

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

**MEETING TYPE:** Regular

**DATE:** Wednesday, March 8, 2023

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

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

**APPROVAL OF PRIOR MONTH'S MINUTES:** M/S Naso/Corbet to approve the minutes of February 08, 2023.

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Absent; Murray-Absent; Naso-Aye  
Ayes: 3; Noes: 0; Absent: 2  
Motion passes

**ORAL COMMUNICATION:** None

**AGENDA ADJUSTMENTS:** None

**SPECIAL ANNOUNCEMENTS/PRESENTATIONS:** None

**UNFINISHED BUSINESS:**

- a. **CalPERS Holiday Pay Review Audit** – Included in the Board packet is the CalPERS Employer Compliance Final Report containing the results from the Holiday Pay Review audit. Kentfield Fire District was selected by CalPERS Office of Audit Services (OFAS) to review holiday pay earnings for public safety members. Their objective was to verify that public agencies are reporting holiday pay for safety-police and safety-fire members in compliance with certain Government Codes and the California Code of Regulations. Chief Pomi stated there are about 2900 agencies who are CalPERS members and 1500 of them are public-safety agencies. For this audit, CalPERS took a sample size of 40 public agencies. Chief Pomi explained that in the past, the District disbursed holiday pay on a semi-annual basis until new criteria was implemented in 2014 on how holiday pay should be reported to CalPERS. At that point, the District began reporting all holiday pay earnings on a per-pay-period basis; biweekly. The audit revealed 34 of the 40 agencies were reporting it incorrectly to CalPERS, which is 85% of the sample size. Kentfield Fire District is one of the six agencies who process and report holiday pay earnings correctly. During the audit phase, the District provided CalPERS with employee and payroll information for the years of 2019 through 2022. This time frame captured the Fire District's current employees and some who recently retired. CalPERS audit on Kentfield Fire District concluded with no observations noted. Chief Pomi stated this was very positive news to report and asked if there were any questions. None were asked.

**NEW BUSINESS:**

- a. **FAIRA Board Notice of Nominations** – Fire Agencies Insurance Risk Authority (FAIRA) is a Joint Powers Authority (JPA) in which the District is belongs to, along with about 100 other Districts throughout California and Nevada. FAIRA provides Kentfield Fire District with casualty and liability insurance. The District has held a seat on the FAIRA Board for the past 10 years. Chief Pomi stated Kentfield Fire District, along with Fresno County, Northstar CSD, San Miquel, South Placer, Tiburon, and Vacaville's Board positions are up for re-election the end of this current fiscal year. Any members of the KFD legislative body, administrative officers, Chief, or staff persons responsible for risk management functions who want to be nominated to serve a 4-year term on the FAIRA Board, will need to submit a nomination form by March 14, 2023. The FAIRA Board meetings will change from virtual to in-person only at the Orange County Fire Authority in Southern California. Chief Pomi conveyed there are many qualified Fire Chiefs and members of different legislative bodies throughout the State who can fill the positions. Prior to Covid-19, the meetings were held in San Francisco. Chief Pomi addressed the Board and stated he would find it very cumbersome and difficult to travel to Orange County for a Board meeting. He asked if there was a member willing to serve on the 13-member FAIRA Board. He clarified the District would not lose its membership or benefits if not. Chief Pomi asked for a discussion. The Board thanked Chief Pomi for the Board position he held the past 7.5 years and felt it was time to relinquish Kentfield Fire District's seat on the FAIRA Board.

M/S Corbet/Naso to approve Resolution 3-2023 Kentfield Fire District Relinquishing its Seat on the FAIRA Board

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

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Absent; Murray-Absent; Naso-Aye  
Ayes: 3; Noes: 0; Absent: 2  
Motion passes

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

- b. ***KAPF Labor Contract Negotiation Process – Negotiation Ground Rules Agreement***  
**CLOSED SESSION - Pursuant to Government Code §54957.6 for Public Labor Negotiation and Government Code §54957.6(a) for Public Employee Benefit Negotiation** – The Negotiation Ground Rules between the Kentfield Fire District and Kentfield Association of Professional Firefighters (KAPF) are included in the Board packet. Chief Pomi explained it is time to agree to the ground rules and open the negotiation process. The Board can form a subcommittee to meet with the Association to discuss the 2023-2024 KAPF contracts. The Board can also instruct District staff to prepare any documents or incremental worksheets to help with the process. Captain Marty, the Association President, announced B-shift would take on the role as the KAPF negotiation team this year. Once the ground rules are accepted, approved, and signed, Captain Marty will schedule a meeting to begin the negotiation process. The Board designated Director Evergettis and Director Naso to represent as the negotiation subcommittee.

M/S Naso/Corbet to approve KAPF Labor Contract Negotiation Process – Negotiation Ground Rules Agreement

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

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Absent; Murray-Absent; Naso-Aye  
Ayes: 3; Noes: 0; Absent: 2  
Motion passes

- c. ***Fire Chief Performance and Contract Review*** –  
**CLOSED SESSION - Pursuant to Gov't Code §54957 for Public Employment and Public Employee Performance Evaluations – Annual Fire Chief Performance and Contract Review**

The Board entered a Closed Session at 6:55 p.m.

The Board adjourned and entered back into Open Session at 7:10 p.m.

Chairman Evergettis reported the Board discussed Mark Pomi's employment and contract with Kentfield Fire District. The letter of desire to extend the agreement as the Fire District Chief has been accepted.

The Board looks forward to the continuation of a successful and harmonious relationship.

**CHIEF'S REPORT:**

- a. ***Upcoming Atmospheric River Storm*** – A significant storm is approaching and will impact California starting tomorrow morning. In the weather briefing today, Brian Garcia with the National Weather Service used the old term 'Pineapple Express', meaning warm moisture and rain. The models are showing 8 to 10 inches of rain for Mount Tam and 3 to 4 inches of rain in the lower areas. This storm is projected to travel across the whole State. The Sierra's are currently covered in tremendous amounts of snow, and with the warm rain ahead, concern is centered around flooding. Captain Viau and Engineer McKnight are on standby with the water rescue team and will be staged starting tomorrow morning. Should the water rescue team be called out of county, KFD personnel are preparing to back-fill and cover any shift positions. Now is the time to start preparing for the next 36 to 48 hours for warm rain and southerly winds.

**DIRECTOR MATTERS:**

Director Naso – Reported the next MERA meeting will now be in-person in Corte Madera. Prior to Covid-19, the meetings were held in Novato.

**CORRESPONDENCE:** Were reviewed.

**DISTRICT OPERATIONS:** February Incident Logs and Overtime Reports were reviewed.

**APPROVAL OF WARRANTS:**

M/S Corbet/Evergettis to approve February warrant 805304809 to and including 805304860 for \$473,552.31

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

Roll Call Vote: Corbet-Aye; Evergettis-Aye; Gerbsman-Absent; Murray-Absent; Naso-Aye  
Ayes: 3; Noes: 0; Absent: 2  
Motion passes

**NEXT MEETING:** The next regular meeting will be held on April 12, 2023.

**CLOSED SESSION:** None

**CONFERENCE WITH LEGAL COUNSEL** – Initiation of litigation pursuant to Government Code §54956.9(d)(4).

**CONFERENCE** – to consider the appointment, employment, evaluation of performance, discipline, or dismissal of a public employee. Government Code § 54957 (b)(1).

**ADDITIONAL ACTIONS:** Chairman Evergettis asked for a moment of silence.

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

**ADJOURNMENT:** M/S Evergettis/Naso to adjourn this meeting at 7:20 p.m. All ayes.

Respectfully submitted,

Jena Wilson  
Recording Secretary