



KENSINGTON FIRE PROTECTION DISTRICT

DATE: October 26, 2023
TO: Board of Directors
RE: Board Member Vacancy and Appointment Process
SUBMITTED BY: Mary A. Morris-Mayorga, General Manager

Recommended Action

Staff recommends the Board take the following actions by motion:

- Accept Director Don Dommer's letter of retirement;
- Approve the vacancy posting;
- Approve posting the information and application online for interested parties to apply; and
- Approve placing the interviews and appointment selection on the December 20th regular meeting agenda.

Background

At the meeting on October 18, 2023 Director Don Dommer announced his retirement from the Board of Directors and provided his letter to staff. In accordance with Government Code Section 1780, the vacant director position may be filled by: appointment by the remaining directors within 60 days; special election; or appointment by the County Board of Supervisors. The second and third options would not be recommended given the cost and lack of Board control in the process.

Recommended steps to initiate the appointment process are listed below for Board discussion, consideration, staff direction, and/or approval:

1. Establish dates for application deadline and board meeting for interviews.
2. Post notice of vacancy as attached or with modifications as determined by the Board.
3. Determine the required attachments to the application and list of questions.

The appointment process would be as determined by the Board with a summary of director input listed below for discussion, consideration, staff direction, and/or approval.

1. Candidates would be required to submit an application, resume, and may include a candidate statement (maximum words 350). District applications are required, or the candidate will be disqualified.
2. The board may encourage members of the public to apply; however, after applications are published, contact with candidates must be limited to the public interview process.
3. Applications may be withdrawn prior to the application deadline; however, if not withdrawn will be published on the KFPD website on December XX, 2023.
4. Candidate interviews will be held in person at a board meeting. Board members may determine one question to ask all candidates that would not be disclosed prior to the meeting which would result in four questions for each candidate. Candidates may make a closing statement.

Fiscal Impact

There is no additional cost in filling this vacancy utilizing the Board appointment process.

Attachments: Director Don Dommer's Letter of Retirement
 Notice of Vacancy
 Application For Appointment to Fill A Vacancy on the KFPD Board
 Board Member Input
 Questions from the Outlook for KFPD Board Candidates (2020 and 2022)

October 18, 2023

Director Julie Stein, President Kensington Fire Protection District

I am informing you that today, October 18, 2023, will be my last meeting. I am retiring from the board effective this date. It has been my sincere pleasure to have served the community as a KFPD board member for my many years.

Don Dommer



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KENSINGTON FIRE PROTECTION DISTRICT

NOTICE OF VACANCY ON KENSINGTON FIRE PROTECTION DISTRICT BOARD

Kensington Fire Protection District Notice of Vacancy and Intent to Appoint Director

The community served by the Kensington Fire Protection District is hereby notified pursuant to Government Code §1780 that there is a vacancy on the Board of Directors due to the retirement of Director Don Dommer. The Kensington Fire Protection District Board of Directors intends to fill the vacancy by appointment made at a regular Board meeting to be held on **Wednesday, December 20, 2023 at 7:00 p.m.** The appointee will represent the community served by the Kensington Fire Protection District as a Board Director. The position to be filled will serve the remaining term beginning December 2023 and ending November, 2024.

To apply, candidates must submit an application, resume, and candidate statement (if desired) to the Kensington Fire Protection District, attention Candace Eros-Diaz cerosdiaz@kensingtonfire.org by **Friday, December 4, 2023 by 5:00 PM. Alternatively, application materials may be dropped off at 10940 San Pablo Avenue, Building B, El Cerrito, CA 94530**

Eligibility:

Any person who is 18 years of age or older, residing in the Kensington community, and who is not disqualified by the Constitution or laws of the state from holding office, is eligible to be appointed a member of the Board of Directors. Board members are subject to the Conflict of Interest Policy: [Policy 1040 Conflict of Interest \(Amended 2020\)](#)

Interviews:

The Board of Directors will interview prospective candidates in person at a public meeting on **December 20, 2023**, accept oral or written public comment at that time, and select the appointee by a majority vote.



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KENSINGTON FIRE PROTECTION DISTRICT

**Application For Appointment To Fill A Vacancy On The
Kensington Fire Protection District (KFPD) Board**

Application must be completed and submitted to KFPD by December XX, 2023

Application Process: *pending BOD approval*

1. Candidates are required to submit an application, resume, and may include a candidate statement (maximum words 350). Applications are required, or the candidate will be disqualified.
2. Contact with board members is allowable prior to application deadline; however, after applications are published, contact with board members must be limited to the public meeting interview process.
3. Applications may be withdrawn prior to the application deadline; however, if not withdrawn will be published on the KFPD website on December XX, 2023.
4. Candidate interviews will be held in person at a board meeting where board members will ask each candidate one question for a total of four questions. Candidates may make a closing statement.

Please complete the following information:

Date: _____

Name: _____

Home address: _____

Business or Mailing address: _____

Phone (daytime): _____ Phone (evening): _____

Email: _____

Are you currently at least 18 years of age and residing in Kensington? _____ (Yes or No)

Note: Board members are subject to the Conflict of Interest Policy: [Policy 1040 Conflict of Interest \(Amended 2020\)](#)

Please answer the following questions:

Questions for Board input (see attached examples)

I certify that the information contained in this application is true and correct.

Signature _____ Date _____



Mary Morris-Mayorga <mmayorga@kensingtonfire.org>

Special BOD Meeting on Board Vacancy - HOLD 10/26 @ 2pm

Julie Stein <jstein@kensingtonfire.org>
To: Mary Morris-Mayorga <mmayorga@kensingtonfire.org>
Cc: Candace Eros Diaz <cerosdiaz@kensingtonfire.org>

Mon, Oct 23, 2023 at 5:27 PM

Hi Mary,

Here is my input on filling the vacancy, aside from whatever formal documents have to be filed:

Principle: Follow the same process that everyone of us who was elected was given the opportunity to follow, both with the County and locally in Kensington:

1. Candidate statement, 2. Questions to answer in writing, 3. Questions at the interview.

Date for interviews and selection: potentially could be the Dec 2023 regular meeting.

The application could include:

1. A candidate statement similar to what those running for office file with the County (on an optional basis) and provide to the Kensington Outlook (on an optional basis.). The word limit ranges from 300 - 350 words. Statements that exceed the word limit are disqualified.

2. Responses to relevant questions (see, Kensington Outlook October issues for 2020 and 2022). The word limit is ~ 300 words.

- Every Kensington candidate is provided the opportunity to respond to several relevant questions with a word limit and a deadline. The responses are published.

- For this application process, the board could decide on three - five relevant questions that are part of the application process and are published in the board packet for the application selection meeting.

- The KFPD board can decide on the questions for the applications, and could select from among questions to fire board candidates from the Outlook issues in October 2020 and October 2022 (which overlaps the terms of the four sitting board members.). These issues are on-line.

3. To mirror the Candidate Forum for Kensington candidates, during the "live" interview at the board meeting during which the replacement is selected, each board member can ask every candidate a specific question, which must be the same question for each candidate and not disclosed to candidates in advance. That would be four questions altogether. The order in which each candidate goes first can be rotated.

4. Optional: each candidate can be provided the opportunity for a closing statement at the board meeting.

Ground rules: (this is an example, based on improving processes that did not work well in the past.)

1. Publish the application process and the questions -- deadline to be determined by the board.

- Consider appointing a temporary committee to finalize the questions - I prefer not to.

2. Board members can encourage members of the public to apply up until the application deadline, which is firm.

3. Candidates who do not use the correct application form are disqualified.

4. Applications are published to the board and the public simultaneously, at a time yet to be determined, e.g., one week in advance of the selection meeting.

5. Upon publication of the applications, board members shall not have contact with any applicant regarding their own application or any other applications received. This is subject to the "honor system" and is very important.

6. Applicants may withdraw from the process at any time before the application deadline. After the applications deadline, the applications will be published and the application materials will not be removed from the KFPD website.

[Aside: I would be willing to provide you with the fire board questions from 2020 and 2022 issues of the Outlook as examples, if that will help for the board meeting this week.]

If this scenario is considered, it would be great if the board can select the questions for the application process during the meeting on 10/26 so that we don't have to meet again. Appointing a temporary committee is an option but I don't think it is a good idea unless the rest of the board is supportive of it.

- Julie

Questions from the Outlook for Kensington Fire Protection District Board Candidates

2020 Outlook questions for Fire Board candidates (in the order printed)

Is there room for the police in the Public Safety Building and what must be sacrificed on the fire side to keep them there?

Some feel that the police should pay part of the capital costs of the renovation if they occupy that space. Do you agree or do you think they should pay rent, and if so, how much?

In the last two years, district expenses have gone up markedly. What are the causes and can costs be reeled back in?

Does the district have enough money to fund the renovation?

Besides the PSB, what challenges await the fire district?

Why did you decide to run?

Are you in favor of consolidating the two districts?

2022 questions for Fire Board candidates (in the order printed)

Some believe that directors are elected to make tough decisions about which residents have little knowledge. How much input should citizens have in determining policy questions?

While the public safety personnel the districts oversee maintain high public confidence, recently the district boards and GMs have taken a hit. What steps would you take to enhance your district's reputation?

During the past few years, have the districts spent money wisely? What changes can you make to ensure responsible district spending?

What is your position on consolidating the two districts?

Another architect has designed a retrofit of the PSB that accommodates both the police and fire departments. Are you willing to consider this plan or an alternative that would house only on-duty police officers and a shift supervisor in the PSB?

What should the fire district do to help residents reduce fire risk? Can the district help with vegetation management on private properties or is that outside the district's purview?

Changing parking configurations, encouraging residents to help neighbors with mobility or hearing impairments in emergencies, and more takes active community outreach and buy-in. Should this effort be part of the board's vision?

Over the past few years, the fire district has gone from a half-time administrator to two positions at more than triple the cost, with yet another position authorized by the board. Is this ramping up of administration necessary? Must they be housed in the Public Safety Building?