

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

MEETING TYPE: Special Meeting

DATE: Tuesday, March 30, 2010

CALL TO ORDER: 5:10 p.m. by Chairman Murray. The Pledge of Allegiance was recited.

ROLL CALL: All Directors were present with the exception of Directors Corbet and McLeran. Also in attendance were Chief Smith, and KAPF 1775 representatives B/C Galli, and Engineers Garcia and Trimble.

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: None

NEW BUSINESS: Ground rules for negotiations for 2010/2011 were reviewed by all and signed by Chairman Murray and Engineer Garcia, KAPF 1775 representative. Discussion ensued relative to compensation, the economic climate, and the Marin firefighters salary survey. The Association representative members caucused and returned to the forum. The Association requested an across-the-board salary adjustment of 3% with an additional day of vacation across all tiers. The Association estimates a cost to the Fire District of \$1500 per month per each one percent of salary increase. Discussion between both groups continued.

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 Wednesday, April 21, 2010. Chief Smith requested that the next special meeting, formerly scheduled for Monday, April 12, 2010, be cancelled and be included with the regular April 21st meeting. Approved by Chairman Murray.

A moment of silence was held for departed members.

M/S Naso/Gerbsman to adjourn this meeting at 6:15 p.m. All ayes.

Respectfully submitted,

Paul D. Smith
Fire Chief

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

MEETING TYPE: Special Meeting

DATE: Friday, April 23, 2010

CALL TO ORDER: 5:30 p.m. by Chairman Murray. Director Naso led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present with the exception of Director Corbet. Also present were KAPF 1775 representatives B/C Galli, and Engineers Garcia and Trimble.

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: Association representative, Engineer Garcia, reiterated the Association's negotiation request for 2010/2011 as discussed at the previous special meeting to include a salary increase of 3% plus one vacation day. Director Gerbsman addressed the cost factor in dollars to the Fire District.

B/C Galli mentioned the cost of funding GASB 45 at this time. Engineer Garcia mentioned the recent building modernization project. While favoring the remodel, he has concerns about the future impacts of its cost against salary adjustments for staff. Director Gerbsman stated that challenging times currently face everyone in all manners of business. Chairman Murray took exception to the Association's suggestion that the building modernization project may negatively affect future salary adjustment negotiations and addressed objection to this current line of comparison. He stated that it was imperative the building remodel be completed at this time. A lengthy discussion ensued regarding all of these concerns including proposed property tax revenues.

Director Gerbsman relayed the Board's offer of a 1% salary increase with no extra vacation day. Engineer Garcia countered with a 1% salary increase in July 2010 with an additional 1% in January 2011. The Board's negotiation committee countered with a 2% salary increase which it finds fair and reasonable. After further discussion, B/C Galli stated that the Association would settle on a 2% salary increase if the Board is willing. Chairman Murray stated that he would take these two latest offers back to the full Board of Directors (BOD 2010, Assn. 2011).

NEW BUSINESS: None

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 Wednesday, May 19, 2010. No additional special meetings are scheduled at this time.

A moment of silence was held for departed members.

This meeting was adjourned at 6:49 p.m.

Respectfully submitted,

Ronald T. Naso
Board Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, December 15, 2010

CALL TO ORDER: 6:27 p.m. by Vice Chairman McLeran. Mark Kelley, MACK 5, led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present with the exception of Chairman Murray. Also in attendance were Chief Smith and Recording Secretary Abraham. To be noted: Director Gerbsman left the meeting at 7:08 p.m. for a prior engagement.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Naso to approve the minutes of the November 17, 2010 regular meeting. All ayes. M/S Gerbsman/Naso to approve the minutes of the November 23, 2010 special meeting. All ayes.

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

UNFINISHED BUSINESS:

1. Mark Kelley advised that the leaks in the roof over the apparatus bay have been repaired. Repair to the 12 additional roof drains over the living quarters is in progress. The previous leaks in the landscape area will be monitored. Kodiak was to have repaired the siding on the building prior to year-end, however, Sequoia Pacific Builders, Inc. will not be available until after the first of the year. SPB will not charge KFPD for their involvement. Possible cost for siding materials to be ordered may be \$2700.00. Horizon's crew sealed 52 penetrations. Natural gas leaks have been repaired. It is suspected that the function of the HVAC plant pushes too much dry air to dorm room 216. Allied/Leftler will do a diagnostic test prior to any repairs being done. There will be a charge for this service. All parties will agree to findings prior to remediation. Mr. Kelley asked the Board if it wanted AquaTech to test also. Chief Smith agreed. Director Gerbsman asked the staff for its thoughts.

At this point Director Naso stated his concern about the number of penetrations mentioned by Mr. Kelley. Vice Chairman McLeran noted that AquaTech is to verify that the repairs near the roof access are complete. Mr. Kelley suggested an annual maintenance of the roof area. B/C Hadfield reminded the Board that the penetrations are in the curbed areas only – not in the roof's main roof membrane.

Discussion ensued regarding possible future problems with foot traffic crossing the roof. Suggestions included limiting roof access to one side of the building only. Staff looked into a bridge over the duct area, but it would limit access to certain HVAC access panels. Mr. Kelley noted that this meeting is the last according to MACK 5's contract. Allied has a game plan for best resolving future/current problems. Mr. Kelley assured the Board that he will be available for any questions/concerns at no additional charge from this point on.

Vice Chairman McLeran thanked Mr. Kelley for all of his work with the building modernization project. Before leaving, Mr. Kelley presented the Board Members and Chief Smith with copies of a book entitled "The Big Burn" by Timothy Egan (the unforgettable story of America's worst inferno and Teddy Roosevelt's triumphant struggle to save the American forest). Additionally, MACK 5 furnished the Board and staff with two dozen cupcakes. Mr. Kelley noted that the KFPD staff has been a great client to work with and reminded them to feel free to call him with questions or concerns regarding the building repair.

Chief Smith reminded the Board that MACK 5 and SPB had no specs for flexible HVAC gas pipes. SPB will cover the cost of labor to make repairs while KFPD will cover the cost of materials.

Last month there was discussion regarding \$8-9K in retention money still due. Today KFPD received a check in the amount of \$12,671.25 from Navigators Insurance Company (Stayton Plumbing). Vice Chairman McLeran noted a \$2-3K gain with this receipt. He recommends paying the retention money. Director Gerbsman agreed. M/S McLeran/Gerbsman to pay the total close-out retention due. All ayes. Director Gerbsman suggested a note be attached to the payment stating that this retention balance is hereby being paid in good faith.

2. Chief Smith spoke about the pending AT&T lease (refer to plans distributed with agenda packets). AT&T is looking for a substantial upgrade. Marin County Counsel and Chairman Murray agree that the current contract is in need of major language upgrades, as it is not beneficial to the KFPD. Current monthly rent from AT&T is \$1847.08 plus an annual access fee of \$2100 payable each September. Chief Smith estimated the monthly rental may be able to realize a 50% increase. There is currently a 30-year contract which rolls over every five years. KFPD cannot easily terminate this current contract. There is an annual CPI increase. CPI increases may not be an issue in this case versus an increase in monthly rental fees. He also mentioned addressing AT&T to pay its fair share of the PG&E usage.

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

Director McLeran asked about a separate PG&E meter for AT&T's use. Chief Smith noted that it is currently possible to monitor this usage. Asking about any negative impact for extra weight on the roof to accommodate additional equipment, Director Gerbsman suggested some type of insurance to cover any possible wear/damage to the existing roof. AT&T has suggested replacing the current metal roof screening with a fiberglass material.

Director Gerbsman sees eight to ten potential bargaining items to be added to the lease. Director McLeran added that this would be the proper time to address these issues. Negative issues were discussed: Additional equipment to be installed on the roof. Fiberglass screening will need to be maintained in approximately seven years (versus the current/permanent metal screening). When Director Gerbsman asked for staff comments, B/C Hadfield mentioned the fact that the Ross Valley area is very "anti-antenna" conscience. AT&T definitely needs the KFPD space it is currently utilizing.

Chief Smith asked for specific Board direction whether or not to proceed with upgrade discussions with AT&T. Director McLeran agreed this is a good opportunity for KFPD. Director Gerbsman noted a potential increase in revenue by receiving a piece of the broadband revenue which would be a win/win situation between KFPD and AT&T.

Chief Smith noted that Marin County Counsel recently assisted Southern Marin Fire District in its contract with AT&T and that the same legal team for AT&T will be utilized in our dealings. SMFD's Board gave its fire chief direction to formulate/complete its contract. Director Gerbsman requested to see a check list of KFPD requirements to be included in a new lease agreement. The Board will view same as a group. B/C Hadfield reminded the Board that KFPD needs to have "outs" contained within the contract. Chief Smith will call AT&T representative, Anna Gomez, to continue discussion regarding lease language changes. Chief Smith informed the Board that T-Mobile also wants to re-negotiate its cell site lease. He advised the Board that T-Mobile may be a harder client to work with noting past negative experiences.

3. On December 14, 2010, Chief Smith attended the Marin County Board of Supervisors meeting ratifying the Finding of Facts concerning Ordinance No. 111. M/S McLeran/Naso to adopt finding of facts relating to modifications to the 2003 international urban-wildland interface code, and the 2010 edition of the California fire code which consists of certain portions of the 2009 international fire code because of local climatic, geological and topographical conditions. All ayes. Corbet/aye, McLeran/aye, Naso/aye.

NEW BUSINESS:

1. The Board chose not to make a nomination for a Special District Regular Member to LAFCO.
2. The Board voted as follows for Special District Alternate Member to LAFCO: 1) Pamela Meigs/Ross Valley Sanitary District□2) Craig K. Murray/Las Gallinas Valley Sanitary District□3) Kevin Reilly/Almonte Sanitary District.
3. The Board agreed with Chief Smith's recommendation of maintaining the current Board Members of FAIRA. He noted that FAIRA serves the Fire District well. M/S McLeran/Naso to nominate Kentfield Fire District/Fire Chief Paul D. Smith to the Governing Board of FAIRA for 2011. All ayes. It was noted that Chairman Murray is currently the alternate member from KFPD.
4. Chief Smith reviewed the Marin County Investment Policy for 2010/2011 with the Board, which is currently up for adoption by the Marin County Board of Supervisors. KFPD Accountant Hom is involved on the Treasurers' over-sight committee. Vice Chairman McLeran acknowledged Accountant Hom's talents and noted that he was pleased to have him act as a fiscal agent.

CORRESPONDENCE: Chief Smith explained that the Fire District will be sponsoring two volunteers to the Santa Rosa Fire Academy in the spring. The Frank □ita Scholarship Fund will fund classes for one volunteer. All correspondence was reviewed.

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

DIRECTOR'S REPORT: Director Naso furnished copies of a study done in 1983 regarding reconstruction of the College Avenue corridor.

CHIEF'S REPORT:

1. Chief Smith announced that Director Corbet is the incoming Vice Chairman of the Ross Valley Paramedic Authority for 2011.
2. Chief Smith noted that everyone seemed to have a very nice time at the recent KFPD holiday party.

OTHER: None

APPROVAL OF WARRANTS: M/S Corbet/Naso to approve Warrants No. 3495 through and including No. 3555 in the amount of \$267,276.83. All ayes.

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

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

A moment of silence was held for departed members.

M/S Corbet/Naso to adjourn this meeting at 7:40 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Special Meeting

DATE: Tuesday, November 23, 2010

CALL TO ORDER: 9:07 a.m. by Chairman Murray.

ROLL CALL: The following Directors were present: Murray, Gerbsman, McLeran. Director Naso arrived at 9:35 a.m. Also in attendance was Chief Smith as well as the following: Mark Kelley, Paul Beamer of MACK 5, Jay Boatwright, Jeff Huelsman of Sequoia Pacific Builders, Inc., John Cross of Leffler Engineering, Arin Nelson of AquaTech, Don Dommer, Charles Wright of Don Dommer Associates, Chief Paul Smith, Captain David Glenn, Engineer Mark Pomi, Engineer Tony Johnston, Firefighter Chris McKnight of the KFPD.

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. The purpose of this meeting was explained by Chairman Murray. The Board of Directors is concerned about the time and expenses expended to adequately address the leaks in the building as well as HVAC concerns. Director Gerbsman expressed concern for the health and well being of the Kentfield Fire District staff being a primary concern. He feels that the existing conditions do not allow the staff to properly focus on their primary responsibility, which is providing emergency services.

Chairman Murray asked Mark Kelley, Construction Manager of MACK 5, to address the topics of discussion, i.e. completion of the modernization project.

2. All parties were introduced. Mark Kelley addressed all the current fire station issues one at a time (see attached).

3. Mark Kelley invited all participants to: 1) Inspect conditions of Dorm Room No. 216. 2) Meet on the deck area to discuss the siding issues. All participants then met back in the meeting room to discuss solutions to the problems. It was resolved, after lengthy discussion, as follows:

1) Don Dommer Associates will provide a drawing, by November 24th, detailing the plan to seal the siding wall in the corner of the deck. MACK 5 will coordinate with Sequoia Pacific Builders and Kodiak to install the recommended repair. AquaTech will then be tasked in water testing the repair.

2) Horizon Sheet Metal will be scheduled November 24th and 26th, weather permitting, to install backer rod and caulk all roof duct to curb penetrations. AquaTech will then test for water tightness.

3) Leffler Engineering will propose a solution to better condition dorm room 216. The excess air movement and unidentified smell are of concern.

NEW BUSINESS: None

CORRESPONDENCE: None

DISTRICT OPERATIONS: The Incident Log and Overtime Report were reviewed. - None

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

DIRECTOR'S REPORT: None

CHIEF'S REPORT: None

OTHER: None

APPROVAL OF WARRANTS: None

The next regular meeting will be held on Wednesday, December 15, 2010

A moment of silence was held for departed members.

M/S McLeran/Murray to adjourn this meeting at 9:50 a.m. All ayes.

Respectfully submitted,

Paul D. Smith
Fire Chief

DRAFT

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

MEETING TYPE: Regular

DATE: Wednesday, November 17, 2010

CALL TO ORDER: 6:34 p.m. by Chairman Murray. Recording Secretary Abraham 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 Gerbsman/Naso to approve the minutes of the previous month. All ayes. Director McLeran abstained due his absence at said meeting.

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

UNFINISHED BUSINESS:

1. Mark Kelley, MACK5, addressed the issue of additional leaks in the building from the most recent rainstorm. AquaTech located and CEI Roofing repaired a leak over the apparatus bay. Siding off the porch area that was repaired previously was found to be leaking again. Repair to be done to small scuppers of roof drains not previously addressed. Some modifications are needed. Mr. Kelley reported that the HVAC system issues in dorm 216 require a comprehensive solution. The mechanical engineer and HVAC installer are working on possible causes and remedies. He also reported that the entire team of contractors will need to be involved with the most recent leaking situation. Duct penetration, retrofitting and weather sealing could cost up to \$10K, however, alternate solutions will also be looked at. A determination of precisely who is responsible for the repair is to be made. Additional sealing may actually cause more leaks in previously not leaking penetrations.

Strong natural gas odor was found this afternoon coming from HVAC □6. This will be addressed by Allied Mechanical tomorrow. Staff has experienced dry throats/eyes in dorm 216 supplied by HVAC while in heat mode. Upon inspection It was noted that no dust was found on HVAC coils. The unit pumps more air than is necessary for the size of the room. The unit was actually designed for a larger space□however, it was originally designed prior to the scale-back of the building of the area. 600 cfm versus 200-300 cfm is problematic.

Multiple people have been lined up regarding repairs, and it is now obvious that all parties must be involved at the same time to remedy the leak situation.

Director Naso noted that the unit in question only serves one room but was originally designed to serve twice the area. This is the smallest unit on the building. Chairman Murray noted not wanting to spend additional money on the HVAC system and his concern for its operational capacity in the near/extended future. Director Gerbsman noted both a cost issue as well as a performance issue that must be addressed by the contractors involved.

Director Gerbsman requested a check point of milestones toward the ultimate resolve of the current leaking situation. Mr. Kelley noted all parties are focused on these very complex issues. Director Gerbsman requested a check list of objective and accomplishments and the need of longevity of the HVAC product. Chairman Murray noted that the need to have a window in the dorm open if/when the HVAC is running is unacceptable.

Director Gerbsman requested all contractors to meet with the Board of Directors at the December 2010 meeting. This is to include general contractors, sub contractors and company owners.

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

At this point Chief Smith noted that some staff prefers sleeping with the heat on while others prefer sleeping with no heat. He does not feel the current situation has led to health issues rather they are comfort issues. Captain Glenn has requested confirmation that there are no health issues involved.

Engineer Pomi noted that he has documented the odor problems in the dorm area since the date of the move-in. He noted feeling that the staff's complaints have not been taken seriously. He noted it has been discovered that there are air flow issues in the dorm which is very drying. He noted staff having discovered a natural gas leak in A/C □ six unit.

Director Gerbsman requested a meeting on Tuesday, November 23, 2010 at 9:00 a.m. between the owners of all entities having worked on the fire station modernization project and a select representation of the Board. Mr. Kelley is to make the necessary contact. If he is unable, Director Gerbsman will assist. Chairman Murray agreed that it is the Board's unanimous decision to have all appropriate contractor agency representatives at the meeting.

Engineer Pomi noted that the number six unit (HVAC) supplies the Chief's office, the Administrative Secretary's office, the Company Officers' office, and the downstairs hallway. No other units have been noted to omit an odor of natural gas.

Chief Smith noted having an outside HVAC expert look at the current HVAC system last year. It was reported to be a very good system. Mr. Kelley noted that every duct/unit will be thoroughly checked – not just some. Director McLeran noted not wanting to delay this investigation thus causing a potential grievance to be filed by the employees. The owners of all entities must comply with the November 23rd meeting including the list of objectives/accomplishments as required by Director Gerbsman.

2. Last month the Board held the first reading of the California Fire Code/Kentfield Fire District Ordinance No. 111. This month was the second reading. This includes the 2003 WUI, 2009 California Fire Code and the 2010 International Fire Code. Ordinance No. 111 allows KFPD to adopt and enforce the code(s).

Chairman Murray opened the meeting to public hearing for the adoption of Ordinance No. 111. 7:15 p.m. No public comments were received. Chairman Murray closed the public hearing at 7:16 p.m. It was noted that notices were published in the Marin Independent Journal regarding the public hearing and adoption of the new ordinance. All Marin County fire agencies will deliver their respective, signed ordinances directly to the Marin County Board of Supervisors for ratification.

M/S McLeran/Corbet to accept Ordinance No. 111 as presented and read. All ayes. Passed with the following votes: Corbet, aye □ Gerbsman, aye: McLeran, aye □ Murray, aye □ Naso, aye. Three copies of the certified document were signed by Chairman Murray and Secretary Naso.

3. Director Naso reviewed findings concerning a proposed "round-about" for College Avenue. He noted an engineer's study was done in 1987. Director Gerbsman spoke with Christine Gimmler of the County of Marin who related the fact that this project is still in the discussion process. Chairman Murray sees a safety standpoint as being the only bearing on the Fire District. Director Naso will present any additional information at the December 2010 BOD meeting.

NEW BUSINESS:

1. Chairman Murray explained having reached an agreement with Navigators Specialty Insurance (VeriClaim, Inc.) to cover the entire cost of repair to the cabling damaged by Stayton Plumbing (\$12,671.25). VeriClaim provided a "Release of All Claims" (California Form) to be signed by KFPD and notarized. Two copies of said form were signed by Chairman Murray and Secretary Naso and notarized by Nan D. Allen.

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

2. Chief Smith reviewed an outline that he and Accountant Hom had prepared concerning their recommendations for the District's current undesignated reserves as follows by account:

- 6910 Apparatus Replacement – from \$431,089 to \$552,643 (\$121,554)
- 6915 Building Replacement – from \$1,378,070 to \$272,899 (-\$1,105,171)
- 6920 Compensated Absences – from \$235,784 to \$407,973 (\$172,189)
- 6925 Contingencies/Emergencies – Maintain \$295,000
- 6930 LDH (large diameter hose) – from \$41,696 to \$30,000 (-\$11,696)
- 6935 MERA (Marin Emergency Radio Authority) – from \$69,125 to \$72,580 (\$3,455)
- 6940 PERS (California Public Retirement System) – from \$594,098 to \$677,390 (\$83,292)
- 6945 SCBA (Self Contained Breathing Apparatus) – from \$36,048 to \$180,000 (\$143,952)
- 6950 General Insurance Deductible – Maintain \$26,000
- 6955 Health Insurance – Maintain \$25,000
- 6960 Fire Hydrants/Mains – from \$53,000 to \$30,000 (-\$23,000)
- 6965 Fire District Planning/Mapping/Veg. Mgmt. – Maintain \$60,000
- 6970 Heavy Rescue Equipment – from \$6,600 to \$25,000 (\$18,400)
- OPEB Trust (Other Post Employment Benefits) – Initiate at \$199,982.70
- Debt Service Sinking Fund – Initiate at \$250,000 (noted ability to pay debt down after five years with less penalty). Currently paying 4.5% interest on the project fund debt.

Total Designated Reserve Recommendations: \$3,144,467.79

After discussion, the Board made a M/S Gerbsman/McLeran to move funds from undesignated reserves and designated reserves as outlined.

3. Chief Smith reviewed a recent quarterly report from OPEB showing investment earnings of approximately \$20K. Chief Smith and Accountant Hom recommend dollar cost averaging. It was decided quarterly payments will be made effective 2011. A December 2010 payment will be made as well as two additional contributions in this fiscal year.

CORRESPONDENCE: None

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

DIRECTOR'S REPORT:

1. Director Naso reported on a recent meeting of the MERA strategic planning workshop he attended recently. The biggest issue before the MERA Board is the expense of upgrading equipment (\$50 million). It is noted that West Marin and Tiburon have reception issues. A strategic plan will be adopted in December 2010.

2. The Board moved to closed session at 7:50 p.m. for discussion of the fire station modernization project issues – anticipated liability claim. It reconvened at 8:05 p.m. with no reportable action being taken.

CHIEF'S REPORT: Chief Smith presented results from the November 2, 2010 election for KFPD Measures O (71%) and P (64%). Both passed by the required number of votes. It was noted that the margin of required votes was less this year as in previous years. CMFD, MFD, MCFD did not receive sufficient voter approval for their paramedic measures.

OTHER: None

APPROVAL OF WARRANTS: M/S Murray/McLeran to approve Warrants No. 3426 to and including No. 3494 in the amount of \$282,601.48. All ayes.

The next regular meeting will be held on Wednesday, December 15, 2010.

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

A moment of silence was held for departed members.

M/S McLeran/Gerbsman to adjourn this meeting at 8:10 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

DRAFT

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

MEETING TYPE: Regular

DATE: Wednesday, October 20, 2010

CALL TO ORDER: 6:35 p.m. by Chairman Murray. Director Naso 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 and Recording Secretary Abraham.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Naso/Gerbsman to approve the minutes of previous month (September 2010) with the following correction: Approval of Warrants No. 3261 to and including No. 3276 in the amount of \$237,106.52 (for August 2010) corrected to read No. 3261 to and including No. 3315 in the amount of \$239,620.29. All ayes.

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

UNFINISHED BUSINESS: Chief Smith gave the Board an update on the fire station modernization including punch list items, warranty issues, and retentions pending. He asked the Board's approval to release additional retention money, up to \$10K, leaving a balance of \$7K. Additional fees have been incurred regarding Stayton Plumbing, Sequoia Pacific Builders, miscellaneous repair work, and consultant fees.

M/S Murray/Corbet to direct Chief Smith to release and pay, at his discretion per list furnished, up to \$10K, thereby leaving a balance in retention fund of \$7K. All ayes.

NEW BUSINESS:

1. Marin Local Agency Formation Commission (LAFCO) is pursuing nominations for an alternate special district member seat on its Board. After some discussion, it was decided not to nominate anyone from the KFPD Board to this position. M/S Gerbsman/Naso. All ayes.
2. After explanation from B/C Galli regarding specific items pertaining to KFPD, the Board held its first reading of the 2010 California Fire Code as amended. The code is adopted every three years. B/C Galli expressed thanks to Bill Tyler, Novato FD, Ron Barney, Tiburon FD, and Scott Alber, Marin County FD, for their help and assistance in this County wide code project.

CORRESPONDENCE: Reviewed all received.

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

DIRECTOR'S REPORT: Chairman Murray requested a review of reserve accounts at the November 2010 BOD meeting. Chief Smith will work with Accountant Horn on this project.

CHIEF'S REPORT:

1. Chief Smith reported on help by the KPFA, Local 1775 in support of Measures "O" (Ross Valley Paramedic Authority) and "P" (Appropriations Limit). The Association purchased and placed signage throughout the District.
2. Chief Smith reported on his attendance, as a bordering agency, at a recent Town of Ross meeting concerning hazardous mitigation – flooding and wildland fire issues.

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

3. Chief Smith reported on the September 27, 2010 meeting of the County of Marin/College Avenue Project Proposal. Directors Gerbsman and Naso attended along with Chief Smith. Chief Smith will distribute an email that he recently received to all directors.

Discussion took place concerning an article printed by Josh Raftner, President, KWPOA. While Chairman Murray noted that he feels some areas of College Avenue could use improvement, not enough detail has been provided to date on the total scope of work planned.

The Board discussed the "roundabout" being proposed at the intersection of College Avenue, Woodland Road, and Kent Avenue with staff. B/C Galli knows there will be issues, and he will be very watchful for parameters concerning travel by Truck 17. Engineer Garcia is familiar with several "roundabouts" in Petaluma and Fairfield that work very well. However, he noted that drivers must be aware how to use them.

Director Gerbsman is concerned about safety issues involving school children in the area. He will rely on the advice of KFPD staff as to parameters to be met for the proposed "roundabout." Director Naso noted his opposition to the proposed "roundabout" due to the difficulty of Truck 17 being able to maneuver the sharp, hairpin turn onto Kent Avenue without entering into the on-coming traffic lane.

This subject will be included on the November 2010 agenda.

4. Chief Smith reported on his recent meeting the Marin County Counsel concerning review of contracts with A.T.&T. and T-Mobile. Once MCC has finalized the proposed language to be included in the lease agreements, he will seek direction from the Board. Indemnification clause and insurance requirements will be reviewed by FAIRA as well. Equipment must be tested for noise and electric magnetic fields. Discussion took place on the possibility of annual payments in place of current monthly payments from cell site agencies. Accountant Hom will be included in any revenue discussions.

OTHER: B/C Galli reported on his meeting with Chief Smith and the consulting engineers of Marin General Hospital's modernization project concerning its pending remodel. The new parking structure alone will be 300K square feet. Our current service/lease agreement has to be reviewed for possible updates. MGH is an "island" in the fire district's jurisdiction – not actually in the fire district, so it is important that KFPD maintain the fire service of the facility.

Director Naso asked about medical helicopter landings during the renovation of Creekside Park. B/C Galli stated that landings are taking place at Marin Catholic and/or College of Marin fields.

APPROVAL OF WARRANTS: M/S Gerbsman/Naso to approve Warrants No. 3316 to and including No. 3425 in the amount of \$368,134.66. All ayes.

The next regular meeting will be held on Wednesday, November 17, 2010 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Naso/Corbet to adjourn this meeting at 7:17 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, September 15, 2010

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

ROLL CALL: All Directors were present. Also in attendance were Chief Smith and Accountant Hom.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Corbet to approve the minutes of the August 18, 2010 meeting. Ayes: Directors Gerbsman, Naso, Corbet. Directors Murray and McLeran abstained due to absence.

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

UNFINISHED BUSINESS:

1. Building Modernization Update and Accounting – Mark Kelley, MACK 5. In 2008 the Fire District authorized \$6.1 million budget for the project with a total final cost of approximately \$5,800,000. HVAC still has issues. More small problems found and being fixed. County Counsel advised Chief Smith to pay most vendors retention money. Do not release other until we see settlement with insurance folks regarding rewiring of cable that burned. Mark Kelley will probably be back one more time upon completion of work.

2. Dan Hom, our esteemed keeper of the books, joined us for discussion and approval of the Final Budget. Overall, we look pretty good financially given the state of the economy. Some adjustments were made. We are still waiting for money from the State for "strike team" services we provided a few years ago. We are able to find existing monies for the extra \$2500 Open Space is looking for from fire districts to continue with the vegetation program. M/S Gerbsman/McLeran to approve the presented 2010-2011 District Budget. All ayes.

NEW BUSINESS:

1. Matt Sagues and Brian Sanford from the Open Space District are our guests. They were present to talk about vegetation removal at the top of Crown Road. They thanked us for the \$2500 provided by the KFPD and requested an additional \$2500 since Fire Safe Marin isn't getting as much funding as in the past.

2. We heard from both Eric Humber and Gus Lee, from the Volunteers Association, who gave us an update on how things are progressing. The August Blood Drive was a success with 53 pints donated. Gus, as he does every year, is working on the annual Pancake Breakfast. This year it will take place on October 10th. Gus is also doing outreach and representing KFPD with the LaFrance at various functions.

CORRESPONDENCE: Reviewed and commented on two letters from citizens thanking public safety providers after being helped.

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

DIRECTOR'S REPORT: Director Naso briefly touched on the Kentfield College Avenue Vision Committee and the upcoming meeting. Director Naso said there is talk of a roundabout at College/Kent/Woodland Avenues which he does not support because it will slow traffic. Director McLeran said the City of Petaluma had installed a roundabout. There were lots of questions about the overall concept. There will be more on this at a later date.

CHIEF'S REPORT:

1. An update from Chief Smith regarding existing AT&T and T-Mobile cell sites.

2. Chief Smith introduced Engineer/Acting Captain Ned Fox. Ned reported on the recent OES strike team duty in San Bruno following the pipeline explosion. He and Engineers Trimble and Johnston, as well as Volunteer FF Morlock, were assigned to "recovery" in the area of the explosion.

3. Chief Smith announced that the Fire District will be hosting a monthly seminar sponsored by the Marin County Fire Chiefs' Association. The seminar offers career development topics for current and future Marin County fire officers.

APPROVAL OF WARRANTS: Warrants 3261 to and including 3276 in the amount of \$237,106.52 were approved by the Board.

The next regular meeting will be held on Wednesday, October 20, 2010.

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

A moment of silence was held for departed members.

The meeting was adjourned at 8:45 p.m.

Respectfully submitted,

Ronald T. Naso
Board Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, August 18, 2010

CALL TO ORDER: 6:30 p.m. by Secretary Naso. The Pledge of Allegiance was recited.

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

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Corbet to approve the minutes of the June 16, 2010 meeting. All ayes. There was no meeting held in the month of July 2010.

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

UNFINISHED BUSINESS: Mark Kelley of MACK 5 presented an updated report to the Board concerning the fire station modernization project. Summary test results have been received by Dave Saunders regarding the repair to the previously scorched cabling. An invoice regarding scope of work done by Nordby has been presented to Sequoia Pacific Builders, Inc. Mr. Kelley reported that all work related to the telecommunications repair of the cabling has been completed. Repair costs will be furnished to the plumber's insurance company for reimbursement. A general warranty will be forthcoming from General Cable.

Mr. Kelley reminded the Board that all warranties, service manuals, permits, test inspections and accounting details will be furnished to the Fire District at the final closing of the fire station modernization project. He advised of a "warranty walk-through" of the building with all parties concerned to be held from 10:00 a.m. to 12:00 p.m. on September 10, 2010. Director Naso will attend the "walk-through" on behalf of the Board of Directors.

There was some discussion regarding the concrete stairs. Although they were not designed by SPB, and SPB does not wish to "warranty" them in perpetuity, they will work with the Fire District in making the stairs right. Aquatech will do a water test of the building on Thursday, August 26, 2010 with warranty results available on September 10th. It was noted that the mechanical ducting on the Southwest roof section has been primed and painted with a low-reflective paint.

Mr. Kelley reminded the Board that the time for the final payment(s) is quickly approaching. There are at least seven entities still awaiting final payment (some through SPB). The Board agreed that it is prudent and fair to pay those contractors whose work has been satisfactorily completed. M/S Gerbsman/Corbet to pay Nordby Electric and Horizon Sheet Metal as soon as possible. This will leave approximately \$10K in remaining retention.

Chief Smith reviewed the second-phase contract with MACK 5 concerning the cable damage. He also mentioned including District staff time necessary to effect repairs for reimbursement to the plumber's insurance company.

Mr. Kelley reminded the Board that October 10, 2010 will be the date that the fire station modernization project warranty period is over. We have until that time to identify any open repair items and report them to SPB. Mr. Kelley also reminded the Board that as this project was a publicly-bid job and SPB was the lowest bidder, they (SPB) has done a good job and has worked well with the Fire District.

The Board thanked Mr. Kelley for attending this meeting and for bringing them up-to-date on the project(s).

NEW BUSINESS:

1. Chief Smith explained his three-month long dealings with T-Mobile regarding its desire to secure upgrades to its site here at 1004 SFDB. He reminded the Board of previous problems with T-Mobile and of the fact that their Use Permit for operating a cellular communications site with the County of Marin has expired. He noted that he and Chairman Murray reviewed the current lease with M/C Counsel. There will be many proposed changes to the contract including more definitive wording, rate increase, and additional clauses to protect the Fire District.

2. The Board moved to closed session at 6:54 p.m. for the purpose of discussion of personnel/sick-leave benefits for the administrative secretary's position. It reconvened at 7:05 p.m. M/S Gerbsman/Corbet to allow Chief Smith to adjust Administrative Secretary Carol Abraham's work schedule as necessary during the treatment of her medical condition and recovery period. Her current salary and benefit package will remain unchanged. The Board recognizes Administrative Secretary Abraham's experience, dedication and excellent long employment history with the Fire District. The Board wishes Administrative Secretary Abraham to continue her duties to the best of her ability without regard to her adjusted work schedule. All ayes.

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

CORRESPONDENCE: All was reviewed.

DISTRICT OPERATIONS: The Incident Logs and Overtime Reports for June and July 2010 were reviewed.

DIRECTOR'S REPORT: None

CHIEF'S REPORT:

1. Chief Smith reported that the solar photovoltaic system is up and running at the station. He hopes to expect a 25% savings in electrical energy costs. He noted the confirmation of the PG&E/Solar rebate of \$24K. This amount was included in the annual budget figures. Cost of the system should be paid off within eleven to twelve years.
2. Chief Smith reported that he had a visit today from the Cal-EMA Chief, Marvin Howard. Chief Howard discussed state resources and deployment with Chief Smith and B/C Hadfield. Hopefully, reimbursement for Hurricane Ike will be received and will be included in finalizing the 2010/2011 budget at next month's Board meeting.
3. Chief Smith reported that 53 pints of blood were donated at yesterday's KAOF blood drive at the fire station. He complimented Erik Humber for his diligence in organizing the blood drives.

OTHER: None

APPROVAL OF WARRANTS: M/S Corbet/Gerbsman to approve Warrants No. 3105 to and including No. 3174 (June 2010) in the amount of \$673,605.89. All ayes. M/S Corbet/Gerbsman to approve Warrants No. 3175 to and including No. 3160 (July 2010) in the amount of \$363,076.71. All ayes.

The next regular meeting will be held on Wednesday, September 15, 2010 at 6:30 p.m.

A moment of silence was held for departed members. Chief Smith dedicated this meeting to the memory of Chairman Murray's brother-in-law, Dan Linehan, who died unexpectedly this month at the age of 44 years.

M/S Gerbsman/Corbet to adjourn this meeting at 7:19 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, June 16, 2010

CALL TO ORDER: 6:30 p.m. by Chairman Murray. Director Gerbsman led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present. Also in attendance was Recording Secretary Abraham. Chief Smith called to report he would be arriving late. Director Gerbsman will be leaving at 7:30 p.m.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S McLeran/Naso to approve the minutes of the April 21, 2010 meeting. All ayes. M/S Corbet/McLeran 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. As Mark Kelley, MACK 5, will be arriving late, Chairman Murray moved on to the next agenda items.

Mr. Kelley arrived at 7:00 p.m. and the Board listened to his update on the fire station modernization project. Mr. Kelley reported a few minor bills remaining to be paid. Most work has been finished. The main point of discussion was the cabling scorched by the plumber during a recent repair project. All parties concerned (General Cable, Nordby Electric) agree that there has been degradation to the cable as a result of the scorching, and they will not warranty the work done thus far. Sequoia Pacific Builders contacted Stayton Plumbing's insurance carrier two weeks ago. MACK 5 has not yet been notified of the outcome. Chairman Murray requested Mr. Kelley do a follow-up to see if an insurance adjuster and claim number has been assigned.

Additional discussion ensued regarding the final payment to SPB. Mr. Kelley had previously sited section(s) of the general conditions construction documents regarding final payment. However, Chief Smith has recently contacted Marin County Counsel who, with Mr. Kelley, has found another section(s) concerning essential service facilities. It is the opinion of MCC that final payment not to be made at this time. Mr. Kelley will draft a letter to SPB requesting repair of the cables as well as a new leak in the engine room. MCC will review Mr. Kelley's letter. To retain the current good relationship between SPB and KFPD, Chairman Murray agrees that the Board should advise SPB of the intent of the letter. The Board does not agree with SPB to wait for the insurance to handle the situation. Chairman Murray and Mark Kelley arrived at a cost of approximately \$20K, plus supervision, for repair to the 68 cables. Mr. Kelley has a recommendation of a highly accountable firm that does telecommunication evaluation, installation and repair for emergency services facilities. It is not known if SPB will contract with the same plumber for additional repair work.

All agree that SPB will not be paid any additional money until all of the work to be done is completed. Mr. Kelley and Chief Smith will keep the Board updated as necessary. Mr. Kelley will contact Stayton Plumbing's insurance carrier. He will attend the July BOD meeting with an update.

2. Due to an overage in the number of words contained in the original Ross Valley Paramedic Authority ballot language for the November 2010 election, it was reworded. The Board reviewed same and accepted it with a M/S Naso/McLeran. All ayes.

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

3. The Board moved to closed session at 6:35 p.m. for discussion of the pending tentative agreement with the Kentfield Association of Professional Firefighters for salary adjustment for fiscal year 2010/2011. The Board reconvened at 6:38 p.m. with no reportable action taken.

Director Gerbsman thanked the Association for the professional way it worked with the Board during this recent negotiation period. Everything was found to be agreeable between both sides. He expressed the Board's appreciation for the Association's courtesy and professionalism in seeing the Board's side during these difficult economic times. Chairman Murray expressed his thanks as well. B/C Galli and Engineer Trimble stated being very aware of the expenses currently facing the Fire District and agreed that staff was grateful for the way this negotiation period worked out. Both stated that staff is grateful to be working for the KFPD. Director McLeran complimented both the Board and the Association during this negotiation period. M/S Murray/Gerbsman to approve a 2.5% salary increase based on Captain's pay for the 2010/2011 fiscal year (July 1, 2010 through June 30, 2011). All ayes. The agreement was signed by Chairman Murray and Engineer Trimble.

NEW BUSINESS:

1. The Board reviewed the FASIS 2010/2011 Board of Directors Special Election Ballot. It voted for Fire Chief Sean Grinnell, Fire Chief Howard Wood, and Fire Chief Phil Garcia.

2. The Board reviewed Resolution 3-2010 proposing a four year extension of the Ross Valley Paramedic tax. M/S Gerbsman/McLeran for approval. All ayes. Gerbsman/aye, McLeran/aye, Naso/aye, Corbet/aye, Murray/aye.

3. The Board reviewed Resolution 4-2010 proposing an increase of appropriation limits in an amount equal to the amount of proceeds of taxes for fiscal years through 2014/2015. M/S Gerbsman/McLeran. All ayes. Gerbsman/aye, McLeran/aye, Naso/aye, Corbet/aye, Murray/aye. Both resolutions were signed.

4. The Board reviewed Chief Smith's memo of June 4, 2010 regarding the finalization of the Solar Photovoltaic Array System. They discussed the terms of agreement (CREBS) and the fact that unused funds must be used to pay down the loan. (CREBS purchasers do not earn interest on loans, they do, however, receive tax credits)

At Chief Smith's recommendation, the Board agreed to direct him to notify the Bank and Trustee that the CREBS solar photovoltaic array project is complete and that the remaining balance in the project fund be used to prepay the lease payments as outlined in Article I of the lease contract.

5. The Board reviewed a June 10, 2010 letter from Maher Accountancy regarding audit of financial statements for year ended June 30, 2010. The fee will be \$11,900. The Board discussed the fact that Maher Accountancy has been working with the Fire District during the fire station modernization project and is familiar with the financial statements incorporating the associated expenses. As Maher Accountancy has been the KFPD auditor since 6/30/2006, the Board may consider an RFP for next year. It was agreed to retain them for this year. The Maher Accountancy letter of engagement was signed.

6. The Board moved to closed session at 6:55 p.m. for discussion of administrative salary adjustments for 2010/2011. It reconvened at 7:07 p.m. with no reportable action taken. The Board agreed that requests from Chief Smith, Accountant Hom and Administrative Assistant Abraham were fair and reasonable. A salary adjustment of 2.5% will become effective July 1, 2010.

CORRESPONDENCE: Reviewed

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

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

DIRECTOR'S REPORT:

1. Director Naso opened discussion on the vacant second Acting Captain's position. It was noted that in the past KFPD had two staff members holding this title. When Engineer Collett retired, the second position was not filled. The Board reviewed last year's testing process. Of those employees testing, those qualified for the position did not pass the test with sufficient scores. One employee, Engineer Mark Pomi, tested but was not qualified due to the lack of some required classes. Engineer Pomi reported to Chief Smith that he was not able to spend the required time to take the classes at this point in time. Chief Smith reported that the department operation is working fine with one Acting Captain's position at this time (Engineer Fox).

It was noted that the test process was a good review for current employees and staff to learn where individuals need help. Director Naso noted that he hopes Engineer Pomi will pursue the opportunity and that the other staff members will test better the next time.

2. Director Naso opened discussion regarding the warning siren. He feels a more efficient system is necessary in order to reach all of the residents of the KFPD. At this point discussion ensued regarding the definition for use of the siren. It was agreed that the original purpose of a warning siren was to alert residents in flood prone areas. Although he agrees, Director Naso feels additional thought and discussion is warranted. While Chairman Murray agrees that the siren should service all of the Fire District, he also questioned its main purpose. B/C Galli noted that the siren was originally installed at the request of residents in the flood prone areas of the District following a major flood issue. Also noted was the fact that with thermal windows in many homes and when high winds and hard rains are occur, the siren may be hard to hear. B/C Galli also mentioned the fact that the TENS system may be activated for both fire and storm conditions. He feels the press (radio/TV) is a big asset to resident notification.

The Board's final agreement was the fact that currently the warning siren is used for notification of flood conditions. For emergencies, B/C Galli related that whoever activates the warning siren will also activate the TENS system, per District policy.

CHIEF'S REPORT:

1. Director Naso asked Chief Smith how much longer MACK 5 will be retained. Chief Smith reported that MACK 5 has not been charging the Fire District beyond its last extension however, in light of the most recent plumbing problems, Chief Smith has requested a proposal from MACK 5 for assistance through the current claim work. He has not yet received this information. Director Gerbsman agrees that we must do whatever it takes to follow through with the current situation.

2. Chief Smith noted that Director Corbet has been elected "2010 Business Citizen of the Year" by the City of Larkspur. Director Corbet has requested use of the LaFrance engine for the Fourth of July parade. Chief Smith feels honored to receive Director Corbet's request. Volunteer Firefighter, Kenric Lee, will drive the engine. The Board congratulated Director Corbet.

3. Chief Smith reported the SPG solar job as being completed and PG&E has integrated our electrical production service. He will scrutinize the coming bills.

OTHER: None

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

APPROVAL OF WARRANTS: Chairman Murray had a question regarding Warrant No. 3090 to Target Safety. M/S Murray/McLeran to approve Warrants No. 3041 through 3104 in the amount of \$272,474.67. All ayes.

The next regular meeting will be held on Wednesday, July 21, 2010 at 6:30 p.m.

A moment of silence was held for departed members.

M/S McLeran/Corbet to adjourn this meeting at 7:50 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, May 19, 2010

CALL TO ORDER: 6:30 p.m. by Chairman Murray. 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 Murray/McLeran to approve the minutes of the special meeting of March 30, 2010. All ayes. At the request of Director Gerbsman, the minutes of the regular meeting of April 21, 2010 will be discussed for possible edit. These minutes will not be approved at tonight's meeting and will be placed on the June 2010 regular meeting agenda for discussion/approval. M/S Gerbsman/Naso to approve the minutes of the special meeting of April 23, 2010. All ayes.

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

UNFINISHED BUSINESS:

1. Mark Kelley, MACK 5, addressed the Board concerning the fire station modernization project. He handed out a Cost Model Manager dated May 19, 2010 for the Board's review. He reported that at this point in time, the general contractor's role in the construction project is complete. All work related to Sequoia Pacific Builders is complete and SPB should be paid.

Mr. Kelley reported a \$250K project cost savings to the Fire District. He reviewed those items which incurred project increases and those which incurred savings. The final project came in under budget.

Warranty items were reviewed: Stair treads, restroom floor drains (trap primer). Director Gerbsman requested Director Naso be included in the final walk-through w/Don Dommer Architects, MACK 5, and Sequoia Pacific Builders. Mr. Kelley advised that \$40K has been set aside to cover future related items including \$7500 for stair treads, \$5K for AquaTech (water intrusion), \$1K miscellaneous items which are not the responsibility of the contractor or designer. In reviewing the punch list, Mr. Kelley noted that all of the construction items have been completed. He complimented Norby Electric for its prompt attention to this project particularly sorting out the generator annunciator panel. There is still one outstanding engineering item to be completed. John Cross, Lefler Engineering, must return to mark duct work. Mr. Kelley thanked the Fire District for agreeing to have B/C Hadfield build a cross-over bridge on the roof.

Mr. Kelley stated that overstock items will need to be located. Additionally, the Fire District will receive all test reports on the remodel project, as well as all warranties and warranty logs for contractor, sub-contractor in the event of any potential claims. The Fire District will also receive all owner documents/manuals, equipment manuals, drawings, specs, etc. MACK 5 has reviewed these as has Don Dommer Associates. They are now with SPB.

The extent of damage caused recently by the plumber is yet to be determined, as well as the problem with the stair treads (designer or contractor). SPB will furnish unconditional release with the presentation of the final check.

Mr. Kelley noted that Chief Smith has filed a notice of final completion with the County and sub-contractors will be advised. Once the 30-day notice of completion is up, it will be time for the final payment to be made to the contractor.

Director Naso asked Mr. Kelley whether or not SPB, in the opinion of MACK 5, has completed its job. An insurance clause remains in force. Director Naso asked about the pending plumbing problem, and Mr. Kelley noted that \$4K was still due to the plumbing contractor. Discussion ensued regarding the scorching issue. Chief Smith deferred to Engineer Trimble to explain the time line for the damage caused by the plumber. Engineer Trimble noted that when a leak was noticed in the gym ceiling, it was found to be coming from a hot water line. SPB was called and in turn called the plumber. The plumber responded immediately and noted having a difficult time repairing the pipe due its location. While working with a plumber's torch, he scorched the conduit as well as the adjacent wall. He left molten solder and flux on the floor, wall, in the overhead insulation and wiring. It was noted that photos were taken of all damaged areas.

The painter has already begun repair to the scorched area. Norby Electric will check the data lines. It was noted that Norby has a 15-year warranty on the data lines. Director Gerbsman asked what needed to be done to test the data lines. SPB will hold over final payment to the plumber until results of testing are complete. Mr. Kelley will talk with SPB and Norby Electric.

Chairman Murray agrees that SPB has done its job with some problems remaining with sub-contractors. Mr. Kelley agrees that money is to be held from contractor until all sub-contractors work is completed. Chief Smith reiterated that he will file notices of completion to all sub-

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

contractors. The Fire District will not release funds without hearing back from the subs. Work to be completed is estimated at \$30K, and there is a \$50-\$60K retention still owed to SPB. Chairman Murray agreed that SPB should be paid for its completed work, and that the retention should be held per discussion of testing process. Director Naso brought up the number of months the Fire District has into the punch list. With staff having moved into the remodeled station in October 2009, and the project basically completed in February 2010, there are still items remaining to be completed. Director Naso also mentioned a new leak in the apparatus bay, apparently caused by the SPG Solar crew currently working on the roof. Chief Smith reported that roofers had repaired two leaks yesterday.

At 7:15 p.m., the BOD moved outside to review the current roof screening. They returned at 7:30 p.m. After some discussion, it was decided to secure a bid to have the roof top equipment painted with a "flat" color to reduce reflection.

2. Chief Smith reviewed the CalPERS/CERBT OPEB Agreement and Election to Prefund that was discussed at the last BOD meeting. M/S McLeran/Gerbsman to accept the OPEB Prefunding Agreement through CalPERS/CERBT. All ayes. M/S Gerbsman/Naso to authorize the Fire Chief and Administrative Assistant as a delegation of authority to request disbursements. All ayes. The following documents were signed and will be forwarded to CalPERS: Delegation of Authority to Request Disbursements, Certification of OPEB Funding Policy & GASB 43/45 Reporting Compliance, "CERBT" Agreement and Election of KFPD to Prefund Other Post Employment Benefits through CalPERS.

3. The Board moved to closed session at 7:36 p.m. for discussion of labor negotiations concerning the KPFA □1775 pending contract for 2010/2011. The Board reconvened at 8:50 p.m. with no reportable action being taken. Discussion ensued. Director Gerbsman feels a 2.5□ salary adjustment is a fair and reasonable offer to the Association. He noted that the Board is very appreciative of the staffs' on-going work with the building modernization project. Association representative, Engineer Trimble, thanked the Board for recognizing the Association's efforts and accepts its offer.

Chairman Murray noted that the agreement currently on the table is tentative until the MOU is signed. Some language changes are pending with the AdHoc committee, however, he noted that this will be taken care of in sufficient time for the beginning of the 2010/2011 fiscal year. The Board thanked the Association for its participation as well.

NEW BUSINESS:

1. Chief Smith reported that the Ross Valley Paramedic Authority set its tax rate for 2010/2011 at its May 2010 meeting. The Board reviewed Resolution No. 1-2010. A \$42 tax plus .50 cents will be collected. The allowable \$3 increase will not be enforced. Chief Smith explained a question from Director Gerbsman concerning KFD access to RVPA funds. Funds are made and utilized for training, medical aid supplies, etc. M/S Murray/McLeran to approve Resolution No. 1-2010. All ayes. Gerbsman/ay, Naso/ay, Corbet/ay, McLeran/ay, Murray/ay.

2. RVPA ballot language for November 2010 was reviewed. M/S McLeran/Corbet. All ayes.

3. Chief Smith reviewed the Fire District's Special Assessment/Transmittal Three per his memo of May 13, 2010. Chairman Murray stated that although he would like to see an increase in the special assessment, he does not feel this is the economic climate in which to do so. He mentioned asking the Board to remember this for future discussions to place before the voters. The current special assessment was passed under Measure H in 1980 with a ceiling of .06 cents. Chief Smith added that some agencies have a COLA included with their assessments. M/S Gerbsman/Naso to approve Resolution No. 2-2010. All ayes. Gerbsman/ay, Naso/ay, Corbet/ay, McLeran/ay, Murray/ay.

CORRESPONDENCE: None

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

DIRECTOR'S REPORT:

1. Director Naso opened discussion on the May 4, 2010 letter from PG&E regarding the Community Choice Aggregation Program. We have a 60-day trial period with CCA and will try to determine a cost change, if any, between PG&E and CCA. Chief Smith noted that SPG Solar should be finished installing the solar panels on the roof of the building next week.

2. Director Naso reported on the recent North Bay Burn Relay and thanked B/C Hadfield and Engineer Trimble for their efforts. The relay began in Healdsburg at 7:30 a.m. and ended in Tiburon. \$37,524 was raised for the Alisa Ann Ruch Foundation.

3. Chief Smith reported on previous discussion with other Ross Valley fire chiefs concerning warning sirens. Most agencies have their own system, although none have a standard operating

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

procedure. Marin OES was asked about standardizing a system for the Ross Valley. Chief Smith will continue discussions with the Ross Valley Fire Chiefs.

4. Director McLeran reported on a recent meeting of Marin County Special Districts. Because such a small number of participants turned out for the meeting, another mailing will be sent to try to confirm the desire of all members to maintain or disband the organization.

CHIEF'S REPORT:

1. Chief Smith reported on his recent attendance at the annual FDAC conference. Director Naso mentioned the possibility of KFD director attendance next year.

2. Chief Smith reported on last week's Mutual Aid Drill with Marin/Sonoma TO. The drill was held at Sonoma State University. Captain Glenn and Engineer Garcia taught a rescue class including repelling. Confined space, live fire and roof operations were also part of the training.

OTHER: None

APPROVAL OF WARRANTS: M/S Murray/Gerbsman to approve Warrants No. 2965 to and including No. 3040 with the exception of Warrant No. 3089 to Sequoia Pacific Builders, Inc. in the amount of \$83,959.43. The Board chose to void this check. Therefore, the total of the monthly warrants will change from \$443,521.01 to \$359,561.58. All ayes.

The next regular meeting will be held on Wednesday, June 16, 2010 at 6:30 p.m.

A moment of silence was held for departed members.

M/S McLeran/Corbet to adjourn this meeting at 8:24 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, April 21, 2010

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

ROLL CALL: All Directors were present. Also in attendance were 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. All ayes.

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

UNFINISHED BUSINESS:

1. Mark Kelley, Construction Manager with MACK 5, presented a fire station modernization update report. He apologized to the Board on behalf of the MACK 5 team for the unfortunate, extended problems that the Fire District has encountered with the remodel. He agrees that it has been very time consuming. Mr. Kelley recapped that originally there was a 56 item punch list. There are 12 outstanding items.

Eight items will be taken care of by the Fire District with the remaining four to be completed by the construction group. One hard-wired clock is of European origin and parts have been ordered. Two adjustments to the HVAC dampers must be completed, and the enunciator panel has been in need of a part which is now in stock. Norby Electric will install the part at no cost to the Fire District. The sand/oil separator repair is done.

Mr. Kelley noted that May 15, 2010 should be the date of final completion by the construction group and the Fire District. Although we have \$50K outstanding to Sequoia Pacific Builders, Inc., SPB feels that there is only \$5K worth of outstanding work. Mr. Kelley feels that SPB has been doing a good job on the project.

Directors Gerbsman and McLeran asked Chief Smith why a recent check for \$100K was paid to SPB instead of the \$70K agreed upon by the Board at its March meeting. Mr. Kelley noted that the property owner can only withhold a reasonable amount to remedy any remaining problems plus 50%. He feels the enunciator panel will be \$10K and the clock \$500.00. He noted not feeling justified in paying less than legally allowed. Director Gerbsman noted the need for SPB to complete the job regardless of legal issues. Director Naso has experienced much frustration at the very long delay in finalizing the building project considering so many small things still unfinished. He noted the remotes for the apparatus bay doors. Mr. Kelley said that Northgate Doors has ordered the necessary parts and will install them at no cost to the Fire District.

Director Gerbsman noted that the KFPD is a high-profile customer, and he asked Director Naso and Mr. Kelley if they thought SPB has "gotten the message" knows that the Board wants this project completed immediately. Mr. Kelley noted that the most specific problems have been the fault of Don Dommer Associates rather than SPB. Director Naso noted his irritation at the extended delay of some repair items—for example, the installation of new carpet in the administrative office because of work yet to be done on the drainage problem in the front garden area. Chairman Murray noted that the problem with the remote/doors is not the fault of the Fire District as it did not specify the door originally. He feels that the original "specs" were wrong and noted that someone must be held responsible. Mark Kelley recalled Don Dommer Associates stating that of 100 door installations, this project is the only one having problems. However, Mr. Kelley knows of another job with the same problem.

Director Gerbsman reiterated the need to withhold money from Don Dommer Associates regardless of legal issues. He noted that SPB must finalize the project. Chairman Murray realizes that the date of May 15th may not actually be the final date of completion and that the Fire District has already given several extensions to the construction group. He finds the situation extremely frustrating as well. Director Gerbsman noted that the apparatus bay doors must be fixed. He feels if Mr. Kelley is unable to deliver this message to SPB, then perhaps the BOD must do so. Mr. Kelley noted that construction matters can be very complex. Director Gerbsman responded that regardless of how and what must be done—the job must be completed.

At this time Chief Smith noted his recent conversation with the general contractor who feels the final completion can be accomplished in two to three weeks time. The generator issue will be six weeks. The doors/remote will be paid for by SPB and may be completed by next week. Chairman Murray noted his agreement with Director Gerbsman and the Board on the following specific issues:

1. Enunciator Panel
2. Two HVAC issues (mechanical contractor to determine damper issues – winter/summer)
3. Clock in apparatus bay

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

4. Drainage in front planter area

Director Naso noted a new water leak in the clubroom after this week's rain. SPB will look at this as more rain is due next week. Mark Kelley spoke on the warranty issue as of October 2010 and noted that Aquatech will water test the building with the architect prior to this date. Chief Smith noted that the water leaks have been comparable to an Achilles heel. He verified that the water testing will be done prior to the warranty expiration as well as the door situation.

Director Gerbsman questioned why the front planter area has become the Fire District's responsibility. Mr. Kelley explained that Don Dommer Associates requested payment to draw a drain design. Asked why the drainage was not drawn in the beginning of the project, Don Dommer Associates responded that it was not his responsibility as the Fire District chose to use its own civil engineer and landscaper rather than using someone as suggested by DDA. It was noted that the Board had previously approved an expenditure of \$2K for repair and has now received a quote of \$6K for the necessary repair. Chairman Murray stated his feeling is that DDA is responsible for the drainage situation. The Board agreed and asked about a small claims court solution. Chief Smith does not understand why DDA did the front planter area without proper drainage in the first place. Mr. Kelley does not disagree, and as he did not see the actual job being done, he asked DDA why/how this occurred as noted above. No one from design, construction, landscaping ever noticed the lack of drainage in this area.

It was noted that DDA did draw a design plan, however, Joe Blanco of MACK 5 did not agree with the plan as he did not find it adequate. DDA submitted a second design which relates to the current \$6K proposal. Chief Smith and B/C Hadfield feel this is much too high. Mark Kelley broke down the landscape architects proposal and found it to be too expensive. He feels it is twice what the actual cost should be. Chief Smith reported to the landscaper that the Fire District would only agree to pay the job at an hourly rate with time and materials capping at \$6600.00. At this point in time, Chief Smith is willing to pay to have the job completed. To argue about who is responsible for covering the cost will only delay the project.

Director Gerbsman suggested paying on an hourly basis up to 50% of the cost of the project. Anything over this should be paid by DDA. Mark Kelley noted that DDA has a \$3K closeout. Director Gerbsman recommends not paying DDA. If going to court, Mr. Kelley noted that a judge would most likely rule in favor of DDA since the Fire District did not utilize DDA recommendation for a civil engineer and/or landscaper.

Chief Smith will contact DDA with the Board's proposal to pay up to 50% of the cost of repair to the front garden area with the remainder coming from the \$3K being held. Chairman Murray will assist Chief Smith with this delivery if necessary. Mark Kelley noted that DDA might agree to the proposal if the BOD agrees to give DDA a favorable recommendation.

MACK 5 will procure a closeout warranty package from Sequoia Pacific Builders. Mr. Kelley will attend the May BOD meeting. The Board thanked him for his attendance at tonight's meeting.

2. Accountant Hom directed the Board through a PowerPoint presentation regarding his research for GASB 45/OPEB funding/investing. M/S Gerbsman/Naso to utilize the services of CalPERS CERBT for the funding/investing of GASB 45/OPED. All ayes. Chief Smith and Accountant Hom will collect a packet to begin the process. If necessary, Chief Smith will secure the CalPERS representative to attend the next BOD meeting. The Board thanked Accountant Hom for his thorough report.

3. Chief Smith presented a draft budget for 2010/2011. He thanked Accountant Hom for his help with the report. Line item discussion ensued. With the help of this budget information, the Board moved to closed session at 7:57 p.m. for the purpose of labor negotiations. It reconvened at 8:27 p.m. with no reportable action being taken.

NEW BUSINESS: After review of Chief Smith's April 16, 2010 memo, a lengthy discussion ensued regarding a warning siren for the Greenbrae area. Chief Smith will take the points discussed to the local fire chiefs for discussion of a warning plan for the Ross Valley.

CORRESPONDENCE: Director McLeran explained the possible dismantle of the Marin Special Districts' Association. As more complex issues come from Sacramento, and the fact that there are more diverse agencies covering many aspects of what was once handled by MSDA, it has become apparent that the organization must decide to stay active by becoming more involved or disband. Discussion of pros/cons ensued. As the California Special Districts' Association is very large and very well run, the MSDA may no longer need to function. There will be a meeting on May 5, 2010, held at KFPD, to reach a possible conclusion. Director McLeran will report back to the Board at its next regular meeting. The MSDA has approximately \$6K in its treasury.

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

DIRECTOR'S REPORT: Chairman Murray reminded the Board members that this section is an important addition to the agenda for the Board's input concerning District issues. However, he did remind members that any time they talk in person, by telephone and/or email, they must be aware that three members make a quorum and may entail Brown Act issues. He reminded

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

members to read the recent handbook they received outlining Brown Act parameters. It is imperative that discussions taking place at Board meetings not be reiterated while meeting in person, talking by telephone and/or email amongst the Directors. Opinions may be discussed however, no outside discussion(s) may result in any decision(s) being made.

CHIEF'S REPORT:

1. Chief Smith told the Board of his travel to the annual FDAC conference this week. He noted many classes being offered that are very specific to fire districts. Of the approximate 200 member organizations, 100 will be represented. He will report back to the Board.
2. Chief Smith reported that the City of Larkspur will not continue the services of Fire Chief, Bob Sinnott, as Executive Officer of the Ross Valley Paramedic Authority, a position Chief Sinnott has held for a number of years. The RVPA is looking for someone to manage the Authority. Chief Smith suggested the RVPA may want to look into hiring a manager in place of a dedicated volunteer as has always been the case in the past. Director Naso agreed that it may be a good idea for the RVPA to pay for a part-time position. The Finance Director for the City of Larkspur is the RVPA accountant.

Director Corbet, RVPA Board member, noted that there has been discussion of the RVPA purchasing cardiac defibrillators for distribution within the Ross Valley area. He agreed that this may be a good place to utilize some of the RVPA funds being held.

OTHER: None

APPROVAL OF WARRANTS: M/S Murray/Naso to approve Warrants No. 2900 through and including No. 2964 in the amount of \$316,657.29. All ayes.

There will be a special meeting held on Friday, April 23, 2010 at 5:30 at the fire station.

The next regular meeting will be held on Wednesday, May 19, 2010.

A moment of silence was held for departed members.

M/S Gerbsman/McLeran to adjourn this meeting at 8:55 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, March 24, 2010

CALL TO ORDER: 6:02 p.m. by Chairman Murray. Director Corbet led the assembly in the Pledge of Allegiance.

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

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/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. Mitch Barker, Executive Vice President, Public Agency Retirement Services (PARS), and Fred P. Hurst, Vice President, Union Bank, presented their proposal for services concerning a trust account to be established for the pre-funding of the OPEB liability.

Mr. Barker has 27 years experience as a trust administrator. PARS has partnered with Union Bank since 1990. Each representative gave the Board a detailed explanation of his firms' services and answered questions from the Board and Chief Smith in return.

At the request of Director Naso, the PARS representatives summed up their program as best to meet the needs of the KFPD as follows: Length of time in business, Choice and flexibility of investments, Customer/administrative service, Competitive fees/net returns.

John Swedensky, CERBT Program Manager, CalPERS, showed a PowerPoint presentation to the Board outlining his agency's retiree benefit trust program. Director Naso posed the same summary question of the CalPERS representative. He related that CalPERS stands out for its History of success, Quality managers, and Exemplary customer service.

2. Chairman Murray noted that the Board needs additional time to decide which trust entity/vehicle to retain for the OPEB pre-funding. Accountant Hom reminded the Board that there are additional private companies, other than PARS, should the Board wish to continue interviewing. The question of splitting

the fund 50/50 (private/public) was discussed—however, Accountant Horn reminded the Board of the need for duplicate actuarial reports should they choose this process.

Director Gerbsman feels that CalPERS offers a safer, more conservative program while PARS offers more funds availability with more aggressive investing. The degree of flexibility is at issue.

Chief Smith reported that the current budget set aside \$170K to fund OPEB and asked the Board if it would choose to consider moving this money into a “dedicated reserve” account. After discussion, the Board agreed. M/S Gerbsman/McLeran to establish a dedicated “OPEB Reserve Account” in the amount of \$170K. All ayes.

3. Joe Blanco of MACK 5 discussed the on-going punch list for the building modernization project. Mr. Blanco noted that Mark Kelley, MACK 5, has been on top of the issues and the list has been brought down to 35 items. He noted that a “walk-through” of all parties concerned with the building project will be held tomorrow (Thursday, March 25th). He stated that within the next two weeks, 90% of the remaining unfinished work should be completed. He noted that the contractor has been engaged and helpful in addressing the warranty period. If there is no rain to allow for a final testing concerning the “leaks,” they will arrange for a simulated rain to do so.

MACK 5 reports no need to go into the project contingency fund and added that there is still \$150K retention to back up the punch list. Mr. Blanco noted the need to release a portion of these funds to Sequoia Pacific Builders, Inc. Although he feels \$75K is appropriate, a more definite figure will be available after tomorrow’s meeting.

Director Naso questioned why the SPB supervisor has moved on to another job location before the 35% punch items have been completely corrected. Mr. Blanco noted that most jobs do not have as many people overseeing completion thereby causing the punch list to have items continually added. SPB would prefer to come out when large pieces of work can be done at one time rather than sporadically as has often become necessary. Mr. Blanco also reminded the Board that many issues have required additional ordering of parts, designing of plans, etc. which is a slow process. Case in point was the need for re-design of the front planter area drainage.

Both Mr. Blanco and the Board agree that all parties concerned will be advised at tomorrow’s meeting that the Board emphatically requests the work be completed promptly. Chairman Murray noted that tomorrow will be a key day to set the pace for the finish of the job. He also noted that a two-week period will be calendared for completion.

Mr. Blanco stated that the KFPD BOD has been good to work with. The Board thanked Mr. Blanco for his attendance.

NEW BUSINESS:

1. It was decided to move the closed session, for discussion of Chief Smith’s performance evaluation, to the end of this meeting.

2. Chairman Murray suggested the Board hold two special meetings prior to its regular April 2010 BOD meeting with the KAPF 1775 concerning opening labor negotiations for 2010/2011. Following are the dates to be given to the Association: May 30, 2010 to include Chairman Murray, and Directors Gerbsman and Naso April 12, 2010 to include Chairman Murray, and Directors McLeran and Naso. Each meeting will begin at 5:00 p.m. at the fire station.

3. Chief Smith reported on his recent meeting with the Marin County Open Space District staff (note that the agenda should have read KFD/MCOSD Partnership – not MCSO). He reviewed work already done over the last several years by MCOSD as well as proposed work to be done, namely the Crown/Coronet and Evergreen projects, including some areas that must be worked due to re-growth of vegetation. He explained MCOS will use herbicide on non-native species of vegetation. Chief Smith noted that the KFPD will provide partial funding. This is estimated to be approximately \$5K. The Board agreed to approve this expenditure. Chief Smith noted that he will meet with the KWPOA Board next month along with a ranger, an open space representative, and a naturalist to provide outreach to the affected home owners group.

CORRESPONDENCE: Reviewed.

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

CHIEF'S REPORT:

1. Chief Smith explained the article featuring Volunteer Assistant Chief, Erik Humber, in the Blood Centers of the Pacific's recent newsletter.
2. Chief Smith relayed current progress in bringing additional volunteer firefighters into the program. He explained the resident firefighter program to Director Gerbsman.
3. Chief Smith reminded the Board of the Frank Rita Scholarship program. The latest recipient is Volunteer Firefighter, Steve Morlock. Steve will receive \$225 to attend two classes. Chief Smith explained the scholarship process to Director Gerbsman.
4. Chief Smith spoke to Nicole Tallman, Principal, Brandis/Tallman, regarding the pre-payment of our lease purchase. After discussion with Bond Counsel, it was determined that any pre-payment must be made at the same time the normal/regular payment is made (June).

DIRECTOR'S REPORT: Chairman Murray reported that the sub-committee was approximately half way through reviewing the language changes in the KAPF 1775 Memorandum of Understanding. They will meet again to complete the review. They are scrutinizing the government labor code and retirement references.

OTHER:

1. Chief Smith presented Director Gerbsman with a Kentfield Fire District wallet badge. None of the Directors are in need of business cards.

2. Director Naso asked that Chief Smith contact Larkspur Fire Department's Chief Sinnott to inquire about the coordination of the roof siren in Greenbrae. This item will be placed on the April 2010 agenda.

APPROVAL OF WARRANTS: M/S McLeran/Gerbsman to approve Warrants No. 2833 through and including No. 2897 in the amount of \$317,954.08. All ayes.

The Board moved to closed session at 8:20 p.m. with Chief Smith for his annual performance evaluation. The Board reconvened at 8:35 with no reportable action being taken.

There will be a special meeting held on Tuesday, March 30, 2010 at 5:00 p.m. at the fire station.

There will be a special meeting held on Monday, April 12, 2010 at 5:00 p.m. at the fire station.

The next regular meeting will be held on Wednesday, April 21, 2010.

A moment of silence was held for departed members.

The meeting was adjourned at 8:30 p.m.

Respectfully submitted, Carol Abraham, Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, February 24, 2010

CALL TO ORDER: 6:37 p.m. by Chairman Murray. Director Gerbsman led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present. Also in attendance were Chief Smith, Accountant Hom, 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: As there were no members of the public in attendance, no comments were received.

UNFINISHED BUSINESS:

1. John Maher, Maher Accountancy, presented the final audit for fiscal year ending June 30, 2009 to the Board. He noted that there were no changes to the audit from the "draft" version presented the previous month. The audit was reviewed with questions/answers being covered. The Board thanked Mr. Maher for his attendance and presentation.

2. Unfortunately, Mark Kelley, MACK 5, was unable to attend the meeting as previously planned due to illness. Chief Smith reviewed the Cost Model Manager, Waterproofing Report, and Hygienist Report with the Board. Punch list items were reviewed, especially the continuing water leaks. All agree that the problems seem simple—however, the repair work is obviously not being done sufficiently.

Director Naso furnished photos of areas in process of repair. He stated seeing no supervision present on the punch list. He noted not seeing Sequoia Pacific Builders Field Superintendent, Jeff Huelsman, on the KFPD premises. Chief Smith noted a pending meeting with all participants of the construction project.

Discussion ensued regarding the amount of money still owed on the project as well as Chief Smith's conversation with Marin County Counsel regarding withholding payment on these funds until the punch list is completed. Chief Smith feels that the final fault concerning the leaks has not yet been found. He noted that if it isn't done soon, the Board must take express action. The Board discussed culpability for the water intrusion being the responsibility of the architect or the builder, or the management firm. A meeting will be held at KFPD on Friday, February 26, 2009 with all parties concerned. The Board agreed that while the water problem seems to be a with the HVAC for lack of proper sealing, it would like to see something in writing furnished at the end of Friday's meeting for clarification. Although it is agreed that

locating the source of water leaks is difficult, it is time that Chief Smith write a letter putting all parties concerned on notice. The Board of Directors clearly desires the building modernization project be completed promptly.

Chief Smith informed the Board that the building project is still \$250K under budget as noted on the previously presented Cost Model Manager Report.

3. Chairman Murray opened conversation concerning the updates to the Memorandum of Understanding (MOU) of the KAPF Local 1775. As there are many red-lined items for updating of verbiage, he would like to see an Ad Hoc committee formed to review the updates in detail rather than spend the time necessary during tonight's Board meeting. Director Murray noted having read the contract updates, and while he sees no changes in the contract, he does feel a thorough review is necessary so that the full Board understands the updates completely. Benefits Communication Network (BCN) assisted the KAPF with verbiage updates to the MOU addendum. Chairman Murray will head the committee and will contact all members and Chief Smith regarding a review of the MOU. Director Gerbsman will sit in if available.

4. Accountant Hom prepared a PowerPoint presentation showing a District financial update as of February 24, 2010 including property tax revenue projections, GASB 45 OPEB obligations, and the fire station renovation project fund. The report led into discussion of GASB 45 funding options. A lengthy discussion ensued regarding the many aspects of the pre-funding of GASB 45. As it became unanimous that the Board agrees to pre-funding, Accountant Hom recommended interviewing a representative from a public as well as a private venue for comparison. Chief Smith will be attending a workshop on the subject of pre-funding next week, after which he will arrange to select two representatives to be interviewed in order to choose the mechanism of choice.

Chief Smith informed the Board of \$170K in the 2009/2010 budget which can be used for GASB 45. A formal reserve category will be established at the March 2010 BOD meeting for the purpose of pre-funding. Accountant Hom noted that a decision must be made relatively soon as a check must be submitted by June 30, 2010.

Director Gerbsman feels the current staff and the retired staff should have input into the GASB 45 funding. He suggested inviting them to participate in the interview process of the two funding mechanisms.

NEW BUSINESS:

1. Continuing with Accountant Hom's financial report, discussion ensued regarding a decision to be made concerning pre-paying the building modernization loan without a pre-payment penalty. It was noted that a 30-day notice of intent must be given to the lender.

M/S Gerbsman/McLeran to advise the lender, Municipal Finance Corporation, of the Fire District's intent to pre-pay its current loan down by \$480K. All ayes.

2. Chief Smith reviewed his request for a budget adjustment in order to purchase a piece of equipment for the weight room. M/S Murray/Naso to move \$5100 from Account No. 2315 – Wellness/Fitness (\$20K) to Account No. 4065 – Station Equipment C/O (\$18,531). Final account totals will be No. 2315 □ \$14,900 and No. 4065 □ \$23,632.

CORRESPONDENCE: Thank you notes from Max Glenn and the Friend family.

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

CHIEF'S REPORT:

1. Chief Smith noted that the recent RIT/RIG training at the COM went well. He has received positive feedback from many outside agencies. He thanked the Board for its support of the training exercise.
2. Chief Smith reminded the Board of the fact that his usual annual performance is held during the month of March. The Board agreed that this item should be placed on the March 2010 agenda.

DIRECTOR'S REPORT: Director Naso referred to the recent plane crash in Palo Alto (Contra Costa County). Emergency notification to area residents was interrupted due to loss of power when the plane crashed into power lines. He suggested the Fire District needs to have a solution ready should this event hit our area. Additionally, he would like to see our current emergency warning system reach to the outlying areas of the Fire District (Greenbrae). Also, he recommended that all District residents be made aware of emergency instruction.

OTHER: None

APPROVAL OF WARRANTS: Director Naso inquired as to Warrant No. 2815 (\$26,787.67) to Valley Power Systems. B/C Hadfield explained a tune-up to E172 including transmission and retarder – new cooler. B/C Hadfield advised that tires for the apparatus will now be purchased from Able Tires as Brandon Tires no longer deals in government contracts.

M/S Naso/McLeran to approve Warrants No. 2769 to and including No. 2832 in the amount of \$300,239.52. All ayes.

The next regular meeting will be held on Wednesday, March 24, 2010 at 6:30 p.m.

A moment of silence was held for departed members.

M/S McLeran/Gerbsman to adjourn this meeting at 8:19 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, January 20, 2010

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

ROLL CALL: All Directors were present. Director Gerbsman attended via teleconference as noted on posted agenda. Also in attendance were Chief Smith, Accountant Hom and Recording Secretary Abraham.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Murray/Naso to approve the minutes of the December 14, 2009 special meeting. Corbet/aye, Gerbsman/aye, McLeran/aye, Murray/aye, Naso/aye.

M/S Naso/Murray to approve the minutes of the December 15, 2009 regular meeting. Corbet/aye, Gerbsman/aye, McLeran/Abstain (absent), Murray/aye, Naso/aye.

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

UNFINISHED BUSINESS: At this time, the first item under "New Business" on the agenda was moved up to accommodate Mr. Maher (see New Business section).

1. Chief Smith handed out the most recent MACK 5 Cost Model Manager report just received today. He noted that last month's report indicated the project as being \$40-\$50K under budget. As the \$250K project contingency fund has not been used, it can be rolled back to offset the budget, thus bringing the project approximately \$300K under budget – not counting the PG&E rebate. Discussion moved to the PG&E solar project and the fact that the total CREBS project was anticipated to be approximately \$148K but will now, due to downsizing of equipment, be approximately \$90K – thus a lower rebate will be received.

Chief Smith reported that the Fire District is diligently working with the building project contractor on the punch list items. Some things have gone smoothly while others are causing some distress. Staff feels that some items are not being aggressively completed. The main cause of contention is issue with the HVAC contractor concerning several roof/ceiling leaks as well as a toxic/offensive odor in one of the dormitory rooms. Director Gerbsman asked about payments made/due to the HVAC contractor. A total of \$300K was charged with less than \$20K due.

Issues still exist with water leaking from under the baseboards in three front office areas as well as a drainage problem with the grease interceptor. Chief Smith reported meeting today with Mark Kelley of

MACK 5 and Sequoia Pacific Builders' General Contractor, Jeff Huelsman, as well as Director Naso. An outside HVAC contractor was called in to inspect the work done on the system thus far. All agree that SPB bears final responsibility and action must be completed immediately. Chief Smith reports a pending invoice due to MACK 5 as well as one due to SPB. The Board agrees that neither payment should be made pending advice from Marin County Counsel. Chief Smith will await input from MCC and will advise the Board.

By meeting time it had been decided that the water coming in from under the baseboards in three front office areas is directly due to the lack of drainage in the landscaped area. It has been decided that the drains to the grease interceptor, before the sewer, were never hooked up. Discussion ensued whether culpability lies with the architect or builder. MACK 5 feels the builder is responsible. SPB will work up a list of options available concerning drainage issues (landscape and interceptor) as well as leak issues. All problems are solvable, and MACK 5 will determine culpability and who will be required to pay for repairs.

2. Accountant Hom and Chief Smith presented a calendar year-end financial report. The Board reviewed the report line by line. Ultimately, it was agreed that the Fire District is in a good state and is in line with its proposed 2009/2010 budget. The Board thanked Accountant Hom for his clear and concise explanations.

Accountant Hom reminded the Board of the necessity to make a decision regarding GASB 45 liabilities by June 30, 2010. To be decided is whether or not to pre-fund the program or to have this item continually show as a liability on the financial statements of the Fire District. If pre-funding, a trust fund entity will be needed. Accountant Hom will put together a report for the February 2010 Board meeting including various options. Chief Smith noted that CalPERS is available to attend Board meetings to discuss its options as a trust entity. Private entities are also available. All agreed that this will be a good time to incorporate discussion of what to do with the unused fire station modernization project funds. This includes paying down the project loan and/or using reserve funds.

NEW BUSINESS:

1. John Maher of Maher Accountancy presented a substantial "draft" year-end financial statement as of June 30, 2009. Mr. Maher explained the delay in finalizing the financial statement as having to do with the current building renovation project not yet being completed. At this time Mr. Maher guided the Board through the report page by page. It will be necessary for the Board to decide how to direct the borrowed funds currently in the project fund not spent on the cost of the building renovation project. Options include paying expenses and/or paying down the building loan.

At the end of his presentation, Mr. Maher answered questions and reported that he would attend the next BOD meeting to further explain the "final" year-end report. Questions included the sick leave benefit, compensated absences, punch list items, and use of the project fund balance.

2. M/S McLeran/Naso to nominate Director Murray to the position of Board Chairman for 2010. Corbet/aye, Gerbsman/aye, McLeran/aye, Murray/aye, Naso/aye. M/S Murray/Corbet to nominate Director McLeran to the position of Board Vice Chairman for 2010. Corbet/aye, Gerbsman/aye, McLeran/aye,

Murray/aye, Naso/aye. M/S McLeran/Murray to nominate Director Naso to the position of Board Secretary for 2010. Corbet/aye, Gerbsman/aye, McLeran/aye, Murray/aye, Naso/aye.

3. Chief Smith presented 2009 Board Chairman, Bruce Corbet, with a plaque showing thanks and appreciation on a job well done. Director Corbet in turn thanked the Board for the opportunity to serve.

4. A new bank signature card was signed by all Board members and Administrative Secretary.

CORRESPONDENCE: Thank you notes: City of LaCanada/Station Fire, "A" shift dinner 1/16/10.

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

Captain David Glenn presented a slide show from the recent RIG/RIC training at Dickson Hall/College of Marin that he organized with help from Southern Marin FPD. He explained that the training was a year in planning.

DIRECTOR'S REPORT: Each Director, Chief Smith and Administrative Secretary Abraham will complete the two-year AB 1234 Ethics Training for Local Officials. Online and/or classroom training is available. Updated Open & Public IV manuals were presented to the Board. Chief Smith recommends the Board familiarize itself with various classes offered to Board members – especially those through California Special Districts Association and similar agencies.

CHIEF'S REPORT:

Chief Smith reported having recently taken a few vacation days.

OTHER: Director Gerbsman asked for explanation concerning B/C Galli's recent memo on sandbags. As the County of Marin declared that it would not be furnishing bags and sand to unincorporated areas during this winter's rain events, it became necessary for each fire jurisdiction to do so if it felt the need. Discussion ensued as to whether this form of protection should become the responsibility of each homeowner/business owner. B/C Galli feels the County should supply the necessary materials to unincorporated areas. Chief Smith feels that the Fire District should step up, as a disaster preparedness agency, and supply the necessary materials. Director Gerbsman feels each resident should be responsible for this protection. Director McLeran feels it is good public relations for the Fire District to do so. Director Naso agrees that it shows a good lead by the Fire District to do so. While Director Gerbsman feels that residents should take more charge for their own protection, he asked if the Fire District has advised its residents of this need.

APPROVAL OF WARRANTS: M/S Naso/McLeran to approve Warrants No. 2697 to and including No. 2768 in the amount of \$585,283.31. Corbet/aye, Gerbsman/aye, McLeran/aye, Murray/aye, Naso/aye.

The next regular meeting will be held on Tuesday, February 24, 2010 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/Naso to adjourn this meeting at 8:47 p.m. Corbet/aye, Gerbsman/aye, McLeran/ayes, Murray/aye, Naso/aye.

Respectfully submitted,

Carol Abraham
Recording Secretary