

Agenda for the Regular Meeting of the Marinwood CSD Board of Directors

Tuesday – October 11, 2022 – 6:30 PM

Internet Address: <https://us02web.zoom.us/j/82314813460>

Telephone Access: 669) 900-6833 or 346) 248 7799 or 253) 215-8782

Meeting ID: 823 1481 3460

ATTENTION: This will be a virtual meeting of the Marinwood CSD Board of Directors. There will not be a public location for participating in this meeting. Any interested member of the public can participate telephonically or via internet by utilizing the web link or dial-in information printed on this agenda.

Instructions on how to make a public comment during the meeting: At points in the meeting when the meeting chair requests public comment, members of the public participating in the live meeting either via internet or telephone shall indicate their desire to speak. If participating via internet, please click the “raise hand” feature located within the Zoom application screen. If connected via telephone, please dial “*9” (star, nine). All public comments shall be addressed to the Board of Directors and limited to three minutes per speaker. The Board of Directors may choose to respond to comments or request staff to respond at the conclusion of the public comment period.

	Item Description:	Board Action
A.	OPEN SESSION: CALL TO ORDER & ROLL CALL OF DIRECTORS	
B.	AGENDA	Adopt
C.	PUBLIC COMMENT ON CLOSED SESSION ITEMS ONLY	
D.	CLOSED SESSION: <i>Public Employee Performance Evaluation Section 94957(b)(1): Title: District Manager</i> RECONVENE OPEN SESSION: <i>Open Session shall reconvene at the conclusion of Closed Session but no earlier than 7:30 PM.</i>	
E.	CONSENT CALENDAR a. Resolution 2022-15: Making Findings and Confirming the Need to Continue Conducting Remote Meetings via Teleconference of the Board of Directors, Fire Commission and Park & Recreation Commission. b. Draft Minutes of Regular Meeting of September 13, 2022 (Remote Meeting) c. Bills Paid Nos. 6725 – 6816 d. Introduction to Adopting and Modifying the CA Fire Code, International Fire Code, and Appendix A of the International Wildland-Urban Interface Code; Set Public Hearing Date of November 8, 2022 for consideration of formal adoption	Approve
F.	PUBLIC COMMENT OPEN TIME FOR ITEMS NOT ON AGENDA <i>Speakers are asked to address comments to the Board and limit comments to three minutes. Speakers may comment only on non-agenda items within the subject matter jurisdiction of the District. The Board may not take action on, consider or debate items not on the agenda except under narrow circumstances meeting statutory tests. Response to comments on non-agenda items will be limited to factual information or clarifying questions from staff or Board and at the conclusion of the public comment period. The President may refer the matter to staff or to a future meeting agenda.</i>	
G.	DISTRICT MATTERS	
	1. Update on Pension Liability Analysis with August 2022 Release of CalPERS Annual Valuation Reports for Measurement Date of June 30, 2021	Review
	2. District Manager Report	Review
H.	FIRE DEPARTMENT MATTERS	
	1. Draft Minutes of Fire Commission Meeting of October 4, 2022	Review
	2. Chief Officer Report and Activity Summary	Review
I.	PARK AND RECREATION MATTERS	
	1. Draft Minutes of Park & Recreation Commission Meeting of September 27, 2022	Review
	2. Potential Amendment to Park & Recreation Commission Bylaws: Adjusting Regular Meeting Schedule From Monthly to Bi-Monthly (every odd numbered month)	Approve
	3. Recreation and Park Maintenance Activity Reports	Review
J.	BOARD MEMBER ITEMS OF INTEREST - REQUESTS FOR FUTURE AGENDA ITEMS	
K.	ADJOURN	
	DATE OF NEXT REGULAR BOARD MEETING – November 8, 2022	

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

RESOLUTION NO. 2022-15

**RESOLUTION OF THE BOARD OF DIRECTORS OF MARINWOOD COMMUNITY SERVICES
DISTRICT MAKING FINDINGS AND CONFIRMING THE NEED TO CONTINUE CONDUCTING
REMOTE MEETINGS VIA TELECONFERENCE OF THE BOARD OF DIRECTORS,
FIRE COMMISSION AND PARK & RECREATION COMMISSION**

WHEREAS, on March 4, 2020, Governor Newsom issued a proclamation pursuant to Government Code section 8625 declaring a state of emergency in California due to the COVID-19 pandemic; and

WHEREAS, Government Code section 54953(e)(1), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), provided that the legislative body complies with the requirements of section 56953(e)(2); and

WHEREAS, pursuant to Government Code Section 54953(e)(3), if a state of emergency remains active, or state or local officials have imposed or recommended measures to promote social distancing, the legislative body shall make specified findings at least every 30 days; and

WHEREAS, the Governor's proclaimed State of Emergency remains in effect, and State and local officials, including the Marin County Director of Health and Human Services, continues to recommend measures to promote social distancing; and

WHEREAS, the active proclaimed state of emergency and recommendations of local officials continue to directly impact the ability of the District's Board of Directors and Commissions to conduct public meetings safely in person.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Board of Directors has reconsidered the circumstances of the State of Emergency since the September 13, 2022 Board meeting.
2. Board of Directors, Fire Commission and Park & Recreation Commission meetings will continue to be conducted remotely via teleconference for up to 30 days following adoption of this resolution in accordance with Government Code Section 54953(e)(2) and all other applicable laws.

PASSED AND ADOPTED at a regular meeting of the Board of Directors on October 11, 2022 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MARINWOOD COMMUNITY SERVICES DISTRICT

Lisa Ruggeri, President of the Board

ATTEST: _____
Tiffany Combrink, Secretary to the Board

Marinwood Community Services District

Draft Minutes of Board of Directors Meeting
Tuesday – September 13, 2022

Time and Place: 7:32PM via Teleconference

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

Present:

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

Staff: District Manager Eric Dreikosen, Recreation Director Luke Fretwell and Administrative Assistant Tiffany Combrink.

Absent:

Board Director Sivan Oyserman

A. Call to Order & Roll Call of Directors

Board President Ruggeri called the meeting to order at 7:32pm.

B. Agenda

Agenda adopted as presented.

C. Actuarial Report Presentation

Board received the Actuarial Report Presentation for OPEB Valuation as of June 30, 2021

D. Consent Calendar

- a. *Resolution 2022-13: Making Findings and Confirming the Need to Continue Conducting Remote Meetings via Teleconference of the Board of Directors, Fire Commission and Park & Recreation Commission*
- b. *Draft Minutes of Regular Meeting of August 9, 2022 (Remote Meeting)*
- c. *Bills Paid Nos. 6616 - 6724*

Case to approve/Kilkenny to second “consent calendar as presented.”

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

E. Public Comment Open Time for Items Not on Agenda:

The Board of Directors received public comment regarding:

- a. Serving the needs of the community

F. District Matters:

1. *Resolution 2022-14: Recognizing Financial Contributions Received for the Marinwood Park Play Structure Replacement Initiative as Designated for this Sole Expenditure Purpose*
Shea to approve/Kilkenny to second Resolution 2022-14
Aye: Ruggeri, Case, Kilkenny, Shea. Absent: Oyserman. Motion carried.

2. *District Manager Report*

Board of Directors received District Manager Report

G. Fire Department Matters:

1. *Agreement Between the County of Marin and Marinwood Community Services District for Fire Protection and Emergency Services to County Service Area 13*
Shea to approve/Case to second Agreement Between the County of Marin and Marinwood Community Services District for Fire Protection and Emergency Services to County Service Area 13
Aye: Ruggeri, Case, Kilkenny, Shea. Absent: Oyserman. Motion carried.

2. *Agreement Between the County of Marin and Marinwood Community Services District for Fire Protection and Emergency Services for the Juvenile Hall Site*
Shea to approve/Kilkenny to second Agreement Between the County of Marin and Marinwood Community Services District for Fire Protection and Emergency Services for the Juvenile Hall Site
Aye: Ruggeri, Case, Kilkenny, Shea. Absent: Oyserman. Motion carried.

3. *Chief Officer Report and Activity Summary*

Board of Directors received Chief Officer Report

H. Park and Recreation Matters:

1. *Draft Minutes of Park & Recreation Commission Meeting of August 23, 2022*
Board of Directors reviewed Draft Minutes of Park & Recreation Commission Meeting of August 23, 2022
2. *Grant Agreement Between County of Marin and Marinwood CSD for Disbursement of Measure A Tax Proceeds*
Kilkenny to approve/Shea to second Authorizing District Manager to Execute Grant Agreement Between County of Marin and Marinwood CSD for Disbursement of Measure A Tax Proceeds
Aye: Ruggeri, Case, Kilkenny, Shea. Absent: Oyserman. Motion carried.
3. *Recreation and Park Maintenance Activity Reports*
Board of Directors received Recreation and Park Maintenance Activity Report

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

- Director Case suggested discussion of additional public restrooms in Marinwood Park; placement of tables in open space areas. *Both items suggested to be brought to the Park and Recreation Commission.*
- Director Kilkenny requested a discussion on Community Center rentals.

Meeting adjourned at 9:42PM

Tiffany Combrink, Secretary

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

Treasury Fund 8067

Classes:
Street lights
Fire
Recreation
Park

Approved by the Board of Directors on October 11, 2022

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
6725	9/2/2022	Wesco Graphics	8,119.15	Fall Winter Review 2022	Rec	5210122	General	8,119.15
6726	9/2/2022	US Bank Corporate Paymen	22,234.88	online meeting subscription	Fire	5220110	General	93.61
				data cable	Fire	5220110	General	40.59
				vehicle detailing	Fire	5220810	General	1,088.29
				online meeting subscription	Park	5220110	General	83.97
				data cable	Park	5220110	General	4.60
				vehicle maintenance	Park	5220210	General	571.49
				supplies	Rec	5220819	Afterschool	240.66
				GIT supplies	Rec	5220819	Aquatics	294.41
				MIP / Brewfest	Rec	5220819	Community	647.20
				career fair / CraigsList	Rec	5210122	General	506.10
				online meeting subscription	Rec	5211325	General	223.93
				office supplies	Rec	5220110	General	421.66
				maintenance	Rec	5220210	General	4.98
				marketing	Rec	5210122	Pool	75.00
				staff meeting supplies	Rec	5211325	Pool	556.71
				pool chairs	Rec	5220215	Pool	843.44
				pool chems	Rec	5220710	Pool	77.70
				first aid supplies	Rec	5220819	Pool	392.65
				vending supplies	Rec	5220826	Pool	4,678.16
				staff night	Rec	5211325	Summer	197.73
				summer supplies / field trips	Rec	5220819	Summer	11,192.00
6727	9/9/2022	Chrissy Costello	448.00	Zumba	Rec	5210146	Adult	448.00
6728	9/9/2022	Ann McBride	973.00	Irish Dance	Rec	5210146	Youth	973.00
6729	9/9/2022	Jerry Mehciz	4,130.40	Tennis	Rec	5210146	Tennis	4,130.40
6730	9/9/2022	Marinwood CSD	79,188.71	Fire salaries	Fire	5110110	General	31,138.24
				Fire OT	Fire	5120110	General	11,182.12
				Acting Pay	Fire	5110310	General	282.00
				Admin Asst	Fire	5110110	Admin	961.60
				Admin Mgr	Fire	5110110	Admin	2,310.40
				Admin Asst	Rec	5110110	Admin	961.60
				Admin Asst	Park	5110110	Admin	480.80
				Admin Mgr	Rec	5110110	Admin	1,155.20
				Admin Mgr	Park	5110110	Admin	1,155.20
				Rec Dir	Rec	5110110	General	2,699.76
				Rec Dir	Park	5110110	General	1,157.04
				Rec salary	Rec	5110110	General	5,450.40
				Rec Hourly	Rec	5110210	General	810.00
				Park salary	Park	5110110	General	7,088.80
				Park hourly	Park	5110210	General	324.00
				Building attendants	Rec	5110210	Building	180.00
				Pool Staff	Rec	5110210	Pool	9,792.29
				Aquatics	Rec	5110210	Aquatics	210.00
				Preschool	Rec	5110210	Preschool	1,266.38
				Afterschool	Rec	5110210	Afterschool	1,755.50
				PR fees	Fire	5210230	General	183.86
				PR fees	Rec	5210230	General	118.64
				PR fees	Park	5210230	General	29.45
				SS + Medicare	Fire	5140140	General	3,480.02
				SS + Medicare	Rec	5140140	General	2,075.84
				SS + Medicare	Park	5140140	General	566.15
				EDU + SUI	Rec	5140145	General	163.39
				Benefits withholding	Park	2120066	General	-1,021.20
				Benefits withholding	Rec	2120066	General	-1,090.26
				Benefits withholding	Fire	2120066	General	-5,678.51
6731	9/9/2022	Marinwood CSD	12,893.28	Retire 09/09/2022	Park	5130510	General	1,492.93
					Rec	5130510	General	1,686.22
					Fire	5130510	General	9,714.13
6732	9/9/2022	Robyn Bruton	304.33	preschool supplies	Rec	5220819	Preschool	223.32
				pool supplies	Rec	5220819	Pool	40.75
				Mileage reimbursement	Rec	5220819	Summer	40.26
6733	9/9/2022	Airgas	545.62	pool chems	Rec	5220710	Pool	545.62
6734	9/9/2022	AT&T	101.65	internet	Park	5210725	General	101.65
6735	9/9/2022	AT&T	311.88	Phones - July	Fire	5210725	General	148.10
					Park	5210725	General	23.39
					Rec	5210725	General	140.39
6736	9/9/2022	Bay Area Aeration	900.00	Aerator	Park	5211220	General	900.00
6737	9/9/2022	Bay Area Janitorial Force	2,200.00	Aug janitorial	Rec	5211110	General	950.00
				Sept janitorial	Rec	5211110	General	1,250.00
6738	9/9/2022	C.A.P.F.	236.00	LTD Sept	Fire	5130120	General	236.00

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
6739	9/9/2022	City of San Rafael	451.37	E58 maintenance	Fire	5210910	General	451.37
6740	9/9/2022	Comcast	141.50	internet	Fire	5210725	General	70.75
					Rec	5210725	General	70.75
6741	9/9/2022	DC Electric	302.96	SL maintenance - July	Streetlights	5210915	General	302.96
6742	9/9/2022	Emergency Equipment Man	80.00	braid on sleeve/service star	Fire	5220810	General	80.00
6743	9/9/2022	ePact Network	942.00	2022-2023 license	Rec	5220819	Summer	942.00
6744	9/9/2022	Ian Sutton	200.00	MIP	Rec	5220819	Community	200.00
6745	9/9/2022	Megan Schoenbohm	300.00	Preschool enrichment	Rec	5210146	Preschool	300.00
6746	9/12/2022	Ewing Irrigation	415.36	irrigation maintenance	Park	5220310	General	415.36
6747	9/12/2022	Got Gophers	275.00	Pest Control	Park	5211532	General	275.00
6748	9/12/2022	Grainger	853.11	supplies	Fire	5220810	General	167.71
					Rec	5220310	Building	685.40
6749	9/12/2022	Hagel Services	1,481.63	Janitorial supplies	Rec	5220827	Building	1,481.63
6750	9/12/2022	Herb's Pool Service	470.01	Pool chems	Rec	5220710	Pool	470.01
6751	9/12/2022	Leslie's Pool Supplies	2,563.18	Pool chems	Rec	5220710	Pool	2,563.18
6752	9/12/2022	Marin Prof FF Local 1775	840.00	Sept dues	Fire	5211330	General	840.00
6753	9/12/2022	Marin Sanitary Service	3,198.83	Garbage - Aug	Park	5210815	General	2,239.18
					Rec	5210815	General	639.77
					Fire	5210815	General	319.88
6754	9/12/2022	Marinwood Market	6,064.00	camp lunches	Rec	5220819	Summer	6,064.00
6755	9/12/2022	Mill Valley Refuse	648.03	porta potty	Park	5211220	General	648.03
6756	9/12/2022	Miller Creek School District	15,925.00	Summer camp classrooms	Rec	5220819	Summer	15,925.00
6757	9/12/2022	Pest Plus	259.00	Pest Control	Fire	5220310	General	90.00
					Rec	5220310	General	169.00
6758	9/13/2022	Westamerica Bank	42,752.99	22/23 Engine Lease Paymer	Fire	5211710	General	39,118.63
					Fire	5211715	General	3,634.36
6759	9/13/2022	Willscott	761.91	Mobile office - Sept	Park	5220310	General	761.91
6760	9/13/2022	L.N. Curtis	411.27	Fire hose replacement	Fire	5220210	General	411.27
6761	9/13/2022	Postal Palace	29.15	shipping	Fire	5220110	General	29.15
6762	9/13/2022	Project A	40.00	email hosting	Fire	5220110	General	20.00
					Rec	5220110	General	20.00
6763	9/13/2022	Rent-A-Fence	231.57	Fence rental - Aug	Park	5211220	General	231.57
6764	9/13/2022	SiteOne	564.18	irrigation maintenance	Park	5220310	General	564.18
6765	9/14/2022	Massa Construction	138,871.00	West Courtyard		5220910	General	77,567.50
				East Courtyard		5220910	General	61,303.50
6766	9/14/2022	SolEd Solar Holdings	2,198.12	Solar - Aug	Rec	5210810	General	1,598.01
					Fire	5210810	General	600.11
6767	9/14/2022	SDRMA	256.23	Life Ins - Oct	Fire	5130120	General	95.99
					Park	5130120	General	69.93
					Rec	5130120	General	90.31
6768	9/14/2022	Speedpro Imaging	288.85	Pole banners	Rec	5210122	General	288.85
6769	9/14/2022	Sprint	177.73	cell phones	Fire	5210725	General	177.73
6770	9/14/2022	Marin Ace	717.39	supplies	Fire	5220810	General	391.72
					Park	5220310	General	325.67
6771	9/14/2022	Staples	212.24	office supplies	Rec	5220110	General	212.24
6772	9/20/2022	AstroJump	1,199.00	Halloween Harvest	Rec	5220819	Community	1,199.00
6773	9/20/2022	CalPERS	8,333.00	CERBT Sept	Park	5130130	General	2,583.00
					Rec	5130130	General	583.00
					Fire	5130130	General	5,167.00
6774	9/20/2022	Estevan Chavez	9.91	Replace truck taillight	Park	5220210	General	9.91
6775	9/20/2022	Kaylan Grant	125.00	Refund pool rental	Rec	4631917	Pool	125.00
6776	9/20/2022	Leonie Meissner	340.00	Halloween Harvest	Rec	5220819	Community	340.00
6777	9/20/2022	Marinwood CSD	46,475.71	Health Ins Oct	Park	5130120	General	9,989.07
					Rec	5130120	General	8,060.89
					Fire	5130120	General	28,425.75
6778	9/20/2022	Marinwood CSD	14,030.84	Retire 09/23/2022	Park	5130510	General	1,492.93
					Rec	5130510	General	1,686.22
					Fire	5130510	General	10,851.69
6779	9/20/2022	Marinwood Market	5,769.50	Camp lunches	Rec	5220819	Summer	5,769.50
6780	9/21/2022	Marinwood CSD	89,863.13	Fire salaries	Fire	5110110	General	31,138.24
				Fire OT	Fire	5120110	General	10,963.08
				FLSA	Fire	5110319	General	682.91
				Acting Pay	Fire	5110310	General	139.20
				Holiday	Fire	5110313	General	3,336.24
				Admin Asst	Fire	5110110	Admin	961.60
				Admin Mgr	Fire	5110110	Admin	2,310.40
				Admin Asst	Rec	5110110	Admin	961.60
				Admin Asst	Park	5110110	Admin	480.80
				Admin Mgr	Rec	5110110	Admin	1,155.20
				Admin Mgr	Park	5110110	Admin	1,155.20
				Rec Dir	Rec	5110110	General	2,699.76
				Rec Dir	Park	5110110	General	1,157.04
				Rec salary	Rec	5110110	General	5,450.40
				Park salary	Park	5110110	General	7,088.80
				Park hourly	Park	5110210	General	526.50

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
				Building attendants	Rec	5110210	Building	180.00
				Pool Staff	Rec	5110210	Pool	12,186.91
				Aquatics	Rec	5110210	Aquatics	240.00
				Preschool	Rec	5110210	Preschool	5,930.63
				Afterschool	Rec	5110210	Afterschool	1,505.00
				PR fees	Fire	5210230	General	173.37
				PR fees	Rec	5210230	General	126.38
				PR fees	Park	5210230	General	26.25
				SS + Medicare	Fire	5140140	General	3,759.82
				SS + Medicare	Rec	5140140	General	2,537.01
				SS + Medicare	Park	5140140	General	581.63
				EDU + SUI	Rec	5140145	General	199.13
				Benefits withholding	Park	2120066	General	-1,021.20
				Benefits withholding	Rec	2120066	General	-1,090.26
				Benefits withholding	Fire	2120066	General	-5,678.51
6781	9/21/2022	Savenature.org	250.00	Afterschool enrichment	Rec	5220819	Afterschool	250.00
6782	9/21/2022	Studio Weeren	180.00	Web maintenance Oct-Dec	Park	5210122	General	36.00
					Rec	5210122	General	108.00
					Fire	5210122	General	36.00
6783	9/21/2022	VSP	365.12	Vision - Oct	Fire	5130120	General	214.51
					Park	5130120	General	95.86
					Rec	5130120	General	54.75
6784	9/21/2022	Watersavers Irrigation	226.50	irrigation maintenance	Park	5220310	General	226.50
6785	9/22/2022	Delta Dental	1,878.40	Dental - Oct	Fire	5130120	General	1,050.60
					Park	5130120	General	399.54
					Rec	5130120	General	428.26
6786	9/22/2022	PG&E	1,695.81	Streetlights - Aug	Streetlights	5210825	General	1,695.81
6787	9/22/2022	PG&E	950.30	Gas - Aug	Rec	5210810	General	884.82
					Fire	5210810	General	65.48
6788	9/22/2022	PG&E	1,675.57	Electric - Aug	Rec	5210810	General	1,277.28
					Fire	5210810	General	230.02
					Park	5210810	General	168.27
6789	9/23/2022	A&S Landscape	65.40	grounds maintenance	Park	5220310	General	65.40
6790	9/23/2022	Ace Promotional Specialties	1,961.15	LG staff shirts	Rec	5220825	Pool	1,961.15
6791	9/23/2022	Allstar Fire Equipment	186.56	Gas clip technologies	Fire	5220210	General	186.56
6792	9/23/2022	AT&T	299.89	Phones - Aug	Fire	5210725	General	155.03
					Park	5210725	General	25.33
					Rec	5210725	General	119.53
6793	9/23/2022	Comcast	149.04	Cable - Sept	Fire	5210725	General	149.04
6794	9/23/2022	DC Electric	302.96	SL maintenance - Aug	Streetlights	5210915	General	302.96
6795	9/23/2022	Landesign	3,075.00	landscape contractor	Park	5211125	General	3,075.00
6796	9/23/2022	Leslie's Pool Supplies	342.79	Pool chems	Rec	5220710	Pool	342.79
6797	9/27/2022	Ryan Brackett	237.66	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	237.66
6798	9/27/2022	Cesar Correa	237.66	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	237.66
6799	9/27/2022	Sean Day	207.78	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	207.78
6800	9/27/2022	William Kelly	237.66	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	237.66
6801	9/27/2022	John Papanikolaou	222.06	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	222.06
6802	9/27/2022	Brandon Selvitella	217.68	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	217.68
6803	9/27/2022	Brian Smith	126.90	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	126.90
6804	9/27/2022	Jeff Smith	211.92	Q1 FY22/23 AFLAC reimb	Fire	5130120	General	211.92
6805	9/27/2022	Marinwood Market	3,351.50	camp lunches	Rec	5220819	Summer	3,351.50
6806	9/27/2022	Mill Valley Refuse	371.53	porta potty	Park	5211220	General	371.53
6807	9/27/2022	Pest Plus	259.00	Pest Control	Fire	5220310	General	90.00
					Rec	5220310	General	169.00
6808	9/27/2022	Pitney Bowes	267.67	postage meter lease	Park	5220110	General	53.53
					Rec	5220110	General	160.61
					Fire	5220110	General	53.53
6809	9/27/2022	S&S Worldwide	129.32	supplies	Rec	5220819	Preschool	129.32
6810	9/27/2022	Shift Calendars	119.42	calendars	Fire	5220110	General	119.42
6811	9/27/2022	Slembrouck-Many Corp	240.00	Alarm maintenance	Park	5220310	General	240.00
6812	9/27/2022	Carolyn Sullivan	112.05	supplies	Rec	5220819	Afterschool	112.05
6813	9/27/2022	Able Tire & Brake	126.36	tire repair	Park	5210910	General	126.36
6814	9/27/2022	Airgas	431.08	Pool chems	Rec	5220710	Pool	431.08
6815	9/27/2022	AFLAC	26.50	Disability Ins - Sept	Park	5130120	General	26.50
6816	9/27/2022	AT&T	101.65	internet	Park	5210725	General	101.65
TOTAL:			542,496.49					542,496.49

Total by Department:

Streetlights	2,301.73
Fire Department	197,959.42
Recreation Department	155,793.84
Park Department	47,570.50
Measure A	0.00
MWPA	0.00
Unclassified	138,871.00



Memo

Date: October 11, 2022

To: Marinwood Board of Directors

From: Darin White, Fire Chief

Topic: Introduction to Adopting and Modifying the CA Fire Code, International Fire Code, and Appendix A of the International Wildland-Urban Interface Code

Subject: Regular California Fire Code Fire Update

ACTION REQUESTED

As the first step of a two-step adoption process, introduce Ordinance 2022-01 to repeal the 2019 California Fire Code and adopt the 2022 California Fire Code with amendments, the 2021 International Fire Code, Appendix A of the 2021 International Wildland-Urban Interface Code and setting the public hearing date for adoption at the next regular Board meeting on November 8, 2022. California Code of Regulations (CCR) Title 24 Part 9 (The California Fire Code) goes into effect on January 1, 2023. For local amendments to apply, the 2022 Fire Code with local amendments must be approved by the Marinwood Community Services District Board 30 days prior to this date.

BACKGROUND

This is the regular update of the California Fire Code that occurs every three years, known as the code adoption cycle. The proposed Ordinance before you this evening references the latest version of the California Code of Regulations Title 24 Fire Code; specifically, the 2022 California Fire Code with local amendments, the 2021 International Fire Code, and Appendix A of the 2021 International Wildland -Urban Interface Code. State law mandates that the California Fire Code becomes effective statewide on January 1, 2023, with or without local amendments, thus it's essential that local agencies adopt prior to this date for local amendments to remain active.

Other than new code references, renumbering of some code sections, minor language changes to certain sections, and removing a small number of exceptions to certain provisions that either don't apply locally or conflict with other codes, no new local amendments are proposed in this code cycle.

The adoption process is required of the Marinwood Community Services District once every three years to stay current with the minimum requirements of the State of California Building and Fire Standards as determined by the Building Standards Commission and California State Fire Marshal's office. Additionally, by adopting Ordinance 2022-01, the Board will adopt fire code standards that replicate those being adopted by the County of Marin. This is essential so that the Fire Chief and designated Fire Prevention Officer or their designees are enforcing uniform fire and life safety codes within Marinwood and adjacent areas within our sphere of influence. This also results in coordination with the County of Marin Community Development Department (Building Division) that issues building permits for structures within the Community Services District and the County of Marin Fire Department that enforces fire prevention activities in the immediate area.

SUMMARY

Along with all other fire agencies in the State of California, the Board of the Marinwood Community Services District updates the California Fire Code with local amendments reflective of regional conditions and related documents on a three-year cycle. Through an extensive meeting process, staff has collaborated with the members of the Marin County Fire Prevention Officers Association to ensure that the fire agencies in Marin are adopting the updated version of the California Fire Code, and related publications with consistent amendments that reflect the conditions of our region.

STAFF RECOMMENDATION

Introduce Ordinance 2022-01 and call for a public hearing to be held at the next regular Board meeting on November 8, 2022 at which Ordinance 2022-01 will be considered for formal adoption.

ORDINANCE NO. 2022-01

**AN ORDINANCE OF THE MARINWOOD COMMUNITY SERVICES DISTRICT
ADOPTING AND MODIFYING THE 2022 CALIFORNIA FIRE CODE, THE 2021
INTERNATIONAL FIRE CODE, AND APPENDIX A OF THE 2021 INTERNATIONAL
WILDLAND-URBAN INTERFACE CODE PRESCRIBING REGULATIONS
GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE
OR EXPLOSION; PROVIDING FOR THE ISSUANCE OF PERMITS FOR
HAZARDOUS USES OR OPERATIONS; AND DEFINE THE POWERS AND DUTIES
OF THE FIRE CHIEF AND FIRE PREVENTION OFFICER.**

WHEREAS, the MARINWOOD COMMUNITY SERVICES DISTRICT may adopt a fire prevention code by reference pursuant to Article 2 commencing with Section 50022 of Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code;

WHEREAS, pursuant to Health and Safety Code Section 13869, the MARINWOOD COMMUNITY SERVICES DISTRICT may adopt building standards relating to fire and panic safety that are more stringent than those building standards adopted by the State Fire Marshal and contained in the California Building Standards Code when such modified standards are reasonably necessary because of local climatic, geological or topographical conditions;

WHEREAS, pursuant to Sections 17958.5, 17958.7, and 18941.5 of the State of California Health and Safety Code, changes or modifications to the 2022 California Building Standards Code are needed and are reasonably necessary because of local climatic, geographic and topographic conditions.

WHEREAS, this Ordinance 2022-01 was introduced and read by title only at a meeting of the Board of Directors of the Marinwood Community Service District on October 11, 2022.

NOW THEREFORE BE IT ORDAINED by the Board of Directors of the Marinwood Community Services District the following:

**SECTION 1. ADOPTION OF 2022 CALIFORNIA FIRE CODE, THE 2021
INTERNATIONAL FIRE CODE, and APPENDIX A of the
2021 INTERNATIONAL WILDLAND URBAN INTERFACE
CODE**

The Board of Directors of MARINWOOD COMMUNITY SERVICES DISTRICT hereby adopt, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion the following:

1. The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, including:

- a. Appendix 4 SPECIAL DETAILED REQUIREMENTS BASED ON USE AND OCCUPANY
 - b. Appendix B FIRE FLOW REQUIREMENTS FOR BUILDINGS, the whole thereof, save and except such portions as are hereafter amended by section 11 of this Ordinance.
 - c. Appendix BB FIRE FLOW REQUIREMENTS FOR BUILDINGS
 - d. Appendix C FIRE HYDRANTS LOCATIONS AND DISTRIBUTION
 - e. Appendix CC FIRE HYDRANTS LOCATIONS AND DISTRIBUTION
 - f. Appendix H HAZARDOUS MATERIALS MANAGEMENT PLAN AND HAZARDOUS MATERIAL INVENTORY STATEMENTS
 - g. Appendix O TEMPORARY HAUNTED HOUSES, GHOST WALKS AND SIMILAR AMUSEMENT USES.
2. The International Fire Code published by the International Fire Code Council, Inc., 2021 Edition hereof and the whole thereof, save and except such portions as are hereinafter amended, added or deleted by Section 11 of this Ordinance.
 3. Appendix A of the 2021 edition of the International Wildland-Urban Interface Code save and except such portions as are hereinafter deleted, modified, or amended by Section 11 of this Ordinance.

Not less than one (1) copy of the Codes and Standards hereby adopted is filed in the office of the Fire Marshal of the MARINWOOD COMMUNITY SERVICES DISTRICT and the same are hereby adopted and incorporated fully as if set out at length herein, and from the date on which this Ordinance shall take effect, and the provisions thereof shall be controlling within the limits of the MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 2. ESTABLISHMENT AND DUTIES OF THE FIRE CHIEF AND FIRE PREVENTION OFFICER.

The 2022 California Fire Code, which consists of certain portions of the 2021 edition of the International Fire Code as amended by the California Building Standards Commission, and Appendix A of the 2021 edition of the International Wildland-Urban Interface Code as adopted and amended herein, shall be enforced by the Fire Chief or Fire Prevention Officer and shall be operated under the supervision of the Chief of the Department.

SECTION 3. DEFINITIONS

Wherever they appear in the California and International Fire Codes, unless otherwise provided, the following words shall have the meanings ascribed to them in this section:

- (a) Whenever the words “Fire Code” are used they shall mean those Codes and Standards adopted in Section 1 of this Ordinance.

- (b) Wherever the term "Counsel" is used in the Fire Code, it shall be held to mean the attorney representing the MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 4. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN OUTSIDE ABOVEGROUND TANKS IS PROHIBITED

The geographic limits referred to in Section 5704.2.9.6.1 of the California Fire Code in which storage of Class I, Class II and Class III liquids in outside aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land of less than two (2) acres as established by the MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 5. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF CLASS I, CLASS II AND CLASS III LIQUIDS IN ABOVEGROUND TANKS IS PROHIBITED

The geographic limits referred to in Section 5706.2.4.4 of the California Fire Code in which storage of Class I, Class II and Class III liquids in aboveground tanks is prohibited are amended as follows: In all residential areas and in all heavily populated or congested commercial areas, and agricultural land of less than two (2) acres. as established by MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 6. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF STATIONARY TANKS OF FLAMMABLE CRYOGENIC FLUIDS IS TO BE PROHIBITED

The geographic limits, referred to in Section 5806.2 of the California Fire Code in which the storage of flammable cryogenic fluids in stationary containers are prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the MARINWOOD COMMUNITY SERVICES DISTRICT

SECTION 7. ESTABLISHMENTS OF GEOGRAPHIC LIMITS IN WHICH STORAGE OF LIQUEFIED PETROLEUM GASES IS TO BE RESTRICTED

The geographic limits referred to in Section 6104.2 of the California Fire Code, in which storage of liquefied petroleum gas is restricted, are amended as follows: In all residential

areas and in all heavily populated or congested commercial areas, and agricultural land less than two (2) acres. The aggregate capacity of any one installation shall not exceed a water capacity of 2,000 gallons as established by the MARINWOOD COMMUNITY SERVICES DISTRICT

SECTION 8. ESTABLISHMENT OF GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS TO BE PROHIBITED

The geographic limits in which storage of explosives and blasting agents is prohibited, are as follows: In all residential areas and in heavily populated or congested commercial areas as established by the MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 9. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF COMPRESSED NATURAL GAS IS TO BE PROHIBITED

The geographic limits, in which the storage of compressed natural gas is prohibited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by the MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 10. ESTABLISHMENT OF THE GEOGRAPHIC LIMITS OF DISTRICTS IN WHICH THE STORAGE OF HAZARDOUS MATERIALS IS TO BE PROHIBITED OR LIMITED

The geographic limits, in which the storage of hazardous materials is prohibited or limited, are hereby established as follows: In all residential areas and in heavily populated or congested commercial areas, as established by MARINWOOD COMMUNITY SERVICES DISTRICT.

SECTION 11. AMENDMENTS MADE TO THE 2022 CALIFORNIA FIRE CODE AND 2021 INTERNATIONAL WILDLAND-URBAN INTERFACE CODE.

The District Board hereby finds that local conditions have an adverse effect on the prevention of (1) major loss fires, (2) major earthquake damage, and (3) the potential for life and property loss, making necessary changes or modifications to the, 2022 California Fire Code and the 2021 California Building Standards Code in order to provide a reasonable degree of property security and fire and life safety in this Fire District.

Specifically, the District Board finds that the following local conditions make more stringent standards a necessity:

1. Climatic

a. **Precipitation.** Precipitation ranges from 15 to 42 inches per year with an average of approximately 25 inches per year. Approximately ninety percent (90%) falls during the months of November through April, and 10% from May through October.

b. **Relative Humidity.** Humidity generally ranges from 50% during daytime to 86% at night. It drops to 20% or lower during the summer months and occasionally drops lower significantly increasing the risk of wildfire.

c. **Temperatures.** Temperatures have been recorded as high as 105 degrees F. Winter temperatures can occasionally be as low as 32 degrees.

d. **Winds.** Prevailing winds are from the northwest. However, winds are experienced from virtually every direction at one time or another. Velocities are generally in the 5 – 15 mph range, gusting to 7.4 – 30 mph, particularly during the summer months. Extreme winds, up to 50 mph or greater, have been known to occur. During the most extreme period of the fire season, Diablo winds can significantly increase the potential for major wildland-urban interface fires. Winter storms also can produce high winds that can cause power outages, topple trees and cause roof damage.

e. **Summary.** These local climatic conditions affect the acceleration, intensity, and size of fire development in the community. Times of little or no rainfall, of low humidity, and high temperatures serve to create extremely hazardous conditions. Winds experienced in this area can have an impact upon structure fires of buildings in close proximity to one another and vegetation commonly found in MARINWOOD COMMUNITY SERVICES DISTRICT. During vegetation fires winds can carry embers and burning brands to other structures, thus spreading the fire and causing the potential for conflagrations.

2. Geographic and Topographic

a. **Geography.** The fire environment of a community is primarily a combination of two factors: the area's physical geographic characteristics and the historic pattern of urban-suburban development. These two factors, alone and combined, create a mixture of environments which ultimately determines the area's fire protection needs.

The basic geographical boundaries of the MARINWOOD COMMUNITY SERVICES DISTRICT covers approximately 2.5 square miles with a population estimated at 6,094 residents. The Fire Department handles diverse responsibilities including wildland, urban-structural, transportation, rescue, and emergency medical emergencies. Geographically, Marinwood is bordered by Big Rock Ridge to the north, the Lucas Valley Preserve to the west, Lucas Valley Road to the south and Highway 101 to the east.

Because of the size of the MARINWOOD COMMUNITY SERVICES DISTRICT (2.5 square miles), the characteristics of the fire environment change from one location to the next. Therefore, the District has not one, but several fire environments, each of which has its individual fire protection needs.

b. Seismic Location. The relatively young geological processes that has created the San Francisco Bay Area are still active today. The District is located near three active earthquake faults: The San Andreas, Rogers Creek and the Hayward/Calaveras as well as numerous other potentially active faults. Besides the destruction from shaking and the potential for casualties, fire following an earthquake has the potential of causing greater loss of life and damage than the earthquake itself. Other variables may tend to intensify the situation:

- 1) The extent of damage to the water delivery system;
- 2) The extent of isolation due to bridge and/or freeway overpass collapse;
- 3) The extent of roadway damage and/or amount of debris blocking roadways;
- 4) Climatic conditions (hot, dry weather with high winds and wet weather events that have both significant rainfall and high winds);
- 5) Time of day will influence the amount of traffic on roadways and could intensify the risk to life during normal business hours;
- 6) The availability of timely mutual aid or military assistance;
- 7) The concentration of dwellings within close proximity to one another that could result in fire exposure and spread to multiple structures.

c. Size and Population. The MARINWOOD COMMUNITY SERVICES DISTRICT covers approximately 2.5 square miles including a suburban population estimated at 6,094. The Fire Department handles diverse responsibilities including incidents involving wildland, structural, transportation, and emergency medical response.

d. Roads and Streets. Marinwood faces potential response delays due to having a single primary main route through the community that could become congested. Additionally, topography combined with streets that have excessive curves and slope can impact response. Challenges are further created when developers propose new projects that meet only the absolute minimum criteria for emergency vehicle access.

e. Topography. The District's service area is or near to a conglomeration of bay plains, hills, valleys and ridges. Most of the existing urban and suburbanized areas are within the

valley and along the slopes of the adjoining ridges and surrounding hills. Many of the slopes are very steep that can enhance the spread of fire and delay firefighting efforts.

Elevations are varied in the Marinwood area with portions near sea level rising towards Big Rock Ridge summit at approximately 1,800 feet.

f. **Vegetation** Marinwood Community Services District semi-arid Mediterranean-type climate produces vegetation similar to that of most of Marin County, with specific growth locale a result of topography and prevailing wind. The south facing exposure is primarily rye grass with occasional clumps of bay and oak trees in the more sheltered pockets. The north facing slopes are slightly more heavily wooded from lower elevations to ridge with oak and bay trees and minor shrubs of the general chaparral class.

g. **Summary.** The above local geographic and topographic conditions may serve to increase the magnitude, exposure, accessibility problems and fire hazards presented to the MARINWOOD COMMUNITY SERVICES DISTRICT.

Conclusion: Local climatic, geographic and topographic conditions impact fire prevention efforts and the frequency, spread, acceleration, intensity and size of fire involving buildings in this community. Further, these conditions impact potential damage to all structures from earthquake and subsequent fire. Therefore, it is found to be reasonably necessary that the California Fire Code and the State Building Standards Code be changed or modified to mitigate the effects of the above conditions.

ACCORDINGLY, THE 2022 CALIFORNIA FIRE CODE IS AMENDED, ADDED OR DELETED AS IDENTIFIED HEREIN:

CHAPTER 1
SCOPE AND ADMINISTRATION

Section 101.1 of Chapter 1 is amended to read as follows:

Section 101.1 Title. These regulations *and locally adopted standards* shall be known as the Fire Code of MARINWOOD COMMUNITY SERVICES DISTRICT hereinafter referred to as “this code.”

Section 102.5 of Chapter 1 is hereby amended to read as follows:

Section 102.5 Application of residential code. Where structures are designed and constructed in accordance with the *California Residential Code*, the provisions of this code shall apply as follows:

1. Construction and designed provisions: Provisions of this code pertaining to the exterior of the structure shall apply including, but not limited to, premises identification, fire apparatus access and water supplies. *Provisions of this code pertaining to the interior of the structure when specifically required by this*

code including, but not limited to, Section 903.2 and Chapter 12 shall apply. Where interior or exterior systems or devices are installed, construction permits required by Section 105.7 of this code shall also apply

2. Administrative, operational and maintenance provisions of this code shall apply.

Section 102.7.3 is hereby added to Chapter 1 and shall read as follows:

*Section 102.7.3 **Nationally Recognized Listed Products.** Any installation of products and equipment due to permits required by this Code shall be Labeled and Listed, as defined in Section 202.*

Section 104.1.1 is hereby added to Chapter 1 and shall read as follows:

*Section 104.1.1 **Supplemental Rules, Regulations and Standards or Policies.** The Fire Code Official is authorized to render interpretations of this code and to make and enforce rules and supplemental regulations and to develop Fire Protection Standards or Policies to carry out the application and intent of this code.*

Section 104.13 is hereby added to Chapter 1 and shall read as follows:

*Section 104.13. **Fire Prevention Resource Sharing.** Other enforcement agencies shall have authority to render necessary assistance in plan review, inspection, code interpretation, enforcement, investigation and other fire prevention services when requested to do so.*

Section 105.5 of Chapter 1 is hereby amended by adding the following additional operational permits:

105.5 Required Operational Permits. The fire code official is authorized to issue operational permits for operations set forth in Sections 105.5.1 through 105.5.55.

Section 105.6.52 of Chapter 1 is hereby added to read as follows:

*105.5.55 **Local Permits.** In addition to the permits required by section 105.5, the following permits shall be obtained from the (Bureau of Fire Prevention/Fire Prevention Division) prior to engaging in the following activities, operations, practices or functions:*

1. **Apartment, hotel, or motel.** An operational permit is required to operate an apartment house, hotel or motel.
2. **Cannabis.** Operational permits are required to operate a cannabis facility or operation listed below:
 - 2.1. Cultivation
 - 2.2. Distribution
 - 2.3. Manufacturing
 - 2.4. Testing/lab

3. **Care facilities.** *An operational permit is required to operate a care facility as listed:*
 - 3.1. *Day care with an occupant load greater than eight (8) persons.*
 - 3.2. *Residential or commercial institutional care facility, occupancies complying with Health and Safety Code Section 13235 are exempt.*
4. **Emergency responder radio system.** *An operational permit is required to operate an Emergency Responder Radio System.*
5. **Fire protection plan.** *An operational permit is required to implement a fire protection plan.*
6. **Live entertainment.** *An operational permit is required to operate a business where alcohol is served, while providing live entertainment to the public.*
7. **Model rockets rental, sale or operation.** *An operational permit is required to operate, manufacture, import, export, possess, store, rent or sell model rockets as defined by Health and Safety Code Section 12519.*
8. **Radioactive material.** *An operational permit is required to store or handle at any installation more than 1 micro curie (37,000 Becquerel) of radioactive material not contained in a sealed source or more than 1 millicurie (37,000,000 Becquerel) of radioactive material in a sealed source or sources, or any amount of radioactive material for which specific license from the Nuclear Regulatory Commission is required.*

California Fire Code, Section 105.7 is amended to read as follows:

105.6 Required construction permits. The fire code official is authorized to issue construction permits for work as set forth in Sections 105.7.1 through 105.7.26.

Section 105.6.25 is hereby added to Chapter 1 and shall read as follows:

*Section 105.6.25 **Vegetation Management Plan.** A construction permit is required to implement a vegetation management plan.*

California Fire Code, Section 107.7 is added to read as follows:

107.7 Damages and expense recovery. *The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed, and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.*

Section 112.4 of Chapter 1 is hereby amended to read as follows:

Section 112.4 Violation Penalties. Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter repair or do work in violation of the approved construction documents or directive of the

Fire Code Official, or of a permit or certificate used under provisions of this code, shall be guilty of a *misdemeanor*, punishable by a fine of not more than \$500 dollars or by imprisonment not exceeding 180 days, or both such fine and imprisonment. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

The imposition of one penalty of any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each day that a violation continues after due notice has been served shall be deemed a separate offense.

Section 107.7 of Chapter 1 is added to read as follows:

*Section 107.7.1 **Abatement of clearance of brush or vegetative growth from structures.** The executive body is authorized to instruct the Chief to give notice to the owner of the property upon which conditions regulated by section 304.1.2 of Chapter 3 and section 4907.1 of Chapter 49 exists to correct such conditions. If the owner fails to correct such conditions, the executive body is authorized to cause the same to be done and make the expense of such correction a lien upon the property where such condition exists.*

Section 113.4 of Chapter 1 is hereby amended to read as follows:

Section 113.4 **Failure to Comply.** Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine not less than \$500 dollars or more than \$1500 dollars.

Section 115 is hereby added Chapter 1 and shall read as follows:

*Section 115 **DAMAGES AND EXPENSE RECOVERY***

*Section 115.1 **Damages and Expense Recovery.** The expense of securing any emergency that is within the responsibility for enforcement of the Fire Chief as given in Section 104 is a charge against the person who caused the emergency. Damages and expenses incurred by any public agency having jurisdiction or any public agency assisting the agency having jurisdiction shall constitute a debt of such person and shall be collectible by the Fire Chief for proper distribution in the same manner as in the case of an obligation under contract expressed or implied. Expenses as stated above shall include, but not be limited to, equipment and personnel committed and any payments required by the public agency to outside business firms requested by the public agency to secure the emergency, monitor remediation, and clean up.*

CHAPTER 2
DEFINITIONS

Section 202 of Chapter 2 is hereby amended by adding the following general definition:

ALL WEATHER SURFACE shall mean A/C paving, or concrete capable of supporting 70,000 gross vehicle weight. Grades up to and including 18% may be of A/C paving. Grades greater than 18% shall be of concrete curb-cut so as to allow for water run-off and traction. (FROM STANDARD 210)

***COVERINGS** shall mean materials including, but not limited to gypsum board, paneling, floor boards, lathe and plaster, wood paneling, brick and mortar, or other materials attached to rough framing of the building elements. 'Coverings' do not include carpet, linoleum, tile, wall paper, or other decorative finishes.*

DRIVEWAY is a vehicular ingress/egress access route that serves no more than two dwelling units, not including accessory structures. Driveways shall provide a minimum unobstructed width 16 feet and a minimum unobstructed height of 15 feet. Driveways in excess of 150 feet in length shall be provided with turnarounds. Driveways in excess of 200 feet in length and less than 20 feet in width shall be provided with turnouts in addition to turnarounds.

***NUISANCE ALARM.** An unwarranted alarm caused by mechanical failure, malfunction, improper installation or lack of proper maintenance, system servicing testing, construction activities, ordinary household activities, false alarm, other cause when no such danger exists, or an alarm activated by a cause that cannot be determined.*

OCCUPANCY CLASSIFICATION is modified to include:

*[BG] **Factory Industrial F-1 Moderate-hazard occupancy** is amended to add to the list of moderate-hazard factory industrial groups the following:*

Agricultural crop production including cultivation, drying, processing and /or storage.

***PRE-PLANS** shall mean detailed plans of target hazard buildings. These pre-plans include information on the building's location, occupancy, hazards, fire department connections and hydrants, building layout, and other pertinent data that would assist the fire department in case of an emergency.*

***PUBLIC STORAGE FACILITY** shall mean any business that sells, leases or rents space to the public that is enclosed, whether it is a building, storage container or similar configuration.*

***SPARK ARRESTOR** shall mean a chimney device constructed in a skillful-like manner. The net free area of a spark arrestor shall not be less than four times the net free area of the outlet of the chimney. The spark arrestor screen shall have heat and corrosion resistance equivalent to 12-gauge wire, 19-gauge galvanized wire or 24-gauge stainless steel. Opening shall not permit the passage of spheres having a diameter larger than 1/2 inch and shall not block the passage of spheres having a diameter of less than 3/8 inch.*

SUBSTANTIAL REMODEL shall mean the renovation of any structure, which combined with any additions to the structure, affects a floor area which exceeds fifty percent of the existing floor area of the structure within any 36-month period. When any changes are made in the building, such as walls, columns, beams or girders, floor or ceiling joists and coverings, roof rafters, roof diaphragms, foundations, piles or retaining walls or similar components, the floor area of all rooms affected by such changes shall be included in computing floor areas for the purposes of applying this definition. This definition does not apply to the replacement and upgrading of residential roof coverings.

Exceptions:

1. Free standing Group U occupancies not more than 1,000 square feet and provided with exterior wall, projection, and opening protection per Tables 602, 705.2 and 705.8 of the California Building Code.
2. Agricultural buildings as defined in Section 202 of the California Building Code and not exceeding 2,000 square feet, having clear unobstructed side yards exceeding 60 feet in all directions free of flammable and combustible materials, not exceeding 25 feet in height, and located within an agricultural zoned district as defined in the Marin County Planning Code.

TEMPORARY shall mean any use for a period of less than 90 days, where not otherwise referenced.

CHAPTER 3

GENERAL REQUIREMENTS

Section 302.1 in Chapter 3 is hereby amended to add the following:

PUBLIC STORAGE FACILITY

California Fire Code, Section 304.1.2 is amended to read as follows:

304.1.2 Vegetation. Weeds, grass, vines or other growth that is capable of being ignited and endangering property, shall be cut down and removed by the owner or occupant of the premises. *Vegetation clearance requirements in all areas shall be in accordance with Chapter 3 and Chapter 49.* Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with Chapter 49.

Section 319 of Chapter 3 is deleted in its entirety.

Section 324 is hereby added to Chapter 3 and shall read as follows:

Section 3214 Public Storage Facilities

*Section 324.1 **General.** Public Storage Facilities shall comply with the provisions of this section.*

*Section 324.2 **Location on Property and Fire Resistance of Exterior.** All public storage facilities shall meet the minimum requirements for setback from property lines or fire resistive construction as set forth in Table 602 of the Building Code for Group S, Division 1 occupancies.*

*Section 324.3 **Fire Apparatus Access.** All public storage facilities shall have fire apparatus access roads provided in accordance with Section 503.*

*Section 324.4 **Storage of Flammable and Combustible Liquids and Hazardous Materials.** The storage of hazardous materials or flammable or combustible liquids in public storage facilities is prohibited. Such facilities shall post legible and durable sign(s) to indicate same in a manner and location(s) as specified by the Fire Code Official. This section shall apply to new and existing public storage facilities.*

Exception: Only those quantities of flammable and combustible liquids necessary for maintenance of the facility may be stored by the facility management per Chapter 57 of this code.

CHAPTER 4 **EMERGENCY PLANNING AND PREPAREDNESS**

Section 401.1.1 is hereby added to Chapter 4 and shall read as follows:

*Section 401.1.1 **Hazardous Occupancies.** In occupancies of a hazardous nature, where access for fire apparatus is unduly difficult, or where special life and fire safety hazards exist as determined by standards or policies of the MARINWOOD CSD that facility or business management shall be required to develop and implement an Emergency Response Plan, provide for an on-site Emergency Response Team, Emergency Liaison Officer, staff training and fire drills in accordance with Sections 405 and 406 and standards developed by the MARINWOOD CSD.*

Section 401.3.2.1 is hereby added to Chapter 4 and shall read as follows:

*Section 401.3.2.1 **Nuisance Alarm Notification.** Notification of emergency responders based on an unwarranted alarm may be punishable by a fine in accordance with the adopted fee schedule. In addition, the responsible party may be liable for the operational and administrative costs, incurred from the emergency response or mitigation procedures resulting from an unwarranted alarm notification.*

Section 401.3.2.2 is added to read as follows:

*Section 401.3.2.2 **Multiple Unwarranted or Nuisance Alarm Activations.** Any occupancy that has more than 3 unwarranted or nuisance alarms causing emergency response within a 12-month period may be required to modify, repair, upgrade or replace their system and or monitoring station as determined by the Fire Code Official.*

Section 402.1 of Chapter 4 is hereby amended to add the following:

***PRE-PLANS
UNWARRANTED ALARMS***

Section 403.1.1 is hereby added to Chapter 4 and shall read as follows:

*Section 403.1.1 **Pre-Plans:** When required by the fire code official, pre-plans shall be developed for target hazard buildings according to the written standards developed by the authority having jurisdiction.*

Section 403.10.1.4 is hereby added to Chapter 4 and shall read as follows:

***Emergency Preparedness for Hotels, Lodging and Congregate Houses.** Hotels, lodging and congregate houses shall provide guests with immediate access to a telephone to report emergencies. The exit diagram shall indicate the location of the nearest telephone and instructions to dial 911.*

**CHAPTER 5
FIRE SERVICE FEATURES**

Section 503.1. of Chapter 5 is hereby amended as follows:

Section 501.1 in Chapter 5 is hereby amended to add the following.

DRIVEWAY

Section 503.1 **Where Required.** Fire Apparatus access roads shall be provided and maintained in accordance with Sections 503.1.1 through 503.1.5.

Section 503.1.4 of Chapter 5 is hereby added to read as follows:

*Section 503.1.4 **Undeveloped Areas.** Fire Apparatus Access Roads, improved or unimproved, shall be provided for firefighting equipment, apparatus and personnel to undeveloped areas of the MARINWOOD CSD so as to gain access to improved, unimproved, and undeveloped areas of the MARINWOOD CSD in a manner approved by the Fire Code Official. Any vehicle or other obstructions may be towed away at the owner's expense.*

Section 503.1.5 of Chapter 5 is hereby added to read as follows:

*Section 503.1.5 **Aerial fire apparatus access.** Buildings or facilities exceeding 30 feet or three stories in height, approved aerial apparatus access roads shall be provided. For the purposes of this section, the highest road surface shall be determined by the measurement*

to the eave of the pitched roof, the intersection of the roof to the exterior wall, or the top of parapet walls, whichever is greater.

*Section 503.1.5.1 **Width.** Aerial fire apparatus access roads shall have a minimum unobstructed width of 26 feet, exclusive of shoulders, in the immediate vicinity of the building or portion thereof.*

*Section 503.1.5.2 **Proximity to building.** One or more of the required access routes meeting this condition shall be located not less than 15 feet and not more than 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approved by the fire code official.*

*Section 503.1.5.3 **Obstructions.** Overhead utility and power lines shall not be located over the aerial fire apparatus access road or between the aerial fire apparatus access road and the building. Other obstructions shall be permitted to be placed with the approval of the fire code official.*

Section 503.2.1. of Chapter 5 is hereby amended as follows:

Section 503.2.1 Dimensions. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet (6096 mm), exclusive of shoulders, except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 15 feet (4572 mm).

Section 503.2.6.1. is hereby added to Chapter 5 and shall read as follows:

*Section 503.2.6.1 **Evaluation and maintenance.** All existing private bridges and elevated surfaces that are a part of the fire department access roadway shall be evaluated by a California licensed civil engineer experienced in structural engineering or a California licensed structural engineer, for safety and weight rating, in accordance with American Association of State Highway and Transportation Officials (AASHTO) Manual: "The Manual for Bridge Evaluation," Second Edition, or other approved standard. Vehicle load limits shall be posted at both entrances to bridges. All bridges and elevated structures providing fire department access shall be routinely maintained in accordance with Section 503.2.6 or when directed by the fire code official or authorized designee.*

Section 503.4 of Chapter 5 is amended to read as follows:

Section 503.4 obstruction of fire apparatus access roads. Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The minimum widths and clearances established in sections 503.2.1 and 503.2.2 shall be maintained at all times. Any vehicle or other obstruction may be towed away at the owner's expense.

Section 503.4.2 is hereby added to read as follows:

503.4.2 Prohibition on Vehicular Parking on Private Access ways. *If, in the judgment of the Fire Code Official, it is necessary to prohibit vehicular parking along private access ways serving existing facilities, buildings, or portions of buildings in order to keep them clear and unobstructed for fire apparatus access, the Fire Code Official may issue an Order to the owner, lessee or other person in charge of the premises to paint the curbs red or install signs or other appropriate notices to the effect that parking is prohibited by Order of the Fire Department. It shall thereafter be unlawful for such owner, lessee or other person in charge of the premises to fail to install, maintain in good condition, the form of notice so prescribed. When such areas are marked or signed as provided herein, no person shall park a vehicle adjacent to any such curb or in the private access way contrary to such markings or signs. Any vehicle so parked in the private access way may be towed away at the expense of the owner of the vehicle.*

Section 503.6.1 is hereby added to Chapter 5 and shall read as follows:

503.6.1 Width. *All gates shall open fully to provide an unobstructed passage width of not less than 16 feet or a minimum of two feet wider than the approved net clear opening of the required all weather roadway or driveway and a minimum net vertical clearance of 15 feet.*

Section 503.6.2 is hereby added to Chapter 5 and shall read as follows:

Section 503.6.2 Electronic Gates. *All electronic operated gates shall have installed an approved key switch override system mounted on a stanchion or wall as approved by the Chief in accordance with Standards/Policies adopted by the Fire Code Official. All electronic or motorized gates shall incorporate in their design the means for fast, effective manual operation of the gates in the event of power or mechanical failure (i.e., easily removable hinge pins for separating power linkage from gates; undercut, weakened or frangible members requiring 40 pounds or less pressure against the gates to cause their failure and the gates to open. All electrical wiring and components of motorized gates shall be UL listed and installed in accordance with the National Electric Code.*

Section 507.5.1 of Chapter 5 is hereby amended by deleting exceptions 1 and 2.

Section 507.5.1.1 of Chapter 5 is amended to read as follows:

Section 507.5.1.1 Hydrant for fire department connections. *Buildings equipped with a water-based fire protection system installed in accordance with Section 903 through 905 shall have a fire hydrant within 100 feet of the fire department connections, or as approved by the fire code official.*

Section 507.5.7 is hereby added to Chapter 5 and shall read as follows:

*Section 507.5.7 **Fire Hydrant Upgrades.** When additions or modifications to structures are made, the nearest fire hydrant (if a new one is not required) located by the Fire Code Official, shall be upgraded to the minimum standard of one 4 1/2" outlet and one 2 1/2" outlet for single family dwellings and the minimum standard of one 4 1/2" outlet and two 2 1/2" outlets for commercial structures.*

Exception:

- 1. If the cost of upgrading the fire hydrant exceeds 2% of the cost of the project based on the building permit valuation.*
- 2. One and Two family dwellings equipped throughout with an approved automatic sprinkler system*

Section 510.1 of Chapter 5 is hereby amended by deleting Exception 1.

CHAPTER 9

FIRE PROTECTION AND LIFE SAFETY SYSTEMS

Section 901.7 of Chapter 9 is hereby amended by adding the following sentence:

Section 901.7 Systems out of Service. Where a required fire protection system is out of service, the fire department and the fire code official shall be notified immediately and, where required by the fire code official, the building shall be either evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shutdown until the fire protection system has been returned to service. *This section shall also apply to residential fire sprinkler systems.*

Section 903.2 of Chapter 9 is repealed in its entirety (with the exception of sub-sections 903.2.5, 903.2.6, 903.2.8, 903.2.11, 903.2.12, 903.2.14, 903.2.15, 903.2.16, 903.2.17, 903.2.18, 903.2.19, 903.2.20 & 903.2.21 which shall remain in effect).

Section 903.2 of Chapter 9 is hereby added to read as follows:

*Section 903.2 **Where required.** Approved automatic sprinkler systems in new and existing buildings shall be provided in the locations described in this section.*

Section 903.2.1 through 903.2.4 of Chapter 9 are hereby added to read as follows:

*Section 903.2.1 **Required installations.** An automatic sprinkler system shall be installed and maintained in all newly constructed buildings or structures.*

Exceptions:

1. *Detached pool houses, workshops, Group U private garages, barns and similar structures, built in conjunction with existing non-sprinklered single family residences and provided the new structure is less than 1,000 square feet and is not intended for use as a dwelling unit.*
2. *Detached non-combustible, limited combustible, or fire-retardant treated wood canopies.*
3. *Group B or M occupancies less than 1000 square feet.*
4. *Detached restroom facilities associated with golf courses, ball fields, parks and similar uses as approved by the Fire Code Official.*
5. *Agricultural buildings as defined in Appendix C of the Building Code and not exceeding 2000 square feet, having clear unobstructed side yards free of combustible materials, exceeding 60 feet in all directions and not exceeding 25 feet in height, located within an agricultural zoned district as defined in the Marin County Planning Code.*

*Section 903.2.2 **Additions and Alterations.** An automatic sprinkler system shall be installed in all buildings in excess of 3,000 sq. ft. which have ten per cent (10%) or more floor area added within any 36-month period.*

*Section 903.2.2.1 **Substantial Remodel.** An automatic sprinkler system shall be installed in all buildings which have fifty per cent (50%) or more floor area added, or any “substantial remodel” as defined in this code, within any 36- month period.*

*Section 903.2.3 **Group R-3.** An automatic sprinkler system installed in accordance with Section 903.3.1.3 shall be permitted in Group R-3 occupancies and shall be provided throughout all one- and two-family dwellings regardless of square footage in accordance with the-California Residential Code. An automatic sprinkler system shall be installed in all mobile homes, manufactured homes and multi-family manufactured homes with two or more dwelling units in accordance with Title 25 of the California Code of Regulations.*

*Section 903.2.4 **Change of Occupancy or Use.** For any change of occupancy or use, when the proposed new occupancy classification is more hazardous based on a fire and life safety evaluation by the Fire Code Official, including but not limited to conversion of buildings to single family residences, accessory dwelling units, bed and breakfast, inns, lodging houses or congregate residences or other similar uses, an automatic sprinkler system shall be installed throughout.*

Section 903.3.9 of Chapter 9 is hereby amended by replacing item 2 with the following:

*Section 903.3.9 **Floor control valves.** Floor control valves and waterflow detection assemblies shall be installed at each floor where any of the following occur:*

1. *Buildings where the floor level of the highest story is located more than 30 feet above the lowest level of fire department vehicle access.*
2. *Buildings that are two or more stories in height.*
3. *Buildings that are two or more stories below the highest level of fire department vehicle access.*

Exception: *Group R-3 and R-3.1 occupancies floor control valves and waterflow detection assemblies shall not be required.*

Section 903.6.1 of Chapter 9 is hereby added and shall read as follows:

Section 903.6.1 Application. *In all existing buildings, when the addition of automatic fire sprinklers are required by the provisions of this code, automatic fire sprinklers shall be extended into all unprotected areas of the building.*

Section 906.11 is hereby added to Chapter 9 and shall read as follows:

Section 906.11 Fire Extinguisher Documentation. *The owner and/or operator of every Group R Division 1 and R Division 2 occupancies shall annually provide the Chief written documentation that fire extinguishers are installed and have been serviced as required by Title 19 California Code of Regulations when such extinguishers are installed in residential units in lieu of common areas.*

Section 907.2.13.1.2 of Chapter 9 is hereby amended by adding new subsection 3 to read as follows:

3. *Duct smoke detectors shall be capable of being reset by a readily accessible, remote push button or key activated switch as approved by the Fire Code Official.*

Section 907.6.6 is hereby amended to read as follows:

Section 907.6.6 Monitoring. *New and upgraded fire alarm systems required by this chapter or by the California Building Code shall be monitored by an approved Central Station in accordance with NFPA 72 and this section.*

Exception: *Monitoring by central station is not required for:*

1. *Single- and multiple-station smoke alarms required by Section 907.2.11.*
2. *Group I-3 occupancies shall be monitored in accordance with Section 907.2.6.3.*
3. *Automatic sprinkler systems in one- and two-family dwellings.*

Section 907.8.5.1 of Chapter 9 is hereby added and shall read as follows:

Section 907.8.5.1 Smoke Alarm Documentation. *The owner and/or operator of every Group R Division 1, Division 2, Division 3.1, and Division 4 Occupancies shall annually provide the Fire Code Official with written documentation that the smoke alarms installed*

pursuant to the Building Code have been tested and are operational. If alarms are found to be inoperable or are missing, such alarms shall be repaired or replaced immediately.

CHAPTER 11

CONSTRUCTION REQUIREMENTS FOR EXISTING BUILDINGS

Section 1103.1 of Chapter 11 is hereby amended to read as follows:

Section 1103.1 **Required Construction.** Existing buildings shall comply with not less than the minimum provisions specified in Table 1103.1 and as further enumerated in Sections 1103.2, 1103.7 through 1103.8.5.3, 1103.9.1, and 1103.10.

The provisions of this chapter shall not be constructed to allow the elimination of fire protection systems or a reduction in the level of fire safety provided in buildings constructed in accordance with previously adopted codes.

Exceptions:

1. Where a change in fire-resistance rating has been approved in accordance with Section 501.2 or 802.6 of the *California Existing Building Code*.
2. Group U occupancies.

CHAPTER 26

FUMIGATION AND INSECTICIDAL FOGGING

Chapter 26 is deleted in its entirety.

CHAPTER 33

FIRE SAFETY DURING CONSTRUCTION

Section 3313.3 of Chapter 33 is amended by adding the following to the end of the exception:

Exception: Standpipes shall be either temporary or permanent in nature, and with or without a water supply, provided that such standpipes comply with the requirements of Section 905 as to capacity, outlets and materials, *as approved by the Fire Code Official.*

Section 3314.3 in Chapter 33 is added to read as follows:

*Section 3314.3 **Where required.** In buildings of combustible construction required to have automatic sprinkler system by Section 903, automatic sprinkler system shall be installed prior to construction exceeding two stories in height above the lowest level of fire department vehicle access. Such automatic sprinkler system shall be extended as construction progresses to within one floor of the highest point of construction having secured decking or flooring.*

Section 3314.4 of Chapter 33 is added to read as follows:

*Section 3314.4 **Buildings being demolished.** Where a building is being demolished and an automatic sprinkler system is existing within such a building, such automatic sprinkler system shall be maintained in an operable condition so as to be available for use by the fire department. Such automatic sprinkler system shall be demolished with the building but shall not be demolished more than one floor below the floor being demolished.*

Section 3314.5 of Chapter 33 is added to read as follows:

*Section 3314.5 **Detailed requirements.** Automatic sprinkler systems shall be installed in accordance with the provisions of Section 903.*

CHAPTER 49
REQUIREMENTS FOR WILDLAND-URBAN INTERFACE FIRE AREAS

Section 4902.1 of Chapter 49 is amended to read as follows:

WILDLAND-URBAN INTERFACE FIRE AREA. A geographical area identified by the MARINWOOD CSD as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, *as designated on the map titled Wildland-Urban Interface Fire Area, dated January 28, 2009.*

Section 4906.2 of Chapter 49 is amended to read as follows:

*Section 4906.2 **Application.** Buildings and structures located in the following areas shall maintain the required hazardous vegetation and fuel management:*

- 1. All unincorporated lands designated by the State Board of Forestry and Fire Protection as State Responsibility Area (SRA) including:
 - 1.1. Moderate Fire Hazard Severity Zones.*
 - 1.2. High Fire Severity Zones.*
 - 1.3. Very-high Fire Severity Zones.**
- 2. Land designated as Very-high Fire Hazard Severity Zone by cities and other local agencies.*
- 3. Land designated as Wildland-Urban Interface Fire Areas by cities and other local agencies.*

Section 4907.1 of Chapter 49 is amended to read as follows:

*Section 4907.1 **General.** Defensible space will be maintained around all buildings and structures in State Responsibility Area (SRA) as required in Public Resources Code 4290 and “SRA Fire Safe Regulations” California Code of Regulations, Title 14 Division 1.5, Chapter 7, Subchapter 2, Section 1270.*

Buildings and structures within the Very-high Fire Hazard Severity Zones of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in Government Code 51175-51189 and any local ordinance of the authority having jurisdiction.

Buildings and structures within the Wildland-Urban Interface Fire Area of a Local Responsibility Area (LRA) shall maintain defensible space as outlined in the Government Code Sections 51175-51189 and local standards of the authority having jurisdiction.

Section 4907.2 of Chapter 49 is hereby added and shall read as follows:

*Section 4907.2 **Fire Hazard Reduction.** Any person who owns, leases, controls or maintains any building or structure, vacant lands, open space, and/or lands within specific Wildland Urban Interface areas of the jurisdiction of the MARINWOOD CSD shall comply with the following:*

- 1. Cut and remove all fire prone vegetation within 30 feet of structures, up to 150 feet when topographic or combustible vegetative types necessitate removal as determined by the Fire Code Official.*
- 2. Remove accumulated dead vegetation on the property.*
- 3. Cut and remove tree limbs that overhang wood decks and roofs.*
- 4. Remove that portion of any tree which extends within 10 feet of any chimney or stovepipe, roof surfaces and roof gutters*
- 5. Clean any leaves and needles from roof and gutters.*
- 6. Cut and remove growth less than 3-inches in diameter, from the ground up to a maximum height of 10 feet, provided that no crown shall be raised to a point so as to remove branches from more than the lower one-third of the tree’s total height.*
- 7. Vegetation clearance requirements for new construction and substantial remodels in Wildland-Urban Interface Areas shall be in accordance with the 2018 International Wildland-Urban Interface Code, as amended by the (Your Fire Department/District*

Exception 1: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery or similar plants, or plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

Exception 2: When approved by the Fire Code Official, grass and other vegetation located more than 30 feet (9144 mm) from buildings or structures less than 18

inches (457 mm) in height above the ground need not be removed where necessary to stabilize soil and prevent erosion.

Section 4908 of Chapter 49 is hereby added and shall read as follows:

Section 4908 **Fire Hazard Reduction from Roadways.** The Fire Code Official is authorized to cause areas within 10 feet (3048 cm) on each side of portions of highways, fire apparatus access roads (improved or unimproved), and driveways (improved or unimproved), which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth. Corrective action, if necessary, shall be the same as the actions required in section 4907.2. The Fire Code Official is authorized to enter upon private property to carry out this work.

Exception: When approved by the Fire Code Official, single specimens of trees, ornamental shrubbery or similar plants, or plants used as ground covers, provided that they do not form a means of rapidly transmitting fire from the native growth to any structure.

CHAPTER 56

EXPLOSIVES AND FIREWORKS

Section 5601.1.3 of Chapter 56 Exceptions 1, 2, and 4 are hereby deleted.

Section 5608.1.2 of Chapter is added to read as follows:

*Section 5608.1.2 **Permit required.** A permit shall be obtained from the fire code official in accordance with Section 105.6 prior to the performance of any firework display. Application for such approval shall be made in writing no less than twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the fire code official or authorized designee pursuant to this Chapter and Title 19, Chapter 6, Article 3 - Licenses of the California Code of Regulations. Any permit for a fireworks display may be suspended or revoked at any time by the Fire code official or authorized designee.*

Section 5608.2 of Chapter 56 is added to read as follows:

*Section 5608.2 **Limitations.** Possession, storage, offer or expose for sale, sell at retail, gift or give away, use, explode, discharge, or in any manner dispose of fireworks is prohibited within the limits established by law as the limits of the districts in which such possession, storage, offer or exposure for sale, retail sale, gifting, use, explosion, discharge, or disposal of fireworks is prohibited in any area as established by applicable land-use and zoning standards.*

Exception: Firework displays authorized pursuant to section 5608.1 for which a permit has been issued.

APPENDIX B
FIRE-FLOW REQUIREMENTS FOR BUILDINGS

California Fire Code, Appendix B Table B105.1(1) is amended to read as follows:

TABLE B105.1(1)
REQUIRED FIRE-FLOW FOR ONE- AND TWO-FAMILY DWELLINGS, GROUP R-3
AND R-4 BUILDINGS AND TOWNHOUSES

FIRE-FLOW CALCULATION AREA (square feet)	AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
0-3,600	No automatic sprinkler system	1,500	2
3,601 and greater	No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2) at The required fire-flow rate
0-3,600	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	1,500	2
3,601 and greater	Section 903.3.1.3 of the <i>California Fire Code</i> or Section 313.3 of the <i>California Residential Code</i>	½ value in Table B105.1(2) ^a	Duration in Table B105.1(2) at The required fire-flow rate

For SI: 1 square foot = 0.0929 m², 1 gallon per minute = 3.785 L/m.

a. The reduced fire-flow shall be not less than 1,500 gallons per minute.

Appendix B Table B105.2 is amended to read as follows:

TABLE B105.2
REQUIRED FIRE-FLOW FOR BUILDINGS OTHER THAN ONE- AND
TWO-FAMILY DWELLINGS, GROUP R-3 AND R-4 BUILDINGS AND
TOWNHOUSES

AUTOMATIC SPRINKLER SYSTEM (Design Standard)	MINIMUM FIRE- FLOW (gallons per minute)	FLOW DURATION (hours)
No automatic sprinkler system	Value in Table B105.1(2)	Duration in Table B105.1(2)

Section 903.3.1.1 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate
Section 903.3.1.2 of the <i>California Fire Code</i>	50% of the value in Table B105.1(2) ^a	Duration in Table B105.1(2) at the reduced flow rate

For SI: 1 gallon per minute = 3.785 L/m.

a. *The reduced fire-flow shall be not less than 1,500 gallons per minute.*

APPENDIX C **FIRE HYDRANT LOCATIONS AND DISTRIBUTION**

Section C103.1 of Appendix C is amended to read as follows:

Section C103.1 **Hydrant spacing.** Fire apparatus access roads and public streets providing required access to buildings in accordance with Section 503 of the *California Fire Code* shall be provided with one or more fire hydrants, as determined by Section C102.1. Where more than one fire hydrant is required, the distance between required fire hydrants shall be *approved by the fire code official*.

Section C103.2 of Appendix C is deleted.

Section C103.3 of Appendix C is deleted.

INTERNATIONAL WILDLAND-URBAN INTERFACE **APPENDIX A**

Section A104.7.2 of Appendix A of the International Wildland-Urban Interface Code is amended to read as follows:

Section A104.7.2 **Permits.** *The Fire Code Official is authorized to stipulate conditions for permits. Permits shall not be issued when public safety would be at risk, as determined by the Fire Code Official.*

Section A104.11 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

Section A104.11 – **Tracer Bullets, Tracer Charges, Rockets and Model Aircraft.** *Tracer bullets and tracer charges shall not be possessed, fired or caused to be fired into or across hazardous fire areas. Rockets, model planes, gliders and balloons powered with an engine, propellant or other feature liable to start or cause a fire shall not be fired or projected into or across hazardous fire areas.*

Section A104.12 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

*Section A104.12 **Explosives and Blasting.** Explosives shall not be possessed, kept, stored, sold, offered for sale, given away, used, discharged, transported or disposed of within hazardous fire areas except by permit from the Fire Code Official.*

Section A104.12 of Appendix A of the International Wildland-Urban Interface Code is hereby added and shall read as follows:

*Section A104.12 **APAIRIES.** Lighted or smoldering material shall not be used in connection with smoking bees in or upon hazardous fire areas except by permit from the Fire Code Official.*

The following table provides code sections that have been modified pursuant to this Ordinance, due to local climatic, geological and topographical reasons.

CA Fire Code Section Number Local followed by corresponding climatic, geological and topographical condition findings as set forth above:

202	1e, 2a, 2b, 2d, 2e, 2f
321.1 – 321.4	2b, 2d, 2e, 2g
401.1.1	2c, 2d, 2e, 2g
401.3.2.2	2a, 2c, 2d, 2e, 2g
403.1.1	2a, 2b, 2c, 2d, 2e, 2g
403.10.1.4	2a, 2b, 2c, 2d, 2e, 2g
503.1	2a, 2c, 2d, 2e, 2f, 2g
503.1.4	2a, 2c, 2d, 2e, 2f, 2g
503.1.5	2a, 2c, 2d, 2e, 2f, 2g
503.2.6.1	2a, 2c, 2d, 2e, 2f, 2g
503.4	2a, 2c, 2d, 2e, 2f, 2g
503.4.2	2a, 2c, 2d, 2e, 2f, 2g
503.6.1	2a, 2c, 2d, 2e, 2f, 2g
503.6.2	2a, 2c, 2d, 2e, 2f, 2g
507.5.1	2a, 2c, 2d, 2e, 2f, 2g
507.5.1.1	2a, 2c, 2d, 2e, 2f, 2g
507.5.7	2a, 2c, 2d, 2e, 2f, 2g

510.1	2a, 2b, 2c, 2d, 2g
903.2.1 – 903.2.4	2a, 2b, 2c, 2d, 2e, 2g
903.3.9	2a, 2b, 2c, 2d, 2e, 2g
903.6.1	2a, 2b, 2c, 2d, 2e, 2g
907.6.6	2a, 2b, 2c, 2d, 2e, 2g
912.2	2a, 2b, 2c, 2d, 2e, 2g
3313.3	2a, 2b, 2c, 2d, 2g
3314.3	2a, 2b, 2c, 2d, 2g
3314.4	2a, 2b, 2c, 2d, 2g
4902.1	1a, 1b, 1c, 1d, 1e, 2a, 2b, 2c, 2d, 2g
4906.2	1a, 1b, 1c, 1d, 1e, 2a, 2b, 2c, 2d, 2g
4907.1 – 4907.2	1a, 1b, 1c, 1d, 1e, 2a, 2b, 2c, 2d, 2g
4908	1a, 1e, 2a, 2b, 2c, 2d, 2g
5608.1.2 – 5608.2	2a, 2c, 2d, 2e, 2g
Appendix B	2a, 2b, 2c, 2d, 2e, 2f, 2g

SECTION 12. AUTHORITY TO ARREST AND ISSUE CITATIONS

(a) The Fire Chief and Fire Prevention Officer shall have authority to arrest or to cite any person who violates any provision of this Chapter involving the Fire Code or the California Building Standards Code regulations relating to fire and panic safety as adopted by the State Fire Marshal, in the manner provided for the arrest or release on citation and notice to appear with respect to misdemeanors or infractions, as prescribed by Chapters 5, 5c and 5d of Title 3, Part 2 of the California Penal Code, including Section 853.6, or as the same hereafter may be amended.

(b) It is the intent of the Board of Directors of the MARINWOOD COMMUNITY SERVICES DISTRICT that the immunities provided in Penal Code Section 836.5 be applicable to aforementioned officers and employees exercising their arrest or citation authority within the course and scope of their employment pursuant to this Chapter.

SECTION 13. PENALTIES

(a) The violations of the Fire Code as adopted herein are misdemeanors/infractions and are subject to the penalties set forth herein.

(b) If a criminal citation is issued, penalties shall be per Section 109 of the California Fire Code and, 109.3, or 111.4 of Section 11 of this ordinance. If an administrative citation is issued, the penalties are as follows:

(c) The first citation, within a 12-month period, for violations of the Fire Code and any amendments adopted herein shall be treated as a Civil Penalty payable directly to the MARINWOOD COMMUNITY SERVICES DISTRICT and is set at \$150 plus the actual costs of all inspections required to gain compliance at the rate set from time to time by the MARINWOOD COMMUNITY SERVICES DISTRICT. Said civil penalties shall be a debt owed to the District by the person responsible for the violation within thirty (30) days after the date of mailing of the citation unless an appeal is filed as provided in Section 14. Upon failure to pay the civil penalty when due, the responsible person shall be liable in a civil action brought by the MARINWOOD COMMUNITY SERVICES DISTRICT for such civil penalty and costs of the litigation, including reasonable attorney's fees.

(d) Any subsequent citations within a twelve (12) month period for any violations of the Fire Code and any amendments adopted herein shall be misdemeanors/infractions and shall be subject to the penalties set forth herein.

(e) The imposition of one penalty for any violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violations or defects within a reasonable time and, when not otherwise specified each day that a violation occurs or continues, after a final notice has been delivered shall constitute a separate offense. The application of both penalties shall not be held to prevent the enforced correction of prohibited conditions.

(f) Nothing contained in Subsections (a) through (f) of this Section shall be construed or interpreted to prevent the MARINWOOD COMMUNITY SERVICES DISTRICT from recovering all costs associated with a MARINWOOD COMMUNITY SERVICES DISTRICT response as described in Section 104.12 of the 2019 International Fire Code as amended.

(g) Any violation of any provision of this Chapter shall constitute a public nuisance and shall entitle the MARINWOOD COMMUNITY SERVICES DISTRICT to collect the costs of abatement and related administrative costs by a nuisance abatement lien as more particularly set forth in Government Code Section 38773.1, and by special assessment to be collected by the County Tax Collector as more particularly set forth in Government Code Section 38773.5. At least thirty (30) days prior to recordation of the lien, or submission of the report to the Tax Collector for collection of this special assessment, the record owner shall receive notice from the Chief of the MARINWOOD COMMUNITY SERVICES DISTRICT intent to charge the property owner for all administrative costs associated with enforcement of this Ordinance and abatement of the nuisance. The notice shall include a summary of costs associated with enforcement of this Ordinance and abatement of the nuisance. The property owner may appeal the Chief's decision to the Board of Directors of the MARINWOOD COMMUNITY SERVICES DISTRICT within fifteen (15) days of the date of the notice and request a public hearing prior to recordation

of the lien or submission of the report to the County Tax Collector for collection of the special assessment. In addition to the foregoing, the MARINWOOD COMMUNITY SERVICES DISTRICT is authorized to prosecute a civil action to collect such abatement costs from the property owner or other person in possession or control of the affected property, and shall be entitled to recover such abatement costs, together with the cost of litigation, including reasonable attorney's fees. The provisions of this section shall also apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in section 109.3.2.

SECTION 14. APPEALS

(a) Any person receiving a citation for a civil penalty pursuant to Subsection (b) of Section 13 or a bill for MARINWOOD COMMUNITY SERVICES DISTRICT response costs and expenses pursuant to Section 104.12 of the Fire Code, may file within thirty (30) days after the date of mailing the citation or bill, an administrative appeal against imposition of the civil penalty or response costs and expense. The appeal shall be in writing and filed with the Fire Chief and shall include a copy of the bill and statement of the grounds for appeal. The Fire Chief shall conduct an administrative hearing on the appeal, after giving the appellant at least ten (10) days' advance written notice of the time and place of the hearing. Within ten (10) days after the hearing the Chief shall give written notice of the decision to the appellant, which decision shall be final. If the appeal is denied in part or full, all amounts due shall be paid within thirty (30) days after the mailing of the notice of the decision of the hearing officer.

(b) Whenever the Chief shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief to the Board of Directors of the MARINWOOD COMMUNITY SERVICES DISTRICT within 10 days from the date of the decision. The provision of this section shall not apply to corrective actions for the clearance of brush or vegetative growth from structures as outlined in various sections of this Code, or to matters for which an appeal is provided pursuant to Section 14 (a) above.

SECTION 15 FORMER ORDINANCES

All former ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance or the Code hereby adopted are hereby repealed.

SECTION 16 VALIDITY

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this Ordinance. The Board of Directors of the MARINWOOD COMMUNITY SERVICES DISTRICT hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more

sections, subsections, sentences, clauses or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases shall be declared invalid.

SECTION 17 ORDINANCE PUBLICATION AND EFFECTIVE DATE

A summary of this Ordinance shall be published and a certified copy of the full text of this Ordinance shall be posted in the office of the MARINWOOD COMMUNITY SERVICES DISTRICT Admin at least five (5) days prior to the Board of Directors meeting at which it is adopted.

This Ordinance shall be in full force and effective thirty (30) days after its final passage, and the summary of this Ordinance shall be published within fifteen (15) days after the adoption, together with the names of the Board of Directors voting for or against same, in the Independent Journal, a newspaper of general circulation in the County of Marin, State of California.

SECTION 18 CALIFORNIA ENVIRONMENTAL QUALITY ACT

The Board of Directors of the MARINWOOD COMMUNITY SERVICES DISTRICT finds that adoption of this ordinance is exempt from the California Environmental Quality Act (“CEQA”) under California Code of Regulations, Title 14, § 15061(b)(3).

Within fifteen (15) days after adoption, the MARINWOOD COMMUNITY SERVICES DISTRICT Clerk shall also post in the office of the MARINWOOD COMMUNITY SERVICES DISTRICT Clerk, a certified copy of the full text of this Ordinance along with the names of those Board of Directors members voting for and against the Ordinance.

PASSED AND ADOPTED by the Board of Directors, MARINWOOD COMMUNITY SERVICES DISTRICT, November 8, 2022, by the following vote:

AYES: Board Members:

NOES: Board Members:

ABSTAIN: Board Members:

ABSENT: Board Members:

Lisa Ruggeri, President of the Board of Directors

Attest:

Tiffany Combrink, Administrative Assistant



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: October 11, 2022
Re: Pension Liability Analysis

Directors,

Please see the included summary analysis report regarding the District's current pension liabilities.

Annually in August CalPERS releases updated pension valuation reports for each participating agency. Similar to the OPEB actuarial report recently presented to the Board, CalPERS valuations also have a valuation date of June 30 prior year. Meaning, the reports released in August 2022 are based on financial valuation data as of June 30, 2021.

During his five years serving as a Marinwood CSD board director (2015-2020), Jeff Naylor devoted significant time and efforts to understanding the complex nature of the CalPERS pension system and specifically the financial pension liabilities of Marinwood CSD. As the reports released directly from CalPERS are large and can be difficult to comprehend, former director Naylor created a summary report that he then presented to the Board in an effort to educate and engage board members and the public. The report was well received and as such he updated and presented his report each year with the annual August release of the CalPERS valuations.

Mr. Naylor was gracious enough to once again provide the updated pension liability summary report based on the August 2022 pension valuations. Unfortunately, Mr. Naylor will be out of town the night of the board meeting and unable to participate in the presentation of this topic.

The complete valuation reports as released by CalPERS can be readily found on the District's website (5 total separate reports): <https://www.marinwood.org/finance>

The following presentation is intended to inform or refresh the Marinwood Board of Directors about the District's pension plans and their impact on District finances and operations. To start, here are some terms and organizations which will be discussed in the presentation.

California Public Employees' Retirement System (CalPERS) is Marinwood's pension provider and is for most non-educational Marin County public employees. San Rafael, Novato Fire District, Marin County and Southern Marin Fire District use the Marin County Employees' Retirement Association (MCERA).

Defined Benefit Pensions are either entirely or mostly paid by the employer. Such plans have become increasingly rare in the private sector and are the norm in the public sector. Marinwood's pensions are considered Defined Benefit Pensions even though the employee does make a contribution each paycheck. These pensions are based on an assumed Rate of Return or Discount Rate and are considered a promised benefit whether or not the investment returns meet the assumed and required return. Employers must divert funds from their services to make up for any investment shortfalls.

Defined Contribution Pensions still exist in the private sector and are funded solely by the employee and investment returns. In some instances the employer may offer a financial match contribution. The benefits of these pensions can fluctuate with the portfolio value, so the employee bears the investment risk, not the employer.

Normal Cost is a declared % withheld from each employee paycheck as well as a stipulated and generally higher contribution by the employer. Normal Cost funds have traditionally been intended to provide approximately 40% of the future benefit with investment results expected to provide the rest.

Annual Required Contributions (ARC) are funds required exclusively from the employer by CalPERS and other pension providers to adequately fund pension benefits as the investment returns of the portfolio over time did not meet expectations. These payments fluctuate each year and can be made once at the beginning of the fiscal year or monthly with accrued interest. These funds are diverted from taxes and fees intended to provide the public employer's services.

Unfunded Accrued Liability (UAL) varies each year as a function of investment returns and represents the present value of the future pension benefit that has not been funded by contributions and investment results. This liability carried on the District's balance sheet must eventually be paid down in order to keep the "promise" made by the pension provider to the employees.

Discount Rate is the long-term interest rate used to fund future pension benefits. It is one of the key components of the [Asset Liability Management \(ALM\)](#) cycle that CalPERS uses to balance assets with future pension obligations. The discount rate is also known as the assumed rate of return because it's what CalPERS expects its investments to earn over time in order to fully fund the pensions. Decreasing a plan's discount rate leads to higher calculated liabilities and higher required annual contribution payments.

Since 2004 when this value was 8.25% employers and economists lobbied for them to reduce their expectation from that overly optimistic assumption. For many years the discount rate was still 7.5% during a period of seriously increasing indebtedness. CalPERS supplied the following explanation of "quantitative easing" of the discount rate :

On December 21, 2016, the CalPERS Board of Administration voted to lower the discount rate from 7.5% to 7% over the next three years. This incremental lowering of the discount rate will give employers more time to prepare the changes in employer contribution costs.

The discount rate changes approved by the Board, for the next three fiscal years (FY), are as follows:

For public agency and school employers:

- FY 2018-19: 7.375%
- FY 2019-20: 7.25%
- FY 2020-21: 7.00%

CalPERS refrained from saying that it adopted this strategy to avoid bankrupting many public employers if they dropped the discount rate in a single year.

Rate of Return (RoR) is the actual return on investment realized by CalPERS investments.

Pension Factor is the percentage attached to each plan's benefit. It is the multiplier times the number of qualifying years of service that determine the percentage of the pension basis which will be paid to the employee each year upon their retirement. Generally, an employee must work at least 5 qualifying years before any pension will be earned.

Pension Basis depends on the employee's contract with their employer. Some employee's basis is the highest single year of their employment. For others it is the average of the highest three years of their employment. Generally, these are the final year and three year average of an employee's career but they don't have to be.

Public Employee's Pension Reform Act (PEPRA) Is the 2013 act which redesigned public pensions in California with two primary objectives. The act reduced the pension factor and increased the age at which the full benefit could be realized. In addition, the act aimed to balance the employer and employee portions of normal cost.

Additional Discretionary Employer Contributions (ADEC) are payments in addition to the ARC intended to pay off the UAL more quickly than if the UAL was paid down only by ARC. As of the latest reports, two of Marinwood's plans UAL will not be fully amortized until 2041 and 2042.

FTE Full time Employee

Introduction

Retirement benefits are the District's most significant liability and the total annual cash expenditures to amortize the unfunded portion are exceeded only by "Regular Staff Salaries" on its income statement. Public entities continue to struggle with pension costs for two primary reasons.

Public pensions unlike those offered to employees of private companies, are considered promises. Private company pensions are generally employee funded just like a 401K plan and when the investment RoR fails to meet projections and reduces the private "Defined Contribution Pension" portfolio's assets, the pensioners bear the risk as their benefits are reduced accordingly. On the other hand, public "Defined Benefit Pensions" are set based on a stipulated discount rate and are considered a promise. If public pension investment results do not meet expectations, the shortfalls must be made up with additional cash infusions by the public employers. Ultimately it is the tax and fee payers to the public employer which foot the bill for the promised pension benefits. The employer must then reduce expenditures in its services and even via staff reductions to compensate.

CalPERS, the Marinwood pension provider has routinely misled government officials and public employers with their overly optimistic discount rates (expected investment returns) and their promotion of a 3%@50 ("no cost to the taxpayer") pension offering established with the passage of SB 400 in 1999. The latter classification was originally intended to be exclusively offered to the California Highway Patrol. But over time union negotiators for many other groups successfully argued that their constituents bore similar risk profiles and career span limitations and should enjoy the same benefit. Not long after this pension class was extended to safety personnel, Marinwood negotiators granted the 3%@50 pension (Safety Tier 1) and it was applied retroactively to all then active safety employees some of whom were nearing retirement on a much less generous and less expensive plan.

During the next round of negotiations, the District was able to negotiate a less expensive 3%@55 pension (Safety Tier 2) for any safety personnel hired after that Memorandum of Understanding was signed. There was one firefighter hired with this pension who left the District, but some liability for his service remains. In 2013 when the Public Employee's Pension Reform Act (PEPRA) became law, employees hired after that date were offered a substantially more affordable and equitable pension package. Aside from more limited terms, the act also aimed to keep the Normal Cost contributions from the employer and the employee fairly equal. A table at the end of this presentation will demonstrate how well that has worked and why the act addressed it.

In 1984, District management missed the opportunity for its employees to opt out of Social Security and rely solely on their pensions. So Marinwood employees have Social Security withheld from their pay. Under CalPERS rules, District employees are considered "coordinated" (with Social Security) as opposed to "full" employees. As such, both their pension withholdings and their benefits are reduced slightly.

There have been various attempts at both State and local levels to roll back or change the terms of the "Classic" pension plans but virtually all have failed. By applying a much lower discount rate such as 2.5% instead of the 6.8% ongoing discount rate to the unfunded liability CalPERS ensures that any entity wishing to get out of their pension programs will find it unaffordable. Even if it was possible, withdrawing pensions entirely would make a public entity unattractive to potential employees relative to other public employers. Table 1 in Addendum #1 illustrates why public employers almost never seek to terminate their pension plans and some have had to resort to declaring bankruptcy with mixed results.

Marinwood cannot collect sales tax revenue. The City of San Rafael and other municipalities do collect sales tax revenue. The City could better afford a 3%@50 pension plan but were astute enough not to offer it. Rather, the City which at 9.25% has the highest sales tax in Marin County does have the funds to pay down their Unfunded Accrued Liability (UAL) more aggressively than the Annual Required Contributions (ARC). These extra cash infusions will amortize their pension liability more quickly and will save them money in the long run. In a similar effort, over the past 5 years, Marinwood has paid more than the annually required contribution for Other Post-Employment Benefits (OPEB-retirement healthcare). With the continued prudent financial management the District has enjoyed in recent years, the Board may want to consider Additional Discretionary Employer Contributions (ADEC) for its unfunded pension liability as well. Table 2 in Addendum #1 shows some ADEC alternatives for the District's Classic plans and how it could compress their current ~20 year amortization schedules.

Unfunded Accrued Liability (UAL)

The following table illustrates how the CalPERS Unfunded Accrued Liability for Marinwood's five pension plans has changed over time.

All as of 6/30		UAL 2016	FTE	UAL 2017	FTE	UAL 2018	FTE	UAL 2019	FTE	UAL 2020	FTE	UAL 2021	FTE
Misc Classic	Funded %	75.10%	7	75.30%	7	73.36%	6	73.50%	5	70.50%	4	79.40%	4
2@60	UAL \$	\$989,463		\$970,009		\$1,092,453		\$1,119,928		\$1,178,722		\$849,516	
Misc PEPPRA	Funded %	91.70%	2	95.50%	2	92.20%	3	91.60%	4	90.70%	5	109.40%	4
2@62	UAL \$	\$3,452		\$3,163		\$8,166		\$12,578		\$19,663		-\$26,789	
Safety PEPPRA	Funded %	91.20%	3	95.30%	3	91.50%	3	90.20%	3	89.50%	4	103.10%	4
2.7@57	UAL \$	\$2,239		\$3,144		\$12,008		\$20,707		\$32,424		-\$13,469	
Safety Tier 2	Funded %	91.00%	0	92.30%	0	89.90%	0	89.00%	0	87.20%	0	101.00%	0
3@55	UAL \$	\$4,908		\$4,565		\$6,697		\$7,628		\$9,421		-\$880	
Safety Tier 1	Funded %	69.40%	8	71.10%	7	70.10%	6	70.20%	5	69.20%	5	78.70%	5
3@50	UAL \$	\$3,559,390		\$3,580,755		\$4,048,650		\$4,200,784		\$4,482,710		\$3,285,765	
Total	UAL \$	\$4,559,452	20	\$4,561,636	19	\$5,167,974	18	\$5,361,625	17	\$5,722,940	18	\$4,094,143	17
Year over Year				\$2,184	-1	\$606,338	-1	\$193,651	-1	\$361,315	1	-\$1,628,797	-1

UAL – Unfunded Accrued Liability

FTE – Full Time Employees

Until the 2021 report with its 21.3% return, the District's liability continued to grow despite the significant additional required cash infusions. The 2021 RoR was extraordinary and as illustrated has reduced the District's UAL by \$1.6M. However, in light of the recent preliminary 2021-22 RoR of -6.1% we should expect next year's UAL to increase again. Also, bear in mind that the drop of one FTE on the Misc PEPPRA report was temporary and FTE count and covered salary will be back up in next year's report. At fiscal year-end 2021 both PEPPRA pension plans and the Safety Tier 2 plan are fully funded. The Classic plans still have significant UAL and current amortization schedules forecast full funding by just paying the ARC for another 20 years, assuming CalPERS earns its assumed investment return target.

Annual Cash Payments

This section deals with the annual cash payments to fund the pensions. They are composed of:

- Normal Cost - a percentage of employee pay sent to CalPERS with each paycheck, some withheld from employee pay and the rest paid by the District. Normal cost was originally intended to provide 40% of benefits with investment returns supplying the rest without any additional taxpayer funds.
- Annual Required Contribution (ARC) an annual fixed sum paid monthly or once at the beginning of each fiscal year. These cash payments are required to make up the difference between anticipated and realized returns on investment. Over the past 6 years the District has paid the ARC in total at the beginning of the fiscal year, saving the District thousands of dollars in interest if paid monthly. This year the District will save an estimated \$16,343 by this practice. Addendum #1 Table 3.

The ARC is the tacit admission by CalPERS that their investment returns based only on Normal Cost contributions have not adequately met their lofty Discount Rate assumptions and have underfunded the promised pensions. These funds have to be diverted from employer core services. So it is the taxpayers who must pay more to maintain unsustainable public employee pensions. This year the valuation reports estimate that the District will pay \$696,780 or just over 13% of its budgeted expenses. Addendum #1 Table 5.

The following table shows CalPERS estimates of what the combined ARC and Normal Cost cash payments have been and will be over time. This is money that could pay for capital expenditures, equipment maintenance, and even wage increases that will simply not be available. The reports project that by fiscal year 2023-24 the District will be paying out approximately \$713,823 down from a 2017 forecast of \$730,612. As sizeable as the payments are each year they are not significantly amortizing the long term liability (UAL) due to fluctuating CalPERS investment returns. It was the 2020-21 single year investment return of 21.3% which did lower the UAL. However, due to the recently published initial 6.1% loss in 2021-22, it may be a temporary improvement and future ARC payments are likely to increase from current estimates.

Forecast Annual Projected Cash Payments											
RPT YR		2019-20	2020-21	2021-22	2022-23	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29
2017	Safety	454140.2	496538.9	534356.9	566168.9	586968.9	512818.9				
	Misc	149920.7	129993.7	142233.7	138483.7	143643.7	148743.7				
	Total	604060.8	626532.6	676590.6	704652.6	730612.6	661562.6				
2018	Safety		488166.5	527331.8	561531.8	583531.8	511731.8	520031.8			
	Misc		139183.1	146610.1	134610.1	140610.1	145610.1	148610.1			
	Total		627349.6	673941.8	696141.8	724141.8	657341.8	668641.8			
2019	Safety			513483.2	548052.9	572152.9	501252.9	512352.9	521602.9		
	Misc			141278.2	138862.2	134746.8	140746.8	143746.8	146406.8		
	Total			654761.4	686915.1	706899.7	641999.7	656099.7	668009.7		
2020	Safety				581267.7	610791.7	546091.7	563291.7	579591.7	587791.7	
	Misc				143030.3	143030.3	158247.3	162247.3	167247.3	164417.9	
	Total				724298	753822	704339	725539	746839	752209.6	
2021	Safety					572197.4	456554.6	466498.1	453516.1	434528.1	445528.1
	Misc					141625.7	141671.7	138671.7	134671.7	129671.7	132671.7
	Total					713823.1	598226.3	605169.8	588187.8	564199.8	578199.8

FTE, Covered Salary Compared to UAL

This table illustrates that the Covered Salary basis and staff counts have decreased over the past 8 years but the unfunded liability has not. The District eliminated a Relief Firefighter position in 2017 and upon the retirement of our last Fire Chief, opted to outsource that position. Reductions in Park staff and outsourcing also reduced FTE (Full Time Employee) counts. The 2021 investment return results reduced the UAL by \$1.6M even though it is still a million dollars higher than the 2014 balance. As stated, next year's report will likely reverse most of that UAL reduction.

RPT Year		Covered Salary	# Staff	UAL
2014	Misc	\$670,801	11	\$523,848
	Safety	\$1,025,764	11	\$2,400,689
	Total	\$1,696,565	22	\$2,924,537
2015	Misc	\$566,603	9	\$731,019
	Safety	\$930,397	11	\$2,845,920
	Total	\$1,497,000	20	\$3,576,939
2016	Misc	\$571,029	9	\$992,915
	Safety	\$984,998	11	\$3,566,537
	Total	\$1,556,027	20	\$4,559,452
2017	Misc	\$594,871	9	\$973,172
	Safety	\$878,757	10	\$3,588,464
	Total	\$1,473,628	19	\$4,561,636
2018	Misc	\$544,917	9	\$1,100,619
	Safety	\$800,878	9	\$4,067,355
	Total	\$1,345,795	18	\$5,167,974
2019	Misc	\$577,648	9	\$1,132,506
	Safety	\$718,897	8	\$4,229,083
	Total	\$1,296,545	17	\$5,361,589
2020	Misc	\$591,199	9	\$1,198,385
	Safety	\$851,968	9	\$4,524,555
	Total	\$1,443,167	18	\$5,722,940
2021	Misc	\$566,596	8	\$822,727
	Safety	\$872,735	9	\$3,271,416
	Total	\$1,439,331	17	\$4,094,143

Normal Cost: Classic vs. PEPRA Pension Plans

The final table of this presentation highlights an additional central focus of PEPRA and was a critical change addressing the unbalanced nature of so-called Classic pension plans. A key PEPRA goal was to maintain a fairly equal share of the normal cost of the pensions between the employer and the employee. Based on the 2021 actuarial reports, the table below clearly illustrates that PEPRA is meeting that goal and more importantly why it was needed in the first place. For example, those employees with the Safety Tier 1 pension benefit contribute approximately 25% (9%/34.65%) of the normal cost for their pensions. So 75% of the normal cost

and the entire ARC are paid by the employer and thus the tax and fee payers. Is there any appetite for negotiating a more equitable split between the employer and employee for those in the Classic offerings? While PEPRAs did not offer much substantive relief for Classic pension plans it did contain the following caveat.

PEPRA provides that beginning in 2018 an employer may require employees to pay 50 percent of the total annual normal cost up to an 8 percent contribution rate for miscellaneous employees, and an 11 or 12 percent contribution rate for safety employees. PEPRA doesn't require an employer to implement this change but may do so once the employer has completed the good faith bargaining process as required by law, including any impasse procedures requiring mediation and fact finding.

Classification	Employee	Employer	Difference
Misc PEPRA	7.75%	7.68%	-0.07%
Safety PEPRA	13.75%	13.54%	-0.21%
Misc Classic	6.93%	10.66%	3.73%
Safety Tier 1	8.99%	25.65%	16.66%
Safety Tier 2	8.99%	22.83%	13.84%

Addendum #2 has an example to illustrate how the retirement pay is calculated for an imaginary employee. The example assumes no Social Security coordination and is an example of one particular plan. It does illustrate how the Pension Factor and the Pension Base determine the pension payments.

Addendum #3 is a chart that depicts the assumed relative importance of employer and employee contributions and investment returns in funding pensions.

Links:

CalPERS Pension Charts for Marinwood Plans can help you understand how the Pension Factor changes with Age and Service Years.

<https://www.calpers.ca.gov/docs/forms-publications/benefit-factors-state-safety-3-at-50.pdf>

<https://www.calpers.ca.gov/docs/forms-publications/benefit-factors-state-misc-industrial-2-at-60.pdf>

<https://www.calpers.ca.gov/docs/forms-publications/benefit-factors-state-misc-industrial-2-at-62.pdf>

<https://www.calpers.ca.gov/docs/forms-publications/benefit-factors-state-safety-2-7-at-57.pdf>

<https://www.calpers.ca.gov/docs/forms-publications/benefit-factors-state-safety-3-at-55.pdf>

Addendum #1

Table 1

This table shows the reason very few public employers have terminated their pension plans. The Hypothetical Termination Liability balances are due immediately upon termination of the plans. CalPERS uses a discount rate closer to 2.25% rather than the ongoing assumed 6.8% rate to calculate the actual termination liability. The primary reason for discounting at that lower rate and the dramatic increase in liability is to make up for the length of time without further contributions required to reach full funding of the existing promised but unfunded pensions.

The discount rate used for termination valuations is a weighted average of the 10-year and 30-year U.S. Treasury yields where the weights are based on matching asset and liability durations as of the termination date. The discount rates used in the table are based on 20-year Treasury bonds, rounded to the nearest quarter percentage point, which is a good proxy for most plans. The 20-year Treasury yield was 2.00% on June 30, 2021, the valuation date.

Cost to Terminate Safety Tier 1 Pension Plan	
Market Value of Assets	\$12,161,599
Unfunded Termination Liability	\$24,288,100
Hypothetical Termination Liability @ 1%	\$36,449,699
Market Value of Assets	\$12,161,599
Unfunded Termination Liability	\$17,622,468
Hypothetical Termination Liability @ 2.25%	\$29,784,067

Table 2: Additional Discretionary Employer Contributions

Pension Plan	Amortization	Est Normal Cost	ARC	ADP1	Total Contribution	Estimated Total Contribution
Misc Classic*	20 Years	\$31,051	\$90,121	\$0	\$90,121	\$121,172
Misc Classic	10 years	\$31,051	\$90,121	\$16,343	\$106,464	\$137,515
Misc Classic	5 years	\$31,051	\$90,121	\$92,964	\$183,085	\$214,136
Safety Tier 1*	19 Years	\$145,851	\$414,931	\$0	\$414,931	\$560,782
Safety Tier 1	5 years	\$145,851	\$414,931	273,089	\$688,020	\$833,871
* = Current	There is no 10 year Estimate for Safety Tier 1 on the Actuarial Report					

There is no ADEC 10 year amortization for Safety Tier 1 as that plan calls for a reduction of the ARC to \$400,084 but sustained at that level for 10 years to fully amortize the UAL Once an ADEC is made there is no requirement to do so every year. ADP = Additional Discretionary Payments.

Table 3: Savings from Paying ARC Upfront

Plan	One Time	Monthly	Savings
Misc Classic	87205	90121	2916
Safety Tier 1	401504	414931	13427
Total	488709	505052	16343

These are estimates of the ARC due for the 2023-24 fiscal year from the plan's 2021 Actuarial Report. The actual amounts and savings are likely to vary slightly.

Table 4: Composite Participant Data

Plan	Active	Transferred	Separated	Retired
Misc Classic	4	3	4	11
Misc PEPR	4	0	3	0
Safety Tier 1	5	9	1	19
Safety Tier 2	0	1	0	0
Safety PEPR	4	0	2	0
Total	17	13	10	30

As of 2021 there are 7 retirees collecting Misc Classic Pensions and 14 retirees on Safety Tier 1. Of the Safety group 4 earn very modest pensions from Marinwood due to transferring - 2 to San Rafael, 1 to Southern Marin Fire District and one to Marin County Fire for the majority of their careers. There is one beneficiary receiving benefits from that group as well. Safety Tier 1 retirees receive a 2% annual COLA.

Table 5:
Pension Employer Payments as a % of 2022-23 Expense Budget

Current 2022-23 Cash Payments Estimates					
Plan	Total	Annual Req	Normal Cost	Employer	Covered
	Payments	Contributions	Payments	NC Rate	Payroll
Misc Classic	\$115,424.09	\$90,971.00	\$24,453.09	9.12%	\$268,126
Misc PEPR	\$22,295.71	\$0.00	\$22,295.71	7.47%	\$298,470
Safety Tier 1	\$527,196.45	\$409,586.00	\$117,610.45	22.47%	\$523,411
Safety Tier 2	\$0.00	\$0.00	\$0.00	-	\$0
Safety PEPR	\$31,863.61	\$0.00	\$31,863.61	12.78%	\$249,324
Total	\$696,779.86	\$500,557.00	\$196,222.86		\$1,339,331
22-23 Budget Exp	\$5,347,317.00				
% of Budget	13.03%		% of Covered Payroll		52.02%

ARC is based on the actual payments made to CalPERS in July 2022. The Normal Cost figures are calculated from the 22-23 estimates of percentages and covered payroll on the 2021 Actuarial Reports. The District's actual Normal Cost payments may differ slightly from these estimates.

Addendum #2

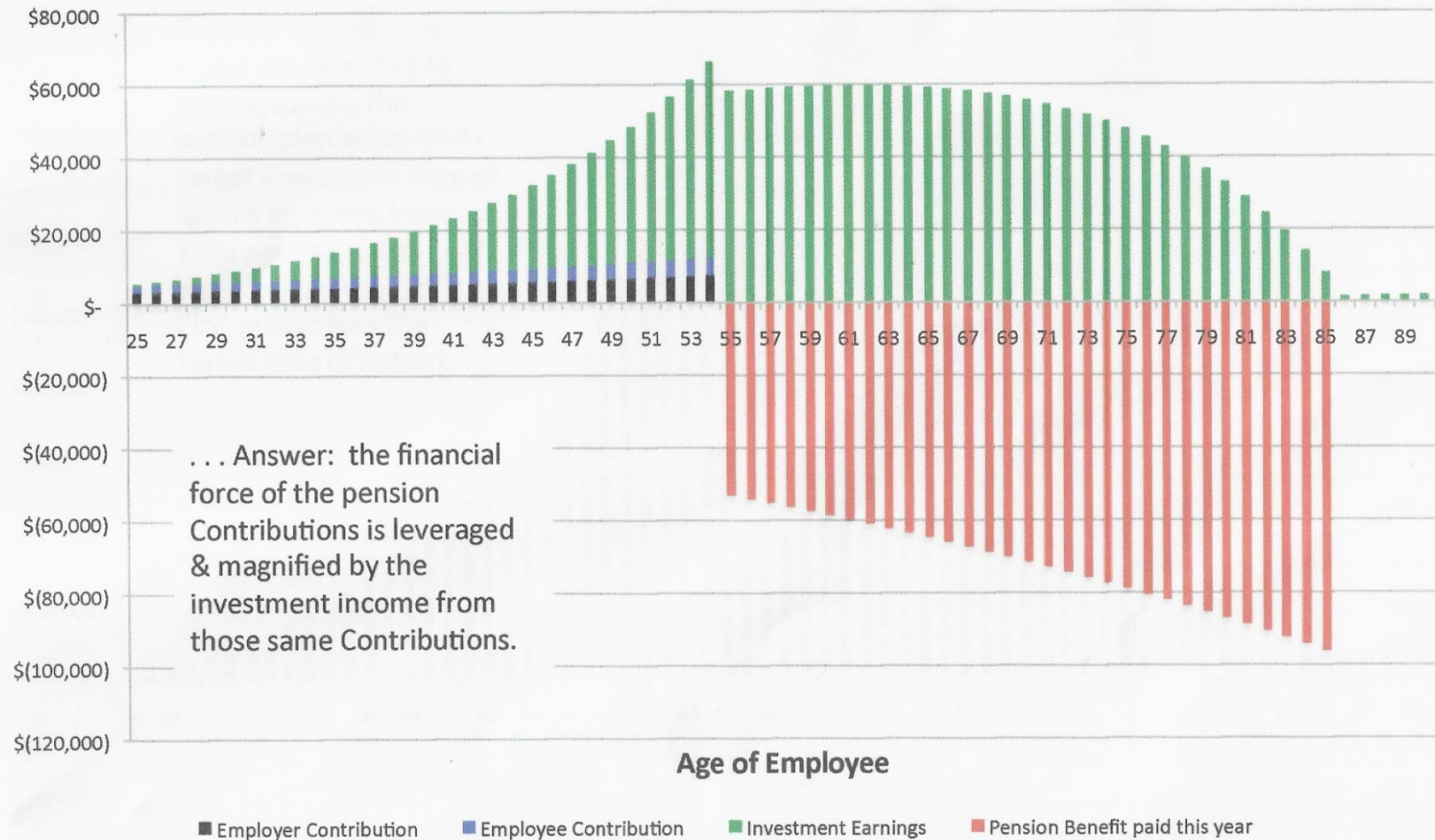
Pension Model Assumptions

1. Public employee starts work at age 25 and works for 30 years to retire at 55 then remains in retirement for 30 years and dies at age 85.
2. Starting salary is \$30,000 per year with 3% annual increases and Final Salary is \$70,697. Employee is not enrolled in Social Security.
3. Pension formula is "2.5% at 55 + 2% COLA":
 - Normal Retirement Age is 55 years;
 - Pension = 2.5% x Years of Service x Final Salary, or
 - = 2.5% x 30 x \$70,697 = \$53,023; and
 - annual Cost Of Living Adjustment [COLA] = 2%.
 - Average Social Security pension = \$15,936;
 - Maximum Social Security pension = \$31,956.
4. Employee contributes 7% of salary towards pension (compared to 6.2% for Social Security.)
5. Employer contributes 10.75% of salary towards pension (compared to 6.2% for Social Security.)
6. Contributions are invested with a target Return on Investment = 7.5% per year which is guaranteed by the Employer.

Addendum #3

Pension Model: Annual Cash Flows

(Example of one employee with "2.5% at 55" pension benefit who starts work at age 25, retires at 55 and dies at 85.)



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

Maintenance Facility Courtyards Construction Update:

Construction of the Maintenance Facility Courtyards continues to progress. Courtyard grading and drainage systems have been completed. Fence board installation will begin this week. Work has also begun on the pedestrian pathway that will extend from the sidewalk along Miller Creek Rd to the existing panhandle path east of the maintenance facility. Included along the pedestrian pathway are two circular “bump-outs” located due south of the facility where picnic tables will be placed enjoying the shade provided by the surrounding oak trees.

As construction wraps up staff will begin the planned landscaping for the immediate area, including new vegetation planted along the face of the facility as well as along the exterior courtyards amongst other items.

Maintenance staff have been organizing and preparing equipment and supplies for the much-anticipated transfer to the new facility. Once completed we will be able to fully remove the temporary maintenance area and all temporary fencing will be removed as well. It is anticipated this will all be able to occur prior to the upcoming rainy season.

Miller Creek Trail Initiative

I have been trading communications with the developer of the proposed senior living center as we finalize the agreement between the two parties in regards to the financial contribution obligation of the developer towards the trail construction cost. I expect this to be finalized soon and will present to the board at that time.

As expected, the developer did inform that they were not able to receive all needed approvals in time for road and bridge construction to be completed prior to October 15 as required by the environmental regulatory agencies. They now anticipate beginning this work in April 2023. I did not receive an estimate as to how long this will take to complete.

Spring time is also when the District would look to undertake the various biological studies that would be required. When the prementioned developer agreement is finalized, staff will also present the Board with the cost estimates of performing the remaining various studies needed (biological, cultural resources, etc.) for the Board to make a formal decision on whether to proceed with the next stage of this initiative.

Other Items of Note:

- Planning for the Marinwood Park Play Structure Replacement project will begin to increase in the coming months as we look to create the needed ‘Design and Build’ RFP that will be noticed and distributed to qualified vendors. Staff will be looking to contract for a schematic drawing of the playground area dimensions and applicable area for the structure placement. The RFP will incorporate the findings from the community survey recently completed.

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

MARINWOOD COMMUNITY SERVICES DISTRICT
DRAFT MINUTES OF FIRE COMMISSION MEETING
October 4, 2022

Time and Place: 7:00PM Via Teleconference

Present:

Commissioners: Chair Steve Farac, Tom Elsbree, John Seratt

Absent: Pascal Karsenti, Ron Marinoff, Greg Stilson (CSA 13 Alternate)

Staff: District Manager Eric Dreikosen, Fire Chief Darin White

Board: Kathleen Kilkenny

1. Agenda

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

2. Public Comment on Non-Agenda Items

No comments from the public were received.

3. Commissioner Items of Interest

No new Items of Interest were presented by Commissioners

4. Draft Minutes of August 2, 2022 Fire Commission Meeting

M/s Seratt/Elsbree to approve Draft Minutes of August 2, 2022 Fire Commission Meeting as presented. Ayes: Elsbree, Farac, Seratt. Nays: None. Absent: Karsenti, Marinoff. Motion carried.

5. Chief Officer Report and Activity Summary

Commission received Chief Officer Report and Activity Summary.

6. Requests for Future Agenda Items

-Commissioner Farac requested an update on the Zone Haven platform.

The meeting was adjourned at 7:49 PM.

Eric Dreikosen



To: Marinwood Board of Directors

From Darin White, Fire Chief

Date: October 11, 2022

Re: Fire Department Update

Marin Wildfire Prevention Authority-(MWPA)

The Insurance Institute for Business and Home Safety (IBHS) has created a Wildfire Prepared Designation Program. More info can be found here: <https://wildfireprepared.org>. This is an incentive program that can provide discounts with insurance companies if residences are designated as a wildfire prepared home. Residents start with a self-evaluation and checklist and when they think they are ready to be designated, they should reach out to IBHS and a third-party inspector will come out and inspect the residence. This is a cost of about \$150 to the resident.

As per MWPA Executive Director Mark Brown, over the last several months, the Executive team has been in contact with IBHS and working to have them accept Marin County's member agencies' inspection reports through the Defensible Space Inspection Application designed by Fire Aside. This is anticipated to prevent our residents from going through yet another inspection and incurring additional costs. Recently, Jason Brooks from Fire Aside requested an inspection from IBHS and also invited Todd Lando, Bill Tyler, and Mark Brown to attend. Some technical development will need to occur to transfer our data to IBHS (only with the homeowner's permission), along with some quality control checking from IBHS of our member agencies' inspection programs and fine tuning of the whole system.

The MWPA group met with IBHS staff again on Monday September 26, and it was said to be a very productive meeting in which a draft course of action was outlined consisting of 6 steps to get our member agencies capable of providing the required inspections for an IBHS Wildfire Home Designation.

COVID -19

According to reports in the United Kingdom, there have been increases in infection rates among adolescents who are around middle school age and younger adults ages 25 through 34 years of age. These infections are attributed to people coming back from summer holidays and as the schools reopen but there is no indication that the increases will continue.

There is question in England about the likely rise in infections there after the gathering of thousands of people for Queen Elizabeth's funeral proceedings. In an CNN interview with Dr. Peter Hotez, who co-directs the Center for Vaccine Development at Texas Children's Hospital in Houston, he offered that a second important question will be whether the increase is being driven by a new variant.

“That’s the worst possible situation. Because historically, when that situation occurs in the UK, it’s reflected within a matter of weeks in the United States,” Hotez said. “That was true of the Alpha wave; that was true of the Delta wave; that was true of Omicron and its subvariants.”

However, another leading expert in London, Christina Pagel, a professor of operational research at University College London, thinks cases are going up in the UK because of a combination of waning immunity and behavioral changes.

Many people in the UK are several months past their last Covid-19 booster or infection, and government stats reveal that just 8% of adults 50 and older have gotten an Omicron-specific vaccine since the government started its fall vaccination campaign in September. School and work in the U.K. have fully resumed after the summer holidays, and people are spending more time indoors as the temperature drops.

Immunity is also waning in the United States, and Americans have also been slow to get boosted. Just 35% of those for whom a booster is recommended have had one, according to CDC data. However, this might also be due to booster availability, not waning interest.

The updated boosters in the US are slightly different from the ones in the UK. The UK is using vaccines that have been updated to fight the original version of Omicron, which is not circulating anymore. US boosters have been updated to fight the BA.4 and BA.5 subvariants, which are currently causing infections both here and abroad. It’s not clear whether the strain differences will have an effect on cases or disease severity.

There are a mix of new variants – offshoots of BA.4 and BA.5 – such as the BA.2.75, BQ.1.1 and others that have been discovered. They represent just a small number of total cases, but several are growing against BA.5, which is still dominating transmission.

“It is very likely that these will accelerate current increases and cause a substantial wave in October” (in the UK), Pagel said in an email to CNN.

Public Education:

The San Rafael and Marinwood Fire Departments are pleased to announce that Fire Prevention Week is set for the week of October 9-15, 2022. This year’s [National Fire Protection Association](https://www.nfpa.org/fire-prevention-week) (NFPA) Fire Prevention Week campaign is: Fire won’t wait. Plan your escape.



Kitchen fires, related to cooking, are the leading cause of dwelling fires. In a report titled, NFPA's Home Structure Fires released in October 2021 a 5-year study found that 75% of civilian fire deaths and 72% of fire and smoke related injuries were caused by residential fires. Having a home fire escape plan can help save lives as it teaches children to learn at least two ways out of the house and identifies a designated rendezvous location for family members to meet a safe distance away.

This is an opportunity for classroom instructors of young children to visit the NFPA website and obtain information or download materials that can be used & distributed during Fire Prevention Week. More information can be found at <https://www.nfpa.org/Events/Events/Fire-Prevention-Week>. There are some brief informative [videos](#) that can be shown to the students as well as a fun [Home Fire Escape Plan](#) offered in both English and Spanish.

Generosity



On September 26, 2022, Dr. Stephen Mizroch of the San Rafael Fire Foundation stopped by Station 58 and provided Engineer Brian Smith (left) and Firefighter Paramedic William Kelly with a care basket filled with pantry essentials such as peanut butter, jelly, flour, potatoes, bread and butter, shoe polish, and more. This was a token of appreciation for the crews' hard work and was the second time this year that the Fire Foundation made a surprise donation to the members.

Marinwood Fire Department Statistics: September 2022

The Marinwood Fire Department responded to 136 emergency calls in September 2022. A little under two thirds of the calls were medical incidents; one of which involved a confirmed COVID-19 case. The department responded to six fires, five of which were mutual aid. The fire in Marinwood was on NB101 before Lucas Valley/Smith Ranch exit. E58 arrived to find a construction trailer with four forklifts on fire. The fire was underneath the trailer and was extinguished before any damage to the forklifts. The fire may have been the result of a flat tire and damaged hydraulic fluid line.

<i>Incidents by Area and Type</i>								
Area	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	OTHER	TOTAL
Marinwood	18	5	1	1	1	N/A	0	26
CSA 13	10	4	0	0	0	N/A	0	14
Old JPA (Mont Marin)	7	3	1	0	0	N/A	0	11
New JPA (East of 101)	26	6	8	0	0	N/A	0	40
SR Mutual Aid	13	7	2	0	0	0	0	22
MC JPA	8	1	0	0	0	N/A	0	9
MC Mutual Aid	0	0	0	0	0	N/A	0	0
Novato	0	3	1	5	1	4	0	14
Total number	82	29	13	6	2	4	0	136
<i>Percentage of total</i>	<i>60.3%</i>	<i>21.3%</i>	<i>9.6%</i>	<i>4.4%</i>	<i>1.5%</i>	<i>2.9%</i>	<i>0.0%</i>	

Call types:

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

Average response time for Engine 58: 5 minutes, 35 seconds

Marinwood Community Services District

Draft Minutes of Park & Recreation Commission Meeting Tuesday – September 27, 2022

Time and Place: 7:00PM via Teleconference

Present:

Commissioners: Chair John Tune, Michael Benesch, Jon Campo, Ian Fein, Anne Sjahsam

Staff: District Manager Eric Dreikosen, Recreation Director Luke Fretwell

Board Director: Kathleen Kilkenny

1. Agenda

No changes were requested by Commissioners. Chair Tune adopted the agenda as presented.

2. Public Comment on Non-Agenda Items

The Commission received public comment regarding:

- a) Activity at horseshoe pits

3. Draft Minutes of August 23, 2022 P&R Commission Meeting

M/s Campo/Fein to approve Draft Minutes of August 23, 2022 P&R Commission Meeting. All in favor.
Motion carried unanimously.

4. Draft Minutes of September 13, 2022 Board Meeting

Commission reviewed minutes.

5. Potential Amendment to Park & Recreation Commission Bylaws: Revising Regular Meeting Schedule from Monthly to Bi-Monthly

M/s Campo/Fein to approve and recommend to the Board of Directors for final approval the proposed Park & Recreation Commission Bylaws Amendment as presented. All in favor. Motion carried unanimously.

6. Miller Creek Trail Initiative: Potential Planning & Research Process

Commission discussed potential remaining planning & research process tasks and associated timing.

7. Consideration for Placement of Picnic Tables in Open Space Areas

Commission discussed suggestion for placement of picnic tables and/or benches in open space areas alongside trails and fire roads. Commissioner Fein offered to follow-up with Director Case who requested this item be considered and report back to the Commission at a future meeting for further discussion.

8. Recreation and Park Maintenance Activity Report

Commission received Recreation and Park Maintenance Activity Report.

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

- District Manager Dreikosen informed Commission the Play Structure Replacement project will be a more consistent topic in upcoming meetings.
- Commissioner Fein requested an agenda item to discuss park bathrooms once staff has opportunity to perform needed research.

10. Adjourn

Meeting adjourned at 8:41 PM

Eric Dreikosen

Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: October 11, 2022
Re: P&R Commission Bylaws Amendment: Adjusting Regular Meeting Schedule to Bi-Monthly

Directors,

At the September 27, 2022 Park & Recreation (P&R) Commission meeting the Commission unanimously voted to approve and recommend to the Board of Directors for final approval of a P&R Commission Bylaws amendment allowing the Commission to transition from monthly regular meetings to bi-monthly regular meetings with future meetings occurring on the fourth Tuesday of every odd numbered month (January, March, May, July, September, November).

Such a change in the regular meeting schedule would require a formal amendment to the P&R Commission Bylaws, subject to the final approval of the Marinwood CSD Board of Directors. It should be noted, such an amendment to the Bylaws would not prevent the P&R Commission from conducting Special Meetings during odd numbered months should circumstances or other conditions warrant the need for an additional meeting(s).

The current section of the P&R Commission Bylaws dictating the meeting schedule is below. For reference only, also included is the section dictating the Commission's authority to call for a Special Meeting.

(P&R Commission Bylaws can be found here: <https://www.marinwood.org/ParkRecCommission>)

ARTICLE V – MEETINGS

A. TIME AND PLACE

The Commission shall hold regular meetings every fourth Tuesday of the month at 7:00 PM in the small classroom at the Marinwood Community Center, unless otherwise necessary. Public notice of all meetings shall be given in accordance with the provisions of The Ralph M. Brown Act. The meetings shall be open to the public.

B. SPECIAL MEETINGS

Special meetings may be called by the Chairperson, by three members of the Commission, or by the Board. Public notice of all meetings shall be given in accordance with the provisions of the Ralph M. Brown Act. The meetings shall be open to the public.

The following bylaws amendment is proposed to accomplish transitioning from monthly regular meetings to bi-monthly regular meetings (amendments marked in red):

ARTICLE V – MEETINGS

A. TIME AND PLACE

The Commission shall hold regular meetings ~~every~~ the fourth Tuesday of ~~the~~ every odd numbered month (January, March, May, July, September, November) at 7:00 PM in the small classroom at the Marinwood Community Center, unless otherwise necessary. Public notice of all meetings shall be given in accordance with the provisions of The Ralph M. Brown Act. The meetings shall be open to the public.

B. SPECIAL MEETINGS

Special meetings may be called by the Chairperson, by three members of the Commission, or by the Board. Public notice of all meetings shall be given in accordance with the provisions of the Ralph M. Brown Act. The meetings shall be open to the public.

As the final authority for all Commission bylaws amendments rests with the Board of Directors, should the Board of Directors approve the amendment, it would become effective immediately thereafter and the next P&R Commission regular meeting would be conducted on November 22, 2022, accordingly.

Staff Recommendation: Approve the proposed Park & Recreation Commission Bylaws Amendment as presented.

Parks and Recreation Report
October 2022
Submitted by: Luke Fretwell, Recreation Director

RECREATION ACTIVITY REPORT

Pool

This past month the Recreation Staff worked hard to keep the pool staffed and running smoothly in the absence of a Recreation Supervisor. We managed to hire a couple last minute lifeguards to help get us through the hard-to-staff weekdays, but Robyn and Carolyn were a huge help, filling in as needed.

I want to acknowledge all our high school lifeguards, pool attendants, and swim instructors for working hard this fall and keeping the pool safe, clean, and well-run. Especially in the absence of a Recreation Supervisor to run the show. Some of our guards really stepped up and took on leadership roles after our college staff went back to school, and without their dedication and commitment, the last couple months would have been much more challenging. I am encouraged by the note we are ending on and am optimistic about the 2023 season.

The final weeks of the pool season saw an influx of visitors from other pools that closed earlier than ours, and attendance at lap swim and recreation swim remained strong.

The pool will close for the season on Friday, October 7th. We expect to reopen in April 2023.

Halloween Harvest Festival

This past month the Recreation Staff has worked hard preparing for our Halloween Harvest Festival which takes place Friday, October 14th from 5:00pm-6:30pm. This year's event will feature carnival games, arts & crafts, a mini pumpkin patch, a costume photo station, and bounce houses. Following the success of last year's event, we will plan to run the festival outdoors, weather permitting. The Halloween Harvest Festival is historically our most well-attended family event.

Fall Art Show

Our Fall Art Show will take place on Saturday, October 22nd from 3:00pm-7:00pm. The theme of this show is "Form & Color" and will feature works from some of Marin County's finest artist.

Our semi-annual art shows have developed a positive reputation in Marin for the high quality of the artwork as well as the execution of the show. We are grateful to be able to work with Susan who not only has a keen eye for good art, but also has built positive and lasting relationships with the local art community, allowing us to put on a show that caters both to the art community as well as the general public.

Other Programs

In addition to our preschool and after school programs, other programs offered this fall include adult and youth tennis, Irish Dance, Capoeira, Photography, Pilates, Zumba, LEGO engineering, art for kids, All Sorts of Sports, youth soccer, music for tots, and more.

PARKS MAINTENANCE ACTIVITY REPORT

Turf

This past month the staff completed turf treatment in the main park, mini park, and pool complex. We currently have the large field fenced off to allow some of the newly seeded areas to become more established before subjecting them to foot traffic. The fencing will come down in the next week.

Creekside

This past month the staff did extensive pruning at Creekside Park, replaced the aging drip system, and made minor repairs to the playground and drinking fountain. New plantings will be added to the areas adjacent to the tennis court and the parking lot.

Creek Erosion Control

Staff spent time each week cutting ivy off trees along the creek. The trees along the creekbank are our greatest protection from erosion and it is important to keep these trees happy and healthy. Staff will continue to combat the ivy throughout the fall and winter.

Culvert, Drain, V-Ditch Inspections

Staff have begun walking the v-ditches and inspecting the drains throughout the District for damage, hazards, and excess debris. We will complete the preliminary inspections in the next 2-3 weeks. Historically vulnerable areas will be regularly monitored throughout the rainy season.

Moving Preparation

Staff continues to organize and plan for moving into the new park maintenance facility in the coming weeks. Everyone is extremely excited to get to move in and make the new facility organized and functional.

Tree Pruning

This past week we had several trees trimmed in the main park and playground. Invasive mistletoe and dead branches were removed, heavy canopies were lightened, and encroaching branches near play structures were cut back. Further tree work is scheduled for the coming weeks.

Upcoming Projects:

- Repairs to fencing in the parking lot
- Repairs to the pool showers and sinks
- New plantings along the Firemen's Hill and at Creekside Park

Daily/Weekly Duties:

- Clean and restock Community Center building and park bathroom
- Blow/rake leaves around community center
- Empty garbage and dog waste receptacles in 3 parks and at trailhead
- Mow lawns in 3 parks and pool
- Irrigation inspection in 3 parks
- Check 3 playgrounds for graffiti and hazards
- Check and adjust pool chemistry/equipment