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March 10, 2023

Christopher B. Burton,  
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State of California Fair Political Practices Commission  
1102 Q Street, Suite 3000  
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[arodriguez@fppc.ca.gov](mailto:arodriguez@fppc.ca.gov)

Re: Marin Resource Conservation District  
FPPC Complaint No. COM-2022023-00259

Dear Mr. Burton:

My office represents the Marin Resource Conservation District ("MRCD"). Below, please find a response to the Complaint, dated February 1, 2023, alleging violations of the Political Reform Act by four MRCD board members. This response is submitted on behalf of the MRCD.

If you need any further assistance or information, please do not hesitate to contact me directly.

Sincerely,

Kate Stanford  
Deputy County Counsel

## **I. Introduction**

On February 1, 2023, Matthew Maguire, on behalf of himself and ten other individuals, submitted a complaint to the Fair Political Practices Commission (“FPPC”) regarding three current Marin Resource Conservation District (“MRCD”) board members and one former board member (the “Complaint”). Specifically, the Complaint alleges that these board members failed to comply with the Political Reform Act’s conflict of interest requirements and requests that the FPPC initiate enforcement proceedings.

However, the Complaint fails to establish that any of the alleged actions taken by MRCD board members involved a reasonably foreseeable conflict of interest affecting a material financial interest. Further, the Public Resources Code specifically allows MRCD to undertake projects on land owned or controlled by District board members. The Complaint is without merit and should be denied.

## **II. Background**

### **A. Marin Resource Conservation District**

The Marin Resource Conservation District (“MRCD”) was established on May 20, 1959 and includes approximately 250,000 acres of land within Marin County. Resource conservation districts are part of a statewide program to protect, conserve, restore, and enhance natural resources. (Pub. Res. Code § 9001 (a)(4)(B).) First created in the 1930s in response to the Dust Bowl, resource conservation districts bring federal and state funding and technical assistance to farmers and ranchers to support the conservation of water, soil, and wildlife habitat on their land. In recent years, the State has highlighted the importance of resource conservation districts in adapting and responding to climate change and improving carbon sequestration on natural lands and working lands. (See Pub. Res. Code §§ 9001 (a)(3)-(4).)

The primary purpose of any project undertaken by a resource conservation district is conservation. Conservation goals are achieved through projects and technical assistance promoting soil and water conservation, the control of runoff, the prevention and control of soil erosion, erosion stabilization, watershed management, the protection of water quality, water reclamation, and carbon sequestration. (Pub. Res. Code § 9001 (a)(4)(B).) Since 1983, MRCD has administered over \$25 million in government and private foundation grants that provide environmental benefits, such as increasing biodiversity, reducing greenhouse gas emissions, sequestering carbon, and creating wildlife habitat. (See MRCD, Our History, available at <https://www.marinrcd.org/marin-rcd-story/>.)

MRCD is governed by a five-member elected board. Board members are unpaid and are elected to four-year terms. With some exceptions, board members must reside and own land within the district. (Ca. Pub. Res. Code § 9352 (b).) Recognizing the role of private landowners in conservation efforts, the Public

Resources Code expressly permits resource conservation districts to fund certain projects on land owned by board members:

Each district may provide technical assistance to private landowners or land occupants within the district to support practices that minimize soil and related resource degradation and support increased resiliency and adaptation to climate change. When in the judgment of the directors it is for the benefit of the district so to do, the directors may give assistance to a private landowner or land occupant within the district in seeds, plants, materials, and labor, and may loan or rent to that private landowner or that land occupant agricultural machinery or other equipment. Assistance shall not be given or loans shall not be made unless the landowner or land occupant receiving the aid or assistance agrees to devote and use the aid or assistance on their lands within the district in furtherance of objectives of the district and in accordance with district plans or regulations. Notwithstanding the fact that the landowner or land occupant is also a director, any landowner is qualified to and may receive assistance or loans under this section.

(Ca. Pub. Res. Code § 9412.) The FPPC has opined that Public Resources Code section 9412 expressly allows resource conservation districts to affect the real property interests of board members through the rendering of direct assistance in the form of seeds, plants, materials, labor, machinery, and equipment. (*See Bordelon* FPPC Advice Letter (1977) A-77-298.)

Despite this express authorization for resource conservation districts to conduct certain projects on board member land, as public officials, board members are required to comply with the conflict of interest provisions of Government Code section 87000 *et seq.* Each year, MRCD board members file a Statement of Financial Interest (Form 700). (*See Exhibits A-D.*) Additionally, MRCD board members do not participate in board actions in which they have an actual or reasonably foreseeable financial conflict of interest.

## B. Operation of MRCD

### i. Project Selection

As set forth above, MRCD funds and promotes conservation projects on ranches, farmland, and open space. In general, MRCD applies for and receives grants from other funding sources (e.g., the Department of Fish and Game, State Water Resources Control Board, etc.) to carry out conservation projects. These grants either specify the projects the grant will fund or MRCD proposes a process for selecting projects. MRCD provides notice of grant/project opportunities, specifying project requirements and receives calls of interest from interested landowners. A technical advisory committee (“TAC”) convenes and visits properties to rank projects. The

TAC includes members from partner organizations and agencies with local technical expertise necessary in evaluating projects.

The primary consideration when selecting projects is the potential for natural resource protection and achievement of grant objectives. For example, a grant to improve the Tomales Bay Watershed would involve inviting all ranches in the Tomales Bay Watershed to apply. Projects on ranches owned or controlled by grant applicants offering the greatest benefit to the watershed would be prioritized. Often the granting agency (e.g., Department of Fish and Game, State Water Resources Control Board) will serve on the TAC and approve funded projects.

The TAC then recommends projects for funding to the MRCD board at public board meetings. Board members eligible for a grant/project do not serve on the committee. Additionally, if the committee recommends a board member's project for funding, the board member does not vote or otherwise participate in the board action.

After approval of a project, the MRCD board reviews and awards contracts related to the project (e.g., construction contracts) at public meetings. If a particular contract pertains to a project on a board member's land, that board member does not participate, influence, or vote on the action item.

#### ii. Project Implementation

Following project and contract approval, MRCD staff or consultants inspect contractor work and associated bills and invoices based on contractual obligations and recommend payment. If a project changes, the project scope of work and budget are brought before the MRCD board at a public meeting for change orders and amendments. If the amendment or change order pertains to a project on board member land, that board member does not participate in the board action.

Approximately one-week prior to each board meeting, the MRCD bookkeeper prepares a financial report, listing bills to be paid and payments already made. The Financial Report includes simple line items and does not include the underlying invoices supporting the bill/payment. The Board-elected Treasurer reviews invoices prior to the Board approving the "Financial Report and Bills to Paid" at public meetings. The board members listed in the Complaint have never served as the Board-elected Treasurer.

Please see Exhibit E for a detailed description of MRCD's operations.

### **III. Response to Allegations**

The Complaint alleges that four MRCD board members, including one former board member, violated conflict of interest laws by approving financial reports involving projects on their land and receiving informational updates about these projects. The Complaint is without merit because: (1) board members did not have a material financial interest at stake; (2) to the extent board members approved

financial reports in which they had a conflict of interest, any conflict of interest was not reasonably foreseeable; and (3) receipt of updates regarding projects does not constitute a board action and does not implicate the Political Reform Act.<sup>1</sup>

A. Sally Gale

Sally Gale (“Gale”), a board member since 1996, has an interest in real property located at 5105 Chileno Valley Road in Petaluma. (See FPPC Form 700, attached as Exhibit A.) This property is the site of the Gale Family Ranch, co-owned by Gale. On February 10, 2021, the MRCD board voted to approve a Carbon Farm Plan for the Gale Ranch; Gale did not participate in this action and abstained from the vote. (See MRCD Meeting Minutes, February 10, 2021, available at: <https://marinresourceconservationdistr.app.box.com/s/4xk5f95qj7tvaledx1vhaspg4z38kkol>.) The Complaint’s allegations against Gale relate to payments associated with the Carbon Farm Plan.

i. Background on the Carbon Farm Plan at the Gale Ranch.

MRCD is a member of the Marin Carbon Project (“MCP”), a collaboration with several other conservation organizations, and has funded Carbon Farm Plans since 2013. Carbon Farm Plan recipients are selected through a Technical Advisory Committee, which creates selection criteria and then reviews and ranks all farms and ranches applying to receive a Carbon Farm Plan. Carbon Farm Plans provide farmers and ranchers with technical assistance for the planning, design, and implementation of carbon beneficial practices. The Carbon Farm Plan does not involve any physical improvements to the property; rather, it provides a plan for land management practices and other recommendations to increase carbon sequestration and mitigate county-wide greenhouse gas emissions. (See Marin RCD’s Carbon Farming Program, available at <https://www.marinrcd.org/carbon-farming/>.)

In 2019, MRCD was awarded \$169,266 through the Wildlife Conservation Board’s “Enhancing Wildlife and Carbon Sequestration on Working Lands” grant. Among other things, this grant was awarded to create a site-specific plan that restored riparian corridors, enhanced farm and rangeland biodiversity, and promoted resiliency for a variety of species. MRCD met this deliverable by funding a Carbon Farm Plan.

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<sup>1</sup> Additionally, MRCD maintains that the process by which it approves Financial Reports constitutes a purely ministerial function and not a “governmental decision” subject to the Political Reform Act. (See 2 C.C.R. § 18704 (d)(1).) Under MRCD procedures, board members are provided a six- or seven-page packet that summarizes transactions related to MRCD bank accounts over the past month and lists upcoming bills. Underlying invoices and expense reports are not included in the Financial Report. The Board votes to approve the Financial Report without making changes or exercising discretion. Accordingly, approval of the Financial Report should be deemed a ministerial action rather than a governmental decision.

To identify a property for the Carbon Farm Plan, MRCD relied on recommendations from a TAC, which recommended a Carbon Farm Plan on the Gale Family Ranch. Although ranked eighth on the TAC list, all other higher-ranking properties had already received a Carbon Farm Plan or were unable to accommodate a project at the time. Additionally, eight properties ranked lower than the Gale Family Ranch had already received Carbon Farm Plans. Accordingly, MRCD staff recommended utilizing the Wildlife Conservation Board grant to fund a Carbon Farm Plan on the Gale property.<sup>2</sup> Gale did not participate in, influence, or vote on this action.

ii. The Carbon Farm Plan at the Gale Family Ranch did not Involve a Material Financial Interest.

The California Code of Regulations defines when a public official's financial interest in real property is materially affected by a board action. (2 C.C.R. § 18702.2 (a).) For example, real property interests are materially affected by zoning decisions, permitting decisions, development plans, etc. (See 2 C.C.R. § 18702.2 (a)(1)-(5).) Additionally, a real property interest is materially affected if the board action "[i]nvolves the construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities, and the parcel will receive new or improved services that provide a benefit or detriment disproportionate to other properties receiving the services." (2 C.C.R. § 18702.2 (a)(6).)

Here, the MRCD board action involved the approval of a Carbon Farm Plan on Gale's property and related expenses. The Carbon Farm Plan assists landowners in serving as stewards of soil health and undertaking carbon farming in a manner that can improve on-farm productivity and viability, enhance ecosystem functions, and reverse climate change. (See Marin RCD's Carbon Farming Program, available at <https://www.marinrcd.org/carbon-farming/>.) Adoption of a Carbon Farm Plan, which does not involve the "construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities" does not qualify as a government action materially affecting a financial interest in real property. (2 C.C.R. § 18702.2. (a)(6).) Accordingly, no material financial interest was at stake, and the Political Reform Act does not apply.

iii. MRCD Board Actions Related to the Carbon Farm Plan at the Gale Ranch did not Violate the Political Reform Act.

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<sup>2</sup> Because the Wildlife Conservation Board would only be used to fund one Carbon Farm Plan, MRCD recommended using the rankings from the last Carbon Farm Plan solicitation, in 2015-17. As set forth in the staff report, based on these rankings and current interest levels, the Gale Ranch ranked first for the project. (See February 10, 2021 MRCD Board Materials, available at: <https://marinresourceconservationdistr.app.box.com/s/62brjeiwexatrxwkct9axtcpr7x1c8yq>.)

Assuming, *arguendo*, that the Carbon Farm Plan on Gale’s real property created a material financial interest, Gale did not violate the Political Reform Act. As stated previously, Gale did not participate in the board actions leading to approval of the Carbon Farm Plan on her land. However, the Complaint cites eleven instances in which Gale allegedly approved a Financial Report involving the Carbon Farm Plan on her property. However, the Complaint does not establish how it was reasonably foreseeable to Gale that approving these Financial Reports would materially affect her financial interest. Review of the relevant board materials indicates that (1) it was not reasonably foreseeable that approval of the relevant financial reports would materially affect Gale’s financial interest; and (2) the relevant financial reports did not materially affect Gale’s financial interest.

As stated previously, the Financial Reports provided to board members do not include the underlying invoices. The underlying invoices for the bills approved for payment in the eleven Financial Reports cited in the Complaint involved either: (1) mileage reimbursement for staff who had visited the Gale property, or (2) invoices related to the Wildlife Conservation Board grant generally, involving multiple sites, including the Gale property.

Reimbursing staff for mileage, even mileage incurred in connection to a project on Gale’s land, does not materially affect Gale’s financial interest in her property. Reimbursing staff for mileage does not involve construction or improving facilities on the land and does not materially affect the board member’s real property interest. Furthermore, reimbursements of expenses—such as mileage—are generally not considered to materially affect a financial interest. (*See Edgerly v. City of Oakland*, (2012) 211 Cal.App.4th 1191, 1206.) Accordingly, five of the board actions cited in the Complaint can be dismissed as not materially affecting Gale’s financial interest in real property.

The remaining six Financial Reports approved by Gale involved invoices regarding the Wildlife Conservation Board grant generally. Specifically, the invoices (which were not provided to board members) included activities related to the Gale Carbon Farm Plan and other grant deliverables, such as design plans, workshops, site visits, technical assistance, and coordination with the local Tribe, which were unrelated to the Gale Carbon Farm Plan. When voting on approval of the Financial Report, Gale indicates she was only aware of the grant source (i.e., Wildlife Conservation Board) and the total invoiced amount. Based on this information, it was not reasonably foreseeable to Gale that the action—approving the Financial Report—could potentially materially affect her financial interest in real property.

When a financial interest is not explicitly involved in a decision before the board, the financial effect is reasonably foreseeable if it “can be recognized as a realistic possibility and more than hypothetical or theoretical[.]” (2 C.C.R. § 18701 (b); *George*, FPPC Advice Letter (1976) A-19-076.) Here, the information presented to Gale did not put her on sufficient notice of a potential impact on her financial interests. Knowing only the grant source—which funded both a Carbon Farm Plan on her property and other conservation activities not on her property—resulted in any potential financial impact being hypothetical or theoretical. Additionally, it is not

clear from the Financial Report or the underlying invoice how the financial transaction involved “the construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities” resulting in new or improved services to the Gale property that was disproportionate to others. (2 C.C.R. § 18702.2 (a)(6).) Accordingly, Gale had no reason to believe that voting on the Financial Report would materially impact her financial interest in real property.

Please see Exhibit F for a detailed breakdown of MRCD’s response to each alleged board action taken by Gale regarding Financial Reports.

iv. Gale did not Participate in Making or Influencing MRCD Board Decisions for Projects on Land in Which she Held a Financial Interest.

The Complaint incorrectly asserts that Gale participated in or influenced a governmental decision regarding the Carbon Farm Plan on her property on ten separate occasions. However, the ten meetings cited by the Complaint, occurring from April 2021 to May 2022, did not involve a government decision. Rather, these meetings involved staff updates on the Gale Carbon Farm Plan. No action was taken by the Board.

The Political Reform Act applies to government decisions. A decision involves authorizing or directing an action, voting, appointing a person, obligating or committing the agency to any course of action, or entering a contract. (See 2 C.C.R. § 18704.) Receiving an informational update from staff on the status of a project does not involve a government decision. Review of the agendas and minutes from the meetings cited by the Complaint regarding Gale indicate that the allegations have no merit, as the meetings in which Gale did not recuse herself did not involve any action/decision items.

Please see Exhibit G for a detailed breakdown of MRCD’s response to each allegation of Gale participating in a board action related to the Carbon Farm Plan on her property.

B. Peter Martinelli

Peter Martinelli (“Martinelli”) joined the MRCD board in September 2017. More than ten years before, in 2007, MRCD was asked by the California State Coastal Conservancy to serve as the fiscal agent for a statewide demonstration project. On May 9, 2007, MRCD agreed to submit a grant proposal to the California State Coastal Conservancy to design, plan, and permit four to five ponds on three properties. (See MRCD Board Meeting Minutes, May 9, 2007 Meeting, at p. 9, available at: <https://marinresourceconservationdistr.app.box.com/s/w0yc5y2rtxa0i58elp6nw9j7drymf5en>.) This grant was followed by a grant from the California Department of Fish and Game to construct the ponds; the ponds were completed in 2015.



The construction of the ponds primarily served an environmental goal, creating only potential incidental benefits for landowners. Specifically, the project aimed to restore habitat for endangered coho salmon and steelhead trout by modifying existing farm water irrigation operations to support sustainable agriculture and the enhancement of aquatic habitat. The project partnered with three organic farms, Star Route Farms, Paradise Valley Farm, and Fresh Run Farms (in which Martinelli has an interest), and permitting agencies in the preparation of final designs and permits to construct a series of water storage ponds located along Pine Gulch Creek. The ponds were created to enhance summer flows in Pine Gulch Creek by substituting winter appropriative diversions for summer riparian diversion. Under the project, the three farms dedicated all of their commercial riparian diversion between July 1 and December 15 to instream flow for the benefit of coho salmon and steelhead trout under California Water Code section 1707 authority. This dedication was linked directly with the appropriative storage rights associated with the proposed pond. (See Public Report: Pine Gulch Creek Instream Flow Enhancement Project, December 20, 2015, available at: [http://www.marinrcd.org/wp/wp-content/uploads/2016/04/PineGulch\\_FinalReport\\_public.pdf](http://www.marinrcd.org/wp/wp-content/uploads/2016/04/PineGulch_FinalReport_public.pdf).)

In 2016, two of the ponds were leaking and did not fulfill grant contract and regulatory permit conditions. MRCD applied for additional State funding from the California Wildlife Conservation Board to repair the two pond sites, one of which was located on land partially owned by Martinelli. Additional funding was awarded to MRCD in March 2017. Pond repair bids/contracts were approved at public board meetings prior to Martinelli becoming a board member in September 2017. Two contracts/awards were made regarding repair of the ponds after Martinelli became a board member, and he did not vote or otherwise participate in the decision regarding these contracts. (See August 8, 2018 MRCD Board Meeting Minutes at p. 4, available here: <https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl1d6e8qa5wq81q3ktr1eyxd>; April 14, 2021 MRCD Board Meeting Minutes at p 4., available here: <https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl1d6e8qa5wq81q3ktr1eyxd>.) These contracts pertained to the pond located on Martinelli's property and the other leaking pond and invoices related to these contracts implicated both properties.

- i. Martinelli did not Violate the Political Reform Act in Connection with the Project on his Property.

1. No Material Financial Interest was Involved.

The only MRCD action taken in connection with Martinelli's land after he became an MRCD board member involved repairs to an existing pond serving conservation purposes. The MRCD board actions related to the initial construction of the pond on Martinelli's property occurred before he became a board member. Martinelli did not participate in, vote on, or otherwise influence the decisions regarding MRCD contracts related to repairs of the pond on his property. Regardless, these decisions did not have a material effect on Martinelli's financial interest. State regulations provide that a government decision affecting real property in which an official has a financial interest is *not* material if "[t]he decision solely concerns

repairs, replacement or maintenance of existing streets, water, sewer, storm drainage or similar facilities.” (2 C.C.R. § 18702.2.) Because all board actions related to Martinelli’s real property interest involved the repair and maintenance of an existing pond, these actions did not have a material effect on Martinelli’s real property interest.

2. Even if a Material Financial Interest was Involved, Martinelli did not Violate the Political Reform Act Because any Effect was not Reasonably Foreseeable.

Even if Martinelli’s interest were deemed material, he did not violate the Political Reform Act. As with Gale, Martinelli did not vote on, participate in, or influence MRCD decisions related to the project on his property. Specifically, Martinelli abstained from participating in MRCD decisions regarding two contracts related to repair of the pond on his property. (See August 8, 2018 MRCD Board Meeting Minutes at p. 4, available here: <https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl6e8qa5wq81q3ktr1eyxd>; April 14, 2021 MRCD Board Meeting Minutes at p 4., available here: <https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl6e8qa5wq81q3ktr1eyxd>.) All contracts related to the repair of the pond on Martinelli’s property also pertained to another leaking pond, which was not located on Martinelli’s property.

As with Gale, Martinelli approved Financial Reports that had line items related to the contracts relating to his property. However, Martinelli was not provided the underlying invoice and did not know to what extent a bill or expense related to his property. All contracts implicating Martinelli’s property implicated another property as well. The Financial Report and underlying invoices referenced the “Pine Gulch Creek” generally and did not specify which site was involved. Based on this information, it was not reasonably foreseeable to Martinelli that the action—approving the Financial Report—could potentially materially affect his financial interest in real property. Like Gale, when Martinelli approved the Financial Report, it was simply theoretical that actions related to the Pine Gulch Creek project contracts would materially impact his financial interest in real property. (See 2 C.C.R. § 18701 (b); *Holland FPPC Advice Letter*, A-12-161.)

Please see Exhibit H for a detailed breakdown of MRCD’s response to each alleged board action taken by Martinelli regarding Financial Reports.

- ii. Martinelli did not Participate in Making or Influencing MRCD Board Decisions for Projects on Land in Which he Held a Financial Interest.

The Complaint incorrectly asserts that Martinelli participated in or influenced governmental decisions regarding the Pine Gulch Instream Flow Enhancement Project on 26 occasions from September 2017 to October 2021. However, the meetings did not involve government decisions affecting Martinelli’s interest in real

property. The vast majority of meetings involved staff updates on the project with no associated government decision.

The Political Reform Act applies to government decisions. Twenty-four of the meetings cited in the Complaint simply involved a staff update on the project, which does not constitute a government decision covered by the Political Reform Act. (See 2 C.C.R. § 18704.) Two of the meetings included consideration of contracts related to the project and potentially affected Martinelli's interest in real property; Martinelli did not participate in these actions. (See August 8, 2018 MRCD Board Meeting Minutes at p. 4, available here:

<https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl6e8qa5wq81q3ktr1eyxd>; April 14, 2021 MRCD Board Meeting Minutes at p 4., available here: <https://marinresourceconservationdistr.app.box.com/s/z43jzf6zvvl6e8qa5wq81q3ktr1eyxd>.)

Two meetings involved government decisions that did not materially affect Martinelli's real property interest. On September 13, 2017, the Board considered and ultimately adopted two resolutions commending two organizations for their participation in the Pine Gulch Instream Flow Enhancement Project. (See Minutes of MRCD Meeting, September 13, 2017, at p. 5, available at:

<https://marinresourceconservationdistr.app.box.com/s/zplywdu8lnjztghodvlukk29derqi28g/file/938936960291>.) This action—a formal recognition of past actions—had no financial impacts and no effect on Martinelli's property. On March 14, 2018, the MRCD Board considered a contract related to other ponds built through the Pine Gulch Instream Flow Enhancement Project. (See Minutes of MRCD Meeting, March 14, 2018, at p. 19, available at: <https://marinresourceconservationdistr.app.box.com/s/zplywdu8lnjztghodvlukk29derqi28g/file/938936960291>.) The proposed contract did not involve the pond on Martinelli's property, and it was not reasonably foreseeable that the contract would affect his financial interest in real property. The issue was ultimately tabled.

Please see Exhibit I for a detailed breakdown of MRCD's response to each allegation of Martinelli participating in a board action related to the pond on his property.

### C. Michael Moretti

Michael Moretti, ("Moretti") an MRCD board member since April 2016, has an interest in Moretti Family Farms/Stemple View Farms, which owns real property in Petaluma. (See Moretti FPPC Form 700, attached as Exhibit C.) This real property is subject to an agricultural easement through the Marin Agricultural Land Trust ("MALT"). In December 2019, MRCD and MALT entered an agreement regarding MALT's Stewardship Assistance Program ("MALT Agreement"), which provides easement landowners with cost-sharing funding to improve land stewardship practices on MALT protected properties in addition to becoming climate resilient. (See MALT Agreement, available at

<https://marinresourceconservationdistr.app.box.com/s/t0xr8erq7i1685ll5vrzv39et1a9a>

15f.) Under the Agreement terms, eligible properties may receive grants for technical planning assistance, project design and permitting, materials, and construction costs for stewardship assistance projects improving soil and water quality on the property. (*See ibid.*)

Under this Agreement, MALT awarded \$9,997.33 in funding to Moretti regarding a project at Stemple View Farms. Specifically, the project improved water quality on the ranch by reducing erosion and run-off from ranch roads by grading and adding road base rock along two sections of ranch road. (*See MALT Invoice Re: Moretti Dairy SAP Improvements dated September 30, 2019, available at: <https://marinresourceconservationdistr.app.box.com/s/8d69bol8aztz5rrbujoasi7ourfr9ydc>.*) Moretti was not involved in the decision to approve this project. Upon completion of the project, MALT directed MRCD to release the funds. Without any board action, the MRCD Executive Director processed the request and directed the County of Marin to release payment to Moretti. In the December 2019 Financial Report, the payment was noted.

- i. Moretti did not Violate the Political Reform Act in Approving a Financial Report that Reported a Past Payment to him.

The Complaint alleges Moretti violated the Political Reform Act by approving a Financial Report that reflected he received payment of \$9,997.33 through the MALT Stewardship Assistance Program. (*See Financial Report, MRCD December 11, 2019 Meeting, available here <https://static1.squarespace.com/static/60415647fe0cc52d1cc66170/t/62a360e47050bd418821a9e9/1654874346694/12.19+MRCD+Financials.pdf>.*) However, the MALT Agreement regarding the Stewardship Assistance Program created a purely ministerial function for MRCD. Under the Agreement, eligible properties applied to MALT for funding, and MALT approved projects with no input from MRCD. MALT was then responsible for monitoring projects and directing MRCD to issue payment upon completion. MRCD had no discretion to reject payment. MRCD essentially served as the fiscal agent for the Stewardship Assistance Program for MALT. Ministerial, secretarial, and clerical activities, such as facilitating payment pursuant to a contract with no intervening discretionary decision-making, does not constitute making, participating in, or influencing a governmental decision. (2 C.C.R. § 18704.)

Here, Moretti applied to MALT for project funding and MALT awarded the project and monitored it through completion. MRCD's first awareness of Moretti's involvement with the Stewardship Assistance Program was a September 30, 2019 letter from MALT to MRCD directing payment of \$9,997.33 to Moretti to reimburse him for expenses carried out in connection with the project. (*See MALT Invoice, dated September 30, 2019, available at: <https://marinresourceconservationdistr.app.box.com/s/8d69bol8aztz5rrbujoasi7ourfr9ydc>.*) The MRCD board took no action in response to this letter. Rather, MRCD processed payment pursuant to its contractual obligations. At the next MRCD Board Meeting, on December 11, 2019, the Financial Report noted that payment had been

made to Moretti on December 10, 2019. No MRCD board action affected this past ministerial payment, which was simply reported on in the December Financial Report. (See [MRCD December 2019 Financial Report](#).)

#### D. Robert Giacomini

Robert Giacomini, (“Giacomini”) a MRCD board member from March 1997 to November 2022, held an interest in an entity called Giacomini Properties and the Robert Giacomini Dairy, which owns approximately 700 acres on two adjacent parcels in rural Marin County. (See Giacomini FPPC Form 700, attached as Exhibit D.) In December 2019, MRCD approved an environmental project located on the Giacomini Dairy through the Conserving Our Watersheds Program (Project Number 2020-02). Giacomini did not influence, participate in, or vote on approval of the project on his property. (See MRCD Board Meeting Minutes, December 11, 2019, at p. 10, available at: <https://marinresourceconservationdistr.app.box.com/s/zplywdu8lnjztghodvluukk29derqi28g/file/938936962691>.)

All projects proposed under the Conserving Our Watersheds Program were evaluated by a panel of outside technical experts, including the program funder, the State Water Resources Control Board. This panel visited the project sites, reviewed the project proposals, ranked the proposals, and made recommendations to MRCD on which projects to fund. (See Conserving Our Watersheds Report, dated January 31, 2022, available at: <https://marinresourceconservationdistr.app.box.com/s/tt57boyveu4gs2ldb08uvpe6l9sz6dli/file/979809135942>.) Like all projects funded by MRCD, the primary purpose of the project was conservation of natural resources. Specifically, the Conserving Our Watersheds Program funded projects that would implement management practices on dairies and ranches to improve water quality and reduce pathogens in the Tomales Bay. (See State Water Board Grant, available at: <https://marinresourceconservationdistr.app.box.com/s/nuaygssffkf1vl6shxu78kquayv3w3g>.)

Giacomini was not involved in the work of the technical advisory committee, which ultimately recommended his project for funding, and he did not vote on the projects. Giacomini also did not participate in votes related to contracts associated with the Conserving Our Watersheds Program project located on his property. Nevertheless, the Complaint alleges that Giacomini violated the Political Reform Act by approving Financial Reports that included bills/invoices related to the Conserving Our Watersheds projects.

- i. Giacomini’s Approval of Financial Reports did not Involve a Material Financial Interest in Real Property.

As explained earlier, the California Code of Regulations defines when a public official’s financial interest in real property is materially affected by a board action. (2 C.C.R. § 18702.2 (a).) A real property interest is materially affected if the



board action “[i]nvolves the construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities, and the parcel will receive new or improved services that provide a benefit or detriment disproportionate to other properties receiving the services.” (2 C.C.R. § 18702.2 (a)(6).)

Here, Giacomini’s property was the site of a project to reduce sedimentation and pathogens in the Tomales Bay Watershed through the use of best management practices. The project also included renovations to a sediment basin on the property. The upgrade was necessary due to climatic changes associated with increasingly intense rainfall events. The basin captured stormwater runoff from a heavy use area where silage, manure, nutrients, and compost were handled. Improvements to the sediment basin, which included enlarging the basin and making it subject to machine cleaning, reduced the risk of this stormwater runoff entering the Tomales Bay Watershed. (See Conserving Our Watersheds Report, dated January 31, 2022, available at:

<https://marinresourceconservationdistr.app.box.com/s/tt57boyveu4gs2ldb08uvpe6l9sz6dli/file/979809135942>.) The project did not involve the “construction of, or improvements to, streets, water, sewer, storm drainage or similar facilities” does not qualify as a government action materially affecting the financial interest in real property. (2 C.C.R. § 18702.2. (a)(6).) Accordingly, no material financial interest was at stake, and the Political Reform Act does not apply.

- ii. Giacomini did not Violate the Political Reform Act  
Because any Potential Conflict of Interest was not  
Reasonably Foreseeable.

Even if Giacomini’s interest was deemed material, he did not violate the Political Reform Act. As with Gale and Martinelli, Giacomini did not vote on, participate in, or influence MRCD decisions related to the project on his property. Specifically, Giacomini did not participate in the selection or approval of the project located on his property (Project #2020-02) at the December 11, 2019 MRCD Board meeting. The minutes indicate Giacomini abstained from participating in the board action related to all Conserving Our Watersheds Program projects at the December 11, 2019 meeting. (See MRCD Board Meeting Minutes, December 11, 2019, at p. 10, available at:

<https://marinresourceconservationdistr.app.box.com/s/zplywdu8lnjztghodvlukk29derqi28g/file/938936962691>.) On June 10, 2020, Giacomini did not participate in or influence the approval of designs, cost estimates and maintenance and monitoring measures for the environmental project located on his property. (See MRCD Board Meeting Minutes, June 10, 2020, at p. 29, available at: <https://marinresourceconservationdistr.app.box.com/s/zplywdu8lnjztghodvlukk29derqi28g/file/938936962691>.)

As with Gale and Martinelli, Giacomini approved Financial Reports that had line items related to environmental project on his property. However, Giacomini was not provided the underlying invoices and did not know to what extent a bill or expense related to his property. Often the contracts and invoices pertained to multiple

conservation projections and the Financial Report did not specify what project/landowner was involved. Based on this information, it was not reasonably foreseeable to Giacomini that the action—approving the Financial Report—could potentially materially affect his financial interest in real property. Like Gale and Martinelli, when Giacomini approved the Financial Report, it was simply theoretical that actions related to the Conserving Our Watersheds Program—which funded multiple projects—would materially impact his financial interest in real property. (*See* 2 C.C.R. § 18701 (b); *Holland FPPC Advice Letter*, A-12-161.)

Please see Exhibit J for a detailed breakdown of MRCD's response to each alleged board action taken by Giacomini regarding Financial Reports.

#### IV. Section 1090

The Complaint requests an opinion from the FPPC on the interplay between Government Code section 1090, which prohibits a public official, or any public body of which they are a member, from entering into a contract in which they have a conflict of interest and Public Resource Code section 9412, which expressly allows resource conservation districts to fund certain projects on board member-owned land. The projects referenced above, which occurred on real property owned by Gale, Martinelli, Moretti, and Giacomini, were authorized under Public Resource Code section 9412. Additionally, because all of the projects were available to the public generally, they are considered a “noninterest” under Government Code section 1091.5.

### A. Section 1090 Prohibitions and Exceptions

Section 1090 generally prohibits public officers, while acting in their official capacities, from making contracts in which they are financially interested. Section 1090 is concerned with financial interests, other than remote or minimal interests, that prevent public officials from exercising absolute loyalty and undivided allegiance in furthering the best interests of their agencies. (*Stigall v. City of Taft* (1962) 58 Cal.2d 565, 569.) Under Section 1090, “the prohibited act is the making of a contract in which the official has a financial interest.” (*People v. Honig* (1996) 48 Cal.App.4th 289, 333.) A contract that violates Section 1090 is void, regardless of whether the terms of the contract are fair and equitable to all parties. (*Thomas v. Call* (1985) 38 Cal.3d 633, 646-49.) When Section 1090 is applicable to one member of a governing body of a public entity, the prohibition cannot be avoided by having the interested board member abstain; the entire governing body is precluded from entering into the contract. (*Id.* At pp. 647-49.)

However, the Legislature has expressly defined certain financial interests as “remote” or “noninterest” exceptions to Section 1090’s general prohibition. (*See* Gov’t Code §§ 1091, 1091.5.) When a noninterest is present a contract may be executed without the abstention of the conflicted member. (Gov’t Code § 1091.5.)

B. Public Resource Code section 9412 Creates an Additional Exception to Section 1090

Public Resource Code section 9412 expressly authorizes resource conservation districts to carry out projects on land owned by board members.

When in the judgment of the directors it is for the benefit of the district so to do, the directors may give assistance to a private landowner or land occupant within the district in seeds, plants, materials, and labor, and may loan or rent to that private landowner or that land occupant agricultural machinery or other equipment. . . . Notwithstanding the fact that the landowner or land occupant is also a director, any landowner is qualified to and may receive assistance or loans under this section.

(Pub. Res. Code § 9412.) This authority has been recognized by the FPPC. (*See Bordelon* FPPC Advice Letter (1977) A-77-298.) To render assistance and fund projects on land owned by board members, resource conservation districts must enter into contractual agreements related to those projects. To conclude that Section 1090 voids these contracts, which are explicitly authorized by statute, would make no sense and would contravene legislative intent. Accordingly, Public Resource Code section 9412 must be interpreted to create an additional exception to Section 1090.

C. Conservation projects undertaken by MRCD are also “noninterests” under Section 1091.5(a)(3).

Additionally, MRCD conservation projects qualify as “noninterests” exempt from Section 1090. The Public Services Generally Provided “noninterest” specified in Section 1091.5(a)(3) provides that an officer or employee shall not be deemed to be interested in a contract if his or her interest is “[t]hat of a recipient of public services generally provided by the public body or board of which he or she is a member, on the same terms and conditions as if he or she were not a member of the body or board.” The California Supreme Court articulated the following rule:

If the financial interest arises in the context of the affected official’s [] role as a constituent of his or her public agency and recipient of its services, there is no conflict so long as the services are broadly available to all others similarly situated, rather than narrowly tailored to specifically favor any official or group of officials, and are provided on substantially the same terms as for any other constituent.

(*Lexin v. Superior Court* (2010) 47 Cal.4th 1050, 1092.)

Qualifying “public services” are not limited to services provided to the general public or the public at large; “[p]ublic agencies provide many kinds of ‘public services’ that only a limited portion of the public needs or can use.” (92 Ops.Cal.Atty.Gen. 67, 70 (2009).) The Attorney General has previously determined, informally, that “public services” include public utilities such as water, gas, and electricity, and the renting of hangar space in a municipal airport on a first come, first served basis. (81 Ops.Cal.Atty.Gen. 317, 320 (1998).) The furnishing of such public services would not involve the exercise of judgment or discretion by public agency



officials. Rather, the rates and charges for the services would be previously established and administered uniformly to all members of the public. (80 Ops.Cal.Atty.Gen. 335, 338 (1997).)

Here, the conservation projects undertaken on land owned by MRCD board members are “noninterests” under Section 1091.5 because they qualify as public services generally provided. The projects awarded to board members were provided through grant programs open to qualifying landowners and land managers within MRCD’s jurisdiction. The underlying grant programs were publicly posted, and MRCD encouraged all eligible landowners and managers to apply for projects. (*See* Exhibit E.) Projects were selected pursuant to the recommendations of technical advisory committees, which did not include interested public officials, with little discretion by the MRCD board. (*Ibid.*) Projects on land owned by board members were subject to the same “terms and conditions” as projects on land not owned by board members; board members received no special treatment. (*See Lexin, supra*, at p. 1101.) Specifically, Gale’s Carbon Farm Plan was one of sixteen funded by the District and subject to the same terms and conditions; Martinelli’s project mirrored that of other demonstration project sites along Pine Gulch Creek; Moretti applied for a project that was eligible to all properties subject to a MALT easement and subject to the same terms and conditions as other project recipients; and Giacomini’s project was available to all ranch and farm owners along the Tomales Bay Watershed.

**V. Conclusion**

Based on the foregoing, MRCD respectfully requests that the FPPC deny the Complaint and provide advice as needed.

Sincerely,



Kate Stanford  
Deputy County Counsel

# Exhibit A

**STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
A PUBLIC DOCUMENT**

Date Initial Filing Received  
Filing Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Gale Sally

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

Marin Conservation District

Division, Board, Department, District, if applicable

Your Position

Board Director -Director

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

**2. Jurisdiction of Office (Check at least one box)**

☐ State

☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner  
(Statewide Jurisdiction)

☐ Multi-County

☒ County of Marin

☐ City of

☐ Other

**3. Type of Statement (Check at least one box)**

☒ **Annual:** The period covered is January 1, 2020, through  
December 31, 2020.

-or-

The period covered is / / , through  
December 31, 2020.

☐ **Assuming Office:** Date assumed / /

☐ **Leaving Office:** Date Left / /  
(Check one circle.)

☐ The period covered is January 1, 2020, through the date of  
leaving office.

-or-

☐ The period covered is / / , through  
the date of leaving office.

☐ **Candidate:** Date of Election and office sought, if different than Part 1:

**4. Schedule Summary (must complete) ► Total number of pages including this cover page: 3**

**Schedules attached**

☐ **Schedule A-1 - Investments** - schedule attached

☒ **Schedule C - Income, Loans, & Business Positions** - schedule attached

☐ **Schedule A-2 - Investments** - schedule attached

☐ **Schedule D - Income - Gifts** - schedule attached

☒ **Schedule B - Real Property** - schedule attached

☐ **Schedule E - Income - Gifts - Travel Payments** - schedule attached

-or- ☐ **None** - No reportable interests on any schedule

**5. Verification**

MAILING ADDRESS STREET  
(Business or Agency Address Recommended - Public Document)

CITY

STATE

ZIP CODE

P.O.Box 1146

Point Reyes Station

CA

94956

DAYTIME TELEPHONE NUMBER

EMAIL ADDRESS

(415 ) 663-1170

sallylgale@gmail.com

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 1/13/21

(month, day, year)

Signature

(File the originally signed paper statement with your filing official.)

**SCHEDULE B**  
**Interests in Real Property**  
(Including Rental Income)

**CALIFORNIA FORM 700**  
FAIR POLITICAL PRACTICES COMMISSION

Name  
**Sally Gale**

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

5105 Chileno Valley Road

CITY

Petaluma, CA 94952

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/20 ACQUIRED    \_\_\_\_\_/\_\_\_\_\_/20 DISPOSED

NATURE OF INTEREST

- ☒ Ownership/Deed of Trust    ☐ Easement  
☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

- ☐ \$0 - \$499    ☐ \$500 - \$1,000    ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000    ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

☐ None

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

\_\_\_\_\_  
CITY

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_\_/\_\_\_\_\_/20 ACQUIRED    \_\_\_\_\_/\_\_\_\_\_/20 DISPOSED

NATURE OF INTEREST

- ☐ Ownership/Deed of Trust    ☐ Easement  
☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

- ☐ \$0 - \$499    ☐ \$500 - \$1,000    ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000    ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

☐ None

\* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\*

\_\_\_\_\_  
ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE

\_\_\_\_\_%    ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD

- ☐ \$500 - \$1,000    ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000    ☐ OVER \$100,000

☐ Guarantor, if applicable

NAME OF LENDER\*

\_\_\_\_\_  
ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE

\_\_\_\_\_%    ☐ None

TERM (Months/Years)

HIGHEST BALANCE DURING REPORTING PERIOD

- ☐ \$500 - \$1,000    ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000    ☐ OVER \$100,000

☐ Guarantor, if applicable

Comments: \_\_\_\_\_

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
(Other than Gifts and Travel Payments)

<b>CALIFORNIA FORM 700</b> FAIR POLITICAL PRACTICES COMMISSION
Name <b>Sally Gale</b>

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

Chileno Valley Natural Beef

ADDRESS (Business Address Acceptable)

5105 Chileno Valley Road, Petaluma, CA 94952

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income  
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use  
Schedule A-2.)

☐ Sale of \_\_\_\_\_  
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
(Describe)

☐ Other \_\_\_\_\_  
(Describe)

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

h a

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income  
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use  
Schedule A-2.)

☐ Sale of \_\_\_\_\_  
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
(Describe)

☐ Other \_\_\_\_\_  
(Describe)

► 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

\* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\*

h a

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

\_\_\_\_\_% ☐ None

TERM (Months/Years)

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property \_\_\_\_\_  
Street address

\_\_\_\_\_  
City

☐ Guarantor \_\_\_\_\_

☐ Other \_\_\_\_\_  
(Describe)

Comments: \_\_\_\_\_

# Exhibit B



COVER PAGE  
A PUBLIC DOCUMENT

Filing Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Martinelli Peter

1. Office, Agency, or Court

Agency Name (Do not use acronyms)

Marin Conservation District

Division, Board, Department, District, if applicable

Your Position

Board Director

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

2. Jurisdiction of Office (Check at least one box)

☐ State

☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner  
(Statewide Jurisdiction)

☐ Multi-County

☒ County of Marin

☐ City of

☐ Other

3. Type of Statement (Check at least one box)

☐ Annual: The period covered is January 1, 2020, through  
December 31, 2020.

☐ Leaving Office: Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_  
(Check one circle.)

-or-

The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through  
December 31, 2020.

☐ The period covered is January 1, 2020, through the date of  
leaving office.

-or-

☐ Assuming Office: Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_

☐ The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through  
the date of leaving office.

☐ Candidate: Date of Election \_\_\_\_ and office sought, if different than Part 1: \_\_\_\_

4. Schedule Summary (must complete) ► Total number of pages including this cover page: \_\_\_\_

Schedules attached

☐ Schedule A-1 - Investments - schedule attached

☒ Schedule C - Income, Loans, & Business Positions - schedule attached

☒ Schedule A-2 - Investments - schedule attached

☐ Schedule D - Income - Gifts - schedule attached

☒ Schedule B - Real Property - schedule attached

☐ Schedule E - Income - Gifts - Travel Payments - schedule attached

-or- ☐ None - No reportable interests on any schedule

5. Verification

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)  
P. O. Box 1146 Point Reyes Staion CA 94956

DAYTIME TELEPHONE NUMBER EMAIL ADDRESS  
(415 ) 663-1170 petermartinelli@sbcglobal.net

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 2/11/2021  
(month, day, year)

Signature  
(File the originally signed paper statement with your filing official.)

**SCHEDULE A-2**  
**Investments, Income, and Assets**  
**of Business Entities/Trusts**  
(Ownership Interest is 10% or Greater)

<b>CALIFORNIA FORM 700</b> FAIR POLITICAL PRACTICES COMMISSION
Name <b>Peter Martinelli</b>

► 1. BUSINESS ENTITY OR TRUST

**Fresh Run Farms**

Name

**615 Horseshoe Hill Road, Bolinas**

Address (Business Address Acceptable)

Check one

☐ Trust, go to 2    ☒ Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

- ☐ \$0 - \$1,999  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

NATURE OF INVESTMENT

☐ Partnership    ☒ Sole Proprietorship    ☐ \_\_\_\_\_ Other

YOUR BUSINESS POSITION \_\_\_\_\_

► 1. BUSINESS ENTITY OR TRUST

**Vistas at Seven Bar Ranch**

Name

**10600 Cibola Loop NW, Albuquerque, NM**

Address (Business Address Acceptable)

Check one

☐ Trust, go to 2    ☒ Business Entity, complete the box, then go to 2

GENERAL DESCRIPTION OF THIS BUSINESS

FAIR MARKET VALUE

- ☐ \$0 - \$1,999  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☒ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

NATURE OF INVESTMENT

☒ Partnership    ☐ Sole Proprietorship    ☐ \_\_\_\_\_ Other

YOUR BUSINESS POSITION \_\_\_\_\_

► 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ \$0 - \$499    ☐ \$10,001 - \$100,000  
☐ \$500 - \$1,000    ☐ OVER \$100,000  
☐ \$1,001 - \$10,000

► 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)

- ☐ \$0 - \$499    ☐ \$10,001 - \$100,000  
☐ \$500 - \$1,000    ☐ OVER \$100,000  
☐ \$1,001 - \$10,000

► 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None    or    ☐ Names listed below

► 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)

☐ None    or    ☐ Names listed below

► 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT    ☐ REAL PROPERTY

Name of Business Entity, if Investment, or  
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or  
City or Other Precise Location of Real Property

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust    ☐ Stock    ☐ Partnership

☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ Other \_\_\_\_\_

☐ Check box if additional schedules reporting investments or real property are attached

► 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST

Check one box:

☐ INVESTMENT    ☐ REAL PROPERTY

Name of Business Entity, if Investment, or  
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or  
City or Other Precise Location of Real Property

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

NATURE OF INTEREST

☐ Property Ownership/Deed of Trust    ☐ Stock    ☐ Partnership

☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ Other \_\_\_\_\_

☐ Check box if additional schedules reporting investments or real property are attached

Comments: \_\_\_\_\_



**SCHEDULE B**  
**Interests in Real Property**  
(Including Rental Income)

Name  
**Peter Martinelli**

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

**615 Horseshoe Hill Road**

CITY

**Bolinas, CA**

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

       /        / 20             /        / 20  
ACQUIRED                      DISPOSED

NATURE OF INTEREST

- ☒ Ownership/Deed of Trust      ☐ Easement  
☐ Leasehold      ☐ \_\_\_\_\_  
Yrs. remaining                      Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

- ☐ \$0 - \$499      ☐ \$500 - \$1,000      ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000      ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

☐ None

**Marin Emergency Radio Authority**

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:

       /        / 20             /        / 20  
ACQUIRED                      DISPOSED

NATURE OF INTEREST

- ☐ Ownership/Deed of Trust      ☐ Easement  
☐ Leasehold      ☐ \_\_\_\_\_  
Yrs. remaining                      Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED

- ☐ \$0 - \$499      ☐ \$500 - \$1,000      ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000      ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.

☐ None

\* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE      TERM (Months/Years)

\_\_\_\_\_ %      ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD

- ☐ \$500 - \$1,000      ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000      ☐ OVER \$100,000

☐ Guarantor, if applicable

NAME OF LENDER\*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE      TERM (Months/Years)

\_\_\_\_\_ %      ☐ None

HIGHEST BALANCE DURING REPORTING PERIOD

- ☐ \$500 - \$1,000      ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000      ☐ OVER \$100,000

☐ Guarantor, if applicable

Comments: \_\_\_\_\_

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
(Other than Gifts and Travel Payments)

<b>CALIFORNIA FORM 700</b> FAIR POLITICAL PRACTICES COMMISSION
Name <u>Peter Martinelli</u>

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

Fresh Run Farms

ADDRESS (Business Address Acceptable)

5615 Horseshoe Hill Road

BUSINESS ACTIVITY, IF ANY, OF SOURCE

Farming

YOUR BUSINESS POSITION

Owner

GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000

☒ \$10,001 - \$100,000 ☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income  
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use  
Schedule A-2.)

☐ Sale of \_\_\_\_\_  
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
(Describe)

☐ Other \_\_\_\_\_  
(Describe)

► 1. INCOME RECEIVED

NAME OF SOURCE OF INCOME

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF SOURCE

YOUR BUSINESS POSITION

GROSS INCOME RECEIVED ☐ No Income - Business Position Only

☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000 ☐ OVER \$100,000

CONSIDERATION FOR WHICH INCOME WAS RECEIVED

☐ Salary ☐ Spouse's or registered domestic partner's income  
(For self-employed use Schedule A-2.)

☐ Partnership (Less than 10% ownership. For 10% or greater use  
Schedule A-2.)

☐ Sale of \_\_\_\_\_  
(Real property, car, boat, etc.)

☐ Loan repayment

☐ Commission or ☐ Rental Income, list each source of \$10,000 or more

\_\_\_\_\_  
(Describe)

☐ Other \_\_\_\_\_  
(Describe)

► 2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD

\* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

HIGHEST BALANCE DURING REPORTING PERIOD

☐ \$500 - \$1,000

☐ \$1,001 - \$10,000

☐ \$10,001 - \$100,000

☐ OVER \$100,000

INTEREST RATE

\_\_\_\_\_% ☐ None

TERM (Months/Years)

SECURITY FOR LOAN

☐ None ☐ Personal residence

☐ Real Property \_\_\_\_\_  
Street address  
City

☐ Guarantor \_\_\_\_\_

☐ Other \_\_\_\_\_  
(Describe)

Comments: \_\_\_\_\_

# Exhibit C



**STATEMENT OF ECONOMIC INTERESTS**  
**COVER PAGE**  
*A PUBLIC DOCUMENT*

Date Initial Filing Received  
Filing Official Use Only

Please type or print in ink.

NAME OF FILER (LAST)	(FIRST)	(MIDDLE)
Moretti	Michael	Lawrence

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

Marin Conservation District

Division, Board, Department, District, if applicable

Your Position

Board Director -Director

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: \_\_\_\_\_ Position: \_\_\_\_\_

**2. Jurisdiction of Office (Check at least one box)**

☐ State

☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner  
(Statewide Jurisdiction)

☐ Multi-County \_\_\_\_\_

☒ County of Marin

☐ City of \_\_\_\_\_

☐ Other \_\_\_\_\_

**3. Type of Statement (Check at least one box)**

☒ **Annual:** The period covered is January 1, 2020, through  
December 31, 2020.

-or-

The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through  
December 31, 2020.

☐ **Leaving Office:** Date Left \_\_\_\_/\_\_\_\_/\_\_\_\_  
(Check one circle.)

☐ The period covered is January 1, 2020, through the date of  
leaving office.

-or-

☐ The period covered is \_\_\_\_/\_\_\_\_/\_\_\_\_, through  
the date of leaving office.

☐ **Assuming Office:** Date assumed \_\_\_\_/\_\_\_\_/\_\_\_\_

☐ **Candidate:** Date of Election \_\_\_\_\_ and office sought, if different than Part 1: \_\_\_\_\_

**4. Schedule Summary (must complete) ► Total number of pages including this cover page: 5**

**Schedules attached**

☒ **Schedule A-1 - Investments** – schedule attached

☒ **Schedule C - Income, Loans, & Business Positions** – schedule attached

☒ **Schedule A-2 - Investments** – schedule attached

☐ **Schedule D - Income – Gifts** – schedule attached

☒ **Schedule B - Real Property** – schedule attached

☐ **Schedule E - Income – Gifts – Travel Payments** – schedule attached

-or- ☐ **None** - No reportable interests on any schedule

**5. Verification**

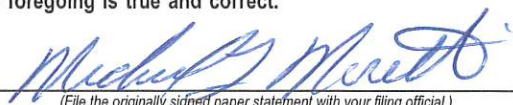
MAILING ADDRESS	STREET	CITY	STATE	ZIP CODE
(Business or Agency Address Recommended - Public Document)				
P.O.Box 1146		Point Reyes Station	CA	94956
DAYTIME TELEPHONE NUMBER		EMAIL ADDRESS		
(415 ) 663-1170		2M.Dairy@gmail.com		

I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 1/13/21  
(month, day, year)

Signature

  
(File the originally signed paper statement with your filing official.)

**SCHEDULE A-1****Investments****Stocks, Bonds, and Other Interests**

(Ownership Interest is Less Than 10%)

Investments must be itemized.

Do not attach brokerage or financial statements.

**CALIFORNIA FORM 700**

FAIR POLITICAL PRACTICES COMMISSION

Name

**Michael Moretti**

## ▶ NAME OF BUSINESS ENTITY

Moretti Family Farms/Stemple View Farms

## GENERAL DESCRIPTION OF THIS BUSINESS

**Dairy and Chicken (Poultry)**

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☒ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

## ▶ NAME OF BUSINESS ENTITY

## GENERAL DESCRIPTION OF THIS BUSINESS

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

## ▶ NAME OF BUSINESS ENTITY

## GENERAL DESCRIPTION OF THIS BUSINESS

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

## ▶ NAME OF BUSINESS ENTITY

## GENERAL DESCRIPTION OF THIS BUSINESS

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

## ▶ NAME OF BUSINESS ENTITY

## GENERAL DESCRIPTION OF THIS BUSINESS

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

## ▶ NAME OF BUSINESS ENTITY

## GENERAL DESCRIPTION OF THIS BUSINESS

## FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000      ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000      ☐ Over \$1,000,000

## NATURE OF INVESTMENT

- ☐ Stock      ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership      ☐ Income Received of \$0 - \$499  
                                 ☐ Income Received of \$500 or More (Report on Schedule C)

## IF APPLICABLE, LIST DATE:

\_\_\_\_/\_\_\_\_/20      \_\_\_\_/\_\_\_\_/20  
ACQUIRED      DISPOSED

Comments: \_\_\_\_\_

**SCHEDULE A-2**  
**Investments, Income, and Assets**  
**of Business Entities/Trusts**  
(Ownership Interest is 10% or Greater)

**CALIFORNIA FORM 700**  
FAIR POLITICAL PRACTICES COMMISSION

Name  
**Michael Moretti**

**▶ 1. BUSINESS ENTITY OR TRUST**

**Moretti Family Farms/Stemple View Farms**

Name

**3000 Whitaker Bluff Road, Petaluma, CA 94952**

Address (Business Address Acceptable)

Check one

☐ Trust, go to 2    ☒ Business Entity, complete the box, then go to 2

**GENERAL DESCRIPTION OF THIS BUSINESS**

**Dairy and Chickens (Poultry)**

**FAIR MARKET VALUE**

- ☐ \$0 - \$1,999  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

**IF APPLICABLE, LIST DATE:**

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

**NATURE OF INVESTMENT**

☐ Partnership    ☐ Sole Proprietorship    ☐ Other

**YOUR BUSINESS POSITION** Owner

**▶ 1. BUSINESS ENTITY OR TRUST**

Name

Address (Business Address Acceptable)

Check one

☐ Trust, go to 2    ☐ Business Entity, complete the box, then go to 2

**GENERAL DESCRIPTION OF THIS BUSINESS**

**FAIR MARKET VALUE**

- ☐ \$0 - \$1,999  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

**IF APPLICABLE, LIST DATE:**

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

**NATURE OF INVESTMENT**

☐ Partnership    ☐ Sole Proprietorship    ☐ Other

**YOUR BUSINESS POSITION** \_\_\_\_\_

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

- ☐ \$0 - \$499    ☐ \$10,001 - \$100,000  
☐ \$500 - \$1,000    ☐ OVER \$100,000  
☐ \$1,001 - \$10,000

**▶ 2. IDENTIFY THE GROSS INCOME RECEIVED (INCLUDE YOUR PRO RATA SHARE OF THE GROSS INCOME TO THE ENTITY/TRUST)**

- ☐ \$0 - \$499    ☐ \$10,001 - \$100,000  
☐ \$500 - \$1,000    ☐ OVER \$100,000  
☐ \$1,001 - \$10,000

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

☐ None    or    ☐ Names listed below

**▶ 3. LIST THE NAME OF EACH REPORTABLE SINGLE SOURCE OF INCOME OF \$10,000 OR MORE (Attach a separate sheet if necessary.)**

☐ None    or    ☐ Names listed below

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:

☐ INVESTMENT    ☐ REAL PROPERTY

Name of Business Entity, if Investment, or  
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or  
City or Other Precise Location of Real Property

**FAIR MARKET VALUE**

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

**IF APPLICABLE, LIST DATE:**

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

**NATURE OF INTEREST**

☐ Property Ownership/Deed of Trust    ☐ Stock    ☐ Partnership

☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ Other \_\_\_\_\_

☐ Check box if additional schedules reporting investments or real property are attached

**▶ 4. INVESTMENTS AND INTERESTS IN REAL PROPERTY HELD OR LEASED BY THE BUSINESS ENTITY OR TRUST**

Check one box:

☐ INVESTMENT    ☐ REAL PROPERTY

Name of Business Entity, if Investment, or  
Assessor's Parcel Number or Street Address of Real Property

Description of Business Activity or  
City or Other Precise Location of Real Property

**FAIR MARKET VALUE**

- ☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

**IF APPLICABLE, LIST DATE:**

\_\_\_\_/\_\_\_\_/20    \_\_\_\_/\_\_\_\_/20  
ACQUIRED    DISPOSED

**NATURE OF INTEREST**

☐ Property Ownership/Deed of Trust    ☐ Stock    ☐ Partnership

☐ Leasehold \_\_\_\_\_ Yrs. remaining    ☐ Other \_\_\_\_\_

☐ Check box if additional schedules reporting investments or real property are attached

**Comments:** \_\_\_\_\_

**SCHEDULE B**  
**Interests in Real Property**  
(Including Rental Income)

**CALIFORNIA FORM 700**  
FAIR POLITICAL PRACTICES COMMISSION

Name  
**Michael Moretti**

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS  
**3000 Whitaker Bluff Road**

CITY  
**Petaluma, CA 94952**

FAIR MARKET VALUE  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:  
\_\_\_\_\_/\_\_\_\_\_/20\_\_\_\_ ACQUIRED \_\_\_\_\_/\_\_\_\_\_/20\_\_\_\_ DISPOSED

NATURE OF INTEREST  
☒ Ownership/Deed of Trust ☐ Easement  
☐ Leasehold \_\_\_\_\_ Yrs. remaining ☐ \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
☐ \$0 - \$499 ☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000 ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
☐ None

▶ ASSESSOR'S PARCEL NUMBER OR STREET ADDRESS

CITY

FAIR MARKET VALUE  
☐ \$2,000 - \$10,000  
☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000  
☐ Over \$1,000,000

IF APPLICABLE, LIST DATE:  
\_\_\_\_\_/\_\_\_\_\_/20\_\_\_\_ ACQUIRED \_\_\_\_\_/\_\_\_\_\_/20\_\_\_\_ DISPOSED

NATURE OF INTEREST  
☐ Ownership/Deed of Trust ☐ Easement  
☐ Leasehold \_\_\_\_\_ Yrs. remaining ☐ \_\_\_\_\_ Other

IF RENTAL PROPERTY, GROSS INCOME RECEIVED  
☐ \$0 - \$499 ☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000 ☐ OVER \$100,000

SOURCES OF RENTAL INCOME: If you own a 10% or greater interest, list the name of each tenant that is a single source of income of \$10,000 or more.  
☐ None

\* You are not required to report loans from a commercial lending institution made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER\*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE \_\_\_\_\_% ☐ None TERM (Months/Years) \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD  
☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000 ☐ OVER \$100,000  
☐ Guarantor, if applicable

NAME OF LENDER\*

ADDRESS (Business Address Acceptable)

BUSINESS ACTIVITY, IF ANY, OF LENDER

INTEREST RATE \_\_\_\_\_% ☐ None TERM (Months/Years) \_\_\_\_\_

HIGHEST BALANCE DURING REPORTING PERIOD  
☐ \$500 - \$1,000 ☐ \$1,001 - \$10,000  
☐ \$10,001 - \$100,000 ☐ OVER \$100,000  
☐ Guarantor, if applicable

Comments: \_\_\_\_\_

**SCHEDULE C**  
**Income, Loans, & Business**  
**Positions**  
(Other than Gifts and Travel Payments)

<b>CALIFORNIA FORM 700</b> FAIR POLITICAL PRACTICES COMMISSION
Name <b>Mike Moretti</b>

1. INCOME RECEIVED	1. INCOME RECEIVED
NAME OF SOURCE OF INCOME  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF SOURCE  YOUR BUSINESS POSITION	NAME OF SOURCE OF INCOME  ADDRESS (Business Address Acceptable)  BUSINESS ACTIVITY, IF ANY, OF SOURCE  YOUR BUSINESS POSITION
GROSS INCOME RECEIVED <input type="checkbox"/> No Income - Business Position Only <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000	GROSS INCOME RECEIVED <input type="checkbox"/> No Income - Business Position Only <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input type="checkbox"/> OVER \$100,000
CONSIDERATION FOR WHICH INCOME WAS RECEIVED <input type="checkbox"/> Salary <input type="checkbox"/> Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.) <input type="checkbox"/> Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.) <input type="checkbox"/> Sale of _____ (Real property, car, boat, etc.) <input type="checkbox"/> Loan repayment <input type="checkbox"/> Commission or <input type="checkbox"/> Rental Income, list each source of \$10,000 or more (Describe) <input type="checkbox"/> Other _____ (Describe)	CONSIDERATION FOR WHICH INCOME WAS RECEIVED <input type="checkbox"/> Salary <input type="checkbox"/> Spouse's or registered domestic partner's income (For self-employed use Schedule A-2.) <input type="checkbox"/> Partnership (Less than 10% ownership. For 10% or greater use Schedule A-2.) <input type="checkbox"/> Sale of _____ (Real property, car, boat, etc.) <input type="checkbox"/> Loan repayment <input type="checkbox"/> Commission or <input type="checkbox"/> Rental Income, list each source of \$10,000 or more (Describe) <input type="checkbox"/> Other _____ (Describe)

**2. LOANS RECEIVED OR OUTSTANDING DURING THE REPORTING PERIOD**

\* You are not required to report loans from a commercial lending institution, or any indebtedness created as part of a retail installment or credit card transaction, made in the lender's regular course of business on terms available to members of the public without regard to your official status. Personal loans and loans received not in a lender's regular course of business must be disclosed as follows:

NAME OF LENDER* <b>American Ag Credit</b> ADDRESS (Business Address Acceptable) <b>Ag Lender</b> BUSINESS ACTIVITY, IF ANY, OF LENDER  HIGHEST BALANCE DURING REPORTING PERIOD <input type="checkbox"/> \$500 - \$1,000 <input type="checkbox"/> \$1,001 - \$10,000 <input type="checkbox"/> \$10,001 - \$100,000 <input checked="" type="checkbox"/> OVER \$100,000	INTEREST RATE _____% <input type="checkbox"/> None SECURITY FOR LOAN <input type="checkbox"/> None <input type="checkbox"/> Personal residence <input type="checkbox"/> Real Property _____ Street address City <input type="checkbox"/> Guarantor _____ <input type="checkbox"/> Other _____ (Describe)
--	---

Comments: \_\_\_\_\_



# Exhibit D

**STATEMENT OF ECONOMIC INTERESTS  
COVER PAGE  
A PUBLIC DOCUMENT**

Date Initial Filing Received  
Filing Official Use Only

Please type or print in ink.

NAME OF FILER (LAST) (FIRST) (MIDDLE)  
Giacomini Robert

**1. Office, Agency, or Court**

Agency Name (Do not use acronyms)

Marin Conservation District

Division, Board, Department, District, if applicable

Your Position

Board Director

► If filing for multiple positions, list below or on an attachment. (Do not use acronyms)

Agency: Position:

**2. Jurisdiction of Office (Check at least one box)**

☐ State

☐ Judge, Retired Judge, Pro Tem Judge, or Court Commissioner  
(Statewide Jurisdiction)

☐ Multi-County

☒ County of Marin

☐ City of

☐ Other

**3. Type of Statement (Check at least one box)**

☒ Annual: The period covered is January 1, 2020, through  
December 31, 2020.

-or-

The period covered is / / , through  
December 31, 2020.

☐ Leaving Office: Date Left / /  
(Check one circle.)

☐ The period covered is January 1, 2020, through the date of  
leaving office.

-or-

☐ The period covered is / / , through  
the date of leaving office.

☐ Assuming Office: Date assumed / /

☐ Candidate: Date of Election and office sought, if different than Part 1:

**4. Schedule Summary (must complete) ► Total number of pages including this cover page: 2**

**Schedules attached**

☒ Schedule A-1 - Investments - schedule attached

☐ Schedule C - Income, Loans, & Business Positions - schedule attached

☐ Schedule A-2 - Investments - schedule attached

☐ Schedule D - Income - Gifts - schedule attached

☐ Schedule B - Real Property - schedule attached

☐ Schedule E - Income - Gifts - Travel Payments - schedule attached

-or- ☐ None - No reportable interests on any schedule

**5. Verification**

MAILING ADDRESS STREET CITY STATE ZIP CODE  
(Business or Agency Address Recommended - Public Document)

P.O.Box 1146

DAYTIME TELEPHONE NUMBER

(415) 663-1170

EMAIL ADDRESS

bob@pointreyescheese.com

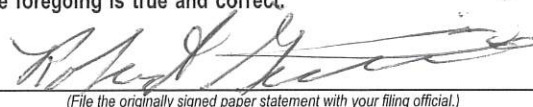
I have used all reasonable diligence in preparing this statement. I have reviewed this statement and to the best of my knowledge the information contained herein and in any attached schedules is true and complete. I acknowledge this is a public document.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date Signed 1/13/21

(month, day, year)

Signature

  
(File the originally signed paper statement with your filing official.)

# SCHEDULE A-1

## Investments

### Stocks, Bonds, and Other Interests

(Ownership Interest is Less Than 10%)

Investments must be itemized.

Do not attach brokerage or financial statements.

CALIFORNIA FORM 700

FAIR POLITICAL PRACTICES COMMISSION

Name

Robert Giacomini

#### NAME OF BUSINESS ENTITY

Wells Fargo Bank

GENERAL DESCRIPTION OF THIS BUSINESS

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000 ☐ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☐ Stock ☒ Other Cash (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

#### NAME OF BUSINESS ENTITY

Summit Bank

GENERAL DESCRIPTION OF THIS BUSINESS

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☒ \$100,001 - \$1,000,000 ☐ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☐ Stock ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

#### NAME OF BUSINESS ENTITY

Giacomini Prop.

GENERAL DESCRIPTION OF THIS BUSINESS

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000 ☒ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☐ Stock ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

#### NAME OF BUSINESS ENTITY

Greenleaf & Burleson

GENERAL DESCRIPTION OF THIS BUSINESS

Investment Group

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000 ☒ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☒ Stock ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

#### NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000 ☐ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☐ Stock ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

#### NAME OF BUSINESS ENTITY

GENERAL DESCRIPTION OF THIS BUSINESS

#### FAIR MARKET VALUE

- ☐ \$2,000 - \$10,000 ☐ \$10,001 - \$100,000  
☐ \$100,001 - \$1,000,000 ☐ Over \$1,000,000

#### NATURE OF INVESTMENT

- ☐ Stock ☐ Other \_\_\_\_\_ (Describe)  
☐ Partnership ☐ Income Received of \$0 - \$499  
☐ Income Received of \$500 or More (Report on Schedule C)

IF APPLICABLE, LIST DATE:

       /        / 20        /        / 20  
 ACQUIRED DISPOSED

Comments:

# Exhibit E



## General

Established on May 20th, 1959, the Marin Resource Conservation District (MRCD) is a service organization that provides private and public land stewards with information, technical assistance, and funding to implement conservation projects in Marin County. Our programs are voluntary and innovative, relying on local history to guide our decisions about the future of our working landscapes. MRCD is governed by a board of five agricultural producers and run by a small staff.

## Special District Status and Public Accountability

RCDs are established under [California law \(Division 9 of CA Public Resource Code\)](#) to be locally governed with independent boards of directors. As trusted stewards of public and private funds, RCDs are subject to transparency and accountability laws that require public meetings, open records, annual audits, and financial reporting. See more below.

Annual compensation for RCD Director and Employee positions can be found on the [Government Compensation in California website](#).

Explore below to learn more about the tenets of the Marin RCD operation, including finances, project selection process, and more.

### Role of Marin RCD Board



The board is responsible for ensuring that the MRCD remains focused on its [mission](#), its [strategic plan](#), governance, compliance, project review and approvals, oversight of financial plans and budgets, and operations. As such, the Directors ensure that the provisions of [Division 9 of the California Public Resources Code](#) are being followed in addition to compliance with the MRCD Conflict of Interest Policy. Directors must regularly attend the District Board meetings, participate in strategic planning, establish policies, budgets and controls, serve as a spokesperson for the MRCD and represent the needs and values of the District's constituents to the MRCD. The Board meets monthly, and conducts its business in public, in compliance with the Public Meeting Act, commonly known as the [Brown Act, of 1953](#). The act established the rule that all meetings of a legislative body of a local agency should be open to the public, subject to specific exceptions.

The MRCD Board has five voting Directors who are elected for four-year terms by voters who reside in their District. To ensure that MRCD retains experienced directors at all times, some director terms will expire in even numbered years and some in odd numbered years. Under certain circumstances, such as a Board position becoming vacant midterm, the Board of Supervisors can appoint a replacement and it is the intent of the Legislation that they will only appoint a Director with a “demonstrated interest in soil and water conservation.” The Directors are not compensated for their service.

The current board members are landowners, ranchers, farmers, and oyster producers with extensive experience in agriculture, food production, and conservation which enables them to make informed decisions on the District’s behalf.

To qualify to serve as an RCD director, candidates must live within the district and be landowners, or if they are not landowners, they must have served as an Associate Director for two years. The position of Associate Director was created to allow qualified individuals to take an active role in the operation of a district without being a voting member of the board.

### Marin RCD Board Conflict of Interest



As elected or appointed officials of a public agency, directors must avoid conflicts of interest and are bound by a district’s [Conflict of Interest Policy](#). They are not prohibited from participating in RCD’s projects and may apply for grants along with their peers through a competitive application process, although they cannot vote on the project in question. Projects are typically part of a larger effort to accomplish a specific environmental goal for public benefit, such as carbon sequestration to address climate change impacts, or the restoration of a watershed to improve water quality or to improve habitat for a particular species, such as Coho Salmon. Potential projects are recommended in the monthly public meetings by Technical Advisory Committees who are assigned to evaluate projects and rank them according to selection criteria which relate the merits of each project to the purpose of the grant. For more information go to [Project Selection](#) below.

### Monthly Public Meetings



Board Meetings are generally held the second Wednesday of each month at 9:00am unless otherwise noticed. Anyone from the public is welcome. Find access information, and Board Meeting minutes and Agendas on our [“Board Meeting and Agendas”](#) page at this link.

### Funding



Approximately 90% of MRCD's \$1.2M budget comes from grants while roughly 10% is provided by the County of Marin. Half of our budget is dedicated to on-the-ground construction projects. The MRCD also receives funds from local foundations and other private sources.

MRCD has teamed up with **GrizzlyCorps Climate Fellowship** to promote climate smart agriculture in Marin while bolstering the next generation of climate leaders. GrizzlyCorps is an AmeriCorps program, which covers about half of the costs of supporting our fellow. We want to keep the partnership going, so we are asking for your support to fund our GrizzlyCorps Fellow and build climate resilience in Marin. **If you are interested in donating, please follow this link**, or contact Marin RCD.

**Sita Mulligan**, a dear friend of the Marin RCD, bequeathed her remaining paintings and all of the rights of reproduction. The paintings are on display at the Marin RCD's office. Prints are for sale to benefit habitat conservation and restoration.

We greatly appreciate and would like to acknowledge the following agencies and organizations that have funded landowners and agricultural producers with land stewardship and watershed enhancement through our programs:

- 11th Hour Foundation
- Alameda County RCD [www.acrcd.org](http://www.acrcd.org)
- AmeriCorps [www.americorps.org](http://www.americorps.org)
- California Association of Resource Conservation Districts [www.carcd.org](http://www.carcd.org)
- California Department of Conservation [www.consrv.ca.gov](http://www.consrv.ca.gov)
- California Department of Fish and Wildlife [wildlife.ca.gov](http://wildlife.ca.gov)
- California Department of Food and Agriculture
- California Department of Forestry and Fire Protection [www.fire.ca.gov](http://www.fire.ca.gov)
- California Department of Parks and Recreation [www.parks.ca.gov](http://www.parks.ca.gov)
- California Department of Transportation [www.dot.ca.gov](http://www.dot.ca.gov)
- California Department of Water Resources
- CalRecycle
- California State Coastal Conservancy <http://www.scc.ca.gov>
- California Wildlife Conservation Board [www.wcb.ca.gov](http://www.wcb.ca.gov)
- County of Marin <http://www.co.marin.ca.us>
- David L. Klein Foundation
- Inverness Foundation
- Marin Agricultural Land Trust <http://www.malt.org>
- Marin Carbon Project [www.marincarbonproject.org](http://www.marincarbonproject.org)
- Marin Community Foundation <http://www.marincf.org>



- Marin Municipal Water District [www.marinwater.org](http://www.marinwater.org)
- National Fish and Wildlife Foundation [www.nfwf.org](http://www.nfwf.org)
- North Bay Watershed Association
- North Marin Water District [www.nmwd.com](http://www.nmwd.com)
- Point Blue Conservation Science & the Students and Teachers Restoring a Watershed Program [www.pointblue.org](http://www.pointblue.org)
- Rathmann Family Foundation
- San Francisco Foundation [www.sff.org](http://www.sff.org)
- The Seed Fund
- Sonoma RCD [www.sonomarc.org](http://www.sonomarc.org)
- State Water Resources Control Board & San Francisco Regional Water Quality Control Board <http://www.swrcb.ca.gov>
- Sustainable Conservation <http://www.suscon.org>
- University of California Cooperative Extension Service – Marin <http://cemarin.ucdavis.edu>
- US Department of Agriculture Natural Resources Conservation Service <http://www.nrcs.usda.gov>
- US Environmental Protection Agency [www.epa.gov](http://www.epa.gov)
- US Fish and Wildlife Service – Partners for Fish and Wildlife Program [www.fws.gov/partners](http://www.fws.gov/partners)
- The Dean Witter Foundation [www.deanwitterfoundation.org](http://www.deanwitterfoundation.org)
- Watershed Alliance of Marin

## Finances

**Annual Report** – [Annual Report FY 17-18](#)

**Audits** – Audits from 2000 to present can be found at this [link](#).

**Budgets** – Budgets from 2007 to present can be found at this [link](#).

**Financial Reserves Policy** – [MRCD Reserves Policy-Approved 09-14-16](#)

**Summary of Fees Received and Revenue Sources.** Marin Resource Conservation District does not collect fees. Please refer to our audit for a list of revenue sources.

## Collaboration with Partners

MRCD values our partnerships with land stewards and land owners in our district, and the network of local agriculture and conservation organizations we collaborate with including:

- [Point Blue Conservation Science: Students & Teachers Restoring A Watershed \(STRAW\)](#)
- [USDA Natural Resources Conservation Service \(NRCS\)](#)
- [University of California Cooperative Extension Service \(UCCE\)](#)
- [Marin Agricultural Land Trust \(MALT\)](#)
- [Carbon Cycle Institute \(CCI\)](#)
- [Fibershed](#)
- [Conservation Corps North Bay \(CCNB\)](#)
- [Point Reyes National Seashore \(PRNS\)](#), and others.

As a multi-agency team, we combine and coordinate our expertise and funding to implement programs that conserve and restore the working lands and natural resources of Marin County for the benefit of all.

## Project Selection

### Who decides which projects get selected?

1. Our funding sources determine our scope of work. For example, "Projects funded by the Clean Water Act must improve water quality" or, "Projects funded by CA Department of Fish and Wildlife must improve coho salmon habitat".
2. Marin RCD Staff receive calls of interest from landowners who have seen our notice announcing the grant. Those that meet the grantor's specifications are selected.
3. A Technical Advisory Committee (TAC) visits ranches and ranks projects (See [example criteria](#)).
4. A TAC recommends projects to the Marin RCD Board.
5. The Marin RCD Board reviews projects for approval.

### How do we decide on our projects?

The Marin Resource Conservation District (Marin RCD) may choose to accept a project using several criteria. Generally, there are three phases which connect

public and private funding to on-the-ground projects:

- Phase 1: Setting Priorities and Securing Grants
- Phase 2: Project Solicitation and Eligibility
- Phase 3: Project Review and Approval.

### Phase 1: Setting Priorities and Securing Grants

The Marin RCD cost-share programs are incentive programs intended to defray land manager costs in implementing projects that benefit soil, water, air, plants and wildlife on public and private lands. The goal of our programs is to help land managers practice better environmental stewardship by providing financial assistance for the implementation of ecosystem stewardship projects that would not otherwise be implemented without it.

Every five years, the Marin RCD publicly reviews and approves a Strategic Plan which identifies local ecosystem stewardship priorities. Each year the Strategic Plan is reviewed by staff and compares it with goals as identified in local, state and federal grant programs. If an appropriate match is found, a grant application will be submitted. Most of these grants are highly competitive, requiring a solid track record of past implementation success, therefore the selection and satisfactory completion of each project is critical to the availability of future funding opportunities. The expectation of the Marin RCD is that land managers enrolled in grant programs are responsible for long-term operation and maintenance of ecosystem stewardship projects to meet the mutual goals of both the land manager and funder.

### Phase 2: Project Solicitation and Eligibility

The Marin RCD selects treatment sites for funding by mailing a postcard announcement to inform land managers of available funds for certain qualifying practices. Land managers may also call the office at any time to be placed on our mailing list and to notify Marin RCD of project ideas they may have. Eligibility for the Marin RCD's programs is often determined by constraints of the grant source which may be prioritized by land use, watershed, or resource priority. If eligible, land managers can submit an application which will then be evaluated by Marin RCD staff and ranked by a Technical Advisory Committee (TAC) using program-specific selection criteria. TAC members will consist of one board member representative in addition to professionals with backgrounds in: rangeland management, engineering, watershed advisory, water quality, revegetation, planning, design, permitting, and hydrology. The various expertise of the TAC members enables them to collectively brainstorm well-rounded design solutions with the land manager that meet the requirements of all parties involved.

### Phase 3: Board Review and Approval



A prioritized list of projects is then presented at a public Marin RCD Board meeting for review, discussion, request for further information and/or approval. Applicants are invited to attend the Board meeting in which their projects are being reviewed. It is important to note that staff and/or subcontractors may need to prepare plans, designs, permits and budgets before final projects are approved by the Marin RCD Board and funding partner. Once the design and permitting phase is complete and projected costs are known, following a competitive bidding process, projects will receive construction approval. If approved for funding, a Landowner Authorization Agreement is signed which outlines the scope of the project, financial cost share, maintenance, and monitoring obligations. Project payments are made to contractors only after the completion of a project according to previously-approved plans and specifications. All project costs are reviewed by the funding agency and during the Marin RCD's annual audit. Individual projects installed with grant funds must be in place and maintained for the life expectancy of the practice which may range from ten to twenty years, as determined by the United States Department of Agriculture Natural Resources Conservation Service's practice standards and specifications.

The following costs are not eligible for grant funding:

- Practices required as a result of a court order;
- Practices required for compliance with local building permits;
- Practices associated with a mandatory mitigation requirement;
- Any costs incurred prior to written approval.

**Email:** [marinrcd@marinrcd.org](mailto:marinrcd@marinrcd.org)

**Telephone:** (415) 663-1170

**Mailing Address:** P.O. Box 1146, Point Reyes Station, CA 94956

**Office Address:** 80 Fourth St., Suite 202, Point Reyes Station, CA 94956

*Help the RCD - Make a tax deductible donation today!*



# Exhibit F

## Exhibit F

### MRCD's Response to the Chart of Gale's Approval of Financial Reports

Note: The column below entitled "contract/amount" is inaccurate. The expenditures identified are a combination of staff mileage reimbursements (highlighted in yellow) and submitted grant invoices (highlighted in green) related to the Gale Ranch Carbon Farm Plan *in addition to* other grant responsibilities unrelated to the Gale Ranch as identified in the contract link provided below. The grant invoices include expenses for 15 design plans, workshops, multiple site visits and relations with the local Tribe unrelated to the Gale Carbon Farm Plan.

<u>BOARD MEMBER / LANDOWNER BENEFICIARY</u>	<u>CONTRACT / AMOUNT</u>	<u>FINIANCIAL REPORT</u>	<u>BOARD MEETING</u>	<u>LANDOWNER PRESENT AT BOARD MEETING</u>	<u>UNANIMOUS APPROVAL OF "FINANCIAL REPORTS AND BILLS TO BE PAID" WITH NO ABSTENTIONS</u>	<u>RCD Response</u>
<a href="#">\$34.73</a>	<a href="#">6/1/21</a>	<a href="#">6/9/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Mileage for staff
<a href="#">\$14,855.70</a>	<a href="#">6/1/21</a>	<a href="#">6/9/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties
<a href="#">\$35.19</a>	<a href="#">8/3/21</a>	<a href="#">9/8/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Mileage for staff
<a href="#">\$35.19</a>	<a href="#">9/1/21</a>	<a href="#">9/8/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Mileage for staff
<a href="#">\$10,395.74</a>	<a href="#">9/1/21</a>	<a href="#">9/8/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties
<a href="#">\$8,215.00</a>	<a href="#">9/1/21</a>	<a href="#">9/8/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties
<a href="#">\$8,014.00</a>	<a href="#">11/3/21</a>	<a href="#">11/10/21</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties
<a href="#">\$35.19</a>	<a href="#">1/3/22</a>	<a href="#">1/12/22</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Mileage for staff
<a href="#">\$35.19</a>	<a href="#">1/3/22</a>	<a href="#">1/12/22</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Mileage for staff
<a href="#">\$6,101.38</a>	<a href="#">1/3/22</a>	<a href="#">1/12/22</a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties



<a href="#"><u>\$8,370.31</u></a>	<a href="#"><u>1/3/22</u></a>	<a href="#"><u>1/12/22</u></a>	YES	YES	YES	Award made 02/10/21. SG abstained. Invoice for multiple properties
<b>TOTAL - \$56,127.62</b>						

# Exhibit G

## Exhibit G

### MRCO's Response to the Complaint's Chart of Gale's Alleged Participation in Board Actions Related to Her Property

<u>BOARD MEETING</u>	<u>GALE PRESENT AT BOARD MEETING</u>	<u>RECUSAL OR ABSTENTION DURING DISCUSSION OR ACTION ON CARBON FARMING PROGRAM ON CHILENO VALLEY RANCH</u>	<u>RCD RESPONSE</u>
<a href="#">2/10/21</a>	YES	YES	
<a href="#">4/14/21</a>	YES	NONE	No action or discussion
<a href="#">5/12/21</a>	YES	NONE	No action or discussion
<a href="#">6/9/21</a>	YES	NONE	No action or discussion
<a href="#">9/8/21</a>	YES	NONE	No action or discussion
<a href="#">10/20/21</a>	YES	NONE	No action or discussion
<a href="#">11/10/21</a>	YES	NONE	No action or discussion
<a href="#">12/8/21</a>	YES	NONE	No action or discussion
<a href="#">3/9/22</a>	YES	NONE	No action or discussion
<a href="#">4/13/22</a>	YES	NONE	No action or discussion
<a href="#">5/11/22</a>	YES	NONE	No action or discussion

# Exhibit H

## Exhibit H

### MRCD's Response to the Chart of Martinelli's Approval of Financial Reports

Note: The column below entitled "contract/amount" is inaccurate. The column identifies several invoices that are part of larger contracts/awards made in meetings prior to Peter Martinelli's term which include a property not in ownership by Peter Martinelli. Only two contracts/awards were made during Peter Martinelli's term, and he abstained from voting on both occasions. The following contracts/awards were made for the two properties:

- a. Miller Pacific, [May 10, 2017](#) (page 22)
- b. Erickson Engineering, [May 10, 2017](#) (page 22)
- c. Prunuske Chatham Inc, [May 10, 2017](#) (page 22)
- d. Conservation Corps North Bay, [May 10, 2017](#) (page 22)
- e. Rege Construction, [August 11, 2017](#) (page 4)
- f. Clay Liner, [August 08, 2018](#) (page 4). Peter Martinelli abstains.
- g. San Francisco Estuary Institute, [April 14, 2021](#) (page 4). Peter Martinelli abstains.

<u>BOARD MEMBER / LANDOWNER BENEFICIARY</u>	<u>CONTRACT / AMOUNT</u>	<u>FINIANCIAL REPORT</u>	<u>BOARD MEETING</u>	<u>LANDOWNER PRESENT AT BOARD MEETING</u>	<u>UNANIMOUS APPROVAL OF "FINANCIAL REPORTS AND BILLS TO BE PAID" WITH NO ABSTENTIONS</u>	<u>RCD Response</u>
Martinelli	<a href="#">\$3,250.80</a>	<a href="#">9/5/17</a>	<a href="#">9/13/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$1,301.00</a>	<a href="#">9/5/17</a>	<a href="#">9/13/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$4,140.00</a>	<a href="#">9/5/17</a>	<a href="#">9/13/17</a>	YES	YES	Conducted on Webber property

Martinelli	<a href="#">\$19,565.14</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$2,632.00</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$12,702.50</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office. Invoice applies to PM property
Martinelli	<a href="#">\$19,565.14</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Duplicate
Martinelli	<a href="#">\$1,650.00</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Does not apply to PM property
Martinelli	<a href="#">\$4,275.00</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Does not apply to PM property
Martinelli	<a href="#">\$1,876.50</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$2,390.40</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$161,977.50</a>	<a href="#">11/1/17</a>	<a href="#">11/8/17</a>	YES	YES	Contract made prior to PM term of office.
Martinelli	<a href="#">\$2,368.80</a>	<a href="#">12/11/17</a>	<a href="#">12/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$6,020.90</a>	<a href="#">12/11/17</a>	<a href="#">12/17</a>	YES	YES	Contract made prior to PM term of office. Invoice covers 2 properties
Martinelli	<a href="#">\$33,289.98</a>	<a href="#">7/3/18</a>	<a href="#">7/11/18</a>	YES	YES	Contract made prior to PM term

						of office. Invoice covers 2 properties
Martinelli	<a href="#">\$3,116.08</a>	<a href="#">11/1/18</a>	<a href="#">11/14/18</a>	YES	YES	Award made 08/08/2018. PM abstained. Reimbursement
Martinelli	<a href="#">\$4,967.50</a>	<a href="#">12/3/18</a>	<a href="#">12/12/18</a>	YES	YES	Award made 08/08/2018. PM abstained
Martinelli	<a href="#">\$409.50</a>	<a href="#">2/3/21</a>	<a href="#">2/10/21</a>	YES		Does not apply to PM property
Martinelli	<a href="#">\$7,177.39</a>	<a href="#">7/6/21</a>	<a href="#">7/14/21</a>	YES		Contract made 04/14/2021. PM abstained
TOTAL	\$292,676.13					



# Exhibit I

## Exhibit I

### MRCD's Response to the Complaint's Chart of Martinelli's Alleged Participation in Board Actions Related to His Property

<u>DATE OF BOARD MEETING</u>	<u>MARTINELLI PRESENT AT BOARD MEETING</u>	<u>RECUSAL OR ABSTENTION DURING DISCUSSION OR ACTION ON PINE GULCH PROJECT</u>	<u>RCD RESPONSE</u>
<a href="#">9/13/17</a>	YES	NONE	PM approves Resolutions of Commendations to two organizations. No financial implications.
<a href="#">3/14/18</a>	YES	NONE	Contract did not involve the pond on Martinelli's property, and it was not reasonably foreseeable that the contract would affect his financial interest. Tabled. No action
<a href="#">5/9/18</a>	YES	NONE	No action or discussion
<a href="#">7/11/18</a>	YES	NONE	No action or discussion
<a href="#">8/8/18</a>	YES	<b>YES</b>	
<a href="#">11/14/18</a>	YES	NONE	No action or discussion
<a href="#">12/12/18</a>	YES	NONE	No action or discussion
<a href="#">1/9/19</a>	YES	NONE	No action or discussion
<a href="#">4/10/19</a>	YES	NONE	No action or discussion
<a href="#">5/8/19</a>	YES	NONE	No action or discussion
<a href="#">6/19/19</a>	YES	NONE	No action or discussion
<a href="#">7/10/19</a>	YES	NONE	No action or discussion
<a href="#">9/11/19</a>	YES	NONE	No action or discussion
<a href="#">12/11/19</a>	YES	NONE	No action or discussion
<a href="#">1/13/20</a>	YES	NONE	No action or discussion
<a href="#">2/12/20</a>	YES	NONE	No action or discussion
<a href="#">5/13/20</a>	YES	NONE	No action or discussion
<a href="#">06/10/20</a>	YES	NONE	No action or discussion
<a href="#">07/22/20</a>	YES	NONE	No action or discussion
<a href="#">8/12/20</a>	YES	NONE	No action or discussion
<a href="#">9/9/20</a>	YES	NONE	No action or discussion
<a href="#">11/11/20</a>	YES	NONE	No action or discussion
<a href="#">02/10/21</a>	YES	NONE	No action or discussion
<a href="#">3/10/21</a>	YES	NONE	No action or discussion
<a href="#">4/14/21</a>	YES	<b>YES</b>	
<a href="#">06/09/21</a>	YES	NONE	No action or discussion

<a href="#">07/14/21</a>	YES	NONE	No action or discussion
<a href="#">10/20/21</a>	YES	NONE	No action or discussion

# Exhibit J

## Exhibit J

### MRCD's Response to the Chart of Giacomini's Approval of Financial Reports

Note: The column below entitled "contract/amount" is inaccurate. The column identifies several invoices that are part of larger contracts/awards made in public meetings where Robert Giacomini abstained from voting or did not participate in the awarding of the contract. The following contracts/awards were related in part, to the project on the Giacomini property.

- a) Sonoma RCD (covers multiple properties/services) [December 12, 2018](#) (page 14, Item 3A). Robert Giacomini is absent.
- b) Miller Pacific Original contracts under \$5K are authorized by the Executive Director. Not provided for Board approval.
- c) MKM & Associates. Original contracts under \$5K are authorized by the Executive Director. Not provided for Board approval.
- d) Prunuske Chatham (covers multiple properties/services) [February 12, 2020](#) (page 14, Item 4B, Contract #C01-2019) To provide biological services for two projects; one located on the Giacomini property. Robert Giacomini is absent.
- e) M3 Integrated Services, [July 22, 2020](#) ( Page 2, Item 3E. [Action Profile](#), page 25). Robert Giacomini abstains.

<u>BOARD MEMBER / LANDOWNER BENEFICIARY</u>	<u>CONTRACT / AMOUNT</u>	<u>FINIANCIAL REPORT</u>	<u>BOARD MEETING</u>	<u>LANDOWNER PRESENT AT BOARD MEETING</u>	<u>UNANIMOUS APPROVAL OF "FINANCIAL REPORTS AND BILLS TO BE PAID" WITH NO ABSTENTIONS</u>	<u>RCD RESPONSE</u>
Giacomini	<a href="#">\$4,700.00</a>	<a href="#">6/2/20</a>	<a href="#">6/10/20</a>	YES	YES	Miller Pacific contract approved by ED 03/11/20
Giacomini	<a href="#">\$3,272.50</a>	<a href="#">7/15/20</a>	<a href="#">7/22/20</a>	YES	YES	MKM contract approved by ED 03/11/20
Giacomini	<a href="#">\$2,054.40</a>	<a href="#">12/2/20</a>	<a href="#">12/9/20</a>	YES	YES	Miller Pacific contract approved by ED 03/11/20
Giacomini	<a href="#">\$33,271.75</a>	<a href="#">12/2/20</a>	<a href="#">12/9/20</a>	YES	YES	M3 contract made 07/22/20 RG abstains
Giacomini	<a href="#">\$17,425.00</a>	<a href="#">02/03/21</a>	<a href="#">02/10/21</a>	YES	YES	M3 contract made 07/22/20. RB abstains
Giacomini	<a href="#">\$50,696.75</a>	<a href="#">12/2/20</a>	<a href="#">12/9/20</a>	YES	YES	M3 contract made 07/22/20. RB abstains
Giacomini	<a href="#">\$9,379.24</a>	<a href="#">12/2/20</a>	<a href="#">12/9/20</a>	YES	YES	Prunuske Chatham Award made 02/12/20. RG is absent Invoice covers multiple properties.

Giacomini	<a href="#">\$2,054.40</a>	<a href="#">12/2/20</a>	<a href="#">12/9/20</a>	YES	YES	Duplicate
Giacomini	<a href="#">\$892.50</a>	<a href="#">1/5/21</a>	<a href="#">1/13/21</a>	YES	YES	MKM contract approved by ED 03/11/20
Giacomini	<a href="#">\$1,105.00</a>	<a href="#">1/5/21</a>	<a href="#">1/13/21</a>	YES	YES	MKM contract approved by ED 03/11/20
Giacomini	<a href="#">\$2,719.80</a>	<a href="#">1/5/21</a> <a href="#">2/3/21</a>	<a href="#">1/13/21</a> <a href="#">2/10/21</a>	YES	YES	Sonoma RCD award made 12/12/2018. RG Absent. Invoice covers 2 properties
Giacomini	<a href="#">\$1,398.82</a>			YES	YES	Sonoma RCD award made 12/12/2018. RB absent. Invoice covers 2 properties
Giacomini	<a href="#">\$626.60</a>	<a href="#">2/3/21</a>	<a href="#">2/10/21</a>	YES	YES	Miller Pacific contract approved by ED 03/11/20
Giacomini	<a href="#">\$450.00</a>	<a href="#">8/3/21</a>	<a href="#">9/8/21</a>	YES	YES	MKM contract approved by ED 03/11/20
Giacomini	<a href="#">\$1,345.50</a>	<a href="#">10/5/21</a>	<a href="#">10/20/21</a>	YES	YES	MKM contract approved by ED 03/11/20
TOTAL	\$131,392.26					