	97.39%
5110310 · Acting Pay	2,358.92	10,000.00	23.59%
5110313 · Holiday Pay	37,872.24	41,835.00	90.53%
5110319 · FLSA Pay	12,918.56	24,847.00	51.99%
5120110 · Overtime Pay	414,629.86	150,500.00	275.5%
5130120 · Benefits - Group Medical	564,446.66	619,606.00	91.1%
5130130 · OPEB Trust Contribution	100,000.00	100,000.00	100.0%
5130510 · PERS - Pension	760,669.85	773,336.00	98.36%
5140115 · Workers Comp Ins.	165,827.72	182,961.00	90.64%
5140116 · 4850 Reimbursements (Contra)	-1,590.87	0.00	100.0%
5140130 · Physician Services	250.00	2,450.00	10.2%
5140140 · Social Security & Medicare	213,236.09	210,348.00	101.37%
5140145 · Unemployment Ins.	14,100.78	19,792.00	71.25%
5210120 · Consultant Fees	9,990.00	12,700.00	78.66%
5210122 · Marketing & Recruiting	48,333.32	43,400.00	111.37%
5210128 · Fingerprinting/Background	4,999.00	7,000.00	71.41%
5210131 · Legal Services	437.00	17,000.00	2.57%
5210146 · Indep. Contractor Fees	283,123.38	221,173.00	128.01%
5210210 · Audit & Accounting	16,868.25	15,000.00	112.46%
5210230 · Payroll Service Fees	12,171.40	10,750.00	113.22%
5210525 · Insurance - General	72,856.23	73,190.00	99.54%
5210530 · Legal Settlements	1,294.33	0.00	100.0%
5210725 · Telecom - Phone/Internet/Cable	11,149.96	12,220.00	91.24%
5210810 · Utilities - Gas & Electric	67,946.16	80,000.00	84.93%
5210815 · Garbage Removal	36,292.61	37,110.00	97.8%
5210825 · Utilities - Street Light Elec.	19,909.54	17,700.00	112.48%
5210835 · Utilities - Water & Sewer	56,277.84	50,000.00	112.56%
5210910 · Maint. - Vehicles	27,303.75	19,500.00	140.02%
5210915 · Maint. - Streetlights	4,601.58	5,925.00	77.66%
5210920 · MERA Operating	30,012.00	30,010.00	100.01%
5211110 · Janitorial Services	14,731.06	16,000.00	92.07%
5211125 · Community Landscape Contract	38,016.00	38,500.00	98.74%
5211140 · Vegetation Management	0.00	5,000.00	0.0%
5211220 · Equipment Rental	6,824.36	7,500.00	90.99%
5211310 · Awards & Incentives	0.00	1,500.00	0.0%
5211315 · Professional Development	9,001.40	24,500.00	36.74%
5211325 · Conferences & Meetings	4,444.94	6,600.00	67.35%
5211330 · Memberships & Dues	10,252.84	11,800.00	86.89%
5211440 · Travel	22.00	3,300.00	0.67%
5211520 · Publications & Legal Notices	113.96	750.00	15.2%
5211528 · Tree Maint. & Services	19,960.00	20,000.00	99.8%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	DISTRICT TOTAL		
	Jul '23 - Jun 24	Budget	% of Budget
5211532 · Weed & Pest Control	3,300.00	3,800.00	86.84%
5211545 · Election Expense	7,267.34	0.00	100.0%
5211610 · County-Wide Fees	11,997.56	13,160.00	91.17%
5211710 · Long Term Debt - Principal	100,118.14	100,112.00	100.01%
5211715 · Long Term Debt - Interest	16,290.34	16,296.00	99.97%
5220110 · Admin & Office Supplies	18,038.10	21,800.00	82.74%
5220130 · Copier Lease & Printing	13,927.23	8,885.00	156.75%
5220210 · Equip. Maintenance/Replacement*	26,407.84	33,900.00	77.9%
5220215 · Pool Maintenance	14,345.98	20,000.00	71.73%
5220220 · Small Tools	162.38	2,500.00	6.5%
5220310 · Land & Buildings Maintenance	52,460.84	63,000.00	83.27%
5220610 · Gasoline/Fuel	5,067.01	4,500.00	112.6%
5220710 · Pool Chemicals	10,325.61	12,500.00	82.61%
5220810 · Miscellaneous Supplies	2,848.54	26,000.00	10.96%
5220819 · Rec Program Supplies & Services	205,098.54	231,300.00	88.67%
5220825 · Uniforms & Apparel	7,381.60	15,500.00	47.62%
5220826 · Vending Supplies	26,384.83	18,000.00	146.58%
5220827 · Janitorial Supplies	8,864.19	12,000.00	73.87%
5220830 · Volunteer Fire Department	0.00	2,000.00	0.0%
5220910 · Capital Outlay - Improvements	22,081.10	91,000.00	24.27%
5220916 · Capital Outlay - New Equipment	270,531.20	273,940.00	98.76%
5220920 · Capital Reserves Designation	0.00	100,000.00	0.0%
Total Expenditures	6,343,336.30	6,523,024.00	97.25%
Net Gain/Loss	970,274.17	443,625.00	218.72%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Park Dept		
	Jul '23 - Jun 24	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	869,989.65	832,540.00	104.5%
4110111 · PropTax - Admin Fee (Contra)	-9,983.74	-10,425.00	95.77%
4110115 · PropTax - Unitary	7,490.40	4,795.00	156.21%
4110120 · PropTax - Current Unsecured	16,340.23	13,344.00	122.45%
4110140 · ERAF - Excess	100,446.09	83,400.00	120.44%
4110145 · ERAF - PY/Reverse	15,117.74	5,629.00	268.57%
4110210 · PropTax - Supplemental Current	16,038.18	15,012.00	106.84%
4110215 · PropTax - Supplemental Unsecure	1,039.55	208.00	499.78%
4110225 · PropTax - Supplemental Redempt	162.84	417.00	39.05%
4110510 · PropTax - Prior Unsecured	954.92	417.00	229.0%
4120610 · Special Tax Assessment	439,211.32	439,211.00	100.0%
4120611 · Special Tax- Admin Fee (contra)	-892.79	-1,000.00	89.28%
4410125 · Interest- Co. Pooled Investment	71,185.91	2,085.00	3,414.19%
4410127 · Interest- ERAF Co. Pooled	151.59	100.00	151.59%
4511210 · HOPTR	3,080.10	3,127.00	98.5%
4530527 · Grant Rev - Designated	142,362.00	177,952.00	80.0%
4570110 · Expense Reimbursements	1,081.11		
4710642 · Miscellaneous Rev	488.20	150.00	325.47%
Total Revenue	1,674,263.30	1,566,962.00	106.85%
Expenditures			
5110110 · Salaries - Regular Staff	283,866.56	268,056.00	105.9%
5110210 · Salaries - PT/Seasonal/Temp	8,982.00	14,400.00	62.38%
5120110 · Overtime Pay	0.00	500.00	0.0%
5130120 · Benefits - Group Medical	124,945.25	136,810.00	91.33%
5130130 · OPEB Trust Contribution	24,000.00	24,000.00	100.0%
5130510 · PERS - Pension	64,698.56	65,473.00	98.82%
5140115 · Workers Comp Ins.	28,356.54	31,514.00	89.98%
5140140 · Social Security & Medicare	16,023.01	21,646.00	74.02%
5140145 · Unemployment Ins.	411.72	892.00	46.16%
5210120 · Consultant Fees	4,765.00	6,550.00	72.75%
5210122 · Marketing & Recruiting	1,041.13	2,300.00	45.27%
5210131 · Legal Services	263.00	5,000.00	5.26%
5210210 · Audit & Accounting	4,217.06	3,750.00	112.46%
5210230 · Payroll Service Fees	880.40	750.00	117.39%
5210525 · Insurance - General	24,228.24	23,910.00	101.33%
5210725 · Telecom - Phone/Internet/Cable	2,287.45	2,450.00	93.37%
5210810 · Utilities - Gas & Electric	3,465.30	4,000.00	86.63%
5210815 · Garbage Removal	26,456.42	27,000.00	97.99%
5210835 · Utilities - Water & Sewer	30,645.69	27,500.00	111.44%
5210910 · Maint. - Vehicles	1,846.61	2,000.00	92.33%
5210920 · MERA Operating	3,000.00	3,000.00	100.0%
5211125 · Community Landscape Contract	38,016.00	38,500.00	98.74%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Park Dept		
	Jul '23 - Jun 24	Budget	% of Budget
5211220 · Equipment Rental	6,824.36	7,500.00	90.99%
5211315 · Professional Development	370.00	2,000.00	18.5%
5211325 · Conferences & Meetings	1,111.36	1,200.00	92.61%
5211330 · Memberships & Dues	2,250.00	2,750.00	81.82%
5211440 · Travel	22.00	800.00	2.75%
5211520 · Publications & Legal Notices	113.96	250.00	45.58%
5211528 · Tree Maint. & Services	19,960.00	20,000.00	99.8%
5211532 · Weed & Pest Control	3,300.00	3,800.00	86.84%
5211545 · Election Expense	3,633.67	0.00	100.0%
5211610 · County-Wide Fees	742.45	875.00	84.85%
5211710 · Long Term Debt - Principal	59,813.11	59,813.00	100.0%
5211715 · Long Term Debt - Interest	13,842.38	13,842.00	100.0%
5220110 · Admin & Office Supplies	2,984.92	1,800.00	165.83%
5220130 · Copier Lease & Printing	1,509.09	890.00	169.56%
5220210 · Equip. Maintenance/Replacement*	6,084.50	12,500.00	48.68%
5220220 · Small Tools	162.38	2,000.00	8.12%
5220310 · Land & Buildings Maintenance	41,294.65	40,500.00	101.96%
5220610 · Gasoline/Fuel	4,291.04	4,000.00	107.28%
5220810 · Miscellaneous Supplies	670.59	2,000.00	33.53%
5220825 · Uniforms & Apparel	669.75	1,000.00	66.98%
5220827 · Janitorial Supplies	432.42	1,000.00	43.24%
5220916 · Capital Outlay - New Equipment	230,745.24	244,440.00	94.4%
5220920 · Capital Reserves Designation	0.00	11,000.00	0.0%
Total Expenditures	1,093,223.81	1,143,961.00	95.57%
Net Gain/Loss	581,039.49	423,001.00	137.36%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Recreation Dept		
	Jul '23 - Jun 24	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	396,398.16	379,335.00	104.5%
4110111 · PropTax - Admin Fee (Contra)	-4,548.96	-4,750.00	95.77%
4110115 · PropTax - Unitary	3,412.88	2,185.00	156.2%
4110120 · PropTax - Current Unsecured	7,445.20	6,080.00	122.45%
4110140 · ERAF - Excess	45,766.81	38,000.00	120.44%
4110145 · ERAF - PY/Reverse	6,888.18	2,565.00	268.55%
4110210 · PropTax - Supplemental Current	7,307.57	6,840.00	106.84%
4110215 · PropTax - Supplemental Unsecure	473.66	95.00	498.59%
4110225 · PropTax - Supplemental Redempt	74.19	190.00	39.05%
4110510 · PropTax - Prior Unsecured	435.08	190.00	228.99%
4410125 · Interest- Co. Pooled Investment	32,434.82	950.00	3,414.19%
4410127 · Interest- ERAF Co. Pooled	69.07	0.00	100.0%
4410215 · Rental Income - Pool & Picnic	38,054.36	30,000.00	126.85%
4410225 · Rental Income - Community Ctr	6,011.94	5,000.00	120.24%
4511210 · HOPTR	1,403.40	1,425.00	98.48%
4570110 · Expense Reimbursements	0.00	500.00	0.0%
4631911 · Advertising Sales	4,323.02	4,000.00	108.08%
4631912 · Vending Sales	41,042.95	27,000.00	152.01%
4631914 · Community Events	22,324.01	17,840.00	125.14%
4631915 · Tennis	98,481.84	82,500.00	119.37%
4631917 · Pool Operating Rev	204,158.05	212,000.00	96.3%
4631918 · Pool Memberships	65,460.30	70,000.00	93.52%
4631919 · Adult Rec Programs	27,212.41	13,160.00	206.78%
4631920 · Summer Rec Programs	1,085,850.32	1,141,791.00	95.1%
4631922 · Youth Rec Programs	257,328.23	248,646.00	103.49%
4710615 · Donations (General)	0.00	1,000.00	0.0%
4710642 · Miscellaneous Rev	7,884.38	250.00	3,153.75%
Total Revenue	2,355,691.87	2,286,792.00	103.01%
Expenditures			
5110110 · Salaries - Regular Staff	361,473.76	345,365.00	104.66%
5110210 · Salaries - PT/Seasonal/Temp	862,235.88	880,132.00	97.97%
5130120 · Benefits - Group Medical	103,007.69	102,953.00	100.05%
5130130 · OPEB Trust Contribution	9,000.00	9,000.00	100.0%
5130510 · PERS - Pension	84,052.70	80,092.00	104.95%
5140115 · Workers Comp Ins.	38,306.20	42,661.00	89.79%
5140130 · Physician Services	80.00		
5140140 · Social Security & Medicare	99,870.69	93,249.00	107.1%
5140145 · Unemployment Ins.	12,793.07	17,500.00	73.1%
5210120 · Consultant Fees	1,625.00	2,050.00	79.27%
5210122 · Marketing & Recruiting	44,747.47	38,000.00	117.76%
5210128 · Fingerprinting/Background	4,999.00	6,500.00	76.91%
5210131 · Legal Services	0.00	2,000.00	0.0%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Recreation Dept		
	Jul '23 - Jun 24	Budget	% of Budget
5210146 · Indep. Contractor Fees	172,545.96	110,596.00	156.02%
5210210 · Audit & Accounting	4,217.06	3,750.00	112.46%
5210230 · Payroll Service Fees	5,576.91	5,000.00	111.54%
5210525 · Insurance - General	22,738.18	22,745.00	99.97%
5210725 · Telecom - Phone/Internet/Cable	2,566.35	2,850.00	90.05%
5210810 · Utilities - Gas & Electric	50,459.60	60,000.00	84.1%
5210815 · Garbage Removal	6,557.52	6,740.00	97.29%
5210835 · Utilities - Water & Sewer	17,534.65	15,000.00	116.9%
5211110 · Janitorial Services	14,731.06	16,000.00	92.07%
5211315 · Professional Development	8,381.40	12,500.00	67.05%
5211325 · Conferences & Meetings	2,301.03	4,050.00	56.82%
5211330 · Memberships & Dues	2,760.00	3,850.00	71.69%
5211440 · Travel	0.00	1,500.00	0.0%
5211520 · Publications & Legal Notices	0.00	250.00	0.0%
5211610 · County-Wide Fees	2,467.45	2,160.00	114.23%
5220110 · Admin & Office Supplies	13,148.59	15,000.00	87.66%
5220130 · Copier Lease & Printing	9,049.44	5,775.00	156.7%
5220215 · Pool Maintenance	14,345.98	20,000.00	71.73%
5220310 · Land & Buildings Maintenance	6,194.82	15,000.00	41.3%
5220710 · Pool Chemicals	10,325.61	12,500.00	82.61%
5220819 · Rec Program Supplies & Services	205,098.54	231,300.00	88.67%
5220825 · Uniforms & Apparel	6,711.85	6,000.00	111.86%
5220826 · Vending Supplies	26,384.83	18,000.00	146.58%
5220827 · Janitorial Supplies	7,866.16	10,000.00	78.66%
5220910 · Capital Outlay - Improvements	22,081.10	31,000.00	71.23%
5220916 · Capital Outlay - New Equipment	17,690.00	16,500.00	107.21%
5220920 · Capital Reserves Designation	0.00	9,000.00	0.0%
Total Expenditures	2,273,925.55	2,276,568.00	99.88%
Net Gain/Loss	81,766.32	10,224.00	799.75%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Fire Dept		
	Jul '23 - Jun 24	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	819,918.29	784,625.00	104.5%
4110111 · PropTax - Admin Fee (Contra)	-9,409.16	-9,825.00	95.77%
4110115 · PropTax - Unitary	7,059.29	4,520.00	156.18%
4110120 · PropTax - Current Unsecured	15,399.82	12,576.00	122.45%
4110140 · ERAF - Excess	94,665.03	78,600.00	120.44%
4110145 · ERAF - PY/Reverse	14,247.65	5,306.00	268.52%
4110210 · PropTax - Supplemental Current	15,115.13	14,148.00	106.84%
4110215 · PropTax - Supplemental Unsecure	979.73	197.00	497.33%
4110225 · PropTax - Supplemental Redempt	153.46	393.00	39.05%
4110510 · PropTax - Prior Unsecured	899.94	393.00	228.99%
4120610 · Special Tax Assessment	1,326,705.24	1,320,968.00	100.43%
4120611 · Special Tax- Admin Fee (contra)	-2,700.20	-2,900.00	93.11%
4220115 · Building Plan Review	11,546.00	8,500.00	135.84%
4410125 · Interest- Co. Pooled Investment	67,088.89	1,965.00	3,414.19%
4410127 · Interest- ERAF Co. Pooled	142.86		
4511210 · HOPTR	2,902.82	2,948.00	98.47%
4570110 · Expense Reimbursements	14,957.25		
4631145 · Service Contract Revenue	112,027.00	107,226.00	104.48%
4640321 · CSA 13 Contract Rev	734,960.00	723,630.00	101.57%
4710631 · Paramedic Reimbursement	30,457.13	35,000.00	87.02%
4710642 · Miscellaneous Rev	1,618.14	500.00	323.63%
Total Revenue	3,258,734.31	3,088,770.00	105.5%
Expenditures			
5110110 · Salaries - Regular Staff	912,227.01	1,021,075.00	89.34%
5110310 · Acting Pay	2,358.92	10,000.00	23.59%
5110313 · Holiday Pay	37,872.24	41,835.00	90.53%
5110319 · FLSA Pay	12,918.56	24,847.00	51.99%
5120110 · Overtime Pay	414,629.86	150,000.00	276.42%
5130120 · Benefits - Group Medical	336,493.72	379,843.00	88.59%
5130130 · OPEB Trust Contribution	67,000.00	67,000.00	100.0%
5130510 · PERS - Pension	611,918.59	627,771.00	97.48%
5140115 · Workers Comp Ins.	99,164.98	108,786.00	91.16%
5140116 · 4850 Reimbursements (Contra)	-1,590.87		
5140130 · Physician Services	170.00	2,450.00	6.94%
5140140 · Social Security & Medicare	97,342.39	95,453.00	101.98%
5140145 · Unemployment Ins.	895.99	1,400.00	64.0%
5210120 · Consultant Fees	3,600.00	4,100.00	87.81%
5210122 · Marketing & Recruiting	2,544.72	3,100.00	82.09%
5210128 · Fingerprinting/Background	0.00	500.00	0.0%
5210131 · Legal Services	174.00	10,000.00	1.74%
5210146 · Indep. Contractor Fees	110,577.42	110,577.00	100.0%
5210210 · Audit & Accounting	8,434.13	7,500.00	112.46%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024

	Fire Dept		
	Jul '23 - Jun 24	Budget	% of Budget
5210230 · Payroll Service Fees	5,714.09	5,000.00	114.28%
5210525 · Insurance - General	25,889.81	26,535.00	97.57%
5210530 · Legal Settlements	1,294.33		
5210725 · Telecom - Phone/Internet/Cable	6,296.16	6,920.00	90.99%
5210810 · Utilities - Gas & Electric	14,021.26	16,000.00	87.63%
5210815 · Garbage Removal	3,278.67	3,370.00	97.29%
5210835 · Utilities - Water & Sewer	8,097.50	7,500.00	107.97%
5210910 · Maint. - Vehicles	25,457.14	17,500.00	145.47%
5210920 · MERA Operating	27,012.00	27,010.00	100.01%
5211140 · Vegetation Management	0.00	5,000.00	0.0%
5211310 · Awards & Incentives	0.00	1,500.00	0.0%
5211315 · Professional Development	250.00	10,000.00	2.5%
5211325 · Conferences & Meetings	1,032.55	1,350.00	76.49%
5211330 · Memberships & Dues	5,242.84	5,200.00	100.82%
5211440 · Travel	0.00	1,000.00	0.0%
5211520 · Publications & Legal Notices	0.00	250.00	0.0%
5211545 · Election Expense	3,633.67	0.00	100.0%
5211610 · County-Wide Fees	8,287.66	9,625.00	86.11%
5211710 · Long Term Debt - Principal	40,305.03	40,299.00	100.02%
5211715 · Long Term Debt - Interest	2,447.96	2,454.00	99.75%
5220110 · Admin & Office Supplies	1,904.59	5,000.00	38.09%
5220130 · Copier Lease & Printing	3,368.70	2,220.00	151.74%
5220210 · Equip. Maintenance/Replacement*	20,323.34	21,400.00	94.97%
5220220 · Small Tools	0.00	500.00	0.0%
5220310 · Land & Buildings Maintenance	4,971.37	7,500.00	66.29%
5220610 · Gasoline/Fuel	775.97	500.00	155.19%
5220810 · Miscellaneous Supplies	2,177.95	24,000.00	9.08%
5220825 · Uniforms & Apparel	0.00	8,500.00	0.0%
5220827 · Janitorial Supplies	565.61	1,000.00	56.56%
5220830 · Volunteer Fire Department	0.00	2,000.00	0.0%
5220910 · Capital Outlay - Improvements	0.00	60,000.00	0.0%
5220916 · Capital Outlay - New Equipment	22,095.96	13,000.00	169.97%
5220920 · Capital Reserves Designation	0.00	80,000.00	0.0%
Total Expenditures	2,951,175.82	3,078,370.00	95.87%
Net Gain/Loss	307,558.49	10,400.00	2,957.29%

**Marinwood Community Services District
Profit & Loss Budget vs. Actual
Fiscal Year 2023-2024**

	Streetlights		
	Jul '23 - Jun 24	Budget	% of Budget
Revenue			
4120610 · Special Tax Assessment	24,225.00	24,225.00	100.0%
4120611 · Special Tax- Admin Fee (contra)	-51.01	-100.00	51.01%
4710642 · Miscellaneous Rev	747.00		
Total Revenue	24,920.99	24,125.00	103.3%
Expenditures			
5210825 · Utilities - Street Light Elec.	19,909.54	17,700.00	112.48%
5210915 · Maint. - Streetlights	4,601.58	5,925.00	77.66%
5211610 · County-Wide Fees	500.00	500.00	100.0%
Total Expenditures	25,011.12	24,125.00	103.67%
Net Gain/Loss	-90.13	0.00	100.0%

Marinwood Community Services District
Fiscal Year 2023-2024 Year-End P&L Budget-to-Actuals Summary and Variance Notes

GL Number

GL Description

Summary Notes:

All Depts:

5220130	Copier Lease/Printing	<i>Over-stated due to copier contract buyout. \$4882 received and allocated to Misc. Rev</i>
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PARK DEPT:

4530527	Grant Rev. - Desig.	<i>80% of grant funding for playground project - Remaining 20% anticipated in 24/25</i>
4570110	Expense Reimb.	<i>Reimbursement for placement of Jim Juarez Memorial Bench</i>
5110110	Salaries - Reg. Staff	<i>Budget does not reflect wage increases approved in July 2023</i>
5210525	Insurance - Gen'l	<i>Adjusted mid-year with addition of new park maintenance facility</i>
5210835	Water & Sewer	<i>24/25 budget adjusted to reflect current costs</i>
5211545	Election Expense	<i>Appropriations Limit ballot measure was not budgeted</i>
5220310	Land & Bldg Maint.	<i>Temporary modular office lease under-budgeted for 22/23 due to length of time needed</i>

RECREATION:

5110110	Salaries - Regular	<i>Budget does not reflect wage increases approved in July 2023</i>
5210146	Indep. Contractors	<i>More tennis classes, sports and adult programs than planned. Results in increased revenue</i>
5210835	Water & Sewer	<i>24/25 budget adjusted to reflect current costs</i>

FIRE DEPT:

4570110	Expense Reimb.	<i>Shared Services OT reimbursement</i>
5110110	Salaries - Regular	<i>Represents position vacancy</i>
5120110	Overtime	<i>\$13K reimbursed as shared services. Also, vacant position and back-fill of long-term injuries</i>
5211545	Election Expense	<i>Appropriations Limit ballot measure was not budgeted</i>



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: August 13, 2024
Re: Resolution 2024-05: Adopting a Conflict of Interest Code

Directors,

Please see the included Resolution 2024-05 Adopting a Conflict of Interest Code.

The State Political Reform Act requires all public agencies to adopt a Conflict of Interest Code. The Code designates positions required to file Statement of Economic Interests (Form 700) and assigns disclosure categories specifying the types of interests to be reported. The County Board of Supervisors, as the Code reviewing body for Marinwood CSD, is charged with the responsibility of approving any changes to your Conflict of Interest Code.

Marinwood CSD has a long-standing Conflict of Interest Code (https://www.marinwood.org/sites/default/files/conflict_of_interest_code_adopted9-13-16.pdf). However, every local government agency is required to regularly review its Conflict of Interest Code and notify the applicable reviewing body of any changes. If revisions are needed, a revised Code must be submitted for their review and acceptance.

The attached Conflict of Interest Code remains substantially unchanged from the prior version. Revisions made are strictly limited to the following:

1. Updating referenced section numbers of the California Code of Regulations
2. Updating web link to Title 2, Division 6, California Code of Regulations §18730
3. Adding the "district manager" position is also required to file a Statement of Economic Interests (Form 700) with the applicable County office.
 - a. *Of note, this has already been a long-standing practice of the District.*

To reiterate, all other aspects of the Code, including Appendix A and Appendix B, remain unchanged from the prior version.

Staff Recommendation: Approve Resolution 2024-05: Adopting a Conflict of Interest Code and direct the District Manager to submit to the County Board of Supervisors for review and acceptance.

Marinwood Community Services District

RESOLUTION NO. 2024-05

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MARINWOOD COMMUNITY SERVICES DISTRICT
ADOPTING A CONFLICT OF INTEREST CODE**

The Board of Directors of Marinwood Community Services District hereby finds and resolves as follows:

Section 1. The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes.

Section 2. The Fair Political Practices Commission has adopted a regulation, Title 2, Division 6, California Code of Regulations §18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act.

[The most current version of Title 2, Division 6, California Code of Regulations §18730 is available on the website of the Fair Political Practices Commission (<https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/LegalDiv/Regulations/Index/Chapter7/Article2/18730Provisions-of-Conflict-of-Interest-Codes.pdf>)]

Section 3. Therefore, the terms of Title 2, Division 6, California Code of Regulations §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in Appendix B in which disclosure categories are set forth, constitute the conflict of interest code of Marinwood Community Services District.

Section 4. Designated employees, except those in Category 1 (elected officials), shall file their Statements of Economic Interests with the District Manager of Marinwood Community Services District, who will make the statements available for public inspection and reproduction (Government Code Section 81800). Statements of designated employees will be retained by the District. Elected and appointed directors as well as the district manager of Marinwood Community Services District will file their Statements of Economic Interests with the Marin County Elections Department as required by Government Code Section 87302.3.

Resolved this 13th day of August, 2024 by the following vote:

Yes:

No:

Absent:

SIGNED:

By: _____
Kathleen Kilkenny,
President, Board of Directors

Date: _____

ATTEST:

By: _____
Tiffany Combrink, Board Secretary

Date: _____

APPENDIX A

PART I – DESIGNATED OFFICERS AND EMPLOYEES

The requirements of this policy apply to the following officers and employees:

Board Members
District Manager
Department Heads
Attorneys (except County Counsel)
Professional Consultants

PART II - DISCLOSURE CATEGORIES

1. Investments and business positions in any business entity and sources of income listed in Appendix B are disclosable if:
 - a. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted with the District; or,
 - b. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted to furnish supplies or services as subcontractors in any contract with the District.
2. With respect to designated positions, investments or business positions in any business entity or sources of income which are (1) private companies providing services similar to those provided by the District or (2) entities or persons engaged in real estate development or owners of real estate, and interests in real property are disclosable if held, regardless of any contractual relationship with the District at any time.
3. Consultants shall disclose all sources of income, interests in real property and investments and business positions in business entities.

The District Manager of the District may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. Such determination shall be a public record and shall be retained for public inspection in the same manner and locations as this conflict of interest code.

PART III - APPLICABLE FPPC FORM

In accordance with Government Code §87200, certain District officers are required to disclose - upon assuming and leaving office, and annually while in office - their investments, income, and interests in real property by way of FPPC Form 700.

APPENDIX B

All interests in real property - excluding one's primary residence - as well as investments and business positions in business entities and income from sources which provide facilities, services, supplies, or equipment of the type utilized by the District, including but not limited to:

- Pipe, valves, fittings, etc.
- Pumps, motors, etc.
- Meters and other water measurement equipment
- Water treatment equipment, supplies and services
- Construction and building materials
- Construction contractors
- Architectural services
- Engineering services, including hydrology and geotechnical services
- Safety equipment and facilities
- Fire and emergency response equipment
- Recreational, pool and playground equipment
- Recreational and educational program services
- Hardware tools and supplies
- Motor vehicles, heavy equipment, special vehicles and parts and services thereto
- Petroleum products
- Janitorial supplies and services
- Communications equipment and services
- Electrical equipment, including pumping equipment
- Computer hardware and software
- Pesticides and herbicides
- Custom landscape and farming services such as weed abatement, etc.
- Printing, reproduction, record keeping, etc.
- Office equipment
- Accounting services
- Legal services
- Real estate agents/brokers and investment firms
- Title companies
- Public utilities
- Insurance companies

District Manager Report
August 13, 2024
Submitted by: Eric Dreikosen, District Manager

The information below is intended to provide a brief update on select District initiatives, activities and items of note and should not be viewed as a complete list of all current District activities or initiatives.

Fire Station Bunk Room Conversion Project:

Our contracted architect for this project, Jochum Architects, have completed and submitted the permit drawings for this project and the District has submitted the permit fee (\$1144.94) to the County of Marin. The drawings are now being reviewed by the County building department for compliance and hopeful approval.

Once the plans are approved and permit issued, we will finalize a Request for Proposals (RFP) to be posted and distributed amongst the local builders' associations. Given the estimated construction cost for this project, the District is not required to engage in a "sealed bid" process for selecting a contractor. Rather, the District will have the ability to "direct deal" with qualified contractors. However, this project is subject to prevailing wage requirements.

Miller Creek Trail Initiative:

This initiative is in regards to the possible construction of a new multi-use trail connecting Las Galinas Ave to a planned extension of Marinwood Ave near Marinwood Market. The trail would run along the southern bank of Miller Creek through Marinwood Open Space lands.

Should this initiative move forward it is dependent upon the construction of a bridge crossing Miller Creek and the aforementioned roadway extending Marinwood Ave to the proposed senior living center. Without the proposed roadway extension, the trail would not have an outlet point at one end and would be locked in by Miller Creek and the 101 freeway. That said, once the bridge and roadway are constructed, the property owner/developer of the proposed senior living center are currently obligated to provide the District funding in the amount of \$165,000 to be applied exclusively to the trail project. This funding obligation is recorded against the property and will transfer to any new property owners should the property be sold or otherwise change hands.

Furthermore, the District's Agreement with the owner/developer includes a provision allowing the District to renegotiate the funding obligation should the bridge and roadway work not be completed by December 31, 2024. This is to take account for potential, and probable, trail construction cost increases.

As of the time of this writing, it is staff's understanding that the proposed bridge and roadway extension construction work will not be undertaken this year by the developer, thus pushing this project back until at least Spring of 2025.

While some work has been completed for this initiative – trail design and location; biological study – staff have yet to engage other aspects of CEQA requirements including a wildlife study and cultural resources study. The intention is to engage these final CEQA studies once we have confirmation that bridge and roadway work is set to begin. Additionally, upon completion of the CEQA studies, the District will engage in both broad and targeted public outreach efforts.

Information learned from all of the above will then be presented to the Board, along with any updated costs and 3rd-party funding contributions, for a final decision on whether or not to proceed with this initiative and construct the proposed multi-use trail.

Several other items of note that staff have been working on during the past month are included as separate agenda items. These will be presented and discussed at those times.

MARINWOOD COMMUNITY SERVICES DISTRICT
MINUTES OF FIRE COMMISSION MEETING
August 6, 2024

Time and Place: 7:00PM at Marinwood Community Center, 775 Miller Creek Rd, San Rafael

Present:

Commissioners: Chair Steve Farac, Greg Stilson

Absent: Pascal Karsenti, John Seratt

Staff: District Manager Eric Dreikosen, San Rafael Fire Chief Abe Roman

Board: Kathleen Kilkenny

No Quorum Present. No Actions Taken

1. Agenda

No edits were requested by Commissioners. Chair Farac adopted the agenda as presented.

2. Public Comment on Non-Agenda Items

No comments from the public were received.

3. Commissioner Items of Interest

-None

4. Draft Minutes of June 4, 2024 Fire Commission Meeting

No action was taken due to lack of quorum. Item will be placed on next Fire Commission agenda for approval.

5. Update from Working Group Established to Identify and Present Potential Strategic Initiatives for Future Fire Commission Initiatives (verbal report)

Commissioner Stilson provided a brief update. Item will be placed on next Fire Commission meeting for discussion.

6. Chief Officer Report and Activity Summary

Commission received Chief Officer Report and Activity Summary.

7. Requests for Future Agenda Items

-Farac requested a tour of the fire station.

The meeting was adjourned at 8:19 PM.

Eric Dreikosen



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: August 13, 2024
Re: Proposed Revisions to MWPA JPA Agreement

Directors,

As you are aware, Marinwood CSD is one of 17 Cities, Towns, Districts, and the County of Marin serving as member agencies of Marin Wildfire Prevention Authority (MWPA). For the past several years, Marinwood CSD Director Bill Shea has represented our agency by also serving as a member of the MWPA Board of Directors.

Since the creation of MWPA in 2020 it has been guided by a Joint Exercise of Powers Agreement (Agreement) formed between all 17 member agencies. In the years following its creation and working as an active entity, certain sections of the Agreement have been identified in which revisions would prove beneficial.

Please see the included Draft Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority showing all proposed changes to the original Agreement as well as a "clean" version of the proposed Amended and Restated Agreement. Also included within this staff report (see below) are further details and information as provided directly by MWPA staff.

Staff Recommendation: Approve the Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority and authorize the district manager to sign and submit the Agreement to MWPA of behalf of Marinwood CSD.

The following details and information were provided by MWPA for your reference:

BACKGROUND:

Marin Wildfire was created when 17 local Marin agencies with fire prevention responsibility entered into a joint exercise of powers agreement and the voters adopted a tax measure to fund the agency in March 2020. Thanks to the efforts of the drafters of the original agreement, the document has provided a solid and efficient structure for the agency.

During the four years that the agreement has been in use, member agencies and Marin Wildfire staff have noted several provisions that would benefit from revision. The attached Amended JPA Agreement includes proposed changes that were developed with input from a working group in consultation with counsel. In addition, an ad hoc subcommittee of the Marin Wildfire Board of Directors reviewed and offered feedback for the proposed amendments. Following the subcommittee's review, the amendments were presented to the Marin Wildfire Operations Committee and the Marin Wildfire Executive

Committee. Finally, on July 18, 2024, the Marin Wildfire Board of Directors approved the Amended JPA Agreement in the form attached to this report.

To take effect, the Amended JPA Agreement must be executed by three-fourths of the governing boards of the Marin Wildfire member agencies. (Amended JPA Agreement § 21). Accordingly, the amendments are being presented for approval to this body.

ANALYSIS:

The bulk of revisions included in the Amended JPA Agreement reflect current practices at Marin Wildfire, such as posting meeting minutes to the website rather than distributing them to each member agency. The amendments also include updates to language related to the passage of Measure C in 2020. The most substantive changes to the Amended JPA Agreement are the following:

1. Section 3. Membership – This section has been amended to include the mechanism for an existing member’s withdrawal from Marin Wildfire and for new agencies to become members. As proposed, both the withdrawal and addition of members is explicitly tied to the agency’s role as a “member taxing entity” for a parcel tax measure. Original member agencies that were member taxing entities when the current tax measure (Measure C) was presented to the voters will continue to serve as Marin Wildfire members until expiration of the current tax measure. Similarly, agencies wishing to join Marin Wildfire may do so only when a tax measure is placed on the ballot to continue funding Marin Wildfire.
 - a. The City of Mill Valley provides a useful example of withdrawal/consolidation of member agencies. In July 2023, the City’s fire service and fire-related taxing authority were annexed to Southern Marin Fire District. The Marin Wildfire Board of Directors determined that the City of Mill Valley would remain a Marin Wildfire member until the expiration of the current tax measure. As discussed by the Board, the City was a member taxing entity at the time the tax measure was adopted and Mill Valley residents should continue to be represented by that entity until the tax expires. When a tax renewal measure goes to the voters, Southern Marin Fire District will be the member taxing entity for Mill Valley and the City will no longer be a member of Marin Wildfire.
 - b. Tiburon and Belvedere are the only agencies with fire protection responsibility and fire-related taxing authority that may seek to join Marin Wildfire. To become members, like the initial 17 members, they must agree to sign the JPA Agreement, as amended, and to put a tax measure on the ballot to fund Marin Wildfire’s work. As provided in the proposed revisions, the local agency may also be required by the Marin Wildfire Board to pay a “New Member Charge”, which is a one-time pro rata charge for past expenditures and investments of Marin Wildfire that will be of benefit to the new member upon joining Marin Wildfire. This amount can be paid

in full or deducted from their allocation of Marin Wildfire's local-specific wildfire prevention funding for the local agency.

2. Section 7. Advisory Technical Committee. – The Advisory Technical Committee (ATC) was included in the original agreement and was specifically required under that agreement to comply with the Ralph M. Brown Act. However, from discussions with original JPA agreement drafters, it appears that this requirement was included in the agreement in error. The ATC is made up exclusively of member agency staff who are tasked with developing projects that are evaluated by agency and Marin Wildfire staff. In other words, this is a staff-level working group that is meant to collaborate across jurisdictions and to outline the technical aspects of proposed projects. Having the ATC comply with the Brown Act has proven to be an obstacle to collaboration, because discussions among a majority of members must occur only at noticed public meetings.

Given that the ATC is intended to be a collaborative staff-level working group, the proposed Amended JPA Agreement eliminates provisions referencing the ATC. By doing so, there will no longer be a formal action of the Board or member agency legislative bodies to establish the ATC, so it will not be bound by the Brown Act. Rather, Marin Wildfire staff will convene the Committee comprised of the existing member agency representatives/ad hoc representatives and they will continue to carry out their important project development work.

Once the members on the ATC have developed draft proposals for projects, the existing process for finalizing those projects will remain unchanged under the Amended JPA Agreement. Specifically, the Marin Wildfire Operations Committee will develop budgets for each project and finalize the project proposals that are then considered by the Finance Committee, the Executive Committee and the Board of Directors as part of the Marin Wildfire annual Work Plan. All of these advisory committees will continue to comply with the Brown Act and the multiple meetings held by these legislative bodies offer ample opportunity for public engagement in the project planning process.

3. Section 9(c). Funding. – The original agreement set aside 2% of the 20% of funds for defensible space and fire-resistant structure evaluations to be used for an “abatement fund”. However, local agencies handle their own abatements based on local and state codes and Marin Wildfire is not able to take on those staff- and resource-intensive efforts. Therefore, as requested from the member agencies, the proposed Amended JPA Agreement eliminates the abatement fund.

DRAFT AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT
FOR
MARIN WILDFIRE PREVENTION AUTHORITY

This Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority (“Agreement”) is entered into pursuant to Sections 6500 *et seq.* of the California Government Code, by and between the following local agencies: the cities of San Rafael, Mill Valley, and Larkspur (“Cities”); the towns of San Anselmo, Corte Madera, Fairfax, and Ross (“Towns”); the County of Marin (including Service Areas 13, 19 and 31 collectively referred to as “County”); the Fire Protection Districts of Southern Marin, Novato, Kentfield, Stinson Beach, Bolinas, and Sleepy Hollow, the Marinwood Community Services District, the Inverness Public Utility District, and Muir Beach Community Services District (“Districts”); “Cities,” “Towns,” “County,” and “Districts” are referred to in their individual capacities outside of this Agreement as “Local Agencies,” and are referred to for the purposes of participation in this Agreement as “Member” or “Members”.

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RECITALS

WHEREAS, the growing wildfire risk in Marin County does not respect jurisdictional boundaries and needs immediate action and sustained commitment to better protect Marin residents, homes and businesses; and

WHEREAS, intensifying climate change and extensive fuel build-up are contributing to the increasing threat of wildfire throughout Marin County and, to the extent possible, should be addressed through ecologically sound practices that minimize release of greenhouse gases and protect the biodiversity and resilience of Marin’s landscapes; and

WHEREAS, individual homes and properties are only as fire resilient as the surrounding homes and properties within each neighborhood or area; and

WHEREAS, the more than 260,000 people living in Marin County receive fire protection and emergency response services provided by 19 separate cities, towns, fire districts and the County of Marin and no single agency currently exists for coordinating wildfire prevention; and

WHEREAS, local fire agencies, communities, emergency service providers, city and towns governments and the County of Marin must coordinate wildfire prevention and disaster preparedness and mitigation, including maintaining defensible space, reducing combustible vegetation, making homes fire resistant and planning for organized evacuation in an emergency; and

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WHEREAS, in 2016 the Marin County Fire Department published a *Community Wildfire Protection Plan*, identifying specific steps needed to reduce the risk of wildfire and related loss of life and property in Marin; and

WHEREAS, in 2018 Marin County published *Lessons Learned from North Bay Fire Siege*, summarizing key findings and conclusions from the 2017 wildfires that devastated Sonoma, Napa, Lake, Solano and Butte counties, burned nearly 250,000 acres, destroyed nearly 9,000 structures, forced 90,000 evacuations, caused \$14.5 billion in property damage and killed 44 people; and

WHEREAS, in 2019 the Marin County Civil Grand Jury issued *Wildfire Preparedness: A New Approach*, a report identifying an urgent need for a coordinated wildfire prevention program in Marin and providing detailed recommendations for reducing wildfire risk and securing dedicated funding for wildfire prevention programs; and

WHEREAS, efforts are needed to assist seniors, persons with disabilities, and low-income households to maintain defensible space, make homes fire resistant, and prepare for emergencies to mitigate wildfire threats to structures and defensible space; and

WHEREAS, each of Marin’s communities has unique local needs such as wildfire risk from homeless encampments or road widening for safe evacuations and the Marin Wildfire Prevention Authority (“Marin Wildfire”) will seek to address these specific local needs with a local wildfire mitigation program that assists local fire agencies in meeting unique community needs while sustaining a core countywide program for consistency; and

WHEREAS, the most effective way to protect all of our communities from the risk of wildfire is to come together in a joint powers authority to implement a countywide program of priority fire prevention, education and vegetation management; and

WHEREAS, the Marin Wildfire was formed when the 17 Members entered into the original joint exercise of powers agreement (“original agreement”) and Measure C, including Ordinance No. 3716, was approved by 70.8% of voters in March 2020 to impose a tax on all parcels of real property in Marin County within the boundaries of Marin Wildfire’s Members, which are defined as “Member Taxing Entities” under the Ordinance; and

WHEREAS, effective July 1, 2023, the City of Mill Valley consolidated its fire department and taxing authority for fire protection and prevention with the Southern Marin Fire District. As the original agreement did not address this type of action on the part of a Member Taxing Entity at the time the consolidation took effect, on August 17, 2023, the Marin Wildfire Board of Directors voted unanimously to allow the City of Mill Valley to remain a Member until the expiration of Measure C; and

WHEREAS, the Members wish to amend and restate the original agreement to reflect the current structure of Marin Wildfire and to address matters that were not included in the original agreement; and

WHEREAS, the Members find that the amendments reflected in this Agreement comport with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement;

Deleted: WHEREAS, the Marin Wildfire Prevention Authority (“Marin Wildfire”) was formed when the 17 Members entered into the original Agreement and Measure C, including Ordinance No. 3716, was approved by 70.8% of voters in March 2020 to impose a tax on all parcels of real property in Marin County within the boundaries of Marin Wildfire’s Members, which are defined as “Member Taxing Entities” under the Ordinance; and

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NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and agreements set forth herein, the Members agree as follows:

SECTION 1. Authority and Purpose

- a. This Agreement is made under the authority of Sections 6500 through 6515, inclusive, of the California Government Code, among the Members.
- b. The purpose of this Agreement is to establish a Joint Powers Authority separate from the Local Agencies. This Authority is to be known as the Marin Wildfire Prevention Authority and may be referred to as Marin Wildfire. Marin Wildfire will plan, finance, implement, manage, own and operate a multi-jurisdictional and county-wide agency to prevent and mitigate wildfires in Marin County. Each Member individually, at the time Measure C including Ordinance No. 3716 passed in 2020, had the statutory ability to provide fire suppression, protection, prevention and related incidental services. The purpose and intent of this Agreement is to jointly exercise the foregoing common powers in the manner set forth herein.

SECTION 2. Term of Agreement

This Agreement becomes effective upon the first date that at least three quarters (3/4) of the 17 Local Agencies listed above (i.e., 13 Local Agencies) approve the Agreement at a public meeting. It shall remain in effect until it is terminated pursuant to Section 16 or amended in accordance with Section 21.

SECTION 3. Membership

- a. **Initial Membership.** To become an initial Member, the Local Agency executed the original agreement and approved the County of Marin placing the tax measure on the ballot by October 31, 2019. A Local Agency geographically located in Marin County that possessed fire protection responsibilities must have adopted a resolution of their governing board to become a participating signatory to this Agreement and Member of Marin Wildfire. At that time, 17 of the Local Agencies had done so.
- b. **Successor Membership.** If, due to changes in circumstances (including, but not limited to changes in fire suppression responsibility approved by LAFCO) a Member's fire suppression responsibility is transferred to a new or different public agency, that new or different public agency shall be admitted as a Member upon approval of such membership and this Agreement by such public agency's governing body.
- c. **Member Withdrawal and Consolidation.**
 - 1) **Withdrawal.** A Member that wishes to withdraw from Marin Wildfire, must provide written notice to Marin Wildfire at least one (1) year prior to the Board of Directors' final action to propose a tax renewal measure for consideration by Members. A Member's withdrawal will

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take effect upon the expiration of the tax that is in place at the time such withdrawal notice is provided to the Board of Directors.

2) Consolidation/Merger. If, due to changes in circumstances a Member's fire protection responsibility and taxing authority for fire protection and prevention is transferred to a new or different public agency that results in a Member losing its fire protection responsibility and its Member taxing authority, the Member will be withdrawn from Marin Wildfire upon expiration of the tax that is in place at the time of any such changed circumstance.

d. **Additional Members.** A Local Agency geographically located in Marin County that possesses fire protection responsibilities may become a Member only when Marin Wildfire seeks to renew the tax that funds Marin Wildfire. Specifically, the Local Agency must adopt a resolution of their governing board to become a participating signatory to this Agreement, as amended, and must approve placing a tax measure on the ballot in conformance with Section 5(f) of this Agreement. The Board of Directors must adopt a resolution authorizing membership of the new Member, specifying conditions, if any, associated with membership, including a one-time pro rata charge to compensate for past expenditures and investments of Marin Wildfire that will be of benefit to the Member upon joining Marin Wildfire ("New Member Charge"). The Board of Directors' determination of the conditions, if any, including the New Member Charge, is final.

1) If the tax renewal measure is approved by the voters, each Additional Member will be considered a Member and will be represented on Marin Wildfire's Board of Directors. If a New Member Charge is required upon joining Marin Wildfire, that Charge will be deducted from the New Member's Local-specific wildfire prevention funding described in Section 9(d) until the Charge is paid in full. The New Member will also have the option of paying in full the Charge within sixty (60) days of joining Marin Wildfire.

2) If the tax renewal measure is not approved, this Agreement will terminate and assets will be allocated among the Initial Members as outlined in Section 16 and the new Member(s) will not become Member(s) or serve on Marin Wildfire's Board of Directors.

SECTION 4. Board of Directors

a. Marin Wildfire will be governed by a Board of Directors comprising elected leaders from each Member to ensure that wildfire programs and resources are directed to areas of greatest need and opportunity for community benefit.

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- b. Marin Wildfire shall be governed by the Board of Directors which is hereby established. ~~The Board of Directors shall be comprised of Directors who are elected officials of the Members, and each Member shall have one Director on the Board of Directors.~~
- c. The Board of Directors shall hold at least two meetings each year as determined by its bylaws. Special Meetings of the Board may be called in accordance with the provisions of the Brown Act and Government Code Section 54956.
- d. Minutes of the adjourned, regular and special meetings of the Board shall be kept and said minutes shall be ~~available to Members and the public on Marin Wildfire's website.~~ A majority of the Directors of the Board will constitute a quorum; however, if the number of Members is an even number, then 50% of the Directors of the Board will constitute a quorum. In the event of a meeting of the Board with less than a quorum, the present Directors will only have the power to dismiss a meeting. For purposes of conducting business, a majority of the quorum will be authorized to act on behalf of Marin Wildfire, subject to the voting conditions set forth in Section 4.f.
- e. The Board shall elect, at its first meeting of each fiscal year, a President and Vice President. The President and Vice President shall serve one-year terms, but can be re-elected. The President shall represent Marin Wildfire and execute any contracts and other documents when required by the bylaws. The Vice President shall serve in the absence of the President.
- f. **Voting.** For all votes conducted by the Board, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the Directors present vote in favor of a motion, and (2) the Directors present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.
- g. The Board may adopt from time to time such policies, procedures, bylaws, rules and regulations for the conduct of its affairs as deemed necessary by the Board.

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SECTION 5. Powers of Marin Wildfire

- a. Marin Wildfire shall have all of the necessary powers and authorities granted by law to exercise the common powers of its members in providing wildfire suppression, protection, prevention and related and incidental services, with members retaining all powers.
- b. Marin Wildfire shall have all of the necessary powers to evaluate structures and defensible space and provide structural fire protection advice to enhance compliance of parcels of land and buildings meeting local fire and building codes, as well the power to create neighborhood and public education programs to reduce wildfire vulnerability and improve neighborhood preparedness.

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- c. Marin Wildfire may contract with private companies and public agencies to create, implement and operate Marin Wildfire to provide wildfire protection and prevention, as well as to ensure buildings meet fire and building codes.
- d. Marin Wildfire may make and enter into contracts; adopt budgets; employ and retain agents and personnel; retain legal counsel; retain consultants and engineers; acquire grants; acquire, hold, lease and dispose of real and personal property; accept donations; sue and be sued; and possess and exercise all other powers common to the Members. The intent of this provision is to allow Marin Wildfire flexibility in making fiscally sound staffing decisions.
- e. Marin Wildfire may incur debt and issue bonds or any like instruments of no more than 10% of its annual budget in order to efficiently provide the service enumerated herein in compliance with the pertinent sections of the Government Code of the State of California. Specifically, Marin Wildfire can incur debt in its own name under any law authorizing a joint power authority to do so, including Government Code Section 6540 *et seq.*, and the Marks-Roos Local Bond Pooling Act of 1985, and Government Code Section 6584 *et seq.*
- f. Marin Wildfire may authorize taxes pursuant to Government Code Sections 50075 *et seq.*, 53978, or any successor statutes, Subsequent taxes shall be levied and assessed as a special parcel tax by the County of Marin, on behalf of itself and Member Taxing Entities, on all parcels of real property in the Member Taxing Entities for each fiscal year.
- g. Marin Wildfire may exercise the powers permitted pursuant to Government Code Section 6504 or any successor statute. Pursuant to Government Code Section 6509.5, Marin Wildfire is entitled to invest any money in the treasury that is not required for the immediate necessities of Marin Wildfire.
- h. Marin Wildfire may do all things necessary and lawful to carry out the purpose of this Agreement.
- i. As required by Government Code Section 6509, one Member must be designated such that the power of Marin Wildfire is subject to the restrictions upon the manner of exercising power possessed by the Member. The County of Marin is designated as the Government Code Section 6509 public entity.

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SECTION 6. Operations Committee

- a. The Operations Committee shall be responsible for creating a recommended annual budget and a recommended annual work plan for the Board. The Operations Committee shall meet at least twice per year at a reasonable time before the Board must establish its budget. The Operations Committee representatives should strive for a balance of executive/administrative and fire expertise on the committee. The Operations Committee shall be composed of representatives who are agency staff or contract employees, one from each of the Members. The Operations Committee meetings will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 et seq.

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- b. **Voting.** For all votes conducted by the Operations Committee, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the representatives of the Operations Committee present vote in favor of a motion, and (2) the representatives of the Operation Committee present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.

SECTION 7. Reserved

SECTION 8. Community Oversight Committee

The Board of Directors will create a Community Oversight Committee. The Community Oversight Committee will review Marin Wildfire’s spending on an annual basis following the report from the Treasurer. After review of the previous year’s work program and the financial audit, the Community Oversight Committee will adopt a report on the spending of the parcel tax funds and the previous year’s work program to evaluate consistency with the tax measure. Community Oversight Committee participants will be residents who are neither elected officials of any government entity, nor public employees of any Member. Service on the Community Oversight Committee will be restricted to individuals who reside in Marin County. Participants on the Community Oversight Committee will be required to submit a statement of financial disclosure and participation will be restricted to individuals without economic interest in any of Marin Wildfire’s projects. The Community Oversight Committee may create subcommittees to monitor the deliberations of the Board of Directors and Operations Committee. The Board of Directors shall appoint participants to the Community Oversight Committee from applications received as set forth below:

- Five participants, each residing in one of these five general geographical areas: West Marin, Novato, San Rafael, Central Marin, and Southern Marin.
- One participant from a taxpayer organization of Marin County.
- One participant from environmental organizations of Marin County.
- One participant from Firewise communities or similar fire prevention organization.
- One participant from a non-partisan community-based organization.
- One nonvoting youth member (age 14-18) for a one-year term rotating between the five general geographical areas, when possible.

SECTION 9. Funding

- a. The Board shall adopt an annual budget for Marin Wildfire’s activities by June 1 of each year. In adopting the annual budget, the Board must consider recommendations from the Operations Committee. The annual budget shall identify the programs of Marin Wildfire and allocate funds by program. The budget and accounting system shall account for direct and overhead costs by

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The Advisory/Technical Committee shall hold at least two meetings each year. Special meetings may be called in accordance with the provisions of Government Code Section 54956. ¶

Agencies and entities such as Marin County towns or cities that are not a Member, Marin Municipal Water District (“MMWD”), Marin County Open Space District (“MCOSD”), National Park Service, State Parks, and FIRESafe MARIN may be invited to participate as at-large, non-voting Advisory/Technical Committee members. In addition, relevant Marin County land management agencies, private companies and community organizations may be invited by the Board to participate as at-large, non-voting Advisory/Technical Committee members. Said at-large Advisory/Technical Committee members shall be fully recognized by the Advisory/Technical Committee for the purpose of interaction and discussion. These at-large Advisory/Technical Committee members shall be appointed by their respective organizations.¶

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program. The Board shall allocate these costs for each program with the adoption of the annual budget. To the extent changes to the budget under California law require approval of more than a simple majority of Members, the population representation requirement of Section 4.f. shall not increase.

- b. The core program functions of Marin Wildfire will be funded by 60% of the tax measure proceeds and will consist of, but not be limited to, vegetation management; wildfire detection; evacuation plans and alerts; grants; and public education. Marin Wildfire may allocate core funds to local wildfire prevention efforts, should the Board of Directors determine the core functions of Marin Wildfire are being served. Vegetation management funds will be allocated with consideration towards equitable spending over the five operational zones. As part of the five-year review of the funding levels described in Section 9f, at least 80% of the revenue generated for vegetation management by each operational zone should be allocated within the respective zone. If this requirement is not met, it must be remedied within the next five-year period.
- c. Defensible space and fire-resistant structure evaluations, and mitigation of fire threats thereof, will be funded by 20% of the tax measure proceeds and will be done on a shared service basis or by the responsible Member consistent with Section 10.
- d. Local-specific wildfire prevention efforts will be funded by 20% of the tax measure proceeds and allocated to each Member in proportion to revenue raised in each Member's respective tax rate areas. Members must certify that the tax measure proceeds are used consistent with the purpose of Marin Wildfire and that the tax measure expenses result in a higher level of service than would otherwise be provided by the Member.
- e. An administrative cost of not more than 10% will be budgeted for each program, ~~including the core program, defensible space and fire-resistant structure evaluation program, and local-specific wildfire prevention efforts.~~ Should a Member locally administer the defensible space evaluations pursuant to Section 10, an administrative cost will not be withheld by Marin Wildfire for that program. The Board shall determine the methodology for calculating administrative costs.
- f. In Fiscal Year 2025-26, 2030-31, 2035-36 and continuing every five years thereafter, the Board may alter the funding levels of the core program functions of subsection 9.b. and the defensible space evaluations from subsection 9.c. The local-specific wildfire prevention efforts of subsection 9.d. will remain funded by 20% of the tax measure proceeds. A vote to alter the funding levels pursuant to this section shall require two-thirds approval of Directors voting to alter the funding levels, while maintaining the over 50% of the population represented by the Member agencies requirement in accordance with the voting rules set forth in Section 4.f. Should the Board approve changes to the funding levels of the programs, to provide adequate notice to Member agencies, those changes will not go into effect until two fiscal years after the changes were approved. For

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example, if funding levels of programs are altered during Fiscal Year 2025-26, those changes will not be implemented until the budget of Fiscal Year 2027-28.

SECTION 10. Option to Locally Administer the Section 5.b. Defensible Space Program

Should a Member choose to locally administer the power set forth in Section 5.b., that Member shall evaluate structures and defensible space so property owners can enhance compliance with fire and building codes through homeowner education and, as necessary, enforcement follow-up. The Member choosing to locally administer the Defensible Space Program must certify that the Member shall use the funds provided by Marin Wildfire exclusively to evaluate defensible space and to enhance compliance with structures and land meeting fire and building codes, and not for any other purpose. Tax measure proceeds will be allocated to Members choosing to locally administer in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas, as determined by the Board. For those Members remaining in the defensible space program, Marin Wildfire will expend the tax measure proceeds in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas.

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SECTION 11. Exemptions

Marin Wildfire shall be responsible for technical tax adjustments, consistent with the ballot measure. Whenever possible, Marin Wildfire must defer to reasonable requests from the Marin County Tax Collector to accommodate exemptions for parcels that are roads or creek beds, as well as split parcels ineligible for an assessor parcel combination solely because the parcels are not in the same tax rate area.

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SECTION 12. Duties of Treasurer

- a. The Treasurer of Marin Wildfire shall be the Treasurer of one of the Members, and/or a certified public accountant appointed by the Board of Directors in accordance with the provisions of the applicable law, Marin Wildfire at its first meeting and thereafter at its first meeting of the fiscal year shall elect a Treasurer and establish terms with the Member agency. This person shall also function as the Controller of Marin Wildfire.
- b. The Treasurer shall serve as the depository and have custody of all Authority funds and establish and maintain such books, records, funds, and accounts as may be required by generally accepted accounting practice, shall cause an independent annual audit of the accounts and records and comply with all requirements of Government Code Sections 6505, 6505.1, 6505.5 and 6505.6.
- c. The Treasurer, within one hundred and twenty (120) days after the close of each fiscal year ending on June 30, or as soon thereafter as possible, shall give a

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complete written report of all financial activities for such fiscal year to the Members.

SECTION 13. Debts and Liabilities

As permitted pursuant to Government Code Section 6508.1, no debt, liability, or obligation of Marin Wildfire shall constitute a debt, liability, or obligation of any Member and each Member’s obligation hereunder is expressly limited only to the appropriation and contribution of such funds as may be levied pursuant to this Agreement or as the Member may agree.

SECTION 14. Insurance and Indemnification

Marin Wildfire shall acquire such insurance protection as is needed to protect the interests of Marin Wildfire and the Members, and such cost shall not count toward the administrative fee of Section 9.e. Marin Wildfire may use self-insurance and may contract with a Member for insurance services. Marin Wildfire shall defend and indemnify and hold harmless the Members and each of their respective officers, agents and employees, from all claims, losses, damages, costs, injury and liability of every kind, nature and description directly or indirectly arising from the performance of any of the activities of Marin Wildfire or the activities undertaken pursuant to this Agreement (collectively, “Liabilities”), ~~except where such Liabilities are caused solely by the gross negligence or willful misconduct of any indemnitee.~~

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SECTION 15. Privileges, Immunities and Other Benefits

In accordance with California Government Code Section 6513, all of the privileges and immunities from liability, all exemptions from laws, ordinances and rules, and all pension, relief, disability, workmen’s compensation, and other benefits which apply to the activity of the trustees, officers, employees or agents of the Members when performing their functions shall apply to the same degree and extent while engaged in the performance of any of their functions and duties for Marin Wildfire.

SECTION 16. Termination; Disposition of Assets.

- a. Should ~~a tax measure to be placed on the ballot fail to pass or is subsequently repealed~~, this Agreement is terminated and shall be of no further effect upon certification of the election results.
- b. In accordance with Government Code Section 6512, upon termination of this Agreement, any surplus money in possession of Marin Wildfire or on deposit in any fund or account of Marin Wildfire shall be returned in proportion to the contributions made by the tax payers of each Member’s jurisdiction. Any other property of Marin Wildfire shall be divided among the Members in such manner as shall be determined by Marin Wildfire in accordance with California law.

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c. If a tax measure is rescinded, all decisions of the Board with regard to determination of amounts to be transferred to Members or any successor shall be final.

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SECTION 17. Severability

If any provision of the Agreement or its application to any person or circumstances is held invalid, the remainder of this Agreement and the application of the provision to other persons or circumstances shall not be affected.

SECTION 18. No Rights to Third Parties

All of the terms, conditions, rights and duties provided for in the Agreement are, and shall always be, solely for the benefit of the Members. It is the intent of the Members that no third party shall ever be the intended beneficiary of any performance, duty or right created or required pursuant to the terms and conditions of this Agreement. Nothing in this Section shall be interpreted to preclude the work of the Authority being done on private land.

SECTION 19. Notices.

Notices to Members under this Agreement shall be sufficient if delivered to the City Clerk or chief secretarial officer of the Member, or to any other person designated in writing by the Member.

SECTION 20. Prohibition Against Assignment.

No Member may assign any right, claim, or interest it may have under this Agreement, and no creditor, assignee or third-party beneficiary of any Member shall have any right, claim or title to any part, share, interest or assets under this Agreement.

SECTION 21. Amendments

This Agreement may be amended at any time by one or more supplemental agreements executed by mutual agreement of three-fourths (3/4) of the governing boards of the Members, so long as any amendment comports with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement.

SECTION 22. Agreement Complete

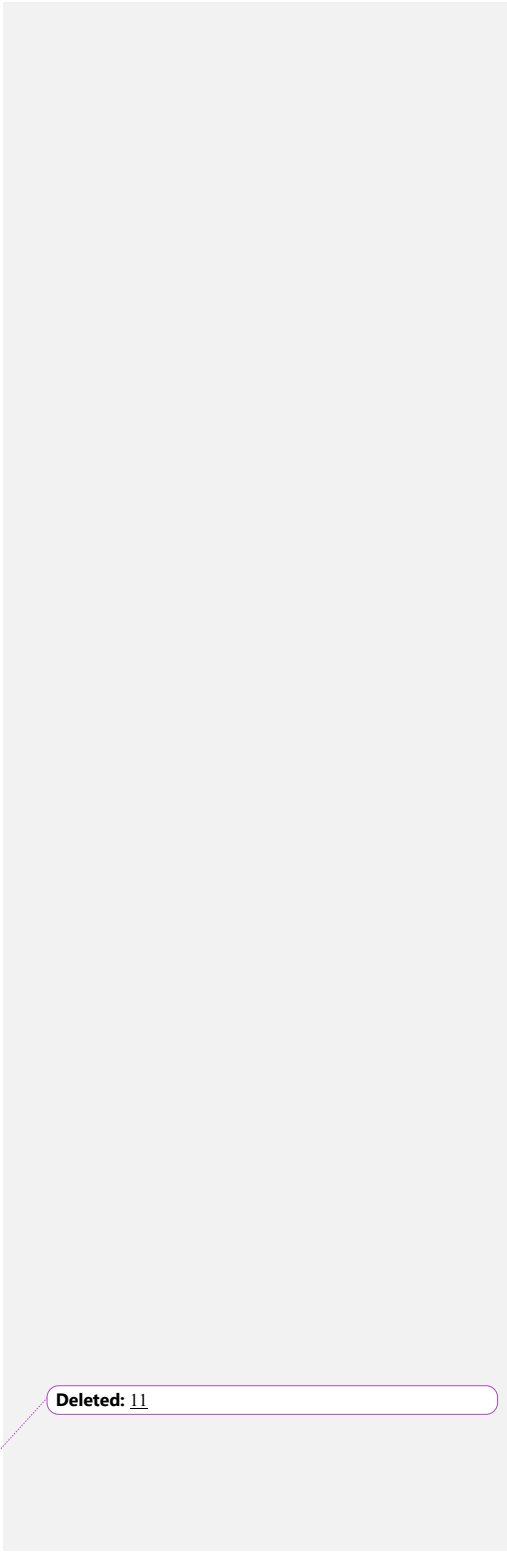
The foregoing constitutes the full and complete Agreement of the parties with respect to the subject matter hereof, and supersedes all prior understandings or agreements whether written or verbal. There are no oral understandings or agreement not set forth in writing herein. Any such agreements merge into this Agreement.

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IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their proper officers thereunder duly authorized as of the date of approval by the public agencies that are parties hereto. This Agreement shall be executed in counterparts.

Dated: _____

By: _____



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**AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT
FOR
MARIN WILDFIRE PREVENTION AUTHORITY**

This Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority (“Agreement”) is entered into pursuant to Sections 6500 *et seq.* of the California Government Code, by and between the following local agencies: the cities of San Rafael, Mill Valley, and Larkspur (“Cities”); the towns of San Anselmo, Corte Madera, Fairfax, and Ross (“Towns”); the County of Marin (including Service Areas 13, 19 and 31 collectively referred to as “County”); the Fire Protection Districts of Southern Marin, Novato, Kentfield, Stinson Beach, Bolinas, and Sleepy Hollow, the Marinwood Community Services District, the Inverness Public Utility District, and Muir Beach Community Services District (“Districts”); “Cities,” “Towns,” “County,” and “Districts” are referred to in their individual capacities outside of this Agreement as “Local Agencies,” and are referred to for the purposes of participation in this Agreement as “Member” or “Members”.

RECITALS

WHEREAS, the growing wildfire risk in Marin County does not respect jurisdictional boundaries and needs immediate action and sustained commitment to better protect Marin residents, homes and businesses; and

WHEREAS, intensifying climate change and extensive fuel build-up are contributing to the increasing threat of wildfire throughout Marin County and, to the extent possible, should be addressed through ecologically sound practices that minimize release of greenhouse gases and protect the biodiversity and resilience of Marin’s landscapes; and

WHEREAS, individual homes and properties are only as fire resilient as the surrounding homes and properties within each neighborhood or area; and

WHEREAS, the more than 260,000 people living in Marin County receive fire protection and emergency response services provided by 19 separate cities, towns, fire districts and the County of Marin and no single agency currently exists for coordinating wildfire prevention; and

WHEREAS, local fire agencies, communities, emergency service providers, city and towns governments and the County of Marin must coordinate wildfire prevention and disaster preparedness and mitigation, including maintaining defensible space, reducing combustible vegetation, making homes fire resistant and planning for organized evacuation in an emergency; and

WHEREAS, in 2016 the Marin County Fire Department published a *Community Wildfire Protection Plan*, identifying specific steps needed to reduce the risk of wildfire and related loss of life and property in Marin; and

WHEREAS, in 2018 Marin County published *Lessons Learned from North Bay Fire Siege*, summarizing key findings and conclusions from the 2017 wildfires that devastated Sonoma, Napa, Lake, Solano and Butte counties, burned nearly 250,000 acres, destroyed nearly 9,000 structures, forced 90,000 evacuations, caused \$14.5 billion in property damage and killed 44 people; and

WHEREAS, in 2019 the Marin County Civil Grand Jury issued *Wildfire Preparedness: A New Approach*, a report identifying an urgent need for a coordinated wildfire prevention program in Marin and providing detailed recommendations for reducing wildfire risk and securing dedicated funding for wildfire prevention programs; and

WHEREAS, efforts are needed to assist seniors, persons with disabilities, and low-income households to maintain defensible space, make homes fire resistant, and prepare for emergencies to mitigate wildfire threats to structures and defensible space; and

WHEREAS, each of Marin’s communities has unique local needs such as wildfire risk from homeless encampments or road widening for safe evacuations and the Marin Wildfire Prevention Authority (“Marin Wildfire”) will seek to address these specific local needs with a local wildfire mitigation program that assists local fire agencies in meeting unique community needs while sustaining a core countywide program for consistency; and

WHEREAS, the most effective way to protect all of our communities from the risk of wildfire is to come together in a joint powers authority to implement a countywide program of priority fire prevention, education and vegetation management; and

WHEREAS, the Marin Wildfire was formed when the 17 Members entered into the original joint exercise of powers agreement (“original agreement”) and Measure C, including Ordinance No. 3716, was approved by 70.8% of voters in March 2020 to impose a tax on all parcels of real property in Marin County within the boundaries of Marin Wildfire’s Members, which are defined as “Member Taxing Entities” under the Ordinance; and

WHEREAS, effective July 1, 2023, the City of Mill Valley consolidated its fire department and taxing authority for fire protection and prevention with the Southern Marin Fire District. As the original agreement did not address this type of action on the part of a Member Taxing Entity at the time the consolidation took effect, on August 17, 2023, the Marin Wildfire Board of Directors voted unanimously to allow the City of Mill Valley to remain a Member until the expiration of Measure C; and

WHEREAS, the Members wish to amend and restate the original agreement to reflect the current structure of Marin Wildfire and to address matters that were not included in the original agreement; and

WHEREAS, the Members find that the amendments reflected in this Agreement comport with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement;

NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and agreements set forth herein, the Members agree as follows:

SECTION 1. Authority and Purpose

- a. This Agreement is made under the authority of Sections 6500 through 6515, inclusive, of the California Government Code, among the Members.
- b. The purpose of this Agreement is to establish a Joint Powers Authority separate from the Local Agencies. This Authority is to be known as the Marin Wildfire Prevention Authority and may be referred to as Marin Wildfire. Marin Wildfire will plan, finance, implement, manage, own and operate a multi-jurisdictional and county-wide agency to prevent and mitigate wildfires in Marin County. Each Member individually, at the time Measure C including Ordinance No. 3716 passed in 2020, had the statutory ability to provide fire suppression, protection, prevention and related incidental services. The purpose and intent of this Agreement is to jointly exercise the foregoing common powers in the manner set forth herein.

SECTION 2. Term of Agreement

This Agreement becomes effective upon the first date that at least three quarters (3/4) of the 17 Local Agencies listed above (i.e., 13 Local Agencies) approve the Agreement at a public meeting. It shall remain in effect until it is terminated pursuant to Section 16 or amended in accordance with Section 21.

SECTION 3. Membership

- a. **Initial Membership.** To become an initial Member, the Local Agency executed the original agreement and approved the County of Marin placing the tax measure on the ballot by October 31, 2019. A Local Agency geographically located in Marin County that possessed fire protection responsibilities must have adopted a resolution of their governing board to become a participating signatory to this Agreement and Member of Marin Wildfire. At that time, 17 of the Local Agencies had done so.
- b. **Successor Membership.** If, due to changes in circumstances (including, but not limited to changes in fire suppression responsibility approved by LAFCO) a Member's fire suppression responsibility is transferred to a new or different public agency, that new or different public agency shall be admitted as a Member upon approval of such membership and this Agreement by such public agency's governing body.
- c. **Member Withdrawal and Consolidation.**
 - 1) **Withdrawal.** A Member that wishes to withdraw from Marin Wildfire must provide written notice to Marin Wildfire at least one (1) year prior to the Board of Directors' final action to propose a tax renewal measure for consideration by Members. A Member's withdrawal will

take effect upon the expiration of the tax that is in place at the time such withdrawal notice is provided to the Board of Directors.

- 2) Consolidation/Merger. If, due to changes in circumstances a Member's fire protection responsibility and taxing authority for fire protection and prevention is transferred to a new or different public agency that results in a Member losing its fire protection responsibility and its Member taxing authority, the Member will be withdrawn from Marin Wildfire upon expiration of the tax that is in place at the time of any such changed circumstance.

d. **Additional Members.** A Local Agency geographically located in Marin County that possesses fire protection responsibilities may become a Member only when Marin Wildfire seeks to renew the tax that funds Marin Wildfire. Specifically, the Local Agency must adopt a resolution of their governing board to become a participating signatory to this Agreement, as amended, and must approve placing a tax measure on the ballot in conformance with Section 5(f) of this Agreement. The Board of Directors must adopt a resolution authorizing membership of the new Member, specifying conditions, if any, associated with membership, including a one-time pro rata charge to compensate for past expenditures and investments of Marin Wildfire that will be of benefit to the Member upon joining Marin Wildfire ("New Member Charge"). The Board of Directors' determination of the conditions, if any, including the New Member Charge, is final.

- 1) If the tax renewal measure is approved by the voters, each Additional Member will be considered a Member and will be represented on Marin Wildfire's Board of Directors. If a New Member Charge is required upon joining Marin Wildfire, that Charge will be deducted from the New Member's Local-specific wildfire prevention funding described in Section 9(d) until the Charge is paid in full. The New Member will also have the option of paying in full the Charge within sixty (60) days of joining Marin Wildfire.
- 2) If the tax renewal measure is not approved, this Agreement will terminate and assets will be allocated among the Initial Members as outlined in Section 16 and the new Member(s) will not become Member(s) or serve on Marin Wildfire's Board of Directors.

SECTION 4. Board of Directors

- a. Marin Wildfire will be governed by a Board of Directors comprising elected leaders from each Member to ensure that wildfire programs and resources are directed to areas of greatest need and opportunity for community benefit.

- b. Marin Wildfire shall be governed by the Board of Directors which is hereby established. The Board of Directors shall be comprised of Directors who are elected officials of the Members, and each Member shall have one Director on the Board of Directors.
- c. The Board of Directors shall hold at least two meetings each year as determined by its bylaws. Special Meetings of the Board may be called in accordance with the provisions of the Brown Act and Government Code Section 54956.
- d. Minutes of the adjourned, regular and special meetings of the Board shall be kept and said minutes shall be available to Members and the public on Marin Wildfire's website. A majority of the Directors of the Board will constitute a quorum; however, if the number of Members is an even number, then 50% of the Directors of the Board will constitute a quorum. In the event of a meeting of the Board with less than a quorum, the present Directors will only have the power to dismiss a meeting. For purposes of conducting business, a majority of the quorum will be authorized to act on behalf of Marin Wildfire, subject to the voting conditions set forth in Section 4.f.
- e. The Board shall elect, at its first meeting of each fiscal year, a President and Vice President. The President and Vice President shall serve one-year terms, but can be re-elected. The President shall represent Marin Wildfire and execute any contracts and other documents when required by the bylaws. The Vice President shall serve in the absence of the President.
- f. **Voting.** For all votes conducted by the Board, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the Directors present vote in favor of a motion, and (2) the Directors present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.
- g. The Board may adopt from time to time such policies, procedures, bylaws, rules and regulations for the conduct of its affairs as deemed necessary by the Board.

SECTION 5. Powers of Marin Wildfire

- a. Marin Wildfire shall have all of the necessary powers and authorities granted by law to exercise the common powers of its members in providing wildfire suppression, protection, prevention and related and incidental services, with members retaining all powers.
- b. Marin Wildfire shall have all of the necessary powers to evaluate structures and defensible space and provide structural fire protection advice to enhance compliance of parcels of land and buildings meeting local fire and building codes, as well the power to create neighborhood and public education programs to reduce wildfire vulnerability and improve neighborhood preparedness.

- c. Marin Wildfire may contract with private companies and public agencies to create, implement and operate Marin Wildfire to provide wildfire protection and prevention, as well as to ensure buildings meet fire and building codes.
- d. Marin Wildfire may make and enter into contracts; adopt budgets; employ and retain agents and personnel; retain legal counsel; retain consultants and engineers; acquire grants; acquire, hold, lease and dispose of real and personal property; accept donations; sue and be sued; and possess and exercise all other powers common to the Members. The intent of this provision is to allow Marin Wildfire flexibility in making fiscally sound staffing decisions.
- e. Marin Wildfire may incur debt and issue bonds or any like instruments of no more than 10% of its annual budget in order to efficiently provide the service enumerated herein in compliance with the pertinent sections of the Government Code of the State of California. Specifically, Marin Wildfire can incur debt in its own name under any law authorizing a joint power authority to do so, including Government Code Section 6540 *et seq.*, and the Marks-Roos Local Bond Pooling Act of 1985, and Government Code Section 6584 *et seq.*
- f. Marin Wildfire may authorize taxes pursuant to Government Code Sections 50075 *et seq.*, 53978, or any successor statutes. Subsequent taxes shall be levied and assessed as a special parcel tax by the County of Marin, on behalf of itself and Member Taxing Entities, on all parcels of real property in the Member Taxing Entities for each fiscal year.
- g. Marin Wildfire may exercise the powers permitted pursuant to Government Code Section 6504 or any successor statute. Pursuant to Government Code Section 6509.5, Marin Wildfire is entitled to invest any money in the treasury that is not required for the immediate necessities of Marin Wildfire.
- h. Marin Wildfire may do all things necessary and lawful to carry out the purpose of this Agreement.
- i. As required by Government Code Section 6509, one Member must be designated such that the power of Marin Wildfire is subject to the restrictions upon the manner of exercising power possessed by the Member. The County of Marin is designated as the Government Code Section 6509 public entity.

SECTION 6. Operations Committee

- a. The Operations Committee shall be responsible for creating a recommended annual budget and a recommended annual work plan for the Board. The Operations Committee shall meet at least twice per year at a reasonable time before the Board must establish its budget. The Operations Committee representatives should strive for a balance of executive/administrative and fire expertise on the committee. The Operations Committee shall be composed of representatives who are agency staff or contract employees, one from each of the Members. The Operations Committee meetings will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 *et seq.*

- b. **Voting.** For all votes conducted by the Operations Committee, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the representatives of the Operations Committee present vote in favor of a motion, and (2) the representatives of the Operation Committee present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.

SECTION 7. Reserved

SECTION 8. Community Oversight Committee

The Board of Directors will create a Community Oversight Committee. The Community Oversight Committee will review Marin Wildfire's spending on an annual basis following the report from the Treasurer. After review of the previous year's work program and the financial audit, the Community Oversight Committee will adopt a report on the spending of the parcel tax funds and the previous year's work program to evaluate consistency with the tax measure. Community Oversight Committee participants will be residents who are neither elected officials of any government entity, nor public employees of any Member. Service on the Community Oversight Committee will be restricted to individuals who reside in Marin County. Participants on the Community Oversight Committee will be required to submit a statement of financial disclosure and participation will be restricted to individuals without economic interest in any of Marin Wildfire's projects. The Community Oversight Committee may create subcommittees to monitor the deliberations of the Board of Directors and Operations Committee. The Board of Directors shall appoint participants to the Community Oversight Committee from applications received as set forth below:

- Five participants, each residing in one of these five general geographical areas: West Marin, Novato, San Rafael, Central Marin, and Southern Marin.
- One participant from a taxpayer organization of Marin County.
- One participant from environmental organizations of Marin County.
- One participant from Firewise communities or similar fire prevention organization.
- One participant from a non-partisan community-based organization.
- One nonvoting youth member (age 14-18) for a one-year term rotating between the five general geographical areas, when possible.

SECTION 9. Funding

- a. The Board shall adopt an annual budget for Marin Wildfire's activities by June 1 of each year. In adopting the annual budget, the Board must consider recommendations from the Operations Committee. The annual budget shall identify the programs of Marin Wildfire and allocate funds by program. The budget and accounting system shall account for direct and overhead costs by

program. The Board shall allocate these costs for each program with the adoption of the annual budget. To the extent changes to the budget under California law require approval of more than a simple majority of Members, the population representation requirement of Section 4.f. shall not increase.

- b. The core program functions of Marin Wildfire will be funded by 60% of the tax measure proceeds and will consist of, but not be limited to, vegetation management; wildfire detection; evacuation plans and alerts; grants; and public education. Marin Wildfire may allocate core funds to local wildfire prevention efforts, should the Board of Directors determine the core functions of Marin Wildfire are being served. Vegetation management funds will be allocated with consideration towards equitable spending over the five operational zones. As part of the five-year review of the funding levels described in Section 9f, at least 80% of the revenue generated for vegetation management by each operational zone should be allocated within the respective zone. If this requirement is not met, it must be remedied within the next five-year period.
- c. Defensible space and fire-resistant structure evaluations, and mitigation of fire threats thereof, will be funded by 20% of the tax measure proceeds and will be done on a shared service basis or by the responsible Member consistent with Section 10.
- d. Local-specific wildfire prevention efforts will be funded by 20% of the tax measure proceeds and allocated to each Member in proportion to revenue raised in each Member's respective tax rate areas. Members must certify that the tax measure proceeds are used consistent with the purpose of Marin Wildfire and that the tax measure expenses result in a higher level of service than would otherwise be provided by the Member.
- e. An administrative cost of not more than 10% will be budgeted for each program, including the core program, defensible space and fire-resistant structure evaluation program, and local-specific wildfire prevention efforts. Should a Member locally administer the defensible space evaluations pursuant to Section 10, an administrative cost will not be withheld by Marin Wildfire for that program. The Board shall determine the methodology for calculating administrative costs.
- f. In Fiscal Year 2025-26, 2030-31, 2035-36 and continuing every five years thereafter, the Board may alter the funding levels of the core program functions of subsection 9.b. and the defensible space evaluations from subsection 9.c. The local-specific wildfire prevention efforts of subsection 9.d. will remain funded by 20% of the tax measure proceeds. A vote to alter the funding levels pursuant to this section shall require two-thirds approval of Directors voting to alter the funding levels, while maintaining the over 50% of the population represented by the Member agencies requirement in accordance with the voting rules set forth in Section 4.f. Should the Board approve changes to the funding levels of the programs, to provide adequate notice to Member agencies, those changes will not go into effect until two fiscal years after the changes were approved. For

example, if funding levels of programs are altered during Fiscal Year 2025-26, those changes will not be implemented until the budget of Fiscal Year 2027-28.

SECTION 10. Option to Locally Administer the Section 5.b. Defensible Space Program

Should a Member choose to locally administer the power set forth in Section 5.b., that Member shall evaluate structures and defensible space so property owners can enhance compliance with fire and building codes through homeowner education and, as necessary, enforcement follow-up. The Member choosing to locally administer the Defensible Space Program must certify that the Member shall use the funds provided by Marin Wildfire exclusively to evaluate defensible space and to enhance compliance with structures and land meeting fire and building codes, and not for any other purpose. Tax measure proceeds will be allocated to Members choosing to locally administer in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas, as determined by the Board. For those Members remaining in the defensible space program, Marin Wildfire will expend the tax measure proceeds in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas.

SECTION 11. Exemptions

Marin Wildfire shall be responsible for technical tax adjustments, consistent with the ballot measure. Whenever possible, Marin Wildfire must defer to reasonable requests from the Marin County Tax Collector to accommodate exemptions for parcels that are roads or creek beds, as well as split parcels ineligible for an assessor parcel combination solely because the parcels are not in the same tax rate area.

SECTION 12. Duties of Treasurer

- a. The Treasurer of Marin Wildfire shall be the Treasurer of one of the Members and/or a certified public accountant appointed by the Board of Directors in accordance with the provisions of the applicable law. Marin Wildfire at its first meeting and thereafter at its first meeting of the fiscal year shall elect a Treasurer and establish terms with the Member agency. This person shall also function as the Controller of Marin Wildfire.
- b. The Treasurer shall serve as the depository and have custody of all Authority funds and establish and maintain such books, records, funds, and accounts as may be required by generally accepted accounting practice, shall cause an independent annual audit of the accounts and records and comply with all requirements of Government Code Sections 6505, 6505.1, 6505.5 and 6505.6.
- c. The Treasurer, within one hundred and twenty (120) days after the close of each fiscal year ending on June 30, or as soon thereafter as possible, shall give a

complete written report of all financial activities for such fiscal year to the Members.

SECTION 13. Debts and Liabilities

As permitted pursuant to Government Code Section 6508.1, no debt, liability, or obligation of Marin Wildfire shall constitute a debt, liability, or obligation of any Member and each Member's obligation hereunder is expressly limited only to the appropriation and contribution of such funds as may be levied pursuant to this Agreement or as the Member may agree.

SECTION 14. Insurance and Indemnification

Marin Wildfire shall acquire such insurance protection as is needed to protect the interests of Marin Wildfire and the Members, and such cost shall not count toward the administrative fee of Section 9.e. Marin Wildfire may use self-insurance and may contract with a Member for insurance services. Marin Wildfire shall defend and indemnify and hold harmless the Members and each of their respective officers, agents and employees, from all claims, losses, damages, costs, injury and liability of every kind, nature and description directly or indirectly arising from the performance of any of the activities of Marin Wildfire or the activities undertaken pursuant to this Agreement (collectively, "Liabilities"), except where such Liabilities are caused solely by the gross negligence or willful misconduct of any indemnitee.

SECTION 15. Privileges, Immunities and Other Benefits

In accordance with California Government Code Section 6513, all of the privileges and immunities from liability, all exemptions from laws, ordinances and rules, and all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of the trustees, officers, employees or agents of the Members when performing their functions shall apply to the same degree and extent while engaged in the performance of any of their functions and duties for Marin Wildfire.

SECTION 16. Termination; Disposition of Assets.

- a. Should a tax measure to be placed on the ballot fail to pass or is subsequently repealed, this Agreement is terminated and shall be of no further effect upon certification of the election results.
- b. In accordance with Government Code Section 6512, upon termination of this Agreement, any surplus money in possession of Marin Wildfire or on deposit in any fund or account of Marin Wildfire shall be returned in proportion to the contributions made by the tax payers of each Member's jurisdiction. Any other property of Marin Wildfire shall be divided among the Members in such manner as shall be determined by Marin Wildfire in accordance with California law.

- c. If a tax measure is rescinded, all decisions of the Board with regard to determination of amounts to be transferred to Members or any successor shall be final.

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If any provision of the Agreement or its application to any person or circumstances is held invalid, the remainder of this Agreement and the application of the provision to other persons or circumstances shall not be affected.

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SECTION 19. Notices.

Notices to Members under this Agreement shall be sufficient if delivered to the City Clerk or chief secretarial officer of the Member, or to any other person designated in writing by the Member.

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No Member may assign any right, claim, or interest it may have under this Agreement, and no creditor, assignee or third-party beneficiary of any Member shall have any right, claim or title to any part, share, interest or assets under this Agreement.

SECTION 21. Amendments

This Agreement may be amended at any time by one or more supplemental agreements executed by mutual agreement of three-fourths (3/4) of the governing boards of the Members, so long as any amendment comports with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement.

SECTION 22. Agreement Complete

The foregoing constitutes the full and complete Agreement of the parties with respect to the subject matter hereof, and supersedes all prior understandings or agreements whether written or verbal. There are no oral understandings or agreement not set forth in writing herein. Any such agreements merge into this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their proper officers thereunder duly authorized as of the date of approval by the public agencies that are parties hereto. This Agreement shall be executed in counterparts.

Dated: _____

By: _____



Marinwood Board Meeting – Fire Chief’s Report -

Meeting Date: August 13, 2024

Submitted by: Abraham Roman, Fire Chief

STAFFING UPDATES

Continue to pursue the hiring. We now have 2 vacancies. We also have 1 firefighter on injury leave with an anticipated return to duty of early October.

Due to current staffing levels, the following temporary staffing adjustments have been proposed to the labor group:

1. Shift Reassignment: Assign two regular personnel to each shift by moving a firefighter from A-shift to C-shift until injured firefighter returns from medical leave.
2. Mandatory Overtime: Limit mandatory overtime assignments to provide for up to two (2) personnel working for any shift. Mandatory Overtime will not be assigned to fill the 3rd position for any shift. Voluntary paid overtime will be encouraged and available to fill the 3rd position for any shift needed.
3. Vacation Restrictions: Limit vacation approval to no more than one person per shift on the same date(s).

We will continue to strive for three-person staffing every day and will encourage staffing by SRFD personnel via our Shared Services agreement. Additionally, we will aggressively pursue hiring to meet our minimum staffing needs.

TRAINING DIVISION UPDATES

No report

PREVENTION DIVISION UPDATES

A sales trailer is being placed at the entrance to the Legacy at Lucas Valley development on the new extension to Erin Dr as permits for the new homesites are being issued by the County.

Fire Prevention has submitted preliminary Planning comments for the Marinwood Plaza mixed use development.

OPERATIONS DIVISION UPDATES



Fire in San Rafael 4000 Civic Center Dr, E58 was one of the initial arriving engines.

On July 19 at approximately 11 p.m., firefighters raced to control a fast-moving vegetation fire on a steep slope to the rear of 4000 Civic Center Drive. The fire which started in an area out of sight from homes, businesses or roadways, based on evidence was a place where people gather to socialize. Most likely, the fire was caused by a recklessly tossed burning object, such as smoking materials. A total of three acres burned. Thanks to the quick action by firefighters, forward progress of the fire up the hill was stopped before any buildings were damaged.

WILDFIRE MITIGATION DIVISION UPDATES

We conducted approximately 460 defensible space and home hardening evaluations on homes and individual units in the Casa Marinwood and Roundtree HOA's.

Blackstone Open Space fuel reduction project:

Blackstone Open Space Fuel Reduction



- Vegetation management work is on track to take place September to establish a 100 foot buffer along residential property lines in the Blackstone Drive Open Space area (map of project area attached). This work will expand upon previously completed work in Marinwood Open Space to establish a shaded fuel break in this area in order to provide defensible space to residents and first responders.

Marinwood Fire Department Statistics: July 2024

The Marinwood Fire Department responded to 134 emergency calls in July 2024. More than half of the calls were for medical assistance and Engine 58 responded to two fires in San Rafael and one in Novato.

On July 23, E58 was first on scene to a report of a structure fire at St Vincents. E58 found a overheated motor on a ceiling causing smoke. Fortunately, no heat or fire was detected and E58 worked with maintenance to ensure there was no further risk before clearing the scene.

<i>Incidents by Area and Type</i>								
Area	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	OTHER	TOTAL
Marinwood	18	8	4	0	1	N/A	0	31
CSA 13	4	2	1	0	0	N/A	0	7
Old JPA (Mont Marin)	4	2	0	0	1	N/A	0	7
New JPA (East of 101)	28	12	2	0	0	N/A	0	42
SR Mutual Aid	16	15	1	2	1	1	0	36
MC JPA	1	0	0	0	0	N/A	0	1
MC Mutual Aid	0	0	0	0	0	N/A	0	0
Novato	0	4	0	1	0	5	0	10
Total number	71	43	8	3	3	6	0	134
<i>Percentage of total</i>	<i>53.0%</i>	<i>32.1%</i>	<i>6.0%</i>	<i>2.2%</i>	<i>2.2%</i>	<i>4.5%</i>	<i>0.0%</i>	

Call types:	
MA	Medical assist
PSA	Service call
FA/NN	Fire alarm
FIRE	Fire
HAZMAT	Hazardous material incident (e.g., spill)
COVER	Coverage for other stations
OTHER	Other incident(s): n/a

Average response time for Engine 58: 5 minutes, 40 seconds

Marinwood Community Services District

Minutes of Park & Recreation Commission Meeting

Tuesday – July 23, 2024

Time and Place: 7:00PM at Marinwood Community Center, 775 Miller Creek Rd, San Rafael

Present:

Commissioners: Chair Michael Benesch, Angela Bliss-Steiner, Ian Fein, Ryan Madden

Absent: Jon Campo

Staff: District Manager Eric Dreikosen, Recreation Director Luke Fretwell

Board Director: Chris Case

1. Agenda

No changes were requested by Commissioners. The agenda was adopted as presented.

2. Public Comment on Non-Agenda Items

No comments from the public were received.

3. Draft Minutes of May 28, 2024 P&R Commission Meeting

M/s Madden/Bliss-Steiner to approve Draft Minutes of May 28, 2024 P&R Commission Meeting. Ayes: Benesch, Bliss-Steiner, Fein, Madden. Nays: None. Absent: Campo. Motion carried.

4. Minutes of June 11, 2024 and July 9, 2024 Board Meetings

Commission reviewed minutes.

5. Update on Miller Creek Trail Initiative (verbal report)

Commission received verbal update regarding the Miller Creek Trail Initiative and were informed it was unlikely the planned bridge and roadway leading to the proposed senior living center would begin construction this year due to setbacks with the property owner.

6. Recreation and Park Maintenance Activity Report

Commission received Recreation and Park Maintenance Activity Report.

7. Commissioner Items of Interest – Requests for Future Agenda Items

-Commission Chair Benesch requested an update on the previously discussed pickleball trail to occur on tennis courts 3&4.

-Commissioner Madden inquired as to safety concerns regarding the crosswalk on Miller Creek Road connected the pedestrian pathways.

8. Adjourn

Meeting adjourned at 7:58 PM

Eric Dreikosen, District Manager

Parks and Recreation Report
August 2024
Submitted by: Luke Fretwell, Recreation Director

RECREATION ACTIVITY REPORT

Summer Program Update

We are currently wrapping up the 8th week of our 9-week summer camp program and things have been going extremely well. In spite of an uncharacteristically warm summer, staff and camper morale have remained high. This summer has seen the introduction of many new activities and crafts, and I have been pleased to see the staff investing extra time and creativity into the program. I want to acknowledge Assistant Recreation Director Robyn Bruton for overseeing such a well-run and enjoyable program.

This summer the oldest 3 camps have attended bi-weekly field trips to Cal Skate, Six Flags, and the Oakland Zoo, which have all gone smoothly. The younger camps have enjoyed special presentations, including live animal exhibitions, magic shows, science experiments, and a taxidermy presentation. Some of the other highlights have been the all-staff lip-sync battle, gold panning in the creek during Gold Rush Week, and solving the week-long detective mystery of who kidnapped Wally the Office Wombat. (Wally was successfully recovered.)

Each day this summer we are providing camp to around 500 campers, teaching swim lessons to over 100 swimmers, and training around 50 junior high Counselors-in-Training & Guards-in-Training.

Pool Update

The pool has remained busy all summer with steady lap swimmer attendance and large crowds coming to rec swim every afternoon. Group and private swim lessons, as well as our Guards in Training camp, have had strong enrollment all summer.

The lifeguard staff has continued to train hard each week on their rescue and CPR skills, and will be showing off their hard work at our annual Marinwood Lifeguard Games competition later this week. This year's games will be followed by an end-of-summer celebratory BBQ. I want to acknowledge Recreation Supervisor John Paul Kessler for maintaining a high level of both vigilance and camaraderie at the pool this year.

Summer Brewfest

Our annual Summer Brewfest took place on Saturday, July 27th from 3-7pm and featured 10 breweries, food by Forrest Fire BBQ, and live music by rock cover band Void Where Prohibited. The event was well-attended and ran smoothly. I want to thank the Las Gallinas Lions Club for providing a sizeable crew of volunteers to help pour beer in place of some of the breweries who were not able to send staff this year.

Music in the Park

Friday, August 9th will mark our 3rd installment of our summer music series and will feature the band La Mixta Criolla, a music and dance ensemble "with deep roots in the creole music of the Caribbean," and who regularly perform at Sol Food in San Rafael.

The final concert will take place Friday, August 23rd and will feature Mercy & the Heartbeats, a bay area cover band playing the biggest hits from the 80's, 90's, 00's and today.

Fall Preparation

Amidst all the craziness the summer brings, the Rec staff have been busy getting all the programs scheduled for the fall. The Fall/Winter Marinwood Review is complete and will be coming out in the next couple weeks.

PARKS MAINTENANCE ACTIVITY REPORT

Irrigation Repairs

This past week the staff discovered a leak in the main park. The cracked joint was quickly identified and changed out, and the irrigation schedule was only interrupted for a short time.

Tennis Court Resurfacing

Surface repairs were performed on Courts 1 & 2 over the past couple weeks, with the courts re-opening for use on Thursday, August 8th. Work performed included the filling and sealing of cracks, levelling out high and low spots, a new topcoat added, and the courts getting repainted. They are looking fantastic and we are relieved to be able to resume programming and open play. I want to thank our tennis instructor Jerry Mehciz for being flexible and keeping our tennis classes running on the lower courts while the work was performed.

Brian DiSanto Memorial Boulder

The parks staff installed the plaque on the commemorative boulder for Brian DiSanto during the week of July 8th. The boulder is located at the north end of the park near the gagaball pit. It came out really nicely and is a welcome addition to the area.

This fall we have plans to install some additional plantings in the area, as well as install a more permanent path along that northern stretch of lawn.

Creekside Park Maintenance

These past couple weeks the Parks staff spent time at Creekside Park re-routing and updating the drip systems to better accommodate the current plantings. Two retaining walls in the area are beginning to rot and will need replacement in the near future.

Ivy & Blackberry Control

This month the parks staff has been pruning back and removing ivy and blackberry along the park and pool fences that border the creek. Ivy has also been removed from several trees in and around the park in order to keep the trees healthy. This work is ongoing and further ivy control will be taking place throughout the fall and winter months.

Daily/Weekly Tasks:

- Clean and restock Community Center
- Clean and restock park bathroom
- Empty garbage in all 3 parks and at trailheads
- Restock dog waste bags at dog stations
- Mow, edge, and blow in all 3 parks
- Check playground equipment in all 3 playgrounds for damage/vandalism
- Check and adjust pool chemistry