

MINUTES OF SPECIAL MEETING OF
BOARD OF DIRECTORS
OF THE
SLEEPY HOLLOW FIRE PROTECTION DISTRICT

May 17, 2011

A duly noticed Special Meeting of the Board of Directors of the Sleepy Hollow Fire Protection District was convened at 10:00 a.m. on May 17, 2011 at 70 Crane Drive, San Anselmo, California. A quorum was achieved by the presence of each of the three Directors of the District, namely, Frank Berto, Thomas Finn, and Richard Shortall. Frank Berto, as President, presided as Chairman and called the meeting to order. Thomas Finn, as Secretary, recorded the proceedings.

Public Discussion

The Board welcomed Ross Valley Fire Department (RVFD) Chief Roger Meagor to the meeting.

There was no request from any member of the public to address the Board regarding items not on the meeting agenda.

Amended RVFD Joint Powers Authority (JPA) Agreement Update

Chief Meagor stated that he had requested a Special Meeting with the Board of Directors of the District to: (1) update the Board on the status of negotiations with the Town of Ross regarding the terms of Ross' imminent membership in the JPA, and (2) bring to the Board's attention certain provisions in the current JPA Agreement.

Chief Meagor stated that Ross Town councilmember Rupert Russell had requested that, in connection with Ross' prospective joining of the JPA, a formal lease be entered into between the JPA and Ross for the JPA's use of the current Ross Fire Department's fire station. Chief Meagor explained that following consultation with Councilmember Russell, the matter would be deferred until after the Amended JPA Agreement providing for Ross' membership is fully executed.

Chief Meagor also highlighted for the Board a provision in the proposed Amended JPA Agreement that permits the RVFD Chief to convene a meeting of the JPA Board earlier than regularly scheduled to allow for the timely consideration and

passage of an annual budget that includes Ross' anticipated contributions to the JPA beginning as of FY2011-2012. Such a meeting has been scheduled by the Chief for June 13, 2011 at 6:30 p.m.

Following Chief Meagor's presentation, the Board concurred with the Chief's recommendations. Chief Meagor then requested that the Board execute the authorization to pursue formal negotiations Amended JPA Agreement adding the Town of Ross as a member of the JPA. Having received Chief Meagor's assurances regarding the matters described above, and having previously reviewed and approved of the proposed key terms of an Amended JPA Agreement, and following a discussion by the Board, the Board unanimously agreed to, and did, execute five (5) originals of the authorizing documentation to allow a subcommittee of the JPA Board to pursue negotiations for an Amended JPA Agreement and delivered the same to Chief Meagor to obtain the execution of the Agreement by the other members of the JPA, including Ross. Chief Meagor agreed to promptly deliver a fully executed original authorization to the District when available.

State Fire Fee

Chief Meagor next reported on the status of the new State Fire Fee passed earlier in 2011 as emergency legislation (AB 129). Chief Meagor explained that the Fee is a wildland fire protection fee applicable to property owners within State Responsibility Areas (SRA) throughout California. The District does not lie within the boundaries of any municipality that operates its own fire service; instead, the District lies wholly in an unincorporated area of the County of Marin that is an SRA. Chief Meagor also explained that the State delegates to the Marin County Fire Department the responsibility for providing fire protection to all Marin SRAs, including the District. Chief Meagor stated that the Fee will be payable by property owners within the District notwithstanding the fact that the District is a member of and is served primarily by the RVFD.

Each of the Directors expressed their dismay at the imposition of the Fee in view of the District's unique circumstances. Chief Meagor stated that bills have been introduced in the State Assembly to amend (AB 2474) and repeal (AB 1506) the Fee and are pending. Chief Meagor said that for property owners who, despite being located within an SRA, are served primarily by a municipally-organized fire department or an asset-owning fire district, the Fee will be reduced by \$35.00 per year in recognition of their unique circumstances. Chief Meagor stated that would include all property owners in the District. Chief Meagor did point out, however, that the County of Marin already imposes a \$75.00 annual parcel tax on property owners in unincorporated areas ostensibly to cover a portion of the cost of the County's fire protection services

Chairman Berto stated that, under the circumstances, the Board may wish to consider utilizing a portion of the District's financial reserves to pay the Fee on behalf of

all property owners in the District. Director Shortall estimated the total cost of doing so to be approximately \$100,000. Chief Meagor noted that the Fee is not scheduled to take effect for 6 to 12 months, and that pending legislation may modify or eliminate the Fee. Therefore, Chief Meagor said, it may be premature to take action to pay or defray the Fee for District property owners as suggested by Chairman Berto. The Directors unanimously concurred.

Next Meeting

It was noted that the next Regular Meeting of the Board shall be held on May 19, 2011.

Since there was no further business to come before the meeting, upon motion made and seconded, the meeting was adjourned at 10:25 a.m.

Thomas J. Finn, Secretary