

**SRD Board Special Meeting Notice and Agenda  
Tuesday, March 31, 2020**

**6:30 p.m. Closed Session**

**7:30 p.m. Open Session**

**DUE TO COVID-19, THIS MEETING WILL BE CONDUCTED AS A TELECONFERENCE PURSUANT TO THE PROVISIONS OF THE GOVERNOR'S EXECUTIVE ORDERS N-25-20 AND N-29-20, WHICH SUSPEND CERTAIN REQUIREMENTS OF THE RALPH M. BROWN ACT. MEMBERS OF THE PUBLIC MAY NOT ATTEND THIS MEETING IN PERSON.**

Directors, staff and the public may participate remotely via the Zoom app with the following:

Meeting ID: 697 670 795; Password: 778207

Or by direct dialing this number 669 900 9128 and entering the above meeting ID and password.

You also may view video during the meeting via live stream:

<https://gcc02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fzoom.us%2Fj%2F697670795%3Fpwd%3DcS9qYk9na0Q3eVR6ODFmWHJpYXNqZz09&data=02%7C01%7CRBrewer%40marincounty.org%7Cfaa38a9e7a564ae73b2508d7d4e03a5a%7Cd272712e54ee458485b3934c194eeb6d%7C0%7C0%7C637211931835307864&data=Jl5jOK%2B0HXyG12q4cMphzXxkEnOIfbXxY31mij%2BVj80%3D&reserved=0>

**Public Comment**

Public comment may be made by using the above instruction during the meeting.

Public comment also may be submitted in advance of the meeting via email to [GM@strawberryrec.org](mailto:GM@strawberryrec.org). Please indicate in your email the agenda item to which your comment applies. Comments submitted before the meeting will be provided to the Directors before or during the meeting. Please submit public comments as soon as possible so that they can be provided to the Directors before, and, as feasible, during the meeting. Comments that require a response may be deferred for staff reply. To request an Agenda Packet prior to the meeting, email [GM@strawberryrec.org](mailto:GM@strawberryrec.org) or call (415) 383-6494.

**Accessibility for Individuals with Disabilities**

Upon request, District will provide for written agenda materials in appropriate alternative formats, or disability-related modification or accommodation, including auxiliary aids or services and sign language interpreters, to enable individuals with disabilities to participate in and provide comments at/related to public meetings. Please submit a request, including your name, phone number and/or email address, and a description of the modification, accommodation, auxiliary aid, service or alternative format requested. Requests will be granted whenever possible and resolved in favor of accessibility.

1. Call to Order and Roll Call

2. **CLOSED SESSION AGENDA**

**CONFERENCE WITH LABOR NEGOTIATORS** pursuant to Government Code Section 54957.6 Instructions to designated representative (Renee Giacomini Brewer) regarding negotiations with unrepresented employees, Nicolas Sousa, Dorian Creager, Brendon Westerhold, Loren Griswold, Brittney Boyd, Daniel Duong, and Jacqueline Woodall.

3. Announcement from Closed Session

4. Open Time for Public Expression - Non-Agenda Items (limit: three mins per person).

While members of the public are welcome to address the Board, under the Brown Act, Board members may not deliberate or take action on items not on the agenda, and generally may only listen.

5. **OPEN SESSION AGENDA** – Members of the public may comment on any agenda item (limit: three mins per person).

A. New Business Items

a. **Discussion/Action:** HR Subcommittee to recommend termination of GM recruitment given COVID-19 pandemic.

i. **Recommended action:** Approve.

b. **Discussion/Action:** HR Subcommittee to recommend contract with Nancy Shapiro for GM for duration of current fiscal year for term of May 1, 2020-June 30<sup>th</sup>, 2020 and for a one-year contract for July 1<sup>st</sup>, 2020 - June 30<sup>th</sup>, 2021.

i. **Recommended action:** Approve.

c. **Discussion/Action:** Adoption of Resolution Declaring Local Disaster Emergency regarding COVID-19 impact to District.

i. **Recommended action:** Approve.

6. Next Open Session Board Meeting is April 14, 2020, at 6:30 p.m.

7. Adjournment.



American Sign Language interpreters may be requested by calling (415)-927-5071(TDD) or (415)-383-6494(voice) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE STRAWBERRY RECREATION DISTRICT DECLARING LOCAL EMERGENCY IN RESPONSE TO COVID-19 AND RELATED INCIDENTS**

**WHEREAS**, international, national, state, and local health and governmental authorities are responding to an outbreak of respiratory disease caused by the novel coronavirus named “SARS-CoV-2” and the disease it causes has been named the “coronavirus disease 2019”, abbreviated “COVID-19”; and

**WHEREAS**, the Centers for Disease Control and Prevention has stated that certain populations face elevated risk and widespread transmission of COVID-19 would translate into large numbers of people needing medical care at the same time, resulting in the potential for critical infrastructure to be affected; and

**WHEREAS**, on January 31, 2020 the U.S. Department of Health and Human Services declared a public health emergency to aid the nation’s healthcare community in responding to COVID-19; and

**WHEREAS**, on February 11, 2020 the Strawberry Recreation Board of Directors passed a Resolution authorizing the General Manager adopt program cancellations and facility closures during the COVID-19 outbreak; and

**WHEREAS**, on March 3, 2020 a proclamation of the existence of a local emergency, pursuant to California Government Code Section 8630(b), was ratified for Marin County by the Marin County Board of Supervisors; and

**WHEREAS**, on March 4, 2020 the Governor of the State of California declared a state of emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

**WHEREAS**, on March 13, 2020 the President of the United States of America declared a national emergency and that the federal government would make \$50 billion in emergency funding to assist state and local governments in preventing the spread of and addressing the effects of COVID-19; and

**WHEREAS**, on March 16, 2020, Marin County was one of the Bay Area Counties that issued a Shelter in Place order for residents to stay home to battle the spread of the COVID-19 virus and accordingly, on that date, the Strawberry Recreation Pool and facilities were closed; and

**WHEREAS**, Strawberry Recreation District finds the current conditions represent an emergency situation that endangers public health and safety pursuant to Government Code Sections 54954.2(b)(1) and 54956.5; and

**WHEREAS**, the emergency conditions prevailing because of the COVID-19 pandemic has led to the interruption of Strawberry Recreation District programming, facilities and employment.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the SRD Board of Directors that due to the occurrence of COVID-19 and the emergency situation it creates within the District, the Board does hereby declare a local disaster within the District.

The Board further resolves that:

**(a)** A local emergency now exists throughout Strawberry Recreation District jurisdiction and such period of local emergency shall continue for so long as conditions so warrant that designation, in the discretion of the Board of Directors; and

**(b)** As a result of the condition of local emergency, the General Manager is authorized and directed to:

- (1) Implement the recommendations and directives of federal, state and local health officials regarding COVID-19;
- (2) Prioritize the District's resources and efforts to protect the health, safety and welfare of the residents of the District while ensuring the safety of District personnel;
- (3) Discontinue or suspend any or all non-essential services;
- (4) Implement policies and practices to minimize person-to-person contact in an effort to decrease the risk of transmission of COVID-19;
- (5) Suspend or modify the provisions of any previously adopted District Resolution, Rule, Regulation, Policy or Procedure if strict compliance with the same would in any way prevent, hinder or delay necessary action to provide essential services and/or ensure the safety of District personnel;
- (6) Suspend any Purchasing policies and enter into contracts and expend funds in an amount not to exceed \$10,000.00 per month with approval of the Board Chair. All emergency purchases over \$5,000.00 shall be reported to the Board at the next regular Board meeting. To the extent possible, competitive pricing shall be sought in the reasonable discretion of the General Manager.
- (7) Temporarily modify the terms and conditions of employment of District employees as directed by this Board, as necessary or appropriate to implement the recommendations and directives of health officials regarding COVID-19; and

**(c)** If any part, section, subsection, sentence, clause or phrase of this Resolution is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining provisions.

**(d)** This Resolution shall take effect and be enforced immediately upon its approval by the Board and may be modified or amended by Board.

**ADOPTED this 31<sup>st</sup> day of March 2020.**

**Ayes:**

**Noes:**

**Absent:**

**Abstaining:**

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Pam Bohner  
Chair, Board of Directors  
Strawberry Recreation District

Attest:

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Secretary, Board of Directors  
Strawberry Recreation District

## EMPLOYMENT AGREEMENT

THIS AGREEMENT is made and entered into March 31, 2020 by and between the STRAWBERRY RECREATION DISTRICT BOARD OF DIRECTORS (hereinafter "STRAWBERRY" or "BOARD") and NANCY SHAPIRO.

WHEREAS, STRAWBERRY desires to continue to employ the services of NANCY SHAPIRO as General Manager for STRAWBERRY, pursuant to California Public Resources Code section 5786.1.

WHEREAS, NANCY SHAPIRO has the necessary training, background, and skills to perform the duties of General Manager.

NOW THEREFORE, in consideration of the faithful performance of the terms, conditions, promises and covenants contained in this Agreement, the parties agree as follows:

### **SECTION I - Employment and Term of Office**

STRAWBERRY agrees to employ NANCY SHAPIRO as General Manager to perform the functions and duties of said office. The position of General Manager is an at-will position. BOARD may terminate NANCY SHAPIRO's employment at any time, with or without cause and with or without prior notice. NANCY SHAPIRO's job title, duties, responsibilities, compensation, and benefits may change from time to time, but the at-will nature of the employment shall not be changed.

This Agreement sets forth the terms of NANCY SHAPIRO's at-will employment with the BOARD and may not be modified or amended except by a written agreement, signed by the BOARD and NANCY SHAPIRO.

This Agreement commences May 1, 2020 and terminates on July 1, 2020. Upon expiration of this Agreement or any Addendum hereto, the terms and conditions of this Agreement shall remain in effect until it is either terminated or renegotiated.

### **SECTION II - Duties**

NANCY SHAPIRO shall perform the duties of General Manager and such other duties as may be prescribed by STRAWBERRY with the power granted to them by Public Resources Code section 5786.1(d).

NANCY SHAPIRO shall devote her full time and energy to the fulfillment of her duties to STRAWBERRY and may not engage in outside activities that interfere with her ability to perform her duties for STRAWBERRY. NANCY SHAPIRO acknowledges and affirms that she is prohibited from engaging in private business without approval from BOARD while employed as GENERAL MANAGER for STRAWBERRY.

NANCY SHAPIRO shall report directly to BOARD.

**SECTION III - Compensation**

NANCY SHAPIRO shall receive a monthly salary of \$10,891.50. Nothing in this Contract changes the at-will nature of NANCY SHAPIRO.

The Parties hereto acknowledge having discussed and agreed upon all terms and Provisions contained herein.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

STRAWBERRY:

By \_\_\_\_\_  
Pam Bohner, Board Chair  
Strawberry Recreation District

GENERAL MANAGER:

By \_\_\_\_\_  
Nancy Shapiro

APPROVED AS TO FORM FOR STRAWBERRY:

\_\_\_\_\_  
Renee Giacomini Brewer  
Chief Deputy County Counsel  
Attorney(s) for STRAWBERRY