



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS SPECIAL MEETING MINUTES

DATE/TIME: April 24, 2023, 7:00PM

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

PRESENT: Directors: President Alexandra Aquino-Fike, Director Cassandra Duggan, Director Sylvia Hacaj, Vice President Sarah Gough, Director David Spath, President Julie Stein, Director Don Dommer, Director Daniel Levine, Director Larry Nagel, Director Jim Watt
Staff: Legal Counsel John Bakker/Meyers Nave, GM Mary Morris-Mayorga, Fire Chief Eric Saylor

1. CALL TO ORDER/ROLL CALL

President Alexandra Aquino-Fike of the KPPCSD Board of Directors opened the special meeting at 7:20 p.m. and noted there were 60 participants on the Zoom call. Board Clerk Lynelle Lewis confirmed the roll call for KPPCSD.

President Julie Stein of the KFPD called the special meeting to order at 7:21 p.m. and confirmed the roll call for KFPD.

Directors welcomed and thanked Executive Director Lou Ann Texeira of the Local Agency Formation Commissions (LAFCO) for her participation and provided opening remarks.

2. PUBLIC COMMENT

President Aquino-Fike announced the board would take public comment after agenda item 3.

3. PRESENTATION ON CONSOLIDATION OF DISTRICTS BY LOCAL AGENCY FORMATION COMMITTEE CHIEF EXECUTIVE – Lou Ann Texeira (00:06:37)

LAFCO Executive Director Lou Ann Texeira gave a presentation on the potential consolidation of KFPD and KPPCSD.

She provided the history and organizational background of LAFCO. She reviewed and provided answers to previously submitted questions by Kensington Board of Directors and residents. (See supplemental document)

Directors asked the following questions: (00:16:22)

- Can you describe the difference between consolidation and reorganization?
- Do districts lose tax revenue if they reorganize?
- If dissolution occurs, does KPPCSD have to propose to expand the board?
- Does the Board of Supervisors have a negotiating role with regards to the district's property taxes?
- Is it true that whether there is consolidation or a reorganization that for a period of time

Board of Directors Special Meeting Minutes of April 24, 2023

the districts would automatically have 7, 9 or 11 board members? Is there a reason Contra Costa LAFCO has completed hundreds of reorganizations and only a few consolidations?

- Is there any functional difference between consolidation and a dissolution/annexation?
- Are there any boundary issues associated with a consolidation or a dissolution?
- Do you have a recommendation as to how many board members there should be?
- Do you recommend the same firm conduct the fiscal analysis and municipal services review?
- Are you aware of any community service district that runs both a police and fire department?
- What would happen to the existing contracts held with each district?
- Do you see any downsides to consolidation or reorganization?
- How long will this process take to complete?

Executive Director Texeira provided further explanation and answers to the above questions.

4. PUBLIC COMMENT (00:38:49)

Members of the public commented on the presentation and on consolidation in general, and asked the following questions:

- Does consolidation require a fiscal review? How much time and what are the costs associated with hiring a consultant? If the boards were not able to fund consolidation from their general funds, could the community fundraise to pay for the process?
- Does the money received by the county change? Does either process require residents to vote? Which process takes longer and costs more? If all directors stay, how many years will it be until new board members are elected?
- How many community service districts are there in Contra Costa County?
- Should the KFPD and KPPCSD search for general managers be put on hold while consolidation is under consideration?
- Is it correct that if the two boards chose to consolidate, FICA must approve unless there is a 25% petition filed by voters? If the boards choose to reorganize, is there a corresponding provision that would allow for a public vote?
- How do you intend to assess community approval of consolidation? Is a ballot measure or referendum necessary? Should CALPers benefits be standardized?
- How long does it take for the protest petition to be generated and what form does it take? Does the petition need to be complete by the first LAFCO hearing?
- Do current directors have the time to manage both boards?
- Is the process of consolidation and reorganization the same?
- Should there be an advisory committee for outreach and education?

Executive Director Texeira and board members provided further explanation and answers to the above questions. Executive Director Texeira noted that questions about taxes should be directed to the auditor's office. Director Levine shared information he received from the auditor controller's office in this regard. President Stein asked if the Ad Valorem taxes would go into one general fund to be used for any purpose in the districts or if the tax revenues would remain for the purpose it was originally voted on? Director Levine confirmed the latter. Executive Director Texeira provided more information about the general process and timing of completing a LAFCO application that includes providing a fiscal analysis, a plan for services, and, preferably, resolutions from both districts. Director Watt asked how LAFCO would evaluate a negative financial analysis of the districts. Executive Director Texeira noted this would be of concern and recommended fiscal viability be confirmed prior to submitting an application to

consolidate/reorganize.

Director Spath noted the community can review the Ad Hoc Committee for Governance and Operations Structure report on the KPPCSD website.

5. ADJOURNMENT TO REGULAR MEETING

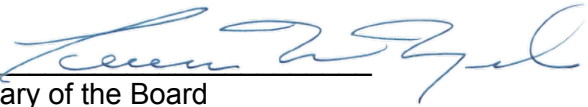
President Aquino-Fike adjourned the special meeting at 8:51 p.m.

The next KFPD Board of Directors meeting will occur on May 17, 2023.

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 May 17, 2023.

Attest:



Secretary of the Board