

Marinwood Community Services District

Minutes of Board of Directors Meeting
Tuesday August 11, 2015

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

Present:

Board Members: Vice President Justin Kai, Bill Hansell and Bill Shea.

Absent: President Tarey Read and Deana Dearborn.

Staff: District Manager Eric Dreikosen, Fire Chief Thomas Roach, Recreation Director Shane DeMarta, Firefighters John Bagala, Jeff Smith, Brandon Selvitella and John Papanikolaou, Administrative Assistant Carolyn Sullivan.

Fire Commissioners: Jeff Naylor and Ron Marinoff.

Park and Recreation Commissioners: Shane Valentine.

Others Present: Stephen Nestel, Linda Barnello, Bob Briare and Leah Kleinman-Green.

Call to Order and Pledge of Allegiance

Agenda

No changes or additions.

Consent Calendar

a. *Draft Minutes of Regular Meeting of July 14, 2015:* Barnello stated she would like an addition to the minutes re: budget to actuals in each Board packet.

b. *Draft Minutes of Special Meeting of July 30, 2015:* No additions or changes.

c. *Bills Paid Nos. 1-184:* Shea questioned the Fire Department overtime costs. Roach replied the Department had a strike team out; costs will be reimbursed.

d. *Contract for Services with Liebert Cassidy Whitmore:* Barnello asked what this service was for. Kai replied it is for employment relations matters.

e. *County of Marin: 6/30/15 Report of County, Schools and District Investments:* No additions or changes.

M/s Hansell/Shea to approve Consent Calendar as presented. Ayes: Kai, Hansell and Shea. Nays: None.

Absent: Read and Dearborn.

Open Times for Items not on the Agenda

Barnello asked why the list of attendees are not included in the minutes when the board enters into closed session. Eric stated he would look into if that information could be included.

Barnello questioned if staff has a code of ethics. Hansell replied a code of ethics is included in the draft employee handbook.

Correspondence

1. *David Brown, July 16, 2015: Concerns regarding statements made at July 14, 2015 board meeting related to pension liabilities:* Nestel stated Brown requested his letter be read into the minutes. Hansell read the letter:

I am writing to correct the record and to establish some facts concerning the discussion about pensions that occurred at your Board meeting on June 14, 2015. In my statement I said that the district has large and growing liabilities for both pensions and OPEB. Later in the meeting Board President Read stated I was wrong. She agreed that the district has large OPEB liabilities. She disagreed that the district has large pension liabilities saying it had none, so no need worry about them and that anyone could go to the district's website and see for themselves. I did just that.

The district's website, which contains actuarial statements from Cal PERS, shows the following. For the most recent year available, ending June 30, 2013, the district has unfunded pension liabilities of approximately \$3.2 million, significantly larger than the district's unfunded liability for OPEB.

According to a letter provided to the district by former district manager Tom Horne in December 2014 the district will pay \$205,000 towards its unfunded liability in 2015/16. This number is estimated to rise to \$321,000, an increase of 56%, in 2019/202 before declining to \$299,000 in 2020/21. These numbers are in addition to the normal cost of pensions that will rise throughout the period due to the use of new mortality tables.

It is true that the district is addressing its pension obligation, as required by law, and that it is not, so far, addressing its OPEB obligation. However, simply because an obligation is being addressed does not make it acceptable to say the obligation doesn't exist.

Board President Read should correct the record. I request that this brief letter be read into the record at your next meeting.

Sincerely, David C Brown

The Board acknowledged the letter.

2. *Bob Briare, President, Marin Professional Firefighters, IAFF Local 1775, July 25, 2015: UPDATE –Civic Openness in Negotiations (COIN):* The Board acknowledged the letter.

3. *Jody Morales, August 3, 2015: Concerns regarding- Statements made at July 14, 2015 board meeting related to pension liabilities; Fact finding documents; Dispersal at July 14 meeting of Larkspur “DRAFT” response to Grand Jury:*

Dreikosen stated that Read had prepared a response and requested that it be read into the record.

I apologize if I said it succinctly in interest of time. We do have a pension liability which is acknowledged and budgeted currently and in the future. In response to other points raised, I acknowledge them and thank you for your opinion.”

Bagala stated in regards to items 1,2 and 3, the District and Union do not operate behind closed doors. Bagala stated he applauded the Board for hiring Liebert Cassidy Whitmore. Bagala stated in regards to Jody’s letter, the Grand Jury stated their opinion; it has not been vetted legally.

Hansell thanked Brown and Morales for their letters.

4. *Liz Dale, August 4, 2015: Information regarding Department of Public Works upcoming tree and bush trimming work along Lucas Valley Road:* The Board acknowledged the letter.

5. *Liz Dale, August 6, 2015: Concerns regarding Creekside Park and June 2015 Park and Recreation Commission meeting, inspection and suggestions for park:* Barnello stated the district should not spend any more money at Creekside Park renting a porta potty; the revenues will not cover the expenses. Valentine stated he would speak to the Commission.

Fire Department Matters

1. *Fire Department- Activity Summary Report for July 2015:* Kai requested Roach expand upon the homeless encampment. Roach replied he will be assessing the situation on Friday.

2. *Fire Department- Chief Report:* Roach reported there is a strike team out currently. Kai noted personally he would like to thank the firefighters for their hard work. Roach reported Firefighter Anderson will be leaving the Department for San Francisco. The labor group has agreed to hire a temporary firefighter with the idea to hire a full time Firefighter in October.

3. *Shared Services Update:* Roach reported the paramedic program is the next step in the process. Marinwood has a list of possible hires and Chief Grey has extended their list to the District as well.

4. *Paramedic/Advanced Life Support Engine Company Update:* No additional comments.

Park and Recreation Matters

1. *Draft minutes of Park and Recreation Commission meeting of July 28, 2015:* Nestel stated Perry should contact him because there already is a “Friends of Marinwood”. Hansell stated the facilities inspections are worthwhile, but would like to see a plan of documentation. Dreikosen noted last year Perry and Barnello summarized the inspections. Dreikosen stated this year he and DeMarta will go through the notes. Barnello stated adding a butterfly garden is too costly; the Commission needs to decipher the dreams from reality. Valentine replied the commission does not want to limit their thoughts and dreams, but everyone is aware of the budget limitations. Kai commented he is sorry to have missed the meeting, but wanted to thank Perry and Oyserman for their support of the Park Tax Resolution.

2. *Recreation and Maintenance Activity Reports:* DeMarta reported staff is wrapping up summer programming as well as working on the fall/winter Review. Park staff is continuing to clean up the maintenance shed and to draft a design for the mulch bays. The mini-park on Las Gallinas sustained major vandalism last week and staff is working on finding the correct replacement parts. Additionally lifted portions of sidewalk near Mary Silveria that is on CSD land will be repaired before school begins. Kleinman-Green stated she was so impressed with the Recreation staff over the past years. The growth in the programs and special events have been fantastic. Kai agreed with Kleinman-Green. DeMarta thanked Hansell for booking the bands for our summer series. Hansell stated the sponsorships that DeMarta garnered help with the costs, which is appreciated. Hansell stated the current PA system that the department provides is Luke Fretwell’s personal system and would like to see the District begin to think about purchasing one. DeMarta replied it may be an item for Measure A funding or a Kickstarter fund. Barnello stated the Music in the Parks brings in too many outsiders and questioned if the park can handle the capacity. Kai responded exposure for our community is a good thing not a negative. Kleinman-Green added past Boards were clear in that the Community Events are a goodwill gesture to the community and the Music in the Park event is one of the most popular events Marinwood offers. Roach responded to Barnello that park overcapacity has never been a problem.

New and Other Business

1. *Special Tax for Fire Protection: Ballot Measure-Designate District Representatives to create and Submit Argument in Favor of Measure and Identify Supporters to Sign Argument:* (Measure H) Dreikosen stated this is just a GANN limit authorization and can use past language for the ballot. Naylor asked if it was a simple majority. Dreikosen replied yes. Bagala commented Dreikosen might want to check for opposition. The Board designated Dreikosen to create and submit argument in favor.

2. *Special Tax for Parks, Open Space and Street Landscape Maintenance: Ballot Measure-Designate Representatives to Create and Submit Argument in Favor of Measure and Identify Supporters to Sign Argument:* (Measure I) Dreikosen recommended Kai write the argument. Kai replied he would help draft the argument with Dreikosen. The Board designated Dreikosen and Kai to create and submit argument in favor.

3. *SEED Solar Power Purchase Agreement Amendment: Non-Appropriation Event:* Dreikosen stated the language was added to every contract, the San Rafael City attorney reviewed the language and these are their edits. Hansell commented this language states that if for some bizarre reason the Board decides to not budget for electricity the contract may be terminated.

M/s Hansell/ Shea to approve SEED Solar Power Purchase Agreement Amendment: Non-Appropriation Event. Ayes: Kai, Hansell and Shea. Nays: None. Absent: Read and Dearborn.

4. *Social Media Policy for Board and Staff-Initial discussion regarding the development of guidelines and allowable practices:* Barnello stated Horne already implemented a policy. Kai replied there is no policy. The Board decided to postpone discussion until all board members could be present.

5. *Requests for Future Meeting Agenda Items:* Kai referenced the letter Dearborn had written. Dreikosen replied there will be more information available at the September Board meeting. Hansell agreed and stated the Board should see a rendering as well as a power generation goal by next month. Barnello commented it is time for the Board to cut its losses and stop the project. Nestel stated he has been against this project from the beginning and the Board should buy deep green through MCE.

Recognitions and Board Member Items of Interest

Hansell stated he would like to recognize Ross Anderson and thank him for his service.

The meeting was adjourned at 9:28PM.

Respectfully submitted,
Carolyn Sullivan