



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS REGULAR MEETING MINUTES

DATE/TIME: November 10th, 2021, 7:00PM

LOCATION: Via Zoom

PRESENT: Directors: President Larry Nagel, Vice-President Kevin Padian, Secretary Janice Kosel, Director Don Dommer, (Note: Director Julie Stein joined the meeting at 7:32pm after the closed session.)
Staff: GM Bill Hansell, Chief Michael Pigoni, EPC Johnny Valenzuela,
Guests: NHA Guests: Eric Scriven, Craig Hill, Rob Schmidt

1. CALL TO ORDER/ROLL CALL:

President Nagel called the meeting to order at 7:00 p.m. and confirmed the roll call.

2. ANNOUNCE AND ADJOURN TO CLOSED SESSION:

President Nagel announced the closed session items as 1.) Real Property Negotiations and 2.) Public Employee Performance Evaluation. The Directors adjourned to closed session at 7:02 p.m.

3. RECONVENE TO OPEN SESSION:

President Nagel reconvened to open session at 7:28 p.m. He reported that further instructions were given to the real estate negotiator, GM Hansell, and a fruitful discussion was completed regarding the annual performance evaluation of the General Manager.

4. PUBLIC COMMENT:

There was no public comment.

5. ADOPTION OF CONSENT ITEMS:

MOTION: M/s Kosel/Padian: Motion to Adopt the Consent Calendar	
VOTE:	
Ayes: Dommer, Kosel, Nagel, Padian, Stein	
Nays: None	
Abstentions: None	
Absent: None	
Motion Passed 5-0-0	Video Time Stamped: 0:32:51

Ayes: Dommer, Kosel, Nagel, Padian, Stein
Nays: None
Abstentions: None
Absent: None

Motion Passed 5-0-0

Video Time Stamped: 0:32:51

6. OLD BUSINESS:

NONE

7. NEW BUSINESS:

7a. Presentation of Financial Analysis by NHA Advisors:

GM Hansell stated that he has been working with NHA Advisors since last month's meeting on updated numbers and introduced Rob Schmidt of NHA to proceed with the presentation. Schmidt reviewed data on construction inflation (8.8% since last year), and CPI (the highest in the last 30 years), which are important to keep in mind during the decision-making process. Assumptions for the project include starting in Fall 2022 with an 8% construction inflation rate, and all other inflationary factors at 4%, a 30-yr financing term, and a 3.5% interest rate. Two different borrowing amount scenarios were presented including \$3.33M and \$4.96M with slides showing cash flows over 10 years for each scenario. The impact on reserves were shown for each scenario. The goal was to maintain ongoing reserves sufficient for the rolling stock and EC contract requirements. GM Hansell added that the EC contract reserves were labeled as "operating reserves" as they would be needed in any scenario, even without the EC contract.

Director Kosel inquired when the borrowing amount would have to be determined. Schmidt said that would be made after the bids came in and three months before any cash would be needed. Board approval on borrowing is usually on the same night that the construction bid is awarded. GM Hansell noted that the overall schedule will depend on the project design and planning process for both the renovation project and the temporary facilities project. He also noted that grant awards will affect the amount needed, and that he has been talking to the City Manager of El Cerrito about the possibility of reducing the required contract reserve amount.

Director Stein asked for clarification on the EC reserve requirements. Director Padian asked if a shorter loan term of 15-years would be possible. Schmidt said that would increase the annual debt service considerably. In that scenario, GM Hansell would be concerned about a lack of annual net revenue for contingency expenses. Director Padian agreed wildfire concerns and emergency needs will continue to be important in the future with regards to reserves.

Public comments were made by Gail Feldman and Jim Watt.

7b. Public Safety Building Renovation Progress Update:

GM Hansell reported that the design work is continuing and has moved into the Design Development phase with more detailed documentation. He will be submitting for the planning permit soon. Additionally, design work is starting on the Temporary Facilities Project. A number of due-diligence items are being studied prior to any discussion on leasing details for the property, but the Executive Director of the Unitarian church has been very helpful in supplying surveys on the land.

Attached to the report is an update to the Q&A previously published, which is now available on the district's website. Director Kosel noted that the information is very helpful.

Director Padian expressed his concern that the findings and decisions on the project continue to be questioned in public forums, such as NextDoor and the Outlook, without explanation and need to be aired. He noted disinformation by those who will not engage

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on the facts, and that the requirements on the renovation are necessary and unavoidable. He feels that denialism is keeping the district from moving forward and addressing the real public safety concerns that Kensington faces.

There was no other public comment.

MOTION: M/s Kosel/Padian: Motion to accept the PSB Renovation Progress Update.

VOTE:

Ayes: Dommer, Kosel, Nagel, Padian

Nays: None

Abstentions: Stein

Absent: None

Motion Passed 4-0-1

Video Time Stamped: 1:20:45

7c. Adoption of Resolution 21-10 Re-Authorizing Remote Meetings for the Period November 13, 2021 thru December 13, 2021:

GM Hansell described the meeting options moving forward but noted that most districts are continuing to meet virtually. Chief Pigoni explained that the County is relaxing some measures but most relate to those who are vaccinated. El Cerrito is continuing to meet virtually through the end of the year. There are reports of another surge coming and the district will have to address distancing and vaccination records if in-person meetings begin. Chief Pigoni recommended that virtual meetings continue for the time being. President Nagel explained the complexity of undertaking hybrid meetings, and that it would be best to wait to make sure a surge doesn't derail the process. Director Kosel agreed. Director Stein agreed and hopes that in the future hybrid meetings are possible.

MOTION: M/s Kosel/Padian: Motion to Adopt Resolution 21-10 Re-Authorizing Remote Meetings for the Period November 13, 2021 thru December 13, 2021.

VOTE:

Ayes: Dommer, Kosel, Nagel, Padian, Stein

Nays: None

Abstentions: None

Absent: None

Motion Passed 5-0-0

Video Time Stamped: 1:36:55

There was no other public comment.

7d. General Manager's Compensation – FY2021-2022 Budget Amendment for Annual Cost-of-Living Increase and Merit Pay Adjustment

President Nagel described that GM Hansell's contract calls for an annual Cost-of-Living increase plus a potential merit raise of up to 5%. He recommends that the full 5% be awarded in addition to the Cost-of-Living increase, which will require a budget amendment approving the adjustment. GM Hansell noted that the Bay Area July 2021 CPI was 3.9% and his current compensation is \$99/hr. Director Kosel asked for the compensation of the KPPCSD General Manager. GM Hansell answered that the

KPPCSD's current employment advertisement lists \$105/hr, and that the published study of other GMs for districts was higher. The KPPCSD GM salary is proposed to also include a \$1,300/mo stipend for health benefits, while GM Hansell currently receives \$1,000/mo.

President Nagel stated that the 3.9% CPI would be applied to the current hourly rate, and then the 5% would be applied to that for the final amount. Director Stein asked about the budget amount. President Nagel noted that the district has an outstanding manager and needs to pay him accordingly. The current salary is at the bottom of the pay scale in the area, as shown on the comparison study.

MOTION: M/s Padian/Dommer: Motion to increase the General Manager's salary by 3.9% CPI and then by 5% for merit, and to increase the budget accordingly.

VOTE:

Ayes: Dommer, Kosel, Nagel, Padian, Stein

Nays: None

Abstentions: None

Absent: None

Motion Passed 5-0-0

Video Time Stamped: 1:45:31

A public comment was made by Gail Feldman.

8. FIRE CHIEF'S REPORT:

Chief Pigoni presented his report. The month started with an extended Red Flag period and increased staffing. There were a number of calls in the county due to this. There were 43 calls for service in the past month, which was an increase from the previous month. The rains caused a number of power pole fires due to accumulated dirt and debris washing off. Power outages were also experienced, and flooding was a problem during the storm.

The Chief noted the increase in costs due to fire plan checks, and he recommends that the board consider fees as are standard with other agencies.

The Toys for Tots program is underway again with a deadline of December 18th for this year's distribution. COVID protocols in the Public Safety Building continue. Hiring is proceeding on unfilled positions. It has been a busy but not a record year to date. The State is currently at about 2.5M acres burned, which is better than last year's 4.3M acres total, with 3,600 structures destroyed. Early rains have been helpful.

GM Hansell thanked the Chief for raising the issue of fees for plan check review. Chief Pigoni added the additional problem of ADU's not requiring off-street parking while Kensington streets are already crowded.

Chief Pigoni shared his notes on Red Flag parking issues and evacuation drill questions. With regards to parking restrictions, he reviewed the prior study and discussions to date, and asked that the board address its preferences. Similarly, the scope of a drill needs to be determined by the board. President Nagel suggested that the EPC consider the issue at its next meeting.

Directors Padian agreed. He added that the traffic study contains the recommendations that need to be advanced.

9. EMERGENCY PREPAREDNESS COORDINATOR REPORT

EPC Coordinator Valenzuela summarized his report and activities since the last meeting. He described the upcoming Shredding Event, and asked for any contributions to the next Fire Plug issue. President Nagel commended Valenzuela on his presentation at the Kensington Improvement Club meeting.

10. GENERAL MANAGER'S REPORT:

GM Hansell outlined his report. He noted that the audit is proceeding now that the end-of-year/beginning-of-year reconciliations are complete. He highlighted that the CERBT balance is 140% of anticipated benefit costs. He continues to coordinate with the KPPCSD and met the new finance director. The Wildfire JPA initial meeting has been postponed again to December 3rd, 2021. The grant report states that the HMGP NOI is still pending review. He anticipates doing a lot of work in January and February on that application.

11. EMERGENCY PREPAREDNESS COMMITTEE REPORT:

11a. Emergency Preparedness Committee Meetings of October 28, 2021

VP Padian provided an update on the committee's last meeting. Emergency radios were discussed in detail.

12. OUTSIDE AGENCIES REPORTS:

12a. Contra Costa Special Districts Association

President Nagel reported the next meeting will be held on Nov. 15th. He explained that there are some by-laws amendments proposed, and that the ballots are due by Dec. 15th. He asked for approval to submit a ballot on the issue unless there was an objection and the need to discuss it at the next BOD meeting. No objection was voiced.

13. ADJOURNMENT: President Nagel adjourned the meeting at 9:36 p.m. in memory of Ms. Linda Spath, who passed away on October 24th, 2021. Ms. Spath was a tremendous volunteer for Kensington and very interested in emergency preparedness and the KFPD, in general. She was a wonderful person and will be missed by the community.
The next Board of Directors meeting will occur on December 8th, 2021.

MINUTES PREPARED BY: Bill Hansell

These minutes were approved at the regular Board Meeting of the Kensington Fire Protection District on _____.

Attest:

Secretary of the Board