

Marinwood Community Services District

Minutes of Board of Directors Meeting Tuesday May 9, 2017

Time and Place: 6:00PM Marinwood Community Center classroom.

Present:

Board Members: President Bill Shea, Izabela Perry and Jeff Naylor.

Absent: Irv Schwartz and Leah Kleinman-Green.

Staff: District Manager Eric Dreikosen, Fire Chief Thomas Roach, Recreation Director Shane DeMarta, Firefighter Sean Day and Administrative Assistant Carolyn Sullivan.

Others Present: Linda Barnello, Stephen Nestel.

Closed Session

1. *Conference with Labor Negotiators Section 54957.6 Agency designated representatives: Jack Hughes, Eric Dreikosen, Represented Employees: Marinwood Professional Firefighters:*

2. *Conference with Legal Counsel – Existing Litigation Section 54956.9(d)(1): Name of case: Anderson, et al., v. Marinwood Community Services District:*

The Board entered into Closed Session at 6:00pm. The Board exited Closed Session at 7:21pm, the Board took no action.

Open Session Call to Order and Pledge of Allegiance

Agenda

M/s Perry/ Naylor to approve agenda as presented. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

Consent Calendar

a. *Draft minutes of Regular Meeting of April 11, 2017:* Naylor inquired about Marinwood.org email addresses for Board members. Dreikosen replied he believes there is a limit of 25, but will inquire. Naylor clarified his comments in regards to the letter received last month regarding pensions and being compared to MMWD, Naylor noted yes, the amounts are large, but the District is not hiding the liabilities.

b. *Draft minutes of Special Budget Meeting of April 25, 2017:* No comments.

c. *Draft minutes of Special Meeting of April 25, 2017:* No comments.

d. *Bills Paid Nos. 881-968:* Shea commented that overtime had climbed once again. Roach replied the department lost its temporary hire. Naylor noticed a difference in the 4850 pay. Dreikosen replied White's 4850 eligibility had run out. Naylor inquired about the tennis program expenditures. Sullivan replied it was for a months' worth of classes and there is a revenue line associated. Naylor inquired about the bill for Creams Tow. Roach replied it was for "jaws of life" training. Nestel commented he has attended the meetings for years and videotapes all the meetings, the minutes are inaccurate and the clerk distorts the record. The Board represents the public and what is happening is not a democracy. Nestel stated Dreikosen was incorrect on the lack of public comment on non-agenda items at Special Meetings, it is required by the Brown Act. Naylor commented four of five Board members have received email correspondence from the public and all Board members have publically posted their phone numbers. Barnello stated Justin Kai wanted email addresses publically posted; the rest of the Board wanted phone numbers posted.

M/s Perry/ Naylor to approve Consent Calendar. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

Public Comment Open Time for Items Not on Agenda

Barnello commented about two months ago she had sent an email regarding dog attacks and the lack of leashed dogs in the panhandle and received no response. Barnello asked Park staff to find a "no dogs off leash" signage and place it at the Quietwood entrance. Something needs to be done about the 65% of people who walk their dogs off leash in the panhandle, the District could be sued if this continues to occur.

District Matters

1. *Change in wage scale in District Salary Schedule to provide for a 2% base salary increase, effective 7/2/17, for the following positions: Senior Administrative Assistant, Recreation Director, Fire Chief:* Dreikosen stated all information was provided in the packet including burdened costs for FY 17-18. Naylor stated he has no objection it is deserving, but noted the long-term pension liability impacts. Dreikosen noted there is only one person per position and if the current employee were to leave, the District could lower the wage schedule. Nestel stated he never argued the salary of any productive employee, but is not happy about the pension issues. Barnello commented the Fire Chief declined his raise three years ago and would urge him to accept this one.

M/s Perry/Naylor to change in wage scale in District Salary Schedule to provide for a 2% base salary increase, effective 7/2/17, for the following positions: Senior Administrative Assistant, Recreation Director, Fire Chief.

Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

2. *Proposed District Budget for Fiscal Year 2017-2018*: Dreikosen stated he is unsure of when the funds will be received from FEMA for storm damage related issues, it may be pushed until next fiscal year. The firehouse kitchen is in the budget at \$60,000. The fire salary wage GL account has been recalculated due to the retirement of Captain White and the upcoming engineer promotion. Additionally paramedic wages and reimbursements were incorporated into this budget. Naylor asked if the budget amendments on this agenda were factored into the 16/17 column. Dreikosen replied no. Nestel commented there is lack of vigorous cost containment.

M/s Naylor/Perry to approve proposed District Budget for Fiscal Year 2017-2018. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

3. *Increase cash held in Wells Fargo Payroll account by \$15,000 to a total revolving balance of \$175,000 to accommodate requirement of electronic payments of pension contribution to CalPERS*: Dreikosen stated right now there is currently \$160,000 allocated to the payroll revolving account. CalPERS is imposing an electronic payment mandate by July 1, 2017.

M/s Perry/Naylor to Increase cash held in Wells Fargo Payroll account by \$15,000 to a total revolving balance of \$175,000 to accommodate requirement of electronic payments of pension contribution to CalPERS. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

4. *Fiscal Year 2016-2017 Budget Amendment*: Dreikosen stated the District does not have a hard stop anymore, but it is good practice to do budget amendments when applicable. All proposed amendments are to accounts discussed during previous budget reviews.

M/s Perry/Naylor to approve Fiscal Year 2016-2017 Budget Amendment. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

5. *Update form Ad-Hoc Committee to Review, Revise, Create District Policies and Procedures: Discuss next project(s). Committee Member(s): Izabela Perry*:

a) Expenditure Authorization policy: Naylor commented this has been reviewed at the prior meeting. Both Kleinman-Green and Schwartz offered their approval at the last Board meeting.

M/s Naylor/Perry to approve Expenditure Authorization Policy. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

Nestel stated he commends the Board for trying, but without limits of time this policy is meaningless. Shea replied this policy is for budgeted items.

6. *District Manager Report*: Dreikosen stated he, DeMarta and Roach had met with OES and FEMA and submitted a list of projects. We expect a follow up, but was given a verbal approval for a go-ahead for initial studies to be done by geo-techs and engineers. Perry asked if the projects were listed by priority. Dreikosen replied no. Perry inquired about timelines. Dreikosen replied there is an 18 month window for projects. Naylor requested that the District receive something in writing in regards to moving forward with initial studies.

Dreikosen commented he had included a balance sheet as of April 30th, please note there are a few items lingering from SAP that need to be reconciled. Shea asked what compensated absences were. Dreikosen replied accrued vacation hours on the books.

Nestel stated he had seen David Kunhardt on the premises and inquired why he was here. Dreikosen replied he didn't meet with Kunhardt.

Fire Department Matters

1. *Draft minutes of Fire Commission meeting of May 2, 2017*: Naylor asked if there was an update on Heine. Roach replied he will be meeting with the doctor next week.

2. *Fire Activity Summary and Chief Report*: Naylor asked for an update on the kitchen project. Roach replied an architect will be onsite on Friday and was given a lead by Schwartz for a company that would meet the SB854 requirements. Roach reported that the Department is down one personnel due to White's retirement, but there are no academy's until August. Naylor inquired about MERA. Roach replied there is a contract with Motorola who was the sole bidder, we will be paying the bond until 2021. Nestel commented this District is a satellite fire department of San Rafael and should look into merging, the District is in legal problems and should settle the lawsuit. Roach replied he has been involved in merger talks for many years and it has never added up in the District's favor, but it is always an option.

3. *Resolution 2017-05: Government Code section 21156. Confirming Disability Status for Application of Industrial Disability Retirement submitted by employee*: Dreikosen stated White has applied with CalPERS for Industrial Disability Retirement and the resolution is the formal step for the Board. Nestel stated this is the way firefighters retire, the District needs to control its costs. Dreikosen replied White made the correct decision given his Doctors orders and has 30 years of service to the District.

M/s Perry/Naylor to approve Resolution 2017-05: Government Code section 21156. Confirming Disability Status for Application of Industrial Disability Retirement submitted by employee. Ayes: Perry, Naylor and Shea. Nays: None. Absent: Schwartz and Kleinman-Green. Motion carried.

Park and Recreation Matters

1. *Park Maintenance Facility Replacement Initiative: Update:* Dreikosen stated the census out of the public meeting were three possible locations; near the Firehouse, closer to Miller Creek Road or in the general proximity of the current location. Schwartz will be putting together site plans for the possibilities. Shea commented the location near the Firehouse is not a safe location. Nestel asked if the Board had read the laws. The land where the current building is located is not buildable and it is taking park land away from the residents. Naylor replied the County will be the experts on the issue.

2. *Recreation and Park Maintenance Activity Reports:* DeMarta reported the Spring Art Show was well attended and kudos to Susan Press for curating the show. Press will be retiring from the preschool next month and staff has put together a small thank you gathering on May 20th from 6-9pm and encouraged all to attend. Perry requested a formal thank you letter from the Board to Susan for her 32 years of service. Camp Training is in full swing and registrations are very good. Naylor asked if DeMarta is aware of where the pool shell is leaking water. DeMarta replied there is degrading in the deep end as well as with the tot pool. Any company that comes will have to do pressure testing on the pipes. DeMarta reported the park vehicle is being outfitted with a bed liner and lumber rack this week. A surveyor had come out to review all the pathways and sidewalks; it will be expensive and they can do it in sections. Naylor asked about the trees near the sidewalk. DeMarta replied past Commissions spoke about removing the trees on Miller Creek because they sit on the gas lines. Perry stated eliminating the trip hazards is a must at first. DeMarta commented the weeds will be addressed by the landscaping company as soon as possible on Miller Creek, Blackstone, Lucas Valley berms and the interior of Lucas Valley Estates.

New and Other Business

1. *Requests for Future Meeting Agenda Items:* Naylor recommended placing \$100,000 in reserves and \$5,000/month for OPEB.

Recognitions and Board Member Items of Interest

Shea commented the Board recognizes Captain Joel White and his 30 years of service to Marinwood as well as Preschool Director Susan Press and her 32 years of service to the community.

The meeting was adjourned at 9:20PM.

The date of the next Regular Board Meeting was set for June 13, 2017 at 7:30pm.

Respectfully submitted,
Carolyn Sullivan