

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

MEETING TYPE: Regular – Virtual Meeting via Teleconference

DATE: Wednesday, September 14, 2022

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

ROLL CALL: Corbet-present; Evergettis-present; Gerbsman-present; Murray-absent; Naso-present. Also in attendance were Chief Pomi, Deputy Fire Marshal Pasero, Accountant Hom, A-Shift, and Recording Secretary Wilson.

VOTE TO CONTINUE VIRTUAL MEETINGS AB 361 – Chief Pomi stated Resolution 13-2022 is a continuation to hold the District's meetings virtually. He requested the Board approve Resolution 13-2022.

M/S Evergettis/Gerbsman to approve **Resolution 13-2022**, a resolution of the Board of Directors of the Kentfield Fire Protection District proclaiming a local emergency, ratifying the proclamation of a State of Emergency by Executive Order N-08-21, dated June 11, 2021, and authorizing remote teleconference meetings of the legislative bodies of the Kentfield Fire Protection District for the period September 14, 2022 – October 12, 2022, pursuant to Brown Act provisions.

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye;
Ayes: 4; Noes: 0; Absent: 1
Motion passes

APPROVAL OF PRIOR MONTH'S MINUTES: M/S Gerbsman/Evergettis to approve the minutes of August 10, 2022.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye, Murray-Absent; Naso-Aye;
Ayes: 4; Noes: 0; Absent: 1
Motion passes

ORAL COMMUNICATION: None

AGENDA ADJUSTMENTS: None

SPECIAL ANNOUNCEMENTS/PRESENTATIONS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

- a. **Annual Gann Appropriations Limits Report** – Chief Pomi stated this is the time of year to review and approve the Annual Gann Appropriations Limit report. In 1979, voters approved a proposition initiated by Mr. Paul Gann to place limits on the growth of expenditures for publicly funded programs. This initiative allows the District to review and increase the appropriations annually by either a rate of population increase or by a rate of inflation increase. Chief Pomi referenced page 2 of the Appropriations Limit report F/Y 21/22 and asked Accountant Hom to help explain.
Account Hom stated the calculation of the Appropriations Limit for F/Y 21/22 equates to \$6,950,544. This figure consists of two items; property taxes the District receives and excess monies that voters approved to be included as additional appropriations. This is a calculation that is required to be done every year and is also reviewed during the fiscal year-end audit.

M/S Gerbsman/Evergettis to approve **Resolution 14-2022** Determining the 2021/22 Annual Gann Appropriations Limit

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye
Ayes: 4; Noes: 0; Absent: 1
Motion passes

- b. **Measure G Tax Report FY 2021/22** – Referring to the special assessment Measure G tax, Chief Pomi explained the District is required to prepare this report and present it to the Board at a public meeting every year. If accepted and approved, the report becomes available at the fire station and on the District's website for public access. Chief Pomi stated the revenues and the expenditures shown in this report are from the last fiscal year, 2021/22. In November of 2013, voters approved Measure G, which replaced Measure H. The District completed the Transmittal 3 and submitted it to the county tax collector, back in May and June for the \$0.07 for improved parcels and \$20 per acre of an unimproved, either \$15 an acre or \$10 an acre depending on the size of the acreage. Chief Pomi referenced page 8 and said this is the rate adjustment for inflation within the measure and the District has the approval to increase the maximum amount by the CPI with a max of 3%. Back in F/Y 2014/15 it was approved, and the max was \$0.10 even though the District chose to only charge \$0.07 per square foot. Every year since then there were increases; Fiscal year 2021/22 the ceiling is \$0.12 and the District only charged \$0.07 due to the

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ability to manage and balance the budget without having to charge the community and the residents the maximum amount. Chief Pomi articulated there is no reason to collect the extra monies in taxes if they are not needed for budget purposes. Chief Pomi referenced page 10, where \$0.07 charged on the square footage within the District brings in approximately \$550,000 a year. Accountant Hom calculated all expenses charged against the qualified Measure G items: Emergency Communications, Auto and Equipment, Prevention, Fire Equipment, Medical Supplies, Hoses and Hydrants, Protective Equipment (PPE), Building Maintenance, and Building Renovation. There was approximately \$750,000 worth of expenditures just in operating costs. Written within the measure, it is not intended to be used for salaries and compensation for employees which why the District must do its due diligence to show where the money is being spent. Accountant Hom referenced the ending balance of \$ (759,986) on page 10 and explained the District actually spent more in Measure G qualified expenditures than it actually brought in. Chief Pomi asked if there were any questions. There were none.

M/S Evergettis/Gerbsman to approve the Measure G Tax Report FY 2021/22

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye
Ayes: 4; Noes: 0; Absent: 1
Motion passes

- c. **2022 California Fire Code Adoption Process and Review** – Chief Pomi explained this item is the 2022 California fire code adoption process, which is required to be reviewed every three years. Deputy Fire Marshal Larry Pasero has taken the lead, now several times, not only for Kentfield Fire District, but for all Marin County Fire agencies through the Marin County Fire Prevention Officers for this process. DFM Pasero stated this is a triennial code adoption, which means that every three years the Fire District is required to adopt local findings and review a new code process provided by the California Building Standards Commission. This reflects a process that is reviewed over a three-year period to adopt a fire code at the international level. The State of California will look at it with the Building Standards Commission and then adopt a California specific fire code. Fire agencies receive the code in July and it is then reviewed based on the local topographical, geographical, and climatic impacts in the District that affect response times in conjunction to roads, climate, and surrounding areas. The code is amended to make it stronger in support of the District's community. DFM Pasero led the group in Marin County and this proposed documentation reflects all fire jurisdictions throughout the County. He said it supports not only the KFD community, but all the customers and people that work throughout the County. Over the period of six weeks, there was a good amount of participation this year by the fire agencies. The key is to balance what the State provides in their amendments and review it at a local level.
- Included in the Board packet was summary documentation to help explain the key target points identified by the group. The International Wildland Urban Interface codes are always adopted in Marin County. These include the District standards for the defensible space program and access standards for fire suppression opportunities in wildland urban interface and state responsibility areas. As in previous years, automatic fire sprinkler requirements were amended. The District requires substantial remodels and new homes to add fire sprinklers. DFM Pasero explained this is a benefit for response time and slows the growth of fire. This year there were some new code sections added by the group. The MCFPO's were directed by the Marin County Fire Chiefs to look at wildland fire protection systems with the threat of wildfire and based on past practices learned through the large fires seen in California. There are many new companies claiming to add what is known as wildfire suppression protection systems. These are basically exterior fire sprinkler systems that are unregulated. There are no standards for their installation, and they could have a detrimental effect on fire suppression efforts and water supply. New codes and standards were created to require the companies who install these systems to provide the District with plans, calculations, and details. The opportunity is then to review the system values and provide a means to shut off the systems when no longer required. New requirements have been added to alternate energy standards as more alternate energy resources are being applied to the single-family residences. DFM Pasero said it used to be just photovoltaic or solar panels installed but now huge battery systems and generators are being installed in case of a shutdown by PG&E. These are robust systems and the focus is to provide safety for firefighters.
- Chapter 49 has been modified which is the wildland urban interface defensible space and vegetation standards. DFM Pasero said it's valuable to have proper access and to make sure homeowners are making their properties more defensible. DFM Pasero expressed how great it was working with the departments who participated and was happy to see a good consensus within the group.
- Chief Pomi stated this document is over forty pages. Instead of reading page by page, the District has entrusted that DFM Pasero, along with the other prevention officers, are working within the County guidelines and have done their due diligence. Government code 25120 enables the Board, with a motion, to read the code by title only and that would then start the process for the approval

- d. **Ordinance No. 2022-118**

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M/S Gerbsman/Evergettis to introduce and read by title only Ordinance No. 2022-118

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye

Ayes: 4; Noes: 0; Absent: 1

Motion passes

Chairman Naso read: **Ordinance No. 2022-118**

An ordinance of the Kentfield Fire Protection District, adopting and modifying the California Fire Code, and Appendix A of the International Wildland-Urban Interface Code, with amendments supported by local findings, prescribing regulations governing conditions hazardous to life and property from fire or explosion; providing for the issuance of permits for hazardous uses or operations; and defining the powers and duties of the Fire Prevention Division and Officers.

- e. Proposed 2022 California Fire Code Adoption Schedule – Chief Pomi referenced the last page of the code adoption packet, which is a calendar of events starting September 9th through January 2nd. Deputy Fire Marshal Pasero stated with approval, the District is required to follow an adoption schedule. He said the Government Code requires us to read the ordinance first by title, then go through a process of notifying our constituents and our community of these proposed changes that are going to be adopted. That is completed in the form of providing public notice through a regularly circulated periodical; the District uses the Marin IJ. There will be two specific postings published noting when the adoption hearing will be held for the Kentfield Fire District. Once the public is notified, November 9th will be proposed as our next regularly held Board meeting where the hearing and adoption of the ordinance takes place. With that, the adoption goes on hold for 30 days as it moves through the Marin County Board of Supervisors. They ratify it and then the District notifies the California Building Standards Commission and Community Development Department of the adoption. It will sit and rest for 30 days and then put it into place for actual implementation on the second day of January, which is the first Monday, or first business day of 2023. DFM Pasero stated it is that time the current code will be retired and the District will move forward with the new code as adopted.

Board to set the date for a public hearing for the adoption of the proposed Ordinance 2022-118.

- a. November 9, 2022 KFD Board Meeting Public Hearing / Adoption

M/S Evergettis/Gerbsman to approve setting the public hearing date for the adoption of the proposed Ordinance No. 2022-118

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye

Ayes: 4; Noes: 0; Absent: 1

Motion passes

CHIEF'S REPORT:

- a. **CalOES** – Announced the District received the final payment of last year's incidents.
- b. **OES 2615** – B shift was dispatched to the McKinney incident in Siskiyou County. BC Glenn was also assigned up there as strike team leader. Currently, C Shift has been assigned to the Mosquito incident in Placer County. They have reported they are doing well and the Engine is in good shape. Amongst all of those out of county assignments there is still plenty of coverage here at home. A shift is here tonight, covering for C shift.
- c. **9/11 Remembrance** – A 9/11 remembrance was held last Sunday morning at the firehouse at 6:59 am. Comm center rang down all the stations. Both A shift and B shift members here participating along with Director Naso who came down and joined us. It had been 21 years since 9/11 and it's always nice to take the time to reflect on what has happened and where we have been.
- d. **KWPOA** – The Kent Woodlands Property Owners Association held their Fall Food Truck event also on September 11th. B shift was able to go down and have a nice dinner.
- e. **Elections Department** – The District received a notice from Dan Miller in the elections department. The District had three positions to fill for Board members starting an additional four-year term and there were three incumbents who applied. Since there were three incumbents who applied to fill those three positions there will not be an election for the Kentfield Fire District. Sometime after the November Election, the District will receive the Oath of Offices to be conducted most likely at the December Board meeting. The new four-year term will start in January 2023.
- f. **District News** – It's very busy here at the District office for accountant Hom, Jena, and myself in regards to audits. We just finished up a payroll audit with CalPERS on holiday pay and should be receiving the report from CalPERS by January. The results will be presented to the Board at that time. We are also working through our year-end financials for fiscal year 21/22 with Maze & Associates. The auditors were in the station yesterday, doing some of their final work.
- g. **Marin IJ Obituary** – Please keep retired Battalion Chief Jim Galli and his family in your thoughts; his mother passed away.

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DIRECTOR MATTERS: Directors provided the following information regarding their activities:

Director Naso – Announced MERA's next meeting will be on September 28th.

Director Evergettis – Reported the MWPA is preparing a lawsuit against the environmentalists.

CORRESPONDENCE: Were reviewed.

DISTRICT OPERATIONS: August Incident Logs and Overtime Reports were reviewed.

APPROVAL OF WARRANTS:

M/S Naso/Evergettis to approve August warrant 805304481 to and including 805304554 for \$650,378.61

OPPORTUNITY FOR PUBLIC COMMENTS: There were no public comments made.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Aye; Murray-Absent; Naso-Aye

Ayes: 4; Noes: 0; Absent: 1

Motion passes

NEXT MEETING: The next regular meeting will be held on October 12, 2022.

ADDITIONAL ACTIONS: Director Naso asked for a moment of silence. Hoping our first responders and firefighters stay happy, healthy, and safe during this fire season.

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

Respectfully submitted,

Jena Wilson
Recording Secretary