

# Marinwood Community Services District

Minutes of Regular Board of Directors Meeting

Tuesday November 8, 2011

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

## **Present:**

Board Members: President Cyane Dandridge, Bill Hansell, Tarey Read and Bruce Anderson and Leah Green.

Staff: District Manager Thomas Horne, Fire Chief Thomas Roach, Recreation Director Shane DeMarta, Firefighters Joel White and Brian Smith, Administrative Assistant Carolyn Sullivan.

Fire Commissioners: Jeff Naylor.

Park and Recreation Commissioners: Thomas Kunkel and Michael Dudasko.

Others present: Dick Cotton, Jan Cotton, Ron Gradinger, Roy Nisja, Ray Day, and Paul Kolowski.

## **Call to Order and Pledge of Allegiance**

### **Agenda**

Horne noted there were two items to be added to Item H, Correspondence.

### **Comments from Public on Non Agenda Item**

Ron Gradinger representative of the Marinwood Farmers Market stated that they had placed an advertising poster on the Marinwood entrance sign at the corner of Marinwood Ave. He would like to know who forcibly removed it and why it was taken. Horne responded it was brought to his attention by Stephen Nestel, but staff did not remove the sign. Ron stated the poster was generously donated and is very disappointed to see it taken. Anderson stated we encourage the community to come forward with information to find out if the poster can be recovered.

### **Consent Calendar**

1. Minutes of Regular meeting of October 11, 2011:

2. Claims 351-432:

M/s Read/Anderson to approve consent calendar. Ayes: Anderson, Hansell and Read. Abstaining: Green. Absent: Dandridge.

### **Ordinance 2011-03 Regulating Activity in Marinwood CSD Parks and Open Space**

1. Public Hearing- the Board will hear public comment regarding proposed Ordinance 2011-03. Speakers are asked to limit their comments to three minutes: Hearing began at 7:43pm. One community member questioned if the updated Ordinance will allow dogs to run off leash. He shared that he and his family experienced an encounter on a local trail with two dog walkers and five dogs, and felt that the dogs in question should have been leashed. Anderson asked if we are in any way lowering restrictions for dog owners. Horne stated no, this Ordinance brings us in accordance with the Marin County Open Space District Ordinance, and County wide dog ordinance. Once Ordinance 2011-03 is approved County Animal Control will have the means to enforce the ordinance. Read commented that we also increased the monetary penalty as well. Anderson asked if we will be increasing signage. Harrelson responded yes. Ray Day, a community member and dog owner is saddened to see new restrictions, and there will always be a small percentage of irresponsible dog owners who will ruin it for others. Roy Nisja stated he owns three dogs and asked if we had reports of any serious attacks or bites in the past. Horne responded we have received complaints, but no attacks. Anderson responded from personal experience he knows of one young girl extremely frightened by a dog that approached her off leash. Hansell stated as a dog owner he is sensitive to this issue, it is just good practice to walk your dog properly on leash in our parks, and feels this ordinance is a good balance for dog owners. Paul Kolowski asked if the panhandle area of the park will remain leash free. Horne stated yes, that area is ok for dogs to walk off leash because it is dedicated open space. Public Hearing ended at 8:00.

2. Ordinance 2011-03 adoption- the Board may adopt Ordinance 2011-03, or postpone action pending changes.

M/s Read/ Anderson to adopt Ordinance 2011-03 Regulating Activity in Marinwood CSD Parks and Open Space. Motion carried unanimously.

### **Fire Department Matters**

1. Report of Fire Commission meeting of November 1, 2011: No additions.

2. Fire Chiefs Report: Hansell commented there was no mention of Scott Kenley's report. Roach commented it was in last month's report. Hansell recapped the report saying it was the third independent review of our fire service, and the recommendations in the report are, "The District should take the necessary steps to qualify for the next available election, a ballot measure to increase the District's Special Fire Tax." Additionally, "The District should schedule several community workshops to educate the community..." Read commented it was the best report we've received.

### **Recognitions**

Roach noted that it was the five year anniversary of the passing of Rob Paoli, and added that Sarah Paoli made a nice donation to the Marinwood Firefighters Association.

### Correspondence

Read commented we've received a glowing letter from SDRMA for having no paid claims in past year.

Hansell commented on a letter he'd received from Carolyn Lenert of North San Rafael Coalition of Residents, regarding the possibility of purchasing parcels of the Rockin' H Ranch.

Horne stated the Board received correspondence from Stephen Nestel, who requested the letter be read aloud in the minutes. Dandridge replied that will not be necessary. The letter objected to parts of the proposed Code of Conduct that violated his free speech rights.

### Board Member Items of Interest

Anderson commented, the Marinwood Market is open, let's all patronage the market so they can remain open. Hansell commented he would like people to continue to support the Marinwood Farmers Market as well, as was very disappointed to hear that their signage was removed and taken. Anderson asked if the Farmers Markets was a non-profit. Ron Gradinger replied yes. Green asked on the status of the housing development at the market site. Hansell replied discussion is ongoing.

### Park and Recreation Matters

1. Report of Park and Recreation Commission meeting of October 25, 2011: Hansell noted he had spoken with a few tennis players and they remarked they'd be willing to pay a bit more for rental of the courts.

Anderson noticed in the minutes Kunkel commented that he had concerns with the Board election process. Kunkel replied, yes, you all have been appointed, not elected. There is not enough exposure to the community regarding Board elections.

Hansell replied he appreciates the concern, but the MCSD does everything and anything it is legally required to do regarding Board elections. He stated he ran unopposed, therefore was elected. Anderson added he too ran against Katie Roach and was elected. It should be noted that Green and Read both ran unopposed, therefore were elected. The Board unanimously agreed that for the next election they will send emails out to the community informing them of the upcoming election.

2. Recreation Activities Report: DeMarta distributed the 2011 pool report in the packets, this was the first year we broke even on the pool. DeMarta added that we have another "Una Noche Flamenco Night" set for November 19.

3. Park Maintenance Report: Harrelson stated his crew did some resurfacing on the tennis courts, also performed some creek maintenance before the hard rains come.

Dandridge commented that Energy Upgrade California was offering free energy assessments to homeowners, but residents need to act fast.

### New and Other Business

1. Draft Code of Conduct for Board and Commission members: Anderson stated item nine, should state, "In public statements, Commissioners must accurately represent the adopted position and opinion of the 'Board and' Commission as a whole..." The Board agreed.

M/s Read/ Green to approve the Code of Conduct for Board and Commission members as amended. Motion carried unanimously.

2. Resolution 2011-10 Fixing Employers Contribution under Public Employees Medical and Hospital Care Act: Green stated if we pass this now we are locked in for 2012 and cannot change the employee percentage. Anderson noted this is setting the maximum.

M/s Anderson/ Green to approve Resolution 2011-10 Fixing the Employers Contribution under Public Employees Medical and Hospital Care Act. Motion carried unanimously.

4. Other New Business: Anderson requested that on the December Board agenda we have discussion regarding removal of one of the Park and Recreation Commissioners.

3. Marinwood Professional Firefighters MOU discussions:

*The Board will meet in closed session to confer with its designated representatives to represented employees regarding wages, benefits and working condition matters, pursuant to Government Code section 95957.6:* Closed session began at 8:33. Closed session ended at

The date of the next Regular Board meeting is December 13, 2011 at 7:30PM.

The meeting was adjourned at 9:28PM.

Respectfully submitted,  
Carolyn Sullivan