

MARINWOOD COMMUNITY SERVICES DISTRICT

Agenda for the Special Meeting of the Board of Directors

Tuesday – December 5, 2023 – 6:30 PM

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

A. CALL TO ORDER

B. Public Comment for Items Appearing on the Agenda

Speakers may comment only on items appearing on the agenda. Speakers are asked to limit comments to three minutes.

C. Appropriations Limit Authorization for Special Assessment for Fire Protection and Emergency Response Services

RESOLUTION 2023-08: CALLING A SPECIAL ELECTION BE HELD IN ITS JURISDICTION; ESTABLISHING A DATE FOR ELECTION; ADOPTING INTENDED BALLOT LANGUAGE; ORDERING THE CONSOLIDATION OF SAID ELECTION; REQUESTING ELECTION SERVICES BY THE REGISTRAR OF VOTERS

Board Action: Approve Resolution 2023-08

D. Appropriations Limit Authorization for Special Assessment for Park, Open Space and Street Landscape Maintenance Services

RESOLUTION 2023-09: CALLING A SPECIAL ELECTION BE HELD IN ITS JURISDICTION; ESTABLISHING A DATE FOR ELECTION; ADOPTING INTENDED BALLOT LANGUAGE; ORDERING THE CONSOLIDATION OF SAID ELECTION; REQUESTING ELECTION SERVICES BY THE REGISTRAR OF VOTERS

Board Action: Approve Resolution 2023-09

E. Authorize District Manager to Draft, Submit and Identify “Signers” for Argument in Favor of Ballot Measures Associated with Resolutions 2023-08 and 2023-09 (if each are respectively approved)

Board Action: Authorize District Manager as Described

F. ADJOURN

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



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: December 5, 2023
Re: Appropriations Limit Ballot Measures

Directors,

Please see the included Resolution 2023-08 and Resolution 2023-09.

As you are aware, the District levies two voter-approved special assessments (aka: special taxes). One is designated for costs incurred with providing for Fire Protection and Emergency Response services. The other is designated for costs incurred with providing for Parks, Open Space and Street Landscape Maintenance services.

In accordance with Article XIII B, Section 4 of the California Constitution, the District is required to submit a ballot measure(s) at least every four (4) years requesting voters re-authorize the continued application of the revenue collected from these special assessments towards the District's total Appropriation Limit of tax proceeds (Gann Limit).

To be clear, the District **is not** proposing any new special assessments/special taxes nor any changes to the existing assessments. Both assessments will continue to be applied in the same precise manner as previously approved by the voters.

Should the Board approve the included resolutions, thus authorizing their submittal to the Marin County Elections Department as individual ballot measures to be decided by the voters, they will each require a "simple majority" vote (50% +1) in order to pass. As such, the Board is also asked to authorize the District Manager to draft a formal argument in favor of each individual ballot measure, identify and approve community member "signers" in support of each argument and related measure and to submit said arguments and supporters to the elections department. These arguments along with the names of the community member supporters will be included in the Voter Information Pamphlet & Sample Ballot provided to all registered voters.

Deadlines of Note:

- December 8, 2023 – Final day to submit resolutions calling for an election
- December 18, 2023 – Final Day to submit measure arguments

Election Date:

- March 5, 2024

Recommended Action: Approve Resolution 2023-08 and Resolution 2023-09 and authorize the District Manager draft, identify and approve "signers" and submit a formal argument in favor of each individual ballot measure.

RESOLUTION NO. 2023-08

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MARINWOOD COMMUNITY SERVICES DISTRICT
CALLING A SPECIAL ELECTION BE HELD IN ITS JURISDICTION; ESTABLISHING A
DATE FOR ELECTION; ADOPTING INTENDED BALLOT LANGUAGE; ORDERING THE
CONSOLIDATION OF SAID ELECTION; REQUESTING ELECTION SERVICES BY THE
REGISTRAR OF VOTERS**

WHEREAS, it is the determination of the Board of Directors of Marinwood Community Services District that a measure should be submitted to the voters pursuant to Elections Code 12001 and Article XIII B, 4 of the California Constitution; and

WHEREAS, said measure must be approved by a simple majority of the voters voting thereon;

NOW, THEREFORE, BE IT RESOLVED that this Board of Directors hereby calls an Election to be held on March 5, 2024 at which the issue to be presented to the voters shall be:

Increase Appropriations Limit

Shall the appropriations limit established for Marinwood Community Services District pursuant to Article XIII B of the California Constitution be increased over the appropriations limit established by said article for each of the four fiscal years 2024-2025 through 2027-2028 in the amount equal to the revenue received from the special tax for Fire Protection and Emergency Response services previously approved by the voters in November, 2011.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Marin is hereby requested to:

- 1) Consolidate said election with the statewide election conducted on the same day and to be held and conducted in the manner prescribed in Elections Code Section 10418;
- 2) Authorize and direct the Registrar of Voters, at District expense, to provide all necessary election services and to canvass the results of said election.

PASSED, APPROVED, AND ADOPTED on this 5th day of December 2023, by the following vote:

AYES:

NOES:

ABSENT:

Sivan Oyserman
President, Board of Directors

ATTEST:

Tiffany Combrink, Secretary to the Board

RESOLUTION NO. 2023-09

**RESOLUTION OF THE BOARD OF DIRECTORS OF
MARINWOOD COMMUNITY SERVICES DISTRICT
CALLING A SPECIAL ELECTION BE HELD IN ITS JURISDICTION; ESTABLISHING A
DATE FOR ELECTION; ADOPTING INTENDED BALLOT LANGUAGE; ORDERING THE
CONSOLIDATION OF SAID ELECTION; REQUESTING ELECTION SERVICES BY THE
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NOW, THEREFORE, BE IT RESOLVED that this Board of Directors hereby calls an Election to be held on March 5, 2023 at which the issue to be presented to the voters shall be:

Increase Appropriations Limit

Shall the appropriations limit established for Marinwood Community Services District pursuant to Article XIII B of the California Constitution be increased over the appropriations limit established by said article for each of the four fiscal years 2024-2025 through 2027-2028 in the amount equal to the revenue received from the special tax for Park, Open Space and Street Landscape Maintenance services previously approved by the voters in November, 2015.

BE IT FURTHER RESOLVED that the Board of Supervisors of the County of Marin is hereby requested to:

- 1) Consolidate said election with the statewide election conducted on the same day and to be held and conducted in the manner prescribed in Elections Code Section 10418;
- 2) Authorize and direct the Registrar of Voters, at District expense, to provide all necessary election services and to canvass the results of said election.

PASSED, APPROVED, AND ADOPTED on this 5th day of December 2023, by the following vote:

AYES:

NOES:

ABSENT:

Sivan Oyserman
President, Board of Directors

ATTEST:

Tiffany Combrink, Secretary to the Board