

# Marinwood Community Services District

Minutes of Board of Directors Meeting  
Tuesday September 8, 2015

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

**Present:**

Board Members: President Tarey Read, Justin Kai, Bill Hansell, Deana Dearborn and Bill Shea.

Staff: District Manager Eric Dreikosen, Fire Chief Thomas Roach, Recreation Director Shane DeMarta, Firefighters Cesar Correa, Joel White, Alex Wilhelm.

Fire Commissioners: Jeff Naylor.

Park and Recreation Commissioners: Izabela Perry.

Others Present: Stephen Nestel, Linda Barnello, David Kunhardt, Eric Blomendale, Jonathon Whelan, Rudy Gelenter, Ray Day, Bill McNicholas, Elisabeth Geler and Leah Kleinman-Green.

**Call to Order and Pledge of Allegiance**

Read commented she would like to make a few announcements:

Read stated she would like to remind the public that all non-union staff and those not on duty do not have the obligation to respond to the public while on their days off. It has been a courtesy not a precedent if a staff member responds to an inquiry on their days off; please respect their time.

Read noted that all five Board candidates are in attendance at this time and introduced each by name: Leah Kleinman-Green, Izabela Perry, Jeff Naylor, Stephen Nestel and Tarey Read.

Chief Roach presented Rudy Gelenter with a plaque thanking him for his service on the Fire Commission.

**Agenda**

No changes or additions.

**Solar Power Purchase Agreement Update & Presentation**

1. *Approve an option for total system size as presented: (a) with canopy: 53.3kW (b) without canopy: 43.7 kW:*

David Kundhart, Sol-Ed CEO, presented a power point with preliminary drawings of proposed system sizes and other project updates. Hansell stated he would like to see the canopy extended by 12 modular's to bring the system size to 56kW, this would extend the canopy on the right hand side. Dearborn stated she does not agree; the Board does not know enough about pure energy savings; she suggested going with a smaller system and evaluate the results after time. Shea commented he would have concerns extending the system and canopy; it might hinder the pool equipment.

M/s Hansell/ Kai to approve and authorize staff to implement the solar power purchase agreement with 12 added modular's to bring the system size to 56kW. Ayes: Kai, Read and Hansell. Nays: Dearborn and Shea. Motion carried.

**Consent Calendar**

a. *Draft Minutes of Regular Meeting of August 11, 2015:* No comments.

b. *Bills Paid Nos: 185-299:* No comments.

M/s Hansell/ Dearborn to approve Consent Calendar. Ayes: Kai, Hansell, Dearborn and Shea. Abstain: Read. Motion carried.

**Open Times for Items not on the Agenda**

Barnello asked if Dreikosen inquired to Counsel re: inclusion of names who attend closed session meetings. Dreikosen replied he will inquire with Counsel. Read commented as a lawyer the very disclosure of a name is not legally appropriate.

Barnello asked when the budget to actuals will be included in the agenda packet. Sullivan and Dreikosen will work on the budget to actuals for monthly review.

Nestel stated he is upset with the District Manager re: lack of communication; all members of the public have the right to communicate with the Board.

Dearborn requested office hours be placed on the front doors of the community center. The public needs to be aware of office hours and respect the staffs balance for life and work. Hansell noted office hours are posted on the website. Hansell commented he would like to analyze options for Fire service administration. The Fire Chief will be retiring in a few years and the Board should decide on a long term decision moving forward. It might be feasible to offer the current Chief a contract for his remaining time. Hansell provided Dreikosen a draft contract requesting he forward to County Counsel for review and requested this be an item on the October agenda.

## **Correspondence**

1. *Justin Kai, August 27, 2015: Communication from Supervisor Connelly regarding Marinwood Plaza Remediation Efforts and Timeline:* The Board acknowledged the correspondence.
2. *Save Marinwood Plaza Cleanup Oversight Committee, September 4, 2015: Requesting Formal Board Support and Letter Asking for Immediate Remediation:* Nestel and McNicholas stated they would like to show a video regarding this matter. The Board members noted the video was sent to them last week; it is not appropriate to show the video at this time. Hansell thanked McNicholas, but stated this Board has a limited prevue; it is not the proper government body to sign a formal letter. Day commented he had prepared a letter for individual citizens to sign in support requesting for remediation. Day distributed the letter to each Board member. Read stated Dreikosen may make copies of the letter to whomever would like one. Kai stated McNicholas and Nestel should contact Supervisor Connolly for support. Dearborn suggested inviting Connolly to the community center to discuss the issue.
3. *Bruce Carmedelle, Lucas Valley Estates HOA President, September 4, 2015: Concerns re: possible Future Use of Creekside Park:* Hansell commented this is a strong letter regarding a topic the Board has not discussed. DeMarta replied the original discussion occurred at a brainstorming session of the Park and Recreation Commission; there is nothing concrete at this time. DeMarta stated he as well as Dreikosen had spoken to HOA members separately and invited him to attend a Commission meeting with his concerns.

## **Fire Department Matters**

1. *Draft Minutes of Fire Commission Meeting of September 1, 2015:* No additions.
2. *Fire Department Activity Summary Report for July and August, 2015:* Roach reported the strike teams are back; the Department is fully staffed.
3. *Fire Department Chief Report:* Roach commented he had contacted DPW to inquire if “Fire Department” road signs could be placed on Lucas Valley and Miller Creek Roads. Hansell noted he as well as others have spent a lot of time contacting DPW regarding speeding in front of the Firehouse and has extensive emails that might be helpful to Roach. Roach stated he continues to work on grant writing, but there is not much available at this time. Dearborn questioned what percentage of grants are being received in Marin County. Roach replied he is unsure. Roach included information regarding Paramedic Schools in the packet. Kai asked if there is interest from staff regarding attending paramedic schools. Roach replied the discussion thus far is that staff will consider the possibilities.
4. *Shared Services Update:* Roach reported there was a slight hiccup regarding compatibility of the SCBA’s. “C” Shift worked out a compromise in which Marinwood may borrow 4 SCBA’s from San Rafael for Engine 58.

## **Park and Recreation Matters**

1. *Draft Minutes of Park and Recreation Commission Meeting of August 25, 2015:* Read commented the Mini-Park looks great. Perry stated the grounds have greatly improved under DeMarta’s leadership. Nestel commented the area near the Maintenance shop has been scraped clean; it should remain natural. Additionally there are too many wood chip plies in the area. DeMarta replied there are no wood chip piles, they have been distributed. Distribution of the wood chips helps keep the weeds at bay now that the CSD does not use any pesticides in the Park.
2. *Recreation and Maintenance Reports:* No additions.

## **New and Other Business**

1. *Notice of Rejection re: Open Space Liability Claim Filed Against the District:* Dreikosen stated the CSD is not liable.

M/s Shea/Dearborn to authorize Dreikosen to sign notice of rejection re: open space liability claim. Ayes: Read, Hansell, Dearborn and Shea. Absent: Kai. Motion carried.

2. *Social Media Policy for Board and Staff-Initial discussion regarding the development of official guidelines and allowable practices:* Read commented the CSD has no official policy, just a practice. Dreikosen noted he had asked the question re: social media policies on the CSDA list serve, but received no real answers. Read commented she does not feel the need for a formal policy; the Board is always bound by the Brown Act. Shea commented he does not post on social media. Dearborn stated she is not involved in social media; and does not participate in NextDoor. Shea agreed; he will never post anything on NextDoor. Dearborn stated it is concerning that any member of the public can copy an email exchange and post it publically. Kai commented it is important for the Board to clarify and correct any misstatements on social media as long as it is factual information previously discussed. Barnello stated the Board needs to understand what a “serial meeting” is and stated there was an article in the paper recently regarding the topic of social media participation. Read commented her personal advice is for all Board members and staff to keep mum on social media regarding CSD business. Nestel stated he had sent an email to three of the five Board members and received no response; the Board needs to interact with the public.

3. *Memo From District Legal Counsel: "Activities of Marinwood Community Services District Officials and Staff Concerning Ballot Measure"*: Read asked the Board to review.

4. *"Measure 1" Informational Fact Sheet- Possible Creation and Distribution*: Kai stated it is important to provide a fact sheet for the public. The original Board motion allowed for money to be spent placing the Measure on the ballot; there is money remaining and it should be spent on producing a mailer to the community.

M/s Kai/ Hansell (second for purposes of discussion) to authorize Kai and Dreikosen to produce a factual informational flyer with review by Counsel to be distributed to the community while working within the original funding.

Kai stated this is common practice; the school districts produce flyers for their measures. Kai had researched a printing company who could produce the flyer for about \$900.00. Naylor stated the document in question violates the law. Hansell questioned if this idea was brought before Counsel. Dreikosen replied no. Nestel commented individual citizens should do a campaign committee.

Hansell withdrew his second. Motion failed.

5. *Senate Bill 608- "Right to Rest Act": Creation of Committee to Research Proposed Bill and Potential Impact on District*: Read deferred to Barnello who brought this before the Board. Barnello asked the Board to read the document. Read asked if Barnello would like to be on the Committee. Barnello replied no. Hansell commented homelessness is not a crime; this is a civil rights matter; not one for the CSD.

### **Recognitions and Board Member Items of Interest**

No additions.

### **Closed Session**

Personnel exemption; The Board may meet in closed session to confer with its designated representatives to Marinwood Professional Firefighters regarding wages, benefits and working condition matters, pursuant to Government Code section 54957.6. Designated representative: Jack Hughes, Liebert Cassidy Whitmore.

The Board entered into closed session at 10:45PM. The Board exited closed session at 11:58PM. No action was taken.

The meeting was adjourned at 12:00AM.

Respectfully submitted,  
Carolyn Sullivan