

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, January 21, 2009

**CALL TO ORDER:** 6:40 p.m. by Chairman Naso. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present with the exception of Director Guidi. Also in attendance were Chief Smith, Accountant Hom, and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Murray/Corbet to approve the minutes of the December 17, 2008 regular meeting. All ayes. M/S Corbet/McLeran to approve the minutes of the January 7, 2009 special meeting. All ayes.

**PUBLIC COMMENT PERIOD:** There was no request from the public.

**UNFINISHED BUSINESS:**

1. Chief Smith explained the delay in receipt of the Agreement for Legal Services between KFPD and Jones Hall. Per the Brown Act, the agreement was not received in time to be added to the agenda of the January 7, 2009 special meeting. He reported that Counsel, Riley Hurd, had reviewed and approved the agreement. Following it's review of the agreement, the Board approved its signing. M/S Murray/McLeran. All ayes. Chief Smith will include Resolution No. 1-2009 with the signed Agreement for Legal Services, and he will mail both to Jones Hall.

2. Chief Smith passed out bound copies of the MACK 5 January 2009 monthly update on the fire station modernization project. He reported that the project is currently \$169K under budget. He advised the Board that he is continuing to track additional costs related to the redesign (Plan B) of the project. MACK 5 is also tracking the information.

Chief Smith reported that the redesign plans were taken to the Marin County Planning Department last month. There have been no issues to date, and the approval was given to begin pouring the foundation. MACK 5 has estimated \$40K for the redesign project. Possible \$22K credit for elimination of conduit for low voltage lines. Low voltage (phone & internet) to run in tray or "J" hooks above ceiling.

The Board reviewed/discussed the project cost report. Chief Smith reported being pleased with the project staff. Only four or five change orders have been placed, and the job is currently three days ahead of schedule with possibility of an even earlier completion date. The Board reviewed the site plans.

**NEW BUSINESS:**

1. Election of Officers – Board of Directors: M/S McLeran/Murray to appoint Director Guidi as Chairman of the Board effective with the February 2009 meeting, as he was not in attendance at this meeting (January). All ayes. M/S McLeran/Murray to appoint Director Corbet as Vice Chairman. All ayes. M/S McLeran/Corbet to appoint Director Murray as Secretary. All ayes.

Director Naso thanked the Board for the privilege of serving as Chairman during 2008 and noted that he enjoyed his tenure.

2. Chief Smith thanked Accountant Hom for coming in to tonight's meeting. Accountant Hom gave a detailed report on the current financial status of the District for fiscal year 2007/2008 as well as a mid-year report for 2008/2009. Accountant Hom discussed all areas of revenues and expenses. He recommends another budget discussion in April or May 2009 when additional property tax revenues, as well as fire station modernization costs, are better known. A lengthy discussion ensued regarding paying down the cost of the fire station modernization project from reserves or loan proceeds and the many ways to invest the loan proceeds while being mindful of the cost of running the Fire District in

the coming years. The option of requesting reimbursement from loan proceeds for funds already expended for the modernization project was discussed at length along with investing the loan proceeds with the County of Marin or outside financial entities. It was suggested that a special meeting might be necessary to discuss all possible scenarios relating to reducing the debt service and/or drawing down reserves. The modernization project is scheduled to be completed by the end of this fiscal year, and it will be necessary to take care in planning for the coming year. While we are seeing a substantial surplus currently, this may not continue to be the case.

3. Account Hom outlined the following proposed schedule:

- Decide whether or not to seek reimbursement from loan proceeds to cover the funds already spent by the Fire District on the modernization project.
- How to proceed with reinvesting the remaining loan proceeds in the project fund. MACK 5 will play a part in this process. Chief Smith will also request information from Sequoia Pacific Builders, Inc.
- Establish budget outlining future property tax revenue and cost to run Fire District in 2009/2010. Discussion followed regarding 2% growth rate.

At this time the Board requested Chief Smith to work with Deutsche Bank to proceed with reimbursement to the Fire District of expenses previously paid by the Fire District for the modernization project.

**CORRESPONDENCE:** Reviewed.

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:**

1. Solar contract for \$146K was signed and funded in December 2008. Work will begin in March 2009. PG&E accepted KFPD application for \$31K rebate payable as soon as the solar project is complete. Payoff will be in 10 – 12 years.
2. State Fires reimbursement was discussed in the financial report earlier.
3. ERAF distribution was discussed in the financial report earlier.

**OTHER:** None

**APPROVAL OF WARRANTS:** A few specific warrants were discussed. M/S McLeran/Corbet to approve Warrants No. 1908 to and including No. 1957 in the amount of \$506,477.42. All ayes.

The next regular meeting will be held on Wednesday, February 25, 2009 at 6:30 p.m.

A moment of silence was held for departed members with special recognition to Carol Abraham's brother-in-law, Doug Lanford, Retired Los Angeles County FD, who passed away this month.

M/S Murray/Corbet to adjourn this meeting at 8:35 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – SPECIAL MEETING**

**DATE:** Wednesday, January 7, 2009

**CALL TO ORDER:** 4:20 p.m. by Chairman Naso. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Riley F. Hurd, III, (KFPD Special Counsel), Rick Brandis (Brandis Tallman LLC), Chief Smith and Recording Secretary Abraham were also in attendance.

**APPROVAL OF PRIOR MONTH'S MINUTES:** None

**PUBLIC COMMENT PERIOD:** There was no request from the public.

**UNFINISHED BUSINESS:** At this time the Board moved to New Business.

**NEW BUSINESS:** Newly hired Firefighter, Christopher McKnight, was introduced to the Board along with those members of his family in attendance. Captain Glenn and members of the on-duty shift were also in attendance to witness Chief Smith administer the oath of office to FF McKnight, after which his father pinned the KFPD badge on him.

**UNFINISHED BUSINESS RESUMED:**

1. Review, approval, and signing of documents pertaining to the fire station modernization's financing project commenced. KFPD counsel, Riley F. Hurd, III, relayed that he had reviewed all documents and made all necessary changes. He assured the Board that the documents were ready for signing.

Chairman Naso moved to open discussion for public comment concerning Resolution No. 1-2009. As there was no comment from the public, open discussion was closed.

M/S Murray/McLeran to approve/sign Resolution No. 1-2009 authorizing lease financing of fire station modernization projects and approving related documents and actions. All ayes. Directors Corbet/aye, Guidi/aye, McLeran/aye, Murray/aye, Naso/aye.

Discussion ensued regarding Lease/Sub-Lease Agreement. The original date of closing by Municipal Finance Corporation was changed from January 15, 2009 to January 29, 2009 due to a backlog of work at MFC. All current and existing leases, including cell site leases and SPG Solar (CREBs), have been considered in project funding.

Discussion ensued regarding prepayment of loan. Unused loan proceeds from project funds may be used to pre-pay loan without a prepayment penalty. There will be a prepayment penalty if “other money” is used to pre-pay loan.

Deutsche Bank National Trust Company, San Francisco, CA, will maintain the project fund account. Brandis Tallman LLC will furnish Chief Smith with a list of options for default accounts.

- Board Chairman Naso and Board Secretary Murray signed the Lease/Sub Lease Agreement. All copies were notarized.
- Board Chairman Naso and Board Secretary Murray signed the Project Fund Agreement.
- Board Chairman Naso signed the Arbitrage Agreement

2. Chief Smith and KFPD Counsel, Riley Hurd, III informed the Board members of the most recent developments concerning the Davis property at 944 Sir Francis Drake Boulevard, Kentfield. In order to do a “bump-out” of approximately 600 square feet to the existing building during the fire station modernization project, it became necessary to obtain a small portion of the property at 944 SFDB in order to avoid an encroachment issue. After an appraisal was made of the property, the Fire District made an offer to the Davis Family Trust in the amount of \$50K. The proposal would have no negative impact on future development of the Davis property.

After missing deadline dates for notification of interest and/or acceptance of the KFPD offer, the Davis Family Trust notified Mr. Hurd that in addition to the \$50K offer, it wanted the Fire District to cover all costs incurred for its property attorney to review the proposal. It was suggested by counsel, and agreed by all Board members and Chief Smith, that this would not be a financially agreeable situation as the Davis family may not agree to sell the property in question even after a thorough and costly review.

In anticipation of not being able to purchase the property from the Davis Family Trust, Don Dommer Architects had previously re-drawn plans involving the proposed “bump-out” of the building. These redesign plans were taken today to the County of Marin’s Planning Department for a revision permit. The County of Marin reported that the project could continue. This action ensures that the contractor, Sequoia Pacific, will not have to stop work on the project.

Chief Smith reported an oral verification that windows on the east side of the building, under Plan B of the redesign, will be allowed. He affirms that written confirmation must be received. Director Murray asked if documentation was available for all costs related to the redesign of the project to Plan B. B/C Hadfield mentioned the possibility of a second egress from the upper floor of the fire station should the Davis Family Trust change its mind to the expansion at a later date.

Chairman Naso moved to open discussion for public comment concerning accepting the redesigned Plan B. As there was no comment from the public, open discussion was closed.

M/S Murray/Corbet to move to the redesigned Plan B regarding the proposed “bump-out.” All ayes. Corbet/aye, Guidi/aye, McLeran/aye, Murray/aye, Naso/aye.

Chief Smith thanked the staff for its continued patience during the time of negotiation with the David Family Trust.

**CORRESPONDENCE:** None

**CHIEF’S REPORT:** None

**OTHER:** None

The next regular meeting will be held on Wednesday, January 21, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Guidi/McLeran to adjourn this meeting at 5:30 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, February 25, 2009

**CALL TO ORDER:** 6:30 p.m. by Chairman Guidi. Director Corbet led the assembly in the Pledge of Allegiance.

**ROLL CALL:** All Directors were present with the exception of Director McLeran. Also in attendance were Chief Smith, Account Hom, and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Naso/Corbet to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Chairman Guidi reiterated his letter of last month to the Board of Directors stating his concern regarding work-related time constraints placed upon him with his job at the Marin County District Attorney's Office and how those constraints will limit his ability to participate as Chairman of the BOD during 2009. While he declared it an honor to be able to serve in the capacity of Chairman, he regretfully must decline the position at this time. Additionally, he stated that he is doubtful that he will be able to continue on the BOD when his tenure is up November 2009.

After some discussion, it was decided with a M/S Murray/Naso to proceed through the normal order of succession in appointing the Board Officers for 2009. The positions will be filled as follows: Bruce Corbet, Chairman, Michael Murray, Vice Chairman, Ralph McLeran, Secretary. All ayes.

2. After discussion, it was decided with a M/S Murray/Guidi to select Peter Sullivan as the Board's first choice to serve as the Marin LAFCO Special District Representative from May 2009 to May 2013 followed by Einar Asbo and Craig Murray. All ayes. The ballot was signed and will be sent to LAFCO.

3. Part One of the fire station modernization project includes project issues while Part Two includes financial issues:

Part One - Chief Smith reported from the recent MACK 5 report that the building project is still under budget. The Board had previously requested a line-item breakdown of costs related to the property line/bump out issue. A projected cost of approximately \$145K is noted. Director Murray complimented Chief Smith on securing this information and noted that the Board must be ever cognizant of spending taxpayers' money.

Chief Smith noted that Don Dommer Associates is currently billing the Fire District for phase two of his contract at \$6300/month. KFPD has received invoices totaling \$19,900 for additional redesign services. These charges are not in Don Dommer Associates' contract for services.

Chief Smith explained Don Dommer Associates' original contract included a certain number of meetings (approximately 30) during the construction phase of the project. Because of particular issues, Chief Smith requested of Don Dommer Associates that it allow Brian Leonard, the project architect, to remain on the project for an extended time – he is a critical component in working with the builders.

Chief Smith reported meeting at the construction site with KFPD Counsel, Riley Hurd, on February 24, 2009 in regards to the ADA path of travel concerning the easement. Chief Smith noted that the County of Marin's Planning Department, when given the change of plans concerning the 600 square foot bump out refigure, re-looked at the whole building plan at a cost of \$2900. Discussion ensued regarding the County of Marin's

comments on page 2 of the February 25, 2009 MACK 5 Monthly Update Report in so far as how they pertain to the “Plan B” redesign portion of the project. As the Board and Chief Smith do not remember a two month delay over the property line issue being highlighted by MACK 5, Chief Smith will bring the fact up at the builder’s meeting tomorrow.

Chief Smith reported that there have not been any complaints from the fire station’s neighbors to date concerning the building project. He feels that this bodes well for the general contractor. He mentioned seeing design review requests from two properties adjacent to the fire station applying for remodel permits.

Part Two – Accountant Hom explained the 4 million dollars being funded. Chief Smith has requested two reimbursements from fund money: \$900K and \$300K. MACK 5 has prepared a list of building costs to work with. Accountant Hom outlined the money in each of two funds currently on deposit with Deutsche Bank. One fund, with safer investments such as US Treasury bills, is earning interest at .01% while the other fund containing riskier investments such as commercial paper (Bank of America) – not FDIC insured is earning interest at .77%. A very lengthy discussion ensued regarding optional venues for the investment of these funds and the reimbursed funds ranging from laddered CDs earning possibly two – three percent interest rate to investment in our current fund with Marin County. It was agreed that any financial institution that we may invest in must be researched first. CDRS Funds (group of banks invested in FDIC using laddered CDs under the \$250K insurance limit) were mentioned as well as seeking additional options available through Deutsche Bank. It was noted that investment accounts should be established under \$250K to allow for dividends to be deposited without risk of going over the \$250K insurance limit. The Board’s main concern is for the preservation of capital while securing available liquidity in a conservative manner.

Chief Smith and Accountant Hom will research various avenues for investment purposes, and the Board will hold a special meeting on Tuesday, March 10, 2009 in order to make final decisions regarding deposits.

Accountant Hom reported that the Fire District’s cash position is still good. By week-end, it will have \$3.1 million in Deutsche Bank with \$900K available for re-investing elsewhere within the confines of the Government Code. The suggestion of depositing the \$900K reimbursement money with the County of Marin and the \$320K reimbursement money with local financial institutions in laddered CDs was discussed.

Chief Smith reported that a loan payment of \$189K would be due in 2009. Discussion of whether or not this payment will be made from the Fire District’s existing general fund or if a CD will be established and set aside for this purpose with other CDs being set up accordingly.

Chief Smith reminded the Board that according to Brandis Tallman, project funds could be used pay down the loan principal.

**NEW BUSINESS:** Chief Smith discussed the cell site expansion proposed by AT&T. He stated being very disappointed in the information supplied thus far by the Black Dot representative – AT&T site acquisition company. He also feels that the \$200/month rental increase proposed is insufficient. In addition to making a small adjustment to the roof antenna, AT&T is proposing to update its current equipment housed in the back yard of the fire station. He is concerned about possible increased noise to the neighbors. Director Murray recommended AT&T furnish records with decibel measurements. The County of Marin will give AT&T’s proposed plans to the Kentfield Planning Board for its next scheduled meeting. Chief Smith reported that the current lease between the KFPD and AT&T is old and is written in favor of the cell provider. He will call the Town of Ross to ask for a comparison in the amount of rent that they receive from their cell sites. He will also ask for comparisons from the site acquisition representative.

After discussion, the Board chose, at this time, not to accept the proposal from AT&T as outlined in this meeting’s agenda packet.

**CORRESPONDENCE:** Reviewed sympathy card from MPFF – Local #1775 for the death of KFPD Retired Fire Chief, Kenneth Kamp.

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

B/C Galli's annual fire prevention report was reviewed/discussion.

Captain Glenn reviewed his annual training report for paid and volunteer staff with the Board. Discussion followed including the current status of the volunteer program. Captain Glenn reported on plans to intensify training for all members in certain skill sets. The Board thanked Captain Glenn for his report.

**CHIEF'S REPORT:**

1. Chief Smith reported on a staff member currently out on workers' compensation (4850) due to a knee injury. Acting Captain Fox has been moved over to cover the shift. Overtime is currently at 162% of budget.
2. Chief Smith reported that B/C Galli is the liaison for the uniformed staff attending Chief Kamp's funeral ceremony that will be held at Mt. Tamalpais Cemetery, San Rafael at 11:00 a.m. on Saturday, February 28, 2009. A reception will follow at Deer Park Villa in Fairfax.
3. Chief Smith asked Chairman Corbet to present Director Naso with a plaque in thanks of serving the District as the Chairman of the Board in 2008.

**OTHER:** None

**APPROVAL OF WARRANTS:** M/S Naso/Murray to approve Warrants No. 1958 through and including No. 2021 in the amount of \$618,904.32. All ayes.

A special meeting is tentatively scheduled for Tuesday, March 10, 2009 at 6:30 p.m.

The next regular meeting will be held on Wednesday, March 18, 2009 at 6:30 p.m.

A moment of silence was held for departed members with special recognition to Retired KFPD Fire Chief Kenneth Kamp who passed away this month.

M/S Murray/Corbet to adjourn this meeting at 8:40 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, March 18, 2009

**CALL TO ORDER:** 6:40 p.m. by Chairman Corbet. Director Naso led the assembly in the Pledge of Allegiance.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Murray/Naso to approve the minutes of the previous month's regular meeting of February 25, 2009. M/S McLeran/Murray to approve the minutes of the special meeting of March 10, 2009. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:** The Board moved to conduct the New Business portion of the meeting first. See New Business:

1. Chief Smith reported on his recent meeting with Counsel Riley Hurd at the fire station concerning the construction of the path of travel for ADA. Counsel Hurd feels that the current plan calling for the path to cross the easement on the easterly side of the fire station is not acceptable. The ADA path of travel will be moved to the westerly side of the fire station and will run in front of the engine bay doors to the station's front door entrance. Discussion ensued regarding a warning device to monitor apparatus leaving the fire station.

Chief Smith noted the need to change the current slope of the front driveway by approximately 2% to accommodate ADA access. Discussion ensued regarding the need for a new "pour." Comparisons of cost effectiveness between using the existing concrete and trying to match it versus pouring all new concrete were discussed. Director Murray suggested cutting out only a four-foot width would not affect the apparatus. He also asked about the drainage by sloping away from the building. Director McLeran asked about grinding the existing concrete. Chief Smith has discussed this method with the contractor and was told that this was not an acceptable solution due to the high cost of labor. Chief Smith asked if an all new "pour" at the front driveway apron should be considered. Director Murray asked if a matching aggregate would be used to differentiate the ADA path of travel. Chief Smith reported the use of expansion joints and the possibility of markings for a new path. A concern for a tripping hazard was discussed. A most likely scenario might be to cut out a four-foot section and transition with matching aggregate for the purpose of aesthetics. It was noted that the overhang would cause shadowing to the concrete. Chief Smith will have further discussion with the contractor concerning the 2% level adjustment.

Chief Smith mentioned a continuing struggle with the riser/fire line installation from previous seismic repair. He wants the line to be located below ground.

Chief Smith noted that PG&E has stated the current transformer is not adequate and a bigger one is needed. New switchgear is required and has been installed.

Chief Smith reported that no provision had been made for the demolition of the current shop floor in the scope of work. It must be torn up to provide for a new electric sewer pump and electrical service. This may be accomplished by a saw-cut and repair. The cost of tearing up the entire floor and pouring a new one will be \$22K. Chief Smith needs Board direction for any additional change orders. Additional funds remain in the amount of \$144K that had been projected for easement costs. Also, there is a contingency fund for furniture and \$250K for construction. Discussion ensued concerning floor repair or replacement, use of epoxy paint and whether or not it will stand up to grease/oil. Directors Murray and McLeran voiced concern by waiting for

new dollar figures from the construction team at its next meeting on March 19th. Chief Smith mentioned having a two-week window for this decision. This matter will be discussed again at the first labor negotiation meeting coming up. Chief Smith will advise the Board members by email the particulars regarding Plan A or Plan B for the shop floor.

Chief Smith mentioned the need for new asphalt on the west side of the fire station as being included in the original job costs as an “add option.” It must be done sooner than later because of the ADA path of travel issue.

Director McLeran asked if the Board members could receive emails of the MACK 5 monthly updates prior to hard copies included in the Board agenda packets. This will allow the Board additional time to study the updates. At this time the Board reviewed the March 18, 2009 update from MACK 5. It was noted that there is a \$145K projected cost to date due to the bump out on the east side of the building.

Chief Smith reported no issue concerning a possible need for extended stays at 907 SFDB or 33 SFDB.

The fire station modernization project is currently \$3K under budget. Chief Smith noted that the project has had its challenges and that it will have its rewards.

2. Discussion ensued regarding upcoming labor negotiations and the need for a proposal prior to setting a meeting date. The following information will be needed to begin:

Salary survey from Local #1775  
Status of District’s financial standing  
Percentage of increase to be offered

Chief Smith will ask Accountant Hom for projections to be ready the first week of April 2009 and prior to choosing a date for the negotiation meeting including cost of salaries and medical benefits with a comparison from the union’s salary surveys. The Board will also review KAPF #1775 ground rules.

The Board’s regular meeting will be scheduled for April 15, 2009 at 6:30 p.m. with a closed session for discussion of labor negotiations. A special meeting may be scheduled for April 23, 2009 at 6:30 for review with the labor negotiation team.

**NEW BUSINESS:**

1. B/C Galli, Engineers Garcia and Trimble were present on behalf of the KAPF Local #1775 to open discussion with the Board on labor negotiations for 2009/2010. B/C Galli noted that Captain Glenn would also be a member of the negotiation team for Local #1775. The group asked the Board to choose dates indicated by “blue” on a shift calendar to correspond with “B” shift for negotiation meetings. The Board will do so and will advise.

2. Jennifer Vuillermet, Deputy Counsel, Marin County Counsel’s Office was in attendance to address the Board. M/S Murray/Naso to move to closed session with legal counsel at 6:41 p.m. All ayes. The Board reconvened to open session at 7:23 p.m. with Counsel reporting out that the Board gave direction to staff.

3. Jennifer Vuillermet reported that her research under fire district law indicated it was not necessary for KFPD to adopt a separate and specific investment policy, since the County of Marin’s current investment policy governs KFPD funds. She will research whether or not it will be necessary for KFPD to adopt a policy to cover investments outside of the County of Marin Treasurer’s Office. It had been noted that Municipal Financial Corporation had previously asked Chief Smith if the Fire District had an investment policy. Additionally, it was noted that Novato FPD does, in fact, adopt an annual policy. The Board thanked Counsel for her attendance and assistance at tonight’s meeting.

**CORRESPONDENCE:** None

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:**

1. The Investment Strategy was discussed with Counsel Vuillermet previously under New Business.
2. Chief Smith reported his annual performance review is due. He asked that this item be placed on the April 2009 agenda under closed session. He will include his list of goals and objectives as well as a letter of intent to continue in his position.

**OTHER:** Director Naso asked about the on going testing of the roof siren.

**APPROVAL OF WARRANTS:** M/S Naso/Guidi to approve Warrants Number 2022 through and including No. 2092 in the amount of \$643,735.21. All ayes.

The next regular meeting will be held on Wednesday, April 15, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Corbet/Murray to adjourn this meeting at 8:30 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – SPECIAL MEETING**

**DATE:** Tuesday, March 10, 2009

**CALL TO ORDER:** 6:38 p.m. by Chairman Corbet. Director Naso led the assembly in the Pledge of Allegiance.

**ROLL CALL:** All Directors were present with the exception of Director Guidi. Also in attendance were Chief Smith, Accountant Hom, and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** None

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:** It was decided at the regular BOD meeting of February 25<sup>th</sup> to call a special meeting for the discussion/recommendation/decision regarding the investment of money currently held by Deutsche Bank for the fire station modernization project as well as loan reimbursements from the project fund. Also to be discussed is the Fire District's current reserve fund.

Chief Smith and Accountant Hom presented the Board with a report regarding investment criteria and available options. In addition to the information included in this meeting's agenda packet, Accountant Hom furnished the Board with informational handouts.

A balance of approximately 2.8 million dollars remains in the project fund for the fire station modernization project. Chief Smith reminded the Board that this money could not be withdrawn to invest prior to receiving billings from project expenses. 1.8 million dollars represents payments due to the contractor within the next six months. Noted is the possibility that any balance remaining in the project fund can be used to pay down the principal at the end of the project without a pre-payment penalty.

The Fire District has received two checks totaling \$1,219,933.00 representing proceeds from loan reimbursements from its project fund with Deutsche Bank. \$900K of these funds has been temporarily deposited into the District's investment fund with the County of Marin. The second check in the amount of \$319,933 has just been received.

A very lengthy discussion ensued. Recommendations from leaving the project funds on deposit with Goldman Sachs (Deutsche Bank), earning a very low yield, to investing in CDRS (FDIC insured), also earning low yields, or investing in CDs with local banking institutions were considered. It has been determined that laddered CDs should be purchased on a monthly basis due to the short term of the project. For this reason it was suggested that larger investments be made. In this way, any remaining money left after a payment is made can be reinvested. Funds will also be broken up to cover insurability. Accountant Hom suggested smaller increments rather than larger in case of the need to cash out the accounts. The CREBS funds (\$150K) for the solar project are currently in a pooled default account with Deutsche Bank earning little interest.

Reviewing the list of potential banking institutions, \$100K was used for 30 day, 60 day and 6 month comparisons. Although San Francisco Fire Department Credit Union has the highest yield (2.53% - 2.99%), it is not government insured. It does, however, have its own private insurer up to \$500K per investor. Accountant Hom noted that the Marin County Investment Fund is also not government insured, however, he presented a listing of Marin County's investment holdings and noted that it was more conservative than LAIF (Local Agency Investment Fund – State of California).

Director McLeran noted the need to safely preserve the Fire District's capital. Director Murray noted the time line available for our investing does not warrant the need for the highest yield. Accountant Hom noted the benefit of liquidity by staying invested in the County of Marin.

After additional discussion, the following action took place:

- M/S Murray/McLeran to place the reimbursement of loan proceeds from the fire station modernization project fund into the Fire District's Investment Fund with the County of Marin. All ayes.
- M/S Murray/McLeran to invest 2.4 million dollars currently in the fire station modernization project fund into the CDRS Program at 30 day, 13 week and 6 month terms. All ayes.

Account Hom advised the Board of the current 1.8 million dollars in designated reserves and suggested using this figure as a base amount for reserves. Excess funds at the end of the fire station modernization project can be used to pay down the loan. With some strategy, it may be possible to determine the amount left to pay down. Chief Smith mentioned that the balance in the Contingency Fund (#6925) gives the Board some flexibility. Chief Smith reported using the draw down only for the actual construction costs. Miscellaneous expenses come from the general fund. The Building Fund (#6915) should have a zero balance by project completion.

Accountant Hom reminded the Board of the pending actuarial report for funding of GASB 45. The law does not require funding of this liability, however, it will be reported on the yearly KFPD financial audits. He noted that GASB 45 funds could be invested with CalPERS or other private funds. Bickmore Risk Services has indicated that the actuarial report may be available by the end of this month.

**NEW BUSINESS:**

1. At the on-set of the loan for the fire station modernization project, Deutsche Bank National Trust Company asked if KFPD had a policy outlining what it can/cannot invest in. Currently, KFPD does not have an "Investment Policy" in place. It was noted that Novato FPD adopts an investment policy every year that mirrors the County of Marin. The Board asked that this item be placed on the agenda for its next regular meeting scheduled for March 18, 2009.
2. The Board discussed initiating the opening of labor negotiations for 2009/2010 with KAPF Local #1775. A letter from the Board will be directed to Engineer Dan Trimble.

**CORRESPONDENCE:** None

**CHIEF'S REPORT:** None

**OTHER:** Director Naso commented on re-visiting a ballot measure being placed on the ballot in the next election. Chief Smith will place this on the April 2009 BOD agenda for discussion.

The next regular meeting will be held on Wednesday, March 18, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 7:54 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, April 15, 2009

**CALL TO ORDER:** 6:39 p.m. by Chairman Corbet. Director Naso led the assembly in the Pledge of Allegiance.

**ROLL CALL:** All Directors were present with the exception of Directors McLeran and Murray. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Guidi/Naso to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Chief Smith introduced Jeff Furnish of Bickmore Risk Services. Mr. Furnish reported on his firm's recent actuarial for GASB 45 purposes. He presented an evaluation of post-retirement benefits for health care in long-term and short-term projections. He stated that the three main areas for the Board to focus on is when to adopt, how/if to prefund and if pre-funding, where to place the funds. He further explained that eventually all entities must adopt a policy regarding GASB 45. Liabilities for post-retirement health benefits will always be stated/disclosed on the District's financial statements. There are options available for placement of funds if the District chooses to prefund the liability. CalPERS utilizes CERBT (California Employers Retiree Benefit Trust) Independent agencies are available as well. Funds for 2008/2009 must be deposited by June 30, 2009. Funds for 2009/2010 must be deposited by June 30, 2010. Although it is not mandatory that agencies prefund the liability, all agencies must disclose it.

Mr. Furnish explained the glossary contained in the BRS report. He explained how BRS looked at the District's liability into the distant future for health coverage and how a higher interest rate allows for less principal to be paid. Mr. Furnish explained the use of 4.5% rather than the actual 6.5% as being based on the formula used by CalPERS (refer to page 6 – 7 "Choice in Amortization Period and Adoption Date"/OPEB). The CalPERS package of assumptions has evolved as a standard in the State of California. Pay-as-you-go earns interest at a lower rate due to limited investment funds available while pre-funding earns at a higher rate due to trusts ability to invest in a greater variety of funds.

The group reviewed the Projected Benefit Payments table on page 25 of the BRS report showing why GASB 45 was motivated due to the assumption that today's current cash flow is expected to triple in ten years.

The group reviewed page 9 – Table A of the same report. It was noted that KFPD currently maintains 45% of its funds invested in LAIF (Local Agency Investment Fund) through the County of Marin. Mr. Furnish explained that BRS is not an investment advisor, but rather an actuary firm whose responsibility lies in preparing an accurate actuarial to guide its clients in the workings of GASB 45 and the options available to their clients concerning the GASB 45 liability. It was noted that funding the liability creates a better credit rating for the Fire District. Also, if the District is in a financial position to do so, funding GASB 45 will secure some District unallocated reserves. If the District can fund \$110K above current benefits, the liability will not show on the annual balance sheet (refer to page 9, middle column total ARC = \$169,967 less first column Expected Net Employer Contribution 6/20/09 = \$59,387).

Discussion ensued regarding Tables A/B, 30/10-year contribution alternatives. Mr. Furnish likened GASB 45 to pension funding for retired members. Standard rule dictates actuaries every three years for agencies with 200+ employees. GASB 43 requires that agencies joining state trusts with large prefunded dollar amounts on deposit have new actuaries every two years. The Trust will do this. Special circumstances (reduction in work force, etc.) may require annual actuarial reporting.

Chief Smith reported that Maher Accountancy would present its 2007/2008 audit of the KFPD at the regular May BOD meeting. Additionally, he will ask Maher Accountancy for its recommendations concerning GASB 45. Mr. Furnish stated that BRS would be available for additional questions/concerns at no additional charge beyond the cost of this first actuarial report.

Chief Smith and the Board thanked Mr. Furnish for his thorough actuarial valuation report and explanation.

2. Chief Smith reminded the Board of the three positions to be placed on the November 2009 election ballot. Directors Guidi, McLeran and Naso will be up for re-election to four-year terms. They must pick up their filing papers at the Registrar of Voters office during July 13 – August 7, 2009.

At this time the Board moved from Unfinished Business to New Business for the activity update from the Kentfield Association of Firefighters (see New Business Item #1).

3. Chief Smith and B/C Hadfield reviewed the April 15, 2009 report from MACK 5 with the Board. Chief Smith reviewed the top five areas of concern that he is working with on the building modernization program:

- 1) Change in the ADA path of travel.
- 2) Clay found beneath the engine room floor resulting in required over-excavation and import of engineered fill. New cement has not yet been poured.
- 3) New floor in shop (not in original scope of work) will be \$23K.
- 4) Paving of west side parking area (included in original scope of work).
- 5) Issue with Dommer Associates.

He reports that he is still tracking property line issues. The project is still under-budget. July 17, 2009 is the projected date of completion, however, Sequoia Pacific Builders is contracted through August 8<sup>th</sup>.

Chief Smith reviewed the Cost Model Manager report with the Board. He noted that everything on page 1 was budgeted. Assuming the District would pay for all delay costs, we are still \$800 under budget. It might be possible for us to be \$150K under budget as “shoring” delays are the fault of SPB while the property line issues are not.

Chief Smith reported that he is within \$2K from the previous work order change authorization that the Board granted him. He informed the Board of the following items currently pending that he requests approval for:

- 1) Asphalt alteration/repaving of parking lot = \$44K.
- 2) ADA path of travel = \$25K.
- 3) Engine room floor – remove clay soil/add new fill = \$20K.
- 4) Replace shop floor with addition of color = \$31,500.

If each of these items is done, we will still be \$800 under budget. Although these four items were unforeseen and are not included in the budget, they are included in the CMM. They are affordable and will not cause the project to go over-budget. The \$25K to move the ADA path of travel could arguably be classed under the property line issue. Chief Smith may review this item with counsel. M/S Naso/Guidi to grant approval in authorizing Chief Smith to execute the four above-mentioned change orders (\$152K). All ayes.

Chief Smith reported on this week’s delay due to natural causes. Due to recent wind issues, PG&E was forced to cancel its scheduled installation of the new transformer and power switch over. All available PG&E crews had to be rerouted to areas that suffered damage during the recent wind storm(s). The notice to Sequoia Pacific Builders was not issued until after the arrival of the foreman and a backhoe. These services had to be paid a minimum of four hours.

Chief Smith reported that the fire line issue from a previous design was solved with an approved work order today. It will be installed in four days and poured, after which the engine room floor will be poured.

Chief Smith reported receiving a request from MACK 5 dated April 8, 2009 for additional money due to the property line issue. As the project is delayed four-six weeks, additional contracted services are needed. Chief Smith will ask Counsel to review the MACK 5 request. Director Guidi noted that as these expenditures were listed in the CMM, the project is still \$800 under budget. M/S Naso/Guidi to approve the additional \$28K construction management costs requested by MACK 5. All ayes. Chief Smith will ask Counsel to re-draft the April 8<sup>th</sup> document.

4. As two members of the Board were unable to attend this meeting, Chief Smith asked the remaining three Directors if they wished to continue with the closed session for labor negotiation segment of the agenda. After much discussion it was decided to wait for the participation of the full Board for this matter. There is a special meeting scheduled for Thursday, April 23, 2009 at 6:30 p.m. for the discussion of labor negotiations. At Director Guidi's suggestion, the Board will meet at 5:30 p.m. on Thursday, April 23<sup>rd</sup> in closed session to begin the negotiation preparation. They will meet at 6:30 with the labor group. During the first hour, the Board will also meet with Chief Smith for his annual performance review that was originally scheduled for this meeting as well.

**NEW BUSINESS:**

1. Kenric Lee, President, KAOF and Erik Humber presented the final Purpose/Structure/Guidelines for the newly established Frank Zita Memorial Scholarship Fund to the Board. The seed money for the fund was received from Frank's family after his death. It is to be noted that Frank Zita joined the KAOF in 1956 and served loyally until his death in 2006. The scholarship fund is dedicated to Frank's memory. Eric explained the purpose/structure/guidelines as they were distributed to the Board. To date, three applications for a total of \$560 have been approved.

Chief Smith explained the mandated training of the volunteer staff as supported by the KFPD. The newly created scholarship fund will provide additional elective training for members in good standing. Given the state of the current economy and dedication of KAOF members, Chief Smith stated his full support of the scholarship program. He further explained the follow-up process. The Board and Chief Smith thanked Kenric and Erik for their efforts on behalf of the KAOF and stated looking forward to reports on the progress of the new program.

2. Chief Smith reported that his term on the Board of FASIS (Workers' Compensation Insurance) would expire July 1, 2009. He noted that his primary reason for securing the KFPD BOD approval to sit on the FASIS Board was to review with FASIS the way they calculated overtime rates and how those rates affected the workers' compensation premiums. Previously, FASIS had been charging time-and-one-half for workers' compensation rates on all payroll, including overtime pay. FASIS has since remedied the situation by a policy change and is now charging premiums based on straight time rates.

As Chief Smith has no additional time to spare (he continues to sit on the Board of FAIRA - general liability insurance), he does not wish to continue on the FASIS Board. After Board discussion, it was agreed that Chief Smith would step down from the FASIS Board. No Directors at this meeting are interested in being nominated, however, the invitation will be extended to the two Directors not in attendance at tonight's meeting.

**CORRESPONDENCE:** The Board reviewed correspondence from LAFCO reporting on its recent BOD elections.

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:**

1. This item was postponed until the Special Meeting of May 23, 2009.
2. Chief Smith reported on the increased cost of dispatch services by the MCSO over the last four years from \$26K. The ten Marin County fire agencies rates are scheduled to increase between 77 – 80% in the coming fiscal year. Many of the agencies are concerned regarding the Sheriff's justifications for the sharp increase. Notes include the fact that SRFD has joined the Communication Center for dispatching and that they are the busiest fire agency in the County. SRFD will be charged for 2.5 fulltime dispatch positions. The MCSO expects to charge for ten positions (from the current 5 positions). A proposal has been made to spread the increase over two years. Some Marin fire agencies feel the need to support the increase and some feel the need for further negotiation. Discussion with MCSO and MCFCA will continue. Chief Smith reported earmarking \$41 – 42K for dispatch expense in his 2009/2010-budget proposal.
3. Per the request of Director Naso at the last Board meeting, it was discovered that the warning siren has not been activated for testing purposes regularly. Testing had previously been done automatically. During construction, it must be done using a paging system and staff must be available at noon on the first Saturday to activate the siren remotely. A brief discussion ensued regarding the recent telephone communications power outage that occurred in the South Bay.

**OTHER:** None

**APPROVAL OF WARRANTS:** M/S Guidi/Naso to approve Warrants Number 2093 to and including 2135 in the amount of \$506,341.89. All ayes.

A special meeting will be held on Thursday, April 23, 2009 at 5:30 p.m. The next regular meeting will be held on the fourth Wednesday of the month instead of the third Wednesday – May 27, 2009 at 6:30 p.m.

A moment of silence was held for departed members. M/S Naso/Guidi to adjourn this meeting at 9:03 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – SPECIAL MEETING**

**DATE:** Thursday, April 23, 2009

**CALL TO ORDER:** 5:33 p.m. by Chairman Corbet. Director Naso led the assembly in the Pledge of Allegiance.

**ROLL CALL:** All Directors were present. Chief Smith was also in attendance.

**APPROVAL OF PRIOR MONTH'S MINUTES:** None

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. M/S Murray/Naso to move to closed session at 5:35 p.m. for discussion of Fire Chief's annual performance. The Board reconvened at 6:51 p.m. with no reportable action taken. Chairman Corbet requested a brief recess.
2. The Board reconvened the meeting at 7:00 p.m. to meet with the Kentfield Association of Professional Firefighters (KAPF) to discuss wages/benefits and Memorandum of Understanding (MOU) renewal terms. The following staff members represented the KAPF: B/C Galli, Captain Glenn, Engineers Garcia and Trimble.

The Board offered the KAPF a 3% salary increase for fiscal year 2009/2010 based on Captain's salary. The Association members moved to closed session at 7:20 p.m. returning at 7:40 p.m. At this time the Association requested that up to 50% of a members accrued sick leave be available for buy out upon separation from service. Currently, the MOU – Appendix E, Sick Leave Parameters allows up to a 25% buy out upon separation from service. Additionally, the Association presented the Board with a spreadsheet showing the relative position of the Kentfield Captain's salary and benefits as related to all other Marin fire agencies.

Chief Smith will meet with Accountant Hom to prepare a worksheet outlining the cost(s) associated with the Association's request.

**NEW BUSINESS:** None

**CORRESPONDENCE:** None

**CHIEF'S REPORT:** None

**OTHER:** None

The next special meeting will be held at the KFPD administrative office on Tuesday, May 5, 2009 at 5:30 p.m.

A moment of silence was held for departed members.

M/S Murray/Naso to adjourn this meeting at 8:20 p.m. All ayes.

Respectfully submitted,

Paul D. Smith  
Fire Chief

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, May 27, 2009

**CALL TO ORDER:** 6:38 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present with the exception of Director Guidi. Also in attendance was Chief Smith, Accountant Hom, and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:**

M/S Naso/Corbet to approve the minutes of the previous month's regular meeting. Naso/Corbet/Ayes. McLeran/Murray/Abstained (absent) unable to pass.

M/S Murray/Naso to approve the minutes of the April 23, 2009 special meeting. All ayes.

M/S Naso/Murray to approve the minutes of the May 5, 2009 special meeting. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:** At this time the Board chose to move to New Business to allow Mr. Maher, of Maher Accountancy, to give a report on his completed fiscal year financial audit ending June 30, 2008. (See New Business)

1. Chief Smith reviewed the proposed Marin County Sheriff's Office dispatch services contract. He explained the drastic increase over the last year(s) due to personnel and equipment costs. He passed out a memo dated May 27, 2009 showing dispatch costs from 2005/2006 through 2010/2011 (proposed).

The Marin County Fire Chiefs have been discussing the proposed dispatch increase. Although they feel the Sheriff's Office may have grounds for such an increase, this is not a good time to place this extra cost on local fire agencies. There is concern that because rates are charged to agencies according to the number of calls they handle, San Rafael Fire Department, a newly contracted agency, may not be paying its full share. Chief Smith noted that a couple of fire agencies have chosen to pay the increased charges while the others are still undecided.

Director Naso stated that the Board is ready to step in if Chief Smith deems it appropriate.

2. Chairman Corbet and Director Murray met recently with Don Dommer, Don Dommer Architects, concerning recent property easement issues. So as not to create a “back/forth” scenario, to avoid a situation that might have to go to court, and to move forward to resolve the current issue(s), it was decided that DDA and KFPD would share costs involved with the easement issues. It was noted that a portion of DDA costs involved a structural engineer subcontractor needed due to requirements placed by Marin County Planning. DDA will attend extra weekly building meetings through the end of May 2009 at no additional cost to KFPD. DDA will absorb \$33,679 and KFPD will absorb the remaining costs pertaining to the property easement issues. Chief Smith agreed that Chairman Corbet, Director Murray and Mr. Dommer made the correct decision for the amount of money involved. Chief Smith received a Settlement Understanding from DDA that he will forward to Marin County Counsel to incorporate into a draft Settlement Agreement for both parties to sign.

3. The Kentfield Association of Professional Fire Fighters furnished the Board with three copies of the newly revised Memorandum of Understanding for 2009/2010 for signing by the KFPD Board of Directors, the International Association of Firefighters Local 1775 President, and the Kentfield Professional Firefighters Association President. Changes to the MOU include salary adjustment (4%) and additional sick leave buyout at separation. Chief Smith noted that the current MOU is in need of some re-wording due to the many changes over several years. The changes will simply “clean up” the document – not make changes to its content. It was decided that the re-wording of the document would become a “work-in-progress” to be covered at Board meetings during the 2009/2010-year. Changes will be “red lined” and brought before the Board by way of monthly agendas. A final “clean copy” will be ready for 2010/2011. Engineer Trimble, KPFA President, will do research to see if the MOU can be opened continuously or one time only to incorporate all agreed upon changes in the document.

Both the Board and the Association agreed that this year’s negotiations were completed in record time with each side being comfortable with the agreements reached.

4. The KPFA brought up a possible privacy issue concerning the sleeping dorms in the building modernization project. The concern was realized after the “bump-out/push in” issue surfaced. The Board agreed with the Association’s recommendations to extend interior walls and add bedroom doors to the project and provided Chief Smith with approval for the change-order.

Chief Smith noted that the building modernization project is currently under budget. A recent problem concerning saturated soil beneath the east driveway was corrected with over excavation. It became apparent that there has been a natural path of water under the driveway for many years. The pour is two weeks behind. A moisture barrier will be installed prior to the pour.

According to Chief Smith, a new completion date for the building modernization project is August 9, 2009, however, the actual published date is August 28, 2009. New carpet samples were reviewed today.

## **NEW BUSINESS:**

1. John Maher, Maher Accountancy, spoke to the Board regarding his recently completed fiscal year financial audit for period ending June 30, 2008. He reported the District is moving in a good direction. This was, in his opinion, a clean audit with no qualifications. He approved of Chief Smith's Economic Outlook Report.

Mr. Maher reviewed his report with the Board. Items discussed included: Property tax revenue seems to be holding, ERAF funds have been reimbursed at 100%, CalPERS will undoubtedly raise rates in the near future if the state government requires extra funds. Also discussed was the eight-percent that the State of California is allowed to take from local government as allowed by the provisions of Prop 1A. It is unknown at this time if emergency services will be included. Accountant Hom explained that the eight-percent (\$250K for KFPD) must be repaid over a three-year period (fiscal years). If the State repays (with interest) within three years, it can "re-borrow" again. Chief Smith and Accountant Hom predict a 4% increase in property tax valuations (including the automatic 2% increase by the County Auditor for inflation). Chief Smith feels the District will not see the property tax increase it has over the past three years, but he does feel the District will break even/hold steady. Unlike the schools, Accountant Hom stated that the Fire District has sufficient reserves at this time.

The Board, Chief Smith and Accountant Hom thanked Mr. Maher for his attendance and presentation.

2. Accountant Hom reviewed a Profit/Loss report (July 2008 through April 2009):

- 95% of property taxes have been received (\$2.8 million).
- Current revenue is \$3,840,000.00.
- Estimated revenue June 30, 2009 = \$4.1 million.
- State Fires (2007/2008 and 2008/2009) are \$130K over projected budget.
- As of yesterday, 100% of Excess ERAF reimbursement has been received (\$226K).

3. Chief Smith's memo of 5/14/09 was reviewed regarding 2008/2009 budget revisions. After discussion, the following revisions were made:

- A/C #9950/State Fires = from \$60,000 to \$232,000 (increase by \$172,000)
- A/C #1030/Overtime = from \$200,000 to \$370,000 (increase by \$170,000)
- A/C #1525/Medicare = from \$16,089 to \$18,089 (increase by \$2,000)

M/S Murray/McLeran. All ayes.

4. Chief Smith reported that at its last meeting, RVPA voted not to increase the amount of its annual paramedic tax. The decision was due to RVPA's strong revenue and adequate reserves. M/S McLeran/Murray to sign Resolution No. 2-2009 – Ross Valley Paramedic Authority Tax Levy for the 2009/2010 fiscal year as presented. Corbet/Aye, McLeran/Aye, Murray/Aye, Naso/Aye, Guidi/Absent.

**CORRESPONDENCE:** None

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:** None

**OTHER:** Chief Smith reported that Administrative Secretary, Carol Abraham, received her Level II Professional Recognition Program certificate at the California Fire Chiefs Association/Administrative Fire Services Section conference last month. Congratulations were extended by Chief Smith the Board and accepted with sincere thanks.

**APPROVAL OF WARRANTS:** M/S Naso/McLeran to approve Warrants Number 2136 to and including No. 2213 in the amount of \$667,521.34. All ayes.

The next regular meeting will be held on Wednesday, June 17, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/Naso to adjourn this meeting at 8:20 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – SPECIAL MEETING**

**DATE:** Tuesday, May 5, 2009

**CALL TO ORDER:** 5:35 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** None.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:** M/S Murray/Naso to move to closed session at 5:37 p.m. for discussion of contract negotiations for the Kentfield Association of Professional Firefighters. All ayes. The Board reconvened at 6:01 p.m. and made the following offers to the KAPF:

1. Salary increase of 3.25% (current request on the table from KAPF is 5.2%)
2. Agreement to request of 50% sick leave buyout at separation
3. A cap of 1000 hours on sick leave buyout at separation

B/C Galli, Captain Glenn, Engineers Garcia and Trimble represented the KAPF. B/C Galli asked for a clarification of sick leave buyout accrual: This will include all employees and effects only sick leave buyout accrual – not total sick leave accrual.

The KAPF moved to closed session at 6:05 p.m. and returned to the meeting at 6:55 p.m. Engineer Garcia made the following counter-offer:

1. Salary increase of 3.5% effective July 1, 2009 with an additional 1.5% salary increase effective January 1, 2010.
2. 50% sick leave buyout at separation with increased cap. Discussion ensued regarding comparison of sick leave buyout caps for fire agencies countywide. The average is 60-days (1440 hours). As the three current officers have been with KFPD longer than the other paid staff, they have not had the advantage of being eligible from their original date of employment for the other sick leave program (sick leave deferred conversion/457). For this reason, the KAPF requests the sick leave buyout at separation cap be 2000 hours for the three current officers. The District's current policy allows for a total of 2880 accrued hours of sick leave. All agreed that the 2880 maximum accrued hours would continue as is. Discussion remains as to increasing the sick leave buyout at separation from the Board's original offer to the Association's current counter-offer.

The Board moved to closed session at 7:02 p.m. and reconvened at 7:20 p.m. It made what it hopes is its final offer to the Association:

1. 4% salary increase effective July 1, 2009. No salary stepped increases.
2. Three current officers will have a capped sick leave buyout at separation of 2000. All other employees will have a capped sick leave buyout at separation of 1440 hours. Buyout will be at 50%.

The KAPF moved to closed session at 7:21 p.m. and reconvened at 7:25 p.m. reporting that it was comfortable with the Board's last offer and wishes to accept it. Per the grounds rules previously set for negotiations, a formal document outlining the salary/benefit package to be effective July 1, 2009 will be available for signing at the next regular BOD meeting on May 27, 2009 at 6:30 p.m.

**NEW BUSINESS:** None

**CORRESPONDENCE:** None

**CHIEF'S REPORT:** None

**OTHER:** None

The next regular meeting will be held on Wednesday, May 27, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/Guidi to adjourn this meeting at 6:30. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, June 17, 2009

**CALL TO ORDER:** 6:35 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present with the exception of Directors Guidi and Murray. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Naso/McLeran to approve the minutes of May 27, 2009. All ayes

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Approval of the minutes of the April 15, 2009 meeting will be placed on the July 2009 BOD meeting agenda. Inasmuch as Directors McLeran and Murray were not in attendance at the April 15th meeting, they abstained from approving them at the May meeting. It is necessary that a quorum, not including Directors McLeran/Murray, be present to approve the minutes.

2. Chief Smith reported that the bulk of the work on the building modernization project is 75-80% complete. The paving, sheetrock and electrical is done. This week will see the steel eyebrows installed. Chief Smith met with the interior designer, and the carpet has been chosen. To date, the project is \$150K under budget. He expects the telephone system to be approximately \$10K. Currently, the sub-completion date for the project is the week of July 26, 2009. The punch-list is anticipated to be August 2<sup>nd</sup> – 16<sup>th</sup>. Move-in date expected August 9<sup>th</sup> to month end.

Two recent delays were due to 1) privacy issue in the paid staff's dorm, 2) inspection issue related to the driveway. As the soil originally did not meet compaction rate, fill was added. However, the County of Marin did not receive the newest soil's test results in a timely manner.

**NEW BUSINESS:**

1. After review, M/S McLeran/Naso to approve Resolution No. 3-2009 proposing an election be held in its jurisdiction; requesting the Board of Supervisors to consolidate with any other election conducted on said date, and requesting election services by the registrar of voters. All ayes. Corbet/aye, McLeran/aye, Naso/aye.

2. After review, M/S Naso/McLeran to approve Resolution No. 4-2009 to adopt the District Special Assessment for 2009/2010 according to the accompanying Transmittal Three Rate Schedule. All ayes. Corbet/aye, McLeran/aye, Naso/aye.

3. Chief Smith reviewed the preliminary budget for 2009/2010 with reference to the previous month's meeting report from Accountant Hom. He furnished the Board with an updated Profit/Loss Statement listing Income, Expenses, Services/Supplies, Capital Outlay, and Reserve Allocation through June 14, 2009. The proposed 2009/2010 budget is approximately \$2 million less than the previous year – mainly due to the building modernization project. Chief Smith reported being able to give more definite figures once all 2008/2009 bills are paid and income is received.

Chairman Corbet requested Board approval of Chief Smith's preliminary 2009/2010 budget. M/S Naso/McLeran. All ayes.

4. Chairman Corbet noted receipt by the Board of three letters from the KFPD Administrative Staff regarding salary adjustment requests for 2009/2010: (Chief Smith 6/16/09), (Accountant Hom 6/14/09), (Secretary Abraham 6/12/09). The Board adjourned to closed session for discussion of the requests at 7:20 p.m. It reconvened at 7:25 p.m. After discussion, the Board moved to approve the three requests from the Administrative Staff as outlined in the above-mentioned letters. M/S McLeran/Naso. All ayes.

**CORRESPONDENCE:** None

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:** As a result of Engineer Collett's retirement last year, there is currently only one Acting Captain's position that is filled by Engineer Ned Fox. Chief Smith reported on the Acting Captain's test given to four KFPD candidates on June 12, 2009. Additionally, he reported that Engineer Fox participated in the testing process in order to hone his skills. Chief Smith reported that the experience Engineer Fox has garnered showed in the high marks he received on the latest test.

Chief Smith reported that Division Chief Merritt Hewitt/San Rafael Fire Department, B/C Paul Hager/Corte Madera Fire Department, and B/C Edward Lynch/Tiburon Fire District acted as proctors for the testing process. D/C Hewitt stated later to Chief Smith that he found each of the engineers interviewed to be people dedicated to the KFPD. He found them to be positively motivated with good attitudes towards their current positions. Captain Glenn ran the simulation exercise with new training software.

Chief Smith reported that Engineer Mark Pomi scored the highest marks in all five categories of the testing process. The other three candidates received scores relative to each other. Chief Smith will now review all additional parameters of the Acting Captain's position and determine when/if an appointment will be made.

**OTHER:** None

**APPROVAL OF WARRANTS:** Director Naso asked about a recent warrant for a background investigation. Chief Smith reported that all potential applicants for the position of “Cadet Firefighter” would go through this process. To date, one applicant has passed and one has not. Two applicants are currently pending. Chief Smith reported that he feels a thorough investigation, by a private investigator over and above that done by the Marin County Sheriff’s Office and the California Department of Justice, is warranted.

M/S Naso/McLeran to approve Warrants No. 2214 through and including No. 2271 in the amount of \$447,535.06. All ayes.

The next regular meeting will be held on Wednesday, July 15, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Naso/McLeran to adjourn this meeting at 7:49 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Wednesday, July 15, 2009

**CALL TO ORDER:** 6:35 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Naso/McLeran to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** Mr. Ken Fineman, a tenant in the same building as the KFPD Administrative Office at 907 Sir Francis Drake Boulevard, requested time to speak to the Board. After introducing himself, Mr. Fineman expressed his pleasure in meeting and becoming acquainted with Chief Smith during the last year. As a member of the Ross School Board, Mr. Fineman noted his experience in dealing with the public of ones community. He reported witnessing Chief Smith dealing with the public on a day-to-day basis and noted that he always found him to be a consummate professional. Mr. Fineman noted that Chief Smith treats all members of the public with the same professional courtesy. He complimented Chief Smith on being an exemplary public servant.

**UNFINISHED BUSINESS:**

1. Chief Smith explained the need for a quorum to vote approval of the BOD Minutes of April 15, 2009 due to the fact that Directors McLeran and Murray were absent at this meeting. M/S Guidi/Naso to approve the minutes. All ayes include Guidi, Naso, and Corbet. McLeran and Murray abstained – absent.
2. Chief Smith reported on his recent conversation with Captain Rich Navarro of the MCSO dispatch center regarding the 75-80% increase in dispatching fees being charged to Marin County fire agencies as well as a requested contract stating further increases will not take place. Captain Navarro reported that the increase is due to the fact that in previous years Marin County Dispatch had not been collecting sufficient fees to recoup the entire fire agency costs. Additionally, he could not guarantee that fees would not continue to increase.

Chief Smith stated his desire to continue a partnership with Marin County Communication Center, as experienced over the last few years, rather than a control over Marin's fire agencies. The Marin County Fire Chiefs would like, one day, to have a fully integrated fire dispatch center once a Public Safety building is realized. The Board asked about San Rafael Fire Department's recent inclusion into Marin County Communication Center. Chief Smith reported an annual savings to SRFD of \$200K. SRFD is being charged for 2.5 dispatchers and one administrative position. The remaining fire agencies are being charged for 7.5 dispatch positions. While SRFD will be paying approximately \$45/call, other agencies (including five police/nine fire) will pay \$7 - \$8 more per call. Chief Smith feels that San Rafael's cost will increase after the first year.

Chief Smith reported that the MCSO does not have a long-range plan in effect. He feels that it would be wise to develop a partnership with MCSO since they are the only fire dispatch available to local agencies. Red Com currently contracts through AMR for dispatching in Sonoma County.

Chief Smith asked the Board for direction with signing the contract as proposed. M/S Murray/Naso to approve a new agreement, as proposed, with MCSO for dispatch services through Marin County Communication Center. All ayes.

3. Chief Smith reported on the fire station modernization project. The project is currently \$100K under budget. The current date of completion is scheduled for August 31<sup>st</sup>. Delay is due to changes made to the paid staff dormitory and the exterior kitchen door. Additionally noted is the sheetrock enclosures of the concrete support columns that were originally designed by the architect to remain uncovered and painted. Chief Smith has met with the furniture consultant and the IT consultants. All are currently aiming for the end of August with a move-in of mid-September.

We will need State certificates for the elevator installation. Chief Smith does not want to be held up for elevator occupancy permits if required.

The cost of approximately 60-days of delay was discussed in so far as sufficient funds being available from reserve to cover additional costs to September 30<sup>th</sup> if necessary. It was noted that builders risk insurance ends when the final occupancy permit is issued. Engineer Trimble is researching landscape companies. Discussion continued regarding the final choice of engine bay doors.

**NEW BUSINESS:**

1. This item was put on the agenda in anticipation of news regarding Prop 1A. To date, no news is available. Our only outstanding out-of-county reimbursement is for Captain Glenn's response to Louisiana from 2008. The County of Marin has notified us that State issued IOU's may not be deposited between July 10 and October 2, 2009.
2. M/S Murray/Naso to sign Resolution No. 5-2009 – Appropriations Limit 2009/2010. All ayes. Corbet/aye, Guidi/aye, McLeran/aye, Murray/aye, Naso/aye.

**CORRESPONDENCE:** None

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**CHIEF'S REPORT:** Chief Smith reported that his wife, Mary Ann, was recently diagnosed with breast cancer. A lengthy discussion ensued wherein all Directors offered their personal and collective assistance in whatever capacity it might be needed to help him. They agreed that his family must be Chief Smith's first priority and that they feel confident with his staff being able to pick up any slack generated if/when Chief Smith must take time off from work. Chief Smith noted that the past work year has been one of long hours and stress and that he is grateful for a strong support group, both personally and at work. He is confident in the abilities of his Battalion Chiefs and thanked the Board for its care and concern.

**OTHER:** Director Naso requested an additional section be added to the current agenda format entitled "Director Communications." This will be a comment section specifically for the relaying of pertinent, miscellaneous information. This item will be placed on the August 2009 agenda for consideration.

**APPROVAL OF WARRANTS:** M/S Murray/Naso to approve Warrants No. 2272 through and including No. 2355 in the amount of \$886,470.08. All ayes.

The next regular meeting will be held on Wednesday, August 19, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 7:36 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary



**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DRAFT**

**DATE:** Wednesday, August 19, 2009

**CALL TO ORDER:** 6:30 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present with the exception of Director Guidi. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Directors McLeran/Naso to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Chief Smith presented an update on the fire station modernization project. The substantial completion date is still set at August 31, 2009 with a final completion date of September 9, 2009. There will be a "move-in" meeting on Thursday, August 27, 2009 that will also include the moving of the MERA radios. Discussion ensued concerning the corrugated panels, elevator, asphalt, and coordination of various builder entities working on site at the same time. The final striping of the asphalt will be done one week prior to the move in date. If there is a backup in the certification of the elevator by the time of the move-in, meetings may be conducted downstairs if there is an ADA issue.

Chief Smith is looking at the "grand opening" to coincide with the annual pancake breakfast to be held on Sunday, October 11, 2009. He hopes to invite Kentfield community members and possibly have tee shirts available for distribution.

2. Chief Smith reviewed the California property tax shift with the Board. Based on 2008/2009 figures, approximately \$250K will not be disbursed to KFPD from the December 2009 and April 2010 tax proceeds. It was noted that under Proposition 1A, the State of California can borrow funds from special districts only two times within a ten-year period. Additionally, it must repay the first loan, with interest, prior to being able to borrow funds a second time. At the current time, the interest rate for the borrowed funds is not known. Chief Smith noted that the building fund is currently at \$800K (or \$500K more conservatively) with an anticipated carryover of approximately \$440K from fiscal year 2008/2009.

The Board agreed with Chief Smith's suggestion that he and Accountant Hom will make up a listing of ways to absorb the money to be taken by the State. This is an item that

should be decided prior to the 2009/2010 budget being finalized. Several options are available - from not funding reserves (including GASB 45) to cutting line-item costs. Paramount will be the need to keep the same level of service to the Kentfield community as has been extended to date. Chief Smith will ensure that Accountant Hom is able to attend the next KFPD Board meeting in order to review the above-mentioned options and offer recommendations.

**NEW BUSINESS:**

1. Director Naso recommended a caption be added to the KFPD BOD agenda entitled: Director's Report. This section will give any Board member an opportunity to inform the other members of meetings, workshops, and updates relative to District business.
2. Chief Smith reported that the Union Joint Elementary School District is interested in the donation of the Fire District's old IKON copy machine once the newly purchased copy machine has been delivered and is up and running. Otherwise, the old machine can be given to IKON Office Solutions for recycling. After discussion, there was a M/S Murray/McLeran to donate the old Cannon GP200S C200S NPC01300 purchased on 07/18/1999 through IKON Office Solutions to Union Joint Elementary School District. All ayes. Chief Smith will complete the required paperwork for the District.

**CORRESPONDENCE:** Thank you letters to B/C Galli and Engineer Johnston from Marin County Fire Chiefs Association Fire Investigation Team for assistance on July 12, 2009.

Thank you letter to KFPD BOD from Accountant Hom for recent rate adjustment.

**DISTRICT OPERATIONS:** A computer problem rendered the July 2009 Incident Log unprintable at this time. The Overtime report was reviewed. Chief Smith reported that the computer that runs the incident reporting program is having mechanical difficulties. He stated that KFPD would switch from the use of Macintosh computers to PC's when it moves back into the fire station. The changeover will be cheaper and is better suited to fire related reporting.

**CHIEF'S REPORT:** Chief Smith reported on the outcome of the June 2009 test for the Acting Captain's position (replace Elmer Collett/retired). Director Naso inquired as to the possibility of saving money on overtime costs if this position was filled. Chief Smith reported that Engineer Mark Pomi scored well above the other applicants; however, Mark does not have the maximum number of officer classes to comply with the application. He noted that the other applicants did not qualify in all phases of the testing process. The position may be filled once Engineer Pomi has completed the required corresponding classes or the open position can be extended.

Chief Smith also reported that Engineer/Acting Captain Fox has been placed on 4850 time, until August 31, 2009 and pending MRI results, due to a recent knee injury suffered during a mutual aid response to a structure fire in Larkspur.

**OTHER:** None

**APPROVAL OF WARRANTS:** M/S McLeran/Murray to approve Warrants No. 2356 to and including No. 2418 in the amount of \$664,962.10. All ayes.

The next regular meeting will be held on Wednesday, September 16, 2009 providing Accountant Hom is able to attend. If not, the meeting will be scheduled for Tuesday, September 15, 2009 providing Accountant Hom is available.

A moment of silence was held for departed members.

M/S Murray/Naso to adjourn this meeting at 7:41 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS – REGULAR MEETING**

**DATE:** Tuesday, September 15, 2009

**CALL TO ORDER:** 6:35 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith, Accountant Hom, B/C Hadfield, Cpt. Glenn, and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Murray/Naso to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Director Naso briefed Director Guidi on the pending Acting Captain's position from the previous Board meeting. Director Naso asked to revisit the open position based on overtime figures and Prop 1A. Director Naso inquired if any of the applicants for the position might be able to work in an interim position in as much as Engineer Fox, the Fire District's only current Acting Captain, is currently on 4850 leave. At the present time all officer cover is overtime.

Chief Smith reported that the applicants included Engineers Garcia, Johnston, Pomi and Viau. While all four applicants have five + years of fulltime, continuous service with the Fire District, Engineer Pomi was the only candidate to successfully pass all of the parameters of the test process. Engineer Pomi, however, does not currently have a sufficient number of officer classes to be appointed to the Acting Captain's position. All engineers were invited to take the test in order for administrative staff to evaluate each firefighter's qualifications for current and further advancement in the future. The test process was an open process, not a required process and was the first conducted by the current administration for this position.

The Board expressed its hope that Engineer Pomi will actively pursue his missing officer classes. Chief Smith reminded the Board of his June 26, 2009 memo to staff stating the current candidates listing would be valid until June 15, 2010. He informed the Board that officer cover is dependent upon day-to-day circumstances including OES responses, vacations, and illnesses.

2. Chief Smith passed out his memo of 9/15/09 along with a 2009/2010 budget analysis and summary sheet after which he deferred to Accountant Hom to present the Board with a synopsis of the effects of Prop 1A as it relates to the current proposed budget for 2009/2010. At the conclusion of his presentation, Accountant Hom recommended the

Board move the needed \$124,849 from the Emergency Contingency Reserve Fund No. 6925 to balance the budget based on the State of California taking \$250K from the Fire District under Prop 1A.

Accountant Hom also recommended the Board consider between now and its next regular meeting whether to go along with the State's three-year repayment plan or move to a securitization JPA with bond holders. B/C Hadfield suggested more research might be needed to see if the State can take additional funds prior to the normal three-year period if the Fire District moves to utilize a JPA. Chief Smith and Accountant Hom will follow these proceedings and inform the Board of additional news.

Chief Smith feels the Fire District is sufficiently solvent and that funds will be available should it go with the JPA. He also agrees with Accountant Hom's recommendation to transfer funds from the Emergency Contingency Reserve Fund as mentioned above. Director Murray agreed with Chief Smith and Accountant Hom's recommendation for the fund transfer and that there would be a balance in the Emergency Contingency Reserve Fund of \$170K. Also noted is the fact that the OPEB (Other Post-Employment Benefits) Reserve Fund No. 1560 has a current balance of \$170K in spite of the \$250K Prop 1A deficit. Chief Smith pointed out the fact that there is \$103K remaining in the building replacement account as well as \$1,800,000 in reserve.

Accountant Hom reminded the Board that the GASB 45 liability must be decided by June 30, 2010 and that it requires actuarial valuations every two years, and that it is dependent upon health care costs and demographics.

M/S Naso/McLeran to adopt the 2009/2010 budget as proposed. All ayes. The Board thanked Accountant Hom for another very clear and concise fiscal explanation.

3. Chief Smith updated the Board on the fire station modernization project. The substantial completion date of September 28, 2009 continues to stand. He reported the project is currently \$75K under budget and the project's contingency reserves have not been used. The Board will need to decide which method it will use to meet its 1.4 million dollar obligation – knowing there is currently 1.7 million dollars on hand.

#### **NEW BUSINESS:**

1. M/S Guidi/Murray to approve the Marin County Board of Supervisors Resolution No. 2009-78 appointing Directors McLeran and Naso to four year terms in lieu of election (November 3, 2009). All ayes.

2. Chairman Corbet administered the Oath of Office to Directors McLeran and Naso. The Certificates of Election were signed.

**CORRESPONDENCE:** The monthly correspondence was reviewed.

**DISTRICT OPERATIONS:** The Incident Logs for July and August and Overtime for August were reviewed.

**DIRECTOR'S REPORT:** None

**CHIEF'S REPORT:**

1. Chief Smith reported that OES 325 has returned from its mutual aid/out-of-county responses. Director Naso reported the Station Fire in Southern California has burned 251 square miles and is currently 90% contained.

2. Chief Smith reported that Director Guidi would finish out his current term on the Board. Since he did not file papers for the November 2009 election, the Marin County Board of Supervisors must follow specific procedures concerning his replacement. If when a director resigns during his/her tenure, the BOS can replace/appoint a new member. A vacancy caused due to non-filing for an open position causes the M/C BOS to run a newspaper add to fill the vacancy. KFPD has also been instructed by the M/C Registrar of Voters to advertise the third position vacancy and has been furnished with application forms for interested parties. The KFPD Board will interview prospective candidates, and the M/C BOS will seat the chosen candidate. Chairman Corbet mentioned a possible applicant, Bob Peterson, a Kentfield resident.

3. Chief Smith reminded the Board of the annual Zita Pancake Breakfast to be held on Sunday, October 11<sup>th</sup>.

**OTHER:** None

**APPROVAL OF WARRANTS:** M/S Murray/Guidi to approve Warrants No. 2419 through and including No. 2490 in the amount of \$512,305.70. All ayes.

The next regular meeting will be held on Wednesday, October 21, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 8:00 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS - REGULAR MEETING**

**DATE:** Wednesday, October 21, 2009

**CALL TO ORDER:** 6:34 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** Directors Corbet, McLeran and Naso were present. Directors Guidi and Murray were absent. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S McLeran/Naso to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Jeff Huelsman, Field Superintendent with Sequoia Pacific Builders, Inc., was unable to attend the meeting. He did, however, give Chief Smith a wall plaque and antique fire engine replica to be presented to the Fire District on behalf of SPB as a thank you for the opportunity to work on the fire station modernization project.

Mark Kelley, of MACK 5, furnished the Board with copies of the October update report. He explained that all construction projects are prototypes - all with their own difficulties - and mentioned the "50 year" flood problem. He assured the Board that the final product will have a fine result with a high quality of professional workmanship. Additionally, Mr. Kelley remarked that the budget will be under by \$50K and that the \$250K project contingency money has not been used. The final target date for completion is November 15<sup>th</sup> including repair of all water damage from the recent storm. He noted that the construction crew is aggressively working on the punch list. He explained that there will likely be one or two special items yet to be addressed at the time of completion, but he stated that SPB has done an exceptional job. Although they have made a few mistakes, they corrected them quickly and efficiently which he found very impressive. He reminded the Board that the one-year warranty went into effect October 14, 2009 – the date of the substantial completion. Mr. Kelley noted that there were eleven leaks in all and that all but two had been fixed. Of the two, one was from pre-remodel. One is at a down spout and one in duct work. These will be repaired once dry.

Mr. Kelley noted that this project ran into all of the normal problems to be expected and reported that MACK 5 found the Fire District to be exemplary to work with through those problems. He especially complimented B/C Hadfield for always keeping things going and Chief Smith for being an exceptional "property owner." He stated that MACK 5 has placed KFPD on its list of "best clients."

Director McLeran thanked Mr. Kelley and stated that the Board was also very impressed with all parties concerned with the remodel. Chief Smith also complimented MACK 5 for its

management skills. He then thanked B/C Hadfield and Administrative Assistant Abraham for their assistance to him during the remodel.

Director Naso and Mr. Kelley further discussed repairs pending due to the rain storm and the effect of aerodynamics of wind/rain causing negative pressure insofar as windows leaking. Director Naso voiced concern regarding future mold issues. Chief Smith and Mr. Kelley agreed to have an industrial hygienist look at the situation.

Chief Smith reported that some of the “bugs” are still being worked out including phones, radios, computer issues, and lights; however, he knows these issues will be completed soon. Discussion took place regarding the finish (or lack thereof) on the engine room floor. Chief Smith said that it will have a thorough cleaning once all of the construction people have left. B/C Hadfield reported that it is not possible to use the same finish that was on the original floor due to safety issues (slipping).

Director McLeran suggested a “get-together” with all staff involved in the remodel project in a non-work environment once the work is complete. Chief Smith agreed this was a good idea.

2. Chief Smith reminded the Board of the explanation from Accountant Hom at last month’s meeting regarding Proposition 1A and a plan for securitization. The State will take approximately \$250K from KFPD’s tax revenue, as permitted under Prop 1A, thus making the Fire District, in essence, a “money-lender” until the funds are repaid at 2% interest in three years. For this reason, the California Statewide Communities Development Authority has formed a Joint Powers Agreement (JPA) to accept registrations of cities, towns, counties, and districts for the securitization project. Bonds will be sold to investors allowing the CSCDA to refund the \$250K – in the 2009/2010 fiscal year. The securitization process and paperwork will be universal for all applicants. Chief Smith explained that the only financial cost to the Fire District will be for assistance from Marin County Counsel. The State of California is funding the legal fees, bond fees, and broker fees.

The Board discussed signing Resolution Number 6-2009 in favor of the securitization program. M/S Naso/McLeran to approve and sign. All ayes. Aye – Bruce Corbet, Aye - Ralph McLeran, Aye – Ron Naso. Absent – Guidi, Absent – Murray. Chief Smith will deliver the Resolution to Marin County Counsel and will return with the additional documents for the Board’s signatures.

## **NEW BUSINESS:**

1. Chief Smith requested the Board discuss the possible addition of funds into the existing payroll checking account at Westamerica Bank. Currently \$35K is on deposit; however, as bi-weekly payrolls run an average of \$70K, there is concern that in the event of our payroll checks not being able to reach the bank prior to ADP (payroll service) debiting our payroll account, we will be charged a service fee. After discussion, the Board directed staff to maintain a balance of \$80K in the Westamerica Bank payroll account.

2. Chief Smith presented the Board with a certificate of recognition for completion of the fire station modernization project from California State Senator Mark Leno, 3<sup>rd</sup> District. The

presentation was delivered by a member of Senator Leno's staff on October 11<sup>th</sup> during the annual Frank Zita Pancake Breakfast.

**CORRESPONDENCE:** None

**CHIEF'S REPORT:** Chief Smith reported that his wife, Mary Ann, is doing very well at this time. He thanked the Board and staff for their continued support to him and to his family.

**DIRECTORS' REPORT:** Director Naso reminded the Board of his position as an alternate on the MERA Board. He reported at the last meeting that MERA approved five new radio frequencies for authorized emergency use. Fire and law will have three, the Marin County jail will have one, and the Marin Transportation Authority will have one. He reported that West Marin continues to have problems with dead spots. Tiburon continues to experience the same problem.

Discussion ensued regarding the age of the MERA system (1994). A repeater is still needed in West Marin; however, between politics and cost, this may not be viable. He mentioned that the MERA bond will be paid off in approximately 12 years. Current annual expenses run \$40K with \$30K in annual maintenance costs.

Director Naso mentioned that San Mateo County left a MERA-type communication system and has opted to return to UHF. He also mentioned that MERA is looking at Sutro Tower as well as Fort Miley to help with the Tiburon problem. Chief Smith thanked Director Naso for being available to act as his alternate to MERA. His participation is appreciated.

**APPROVAL OF WARRANTS:** M/S McLeran/Naso to approve Warrants No. 2491 to and including No. 2567 in the amount of \$840,671.77. All ayes.

The next regular meeting will be held on Wednesday, November 18, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S McLeran/Naso to adjourn this meeting at 7:33 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS MEETING**

**MEETING TYPE:** Regular Meeting

**DATE:** Wednesday, November 18, 2009

**CALL TO ORDER:** 6:33 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith and Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Directors Naso/McLeran to approve the minutes of the previous month. All ayes. Director Murray abstained from voting because he was absent at this meeting.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Chief Smith noted that the hard copies of the Cost Model Manager from MACK 5 had not arrived by the time of this meeting (copies had been emailed to all directors previously). He noted that the fire station modernization project is currently \$55,333 under budget. Additionally, the \$250K contingency fund has not been utilized.

Existing balance due to Sequoia Pacific Builders, with contingencies, is \$400K including retention. The balance at Deutsche Bank is \$900K.

Chief Smith and Accountant Hom will report to the Board in January 2010 after looking at various options available regarding the placement of remaining funds. Director Murray mentioned the time period for the retention payment after final completion of the remodel project. Discussion ensued regarding the fact that more money was borrowed than was needed and where/how to use the excess e.g. rolling back as unused funds will reduce the annual mortgage.

Chief Smith explained the current status regarding Don Dommer Architects General Release and Compromise Agreement. He furnished the Board with copies of the agreement noting changes made by counsels for each side. Once both counsels have finalized the language in the agreement, Chief Smith has been directed to obtain Chairman Corbet's signature on the document. A total of \$278K has been paid to DDA. DDA is concerned about an additional \$19,900 redesign fee plus additional civil inspections.

Director Naso asked about the HVAC installer being noticed to have an independent hygiene inspection done. Chief Smith noted being impressed with the HVAC lead person regarding other issues and feels he is very responsive to the requested inspection. The independent inspection has not yet been completed, as HVAC work is still in progress.

Chief Smith noted that he is still working on the “punch-list” with the contractor.

2. Chief Smith reviewed the outcome of the Prop 1-A Securitization. Bonds were sold in one day at 4% interest. KFPD will receive 100% of its anticipated tax revenue. Of the \$250K, one-half will be taken in December with the securitization reimbursement in January. The remaining one-half will be deducted in April with the securitization reimbursement in May. This project alleviates any problem if the State is unable to repay KFPD at the end of the required three-year period, and KFPD will not be “loaning” money to the State of California. The only downside to participation in the securitization project is the cost for Marin County Counsel to review all the appropriate documents. MCC did the document review for all of Marin County participating fire agencies. Chief Smith thanked Counsel Jennifer Vuillermet, Accountant Hom, and Administrative Secretary Abraham for their help in preparing the necessary documents for the project.

**NEW BUSINESS:** Chief Smith explained the Marin County Board of Supervisors appointment of Mr. Steven R. Gerbsman to replace Director Robert Guidi when his term expires on December 4, 2009. Mr. Gerbsman’s business is Gerbsman Partners – a business crisis intervention company. Chief Smith explained the need for Mr. Gerbsman to be sworn in by the Registrar of Voters or a Judge prior to being seated on the Board at the December 2009 meeting.

At this time Engineer Anthony Garcia asked if members of the Board have background checks completed prior to accepting Board positions with KFPD. Discussion ensued. It is the belief that public officials, not having had any convictions or voting rights taken away, are not required to go through this procedure. It is assumed that positions are vetted through the electorate voting process. All agreed that this was a good question, and Chief Smith will follow up with the Registrar of Voters office.

Director Naso mentioned wishing the members of the Board could have chosen a replacement for Director Guidi. Several people were asked, but no one wished to commit. The Marin County BOS did not receive any applications for the BOD position within the time frame legally allotted. This appointment process has been a learning experience for the Fire District, as it is the first time the BOS has made an appointment to the KFPD BOD.

**CORRESPONDENCE:** Three items were reviewed.

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed.

**DIRECTOR’S REPORT:** Director Murray asked for clarification of this section. If an action item is to be discussed, it must be placed on the agenda 72 hours prior to the meeting. Otherwise, the general reporting of items of interest to the District may be discussed and will appear in the meeting minutes.

**CHIEF'S REPORT:**

1. Chief Smith reminded the Board that there had been discussion during the last negotiation session to review the KPFA #1775 contract. He reported that the Association is in the process of having an outside agency review its entire contract. Next month the Board will review the PERS addendum and the Long Term Care contract. Chief Smith and Association President, Dan Trimble, are tasked with this project.
2. Chief Smith explained the Firefighter Wellness/Fitness Program with Kaiser is underway. H1N1 shots have been dispensed to paid staff. Policies need to be established with line item procedures listed. Staff will report to Kaiser Terra Linda for procedures.
3. Chief Smith extended his thanks to Director Guidi for his outstanding assistance over the last two years. Director Guidi was instrumental during labor negotiations. His position on the Board will be missed by all KFPD members.

**OTHER:** None

**APPROVAL OF WARRANTS:** M/S Murray/McLeran to approve Warrants No. 2568 to and including No. 2625 in the amount of \$629,349.30. All ayes.

The next regular meeting will be held on Tuesday, December 15, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Directors Murray/McLeran to adjourn this meeting at 7:32 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS MEETING**

**MEETING TYPE:** Regular Meeting

**DATE:** Tuesday, December 15, 2009

**CALL TO ORDER:** 6:30 p.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present with the exception of Director McLeran. B/C Hadfield stood in for Chief Smith who was unable to attend. Also in attendance was Recording Secretary Abraham.

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Murray/Naso to approve the minutes of the previous month. All ayes.

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:**

1. Chairman Corbet administered the Oath of Office to Steven R. Gerbsman. Both parties signed the Certificate of Election/Oath of Office.
2. B/C Hadfield reported on the current status of the fire station modernization project. The contractor is working on the punch list. An environmental hygienist will be brought in after the first of the year due to the major leaking issues into the HVAC system experienced during the October 2009 storm.

The usual monthly Cost Model Manager was not available by MACK 5 in time for this meeting. It will be emailed to the Directors once available.

As of November 24, 2009, the project is \$30K under budget with none of the \$250K contingency funds being used. Discussion ensued regarding using \$200K of these funds toward the incurred debt. B/C Hadfield hopes to see the punch list completed by January 2010. There are no additional charges for work being completed on the punch list.

**NEW BUSINESS:** As Director Naso has been attending the Marin Emergency Radio Authority – Public Safety/Emergency Radio System meetings in Chief Smith's absence, he reported on the Restated Project Operating Agreement to be effective February 1, 2010. Each participating agency must have a separate vote (see Resolution No. 7-2009). MERA does not have to refinance bonds, but if the interest rates are good by the February maturity date, it can/will do so. This could realize a \$1.3 million savings over the total budget.

Resolution No. 7-2009 was reviewed. M/S Murray/Naso to approve and sign Resolution No.7-2009. All ayes. Corbet/aye, Gerbsman/aye, Murray/aye, Naso/aye. Director Naso will advise MERA of the Fire District's vote.

**CORRESPONDENCE:** Director Gerbsman asked about the Strike Team Leader position while reviewing a thank you letter from Mill Valley Fire Department to B/C Galli.

**DISTRICT OPERATIONS:** The Incident Log and Overtime Report were reviewed. Director Gerbsman had some questions which the Board answered.

**DIRECTOR'S REPORT:** None

**CHIEF'S REPORT:** B/C Hadfield passed out a memo and corresponding financial report from Chief Smith regarding tax revenue information. Tax proceeds from December have been posted higher than previously anticipated. The result will be the ability to fund all necessary categories including GASB 45 – the OPEB reserve category. The Board stated GASB 45 as being a top priority for pre-funding.

**OTHER:** Director Gerbsman asked about a comparison for KFPD personnel to other fire agencies. B/C Hadfield stated that, currently, KFPD is a very desirable agency for fire personnel. KFPD's most recent hires have come from Cerres FD and Mill Valley FD. He explained the use of Fire Hire as well as the current Kentfield Association of Firefighters volunteer program and lateral hiring opportunities.

**APPROVAL OF WARRANTS:** M/S Murray/Naso to approve Warrants No. 2626 to and including No. 2696 in the amount of \$677,297.61. All ayes.

The next regular meeting will be held on Wednesday, January 20, 2010 at 6:30 p.m. Director Gerbsman mentioned that he will not be available for the February 17, 2010 meeting. An optional date will be chosen pending the availability of each member.

A moment of silence was held for departed members.

M/S Murray/Naso to adjourn this meeting at 7:02 p.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary

**KENTFIELD FIRE PROTECTION DISTRICT  
BOARD OF DIRECTORS MEETING**

**MEETING TYPE:** Special Meeting

**DATE:** Monday, December 14, 2009

**CALL TO ORDER:** 8:35 a.m. by Chairman Corbet. The Pledge of Allegiance was recited.

**ROLL CALL:** All Directors were present. Also in attendance were Chief Smith, Recording Secretary Abraham, incoming Director Gerbsman, outgoing Director Guidi, B/C Galli, and B/C Hadfield.

**APPROVAL OF PRIOR MONTH'S MINUTES:** None

**PUBLIC COMMENT PERIOD:** As there were no members of the public in attendance, no comments were received.

**UNFINISHED BUSINESS:** Chief Smith introduced Steven Gerbsman explaining the fact that the Marin County Board of Supervisors had recently appointed him to the position vacated by Director Guidi. Mr. Gerbsman will be sworn in at the regular monthly meeting to be held tomorrow evening. Chief Smith explained that this was the first time in the history of the KFPD that the BOS had appointed a Board member. This was specifically due to the fact that no applications for the position were received prior to the November 2009 County election.

**NEW BUSINESS:** Chairman Corbet presented a plaque to Director Guidi in recognition of his time with the KFPD Board of Directors. Director Guidi explained that his work load at the M/C District Attorney's Office has become overwhelming due to cutbacks, and, therefore, he does not have the time to continue his commitment to the Board. He thanked the other Board members and staff for allowing him the privilege of serving during the past two years. He assured those present that should his time become more available in the future, he would consider participating on the Board again when a seat becomes vacant. The Board members and staff thanked Director Guidi for his participation and noted that he had been an asset to the Board, especially during negotiation time.

At this time Mr. Gerbsman gave a brief synopsis of himself and his connection to the Kentfield community. He mentioned having the need to receive 911 services in 2006 and how he feels the need to give back to his community from the experience. He mentioned having known Supervisor Hal Brown for many years and was very pleased to be able to accept the KFPD Board position at Supervisor Brown's request. Each Board member introduced himself as well.

Chief Smith spoke briefly of current challenges facing the Fire District to be considered:

No current pending litigation – explained the pending contract clarification w/DDA

Continued interest in the Fire District's budget/revenue stream  
Current tax securitization  
Property tax revenue increase/decrease over the last few years due to less growth rate

Chief Smith and the Board members spoke very highly of the Fire District's Accountant, Dan Hom, and expressed to Mr. Gerbsman his ability to explain budgetary matters in a complete and concise manner.

Chief Smith explained his recent time away from the office for personal reasons and the fact that he is working part-time this week but hopes to begin fulltime next week. At this time B/C Galli complimented Chief Smith's ability to continue running the Fire District amid his recent personal family matter as well as continuing to work diligently on the fire station modernization project. Chief Smith in turn thanked B/C Galli and B/C Hadfield for their assistance during the past few months. He explained having to rely on his staff a great deal during this time.

**CORRESPONDENCE:** None

**DISTRICT OPERATIONS:** None

**DIRECTOR'S REPORT:** None

**CHIEF'S REPORT:** None

**OTHER:** None

**APPROVAL OF WARRANTS:** None

The next regular meeting will be held on Tuesday, December 15, 2009 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 9:06 a.m. All ayes.

Respectfully submitted,

Carol Abraham  
Recording Secretary