



# NOTICE OF THE WATERSHED COMMITTEE MEETING/SPECIAL MEETING OF THE BOARD OF DIRECTORS

Thursday, June 20, 2024 at 9:30 AM

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## AGENDA

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### LOCATIONS:

**Open Session to start at or after 9:30 a.m.**

Marin Water Board Room – 220 Nellen Avenue, Corte Madera, CA 94925

### Public Participation:

The public may attend this meeting in-person or remotely using the following methods:

On a computer or smart device, go to: <https://marinwater.zoom.us/j/81071577373>

By phone, dial: **1-669-444-9171** and use Webinar ID: **810 7157 7373**

### HOW TO PROVIDE PUBLIC COMMENT:

**During the Meeting:** Typically, you will have 3 minutes to make your public comment, however, the board president may shorten the amount of time for public comment due to a large number of attendees. Furthermore, pursuant to Government Code, section 54954.2 (the Brown Act), the Board may not take action or discuss any item that does not appear on the agenda.

-- **In-Person Attendee:** Fill out a speaker card and provide to the board secretary. List the number/letter (ex: 6a) of the agenda item(s), for which you would like to provide a comment. Once you're called, proceed to the lectern to make your comment.

-- **Remote Attendee:** Use the "raise hand" button on the bottom of the Zoom screen. If you are joining by phone and would like to comment, press \*9. The board secretary will use the last four digits of your phone number to call on you (dial \*6 to mute/unmute).

**In Advance of the Meeting:** Submit your comments by email in advance of the meeting to [boardcomment@marinwater.org](mailto:boardcomment@marinwater.org). To ensure that your comment is provided to the Board of Directors prior to the meeting, please email your comment 24 hours in advance of the meeting start time. Comments received after this cut off time will be sent to the Board after the meeting. Please do not include personal information in your comment such as phone numbers and home addresses.

## AGENDA ITEMS:

1. **Call to Order and Roll Call**
2. **Adoption of Agenda**
3. **Public Comment on Non-Agenda Matters**

This is the time when any person may address the Board of Directors on matters not listed on this agenda, but which are within the subject matter jurisdiction of the Board.

4. **Regular Items** (9:50 a.m. – Time Approximate)

- a. Minutes of the Watershed Committee Meeting/Special Meeting of the Board of Directors on March 21, 2024

**RECOMMENDATION:** Approve the meeting minutes

- b. Wildfire Pathway Modeling Presentation

**RECOMMENDATION:** Receive a Guest presentation relating to Wildfire Pathway Modeling

- c. Watershed Recreation Management Planning Feasibility Study Update

**RECOMMENDATION:** Receive an update on the Watershed Recreation Management Planning Feasibility Study Strategic Opportunities and the development of the pilot programs

- d. Forestry Services Contract (CN 2034)

**RECOMMENDATION:** Review and refer the 'Forestry Services' General Services Agreement (GSA) to a future regular meeting of the Board of Directors for award of the contract to the lowest qualified bidder

- e. Amendments to BFFIP Contracts No. 1967 and No. 1948

**RECOMMENDATION:** Review and refer Amendment No. 3 to Contract No. 1948 with Forester and Kroeger and Amendment No. 2 to Contract No. 1967 with Bay Area Tree Services to a future regular meeting of the Board of Directors for the Board to consider approval

5. **Upcoming Meeting**

The next Watershed Committee Meeting/Special Meeting of the Board of Directors is scheduled for September 19, 2024 at 9:30 a.m.

6. **Adjournment** (11:00 a.m. – Time Approximate)

## ADA NOTICE AND HEARING-IMPAIRED PROVISIONS

In accordance with the Americans with Disabilities Act (ADA) and California Law, it is Marin Water's policy to offer its public programs, services, and meetings in a manner that is readily accessible to everyone, including those with disabilities. If you are an individual with a disability and require a copy of a public hearing notice, an agenda, and/or agenda packet in an appropriate alternative format, or if you require other accommodations, please contact the Board Secretary/ADA Coordinator at 415.945.1448, at least two business days in advance of the meeting. Advance notification will enable Marin Water to make reasonable arrangements to ensure accessibility.

*Information agendas are available for review at the Civic Center Library, Corte Madera Library, Fairfax Library, Mill Valley Library, Marin Water Administration Building, and [marinwater.org](http://marinwater.org).*

Posted: 06-14-2024



# STAFF REPORT

**Meeting Type:** Watershed Committee/Board of Directors  
**Title:** Minutes of the Watershed Committee Meeting/Special Meeting of the Board of Directors on March 21, 2024  
**From:** Terrie Gillen, Board Secretary  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** June 20, 2024

**TYPE OF ACTION:**    X    Action                              Information                              Review and Refer

**RECOMMENDATION:** Approve the meeting minutes

**SUMMARY:** The Watershed Committee/Board of Directors held a meeting on March 21, 2024. The minutes of that meeting are attached.

**DISCUSSION:** None.

**ENVIRONMENTAL REVIEW:** Not applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):**

1. Draft March 21, 2024 Minutes of the Watershed Committee Meeting/Special Meeting of the Board of Directors

DEPARTMENT OR DIVISION	DIVISION MANAGER	APPROVED
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Communications & Public  
Affairs Department

**Terrie Gillen**  
**Board Secretary**

**Ben Horenstein**  
**General Manager**



# NOTICE OF THE WATERSHED COMMITTEE MEETING/SPECIAL MEETING OF THE BOARD OF DIRECTORS

Thursday, March 21, 2024 at 9:30 AM

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## MINUTES

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### LOCATIONS:

**Open Session to start at or after 9:30 a.m.**

Marin Water Board Room – 220 Nellen Avenue, Corte Madera, CA 94925

Outside location for Director Larry Russell – Contractors State License Board, First Floor Lobby, 9821 Business Park Drive, Sacramento, CA 95827

### Public Participation:

The public attend this meeting in-person or remotely using the following methods:

on a computer or smart device, <https://marinwater.zoom.us/j/81071577373>, or by phone, 1-669-444-9171, using Webinar ID #: 810 7157 7373.

### AGENDA ITEMS:

#### 1. Call to Order and Roll Call

Chair Matt Samson called the meeting to order at 9:30 a.m.

#### DIRECTORS PRESENT

Ranjiv Khush

Larry Russell (*arrived after roll call*)

Jed Smith

Monty Schmitt

Matt Samson

#### 2. Adoption of Agenda

A motion was made by Director Smith and seconded by Vice Chair Schmitt to adopt the agenda.

There were no public comments regarding the adoption of the agenda.

Voting Yea: Directors Khush, Russell, Smith, Schmitt, and Samson

**3. Public Comment on Non-Agenda Matters**

There were no public comments on items not on the agenda.

**4. Regular Items**

- a. Minutes of the Watershed Committee Meeting/Special Meeting of the Board of Directors on December 12, 2023 and February 29, 2024

**RECOMMENDATION:** Approve the meeting minutes

A motion was made by Director Smith and seconded by Director Khush to approve the minutes.

There were no public comments.

Voting Yea: Directors Khush, Russell, Smith, Schmitt, and Samson

- b. One Tam MOU, Strategic Plan and Work Plan

**RECOMMENDATION:** Staff is requesting the Watershed Committee to review and refer the One Tam’s Memorandum of Understanding (MOU), Strategic Plan 2024-2028 and Work Plan 2024-2025 to a future regular board meeting to consider adoption and approval and authorize the General Manager to sign the One Tam MOU.

Watershed Resources Director Shaun Horne and Claire Mooney, Vice President of Park Places & Innovation, of Golden Gate National Parks Conservancy, provided a presentation on this item. Discussion ensued.

There were four (4) public comments.

A motion was made by Director Smith and seconded by Director Khush to refer this item to the Board to consider for approval at a future board meeting.

- c. Watershed Recreation Management Planning Feasibility Study

**RECOMMENDATION:** Staff is requesting the Watershed Committee to review and refer the Watershed Recreation Management Planning Feasibility Study to a future regular board meeting so that the Board may consider accepting the final Study as a blueprint to pursue implementation of the various Strategic Opportunities.

Watershed Resources Director Horne also presented this item. Discussion followed.

There were 13 public comments.

A motion was made by Director Khush and seconded by Director Smith to refer this item to the Board to consider for approval at a future meeting.

**5. Upcoming Meeting**

The Board Secretary announced the next Watershed Committee Meeting/Special Meeting of the Board of Directors would take place on June 20, 2024.

**6. Adjournment**

There being no further business, the Watershed Committee Meeting/Special Meeting of the Board of Directors adjourned at 11:16 a.m.

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Board Secretary



# STAFF REPORT

**Meeting Type:** Watershed Committee/Board of Directors  
**Title:** Wildfire Pathway Modeling Presentation  
**From:** Shaun Horne, Director of Watershed Resources  
**Through:** Bret Uppendahl, Acting General Manager  
**Meeting Date:** June 20, 2024

**TYPE OF ACTION:**                      Action              X              Information                      Review and Refer

**RECOMMENDATION:** Receive a Guest presentation relating to Wildfire Pathway Modeling

**SUMMARY:** In October of 2019, the District adopted the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP), which describes the actions the District will implement to reduce wildfire hazards and to maintain and enhance ecosystem function. To better understand the potential risks to critical facilities, neighboring communities and the efficacy of existing and proposed fuel reduction efforts, the District continues to evaluate various wildfire modeling technologies to help inform the District’s BFFIP work. The Watershed Committee will receive a guest presentation on the Wildfire Pathway modeling approach that uses existing fuel models, topography, and worst case historical weather conditions characterized by high winds and low relative humidity. This modeling can then be used to support the development of Strategically Placed Landscape Area Treatments (SPLATS).

**DISCUSSION:** California is facing unprecedented wildfire crises as a result of decades of fire exclusion and increasing impacts associated with climate change. In many of California ecosystems, biodiversity, carbon stability and overall ecological resilience are dependent on the regular occurrence of fire. In addition, the wildfire seasons over the past few years have brought record impacts to communities, critical infrastructure and ecosystems. Under the BFFIP there are 27 management actions that are being implemented to fulfill the goals and approach described in the plan. Vegetation management under the BFFIP aims to reduce fuel loads, maintain fuelbreak infrastructure, preserve defensible space, and reduce invasive weed species. Vegetation management is conducted continuously throughout the year with the chief goal of reducing fuel loads and maintaining the watershed’s biological diversity to preserve the District’s primary source of water, the Mt. Tamalpais Watershed.

In an effort to understand the best available science and to inform the District’s BFFIP implementation, the District continues to evaluate various wildfire modeling technologies. A guest speaker will provide a presentation on the value of Wildfire Pathway modeling approach and SPLATS. Recommended SPLATS location and quantity are developed using an algorithm prioritizing fuel treatment areas that



interrupt those pathways that enter identified values at risk (community, critical infrastructure, high value environmental area) and have few barriers to implementation (low slope, proximity to a road, not in an environmental exclusion area). Multiple independent fuel treatment areas can be recommended to interrupt the same pathway to achieve network effects. Treatment recommendations vary based on the fuel type and can include mechanical thinning, pruning and limbing, mowing and brush cutting, grazing, and prescribed fires. Treatments include a return interval to account for maintenance efforts. These treatment recommendations are prioritized to select those areas with greatest contribution to slowing the spread of fire to provide additional time before wildfire's arrival to selected values-at-risk. Multiple fuel treatment areas can be recommended to interrupt the same pathway to achieve network effects. Fuel treatment areas are designed to optimize the cost and complexity of treatment with the benefit of delayed fire arrival time to the downstream values at risk.

**ENVIRONMENTAL REVIEW:** None.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.



# STAFF REPORT

**Meeting Type:** Watershed Committee/Board of Directors  
**Title:** Watershed Recreation Management Planning Feasibility Study Update  
**From:** Shaun Horne, Director of Watershed Resources  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** June 20, 2024

*SH*  
*BH*

**TYPE OF ACTION:**                      Action                      X Information                      Review and Refer

**RECOMMENDATION:** Receive update on the Watershed Recreation Management Planning Feasibility Study Strategic Opportunities and the development of the pilot programs

**SUMMARY:** The Marin Municipal Water District (District) partnered with the Golden Gate National Parks Conservancy (GGNPC) to engage District Board members, executive leadership, stakeholders, and constituents in early scoping of a Watershed Recreation Management Planning Feasibility Study. Since June 2022, the District has hosted six (6) community workshops, two (2) site visits, and completed an updated watershed census survey to solicit input relating to watershed operations and visitor management. The Board adopted the Watershed Recreation Management Planning Feasibility Study (Feasibility Study) at the April 16, 2024 Board of Directors Meeting. Staff will provide an update on the Watershed Recreation Management Planning Feasibility Study Strategic Opportunities relating to the development of pilot programs for evaluating trail sharing methods and E-Bike Class I access.

**DISCUSSION:** Mt. Tamalpais and its adjacent watersheds support a rich array of plants and animals, panoramic vistas, and recreational opportunities that are treasured by residents and visitors alike. Since before the turn of the last century, Mt. Tamalpais has been a magnet for recreationists. The Marin Municipal Water District’s Mt. Tamalpais watershed lands receive approximately 2 million visitors annually and are part of the Golden Gate Biosphere Reserve (UNESCO 2002). Watershed users include anglers, hikers, equestrians, nature viewers, runners, walkers, youth camps, cyclists and many more. With the onset of the COVID-19 Pandemic and associated Shelter in Place Orders the number of watershed visitors drastically increased, overwhelming many of the District’s facilities (restrooms, parking lots, trash receptacles and popular trails). This dramatic increase in users demonstrates the significant value of natural areas and open space lands to the community and the community’s deep connection to these areas. However, this increase in visitors also accentuated long-standing watershed issues relating to existing facilities and between different visitor groups.

**Watershed Recreation Management Planning Feasibility Study**

The planning process was designed to facilitate a conversation with the community around existing visitation in an effort to help address long-standing issues around various modes of recreation on Mt. Tamalpais. The Feasibility Study reviewed existing watershed recreational facilities, visitor use data, biological resources, stewardship and volunteer programs, and visitor management strategies. The planning process aligned with the District’s adaptive watershed management strategy and informs multi-benefit outcomes that can be advanced to help protect the unique goals of different watershed visitors and the biodiversity of the District’s watershed lands. The final section of the Feasibility Study presents a series of Strategic Opportunities organized around stewardship initiatives, visitor services, watershed facilities, and adaptive management operations.

As part of the Watershed Facilities Strategic Opportunities two pilot programs were identified. One pilot program to evaluate trail sharing methods to assess bike access on a select number of single-track trails. The second program is an E-Bike Class I Trial period to evaluate E-Bike access on the watershed in the same manner as regular bicycles, including any trails where bike access would be permitted under the pilot program. Staff will provide an update on the development of the pilot programs and discuss next steps.

The District has developed a webpage to keep the community updated on the planning process and where the Feasibility Study can be viewed: (<https://www.marinwater.org/WatershedRecPlan>).

**ENVIRONMENTAL REVIEW:** Not Applicable.

**FISCAL IMPACT:** None.

**ATTACHMENT(S):** None.



# STAFF REPORT

**Meeting Type:** Watershed Committee/Board of Directors  
**Title:** Forestry Services Contract (CN 2034)  
**From:** Shaun Horne, Director of Watershed Resources  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** June 20, 2024

**TYPE OF ACTION:**                      Action                      Information                      X                      Review and Refer

**RECOMMENDATION:** Review and refer the ‘Forestry Services’ General Services Agreement (GSA) to a future regular meeting of the Board of Directors for award of the contract to the lowest qualified bidder

**SUMMARY:** The District is currently in year five of implementation of the Biodiversity, Fire and Fuels Integrated Plan (BFFIP) that was adopted in 2019. The current forestry contract with Hanford ARC (CN 1938) will terminate of June 30, 2024. Staff proposes using a new three year ‘Forestry Services’ GSA contract to provide labor and equipment necessary to further implement treatments outlined in the BFFIP vegetation management actions. Assuming satisfactory contractor performance during the initial contract term, the GSA contract allows for two one-year contract extensions.

Staff recommends that the Watershed Committee review and refer the Forestry Services GSA contract for award to the lowest qualified bidder at a future regularly scheduled Board of Directors meeting, and to authorize the General Manager to execute any and all future amendments to this contract, which are deemed necessary, so long as they do not exceed 10% of the total contract amount.

**DISCUSSION:** In October of 2019, the District adopted the BFFIP, and associated Programmatic Environmental Impact Report (PEIR), which describes the actions the District will implement to reduce wildfire hazards and to maintain and enhance ecosystem function. Vegetation management under the BFFIP aims to reduce fuel loads, maintain fuelbreak infrastructure, preserve defensible space, and reduce invasive weed species. Vegetation management is conducted continuously throughout the year with the chief goal of reducing fuel loads and maintaining the watershed’s biological diversity. These actions help to protect the District’s primary source of water supply, the Mt. Tam Watershed.

Over the last four years Hanford ARC has successfully assisted the District under contract CN1938 with implementation of BFFIP vegetation management actions. On June 30, 2024, contract CN1938 will expire and the District will need to seek bids on a new forestry contract in order to continue critical

BFFIP implementation. The District utilizes various contractors and crews from partnering agencies to carry out the BFFIP annual vegetation management actions on the watershed. The BFFIP work is funded with District Operations and Capital budgets and with grants from Cal Fire and the Wildlife Conservation Board. To reduce financial impacts to ratepayers, the District continues to seek out additional state and federal funding to support the scaling up of the BFFIP work on the watershed.

For the past five years, watershed staff and contractors have successfully implemented vegetation management actions (MA) outlined within the BFFIP. Multiple contractors are necessary to conduct over 1,500 acres of annual vegetation treatments described in the BFFIP under MA-20, 'Fuelbreak Construction', MA-21 Fuelbreak Construction, MA-23, 'Forest Stand Structure Improvement' and MA 24, 'Grassland and Oak Woodland Improvement'. This new Forestry GSA will provide skilled hands and operator labor, as well as heavy equipment with forestry masticators, necessary to continue planned BFFIP MAs through 2027, with the option to extend the contract for two additional years in one year increments.

In addition, this new Forestry Services contract will support a limited amount of vegetation related work needed during implementation of the current 'Lagunitas Creek Restoration Project' which is now underway.

*Proposal Selection Process*

In June 2024, the District will release a notice inviting bidders to submit proposals for a three-year Forestry Services GSA. The notice will be published in the local newspaper and posted on the District's external bid posting website to inform contractors of the opportunity. Bids will be received and reviewed by the District and the lowest qualified bidder will be identified.

**ENVIRONMENTAL REVIEW:** The District, as the Lead Agency on this project, has prepared a Programmatic Environmental Impact Report (PEIR) pursuant to the provisions of the California Environmental Quality Act for the Biodiversity, Fire and Fuels Integrated Plan (BFFIP) which was adopted in 2019 and covers all work being proposed under the new 'Forestry Services' contract.

**FISCAL IMPACT:** Staff estimate the costs to perform the 'Forestry Services' work over three years, during FY25, FY26 & FY27, will total approximately \$4,070,985. Funds for this contract will be paid out of a combination of District BFFIP Operations and Capital funding, as well as a secured Wildlife Conservation Board Grant and Cal Fire Forest Health Grant.

**ATTACHMENT(S):** None.



# STAFF REPORT

**Meeting Type:** Watershed Committee/Board of Directors  
**Title:** Amendments to BFFIP Contracts No. 1967 and No. 1948  
**From:** Shaun Horne, Director of Watershed Resources  
**Through:** Ben Horenstein, General Manager  
**Meeting Date:** June 20, 2024

**TYPE OF ACTION:**                      Action                      Information                      X                      Review and Refer

**RECOMMENDATION:** Review and refer Amendment No. 3 to Contract No. 1948 with Forester and Kroeger and Amendment No. 2 to Contract No. 1967 with Bay Area Tree Services to a future regular meeting of the Board of Directors for the Board to consider approval

**SUMMARY:** The District utilizes contractors to assist with the implementation of the Biodiversity, Fire, and Fuels Integrated Plan (BFFIP) on the watershed. On June 6, 2021 the District entered into Contract No. 1948 for Fuelbreak Maintenance and Invasive Management (“Contract”) with Forester and Kroeger, which had a contract end date of June 30, 2023, and was subsequently extended to June 30, 2024. On January 4, 2022 the District and the Contractor entered into Contract No. 1967 for ‘Forestry Services’ (“Contract”) with Bay Area Tree Services, which had a contract end date of June 30, 2023, which was subsequently extended to June 30, 2024. Section 1.5 of Contract No. 1967 and Contract No. 1948 gives the District an option to extend the contracts in one (1) year increments for up to an additional two years. To support the ongoing implementation of the BFFIP, staff is requesting that the Watershed Committee review and refer approval of the contract extensions for one additional year to a regularly scheduled Board of Directors Meeting for review and consideration of approval.

**DISCUSSION:** Over the past three years Bay Area Tree Specialists and Forester and Kroeger have assisted the District with the implementation of the District’s Biodiversity, Fire, and Fuels Integrated Plan (BFFIP) to reduce wildfire hazards and to maintain and enhance ecosystem function on watershed lands. Vegetation management under the BFFIP aims to reduce fuel loads, maintain fuelbreak infrastructure, preserve defensible space, reduce invasive weed species and enhance biodiversity. Vegetation management is conducted continuously throughout the year with the chief goal of reducing fuel loads and maintaining the watershed’s biological diversity.

On June 6, 2021, the District entered into Contract No. 1948 for Fuelbreak Maintenance and Invasive Management with Forester and Kroeger, which had a contract end date of June 30, 2022. On January 27, 2023, the District Board of Directors authorized Amendment No. 1, which corrected the contract

completion date to June 30, 2023 to match the bid sheet. Amendment No. 2, approved by the District Board of Directors on June 6<sup>th</sup>, 2023, extended the contract completion date to June 30, 2024. The current Amendment No. 3 would extend the contract for one final year to June 30, 2025.

On January 4, 2022, the District and Bay Area Tree Services entered into Contract No. 1967 for 'Forestry Services' to run through June 30, 2023. On June 6, 2023, the District Board of Directors authorized an amendment (Amendment No. 1), which extended the contract completion date to June 30, 2024. The current Amendment No. 2 would extend the contract for one final year to June 30, 2025.

Both contracts are set to expire on June 30, 2024. Due to the District's ongoing need for contractor support and the fact that these contractors have performed exceptionally well over the past years, staff desires to exercise the option to extend their services for one additional year. Per Section 1.5 of the contracts, the District has the option to extend the contracts in one (1) year increments for up to an additional two years. Per Section 1.22 of Contract No. 1967 and Contract No. 1948, the contractor is allowed to escalate the unit prices in accordance with the San Francisco-Oakland-San Jose Consumer Price Index (CPI), which is 2.4%. This will be the final contract extension for Contract NO. 1948 and Contract No. 1967 per the terms of the contract.

**ENVIRONMENTAL REVIEW:** All work conducted under this contract is directed by Management Actions outlined in the 2019 'Biodiversity Fire and Fuels Integrated Plan' and supporting EIR.

**FISCAL IMPACT:** Contract No. 1948 will be increased by \$1,008,316 to cover BFFIP FY 2025 costs.

Contract No. 1967 will be increased by \$1,054,671 to cover BFFIP FY 2025 costs.

Funds for these contracts will be paid out of a combination of District BFFIP Operations and Capital funding, as well as with a secured Wildlife Conservation Board Grant and Cal Fire Forest Health Grants.

**ATTACHMENT(S):**

- 1. Amendment No.3, 'Fuelbreak Maintenance', Forester and Kroeger (Contract No. 1948)
- 2. Amendment No.2, 'Forestry Services', Bay Area Tree Specialists (Contract No. 1967)

**AMENDMENT NO. 3 TO FUELBREAK MAINTENANCE  
AND INVASIVE MANAGEMETN CONTRACT BETWEEN  
MARIN MUNICIPAL WATER DISTRICT and FORSTER AND  
KROEGER LANDSCAPE MAINTENANCE INC.  
(CONTRACT NO. 1948)**

This Contract Amendment ("Amendment No. 3") is entered into by and between Marin Municipal Water District ("District") and Forster and Kroeger Landscape Maintenance Inc. ("Contractor"). For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. On June 6, 2021 the District and the Contractor entered into Contract No. 1948 for Fuelbreak Maintenance and Invasive Management ("Contract") to run through June 30, 2022.
- B. On January 27, 2023, the District Board of Directors authorized an amendment (Amendment No. 1) which corrected the contract completion date to June 30, 2023.
- C. The Contract contains an option for the District to extend the term in one year increments for up to an additional two years. On June 6<sup>th</sup>, 2023, the District Board of Directors authorized an amendment (Amendment No. 2) which extended the contract completion date to June 30, 2024.
- D. At this time, the Parties desire to execute an amendment ("Amendment No. 3") to the Contract to extend the services of Contractor for one final year term until June 30, 2025.

Section 2. Terms:

- A. Amendment to Contract: This Amendment No. 3 modifies the Contract. Except for the modifications contained herein, all the terms of the Contract shall apply.
- B. Terms:
  - 1. Special Provisions Part 1-General- Paragraph 1.5 entitled "CONTRACT COMPLETION DATE" is amended to read as follows:  
  
Upon the execution of Amendment No. 3 to this Contract, the term shall be extended for one final year and terminate on June 30, 2025 unless otherwise terminated pursuant to Article 46 of the standard specifications.
  - 2. Pursuant to Special Provisions Part 1 – General – Paragraph 1.22 entitled "ESCALATION OF UNIT PRICE", the unit prices will be adjusted effective July 1, 2024 by 2.4% as reflected on Attachment A to this Amendment No. 3, which is incorporated herein and made part of the Contract.

Continues on next page



Executed by the parties as follows:

Dated: \_\_\_\_\_

**Forster & Kroeger**  
By: \_\_\_\_\_

Raul Garcia, President

**Marin Municipal Water District**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Bennett Horenstein, General Manager

**ATTACHMENT A**  
**CN 1948 Amendment No.3 Budget**

Forster & Kroeger						
Understory Brush/Tree Removal & Mastication Year 4						
	Description	Quantity	Year 3 Rate	CPI Increase	Year 4 Rate	Total
a	Crew Supervisor	3600	62.52	2.40%	\$64.02	\$230,472.00
b	Laborer (Landscape Worker)	13000	52.1	2.40%	\$53.35	\$693,550.00
c	Laborer (Sawyer)	1500	52.1	2.40%	\$53.35	\$80,025.00
d	Chipper, run time	80	26.05	2.40%	\$26.68	\$2,134.40
e	Box Truck	80	26.05	2.40%	\$26.68	\$2,134.40
	Total					\$1,008,315.80

**AMENDMENT NO. 2 TO FORESTRY SERVICES  
CONTRACT BETWEEN MARIN MUNICIPAL WATER  
DISTRICT and BAY AREA TREE SPECIALIST  
(CONTRACT NO. 1967)**

This Contract Amendment ("Amendment No. 2") is entered into by and between Marin Municipal Water District ("District") and Bay Area Tree Specialist ("Contractor"). For good and valuable consideration the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

Section 1. Recitals:

- A. On January 4, 2022 the District and the Contractor entered into Contract No. 1967 for Forestry Services ("Contract") for a period of two years.
- B. The Contract contains an option for the District to extend the term in one year increments for up to an additional two years.
- C. On June 6<sup>th</sup> 2023, the District Board of Directors authorized an amendment (Amendment No. 1) which extended the contract completion date to June 30, 2024.
- D. At this time, the Parties desire to execute an amendment ("Amendment No.2") to the Contract to extend the services of Contractor for one final year term until June 30, 2025.

Section 2. Terms:

- A. Amendment to Contract: This Amendment No. 2 modifies the Contract. Except for the modifications contained herein, all the terms of the Contract shall apply.
- B. Terms:
  - 1. Special Provisions Part 1-General- Paragraph 1.5 entitled "CONTRACT COMPLETION DATE" is amended to read as follows:

This contract shall commence upon the execution of Amendment No. 2 and terminate on June 30, 2025 unless otherwise terminated pursuant to Article 46 of the standard specifications.
  - 2. Pursuant to Special Provisions Part 1 – General – Paragraph 1.22 entitled "ESCALATION OF UNIT PRICE", the unit prices will be adjusted effective July 1, 2024 by 2.4% as reflected on Attachment A to this Amendment No. 2, which is incorporated herein and made part of the Contract.

Continued on next page

Executed by the parties as follows:

Dated: \_\_\_\_\_

**Bay Area Tree Specialist**

By: \_\_\_\_\_

Richard Smith, Owner

**Marin Municipal Water District**

Dated: \_\_\_\_\_

By: \_\_\_\_\_

Bennett Horenstein, General Manager

**ATTACHMENT A**  
**CN 1967 Amendment No.2 Budget**

Bay Area Tree Specialists Forestry, Fuels, & Weeds: FY25 - Year 4 (7/1/24 - 6/30/25)						
	Description	Quantity	Year 3 Rate	CPI Increase	Year 4 Rate	Total
a	Crew Supervisor	840	97.67	2.40%	\$100.01	\$84,008.40
b	Heavy Equipment Operator	1680	100.89	2.40%	\$103.31	\$173,560.80
c	Tree Trimmer	1680	97.67	2.40%	\$100.01	\$168,016.80
d	Ground Person	4200	97.67	2.40%	\$100.01	\$420,042.00
e	Excavator	840	118.06	2.40%	\$120.89	\$101,547.60
f	Skid Steer	840	107.33	2.40%	\$109.91	\$92,324.40
g	Water Buffalo	840	16.1	2.40%	\$16.49	13851.6
h	Mob / Demob	lump sum	1287.91	2.40%	\$1,318.82	\$1,318.82
	Total					\$1,054,670.42