

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

MEETING TYPE: Regular

DATE: January 18, 2012

CALL TO ORDER: 6:30 p.m. by Chairman Naso. Director Murray 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, Recording Secretaries Abraham and Mulkeen, and Marin County Counsel, Jennifer Vuillermet.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Corbet to approve the minutes of the previous month. All ayes. Director Murray abstained, as he was not in attendance at the previous meeting.

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

UNFINISHED BUSINESS: Chairman Naso recapped the KFD/AT&T process for lease/cell site upgrades over the last two + years, including the fact that the AT&T "use permit" with the County of Marin which expired almost two years ago. Progress with the project site upgrade proposal has reached a stalemate. Marin County Counsel, Jennifer Vuillermet, attended this meeting to give the Board some guidance as how to proceed with the process resolving several lease agreement issues.

Most recently, Chief Smith was advised that AT&T would not provide a representative at tonight's meeting to review the process thus far as was previously planned. Chief Smith did advise the Board that AT&T had reportedly filed for a new "use permit" just two days prior.

Counsel Vuillermet reviewed some of the Lease terms with the Board, particularly the District's ability to terminate the Lease if AT&T is in violation of any Lease term and does not cure the default within 60 days after the District sends AT&T a notice of the default.

Discussion ensued regarding the fact that the Board acknowledges the fire station is a desirable location for cell service, AT&T lease allows for two antennas but AT&T maintains three on the premises, has existing equipment on the Fire District's premises, has an expired "use permit" with the County of Marin which only allowed for one antenna, and has been in the process of proposing updates for a lengthy period of time with inadequate communication from AT&T. The Board agrees that it will benefit the Fire District to maintain AT&T as a cell site tenant and a source of revenue.

Counsel Vuillermet advised that she has had previous contact with AT&T's attorney and lead representatives while assisting both Southern Marin Fire District and Bolinas Fire District with their cell site leases and maintains a good rapport with them. She offered to make contact with them on the Fire District's behalf. Dependent upon the result of Counsel Vuillermet's contact as stated above, Director Gerbsman has offered to make contact with the office of the President of AT&T if necessary. Noting that AT&T is such a large corporation, she feels it is to the Fire District's advantage for her to call her AT&T contacts first. The Board agreed that the following will be applicable and gave direction to Chief Smith and Marin County Counsel Vuillermet to continue as such. The Board will form a subcommittee for additional follow-up if needed. It was noted that the Fire District strongly desires that AT&T send a representative, who is capable of making decisions on behalf of AT&T, to the next BOD meeting pending scheduling of this agenda item.

- Counsel to make contact with legal representatives of AT&T
- Counsel to attempt to set up meeting in the next few weeks between Fire District subcommittee and AT&T representatives with the authority to make decisions to resolve the outstanding issues relative to both AT&T's expired conditional use permit and proposed facilities upgrade
- BOD will contact AT&T President if above fails to produce results
- BOD will officially exercise 60-day notice of default if above fails to produce results favorable to the Fire District

Counsel to report back once contacts have been notified.

NEW BUSINESS: Captain Glenn presented a power-point presentation of 2011 training for paid staff and volunteer staff. The Board thanked Captain Glenn for his extensive and well prepared report.

CORRESPONDENCE: Reviewed

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

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DIRECTOR'S REPORT: Director Corbet asked about findings for the recent fire at 200 Woodland Road. Chief Smith noted that a final finding has not yet been published. He also reported that B/C Galli will furnish a video at a future meeting.

CHIEF'S REPORT:

1. Chief Smith reported on the recent update of school bonds for the Kentfield School District in which he attended a meeting with all representatives of the re-funding regarding fire safety issues for the Kentfield/Greenbrae community. The restructure will result in a one-million dollar tax savings to community taxpayers.
2. Chief Smith reviewed the 2011 Fire Prevention/Calls for Service report prepared by B/C Galli.

OTHER: None

APPROVAL OF WARRANTS: M/S Gerbsman/Murray to approve Warrants No. 4323 to and including No. 4386 \$496,077.05. All ayes.

The next regular meeting will be held on Wednesday, February 15, 2012 at 6:30 p.m.

A moment of silence was held for departed members.

M/S Murray/Corbet to adjourn this meeting at 7:34 p.m. All ayes.

Respectfully submitted,

Carol Abraham
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, February 15, 2012

CALL TO ORDER: 6:35 p.m. by Chairman Naso. Director Gerbsman led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present with the exception of Directors McLeran and Murray. Also in attendance were Chief Smith, B/C Hadfield, Marin County Counsel Jennifer Vuillermet, AT&T Representative, Mario Vernizzi, and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Director Gerbsman/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: Chairman Naso welcomed Mario Vernizzi, AT&T Representative and Jennifer Vuillermet, County Counsel for attending the meeting to continue our discussion of the KFD/AT&T cell site issue. He expressed KFD's desire to continue to work with AT&T to move this project forward and improve our business relationship.

Chief Smith recalled at our last meeting Counsel Vuillermet was asked to contact AT&T Counsel on behalf of the District to address our cell site issue and lack of communication with AT&T Representatives. Counsel Jennifer Vuillermet reported she had contacted AT&T Counsel, John Di Bene and scheduled a site visit last Thursday at KFD. The meeting was attended by Chief Smith, B/C Hadfield, Counsel Vuillermet, AT&T Representative, Mario Vernizzi, and the AT&T Counsel John Di Bene. Counsel Vuillermet advised the meeting was very productive. They toured the site and discussed how progress of the site had stalled with AT&T's sub-contractor and KFD's need for an AT&T business contact that would be results oriented. John Di Bene advised that AT&T assigned Mario VERNIZZI, from Real Estate Administration. John is confident that Mario has the expertise and experience to work with KFD. Counsel Vuillermet felt she could work with the AT&T Counsel and resolve some issues she sees with our contract language. Counsel recommends that these issues be openly discussed before finalizing the contract.

Mario Vernizzi spoke on behalf of AT&T reviewing the issues KFD has experienced with AT&T's sub-contractor: failure to renew "land use permit", reported unreasonable business practices by KFD, and their lack of site oversight leading to AT&T's recent action to eventually decommission this cell site. Mario stated, on behalf of AT&T they would like to return this site to active status and work with KFD to expand. The new business process plan will assign three employees to the proposed project: Mario as Project Lead, a Site Access Manager, Richard Weimer and a Construction Manager. AT&T will use Bechtel as the sub-contractor. This dedicated team will support the KFD site. The "land use permit", submitted by Ana Gomez, on January 13, 2011 is on hold at the county until February 23 due to a recent BOS planning change per Chief Smith. Mario believes it's best to keep the "land use permit" under the Erickson sub-contractor to facilitate the application and for continuity reasons. He will work on the basic scope of the AT&T proposal which may take up to three months to complete. The proposal will encompass changing the current omni antenna system to a sectorized antenna system, adding twelve antennas and four radio heads with a six foot high cloaking screen. The board engaged in a discussion with Mario regarding their concerns for employee safety, roof and building access, fair and reasonable business practices and AT&T meeting our expectation levels.

Discussion ensued regarding the radio frequency report and radiation levels should we increase the number of antennas on our roof. Mario advised that AT&T's legal department can provide EMF resources to us. Counsel Vuillermet, having worked on these legal proceedings with other fire districts concerned about EMF levels, advised that if the RF levels meet the FCC requirements we are not legally allowed to deny the application based solely on RF/EMF. Dr. Bill Good (7 Stetson Court) expressed concerns on behalf of himself and his neighbors as to what affect these increased RF/radiation levels have on people at the district and in the neighborhood. He requested that an independent consultant be hired to conduct a survey and report to the board. Chief Smith confirmed that the district had also requested from our former AT&T representative an independent survey be conducted sometime last year.

NEW BUSINESS: Chief Smith asked the Board to complete Conflict/Interest Form 700 as soon as possible and mail it to the District Office.

Meeting Recessed at 7:26 pm

Meeting Resumed at 7:54 pm

CORRESPONDENCE: Reviewed

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

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

DIRECTOR'S REPORT:

1. Chief Smith presented information on the 2011 FDAC Annual Conference in Napa this year. He recommended attending the conference as key issues to the Fire District are presented and very informative. Contact Sharon by February 27 if you are interested in attending the conference.

CHIEF'S REPORT:

1. Chief Smith completed and returned the Marin Civil Grand Jury request for information regarding 2011-12 District budget information.
2. Chief Smith reported that we have compiled approximately 75% of the information requested on the Public Records Act Request from the Bay Area News Group and are on schedule to complete this request by March 3.

OTHER:

APPROVAL OF WARRANTS: M/S Corbet/Gerbsman to approve Warrants No. 4387 to and including No. 4437 in the amount of \$265,562.71. All ayes

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

A moment of silence was held for departed members.

M/S Gerbsman/Corbet to adjourn this meeting at 8:06 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, March 21, 2012

CALL TO ORDER: 6:33 p.m. by Chairman Naso. Director Corbet led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present except Director Gerbsman. Also in attendance were Chief Smith, Accountant Hom, B/C Hadfield, Engineers Pomi, and Fox, and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: The minutes could not be approved as Directors Murray and McLeran were not present at last month's meeting. Chairman Naso moved this item to next month's meeting.

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

UNFINISHED BUSINESS:

AT&T Cell Site Update – Chief Smith advised that he and B/C Hadfield met with AT&T representatives to review construction and planning issues. During this meeting Mario Vernizzi advised Chief Smith that the upgrade proposal is about 50 days out. Chief Smith and B/C Hadfield also met with Counsel Vuillermet last month and discussed KFD areas of concern on the lease and the contract language. Counsel Vuillermet sent correspondence two weeks ago to AT&T Counsel Di Bene addressing these issues. AT&T Counsel is reviewing our correspondence. To date Counsel Vuillermet has not received any feedback from AT&T Counsel. Chief Smith reported that the renewal of the use permit is still pending. The moratorium on permits lifted on February 23 with the implementation of the new regulations. Chief Smith advised through communication from Mario Vernizzi that Ana Gomez has not yet heard from the County. Director McLeran questioned if the Chief felt the permit would be approved. Chief Smith was concerned because the existing permit is for one antenna and the application for renewal is for multiple antennas. The county may reject the renewal and request A&T to initiate a new permit which would set the project back. Chief Smith informed the Board that he has been in contact with Dr. Good advising him of the project status.

NEW BUSINESS:

1. Chief Smith reviewed proposed Resolution 1-2012. After review and discussion, M/S Murray/McLeran to approve "Resolution No.1-2012 in support of the Ross Valley Paramedic Tax Rate for 2012-13" confirming a tax not to exceed \$45 plus a 50 cent administrative fee per residential unit and \$45 plus a 50 cent administrative fee for all other non-residential space for the Ross Valley Paramedic Authority services during the fiscal year 2012-13. All Ayes. Murray/aye, Naso/aye, Corbet/aye, McLeran/aye. The resolution was signed by Chairman Naso and Secretary Corbet.
2. Engineer Pomi requested an appointment to meet with the Board to discuss and negotiate the KAPF Local 1775 contract items in late April/early May. This will give Engineer Pomi time to meet with union members to gather their ideas to present to the Board. Engineer Pomi suggested the following dates: April 26, May 2, 3, 8 or 9. Board members will check their calendars and finalize a meeting date at the next Board meeting, on April 18.
3. Chief Smith announced that the FDAC Board of Directors has one seat up for election in the Northern Zone 1 region (Marin, Sonoma, Lake, Mendocino, Solano, Humboldt, Trinity and Del Norte Counties). This is a two year commitment commencing April 2012 and ending in 2014. The sitting Director, Jim Hill, of the Cloverdale Fire District is retiring. Director McLeran noted his interest. Chief Smith recommended he call Fiona Young at FDAC to discuss the position. Letters of interest are due by April 9, 2012. The election will take place at the FDAC Conference in Napa (April 12-14).
4. Chief Smith introduced the FASIS (Fire Agencies Self Insurance System) call for Worker's Comp Board Nominations and Notice of Election. Our California Fire District JPA has 210 Fire District members. This organization pools Fire Districts in order to purchase affordable worker's comp insurance, saving districts thousands of dollars of premium costs compared to buying from an insurance company. The organization meets quarterly either in Sacramento or in one of the Northern California Fire District Offices. Chief Smith spoke of his four year tenure on the board commenting on the good experience and very interesting work in the fire districts arena. After a short discussion, no nominations were made. Chief Smith noted we will get the opportunity to vote for a board member during the upcoming election.

CORRESPONDENCE: None

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

DIRECTOR'S REPORT: None

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

CHIEF'S REPORT:

1. Chief Smith presented the report on the CalPERS decision to lower the discount rate to member agencies. Chief Smith and Accountant Hom have been closely following the CalPERS Board's decisions and meetings with regards to CalPERS' concerns with the discount rate, the rate of earnings and inflation and how these factors get calculated into the Fire District rate and what that may mean to our District going forward. Accountant Hom explained that since the CalPERS board has adopted changes to the actuarial assumptions it will increase the employer's funding contribution. The change has come about due to the decrease in the discount rate to 7.5% from 7.75% and the decreased inflation rate from 3 ¼ to 3 ½%. CalPERS will phase these changes in over the next two to three year period starting 2013-14. This change impacted our actuarial assumptions and will increase our employer contribution over the next two years, starting in the 2013-14 fiscal year. Chief Smith noted CalPERS investment earnings were favorable last year, at 20%. However he is concerned if investment income is reduced (again) and member contributions decrease, CalPERS will need to increase rates. Chief Smith noted if we continue to pay down our side fund it reduces our CalPERS rate. We were able to reduce our rate by 2% this year, however next year the rate will increase 1-2%. Chief Smith and Accountant Hom also discussed the unfunded liability of Abraham's retirement. Initially CalPERS recommended waiting 6-8 months from retirement to address it. Accountant Hom noted CalPERS recommended determining her costs in the fiscal year she retired and pay down a large portion of the liability. Chief Smith believes it is time to revisit this issue and budget accordingly. As he prepares his 2012-13 budget he plans to thoroughly review budget categories and expenses. Chief added that FY 2011-12 has been tight but KFD has been prudent and is making intelligent decisions with the budget.
2. The Bickmore Risk 7/01/11 draft OPEB Actuarial Report was presented to Board members and discussed by Chief Smith and Accountant Hom. Chief Smith noted a number of liabilities will move forward with KFD for 2014-2015 years: our current annual budget includes OPEB Trust cost of \$170,000 and the monthly retiree healthcare costs.

As of today we have \$470,000 in the trust and received a 10% return as of 12/31/11. The actual discount rate assumption is 7.5% which was down from 7.75% due to the economic downturn. Moving forward Chief Smith and Accountant Hom recommend increasing our OPEB Trust payments to \$185,000 annually in 2014-15 due to the increased liability. Chief Smith recommended the strategy going forward is to grow the fund to approximately one million dollars and then use the interest earnings to fund our liabilities. We are currently half way to our goal. Once we reach the target the Board should re-examine our assets vs. liabilities and review our investment strategy.

Chief Smith noted that CalPERS Trust recently approved three funding policies starting 2013-14 fiscal year: 7.61% aggressive, 7.0% moderate, 6.5% conservative. Chief Smith spoke with Director Gerbsman on these funding policies and he recommended not to be too aggressive but not passive. As the asset grows move it to a less aggressive fund if the strategy is to use the interest earnings to pay liabilities. The Board of Directors will need to make a decision on which funding policy to use by June 30, 2012. Currently we will continue to make quarterly contributions to the OPEB Trust account and stay this course. The Board accepted the Bickmore Risk valuation draft.

3. Chief Smith reviewed the letters from MMWD on the proposed water rate increase and the proposed extension of the fire flow fee. Chief voiced his concern with the 5-6% water rate increase as our current water costs are higher than our budget projection. He plans on adjusting this category accordingly for 2012-13 fiscal year.

The proposed extension of the fire flow fee will allow the Marin Municipal Water District to improve water main and fire hydrants all over the Marin Municipal Water District service area. Chief Smith along with Chief Pierce of Tiburon, at the request of the Marin County Fire Chiefs Association, attended hearings and budget meetings in support of the Water District fee extension. The Water Board decided to proceed with the existing fire flow fee of \$75.00 and did not propose a fee hike. Chief Smith and the KFD staff have worked with the water district on the ten year fire mapping, engineering and modeling plan for our District. If the voters approve the fee continuation the Water District is ready to address the substandard areas. The Marin County Fire Chiefs Association supports the extension of the fire flow fee of \$75.00 and wrote a letter of support to the Water District.

OTHER:

APPROVAL OF WARRANTS: M/S Murray/McLeran to approve Warrants No. 4438 to and including No. 4501 in the amount of \$236,957.92.

The next regular meeting will be held on Wednesday, April 18, 2012 at 6:30 pm.

A moment of silence was held for the late Supervisor Hal Brown.

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

M/S Murray/McLeran to adjourn this meeting at 7:39 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Special Meeting

DATE: May 9, 2012

CALL TO ORDER: 6:10 p.m. by Chairman Naso. Director Corbet led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present except Director Murray, Director Gerbsman enroute. Also in attendance was Chief Smith.

Chairman Naso asked to move to New Business item 1, FASIS election approval.

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

UNFINISHED BUSINESS: N/A

NEW BUSINESS:

1. After discussion, the Board voted for Meagor and Pearce as Directors for FASIS. M/S McLeran/Naso to affirm vote for Roger Meagor and Richard Pearce. All ayes.

APPROVAL OF PRIOR MONTH'S MINUTES: Director Gerbsman arrived at 6:20 pm at which time Chairman Naso asked for review and approval of the February 2012 Board meeting minutes. M/S Corbet/Gerbsman to approve; Ayes: Corbet, Naso, and Gerbsman. Abstained by McLeran as he was not present at the February meeting.

After review of March 2012 minutes there was a M/S by Gerbsman/Corbet to approve. All Ayes.

NEW BUSINESS: (Continued)

2. Chairman Naso welcomed the committee. The Negotiation guidelines were reviewed and, after discussion, signed by both parties. The Association handed out a correspondence outlining their vision, commitment and values. The Chairman thanked President Pomi for addressing their values with the Board of Directors.

Chief Smith distributed and reviewed both the year-to-date and preliminary 2012-2013 District Budget. This current year budget is "tight". The 2012-2013 property tax revenue projections are predicted to increase approximately 2% over the current year. Health insurance benefit increases continue to rise greater than the rate of inflation and revenue growth rate.

The Association called for a ten minute caucus.

Mike Hadfield presented the Association requests at contract changes (1) Request one duty start/end time be moved from 0730 to 0700. (2) Requests that the Center for Public Safety Excellence Curriculum and Accreditation be accepted as equal to the current California State Fire Training certifications and classes. (3) Request that the current salary and benefit package remain as is currently structured. (4) Additionally, requests the District continue the current health insurance program and pick up any additional premium increases that become effective on/after 01/01/13.

The Board requested a caucus and returned to open session at 7:05 pm with the following report. The Board accepted the proposal as presented by the Association. The Board of Directors asked the Association to put the requests together in the form of a Tentative Agreement. The Association and the Board agreed to meet again, tentatively at the regular Board of Director's June meeting, for final ratification of the 2012-2013 MOU.

CORRESPONDENCE: N/A

DISTRICT OPERATIONS: N/A

DIRECTOR'S REPORT: N/A

CHIEF'S REPORT: N/A

OTHER: N/A

APPROVAL OF WARRANTS: N/A

The next regular meeting will be held on

A moment of silence was held for departed members.

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

Chairman Naso adjourned meeting at 7:20 p.m. All ayes.

Respectfully submitted,

Paul Smith
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, May 16, 2012

CALL TO ORDER: 6:34 p.m. by Chairman Naso. Director Corbet led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present except Directors McLeran and Murray. Also in attendance were Chief Smith, Accountant Dan Hom, and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Corbet to approve the minutes of May 9. All ayes.

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

UNFINISHED BUSINESS:

1. Chief Smith reviewed the Marin County Planning Division letters dated April 9 and 27, 2012 on Use Permit renewals for AT&T and Crown Castle Sprint. Both permits have been approved by the Planning Division and are valid through April 2022.

Chief Smith updated the Board on AT&T's upgrade of the cell site project proposal. Chief had received information from Mario Vernizzi, AT&T Real Estate Administration, that the AT&T proposal may be ready by the June meeting. The proposal will be inclusive of the radio frequency study, trenching and impact report to the building. Director Gerbsman expressed concern that this proposal be received with enough lead time to distribute to the Kentfield community and the Board of Directors. Chief Smith will contact Mario to ensure these documents are received by the Fire District in a timely fashion. Chief also mentioned he had contacted Dr. Good, as a courtesy, and advised him of the AT&T agenda item and projected project proposal in June.

The Memorandum of Understanding (MOU) boiler plate contract with AT&T and the Fire District has a number of items that still need to be modified, inclusive of access and impact to the roof. Chief Smith would like to work on these items with Counsel Vuillermet. Counsel Vuillermet and Chief Smith hope to schedule a meeting with AT&T Counsel next week to outline the contract. Chief Smith suggested a Board of Directors sub-committee be formed to discuss the lease portion of the contract.

2. Chief Smith introduced the CERBT Investment Strategies for discussion. In 2009 the Fire District entered into an agreement with CalPERS to fund a trust account. In the last six months CalPERS developed three investment options for the Fire District to review. The agreement with CalPERS allows the Fire District to change strategies once a year. The Fire District is currently invested in strategy One and had favorable returns this past year. The District contributed approximately \$440,000.00 since inception and the current value of the trust value is approximately \$525,000.00. Chief Smith is asking the Board of Directors to make a decision on which strategy to select. Informational material that was included in the Agenda packet was reviewed. Director Gerbsman suggested that Engineer Pomi poll the active and retired association members to get their input on these strategies and their risk tolerance prior to Board action. Accountant Hom noted that our CERBT Trust fund is 17% funded and some strategist's advise to be aggressive until you are closer to 100%. He supported Director Gerbsman's suggestion to get stakeholder input and noted that if we do switch to another strategy the Bickmore Risk Services Actuarial Valuation of OPEB report may need to be revised as it is based on the current strategy. Engineer Pomi said he would take this information to the Association meeting next week and report back to the Board.

NEW BUSINESS:

1. The 2012 Audit Services Agreement with Maher Accountancy was reviewed by Chief Smith. The Chief had contacted John Maher, CPA as he compiled the 2012-13 budget to provide an audit proposal to the Fire District on our financial statements. Maher Accountancy will provide the same service as last year with an administrative fee increase of \$400.00. The Chief asked the Board to act on this proposal. M/S Corbet/Gerbsman to approve this proposal. All ayes. Chairman Naso signed the proposal.
2. Chief Smith noted the Marin Clean Energy option had been recently presented to the Fire District as an electric provider energy option and a discussion ensued regarding the service. The Board supports clean energy efforts but are concerned with future unknowns (the increase cost as they use public money to pay bills and need to be conscientious.) M/S Corbet/Naso to opt out of Marin Clean Energy option and retain PG&E. All ayes.

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

3. Accountant Hom reviewed the Bickmore Risk Actuarial Valuation of OPEB April 2012 report to the Board. The valuation is conducted every two years. Accountant Hom affirmed that the Fire District is doing well. Our liabilities are \$2.2 million dollars, assets at \$400,000 with a \$1.9 million dollar unfunded risk. Our annual required contribution (ARC) is \$185,000 in 2013. At this time the District is slightly overpaying the ARC, to cover retiree medical costs, which shows as an asset on Maher's balance sheet. M/S Gerbsman/ Corbet to accept the actuarial valuation. All ayes.

CORRESPONDENCE: Reviewed

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

DIRECTOR'S REPORT:

1. Chairman Naso reported we have a tentative contract agreement with the Kentfield Association of Professional Firefighters. The Association will meet next week to vote on the agreement.
2. Chairman Naso also reported on the FDAC Conference he and Director McLeran attended in April. It was a great conference, informative and worthwhile to attend. He recommended that other Board members attend next year.
3. The Annual Alicia Ann Ruch Burn Relay event is scheduled for Wednesday, May 23. The event raises money for burn victims to attend summer camp. Chairman Naso has been the MC for thirteen years and rides the truck with young burn victims. This relay starts in Sonoma County, with stops at Fire Stations en-route, and ends in Sausalito with a BBQ dinner. Last year this fundraiser raised \$40,000 to \$50,000. Chairman Naso asked the Board members to donate \$10 each to be collected by the District Secretary.

CHIEF'S REPORT:

1. Chief Smith updated the Board on the SRA (State Responsibility Area) Fire Fee. A number of communities in the State are without a local fire agency to serve them hence Cal Fire would respond thus the "State Responsibility Area". In Marin MCFD or a fire district responds to SRA incidents. The Governor redirected millions from Cal Fire into the State's general fund. He is now planning to backfill the Cal Fire fund by billing SRA residents \$150 per parcel. Kentfield will not see a benefit from the extra fee as their fire needs are served by the Kentfield Fire District. When a District or County Fire Department tries to place their own benefit assessment, residents will question the state SRA fee. The Marin County Chiefs are against this law and asked Chief Smith to create a position statement on the impact of this law. He also met with the Sonoma County Chiefs and they, too, are opposed to this law. Chief Smith is currently working on the position statement. Chief Smith added the first bills will be sent in August by the State Board of Equalization in alpha order by county. Sources tell the Chief that the Jarvis Anti-Tax group will file suit requesting an injunction as soon as the first bills are issued. Director Gerbsman recommended creating a Fire District policy and procedure to address public concerns when these bills are received. Chief Smith stated he will draft a resolution on the District's position of this law for the Board of Directors to review and act on.
2. Chairman Naso and Chief Smith updated the Board on the MERA JPA of which the Kentfield Fire District is a member. MERA JPA is proposing a governance change to their by-laws. Currently they need 17 out of the 25 Board members for a quorum. They are proposing the creation of an executive board of nine members. The new configuration will reflect equal representation of city, town, fire, police, and special districts. The executive board will be responsible for the majority of the work: policy, direction, overall operation of the JPA. While the MERA Board will continue to approve over site, budget approval, annual work plan and any indebtedness. Board members should express any concerns regarding this proposed change to Chairman Naso or Chief Smith before our next meeting in June. Chief Smith will email the proposal changes to the Director when he receives them.

At the MERA meeting this afternoon Chairman Naso expressed concern over dead zones in Marin County specifically: Tiburon and Muir Beach. Lack of communication is unacceptable and very dangerous for our residents and public safety providers. MERA has been on the same system for eight years and there hasn't been a change to improve the service. Antennas need to be strategically placed amid costal permission issues. The state was lucky that Japan's tsunami did not affect more of California's coastal communities. Chairman Gerbsman commented that the Fire Association members need to be more involved and address this issue with management.

OTHER: None

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

APPROVAL OF WARRANTS: M/S Corbet/Gerbsman to approve Warrants No. 4502 to and including No. 4652 in the amount of \$693,291.38. All ayes.

The next regular meeting will be held on Wednesday, June 13, 2012.

A moment of silence was held for departed members.

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

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, June 13, 2012

CALL TO ORDER: 6:28 p.m. by Chairman Naso. Director Murray led the assembly in the Pledge of Allegiance.

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

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Corbet/Gerbsman to approve the minutes of the previous month. All ayes. Directors Murray and McLeran abstained.

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

OLD BUSINESS:

1. Chief Smith updated the Board on the progress of AT&T's cell site proposal. Chief Smith met with Counsel Vuillermet and AT&T Counsel last month. They resolved the contract language and access to site issues. The District will need the Board of Director's feedback on the property and financial aspects of this negotiation. Mario Vernizzi, AT&T Real Estate Administration, contacted Chief Smith advising the proposal could be ready by the July meeting.
2. The Board of Directors revisited the CERBT options to choose a new investment strategy for the 2012-13 fiscal year. Engineer Pomi reported on his meeting with the association. They voted, nine present, in favor of Strategy 2. A discussion followed with the Board of Directors. M/S Gerbsman/McLeran to approve Strategy 2. All ayes.
3. B/C Hadfield reported on negotiation talks with the association to the Board of Directors. The association approved the salary, health insurance and shift start time agreements. The association did not want to agree to the Professional Qualifications as the current standards are out of date. They would like to work with Chief Smith to revise them and present the standards for Board approval at the September meeting. The Board of Directors will revisit the contract in September, with updated professional standards, and if acceptable, ratify the contract.
4. The LifeSquare Proposal/Contract was introduced and presented by Chief Smith. The LifeSquare product is an electronic file of a person's medical history and medications. Essentially the product works as follows: an individual's medical history is uploaded into a database maintained by LifeSquare. Once this is complete, the resident will have a scan code sticker on their property. Emergency response teams, upon arrival, would scan this code which sends medical information to the hospital receiving the patient. Marin County is a beta testing site for LifeSquare. Chief Smith reviewed this contract with Counsel Vuillermet, noting risk to the District, they requested changes to the contract language which LifeSquare would not accept. Chief Smith asked the Board for their input. After a brief discussion the Board recommended Chief Smith correspond with LifeSquare and request stronger indemnification language, increase per occurrence limits and seek financial compensation for testing the product. Chief Smith will proceed as requested.

NEW BUSINESS:

1. Accountant Hom and Chief Smith presented the proposed 2012-13 budget. Chief Smith provided back up on each line item for the Board's reference and reviewed the definitions of the budget line items/categories. Following are specific points reviewed:

Revenue: 3% increase from last year. Taxes are flat overall, ERAF budget more conservative as we have a significant decrease in the fund this year. Total revenues are projected to increase by \$50K for 2012/13.

Services & Supplies: No change from last, just a few minor changes to individual items.

Salaries & Benefits: As of the draft printing date the proposed budget shows \$20K increase. An adjustment will be made to this number to add a salary increase for one safety employee and the financial impact of the 9-16% increase in healthcare costs for members under 65 and the impact of a 10% decrease in medicare costs. Impact is unknown at this time without running the numbers as the healthcare adjustments for 2013 were received just this afternoon. Adjustment to the final budget may be anticipated.

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

Capital Outlay: At \$65K, \$20K over last year. The District has some hydrant and main projects in Greenbrae and Murray Park. The Ricoh copy machine's lease is up and it's a reasonable cost to purchase it outright. Chief has some concerns with Car-17 but does not have a recommendation at this time. He will advise before the budget is finalized.

Debt Service: Remains the same as last year. The District is paying more on the principal, less on interest. Accountant Hom noted we may seek to refinance our loan in 2014 if interest rates remain low. There would be a 1% penalty charged. He suggested refinancing to a ten year note, if the calculations were favorable at that time.

Reserve: \$422K in fund. Chief Smith noted the Reserve categories haven't been reviewed in a few years. This may be a good time for the Board to review/study this fund and make some recommendations on reallocating funds. Accountant Hom and Chief Smith will also re-evaluate funding levels and bring recommendations to the Board. Accountant Hom suggested the Board discuss Carol Abraham's retirement liability as it may take three to four years to pay off. It's another amount to consider putting into reserves. Accountant Hom can adjust revenue projections as they become available.

Chief Smith noted the final budget should be approved before September 10.

M/S Gerbsman/McLeran move to accept the proposed 2012-13 budget. All ayes.

2. Chief informed the Board that the District has an opportunity to apply for two grants; one from FEMA and one from the State. The District staff is asking the Board permission to submit these grant applications. B/C Jim Galli is working on the FEMA grant that would fund SCBA (Self Contained Breathing Apparatus). This is a \$200K+ 80/20 grant. FEMA would pay 80% and the District would have 20% liability. Jim has initiated the preliminary work on the application and may tap some of our resources for assistance in writing this grant. Chief Smith is working on the State grant managed by the Marin OES. He is trying to get the 20% not funded on the FEMA grant so the District does not need to use our reserve funds to pay for the equipment. The Board unanimously supports the District moving forward with these grant applications.
3. Fire District Assessment Resolution 2-2012 was reviewed by Chief Smith proposing a special tax of up to .06 cents per square foot of structure and/or up to \$20.00 per acre of unimproved property for F/Y 2012-13. M/S Murray/Gerbsman. All Ayes. Corbet/Aye, Gerbsman/Aye, McLeran/Aye, Murray/Aye, Naso/Aye. The resolution was signed by Chairman Naso.

CORRESPONDENCE: Reviewed

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

DIRECTOR'S REPORT:

1. Chairman Naso noted his concern of the water leak outside the Chief's office as the water pools over the handicapped walking path affecting everyone using the path, especially the elderly and young children. B/C Galli noted concern over the algae build up when the water doesn't evaporate. Chief Smith reported to the Board he has been working and will continue to work with Aquatech to resolve the issue which may be caused by ground water migration.
2. Chairman Naso opened a conversation with the Board regarding the Larkspur/San Rafael Shared Services Agreement and its impact on the Fire District. Chief Smith noted that from an operational perspective there is no affect on the Fire District. B/C Galli suggested that the Board of Directors think about a future business model that will work for the District. Director Gerbsman asked the association to discuss this issue with the members and the Chief in an effort to create a model and talking points with the Board for strategic planning.

Director McLeran excused himself from the meeting at 8:00 p.m.

CHIEF'S REPORT: None

OTHER: None

APPROVAL OF WARRANTS: M/S Gerbsman/Corbet to approve Warrants No. 4653 to and including 4726 in the amount of \$229,563.02. All ayes.

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

The next regular meeting will be held on Wednesday, July 11, 2012.

A moment of silence was held for departed members.

M/S Corbet/Murray to adjourn this meeting at 8:06 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, July 11, 2012

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

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

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Corbet/Gerbsman 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.

OLD BUSINESS:

- A. Chairman Naso introduced Mario Vernizzi, AT&T Real Estate Administration, to present the AT&T Site Upgrade Report. Mario noted the project proposal is taking longer than anticipated. The initial land use permit was delayed due to the county processing moratorium. AT&T legal counsel worked with KFD counsel to resolve the lease language issues with a few minor changes. It is projected to be completed in one week. Mario also noted a delay in initiating the radio frequency study which was just sent to the subcontractor, Hammett & Edison. This study should be ready in three to four weeks. If the study reveals any unsafe levels, AT&T will work diligently to make corrections. Mario introduced Tom Swarner who will be representing AT&T's lease issues and Richard Weimer, AT&T Site Acquisition Manager.

Mario distributed the proposed site plans and photos to the board. The general site layout depicts the basic infrastructure and roof plan. The AT&T Architectural Engineers recommend the FRP be placed on the outside of the T-Mobile antennas. Then the cloaking device will incorporate all antennas on the roof. To address the aerial issue AT&T recommends a FRP sandwich. The concept places an FRP in front of the outer façade, and an inner FRP which would hide the back of the antennas. The advantage to implementing the "sandwich concept" is the antennas would be obscured when looking at the roof when viewing from the same plane. It can be capped but Mario thinks this is excessive.

Chief Smith noted the plans did not show the roof elevation of the proposed shed expansion. Mario advised the shed size will increase in square footage, not height, and will be built out into parking space(s). The style would match the existing structure, with added sound insulation. Chief Smith reminded Mario of a noise study conducted in 2002 and will send him the report. With the added cooling fans the Chief wants to ensure the ambient noise issue is addressed. AT&T plans will run lines, through conduits, from the shed, up the side of the building to the roof. They will need to trench the parking lot and propose a crack-seal and slurry overlay. Chief Smith noted from a prior conversation that if the asphalt, which is only a couple of years old, is pulled up AT&T agreed to replace it from seam to seam. Chief Smith will review these plans with B/C Hadfield, his operations officer.

Mario requested one meeting with the board or ad hoc subcommittee to discuss the rental portion of the lease agreement. Chairman Naso asked we look back into meeting minutes to recall who volunteered for this task. The meeting date is scheduled for Monday, August 6. The meeting time is TBD. Director Gerbsman suggested AT&T come to the meeting prepared to negotiate the rent amount as well as justification for their assessment. They agreed to provide the BOD with a number of comparable site rental amounts.

- B. Chief Smith reported on his contract negotiations with LifeSquare. As directed by the Board, Chief Smith and County Counsel sent a letter to LifeSquare requesting limits on liability, changes on the indemnification language and consideration for remuneration to the Fire District. Chief Smith distributed correspondence received today from our County Counsel that LifeSquare would consider the insurance point in line with their general policies, but they are not in a position to offer remuneration. The Chief asked the Board for their thoughts. Director Murray thought, at this time, the insurance issue was more important than remuneration because the District would be protected, this was only the beta testing phase of the project, and it is a program that is good for the community. KFD's lack of participation in this phase may be seen as a negative in the community due to the lack of compensation. Director Gerbsman feels strongly that this type of service is here to stay and that the District should continue to seek remuneration. The Kentfield community would benefit from the beta testing to see, first hand, how the system works; the District is a necessary partner in the process. If the District is given remuneration they can use the funds to support the firefighter's pension and liability funds. Chairman Naso is interested in the beta testing but also supports remuneration. Director McLeran

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

asked if all other Fire Districts are receiving remuneration. Chief Smith noted not to his knowledge but added Southern Marin and Novato Fire Districts haven't finalized their beta testing contracts with LifeSquare either; San Rafael, Larkspur and the County of Marin have. The Boards from Southern Marin and Novato Fire are concerned with indemnification and liability issues. They are meeting with a LifeSquare representative either August 3 or 5th to address these issues. Director Gerbsman would like the Chief to invite a LifeSquare business representative to a board meeting to negotiate a mutually beneficial agreement.

- C. Chairman Naso apologized to the Board and the staff for not taking a vote after the tentative agreement on the KAPF #1775 MOU discussions during the June meeting. The Board of Directors is clear on the contract negotiated excluding the Professional Qualifications Standards which will be ratified at the September meeting. M/S Gerbsman/Corbet to approve KAPF #1775 MOU contract for 2012 submitted last month, without the Professional Qualifications Standards clause. All Ayes.

NEW BUSINESS: None

CORRESPONDENCE: Was reviewed.

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

DIRECTOR'S REPORT: None

CHIEF'S REPORT:

- A. Chief Smith reported the CalEMA apparatus inspection of the OES 325 Engine went extremely well. Assistant Chief Howard comes by annually to do a walk through inspection. This year he held all the Marin County inspections in one day at the San Rafael Fire Station. Kentfield Fire District's OES 325 was rated number one in the region. He wrote KFD a letter of commendation for outstanding maintenance, outstanding condition and outstanding knowledge of our apparatus operator, Dan Trimble. We also received a challenge coin emblem for cooperation. It was really nice for Chief Howard to recognize our professionalism and hard work. Chief Smith was very pleased. The Board recognized the staff for maintaining the engine and Dan Trimble for his knowledge of the apparatus. Director Gerbsman requested ideas from the Board on ways to recognize this achievement. After some discussion it was suggested posting this recognition on the Kentfield Fire District website and sending the information to the Marin IJ. Chairman Naso will work with Chief Smith to write a letter of appreciation to the staff.
- B. Chief Smith advised KFD's request for funding the SCBA's through the SHSGP Grant program was denied. Most of the funds were distributed to law enforcement. Fire proposals for Kentfield, Mill Valley and West Marin were all denied. He advised B/C Jim Galli submitted KFD's application for the federal grant last Thursday. It may take up to eight months to learn of the grant's status.
- C. Chief Smith informed the Board that the KFD external water leak source had been located and fixed. The American Leak Company found the leak under the handicap walkway between the front door and the Chief's office. Captain Glenn, Engineers Tony Johnston, Dan Trimble and Kris Viau worked on excavating the site. Engineer Tony Johnston removed the damaged pipe and replaced and sealed the new pipe. Due to the water loss, Chief Smith will file a claim with Marin Municipal Water Department and hopes to see some reimbursement. The Chief will draft a letter to Sequoia Pacific addressing the faulty material. The Board expressed their gratitude and thanks to the team who worked on this problem.

APPROVAL OF WARRANTS: M/S Gerbsman/Corbet to approve Warrants No. 4727 to and including 4791 in the amount of \$556,660.13. All Ayes.

There will be a special meeting held on Monday, August 6, 2012 at 4:00 pm at the fire station. The next regular meeting will be held on Thursday, August 16, 2012 at 6:30 pm.

A moment of silence was held for Billy Morris who has recently been diagnosed with a serious illness.

M/S Murray/Corbet to adjourn this meeting at 7:43 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Special

DATE: Wednesday, August 6, 2012

CALL TO ORDER: 4:02 p.m. by Chairman Naso. Director Corbet led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present. Also in attendance were Tom Swarner, Principal, Planning & Engineering Network, contractor to AT&T Mobility, Mario Vernizzi, AT&T Mobility-Real Estate Administration, B/C Hadfield and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: N/A

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

OLD BUSINESS:

- A. Chairman Naso welcomed Tom Swarner and Mario Vernizzi, from AT&T and asked them to update the Board on the AT&T site proposal. Tom thanked the Board of Directors for organizing this meeting and for making him feel welcome. Tom reported he had met with Chief Smith last week and conducted a roof top walk through. It was beneficial as the walk through gave Tom a perspective for what AT&T is proposing versus what is currently existing on the roof. He noted Chief Smith's concerns regarding the existing utility situation, his understanding of the other telecommunication carriers and KFD emergency services.

Tom explained the internal process at AT&T is slow and moves in thirty day increments. The lease document, near completion, just needs final review by KFD and AT&T legal. Once the lease document is finalized by the two parties it is submitted, for review and approval, to the AT&T Business Terms Approval process which can take 15 days. After which the legal staff reviews the lease for a final review, a process that can take up to 30 days. Once approved it takes two to three weeks to install the changes. This process moves more quickly if AT&T can use the existing property "as is". Several issues still need to be resolved: roof top issues, including screen size, will need to be addressed. Chief Smith had previously advised Tom a large screen may look like a third story. The proposed design cloaks AT&T antennas as well as T-Mobile. Tom explained it's best for the antennas to be installed near the edge of the roof top as it increases signal coverage, pulling it back to the center of the building degrades the signal. Mario noted he is concerned about construction especially the impact the underground work would have on the District operations. He would prefer to look at fiber optic wiring vs. coaxial cable. AT&T can use the existing cable tray and may not need to remove and replace the asphalt. B/C Hadfield and Board members agreed it would be best to avoid pulling up the asphalt if AT&T can engineer around it. Tom added the RF study is in progress with an AT&T engineer. They will provide it to the Board when it is complete.

- B. Director McLeran asked AT&T to present its Rent Adjustment Proposal and comps. In presenting the proposal Tom noted there needed to be a partnership and trust with the comps as AT&T, due to proprietary issues, could not release actual comps. AT&T arrived at the comps by comparing "facility to facility", looking at rents at other fire stations that AT&T currently has contracts. AT&T is proposing a new monthly rent of \$2,731.56, \$1,000.00 above the current rent. Tom explained the proposal works out to an average, no matter what type of facility, and AT&T is offering this higher proposed amount. Discussion ensued regarding how the calculation was derived. Director Gerbsman expressed concern that the rent proposal was too low. M/S Murray/McLeran for the Board to move to a closed session at 4:29 pm to discuss the Rent Adjustment Proposal. It reconvened at 4:55 pm with nothing to report.

Chairman Naso reiterated the Ralph M. Brown Act compliance as it pertains to closed sessions and asked Director Gerbsman to present the counter offer. Director Gerbsman conveyed the Board's mission is to ensure the District is financially sound, that they work for the tax payer and the firefighter. On behalf of the Board of Directors of Kentfield Fire District, Director Gerbsman countered AT&T's offer asking for \$6,750 in monthly rent, 4.25% annual CPI, and in reference to the Communication's Site Lease Agreement, Section 6, Paragraph E, the District is asking the penalty be three times the monthly rate if Lessor fails to adhere to the applicable time frame.

Director McLeran reiterated KFD's good faith commitment to AT&T as good business partners. As the Board of Directors we act as the property owner's, fiduciaries of the District, and feel this is an excellent counter proposal for AT&T and the tax payers.

Mario and Tom will take the counter offer back to AT&T officials, at the director level. There may have to be some additional work by legal counsel to address the CPI and the 24 hour power down clause in case of a disaster. However, Mario feels they should have a response for the Board in a couple days. Chairman Naso asked that AT&T contact him

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

or Chief Smith when the counter proposal is ready. Our next scheduled meeting is Thursday, August 16. We can schedule a special meeting if needed.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 5:15 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Thursday, August 16, 2012

CALL TO ORDER: 6:31 p.m. by Chairman Naso. Director Corbet led the assembly in the Pledge of Allegiance.

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

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Murray/Gerbsman to approve the minutes of the July 11, 2012 meeting. All ayes. M/S McLeran/Corbet to approve the minutes of the August 6, 2012 special meeting. All ayes.

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

OLD BUSINESS:

- A. Director Gerbsman updated the board on his discussion with Raymond Choi, CMO of Lifesquare, Inc. He had been asked, by Chief Smith, to contact Dr. Choi and get a commitment from Lifesquare, Inc. to attend our board meeting. He explained that Dr. Choi was not available to attend this meeting as he was a working physician but may be able to attend our September meeting. Director Gerbsman expressed concern about the substance of the company, the IT structure and the funding of the company, noting they have a new CEO. After some discussion among the board, it was decided that Director Gerbsman will contact Dr. Choi and invite him to the September 19 meeting.
- B. Chairman Naso recapped the BOD August 6 special meeting on the AT&T communications site proposal negotiation. The AT&T representatives, Tom Swarner and Mario Vernizzi, presented the formal written proposal to the Board inclusive of the monthly rent. Chairman Naso noted that the BOD went into caucus and made a counter offer and has not, to date, heard back from AT&T.

Chief Smith informed the Board that he had spoken with our legal counsel, Jennifer Vuillermet, who had spoken with John DeBene, AT&T Counsel. John DeBene had heard our counter offer was \$7500, and advised AT&T was not agreeable to this amount. Chief Smith noted that AT&T was supposed to bring actual comparable real estate cell site figures to the meeting and had not, leaving a void in the negotiations. KFD Counsel Jennifer Vuillermet advised Chief Smith that KFD should get the true comps as the comps presented were public agencies/public buildings. Chief Smith advised that Mario Vernizzi was working on compiling the information. Mario also apologized to Chairman Naso for not getting a counter offer to the board by last Friday, August 10. Mario hoped to get a formal counter offer to KFD by Friday, August 17. Chief Smith agrees with the Board that AT&T needs to counter with a better offer. He emphasized that AT&T also needs to submit the revised drawings and EMF reports to the Board and KFD still needs to define the performance bond number.

Chief Smith reported he had met Mr. Aaron Levinson, principal of Communication Leasing Services; he works with municipalities and private property owners to negotiate AT&T cell site leases. After some discussion the Board agreed to continue negotiations directly with AT&T unless they reach an impasse.

- C. Chief Smith stated the KAPF #1775 MOU was approved by the board at a previous meeting. Engineer Trimble, currently on vacation, will write the MOU upon his return to work. Chief Smith will have Chairman Naso sign.
- D. Chairman Naso introduced Resolution 3-2012, KFD Fire District opposing the State Responsibility Area Fire Prevention Fee. Chairman Naso expressed concern during a conversation with Chief Smith on the SRA Fees initiated by the State. Chief Smith explained the SRA covers Kent Avenue, Hillside, Kent Woodland proper, Estelle and Murray streets, about 1,000 parcels. Chairman Naso asked the Board to support the resolution and not support the state's fee. Chief Smith noted that the Fire Chiefs Association is opposed to this fee. They have written several editorial pieces with another one going out next week in the Marin IJ, and one on the front page of the Santa Rosa Press Democrat last Sunday. Chief Smith thinks, in general, the fire districts in California are unified on this issue. M/S Murray/Corbet to approve Resolution 3-2012 Fire District opposing the State Responsibility Area Prevent Fee. All five directors voted in favor. Resolution passed.

NEW BUSINESS:

- A. Conflict of Interest. We introduced this item however the Board did not discuss or take any action.

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

- B. Chief Smith advised the Board that he and Chairman Naso sit on the board of MERA and the MERA board has created a new governance structure. In the past MERA had a body of 24 agencies that met on a regular basis and discussed/resolved business issues. Effective January 2013 the new leaner business model has an executive board of nine members inclusive of sheriffs, police, fire special districts, non-fire special districts, and cities and towns. The executive board will meet regularly and handle the day to day business of MERA. The entire membership will assemble semi-annually. Chief Smith believes we have good representation on the MERA Board as Mark Revere, Fire Chief from Novato is the President and Rich Pierce, Fire Chief of Tiburon, is the lead for Fire Districts. MERA is currently resolving issues and systems, and maintaining day to day operations. They renewed the contract with the County Department of Public works for the maintenance on the radio system and property maintenance. The next project involves the future look of MERA and how to fund it the next five years with frequency and equipment considerations. The current radio system was estimated at \$20 million; actual cost was \$23 million. The next radio system is projected, within the next five to eight years, to cost from \$40-\$60 million. This amount could not be publicly funded by the agencies. There may be some federal communication consideration, FCC, for bay area wide regional public safety radio communication.
- C. Chief Smith reviewed the annual appropriations limit report completed by Dan Hom, California State Department of Finance letter, KFD property tax appropriations limits and the KFD Measure P passed in 2010. This report will be filed with the State of California on behalf of the Board.
- D. Chairman Naso opened discussion on the State of California's recent legislative decision to suspend the Brown Act for three years. The Chairman recommended the Board support a resolution to uphold the requirements of the Brown Act. Chief Smith explained that by suspending the Brown Act, public entities no longer need to publish agendas or produce meeting packets for public meetings thereby saving the state money because they will no longer be required to reimburse the agencies the mandated fees for posting agendas. A brief discussion followed with all Board members supporting the resolution. Chief Smith agreed with the board as it is right to uphold the provisions of the Brown Act. M/S McLeran/Gerbsman to approve Resolution 4-2012 Fire District to continue all requirements of the Brown Act during the State of California's Three Year Suspension of State Mandates. All five directors voted in favor. Resolution passed.

CORRESPONDENCE

- A. Chief Smith explained that Arthur J. Gallagher & Co. is the Fire District's broker for liability, property and auto insurance. They introduce college interns to the different public entities they serve and came to the Fire District in July. Chief Smith enjoyed spending the day with these bright college students educating them on fire business.

REPORTS: The Incident Log and Overtime Report were reviewed.

CHIEF'S REPORT

- A. Chief Smith reported Captain Glenn, Engineers Pomi, Garcia and Volunteer Firefighter Shafa left Monday morning and have taken OES 325 to the Plumas County Fire. B/C Hadfield joined a strike team of type 3 engines at the Y Fire at the Lake/Colusa fire incident. Chief Smith believes B/C Hadfield will be released this weekend and redeployed. Type 3 is a brush engine strike team, in short supply due to CalFire cut backs. CalEMA and CalFire are leaning hard on local government this year. Chief reported, in conversations with Chief Weber, out of county things look different this year. The feds, CalFire, and NorthOps haven't had an active fire season in at least three years. Chief Smith thinks there are some challenges for the fire service in California in general. He added this should be an interesting fire season.

APPROVAL OF WARRANTS: M/S Naso/Gerbsman to approve Warrants No. 4792 to and including 4875 in the amount of \$431,608.07. All ayes.

A moment of silence was held for departed members.

M/S Murray/McLeran to adjourn this meeting at 7:37 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Thursday, September 20, 2012

CALL TO ORDER: 6:35 p.m. by Chairman Naso. Chairman Naso led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present. Also in attendance were Chief Smith, Finance Director Dan Hom and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S McLeran/Gerbsman to approve the minutes of the August 16, 2012 meeting. All ayes.

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

OLD BUSINESS:

- E. An email correspondence from Dr. Raymond Choi of Lifesquare was distributed and read by Chairman Naso. Dr. Choi thanked KFD for our continued interest. However Lifesquare is no longer accepting new districts into the pilot so will not be attending the board meeting this week. Chief Smith noted that San Rafael Fire Paramedics and Marin County Fire Paramedics are the only organizations in the pilot.
- F. Chief Smith explained that counsels from AT&T and KFD met to discuss the Board and AT&T Representatives getting back on track with the site counter offer. Chief Smith, in a conversation with Counsel Vuillermet, confirmed that the Board's counter offer was not \$7,500 a month as reported to AT&T Counsel. He reiterated that KFD is anxiously awaiting a counter offer and valid comps. Jennifer Vuillermet noted valid comps need to be part of the counter offer and AT&T counsel concurred. Chief Smith forwarded this meeting's agenda to Tom Swarner and Mario Vernizzi last week. AT&T representative Tom Swarner called the Chief to update him on the project status. Chief Smith took this opportunity to express disappointment with his business communications. Tom apologized for not maintaining the line of communication as he had promised and advised he would not be attending today's meeting because he was working on the comps and the counter proposal as directed by AT&T staff and attorney. Chief shared a copy of the email he received from Mario Vernizzi. Chief Smith noted that we continue to receive monthly payments from AT&T, most recently the increased rent with the CPI included along with the annual access fee.

NEW BUSINESS:

- A. Chief Smith and Finance Director Hom presented an unaudited review of the 2011-12 budget as well as the 2012-13 final budget.
 - 1. Finance Director Hom reviewed the fiscal year 2011-12 budget vs. actual figures.

Revenues: Secured property taxes came in lower than anticipated, down by \$32,000.00. Special Assessments was right on target. Supplemental Assessments increased significantly, indicating an increase in turnover of home sales. This is a good sign. KFD was short on ERAF and state fires revenues but experienced an increase of revenues from plan check fees. Total revenue was down by \$74,000.

Expenses: We are on target. Administrative Secretary line not comparable due to transition but will be on target going forward; overtime and safety-regular pay on target, health insurance within range, retirement under budget about \$35,000. Overall salaries and employee benefits are at 98% of actual vs. budgeted allotments. Finance Director Hom noted that the OPEB obligation is not going to change going forward although the annual contribution July 2013-14 will increase due to the District's decision to invest in CalPERS Strategy 2, a less aggressive investment vehicle with slightly lower predicted earnings.

Services & Supplies: under budget at 96.57%. Dispatch costs lower this year. Chief Smith expects this item to increase for the 2012-13 fiscal year.

Capital Outlay: Under budget.

Debt Service: Currently in line. Chief Smith and Finance Director Hom recommend, in the next couple years, the Board consider refinancing the KFD loan at the ten year mark, if interest rates are favorable.

Overall Finance Director Hom noted KFD was 1% under budget with a positive variance of \$31,422.05, not a bad position.

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

2. Chief Smith presented the 2012-13 final budget to the Board noting recommended changes from the preliminary budget presented in June.

Revenue: The Chief recommended increasing the budget on State Fire revenue, 9950 and on the overtime expense, 1030, side to increase overtime by an equal amount of \$125,000; noted that ERAF revenue projection is under \$200,000.00, first time in a long while. He also noted that revenues from cell site rental and the contract with Marin General have built in COLAs which we have already received.

Services & Supplies: The Chief had received some solid figures and made \$1,000.00 adjustment downward.

Capital Outlay: Added \$180,000.00 to the Capital Outlay line item for the Self Contained Breathing Apparatus (SCBA). The preliminary budget did not have a line for this item. KFD has applied for a FEMA grant opportunity to cover this expense and if funded will come in at 90% of the budgeted amount. As a safety net, Chief Smith proposed to budget for the cost in case the grant does not come in. If it does then KFD can decide what to do with the fund differential.

Debt Service: No changes in this area.

In Finance Director Hom's final comments to the Board he noted that without the FEMA grant, KFD would have a \$20,000.00 surplus. The other consideration to the 2012-13 budget is the unfunded liability of Carol Abraham's CalPERS retirement plan. Since CalPERS has not given KFD the figures the impact is unknown. Finance Director Hom noted the actuarial will have the figures by late October.

M/S Gerbsman/McLeran to approve final 2012-13 budget. All ayes.

3. Chief Smith introduced a review of the designated reserve funds. The Board has the opportunity to review, discuss and reallocate reserve funds upon the completion of the 2011-12 internal audit. Chief Smith would like the Board to strategize, prioritize and lay a strategic long term vision for KFD. He thanked this Board and past Boards for maintaining current fund amounts and noted that KFD is fortunate to have these reserve funds in the bank.

Chief Smith highlighted the following items for the Board to consider. When CERBT funding reaches the \$1 million level, use the interest earnings to pay current retiree medical costs. Finance Director Hom noted that the OPEB amount of assessments, about \$650,000.00, is not in reserves but benefits the current retirees, the active employees and future budgets as well. Finance Director Hom and Chief Smith noted the Board's decision and discipline to start saving two years ago and thanked the Board for their foresight and resolve to do this. Other considerations involve the impact of Carol Abraham's unfunded retirement liability which will be known in late October. Indications are KFD will have five years to pay it off. Director Gerbsman note on the \$250,000.00 of the side fund pre-payment last year brought down our retirement costs. Chief Smith and Finance Director Hom have talked at length about prepaying all or a portion of the fire department modernization bond or refinancing the note when its closer to the five year mark (June 30, 2014). Chief is requesting the Board to look at allocated reserves in the bank and have a discussion on the current business model and its validity. There is 3.1 million in total reserves. KDF may need to reallocate funds due to needs. Chief Smith asked the Board to consider KFD reducing the funds in compensated absences or general insurance. He also noted that the unreserved fund was high and recommended reducing it to \$40,000.00. Finance Director Hom referenced an article on Finance Best Practices, from the Government Finance Officers Association, that recommended budgeting two months in reserves, allowing sufficient funds to get through lean times. A short discussion ensued with the Board on Chief Smith's presentation of possible realignment options with the reserved funds.

Finance Director Hom noted that in the next couple of months some of these unknown figures will become clear. For instance the CalPERS number to fund Carol's retirement plan may require the District to reallocate funds to cover the liability. With this information the Board has the opportunity to realign the funds to better meet the District's needs.

Chief Smith recommends scheduling a study session, at the beginning of next year, with the Board of Directors and a couple of staff members to review reserves. Chief Smith and Finance Director Hom will make recommendations and lend guidance to the work session.

CORRESPONDENCE: Reviewed.

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

REPORTS: The Incident Log and Overtime Report. A revised Overtime Report was distributed with updated hours. All reports were reviewed.

CHIEF'S REPORT:

- A. Chief Smith reported B/C Hadfield recently responded as a strike team leader/type 3, four wheel drive vehicles, out of Marin. Chief Smith has heard back from the Region Chief, Division Chief, and OES Chief Marvin Howard and they had nothing but positive comments about Hadfield and the team he led. The locals commented that this was the best they'd seen on a fire in a long time. Captain Glenn, Engineers Garcia, Pomi and Viau, and seasonal firefighter Siamak Shafa went out on the OES working with a Mendocino strike team. This was a good deployment. The team managed spot fires, saved homes and protected a key hydro-power facility in the Lake Almanor area. Chief Smith had asked B/C Hadfield to report on his experience but he had to leave due to a call.

- B. Chief Smith is working with the Kent Woodlands Homeowners Association planning a disaster preparedness evacuation drill scheduled for Saturday, October 13 at 9:00 a.m. The Chief has been working with Kathy Goldsmith, Barry Evergettis, Paul Homrighausen and Lieutenant de la O, County Sheriff's Office to plan this 80 home evacuation. The board is active with lots of energy. Participation in the evacuation is voluntary but the Chief is hoping for at least 50% turn out. We will use the telephone emergency notification system. There are evacuation exit plans for residents and road blocks provided by the Sheriff with all participants directed to the College of Marin parking lot where they will check in and complete an evaluation form. The professional staff members for KFD, MCSO and Marin OES will meet and evaluate the event two weeks later.

Upon B/C Hadfield's return to the meeting, Chief Smith asked him to report to the Board on his experience with the strike team. B/C Hadfield reported he was assigned on Sunday, August 12 as Strike Team Leader for Type 3 vehicles from Southern Marin, Ross Valley, Mill Valley, Sky Walker Ranch and Marinwood. They were sent to the WYE fire bordering highways 20 & 53. They staged on Sunday and started working the fire operation the next day. The team was assigned to good fires with 100% ignition probability. The first assignment was in division Zulu but while they were waiting at the drop point for their division supervisor a spot fire started across the line and starting running the hilly terrain. The strike team was less than a ¼ mile away, but by the time they reached the fire it was about four acres. It was running like a freight train. The team got that one under control. Then they were sent down to their division, the guys there were already working on a 15 acre fire that had started about ten minutes before they arrived. Temperatures were above 100 degrees. The guys really worked hard. The team spent a total of five days in Lake County. They were released on Friday and redeployed to the RUSH fire. The RUSH fire was a Forest Service fire. It was difficult because of philosophy differences. The Fire Service is on 12 hours shifts; our team was on 24 hour shifts. We spent five days on this fire and were released.

APPROVAL OF WARRANTS: M/S Murray/McLeran to approve Warrants No. 4876 to and including 4943 in the amount of \$284,886.14. All ayes.

The next regularly scheduled meeting will be Wednesday, October 17 at 6:30 p.m.

A moment of silence was held in honor of Bill Morris who passed away on September 17. Bill was a fire fighter at the Kentfield Fire District from 1963 to 1995.

M/S Murray/McLeran to adjourn this meeting at 8:15 p.m. All ayes.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, October 24, 2012

CALL TO ORDER: 6:28 p.m. by Chairman Naso. Chairman Naso led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present except Director Murray. Also in attendance were Chief Smith and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Corbet to approve the minutes of the September 20, 2012 meeting. All ayes.

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

OLD BUSINESS: N/A

NEW BUSINESS: N/A

CORRESPONDENCE: The Board reviewed the AT&T Mobility Rent Comparison for the Kentfield Fire District 2012 document from the Board packet. Chairman Naso asked Chief Smith to open a discussion on the AT&T Rent Memorandum 2 correspondence, received this week by Chief Smith, distributed at the meeting. Chief Smith acknowledged the Board could not take action on the AT&T Rent Memorandum 2 but could discuss the information and recommend a business direction for the Chief. The Chief outlined AT&T's counter proposal to increase rent to \$5,000/month with a 3% annual COLA. He noted that AT&T still had not addressed at least three outstanding issues: one, the performance bond if the site is not cleaned up and returned to pre-lease condition after they left; two, the penalty if AT&T loses their permit to operate on site and three, the installation of a PG&E electric meter to track their energy consumption. At this time Chairman Naso distributed photos of cell site towers, screens, and equipment he had photographed at comparable sites on Sir Francis Drake Blvd for the board's information. A discussion ensued with the Board regarding these outstanding issues. At the conclusion of the discussion the Board asked Chief Smith to proceed with correspondence to AT&T highlighting the District's concerns. Chief Smith acknowledged he would prepare a letter to the AT&T official contact.

REPORTS: The Incident Log and Overtime Report. All reports were reviewed.

CHIEF'S REPORT:

- A. Kent Woodlands Property Owners Association (KWPOA) approached Chief Smith four months ago regarding disaster response and evacuation. To address their emergency preparedness concerns and the Chief's they decided to put a drill together. Chief Smith worked with the KWPOA and Lieutenant de la O, from Marin County Sheriff's Department, coordinating the details of the evacuation fire drill. They staged the evacuation on Crown Road, Ridgecrest Road and Blue Ridge Road, a vulnerable area. Several mailers were sent out by the KWPOA and the Sheriff's Department explaining disaster preparedness. Using the Telephone Emergency Notification System, TENS, residents were contacted by phone to evacuate on Saturday, October 13. Chairman Naso and the Channel 2 news team were there to film it. Channel 2 did a live spot at 9:00 am on Saturday morning. The drill was a success with lots of positive feedback from the community. Chief Smith received two dozen requests for a disaster preparedness course and two to three residents were interested in vegetation reviews. The KWPOA distributed evaluations to participants at the end of the drill. These will be reviewed and included in an after action report.
- B. Chief Smith reported the Kentfield Fire District Pancake Breakfast and Open House on October 14 was a success and well attended by the community. All paid staff and volunteers worked the breakfast.
- C. The SRA Press Conference at the Kentfield Fire Station on October 11 was sponsored by the Marin and Sonoma Fire Chiefs to address questions from our constituencies. The State Responsibility Area, SRA, bills were received by residents the end of August. Residents had sourced the Kentfield Fire District website, the Board of Equalization, BOE, and CalFIRE to address their concerns. Many stated they were not getting an appropriate response from the BOE or CalFIRE. Kentfield Fire District received numerous phone calls and "walk ins" questioning the bills. Chief Smith worked with Chief Pierce, of Tiburon Fire, to organize the Press Conference with the help of Chairman Naso. The press conference went well. A few local residents attended as well as Channel 5 News. The news team taped the press conference and interviewed a few residents and the Fire Chiefs. The segment did run on the evening news.

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

APPROVAL OF WARRANTS: M/S McLeran/Gerbsman to approve Warrants No. 4944 to and including 5003 in the amount of \$340,374.56. All ayes.

The next regularly scheduled meeting will be Wednesday, November 14 at 6:30 p.m.

A moment of silence was held for departed members.

Meeting adjourned at 7:28 p.m.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary

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

MEETING TYPE: Regular

DATE: Wednesday, December 19, 2012

CALL TO ORDER: 6:32 p.m. by Chairman Naso. Chairman Naso led the assembly in the Pledge of Allegiance.

ROLL CALL: All Directors were present. Also in attendance were John Maher of Maher Accountancy, Captain Glenn, Volunteer Firefighter Andrew Marty, Marin County Counsel Vuillermet, Chief Smith, Accountant Hom, and Recording Secretary Mulkeen.

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Corbet/Gerbsman to approve the minutes of the previous month. Director Murray abstained. All ayes.

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

NEW BUSINESS:

1. Mr. John Maher, Maher Accountancy, presented the final version of the annual audit report year ending June 30, 2012. He reported overall the audit, managed by David Greenblat, went really well, noting the District had strong internal controls. As a result he credited the District \$1,000.00 off his contracted fee. Chief Smith asked Mr. Maher to present a detailed report to the board in preparation for a board meeting next month to review reserve accounts. Mr. Maher reviewed the audit page by page answering questions as needed. Mr. Maher did note that the unrestricted funds increased slightly due to increased property taxes and personnel expenses decreased due to a 2011 contribution into OPEB, unfunded health benefits. Mr. Maher also noted that if the Defined Benefit Pension Plan's projected investment rate of return, 7.75%, isn't met, the District will not meet this budget line item.

The Board thanked Mr. Maher for the report.

2. Chief Smith introduced Mr. Greg Guerrazzi from T-Mobile. Chief Smith explained the District has been working initially with PacBell and then through acquisition T-Mobile for over five years. They approached the District with a desire to upgrade their existing site. Counsel Vuillermet and Chief Smith worked with T-Mobile representatives to come up with an equitable agreement. T-Mobile was very fair and worked well with the District. Counsel Vuillermet was able to improve the contract language giving the District more decision making authority over the site. In consideration of the District's efforts to review and approve the proposed site upgrade, T-Mobile has offered to increase the monthly rent by \$200.00. Counsel Vuillermet also added a provision that the leasee will comply with EMF laws and indemnify the District if any claims arise out of violation of EMF laws or misuse of the facility. Also, Counsel Vuillermet added to the contract that at the District's request, emergency work can be started within 24 hours of telephonic notification followed by written notification within 48 hours after we have commenced the emergency work. Mr. Guerrazzi defined the scope of the upgrade. T-Mobile would like to add fiber optics to the site using a new conduit (the existing conduit will continue to be utilized), and replace the existing equipment cabinet with a new unit that is lighter in weight. The work will take one day to complete.

M/S Murray/Gerbsman to accept revised lease terms and authorizes the District to enter into a new proposed lease agreement with T-Mobile. All Ayes. M/S Murray/Corbet to authorize Chief Smith to sign the consent letter with T-Mobile. All Ayes. Chairman Ron Naso will sign the amendment.

The Board thanked Counsel Vuillermet for her work on the contract and for strengthening the District's position.

3. Chief Smith thanked Chairman Naso for this year of service as Board Chair and for a job well done.
M/S Murray/McLeran that Director Steve Gerbsman become the next Chairman of the Board. All Ayes. M/S McLeran/Gerbsman that Director Bruce Corbet becomes Vice Chairman; All Ayes. M/S McLeran/Gerbsman that Director Michael Murray become Board Secretary. All Ayes. The new Board of Director positions will be effective January 2013.
4. Chief Smith introduced the Annual Statement of Investment Policy for the Board's review and acceptance. Accountant Dan Hom noted he is on the Treasury Oversight Committee representing the Special Districts that created this policy. The Committee reviews the annual statement and policy every year and since the District is part of the treasury pool the Board has a voice on accepting the policy. The Board of Directors accepted the investment policy.

CORRESPONDENCE: Reviewed

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

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

CHIEF'S REPORT:

1. Chief Smith reported that, as instructed by the Board, he sent a letter to Mr. Swarner, AT&T Subcontractor, regarding the District's concerns with the current AT&T Mobility Lease agreement. The issues highlighted in the letter were lease language, separate electric utility service meter, and the monthly lease amount. To date, the Chief reported he has not heard from Mr. Swarner. Counsel Vuillermet reported she had been waiting to hear from Counsel DeBene's associate and after some time discovered the associate was not advised he was to work with the District. The Board had an open discussion regarding the District's issues with AT&T Mobility. Upon conclusion, the Board asked Chief Smith and Counsel Vuillermet to meet with Counsel DeBene expressing the District's concerns and bring the information back to the Board as an agenda item for action at the January meeting. Chief Smith and Counsel Vuillermet thanked the Board for their support with the difficult AT&T negotiations

2. Chief Smith reported on the Kentfield Association of Firefighters activities in 2012. The Association's 501(c) 3 status was revoked due to failure to file the required returns with the IRS. Chief Smith had several meetings with the Association Board of Directors and discussed the leadership of the organization and his desire to help the organization improve. Engineer Pomi and B/C Hadfield completed a full audit of the Association accounts and reported all funds were accounted for and vendor accounts rectified. Chief Smith and Volunteer Firefighter Larson, who stepped in as interim secretary/treasurer, have been working with a CPA to file all back due returns and are awaiting status of our 501(c) 3 application. All required prior returns have been filed with the appropriate State and Federal agencies. After substantial time and effort, Engineer Pomi was able to get the Association's CSFA charter membership retroactively reinstated for 2012.

Captain Dave Glenn presented information on several issues with the current organization and the new vision of the volunteer firefighter program. In the current organizational structure there is a resident program, volunteer program and support staff. The resident firefighters, the six people that live here, have been well trained and always do a really good job. The five volunteers, migrated to support positions due to health issues or age, were not motivated to perform despite efforts to encourage growth and development. Starting the first of the year the support volunteer position will be eliminated from the volunteer program and will move into another organization, the Kentfield Alumni Association. For all the training, time and funding the District dedicates to this program Captain Glenn would like the District to see a better return on investment. The new program will raise the minimum standards for application. Applicants will need an EMT or Firefighter 1 certificate prior to applying in our program; have to work one 12 hour shift per month; and have performance evaluations on a regular basis. Those volunteers not meeting these criteria will be released from the program. Chief Smith supports these changes and sees them as a rebirth, a "Phoenix" of the association. The Board recognized Captain Glenn for his hard work and commitment to keeping the association strong.

APPROVAL OF WARRANTS: M/S Murray/Gerbsman to approve Warrants No. 5004 to and including 5064 in the amount of \$283,845.21. All Ayes. M/S Murray/Gerbsman to approve Warrants No. 5065 to and including 5133 in the amount of \$424,633.20. All Ayes.

The next regular meeting will be held on Thursday, January 17, 2013.

A moment of silence was held in honor of the children and teachers who lost their lives in Newtown, CT.

Meeting adjourned at 8:20 p.m.

Respectfully submitted,

Sharon Mulkeen
Recording Secretary