

**STRAWBERRY RECREATION DISTRICT
BOARD OF DIRECTORS MINUTES
October 28, 2008**

Chair Spinola-Schwartz called the regular meeting of the Board of Directors of the Strawberry Recreation District to order at 7:18 PM.

QUORUM CALL:

Present were Directors Spinola-Schwartz, Francis, Klopfer, Wambach, and Zener. Kristen from 'Liebert Cassidy and Whitmore' was present as well as Interim Manager Yataco and members of the public.

AGENDA ADJUSTMENTS:

Item A1 should read "Action Item – Pursuant to Closed Section-Appointment of Interim Manager (California Government Code Section 54957)".

Agendize Compensation of Interim Manager for the next board meeting.

OPEN TIME FOR PUBLIC EXPRESSION: (limited to 3 minutes per person):

A member of the public asked about the reason for having a closed session. He also asked about the copy of the agreement between SRD and the former District Manager that he previously requested. Chair Spinola-Schwartz responded that the closed session was based on advice from county council. Regarding the agreement she stated that she had a copy to send to him.

CLOSED SESSION: 7:20 p.m.

RECONVENE IN OPEN SESSION: 7:30 p.m.

Chair Spinola-Schwartz reported out that the Board will meet to discuss compensation of the Interim Manager.

Item A2. Action Item: Review and approval of Employee Handbook

Kristen from 'Liebert Cassidy and Whitmore' reported on the development of the handbook. The update of the policy and procedures has increased the number of policies in order to be in compliance with the law in areas like Family Care Medical Leave and Harassment for example. Resolution 374 from 1990 covered the existing policies. The benefits have changed, but the old policies and holiday benefits are grandfathered. The handbook has been updated to be current with trends and changes in the law.

Director Wambach felt that merit increases should not be allowed if the employee does not meet standard, it should be articulated back to the performance review. Kristen responded that performance is not normally used for discipline. She added that the Board can adopt policy decisions. Director Wambach felt that inadequate performance should be documented somewhere. Director Francis agreed that cause or lack of performance needs to be documented.

A member of the public commented that the employees are at will employees and the Board is changing it from at will to cause. Chair Spinola-Schwartz commented that cause should be documented at the evaluation point in order to prove cause. She suggested the District add stronger language. Chair Spinola-Schwartz recommended adding a sentence in the "Discipline Section": such as "The Manager serves at the discretion of the Board and can be dismissed by the Board at any time", or "High level executive employees are at will." A member of the public commented that references to General Manager should be changed to District Manager. He added that page 10 item 4 could read "...with the approval of the Board." Kristen noted that the District Manager is the designee of the Board's authority, and the Board is the employer. Director Wambach suggested that the top three positions be approved by the Board. Chair Spinola-Schwartz suggested that employees with supervisor duties must be approved by the Board (Page 10, item 5).

The work week is 36 hours. Part time is between 7.5 and 25 hours per week. The floating holiday is removed, but existing employees are grandfathered. Regarding compensatory time on holidays remove "paid for only hours worked." Page 20 item 3d should read "...as defined in 1, above." Vacation accrual is going to the county rates. Compensatory time is for exempt positions and supervisor employees that supervise 2 people. Interim manager Yataco commented that he is available after business hours and weekends for emergencies for public safety. If work is done without approval he still must be paid, but can be disciplined. All overtime is compensatory time and is an election. Christen clarified that the Manager is exempt, so overtime does not apply. The non-exempt rank and file overtime is time and a half. Administrative decision making non supervisor falls in between.

Modify repeal majority vote and make changes as necessary to yearly review. Regarding page 16 current employees are grandfathered on purchase for spouse and dependants because of resolution. Director Wambach commented that in the private sector there is a partial and a cap. Kristin suggested leaving it general with "see District Manager for details." Director Francis felt that the dress code should be at the District Manager's discretion.

Motion: Move to approve all provisions presented by legal counsel on the Employee Handbook.
M/S/C Francis / Wambach

Ayes: Spinola-Schwartz, Francis, Klopfer, Wambach, and Zener. Noes: None

Absent: None

Item A3. Action Item: Update Procedure for hiring District Manager
Moot point, contract issue from last meeting.

Item A4. Action Item: Approval of Customer Survey

SRD should have a customer satisfaction survey covering the office, swimming pool, and the District. Preliminary email survey of customer satisfaction for the new Manager. Chair Spinola-Schwartz will donate survey time and cost.

What other services do people want for toddlers and children? Does the community want a farmer's market, perhaps at the cove or the Strawberry Shopping Center? What other services are customers interested in? Chair Spinola-Schwartz will create a sample for the Board to review before sending it out.

Motion: Move to approve SRD Customer Satisfaction Survey with review of questions.

M/S/C Francis / Klopfer

Ayes: Spinola-Schwartz, Francis, Klopfer, Wambach, and Zener. Noes: None

Absent: None

ADMINISTRATION:
MANAGER'S REPORT
As Presented.

OLD BUSINESS

Open seat on the SRD Board. People can pitch t the SRD Board which can make a recommendation to Supervisor McGlashan. The Marin County Board of Supervisors is the supervising authority that makes the appointment. The announcement will be posted on the website, in the office, and on the bulletin boards.

November 12 will be a special meeting with three candidates. The regular Board meeting will be held on November 19, 2008.

NEW BUSINESS

None.

CORRESPONDENCE:

None.

Matters of an Urgent Nature Arising Since Agenda Distribution:

None.

GOOD OF THE ORDER

There being no further business to come before the Board, Chair Spinola-Schwartz motioned that the meeting be adjourned, seconded by Director Francis. The meeting was adjourned by Chair Spinola-Schwartz at 9:51 PM.

The next regular meeting of the Strawberry Recreation District Board of Directors will be held on Wednesday, November 19, 2008.

Secretary, Board of Directors
Strawberry Recreation District

Chair, Board of Directors
Strawberry Recreation District