



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING MINUTES

DATE/TIME: March 15, 2023, 7:00PM

LOCATION: Kensington Community Center, 59 Arlington Avenue, Kensington, CA 94707
(and hybrid)

PRESENT: Directors: President Julie Stein, Director Don Dommer, Vice President
Director Daniel Levine, Director Larry Nagel, Director Jim Watt
Staff: Legal Counsel John Bakker/Meyers Nave, Board Clerk Candace
Eros Diaz, GM Mary Morris-Mayorga, Fire Chief Eric Saylor

1. CALL TO ORDER/ROLL CALL:

President Stein called the meeting to order at 7:08 p.m. and confirmed the roll call.

2. PUBLIC COMMENT:

Director Stein noted 36 members of the public attending online and approximately 10 members of the public attending in person.

Rob Ferman and John Gaccione commented on the consolidation of the two districts in the Public Safety Building and voiced their concerns. Mabry Benson noted there was no discussion of Matthew Freedman's financial risk analysis of the project delays on this meeting's agenda and requested a special meeting for this discussion. Matt Freidman commented on his March 7, 2023 analysis circulated to the KFPD and KPPCSD boards identifying potential financial risks if completion of the Public Safety Building is delayed. Sierra Witt commended the board on working in a professional and timely manner. Paul Dorroh commented on the Public Safety Building's completion date and the leaseback agreement posted on the KFPD website.

Director Larry Nagel made a point of order that public comment should be reserved for items not listed on the agenda.

A member of the public commented on confidence in the board's ability to remain transparent and represent the taxpaying citizens of Kensington. Andrew Reed commented on the potential financial risks if the completion of the Public Safety Building is delayed. A member of the public gave thanks to the KFPD and KPPCSD boards for coming together to discuss the consolidation of the two districts. Craig Rice, Marina Gutierrez, Claudia McIssac, Peggy Judge, and Marilyn Stollon submitted written public comments prior to the meeting.

The board had no additional comments.

3. ADOPTION OF CONSENT ITEMS (00:30:51)

- a. **Approval of Minutes** of the Board of Directors meetings of 05/11/2022, 6/8/2022, 6/29/2022

MOTION: President Stein motioned to table Approval of Minutes for 05/11/2022, 6/8/2022, 6/29/2022 and include in April 2023.	
VOTE: Ayes: n/a Nays: n/a Absent:	
Motion was not voted on	Video Time Stamped: 0:31:24

- b. **Acceptance of Incident Activity Report** February 2023
- c. **Approval of Monthly Transmittal** 03/15/2023
- d. **Approval of Monthly Financial Reports** 02/28/2023

MOTION: M/s Nagel/Dommer: Motion to Accept the consent items except for item 3a.	
VOTE: Ayes: Levine, Dommer, Nagel, Watt, and Stein Nays: None Absent: None	
Motion Passed 5-0-0	Video Time Stamped: 0:31:36

4. FIRE CHIEF'S REPORT (00:32:34)

Fire Chief Eric Saylor reported no major incidents in February 2023. He reported that KFPD closed the contract for firefighters between El Cerrito and the 1230 Union. He noted the KFPD is pursuing a grant with the City of Berkeley to clean up fuel loads between El Cerrito and Kensington-Berkeley border. The KFPD proposed the City of Berkeley house one ambulance in Station 65. Last month the City of Albany agreed to continue to send their ambulances to Kensington upon request. Chief Saylor reminded the community that the FEMA grants for any destruction reported from the last storm event cannot be filed by KFPD and must be initiated by residents. He reported on the CERT program's progress post-pandemic and gave an update on Station 65.

5. EMERGENCY PREP COORDINATOR'S REPORT (00:39:26)

Emergency Preparedness Coordinator Johnny Valenzuela reported a sub-webpage on the KFPD website specific to the management, recycling, and disposal of fire extinguishers was created. He noted the East Bay Regional Park District's goat-grazing schedule is TBA. Coordinator Valenzuela reviewed the objectives and strategies of volunteer recruitment/engagement.

6. OLD BUSINESS

There was no old business.

7. NEW BUSINESS

a. GENERAL MANAGER RECRUITMENT REPORT (00:48:02)

GM Morris-Mayorga noted Brent Ives was unable to attend and she would report out on his behalf. The report advises the board of the status and next steps for the recruitment of a permanent general manager. Any questions or recommendations should be directed

to GM Morris-Mayorga.

There was no public comment.

b. APPROVAL OF THE DISTRICT'S ARCHITECT, MARJANG, PREPARING A FIRST FLOOR REALIGNMENT OF THE RESTROOM AND A NEW KITCHENETTE AS SHOWN ON THE ATTACHMENTS FOR POSSIBLE MODIFICATIONS TO THE PSB, AT A COST NOT TO EXCEED \$25,000 (00:51:40)

Director Watt reported on subitem 7b.

Director Nagel noted and detailed their concerns on this agenda subitem and stated he "did not want anything to do with this project as it stands."

President Stein made a point of order that public comment should be reserved for this subitem and invited Director Watt to respond to Director Nagel's comments. President Stein clarified that subitem 7b did not come from the KPPCSD temporary committee, but from Director Watt. She then posed questions for clarity on the proposal itself.

There were comments made by community members on Director Watt's report.

Director Levine commented on Director Watt's report.

GM Morris-Mayorga noted she communicates any direction or proposals from the board directly to Marjang.

Legal Counsel John Bakker commented that if the board approves this subitem the next step is for GM Morris-Mayorga to approach Marjang directly to enter into a contract and execute this subitem. He went on to describe the potential process in detail.

A member of the public commented on the board's discussion of Director Watt's report and this subitem. Matt Friedman commented there was no estimate included in the supporting documents on the costs for this subitem. He also commented on the potential processes, designs, and costs for this subitem. Paul Dorroh commented that the potential proposal submitted to Marjang by GM Morris-Mayorga could be separated into two: the relocation of the restroom and the addition of a kitchenette. Andrew Reed commented that this subitem was overlooked in the original proposal and commended Director Watt for his direction. Sierra Witt commented that the lack of due diligence on this subitem was disappointing and commended Director Levine for his discussion. A member of the public commented on the designs included with this motion and the potential cumulative costs. John Gaccione commented on the distinction of original designs and the designs submitted with this agenda and supports a no vote on this subitem. Gail Feldman thanked Director Levine for his discussion and commented on Director Watt's report. David Spath commented there was no estimate included in the supporting documents on the costs on this subitem. He also commented on the potential processes and design plans. Vincent Wells, the President of the KFPD, commented that it is not ideal for KFPD and KPPCSD to share space. He also commented on the potential processes and costs for this subitem and recommended no changes be made to the original design plans. Elaine Stelton asked if the Public Safety Building was ever considered as a shelter in the case of an emergency. If not, she urged the board to consider this.

The board took a break at 02:12:25 and reconvened at 02:19:25.

A member of the public commented on the design plans submitted with this agenda subitem.

Director Watt motioned to change the wording of subitem 7b: *The motion is to request that the district architect, Marjang, prepare a proposal with a cost estimate for the purpose of preparing a first-floor realignment of the restroom and a new kitchenette as shown on the attached proposed modifications of the Public Safety Building.*

Legal counsel Bakker confirmed this rewording of the agenda item is acceptable.

Director Levine confirmed the original design plans include a drinking fountain in the lobby.

There was no further board discussion.

MOTION: M/s Watt/Stein: Approval for the GM to request a proposal and cost estimate from Marjang to realign the first-floor restroom and include a new kitchenette in the redesign.
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VOTE: Ayes: Levine, Nagel, Watt, Stein Nays: Dommer Absent: None
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Motion Passed 4-1-0

Video Time Stamped: 02:30:04

8. GENERAL MANAGER'S REPORT (02:32:29)

GM Morris-Mayorga reported on the current COVID-19 masking guidance, governance transitions, the 2021-2022 audit and OPEB actuarial report, financial forecast and Public Safety Building budget, and Public Safety Building updates process for future meetings.

Director Nagel commented that the interim general manager of KPPCSD recommended that the contract with Maze and Associates be terminated and recommended hiring a new accounting firm and that the previous general manager for KFPD shared the same opinion. GM Morris-Mayorga confirmed she will connect with the interim general manager of KPPCSD to discuss.

President Stein noted that any members of the public on the Emergency Preparedness Committee should take the ethics training on the same schedule as the board members, which is every two years, and complete Form 700.

9. OUTSIDE AGENCIES REPORTS (02:41:50)

a. Contra Costa Special Districts Association

Director Nagel reported that the last meeting of the Contra Costa Special District's Association (CCSDA) was held on January 23, 2023. The next meeting is scheduled for March 20, 2023 and will be hybrid. An agenda for this upcoming meeting is not currently available. The CCSDA 30th Anniversary Gala will be held on April 27, 2023 at the

Pleasant Hill Community Center.

10. COMMITTEE REPORTS

a. Emergency Preparedness Committee Meeting (02:43:00)

Director Nagel reported that the last meeting of the Emergency Preparedness Committee was held on February 23, 2023 and noted who was in attendance. He went on to report on the agenda and discussion items.

MOTION: M/s Nagel/Levine: Motion to end the meeting at 10:10 p.m.
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VOTE:

Ayes: Dommer, Levine, Nagel, Stein, Watt,

Nays: None

Absent: None

Motion Passed 5-0-0

Video Time Stamped: 02:47:00

b. Finance Committee Meeting (02:47:46)

President Stein noted the City of El Cerrito finalized an agreement with their fire department and looks forward to learning how this will impact the KFPD budget. She also suggested the KPOA budget analysis request begin with the Finance Committee. Director Watt reported that the KFPD is conducting a budget analysis through 2024.

There was no further board discussion on this item.

c. Consolidation Liaison Temporary Committee (02:49:37)

Director Levin reported that the KFPD and KPPCSD boards voted to call a joint special hybrid board meeting on April 24, 2023 at 7:00 p.m. to hear a presentation by Luanne Texera on the consolidation of the two districts. President Stein proposed this meeting would last one and a half hours and that submitted questions from the community be posted on the KFPD website.

There was no further board discussion on this item.

d. Public Safety Building Temporary Committee (02:52:50)

President Stein reported this committee has met weekly since January 24, 2023 and noted who was in attendance. She and Director Watt went on to report on the agenda and discussion items presented at these meetings.

Director Nagel noted his concerns that the relocation of the KPPCSD is focused on the Public Safety Building and suggested several alternative locations.

There was no further board discussion on this item.

e. Information Technology Temporary Committee (03:03:18)

Director Levin reported the technology for this board meeting is in working order. President Stein commended this committee for their work.

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There was no further board discussion on this item.

11. ADJOURNMENT: President Stein adjourned the meeting at 10:11:00 p.m.

The next Board of Directors meeting will occur on April 19, 2023.

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

These minutes were approved at the Special Board Meeting of the Kensington Fire Protection District on April 19, 2023.

Attest:

Secretary of the Board

DRAFT