Agenda for the Regular Meeting of the Board of Directors
Tuesday – December 9, 2014

7:00 PM - Marinwood Community Center Classroom

	Time	Description:	Board Action
A.	7:00 PM	**CALL TO ORDER**	
B.	7:00 PM	**CLOSED SESSION** *Personnel exemption; The Board may meet in closed session to confer with its designated representatives to Marinwood Professional Firefighters regarding wages, benefits and working condition matters, pursuant to Government Code section 54957.6*	
C.	7:20 PM	**CLOSED SESSION** *Public Employee Appointment; the Board will meet in closed session pursuant to Section 54957(b)(1) of the Government Code to closed session to consider appointment of District Manager.*	
D.	7:30 PM	**PLEDGE OF ALLEGIANCE**	
E.	7:30 PM	**AGENDA**	Approve
F.	7:35 PM	**CONSENT CALENDAR** a. Minutes of Regular Meeting of November 18, 2014 and Special Meeting of November 17, 2014 b. Bills Paid nos. 433-517	Approve
G.	7:45 PM	**OPEN TIME FOR ITEMS NOT ON AGENDA** *Speakers are asked to limit comments to two minutes. Speakers may comment only on non-agenda and Closed Session items. 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. The President may refer the matter to staff, or refer the matter to a future meeting agenda.*	
H.	7:50 PM	**DISTRICT MANAGER POSITION –** *The Board will consider approval of offer of employment, including compensation*	Approval and offer of employment
I.	8:00 PM	**COMMENDATION** *Commend retiring District Manager Tom Horne on his service to Marinwood*	Approval
J.	8:05 PM	**FINANCIAL MATTERS**	
		1. Impact of post-PEPRA CalPERS Plan Actuarial Valuations - *report*	
K.	8:10 PM	**FIRE DEPARTMENT MATTERS**	
		1. Fire Chief Operations Report	
		2. Implementation of paramedic program - *status*	
		3. Date of next meeting – January 6, 2014	
L.	8:20 PM	**PARK AND RECREATION MATTERS**	
		1. Draft Report of Park and Recreation Commission meeting of November 25, 2014	
		2. Recreation and Maintenance activity reports	
		3. Date of next meeting – December 23, 2014	
M.	8:40 PM	**NEW AND OTHER BUSINESS**	
		1. Appoint Fire Commissioners – *The Board may appoint four Commission members*	Appointments
		2. Appoint Park and Recreation Commissioners – *The Board may appoint four Commission members*	Appointments
		3. Resolution No. 2014-13 Finding it Necessary to Temporarily Employ Retiree under CalPERS	Adopt Resolution
		4. Resolution No. 2014-14 Adopting Conflict of Interest Code	Adopt Resolution
		5. Election of Board President and Vice-President for Calendar Year 2015	Elect officers
		6. Other new business – *non-action items*	
N.	9:00 PM	**RECOGNITIONS and BOARD MEMBER ITEMS OF INTEREST**	
		DATE OF NEXT REGULAR BOARD MEETING – January 13, 2015 at 7:30 PM	

Marinwood Community Services District

F (a)

Draft Minutes of Board of Directors Meeting
Tuesday November 18, 2014

Time and Place: 7:30PM Marinwood Community Center classroom.

Present:
Board Members: President Bill Hansell, Deana Dearborn, Justin Kai, Tarey Read and Bill Shea.
Staff: District Manager Thomas Horne, Fire Chief Thomas Roach, Recreation Director Shane DeMarta, Firefighters Joel White and Esteban Cespedes and Administrative Assistant Carolyn Sullivan.
Park and Recreation Commissioners: Chair Izabela Perry, Eric Dreikosen and Linda Barnello.
Fire Commissioner: Jeff Naylor.
Others Present: Stephen Nestel, Ray Day, Roy Nisja, Michael O'Connor, Liz Dale and Irv Schwartz.

Call to Order and Pledge of Allegiance

Agenda
Barnello stated the agenda needs to state the minutes are still "draft". Additionally the minutes on the website need to be updated. Sullivan responded she will update the website.
Nestel conveyed his disappointment in being ignored by the District Manager and stated his civil rights are being ignored. Nestel had written correspondence to the Board which was not included in the Board packet. Horne apologized.

Consent Calendar

a. *Minutes of Regular Meeting of October 14, 2014 and Special Meeting of October 30, 2014*: No comments.
b. *Bills paid nos: 348-432*: Shea asked if the Firefighter overtime costs are going to hold. Roach replied no, the Department still has one member out. Shea asked why janitorial costs were high. DeMarta replied we had the old office carpeting removed and replaced as well as waxing the existing flooring in the classroom and a deep clean of the community center. Dearborn asked why there was no drop in Park Salaries. Sullivan responded the payrolls went through October 31st, you will see a drop in expenditure beginning in November. Dearborn asked why the garage and fuel charges were high. Sullivan responded they were for maintenance to the Park vehicle and fuel for the Parks Department not Fire Department.
c. *Report of County Pooled Investment Funds CY 2014 Qtr 3*: No comments.
d. *Current Revenue and Expenditure report for November 12, 2014*: Dearborn asked when property taxes were expected. Horne replied December 15th. Dearborn asked why the money from CSA 13 is not being reflected as revenue. Roach replied he is unsure, but will look into it.

M/s Dearborn/ Shea to approve Consent Calendar.
Motion carried unanimously.

Open Time for Items not on Agenda
Roy Nisja a community member and owner of the "Christmas Bear House" stated it would be nice to be able to promote the three Holiday Houses in Marinwood; including "Linda's Snow Village" and the "Mize's Mickey House". Hansell deferred to the Recreation Director. DeMarta commented he has no problem helping advertise the Holiday Houses if the Board approves. Read stated there is no monetary exchange to visit the holiday houses. Nisja confirmed that, but said he did have a donation box for his December electricity bill. DeMarta said that he and Nisja would meet to iron out the details.
Barnello commented she would like all the Board members and Commission members to be courteous and respectful as well as to uphold Roberts Rules and the Brown Act. In the August Commission meeting there was discussion held after Barnello had read her letter to the Commissioners; this discussion violated the Brown Act. It resulted in further discussion held at the September Board meeting. Barnello stated there was "Barnello bashing" held at the Commission meeting as well as reported in the minutes. Barnello commented there should be no personal attacks in the Commission or Board meetings. Furthermore Barnello commented the five and a half minute letter that was read by the Chair of the Commission violated the Brown Act because she was refused a copy of the letter. Hansell thanked Barnello for her comments. All Commissioners and Board members are required to do online compliance training. Hansell added there have been discussions with Counsel regarding the Brown Act and possible future training sessions. Read commented the Chairs of both Commissions should be given a copy of Roberts Rules. Any personal commentary in the course of the meetings is inappropriate and Barnello stated the next time it happens she will go to the District Attorney. Perry commented in light of this discussion she will be stepping down from the Chair position. Hansell replied he would like Perry to consider her comment and not to rush a decision.
Nestel commented the two minute speaking allowance is arbitrary. Additionally his letter to the Board was not distributed and stated it was regarding Park maintenance; specifically the plies of wood chips that are scattered throughout the parks. DeMarta replied he agrees with Nestel; the wood chips need to be addressed. He and the

Recreation Supervisors had done a walk-through of the grounds assessing issues. DeMarta added he will be meeting with the remaining Park staff to finalize a maintenance schedule.
Nestel stated he had put in a FOIA request to Horne regarding the solar contract and was informed I would receive all copies of correspondence which did not happen. Horne is in violation of the law. Hansell replied Nestel may have copies of correspondence.

Audit Report for Fiscal Year 2013-2014

1. *Presentation of Basic Financial Statements and Management Report*: Michael O'Connor spoke to the Board referencing the report. O'Connor made specific notes as to the District's net position at the end of the period with full accrual which is $2,881,617.00. Hansell read the first paragraph of the *Management's Discussion and Analysis, "The District...has ended the 2013-14 Fiscal Year with an increase in fund balance of $321,097. This continued improvement is due to the increasing revenues and decreasing costs from recreation programs, from recovering property tax revenues, from the first half year's distribution of Marin County Measure A sales tax funds-expected to bring in over $80,000, per year for nine years to the District for recreation facility investment, and from concessions made by full-time staff assuming more of the cost of employee benefits."*
   Nestel commented if the new law for pension liabilities is reflected in the report. O'Connor replied it will be reflected in next year's report, OPEB will be as well. Perry commented OPEB liabilities are included in this report, but are located in the notes. Nestel commented CSPP (Citizens for Sustainable Pension Plans) stated Marinwood is the worst funded District for pensions. Roach replied CSPP is incorrect. Dearborn questioned how compensated absences are calculated. Horne replied there is a one year carry-over for full time employees with a limit on accrual; the numbers originate from our payroll service provider. Dearborn stated there will be a vacation payout when an employee retires. Horne replied yes. Nestel stated the deferred maintenance on the Park building is not captured in the report. O'Connor replied no.
   O' Connor discussed the Management Report and stated there were no new current year observations. It was noted that the Capital Expenditures threshold should be raised. Roach asked O'Connor if the District is in better financial position that is has been in years past. O'Connor replied yes, but the District needs a long term plan to address OPEB liabilities. He added, there are ways to resolve the issues and time is on the side of the District.
2. *Accept Basic Financial Statements and Management Report*:
   M/s Shea/ Read to accept the Basic Financial Statements and Management Report.
   Motion carried unanimously.

District Manager Position

Hansell reported the current District Manager will be retiring next month. This Board decided to hire a consultant to advise and assist in the process for hiring a new Manager. This consultant helped with the job description and salary benefits. It had been 18 years since Marinwood has gone out to hire a new Manager and the Board was unaware of the current market rate. The consultant received about 30 applications for the position, from those 30 she suggested a smaller group and the interview process progressed. All of the candidate information will be confidential and the Board will maintain confidentiality until a candidate has accepted the position. The interview process went as follows: for the first interview two panels were formed, each panel consisted of one Board member, one Department Head, one community member (chosen by each Board member), the Commission Chairs, and the manager of another Special District. For the first round six candidates were interviewed, and from that pool the panels decided upon four very strong candidates to move onto the second round of interviews. The second round was held by the Board and Department Heads in a Special Meeting. The Board at this time has a preferred candidate. Nestel asked if the Board could elaborate on the qualifications and qualities that looked for in the candidates. Hansell referred Nestel to the District Manager advertisement that was distributed. The candidates interviewed included people from the public and private sector. Dearborn commented the interviews were very thorough with a wide variety of candidates. Ray Day (member of a first round interview panel) stated the interviews were well structured with good questions. Perry stated while at first she had been taken aback with the price tag of the consultant, the end result was beneficial. The District had good candidates that were talented. Her only criticism was that the first interview round of questioning was scripted. Hansell replied the second round interview questions were brought forth and scripted by Board members and Dept. Heads. Barnello asked if every Board member had the opportunity to question the candidates. Hansell replied yes.
Hansell added the current District Manager has been with Marinwood for 17 years, his service and dedication to this community should be recognized.
Hansell stated the consultant had conducted a salary survey and the survey numbers yielded a salary range significantly higher than our current manager's salary; which was confirmed in the candidates resumes. Read commented if the Board offers the candidate a base salary of $115,000 burdened it would be $164,968 and with the unburdened $8,000 to deferred compensation the total is $172,968 which is $10,000 less than the Fire Chief. Hansell distributed an informational packet that details the salaries of all full time employees of the District. Read stated the numbers are a bit shocking, but the chosen candidate is coming with twenty years of experience and the choice was unanimous. Shea stated he had thought long and hard about this decision and feels the chosen candidate was the best candidate. Kai

agreed with the Board, every candidate was strong and qualified. Hansell stated this candidate has a proven track record of increasing revenues and any subsequent raises will be based upon performance, not routine step increases. Hansell stated the candidate is aware of the high expectations. Dearborn stated she agrees with her fellow Board members, but is worried about how the proposed salary will fit into the budget; there is no guarantee of increased revenues. Liz Dale asked if the job announcement advertised salary. Hansell replied no. Dale commented she is upset to hear the discussion of increased salary. Dale stated the Upper Lucas Valley Homeowners are going without the basic needs at this point in time and the overgrown vegetation in the neighborhood needs to be addressed. Roach replied the Conservation Corp is working on the area tomorrow. Nestel asked specifically how the candidate has increased revenues. Read replied they had recently designed a tax measure to cover the OPEB liabilities. Nestel objected a tax measure is not a good way to increase revenues. Fire Captain Joel White thanked the Board for their due diligence in the hiring process, but stated the District needs to move forward with a health care vesting schedule. DeMarta commented the candidate has a good track record of increasing revenues as well as good standing in the community. Roach added they also will bring knowledge regarding policies and procedures. Perry noted the salary being discussed is high, but it is because Horne has stayed with the District for 17 years. Barnello asked if the candidate will require relocation compensation. Hansell replied no. Barnello questioned if Sullivan's hours will increase due to the adjustment of the new Manager. Sullivan replied she will be available if need be. Kai commented the salary being discussed is higher than the Board had initially considered, but fully vested it is not too far from the original discussion.

M/s Read/ Shea to authorize the Board President to make an offer to the chosen candidate under the conditions the base salary is $115,000 with an $8,000 deferred compensation contribution per year, standard benefits and the most advantageous PERS plan available to the candidate with preference for three highest years compensation basis. There will be no car allowance and no step raises, only merit raises based upon performance review.

Motion carried unanimously.

Hansell thanked all involved in the interview process.

Correspondence

1. *Liz Dale, September 6, 2014 providing information re: proposed State Scenic Route designation for Lucas Valley Road and suggesting letter of support*: Irv Schwartz commented he is a 48 year resident who would like to see the electricity lines be relocated underground. This designation would allow for possible grant money to be received to assist in that project. Additionally, before Prop 13 landscaping was performed on Lucas Valley Road this designation would allow for possible grant money to be received for landscaping. He urged the Board to write a letter of support. The Board agreed to write a letter of support for the designation of Lucas Valley Road to become a State Scenic Road.

Fire Department Matters

1. *Fire Chief Operations Report*: Roach reported the Fire Engine Committee had gone to the manufacturer to check on status of the build. Roach reported Measure A is looking like it will pass. Thank you to Barnello for her work on the measure.
2. *Implementation of paramedic program*: Roach reported Cespedes is ready, but the Board needs to meet and confer with the Union for compensation. Horne had sent a letter to John Bagala last week and received a response letter yesterday.

Park and Recreation Matters

1. *Recreation and Maintenance activities Reports*: DeMarta reported that recent community events have gone very well. Halloween Harvest Fest was quite crowded and the Wine and Canvas Night was sold out. It was a great night and we had partnered with a wine distributer who was serving at the event. Winter Fest will be held on December 12th and our Winter Break Camp attendance is looking strong. Luke Fretwell has just completed and passed the Certified Pool Operator course.

   DeMarta commented in his report of 2014 summer revenue that pool revenue was down due to the lack of groupon deals we offered and the revamping of the Waterdevils payment structure. Read stated even with the decrease in pool revenue the summer programs as a whole had a net revenue increase of $73,000.

   Dearborn asked if Horne had received any quotes for pool equipment upgrades. Horne replied he is awaiting the responses.

   Dearborn asked for a Park maintenance report. DeMarta replied yes, with Harrelson's departure he has stepped in to work with the remaining staff and will be meeting with them this week and will provide updates. DeMarta stated he and the Recreation Supervisors had conducted a walk-through of the parks and grounds and had the opportunity to speak to people in the community.

New and Other Business

1. *Findings that the Marinwood CSD PV Solar Procurement Project is Exempt from the Requirements of the California Environmental Quality Act*: Horne reported this is the next step for implementation.

M/s Read/ Dearborn to approve Findings that the Marinwood CSD PV Solar Procurement Project is Exempt from the Requirements of the California Environmental Quality Act.
Motion carried unanimously.

2. *Resolution No 2014-12 Fixing the Employers Contribution for Employee Health Care Premiums*: Horne reported this is a yearly resolution. The District pays 80% of the Fire Department and 90% of the miscellaneous employees, with the remainder being picked up by payroll deductions. PERS takes cares of the retiree deductions.
   M/s Read/ Kai to approve Resolution No. 2014-12 Fixing the Employers Contribution for Employee Health Care Premiums.
   Motion carried unanimously.

Recognitions and Board Member Items of Interest
Horne reported on the status of the solar project. The District has the opportunity to apply for a second PG&E grant. Dearborn commented the contract states the Board has the right to review the plans and stated she would like to see the full design. Hansell agreed. Dearborn asked that the Solar Project Status be placed as an ongoing item on future agendas.
Hansell stated the Board will vote in December for the new Board President.
Hansell thanked staff for Harrelson's Retirement party.

Marinwood Professional Firefighters MOU discussions
The Board may meet in Closed Session to confer with its designated representatives to represented employees regarding wages, benefits and working condition matters, pursuant to Government Code section 54957.6: The Board entered into closed session at 10:19. The Board exited closed session at 11:09 there was no reportable action.

The date of the next Regular Board meeting is December 9, 2014 at 7:30PM.

The meeting was adjourned at 11:11PM.

Respectfully submitted,
Carolyn Sullivan

F (a)

Marinwood Community Services District

Draft Minutes of Board of Directors Special Meeting
Monday November 17, 2014

Time and Place: 12:00- Marinwood Community Center Classroom

Present:
Board Members: President Bill Hansell, Deana Dearborn, Justin Kai, Tarey Read and Bill Shea.
Staff: Fire Chief Thomas Roach, Recreation Director Shane DeMarta.
Others Present: Pam Derby.

Agenda
No changes or additions.

Public Comment on Items Not Included in the Agenda
No comments.

Closed Session to Interview Candidates for District Manager Position
Personnel exemption for appointment; the Board will meet in closed session pursuant to Section 54957(b)(1) of the Government Code to closed session to consider appointment –interview District Manager. The Board entered closed session at 12:07. The Board exited closed session at 5:18, no action was taken.

The date of the next Regular Board meeting is November 18, 2014 at 7:30PM.

The meeting was adjourned at 5:20PM.

Respectfully submitted,
Carolyn Sullivan

F (b)

MARINWOOD COMMUNITY SERVICES DISTRICT
REQUEST FOR PAYMENT OF CLAIMS

Fund 73700

Cost Centers- 4100 St Lgts
Cost Centers- 3100 Fire
Cost Centers- 2100 Recreation
Cost Centers- 1100 Park

Approved by the Board of Directors on December 9, 2014

NO.	VENDOR	TOTAL CLAIM	PURPOSE	Cost Center	GL Account	Functional Area	AMOUNT
433	Marinwood CSD	65,018.50	Fire Reg Salary	3100	5110110	103000	34,719.84
			Fire Overtime	3100	5120110	103000	3216.57
			Shift Cap/Work Week	3100	5110319	103000	442.56
			Admin Asst	3100	5110210	101000	468.18
			Admin Mngr	3100	5110110	101000	1,874.00
			Admin Asst	2100	5110210	101000	468.18
			Admin Asst	1100	5110210	101000	234.08
			Admin Mngr	2100	5110110	101000	937.00
			Admin Mngr	1100	5110110	101000	937.00
			Rec Salary	2100	5110110	103000	10,420.00
			Rec Hourly	2100	5110210	103000	171.50
			Park Salary	1100	5110110	102000	8,156.00
			Bldg Attendant	2100	5110210	104000	384.00
			Summer prog	2100	5110210	107000	300.00
			Preschool	2100	5110210	108000	4,106.00
			Youth prog	2100	5110210	110000	75.00
			Adult Prog	2100	5110210	111000	100.00
			Payroll billing	3100	5210230	103000	102.36
			Payroll billing	2100	5210230	103000	47.75
			Payroll billing	1100	5210230	103000	20.49
			FICA	3100	5140140	103000	2,616.90
			FICA	2100	5140140	103000	1,566.32
			FICA	1100	5140140	103000	618.06
			CA/EDU	3100	5140145	103000	72.08
			CA/EDU	2100	5140145	103000	68.15
			Benefit witholding		2120066	103000	-7,103.52
434	PERS Retirement	20,728.75	Retirement 10/31/14	3100	5130510	103000	16,111.19
				2100	5130510	103000	2,090.89
				1100	5130510	103000	2,526.67
435	Ca Assoc of Pro Fire	214.50	Long Term Dis.	3100	5130510	103000	214.50
436	AFLAC	153.90	Disability Ins. Oct	1100	5130510	103000	153.90
437	Delta Dental	2,694.06	Dental Ins Nov	3100	5130510	103000	1,450.17
				2100	5130510	103000	737.29
				1100	5130510	103000	506.60
438	PERS Retirement	19,168.07	Retirement 11/14/14	3100	5130510	103000	15,167.45
				2100	5130510	103000	2,085.11
				1100	5130510	103000	1,915.51
439	PERS Health	39,317.43	Health Ins. Nov	3100	5130120	103000	22,304.77
				2100	5130120	103000	6,877.63
				1100	5130120	103000	10,135.03
440	AFLAC	153.90	Disability Ins. Nov	1100	5130120	103000	153.90
441	MMWD	2,611.78	Water Aug-Oct	3100	5210835	103000	100.00
				2100	5210835	103000	83.83
				1100	5210835	103000	2,427.95
442	Nextel	213.24	Cell phones	3100	5210725	103000	213.24
443	PG&E	7.32	Streetlights Oct	4100	5210825	103000	7.32
444	AT&T Mobility	23.61	Mobile Data	3100	5210725	103000	23.61
445	Comcast	129.00	Interweb	3100	5210725	103000	64.50
				2100	5210725	103000	64.50
446	Comcast	73.62	Cable	3100	5210725	103000	73.62
447	PG&E	1,250.00	Application fee	2100	5210810	103000	1,250.00
448	Verizon	131.36	Wireless	3100	5210725	103000	131.36
449	Comcast	73.62	Cable firehouse	3100	5210725	103000	73.62
450	American Messaging	3.05	Pagers	3100	5210725	103000	3.05
451	American Messaging	30.38	Pagers	3100	5210725	103000	30.38
452	Verizon	171.78	Mobile E58	3100	5210725	103000	171.78
453	AT&T	69.00	Interweb	1100	5210725	103000	69.00
454	Failsafe Testing	204.50	Ladder testing	3100	5220210	103000	204.50
455	Central States	226.10	Vehicles	3100	5210910	103000	226.10
456	LGVSD	1,488.10	Sewer CY 2015	3100	5210835	103000	744.05
				2100	5210835	103000	372.02

NO.	VENDOR	TOTAL CLAIM	PURPOSE	Cost Center	GL Account	Functional Area	AMOUNT
				1100	5210835	103000	372.03
457	LN Curtis & Sons	495.22	Clothes/boots	3100	5220810	103000	495.22
458	Ricciardi, RJ	4,320.00	Audit	3100	5210210	103000	2,160.00
				2100	5210210	103000	1,080.00
				1100	5210210	103000	1,080.00
459	Vanguard	1,015.00	Janitorial	2100	5211110	104000	1,015.00
460	Postal Palace	24.92	FedEx	3100	5220110	103000	24.92
461	LGVSD	(1,488.10)	(Duplicate) Reimb.	3100	5210835	103000	-744.05
				2100	5210835	103000	-372.03
				1100	5210835	103000	-372.02
462	Project A	97.50	Email Svcs	2100	5210725	103000	17.50
				3100	5210725	103000	80.00
463	Marin Dance Theatre	624.00	Ballet	2100	5210146	110000	624.00
464	Landesign	2,985.00	Outsource Landscaping	1100	5211125	103000	2,985.00
465	O'Neil Embroidery	253.06	FF Patches	3100	5220825	103000	253.06
466	Playgrounds by Design	3,456.52	Grounds maint	1100	5220310	103000	3,456.52
467	Marinwood Market	389.50	Comm. Events	2100	5220819	112000	389.50
468	State Roofing	600.00	Roof inspect.	2100	5220310	104000	600.00
469	ASCAP	347.05	License fee	2100	5220819	112000	347.05
470	Costco	1,622.14	Comm. Events	2100	5220819	112000	1,056.66
			Youth prog	2100	5220819	110000	202.66
			Aquatics	2100	5220819	106000	82.94
			Office suppl	2100	5220110	103000	19.99
			Comm. Events	1100	5220310	103000	259.89
471	Moran Ventures	238.63	Pole banners	2100	5210122	103000	238.63
472	NuCo2	23.33	Equip rental	1100	5211220	103000	23.33
473	Costco	431.13	Comm. Events	2100	5220819	112000	237.56
			Aquatics	2100	5220819	106000	62.00
			Vending	2100	5220826	105000	85.57
			Office suppl	2100	5220110	103000	46.00
474	Leslie's Pool Suppl	685.23	Pool chems	2100	5220810	105000	685.23
475	Staples	156.22	Office suppl	2100	5220110	103000	156.22
476	Home Depot	134.82	Grounds maint	1100	5220310	103000	134.82
477	Ewing Irrigation	272.04	Irrigation maint	1100	5220310	103000	272.04
478	Praxair	112.73	Pool chems	2100	5220810	105000	112.73
479	Pitney Bowes	30.58	Meter supplies	2100	5220110	103000	30.58
480	Toshiba Business	1,638.95	Copy Machine Nov	3100	5220130	101000	491.69
				2100	5220130	101000	983.36
				1100	5220130	101000	163.90
481	Hagel Svcs	589.21	Janitorial Supplies	2100	5220827	103000	389.21
				3100	5220827	103000	200.00
482	Western Exterminator	75.00	Pest control	3100	5220310	103000	75.00
483	Western Exterminator	148.50	Pest control	3100	5220310	103000	74.25
				2100	5220310	104000	74.25
484	Marin Ace Hardware	294.15	Small tools	3100	5220220	103000	59.51
			Pest control	1100	5211532	103000	25.06
			CC Maint	2100	5220310	104000	3.05
			Bldg Maint	3100	5220310	103000	98.53
			Comm. Events	2100	5220819	112000	66.52
			Grounds maint	1100	5220310	103000	41.48
485	Pitney Bowes	100.98	Meter supplies	2100	5220110	103000	100.98
486	North Bay Portables	180.82	Porta potty	1100	5220310	103000	180.82
487	Marin Resource Recovery	140.00	Dump Fees	1100	5210815	101000	140.00
488	State of Ca Dept Justice	256.00	Fingerprinting	3100	5210128	103000	256.00
489	SF Chronicle	611.00	CY Subscription	3100	5211320	103000	611.00
490	Marin Sanitary Service	2,204.54	Garbage Oct	3100	5210815	101000	220.45
				2100	5210815	101000	440.91
				1100	5210815	101000	1,543.18
491	Leslie's Pool Supplies	599.96	Pool chems	2100	5220810	105000	293.96
			Pool Maint.	2100	5220215	105000	306.00
492	Grainger	2,607.26	Irrigation maint	1100	5220310	103000	278.76
			Tools	1100	5220215	103000	783.34
			Hydrant Maint	3100	5220215	103000	60.82
			CC Maint	2100	5220310	104000	162.89
			Equip Maint	3100	5220210	103000	203.61
			Bldg Maint	3100	5220310	103000	1,117.84
493	Gallery Collection	213.54	FH Holiday Cards	3100	5220110	103000	213.54

NO.	VENDOR	TOTAL CLAIM	PURPOSE	Cost Center	GL Account	Functional Area	AMOUNT
494	Pitney Bowes	116.00	Meter Lease	2100	5220110	103000	116.00
495	CPRS	165.00	Membership	2100	5211330	103000	165.00
496	Shamrock	53.53	Grounds Maint	1100	5220310	103000	53.53
497	United Camps Conference	1,191.38	Deposit for Camps	2100	5220819	107000	1,191.38
498	Bucks Saw Svcs	112.39	Equip Maint	3100	5220210	103000	112.39
499	Treemasters	1,800.00	Tree Removal	3100	5211320	103000	1,800.00
500	Swift Tree Care	800.00	Tree Removal	1100	5220220	103000	800.00
501	Co of marin Tax Collect	1,896.25	Counsel	3100	5210131	103000	1,281.25
				2100	5210131	103000	615.00
502	Smith, Brian	235.99	Boots	3100	5220825	103000	235.99
503	Mehciz, Gerald	4,606.80	Tennis	2100	5210146	109000	4,606.80
504	McBride, Ann	380.10	Irish Dance	2100	5210146	110000	380.10
505	Laing, David	1,091.25	Tae Kwon Do	2100	5210146	110000	1,091.25
506	Costello, Christine	442.40	Zumba	2100	5210146	111000	442.40
507	Sullivan, Carolyn	110.00	CPRS symposium	2100	5220110	103000	110.00
508	Mehciz, Gerald	1,320.00	Tennis	2100	5210146	109000	1,320.00
509	Bruton, Robyn	367.53	Summer prog	2100	5220819	107000	10.00
			Comm. Events	2100	5220819	112000	357.53
510	DeMarta, Shane	250.00	Comm. Events	2100	5220819	112000	250.00
511	Mehciz, Gerald	91.20	Tennis	2100	5210146	109000	91.20
512	Clark, Gisele	570.00	Art classes	2100	5210146	110000	570.00
513	Raisedana, Annette	51.00	Refund of account	2100	4640329	103000	51.00
514	MCFDFA	500.00	Firefighter Training	3100	5211340	103000	500.00
515	Anderson, Ross	80.00	Training	3100	5211340	103000	80.00
516	Correa, Cesar	270.00	Training	3100	5211340	103000	270.00
517	Marin Mommies	375.00	Marketing	2100	5210122	103000	375.00
	TOTAL:	197,517.82					197,517.82

Total by Department:		
Streetlights	4100	7.32
Fire Department	3100	111,051.40
Recreation Department	2100	53,486.75
Park Department	1100	40,075.87

J (1)

December 2, 2014

Board of Directors; covered employees

Re: CalPERS long-term liability

Since last spring, I have been alerting the Board to upcoming changes in the costs of our PERS retirement plans as PERS has developed its plan to address the market loss in its fund balance, changes imposed by the Public Employees Pension Reform Act of 2012 (PEPRA), and internal changes to the actuarial assumptions.

We now know the fiscal impact of these changes. As usual, PERS released its Annual Valuation Report in October. However, the report was not at all as usual. Probably for the first time, I read the report in its entirety, and I participated in a webinar in how to interpret the new reports, put on by PERS' actuaries.

PERS' Actuarial Liability Management program is imposing changes:

Pursuant to PEPRA, all of the original PERS plans have been closed to new enrollments, and lumped into two pools – one for Safety employees and one for Miscellaneous. To recover its fund balance for these plans, PERS will increase its rates over a twenty year period, ramping up over a five-year period starting in FY 2015-16, then holding those rates for ten years, and finally ramping down over five years. The new reports project those rates through FY 2020-21.

The employer rate is no longer simply a percentage of payroll, but is instead a percentage of payroll plus a dollar amount to pay down the District's unfunded liability. I have taken the rate projections from the Actuarial Reports for the District's three pre-PEPRA plans – Safety 3% @ 50 (with 10 employees), Safety second tier 3% @ 55 (one employee), Miscellaneous 2% @ 60 (8 employees) - and entered them in the attached spreadsheet. There is one column for each fiscal year presented, plus the present Fiscal Year. The model assumes 2%/year increase in wages – and that assumption can be changed simply by inputting a new % factor. The bottom row provides a dollar amount change from this Fiscal Year. By the first year following the ramp-up, the District will be shouldering an additional $150,000 plus.

This additional cost will make it more difficult to achieve the District's goals for long-term financial stability. Adding to the difficulty is the fact that PERS will demanding payment of the unfunded liability lump sum in July, at the beginning of the fiscal year. This sets back by about $300,000 the District's hope of restoring its fund balance and means that the District will be borrowing from the County much earlier in the Fall. As a side note, an additional impediment to our fiscal cash-flow goals is that SDRMA will henceforth require payment of its workers' compensation premiums in an annual lump sum in July – a total of about $150,000. We had been paying that amount quarterly, so half of the amount had been payable after the receipt of property taxes in December.

* I will send to each of you separately the full Annual Valuation Report for the 3% @ 50 plan. It is representative of all the plan reports, and 3% @ 50 is far and away the largest plan by dollar volume. The projected rates used in the spreadsheet are on page 18.

Tom Horne
District Manager

* ALL FOUR CSD CALPERS PLAN VALUATIONS HAVE BEEN POSTED ON MARINWOOD.ORG UNDER "BOARD DOCUMENTS"

Projected Cost of Marinwood CSD pre-PEPRA CalPERS Plans

Payroll inflation: 2.00%

Plan	Cost	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21
3% @ 50	Payroll basis	924,097	942,579	961,431	980,660	1,000,273	1,020,278	1,040,684
	Normal Rate	34.106%	17.557%	18.600%	18.600%	18.600%	18.600%	18.600%
	Normal Cost	315,173	165,489	178,826	182,403	186,051	189,772	193,567
	Unfunded liability cost	0	160,611	181,377	203,244	226,260	250,474	258,287
	Total Cost	315,173	326,100	360,203	385,647	412,311	440,246	451,854
	Year-to-year % increase:		*3.5%*	*10.5%*	*7.1%*	*6.9%*	*6.8%*	*2.6%*
	Change from 2014/15		10,927	45,030	70,474	97,138	125,073	136,681
3% @ 55	Payroll basis	78,595	80,167	81,770	83,405	85,073	86,774	88,509
	Normal Rate	21.367%	15.627%	16.500%	16.500%	16.500%	16.500%	16.500%
	Normal Cost	16,793	12,528	13,492	13,762	14,037	14,318	14,604
	Unfunded liability cost	0	0	0	0	0	0	0
	Total Cost	16,793	12,528	13,492	13,762	14,037	14,318	14,604
	Year-to-year % increase:		*-25.4%*	*7.7%*	*2.0%*	*2.0%*	*2.0%*	*2.0%*
	Change from 2014/15		-4,265	-3,301	-3,031	-2,756	-2,475	-2,189
2% @ 60	Payroll basis	497,678	507,632	517,785	528,141	538,704	549,478	560,468
	Normal Rate	12.085%	7.163%	7.600%	7.600%	7.600%	7.600%	7.600%
	Normal Cost	60,144	36,362	39,352	40,139	40,942	41,760	42,596
	Unfunded liability cost	0	44,054	50,360	57,002	63,998	71,362	41,075
	Total Cost	60,144	80,416	89,712	97,141	104,940	113,122	83,671
	Year-to-year % increase:		*33.7%*	*11.6%*	*8.3%*	*8.0%*	*7.8%*	*-26.0%*
	Change from 2014/15		20,272	29,568	36,997	44,796	52,978	23,527
	Total for all plans	392,110	419,044	463,407	496,550	531,288	567,686	550,129
	Percent annual increase		*6.9%*	*10.6%*	*7.2%*	*7.0%*	*6.9%*	*-3.1%*
	Change from 2014/15		26,934	71,297	104,440	139,178	175,576	158,019

K (1)

December 3, 2014

To: Marinwood Board of Directors
From: Chief Tom Roach
Re: Activity Summary for October and November 2014

FULL TIME PAID STAFFING

Eleven (11) full time paid personnel including:
Fire Chief Tom Roach
"A" shift- Captain Heine, Engineer Smith, Firefighter Brackett
"B" shift- Captain Bagala, Engineer Correa, Firefighter Selvitella
"C" shift- Captain White, Engineer Papanikolaou, Firefighter Cespedes
Relief Firefighter-Ross Anderson
One firefighter off on an extended workers compensation injury. Relief Firefighter moved on to shift. All sick/vacation/school coverage done with overtime.

VOLUNTEER STAFFING

18 Current Volunteers including:
One Volunteer Captain-one undergoing training
3 Volunteer Firefighter/AO's
10 Volunteer Firefighters qualified as "responders" (includes AO's & Captains)
8 Volunteer Firefighter qualified as a "non responder"

EMERGENCY CALLS

The department responded to 194 emergency calls in October and November. Most were medical in nature but the department did respond to four vehicle accident which I will be billing insurance companies for, two vehicle fires, three gas leaks, and 6 cover in assignments to Novato.

October Response Report

	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	TOTAL
Marinwood	18	6	3	0	0	na	27
CSA 13	6	1	1	1	0	na	9
New SR JPA (east of 101)	36	8	12	1	0	na	57
Old SR JPA (mont marin)	3	3	1	0	0	na	7
SR Mutual Aid	3	0	1	2	0	0	6
MC JPA	1	0	0	0	0	0	1
MC Mutual Aid	0	0	0	0	0	0	0
Novato Matrix	1	0	0	1	0	5	7
Others (list)	0	0	0	0	0	0	0
Total number	68	18	18	5	0	5	114

November Response Report (through 11/26)

	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	TOTAL
Marinwood	14	1	1	0	0	na	16
CSA 13	3	2	1	0	0	na	6
New SR JPA (east of 101)	30	4	5	1	0	na	40
Old SR JPA (mont marin)	5	4	1	0	0	na	10
SR Mutual Aid	3	0	0	1	0	0	4
MC JPA	2	0	0	0	0	na	2
MC Mutual Aid	0	0	0	0	0	0	0
Novato Matrix	0	1	0	0	0	1	2
Others (list)	0	0	0	0	0	0	0
Total number	57	12	8	2	0	1	80

COMMUNITY SERVICE/PREVENTION/ASSOCIATION MEETINGS

- I completed six final inspections of new solar systems in Marinwood during October and November.
- One fire commission meeting was held in October.
- I had a meeting in October with the Districts contract maintenance company to get bids for two vegetation management jobs.
- I drove the Type 3 engine in the TLHS Homecoming Parade with the principal of TLHS in October.
- San Rafael Fire Commission held a SRFD Fire Commission meeting at the Marinwood Fire Department during October. Chief Gray asked if they could early in the year to see the Marinwood Fire Station and get a tour.
- The department sponsored one ride to and from school for an auction winner through St. Isabella's School in October.
- A new volunteer orientation was held in October for potential new volunteers.
- A vegetation management project was completed at the end of Valleystone by Treemasters during October.
- Two Vegetation Management projects were completed in LVEHOA area during

  November by North Bay Conservation Corps.
- Otis Smith and Ryan Bracket taught two CPR Classes to over 40 LVHA residents during October.
- The on duty engine company and I went to Lucas Valley Christian Pre-school for a fire safety talk and showing of equipment during October.
- I attended multiple MERA campaign strategy meetings during October-Measure passed in November!
- The on duty engine company went to Bright Horizons Pre-school for a fire safety talk and showing of equipment during October.
- The on duty engine company and I attended the Lucas Valley Homeowners Association Day and taught fire extinguisher use and a Get Ready Class to over 40 residents.
- The on duty engine company and I taught a kindergarten fire safety class to four different kindergarten classes at Mary Silveira School in November.
- I attended the Marin County Fire Chief's Planning Meeting for 2015 in November.
- The on duty engine company gave a tour to Montessori Middle School and had a discussion with them about a career in the fire service.

TRAINING

- Six minutes of Safety training was reviewed daily by on duty staff.
- Este Cespedes continues to work on his paramedic skills but negotiations need to take place to finalize the position of Paramedic in Marinwood. See Chief Report for more.

- Department Personnel continued with the Target Safety Training Program October and November.
- One paid employee continued working on Officer Training.
- All three shifts participated in a multi company drill/training through the Central Marin Training Consortium in October and November. Hazardous Materials class room and decontamination drill were the topics for the month. Marinwood Fire Department personnel provided the instruction to all Central Marin Training Consortium members.
- Eight volunteer drills were held in October and November. Topics included Hazardous Materials training, decontamination training, firefighter safety and survival, pump operations, and structural firefighting training.
- All full time department personnel had a flu shot administered during November.

MAINTENANCE

- All 4 department vehicles underwent a comprehensive monthly check during October and November.
- All gas-powered equipment was checked weekly during the month.
- All vehicle batteries were serviced and charged on a weekly basis during the month.
- All radio batteries were rotated and charged on a weekly basis during the month.
- Engine 58 had a preventative maintenance check done in November.
- Unit 58 had a preventative maintenance check done in November.

K (1)

December 4, 2014

To: Marinwood Board of Directors
From: Chief Roach

Re: Fire Commission Meeting, Paramedic Update, MERA Update, vegetation management projects, CPR Class Lucas Valley Homeowners, Safety Day Lucas Valley Homeowners Association, District Manager Update, Strike Team and Overtime Report, Assistance to Firefighter Grants

Fire Commission December Meeting
Unfortunately there was not a quorum at the December Fire Commission Meeting. We did meet and review the Fire Commission packet with the three Commissioners, three Board Members, and two members of the public present. It is all the same information presented to the Board in the packet. There were no action items.

Paramedic Update through Shared Services
Firefighter Este Cespedes has passed his state paramedic certification. He received his National Registry and his California State certification. Chief Gray has drafted a letter to County EMS Agency that allows for Este to work as a paramedic within Paramedic Service Area B. Este has be cleared to take the Marin County EMS Protocol Test. San Rafael has assembled ALS bags for Marinwood apparatus.

Salary and benefits for the position need to be negotiated as well as an exit strategy for current Marinwood employees who wish to voluntarily move to a firefighter paramedic position. A draft Paramedic job description has been created and also needs to be discussed with the labor group. A letter has been sent from Tom Horne to the Marinwood Shop Steward asking to meet and confer about the Paramedic Position. A reply was received from the Union asking to wait until January to meet regarding the paramedic position so they could focus on the regular negotiations which hopefully will

be completed by then.

MERA Update
MERA Passed. A little over 67%. This is good for the CSD budget. Had it failed, as early as next budget year the District's MERA costs could have escalated to 230% of what it currently is, an increase of about $40,000 a year.

Vegetation Management Projects
The vegetation Management Project at the end of Valleystone Drive has been completed by Treemasters. They did a great job. North Bay Conservation Corps completed two project areas in the Lucas Valley Estates Homeowners Association Area. They also did a great job.

CPR Class Lucas Valley Homeowners Association
Otis Smith and Ryan Bracket taught two CPR Classes on Saturday September 18 to over 40 residents. The class were very well attended and very well received.

Safety Day at Lucas Valley Homeowners Association
The On Duty Shift and I participated in a Safety Day at Lucas Valley Homeowners Association during November. The Fire Department taught Fire Extinguisher use and had hands on training available for those interested. Ryan Bracket also taught a Get Ready Class to residents. Disaster Preparedness kits were sold, supply lists provided, and fire extinguisher servicing were also all available.

Mary Silveira Kindergarten Fire Safety Day
During November the on duty engine company and I taught a fire safety class to the four different kindergarten classes at Silveira School, over 80 students. How fire safety as well as a show and tell with the fire engine were included.

District Manager Update
The Board retained CPS Human Resources to help with a search for District Manager. The job description was updated and the position advertised in numerous locations. CPS received close to 30 applications for the position. CPS screened those applications down to 11 for the Board of Directors to review. From the application review, six were picked to be interviewed. There were two interview panels of six people. Each panel had a board member, a chair of one of the Commissions, one department head, two Community appointees, and General Manager of another CSD. Applicants were interviewed by both panels. At the end of all the interviews the candidates were ranked. The top four went to a Board interview. Currently the Board is in negotiations with the top candidate for the position.

Strike Team and Overtime report
This will be distributed at the Fire Commission Meeting.

Assistance to Firefighters Grants
I just submitted a grant to FEMA under the Assistance to Firefighter's Grant for all new SCBA's for the department. Grant total was $188,000. The CSD is responsible for 5% of that.

L (1)

MARINWOOD COMMUNITY SERVICES DISTRICT

DRAFT MINUTES OF PARK AND RECREATION COMMISSION MEETING

November 25, 2014

Time and Place: 7:00 Marinwood Community Center Classroom

Present:
Commissioners: Izabela Perry, Kimberly Call, Eric Dreikosen, Sarah Paoli and Linda Barnello.
Absent: Shane Valentine and Sivan Oyserman.
Staff: District Manager Thomas Horne, Recreation Director Shane DeMarta, and Administrative Assistant Carolyn Sullivan.
Others present: Director Justin Kai, Brian Frack and John Tune.

Recreation Facility Inspection- Community Center
The Commissioners conducted an inspection of the Community Center including the Main Hall and Kitchen facilities. Perry noted the flooring was replaced in the summer of 2013 thanks to Measure A funding. DeMarta commented the lighting in the main hall needs to be addressed, the current fixtures are not adequate. The kitchen is in desperate need of updates and there is money set aside from Measure A to provide the much needed updates. Items of discussion were as follows:

Recycling receptacles for community center, new window coverings for community center, new signage for occupancy limit and heat/cool controls, lighting for outside bulletin board, new shelving for kitchen refrigerator, patching of broken bricks on columns at entrance to community center, cleaning the light fixtures upon entrance to community center, cleaning doors to restrooms and main hall and applying a satin finish to said doors, restroom partition replacement and cleaning of ventilation grates throughout building.

Agenda
Barnello stated the agenda doesn't state the minutes are "draft".

M/s Paoli/ Call to approve agenda. Ayes: Kunkel, Perry, Paoli, Dreikosen and Call. Nays: Barnello.

Public Comment
No comments.

Minutes of September 23, 2014 Commission Meeting
Barnello stated she had revisions. The revisions are as follows:

1. (Change and add) Call asked "just what exactly is this request" and "is there anyone that could clean the paths."
2. (Change) Harrelson said, "it's onto the bid, the contractor's responsibility".
3. (Change) "about another one (path) they have to deal with because nobody knows it was there".
4. (Change) "another fence catching on fire from the debris that is right up against the fence".
5. (Change) "debris" (not weeds).
6. (Change) "within" (not with).
7. (Change) REMOVE "numerous lengthy" THESE WERE NOT SAID HERE.
8. (Add) Perry continued "so theoretically any resident can write to staff about their concerns".
9. (Add) Barnello stated "which I did".
10. (Change) "detail" should replace "small details" Perry did NOT say small details.
11. (Remove) "rather than inundate staff" Paoli NEVER SAID THAT.
12. (Add) Barnello said, "you didn't see the email request that I made asking that this item be put on a future agenda for discussion, that was my request and Mr. Horne and Izabela both said no".

Kunkel asked if Barnello was recording this meeting. Barnello replied yes. Kunkel stated it is discourteous not to inform the Commission of the recorder.
Dreikosen commented in regards to the September meeting he did not feel as if there was a personal attack on Barnello.

M/s Call/ Paoli to approve Minutes of September 23, 2014 as amended. Motion carried unanimously.

Review of Board Minutes of October 14, 2014 and Draft Minutes of November 18, 2014
Dreikosen commented in regards to the draft November 18th minutes under public comment he agrees with Barnello's comment for everyone to be courteous and respectful, but does not necessarily agree with Barnello's allegations of Brown Act violations. At the August P&R Commission meeting the reading of Barnello's email constituted discussion. Additionally at the September P&R Commission meeting the allegation of being refused a copy of Perry's letter does not

violate the Brown Act. It was not a letter, it was Perry's personal notes. Dreikosen added he has strong support and confidence in Perry as Chair of the Park and Recreation Commission.
Perry thanked Dreikosen.
Barnello stated she didn't say the discussion (at the August meeting) was a violation, she stated the item was not agenized, therefore it was a Brown Act violation.
Call stated there was no "Barnello bashing" at the meeting; we as Commissioners need to work together as a team.
Kunkel asked in regards to salary compensation what is burdened versus unburdened. Horne replied burdened includes benefits, retirement, and payroll taxes.

Park and Recreation activities reports
DeMarta reported the Recreation department has had good events this fall. The Halloween Harvest Festival was very well attended and the first Wine and Canvas Night was a huge success. The department is working on new classes for the winter including, Italian, Yoga, Ukulele for kids, Guitar for all ages, weekend music for toddlers and soccer for kids. Perry asked how the department arrives at offering classes. DeMarta replied we try to catch trends such as ukulele and we have offered Italian in the past and it was successful.
Paoli stated she appreciated Fretwell providing recertification to her and the swim coaching staff.
DeMarta reported on summer financials from 2014. The pool revenue was down a bit due to the restructuring of the Waterdevils contract and by offering less groupon deals. DeMarta reported he and Fretwell had met with the Waterdeils and will be setting the price at $75/swimmer for the 2015 season. Call asked why the decrease in groupon offers. DeMarta replied the department was instructed to offer fewer deals. Dreikosen asked how the aquatic wages decreased. DeMarta replied we offered fewer Lifeguard Training classes and were able to shave about ten minutes from overlapping lifeguard shifts which helped reduce costs. Perry asked about the status of the food vending offered at the facility. DeMarta replied the past year was not as good as anticipated and is very disappointed in our vendor this past summer. DeMarta is looking into a vending shed staffed by Marinwood employees rather than contract with an outside agency. Perry asked about a balance of healthy food and junk food available for purchase. Call added the YMCA has a good healthy vending machine. DeMarta replied the vending revenue for the YMCA is a small part of their revenue income whereas it is a large part of ours and unfortunately junk food brings in the most revenue. Perry thanked DeMarta for the 2014 summer report and suggested next year the dollar and percentages changes be added to the spreadsheet.
DeMarta reported he had met with the Park staff and will be providing them with a reoccurring schedule. Additionally the Park and Recreation staff conducted a creek and open space assessment.
Dreikosen asked what the long term vision is for the Park staff. DeMarta replied it is somewhat dependent upon the new District Manager. Barnello asked if there were any creek blockages of concern. DeMarta replied yes they identified four areas, but not emergency situations.
Horne reported Park Maintenance Worker Victor Sibbaluca had received his Playground Inspection Certification.

2014 Inspection Results Summary
Perry distributed the complied report to the Commissioners and staff. Staff will look over the report and determine short-term items and priorities.
Call asked for volunteers to plank valley oaks during the rainy season. DeMarta replied plantings could occur in the open space and he and Call should speak offline.
Barnello commented due to the "Barnello bashing" she is rescinded her offer to pay for a handrail at the pedestrian pathway east of the maintenance building near the Park Panhandle.
Perry said she would remove it from the report.
Dreikosen commented as of now there are no mandatory requirements for zero entry into the tot pool. DeMarta replied that is correct, but would like to see upgrades to the tot pool in the future. Horne commented the tot pool needs a new filter and it would be a good idea to purchase a filter that would be accommodating to pool upgrades. Kai asked who would require the District to provide a zero entry facility. DeMarta replied it would be a legal requirement initiated by the State.

Commission Reappointments and Replacement Outreach
There was lengthy discussion regarding who was up for reappointment. The Commission concluded that Kunkel, Dreikosen, Barnello, Valentine and Oyserman are up for reappointment. If the Commissioners would like to write a letter to the Board requesting reappointment, letters are due to the District Manager by December 4, 2014.

Correspondence:

a. *Letter requesting support for Lucas Valley Road Scenic Highway designation*: Perry reported the Board will be writing a letter of support. Horne commented the Commission has no jurisdiction over this matter, but Commissioners may write letters of support as citizens.
b. *Email from Stephen Nestel re*: wood chips in park: Perry reported this items has been addressed. DeMarta stated the woodchips that Nestel was concerned about have been removed.

Q&A discussion with staff re: items not otherwise covered on the agenda
Linda Barnello read her letter to the Commission; it is as follows:

I want to let everyone know that this has been a very sad and difficult time for me, after hearing several commissioners bashing me for things they think I did or did not do. I thank and appreciate the folks who stood up for me, and also those who remained neutral, conducting themselves with curtsey and respect.

*I would **like** to tell you that I am going to resign from this commission immediately, **BUT** I am not a quitter. So I am not going to resign. I honestly believe that if everyone understands the truth, rather than making assumptions on things they were not privy to, and if everyone understands the rules the commissions, (as well as the Board, and staff), are bound by, in my opinion this commission will run much more smoothly and effectively in the coming years.*

The letters I have written to the CSD have been written as a private citizen, specifically the Pedestrian Pathway emails, that several commissioners think were overwhelming. I did not email P&R commissioners, so I do not understand why some would think they were overwhelming. The letters that I have written as a commissioner have only been written as directed by the Chair.

On May 14, 2014 I sent an email to the Chair, asking if I should cc her on any emails I may write to Gary Harrelson about possible Marinwood Park problems. The Chair's response was 'It is not necessary to include me on the emails'.

I want to point out that the assumption about the Fire Chief not responding to my Pedestrian Pathway letter is illogical. The Fire Chief and Director Hansell were only cc'd and I did not expect a response from either.

I was told to request that an item I wished to discuss at a commission meeting to be put on the agenda. This is exactly what I did, but was refused by both the Chair and the District Manager.

I was told that if it doesn't end up on an agenda, I can always bring it up on the non agenda section of the meeting. This is exactly what I did in August, but it is now being considered as what "created the confrontation". I was just following the rules.

I have been following the rules and worked on requests from the Chair. I have not spent time outside the Commission working with staff, as the Chair did when setting Park & Rec priorities several months ago.

My writing technique has been criticized. I was never an English major, and I try to write simply but with enough detail, so folks won't be confused and have to ask questions.

I was criticized for reading my letter, which made a meeting last over an hour. Even before we became commissioners, we are given documentation describing the time commitment of two hour meetings once a month.

As Board member Read stated in last week's CSD Board meeting, 'Any personal commentary in the course of the meeting is inappropriate'.

The Commissioners Code of Conduct and Ethics (adopted 11/8/11) states 'Commissioners must conduct themselves with courtesy and respect to each other.....'

I just want to end by saying that back in March and April this year, I had a couple of email Q&A's with Director Hansell, asking some questions about how Boards and Commissioners are run. Director Hansell gave me many great answers, including that both types of meetings follow Robert's Rules. He suggested I purchaser the book, which I did.

Dreikosen commented that the cancellation of the October Commission meeting was arbitrary. The agenda was posted. Barnello replied it is the law that the agenda needs to be posted on the website. Dreikosen commented there needs to be a formal procedure for Commissioners to report possible Brown Act violations. Perry commented the Commission needs bylaws and asked who would be assisting the Commission in Brown Act training. Horne replied County Counsel may come to provide training for Board members and Commission members.

Paoli stated the 8th annual Rob Paoli Memorial Basketball Tournament was held on November 15th and was a great success. The Firefighters had taken Rob's turnout jacket and had it framed for Sarah and Kellie. Paoli stated she would love to donate money to the Recreation department for a camp scholarship for summer 2015. DeMarta thanked Paoli.

Perry noted there were two people in attendance who are interested in holding a seat on the Commission and asked each to introduce themselves.
Brain Frack stated he has lived in Marinwood for 4 years and his wife was raised in Marinwood. He is the former pastor of the Lucas Valley Community Church, and has worked in the community for 13 years.
John Tune stated he has lived in Marinwood for 35 years and his son participated in the Recreation programs and well as the Waterdevils. Tune added he is recently retired, but made his career in Park Departments. In 1984 he began working for the City of San Rafael as the Parks Superintendent. Tune has seen all sides of the Parks departments including budgets and maintenance. He stated he has experience and is credentialed. Tune is backflow certified and an arborist. He stated he would enjoy working on the Commission.

Perry distributed the Marinwood Community Services District Property Overview. It is a document she had complied with help from Gary and Tom. It includes a list of Marinwoods parks and facilities and duties and projects of the Parks department. She will be making the document available to the Board. Kunkel thanked her and stated her work was impressive. Horne agreed and thanked Perry for serving as Chair. He added Perry had spent so much of her time for this community and it was very worthwhile.
Kai stated if may speak on behalf of the Board, he thanked Perry for this document and stated the Board appreciated her time as Chair.

The meeting concluded at 9:37PM.
The date of the next Park and Recreation Commission meeting is December 23, 2014 at 7:00 at the Community Center Classroom.

Respectfully submitted,
Carolyn Sullivan

L (z)

Park & Recreation Report – December 2014

Shane DeMarta, Recreation Director

Recreation Activities

Upcoming Events:

Winterfest -Friday, December 12th, 5-7pm.

Winterfest is our annual holiday celebration featuring:

- Professional photos with Santa
- Live jazz music
- Games
- Face Painting
- Arts and Crafts by Studio4Art and Spark Creativity
- Cookie decorating by Fat Angel Bakery
- Food by Mark's the Spot (food truck)
- And more!

***Raise a Glass*, Winter Wine Tasting:**

Planning is underway for our annual winter wine tasting, *Raise a Glass* which will be held February 28th.

Holiday Camp:

Holiday camp is scheduled for the weeks of Dec 22 and Dec 29th. The camps are extremely popular and average approx. 60-80 campers. Campers participate in an array of activities including, arts and crafts, sports, music, and special events.

Marinwood Review:

Work is well underway on the Spring/Summer Marinwood Review. We have a mid-January deadline so staff is busy finalizing camp and pool info to bring to the Commission in January.

Park Activities

Scheduling:

I have been meeting with the Parks staff daily and have established a basic schedule for re-occurring maintenance such as: mowing, blowing, cleaning of the Community Center, checking storm drains and the creek, playground inspections, etc. In addition, we are finalizing a schedule for larger projects such as turf maintenance, painting, extra landscaping, pool operations, etc.

Recent Storm:

The recent storms have kept the parks staff busy. Over the past week we have dealt with the following:

- Walked the open space to clear v-ditches and culverts.
- Dealt with two downed trees in the panhandle
- Walked the entire creek and cleared 4 downed trees/blockages.
- Made sand bags available to homeowners.
- Cleared several drains along Miller Creek

Parks Staff will be removing two more trees in the Fireman's Picnic area and will continue to monitor the creek and drainage as the storms persist.

General Maintenance:

- Deep cleaning of the Community Center including, bathrooms and kitchen.
- Cleaned group picnic area and did a re-planting of flowers
- Replanted front flowerbed.
- Cleaned dead plants from main entrance
- Cleaned and inventoried pool pump house
- Cleaned and replaced all lighting around Community Center
- Started work on removing misc. "junk" around maintenance shed.
- Started sanding and staining decorative wood in the Reception Hall

I have been very happy with the amount of work and the enthusiasm that Parks Staff has shown and I look forward to working with them in the coming months to complete deferred maintenance and projects.

M (1)

Tom Horne

From: troach [troach@marinwood.org]
Sent: Tuesday, December 02, 2014 8:18 AM
To: thorne@marinwood.org
Subject: Fire Commission

Tom I have heard back from three of the fire commissioners up for appointment-

Rudy Gelenter would like to remain a Commissioner. He served as a Marinwood Volunteer Firefighter for 5 years from 2007 to 2012. He has served on the Commission since 2009. He has lived in Marinwood since 1980, is married and has a young daughter.

Russ Albano would like to remain a Commissioner. He lived in Marinwood for 27 years. He worked for the San Francisco FD for over 27 years reaching as high as the rank of Battalion Chief. He also served as the training Captain for the department. He has served on the fire commission for over ten years.

Tom Elsbree would like to remain a Commissioner. He has lived in Marinwood for over 40 years and has served the fire department since 1974.

I whole heartedly support these three being reappointed.

I hope to hear from Jeff Naylor tonight.

TR

N (2)

Tom Horne

From: Eric Dreikosen [edreikosen@gmail.com]
Sent: Tuesday, December 02, 2014 5:05 PM
To: <thorne@marinwood.org>
Subject: P&R Commission Reappointment

Hello Tom,

I would like to be considered for reappointment to the MCSD Park & Recreation Commission for the term of January 1, 2015 - December 31, 2016. My current term will end on December 31, 2014.

Thank you,

Eric Dreikosen

(N 2)

District Manager Tom Horne

December 4, 2014

Marinwood Community Services District

775 Miller Creek Road

San Rafael, Ca. 94903

I am re-applying for my current position on the Park and Recreation Commission. I was appointed in May 2014, to replace Eamonn O'Brien for the remaining eight months of his term, after he resigned. As I stated in my initial application, I am a forty year resident of Marinwood. I know many people and have a lot of experience in the community. Since retirement fourteen years ago, I have had more time to participate in the wonderful opportunities that Marinwood has to offer. I am very familiar with the Marinwood CSD organization, its parks and facilities. Much more so, now that I have been attending and participating in every Board meeting for a year and a half, monthly Fire Commission meetings for almost a year, and **all** Park and Rec Commission meetings during 2014 (from May on, as a P&R commissioner). These have provided me the opportunity to learn more about, and to better understand the operations of the Marinwood District.

My professional life as a computer programmer/analyst (for about 35 years) increased my analytical and research skills and polished my detail oriented approach to problem solving. I have used these skills in so many aspects of life, looking at all parts of the picture, rather than "shooting from the hip", to help make decisions. I have a good eye for detail, which makes me more proactive rather than reactive to certain situations. I can identify possible concerns, bring them to the attention of the proper folks, and offer suggestions/alternatives. I defer to the experts for, and if, possible solutions are required.

As a Park & Rec Commissioner I completed pre-inspections of Creekside Park, the Community Park and tennis courts, and the Panhandle (from the mini-park to the CSD maintenance shed, including adjacent Pedestrian Lanes). Knowing the Commission would not have time to examine their entireties, I jotted down descriptions, along with questions, possible issues, and items of interest from my outreach to many facility users. I was able to point out unseen areas such as a padlocked tennis court gate, possible trip hazards with exposed irrigation tubing, a continuously flowing water fountain that required a new valve, the tennis shed (containing some expensive equipment) left unlocked, abundant poison ivy next to the creek at a foot bridge that residents had concerns about, an incline from a Pedestrian Lane down to the Panhandle that might require a safety hand rail, a large hidden drain requiring clearing due to tree branches and other debris, electrical equipment left out over the weekend at the community center, etc. After the three above-mentioned P&R inspections, I volunteered to document our findings, that were to be used for discussion when we all considered priorities.

Another example of a good eye for detail, (as a private citizen) I noticed full beer containers left at the horseshoe pits after a men's Friday night game of horseshoes. I got rid of them. I was worried about kids finding beer, so I notified staff, who spoke to some of the men. I followed through the next Friday night and found more full bottles of beer left in a cooler. I dumped them and notified the proper folks. For the next five weeks, I monitored the beer situation, and am pleased not to find any left behind after the Friday night games.

I am very passionate about helping people. I have volunteered at a Terra Linda nursing home for 30 years, visiting many residents who have no family or friends. I assist my older disabled friends with doctors' appointments, shopping, going out to dinner, and taking them to visit friends. I volunteered at Miller Creek Middle School for several years, assisting mostly in math classes. I also helped three Hispanic students outside of class, with their studies and homework. I have always believed in volunteering, especially in areas that my skills match the needs. As a Park & Rec Commissioner I have volunteered digging up and pulling weeds, to clean up the areas at the Las Gallinas mini-park and at the space near the tennis courts and porta-potty.

Another project I volunteered a large amount of time for (as a private citizen) was participating in meetings, fundraising, and campaigning for Measure A, the Marin Emergency Radio Authority (MERA NextGen). The grassroots group I worked with knew that getting a 66.66% passage of the Measure A parcel tax would be very difficult. I passed out 700 homemade flyers to announce an educational meeting in Marinwood about MERA. Our group's hard work and dedication paid off and the measure passed by 398 votes. For the Marinwood CSD, passage of Measure A means we will not have to dip into our budget for an additional (estimated) $40,000 each year, for twenty years to pay for the Next Generation of MERA.

As a dedicated Park & Rec Commissioner, I have taken my position very seriously. Having attended every Commission meeting this year and always being prepared by reading the agenda packets before the meetings is a plus. For me, the meetings are always very interesting and informative. I have increased my knowledge by fully participating in each meeting, asking many questions and offering suggestions. I have asked for and accepted guidance from many of the Directors on the Board, to better understand the meeting process and to be clear on agenda items before they are discussed. My life and work experiences, my energy and enthusiasm, my compassion and volunteerism, and my ethics and wisdom will add to the mix of Marinwood residents on this commission. I would like to continue my involvement with the Park & Rec Departments, by being re-appointed to the Park & Rec Commission.

Sincerely, Linda Barnello 415-472-4947

N (2)

December 1, 2014

Thomas Horne
District Manager
Marinwood Community Service District

Dear Tom,

I would like to volunteer to serve on the Park and Recreation Commission. I have lived in Marinwood for over 23 years, having previously served on the Pool Commission during the renovation of the swimming pool in the mid-nineties.

In my career, I have worked over 32 years maintaining city parks and public facilities:
City of Englewood, CO, Parks & Rec. Department, 1972 to 1978 - Parks Leadworker/City Plumber;
City of San Rafael, CA, Public Works Department - Parks, 1984-2010 - Parks Superintendent/City Arborist

I am familiar with the responsibilities of park & recreation commissioners having reported monthly to the San Rafael Parks & Recreation Commission during my years as the superintendent.

I have extensive experience with the maintenance of public facilities and properties. This includes managing budgets, establishing landscape maintenance practices and policies including IPM, swimming pool maintenance, open space management, design review, contract management and public relations. I am a Certified Arborist with the International Society of Arboriculture and a Certified Backflow Assembly Tester for the Marin Municipal Water District through the American Backflow Prevention Association.

I believe I would be an asset to the commission and a sounding board for community staff.

Thank you for your consideration,

John Tune

N (2)

By email 12/2/2014:

Dear Tom, fellow P&R Commissioners and CSD Directors,

I am writing to express my interest in remaining on the P&R commission for another term (2015-2016). I am also asking that you all please forgive me latest absences. I am not the type of person to issue excuses but when the October P&R meeting was postpone, I could not make the makeup meeting. The November meting was during Thanksgiving week, a week that my family normally travels to be with family that lives in Seattle. I love this community and feel that it is our civic duty to active participants when and where possible. My recent absences are not due to lack of desire or commitment but rather time that needs to be juggled with 2 working parents and 3 kids under the age 7. In fact, when possible I try and attend board meetings to stay informed.

Thank you for your consideration and looking forward to continue to serve our community.
Shane Valentine
2236 Juniperberry Dr

N (2)

Sivan Oyserman

520 Appleberry Drive • San Rafael, Ca 94903 • Phone: 734.262.101 • E-Mail: oyserman@gmail.com

Date: December 5, 2014

Marinwood CSD Board of Directors
Marinwood Community Service District
775 Miller Creek Road
San Rafael Ca 94903

Dear Marinwood CSD Board of Directors:

Over this past year I have really enjoyed being part of the Marinwood Community both in using the various facilities offered to the public and as a member (alternate) of the Parks and Recreation Commission. This has been a year of firsts, changes and challenges for the commission and my family. While I have not been able to attend the last few Park and Recreation Commission meetings due to severe morning sickness in my first trimester, my family and I are happy to announce that we are expecting a baby girl this April.

My husband and I discussed that I have been missing meeting and the impending arrival of another bundle of joy and decided that it is important to us that I continue to serve and be a part of the community. As such I would like to continue serving on the commission as we help to make our community center and parks work for all of our residents.

Sincerely,
Sivan Oyserman

RESOLUTION NO. 2014-13

RESOLUTION OF THE BOARD OF DIRECTORS OF MARINWOOD COMMUNITY SERVICES DISTRICT FINDING IT NECESSARY TO TEMPORARILY EMPLOY RETIRED DISTRICT MANAGER

WHEREAS, (1) The District Manager of Marinwood Community Services District will retire on December 31, 2014; and

WHEREAS, (2) The candidate selected by the Board of Directors of Marinwood Community Services District to be District Manager has withdrawn from further consideration; and

WHEREAS, (3) The staff of the District is small, such that there is little overlap of the District Manager's duties with other staff members; and

WHEREAS, (4) The District's Budget is developed on a complex set of spreadsheets maintained by the District Manager, and the County of Marin requires that the District's Budget for Fiscal Year 2015-16 must be adopted by May 1st; now, therefore, be it

RESOLVED, (a) That the Board of Directors of Marinwood Community Services District find that it is necessary to the interest of the District to retain the services of the retired District Manager for a period beginning January 1, 2015, and not exceeding 960 hours in the current fiscal year; and be it further

RESOLVED, (b) That the temporary employment of the retired District Manager will conform to all conditions set forth in the California Public Employees' Retirement Law and the Public Employees' Pension Reform Act.

Resolved this 9th day of December, 2014 by the following vote:

AYE:

NO:

ABSENT:

Signed: _____

William Hansell, Board President

Attest: _____

Carolyn Sullivan, Secretary to Board

N (4)

Marinwood Community Services District

RESOLUTION NO. 2014-14

RESOLUTION OF THE BOARD OF DIRECTORS OF MARINWOOD COMMUNITY SERVICES DISTRICT ADOPTING A CONFLICT OF INTERST 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, 2 Cal. Code of Regs. §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.

Section 3. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and attached as Exhibit "A", 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 of Marinwood Community Services District will file their Statements of Economic Interests with the Elections Department as required by Government Code Section 87302.3.

Resolved this 9th day of December, 2014 by the following vote:

Yes:

No:

Absent:

SIGNED:

By: Date: December 9, 2014

William Hansell,
President, Board of Directors

ATTEST:

By: Date: December 9, 2014

Carolyn Sullivan, Board Secretary

MARINWOOD COMMUNITY SERVICES DISTRICT
EXHIBIT "A"
FPPC MODEL CODE

§ 18730. Provisions of Conflict of Interest Codes.

(a) Incorporation by reference of the terms of this regulation along with the designation of employees and the formulation of disclosure categories in the Appendix referred to below constitute the adoption and promulgation of a conflict of interest code within the meaning of Section 87300 or the amendment of a conflict of interest code within the meaning of Section 87306 if the terms of this regulation are substituted for terms of a conflict of interest code already in effect. A code so amended or adopted and promulgated requires the reporting of reportable items in a manner substantially equivalent to the requirements of article 2 of chapter 7 of the Political Reform Act, Sections 81000, et seq. The requirements of a conflict of interest code are in addition to other requirements of the Political Reform Act, such as the general prohibition against conflicts of interest contained in Section 87100, and to other state or local laws pertaining to conflicts of interest.

(b) The terms of a conflict of interest code amended or adopted and promulgated pursuant to this regulation are as follows:

(1) Section 1. Definitions.

The definitions contained in the Political Reform Act of 1974, regulations of the Fair Political Practices Commission (Regulations 18110, et seq.), and any amendments to the Act or regulations, are incorporated by reference into this conflict of interest code.

(2) Section 2. Designated Employees.

The persons holding positions listed in the Appendix are designated employees. It has been determined that these persons make or participate in the making of decisions which may foreseeably have a material effect on economic interests.

(3) Section 3. Disclosure Categories.

This code does not establish any disclosure obligation for those designated employees who are also specified in Section 87200 if they are designated in this code in that same capacity or if the geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction in which those persons must report their economic interests pursuant to article 2 of chapter 7 of the Political Reform Act, Sections 87200, et seq .

In addition, this code does not establish any disclosure obligation for any designated employees who are designated in a conflict of interest code for another agency, if all of the following apply:

(A) The geographical jurisdiction of this agency is the same as or is wholly included within the jurisdiction of the other agency;

(B) The disclosure assigned in the code of the other agency is the same as that required under article 2 of chapter 7 of the Political Reform Act, Section 87200; and

(C) The filing officer is the same for both agencies.1

Such persons are covered by this code for disqualification purposes only. With respect to all other designated employees, the disclosure categories set forth in the Appendix specify which kinds of economic economic interests are reportable. Such a designated employee shall disclose in his or her statement of economic interests those economic interests he or she has which are of the kind described in the disclosure categories to which he or she is assigned in the Appendix. It has been determined that the economic interests set forth in a designated

1. A statement of the nature of the investment or interest;

2. The name of the business entity in which each investment is held, and a general description of the business activity in which the business entity is engaged;
3. The address or other precise location of the real property;
4. A statement whether the fair market value of the investment or interest in real property equals or exceeds $2,000, exceeds $10,000, exceeds $100,000, or exceeds $1,000,000.
(B) Personal Income Disclosure. When personal income is required to be reported,5 the statement shall contain:
1. The name and address of each source of income aggregating $500 or more in value, or $50 or more in value if the income was a gift, and a general description of the business activity, if any, of each source;
2. A statement whether the aggregate value of income from each source, or in the case of a loan, the highest amount owed to each source, was $1,000 or less, greater than $1,000, greater than $10,000, or greater than $100,000;
3. A description of the consideration, if any, for which the income was received;
4. In the case of a gift, the name, address and business activity of the donor and any intermediary through which the gift was made; a description of the gift; the amount or value of the gift; and the date on which the gift was received;
5. In the case of a loan, the annual interest rate and the security, if any, given for the loan and the term of the loan.
(C) Business Entity Income Disclosure. When income of a business entity, including income of a sole proprietorship, is required to be reported,6 the statement shall contain:
1. The name, address, and a general description of the business activity of the business entity;
2. The name of every person from whom the business entity received payments if the filer's pro rata share of gross receipts from such person was equal to or greater than $10,000.
(D) Business Position Disclosure. When business positions are required to be reported, a designated employee shall list the name and address of each business entity in which he or she is a director, officer, partner, trustee, employee, or in which he or she holds any position of management, a description of the business activity in which the business entity is engaged, and the designated employee's position with the business entity.
(E) Acquisition or Disposal During Reporting Period. In the case of an annual or leaving office statement, if an investment or an interest in real property was partially or wholly acquired or disposed of during the period covered by the statement, the statement shall contain the date of acquisition or disposal.
(8) Section 8. Prohibition on Receipt of Honoraria.
(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept any honorarium from any source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.
Subdivisions (a), (b), and (c) of Section 89501 shall apply to the prohibitions in this section. This section shall not limit or prohibit payments, advances, or reimbursements for travel and related lodging and subsistence authorized by Section 89506.
(8.1) Section 8.1. Prohibition on Receipt of Gifts in Excess of $440.
(A) No member of a state board or commission, and no designated employee of a state or local government agency, shall accept gifts with a total value of more than $440 in a calendar year from any single source, if the member or employee would be required to report the receipt of income or gifts from that source on his or her statement of economic interests. This section

shall not apply to any part-time member of the governing board of any public institution of higher education, unless the member is also an elected official.
Subdivisions (e), (f), and (g) of Section 89503 shall apply to the prohibitions in this section.
(8.2) Section 8.2. Loans to Public Officials.
(A) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the elected officer holds office or over which the elected officer's agency has direction and control.
(B) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any officer, employee, member, or consultant of the state or local government agency in which the public official holds office or over which the public official's agency has direction and control. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
(C) No elected officer of a state or local government agency shall, from the date of his or her election to office through the date that he or she vacates office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status.
(D) No public official who is exempt from the state civil service system pursuant to subdivisions (c), (d), (e), (f), and (g) of Section 4 of Article VII of the Constitution shall, while he or she holds office, receive a personal loan from any person who has a contract with the state or local government agency to which that elected officer has been elected or over which that elected officer's agency has direction and control. This subdivision shall not apply to loans made by banks or other financial institutions or to any indebtedness created as part of a retail installment or credit card transaction, if the loan is made or the indebtedness created in the lender's regular course of business on terms available to members of the public without regard to the elected officer's official status. This subdivision shall not apply to loans made to a public official whose duties are solely secretarial, clerical, or manual.
(E) This section shall not apply to the following:
1. Loans made to the campaign committee of an elected officer or candidate for elective office.
2. Loans made by a public official's spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such persons, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans from a person which, in the aggregate, do not exceed five hundred dollars ($500) at any given time.
4. Loans made, or offered in writing, before January 1, 1998.
(8.3) Section 8.3. Loan Terms.
(A) Except as set forth in subdivision (B), no elected officer of a state or local government agency shall, from the date of his or her election to office through the date he or she vacates office, receive a personal loan of $500 or more, except when the loan is in writing and clearly states the terms of the loan, including the parties to the loan agreement, date of the loan,

amount of the loan, term of the loan, date or dates when payments shall be due on the loan and the amount of the payments, and the rate of interest paid on the loan.
(B) This section shall not apply to the following types of loans:
1. Loans made to the campaign committee of the elected officer.
2. Loans made to the elected officer by his or her spouse, child, parent, grandparent, grandchild, brother, sister, parent-in-law, brother-in-law, sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse of any such person, provided that the person making the loan is not acting as an agent or intermediary for any person not otherwise exempted under this section.
3. Loans made, or offered in writing, before January 1, 1998.
(C) Nothing in this section shall exempt any person from any other provision of Title 9 of the Government Code.
(8.4) Section 8.4. Personal Loans.
(A) Except as set forth in subdivision (B), a personal loan received by any designated employee shall become a gift to the designated employee for the purposes of this section in the following circumstances:
1. If the loan has a defined date or dates for repayment, when the statute of limitations for filing an action for default has expired.
2. If the loan has no defined date or dates for repayment, when one year has elapsed from the later of the following:
a. The date the loan was made.
b. The date the last payment of $100 or more was made on the loan.
c. The date upon which the debtor has made payments on the loan aggregating to less than $250 during the previous 12 months.
(B) This section shall not apply to the following types of loans:
1. A loan made to the campaign committee of an elected officer or a candidate for elective office.
2. A loan that would otherwise not be a gift as defined in this title.
3. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor has taken reasonable action to collect the balance due.
4. A loan that would otherwise be a gift as set forth under subdivision (A), but on which the creditor, based on reasonable business considerations, has not undertaken collection action. Except in a criminal action, a creditor who claims that a loan is not a gift on the basis of this paragraph has the burden of proving that the decision for not taking collection action was based on reasonable business considerations.
5. A loan made to a debtor who has filed for bankruptcy and the loan is ultimately discharged in bankruptcy.
(C) Nothing in this section shall exempt any person from any other provisions of Title 9 of the Government Code.
(9) Section 9. Disqualification.
No designated employee shall make, participate in making, or in any way attempt to use his or her official position to influence the making of any governmental decision which he or she knows or has reason to know will have a reasonably foreseeable material financial effect, distinguishable from its effect on the public generally, on the official or a member of his or her immediate family or on:
(A) Any business entity in which the designated employee has a direct or indirect investment worth $2,000 or more;

(B) Any real property in which the designated employee has a direct or indirect interest worth $2,000 or more;
(C) Any source of income, other than gifts and other than loans by a commercial lending institution in the regular course of business on terms available to the public without regard to official status, aggregating $500 or more in value provided to, received by or promised to the designated employee within 12 months prior to the time when the decision is made;
(D) Any business entity in which the designated employee is a director, officer, partner, trustee, employee, or holds any position of management; or
(E) Any donor of, or any intermediary or agent for a donor of, a gift or gifts aggregating $440 or more provided to, received by, or promised to the designated employee within 12 months prior to the time when the decision is made.
(9.3) Section 9.3. Legally Required Participation.
No designated employee shall be prevented from making or participating in the making of any decision to the extent his or her participation is legally required for the decision to be made. The fact that the vote of a designated employee who is on a voting body is needed to break a tie does not make his or her participation legally required for purposes of this section.
(9.5) Section 9.5. Disqualification of State Officers and Employees.
In addition to the general disqualification provisions of section 9, no state administrative official shall make, participate in making, or use his or her official position to influence any governmental decision directly relating to any contract where the state administrative official knows or has reason to know that any party to the contract is a person with whom the state administrative official, or any member of his or her immediate family has, within 12 months prior to the time when the official action is to be taken:
(A) Engaged in a business transaction or transactions on terms not available to members of the public, regarding any investment or interest in real property; or
(B) Engaged in a business transaction or transactions on terms not available to members of the public regarding the rendering of goods or services totaling in value $1,000 or more.
(10) Section 10. Disclosure of Disqualifying Interest.
When a designated employee determines that he or she should not make a governmental decision because he or she has a disqualifying interest in it, the determination not to act may be accompanied by disclosure of the disqualifying interest.
(11) Section 11. Assistance of the Commission and Counsel.
Any designated employee who is unsure of his or her duties under this code may request assistance from the Fair Political Practices Commission pursuant to Section 83114 and Regulations 18329 and 18329.5 or from the attorney for his or her agency, provided that nothing in this section requires the attorney for the agency to issue any formal or informal opinion.
(12) Section 12. Violations.
This code has the force and effect of law. Designated employees violating any provision of this code are subject to the administrative, criminal and civil sanctions provided in the Political Reform Act, Sections 81000-91014. In addition, a decision in relation to which a violation of the disqualification provisions of this code or of Section 87100 or 87450 has occurred may be set aside as void pursuant to Section 91003.

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1 Designated employees who are required to file statements of economic interests under any other agency's conflict of interest code, or under article 2 for a different jurisdiction, may expand their statement of economic interests to cover reportable interests in both jurisdictions, and file copies of this expanded statement with both entities in lieu of filing separate and

distinct statements, provided that each copy of such expanded statement filed in place of an original is signed and verified by the designated employee as if it were an original. See Section 81004.

2 See Section 81010 and Regulation 18115 for the duties of filing officers and persons in agencies who make and retain copies of statements and forward the originals to the filing officer.

3 For the purpose of disclosure only (not disqualification), an interest in real property does not include the principal residence of the filer.

4 Investments and interests in real property which have a fair market value of less than $2,000 are not investments and interests in real property within the meaning of the Political Reform Act. However, investments or interests in real property of an individual include those held by the individual's spouse and dependent children as well as a pro rata share of any investment or interest in real property of any business entity or trust in which the individual, spouse and dependent children own, in the aggregate, a direct, indirect or beneficial interest of 10 percent or greater.

5 A designated employee's income includes his or her community property interest in the income of his or her spouse but does not include salary or reimbursement for expenses received from a state, local or federal government agency.

6 Income of a business entity is reportable if the direct, indirect or beneficial interest of the filer and the filer's spouse in the business entity aggregates a 10 percent or greater interest. In addition, the disclosure of persons who are clients or customers of a business entity is required only if the clients or customers are within one of the disclosure categories of the filer.

Note: Authority cited: Section 83112, Government Code. Reference: Sections 87103(e), 87300-87302, 89501, 89502 and 89503, Government Code.

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)
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