

**KENWOOD FIRE PROTECTION DISTRICT  
REGULAR MEETING OF THE BOARD OF DIRECTORS  
JANUARY 11, 2022**

**MINUTES**

**MEETING:** Meeting called to order at 16:00 hrs. Directors Cooper, Doss, Moretti, Atkin, Uboldi and Chief Bellach were present. Chief Bellach stated the only change to the agenda would be when Bill Adams, our legal counsel, gets on the Zoom, which would prompt a move to action item 5.C.

**MINUTES:** MSP Cooper/Atkin to approve the minutes of December 12, 2021. Director Atkin asked if the minutes could please state Minutes on the top of the page.

**ROSTER:** 19 Volunteers, 4 Part-Time & 5 Full-Time. Chief Bellach stated we have two new volunteers going through physicals. One is an out of district Explorer and the other is an in district volunteer. Director Cooper asked about the status of our employee out on Workers Comp. On January 29<sup>th</sup>, we should have an update on when that employee can return to work.

**CLAIMS:** MSP Moretti/Cooper to approve CR #21-22-07 for \$29,068.83 and payrolls 12/03/21 for \$24,151.04 and 12/17/21 for \$24,065.41 and 12/30/21 for \$27,733.50.

Director Cooper asked about the two fuel bills that were a few weeks apart. The reason is we have a normal schedule to fill the tanks. Sometimes they will stop by if they have extra fuel on board to top off the tanks. He also asked about the maintenance bill for the Chief's vehicle. Chief had a check engine light come on. Two out of the three issues were covered under warranty. The one that was not covered was the coolant tank reservoir sensor that went out. Director Cooper asked if this was a new vehicle under warranty. The vehicle is a 2020 with a limited warranty. Director Cooper asked about the charge from Allstar Fitness. This was a service call for treadmill maintenance.

Chief Bellach asked if the Board would still like the previous month claims report be added to the Board packet. This has caused some confusion in the past. The board asked for this report to be removed.

Director Moretti asked about the response times report in the packet. This had nothing to do with the report Bob Uboldi did on the ambulance responses. This report just shows the average response times for the units in our District.

Director Atkin asked if we could show a report that also broke down all the call types. The current pie chart does not reflect the detailed call type with the percentage given on the pie chart. Chief Bellach will follow up with the Board with a detailed call report.

**PUBLIC APPEARANCES:** Jay Gamel, from the public, asked if the District can get information to the Press by a certain date. He will give us a list of dates for their deadlines, so if we have important information, we will know when to get it to the press in time for the next issue.

**OLD BUSINESS:** MSP Moretti/Cooper to approve video conference option under AB 361. Director Cooper asked if we could adopt this, so we don't have to approve it every month. Chief Bellach said he will ask counsel to see if this can be done.

MSP Doss/Moretti to approve the selection of the new board Chair for 2022. Director Moretti stated that the newest Board Members in the past have been chosen for the Chair. He suggested that Director Uboldi be the new Chair, so Director Atkin can have another year before he is nominated to the chair. Uboldi – Chair and Moretti – Vice Chair.

Counsel Bill Adams joined via Zoom. Director Moretti stated one version of the agreement had the District signing a Global Coveted Not to Sue agreement. This would give up any rights we have against the County. Director Moretti believed that we are really not giving anything up and felt there were no issues with this document. The current Revenue Sharing and Budget Stabilization agreement from the County provided us an annual revenue sharing payment of \$180,000.00 a year adjusted by CPI. Part of the CPI goes into suspension if the County has a negative year in terms of tax collections. There was also an agreement stating we would get additional \$120,000.00 for a total of \$300,000.00 a year. In section 5 of the agreement it was stated that we would be getting (2) \$120,000.00 payments which is an increase from (1) last time the agreement was reviewed. Director Doss stated that he just received an email from Supervisor Gorin that she was on her way and will be present at our meeting shortly. Director Moretti asked Bill Adams to speak while we were waiting for Supervisor Gorin. Bill stated that the increase to the \$300,000.00 a year was based on the counter proposal that he had sent in to the County. The passing of our Measure E would have caused us to lose the \$120,000.00 a year per the agreement. Currently the County would agree to (2) payments of the \$120,000.00 until we started receiving our Measure E revenue, sometime in 2023. Director Atkin asked Bill what would cause the suspension of the CPI increase due to the County tax collections going down. Bill Adams stated this was tied to property tax growth. The CPI fluctuations in growth are more than what the tax revenue growth will be. What was explained to Bill was, there is about \$8.3 million dollars, and our \$300,000.00 is a small portion of that. The Counties concern was, should there be another recession period like there was in the 2000's and the property tax revenues did take a dip, if the County had to lay-off staff and have cuts, they could not increase our CPI. Bill had asked Director Doss if there was any questions or comments that he had with Supervisor Gorin that he would address. Director Doss stated he attended a Zoom meeting last week with Terri Wright and Supervisor Gorin. The purpose of that meeting was to try to be clear on our position with Measure E and what the measure does and does not do for us. The newest proposal from Bill Adams was talked about. Terri Wright's response to this was we would be giving up our \$180,000.00 in perpetuity, but did not dislike the idea. Measure E was explained as to how it addresses our current shortfall and how those funds will not be available for a whole year. Measure E was never meant to be a substitute for the \$300,000.00 from the

County. Supervisor Gorin had suggested to move those funds to (2) years and not one year and leaving the \$180,000.00 in perpetuity alone. It was agreed that a new version of the agreement be sent to County Council, Bill Adams and Chief Bellach that included two years, not one year. Terri Wright's view was if there was anything after year two, it would require an audit and an analysis of our financial need. Supervisor Gorin stated that there were three triggers that would make the stabilization funds (\$120,000.00) go away. One, if there was a County Sales Tax passed. Two, should the District become consolidated and three, time of 10 years. Bill Adams stated that the funds would come in for FY2021-22 sixty days from the execution of the agreement.

Supervisor Gorin arrived to the meeting and spoke on how she wants to help us with our fiscal stability and to move forward with consolidation. She wanted to encourage the Board to approve this agreement, because she wanted to make sure we do get the funds that we need. She spoke about the County Sales Tax Measure and how the current polling did not turn out well. The County now has taken the Measure off their calendar due to the polling results. The County may move forward next year for a sales tax measure.

Director Moretti asked for discussion by the Board on the agreements. Director Doss made a motion to except both agreements. Director Atkin 2<sup>nd</sup>. Discussion, Director Doss thanked the Board for being very attentive during this long process and stated that this does give us some stabilization. Director Moretti stated that this is all part of a piece. We have to normalize our pay to our employees and we have completed the reserve study. The study shows we need to put \$200,000.00 a year into CAP. This is a significant element and of importance to our financial future. Director Moretti asked for a vote on the motion, All Aye.

Bill Adams asked if we can have a representative attend the County BOS meeting on January 25<sup>th</sup> to show support to the BOS passing the agreements.

**Chief's Report:** Chief Bellach confirmed the numbers from the last meeting that he missed. He ran the numbers based on Measure E and came up with \$361,868.00 +- for 1125 parcels. 25 of those parcels are still not accounted for due to missing data. Director Moretti stated that this number is larger than what we were trending in the preliminary numbers and we would not have to take all of that. Chief Bellach stated that some of the parcels are showing vacant from the 2017 fires, but the homes have been rebuilt and are being lived in. Also, some commercial structures such as wineries are coded as agricultural on small parcels. Director Uboldi stated that we need to address these issues due to some of the coding not being correct and having a large number of vacant parcels that are continuous that we are now charging for. It's not clear if we can make changes such as changing use codes and/or not charging for certain vacant parcels. Director Moretti suggested that we contact Bill Adams to see what we can and cannot do legally. Director Cooper asked, why couldn't parcel owners go to the County and try to consolidate continuous parcels. Jay Gamel from the public stated that he is going through this right now and it is difficult to do.

Director Atkin suggested maybe we should create an ad hoc committee for this issue with the Benefit Assessment. Some of our commercial properties are coded as agricultural on small acreage

parcels and would only be charged for the acreage and not the square footage. We will look into this with Bill Adams and figure out what we can change (use codes, dollar amounts). Director Moretti asked if the Board would like to create an ad hoc committee today or wait until next month's meeting to choose the committee. Next month we will choose a committee. Director Doss mentioned that there are people who do this kind of work for special taxes and maybe we will need to look into hiring someone to help us.

Director Moretti stated that the Reserve Study report was well done and the Board is very grateful to Director Atkin and Tony Ghisla for taking the time to put this together. Director Atkin reported on the findings of the Reserve Study, he stated he wanted to thank the Board in allowing this study to be done and thanking the Chief for putting time into it as well. He also thanked Tony Ghisla for taking the time to gather the data for the report. The report is designed to be a tool. One is to help with the annual budgeting and the other is the maintenance and replacement of equipment. The conclusions of the annual contributions and the reading on the current status of the funding level are based on the assumptions made on the variables (replacement cost, inflation rates, and earnings on the reserve funds.) The assumptions used could have a material impact on the actual conclusion. The current reserve is slightly underfunded. Looking at how fully funded the reserve is rather than underfunded, the reserve is currently 97% fully funded. This is a credit to the District and the past management. Tony Ghisla commented on page 3 item 4. In replacing a piece of equipment like Engine 3182, we would immediately have to start contributions to the reserve. Bases on current costs, that engine alone would create an additional \$100,000.00 + a year into the fund.

Director Moretti stated he could see a program going forward that we set up the operating budget and have a separate item for funding the capitol. He also brought up the Kenwood Firefighters Association (KFA) and the funding that they donate back to the District in terms of purchasing equipment. He was not sure on how KFA would feel on implementing funding on an annual basis to the Capitol equipment fund. In the past, the District had always asked for funding for a particular project or piece of equipment. Chief Bellach stated that is more of a case by case type of request then just putting money away from KFA. Sometimes KFA gets grants or donations earmarked for certain things. Tony Ghisla stated that a list can be distributed annually for any up and coming purchases for the District, KFA then can start looking for grants and funds for those purchases. Regular recalculations would need to be done based on spending from the reserve. Chief Uboldi mentioned that money in the past that was put into our Capitol fund would be exempt from our Prop 4 limit. Would this new money from our measure and the County have to be recalculated into the prop 4 limit? The Prop 4 limit would have to be recalculated based on our new revenue calculations. Director Doss asked if the Board needed to adopt/approve this Reserve Study. Director Atkin stated that he figured this would be a tool when it came to budgeting. Director Doss motioned to approve the document, 2<sup>nd</sup>: Moretti, All Aye. Director Moretti asked if our current invested funds with the County can be moved to be able to get more of a return for the District. Chief Bellach stated that we can put our funds anywhere we want and in the past the District moved the operations fund from the County to Exchange Bank.

Chief Bellach reported on the 2021 incidents for the year. We had 294 calls last year, up 32 calls from the previous year. We averaged 1 volunteer response per call. Chief Bellach showed the breakdown of the number Auto and Mutual Aid we received and provided for the year. Unit arrival times were within the 2-4 minute mark. The average alarm time of day was at 0800hrs and 1100hrs. Chief Bellach will email the Board a more detailed breakdown of the number of types of calls we had and percentages.

Director Atkin stated he reviewed the Brown Act and confirmed that in very few circumstances will we meet the requirements to have an ad hoc committee that is exempt from the Brown Act requirements. If we had an ad hoc committee for HR or Facilities, those would be permanent committees that would have to be consistent with the Brown Act rules. He is in favor of having committees to address certain things. The Board proposed to have standing committees for the future that follow Brown Act rules. Director Cooper stated he would like to have a meeting to discuss and review of a personnel committee. Director Moretti stated he would like to have standing committees and discuss what actual types and approve at the next meeting.

There was no update in Water Tender 3197.

**GOOD of the ORDER:** Chief Bellach updated everyone on the current COVID situation. Starting February 1<sup>st</sup>, 2022 all employees of the District will have to show proof of their COVID vaccination booster shot. Employees that do not have the booster, will have to show proof of a negative COVID test twice a week. Starting tonight at midnight, the County will no longer allow indoor gatherings of more the 50 or more and outdoor no more than 100 or more. KFA will have a meeting soon to decide if they want to push back the Crab Feed date or cancel the event. The CDC has recommended a 5 day isolation due to an exposure of COVID. We will still use the 10 day isolation period for any employee. Sonoma Valley Fire had to close the SDC station due to all the shifts testing positive for COVID. Form 700's are due. If you have not filled out your form or did not get an email from the County, please let me know and I will make sure you get it.

Respectfully submitted,

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Attest:

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