



Board Policies

Board Policies

Amended July 18, 2025 (Policy 1165, Policy 1200), repealed Employee Handbook and Operations Manual (which will be updated as operating policies by the General Manager)

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KENSINGTON

FIRE PROTECTION DISTRICT

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Policy 0000 - Mission Statement

Last Revision Date 05/01/2018

0000.00 Our mission is to provide the highest level of service to Kensington in order to protect the lives, property, and environment of the community from the disastrous effects of fires, medical emergencies, natural disasters, and other hazardous conditions.



Board Policies

Policy 0010 – Objectives

Last Revision Date 05/01/2018

- Reducing loss of life and property and safeguarding Kensington by effectively responding to fire, rescue and medical emergencies, hazardous material incidents and major disasters;
- Helping residents of Kensington reduce the frequency and severity of fires, accidents and natural disasters by providing public education programs;
- Reducing threats to public safety by enforcing laws, codes and ordinances covering fire and life safety and by abating identified fire hazards on District, private and other agencies' property; and
- Maintaining personnel, apparatus, equipment and facilities in a constantly ready condition.



Board Policies

Policy 0015 – Goals

Last Revision Date 05/01/2018

Establish a wildland/urban interface fire prevention effort through an emphasis on public education while establishing vegetation management standards and legal enforcement procedures of implementation in subsequent years.

Maintain a Fire Hazard Reduction Program to work with the East Bay Regional Park District along the Kensington interface.

Maintain enhanced personnel skill levels in wildland firefighting and incident command by continued participation in area-wide wildland fire response training exercises.

Maintain Fire Station No. 65's functional adequacy and seismic structural integrity.

Manage and implement capital projects to provide adequate fire flow throughout Kensington.

Provide a comprehensive maintenance and certification test program to ensure readiness of complex fire apparatus and equipment.

Provide hazardous materials response training to meet annual mandated requirements and to ensure efficient operations with the Richmond Fire Department Hazardous Materials Response Team.

Maintain the earthquake and disaster preparedness program by supporting the Community Emergency Response Team (CERT).

Continuously update disaster planning by utilizing support from the City of El Cerrito and their planning process.

Continued implementation of upgraded computer-based systems for records and reports. Continuously improve access to and utilization of fire service weather information network.

Fully implement the fire protection contract with the City of El Cerrito and respond to other cost-saving and service-enhancing opportunities for functional integration of fire services with surrounding jurisdictions.

Maintain a program to identify and obtain grant funding to support and enhance the District's fire protection services.

Prudently manage District funds.



Board Policies

Policy 1000 - Purpose of Board Policies

Last Revision Date 05/01/2018

1000.10 It is the intent of the Board of Directors of the Kensington Fire Protection District to maintain a Handbook of Policies. Contained therein shall be a comprehensive listing of the Board's current policies, being the rules and regulations enacted by the Board from time to time. The Handbook of Policies will serve as a resource for Directors, staff and members of the public in determining the manner in which matters of District business are to be conducted.

1000.20 If any policy or portion of a policy contained within the Handbook of Policies is in conflict with rules, regulations or legislation having authority over Kensington Fire Protection District, said rules, regulations or legislation shall prevail.



Board Policies

Policy 1010 - Adoption/Amendment of Policies

Last Revision Date 05/01/2018

1010.10 Consideration by the Board of Directors to adopt a new policy or to amend an existing policy may be initiated by any Director, or by the Manager. The proposed adoption or amendment to the policy is initiated by submitting a written draft of the proposed change to each Director and the Manager through the District office, and requesting that the item be included for consideration on the agenda of the appropriate regular meeting of the Board of Directors.

1010.20 Adoption of a new policy or amendment of an existing policy shall be accomplished at a regular meeting of the Board of Directors and shall require a 4/5 affirmative vote of the entire Board of Directors.

1010.30 Before considering to adopt or amend any policy, Directors shall have the opportunity to review the proposed adoption or amendment at the regular Board of Directors meeting prior to the meeting at which consideration for adoption or amendment is to be given. Copies of the proposed policy adoption or amendment shall be included in the agenda information packet for any meeting of consideration. The agenda information packets with said copies shall be made available to each Director for review at least three (3) days prior to any meeting of consideration.



Board Policies

Policy 1020 - Standards of Conduct

Last Revision Date 09/09/2020

1020.10 The Board of Directors of the Kensington Fire Protection District is committed to providing excellence in legislative leadership that results in the provision of the highest quality of services to its constituents. These standards shall be observed to ensure that all Directors act in a manner which supports that commitment.

1020.11 Respect. Directors shall act in a professional, courteous manner respecting the dignity, style, values and opinions of each Director, staff, and members of the public..

1020.12 Responsiveness. Full participation in meetings and attentive listening to communication is encouraged.

1020.13 Integrity. Demonstrate honesty and inspire public confidence by making the needs of the District's constituents the priority of the Board of Directors.

1020.14 Policymaking. The primary responsibility of the Board of Directors is the formulation and evaluation of policy. Routine matters concerning the operational aspects of the District are to be delegated to professional staff members of the District. The General Manager has full administrative authority for properly discharging duties within the limits of established Board policies.

1020.15 Professionalism. Directors should commit themselves to emphasizing the positive and shall refrain from abusive conduct, unprofessional remarks or verbal attacks upon the character or motives of other Directors. Directors are subject to policies contained within the Employee Handbook, as applicable.

1020.16 Focus. Directors should commit themselves to deliberating on issues, and not personalities. The presentation of the opinions of others should be encouraged. All comments should be confined to the matter being discussed by the Board of Directors.

1020.17 Cohesiveness. Differing viewpoints are healthy in the decision-making process. Individuals have the right to disagree with ideas and opinions, but without being disagreeable. Once the Board of Directors takes action, Directors should commit to supporting the action and not creating barriers or speaking against the action. Directors has no individual authority and may not commit the District to any policy, act, or expenditure.

1020.18 Confidentiality. Directors shall maintain the confidentiality of Attorney-Client Communications, any discussions protected by the Attorney-Client Privilege Closed Session discussions, and the information provided in the Closed Session.

1020.20 The work of the District is a united effort. All individuals should work together in



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the collaborative process, assisting each other in conducting the affairs of the District.

1020.21 When responding to constituent requests and concerns, Directors should be courteous, responding to individuals in a positive manner and routing their questions through appropriate channels.

1020.22 Directors should develop a working relationship with the General Manager and the Fire Chief wherein current issues, concerns and District projects can be discussed comfortably and openly.

1020.23 Directors should function as a part of the whole. Issues should be brought to the attention of the Board as a whole, rather than to individual members selectively.

1020.24 Directors are responsible for monitoring the District's progress in attaining its goals and objectives, while pursuing its mission.



KENSINGTON

FIRE PROTECTION DISTRICT

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Policy 1030 - Basis of Authority

Last Revision Date 05/01/2018

1030.10 The Board of Directors is the unit of authority within the District. Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act or expenditure.

1030.20 Directors do not represent any fractional segment of the community, but are, rather, a part of the body which represents and acts for the community as a whole. Routine matters concerning the operational aspects of the District are delegated to District staff.



Board Policies

Policy 1040 - Conflict of Interest

Last Revision Date 05/01/2018

1040.10 The Political Reform Act, Government Code §81000, et seq., requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation, 2 Cal. Code of Regs. §18730, which contains the terms of a standard conflict of interest code. It can be incorporated by reference and may be amended by the Fair Political Practices Commission after public notice and hearings to conform to amendments in the Political Reform Act. Therefore, the terms of 2 Cal. Code of Regs. §18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference and, along with the attached Appendix A in which members of the Board of Directors and employees are designated, and in which disclosure categories are set forth, constitute the conflict of interest code of the Kensington Fire Protection District.

1040.20 Designated employees shall file statements of economic interests with the Clerk of the County of Contra Costa.



Board Policies

Appendix A

PART I - DESIGNATED EMPLOYEES

<u>Position</u>	<u>Disclosure Category</u>	<u>Applicable FPPC Form</u>
Board Members	1	700
Manager	1	700
Emergency Preparedness Committee Members	1	700

PART II - DISCLOSURE CATEGORIES

1. Investments and business positions in any business entity and sources of income listed in Appendix B are disclosable if:
 - a. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted with the District; or,
 - b. The business entity or business position in which the investment is held or which is the source of income is of the type which, within the last two years, has contracted to furnish supplies or services as subcontractors in any contract with the District.
2. With respect to designated positions, investments or business positions in any business entity or sources of income which are (1) private (service(s) similar to those provided by district) companies or (2) entities or persons engaged in real estate development or owners of real estate, and interests in real property are disclosable if held, regardless of any contractual relationship with the District at any time.

PART III - APPLICABLE FPPC FORM

In accordance with Government Code §87200, certain District officers are required to disclose - upon assuming and leaving office, and annually while in office - their investments, income, and interests in real property by way of FPPC Form 700. Those positions in Part I, above, designated to file Form 700 are those "directing the investment of public monies, formulating or approving investment policies, approving or establishing guidelines for asset allocations, or approving investment transactions." The most current form of the FPPC's Form 700, Statement of Economic Interests, can be found on their website at www.fppc.ca.gov.



Board Policies Appendix B

All interests in real property as well as investments and business positions in business entities and income from sources which provide facilities, services, supplies, or equipment of the type utilized by the District, including but not limited to:

Pipe, valves, fittings, etc. Pumps, motors, etc.
Meters and other water measurement equipment Construction and building materials
Engineering services, including hydrology services
Construction contractors
Safety equipment and facilities Hardware tools and supplies Freight and hauling
Motor vehicles, heavy equipment, special vehicles and parts and services thereto Petroleum products
Photographic services, supplies and equipment Janitorial services
Water quality testing Pesticides and herbicides
Communications equipment and services Well drilling supplies and contractors
Electrical equipment, including pumping equipment Computer hardware and software
Architectural services
Water treatment equipment, supplies and services Custom farming services such as weed abatement, etc. Telemetering equipment
Appraisal services
Printing, reproduction, record keeping, etc. Office equipment
Accounting services
Real estate agents/brokers and investment firms Title companies
Public utilities
Canal and pipeline maintenance services Insurance companies



Board Policies

Policy 1050 – Board Meetings

Last Revision Date 05/01/2018

1150.10 Regular meetings of the Board of Directors shall be held on the second Wednesday of each calendar month at 7:00 p.m. in the Kensington Community Center, 59 Arlington Avenue, Kensington, California. All meetings of the Board of Directors shall comply with the Brown Act (California Government Code § 54950 through § 54926). The date, time and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.

1050.11 Member of the Board includes newly elected and appointed officials prior to assuming office.

1050.12 Meetings through the use of intermediaries, serial communications, or emails are prohibited.

1050.20 Special meetings (non-emergency) of the Board of Directors may be called by the Board President or by a majority of the Board.

1050.21 All Directors, the Manager and the Fire Chief shall be notified of the special Board meeting and the purpose or purposes for which it is called. Said notification shall be in writing, delivered to them at least twenty-four (24) hours prior to the meeting.

1050.22 Newspapers of general circulation in the District, radio stations and television stations, organizations, and property owners who have requested notice of special meetings in accordance with the Brown Act shall be notified by a mailing unless the special meeting is called less than one week in advance, in which case notice, including business to be transacted, will be given by telephone or electronic mail as soon after the meeting is scheduled as practicable.

1050.23 An agenda shall be prepared as specified for regular Board meetings in Policy #5020 and shall be delivered with the notice of the special meeting to those specified above. 1050.24 Only those items of business listed in the call for the special meeting shall be considered by the Board at any special meeting.

1050.30 Special Meetings (emergency). In the event of an emergency situation involving matters upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board of Directors may hold an emergency special meeting without complying with the twenty-four (24) hour notice required in 1050.21, above. An emergency situation means a crippling disaster which severely impairs public health, safety, or both, as determined by the Board President or Vice President in the President's absence.

1050.31 No closed session may be held during an emergency special meeting, and all other rules governing special meetings shall be observed with the exception of the twenty-four (24) hour notice. The minutes of the emergency special meeting, a list of persons the Manager or designee notified or attempted to notify, a copy of the roll call vote(s), and any actions taken at such meeting shall be posted for a minimum of ten (10) days in the District office as soon after the meeting as possible.

1050.40 Adjourned Meetings. A majority vote by the Board of Directors may terminate any Board meeting at any place in the agenda to any time and place specified in the order of adjournment, except that if no Directors are present at any regular or adjourned regular meeting, the President may declare the meeting adjourned to a stated time and place.



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1050.50 Annual Organizational Meeting. The Board of Directors shall hold an annual organizational meeting at its regular meeting in December. At this meeting the Board will elect a President, Vice President and Secretary from among its members to serve during the coming calendar year.

1050.60 The Chairperson of the meetings described herein shall determine the order in which agenda items shall be considered for discussion and/or action by the Board.

1050.70 The Chairperson and the Manager shall insure that appropriate information is available for the audience at meetings of the Board of Directors, and that physical facilities for said meetings are functional and appropriate. All Board meetings shall be open and freely accessible to the public, including those with disabilities.



Board Policies

Policy 1060 – Board Meeting Agenda

Last Revision Date 05/01/2018

1060.10 The Manager and the Board President shall prepare an agenda for each regular, special and closed meeting of the Board of Directors. Board members may place items on the agenda by written request to the Board President or the Manager two weeks in advance of the meeting.

1060.11 The Board of Directors may limit the time allowed for any one person to speak on an issue at a Board meeting.

1060.20 This policy does not prevent the Board from taking testimony at regular and special meetings of the Board on matters which are not on the agenda which a member of the public may wish to bring before the Board. However, the Board shall not discuss or take action on such matters at that meeting.

1060.30 At least seventy-two (72) hours prior to the time of all regular meetings, an agenda, which includes but is not limited to all matters on which there may be discussion and/or action by the Board, shall be posted conspicuously for public review within the District office, the Kensington Library, the Kensington kiosk and Colusa Market. A public copy of the entire Board packet for regular meetings will be available for review at the District office, the El Cerrito Fire Station Headquarters, and the Kensington Library.

1060.31 A public copy of the entire Board packet will be posted on the District's website for review prior to the Board meeting.

1060.32 The agenda for a special meeting shall be posted at least twenty-four (24) hours before the meeting in the same locations specified herein above.



Board Policies

Policy 1070 – Board Officers

Last Revision Date 05/01/2018

1070.10 The President of the Board of Directors shall serve as chairperson at all Board meetings. He/she shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions. In addition, the Board President shall:

- 1070.11** Act as chief administrative officer and legal head of the organization.
- 1070.12** Exercise supervision over the organization and all its activities and employees.
- 1070.13** Represent and speak for the organization to other organizations and to the public.
- 1070.14** Preside at business meetings.
- 1070.15** Appoint committees.
- 1070.16** Sign letters or documents necessary to carry out the will of the organization.
- 1070.17** Preside at meetings of the Board of Directors or governing board.

1070.20 The Vice President of the Board of Directors assumes the duties of the President in case of absence or incapacity of the President. If the President and Vice President of the Board are both absent, the remaining members present shall select one of themselves to act as chairperson of the meeting.

1070.30 The Secretary of the Board of Directors shall certify the correctness of the minutes and enter them in the official minute book; sign official documents to attest to their authenticity; and carry on the official correspondence of the organization as directed, except correspondence assigned to other officers.



KENSINGTON

FIRE PROTECTION DISTRICT

Board Policies

Policy 1080 – Board Meeting Conduct

Last Revision Date 05/01/2018

1080.10 Meetings of the Board of Directors shall be conducted by the Chairperson in a manner consistent with the policies of the District. The latest edition of Sturgis' Standard Code of Parliamentary Procedure will also be used as a general guideline for meeting protocol. District policies shall prevail whenever they are in conflict with Sturgis' Standard Code of Parliamentary Procedure.

1080.20 All Board meetings shall commence at the time stated on the agenda and shall be guided by same. However, an agenda is flexible and items may be changed or moved by the Chairperson, or by general consent, or by a majority vote of the Board.

1080.30 The conduct of meetings shall, to the fullest possible extent, enable Directors to:

1080.31 Consider problems to be solved, weigh evidence related thereto, and make wise decisions intended to solve the problems; and,

1080.32 Receive, consider and take any needed action with respect to reports of accomplishment of District operations.

1080.40 Provisions for permitting any individual or group to address the Board concerning any item on the agenda of special meeting, or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as followed:

1080.41 Five (5) minutes may be allotted to each speaker and a maximum of twenty (20 minutes) to each subject matter;

1080.50 The normal time for adjournment shall be 10:00 p.m. The meeting may be extended by a majority vote of the Board.



Board Policies

Policy 1090 – Members of the Board of Directors

Last Revision Date 05/01/2018

1090.10 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors.

1090.20 Directors shall at all times conduct themselves with courtesy to each other, to staff and to members of the audience present at Board meetings.

1090.30 Directors shall defer to the chairperson for conduct of meetings of the Board, but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

1090.40 Directors may request for inclusion into minutes brief comments pertinent to an agenda item, only at the meeting that item is discussed (including, if desired, a position on abstention or dissenting vote).

1090.50 Directors shall abstain from participating in consideration on any item involving a personal or financial conflict of interest. Unless such a conflict of interest exists, however, Directors should not abstain from the Board's decision making responsibilities.

1090.60 Requests by individual Directors for substantive information and/or research from staff will be channeled through the President.



Board Policies

Policy 1091 - Attendance at Meetings

Last Revision Date 05/01/2018

1091.10 Members of the Board of Directors are expected to and shall attend all regular and special meetings of the Board unless there is good cause for absence.

1091.20 Good cause for absence, including late arrivals or early departures, includes temporary illness or other unavoidable circumstances of which the President of the Board is notified prior to the meeting. Good cause also includes Board authorized meeting absences such as attendance at a conference directly related to the functions and interests of the District or at the meeting of another public agency in order to participate in an official capacity.

1091.30 A Board Member who will be absent for good cause may notify the Manager by electronic transmission (email), telephone communication, or letter. The Manager shall notify the President and the Board of all absences that are excused for good cause. The minutes shall indicate whether an absence was excused.

1091.40 A vacancy shall occur if a Board Member is absent from three (3) consecutive regular meetings without good cause, except as otherwise provided for by law or as authorized by the Board.

Board Policies

Policy 1100 – Board Actions and Decisions

Last Revision Date 05/01/2018

1100.10 Actions by the Board of Directors include but are not limited to the following:

1100.11 Adoption or rejection of regulations or policies;

1100.12 Adoption or rejection of a resolution;

1100.13 Adoption or rejection of an ordinance;

1100.14 Approval or rejection of any contract or expenditure;

1100.15 Approval or rejection of any proposal which commits District funds or facilities, including employment and dismissal of personnel; and,

1100.16 Approval or disapproval of matters which require or may require the District or its employees to take action and/or provide services.

1100.20 Action can only be taken by the vote of the majority of the Board of Directors. Three (3) Directors represent a quorum for the conduct of business. Actions taken at a meeting where only a quorum is present, therefore, require all three (3) votes to be effective (unless a 4/5 vote is required by policy or other law).

1100.21 A member abstaining in a vote is considered as absent for that vote.

1100.211 Example. If 3 of 5 Directors are present at a meeting, a quorum exists and business can be conducted. However, if 1 Director abstains on a particular action and the other 2 cast "aye" votes, no action is taken because a "majority of the Board" did not vote in favor of the action.

1100.212 Example. If an action is proposed requiring a two-thirds vote and 2 Directors abstain, the proposed action cannot be approved because 4 of the 5 Directors would have to vote in favor of the action.

1100.213 Example. If a vacancy exists on the Board and a vote is taken to appoint an individual to fill said vacancy, 3 Directors must vote in favor of the appointment for it to be approved. If 2 of the 4 Directors present abstain, the appointment is not approved.

1100.30 The Board may give directions which are not formal action. Such directions do not require formal procedural process. Such directions include the Board's directives and instructions to the Administrator.

1100.31 The Chairperson shall determine by consensus a Board directive and shall state it for clarification. Should any two Directors challenge the statement of the Chairperson, a voice vote may be requested.

1100.32 A formal motion may be made to place a disputed directive on a future agenda for Board consideration, or to take some other action.

1100.33 Informal action by the Board is still Board action and shall only occur regarding matters which appear on the agenda for the Board meeting during which said informal action is taken.



Board Policies

Policy 1110 – Minutes of Board Meetings

Last Revision Date 05/01/2018

1110.10 The Manager of the District shall keep minutes of all regular and special meetings of the Board of Directors.

1110.11 Copies of said minutes shall be made for distribution to Directors with the agenda for the next regular Board meeting.

1110.20 An recording of any regular or special meeting of the Board of Directors, not including closed sessions, will be made by the Manager.

1110.30 Motions, resolutions or ordinances shall be recorded as having passed or failed, and individual votes will be recorded unless the action was unanimous.

1110.31 All resolutions and ordinances adopted by the Board shall be numbered consecutively starting new at the beginning of each fiscal year.

1110.40 The minutes of Board meetings shall be maintained as hereinafter outlined.

1110.41 Procedure:

1110.411 Date, place and type of each meeting;

1110.412 Directors present and absent by name;

1110.413 Call to order;

1110.414 Arrival of tardy Directors by name;

1110.415 Pre-adjournment departure of Directors by name, or if absence takes place when any agenda items are acted upon

1110.416 Adjournment of the meeting;

1110.417 Record of written notice of special meetings; and,

1110.418 Record of items to be considered at special meetings.

1110.42 Board Actions:

1110.421 Approval or amended approval of the minutes of preceding meetings;

1110.422 Information as to each subject of the Board's deliberation;

1110.423 Complete information as to all actions taken by consensus of the Board.

1110.424 A record of all contracts entered into;

1110.425 All employments and resignations or terminations of employment within

1110.426 A record by number of all transmittals approved for payment;

1110.427 Financial reports as listed in the Operations Manual shall be presented to the Board every month;

1110.432 A record of all important correspondence; **1110.433** A record of the Fire Chief's report to the Board;

1110.434 A record of the Administrator's report to the Board;

1110.435 A record of the Board's directives to the Manager and the Fire Chief. **1110.436** Approval of all policies and Board-adopted regulations; and, **1110.437** A record of all visitors and delegations appearing before the Board.



KENSINGTON

FIRE PROTECTION DISTRICT

Board Policies

Policy 1120 – Reimbursement

Last Revision Date 05/01/2018

1120.10 Members of the Board of Directors shall be reimbursed for all legitimate expenses incurred in attending any meetings or in making any trips on official business of the Board when so authorized in accordance with Policy #1130. Reimbursement for the cost of the use of a Director's vehicle shall be on the basis of total miles driven and at the rate specified in the Internal Revenue Service Guidelines in effect at the time of the vehicle usage.

Board Policies

Policy 1130 – Training, Education and Conferences

Last Revision Date 05/01/2018

1130.10 Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities is to improve District operation. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

1130.11 "Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

1130.20 It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District.

1130.21 The Manager is responsible for making arrangements for Directors for conference and registration expenses, and for per diem. Per diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the Manager, together with validated receipts.

1130.22 Attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences shall be approved by the Board of Directors prior to incurring any reimbursable costs.

1130.23 Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum for transportation and housing accommodations by:

1130.231 Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.

1130.232 Directors traveling together whenever feasible and economically beneficial.

1130.233 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates.

1130.30 A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

1130.40 Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be included in the District library for the future use of other Directors and staff.



Board Policies

Policy 1131 – Ethics Training

Last Revision Date 05/01/2018

1131.10 All Directors, designated staff and committees that are subject to the Brown Act shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors and at least once every two years thereafter, pursuant to Government Code 53234 et seq. as may be amended from time to time.

1131.11 All ethics training shall be provided by providers whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

1131.12 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person, or online.

1131.13 Attendees shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training shall be reimbursed by the District.

1131.13.1 District staff shall maintain records indicating both the dates that attendees completed the ethics training and the name of the provider that provided the training. These records shall be maintained for at least five years after the date of training and may be public records subject to disclosure under the California Public Records Act.

1131.14 District staff shall provide the prospective attendees with information on available training that meets the requirements of this policy at least once every year.

1131.15 A single training course may be used to satisfy the obligation to receive training for multiple agencies or positions.



Board Policies

Policy 1140 – Committees of the Board of Directors

Last Revision Date 05/01/2018

1140.10 The Board President shall appoint such temporary committees as may be deemed necessary or advisable by President and/or the Board. The purpose of a temporary advisory committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. A temporary advisory committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

1140.11 A temporary advisory committee shall be comprised solely of members of the Board, and shall consist of less than a majority of Board members.

1140.12 A temporary advisory committee may make recommendations to the Board. The Board may not delegate any decision-making power to a temporary advisory committee.

1140.13 A temporary advisory committee shall meet on an as-needed basis and shall not have a meeting schedule fixed by resolution or formal action of the Board.

1140.20 The following shall be standing committees of the Board:

1140.21 A Finance Committee composed of two members of the Board of Directors.

1140.22 An Emergency Preparedness and Warning Systems Committee composed of two members of the Board of Directors, plus a supplemental number of members of the public as needed to fulfill the mission of the committee.

1140.30 The Board President shall appoint and publicly announce the Board members of the standing committees for the ensuing year at the Board's regular meeting in January, subject to approval of the Board.

1140.31 New standing committees may be formed and announced at any time during the calendar year, subject to approval of the Board.

1140.32 Standing committees attain a quorum when a simple majority of the committee members are present.

1140.33 The President may appoint or remove members of the public at any time, subject to approval of the Board.

1140.40 All meetings of standing committees shall conform to all open meeting laws (e.g., "Brown Act") that pertain to regular meetings of the Board of Directors.

1140.50 The Board's standing Finance Committee shall be concerned with the financial management of the District, including the preparation of an annual budget and major expenditures.

1140.60. The Board's standing Emergency Preparedness Committee shall be concerned with (1) recommendations for allocations of effort and funding of initiatives to make Kensington safer from potential civic emergencies, using a multi-hazard approach; (2) identifying opportunities for articulation with community members and other agencies to reduce risk and enhance evacuation procedures and public safety; (3) development of public education initiatives to accomplish the first two goals; (4) articulation with the KPPCSD standing committee on Emergency Preparedness, as well as other Local, County, and State agencies, to achieve the previous goal.



KENSINGTON

FIRE PROTECTION DISTRICT

Board Policies

Policy 1141 – Association Memberships

Last Revision Date 05/01/2018

1141.10 Purpose: This policy sets forth the rules for membership in associations and establishes who may represent the District.

1141.20 Appropriate Memberships. To take advantage of in-service training opportunities, the District may hold membership in industry related associations. Board Members and staff may attend meetings of national, state, and local associations directly related to the purposes and operations of the District. Decisions to continue, discontinue, or add new memberships shall occur through the annual budget process.

1141.30 Appointment of Representatives. The President shall appoint Board Members as representatives and alternates, as appropriate, to serve as contacts between the District, stakeholder groups, associations and others. The representatives and alternates shall report to the Board in a timely manner on their activities involving these associations. In some cases members may be allowed certain expenses for travel and membership in such associations. This shall be determined and approved by the full Board.

1141.40 District Manager Memberships. The President may designate the District Manager as the appropriate representative or alternate in connection with memberships in any association. The District Manager may designate those associations or industry specific organizations with which his/her association is necessary or desired.



Board Policies

Policy 1150 – Budget Preparation and Review

Last Revision Date 08/12/2020

1150.10 On an annual basis, the General Manager shall draft a proposed annual budget. Such proposed annual budget shall be balanced.

1150.20 Prior to review by the Board of Directors, the General Manager shall present the proposed annual budget to the Board's Finance Committee for review and amendment.

1150.30 The General Manager shall present the proposed preliminary annual budget, as reviewed and amended by the Finance Committee, to the Board for review and amendment no later than the Board's regular meeting in June, or as otherwise scheduled by resolution of the Board.

1150.40 The proposed final annual budget, as reviewed and amended by the Board, shall be adopted no later than the Board's regular meeting in September, or as otherwise scheduled by resolution of the Board.

1150.50 In the event an annual budget is not adopted prior to the start of the fiscal year, the budget last approved by the Board shall remain in effect until such annual budget is adopted.

1150.60 Budget control is maintained at the operational level. The General Manager is authorized to transfer budgeted amounts so long as District expenditures remain within the adopted budget, or as amended by the Board. Budget modifications that increase or decrease the overall annual budget must be approved by the Board.

1150.60 The Board shall review budget performance on a semi-annual basis.

1150.70 The General Manager shall develop administrative procedures that are consistent with the Board's policies, and devise and maintain systems of budgetary control. Such controls may include, but are not limited to:

1. Monthly financial reports to the Board of Directors.
2. Evaluation and reporting of budget variances.
3. Budget amendments for Board approval, as required.



Board Policies

Policy 1155 – Purchasing

Last Revision Date 12/20/2023

1155.10 Purpose: This policy is intended to establish and maintain financial control over purchases, to clearly define purchasing authority and to assure the quality of District purchases of supplies, services and equipment at the lowest possible cost commensurate with the quality needed. All purchases of and contracts for materials, supplies, furnishings, services, equipment and other personal property required by the District shall be made by the General Manager, or the General Manager's designee, in accordance with this policy.

1155.20 Purchasing Officer. The General Manager, or their designee, shall act as purchasing officer with authority as described herein.

1155.30 Authority. The purchasing officer as defined above is granted the following authority: 1155.31

Purchase or contract for required supplies, equipment and services pursuant to this policy, administrative procedures established by the purchasing officer and such other rules and regulations as may be prescribed by the Board of Directors.

1155.31 Negotiate, award and, as required herein, recommend execution of contracts for the purpose of supplies, services and equipment for the District.

1155.32 Act to procure required quality and quantity of supplies, services and equipment in the most cost-effective manner for the District.

1155.33 Endeavor to obtain as full and open competition as practical on all purchases. 1155.34

Supervise the inspection of all supplies and equipment and evaluate services purchased to insure conformance with District requirements.

1155.35 Recommend to the Board of Directors the sale or disposition of all supplies and equipment which cannot be used, which is surplus to the District's needs or which has become unsuitable for use by the District.

1155.36 Establish and maintain a fixed asset inventory control system coordinated with the procurement of all items determined to be fixed assets under generally accepted accounting criteria.

1155.40 Professional Services. Contracts for professional services may be established following the solicitation and evaluation of requests for proposals, statements of qualifications, or other applicable standard. Awards of professional services contracts may be made by the purchasing officer when they are budgeted for either specifically or within contingency and are in accordance with the General Manager's authority or other action of the Board of Directors.

1155.50 Cooperative Purchasing. When, through cooperative purchasing with any federal, state, county or other public agencies, the advantage of buying may be obtained through contracts



Board Policies

awarded by the lead procurement agency based on competitive bidding, proposal, or other procurement procedures. This would include purchasing from or selling to another governmental agency when such action is beneficial to the interests of the District.

1155.60 Immediate or Urgent Need. When there is a breakdown in essential machinery, essential services, or when unforeseen circumstances, arise including delays by contractors, delays in transportation, and unanticipated volume of work which require the immediate attention of a professional or immediate service/repair in order to protect public health, safety, welfare and/or property.

1155.70 Consolidation of Orders for Related Items. If the District would benefit from quantity prices or discounts for items that could be used within a reasonable amount of time, consolidating orders will be exercised to the extent practical. No order will be broken into smaller units to evade any requirement of this policy.

1155.80 Disposal of Surplus Supplies and Equipment. The General Manager shall have authority to dispose of surplus supplies and equipment which are no longer used or which have become obsolete or worn out pursuant to the following:

1155.81 Exchange or Trade-In. Exchange for or trade-in on new supplies or equipment. 1155.82 Sale

of Surplus Items. Following approval of a list of supplies and equipment found by the Board of Directors to be surplus, the items shall be offered for sale on a competitive basis. Bids may be solicited by written request, telephone, fax, e-mail, by public or silent auction, by use of a commercial auction service, by consignment with a used equipment vendor or vendors, by advertisement in any newspaper or magazine, or by any combination of such methods.

1155.83 Donation of Surplus Items. Subject to approval of the Board of Directors, obsolete or surplus property may be donated or sold at a negotiated fair value to any other governmental or public non-profit agency.

1155.84 Disposition as Scrap. After reasonable efforts have been made to obtain competitive bids, if no offers have been received for any item of District-owned surplus personal property, such item may be disposed of for the highest scrap value that can be obtained, if any. If a reasonable effort to sell the item as scrap is not successful, it may, in the General Manager's discretion, be given away on a first-come-first served basis, or disposed of as-is or after demolition in an appropriate solid waste disposal facility.

1155.90 Contracts for materials and supplies for construction or completion of any building, structure, or improvements shall be contracted for in accordance with the California Public Contracts Code as applicable.



Board Policies

Policy 1160 – Investment of District Funds

Last Revision Date 05/01/2018

1160.10 PREMISE

The Legislature of the State of California has declared that the deposit and investment of public funds by local officials and local agencies is an issue of statewide concern (California Government Code (CGC) §53600.6 and §53630.1); and, Government Code Sections 5921 and 53601, et seq., allow the legislative body of a local agency to invest surplus monies not required for the immediate necessities of the local agency; and,

The treasurer or fiscal officer of a local agency is required to annually prepare and submit a statement of investment policy and such policy, and any changes thereto, is to be considered by the local agency's legislative body at a public meeting (CGC §53646(a)).

1160.20 INVESTMENT POLICY

For these reasons, and to ensure prudent and responsible management of the public's funds, it is the policy of the Kensington Fire Protection District to invest funds in a manner which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the District and conforming to all statutes governing the investment of the Kensington Fire Protection District funds.

1160.30 SCOPE

This investment policy applies to all financial assets of the Kensington Fire Protection District. These funds are accounted for in the Independent Annual Financial Report and include:

Demand Account:	Investments:
General Fund	Local Agency Investment Fund
Special Tax Fund	
Capital Reserve Fund	

1160.40 PRUDENCE

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs; not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived. The standard of prudence to be used by investment officials shall be the "prudent investor" standard (CGC §53600.3) and shall be applied in the context of managing an overall portfolio. Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security's credit risk or market price changes, provided deviations for expectations are reported in a timely fashion and appropriate action is taken to control adverse developments.

1160.50 OBJECTIVES

As specified in CGC §53600.5, when investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives of the investment activities, in priority order, shall be:

- A. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the Kensington Fire Protection District shall be undertaken in a manner that seeks to ensure the

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preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

- B. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the Kensington Fire Protection District to meet all operating requirements which might be reasonably anticipated.
- C. **Return on Investments:** The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio.

1160.60 MANAGEMENT OF INVESTMENTS

Authority to manage the investment program is derived from California Government Code Sections 53600, et seq. Management responsibility for the investment program is hereby assigned to the Manager who shall act in consultation with the Finance Committee. District investments shall be maintained by the County Treasurer. Under the provisions of California Government Code §53600.3, the Manager and the Finance Committee are trustees and fiduciaries subject to the prudent investor standard.

1160.70 ETHICS AND CONFLICTS OF INTEREST

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution of the investment program, or which could impair their ability to make impartial investment decisions.

1160.80 AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS

No public deposit shall be made except in a qualified public depository as established by state laws.

1160.90 INVESTMENT POLICY REVIEW

This Investment Policy shall be reviewed on an annual basis, and modifications must be approved by the Board of Directors.



Board Policies

Policy 1165 – Expense Authorization

Last Revision Date 07/18/2025

1165.10 All purchases made for the District shall be authorized by the General Manager, and shall be in conformance with the approved District budget.

1165.11 District payments may be made by check, electronic bill payment, electronic funds transfer, automated clearing house (ACH), credit or debit card, or other means identified as payment options for government agencies.

1165.12 District expenses will be reviewed by two parties to ensure proper authorization and compliance with budget. The parties will typically be member(s) of the finance team and the General Manager.

1165.20 Any commitment of District funds for a purchase or expense greater than \$5,000.00 shall first be submitted to the Board of Directors for approval, or shall be in conformance with prior Board action and/or authorizations.

1165.25 The District shall maintain a revolving fund checking account at a financial institution which will be reimbursed through the County Treasurer's process.

1165.30 A "petty cash" fund may be maintained in the District office.

1165.40 Whenever employees or Directors of the District incur cash outlay expenses for item(s) or service(s) appropriately relating to District business as verified by valid receipts, said expended cash shall be reimbursed upon request from the District's petty cash or checking account revolving fund. In those instances when a receipt is not obtainable, the requested reimbursement shall be approved by the President prior to remuneration.

1165.50 Credit cards: A credit or debit card shall be issued to the General Manager. Credit cards shall not be issued or used by members of the Board of Directors. Directors will use their personal credit cards for lawful expenses of the District and seek reimbursement on a form provided by the District for that purpose.

1165.51 All credit card bills shall be paid timely to avoid late fees and finance charges.

1165.52 The District may elect to participate in government agency purchasing card programs such as those offered by the financial institution or the State of California's CalCard Program which may provide benefits such as earning rebates on all purchases.

All credit card expenses shall be reasonable and necessary to the furtherance of District business. No personal expenses shall be charged on a District credit card. If a transaction involves both personal and District business, the employee shall pay for the transaction personally and request reimbursement by the District of the appropriate portion of the expense.

1165.53 All credit card transactions shall have third-party documents (receipts) attached and the District purpose annotated by the cardholder.



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1165.54 Credit card and debit card transactions are individually listed on the checking account replenishment and approved each month by the Board of Directors on the Consent Agenda.

1165.55 All records of the District involving credit card use, including receipts, invoices, and requests for reimbursement are disclosable public records to be maintained consistently with the District's records management policy.

Board Policies

Policy 1170 – Fund Balance and Reserves

Last Revision Date 12/20/2023

1170.00 Purpose: The District shall maintain funds as designated by this Fund Balance and Reserves Policy. Having an adequate financial reserve is critical to the successful and stable short- and long-term operation of the district. An adequate reserve ensures that the district will at all times have sufficient funding available to meet its operating and capital needs. The ability of the district to maintain reserve funds is a critical factor in providing reliable service and ensuring overall financial strength. This policy establishes a hierarchy of fund balance expenditures in conformance with Governmental Accounting Standards Board guidelines, reporting of fund balance classifications, and prudent reserve funding to achieve the following goals:

- a) Maintain operational sustainability in periods of economic uncertainty.
- b) Fund designated projects/programs or other special uses not otherwise funded by grants or requiring additional monetary support;
- c) Fund replacement and major repairs for the District's physical assets; and
- d) Fund capital improvements.

1170.01 Definitions: The two components of this policy, Fund Balance and Reserves, are often used interchangeably; however, are different due to the inclusion of non-cash accounts in fund balance (e.g. accounts receivable, prepaid, inventory).

Fund Balance – the difference between assets and liabilities

Reserve – the cash reserve balance for each designated fund or account

The District shall account for fund balance as required by Governmental Accounting Standards Board Statement No. 54 among these classes: non-spendable, restricted, committed, assigned and unassigned.

Assigned - A fund balance that is earmarked for intended use. The intent is established by the Board of Directors.

Committed - A fund balance incorporating limitations in its use as determined and defined by the Board of Directors. This is typically the El Cerrito Contract reserve in operating funds. For capital funds, this is the Public Safety Building renovation and Rolling Stock reserve.

Non-Spendable - A fund that is non-spendable due to constraints placed on the funds in this category such as committed loans or liens. At fiscal year-end, this amount is typically prepaid expenses for the upcoming fiscal year (i.e. annual memberships).

Restricted - A fund that has externally enforceable limitations on the use of the fund balance such as creditors, grantors, or laws regulating the use of the funds (e.g. bond proceeds, transportation funds).

Unassigned - Encompasses all fund balances left after considering the other four categories. Use is less restrained in this fund category.

1170.20 Policy: The Board of Directors shall be responsible for the establishment and management of all District reserves which will be reported within fund balance as referenced above.

- a) The Reserve fund accounts shall be established by the Board of Directors through adoption of this policy and codified by passage of a resolution.
- b) Changes to existing fund balances, establishment of new fund accounts and balances, and authorization for expenditures from fund balances shall require action by the Board of Directors.
- c) The balances of each Reserve Fund shall be reviewed by the Board of Director's Finance

Board Policies

Committee as part of the budget each year. Any recommended changes to reserves for the upcoming fiscal year shall be presented to the full Board of Directors as an action item.

The following reserves reflect those which have been established by the Board of Directors and include the use of funds:

- a) **El Cerrito Contract Reserve:** This reserve account funds fire protection services provided by the City of El Cerrito for a period of 12 months; however, in May 2022 a contract amendment reduced the requirement to a period of 6 months in recognition of the public safety building renovation. Use of this fund is to pay for contract fire protection services in the event operating funds are not sufficient to cover (i.e. in advance of property tax installments).
- b) **Vehicle Replacements (Type I, Type III, and Command Vehicles):** This reserve account funds vehicle replacements and is funded annually as part of the budget from operating funds. Use of this fund will be authorized through vehicle purchases included in the budget and approved by the Board of Directors.
- c) **Building Maintenance:** After completion of the public safety building renovation, this reserve account will fund future maintenance needs. Use of this fund will be authorized as part of the budget when operating funds are not sufficient to cover maintenance.
- d) **Building Improvements/Renovation:** This reserve account funds the public safety building renovation and is anticipated to be depleted by the end of Fiscal Year 2024 or the end of the project. Use of this fund will be authorized as part of the project budget.
- e) Such other amounts as the Board shall deem prudent.

1170.03 Reserve funds need not be segregated from other funds or accounts of the District and are pooled for investment purposes.



Board Policies

Policy 1175 – OPEB Funding, Use, and Reporting

Last Revision Date 04/18/2025

1175.00 Policy: The District provides post-retirement health benefits (medical, dental and vision) to a closed group of former employees (plus surviving spouses) who retired from the District and pays 100% of the premiums. This Policy documents the funding and reporting.

1175.10 Funding: In 2008, the District elected to participate in the California Employers' Retiree Benefit Trust (CERBT) to assure sustainability and contributed \$1,165,000 to CalPERS, the CERBT's administrator. CERBT is an irrevocable trust fund organized under Section 115 of the Internal Revenue Code (IRC) that allows public employers to prefund the future cost of their retiree health insurance benefits and other post-employment benefits (OPEB) for covered retirees. The Total OPEB Liability is currently fully funded so no additional contributions are needed.

1175.20 Use of Funds: The District will request reimbursement from CERBT for the OPEB costs paid each year for health, dental, and vision.

1175.30 Reporting: As a CERBT participating agency, the District is required to complete and provide periodic OPEB cost reports using actuarial assumptions and methods that comply with Actuarial Standards of Practice and with Governmental Accounting Standards. The District engages an actuarial for this work which is also needed for the annually audited financial statements. Every two years, a full valuation is required while a roll-forward valuation is required between valuations (provided the plan does not experience significant changes that would substantially alter the comparison between years). These valuations are used to prepare audit adjusting entries and for financial statement notes.

1175.40 Overfunding: When the actuarial valuation reflects that OPEB is fully funded (greater than 100%) any options the District has will be in accordance with the IRC and CERBT. Currently, there is no option for distribution of funds aside from disbursements for the annual OPEB costs which is done annually. Once all covered participants have passed and there is no remaining OPEB liability, the District could request for return of those funds.



Board Policies

Policy 1180 – Legal Counsel and Auditor

Last Revision Date 05/01/2018

1180.10 The Board of Directors shall appoint a Legal Counsel to assist the Board and District in all applicable issues and activities.

1180.20 Legal Counsel shall be the legal adviser of the District, including the Board as a whole and the Manager. Legal Counsel shall perform such duties as may be prescribed by the Board of Directors. Such duties include, but are not limited to, providing legal assistance necessary for formulation and implementation of legislative policies and projects; represent the District's interests, as determined by the District, in litigation, administrative hearings, negotiations and similar proceedings; and to keep the Board and District staff apprised of court rulings and legislation affecting the legal interest of the District. Legal Counsel is required to review and approve as to form District legal documents, i.e. contracts, agreements, etc. Legal Counsel shall review all legal issues and Closed Session items that come before the Board. The Legal Counsel shall serve at the pleasure of the Board and shall be compensated for services as determined by the Board.

1180.21 The Legal Counsel reports to the Board as a whole but is available to each Director for consultation regarding legal matters particular to that Board member's participation. No Board member may request a legal opinion of legal counsel without concurrence by the Board, except as such requests relate to questions regarding that member's participation. The Legal Counsel shall be available to the District Manager for consultation on applicable issues and activities.

1180.30 The District Auditor shall be appointed by the Board by a majority vote in a public meeting. The Board shall determine the duties and compensation of the Auditor. The Auditor shall serve at the pleasure of the Board. Selection of the Auditor shall be done in a noticed public meeting.

1180.31 The Finance Committee will oversee the work of an independent auditor, who will report to the Board, to conduct an annual audit of the District's books, records, and financial affairs in accordance with state law. The Manager and contract accountant will install and maintain an accounting system that will completely, and at all times, show the financial condition of the District.



Board Policies

Policy 1190 – General Manager

Last Revision Date 06/12/2020

1190.00 General Manager

1190.11 Act as chief administrative officer and legal head of the organization.

1190.12 Exercise supervision over the organization and all its activities and employees.

1190.13 Represent and speak for the organization to other organizations and to the public.



Board Policies

Policy 1200 – Discrimination, Harassment, and Retaliation Prevention

Last Revision Date 07/18/2025

1200.10 Establishment, Purpose, and Basis of Authority

The Kensington Fire Protection District (“District”) is committed to providing and maintaining a respectful and inclusive work environment that is free from discrimination and harassment based on a protected category, and an environment free from retaliation for participating in any protected activity covered by this policy. In accordance with this commitment, it is the policy of the District to provide equal employment opportunities to all employees and applicants for employment.

Accordingly, the Kensington Fire Protection District hereby adopts this Discrimination, Harassment, and Retaliation Prevention Policy (“DHR Policy”) in order to reaffirm the District’s commitment to preventing and correcting unlawful discrimination, harassment, and retaliation in the workplace; to provide equal employment opportunities to all employees and applicants for employment; to define discrimination, harassment, and retaliation prohibited under this policy; and to set forth procedures and guidelines for investigating and resolving complaints of conduct prohibited by this policy.

The DHR Policy is intended to describe the District’s procedures regarding compliance with state and federal laws and regulations. Nothing in the DHR Policy is intended to be in conflict with such laws and regulations, or inconsistent with other personnel policies maintained by the District including, but not limited to, the Employee Handbook or the Code of Conduct. Should any conflict exist as to the District’s personnel policies, the DHR Policy shall supersede.

In accordance with Policy No. 1030 of the Policy Handbook, the Board of Directors (“Board”) is the unit of authority within the District.

Effective September 9, 2020, the Board of Directors hereby adopts the Discrimination, Harassment, and Retaliation Prevention Policy and the provisions contained herein.

1200.20 Protected Categories, Protected Activities, and Scope of Protection

It is the District’s policy to provide a workplace free of unlawful discriminatory or harassing conduct. As such, the District prohibits discrimination or harassment based on any of the following categories: race, color, religion, creed (including religious dress and grooming practices), national origin, ancestry, citizenship status, physical or mental disability, medical condition (including HIV/AIDS, cancer, or a record or history of cancer), genetic information or genetic characteristics, marital status, sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, gender identity, gender expression, sexual orientation, age (40 years and over), veteran and/or military status, political activities or affiliations, status as a victim of domestic violence, assault, or stalking, protected medical leaves (requesting or being approved for leave due to one’s own serious health condition or to care for one’s family), and any other status protected by state or federal law (“protected categories” or “protected characteristics”).

1200.21 This policy applies to all aspects of employment, including, but not limited to hiring, job assignment, compensation, promotion, benefits, training, discipline, and termination. Reasonable accommodation may be available for qualified individuals with disabilities or religious beliefs or practices, as defined by law.¹

1200.22 In addition, the District prohibits retaliation against a person who engages in activities protected under this policy, such as: reporting, or assisting in reporting, suspected violations of this policy and cooperating in investigations or proceedings arising out of a violation of this policy (“protected activities”).

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1200.23 The DHR Policy applies to all District employees² (co-workers, supervisors, and managers), applicants, interns, volunteers, contractors, and elected or appointed officials in the workplace. In addition, the DHR Policy extends to conduct with a connection to an employee's work, even when the conduct takes place away from District premises, such as a business trip or business-related social function.

All employees, as well as any individual who comes in contact with such employees, are expected to support the District's anti-discrimination, anti-harassment, anti-retaliation, and equal employment opportunity policies, and to take all steps necessary to maintain a workplace free from discrimination, harassment, and retaliation.

Discriminatory or harassing conduct by or towards any employee, applicant, or anyone who comes into contact with a District employee in the course of their employment will not be tolerated. Any employee who violates this policy will be subject to disciplinary action, up to and including termination of their employment. The District will take appropriate corrective action to remedy any policy violations made by an intern, volunteer, contractor, elected or appointed official, or any other person with whom the District has a business, service, or professional relationship.

1200.30 Responsibilities and Rights

1200.31 All employees are expected to assume responsibility for maintaining a work environment that is free from discrimination, harassment, and retaliation. Employees are encouraged to promptly report conduct that they believe violates the DHR Policy so that the District has an opportunity to address and resolve any concerns.

1200.32 Managers and supervisors³ are required to promptly report conduct that they believe violates the DHR Policy. All managerial and supervisory employees must report any complaints of misconduct to the General Manager or their designee. The District is committed to responding to alleged violations of this policy in a timely and fair manner and to taking appropriate action aimed at ending the prohibited conduct.

1200.33 All District employees have the following rights:

- The right to a discrimination, harassment, and retaliation-free work environment.
- The right to file a complaint of discrimination, harassment, or retaliation. Employees are encouraged to report inappropriate conduct immediately and, whenever possible, to put the complaint or concern in writing.
- The right to a full, impartial and prompt investigation by a District representative or designee into allegations of conduct that would violate this policy.
- The right to be timely informed of appropriate information related to the outcome of an investigation either as a complainant or a respondent in the investigation.
- The right to be represented by a person of the complainant's choosing at each and all steps of the complaint process.
- The right to be free from retaliation or reprisal after filing a complaint or participating in the complaint process.

¹ The District recognizes and supports the obligation to reasonably accommodate employees with disabilities or religious beliefs or practices in order to allow those employees to perform the essential functions of their jobs. If an employee believes they need a reasonable accommodation based on disability or a religious belief or practice, the employee should discuss the matter with their supervisor or the General Manager.

² Hereinafter, as used in the DHR Policy, "employees" includes interns, volunteers, contractors, and elected or appointed officials in the workplace.

³ "Managers" or "supervisors" means any individual having the authority, in the interest of the employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward, or discipline other employees, or the responsibility to direct them, or to adjust their grievances, or effectively to recommend that action.

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- The right to file a complaint directly with the California Department of Fair Employment and Housing, the federal Equal Employment Opportunity Commission or other appropriate state or federal agencies, or to file a civil action in the appropriate court.

1200.40 Prohibited Conduct

Discrimination or harassment based solely, or in part, on an individual's protected characteristic or association with a member of a protected category, as defined in Policy No. 1200.20, is expressly prohibited. In addition, the District also prohibits retaliation against a person engaging in any protected activities, as defined in Policy No. 1200.22. The definition of what constitutes discrimination, harassment, and retaliation for purposes of this DHR Policy is provided in further detail below.

Conduct need not rise to the level of a violation of law to violate this policy. A single act can violate the DHR Policy and provide grounds for discipline or other appropriate corrective actions. When the District determines that this policy has been violated, it will take immediate and appropriate action to remedy and prevent such discrimination or harassment in the workplace, in the conduct of employment, or other personnel practices of the District, which may include discipline, up to and including termination. In addition, any employee found to have retaliated against another employee who engages in any protected activities as defined by this policy shall be subject to disciplinary action, up to and including termination.

1200.50 Discrimination

As used in the DHR Policy, discrimination is defined as the unequal treatment of an employee or applicant in any aspect of employment, including discrimination based solely, or in part, on the employee or applicant's protected characteristic, as provided in Policy No. 1200.20.

1200.51 Discrimination includes any adverse employment action or differential treatment of an employee or other person doing business with the District based on the individual's protected characteristic. In addition, prohibited discriminatory conduct under this policy also includes unequal treatment based upon the employee or applicant's association with a member of these protected categories or classes.

1200.52 Discrimination may include, but is not necessarily limited to: hostile or demeaning behavior towards applicants or employees because of a protected characteristic; allowing the applicant's or employee's protected characteristic to be a factor in hiring, promotion, compensation or other employment-related decisions unless otherwise permitted by applicable law, and providing unwarranted assistance or withholding work-related assistance, cooperation, and/or information to applicants or employees because of their protected characteristic.

1200.60 Harassment

Harassment under this policy is defined as disrespectful or unprofessional conduct, including disrespectful or unprofessional conduct based on any of the protected categories provided in Policy No. 1200.20. Harassment can be verbal (such as slurs, jokes, insults, epithets, gestures, or teasing), visual (such as the posting or distribution of offensive posters, symbols, cartoons, drawings, computer displays, or emails), or physical conduct (such as physically threatening another person, blocking someone's way, making physical contact in an unwelcome manner, etc.).

1200.61 Sexual Harassment

As used in this policy, sexual harassment is defined as harassment based on sex or conduct of a sexual nature, and includes harassment based on sex (including pregnancy, childbirth, breastfeeding, or related medical conditions), gender, and gender identity or gender expression. It may include all of the actions described above as harassment, as well as other unwelcome sex-based conduct, such as unwelcome or

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unsolicited sexual advances, requests for sexual favors, conversations regarding sexual activities, or other verbal or physical conduct of a sexual nature. Sexually harassing conduct need not be motivated by sexual desire and may include situations that began as reciprocal relationships, but that later cease to be reciprocal.

Some examples of sexual harassment are:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- Visual conduct such as derogatory and/or sexually oriented posters, photography, cartoons, drawings, e-mail, faxes, or gestures;
- Physical conduct such as assault, unwanted touching, blocking normal movement or interfering with work directed at an employee because of the employee's sex or other protected characteristic;
- Use of social media to conduct sexual advances and or harassment;
- Threats and demands to submit to sexual requests in order keep one's job or avoid some other loss, and offers of employment benefits in return for sexual favors;
- Retaliation for having reported or threatened to report unlawful harassment.

1200.62 Sexual harassment is generally categorized into two types:

Quid Pro Quo ("this for that")

1. Submission to sexual conduct is made explicitly or implicitly a term or condition of an individual's employment.
2. Submission to or rejection of the conduct by an employee is used as the basis for employment decisions affecting the employee.

Hostile Work Environment

This type of sexual harassment is defined as conduct of a sexual nature, or on the basis of sex, by any person in the workplace that unreasonably interferes with an employee's work performance and/or creates an intimidating, hostile, or otherwise offensive working environment. Examples include:

- Unwelcome sexual advances, flirtation, teasing, sexually suggestive or obscene letters, invitations, notes, emails, voicemails or gifts.
- Sex, gender or sexual orientation-related comments, slurs, jokes, remarks or epithets.
- Leering, obscene or vulgar gestures or making sexual gestures.
- Displaying or distributing sexually suggestive or derogatory objects, pictures, cartoons, or posters or any such items.
- Impeding or blocking movement, unwelcome touching or assaulting others.
- Any sexual advances that are unwelcome as well as reprisals or threats after a negative response to sexual advances.
- Conduct or comments consistently targeted at one gender, even if the content is not sexual.

1200.70 Retaliation

1200.71 The District values its employees and has an affirmative duty to take reasonable steps to prevent and promptly correct discriminatory and harassing conduct. Accordingly, the District will not retaliate against any employee who files a good faith complaint because of their belief that someone or they themselves were subjected to workplace discrimination or harassment in violation of the DHR Policy.

1200.72 As used in this policy, retaliation is defined as any adverse employment action taken against an employee because the employee engaged in activity protected under this policy. "Protected activities" may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or cooperating in investigations or proceedings arising out of a violation of this policy.

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1200.73 An “adverse employment action” is conduct or an action that materially affects the terms and conditions of the employee’s employment status or is reasonably likely to deter the employee from engaging in protected activity. Even actions that do not result in a direct loss of compensation may be regarded as an adverse employment action when considered in the totality of the circumstances.

1200.74 Examples of retaliation under this policy include but are not limited to: demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy; harassing another employee for filing a complaint; denying employment opportunities because of making a complaint or for cooperating in an investigation; changing someone’s work assignments for identifying harassment or other forms of discrimination in the workplace; treating people differently such as denying an accommodation; or not talking to an employee when otherwise required by job duties, or otherwise excluding the employee from job-related activities because of engagement in activities protected under this policy.

1200.80 Complaint and Investigation Procedures

1200.81 The District shall take an affirmative role to protect its employees from discrimination, harassment, and retaliation. The District will take all reasonable efforts to resolve complaints internally.

1200.82 Any employee or applicant who experiences or witnesses behavior that they believe violates the Discrimination, Harassment, and Retaliation Prevention Policy (“DHR Policy”) contained in Policy No. 1200 is encouraged to immediately tell the offending individual that the behavior is inappropriate and, if they feel comfortable doing so, to tell the offending individual to stop the behavior.

1200.83 The District maintains the following procedures and guidelines when addressing potential violations of the DHR Policy. All employees, including supervisors and managers, are expected to abide by the procedures and guidelines set forth below.

1. Identify the offensive behavior to the offending employee or other person and request that the behavior cease.
2. Report the offensive behavior either orally or in writing to the employee’s supervisor, manager, or the General Manager. Any manager or supervisor who receives a complaint of harassment or discrimination must immediately report the complaint to the General Manager. Supervisors or managers who learn of any potential violation of this policy are required to immediately report the matter to the General Manager, their designee, or the President of the Board of Directors, and must follow that individual’s instructions as to how best to proceed.
 - a) Written complaints may be made using the Complaint Form contained in this policy.
 - b) If the employee directly reports to the alleged offender, the employee should report the conduct to any other supervisor, manager, or the President of the Board of Directors.
3. The General Manager, their designee, or an authorized representative of the District will promptly look into the facts and circumstances of any alleged violation, as appropriate.
4. The District shall initiate an investigation where it has reason to believe that conduct in violation of this policy has occurred. All investigations will be timely, thorough, fair, and completed by qualified personnel.
 - a) Even in the absence of a formal complaint, the District may initiate an investigation where it has reason to believe that prohibited conduct under this policy has occurred.
 - b) Anonymous complaints will also be investigated. The method will depend on the details provided in the anonymous complaint. If the complaint is sufficiently detailed, the investigation may be able to proceed in the same manner as any other complaint. If the information is more general, the District may need to do an environmental assessment or survey to try to determine if misconduct has occurred.
 - c) To the extent possible, the District will endeavor to keep the reporting of the applicant or employee’s concerns confidential; however, complete confidentiality cannot be guaranteed

Board Policies

- when it interferes with the District's ability to fulfill its obligations under this policy.
- d) All employees are required to cooperate fully with any investigation. This includes, but is not limited to, maintaining an appropriate level of discretion regarding the investigation and disclosing any and all information that may be pertinent to the investigation.
 5. Upon completion of the investigation, if misconduct is substantiated, the District shall take appropriate remedial action to prevent and correct misconduct and unlawful behavior, up to and including formal discipline where warranted.

To submit a complaint or report of an alleged violation of the Discrimination, Harassment, and Retaliation Prevention Policy, you may contact your supervisor/manager, the General Manager or the President of the Board of Directors.

1200.84 Filing External Complaints

Employees and applicants may file formal complaints of discrimination, harassment, or retaliation with the agencies listed below. Individuals who wish to pursue filing with these agencies should contact them directly to obtain further information about their processes and time limits.

California Department of Fair Employment and Housing

2218 Kausen Drive, Suite 100 Elk Grove,
CA 95758

800-884-1684 (voice), 800-700-2320 (TTY) or California's Relay Service at 711

contact.center@dfeh.ca.gov

<https://www.dfeh.ca.gov>

U.S. Equal Employment Opportunity Commission

450 Golden Gate Avenue 5 West,
P.O. Box 36025

San Francisco, CA 94102-3661

1-800-669-4000 or 510-735-8909 (Deaf/hard-of-hearing callers only) <http://www.eeoc.gov/employees>

1200.90 Preventative, Corrective, and Remedial Action

1200.91 The District shall take appropriate preventative, corrective, and remedial action(s), up to and including formal discipline, against any employee(s) when an investigation has found that misconduct prohibited by the DHR Policy has occurred. If discrimination, harassment, or retaliation, as outlined in this policy, has been found to have occurred, appropriate preventative, corrective, or remedial action(s) will be promptly taken, including but not limited to the initiation of disciplinary procedures.

1200.92 During the course of the investigation, the District may take interim relief measures as appropriate to ensure that any alleged harassment or discrimination does not continue, and to ensure that no retaliation occurs. Measures taken will be determined on a case-by-case basis depending on the specific circumstances of the complaint. Interim relief may include changing supervisory relationships, work locations, or reassigning or placing the accused party on paid administrative leave. The complaining party shall not be required to change work locations or assignments, however, such changes may be made at the complaining party's request.

1200.93 In addition, preventative, corrective, or remedial action(s) may also include, but are not limited to, letters of reprimand, suspension, demotion, or termination. Additionally, depending on the nature of the violation, civil liability could be imposed on the violator as well as the District.

Complaint Form (see next page)



KENSINGTON

FIRE PROTECTION DISTRICT

DISCRIMINATION, HARASSMENT, AND RETALIATION PREVENTION COMPLAINT FORM

COMPLAINANT INFORMATION

NAME: _____

DIVISION / UNIT: _____

OFFICE LOCATION: _____

WORK PHONE: _____

IMMEDIATE SUPERVISOR: _____

Please describe the conduct that you believe violates the Discrimination, Harassment, and Retaliation Prevention Policy. In your narrative, describe: (1) What happened to you; (2) Why you believe you are being discriminated, harassed, or retaliated against, including the reason or evidence you have to support your belief, and; (3) When the acts of discrimination, harassment, or retaliation occur (attach additional pages if needed). If you require assistance with completing this form as a reasonable accommodation, please contact the General Manager or their designee.

PERSON(S) ALLEGED TO HAVE VIOLATED THE POLICY

Person #1 - Name: _____ Position: _____ Work Location: _____

Person #2 - Name: _____ Position: _____ Work Location: _____

Person #3 - Name: _____ Position: _____ Work Location: _____

PERSON(S) WITH INFORMATION/KNOWLEDGE OF THE ALLEGED INCIDENTS

Witness #1 - Name: _____ Position: _____ Work Location: _____

Witness #2 - Name: _____ Position: _____ Work Location: _____

Witness #3 - Name: _____ Position: _____ Work Location: _____

HAVE YOU COMPLAINED TO ANYONE AT THE DISTRICT ABOUT THIS MATTER?

If yes, explain the situation. When did you complain, to whom, and what was the result?

Please submit to your supervisor/manager, the General Manager, or the President of the Board of Directors:

Mary Morris-Mayorga, General Manager
mmayorga@kensingtonfire.org
(510) 527-8395

Daniel Levine, President
dlevine@kensingtonfire.org
(510) 527-8395