



MUIR BEACH COMMUNITY SERVICES DISTRICT

19 Seacape Drive Muir Beach, CA 94965 415 383 9969 www.muirbeachcsd.com

AGENDA

Regular Meeting of the Board of Directors

Thursday, October 10, 2024 7:00 PM

Meeting held by Teleconference

Agenda will be emailed and posted

Zoom invitation will be emailed

MEETINGS BY ZOOM: Gov. Code section 54953(b provides that local agencies such as the Muir Beach Community Services District may hold its meetings using teleconferencing services, such as Zoom if certain conditions are complied with, all of which have been met by the MBCSD. As such, the District will email Zoom invitations to all residents and other members of the public asking to participate in the meetings, which will also include a dial-in option using your telephone. Please participate from your own locations/homes, however, if needed (and as required by the code), you may participate from the homes of the members of the Board of Directors, being 240 Pacific Way, 1821 Shoreline Hwy, 40 Sunset Way, 209 Sunset Way, and 23 Starbuck Drive where the meeting agenda will be available.

TIMING OF AGENDA ITEMS: The Board attempts to hear all items in order as stated on the agenda, however it reserves the right to take items out of the order listed at any time during the course of the meeting. The following items will be considered, and any item can be discussed, acted upon, or approved during the course of the meeting.

SPECIAL NEEDS: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the District Manager at 415-388-7804. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure participation in the meeting.

7:00 pm	Item 1: Call to Order
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Board: Leighton Hills (Board President), Christine Murray (Board Vice-President), Steven Shaffer (Director), David Taylor (Director), and Nikola Tede (Director)

Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting Secretary)

Item 2: Approval of Agenda

The following item or items were not included in this agenda, along with the reason for not being included. Pursuant to the Bylaws of the Muir Beach Community Services District, the Board of Directors may now by motion require that the item or items be added back to this meeting's agenda. Should the item or items require research or preparation by staff or by member(s) of the Board of Directors in order to be properly heard, the item or items may be deferred to a subsequent meeting. The motion to approve this agenda may be without change or may be to re-include any item or items listed below.

Item(s) not included in this agenda: A report on Muir Beach Lan was not included as it is not in the CSD's jurisdiction.

Item 3: Consent Calendar

All items on the Consent Calendar are considered to be either routine or non-controversial and will be enacted by a single blanket action of the Board. Upon request from a Board member or any member of the public, individual items may be removed from the Consent Calendar in which case they will be discussed in the meeting (under Items Removed from the Consent Calendar).

- A. Approval of Quarterly Financial Reports dated 9/30/24. *(See attached)*
- B. Approval of Draft Minutes from Regular Board Meeting on 7/24/24. *(See attached)*

Item 4: Items Removed from Consent Calendar

Items moved from the Consent Calendar to the Regular Agenda, if any.

Item 5: NPS Redwood Creek Update and USGS New Gauge Monitoring – Darren Fong

Darren Fong, Aquatic Ecologist for the GGNRA, will give an update on the status of various aquatic critters in Redwood Creek and streamflow monitoring. Darren will present the NPS request for the CSD Water District to contribute 50% of the annual USGS gauge monitoring fee of \$27,880 (CSD share \$13,940) for the installation of a new gauge in the Redwood Creek. Current gauge is located at the Muir Beach Highway 1 Bridge.

Item 6: Adoption of Special Creek Monitoring Fee

The NPS is asking the Water District to contribute 50% of the annual USGS gauge monitoring fee of \$27,880 (CSD share \$13,940). For the District to be able to accommodate this additional cost, the District would need to consider including an additional Special Creek Management Fee of \$87.67 per meter (or \$14.61 p/bi-monthly billing) to go into effect immediately starting retroactively with the 7/16 billing with 3 installments being paid with the 11/16 billing (3x14.61=\$43.83) to make sure we can fully cover the first year of this new annual cost.

Item 7: Fire Department Report

Fire Chief Chris Gove will give his report. *(See attached)*

Item 8: Revisions to Marin Wildfire’s JPA Agreement – Chris Gove/David Taylor/ Christine Murray

Marin Wildfire Protection Authority (MWPA) was created when 17 local Marin agencies with fire prevention responsibility entered into a joint exercise of powers agreement and the voters adopted a tax measure to fund the agency in March 2020. Thanks to the efforts of the drafters of the original agreement, the document has provided a solid and efficient structure for the agency. During the four years that the agreement has been in use, member agencies and Marin Wildfire staff have noted several provisions that would benefit from revision. These three areas are the most significant revisions: Section 3. Membership / Section 7. Advisory Technical Committee / Section 9(c). Funding *(See attached MWPA Amendment Agenda Item)*. To take effect, the Amended JPA Agreement must be executed by three-fourths of the governing boards of the Marin Wildfire member agencies (Amended JPA Agreement § 21) and for which the MBVFD is a member. Accordingly, the amendments are being presented to this body for approval. *(See attached Proposed JPA Amendments for Member Agencies Clean for Signature)*

Item 9: District Cybersecurity – Christine Murray

Cybersecurity Ad hoc subcommittee to provide a brief progress report on this continuing research project.

Item 10: District Manager Report – Mary Halley

District Manager Mary Halley will present brief highlights from her DM report. *(See attached)*

Item 11: Request for New Footpath along Highway 1 from Seacape to Sunset – Linda Caplinger

Resident Linda Caplinger from White Way is requesting the MB Board to consider the construction of a safe footpath from Shoreline/Seacape south to Shoreline/Sunset using the right-of-way along Shoreline Highway. The Board will first need to investigate the ability to obtain a Caltrans Encroachment Permit for such a project, and the legality of the CSD building and maintaining a footpath that is not in a District easement, and also budget constraints as many other existing footpaths and trails are still waiting for funding to become available for those repairs and improvements.

Item 12: Public Open Time

Please note:

1. Topics should be within the jurisdiction of the CSD (Water, Roads, Fire Protection, & Recreation).
2. The topic should not be elsewhere on the agenda.
3. The Board and staff may only briefly respond to statements and questions (i.e. the legal requirement for items not posted on an agenda which otherwise informs community members that a topic is up for discussion and/or action.)
4. Public comments are limited to 3 minutes per speaker, unless waived by the Board.
5. The period for public open time is limited to 10 minutes, unless waived by the Board.

Item 13: Recognitions & Board Member Items

Board member recognitions and pending events of interest to the community.

Item 14: Next Meeting Date and Adjournment

Next Board Meeting Date: Wednesday, November 20 or December 11, 2024 or January 29, 2025

**Muir Beach Community Services District
Balance Sheet**

Accrual Basis

As of September 30, 2024

	Sep 30, 24
ASSETS	
Current Assets	
Checking/Savings	
TriC Checking	
TriC Fire	859,421
TriC Lower Tank Reserve	206,667
TriC Pipes & Equip Reserve	112,577
TriC Checking - Other	27,298
TriC Measure A	(2,326)
TriC Water	(73,607)
TriC General Fund	(118,606)
Total TriC Checking	1,011,425
TriC MMF - General Fund	201,733
Total Checking/Savings	1,213,158
Other Current Assets	
Due from Water Ops to Gen'l Fd	73,607
Undeposited Funds	2,057
Total Other Current Assets	75,664
Accounts Receivable	
Receivables	18,734
Total Accounts Receivable	18,734
Total Current Assets	1,307,556
Fixed Assets	
Other Fixed Assets	
Road Improvements	1,336,973
Land	755,573
Buildings	615,666
Playground Upgrades	174,189
Equipment	153,535
Land - Fire Station	147,918
Buildings - Fire Station	105,055
Equipment - Fire Trucks	103,871
Furniture & Fixtures - CC	10,467
Electric Gate	6,967
Shed Roof	3,688
Accumulated Depreciation	(1,347,578)
Total Other Fixed Assets	2,066,324
Water System Assets	
100-Year Equipment Post 2008	652,370
Historic Water System Equipment	546,323
40-Year Equipment Post 2008	354,261
Mains and Valves (historic)	60,939
Other Water System Assets	54,217
10-Year Equipment Post 2008	52,206
15-Year Equipment Post 2008	44,944
Wells (historic)	21,620
20-Year Equipment Post 2008	7,312
Equip and Controls (historic)	6,973
5-Year Equipment Post 2008	4,084
Accumulated Depreciation	(804,926)
Total Water System Assets	1,000,324

Muir Beach Community Services District

Balance Sheet

As of September 30, 2024

Accrual Basis

	Sep 30, 24
Total Fixed Assets	3,066,648
TOTAL ASSETS	4,374,203
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Other Current Liabilities	
Due to Gen'l Fd from Water Ops	73,607
Total Other Current Liabilities	73,607
Accounts Payable	
Accounts Payable	7,588
Total Accounts Payable	7,588
Credit Cards	
Credit Card	817
Total Credit Cards	817
Total Current Liabilities	82,012
Total Liabilities	82,012
Equity	
Retained Earnings	4,237,054
Net Income	55,138
Total Equity	4,292,192
TOTAL LIABILITIES & EQUITY	4,374,203

Muir Beach Community Services District Profit & Loss - Excluding Water (Operations, WCI)

September 2024

	Sep 24
Income	
Lease Income	2,600
Combined Tax Revenues	
Measure C Rev-Fire	
Measure C - Local	359
Measure C - D Space	352
Total Measure C Rev-Fire	711
Property Tax Revenues	
Property Tax Revenues	17
Total Property Tax Revenues	17
Total Combined Tax Revenues	729
Interest Income	3
Total Income	3,332
Expense	
Grant Spending	
Measure C - D Space Spending	6,700
Total Grant Spending	6,700
Payroll Expenses	
Wages	5,188
Employer Payroll Taxes	761
Payroll Service	142
Workers' Compensation Insurance	(3,144)
Total Payroll Expenses	2,947
Fire Dept Expenses	
Fire Chief Stipend	2,500
Phone, Radio Link for Bolinas	53
Total Fire Dept Expenses	2,553
Bookkeeping	1,301
Health Insurance	1,024
Grounds Maintenance/Gardening	900
Repairs & Maint (non-water)	417
Community Classes & Functions	
Rental Expense	350
Total Community Classes & Functions	350
Office and Postage	141
Utilities	
Electric	108
Telephone	7
Total Utilities	115
Other Operating Expenses	49
Supplies (non-water)	42
Meeting Expense	16
Website Hosting & Maintenance	5
Total Expense	16,560
Net Income	(13,228)

Muir Beach Community Services District
Profit & Loss - Water (Operations,WCI)
September 2024

	<u>Sep 24</u>
Income	
Combined Water Revenues	
Water Operations Revenues	
Water Service Revenues	27,144
Misc Water Revenues	2,435
Field for Billing Notices	0
Total Water Operations Revenues	<u>29,579</u>
Water Capital Improvement Revs	
Capital Improvement Revenues	13,335
Total Water Capital Improvement Revs	<u>13,335</u>
Total Combined Water Revenues	<u>42,913</u>
Total Income	42,913
Expense	
Payroll Expenses	
Wages	4,753
Total Payroll Expenses	<u>4,753</u>
Utilities	
Electric	1,556
Telephone	21
Total Utilities	<u>1,578</u>
Bookkeeping	1,071
Bank Fees & Credit Card Fees	1,018
Water Enterprise	
Water Expense & Repairs	592
Water Testing	133
Total Water Enterprise	<u>725</u>
Total Expense	<u>9,144</u>
Net Income	<u><u>33,769</u></u>

Muir Beach Community Services District Expenditures excl Payroll & Cap Assets September 2024

Date	Name	Memo	Amount
Bank Fees & Credit Card Fees			
09/04/2024	Intuit Pymt Soln Tran Fee		77
09/13/2024	TriCounties Bank	Analysis/Treasury Charges	50
09/30/2024		Batch Fee ID=-425538343	20
09/24/2024		Batch Fee ID=300436593	6
09/26/2024		Batch Fee ID=303005293	51
09/25/2024		Batch Fee ID=303006883	814
Total Bank Fees & Credit Card Fees			1,018
Bookkeeping			
09/30/2024	Mullin, Sharon	Bookkeeping/water billing	1,301
09/30/2024	Mullin, Sharon	Bookkeeping/water billing	1,071
Total Bookkeeping			2,372
Fire Dept Expenses			
Phone, Radio Link for Bolinas			
09/11/2024	CalNet	Phone @ fire barn; 415 380-9627	53
Total Phone, Radio Link for Bolinas			53
Total Fire Dept Expenses			53
Health Insurance			
09/14/2024	CALPERS	Halley	1,024
Total Health Insurance			1,024
Office and Postage			
09/28/2024	Amazon.com	Office supplies	74
09/07/2024	File Center	Renewal of File Center maintenance support	68
Total Office and Postage			141
Other Operating Expenses			
09/30/2024	Mullin, Sharon	Parking & tolls	49
Total Other Operating Expenses			49
Payroll Expenses			
Workers' Compensation Insurance			
09/30/2024	SDRMA	Deposit	-3,144
Total Workers' Compensation Insurance			-3,144
Total Payroll Expenses			-3,144
Repairs & Maint (non-water)			
09/30/2024	Pearlman, Harvey - V	Clean workyard area	125
09/02/2024	Moore, Aran	Equip rental for sand at volleyball court	77
09/20/2024	Fire Master	Fire extinguisher maintenance at CC	215
Total Repairs & Maint (non-water)			417
Supplies (non-water)			
09/28/2024	Amazon.com	Batteries	42
Total Supplies (non-water)			42
Utilities			
Electric			
09/16/2024	SMITH, Brent (1104)	Credit for electricity usage	8
09/24/2024	PG&E at Comm Ctr 019-6	Electric - Community Center (Net of Solar)	71
09/24/2024	PG&E Firehouse 6226-2	Electric - Firehouse	37
09/24/2024	PG&E Pumping at Lower Tank 623-9	Electric - Pumping from Lower Tank to Upper Ta...	387
09/24/2024	PG&E Pumping from Wells 745-7	Pumping	1,162
Total Electric			1,664
Telephone			
09/01/2024	Ooma	Telephone	7

Muir Beach Community Services District
Expenditures excl Payroll & Cap Assets
September 2024

Date	Name	Memo	Amount
09/04/2024	Ooma	Telephone	7
09/17/2024	Ooma	Telephone	7
09/29/2024	Ooma	Telephone	7
Total Telephone			29
Total Utilities			1,693
Water Enterprise			
Water Expense & Repairs			
09/25/2024	Water Components & Building Sup...	Install new 1" meter at 130 Sunset - to be reimb ...	563
09/25/2024	Water Components & Building Sup...	Install new 1" meter at 130 Sunset - to be reimb ...	28
Total Water Expense & Repairs			592
Water Testing			
09/03/2024	Public Health Laboratory	Water testing; acct. 733	133
Total Water Testing			133
Total Water Enterprise			725
TOTAL			4,389

Muir Beach Community Services District

Expenditures for Fixed Assets

As of September 30, 2024

Date	Num	Name	Memo	Amount
Water System Assets				
Historic Water System Equipment				
		Total Historic Water System Equipment		
Mains and Valves (historic)				
		Total Mains and Valves (historic)		
Equipt and Controls (historic)				
		Total Equipt and Controls (historic)		
Wells (historic)				
		Total Wells (historic)		
100-Year Equipment Post 2008				
		Total 100-Year Equipment Post 2008		
40-Year Equipment Post 2008				
		Total 40-Year Equipment Post 2008		
20-Year Equipment Post 2008				
		Total 20-Year Equipment Post 2008		
15-Year Equipment Post 2008				
		Total 15-Year Equipment Post 2008		
10-Year Equipment Post 2008				
		Total 10-Year Equipment Post 2008		
5-Year Equipment Post 2008				
		Total 5-Year Equipment Post 2008		
Other Water System Assets				
		Total Other Water System Assets		
Total Water System Assets				
Other Fixed Assets				
Playground Upgrades				
		Total Playground Upgrades		
Land				
		Total Land		
Land - Fire Station				
		Total Land - Fire Station		
Buildings				
		Total Buildings		
Buildings - Fire Station				
09/12/2024	26246	Questa Engineering Corp.	Deposit for on-site sewer design	1,500.00
		Total Buildings - Fire Station		1,500.00
Equipment				
		Total Equipment		
Equipment - Fire Trucks				
		Total Equipment - Fire Trucks		
Electric Gate				
		Total Electric Gate		
Furniture & Fixtures - CC				
		Total Furniture & Fixtures - CC		
Road Improvements				
		Total Road Improvements		
Shed Roof				
		Total Shed Roof		

1:18 PM

10/07/24

Accrual Basis

Muir Beach Community Services District

Expenditures for Fixed Assets

As of September 30, 2024

<u>Date</u>	<u>Num</u>	<u>Name</u>	<u>Memo</u>	<u>Amount</u>
Total Other Fixed Assets				1,500.00
TOTAL				1,500.00

COMPENSATION REPORT

Name	7/1/2023 to 7/1/2024 to		Notes
	6/30/2024	9/30/2024	
Halley Mary	85,000	22125	Hire 7/10/17; sal incr to \$72,000 eff 6/1/19; to \$78,000 7/21; 5% CPI incr to \$81,900 eff 5/22; to \$85,000 eff 7/23; to \$88,500 7/24
Blank Thiermo	15,437	3175	\$486/month for daily monitoring, \$354 if meter reading done, \$39.75/hour for additional hours.
Blank Stephanie	12,519	2585	\$486/month for daily monitoring, \$354 if meter reading done, \$39.75/hour for additional hours.
Gonzales Juana	6,575	1539	Hourly rate increased 11/13/2012 to \$18/hr from \$15/hr.
Karel Ernst	1,511	1013	\$972/month for daily monitoring, \$354 if meter reading done, \$39.75/hour for additional hours.
Pearlman Harvey	2,500	750	Change in job desc: water manager to consultant effective June 2017. Annual salary: \$2,400, to \$3,000 5/24

\$ 123,542 \$ 31,187

Muir Beach Community Services District: Budget vs. Actual - year-to-date

General - Revenue and Expenses Apportioned To All Departments

9/30/2024

Gen Revenue	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Property Taxes (Unassigned)	187,000	1,571	1%
	Excess ERAF (Unassigned)	70,000	12,224	17%
	Grants/donations (Unassigned)			
	Interest Income (Unassigned)	200	10	5%
	Other Income (Unassigned)	31,400	7,800	25%
	Gen Revenue Total:	288,600	21,605	7%

Gen Expense	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Payroll (DM) - Total *	88,500	22,125	25%
	Audit (incl fees+bookkeeping) *	12,700		0%
	Insurance (DM Health) *	12,300	3,072	25%
	Bookkeeping	12,000	3,366	28%
	Payroll Employer Taxes (DM) *	6,770	1,693	25%
	Insurance (Umbrella)	5,500		0%
	Office & Postage *	2,500	349	14%
	Payroll Service *	2,420	451	19%
	Dues & Memberships	2,215		0%
	Permits & Fees	2,200	292	13%
	Insurance (DM Workers Comp) *	2,100		0%
	Meetings (inc Minutes) *	2,000	48	2%
	Legal Fees	1,000		0%
	Repair & Maint (non-water)	500	125	25%
	Website & Document Management *	500	15	3%
	Utilities (Telephone-RingCentral)	410	403	98%
	Other Operating	330	105	32%
	Insurance (Board Workers Comp)	160		0%
	Supplies	150		0%
	Tree Management Program	-		
	Interest Expense	-		
	General Expense Total:	154,255	32,044	21%
	General Expenses (Net of Dept Allocations Total):	102,339	22,100	22%
	General Balance (Prior to Dept Allocations) :	134,345	(10,439)	-8%
	Gen Balance (After Dept Allocations):	186,261	(495)	0%
	Loan Payment(None):	-	-	0%
	Gen Balance (After Loan Payment):	186,261	(495)	

General Notes: 1.)Apportionment: General Expenses are assigned to departments by the following percentages: General = 60%, Water = 40% *(DM Salary, DM Payroll taxes + service, DM Healthcare, DM WC, Audits, Website, Postage and Office, Board Meeting Expenditures incl Minutes) Capital Improvement Projects: Fire = 10%, Rec = 10%, Roads = 10% (DM Salary, DM Payroll taxes + service, DM Healthcare, DM WC)

Muir Beach Community Services District: Budget vs. Actual - year-to-date

Water Department				
9/30/2024				
Water Revenue	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Water Service Revenue	155,000	69,685	45%
	Water Conservation Discount	(49,600)	(19,716)	40%
	Meter Reading Fee	8,930	2,884	32%
	Water Service Revenue (Misc)	500	2,660	532%
	Water Service fee Net Revenue	114,830	55,513	48%
	Meter Charge (CIP Reserves)	83,000	27,176	33%
	Connection Fees	-	-	
	Donations & Grants	-	-	
	Water Revenue incl Meter Charge:	197,830	82,689	42%
	Move Meter Charge to Reserves:	(83,000)	(27,176)	33%
	Water Operations Revenue:	114,830	55,513	48%
	Water CIP (PE Reserves):	43,000	13,843	32%
	Water CIP (LT Reserves):	40,000	13,333	33%

Water Expense	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	General Expenses (40% Share):*	51,916	11,101	21%
	Payroll (DM) - Total	35,400	8,850	25%
	Audit	5,080	-	0%
	Health Insurance (DM)	4,920	1,229	25%
	Payroll Employer Taxes (DM)	2,708	677	25%
	Office & Postage	1,000	140	14%
	Payroll Service	968	180	19%
	Insurance (Workers Comp)	840	-	0%
	Meetings (incl Minutes)	800	19	2%
	Website & Doc Management	200	6	3%
	Gen Exp (Water Ops 40% Share):	51,916	11,101	21%
	Dedicated Expenses:			
	Payroll (Water Team)	30,500	6,773	22%
	Utilities: Electric (Water)	15,000	4,777	32%
	Rep & Maint incl Grant Spending	13,000	4,828	37%
	Bookkeeping (Water)	6,530	1,964	30%
	Treatment (Water)	5,000	2,684	54%
	Bank & Credit Card Fees(Customer)	4,500	1,901	42%
	Insurance (Water)	3,000	-	0%
	Debt (Due to GF - 20yrs/no int)	2,600	-	0%
	Testing (Water)	2,500	646	26%
	Payroll Employer Taxes (Water)	2,333	518	22%
	Permits & Fees (Water)	2,000	-	0%
	Payroll Employer (WC)	1,900	-	0%
	Legal Fees (Water)	1,000	-	0%

Muir Beach Community Services District: Budget vs. Actual - year-to-date

Water Department			
		9/30/2024	
Dues & Memberships (Water)	520	-	0%
Pay (Maintenance Sub-contractor)	400	-	
Utilities: Telephone (Water-Ooma)	400	49	12%
Other Operating (Water)	200	90	45%
Grant Spending	-	-	
Dedicated Expense Sub-Total:	91,383	24,230	27%
Water Operations Expense Total:	143,299	35,331	25%
Water Conservation Reserve (Beginning Balance):	49,600	49,600	
Water Conservation Reserve (Discounts):	(49,600)	(19,716)	40%
Water Conservation Reserve (Ending balance):	-	29,884	
Water Operations Balance :	(28,469)	20,182	-71%
Water Capital Improvements (Beginning PE Balance):	98,732	98,732	
Water Capital Improvement (Balance to PE Reserves):	43,000	13,843	32%
Water Capital Improvement (Capital spending):	-	-	
Water Capital Improvement (Change to PE Reserve):	141,732	112,575	79%
Water Capital Improvements (Beginning LT Balance):	193,334	193,334	
Water Capital Improvement (Balance to LT Reserves):	40,000	13,333	33%
Water Capital Improvement (Change to LT Reserve):	233,334	206,667	89%
Water Capital Improvement (Net PE and LT Reserves):	375,066	319,242	85%

Notes: Meter Reading Charge (\$2400) + Water Bookkeeping (\$6140) = \$8540

Muir Beach Community Services District: Budget vs. Actual - year-to-date

Fire Department				
9/30/2024				
Fire Revenue	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Special Parcel Tax for Fire	44,679	430	1%
	Grants/Donations for Fire (Misc)	10,000	-	
	Grants for Fire (Measure C)	13,000	711	5%
	Grants for Fire (Measure W)	70,000	28,140	40%
	Grants for Fire (FVA Firehouse)	-	-	
	Grants for Fire (West Marin)	8,400	-	0%
	Fire Revenue incl Cap Imp Rev:	146,079	29,281	20%
	Deduct Cap Imp Revenue:	-	-	
	Fire Operations Revenue:	146,079	29,281	20%
Fire Expense	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	General Expenses (0% Share):	NA	NA	NA
	Dedicated Expenses:			
	Fire Chief Stipend	30,000	7,500	25%
	Grant Spending	30,000	16,540	55%
	Fire Truck Maint & Repair	8,000	-	0%
	Insurance: VFIS	6,409	6,409	100%
	Fire Equip & Tools	4,000	-	0%
	Supplies: Sta wear/Turnouts	4,000	818	20%
	Insurance: Workers Comp	3,000	(3,144)	-105%
	Other Operating (Fire)	3,000	591	20%
	Emergency Preparedness	2,500	-	0%
	Fire Training/Certification	2,000	-	0%
	Utilities: Phone, Radio	640	164	26%
	Legal	500	-	0%
	Supplies: Medical	500	-	0%
	Dues: Membership	320	-	0%
	Utilities: Electric	320	104	33%
	Credit Card Receipts Outstanding		226	
	Dedicated Expense Sub-Total:	95,189	29,208	31%
	Fire Operations Expense Total:	95,189	29,208	31%
	Fire Operations Balance:	50,890	73	0%
	Fire Station Donations/Grants	340,000		
	Fire Station Expenditures	72,784		
	Funds Remaining	267,216		

Muir Beach Community Services District: Budget vs. Actual - year-to-date

Roads Department				
9/30/2024				
Roads Revenue	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Fees for Roads	-	-	
	Donations for Roads	-	-	
	Grants for Roads	-	-	
	Roads Operations Revenue Total:	-	-	
Roads Expense	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	General Expenses (0% Share):	NA	NA	NA
	Gen Exp (10% Share): p/project			
	Dedicated Expenses:			
	Repairs & Maintenance (Roads)	10,000	-	0%
	Pay (Maintenance Sub-Contractor)	2,000	990	50%
	Legal Fees (Roads)	1,000	-	0%
	Other Operating (Roads)	300	-	0%
	Payroll (Roads)	-	-	
	Payroll Employer Taxes (Roads)	-	-	
	Payroll (WC-Roads)	-	-	
	Supplies (Roads)	-	-	
	Dedicated Expense Sub-Total:	13,300	990	7%
	Roads Operations Expense Total:	13,300	990	7%
	Roads Operations Balance:	(13,300)	(990)	7%
	Capital Spending:	40,000		
	Capital Expenditures			
	Total Capital Project Balance:	-	-	-

Muir Beach Community Services District: Budget vs. Actual - year-to-date

Recreation Department

9/30/2024

Rec Revenue	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	Community Center Classes	-	-	
	Community Center Functions (+XF)	1,000	-	0%
	Grants/Donations for Rec	177,952	-	0%
	Measure A Tax	43,168	22,782	53%
	Rentals	4,000	250	6%
	Rec Operations Revenue Total:	226,120	23,032	10%
	Rec Ops non-Measure A Total:	182,952	250	0%

Rec Expense	Category	FY24/25 Budget	FY24/25 Actual	% of Budget
	General Expenses (0% Share):	NA	NA	NA
	Dedicated Expenses:			
	Grant Spending (Rec)	177,952		0%
	Measure A Projects	43,000	1,520	4%
	Grounds Maintenance	9,000	2,520	28%
	Community Center Functions	8,000	250	3%
	Payroll (Rec)	9,200	2,289	25%
	Payroll (Rental Coordinator)	4,200	1,050	25%
	Repairs & Maintenance (Rec)	2,000	3,945	197%
	Trails Maintenance	1,500	2,238	149%
	Utilities: Refuse (Rec)	1,700	357	21%
	Supplies (CC)	1,000	60	6%
	Utilities: Elec (CC)	1,000		#VALUE!
	Payroll (WC-Rec)	650	-	0%
	Payroll Employer Taxes (Rec)	704	175	25%
	Rental Expenses (CC)	500		0%
	Other Operating (Rec)	100		0%
	Utilities: Phone (CC-Ooma)	80	36	45%
	Utilities: Propane (CC)	370	233	63%
	Community Center Classes	-	-	
	Legal Fees (Rec)	-	-	
	Dedicated Expense Sub-Total:	260,956	14,673	6%
	Non-Measure A Expense Total:	217,956	12,384	6%
	Rec Ops Balance(including Restricted Revenue):	(34,836)	8,359	-24%
	Rec Ops Balance(non-Measure A):	(35,004)	(12,134)	35%

Budget for Capital Spending:

Measure A: CC Garbage Enclosure	5,000	
Measure A: CC Deck Curtains	10,000	
Measure A: Trail Improvements(S-C)	13,000	
Measure A: CC Parking Project	15,000	1,895
Prop 68: Parking Project	177,952	
Total Spending:	220,952	1,895

1 **MUIR BEACH COMMUNITY SERVICES DISTRICT**
2 Minutes of the Board of Directors' meeting held on
3 Wednesday, July 24, 2024
4

5 **OFFICIAL MINUTES ONLY UPON APPROVAL**
6

7 Prior to approval of these minutes by the Board of Directors in a public meeting, these
8 minutes are draft only and subject to change. Upon approval by the Board, these minutes
9 become the Official Minutes of the meeting.
10

11 **Item 1: Call to Order**

12 Meeting is called to order at 7:12.
13

14 Board: Leighton Hills (Board President), Steven Shaffer (Director), David Taylor (Director),
15 Nikola Tede (Director)

16 Staff: Mary Halley (District Manager), Chris Gove (Fire Chief), Ernst Karel (Meeting
17 Secretary)
18

19
20 **Item 2: Approval of Agenda**

21 *Item(s) not included in this agenda: None.*
22

23 MOTION: That the agenda is approved as submitted.

24 Moved: Schaffer, seconded by Taylor

25 Vote: AYES: Unanimous.
26
27

28 **Item 3: Consent Calendar**

29 A. Approval of Quarterly Financial Reports dated 6/30/24. *(See attached)*

30 B. Approval of Draft Minutes from Regular Board Meeting on 5/22/24. *(See attached)*
31

32 MOTION: To approve the consent calendar.

33 Moved: Tede, seconded by Schaffer

34 Vote: AYES: Unanimous.
35
36

37 **Item 4: Items Removed from Consent Calendar**

38 None
39
40

41 **Item 5: Fire Department Report** – Fire Chief Chris Gove

42 Fire Chief Chris Gove will give his quarterly report including Firehouse update. *(See attached)*
43

44 ACTIVITY. There have been 33 calls as of July 17. Two new volunteers, Brad Jacobs and
45 Jeff Rediger -- both physicians -- have started training with the department as of June.

1 Three junior firefighters have joined us this summer as well: Anna Rauh, Stella Eigsti and
2 Jackson Sward. Marin County Fire Sr. Captain Jesse Rudnick has been leading drills when
3 he is available. His experience is so valuable to the department.
4 We are participating in a multi-day training exercise this month and next at the West Marin
5 Training Facility in Pt. Reyes Station. This is run by Bolinas Fire Asst Chief Steve Marcotte.
6 This provides us with a level of training that is not typically available to us.
7 On August 17th we will participate in the annual county wide Sidewalk CPR training. We run
8 this in the beach parking lot.

9
10 FIREHOUSE. We have submitted our permit application to the county.

11
12 FIREWISE. We have received another \$10,000 PG&E grant to manage vegetation and have
13 a contract with TreeMasters to start work on Pacific Way and Sunset Way at the end of the
14 month (29th and 30th of July).

15 There are 3 more chipper days this year.

16
17 BBQ. This year's event drew ~ 4000 people which is likely an all time record attendance
18 number and we estimate that we have raised a net \$70,400.

19
20 DISASTER COUNCIL. The group has suspended training for the summer and plans an event
21 in October

22
23 MWPA. We are participating in the work to obtain Coastal Commission and CEQA permits for
24 proposed work. This impacts all projects that are not on NPS lands in our area. Once we
25 have approvals we hope to resume work. This may take some time.

26
27

28 **Item 6: District Cybersecurity** – Christine Murray/Leighton Hills

29 *Cybersecurity Ad hoc subcommittee to provide a brief progress report on this continuing*
30 *research project.*

31 Director Murray is not here to give the report. DM Halley reports that there's no update
32 currently.

33
34

35 **Item 7: District Manager Report** – Mary Halley

36 District Manager Mary Halley will present brief highlights from her DM report (see attached).
37 Her report as always is available in full as part of each meeting packet at
38 <https://muirbeachcsd.com/meetings/> .

39
40

41 This is the period for the board of directors to file for candidacy July 15- Aug 9.

42
43

44 Creek is being monitored; still flowing.

45

46 Heard nothing back from the seasonal intertie with Muir Woods. Still waiting to hear from
47 NOAA one way or the other.

1
2 Sefton Murray will be the new CC coordinator.
3
4 Director Tede notes that the handles for the railings from lower Sunset to Seacape needs
5 work; Mary notes that they're on Cuco's list.
6

7
8 **Item 8: FY2024-25 Final Draft-Budget** – First review
9 The proposed FY24-25 Final Draft-Budget will be presented by the District Manager for any
10 further discussion
11 and final approval. (See attached FY24-25 Final Draft-Budget)
12

13 Halley goes over highlights.
14 Based on the projected loss in water revenue, a rate increase will be required in order to
15 continue to provide water.

16
17 MOTION: To approve the Final Draft-Budget as submitted.
18 Moved: Shaffer, seconded by Tede
19 Vote: AYES: Unanimous.
20

21
22 **Item 9: Public Open Time**
23 Chris Gove: Beach party, August 17th.
24

25 Hills: Harvey had mentioned there was the smell of a dead animal underneath the community
26 center. It was located and removed.
27

28
29 **Item 10: Recognitions & Board Member Items**
30 None
31

32
33 **Item 11: Next Meeting Date and Adjournment**
34 Next Board Meeting Date: **Thursday**, October 10, 2024.
35

36 There being no further business to come before the board, the meeting is adjourned.
37 Meeting adjourned at 8:15 pm.

MBCSD October 10

FIRE DEPARTMENT REPORT

CHIEF GOVE

ACTIVITY

There have been 43 calls year to date.

We completed the intensive weekend training in Pt. Reyes. It was a great opportunity to train alongside professionals and learn new skills working in training environments that are new to us.

We participated in the countywide Sidewalk CPR program in August and trained over 50 people and dispensed Narcan and fentanyl test kits.

The MERA Gen 2 radio system went live on October 3rd. This is new system includes the MERA radio tower at the Overlook. The county dispatch system has been re-organized and we are familiarizing our team with how that operates. This upgrade included a new set of compatible pagers for each volunteer to keep at home. When the 911 system is activated we receive notifications on our phones via SMS and via an app called Tablet Command as well as on the pagers – pagers work even where there is no cell signal.

We also received a generous donation from Zendesk. This company contacted us to donate equipment as they were moving to a new office building. We received a wide range of emergency medical and disaster supplies including a number of AED's. This could improve our response time for cardiac arrest as each volunteer will have an AED and medical bag in their personal vehicle. We will train on the new equipment and have ordered new power supplies and pads.

As part of a Marin County EMS grant we are receiving a Lucas automated CPR device (<https://www.lucas-cpr.com>) This will also enhance our capacity to support individuals in cardiac arrest. We have started training on this device this week.

FIREHOUSE

Our permit is still pending with the county. It is a very slow process. The county has requested additional information from the soils and civil engineers on the project and there have been considerable delays in obtaining the necessary responses from the engineering teams. The process can only resume once a complete set of responses is re-submitted. One remaining item is pending from an engineer. It cannot be done piecemeal.

Once we have the permit we can make the next payment to the building construction company and move forward.

FIREWISE

The PG&E grant funds were used to remove several dead trees on Sunset and Pacific Way.

There is one remaining chipper event this year. The community has removed many tons of debris this year and we applaud them.

BBQ

The last BBQ had a profit of over \$74,000 and we are in the planning stage for the next one.

DISASTER COUNCIL

The group is planning an event October 20th called STAY BOX to discuss the supply's you should have on-hand in case you must shelter in place for a time.

MWPA

We expect that work will begin on the Southbound side of the Hwy 1 evacuation corridor later in 2024 or in 2025. This is the portion of the highway between Muir Beach Overlook and Sunset Way on the slope that rises from the Banducci Ranch property and is a high fire risk area. The overall project stretches in segments from Inverness to Muir Beach.

This phase is anticipated to be an initial limited clearance of up to 25 feet from the roadway – mostly in the CalTrans Right of Way. We will work with every property owner adjacent to the ROW in case there is a benefit to do fuel reduction. No work will be conducted without an individually signed Right to Enter agreement and a discussion between homeowner and MWPA vegetation management specialist about what areas would be treated.

Please see attached detailed FAQ document regarding this project.

In addition PG&E hopes to secure approval to remove a dozen dead Monterey pines from the Audobon Canyon Ranch Terwilliger site – this could happen before the storm season. MWPA is working together with Audobon and PG&E to support this important hazard tree removal.

MWPA JPA AMENDMENT AGENDA ITEM:

Marin Wildfire was created when 17 local Marin agencies with fire prevention responsibility entered into a joint exercise of powers agreement and the voters adopted a tax measure to fund the agency in March 2020. Thanks to the efforts of the drafters of the original agreement, the document has provided a solid and efficient structure for the agency. During the four years that the agreement has been in use, member agencies and Marin Wildfire staff have noted several provisions that would benefit from revision.

To take effect, the Amended JPA Agreement must be executed by three-fourths of the governing boards of the Marin Wildfire member agencies. (Amended JPA Agreement § 21). Accordingly, the amendments are being presented for approval to this body.

These three areas are the most significant revisions:

Section 3. Membership – This section has been amended to include the mechanism for an existing member’s withdrawal from Marin Wildfire and for new agencies to become members.

Section 7. Advisory Technical Committee. – The Advisory Technical Committee (ATC) was included in the original agreement and was specifically required under that agreement to comply with the Ralph M. Brown Act. However, from discussions with original JPA agreement drafters, it appears that this requirement was included in the agreement in error. Given that the ATC is intended to be a collaborative staff-level working group, the proposed Amended JPA Agreement eliminates provisions referencing the ATC. By doing so, there will no longer be a formal action of the Board or member agency legislative bodies to establish the ATC, so it will not be bound by the Brown Act. Rather, Marin Wildfire staff will convene the Committee comprised of the existing member agency representatives/ad hoc representatives and they will continue to carry out their important project development work.

Section 9(c). Funding. – The original agreement set aside 2% of the 20% of funds for defensible space and fire-resistant structure evaluations to be used for an “abatement fund”. However, local agencies handle their own abatements based on local and state codes and Marin Wildfire is not able to take on those staff- and resource-intensive efforts. Therefore, as requested from the member agencies, the proposed Amended JPA Agreement eliminates the abatement fund.

**AMENDED AND RESTATED
JOINT EXERCISE OF POWERS AGREEMENT
FOR
MARIN WILDFIRE PREVENTION AUTHORITY**

This Amended and Restated Joint Exercise of Powers Agreement for the Marin Wildfire Prevention Authority (“Agreement”) is entered into pursuant to Sections 6500 *et seq.* of the California Government Code, by and between the following local agencies: the cities of San Rafael, Mill Valley, and Larkspur (“Cities”); the towns of San Anselmo, Corte Madera, Fairfax, and Ross (“Towns”); the County of Marin (including Service Areas 13, 19 and 31 collectively referred to as “County”); the Fire Protection Districts of Southern Marin, Novato, Kentfield, Stinson Beach, Bolinas, and Sleepy Hollow, the Marinwood Community Services District, the Inverness Public Utility District, and Muir Beach Community Services District (“Districts”); “Cities,” “Towns,” “County,” and “Districts” are referred to in their individual capacities outside of this Agreement as “Local Agencies,” and are referred to for the purposes of participation in this Agreement as “Member” or “Members”.

RECITALS

WHEREAS, the growing wildfire risk in Marin County does not respect jurisdictional boundaries and needs immediate action and sustained commitment to better protect Marin residents, homes and businesses; and

WHEREAS, intensifying climate change and extensive fuel build-up are contributing to the increasing threat of wildfire throughout Marin County and, to the extent possible, should be addressed through ecologically sound practices that minimize release of greenhouse gases and protect the biodiversity and resilience of Marin’s landscapes; and

WHEREAS, individual homes and properties are only as fire resilient as the surrounding homes and properties within each neighborhood or area; and

WHEREAS, the more than 260,000 people living in Marin County receive fire protection and emergency response services provided by 19 separate cities, towns, fire districts and the County of Marin and no single agency currently exists for coordinating wildfire prevention; and

WHEREAS, local fire agencies, communities, emergency service providers, city and towns governments and the County of Marin must coordinate wildfire prevention and disaster preparedness and mitigation, including maintaining defensible space, reducing combustible vegetation, making homes fire resistant and planning for organized evacuation in an emergency; and

WHEREAS, in 2016 the Marin County Fire Department published a *Community Wildfire Protection Plan*, identifying specific steps needed to reduce the risk of wildfire and related loss of life and property in Marin; and

WHEREAS, in 2018 Marin County published *Lessons Learned from North Bay Fire Siege*, summarizing key findings and conclusions from the 2017 wildfires that devastated Sonoma, Napa, Lake, Solano and Butte counties, burned nearly 250,000 acres, destroyed nearly 9,000 structures, forced 90,000 evacuations, caused \$14.5 billion in property damage and killed 44 people; and

WHEREAS, in 2019 the Marin County Civil Grand Jury issued *Wildfire Preparedness: A New Approach*, a report identifying an urgent need for a coordinated wildfire prevention program in Marin and providing detailed recommendations for reducing wildfire risk and securing dedicated funding for wildfire prevention programs; and

WHEREAS, efforts are needed to assist seniors, persons with disabilities, and low-income households to maintain defensible space, make homes fire resistant, and prepare for emergencies to mitigate wildfire threats to structures and defensible space; and

WHEREAS, each of Marin’s communities has unique local needs such as wildfire risk from homeless encampments or road widening for safe evacuations and the Marin Wildfire Prevention Authority (“Marin Wildfire”) will seek to address these specific local needs with a local wildfire mitigation program that assists local fire agencies in meeting unique community needs while sustaining a core countywide program for consistency; and

WHEREAS, the most effective way to protect all of our communities from the risk of wildfire is to come together in a joint powers authority to implement a countywide program of priority fire prevention, education and vegetation management; and

WHEREAS, the Marin Wildfire was formed when the 17 Members entered into the original joint exercise of powers agreement (“original agreement”) and Measure C, including Ordinance No. 3716, was approved by 70.8% of voters in March 2020 to impose a tax on all parcels of real property in Marin County within the boundaries of Marin Wildfire’s Members, which are defined as “Member Taxing Entities” under the Ordinance; and

WHEREAS, effective July 1, 2023, the City of Mill Valley consolidated its fire department and taxing authority for fire protection and prevention with the Southern Marin Fire District. As the original agreement did not address this type of action on the part of a Member Taxing Entity at the time the consolidation took effect, on August 17, 2023, the Marin Wildfire Board of Directors voted unanimously to allow the City of Mill Valley to remain a Member until the expiration of Measure C; and

WHEREAS, the Members wish to amend and restate the original agreement to reflect the current structure of Marin Wildfire and to address matters that were not included in the original agreement; and

WHEREAS, the Members find that the amendments reflected in this Agreement comport with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement;

NOW, THEREFORE, for and in consideration of the mutual benefits, covenants, and agreements set forth herein, the Members agree as follows:

SECTION 1. Authority and Purpose

- a. This Agreement is made under the authority of Sections 6500 through 6515, inclusive, of the California Government Code, among the Members.
- b. The purpose of this Agreement is to establish a Joint Powers Authority separate from the Local Agencies. This Authority is to be known as the Marin Wildfire Prevention Authority and may be referred to as Marin Wildfire. Marin Wildfire will plan, finance, implement, manage, own and operate a multi-jurisdictional and county-wide agency to prevent and mitigate wildfires in Marin County. Each Member individually, at the time Measure C including Ordinance No. 3716 passed in 2020, had the statutory ability to provide fire suppression, protection, prevention and related incidental services. The purpose and intent of this Agreement is to jointly exercise the foregoing common powers in the manner set forth herein.

SECTION 2. Term of Agreement

This Agreement becomes effective upon the first date that at least three quarters (3/4) of the 17 Local Agencies listed above (i.e., 13 Local Agencies) approve the Agreement at a public meeting. It shall remain in effect until it is terminated pursuant to Section 16 or amended in accordance with Section 21.

SECTION 3. Membership

- a. **Initial Membership.** To become an initial Member, the Local Agency executed the original agreement and approved the County of Marin placing the tax measure on the ballot by October 31, 2019. A Local Agency geographically located in Marin County that possessed fire protection responsibilities must have adopted a resolution of their governing board to become a participating signatory to this Agreement and Member of Marin Wildfire. At that time, 17 of the Local Agencies had done so.
- b. **Successor Membership.** If, due to changes in circumstances (including, but not limited to changes in fire suppression responsibility approved by LAFCO) a Member's fire suppression responsibility is transferred to a new or different public agency, that new or different public agency shall be admitted as a Member upon approval of such membership and this Agreement by such public agency's governing body.
- c. **Member Withdrawal and Consolidation.**
 - 1) **Withdrawal.** A Member that wishes to withdraw from Marin Wildfire must provide written notice to Marin Wildfire at least one (1) year prior to the Board of Directors' final action to propose a tax renewal measure for consideration by Members. A Member's withdrawal will

take effect upon the expiration of the tax that is in place at the time such withdrawal notice is provided to the Board of Directors.

- 2) Consolidation/Merger. If, due to changes in circumstances a Member's fire protection responsibility and taxing authority for fire protection and prevention is transferred to a new or different public agency that results in a Member losing its fire protection responsibility and its Member taxing authority, the Member will be withdrawn from Marin Wildfire upon expiration of the tax that is in place at the time of any such changed circumstance.

d. **Additional Members.** A Local Agency geographically located in Marin County that possesses fire protection responsibilities may become a Member only when Marin Wildfire seeks to renew the tax that funds Marin Wildfire. Specifically, the Local Agency must adopt a resolution of their governing board to become a participating signatory to this Agreement, as amended, and must approve placing a tax measure on the ballot in conformance with Section 5(f) of this Agreement. The Board of Directors must adopt a resolution authorizing membership of the new Member, specifying conditions, if any, associated with membership, including a one-time pro rata charge to compensate for past expenditures and investments of Marin Wildfire that will be of benefit to the Member upon joining Marin Wildfire ("New Member Charge"). The Board of Directors' determination of the conditions, if any, including the New Member Charge, is final.

- 1) If the tax renewal measure is approved by the voters, each Additional Member will be considered a Member and will be represented on Marin Wildfire's Board of Directors. If a New Member Charge is required upon joining Marin Wildfire, that Charge will be deducted from the New Member's Local-specific wildfire prevention funding described in Section 9(d) until the Charge is paid in full. The New Member will also have the option of paying in full the Charge within sixty (60) days of joining Marin Wildfire.
- 2) If the tax renewal measure is not approved, this Agreement will terminate and assets will be allocated among the Initial Members as outlined in Section 16 and the new Member(s) will not become Member(s) or serve on Marin Wildfire's Board of Directors.

SECTION 4. Board of Directors

- a. Marin Wildfire will be governed by a Board of Directors comprising elected leaders from each Member to ensure that wildfire programs and resources are directed to areas of greatest need and opportunity for community benefit.

- b. Marin Wildfire shall be governed by the Board of Directors which is hereby established. The Board of Directors shall be comprised of Directors who are elected officials of the Members, and each Member shall have one Director on the Board of Directors.
- c. The Board of Directors shall hold at least two meetings each year as determined by its bylaws. Special Meetings of the Board may be called in accordance with the provisions of the Brown Act and Government Code Section 54956.
- d. Minutes of the adjourned, regular and special meetings of the Board shall be kept and said minutes shall be available to Members and the public on Marin Wildfire's website. A majority of the Directors of the Board will constitute a quorum; however, if the number of Members is an even number, then 50% of the Directors of the Board will constitute a quorum. In the event of a meeting of the Board with less than a quorum, the present Directors will only have the power to dismiss a meeting. For purposes of conducting business, a majority of the quorum will be authorized to act on behalf of Marin Wildfire, subject to the voting conditions set forth in Section 4.f.
- e. The Board shall elect, at its first meeting of each fiscal year, a President and Vice President. The President and Vice President shall serve one-year terms, but can be re-elected. The President shall represent Marin Wildfire and execute any contracts and other documents when required by the bylaws. The Vice President shall serve in the absence of the President.
- f. **Voting.** For all votes conducted by the Board, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the Directors present vote in favor of a motion, and (2) the Directors present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.
- g. The Board may adopt from time to time such policies, procedures, bylaws, rules and regulations for the conduct of its affairs as deemed necessary by the Board.

SECTION 5. Powers of Marin Wildfire

- a. Marin Wildfire shall have all of the necessary powers and authorities granted by law to exercise the common powers of its members in providing wildfire suppression, protection, prevention and related and incidental services, with members retaining all powers.
- b. Marin Wildfire shall have all of the necessary powers to evaluate structures and defensible space and provide structural fire protection advice to enhance compliance of parcels of land and buildings meeting local fire and building codes, as well the power to create neighborhood and public education programs to reduce wildfire vulnerability and improve neighborhood preparedness.

- c. Marin Wildfire may contract with private companies and public agencies to create, implement and operate Marin Wildfire to provide wildfire protection and prevention, as well as to ensure buildings meet fire and building codes.
- d. Marin Wildfire may make and enter into contracts; adopt budgets; employ and retain agents and personnel; retain legal counsel; retain consultants and engineers; acquire grants; acquire, hold, lease and dispose of real and personal property; accept donations; sue and be sued; and possess and exercise all other powers common to the Members. The intent of this provision is to allow Marin Wildfire flexibility in making fiscally sound staffing decisions.
- e. Marin Wildfire may incur debt and issue bonds or any like instruments of no more than 10% of its annual budget in order to efficiently provide the service enumerated herein in compliance with the pertinent sections of the Government Code of the State of California. Specifically, Marin Wildfire can incur debt in its own name under any law authorizing a joint power authority to do so, including Government Code Section 6540 *et seq.*, and the Marks-Roos Local Bond Pooling Act of 1985, and Government Code Section 6584 *et seq.*
- f. Marin Wildfire may authorize taxes pursuant to Government Code Sections 50075 *et seq.*, 53978, or any successor statutes. Subsequent taxes shall be levied and assessed as a special parcel tax by the County of Marin, on behalf of itself and Member Taxing Entities, on all parcels of real property in the Member Taxing Entities for each fiscal year.
- g. Marin Wildfire may exercise the powers permitted pursuant to Government Code Section 6504 or any successor statute. Pursuant to Government Code Section 6509.5, Marin Wildfire is entitled to invest any money in the treasury that is not required for the immediate necessities of Marin Wildfire.
- h. Marin Wildfire may do all things necessary and lawful to carry out the purpose of this Agreement.
- i. As required by Government Code Section 6509, one Member must be designated such that the power of Marin Wildfire is subject to the restrictions upon the manner of exercising power possessed by the Member. The County of Marin is designated as the Government Code Section 6509 public entity.

SECTION 6. Operations Committee

- a. The Operations Committee shall be responsible for creating a recommended annual budget and a recommended annual work plan for the Board. The Operations Committee shall meet at least twice per year at a reasonable time before the Board must establish its budget. The Operations Committee representatives should strive for a balance of executive/administrative and fire expertise on the committee. The Operations Committee shall be composed of representatives who are agency staff or contract employees, one from each of the Members. The Operations Committee meetings will be held in accordance with the Ralph M. Brown Act, Government Code sections 54950 *et seq.*

- b. **Voting.** For all votes conducted by the Operations Committee, a proposed motion subject to vote passes when both following conditions are satisfied: (1) a majority of the representatives of the Operations Committee present vote in favor of a motion, and (2) the representatives of the Operation Committee present and voting in favor of a motion represent, in the aggregate, according to the then latest general census, over 50% of the population represented by the Member agencies present in the quorum.

SECTION 7. Reserved

SECTION 8. Community Oversight Committee

The Board of Directors will create a Community Oversight Committee. The Community Oversight Committee will review Marin Wildfire's spending on an annual basis following the report from the Treasurer. After review of the previous year's work program and the financial audit, the Community Oversight Committee will adopt a report on the spending of the parcel tax funds and the previous year's work program to evaluate consistency with the tax measure. Community Oversight Committee participants will be residents who are neither elected officials of any government entity, nor public employees of any Member. Service on the Community Oversight Committee will be restricted to individuals who reside in Marin County. Participants on the Community Oversight Committee will be required to submit a statement of financial disclosure and participation will be restricted to individuals without economic interest in any of Marin Wildfire's projects. The Community Oversight Committee may create subcommittees to monitor the deliberations of the Board of Directors and Operations Committee. The Board of Directors shall appoint participants to the Community Oversight Committee from applications received as set forth below:

- Five participants, each residing in one of these five general geographical areas: West Marin, Novato, San Rafael, Central Marin, and Southern Marin.
- One participant from a taxpayer organization of Marin County.
- One participant from environmental organizations of Marin County.
- One participant from Firewise communities or similar fire prevention organization.
- One participant from a non-partisan community-based organization.
- One nonvoting youth member (age 14-18) for a one-year term rotating between the five general geographical areas, when possible.

SECTION 9. Funding

- a. The Board shall adopt an annual budget for Marin Wildfire's activities by June 1 of each year. In adopting the annual budget, the Board must consider recommendations from the Operations Committee. The annual budget shall identify the programs of Marin Wildfire and allocate funds by program. The budget and accounting system shall account for direct and overhead costs by

program. The Board shall allocate these costs for each program with the adoption of the annual budget. To the extent changes to the budget under California law require approval of more than a simple majority of Members, the population representation requirement of Section 4.f. shall not increase.

- b. The core program functions of Marin Wildfire will be funded by 60% of the tax measure proceeds and will consist of, but not be limited to, vegetation management; wildfire detection; evacuation plans and alerts; grants; and public education. Marin Wildfire may allocate core funds to local wildfire prevention efforts, should the Board of Directors determine the core functions of Marin Wildfire are being served. Vegetation management funds will be allocated with consideration towards equitable spending over the five operational zones. As part of the five-year review of the funding levels described in Section 9f, at least 80% of the revenue generated for vegetation management by each operational zone should be allocated within the respective zone. If this requirement is not met, it must be remedied within the next five-year period.
- c. Defensible space and fire-resistant structure evaluations, and mitigation of fire threats thereof, will be funded by 20% of the tax measure proceeds and will be done on a shared service basis or by the responsible Member consistent with Section 10.
- d. Local-specific wildfire prevention efforts will be funded by 20% of the tax measure proceeds and allocated to each Member in proportion to revenue raised in each Member's respective tax rate areas. Members must certify that the tax measure proceeds are used consistent with the purpose of Marin Wildfire and that the tax measure expenses result in a higher level of service than would otherwise be provided by the Member.
- e. An administrative cost of not more than 10% will be budgeted for each program, including the core program, defensible space and fire-resistant structure evaluation program, and local-specific wildfire prevention efforts. Should a Member locally administer the defensible space evaluations pursuant to Section 10, an administrative cost will not be withheld by Marin Wildfire for that program. The Board shall determine the methodology for calculating administrative costs.
- f. In Fiscal Year 2025-26, 2030-31, 2035-36 and continuing every five years thereafter, the Board may alter the funding levels of the core program functions of subsection 9.b. and the defensible space evaluations from subsection 9.c. The local-specific wildfire prevention efforts of subsection 9.d. will remain funded by 20% of the tax measure proceeds. A vote to alter the funding levels pursuant to this section shall require two-thirds approval of Directors voting to alter the funding levels, while maintaining the over 50% of the population represented by the Member agencies requirement in accordance with the voting rules set forth in Section 4.f. Should the Board approve changes to the funding levels of the programs, to provide adequate notice to Member agencies, those changes will not go into effect until two fiscal years after the changes were approved. For

example, if funding levels of programs are altered during Fiscal Year 2025-26, those changes will not be implemented until the budget of Fiscal Year 2027-28.

SECTION 10. Option to Locally Administer the Section 5.b. Defensible Space Program

Should a Member choose to locally administer the power set forth in Section 5.b., that Member shall evaluate structures and defensible space so property owners can enhance compliance with fire and building codes through homeowner education and, as necessary, enforcement follow-up. The Member choosing to locally administer the Defensible Space Program must certify that the Member shall use the funds provided by Marin Wildfire exclusively to evaluate defensible space and to enhance compliance with structures and land meeting fire and building codes, and not for any other purpose. Tax measure proceeds will be allocated to Members choosing to locally administer in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas, as determined by the Board. For those Members remaining in the defensible space program, Marin Wildfire will expend the tax measure proceeds in an amount approximately equal to each Member's proportion of revenue raised in each Member's respective tax rate areas.

SECTION 11. Exemptions

Marin Wildfire shall be responsible for technical tax adjustments, consistent with the ballot measure. Whenever possible, Marin Wildfire must defer to reasonable requests from the Marin County Tax Collector to accommodate exemptions for parcels that are roads or creek beds, as well as split parcels ineligible for an assessor parcel combination solely because the parcels are not in the same tax rate area.

SECTION 12. Duties of Treasurer

- a. The Treasurer of Marin Wildfire shall be the Treasurer of one of the Members and/or a certified public accountant appointed by the Board of Directors in accordance with the provisions of the applicable law. Marin Wildfire at its first meeting and thereafter at its first meeting of the fiscal year shall elect a Treasurer and establish terms with the Member agency. This person shall also function as the Controller of Marin Wildfire.
- b. The Treasurer shall serve as the depository and have custody of all Authority funds and establish and maintain such books, records, funds, and accounts as may be required by generally accepted accounting practice, shall cause an independent annual audit of the accounts and records and comply with all requirements of Government Code Sections 6505, 6505.1, 6505.5 and 6505.6.
- c. The Treasurer, within one hundred and twenty (120) days after the close of each fiscal year ending on June 30, or as soon thereafter as possible, shall give a

complete written report of all financial activities for such fiscal year to the Members.

SECTION 13. Debts and Liabilities

As permitted pursuant to Government Code Section 6508.1, no debt, liability, or obligation of Marin Wildfire shall constitute a debt, liability, or obligation of any Member and each Member's obligation hereunder is expressly limited only to the appropriation and contribution of such funds as may be levied pursuant to this Agreement or as the Member may agree.

SECTION 14. Insurance and Indemnification

Marin Wildfire shall acquire such insurance protection as is needed to protect the interests of Marin Wildfire and the Members, and such cost shall not count toward the administrative fee of Section 9.e. Marin Wildfire may use self-insurance and may contract with a Member for insurance services. Marin Wildfire shall defend and indemnify and hold harmless the Members and each of their respective officers, agents and employees, from all claims, losses, damages, costs, injury and liability of every kind, nature and description directly or indirectly arising from the performance of any of the activities of Marin Wildfire or the activities undertaken pursuant to this Agreement (collectively, "Liabilities"), except where such Liabilities are caused solely by the gross negligence or willful misconduct of any indemnitee.

SECTION 15. Privileges, Immunities and Other Benefits

In accordance with California Government Code Section 6513, all of the privileges and immunities from liability, all exemptions from laws, ordinances and rules, and all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of the trustees, officers, employees or agents of the Members when performing their functions shall apply to the same degree and extent while engaged in the performance of any of their functions and duties for Marin Wildfire.

SECTION 16. Termination; Disposition of Assets.

- a. Should a tax measure to be placed on the ballot fail to pass or is subsequently repealed, this Agreement is terminated and shall be of no further effect upon certification of the election results.
- b. In accordance with Government Code Section 6512, upon termination of this Agreement, any surplus money in possession of Marin Wildfire or on deposit in any fund or account of Marin Wildfire shall be returned in proportion to the contributions made by the tax payers of each Member's jurisdiction. Any other property of Marin Wildfire shall be divided among the Members in such manner as shall be determined by Marin Wildfire in accordance with California law.

- c. If a tax measure is rescinded, all decisions of the Board with regard to determination of amounts to be transferred to Members or any successor shall be final.

SECTION 17. Severability

If any provision of the Agreement or its application to any person or circumstances is held invalid, the remainder of this Agreement and the application of the provision to other persons or circumstances shall not be affected.

SECTION 18. No Rights to Third Parties

All of the terms, conditions, rights and duties provided for in the Agreement are, and shall always be, solely for the benefit of the Members. It is the intent of the Members that no third party shall ever be the intended beneficiary of any performance, duty or right created or required pursuant to the terms and conditions of this Agreement. Nothing in this Section shall be interpreted to preclude the work of the Authority being done on private land.

SECTION 19. Notices.

Notices to Members under this Agreement shall be sufficient if delivered to the City Clerk or chief secretarial officer of the Member, or to any other person designated in writing by the Member.

SECTION 20. Prohibition Against Assignment.

No Member may assign any right, claim, or interest it may have under this Agreement, and no creditor, assignee or third-party beneficiary of any Member shall have any right, claim or title to any part, share, interest or assets under this Agreement.

SECTION 21. Amendments

This Agreement may be amended at any time by one or more supplemental agreements executed by mutual agreement of three-fourths (3/4) of the governing boards of the Members, so long as any amendment comports with the purpose of the voter approved measure, as set forth in Section 1 of this Agreement.

SECTION 22. Agreement Complete

The foregoing constitutes the full and complete Agreement of the parties with respect to the subject matter hereof, and supersedes all prior understandings or agreements whether written or verbal. There are no oral understandings or agreement not set forth in writing herein. Any such agreements merge into this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed by their proper officers thereunder duly authorized as of the date of approval by the public agencies that are parties hereto. This Agreement shall be executed in counterparts.

Dated: _____

By: _____

District Manager Report – October 2024

Water, Fire, Recreation, Roads, Finance, and Communications

General:

Board of Directors – Reminder: District board member elections are scheduled to be held on **November 5, 2024**. The MBCSD will not be on the ballot because the number of candidates that filed is equal to the number of seats to be filled, and no petition was presented to put the contest on the ballot. Candidates will instead be appointed in-lieu of election prior to the first regular meeting in December by the supervising authority and will take office and serve as if elected at the November election. The Marin County Elections office (or the district) will provide to each nominated candidate an Oath of Office/Certificate of Appointment.

Remote meetings – the District will continue to hold remote meetings under the original Brown Act with special noticing provisions and posting requirements. Public attendance continues to be higher when held remotely. Supervisor Rodoni will hold his Fall or Spring Community Conversation in-person at a separate time to be determined.

District Manager – having missed getting away this summer am tentatively scheduling vacation in January from 1/10 – 19. Currently, there are no projects scheduled at that time.

Water:

Redwood Creek Stream Monitoring – stream flows are down to .01 cfps, so have been monitoring daily for any signs of detached pooling, and stream height is at an average of .75 ft. down from .9 ft. back in July.

Water Reports – monthly Drought reports (DDR) are current and submitted through September 2024. Have now completed new Waterboards requirement for LCRR and LCRI pipe materials inventory list for all district laterals – which was due October 16, 2024 – and it has been approved and the LSL no-lead statement emailed and posted on the district website.

State Waterboards Triennium Sanitary Survey – our water operators and myself hosted a tour of four Waterboards engineers to do the tri-annual inspection of our water facility. The final survey report usually takes a few weeks to receive.

Marin Water Seasonal Intertie possibility – on 8/15 we received word that this project did not receive the NOAA grant we were hoping for to move the waterline forward. Although, the list of awardees was quite impressive: <https://www.fisheries.noaa.gov/s3//2024-07/Transformational-Recommendations-OHC-BIL-IRA-07-2024.pdf>

Lower Tank property – a neighboring property owner is offering to pay to install a drainage pipe to carry the water that is discharged at the top corner of the Lower Tank property down the hill to tie into an already existing drainage system. I am still working to get a quote before winter while the field is still dry.

Water infrastructure under CSSD Footbridge – have been discussing with Water Team and Fire Chief options for raising the electrical and water pipes underneath the footbridge to make them less vulnerable during creek flooding events.

Main Valves at Ahab Wye – getting quotes to replace the 3 very old (1965) and failing valves at the Ahab Wye for replacement this fiscal year.

Flume – for the 9/16 billing we had many leaks attributable to irrigation system failures. Wwe have been advising anyone who has an irrigation system to also install a Flume (district has a program to help install) as irrigation systems inevitably will leak or malfunction at some point.

Fire:

Firehouse – the building permit for the firehouse is in progress and have now contracted with both Questa to engineer the septic holding tank and Miller Pacific Engineering to do the geotechnical report. We used Measure C funds to clear some dead trees and do some brush clearing around the water facilities and structures that would be hard to access once the firehouse gets built, but which will also benefit the new Firehouse as well. MBVFA grant report to-date is that we have received a total of \$340,000 from the VFA since 2018. We have spent a total of \$72,784.27 mostly on soft costs (such as Civil Engineering, building permit, and Septic Engineering deposit) Current balance in the MBVFA firehouse grant account is \$267,215.73 plus the additional \$100,000 received from the County grant.

Measure C – funds were used to help clear defensible space at the Upper Water tank location to protect water infrastructure and sheds that we will no longer being accessible once the new firehouse is built. I am currently working with MWPA financials staff to complete FY23/24 audit.

MWPA – most recent update is that possible grant funding to clear the fuel load on the Highway 1 north and south evacuation corridor projects along with the ACR Pacific Way property is now working its way through Caltrans permitting process. The MBCSD will reconsider the possible transfer of the property from ACR to MBCSD once dangerous trees have been removed.

SDRMA WC Insurance – the Fire Departments received a sizable refund from its previous year Worker’s Comp audit.

Recreation:

MB Community Center – the solar panels were cleaned this year by a professional solar panel cleaning company to remove lots of moss and lichen buildup that was starting to cover the panels. Have started looking into how to replace the several deck curtains were torn up in the windstorms. It seems that the current curtains were made and installed by a sailmaker in Sausalito who is likely not still alive, so am calling around to various local sailmakers.

CC Rental Coordinator – our new rental coordinator Sefton Murray received the handoff from Joani of all rental materials and information and seems to have been a seamless transition as more community events are being booked and scheduled.

Prop 68 Per Capita Recreation grant – we have now finished the civil and structural engineering for the west-section of CC Parking project (phase 2) which has now been waiting for geotechnical review. The Coastal Permit covers both sides of the CC Parking Project, so we will only need to submit for building and encroachment permits. We have until 2028 to complete.

Measure A – currently being used to help backfill Prop 68 CC parking project and will pay for the deck curtain replacements at the CC. It will also be used to improve the trail and stairs from Sunset down to Cove Lane this year.

Parks and Trails – grounds crew continues to cutback brush and clear roads and drains to begin to prepare for winter rains. Stair tread brackets on the Ahab to Sunset lower set of stairs and the Seacape to Pacific stairs have now been replaced. Ahab stairs also needed to have the side boards replaced due to rot. The drainage trough that goes along the Sunset to Pacific stairs needs to be lined. We have used copper in the past, but are not able to locate the right size, so are trying to locate some plastic piping that may work. Also, currently getting a quote to have the trail from Sunset to Cove lane for repairs, improvements and installation of new handrail.

Roads:

Lagoon Drive – we received an estimate from Rodas for the cost to raise the road 18” higher, which the Board approved at the May 22 Board meeting, so the scheduling plan for the project is to be coordinated with the Firehouse project hopefully in the late summer.

Communications:

Cybersecurity Committee – we have received the summary report on the district’s water pumping facility security from CISA specialist Edgar Castor that includes his observations and suggestions for safety and security recommendations for our consideration. Property cleanup, installation of perimeter security barriers, and coordination with local fire and police agencies seemed like main recommendations.

Website – as always, continuing to update pages, post routine documents, and do security updates.

Muir Beach Directory – currently updated thru 9/24/24 and posted on the website ‘Contact and Links’ page.

Finance:

Insurance – completed SDRMA Worker’s Comp policy annual reconciliation.

Audits – starting to transfer information for 2024 audit.

Budget – the final-draft of the FY24/25 Budget is now available for review and adoption at July 22 Board meeting.

District Office Business – the DM laptop is now 8-years old, and our computer technician says that Windows will stop supporting the current version in October of 2024, so starting to look at replacement. We noticed that we have been missing a lot of checks and regular mail since the end of May, but our inquiries to the Postal service did not reveal a change in delivery pattern, until one day I noticed that the MBVFD box was stuffed to almost overflowing. Upon getting the key from the fire barn, we found that almost 5 months of the CSD mail (along with MB LAN and the some Beachcomber) had all been delivered to that one box. It took about a week to catchup and sort through everything we have been missing. As always, I am continuing to process all District mail and work with Sharry to make sure payroll timesheets, routine/event reimbursements, Credit Card expenditures, incoming payments and outgoing checks are all processed and expedited between agencies, employees, and vendors promptly.

Respectfully submitted,

Mary Halley

MBCSD District Manager