

Marinwood Community Services District

Minutes of Board of Directors Meeting
Tuesday June 14, 2016

Time and Place: 7:30PM Marinwood Community Center classroom.

Closed Session

1. *Conference with labor negotiators section 54957.6. Agency designated representatives: Jack Hughes, Liebert Cassidy and Whitmore. Represented employees: Marinwood Professional Firefighters.*

2. *Conference with Legal Counsel- Anticipated Litigation Significant Exposure to Litigation Pursuant to Government Code 54956.9(d)(2) and e(5): Number of cases unknown.*

The Board did not meet in Closed Session.

Present:

Board Members: President Justin Kai, Izabela Perry, Jeff Naylor and Leah Kleinman-Green.

Absent: Bill Shea.

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

Fire Commissioners: Ron Marinoff.

Others Present: Stephen Nestel, Gary Novak and Linda Barnello.

Open Session Call to Order and Pledge of Allegiance

Agenda

No changes or additions.

Consent Calendar

a. *Draft Minutes of Regular Meeting of May 10, 2016:* Barnello commented Naylor did not quote Brown Act 54954.3(b). Barnello stated she read section 54954.4 not 54954.2 of the Brown Act. Additionally Barnello commented that she had departed the meeting after she spoke, but was informed the topic she broached was discussed further by Kai and that discussion should have been included in the minutes. Naylor replied he referred to a document written by former California Attorney General Bill Lockyer regarding the Brown Act which lays it out in layman's terms. Kai stated he would like to add the word "protection" regarding the potential policy on workplace violence for staff and volunteers.

Nestel commented narratives written in the minutes do not work, there are gross omissions and additions and stated his comments are mischaracterized. Board minutes should not be a political spin document; the Board needs to stick to Robert's Rules format for meeting minutes. Kai responded the Board is looking into the purchase of a video recording device for Board meetings.

M/s Naylor/Perry to approve minutes as amended. Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

b. *Bills Paid Nos. 1056-1158:* Perry commented on the vehicle maintenance charges. Roach replied the department had money left in that budget category; preventative maintenance was done. Naylor questioned the GASB invoice. Dreikosen replied it was for the pooled report. Naylor questioned the fire salary line and if it included the advanced disability pension payment. Dreikosen replied no, the payment was for accrued vacation. Naylor questioned the payment to Leslie's Pool Supplies. DeMarta replied it is salt for the pool.

M/s Perry/Naylor to approve Bills Paid Nos. 1056-1158. Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

Public Comment Open Time for Items Not on Agenda

Barnello commented at the March Board Meeting a social media aspect of the bylaws were discussed. In the April meeting the bylaws were changed and approved to allow Board members to post on social media. Barnello questioned why the four Board members who opposed changing the wording did not stand their ground when the bylaws were adopted.

Nestel commented Marinwood and Lucas Valley face many challenges including the homeless shelter coming to northern San Rafael. Nestel stated it is important for the CSD to have a response to San Rafael regarding this issue. Kai replied the location is yet to be determined, northern San Rafael is a possibility, but not finalized. Kai added if any resident would like more information or to make a comment they should reach out to San Rafael or Supervisor Connolly.

District Matters

1. *Update from Ad-Hoc Committee to Address District Unfunded Future Liabilities. Committee Member(s): Jeff Naylor and Bill Shea:* Naylor commented he, Shea and Dreikosen had met with a representative from California Employers' Retirement Benefit Trust. The CSD does have the latitude to set up an irrevocable trust account. Dreikosen has identified three other organizations to meet with as well. Nestel stated he commends the foresight of the Board, but the CSD should be concerned with the lack of savings for Capital Expenditures and Repairs. Nestel suggested the Board make a list of Capital needs before they decide to open an irrevocable trust.

2. *Update from Ad-Hoc Committee to Review, Revise, Create District Policies and Procedures: Discuss Next Project(s). Committee Member(s): Izabela Perry:*

a. *Marinwood CSD Petty Cash Policy:* Perry introduced and distributed to Directors and public a revised version submitted by Director Naylor. The Board decided to change wording to state "The District Manager (not Board of Directors) can change the limit as needed".

M/s Perry/ Kleinman Green to approve Marinwood CSD Petty Cash Policy as amended. Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

b. *Marinwood CSD Payroll Management Policy:* Perry introduced and distributed to Directors and public a revised version submitted by Director Naylor. Under "procedure" the Board added wording "Safety employee overtime must be approved by the Fire Chief or Fire Captain". The Board changed wording from "The payroll register..." to "The labor distribution worksheet is..." The Board deleted "...and allocating each department to the correct cost center and benefits withholding accounts." Nestel commented this policy is too much to digest and the Board should wait for approval until the July meeting so Shea has a chance to review the edits. Naylor commented Perry has been working on these policies by herself and volunteered to help her. Kai responded that is helpful and it will added to the July agenda. Nestel commented he is uncomfortable with the ad-hoc committees, they are actually standing committees. Naylor responded the work that is being done during the month is agendized for public review. Nestel replied the public needs more time to comment. The Board decided to place this policy on the July agenda for approval.

3. *District Manager Report:* Dreikosen commented the accounting system transition is still a bit of a roller coaster. Staff is working with the County IST for a July 1, 2016 independence date. Dreikosen reported the permits for the solar project, including the shade structure have been received and construction will begin on the shade structure on August 22nd.

Kai asked the revenue amount from the Measure I restructuring. Dreikosen replied approximately \$6,000 more than prior year primarily stemming from multiple businesses in the District being located on single parcels.

Naylor questioned when the community center solar installation will begin. Dreikosen stated the work has begun, but connection will be complete when the shade structure is complete. Barnello asked for an update of the schedule from the company. Dreikosen replied he will ask. Nestel stated the project is three months behind schedule; something happened. Chief Roach replied they applied for permits at the beginning of May; it's only been about six weeks. Nestel stated he is very concerned with the financial agreement the CSD has entered into.

Fire Department Matters

1. *Draft Minutes of Fire Commission Meeting of June 7, 2016:* Roach stated the Commission approved recommendation of Resolution 2016-03. The Commission had changes to the bylaws, but those comments will be brought before the Board at the August meeting.

2. *Fire Chief Report and Activity Summary Report for May 2016:* Roach reported the wildland season has begun. The Department was contacted for a strike team, but declined due to staffing levels. The reserve engine has been placed on the market for sale, but the Commission and Board will have final approval on the sale.

3. *Resolution 2016-03: Authorizing the Fire Chief to Sign the Joint Powers Agreement for Hazardous Materials Spill Management:* The only real change is a fee increase of \$200/year for capital expenditure needs.

M/s Perry/Kleinman-Green to approve Resolution 2016-03 Authorizing the Fire Chief to Sign the Joint Powers Agreement for Hazardous Materials Spill Management. Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

Park and Recreation Matters

1. *Draft Minutes of Park and Recreation Commission Meeting of May 24, 2016:* DeMarta reported the Commission met at Creekside Park to begin their inspection of the CSD grounds.

2. *Recreation and Park Maintenance Activity Reports:* DeMarta reported summer camps have begun; supervisors are doing a great job. The tennis courts resurfacing is complete with the Creekside courts set to be resurfaced later this summer. Perry asked if staff was going to promote a Groupon for pool passes. DeMarta replied staff ran a Groupon through last week, we will watch redemption rates. Nestel commented the quality of the pool experience is declining. Barnello questioned how much the Recreation Department will be spending on bands for Music in the Park. DeMarta replied approximately \$2,800 for the five events. Barnello questioned why the landscape contractor hacked the

walkthrough's. DeMarta replied he had spoken with the resident where the area was cut; they were experiencing a rodent infestation; the trimming would help the issues.

New and Other Business

1. *Change in Public Contract Information for Board Directors from Personal Phone Numbers to Email Addresses:* Kai stated he had received a very disturbing communication that was quite violent in nature. Kai played the voicemail for the Board as well as public in attendance. (A portion of the way through Naylor requested the recording being turned off). Naylor commented he has received phone calls regarding CSD business and feels the Board should provide as much information as possible to the residents. Naylor stated he would rather have his phone number available than an email. Kleinman-Green commented Director's numbers have been available for years; the positive outweighs the negatives. Perry commented the Board needs to look at the big picture, Directors should be able to be reached and offering only an email address would restrict access to some community members. Barnello questioned if email correspondence would be considered a public document. Dreikosen replied he would have to look into that. The Board decided to keep phone numbers on the website available to all.

2. *Resolution 2016-04: Increasing the Amount of the Special Tax for Fire Protection and Emergency Services:* Nestel commented the CSD should look towards normalizing tax; over half of Marinwood's calls are conducted in San Rafael.

M/s Perry/Kleinman-Green to approve Resolution 2016-04 Increasing the Amount of the Special Tax for Fire Protection and Emergency Services. . Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

3. *Resolution 2016-05: Determining the FY 2016-2017 Appropriations Limit on Tax Proceeds:*

M/s Perry/ Kleinman-Green to approve Resolution 2016-05 Determining the 2016-2017 Appropriations Limit on Tax Proceeds. Ayes: Perry, Naylor, Kai and Kleinman-Green. Nays: None. Absent: Shea. Motion carried unanimously.

4. *Request for Future Agenda Items:*

- Adding another Director to the ad-hoc committee to Review, Revise, Create District Policies and Procedures.
- Amending Bylaws.
- Payroll policy adoption.
- Zero tolerance violence policy.
- Solar project status.

Recognitions and Board Member Items of Interest

Kleinman-Green stated the summer programs are so amazing. She has spoken with parents, campers and staff, and it is lovely to see everyone enjoying the experience.

Dreikosen congratulated the Kai family on their newest addition.

Dreikosen commented he had observed the camp and pool training and was impressed. The Supervisors do a good job preparing staff for all the summer programming.

The meeting was adjourned at 10:09PM.

The date of the next Regular Board Meeting was set for July 12, 2016 at 7:30pm.

Respectfully submitted,
Carolyn Sullivan