



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING MINUTES

Continuation of September 14, 2022 Board of Director's Meeting

DATE/TIME: September 21, 2022, 7:00PM

LOCATION: Zoom Teleconference

PRESENT: Directors: Director Don Dommer, Secretary Janice Kosel, Vice President Kevin Padian, President Larry Nagel, Director Julie Stein
Staff: Battalion Chief Jose Castrejon, GM Bill Hansell, Fire Chief Eric Saylor
Consultant: EP Coordinator Johnny Valenzuela

1. CALL TO ORDER/ROLL CALL

President Larry Nagel called the meeting to order at 7:00 p.m. and confirmed the roll call. GM Bill Hansell noted there were 7 attendees on the Zoom call.

2. PUBLIC COMMENT (00:01:35)

Director Kevin Padian noted he reinstated his Contra Costa County voter registration and confirmed with district legal counsel the lapse in his registration did not affect his ability to vote on matters of the board at the September 14, 2022 meeting. He went on to announce his resignation from the board as of September 21, 2022 and provided a summary of his accomplishments. President Nagel thanked Director Padian for his service.

Director Padian left the meeting at approximately 7:09 p.m.

There was no public comment.

3. ADOPTION OF CONSENT ITEMS (00:00:00)

a. Adoption of Resolution 2022-18 Re-Authorizing Remote Meetings

– COMPLETED ON 06/14/2022

b. Approval of Minutes of the Board of Directors regular meetings of: 04/13/2022, 04/28/2022, 05/11/2022, 06/08/2022, 06/29/2022 (Continued), 06/29/2022 (Special), 07/13/2022

– REMOVED FROM CONSENT CALENDAR PENDING COMPLETION

c. Acceptance of Incident Activity Report July and August 2022

– COMPLETED ON 06/14/2022

d. Approval of Monthly Transmittal 08/10/2022 and 09/14/2022

– COMPLETED ON 06/14/2022

e. Approval of Monthly Financial Reports 07/31/2022 and 08/31/2022

– COMPLETED ON 06/14/2022

- f. **NHA Advisors Proposal for Continuing Disclosure & Arbitrage Rebate Compliance**
– COMPLETED ON 06/14/2022

4. **OLD BUSINESS** (00:00:00) - None

5. **NEW BUSINESS** (00:00:00)
– COMPLETED ON 06/14/2022

- a. **Resolution 2022-19: Fire Hazard Abatement Hearing on the Designation of Properties Containing Fire Hazards**
– COMPLETED ON 06/14/2022
- b. **Resolution 2022-20: Confirmation of the Costs of Abatement of Public Nuisance Conditions, Weeds, and Flammable Materials and Authorizing Related Actions**
– COMPLETED ON 06/14/2022
- c. **Resolution 2022-21 Approving the Final Combined Budget for Revenue, Operating Expenditures, and Capital Improvement Expenditures for FY2022-2023 (00:29:41)**
– COMPLETED ON 06/14/2022
- d. **Resolution 2022-17 Adopting Policy 1190 Debt Management – Second Reading & Adoption**
– COMPLETED ON 06/14/2022
- e. **Ad-Hoc Committee for KFPD General Manager’s Contract**
– COMPLETED ON 06/14/2022
- f. **Sublet of KPPCSD Modular Located at 10940 San Pablo, El Cerrito CA 94530 for Admin Storage**
– COMPLETED ON 06/14/2022
- g. **Construction Update on the PSB Seismic Renovation and Temporary Facilities Projects**
– COMPLETED ON 06/14/2022
- h. **Discuss Need for a Public Forum on the Minimum Space Requirements of the Fire Department**
– COMPLETED ON 06/14/2022

– **AGENDA BELOW CONTINUED TO 09/21/2022**

i. **Amendment of Policy 1170 Reserves – Second Reading & Adoption (00:09:06)**

GM Hansell and Secretary Kosel presented the report as included in the packet. Director Julie Stein noted that the board has no discretion with regards to having an accountant, general counsel, an annual statutory audit, an actuarial audit, and a CalPERS trust so she recommended the board set aside funds to carry out these functions. She also recommended the board reconsider the policy regarding who assumes the executive role in the event there is no funding to support a general manager. Director Nagel asked for clarification between succession planning and the reserve policy. Director Stein and GM Hansell provided this clarification and provided additional context. The board discussed the item.

A member of the public asked if, in a state of emergency, funds from the six-month financial reserves can be diverted. They then commented that reserves are typically set

aside according to expenditures and a percentage thereof and stated they were in agreement with Director Stein's suggestions. Another member of the public stated they were also in agreement with Director Stein's suggestions and provided a status update on the financial reserve policy for the KPPCSD, which sets aside 25% of its annual income.

MOTION: M/s Kosel/Dommer: Motion to adopt the amended Policy 1170 Reserves minus subpolicy 1170.02D.

VOTE:

Ayes: Dommer, Kosel, Nagel

Nays: Stein

Absent: None

Motion failed 3-1-0

Video Time Stamped: 00:35:20

6. FIRE CHIEF'S REPORT (00:36:56)

Fire Chief Eric Saylor presented the July 2022 and August 2022 reports as included in the packet. He provided administration, operations, training, and personnel updates.

There was no public comment or board discussion.

7. EMERGENCY PREPAREDNESS COORDINATOR'S REPORT (00:39:35)

EP Coordinator Johnny Valenzuela presented the July 2022 and August 2022 reports as included in the packet. He primarily highlighted community engagement events.

There was no public comment or board discussion.

8. GENERAL MANAGER'S REPORT (00:43:40)

GM Hansell presented the report as included in the packet. He provided updates on the status of hybrid meetings, the annual audit and actuarial evaluation, and gave thanks to Fire Chief Saylor and Battalion Chief Jose Castrejon for their support with the coordination of preparing the Public Safety Building for renovations.

Secretary Kosel asked for an update on the status of educational compliance for board members. GM Hansell provided this update. She noted that under state law Directors are required to complete the California Special Districts Association (CSDA) ethics and sexual harassment training every two years and recommended the Directors also take the FEMA training as it can be a condition of FEMA reimbursement. Director Stein noted she was unable to locate the FEMA training for elected officials online and inquired with Fire Chief Pignoni about FEMA training requirements, but did not receive a response. She then made a second request that the City of El Cerrito confirm if FEMA training is legally mandated and if compliance would impact the district's ability to obtain aid. GM Hansell stated he would confirm this information at a later date. Fire Chief Saylor stated ICS700 and ICS100 are typically recommended for elected officials and offered to support the KFPD and the KPPCSD to get in compliance. Battalion Chief Castrejon stated he would check training records and provide an update to the board at a later date.

A member of the public thanked Secretary Kosel for bringing up the topic of Director trainings and suggested any Director who is not in compliance should consider resigning from the board.

There was no additional public comment or board discussion.

9. COMMITTEE REPORTS (00:59:37)

a. Emergency Preparedness Committee Meeting

President Nagel presented the July 2022 and August 2022 reports as included in the packet.

There was no public comment.

b. Finance Committee Meeting

Secretary Kosel presented the report as included in the packet. She stated she and GM Hansell will meet on Friday, September 23, 2022 to discuss how to invest the reserves. Director Stein asked if removing district funds from the County would affect who conducts its fund management. Secretary Kosel confirmed if the district pulled *any* amount of money from the County it would refuse to collect taxes on the district's behalf. GM Hansell stated he secured cash flow projections for the remainder of the year and will add the projected payments for the capital costs to these numbers. He also noted that he finalized the contract with Mack5 construction management firm, which will begin on September 22, 2022. He also provided an update on the status of hiring a Board Clerk.

There was no public comment.

10. OUTSIDE AGENCIES REPORTS (01:11:33)

a. Contra Costa Special Districts Association

Director Stein noted she was not able to attend the September 19, 2022 meeting, but will watch the recording when it's available. President Nagel provided an update in her stead. He recommended board members view the LAFCO presentation made by Lou Ann Texeira.

A member of the public asked about the status of the KFPD board meeting minutes since April 2022. GM Hansell provided this information. They also gave thanks to Director Kevin Padian for his service on the board.

There was no public comment.

11. ADJOURNMENT: President Nagel adjourned the meeting at 8:18 p.m.

The next Board of Directors meeting will occur on October 12, 2022.

MINUTES PREPARED BY: Candace Eros Diaz and Mary Morris-Mayorga

These minutes were approved at the Board Meeting of the Kensington Fire Protection District on November 15, 2023.

Attest:

Secretary of the Board