

Marinwood Community Services District

Draft Minutes of Regular Board of Directors Meeting
Tuesday March 11, 2008

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

Present:

Board Members: President Bruce Anderson, Bill Hansell, Tarey Read, Cyane Dandridge, and David Mitchell.

Staff: District Manager Tom Horne, Fire Chief Tom Roach Recreation Director Shane DeMarta, Park Manager Gary Harrelson and Administrative Assistant Carolyn Sullivan.

Fire Commissioners: Ron Marinoff and Jeff Naylor.

Park and Recreation Commissioners: Leah Valentine and Chris Case.

Others present: Chuck Walker, Michael O'Connor, Dave Green, Maggie Feldstein, Kel Harris, Walter Dods, Joan Mitchell and Greg Stepanicich.

Agenda

Leslie Salazar gave the Board a letter for consideration, it was placed under Park and Recreation matters.

Comments from public on non-agenda items

Cameron Case noted that on the Marinwood Association website the Center is still being referred to as the "Howie" Center, and that needs to be changed. Case also expressed concerns with Anderson roles as Vice President on the Association, and President of the Board, and that the two roles are being blurred.

Consent calendar

1. Minutes from Regular meeting of February 12 and Special meetings of March 4 and 5, 2008.
M/s Read/ Mitchell to approve minutes from Regular meeting February 12, and Special meetings March 4 and 5, 2008. Motion carried unanimously.
2. Payment of claims 686-763.
M/s Mitchell/ Read to approve payment of claims 686-763. Motion carried unanimously.

Audit report

1. Accept financial statements and audit report of June 30, 2007.
O'Connor noted that the CSD's net assets are \$4, 479, 545 with an increase of \$407,829 over 2006. Mitchell commented it is good that we are increasing, and not decreasing our assets. Hansell questioned if we had our Capital assets professionally assessed. Horne stated no. Marinoff suggested we receive an approximate replacement cost for our buildings. Hansell commented he could look into that. Anderson asked if we are currently covered for earth subsidences. We are protected for inverse condemnation. Read stated that no parties involved in the previous slide were covered, and that is normal procedure. Anderson asked if in regards to the hazmat JPA if we exposed to any liability. Chief commented all the department pay into the JPA, but I would need to find out if it is the policy to cover all members. Anderson asked if any of the stated recommendations are of concern. O'Connor responded none are of major concern. Horne did note that many recommendations still expressed have been taken care of. O'Connor commented that Horne is very thorough at his job.
M/s Read/ Hansell to approve financial statements and audit report of June 30, 2007. Motion carried unanimously.

Due to the presence of our lawyer, Greg Stepanicich, the Board decided to jump to Item J2.

Fire department matters

2. Contract with San Rafael for emergency services
 - a. Policy and format for negotiations: Anderson commented that the initial members are he and Read. He had met with San Rafael Mayor Al Boro in January and reported back to Chief Roach. There is another meeting set for March 26, and there needs to be discussion about the makeup of the negotiation team. Mitchell commented that the 2005 negotiations did not go well and feels that we need to handle the situation on a staff level, and the Board members should not be involved. Anderson disagreed. Stepanicich stated there are approach options, but our recommendations are that the negotiations begin on a staff level. Stepanicich also stated that he would like to see a third party consultant with the cost shared between the two

entities. Dods commented that he feels staff should not be involved in the negotiations. Horne commented in the 2005 negotiations he and Chief were support members, but feels that there were too many people in room. Dave Green supported the idea of having the team consist of staff members with Stepanicich at the helm. Anderson commented that at the initial meeting Boro stated he would like to see a mediator present. Green stated a mediator and a fact finder is very different and that needs to be kept in mind. Naylor expressed concern about direction for the team and that the Board needs to be on a united front.

M/s Hansell/ Read to proceed with the March 26th meeting with the original attendees and to consult with Stepanicich before the meeting occurs. Motion carried unanimously.

M/s Read/ Hansell to set the sole business agenda as follows: Have negotiations conducted at staff level, and have a joint study of fact findings. Motion carried unanimously.

Closed Session

The Board met in Closed Session to receive reports on ongoing litigation arising from Ponti Road earth subsidence pursuant to Government Code Section 54956.9. The Board met in Closed Session at 9:45PM. The Board exited Closed Session at 10:05.

M/s Read/ Hansell to authorize the settlement as advised by our lawyers, once approved by a judge. Motion carried unanimously.

Recognitions

None.

Correspondence

1. Letter to County Public Works re: guardrail maintenance.
Horne reported he had sent a second letter and received no response.
2. Thank you letter from Walter Dods.
Anderson read and acknowledged the letter.
3. Letter from residents Dave Green and Cameron Case requesting censure of Board President.
Green presented the letter and requested there be no independent actions taken by Board members. Case commented that Anderson tended to intertwine Medias which leads to confusion about the facts versus personal opinions. Hansell stated he respects their opinions, but is not supportive of this suggestion, although Hansell did agree that the Board needed to provide better communication to the public. Read stated she was confused by this letter and that she was aware that Anderson would be meeting with Boro. Hansell noted that he too was aware of the meeting. Anderson stated he would make a conscience effort to have better communication with his fellow members as well as with the community. Mitchell stated he would like some assurance by Anderson that he would be a team member and not act independently.

Park and Recreation matters

1. Report of Park and Recreation meeting of February 26, 2008.
 - a. Recommendation to contribute up to \$5000 toward paving a path to Miller Creek School from Park bridge. Kel Harris stated this would be great for the community, and it looks as if the total cost will be about \$15thousand, with work to be completed by the beginning of next school year. Horne commented it could be included in the 08/09 Budget.
M/s Dandridge/ Read to approve the recommendation to contribute up to \$5000 toward paving a path toward Miller Creek School. Motion carried unanimously.
 - b. Leslie Salazer spoke and asked permission to display an MCSD sponsor sign.
M/s Mitchell Read to allow the Waterdevils swim team to display an MCSD sponsor sign.

Due to the late hour the Board decided to table the following items:

J3: Fire Chief Report

K2: Recreation activities update

K3: Park Maintenance Report

L1: Advisory group to study latent powers, development commission, and revenue sources

L2: Review Draft of Conflict of Interest Policy

L3: Policy for use of Marinwood Association website for CSD communications

The meeting was adjourned at 11:00PM.
Respectfully submitted,
Carolyn Sullivan