

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

Tuesday – November 8, 2022 – 7:30 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.	CALL TO ORDER & ROLL CALL OF DIRECTORS	
B.	AGENDA	Adopt
C.	CONSENT CALENDAR a. Resolution 2022-16: 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 October 11, 2022 (Remote Meeting) c. Bills Paid Nos. 6817 – 6865	Approve
D.	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>	
E.	DISTRICT MATTERS	
	1. PUBLIC HEARING: Adopting and Modifying the California Fire Code, International Fire Code, and Appendix A of the International Wildland-Urban Interface Code	Conduct Hearing
	2. Ordinance 2022-01: Adopting and Modifying the California Fire Code, International Fire Code, and Appendix A of the International Wildland-Urban Interface Code	Approve
	3. Fiscal Year 2022-2023: 1 st Quarter Profit & Loss Budget-to-Actuals Financial Statement and Variance Report	Review
	4. Resolution 2022-17: Fixing the Employer Contribution for Employees and Annuitants Under the Public Employees’ Medical and Hospital Care Act	Approve
	5. District Manager Report	Review
F.	FIRE DEPARTMENT MATTERS	
	1. Chief Officer Report and Activity Summary	Review
G.	PARK AND RECREATION MATTERS	
	1. Miller Creek Trail Initiative: Update on Potential Agreement with The Oaks LLC Regarding Financial Contribution to be Received by District from Developer of Senior Living Center	Review
	2. Recreation and Park Maintenance Activity Reports	Review
H.	BOARD MEMBER ITEMS OF INTEREST - REQUESTS FOR FUTURE AGENDA ITEMS	
I.	ADJOURN	
	DATE OF NEXT REGULAR BOARD MEETING – December 13, 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. 2022-16

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 October 11, 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 November 8, 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 – October 11, 2022

Time and Place: 6:30PM via Teleconference

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

Present:

Board Members: Board President Lisa Ruggeri, Chris Case, Kathleen Kilkenny, Sivan Oyserman and Bill Shea.
Staff: District Manager Eric Dreikosen, San Rafael Fire Chief Darin White, Recreation Director Luke Fretwell and Administrative Assistant Tiffany Combrink.

A. Open Session: Call to Order & Roll Call of Directors

Board President Ruggeri called the meeting to order at 6:30pm.

B. Agenda

Agenda adopted as presented.

C. Public Comment on Closed Session Items Only

Board accepted public comment on closed session item

D. Closed Session

Public Employee Performance Evaluation Section 94957(b)(1): Title: District Manager

Convened at 6:40pm and adjourned at 7:29pm with no reportable action taken

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*
Shea to approve/Oyserman to second “consent calendar as presented.”
All in favor. Motion carried unanimously.

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

The Board of Directors received public comment regarding:

- a. Serving the needs of the community
- b. Horseshoe pit activities
- c. Huckleberry/Sequeira Dr. roadway median strip improvements

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*
Board of Directors received Update on Pension Liability Analysis
2. *District Manager Report*
Board of Directors received District Manager Report

H. Fire Department Matters:

1. *Draft Minutes of Fire Commission Meeting of October 4, 2022*
Board of Directors reviewed Draft Minutes of Fire Commission Meeting
2. *Chief Officer Report and Activity Summary*
Board of Directors received Chief Officer Report

I. Park and Recreation Matters:

1. *Draft Minutes of Park & Recreation Commission Meeting of September 27, 2022*
Board of Directors reviewed Draft Minutes of Park & Recreation Commission Meeting

2. *Potential Amendment to Park & Recreation Commission Bylaws: Adjusting Regular Meeting Schedule from Monthly to Bi-Monthly (every odd numbered month)*
Kilkenny to approve/Oyserman to second Potential Amendment to Park & Recreation Commission Bylaws:
Adjusting Regular Meeting Schedule from Monthly to Bi-Monthly (every odd numbered month)
All in favor. Motion carried unanimously.

3. *Recreation and Park Maintenance Activity Reports*
Board of Directors received Recreation and Park Maintenance Activity Report

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

- Director Oyserman requests update on progress of Maintenance Facility project and transition timing.
- Board President Ruggeri requests update on improving cell phone reception.

Meeting adjourned at 9:55PM

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 November 8, 2022

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
6817	10/6/2022	Chrissy Costello	385.60	Zumba	Rec	5210146	Adult	385.60
6818	10/6/2022	Ann McBride	291.90	Irish Dance	Rec	5210146	Youth	291.90
6819	10/6/2022	Jerry Mehciz	6,040.00	Tennis	Rec	5210146	Tennis	6,040.00
6820	10/6/2022	Master Sim	750.00	TKD - Sept	Rec	5210146	Youth	750.00
6821	10/6/2022	Robyn Bruton	117.26	supplies	Rec	5220819	Afterschool	13.98
					Rec	5220819	Preschool	103.28
6822	10/6/2022	Rachel Roll	4.99	vending supplies	Rec	5220826	Pool	4.99
6823	10/6/2022	Marinwood CSD	90,527.50	Fire salaries	Fire	5110110	General	31,138.24
				Fire OT	Fire	5120110	General	18,617.04
				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	270.00
				Building attendants	Rec	5110210	Building	210.00
				Pool Staff	Rec	5110210	Pool	9,158.54
				Aquatics	Rec	5110210	Aquatics	75.00
				Preschool	Rec	5110210	Preschool	6,441.00
				Afterschool	Rec	5110210	Afterschool	1,606.50
				PR fees	Fire	5210230	General	167.88
				PR fees	Rec	5210230	General	104.29
				PR fees	Park	5210230	General	22.63
				SS + Medicare	Fire	5140140	General	4,027.24
				SS + Medicare	Rec	5140140	General	2,341.81
				SS + Medicare	Park	5140140	General	562.01
				EDU + SUI	Rec	5140145	General	154.49
				Benefits withholding	Park	2120066	General	-1,021.20
				Benefits withholding	Rec	2120066	General	-1,090.26
				Benefits withholding	Fire	2120066	General	-5,678.51
6824	10/6/2022	Marinwood CSD	12,862.69	Retire 10/07/22	Park	5130510	General	1,492.93
					Rec	5130510	General	1,686.22
					Fire	5130510	General	9,683.54
6825	10/6/2022	Jerry Mehciz	3,840.00	Tennis	Rec	5210146	Tennis	3,840.00
6826	10/12/2022	Carolyn Sullivan	23.66	supplies	Rec	5220819	Afterschool	23.66
6827	10/12/2022	Buck's Saw Service	785.93	equipment maintenance	Park	5220210	General	785.93
6828	10/12/2022	Cal West Rentals	314.12	equipment rental	Park	5211220	General	314.12
6829	10/12/2022	County of Marin	762.01	vehicle maint - July	Park	5210940	General	762.01
6830	10/12/2022	County of Marin	355.27	Gas - July	Park	5220610	General	355.27
6831	10/12/2022	Ewing Irrigation	385.56	irrigation maintenance	Park	5220310	General	385.56
6832	10/12/2022	Got Gophers	275.00	Pest Control	Park	5211532	General	275.00
6833	10/12/2022	Hagel Services	1,339.02	Janitorial supplies	Rec	5220827	Building	1,339.02
6834	10/12/2022	Home Depot	92.30	supplies	Park	5220310	General	92.30
6835	10/12/2022	Marin Municipal Water Distri	7,898.29	Water July/Aug	Fire	5210835	General	420.00
					Rec	5210835	General	1,961.39
					Park	5210835	General	5,516.90
6836	10/12/2022	Massa Construction	117,242.16	West Courtyard		5220910	General	49,993.08
				East Courtyard		5220910	General	31,825.00
				Pedestrian Pathway		5220910	General	35,424.08
6837	10/19/2022	Marinwood CSD	83,137.89	Fire salaries	Fire	5110110	General	31,138.24
				Fire OT	Fire	5120110	General	15,534.55
				FLSA	Fire	5110319	General	1,115.10
				Acting Pay	Fire	5110310	General	26.95
				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	328.50
				Building attendants	Rec	5110210	Building	240.00

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
				Pool Staff	Rec	5110210	Pool	3,434.39
				Aquatics	Rec	5110210	Aquatics	120.00
				Preschool	Rec	5110210	Preschool	6,139.00
				Afterschool	Rec	5110210	Afterschool	1,714.50
				Community	Rec	5110210	Community	964.75
				PR fees	Fire	5210230	General	172.45
				PR fees	Rec	5210230	General	93.18
				PR fees	Park	5210230	General	24.47
				SS + Medicare	Fire	5140140	General	3,831.13
				SS + Medicare	Rec	5140140	General	1,970.96
				SS + Medicare	Park	5140140	General	566.50
				EDU + SUI	Rec	5140145	General	92.39
				Benefits withholding	Park	2120066	General	-1,021.20
				Benefits withholding	Rec	2120066	General	-1,090.26
				Benefits withholding	Fire	2120066	General	-5,678.51
6838	10/19/2022	Marinwood CSD	13,117.16	Retire 10/21/22	Park	5130510	General	1,492.93
					Rec	5130510	General	1,686.22
					Fire	5130510	General	9,938.01
6839	10/19/2022	Marinwood CSD	44,755.93	Health Ins Nov	Park	5130120	General	9,989.12
					Rec	5130120	General	6,340.90
					Fire	5130120	General	28,425.91
6840	10/19/2022	Marinwood CSD	400.00	Art Show	Rec	5220819	Community	400.00
6841	10/19/2022	Robyn Bruton	104.12	supplies	Rec	5220819	Preschool	104.12
6842	10/19/2022	Lucas Fretwell	159.60	pumpkins	Rec	5220819	Community	159.60
6843	10/19/2022	State of CA	440.00	pool slide inspections	Rec	5211610	Pool	440.00
6844	10/19/2022	PG&E	1,701.77	Streetlights - Sept	Streetlights	5210825	General	1,701.77
6845	10/20/2022	Jerry Mehciz	6,473.40	Tennis	Rec	5210146	Tennis	6,473.40
6846	10/20/2022	Mill Valley Refuse	371.53	porta potty	Park	5211220	General	371.53
6847	10/20/2022	Pet Waste Eliminator	259.20	pet waste bags	Park	5220810	General	259.20
6848	10/20/2022	Project A	40.00	email hosting	Fire	5220110	General	20.00
					Rec	5220110	General	20.00
6849	10/20/2022	Quill	96.71	cleaning supplies	Fire	5220827	General	96.71
6850	10/20/2022	SiteOne	4,233.40	irrigation maintenance	Park	5220310	General	4,233.40
6851	10/20/2022	SolEd Solar Holdings	1,723.88	Solar - Sept	Rec	5210810	General	1,255.37
					Fire	5210810	General	468.51
6852	10/20/2022	SDRMA	139.59	Life Ins - Nov	Fire	5130120	General	30.74
					Park	5130120	General	69.93
					Rec	5130120	General	38.92
6853	10/20/2022	Sprint	177.73	cell phones	Fire	5210725	General	177.73
6854	10/20/2022	TIAA Commercial Finance	595.28	copier lease	Rec	5220130	General	386.93
					Fire	5220130	General	148.82
					Park	5220130	General	59.53
6855	10/20/2022	VSP	456.40	Vision - Nov	Fire	5130120	General	237.33
					Park	5130120	General	95.86
					Rec	5130120	General	123.21
6856	10/20/2022	Willscott	761.91	Mobile office - Oct	Park	5220310	General	761.91
6857	10/24/2022	Play Well TEKnologies	315.70	Halloween LEGO	Rec	5210146	Youth	315.70
6858	10/24/2022	Mirto Golino	84.00	Art Show Sale	Rec	4631914	Community	84.00
6859	10/24/2022	Tebby George	468.75	Art Show Sale	Rec	4631914	Community	468.75
6860	10/24/2022	Valerie Jelenfy Stilson	63.75	Art Show Sale	Rec	4631914	Community	63.75
6861	10/24/2022	Patsy Chador	93.75	Art Show Sale	Rec	4631914	Community	93.75
6862	10/24/2022	Richard Hannigan	56.25	Art Show Sale	Rec	4631914	Community	56.25
6863	10/24/2022	Carolyn Sullivan	45.67	supplies	Rec	5220819	Community	45.67
6864	10/24/2022	Debbie Patrick	25.00	refund Art Show	Rec	4631914	Community	25.00
6865	10/25/2022	US Bank	7,815.56	EMT recert	Fire	5211315	General	104.00
				online meeting subscription	Fire	5211325	General	27.49
				supplies/app bay lighting	Fire	5220810	General	257.23
				online meeting subscription	Park	5211325	General	13.75
				trailer switch	Park	5210910	General	19.26
				turf maintenance	Park	5220310	General	305.71
				supplies	Rec	5220819	Afterschool	1,723.67
				cards and banners	Rec	5220819	Community	138.00
				marketing, job postings	Rec	5210122	General	466.37
				fingerprinting	Rec	5210128	General	35.00
				staff certs	Rec	5211315	General	288.54
				online meeting subscription	Rec	5211325	General	43.73
				office supplies	Rec	5220110	General	377.65
				babysitter books	Rec	5220819	General	312.09
				Janitorial supplies	Rec	5220827	General	72.48
				vending supplies	Rec	5220826	Pool	941.60
				staff meeting	Rec	5211315	Pool	354.37
				pool equip maintenance	Rec	5220215	Pool	212.57
				pool chems	Rec	5220710	Pool	108.62
				card reader cable	Rec	5220819	Pool	22.00
				supplies	Rec	5220819	Preschool	916.43

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
				when2work annual subscrip	Rec	5220819	Summer	975.00
				supplies	Rec	5220819	Youth	100.00
TOTAL:			412,407.19					412,407.19

Total by Department:

Streetlights	1,701.77
Fire Department	150,991.82
Recreation Department	95,323.90
Park Department	47,147.54
Measure A	0.00
MWPA	0.00
Unclassified	117,242.16



Memo

Date: November 8, 2022

To: Marinwood Board of Directors

From: Darin White, Fire Chief

Topic: **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

Conduct a public hearing and to repeal Ordinance 2019-01 and adopt Ordinance 2022-01 by adopting the 2022 California Fire Code with amendments, the 2021 International Fire Code, Appendix A of the 2021 International Wildland-Urban Interface Code.

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, there are no new local amendments being 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.

As with previous fire code updates, the Marin County Board of Supervisors will introduce Ordinance 2022-01 for final adoption at an upcoming BOS meeting along with ordinances from other fire districts that represent unincorporated areas of Marin County.

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

Adopt Ordinance 2022-01 as presented.

Attachments

Ordinance 2022-01

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 OCCUPANCY
 - 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 rood 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: November 8, 2022
Re: FY 22/23 1st Quarter P&L Statement

Directors,

Please see the included FY 22/23 1st Quarter P&L statement and accompanying variance notes.

In reviewing the attached financial reports, it should be noted and understood that while the fiscal year may be 25% complete, that does not mean the majority of the revenue and expenditure line items detailed in the report should also be at or close to 25% of what was budgeted for the year. Given the seasonal nature of our recreation operations coupled with several planned and annual one-time expenditures made at the beginning of the fiscal year, a majority of our revenue and expenditures budget to actuals vary widely both under and over the 25% threshold. This is normal and anticipated. Staff's review of Q1 financials fall largely in line with what was expected. Several items of note have been detailed in the included variance and summary report found immediately following the P&L statement.

As expected, the primary cost drivers were staff wages & benefits, advance annual insurance payments and pension payments. Regarding pension expense, the District once again opted to pay the entire annual required Unfunded Accrued Liability (UAL) payment in one lump-sum payment at the beginning of the fiscal year. While this represented a large cash outlay – Safety: \$409K; Misc: \$91K for a total annual payment of \$500K – it also saved the District over \$17,200 in annual interest expense that would have been incurred by making monthly payments.

For capital expenditures, the following represents a summary of capital expenditures budgeted for this fiscal year:

Park Dept: \$259,440 budgeted

New Equipment:

- Playground Play Structure Replacement (\$222,440 - *\$177,952 grant funded*): Expenditure anticipated late FY 22/23 or early FY 23/24.
- Tree Chipper (\$6000): Expenditure anticipated Spring 2023
- Utility Vehicle (\$14,000): Expenditure will take place when aging existing utility vehicle requires.
- Riding Mower (\$17,000): Expenditure anticipated Spring 2023

Recreation Dept: \$24,500 budgeted

Improvements:

- Furnace Replacement (\$6500): Expenditure will take place when aging existing furnace requires.
- Pool Deck Concrete Repairs (\$10,000): Expenditure anticipated Spring 2023.

New Equipment:

- Hydraulic ADA Pool Chair (\$8000): Expenditure will take place when aging existing chair requires.

The park maintenance facility capital project is not reflected in the annual operating budget and associated financial statements. Construction of the maintenance building concluded last fiscal year. Construction of the exterior courtyards and adjacent pedestrian pathway has been ongoing this fiscal year. For this work the Board approved a sealed bid proposal of \$553,200. In working with the awarded contractor, Massa Construction, to identify potential value-engineering opportunities, the District was able to lower this cost to a total of \$517,215 which also includes all accepted change orders to date. Through October 31, 2022, the District has expended approximately \$348K towards work completed as of September 30, 2022. *(Of that total, approximately \$92K was allocated from our existing Measure A funds.)* Remaining balance to be expended for this portion of the project is approximately \$169K.

From a Balance Sheet perspective as of October 31, 2022, one month into Q2, the cash balance in the District's general treasury fund was stated at approximately \$4.65 million. Included in that balance are restricted funds in the amount of \$96.7K representing MWPA funding allocations. After factoring in these restricted funds, the District's unrestricted cash balance as of October 31, 2022 was stated at approximately \$4.55 million. This represents an increase over the same point in time last fiscal year by approximately \$1.2 million (\$3.34 million stated on 10/31/21). However, it is important to note that this is merely a snapshot of cash balance on a given date. Unfunded Accrued Liabilities continue to grow along with required annual UAL cash payments forecast to increase at greater rates. In addition to the need for identified future capital expenditures and making annual payments towards the District's short-term capital debt (Fire Engine, Maintenance Facility).

In regards to other District fiscal assets, as of September 30, 2022 (quarter end) the District's OPEB Trust Fund had a balance of \$466,062.

Furthermore, the District currently has \$500K of the above stated \$4.55 million held as Board-designated reserves. This is resulting from \$100K in allocations occurring each of the past five fiscal years with the intention of designating another \$100K at the close of this fiscal year.

Looking forward to Q2, staff anticipates approximately 55% of annual property taxes and special assessments (Park & Fire) to begin being recognized and allocated to our Treasury Fund.

In closing, staff are pleased with the Q1 financial performance and do not have any significant concerns at this time. Both revenue and expenditures came in at or very near expected levels for this period. Staff will continue to be diligent in our financial planning and oversight of actual performance.

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	DISTRICT TOTAL		
	Jul - Sep 22	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	0.00	1,880,000.00	0.0%
4110111 · PropTax - Admin Fee (Contra)	0.00	-25,000.00	0.0%
4110115 · PropTax - Unitary	0.00	10,000.00	0.0%
4110120 · PropTax - Current Unsecured	0.00	30,000.00	0.0%
4110140 · ERAF - Excess	0.00	185,000.00	0.0%
4110145 · ERAF - PY/Reverse	26,760.67	13,500.00	198.23%
4110210 · PropTax - Supplemental Current	0.00	36,000.00	0.0%
4110215 · PropTax - Supplemental Unsecure	0.00	500.00	0.0%
4110225 · PropTax - Supplemental Redempt	1,006.49	1,000.00	100.65%
4110510 · PropTax - Prior Unsecured	0.00	1,000.00	0.0%
4120610 · Special Tax Assessment	0.00	1,700,629.00	0.0%
4120611 · Special Tax- Admin Fee (contra)	0.00	-4,900.00	0.0%
4220115 · Building Plan Review	3,631.00	7,500.00	48.41%
4410125 · Interest- Co. Pooled Investment	0.00	5,000.00	0.0%
4410127 · Interest- ERAF Co. Pooled	11.54	100.00	11.54%
4410215 · Rental Income - Pool & Picnic	12,635.64	25,000.00	50.54%
4511210 · HOPTR	0.00	7,500.00	0.0%
4530527 · Grant Rev - Designated	0.00	177,952.00	0.0%
4570110 · Expense Reimbursements	0.00	500.00	0.0%
4631145 · Service Contract Revenue	0.00	100,214.00	0.0%
4631911 · Advertising Sales	0.00	5,000.00	0.0%
4631912 · Vending Sales	18,009.90	18,000.00	100.06%
4631914 · Community Events	6,501.87	16,040.00	40.54%
4631915 · Tennis	33,066.67	82,500.00	40.08%
4631917 · Pool Operating Rev	138,029.97	205,000.00	67.33%
4631918 · Pool Memberships	46,071.17	60,000.00	76.79%
4631919 · Adult Rec Programs	1,511.46	12,690.00	11.91%
4631920 · Summer Rec Programs	737,895.00	1,133,095.00	65.12%
4631922 · Youth Rec Programs	35,383.52	204,631.00	17.29%
4640321 · CSA 13 Contract Rev	0.00	661,110.00	0.0%
4710615 · Donations (General)	13,025.00	1,000.00	1,302.5%
4710631 · Paramedic Reimbursement	0.00	34,000.00	0.0%
4710642 · Miscellaneous Rev	1,232.96	900.00	137.0%
Total Revenue	1,074,772.86	6,585,461.00	16.32%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	DISTRICT TOTAL		
	Jul - Sep 22	Budget	% of Budget
Expenditures			
5110110 · Salaries - Regular Staff	399,629.27	1,562,627.00	25.57%
5110210 · Salaries - PT/Seasonal/Temp	576,122.50	809,578.00	71.16%
5110310 · Acting Pay	1,954.40	10,000.00	19.54%
5110313 · Holiday Pay	6,883.44	40,470.00	17.01%
5110319 · FLSA Pay	2,521.85	24,037.00	10.49%
5120110 · Overtime Pay	103,713.38	150,500.00	68.91%
5130120 · Benefits - Group Medical	188,813.75	630,598.00	29.94%
5130130 · OPEB Trust Contribution	24,999.00	100,000.00	25.0%
5130510 · PERS - Pension	559,268.62	749,641.00	74.61%
5140115 · Workers Comp Ins.	105,294.18	163,022.00	64.59%
5140116 · 4850 Reimbursements (Contra)	-5,197.72	0.00	100.0%
5140130 · Physician Services	0.00	2,450.00	0.0%
5140140 · Social Security & Medicare	82,351.84	198,220.00	41.55%
5140145 · Unemployment Ins.	8,678.31	20,805.00	41.71%
5210120 · Consultant Fees	1,750.00	13,200.00	13.26%
5210122 · Marketing	13,033.19	38,400.00	33.94%
5210128 · Fingerprinting/Background	784.00	7,000.00	11.2%
5210131 · Legal Services	0.00	17,000.00	0.0%
5210146 · Indep. Contractor Fees	50,028.30	231,699.00	21.59%
5210210 · Audit & Accounting	0.00	14,000.00	0.0%
5210230 · Payroll Service Fees	4,038.05	11,150.00	36.22%
5210525 · Insurance - General	57,045.52	57,825.00	98.65%
5210725 · Telecom - Phone/Internet/Cable	2,291.98	10,990.00	20.86%
5210810 · Utilities - Gas & Electric	14,163.90	55,500.00	25.52%
5210815 · Garbage Removal	10,095.94	35,260.00	28.63%
5210825 · Utilities - Street Light Elec.	5,085.46	19,500.00	26.08%
5210835 · Utilities - Water & Sewer	6,920.45	44,500.00	15.55%
5210910 · Maint. - Vehicles	8,381.11	18,000.00	46.56%
5210915 · Maint. - Streetlights	895.18	4,125.00	21.7%
5210920 · MERA Operating	23,958.00	24,046.00	99.63%
5210940 · Maint. - Park Heavy Equipment	0.00	3,500.00	0.0%
5211110 · Janitorial Services	4,700.00	18,000.00	26.11%
5211125 · Community Landscape Contract	9,225.00	38,500.00	23.96%
5211140 · Vegetation Management	0.00	10,000.00	0.0%
5211220 · Equipment Rental	3,956.00	8,000.00	49.45%
5211310 · Awards & Incentives	0.00	2,000.00	0.0%
5211315 · Professional Development	2,666.29	24,000.00	11.11%
5211325 · Conferences & Meetings	1,536.75	6,600.00	23.28%
5211330 · Memberships & Dues	2,025.86	11,450.00	17.69%
5211440 · Travel	145.00	3,300.00	4.39%
5211520 · Publications & Legal Notices	0.00	900.00	0.0%
5211528 · Tree Maint. & Services	0.00	18,000.00	0.0%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	DISTRICT TOTAL		
	Jul - Sep 22	Budget	% of Budget
5211532 · Weed & Pest Control	825.00	3,900.00	21.15%
5211610 · County-Wide Fees	4,506.07	13,950.00	32.3%
5211710 · Long Term Debt - Principal	97,564.11	97,570.00	99.99%
5211715 · Long Term Debt - Interest	18,844.36	18,838.00	100.03%
5220110 · Admin & Office Supplies	4,795.97	22,200.00	21.6%
5220130 · Copier Lease & Printing	1,380.83	9,455.00	14.6%
5220210 · Equip. Maintenance/Replacement*	9,659.04	30,100.00	32.09%
5220215 · Pool Maintenance	704.29	15,000.00	4.7%
5220220 · Small Tools	99.36	2,500.00	3.97%
5220310 · Land & Buildings Maintenance	12,695.76	63,000.00	20.15%
5220610 · Gasoline/Fuel	1,004.63	3,000.00	33.49%
5220710 · Pool Chemicals	6,554.95	12,000.00	54.63%
5220810 · Miscellaneous Supplies	566.05	21,500.00	2.63%
5220819 · Rec Program Supplies & Services	101,421.36	214,500.00	47.28%
5220825 · Uniforms & Apparel	2,741.25	15,000.00	18.28%
5220826 · Vending Supplies	14,323.73	12,000.00	119.36%
5220827 · Janitorial Supplies	2,973.32	14,500.00	20.51%
5220830 · Volunteer Fire Department	0.00	10,000.00	0.0%
5220910 · Capital Outlay - Improvements	0.00	16,500.00	0.0%
5220916 · Capital Outlay - New Equipment	0.00	267,440.00	0.0%
5220920 · Capital Reserves Designation	0.00	100,000.00	0.0%
Total Expenditures	2,558,418.88	6,171,346.00	41.46%
Net Gain/Loss	-1,483,646.02	414,115.00	-358.27%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Park Dept		
	Jul - Sep 22	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	0.00	821,560.00	0.0%
4110111 · PropTax - Admin Fee (Contra)	0.00	-10,925.00	0.0%
4110115 · PropTax - Unitary	0.00	4,370.00	0.0%
4110120 · PropTax - Current Unsecured	0.00	13,110.00	0.0%
4110140 · ERAF - Excess	0.00	80,845.00	0.0%
4110145 · ERAF - PY/Reverse	11,694.42	5,899.00	198.24%
4110210 · PropTax - Supplemental Current	0.00	15,732.00	0.0%
4110215 · PropTax - Supplemental Unsecure	0.00	218.00	0.0%
4110225 · PropTax - Supplemental Redempt	439.83	437.00	100.65%
4110510 · PropTax - Prior Unsecured	0.00	437.00	0.0%
4120610 · Special Tax Assessment	0.00	418,484.00	0.0%
4120611 · Special Tax- Admin Fee (contra)	0.00	-1,200.00	0.0%
4410125 · Interest- Co. Pooled Investment	0.00	2,185.00	0.0%
4410127 · Interest- ERAF Co. Pooled	5.04	100.00	5.04%
4511210 · HOPTR	0.00	3,277.00	0.0%
4530527 · Grant Rev - Designated	0.00	177,952.00	0.0%
4710615 · Donations (General)	13,025.00		
4710642 · Miscellaneous Rev	0.00	150.00	0.0%
Total Revenue	25,164.29	1,532,631.00	1.64%
Expenditures			
5110110 · Salaries - Regular Staff	67,429.36	254,929.00	26.45%
5110210 · Salaries - PT/Seasonal/Temp	5,832.00	7,200.00	81.0%
5120110 · Overtime Pay	0.00	500.00	0.0%
5130120 · Benefits - Group Medical	41,315.95	158,312.00	26.1%
5130130 · OPEB Trust Contribution	7,749.00	31,000.00	25.0%
5130510 · PERS - Pension	45,152.06	62,449.00	72.3%
5140115 · Workers Comp Ins.	17,900.01	27,695.00	64.63%
5140140 · Social Security & Medicare	4,110.70	20,091.00	20.46%
5140145 · Unemployment Ins.	96.75	765.00	12.65%
5210120 · Consultant Fees	350.00	6,675.00	5.24%
5210122 · Marketing	72.00	1,300.00	5.54%
5210131 · Legal Services	0.00	5,000.00	0.0%
5210210 · Audit & Accounting	0.00	3,500.00	0.0%
5210230 · Payroll Service Fees	188.02	750.00	25.07%
5210525 · Insurance - General	18,610.44	18,810.00	98.94%
5210725 · Telecom - Phone/Internet/Cable	374.98	2,300.00	16.3%
5210810 · Utilities - Gas & Electric	526.73	4,000.00	13.17%
5210815 · Garbage Removal	7,392.32	25,800.00	28.65%
5210835 · Utilities - Water & Sewer	5,297.65	21,500.00	24.64%
5210910 · Maint. - Vehicles	126.36	2,000.00	6.32%
5210920 · MERA Operating	2,395.00	2,405.00	99.58%
5210940 · Maint. - Park Heavy Equipment	0.00	3,500.00	0.0%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Park Dept		
	Jul - Sep 22	Budget	% of Budget
5211125 · Community Landscape Contract	9,225.00	38,500.00	23.96%
5211220 · Equipment Rental	3,956.00	8,000.00	49.45%
5211315 · Professional Development	713.00	2,000.00	35.65%
5211325 · Conferences & Meetings	111.47	1,200.00	9.29%
5211330 · Memberships & Dues	0.00	2,650.00	0.0%
5211440 · Travel	145.00	800.00	18.13%
5211528 · Tree Maint. & Services	0.00	18,000.00	0.0%
5211532 · Weed & Pest Control	825.00	3,900.00	21.15%
5211610 · County-Wide Fees	810.76	875.00	92.66%
5211710 · Long Term Debt - Principal	58,445.48	58,445.00	100.0%
5211715 · Long Term Debt - Interest	15,210.00	15,210.00	100.0%
5220110 · Admin & Office Supplies	123.02	2,000.00	6.15%
5220130 · Copier Lease & Printing	138.08	765.00	18.05%
5220210 · Equip. Maintenance/Replacement*	581.40	10,500.00	5.54%
5220220 · Small Tools	99.36	2,000.00	4.97%
5220310 · Land & Buildings Maintenance	8,977.97	39,500.00	22.73%
5220610 · Gasoline/Fuel	706.13	2,500.00	28.25%
5220810 · Miscellaneous Supplies	0.00	2,000.00	0.0%
5220825 · Uniforms & Apparel	0.00	500.00	0.0%
5220827 · Janitorial Supplies	0.00	1,000.00	0.0%
5220916 · Capital Outlay - New Equipment	0.00	259,440.00	0.0%
5220920 · Capital Reserves Designation	0.00	11,000.00	0.0%
Total Expenditures	324,987.00	1,141,266.00	28.48%
Net Gain/Loss	-299,822.71	391,365.00	-76.61%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Recreation Dept		
	Jul - Sep 22	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	0.00	317,720.00	0.0%
4110111 · PropTax - Admin Fee (Contra)	0.00	-4,225.00	0.0%
4110115 · PropTax - Unitary	0.00	1,690.00	0.0%
4110120 · PropTax - Current Unsecured	0.00	5,070.00	0.0%
4110140 · ERAF - Excess	0.00	31,265.00	0.0%
4110145 · ERAF - PY/Reverse	4,522.55	2,282.00	198.18%
4110210 · PropTax - Supplemental Current	0.00	6,084.00	0.0%
4110215 · PropTax - Supplemental Unsecure	0.00	85.00	0.0%
4110225 · PropTax - Supplemental Redempt	170.10	169.00	100.65%
4110510 · PropTax - Prior Unsecured	0.00	169.00	0.0%
4410125 · Interest- Co. Pooled Investment	0.00	845.00	0.0%
4410127 · Interest- ERAF Co. Pooled	1.95		
4410215 · Rental Income - Pool & Picnic	12,635.64	25,000.00	50.54%
4511210 · HOPTR	0.00	1,268.00	0.0%
4570110 · Expense Reimbursements	0.00	500.00	0.0%
4631911 · Advertising Sales	0.00	5,000.00	0.0%
4631912 · Vending Sales	18,009.90	18,000.00	100.06%
4631914 · Community Events	6,501.87	16,040.00	40.54%
4631915 · Tennis	33,066.67	82,500.00	40.08%
4631917 · Pool Operating Rev	138,029.97	205,000.00	67.33%
4631918 · Pool Memberships	46,071.17	60,000.00	76.79%
4631919 · Adult Rec Programs	1,511.46	12,690.00	11.91%
4631920 · Summer Rec Programs	737,895.00	1,133,095.00	65.12%
4631922 · Youth Rec Programs	35,383.52	204,631.00	17.29%
4710615 · Donations (General)	0.00	1,000.00	0.0%
4710642 · Miscellaneous Rev	1,067.06	250.00	426.82%
Total Revenue	1,034,866.86	2,126,128.00	48.67%
Expenditures			
5110110 · Salaries - Regular Staff	83,698.44	329,988.00	25.36%
5110210 · Salaries - PT/Seasonal/Temp	570,290.50	802,378.00	71.08%
5130120 · Benefits - Group Medical	32,221.10	107,315.00	30.03%
5130130 · OPEB Trust Contribution	1,749.00	7,000.00	24.99%
5130510 · PERS - Pension	58,103.37	80,132.00	72.51%
5140115 · Workers Comp Ins.	23,691.19	36,630.00	64.68%
5140140 · Social Security & Medicare	51,550.01	86,159.00	59.83%
5140145 · Unemployment Ins.	8,581.56	18,500.00	46.39%
5210120 · Consultant Fees	350.00	2,175.00	16.09%
5210122 · Marketing	12,889.19	36,200.00	35.61%
5210128 · Fingerprinting/Background	784.00	6,500.00	12.06%
5210131 · Legal Services	0.00	2,000.00	0.0%
5210146 · Indep. Contractor Fees	50,028.30	124,342.00	40.23%
5210210 · Audit & Accounting	0.00	3,500.00	0.0%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Recreation Dept		
	Jul - Sep 22	Budget	% of Budget
5210230 · Payroll Service Fees	2,567.11	5,000.00	51.34%
5210525 · Insurance - General	17,639.14	17,705.00	99.63%
5210725 · Telecom - Phone/Internet/Cable	528.72	2,440.00	21.67%
5210810 · Utilities - Gas & Electric	11,201.84	40,000.00	28.01%
5210815 · Garbage Removal	1,771.76	6,300.00	28.12%
5210835 · Utilities - Water & Sewer	1,142.80	15,500.00	7.37%
5211110 · Janitorial Services	4,700.00	18,000.00	26.11%
5211315 · Professional Development	1,680.72	12,000.00	14.01%
5211325 · Conferences & Meetings	1,276.69	4,050.00	31.52%
5211330 · Memberships & Dues	510.00	3,900.00	13.08%
5211440 · Travel	0.00	1,500.00	0.0%
5211520 · Publications & Legal Notices	0.00	500.00	0.0%
5211610 · County-Wide Fees	810.76	2,375.00	34.14%
5220110 · Admin & Office Supplies	3,778.40	14,500.00	26.06%
5220130 · Copier Lease & Printing	897.54	6,775.00	13.25%
5220215 · Pool Maintenance	704.29	15,000.00	4.7%
5220310 · Land & Buildings Maintenance	2,628.29	16,000.00	16.43%
5220710 · Pool Chemicals	6,554.95	12,000.00	54.63%
5220819 · Rec Program Supplies & Services	101,421.36	214,500.00	47.28%
5220825 · Uniforms & Apparel	2,621.25	6,000.00	43.69%
5220826 · Vending Supplies	14,323.73	12,000.00	119.36%
5220827 · Janitorial Supplies	2,842.93	12,500.00	22.74%
5220910 · Capital Outlay - Improvements	0.00	16,500.00	0.0%
5220916 · Capital Outlay - New Equipment	0.00	8,000.00	0.0%
5220920 · Capital Reserves Designation	0.00	9,000.00	0.0%
Total Expenditures	1,073,538.94	2,114,864.00	50.76%
Net Gain/Loss	-38,672.08	11,264.00	-343.33%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Fire Dept		
	Jul - Sep 22	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	0.00	740,720.00	0.0%
4110111 · PropTax - Admin Fee (Contra)	0.00	-9,850.00	0.0%
4110115 · PropTax - Unitary	0.00	3,940.00	0.0%
4110120 · PropTax - Current Unsecured	0.00	11,820.00	0.0%
4110140 · ERAF - Excess	0.00	72,890.00	0.0%
4110145 · ERAF - PY/Reverse	10,543.70	5,319.00	198.23%
4110210 · PropTax - Supplemental Current	0.00	14,184.00	0.0%
4110215 · PropTax - Supplemental Unsecure	0.00	197.00	0.0%
4110225 · PropTax - Supplemental Redempt	396.56	394.00	100.65%
4110510 · PropTax - Prior Unsecured	0.00	394.00	0.0%
4120610 · Special Tax Assessment	0.00	1,257,920.00	0.0%
4120611 · Special Tax- Admin Fee (contra)	0.00	-3,600.00	0.0%
4220115 · Building Plan Review	3,631.00	7,500.00	48.41%
4410125 · Interest- Co. Pooled Investment	0.00	1,970.00	0.0%
4410127 · Interest- ERAF Co. Pooled	4.55		
4511210 · HOPTR	0.00	2,955.00	0.0%
4631145 · Service Contract Revenue	0.00	100,214.00	0.0%
4640321 · CSA 13 Contract Rev	0.00	661,110.00	0.0%
4710631 · Paramedic Reimbursement	0.00	34,000.00	0.0%
4710642 · Miscellaneous Rev	165.90	500.00	33.18%
Total Revenue	14,741.71	2,902,577.00	0.51%
Expenditures			
5110110 · Salaries - Regular Staff	248,501.47	977,710.00	25.42%
5110310 · Acting Pay	1,954.40	10,000.00	19.54%
5110313 · Holiday Pay	6,883.44	40,470.00	17.01%
5110319 · FLSA Pay	2,521.85	24,037.00	10.49%
5120110 · Overtime Pay	103,713.38	150,000.00	69.14%
5130120 · Benefits - Group Medical	115,276.70	364,971.00	31.59%
5130130 · OPEB Trust Contribution	15,501.00	62,000.00	25.0%
5130510 · PERS - Pension	456,013.19	607,060.00	75.12%
5140115 · Workers Comp Ins.	63,702.98	98,697.00	64.54%
5140116 · 4850 Reimbursements (Contra)	-5,197.72		
5140130 · Physician Services	0.00	2,450.00	0.0%
5140140 · Social Security & Medicare	26,691.13	91,970.00	29.02%
5140145 · Unemployment Ins.	0.00	1,540.00	0.0%
5210120 · Consultant Fees	1,050.00	4,350.00	24.14%
5210122 · Marketing	72.00	900.00	8.0%
5210128 · Fingerprinting/Background	0.00	500.00	0.0%
5210131 · Legal Services	0.00	10,000.00	0.0%
5210146 · Indep. Contractor Fees	0.00	107,357.00	0.0%
5210210 · Audit & Accounting	0.00	7,000.00	0.0%
5210230 · Payroll Service Fees	1,282.92	5,400.00	23.76%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 1

	Fire Dept		
	Jul - Sep 22	Budget	% of Budget
5210525 · Insurance - General	20,795.94	21,310.00	97.59%
5210725 · Telecom - Phone/Internet/Cable	1,388.28	6,250.00	22.21%
5210810 · Utilities - Gas & Electric	2,435.33	11,500.00	21.18%
5210815 · Garbage Removal	931.86	3,160.00	29.49%
5210835 · Utilities - Water & Sewer	480.00	7,500.00	6.4%
5210910 · Maint. - Vehicles	8,254.75	16,000.00	51.59%
5210920 · MERA Operating	21,563.00	21,641.00	99.64%
5211140 · Vegetation Management	0.00	10,000.00	0.0%
5211310 · Awards & Incentives	0.00	2,000.00	0.0%
5211315 · Professional Development	272.57	10,000.00	2.73%
5211325 · Conferences & Meetings	148.59	1,350.00	11.01%
5211330 · Memberships & Dues	1,515.86	4,900.00	30.94%
5211440 · Travel	0.00	1,000.00	0.0%
5211520 · Publications & Legal Notices	0.00	400.00	0.0%
5211610 · County-Wide Fees	2,384.55	10,200.00	23.38%
5211710 · Long Term Debt - Principal	39,118.63	39,125.00	99.98%
5211715 · Long Term Debt - Interest	3,634.36	3,628.00	100.18%
5220110 · Admin & Office Supplies	894.55	5,700.00	15.69%
5220130 · Copier Lease & Printing	345.21	1,915.00	18.03%
5220210 · Equip. Maintenance/Replacement*	9,077.64	19,600.00	46.31%
5220220 · Small Tools	0.00	500.00	0.0%
5220310 · Land & Buildings Maintenance	1,089.50	7,500.00	14.53%
5220610 · Gasoline/Fuel	298.50	500.00	59.7%
5220810 · Miscellaneous Supplies	566.05	19,500.00	2.9%
5220825 · Uniforms & Apparel	120.00	8,500.00	1.41%
5220827 · Janitorial Supplies	130.39	1,000.00	13.04%
5220830 · Volunteer Fire Department	0.00	10,000.00	0.0%
5220920 · Capital Reserves Designation	0.00	80,000.00	0.0%
Total Expenditures	1,153,412.30	2,891,091.00	39.9%
Net Gain/Loss	-1,138,670.59	11,486.00	-9,913.55%

**Marinwood Community Services District
 Profit & Loss Budget vs. Actual
 FY 2022/2023: Quarter 1**

	Streetlights		
	Jul - Sep 22	Budget	% of Budget
Revenue			
4120610 · Special Tax Assessment	0.00	24,225.00	0.0%
4120611 · Special Tax- Admin Fee (contra)	0.00	-100.00	0.0%
Total Revenue	<u>0.00</u>	<u>24,125.00</u>	<u>0.0%</u>
Expenditures			
5210825 · Utilities - Street Light Elec.	5,085.46	19,500.00	26.08%
5210915 · Maint. - Streetlights	895.18	4,125.00	21.7%
5211610 · County-Wide Fees	500.00	500.00	100.0%
Total Expenditures	<u>6,480.64</u>	<u>24,125.00</u>	<u>26.86%</u>
Net Gain/Loss	<u>-6,480.64</u>	<u>0.00</u>	<u>100.0%</u>

Marinwood Community Services District
Fiscal Year 2022-23 1st Quarter P&L Budget-to-Actuals Summary and Variance Notes

GL Number GL Description Summary Notes:

DISTRICT-WIDE (All Depts)

5130120	Benefits-Group Med	<i>Includes October payments (4 months)</i>
5130510	PERS - Pension	<i>Includes lump-sum payment for entirety of Unfunded Accrued Liabilities for 22/23</i>
5140115	Workers Comp Ins	<i>Annual amount paid in full with exception of year-end reconciliation to actual payroll</i>
5210525	Insurance - General	<i>Annual amount paid in full</i>
5211610	County-Wide Fees	<i>Awaiting invoicing for several budgeted fees.</i>

PARK DEPT:

4710615	Donations	<i>Received for play tructure replacement project (Kelly's Wishes, Pam Case Memorium)</i>
5110210	Salaries - PT/Seasonal	<i>Seasonal</i>
5210920	MERA Operating	<i>Annual amount paid in full</i>
5211220	Equipment Rental	<i>Excavator and specialized aerator rentals</i>
5211710	Long Term Debt	<i>Maintenance Facility Construction Loan - paid in full</i>

RECREATION:

4631912	Vending Sales	<i>Due to greater than anticipated pool usage as well as summer camp pool use</i>
4631914	Community Events	<i>Total does not include \$4185 collected in square payments for Q1 events deposited in Oct</i>
4631917	Pool Operating Rev	<i>Includes \$63,840 in deferred revenue from prior year</i>
4631918	Pool Memberships	<i>Includes \$41,643 in deferred revenue from prior year</i>
4631920	Summer Rec Program	<i>Includes \$715,039 in deferred revenue from prior year</i>
4631922	Youth Rec Programs	<i>Revenue derived from school year operations. I.e. - Preschool, After School, Camps,Classes</i>
5110210	PT/Seasonal/Temp	<i>Seasonal Impact of summer staffing</i>
5140140	Soc. Security & Medi	<i>Seasonal Impact of summer staffing</i>
5210122	Marketing	<i>Includes Fall Review catalog and mailing costs (\$11,455)</i>
5210146	Rec Program Contract	<i>Includes tennis and contracted sports programs as well as specialty classes</i>
5220819	Rec Supplies/Services	<i>Seasonal impact of summer programs and invoice timing</i>
5220826	Vending Supplies	<i>Budget assumed limited pool ops. Directly correlates to increased revenue.</i>

FIRE DEPT:

4631145	Service Contract Rev	<i>Actual amount to exceed budgeted amount by approximately \$4760</i>
4640321	CSA 13 Contract Rev	<i>Actual amount to exceed budgeted amount by approximately \$45,500</i>
5120110	Overtime Pay	<i>Portion due to backfill for injury leave & vacant position</i>
5210920	MERA Operating	<i>Annual amount paid in full</i>
5211710	Long Term Debt	<i>Annual engine lease payment - paid in full</i>
5220210	Equip Maint/Replace	<i>Includes planned replacement of fire hose compliment</i>



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: November 8, 2022
Re: Res. 2022-17: Employee Health Care Premium Employer's Contribution

Directors,

CalPERS, the District's current employee health care provider under the Public Employees' Medical and Hospital Care Act (PEMHCA), annually adjusts rates of the various health care options provided. The District has a long-standing policy of contributing set percentages of the current Kaiser plan premiums for each respective employee classification.

For calendar year 2023, Kaiser premiums under the CalPERS plan have increased by approximately 6.6%. This results in both the employer and employee contributions increasing by an equal percentage compared to last calendar year. Kaiser rates had increased by 5.3% in calendar year 2022. This increase was anticipated and planned for in the FY 22/23 budget.

The Board is required to approve and submit this resolution stating the maximum employer contribution amounts for each employee classification in accordance with annual rates change. The contribution amounts are applicable to both active employees and qualified retirees. Retirees eligible for Medicare incur reduced rates.

Staff Recommendation: Approve Resolution 2022-17 as presented.

RESOLUTION NO. 2022-17
FIXING THE EMPLOYER CONTRIBUTION
UNDER THE PUBLIC EMPLOYEES’ MEDICAL AND HOSPITAL CARE ACT
AT AN EQUAL AMOUNT FOR EMPLOYEES AND ANNUITANTS

WHEREAS, (1) Marinwood Community Services District is a contracting agency under Government Code Section 22920 and subject to the Public Employees’ Medical and Hospital Care Act (the “Act”); and

WHEREAS, (2) Government Code Section 22892(a) provides that a contracting agency subject to Act shall fix the amount of the employer contribution by resolution; and

WHEREAS, (3) Government Code Section 22892(b) provides that the employer contribution shall be an equal amount for both employees and annuitants, but may not be less than the amount prescribed by Section 22892(b) of the Act; now, therefore be it

RESOLVED, (a) That the employer contribution for each employee or annuitant shall be the amount necessary to pay the full cost of his/her enrollment, including the enrollment of family members, in a health benefits plan up to a maximum of:

Medical Group	Monthly Employer Health Contribution		
	Self	Self+1	Self+ Family
001 Miscellaneous	\$822.00	\$1,645.00	\$2,138.00
002 Safety	\$731.00	\$1,462.00	\$1,901.00

plus administrative fees and Contingency Reserve Fund assessments; and be it further

RESOLVED, (b) Marinwood Community Services District has fully complied with any and all applicable provisions of Government Code Section 7507 in electing the benefits set forth above; and be it further

RESOLVED, (c) That the participation of the employees and annuitants of Marinwood Community Services District shall be subject to determination of its status as an “agency or instrumentality of the state or political subdivision of a State” that is eligible to participate in a governmental plan within the meaning of Section 414(d) of the Internal Revenue Code, upon publication of final Regulations pursuant to such Section. If it is determined that Marinwood Community Services District would not qualify as an agency or instrumentality of the state or political subdivision of a State under such final Regulations, CalPERS may be obligated, and reserves the right to terminate the health coverage of all participants of the employer; and be it further

- RESOLVED, (d) That the executive body appoint and direct, and it does hereby appoint and direct, the District Manager to file with the Board a verified copy of this resolution, and to perform on behalf of Marinwood Community Services District all functions required of it under the Act; and be it further
- RESOLVED, (e) That coverage under the Act be effective on January 1, 2023.

Adopted at a regular meeting of the Board of Directors at Marinwood Community Services District, this 8th day of November, 2022.

Signed: _____
Lisa Ruggeri, President, Board of Directors

Attest: _____
Tiffany Combrink, Secretary to the Board of Directors

District Manager Report
November 8, 2022
Submitted by: Eric Dreikosen, District Manager

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

Maintenance Facility Courtyards Construction Update:

Construction of the Maintenance Facility Courtyards is all but finished with the only remaining construction-related items consisting of installing the gates (Motorized rolling gate in west courtyard and dual swing gate in east courtyard) and staining the wood fencing for both courtyards. The gates are scheduled to be installed in the coming week or so as this is the only aspect of this portion of the project involving a 3rd-party subcontractor. Staining of the fence will occur once we have a dry weather period long enough to accomplish this task properly. The fences are currently covered and protected with tarps in an attempt to keep them as dry as possible during the upcoming rains, thus allowing their crew to complete the staining that much sooner.

As soon as the gates are installed, we will be able to schedule a final inspection with both the County Building Department and the Land Use Department (bioretention pit sign-off). At that point staff will be able to begin the transition from the temporary facility into the new facility. We will also be able to take the surrounding construction fencing down and open the area back up to the public. Over the following several weeks or so staff will be performing additional landscaping of the surrounding area which will also include vegetation placement along the face of the building as well as the face and sides of the courtyards.

However, to close out the entire permit we still need to complete two specific planning hold tasks. These consist of adding lattice to the back fence of the neighboring residence as well as planting 1-2 trees in the same area behind the facility, both to provide additional screening for the property owner. These requirements came as a result of the County Design Review process and were conditions placed by the County Planning Commission during the public hearing. I am scheduled to meet with the property owner to discuss and confirm our plans to get this completed. After that meeting we should be able to complete these tasks relatively quickly and have the planning holds released and the permit fully closed.

Overall, staff is very pleased with the outcome of the courtyards and the pedestrian pathway project that were constructed by Massa Construction. All work is of extremely high quality and they were great to work with along the way in adding significant value with several of their suggestions for improvement, most notably the West Courtyard subterranean drainage system.

I want to acknowledge our maintenance staff, Marco, Estevan and Cesar, for their patience and positive attitudes while working in suboptimal conditions throughout this process with the temporary maintenance area. Additionally, I want to acknowledge Luke Fretwell for all of his help, input and direct involvement throughout. This was very much a collaborative team effort resulting in a project that will serve the District and community well for many years to come.

Fire Department Recruitment Needs

The Fire Department currently has one vacant position for the role of Firefighter-Paramedic (FF/PM). Unfortunately, we have received notice from another FF/PM that they too will be resigning from their position at the end of the calendar year. Given we are a single station department consisting of only nine (9) full-time firefighter positions working in shifts consisting of a minimum of three (3) firefighters on-duty 24/7, being down a firefighter let alone two firefighters places a significant strain on the remaining personnel who are asked and often mandated to work overtime to fill the void.

I have been working with Chief White to begin the FF/PM recruitment process as soon as possible. It must be noted, however, recruitment for FF/PM's has become a much more challenging task the past 2-3 years with several agencies competing for a far fewer number of qualified applicants when compared to years past. Being a small department with limited fiscal resources, Marinwood will be at a disadvantage competing with the compensation packages often offered by larger agencies & departments.

Chief White & I will keep the Board apprised as we go through the recruitment process.

Other Items of Note:

- We will be meeting later this week in regards to a potential Santa tour of the Marinwood-Lucas Valley Community with the fire engines. If Santa is once again available to join us this year, we will keep the community apprised of the date(s). Of course, Santa visits are always weather dependent.
- The District recently received the "President's Special Acknowledgement Award" from our insurance carrier SDRMA. This award is given to participating agencies who have experienced no Property/Liability claims for 5 consecutive years. With this recognition the District will benefit from a discount in our P/L insurance premium for the coming fiscal year(s).

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.



To: Marinwood Board of Directors
From: Darin White, Fire Chief
Date: November 8, 2022
Re: Fire Department Update

Marin Wildfire Prevention Authority-Vegetation Management

Recently the MWPA team comprised of subject matter experts at Sonoma Technology, UC Berkeley, along with Information and Spatial expertise from companies in the East and South Bay have collectively completed a progress update for the Evacuation Ingress/Egress Risk Assessment Project. The goal of this project is to construct an inventory of risk factors and dynamic models of wildland fire spread, communications processes, and transportation networks that can simulate wildfire evacuation scenarios in Marin County. The MWPA member agencies, city officials, and transportation planners will be able to identify and prioritize areas of concern under different evacuation scenarios.

Factors identified in the update range from risks associated with evacuation, commonalities in wildfire evacuation fatalities, the determinants of evacuation success, and more. Specifically in Marin County, the factors for successful evacuations in simple terms, include:

1. Fire Behavior
2. Evacuation Alerts and Communications
3. Resident Decision Making
4. Resident Travel When Evacuating
5. Resident Safely Arrives at Destination

The immense value of the assessment will be realized through the modeling and risk analysis which will be used to develop a risk index for each roadway in the county. These risk indices will help identify the most vulnerable evacuation routes and prioritize mitigation projects and necessary actions that can improve the most vulnerable routes and other evacuation risks, in general. The final report is expected to be presented in March of 2023.

Guidelines/COVID-19:

According to the experts, new COVID variants are coming just as we encounter our third winter with COVID-19. It is anticipated that because of our growing immunity, the number of hospitalizations will not rise and persons infected may have a shorter duration of illness and be less severe.

However, recent reports revealed that more than 300 Omicron variants have surfaced around the world. According to virologists such as Jeremy Kamil at Louisiana State University, the variants resemble the newer bivalent booster, so this has the result of making vaccination a key method of fighting infection.

However, some of the variants bypass the therapies including the antiviral treatments such as Eyusheld and bebtelovimab. The antiviral Paxlovid is said to be still an effective antibody. These variants are able to evade the antibodies that help limit the virus’s spread and since very few eligible Americans have received the booster (5.7% nationally and 10% of Californians) the failure to get boosters could result in serious illness if people resume joining holiday and indoor gatherings without a face covering. Because of this, experts are concerned that there will be a wave of infections. It is helpful to note that more than 375 people are still dying from COVID infections each day in the United States.

Waves of infection are still occurring globally, as an example. A variant is causing a major new wave of cases in Singapore, which has one of the world’s most highly vaccinated populations, according to Dr. Eric Topol, a professor of molecular medicine at Scripps Research in San Diego. The great news is that in this instance most cases are mild, even asymptomatic. The variant known as XBB has a different heritage from the BQ variants; it was created by a mixing of the BA.2.10.1 and BA.2.75 strains.

Any of these variants could take hold over the others, but regional differences suggest they may all circulate over the next few months – with the BQ.1.1 and XBB dominating the field of variants. Globally, “it is now a more diverse immune landscape,” he said. “People have gotten a variety of different vaccines and a variety of previous exposures. ... They have varying degrees, and types of immunity.” In its effort to survive, “the virus has got to cope with that,” he said

Dr. Topol also offered “that despite their diversity, these new variants are all emerging with a pattern of similar mutations. This is referred to as convergent evolution – just as birds, bats, and insects all figured out how to fly, different COVID variants are using the same strategy to change a key spot in the virus where virus-blocking antibodies dock.” Given the optimism of scientists, it is worth speculating that this may result in humans not being as adversely impacted by future COVID-19 based infections and may be an indicator that the deadliest of the COVID 19 infections and its variants/subvariants are behind us.

Alissa Ann Ruch Burn Foundation



On Tuesday October 25, 2022, Marin County agencies participated in the Alissa Ann Ruch Burn Foundation’s fundraising effort. This year Marinwood firefighters donated \$600 towards sending a burn

survivor to the Champ Camp and other very impactful activities that provide support and encourage healing and recovery from these traumatic and physically debilitating injuries. Pictured on page 2 are Captain John Papanikolaou, Captain Ryan Brackett, and Engineer Brian Smith with the dedicated members of the Alissa Ann Ruch Procession.

Recognition Event



On Tuesday October 25, 2022, Captain John Papanikolaou receives applause and a certificate of appreciation from Fire Chief Darin White for his contribution to the successful launch of the San Rafael Fire Department’s most recent Fire Academy graduates. To provide the entry level firefighter-paramedics with focused support on fire and EMS skills, members of both the Marinwood and San Rafael Fire Departments (including Marinwood Fire Engineer Cesar Correa and FFPM William Kelly) took an active part in ensuring the newest members were afforded with increased training and education before they were assigned to work in the fire stations. It is anticipated that this level of engagement will be essential for the immediate future as agencies throughout California are affected by an alarmingly low number of experienced and trained firefighter paramedics seeking employment as paramedics or firefighter paramedics.

Upcoming Recruitment

Since prior to the pandemic, there has been a noticeable decline in the number of individuals seeking to join the fire service and public safety in general (law enforcement, fire, and EMS). In recent years 2,000 paramedics were being licensed in the state of California each year. Reportedly, that number is now closer to 500. The pandemic has further prompted a sharp decline in the numbers of individuals in the State of California who are licensed paramedics. Fire Service agencies who provide Advanced Life Support (ALS) level care now find themselves in the awkward and challenging situation of not being able to hire experienced personnel and/or achieve previous levels of success in recruiting, hiring, training, and retaining new and tenured members alike.

The reality is many Bay Area fire departments pay a competitive wage, and some are not as competitive. However, even the competitive, big name, or other well compensating departments who have had a history of providing opportunities for advancement and specialization are now entering into fiercer competition to hire and retain the new public safety employee.

The private sector has gone so far as to offer out-of-state licensed paramedics signing bonuses of up to \$60k over a 36-month period. Even regional, local, and other adjacent county agencies are adjusting the length of probationary periods, reducing fire academy times, and probationary processes to lure and retain employees. It doesn't end there: some agencies including San Rafael, will provide an incentive in the form of hour accruals to offset the loss of vacation and or sick leave accrual that a "lateral" firefighter paramedic might be impacted by if he or she decides to leave their current department to join a department in Marin County.

Compounding this reality is that many public safety employees in the Bay Area are not able to afford home ownership near where they work and must commute substantial distances to work. Many pass by multiple agencies and counties to come to and from Marin, Sonoma, Sonora, Alameda, Santa Clara, Contra Costa and beyond. This has the effect of individuals spending long commute hours, higher fuel expense, loss of valuable time while "off duty" and many other impacts that now compel employees to opt into joining a department closer to their homes.

Many agencies that rely on Advanced Life Support (ALS) trained members may need to aggressively recruit and hire Basic Life Support (BLS) trained personnel and then provide or support training of those individuals to becoming paramedics while they are employed. BLS trained personnel usually begin by responding to lower acuity medical calls, thereby enabling ALS trained and staffed units able to respond to actual medical emergencies. This BLS model appears to be gaining some interest and utility in multiple agencies who are operating BLS units during peak periods of call activity. The San Rafael Fire Department has an EMS study pending with the San Rafael Fire Association to determine the best model of operations in the current staffing environment we operate in, and it might include a resurrection of the BLS/ALS dual service model.

One thing is clear: if the numbers do not improve, mandatory overtime will increase in many fire departments, morale will diminish to levels never seen, and fatigue will become a safety issue, and members will continue to seek employment in places closer to where they reside to best manage their lives and the impacts of the diminishing pool of candidates. Getting ahead of this requires clear and deliberate action to retain current employees and attract newly qualified and capable firefighters/firefighter-paramedics.

With this being stated, the Marinwood Fire Department will have two firefighter-paramedic vacancies to begin recruiting for. The recruitment will get underway in the next few weeks and we will advertise in some of the areas that historically garner the attention of the modern-day applicant, including, but not limited to: The Western Fire Chiefs Association California Daily Dispatch, The local community colleges and regional fire science and private EMS training programs that have potential candidates taking fire and EMS centric education and more. Stay tuned for our next update!

Marinwood Fire Department Statistics: October 2022

The Marinwood Fire Department responded to 103 emergency calls in October 2022. A little under two thirds of the calls were medical incidents; one of which involved a confirmed COVID-19 case. The department did not respond to any fires. One fire in San Rafael required E58 to backfill for a San Rafael engine. E58 responded to one hazardous materials incident in Marinwood. A resident reported a battery exploded but the resident was able to use an extinguisher and there was no fire by the time E58 arrived.

<i>Incidents by Area and Type</i>								
Area	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	OTHER	TOTAL
Marinwood	17	7	2	0	1	N/A	0	27
CSA 13	5	1	1	0	1	N/A	0	8
Old JPA (Mont Marin)	4	6	2	0	0	N/A	0	12
New JPA (East of 101)	21	9	0	0	0	N/A	0	30
SR Mutual Aid	11	6	1	1	0	0	0	19
MC JPA	2	0	0	0	0	N/A	0	2
MC Mutual Aid	0	0	0	0	0	N/A	0	0
Novato	3	1	0	0	0	1	0	5
Total number	63	30	6	1	2	1	0	103
<i>Percentage of total</i>	<i>61.2%</i>	<i>29.1%</i>	<i>5.8%</i>	<i>1.0%</i>	<i>1.9%</i>	<i>1.0%</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, 38 seconds



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: November 8, 2022
Re: Miller Creek Trail Initiative: Financial Proposal with Senior Living Center Developer

Directors,

This is a discussion item and does not require formal board action at this time. Based on the information presented below, staff is seeking board direction on how to proceed.

Background:

A condition of the proposed Senior Living Center development approval that originally occurred in 2006 via the Oakview Subdivision Improvement Agreement and filed against the property included a primitive trail to be constructed along Miller Creek from Las Gallinas Ave to the planned extension of Marinwood Ave. A second trail leading from this trail to the top of the ridgeline above was also included. In Fall 2021 the District contracted with trail design engineer Timothy Best to provide a report on the feasibility and estimated costs of constructing the primary trail along the creek. Mr. Best further identified the second trail to be infeasible due to the surrounding topography and steep slopes. Mr. Best provided several options representing various trail designs and construction concepts for the creek trail and their associated estimated costs. These were presented at the Board meeting conducted February 8, 2022. District staff strongly recommended one of the options presented at a total estimated construction cost of \$274,000. Staff was directed to communicate with the senior living center developers in regards to cost sharing for this initiative and identify what would represent a fair and reasonable financial contribution on the part of the developer.

Over the past several months staff have engaged in conversations with representatives from The Oaks LLC, the developers/property owners of the proposed senior living center. It was acknowledged by both parties that the preferred trail design far exceeded what was described in the original 2006 Subdivision Improvement Agreement. The developers proposed and District staff agreed we ascertain the current day estimated cost of constructing the trail as described in the language included in the original 2006 Agreement. The District once again engaged the services of Timothy Best to provide a professional construction cost estimate based on the 2006 Agreement trail description and his personal reconnaissance of the area. Mr. Best provided the following:

Cost Estimate Miller Creek Waterway Trail				
ITEM	UNIT	UNIT PRICE	QTY	EXTENSION
Mobilization	LS	20%		\$19,134
Road to trail conversion	LF	\$15	1,047	\$15,705
New 4' wide trail construction: 0 – 30% slopes	LF	\$30	1,176	\$35,280
New 4' wide trail construction: 30 – 50% slopes	LF	\$70	260	\$18,200
New 4' wide trail construction: >50% slopes	LF	\$100	80	\$8,000
Rock Retaining Wall – 3 ft high	LF	\$275	30	\$8,250
Split Railing	LF	\$40	200	\$8,000
Erosion Control	LS			\$5,000
Subtotal				\$114,804
Contingency (25%)				\$27,070
Total				\$135,348

It was further noted in the estimate provided by Mr. Best: *The actual costs will vary depending on whether the trail is constructed through partnerships with public agencies using dedicated trails staff or is constructed by a private contractor. The costs outlined assume private contractor under prevailing wage. This estimate does not include permitting, biological monitoring, signage, rocking of the trail tread. Costs are approximate. It also does not consider increased costs over time.*

The estimate was shared with the development representatives for their review and consideration.

Through informed and collaborative communications between District staff and the developers, both parties have reached a tentative agreement on terms of the developers financial contribution responsibilities. The details of this proposal are:

- The Oaks LLC shall contribute to Marinwood CSD a one-time fixed payment amount of \$150,000 to be applied to the construction of the Miller Creek Trail.
- The Oaks LLC shall provide Marinwood CSD the full financial contribution of \$150,000 promptly upon completion of construction of the bridge extending from Marinwood Ave leading to the proposed senior living center site. In accordance with the 2006 Agreement, and due to lack of accessibility, trail construction cannot begin until the aforementioned bridge construction has been completed.
- If the bridge extending from Marinwood Ave leading to the proposed senior living center site is not constructed and accessible to Marinwood CSD by July 31, 2024, Marinwood CSD reserves the right to acquire an updated cost estimate for construction of the creek-side trail as described in the language included in the original 2006 Oakview Subdivision Agreement. In such event Marinwood CSD exercises this right, the proposed trail cost received from Timothy Best (dated 6/3/22) for the creek-side trail (\$135,348) shall serve as the baseline financial amount to compare against any updated cost estimates received.
- Marinwood CSD reserves the sole right to determine final trail placement, design & construction concepts, and selection process of qualified builder.
- Marinwood CSD shall assume sole responsibility for all project management needs in regards to planning and construction of the Miller Creek Trail. This includes but is not limited to: Required biological & cultural studies, CEQA compliance, permitting and public engagement.
- Marinwood CSD shall assume sole responsibility for all project costs incurred above and beyond The Oaks LLC financial contribution obligation as described herein.

Staff feels the above terms represent a fair and reasonable agreement for both parties.

Should the Board agree the proposal terms outlined above to be fair and reasonable, at a subsequent meeting staff shall present the Board with a draft binding legal agreement between the two parties for formal board action and potential approval.

Staff Recommendation: Accept the proposed terms as presented and direct staff to engage District legal counsel to draft a binding legal agreement which includes all presented terms and conditions between Marinwood CSD and The Oaks LLC in regards to the proposed Miller Creek Trail project.

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

RECREATION ACTIVITY REPORT

Vision Clinic

In October, the Recreation Department partnered with the local Las Gallinas Lions Club to host a Vision Clinic for our preschool program. The clinic was successful in that it did detect anomalies in a few children for which additional screening is recommended. We plan on partnering with the Lions for additional clinics and community events in the future.

Halloween Harvest Festival

Our Halloween Harvest Festival took place on Friday, October 14th from 5-6:30pm. This year's event took place in the park and featured carnival games, a pumpkin patch, bounce houses, and refreshments. The event went smoothly and was easily our most popular Halloween event, with more than 400 in attendance. It was great to see so many kids (and a decent number of parents) in costume. I want to thank Les Mize for representing the Lion's Club and manning our popcorn machine all night. I also want to thank all our pool and camp staff members that helped run the games, man the bounce houses, and clean up at the end.

Fall Art Show

Our Fall Art Show took place on Saturday, October 22nd from 3:00pm-7:00pm. This year's show was called "Form & Color" and featured around 50 pieces of art from some of Marin's finest artists. This was our best attended show and saw a full house for the duration of the 4 hours. I want to acknowledge Susan Press, our Art Show Director, for designing and coordinating another high-quality show.

This was our 8th fall art show and our 11th art show overall since the event's inception in 2013. It has become an institution for the local art community and we are proud to be able to support Marin's unique and thriving art world. Our next art show will take place next spring. Details will be announced in the coming months.

Jingle Bell Jazz

Our next community event will be our winter holiday concert "Jingle Bell Jazz" on Friday, December 9th from 5-6:30pm. The event will feature a live concert of holiday favorites, photos with Santa, lots of treats and refreshments, and more. If weather allows, we will hold the concert outdoors again (with lots of blankets and heat lamps). If rain is in the forecast, we have an indoor backup plan. More details will be announced in the coming weeks.

Winter Break Camp

We will be running a winter break camp the week of December 19th for kids who are home for winter break. During the week kids will play games, do arts and crafts, enjoy music and story time, and lots more. We staff this program from our summer camp counselors home on their own winter breaks. Enrollment for this year's camp is currently full.

Other programs

Some of our other recreation programs are enjoying unprecedented levels of enrollment this fall with some classes like Tae Kwon Do needing to expand to more days and times per week to accommodate the demand. We are grateful to have so many good instructors whose programs have become so popular.

Staff are currently working on the schedule of programs for Springs 2023.

PARKS MAINTENANCE ACTIVITY REPORT

Staff

We are thrilled to have Estevan back to work after he took time off to welcome his new baby to the world. It's nice to have a full crew again.

Pool Maintenance

Following the close of the pool season, staff began making some repairs and improvements, as well as prepping the facility for the winter. Work has included repainting the bathrooms, staining and sanding some tables and benches, cleaning and inspecting the sump pumps, adding filter media to the filters, and cleaning the chlorine generators.

Work is being scheduled to repair cracks in the pool deck, minor repairs to the pool shell, and needed updates to our drain covers.

Culvert, Drain, V-Ditch Inspections

Staff have completed inspections of the v-ditches and drains throughout the District for damage, hazards, and excess debris. Areas most prone to flooding will be regularly monitored throughout the rainy season.

Creek Inspection & Erosion Control

This week the staff are performing a seasonal creek inspection to identify and assess any damming/flooding concerns. We will be identifying areas for erosion control efforts this winter.

Tree Pruning

This past month 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.

Upcoming Projects:

- Repairs to fencing in the parking lot
- New plantings along the Firemen's Hill and at Creekside Park
- New plantings in the bioretention basin and near the new park maintenance facility (underway)

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