

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

Tuesday – February 14, 2023 – 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 2023-02: 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 January 10, 2023 (Remote Meeting) c. Bills Paid Nos. 7022 – 7087	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. Fiscal Year 2022-2023: 2 nd Quarter Profit & Loss Budget-to-Actuals Report	Review
	2. District Manager Report	Review
F.	FIRE DEPARTMENT MATTERS	
	1. Draft Minutes of Fire Commission Meeting of February 7, 2023	Review
	2. Chief Officer Report and Activity Summary	Review
G.	PARK AND RECREATION MATTERS	
	1. Draft Minutes of Park & Recreation Commission Meeting of January 24, 2023	Review
	2. Appointment of Park & Recreation Commissioner for Term Ending December 31, 2024	Appointments
	3. Authorization to Execute Encroachment Agreement with The Oaks Senior Living LLC to Allow for Grading and Drainage Placement on Marinwood Open Space Lands	Approve
	4. 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 – March 14, 2023	

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. 2023-02

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 January 10, 2023 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 February 14, 2023 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

MARINWOOD COMMUNITY SERVICES DISTRICT

Sivan Oyserman, President of the Board

ATTEST: _____
Tiffany Combrink, Secretary to the Board

Marinwood Community Services District

Draft Minutes of Board of Directors Meeting
Tuesday – January 10, 2023

Time and Place: 7:30PM 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 Sivan Oyserman, Chris Case, Lisa Ruggeri and Bill Shea.

Staff: District Manager Eric Dreikosen, San Rafael Fire Chief Darin White, Recreation Director Luke Fretwell and Administrative Assistant Tiffany Combrink.

Absent: Director Kathleen Kilkenny

A. Call to Order & Roll Call of Directors

Board President Oyserman called the meeting to order at 7:31pm.

B. Agenda

Agenda adopted as presented.

C. Consent Calendar

- a. *Resolution 2023-01: 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 December 13, 2022 (Remote Meeting)*
- c. *Bills Paid Nos. 6955 – 7021*
Shea to approve/Ruggeri to second “consent calendar as presented.” Aye: Oyserman, Case, Ruggeri, Shea.
Absent: Kilkenny. Motion carried.

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

The Board of Directors received public comment regarding:

- a. Accessibility, playground structures, park parties, dogs in the park

E. District Matters

1. *Appointment of Board Liaisons to Fire Commission and Park & Recreation Commission for Calendar Year 2023*
Board President Oyserman re-appointed Director Case as liaison to the Park & Recreation Commission and Director Kilkenny as liaison to the Fire Commission for Calendar Year 2023
2. *District Manager Report*
Board of Directors received District Manager Report

F. Fire Department Matters:

1. *Appointment of Fire Commissioners for Term Beginning January 1, 2023*
Shea moves to re-appoint /Case to second re-appointment of Thomas Elsbree, Stephen Farac and John Seratt to the Fire Commission for the two-year term expiring December 2024. Aye: Oyserman, Case, Ruggeri, Shea. Absent: Kilkenny. Motion carried.
2. *Chief Officer Report and Activity Summary*
Board of Directors received Chief Officer Report

G. Park and Recreation Matters:

1. *Appointment of Park & Recreation Commissioners for Term Beginning January 1, 2023*
No letters of interest for appointment were received. No Board action taken.
2. *Recreation and Park Maintenance Activity Reports*
Board of Directors received Recreation and Park Maintenance Activity Report

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

- Board President Oyserman requests update on playground improvements, restrooms, audit timing
- Director Case suggests a brainstorming session on appreciating our public servants

Meeting adjourned at 9:12PM

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 February 14, 2023

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
7022	1/2/2023	Chrissy Costello	137.60	Zumba	Rec	5210146	Adult	137.60
7023	1/2/2023	Airgas	305.54	pool chems	Rec	5220710	Pool	305.54
7024	1/2/2023	ASCAP	420.00	2023 ASCAP fee	Rec	5220819	Pool	420.00
7025	1/2/2023	Bay Area Janitorial Force	1,250.00	Janitorial - Jan	Rec	5211110	Building	1,250.00
7026	1/2/2023	C.A.P.F.	472.00	LTD Dec	Fire	5130120	General	236.00
				LTD Jan	Fire	5130120	General	236.00
7027	1/2/2023	Comcast	313.28	Cable - Dec	Fire	5210725	General	149.06
				Cable - Jan	Fire	5210725	General	164.22
7028	1/2/2023	Comcast	293.10	Internet - Dec	Fire	5210725	General	70.78
				Internet - Dec	Rec	5210725	General	70.77
				Internet - Jan	Fire	5210725	General	75.77
				Internet - Jan	Rec	5210725	General	75.78
7029	1/2/2023	DC Electric	299.22	SL maintenance - Nov	Streetlights	5210915	General	299.22
7030	1/2/2023	Got Gophers	275.00	Pest control	Park	5211532	General	275.00
7031	1/2/2023	Landesign	3,075.00	landscape contractor	Park	5211125	General	3,075.00
7032	1/2/2023	Marin Landscape Materials	592.41	Maint facility landscaping	Measure A	5220910	General	592.41
7033	1/2/2023	Mill Valley Refuse Service	426.33	porta potty	Park	5211220	General	426.33
7034	1/2/2023	PG&E	1,704.71	Streetlights - Dec	Streetlights	5210825	General	1,704.71
7035	1/2/2023	Pest Plus	259.00	Pest control	Fire	5220310	General	90.00
					Rec	5220310	General	169.00
7036	1/2/2023	Pet Waste Eliminator	259.80	pet waste bags	Park	5220810	General	259.80
7037	1/2/2023	Pitney Bowes	268.16	Postage meter lease	Rec	5220110	General	160.89
					Park	5220110	General	53.63
					Fire	5220110	General	53.64
7038	1/2/2023	Project A	40.00	email hosting	Fire	5220110	General	20.00
					Rec	5220110	General	20.00
7039	1/10/2023	Ryan Brackett	277.27	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	277.27
7040	1/10/2023	Cesar Correa	277.27	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	277.27
7041	1/10/2023	Sean Day	242.41	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	242.41
7042	1/10/2023	William Kelly	277.27	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	277.27
7043	1/10/2023	John Papanikolaou	259.07	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	259.07
7044	1/10/2023	Brandon Selvitella	253.96	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	253.96
7045	1/10/2023	Brian Smith	148.05	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	148.05
7046	1/10/2023	Jeff Smith	247.24	Q2 FY22/23 AFLAC reimb	Fire	5130120	General	247.24
7047	1/10/2023	Safari Encounters	515.00	Preschool enrichment	Rec	5220819	Preschool	515.00
7048	1/10/2023	Lucas Fretwell	87.18	chest waders	Park	5220310	General	87.18
7049	1/10/2023	Buck's Saw Service	172.45	Equipment maintenance	Park	5220210	General	172.45
7050	1/10/2023	Grainger	142.59	flags	Fire	5220810	General	142.59
7051	1/10/2023	Home Depot	53.48	supplies	Park	5220310	General	53.48
7052	1/10/2023	Landscapes Unlimited Nurse	827.27	Maint facility landscaping	Measure A	5220310	General	827.27
7053	1/10/2023	Marin Professional Firefighte	840.00	Jan dues	Fire	5211330	General	840.00
7054	1/11/2023	Robyn Bruton	98.60	preschool supplies	Rec	5220819	Preschool	98.60
7055	1/11/2023	City of San Rafael	168.35	D-space inspections July-De	MWPA	5820100	General	168.35
7056	1/11/2023	City of San Rafael	66,855.38	Chief services Q1/Q2	Fire	5210146	General	53,152.10
				SSA OT, Q1/Q2	Fire	5120110	General	13,703.28
7057	1/11/2023	Marinwood CSD	79,513.53	Fire salaries	Fire	5110110	General	31,138.24
				Fire OT	Fire	5120110	General	13,636.08
				Acting Pay	Fire	5110310	General	46.80
				Holiday Pay	Fire	5110313	General	6,672.48
				Admin Asst	Fire	5110110	Admin	1,008.00
				Admin Mgr	Fire	5110110	Admin	2,884.80
				Admin Asst	Rec	5110110	Admin	1,008.00
				Admin Asst	Park	5110110	Admin	504.00
				Admin Mgr	Rec	5110110	Admin	1,442.40
				Admin Mgr	Park	5110110	Admin	1,442.40
				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	126.00
				Building attendants	Rec	5110210	Building	108.50
				Summer	Rec	5110210	Summer	432.00
				Preschool	Rec	5110210	Preschool	2,468.00
				Afterschool	Rec	5110210	Afterschool	661.50
				Youth	Rec	5110210	Youth	100.75
				PR fees	Fire	5210230	General	172.35
				PR fees	Rec	5210230	General	56.78
				PR fees	Park	5210230	General	21.62
				SS + Medicare	Fire	5140140	General	4,212.34
				SS + Medicare	Rec	5140140	General	1,336.81
				SS + Medicare	Park	5140140	General	551.02
				EDU + SUI	Fire	5140145	General	754.76
				EDU + SUI	Rec	5140145	General	341.85
				EDU + SUI	Park	5140145	General	115.28

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
				Benefits withholding	Park	2120066	General	-1,060.29
				Benefits withholding	Rec	2120066	General	-1,134.19
				Benefits withholding	Fire	2120066	General	-5,930.75
7058	1/11/2023	Marinwood CSD	15,009.22	Retire 01/13/23	Park	5130510	General	1,537.90
					Rec	5130510	General	1,731.19
					Fire	5130510	General	11,740.13
7059	1/18/2023	US Bank Corp Pmt Svcs	18,078.70	online meeting subscription,	Fire	5211325	General	93.54
				business envelopes	Fire	5220110	General	29.30
				supplies, storage room lighti	Fire	5220810	General	402.45
				Maint facility landscaping	Measure A	5220910	General	692.96
				online meeting subscription	Park	5211325	General	13.75
				business envelopes	Park	5220110	General	14.65
				gas cans	Park	5220310	General	122.41
				crafts, snacks, supplies	Rec	5220819	Afterschool	1,046.52
				job postings	Rec	5210122	General	870.00
				online meeting subscription	Rec	5211325	General	43.73
				office supplies, business env	Rec	5220110	General	451.15
				supplies	Rec	5220819	General	40.70
				janitorial supplies	Rec	5220827	Building	24.19
				pool equip/power supply for c	Rec	5220215	Pool	4,807.58
				supplies	Rec	5220819	Preschool	155.94
				E58 repair parts	Fire	5220210	General	145.84
				online meeting subscription,	Fire	5211325	General	169.10
				wreaths for fire engines, sup	Fire	5220810	General	153.73
				Maint facility landscaping	Measure A	5220827	General	628.19
				kawasaki repair	Park	5210910	General	482.72
				online meeting subscription	Park	5211325	General	13.75
				gas cans	Park	5220310	General	65.80
				shop bins, gloves	Park	5220310	General	317.36
				lawn mower belt, light bulbs	Park	5220310	General	121.43
				crafts, snacks, supplies	Rec	5220819	Afterschool	850.92
				TP dispensers	Rec	5220827	Building	150.51
				event supplies	Rec	5210122	Community	458.14
				xmas lights, supplies	Rec	5220819	Community	2,562.77
				subscription, CPR website	Rec	5210122	General	132.46
				online meeting subscription,	Rec	5211325	General	437.56
				subscriptions, office softwar	Rec	5220110	General	827.80
				job postings	Rec	5210122	General	195.00
				supplies, snacks	Rec	5220819	Preschool	185.32
				supplies, snacks	Rec	5220819	Youth	1,120.37
				staff meeting supplies	Park	5211325	General	251.06
7060	1/18/2023	CalPERS	8,333.00	CERBT - Jan	Park	5130130	General	2,583.00
					Rec	5130130	General	583.00
					Fire	5130130	General	5,167.00
7061	1/18/2023	Costco	180.00	membership	Rec	5220110	General	180.00
7062	1/18/2023	Marin Sanitary Service	2,178.82	Garbage - Dec	Park	5210815	General	1,525.17
					Rec	5210815	General	435.76
					Fire	5210815	General	217.89
7063	1/18/2023	S&S Worldwide	65.35	supplies	Rec	5220819	Afterschool	65.35
7064	1/18/2023	SiteOne	147.57	irrigation maintenance	Park	5220310	General	147.57
7065	1/18/2023	SolEd Solar	601.96	Solar - Dec	Rec	5210810	General	440.45
					Fire	5210810	General	161.51
7066	1/18/2023	Sprint	177.68	cell phones	Fire	5210725	General	177.68
7067	1/19/2023	Delta Dental	2,022.00	Dental - Feb	Fire	5130120	General	1,194.20
					Park	5130120	General	399.54
					Rec	5130120	General	428.26
7068	1/19/2023	Marin County Haz Materials	1,785.00	FY22/23 Hazmat dues	Fire	5211610	General	1,785.00
7069	1/19/2023	Marinwood CSD	48,033.48	Health Ins - Feb	Park	5130120	General	10,359.29
					Rec	5130120	General	7,720.71
					Fire	5130120	General	29,953.48
7070	1/19/2023	SDRMA	214.53	Life ins - Feb	Fire	5130120	General	71.42
					Park	5130120	General	69.93
					Rec	5130120	General	73.18
7071	1/19/2023	Marin Ace	109.26	pool maint	Rec	5220215	Pool	21.83
				park supplies	Park	5220310	General	54.72
				fire supplies	Fire	5220810	General	82.89
				pool maint	Rec	5220215	Pool	-50.18
7072	1/19/2023	TIAA	692.38	copier lease	Rec	5220130	General	450.05
					Fire	5220130	General	173.10
					Park	5220130	General	69.23
7073	1/19/2023	Transbay Security	35.45	keys	Rec	5220310	General	35.45
7074	1/19/2023	Willscot	799.18	Mobile office - Jan	Park	5220310	General	799.18
7075	1/20/2023	Allstar Fire Equip	108.91	duo safety rope, 1/2 replac	Fire	5220210	General	108.91
7076	1/20/2023	AT&T	325.60	Phones - Dec	Fire	5210725	General	156.28
					Park	5210725	General	25.53
					Rec	5210725	General	143.79
7077	1/20/2023	Marin Municipal Water Distri	4,006.25	Water Nov/Dec	Fire	5210835	General	420.00
					Rec	5210835	General	413.51
					Park	5210835	General	3,172.74
7078	1/26/2023	Michelle Morrone	96.00	refund youth programs	Rec	4631922	Youth	96.00

NO.	DATE	VENDOR	TOTAL CLAIM	PURPOSE	Class	GL Account	Job	AMOUNT
7079	1/26/2023	Marinwood CSD	74,544.09	Fire salaries	Fire	5110110	General	30,686.45
				Fire OT	Fire	5120110	General	8,904.91
				FLSA	Fire	5110319	General	1,084.24
				Acting Pay	Fire	5110310	General	5.80
				Holiday Pay	Fire	5110313	General	2,944.80
				Admin Asst	Fire	5110110	Admin	1,008.00
				Admin Mgr	Fire	5110110	Admin	2,884.80
				Admin Asst	Rec	5110110	Admin	1,008.00
				Admin Asst	Park	5110110	Admin	504.00
				Admin Mgr	Rec	5110110	Admin	1,442.40
				Admin Mgr	Park	5110110	Admin	1,442.40
				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	234.00
				Building attendants	Rec	5110210	Building	186.00
				Preschool	Rec	5110210	Preschool	5,295.00
				Afterschool	Rec	5110210	Afterschool	1,741.50
				PR fees	Fire	5210230	General	156.48
				PR fees	Rec	5210230	General	73.74
				PR fees	Park	5210230	General	23.58
				SS + Medicare	Fire	5140140	General	3,610.50
				SS + Medicare	Rec	5140140	General	1,600.86
				SS + Medicare	Park	5140140	General	559.27
				EDU + SUI	Fire	5140145	General	141.24
				EDU + SUI	Rec	5140145	General	313.07
				EDU + SUI	Park	5140145	General	116.95
				Benefits withholding	Park	2120066	General	-1,060.29
				Benefits withholding	Rec	2120066	General	-1,134.19
				Benefits withholding	Fire	2120066	General	-5,625.42
7080	1/26/2023	Marinwood CSD	13,557.70	Retire 01/27/23	Park	5130510	General	1,537.90
					Rec	5130510	General	1,731.19
					Fire	5130510	General	10,288.61
7081	1/26/2023	Mill Valley Refuse Service	482.16	porta potty	Park	5211220	General	482.16
7082	1/26/2023	Pet Waste Eliminator	259.80	pet waste bags	Park	5220810	General	259.80
7083	1/26/2023	Pitney Bowes	55.19	postage ink	Rec	5220110	General	55.19
7084	1/26/2023	PG&E	2,450.55	Gas - Dec	Rec	5210810	General	1,261.95
					Fire	5210810	General	1,188.60
7085	1/26/2023	PG&E	1,092.34	Electric - Dec	Rec	5210810	General	399.89
					Fire	5210810	General	413.95
					Park	5210810	General	278.50
7086	1/26/2023	Rent-A-Fence	222.87	Fence rental - Jan	Park	5211220	General	222.87
7087	1/26/2023	SiteOne	214.25	irrigation maintenance	Park	5220310	General	214.25
TOTAL:			357,526.81					357,526.81

Total by Department:

Streetlights	2,003.93
Fire Department	235,607.49
Recreation Department	67,449.51
Park Department	49,556.70
Measure A	2,740.83
MWPA	168.35
Capital	0.00



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: February 14, 2023
Re: FY 22/23 1st & 2nd Quarter P&L Statement

Directors,

Please see the included P&L statement detailing District revenues and expenditures through the first two quarters of FY 22/23 and the accompanying variance summary notes.

The P&L statement details actual performance versus budgeted projections as of 12/31/2022. The summary notes are intended to provide further information regarding select general ledger (GL) account balances. It is important to note that under the Governmental Accounting Standards Board (GASB), the District follows a *modified accrual* accounting basis. While we may be at the halfway point of the year, that does not mean the majority of GL accounts should be at 50% of their total amount budgeted as would more typically be the case under a *full accrual* accounting basis.

As of 12/31/2022, the District received the first installment of ad valorem property taxes and special assessment revenue. The primary ad valorem tax revenue is derived from Current Secured property taxes and the District typically receives 55% of the anticipated annual total with the December allocations. Given the amount received, the District is slightly ahead of budgeted projections and should end the year with higher total tax revenue than budgeted. In total, the District has received \$1.286 million in net ad valorem property taxes and over \$933K in net special assessments thus far.

As of December 31, 2022, the total cash balance in the District's Treasury Fund was stated at \$6.119 million. Of this total, \$500K are held as Board Designated Reserves and approximately \$96K is designated for MWPA expenditures. Taking these funds into account, the net cash balance as of 12/31/22 was \$5.523 million (an increase of approximately \$946K over the same point in time last fiscal year).

It is important to note that this is simply a reflection of cash flow. While it does represent a continued positive financial trend and net revenue gains continue to grow, Unfunded Accrued Liabilities continue to grow, required annual pension UAL cash payments are forecast to increase at greater rates and the need for future capital expenditures are also anticipated.

As of December 31, 2021 (quarter end) the District's OPEB Trust Fund had a stated balance of \$516,733.

Looking forward, Q3 is typically the period when the District opens recreation program registration, which represent a significant cash inlay. Additionally, in January the District received the first payment towards our agreement with the County to provide fire protection services to CSA 13, representing 50% of the total revenue with the remaining balance to be received in April (25%) and June (25%) in accordance with the agreement.

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	TOTAL		
	Jul - Dec 22	Budget	% of Budget
Revenue			
4110110 · PropTax - Current Secured	1,087,219.59	1,880,000.00	57.83%
4110111 · PropTax - Admin Fee (Contra)	-12,745.24	-25,000.00	50.98%
4110115 · PropTax - Unitary	0.00	10,000.00	0.0%
4110120 · PropTax - Current Unsecured	30,155.37	30,000.00	100.52%
4110140 · ERAF - Excess	138,828.74	185,000.00	75.04%
4110145 · ERAF - PY/Reverse	26,760.67	13,500.00	198.23%
4110210 · PropTax - Supplemental Current	10,516.24	36,000.00	29.21%
4110215 · PropTax - Supplemental Unsecure	937.73	500.00	187.55%
4110225 · PropTax - Supplemental Redempt	1,275.03	1,000.00	127.5%
4110510 · PropTax - Prior Unsecured	1,739.30	1,000.00	173.93%
4120610 · Special Tax Assessment	936,336.14	1,700,629.00	55.06%
4120611 · Special Tax- Admin Fee (contra)	-2,683.50	-4,900.00	54.77%
4220115 · Building Plan Review	8,764.00	7,500.00	116.85%
4410125 · Interest- Co. Pooled Investment	3,105.00	5,000.00	62.1%
4410127 · Interest- ERAF Co. Pooled	11.54	100.00	11.54%
4410215 · Rental Income - Pool & Picnic	17,338.29	25,000.00	69.35%
4410225 · Rental Income - Community Ctr	1,860.36	0.00	100.0%
4511210 · HOPTR	1,115.93	7,500.00	14.88%
4530527 · Grant Rev - Designated	0.00	177,952.00	0.0%
4570110 · Expense Reimbursements	0.00	500.00	0.0%
4631145 · Service Contract Revenue	104,978.00	100,214.00	104.75%
4631911 · Advertising Sales	1,478.95	5,000.00	29.58%
4631912 · Vending Sales	18,471.77	18,000.00	102.62%
4631914 · Community Events	15,457.26	16,040.00	96.37%
4631915 · Tennis	35,801.56	82,500.00	43.4%
4631917 · Pool Operating Rev	143,753.76	205,000.00	70.12%
4631918 · Pool Memberships	46,071.17	60,000.00	76.79%
4631919 · Adult Rec Programs	2,742.16	12,690.00	21.61%
4631920 · Summer Rec Programs	737,876.63	1,133,095.00	65.12%
4631922 · Youth Rec Programs	119,626.71	204,631.00	58.46%
4640321 · CSA 13 Contract Rev	0.00	661,110.00	0.0%
4710615 · Donations (General)	14,705.00	1,000.00	1,470.5%
4710631 · Paramedic Reimbursement	0.00	34,000.00	0.0%
4710642 · Miscellaneous Rev	1,232.96	900.00	137.0%
Total Revenue	3,492,731.12	6,585,461.00	53.04%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	TOTAL		
	Jul - Dec 22	Budget	% of Budget
Expenditures			
5110110 · Salaries - Regular Staff	782,325.43	1,562,627.00	50.07%
5110210 · Salaries - PT/Seasonal/Temp	650,495.20	809,578.00	80.35%
5110310 · Acting Pay	2,972.15	10,000.00	29.72%
5110313 · Holiday Pay	13,555.92	40,470.00	33.5%
5110319 · FLSA Pay	5,583.92	24,037.00	23.23%
5120110 · Overtime Pay	185,957.82	150,500.00	123.56%
5130120 · Benefits - Group Medical	317,931.70	630,598.00	50.42%
5130130 · OPEB Trust Contribution	49,998.00	100,000.00	50.0%
5130510 · PERS - Pension	617,333.43	749,641.00	82.35%
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	119,306.08	198,220.00	60.19%
5140145 · Unemployment Ins.	9,156.17	20,805.00	44.01%
5210120 · Consultant Fees	1,750.00	13,200.00	13.26%
5210122 · Marketing	14,588.20	38,400.00	37.99%
5210128 · Fingerprinting/Background	1,049.00	7,000.00	14.99%
5210131 · Legal Services	868.00	17,000.00	5.11%
5210146 · Indep. Contractor Fees	90,570.13	231,699.00	39.09%
5210210 · Audit & Accounting	0.00	14,000.00	0.0%
5210230 · Payroll Service Fees	5,804.45	11,150.00	52.06%
5210525 · Insurance - General	57,045.52	57,825.00	98.65%
5210725 · Telecom - Phone/Internet/Cable	4,563.32	10,990.00	41.52%
5210810 · Utilities - Gas & Electric	26,634.32	55,500.00	47.99%
5210815 · Garbage Removal	18,990.16	35,260.00	53.86%
5210825 · Utilities - Street Light Elec.	10,187.76	19,500.00	52.25%
5210835 · Utilities - Water & Sewer	36,130.03	44,500.00	81.19%
5210910 · Maint. - Vehicles	15,558.28	18,000.00	86.44%
5210915 · Maint. - Streetlights	1,790.36	4,125.00	43.4%
5210920 · MERA Operating	23,958.00	24,046.00	99.63%
5210940 · Maint. - Park Heavy Equipment	1,753.81	3,500.00	50.11%
5211110 · Janitorial Services	8,450.00	18,000.00	46.94%
5211125 · Community Landscape Contract	15,375.00	38,500.00	39.94%
5211140 · Vegetation Management	0.00	10,000.00	0.0%
5211220 · Equipment Rental	6,219.57	8,000.00	77.75%
5211310 · Awards & Incentives	0.00	2,000.00	0.0%
5211315 · Professional Development	4,359.20	24,000.00	18.16%
5211325 · Conferences & Meetings	1,706.69	6,600.00	25.86%
5211330 · Memberships & Dues	10,642.10	11,450.00	92.94%
5211440 · Travel	145.00	3,300.00	4.39%
5211520 · Publications & Legal Notices	140.18	900.00	15.58%
5211528 · Tree Maint. & Services	9,000.00	18,000.00	50.0%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	TOTAL		
	Jul - Dec 22	Budget	% of Budget
5211532 · Weed & Pest Control	1,650.00	3,900.00	42.31%
5211610 · County-Wide Fees	5,346.40	13,950.00	38.33%
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	7,246.52	22,200.00	32.64%
5220130 · Copier Lease & Printing	4,077.20	9,455.00	43.12%
5220210 · Equip. Maintenance/Replacement*	11,150.28	30,100.00	37.04%
5220215 · Pool Maintenance	2,041.48	15,000.00	13.61%
5220220 · Small Tools	99.36	2,500.00	3.97%
5220310 · Land & Buildings Maintenance	30,899.01	63,000.00	49.05%
5220610 · Gasoline/Fuel	2,718.95	3,000.00	90.63%
5220710 · Pool Chemicals	8,892.62	12,000.00	74.11%
5220810 · Miscellaneous Supplies	1,288.69	21,500.00	5.99%
5220819 · Rec Program Supplies & Services	113,514.44	214,500.00	52.92%
5220825 · Uniforms & Apparel	2,831.25	15,000.00	18.88%
5220826 · Vending Supplies	15,389.65	12,000.00	128.25%
5220827 · Janitorial Supplies	5,374.66	14,500.00	37.07%
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	3,550,920.34	6,171,346.00	57.54%
Net Gain/Loss	-58,189.22	414,115.00	-14.05%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Park Dept		
	Jul - Dec 22	Budget	% of Budget
Ordinary Income/Expense			
Income			
4110110 · PropTax - Current Secured	475,114.96	821,560.00	57.83%
4110111 · PropTax - Admin Fee (Contra)	-5,569.67	-10,925.00	50.98%
4110115 · PropTax - Unitary	0.00	4,370.00	0.0%
4110120 · PropTax - Current Unsecured	13,177.89	13,110.00	100.52%
4110140 · ERAF - Excess	60,668.16	80,845.00	75.04%
4110145 · ERAF - PY/Reverse	11,694.42	5,899.00	198.24%
4110210 · PropTax - Supplemental Current	4,595.60	15,732.00	29.21%
4110215 · PropTax - Supplemental Unsecure	409.78	218.00	187.97%
4110225 · PropTax - Supplemental Redempt	557.18	437.00	127.5%
4110510 · PropTax - Prior Unsecured	760.08	437.00	173.93%
4120610 · Special Tax Assessment	230,282.58	418,484.00	55.03%
4120611 · Special Tax- Admin Fee (contra)	-660.14	-1,200.00	55.01%
4410125 · Interest- Co. Pooled Investment	1,356.88	2,185.00	62.1%
4410127 · Interest- ERAF Co. Pooled	5.04	100.00	5.04%
4511210 · HOPTR	487.66	3,277.00	14.88%
4530527 · Grant Rev - Designated	0.00	177,952.00	0.0%
4710615 · Donations (General)	14,705.00		
4710642 · Miscellaneous Rev	0.00	150.00	0.0%
Total Income	807,585.42	1,532,631.00	52.69%
Gross Profit	807,585.42	1,532,631.00	52.69%
Expense			
5110110 · Salaries - Regular Staff	136,602.24	254,929.00	53.58%
5110210 · Salaries - PT/Seasonal/Temp	7,006.50	7,200.00	97.31%
5120110 · Overtime Pay	0.00	500.00	0.0%
5130120 · Benefits - Group Medical	71,484.02	158,312.00	45.15%
5130130 · OPEB Trust Contribution	15,498.00	31,000.00	49.99%
5130510 · PERS - Pension	50,412.35	62,449.00	80.73%
5140115 · Workers Comp Ins.	17,900.01	27,695.00	64.63%
5140140 · Social Security & Medicare	7,799.46	20,091.00	38.82%
5140145 · Unemployment Ins.	96.75	765.00	12.65%
5210120 · Consultant Fees	350.00	6,675.00	5.24%
5210122 · Marketing	108.00	1,300.00	8.31%
5210131 · Legal Services	868.00	5,000.00	17.36%
5210210 · Audit & Accounting	0.00	3,500.00	0.0%
5210230 · Payroll Service Fees	344.61	750.00	45.95%
5210525 · Insurance - General	18,610.44	18,810.00	98.94%
5210725 · Telecom - Phone/Internet/Cable	650.06	2,300.00	28.26%
5210810 · Utilities - Gas & Electric	494.42	4,000.00	12.36%
5210815 · Garbage Removal	13,798.27	25,800.00	53.48%
5210835 · Utilities - Water & Sewer	18,103.14	21,500.00	84.2%
5210910 · Maint. - Vehicles	204.11	2,000.00	10.21%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Park Dept		
	Jul - Dec 22	Budget	% of Budget
5210920 · MERA Operating	2,395.00	2,405.00	99.58%
5210940 · Maint. - Park Heavy Equipment	1,753.81	3,500.00	50.11%
5211125 · Community Landscape Contract	15,375.00	38,500.00	39.94%
5211220 · Equipment Rental	6,219.57	8,000.00	77.75%
5211315 · Professional Development	713.00	2,000.00	35.65%
5211325 · Conferences & Meetings	138.97	1,200.00	11.58%
5211330 · Memberships & Dues	2,202.50	2,650.00	83.11%
5211440 · Travel	145.00	800.00	18.13%
5211528 · Tree Maint. & Services	9,000.00	18,000.00	50.0%
5211532 · Weed & Pest Control	1,650.00	3,900.00	42.31%
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	407.71	765.00	53.3%
5220210 · Equip. Maintenance/Replacement*	1,890.11	10,500.00	18.0%
5220220 · Small Tools	99.36	2,000.00	4.97%
5220310 · Land & Buildings Maintenance	23,889.01	39,500.00	60.48%
5220610 · Gasoline/Fuel	2,420.45	2,500.00	96.82%
5220810 · Miscellaneous Supplies	518.40	2,000.00	25.92%
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 Expense	503,737.53	1,141,266.00	44.14%
Net Ordinary Income	303,847.89	391,365.00	77.64%
Net Income	303,847.89	391,365.00	77.64%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Recreation Dept		
	Jul - Dec 22	Budget	% of Budget
Ordinary Income/Expense			
Income			
4110110 · PropTax - Current Secured	183,740.11	317,720.00	57.83%
4110111 · PropTax - Admin Fee (Contra)	-2,153.95	-4,225.00	50.98%
4110115 · PropTax - Unitary	0.00	1,690.00	0.0%
4110120 · PropTax - Current Unsecured	5,096.26	5,070.00	100.52%
4110140 · ERAF - Excess	23,462.06	31,265.00	75.04%
4110145 · ERAF - PY/Reverse	4,522.55	2,282.00	198.18%
4110210 · PropTax - Supplemental Current	1,777.24	6,084.00	29.21%
4110215 · PropTax - Supplemental Unsecure	158.48	85.00	186.45%
4110225 · PropTax - Supplemental Redempt	215.48	169.00	127.5%
4110510 · PropTax - Prior Unsecured	293.94	169.00	173.93%
4410125 · Interest- Co. Pooled Investment	524.75	845.00	62.1%
4410127 · Interest- ERAF Co. Pooled	1.95		
4410215 · Rental Income - Pool & Picnic	17,338.29	25,000.00	69.35%
4410225 · Rental Income - Community Ctr	1,860.36		
4511210 · HOPTR	188.59	1,268.00	14.87%
4570110 · Expense Reimbursements	0.00	500.00	0.0%
4631911 · Advertising Sales	1,478.95	5,000.00	29.58%
4631912 · Vending Sales	18,471.77	18,000.00	102.62%
4631914 · Community Events	15,457.26	16,040.00	96.37%
4631915 · Tennis	35,801.56	82,500.00	43.4%
4631917 · Pool Operating Rev	143,753.76	205,000.00	70.12%
4631918 · Pool Memberships	46,071.17	60,000.00	76.79%
4631919 · Adult Rec Programs	2,742.16	12,690.00	21.61%
4631920 · Summer Rec Programs	737,876.63	1,133,095.00	65.12%
4631922 · Youth Rec Programs	119,626.71	204,631.00	58.46%
4710615 · Donations (General)	0.00	1,000.00	0.0%
4710642 · Miscellaneous Rev	1,067.06	250.00	426.82%
Total Income	1,359,373.14	2,126,128.00	63.94%
Gross Profit	1,359,373.14	2,126,128.00	63.94%
Expense			
5110110 · Salaries - Regular Staff	155,567.16	329,988.00	47.14%
5110210 · Salaries - PT/Seasonal/Temp	643,488.70	802,378.00	80.2%
5130120 · Benefits - Group Medical	52,793.99	107,315.00	49.2%
5130130 · OPEB Trust Contribution	3,498.00	7,000.00	49.97%
5130510 · PERS - Pension	64,456.92	80,132.00	80.44%
5140115 · Workers Comp Ins.	23,691.19	36,630.00	64.68%
5140140 · Social Security & Medicare	64,368.90	86,159.00	74.71%
5140145 · Unemployment Ins.	9,059.42	18,500.00	48.97%
5210120 · Consultant Fees	350.00	2,175.00	16.09%
5210122 · Marketing	14,122.20	36,200.00	39.01%
5210128 · Fingerprinting/Background	1,049.00	6,500.00	16.14%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Recreation Dept		
	Jul - Dec 22	Budget	% of Budget
5210131 · Legal Services	0.00	2,000.00	0.0%
5210146 · Indep. Contractor Fees	90,570.13	124,342.00	72.84%
5210210 · Audit & Accounting	0.00	3,500.00	0.0%
5210230 · Payroll Service Fees	3,128.87	5,000.00	62.58%
5210525 · Insurance - General	17,639.14	17,705.00	99.63%
5210725 · Telecom - Phone/Internet/Cable	1,091.75	2,440.00	44.74%
5210810 · Utilities - Gas & Electric	20,854.00	40,000.00	52.14%
5210815 · Garbage Removal	3,430.60	6,300.00	54.45%
5210835 · Utilities - Water & Sewer	12,465.73	15,500.00	80.42%
5211110 · Janitorial Services	8,450.00	18,000.00	46.94%
5211315 · Professional Development	2,519.63	12,000.00	21.0%
5211325 · Conferences & Meetings	1,364.15	4,050.00	33.68%
5211330 · Memberships & Dues	2,712.50	3,900.00	69.55%
5211440 · Travel	0.00	1,500.00	0.0%
5211520 · Publications & Legal Notices	0.00	500.00	0.0%
5211610 · County-Wide Fees	1,250.76	2,375.00	52.66%
5220110 · Admin & Office Supplies	6,003.74	14,500.00	41.41%
5220130 · Copier Lease & Printing	2,650.18	6,775.00	39.12%
5220215 · Pool Maintenance	2,041.48	15,000.00	13.61%
5220310 · Land & Buildings Maintenance	3,173.19	16,000.00	19.83%
5220710 · Pool Chemicals	8,892.62	12,000.00	74.11%
5220819 · Rec Program Supplies & Services	113,514.44	214,500.00	52.92%
5220825 · Uniforms & Apparel	2,621.25	6,000.00	43.69%
5220826 · Vending Supplies	15,389.65	12,000.00	128.25%
5220827 · Janitorial Supplies	4,957.11	12,500.00	39.66%
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 Expense	1,357,166.40	2,114,864.00	64.17%
Net Ordinary Income	2,206.74	11,264.00	19.59%
Net Income	2,206.74	11,264.00	19.59%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Fire Dept		
	Jul - Dec 22	Budget	% of Budget
Ordinary Income/Expense			
Income			
4110110 · PropTax - Current Secured	428,364.52	740,720.00	57.83%
4110111 · PropTax - Admin Fee (Contra)	-5,021.62	-9,850.00	50.98%
4110115 · PropTax - Unitary	0.00	3,940.00	0.0%
4110120 · PropTax - Current Unsecured	11,881.22	11,820.00	100.52%
4110140 · ERAF - Excess	54,698.52	72,890.00	75.04%
4110145 · ERAF - PY/Reverse	10,543.70	5,319.00	198.23%
4110210 · PropTax - Supplemental Current	4,143.40	14,184.00	29.21%
4110215 · PropTax - Supplemental Unsecure	369.47	197.00	187.55%
4110225 · PropTax - Supplemental Redempt	502.37	394.00	127.51%
4110510 · PropTax - Prior Unsecured	685.28	394.00	173.93%
4120610 · Special Tax Assessment	692,729.81	1,257,920.00	55.07%
4120611 · Special Tax- Admin Fee (contra)	-1,985.79	-3,600.00	55.16%
4220115 · Building Plan Review	8,764.00	7,500.00	116.85%
4410125 · Interest- Co. Pooled Investment	1,223.37	1,970.00	62.1%
4410127 · Interest- ERAF Co. Pooled	4.55		
4511210 · HOPTR	439.68	2,955.00	14.88%
4631145 · Service Contract Revenue	104,978.00	100,214.00	104.75%
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 Income	<u>1,312,486.38</u>	<u>2,902,577.00</u>	<u>45.22%</u>
Gross Profit	1,312,486.38	2,902,577.00	45.22%
Expense			
5110110 · Salaries - Regular Staff	490,156.03	977,710.00	50.13%
5110310 · Acting Pay	2,972.15	10,000.00	29.72%
5110313 · Holiday Pay	13,555.92	40,470.00	33.5%
5110319 · FLSA Pay	5,583.92	24,037.00	23.23%
5120110 · Overtime Pay	185,957.82	150,000.00	123.97%
5130120 · Benefits - Group Medical	193,653.69	364,971.00	53.06%
5130130 · OPEB Trust Contribution	31,002.00	62,000.00	50.0%
5130510 · PERS - Pension	502,464.16	607,060.00	82.77%
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	47,137.72	91,970.00	51.25%
5140145 · Unemployment Ins.	0.00	1,540.00	0.0%
5210120 · Consultant Fees	1,050.00	4,350.00	24.14%
5210122 · Marketing	358.00	900.00	39.78%
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%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Fire Dept		
	Jul - Dec 22	Budget	% of Budget
5210210 · Audit & Accounting	0.00	7,000.00	0.0%
5210230 · Payroll Service Fees	2,330.97	5,400.00	43.17%
5210525 · Insurance - General	20,795.94	21,310.00	97.59%
5210725 · Telecom - Phone/Internet/Cable	2,821.51	6,250.00	45.14%
5210810 · Utilities - Gas & Electric	5,285.90	11,500.00	45.96%
5210815 · Garbage Removal	1,761.29	3,160.00	55.74%
5210835 · Utilities - Water & Sewer	5,561.16	7,500.00	74.15%
5210910 · Maint. - Vehicles	15,354.17	16,000.00	95.96%
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	1,126.57	10,000.00	11.27%
5211325 · Conferences & Meetings	203.57	1,350.00	15.08%
5211330 · Memberships & Dues	5,727.10	4,900.00	116.88%
5211440 · Travel	0.00	1,000.00	0.0%
5211520 · Publications & Legal Notices	140.18	400.00	35.05%
5211610 · County-Wide Fees	2,784.88	10,200.00	27.3%
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	1,119.76	5,700.00	19.65%
5220130 · Copier Lease & Printing	1,019.31	1,915.00	53.23%
5220210 · Equip. Maintenance/Replacement*	9,260.17	19,600.00	47.25%
5220220 · Small Tools	0.00	500.00	0.0%
5220310 · Land & Buildings Maintenance	3,836.81	7,500.00	51.16%
5220610 · Gasoline/Fuel	298.50	500.00	59.7%
5220810 · Miscellaneous Supplies	770.29	19,500.00	3.95%
5220825 · Uniforms & Apparel	210.00	8,500.00	2.47%
5220827 · Janitorial Supplies	417.55	1,000.00	41.76%
5220830 · Volunteer Fire Department	0.00	10,000.00	0.0%
5220920 · Capital Reserves Designation	0.00	80,000.00	0.0%
Total Expense	1,677,538.29	2,891,091.00	58.02%
Net Ordinary Income	-365,051.91	11,486.00	-3,178.23%
Net Income	-365,051.91	11,486.00	-3,178.23%

Marinwood Community Services District
Profit & Loss Budget vs. Actual
FY 2022/2023: Quarter 2

	Streetlights		
	<u>Jul - Dec 22</u>	<u>Budget</u>	<u>% of Budget</u>
Ordinary Income/Expense			
Income			
4120610 · Special Tax Assessment	13,323.75	24,225.00	55.0%
4120611 · Special Tax- Admin Fee (contra)	-37.57	-100.00	37.57%
Total Income	<u>13,286.18</u>	<u>24,125.00</u>	<u>55.07%</u>
Gross Profit	13,286.18	24,125.00	55.07%
Expense			
5210825 · Utilities - Street Light Elec.	10,187.76	19,500.00	52.25%
5210915 · Maint. - Streetlights	1,790.36	4,125.00	43.4%
5211610 · County-Wide Fees	500.00	500.00	100.0%
Total Expense	<u>12,478.12</u>	<u>24,125.00</u>	<u>51.72%</u>
Net Ordinary Income	<u>808.06</u>	<u>0.00</u>	<u>100.0%</u>
Net Income	<u><u>808.06</u></u>	<u><u>0.00</u></u>	<u><u>100.0%</u></u>

Marinwood Community Services District
Fiscal Year 2022-23 2nd 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 January payments (7 months)</i>
5130510	PERS - Pension	<i>Includes lump-sum payment for entirety of Unfunded Accrued Liabilities for 22/23</i>
5210120	Consultant Fees	<i>PERS GASB 68 fees only. Pension/OPEB actuarial & Geotech Conting (Park) outstanding</i>
5210835	Util-Water/Sewer	<i>Includes annual sewer fees of \$14.1K</i>
5211610	County-Wide Fees	<i>Awaiting invoicing for several budgeted fees.</i>

PARK DEPT:

4710615	Donations	<i>Received for play structure replacement project (Kelly's Wishes, Pam Case Memorium)</i>
5110210	Salaries - PT/Seasonal	<i>Seasonal</i>
5211220	Equipment Rental	<i>Excavator and specialized aerator rentals</i>
5220610	Gasoline/Fuel	<i>Reflects significant increase in fuel costs</i>

RECREATION:

5110210	PT/Seasonal/Temp	<i>Seasonal Impact of summer staffing</i>
5210146	Rec Program Contract	<i>Includes tennis and contracted sports programs as well as specialty classes</i>
5220710	Pool Chemicals	<i>Reflects rising chemical costs and higher than anticipated pool usage during season</i>

FIRE DEPT:

4640321	CSA 13 Contract Rev	<i>Rec'd \$353,319 in January (50% of total contract)</i>
4710631	Paramedic Reimb.	<i>Billed \$16,684 in January for Q1-Q2 medic reimbursement via shared services</i>
5120110	Overtime Pay	<i>Portion due injury leave & vacant position. \$12K to be reimbursed for Q1-Q2 shared services</i>
5210146	Indep. Contractor	<i>Invoiced \$53,152 in January for Q1-Q2 Chief Services</i>
5210910	Maint. - Vehicles	<i>Unusually large maintenance & service needs for both fire engines</i>
5211330	Memberships & Dues	<i>Over due to timing of union dues payments and employee withholding transfers</i>

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.

Creek Bank Failure:

At some point after the string of large storms that occurred in January had passed, the high and swift waters of Miller Creek eventually caused a significant failure of the creek bank located in the general area behind the pool pumphouse. Initial investigation revealed the creek waters undercut a large oak tree located on the bank causing it to shift downslope thus impacting the surrounding hillside to become unstable and slide down towards the creek. Unfortunately, the impacted area extends within 4-5 feet of the pool pumphouse. While the pumphouse is not currently damaged and remains fully functional, it is now at high risk of becoming compromised should additional earth movement occur. This will need to be addressed ASAP.

This condition was discovered on January 31st. As staff were regularly inspecting this area both during and immediately after the storms it is believed this occurred within a week prior of that date, well after the heavy rains had subsided. Upon discovery staff immediately engaged Miller Pacific Engineering Group who were able to perform a visual inspection of the site and recommended plastic sheeting be applied to the impacted area as a temporary control measure preventing additional surface water from entering the ground. Given the anticipated work that will need to be performed directly in the creek channel, staff also immediately engaged a professional engineer/hydrologist/environmental consultant we have worked with in the past. He has visited the site and is in communication with Miller Pacific to coordinate long-term repair options. We have also engaged a licensed surveyor to create a complete topographic map of the entire area as this will be needed for the development of both the engineered repair and creek bed enhancement plans. They were able to promptly survey the area to be covered in plastic sheeting prior to that work being performed and will return to survey of the surrounding area. Plastic sheeting is scheduled to be installed on Tuesday, February 14th.

All that said, this is not going to be an easy nor inexpensive project. It is initially believed the total repair work will include creek bank stabilization in the creek channel as well as a retaining wall near the top of the slope, neither of which are easily accessible. Due to the proximity to the creek, the proposed project will need to go through practically every environmental regulatory agency imaginable not to mention the County planning and permit process. The environmental consultant we have engaged will assist with the application and review process.

We have notified the County Office of Emergency Services. The January storm event was declared a disaster making it eligible for FEMA and CalOES funding, so we wanted to be sure our agency was included in all upcoming communications regarding that process as it develops. We will file a claim with FEMA, but there is no guarantee this project will qualify. Having gone through FEMA claims before, it is a long and very cumbersome process. It will be several months before we know if this project qualifies or not.

As repair and stabilization plans are still in the early stages, staff will keep the Board apprised as this project further develops.

Opportunity to Serve on LAFCo Board of Directors:

LAFCo has announced an upcoming election for Special District Representative seats on their Board of Directors. There are two special district representatives (regular seats) plus an alternate on the LAFCo Board. They serve alternating four-year terms. There are no term limits for these seats. The remainder

of the LAFCo Board is made up of Marin County and City representatives. LAFCo is a sub-agency of the State of California and is responsible for evaluating and recommending potential consolidations of local government jurisdictions within the County, amongst other responsibilities.

Up for election will be one regular seat as well as the alternate seat for special district representatives. The current terms of the seated representatives will expire in May 2023. To be nominated, candidates must be a member of the governing body of a Marin County special district. Nominations are due March 31st. If any member of the Marinwood CSD Board is interested in running for election to the LAFCo board, they must be nominated by a formal vote of the Marinwood Board during a public board meeting. Should a board member be interested, please let me know and a corresponding item will be placed on the agenda for the March board meeting.

Other Items of Note:

- **Audit Update** – Our audit firm was unable to complete the audit report in time for this month's board meeting. However, they were able to complete and submit our expenditure report to the State Controller's Office prior to the deadline. They expect the audit report to be completed within the next 1-2 weeks.
- **Play Structure Replacement Project** – Staff will be working with the P&R Commission to fine tune the components of the project Request for Proposals (RFP). It is anticipated the RFP will be released in late Spring with project implementation to occur late summer/early fall, after summer camps have concluded.
- **FY 23/24 Operating Budget** – This month staff will begin the process of creating next year's operating budget. It is anticipated that draft budgets will be presented to the Board during the March board meeting and each subsequent meeting as it is refined with the goal of presenting a final proposed budget for adoption at the May board meeting.

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

MARINWOOD COMMUNITY SERVICES DISTRICT
DRAFT MINUTES OF FIRE COMMISSION MEETING
February 7, 2023

Time and Place: 7:00PM Via Teleconference

Present:

Commissioners: Chair Steve Farac, Tom Elsbree, Pascal Karsenti, Ron Marinoff,

Absent: John Seratt, Greg Stilson (CSA 13 Alternate)

Staff: District Manager Eric Dreikosen, Fire Chief Darin White

Board: Kathleen Kilkenny

1. Agenda

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

2. Public Comment on Non-Agenda Items

No comments from the public were received.

3. Commissioner Items of Interest

No items were presented

4. Draft Minutes of December 6, 2022 Fire Commission Meeting

M/s Elsbree/Marinoff to approve Draft Minutes of December 6, 2022 Fire Commission Meeting as presented. Ayes: Elsbree, Farac, Karsenti, Marinoff. Nays: None. Absent: Seratt. Motion carried.

5. Chief Officer Report and Activity Summary

Commission received Chief Officer Report and Activity Summary.

6. Designation of Commission Chair & Vice-Chair for 2023

M/s Elsbree/Marinoff to designate Steve Farac as Commission Chair and Pascal Karsenti as Commission Vice-Chair for 2023. Ayes: Elsbree, Farac, Karsenti, Marinoff. Nays: None. Absent: Seratt. Motion carried.

7. Requests for Future Agenda Items

-Commissioner Karsenti requested updates on MWPA and/or Fire Chief communications with insurance companies regarding defensible space efforts of homeowners, when available and appropriate

-Commissioner Marinoff requested updates on new housing development, Talus Reserve, and potential impacts to budget, when available and appropriate

The meeting was adjourned at 7:49 PM.

Eric Dreikosen



To: Marinwood Board of Directors

From Darin White, Fire Chief

Date: February 14, 2023

Re: Fire Department Update

Marin Wildfire Prevention Authority (MWPA)-Vegetation Management

The 2022-2023 MWPA Workplan is coming along nicely with a lot of the work taking place now. The County-wide soil erosion monitoring continues and as of the end of the recent storms (Dec. 26-2022 through Jan. 17, 2023) relatively little soil erosion has been confirmed. Stinson Beach Fire Chief Jesse Peri has assumed the duties of Operations Committee Chairperson until the end of 2023 calendar year. Chief White has moved from the OPS Committee Chairperson to now serving as the Marin County Fire Chiefs Association President for the next 2 years.

According to Mark Brown, the Executive Director of the MWPA, California experienced the wettest three (3) weeks of rain since 1861, despite this, none of the MWPA projects experienced any significant erosion as a result of the storms. Additionally, the MWPA is partnering with Willow Labs, to perform parcel level risk analysis. The existing Defensible Space Evaluation data will be used to rank on-parcel hazards and display the risk reduction that are a direct result of the residents' actions. This further enables focused future risk reduction efforts while avoiding redundancy and wasted resources.

Guidelines/COVID-19:

This time last year we were facing the Omicron variant of COVID-19 which continued to wreak havoc on our communities and way of life. Just recently, according to an article in the Associated Press, the President of the United States issued a statement that the Federal Government will no longer consider COVID-19 a pandemic, and instead will reduce it to an Endemic, in which the virus has become more stable and manageable. This action will take effect on May 11, 2023. It is expected that the decision to end the national emergency and public health emergency declarations will aid in the formal restructure of the response to treat the virus through agencies' normal authorities.

President Biden's announcement comes in a statement opposing resolutions being brought to the floor this week by House Republicans to bring the emergency to an immediate end. The emergencies have been repeatedly extended by President Biden since he took office in January 2021, and are set to expire in the coming months. The White House said Biden plans to extend them both briefly to end on May 11, 2023.

"An abrupt end to the emergency declarations would create wide-ranging chaos and uncertainty throughout the health care system — for states, for hospitals and doctors' offices, and, most importantly, for tens of millions of Americans," the Office of Management and Budget wrote in a Statement of Administration Policy.

The costs of COVID-19 vaccines are also expected to skyrocket once the government stops buying them, with Pfizer saying it will charge about \$130 per dose. Only 15% of Americans have received the recommended, updated booster that has been offered since last fall.

Once the emergency expires, people with private insurance will have some out-of-pocket costs for vaccines, tests, and treatment, while the uninsured will have to pay for those expenses in their entirety.

A senior administration official who wished to remain anonymous, said the three months until the expiration would mark a transition period where the administration will “begin the process of a smooth operational wind-down of the flexibilities enabled by the COVID-19 emergency declarations.”

Case counts have trended downward after a slight bump over the winter holidays, and are significantly below levels seen over the last two winters — though the number of tests performed for the virus and reported to public health officials has sharply decreased. Moments before the White House’s announcement, Rep. Tom Cole, R-Okla., accused the president of unnecessarily extending the public health emergency to take action on issues like forgiving some federal student loan debts.

More than 1.1 million people in the U.S. have died from COVID-19 since 2020, according to the Centers for Disease Control and Prevention, including about 3,700 last week.

As of Monday January 30, 2023, the latest numbers for COVID-19 activity from the Marin County Department of Health and Human Services were:

Confirmed cases: 44,394 (+5)

Cases last 10 days: 88 (+3)

Deaths: 273 (+0)

Hospitalizations: 16 (2 intensive care patients). The first Marin County positive test was reported March 8, 2020

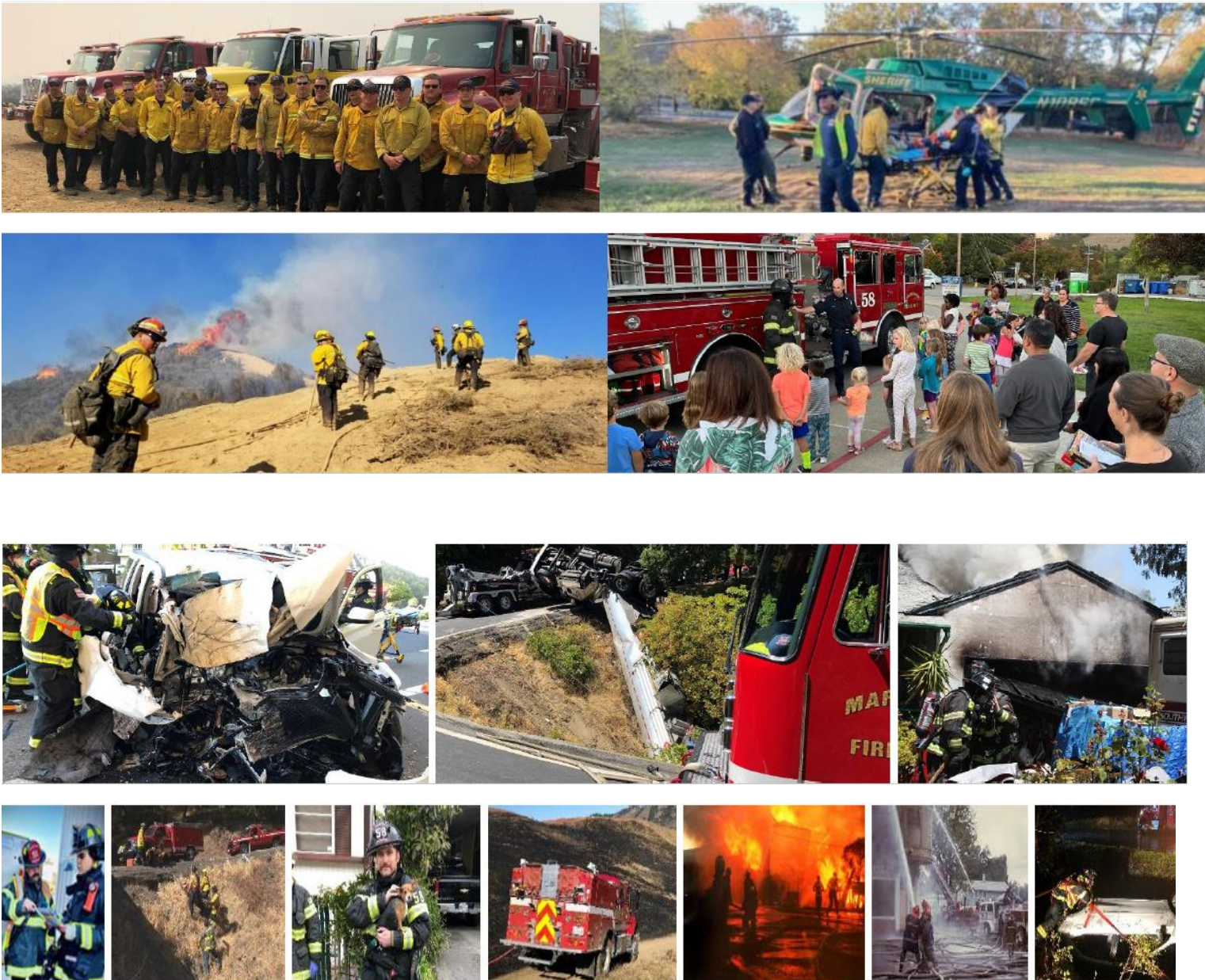
Lucas Valley Rd. Flooding



During the recent storms that occurred from December 26, 2022- January 17, 2023, flooding, downed power lines, fallen trees, and soil erosion impacted many Marin communities. The photos above show the flooded roads under highway 101 on Lucas Valley Road.

Recruitment

The Marinwood Fire Department is currently recruiting for Firefighter Paramedics to fill its current vacancy. Thus far we have received applications from a couple of qualified applicants. Interviews will be scheduled in the next few weeks for those candidates who qualify. Special thanks to District Manager Eric Dreikosen who has worked hard on behalf of the Department to structure the recruitment and field applications from interested candidates. The photos below were updated before the current recruitment effort and is what candidates are drawn to immediately.



Marinwood Fire Department Statistics: January 2023

The Marinwood Fire Department responded to 144 emergency calls in January 2023. A little under two thirds of the calls were medical incidents. The department responded to one fire in Novato and eight hazardous incidents. The hazardous incidents in Marinwood included trees blocking Miller Creek and Lucas Valley Road and a power line down on Cobblestone Drive.

<i>Incidents by Area and Type</i>								
Area	MA	PSA	FA/NN	FIRE	HAZMAT	COVER	OTHER	TOTAL
Marinwood	29	7	2	0	4	N/A	0	42
CSA 13	5	4	0	0	0	N/A	0	9
Old JPA (Mont Marin)	8	2	0	0	2	N/A	0	12
New JPA (East of 101)	31	7	3	0	1	N/A	0	42
SR Mutual Aid	10	7	1	0	1	0	0	19
MC JPA	4	3	1	0	0	N/A	0	8
MC Mutual Aid	0	0	0	0	0	N/A	0	0
Novato	4	5	0	1	0	2	0	12
Total number	91	35	7	1	8	2	0	144
<i>Percentage of total</i>	<i>63.2%</i>	<i>24.3%</i>	<i>4.9%</i>	<i>0.7%</i>	<i>5.6%</i>	<i>1.4%</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, 46 seconds

Celebration of Life:

I am sad to announce the passing of retired Battalion Chief Paul Crimmins. Paul fought a long and courageous stand against brain cancer. He passed away on January 24, 2023, surrounded by family and loved ones. He was a 34-year veteran of the fire service, starting his career in Cal Fire in 1979. He joined the Marinwood Fire Department in 1981 and joined the San Rafael Fire Department in 1988. Paul's name will be added to the Wall of Honor at the IAFF Fallen Fire Fighter Memorial in Colorado Springs, Colorado in September 2024.

On Monday February 20, 2023, at 12:00 p.m. a celebration of Paul's life will be held at the Marinwood Community Center at 12 noon. Retirees and Active members are asked to wear Class A uniform and all persons are welcome to attend. There will be a procession of multiple Fire Apparatus in the vicinity on that date.

Marinwood Community Services District

Draft Minutes of Park & Recreation Commission Meeting Tuesday – January 24, 2023

Time and Place: 7:00PM via Teleconference

Present:

Commissioners: Michael Benesch, Jon Campo, Ian Fein

Staff: District Manager Eric Dreikosen, Recreation Director Luke Fretwell

Board Director: Chris Case

1. Agenda

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

2. Designation of Commission Chair & Vice-Chair for 2023

M/s Campo/Fein to designate Michael Benesch as Commission Chair and Ian Fein as Commission Vice-Chair for 2023. All in favor. Motion carried unanimously.

3. Public Comment on Non-Agenda Items

No comments from the public were received.

4. Draft Minutes of November 22, 2022 P&R Commission Meeting

M/s Campo/Fein to approve Draft Minutes of November 22, 2022 P&R Commission Meeting. All in favor. Motion carried unanimously.

5. Draft Minutes of December 13, 2022 and January 10, 2023 Board Meetings

Commission reviewed minutes.

6. Update on Select Park & Recreation Projects and Initiatives

Commission received update on the Park Maintenance Facility Project, Miller Creek Waterway Trail Initiative, Marinwood Park Play Structure Replacement Project, Senior Living Center Encroachment Agreement, Marinwood Park Restrooms Initiative

7. Recreation and Park Maintenance Activity Report

Commission received Recreation and Park Maintenance Activity Report.

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

-None received

9. Adjourn

Meeting adjourned at 8:11 PM

Eric Dreikosen



Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: February 14, 2023
Re: Park & Recreation Commission Appointments

Directors,

Please see the included letter of interest in appointment to the Park & Recreation Commission submitted by Marinwood resident Ryan Madden. The following information details current openings as it relates to appointment opportunities:

Park & Recreation Commission:

There are currently two (2) regular commissioner seats and one (1) vacant alternate commissioner seat that can be appointed for two-year terms (Jan 2023 – Dec 2024).

Should the Board approve the appointment, Mr. Madden will be seated as a Commissioner for their next meeting occurring on March 28, 2023.

Additionally, staff recently had an initial meeting with another interested resident and is awaiting their decision on whether to formally apply for appointment.

Staff Recommendation: Appoint Mr. Ryan Madden to a regular seat on the Park & Recreation Commission, effective immediately, for a term expiring December 2024.

Ryan Madden

[REDACTED]

San Rafael, CA 94903

February 8, 2023

Eric Dreikosen

District Manager

Marinwood CSD

775 Miller Creek Road

San Rafael, CA 94903

Dear Eric,

This letter is to inform you of my interest to join the Park and Recreation Commission. Karen and I have been fortunate enough to be residents of Marinwood for 23 years. Along with our three children, we have benefited from being surrounded and using the beautiful parks and trails of Marinwood. Now that our children are older, and I have more time on my hands, I want to ensure that others are able to enjoy and benefit from the parks and trails like we have.

A little about me. I grew up in Marin County (Greenbrae). I graduated from Marin Catholic High School and earned a BS from Menlo College. My past volunteer experience has been as a coach for my three children, Marinwood Waterdevils board member, Las Gallinas Lion and Terra Linda High School Athletics board member.

Thank you in advance for your consideration and I am happy to answer any questions you may have for me.

Sincerely,

Ryan Madden

Staff Report

To: Board of Directors
From: Eric Dreikosen, District Manager
Date: February 14, 2022
Re: Encroachment Agreement to Allow Grading on District Property

Directors,

Please see the included Encroachment Agreement between the District and The Oaks Senior Living LLC. The purpose of this agreement is to allow the owners/developers of The Oaks to perform identified grading and drainage system placement on District open space land immediately abutting the proposed roadway leading to the senior center.

The included Agreement was drafted by the District's legal counsel and tentatively agreed to by District staff and the developers. It should be noted that in addition to the immediate grading and drainage work, this agreement places the responsibility of all future maintenance of said improvements upon The Oaks property owner, in perpetuity. The Agreement will be recorded against both properties and as such will carry over to any subsequent owner of The Oaks property.

The plan sheets detailing all work to occur on District property have been reviewed by District staff as well as an independent civil engineer. Developers for The Oaks have been very responsive to any minor concerns and all questions posed by the District. For reference, the individual plan sheets to be included in the Agreement as Exhibit A can be viewed here:

https://www.marinwood.org/sites/default/files/grading_plan_sheets_-_exhibit_a.pdf

In speaking with the County DPW-Land Use representative assigned to this project, they agree that the grading and drainage proposal improves the overall project not only from a visual standpoint but also from a geotechnical standpoint by allowing the development to significantly reduce the overall scope and height of needed retaining walls along the roadway. Reducing the scope of the originally proposed retaining walls will allow for more stable long-term conditions to the District-owned upslope hillside as opposed to making drastic cuts into the hillside supported by much taller retaining walls which are likely to fail over time.

As detailed in the plans, the owners/developers will be responsible for proper surface cover and seeding of the impacted area as well as planting additional trees in the area upon completion of the proposed work.

Staff Recommendation: Authorize District Manager to execute Encroachment Agreement between the District and The Oaks Senior Living Center LLC.

RECORDING REQUESTED BY

OFFICE OF THE COUNTY COUNSEL,
COUNTY OF MARIN

AND WHEN RECORDED MAIL TO

Brian E. Washington, County Counsel
Brandon W. Halter, Deputy County
Counsel
3501 Civic Center Drive
San Rafael, CA 94903
Telephone: (415) 473-6117

(Space Above this Line for Recorder's Use)

EXEMPT FROM FEES PER GOV'T CODE § 27383

APNs:

164-270-06
164-270-05

NOTICE OF ENCROACHMENT AGREEMENT

PLEASE TAKE NOTICE that the Marinwood Community Services District ("MCSD") on the one hand, and The Oaks Senior Living LLC ("Owner"), on the other hand, have entered into that certain Encroachment Agreement attached hereto regarding the above-referenced real property.

ENCROACHMENT AGREEMENT

This Encroachment Agreement ("Agreement") is made and entered into as of the date last executed below by and between the Marinwood Community Services District ("MCSD"), on the one hand, and The Oaks Senior Living LLC ("Owner"), on the other hand, for the purpose of allowing Owner temporary entry and permanent encroachment onto certain real property owned by MCSD.

Section 1: Recitals

- a. MCSD owns that certain real property referred to as Parcel A on Book 2006 of Parcel Maps at Page 168, and identified by Assessor's Parcel No. ("APN") 164-270-06 ("MCSD Property").
- b. The MCSD Property is located adjacent to that certain real property owned by Owner and identified by APN 164-270-05 ("Owner's Property").
- c. Owner requests permission to enter onto the MCSD Property to perform certain work and/or construct certain improvements thereon, including grading and landscaping, wetland mitigation, installation of drainage improvements, decommissioning of bicycle trails, installation of retaining wall tie-backs, and miscellaneous work.
- d. The work and/or improvements on MCSD Property for which Owner seeks access are shown on pages C-1.1, C-3.1, C-3.2, C-3.3, C-3.6, M-3, M-4, M-5 of the project plans attached hereto as Exhibit A (the "Project").

Section 2: Conditions

- a. For the time period described set forth in Section 3, MCSD hereby grants Owner, its employees, consultants, contractors, agents and designees, permission to enter and encroach onto the MCSD Property to complete the Project as described above and in accordance with the terms of this Agreement. MCSD's agreement to grant Owner such permission is expressly contingent upon approval of the project plans attached as Exhibit A in substantially unchanged form by the County of Marin, and upon the Project being completed in substantial conformance with such approved plans. Before entering onto the MCSD Property, Owner shall deliver to MCSD those certificates of insurance and endorsements required by Section 5 of this Agreement.
- b. Owner shall be solely responsible for obtaining and maintaining all necessary permits, approvals, and certifications for the Project, and will promptly provide copies of all such permits, approvals, and/or certifications to MCSD upon request.
- c. Owner and their contractors will make no changes to the MCSD Property beyond those specifically illustrated within the project plans attached as Exhibit A, barring minor field modifications. Owner shall immediately notify MCSD of any minor field adjustments to the MCSD Property prior to implementation, subject to MCSD approval.
- d. If any work performed by Owner pursuant to this Agreement including but not limited to the installation and construction of improvements causes in any way

- any discharge, leakage, spillage, emission or pollution of any type that affects the MCSD Property in any way, Owner shall at its sole expense immediately and entirely mitigate such discharge, leakage, spillage, emission or pollution to the satisfaction of MCSD and any governmental body having jurisdiction over such problem. Owner acknowledges that Owner's obligations pursuant to this paragraph are in addition to any other obligations Owner may have with respect to problems caused by Owner's actions under this Agreement, including but not limited to its obligation to defend and indemnify MCSD pursuant to the terms of this Agreement.
- e. Owner acknowledges that MCSD assumes no responsibility or liability whatsoever for any claim, damage or injury which results from Owner and its contractors accessing MCSD Property pursuant to the terms of this Agreement.
 - f. The Project shall include the following mitigation measures:
 - i. Owner shall install a sign at the westerly end of the creek path alerting the public that this portion of MCSD Property is closed to the public during the course of the Project at the direction of MCSD staff.
 - ii. Owner and its contractors will follow erosion control best management practices and acquire all permits and permissions as required by all applicable regulatory agencies.
 - iii. Owner and its contractors shall immediately notify MCSD and any and all regulatory agencies and take all necessary mitigation measures if Owner's stormwater control measures cause excessive erosion and/or other environmental problems.
 - g. Owner agrees to maintain, at Owner's expense, all improvements placed by Owner on MCSD Property, in perpetuity.
 - h. Owner acknowledges that the grant of permission by MCSD herein to enter onto the MCSD Property for the purposes mentioned above does not in any way obligate MCSD to allow any future entry on MCSD Property after completion of the project, except that Owner and its successors may seek permission from MCSD to access the MCSD Property in the future for purposes of fulfilling their obligation to maintain and repair all improvements installed in connection with the Project, and MCSD will not unreasonably withhold such permission.

Section 3: Term

The time period of Owner's right to enter and encroach upon the MCSD Property pursuant to this Agreement shall be two (2) years commencing on the date Owner commences work on the MCSD Property, provided that any permanently installed improvements shall be allowed to remain in place in perpetuity subject to Owner's and its successor's obligation to maintain and repair said improvements.

Section 4: Indemnification and Ongoing Obligations

- a. Owner agrees to indemnify, hold harmless, release and defend MCSD and the officers, agents and employees of MCSD from any and all liability, actions, claims, damages, costs or expenses, including attorneys' fees and

- the costs and expenses of suit which may be asserted at any in the future by any person, including Owner and/or Owner's successors in interest and assigns with respect to the Owner Property, arising in any respect, directly or indirectly, out of the actions of Owner and/or its contractors, employees, and agents in connection with this Agreement, including but not limited to the construction and maintenance of the Project, securing the necessary approvals required for the Project, and compliance with all applicable laws related to the Project.
- b. Owner further agrees, on behalf of itself and its successors in interest and assigns with respect to the Owner Property, that it shall be solely and completely responsible for the improvements installed on the MCSD Property in connection with the Project in perpetuity, including but not limited to the future maintenance of such improvements as well as any future damage caused by such improvements. Consistent with the foregoing, neither MCSD nor any successor in interest with respect to the MSCD Property shall be responsible in any way for any improvements installed on the MSCD Property in connection with the Project.
 - c. The parties agree that no construction, work, or improvements on the MCSD Property or Owner's Property by Owner shall constitute a public project or public improvement, for any purpose. The Project constructed by Owner and its representatives is solely for the benefit of Owner's Property and not for the benefit of the MCSD Property or the general community.
 - d. The parties agree that should Owner and/or its successors in interest or assigns with respect to the Owner Property fail to meet their obligations with respect to ongoing repair and maintenance of the improvements installed on the MSCD Property in connection with the Project at any time in the future, MSCD and/or its successors in interest with respect to the MSCD Property shall have the right in its sole discretion to repair and/or maintain such improvements, or remove such improvements, and Owner and/or its successors in interest or assigns with respect to the Owner Property shall be liable to MCSD and/or its successors in interest with respect to the MSCD Property for all costs arising from such repair and/or maintenance and/or removal.

Section 5: Insurance Requirements for Contractors

- a. At all times during the term of this Agreement, Owner and its contractors shall maintain: (i) general liability insurance, including personal injury and property damage coverage, in an amount not less than \$1,000,000 per occurrence with a \$2,000,000 aggregate; (ii) workers' compensation insurance as required by California law at not less than \$1,000,000; and (iii) commercial automobile insurance in the amount not less than \$1,000,000.
- b. Before beginning any work, Owner and its contractors shall provide MCSD with certificates of insurance for all required coverages and limits and an endorsement in a form acceptable to MCSD that contains the following terms:
 - i. MCSD, its officers, directors, employees, agents and volunteers are covered as additional insureds with respect to liability arising out of subcontractors' entry and work performed on the MCSD Property, as

- described in this Agreement.
- ii. This policy shall be considered primary insurance with respect to MCSD, its officers, directors, employees, agents and volunteers. Any insurance maintained by MCSD, including any self-insured retention, shall be considered excess insurance only and shall not contribute to that policy.
 - iii. The insured waives all right of subrogation against MCSD, its officers, directors, agents, employees and volunteers.
 - iv. Any failure to comply with reporting provisions of the policies shall not affect coverage provided to MCSD, its officers, directors, employees, agents and volunteers.

Section 6: Notices

All notices shall be made in writing and by electronic communication and may be given by personal delivery or by mail with copies sent by e-mail. Notices sent by mail shall be addressed as follows:

MCSD:

Marinwood Community Services District
Eric Dreikosen, District Manager
775 Miller Creek Road
San Rafael CA 94903

Owner:

The Oaks Senior Living LLC
Kent Hawkins, Manager
2151 Michelson Dr. suite 164
Irvine Ca. 92612

Section 7: Memorandum

The parties agree to provide future parties in interest with respect to the Owner Property and MCSD Property notice of this Agreement. Consistent with the foregoing, the parties agree that Owner shall be responsible for ensuring the recordation of the Encroachment and Maintenance Agreement attached as Exhibit B against both the Owner Property and the MCSD Property, and shall provide copies of the recorded memoranda with respect to both properties to MCSD upon recordation.

Section 8: Covenants Running with the Land and Equitable Servitudes.

The agreements, covenants, conditions and restrictions contained herein and in the attached Exhibit B shall run with the MCSD Property and the Owner Property and shall be binding on, and inure to the benefit of, all parties having or acquiring any right, title or interest in any portion of the MCSD Property or the Owner Property. Consistent with the foregoing, Owner and MCSD will cooperate in good faith, and take all actions reasonably necessary, to accomplish the recordation of this Agreement against the Owner Property and the MCSD Property.

Section 9: Controlling Venue

This Agreement and all matters relating to it shall be governed by the laws of the State of California. Any action brought relating to this Agreement shall be brought exclusively in the County of Marin.

Section 10: Section Headings

This section headings contained in this Agreement are for convenience and identification only and shall not be deemed to limit or define the contents of the section to which they relate.

Section 11: Modification

This Agreement shall not be modified except by written agreement of the Parties.

Section 12: Effective Date

The effective date of this Agreement shall be the date that the last party has signed this Agreement.

Section 13: Severability

If any term, condition or covenant of this Agreement, or the application thereof to any person or circumstance shall be held invalid or unenforceable, the remainder of this Agreement, or the application of such term, condition or covenant to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby, and every provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

The undersigned parties have entered into this ENCROACHMENT AGREEMENT on the dates set forth below.

**Marinwood Community Services
District**

By: _____

Print: _____

Its: _____

Date: _____

The Oaks Senior Living LLC

By: _____

Print: _____

Its: _____

Date: _____

APPROVED AS TO FORM

APPROVED AS TO FORM

Marinwood CSD, General Counsel

The Oaks Senior Living LLC, Counsel

EXHIBIT "A"
(Project Plans including Cover Letter)

Plans Attached Separately

December 29, 2022

Project:

The Oaks – Senior Living Community
200 Marinwood Avenue
San Rafael, CA

Reference:

Scope of work description regarding reduction of proposed retaining wall work along the Marinwood Avenue extension to the project.

Project Description:

The attached drawings are the proposed Grading Plans for construction of the roadway extension of Marinwood Avenue to connect to the proposed The Oaks Senior Living Community project dated September 23, 2022. See Sheets C3.0-C3.3, C3.6, C1.1 Civil Details and M3-M5 for revegetation.

The Marinwood Avenue extension begins at the current end of Marinwood adjacent to the School Bus yard (See Image 1) and heads south down to the proposed project along a narrow sliver of private property a distance of approximately 1800 feet to connect to The Oaks project. The western border of the property and the proposed roadway is directly adjacent to the CSD property (See Image 2 and Civil Plans). The site in this area has significant changes in elevation which will require some cuts and retaining walls to support the new roadway, existing native trees, and retain slopes from erosion. The original permitted plans from 2018 include over 575'-0" lineal feet of retaining walls at heights greater than 12'-0".

The Proposal:

To reduce the height and length of retaining walls required to be constructed to support the new roadway, we would request that Marinwood CSD allow grading on the uphill side of the roadway on CSD land and install of a drainage swale along the edge of the road on Marinwood CSD property. See attached Civil Sheets. (Note: the work proposed on CSD land is highlighted in Yellow and is found on Sheets C3.1, C3.2, C3.3) The graded areas on the CSD property will be landscaped with natural species of plants and vegetation that will blend into the existing site features. See Sheets M3 Seeding Plan, M4 for Tree Disposition and M5 for Grading details at north end.

The result of the proposal would be a reduction of over ~225'-0" lineal feet of retaining wall while reducing heights of remaining ~350'-0" lineal feet wall.

The proposal described above will have minimal impact on Marinwood CSD property and will greatly improve the look and feel of the new Marinwood Avenue extension to The Oaks project. In addition we feel that the reduction in walls will also improve the view of the site from HWY 101.

Please contact me if you have any question or need additional information
Thank you,

Brent Downing

Architect, Landscape Architect
Devcon Construction, Inc.
408.519.8379

EXHIBIT "B"

RECORDING REQUESTED BY

OFFICE OF THE COUNTY COUNSEL,
COUNTY OF MARIN

AND WHEN RECORDED MAIL TO

Brian E. Washington, County Counsel
Brandon W. Halter, Deputy County
Counsel
3501 Civic Center Drive
San Rafael, CA 94903
Telephone: (415) 473-6117

(Space Above this Line for Recorder's Use)

EXEMPT FROM FEES PER GOV'T CODE § 27383

APNs:

164-270-06

164-270-05

NOTICE OF ENCROACHMENT AGREEMENT

The Marinwood Community Services District ("MCSD"), as owner of the real property commonly known as Parcel A as shown in Book 2006 of Parcel Maps, at Page 168, recorded on July 31, 2006, Marin County Records (APN 164-270-06) ("MCSD Property"), on the one hand, and The Oaks Senior Living LLC ("Owner"), as owner of the real property commonly known as Lot 2 as shown in Book 2006 of Parcel Maps, at Page 168, recorded on July 31, 2006, Marin County Records (AP 164-270-05) ("Owner Property"), on the other hand, having entered into that certain Encroachment Agreement (attached hereto) that provides for certain rights and obligations with respect to Owner's entry and encroachment onto portions of the MCSD Property and installation of certain improvements thereon, agree that this Encroachment Agreement shall be recorded to provide notice of such rights and obligations to all future parties in interest with respect to such properties.

In witness of the above, the parties by and through their respective authorized representatives have signed this Memorandum as of the date written below.

Marinwood Community Services District

By: _____

Print: _____

Its: _____

Date: _____

The Oaks Senior Living LLC

By: _____

Print: _____

Its: _____

Date: _____

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF MARIN

On _____, _____, before me,
_____, a notary public, personally appeared

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF MARIN

On _____, _____, before me,
_____, a notary public, personally appeared

_____,
who proved to me on the basis of satisfactory evidence to be the person whose name is
subscribed to the within instrument and acknowledged to me that he/she executed the
same in his/her authorized capacity, and that by his/her signature on the instrument the
person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature

Parks and Recreation Report
February 2023
Submitted by: Luke Fretwell, Recreation Director

RECREATION ACTIVITY REPORT

Marinwood Review

Our Spring/Summer Issue of the Marinwood Review is now up on our website. Physical copies of our catalog will be mailed out to all residences in the surrounding area in the next 1-2 weeks. This issue provides information on all the classes, community events, aquatics programs, and camps we are offering this spring and summer.

Spring Classes & Camps

We are excited to be offering a handful of new recreation classes as well as some that we have not offered since before the pandemic. Some of these classes include a watercolor painting class for adults, a new martial arts class for kids called White Crane Silat, and the return of our adult Pilates class.

We are offering a Mid-Winter Break Camp for kids the week of February 20th and registration is currently full.

Summer Camp/Swim Lesson Registration

We will begin accepting registration for our summer camps and swim lessons on March 13th for Marinwood residents and March 16th for non-residents. Staff is currently double-checking and triple-checking all our registration links and verbiage to make sure everything is correct and functional ahead of registration day.

Pool

The pool opens for the 2023 season on Monday, April 3rd. This spring we will be offering adult lap swim, recreation swim, swim team, water polo, and private swim lessons. 2023 pool memberships are now on sale.

Raise a Glass

Our 12th annual "Raise a Glass" wine tasting event takes place Saturday, March 4th from 2-5pm. This year's event will feature 10 local wineries, live music, and a raffle.

Staffing & Recruitment

I am thrilled to announce that we have filled our vacant Recreation Supervisor position. In a fortunate turn of events, we were able to welcome back John Paul Kessler to resume his post. We are relieved to have a complete staff again and are especially excited to have John Paul back.

We are now advertising part-time positions for summer camp counselors, lifeguards, and pool attendants and applications have begun trickling in.

PARKS MAINTENANCE ACTIVITY REPORT

Parks Maintenance Facility

The parks staff has fully moved into the new facility and are extremely grateful to have a well-lit, heated, and dry space to work. They fortunately made the move just before the heavy rains came. They continue to customize and organize as time allows but are most of the way there.

The mobile office trailer we were using during construction has been removed and we have reduced the footprint of the temporary fencing. The last of the equipment has been removed from the cargo containers and

they will be hauled away in the coming weeks, along with the last of the temporary fencing. Staff will then begin rehabilitating the landscaping in that area.

Split-Rail Fence

Now that the temporary chain-link fencing has been downsized, staff have begun erecting a new permanent split-rail fence near the driveway gate to keep unauthorized vehicles off the panhandle trail. We are excited at how the area is looking.

Pool

Staff have begun de-winterizing the pool in preparation for the swim team to begin using the facility in early March. The heaters, pumps, filters, and chlorine generators are all being inspected and tested ahead of firing up the pool for the 2023 season. So far, everything appears in good working condition.

Concrete repairs to the pool deck are scheduled to take place next week. We have also scheduled work to replace some of the pool drain and equalizer covers that have reached the end of their lifespan. All repairs should be complete before we open for the swim team.

Erosion Control

Staff recently planted willow shoots in a handful of the more erosion-impacted areas of the creek and we will try and get out to do a couple more days of plantings before the end of the month.

Upcoming Projects

Upcoming projects include adding new plantings at Creekside Park, rehabilitating the turf and landscaping in the main park, and sanding and staining the benches and tables at the pool, to name a few.

Daily/Weekly Tasks:

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