

**KENSINGTON FIRE PROTECTION DISTRICT  
AGENDA OF A MEETING OF THE  
BOARD OF DIRECTORS**

Date of Meeting: October 11, 2017  
Time of Meeting: 7:00 p.m.  
Place of Meeting: Kensington Community Center  
59 Arlington Avenue, Kensington, CA 94707

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Please Note: Copies of the agenda bills and other written documentation relating to each item of business referred to on the agenda are on file in the office of the Kensington Fire Protection District Administration Office, 217 Arlington Avenue, Kensington, and are available for public inspection. A copy of the Board of Directors packet can be viewed on the internet at [www.kensingtonfire.org/agenda/index.shtml](http://www.kensingtonfire.org/agenda/index.shtml).

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Manager, 510/527-8395. Notification 48 hours prior to the meeting will enable the Kensington Fire Protection District to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title 1).

7:00 p.m.      **CALL TO ORDER**  
Directors:      Joe de Ville, Dom Dommer, Nina Harmon, Janice Kosel, and Laurence Nagel

1.      **ADOPTION OF CONSENT ITEMS.** Items 3, 4, 5, 6, 7 & 8

All matters listed with the notation "CC" are consent items, which are considered to be routine by the Board of Directors and will be enacted by one motion. The Board of Directors has received and considered reports and recommendations prior to assigning consent item designations to the various items. Copies of the reports are on file in the Fire Protection District Administrative Office at 217 Arlington Avenue and are available to the public. The disposition of the item is indicated. There will be no separate discussion of consent items. If discussion is requested for an item, that item will be removed from the list of consent items and considered separately on the agenda. PLEASE NOTE: Public review copy of the agenda packet is available at the Directors' table at the Board meetings.

2.      **ORAL COMMUNICATIONS.** (This place on the agenda is reserved for comments and inquiries from citizens and Board members concerning matters that do not otherwise appear on the agenda. Speakers shall be requested to provide their names and addresses prior to giving public comments or making inquiries.)

CC      3.      **APPROVAL OF THE MINUTES.** Approval of the minutes of the regular meeting of July 26, 2017 (APPROVE)

CC      4.      **APPROVAL OF THE MINUTES.** Approval of the minutes of the regular meeting of September 6, 2017 (APPROVE)

CC      5.      **ACCEPTANCE OF INCIDENT ACTIVITY REPORT.** August 2017 (ACCEPT)

CC      6.      **ACCEPTANCE OF INCIDENT ACTIVITY REPORT.** September 2017 (ACCEPT)

CC      7.      **APPROVAL OF MONTHLY FINANCIAL REPORT.** August/September 2017 (APPROVE)

CC      8.      **APPROVAL OF MONTHLY TRANSMITTAL #4.** October 2017 (APPROVE)

9. **FIRE CHIEF'S REPORT**

- a. Review of operations.
- b. Regional issues and developments.
- c. Evacuation/Ready, Set, Go! Brochure

10. **PRESIDENT'S REPORT**

**NEW BUSINESS**

- 11. Proposal from Darwin Myers Associates to Perform Geologic Peer Review Services at a proposed time and materials cost estimate not to exceed \$3,465 (ACTION)
- 12. Memorandum of Understanding between KFPD and KPPCSD for the Development of a Fire-Wise Demonstration Garden within Kensington Park (ACTION)

13. **BOARD REPORTS**

Informational reports from Board members or staff covering the following assignments:

- a. Finance Committee (Kosel/Dommer): Audit field work completed 10/3, 4 & 5
- b. Public Safety Building (Dommer/Harmon): Geophysicist testing scheduled for week of 10/16/17
- c. Education (Kosel): Fire Prevention Week Open House 10/14/17; California ShakeOut 10/19/17; Shredding Event 10/21/17; Pharmaceutical Drop off 10/28/17
- d. Contra Costa County/California Special Districts Assoc. (Nagel):
- e. Diablo Fire Safe Council/Interface (Staff):
- f. Policy Manual (Staff/Nagel/deVille): Committee to meet on 10/25/17

**ADJOURNMENT.** The next regular meeting of the Board of Directors of the Kensington Fire Protection District will be held on Wednesday, November 8, 2017, at 7:00 p.m. at the Kensington Community Center, 59 Arlington Avenue, Kensington, CA 94707.

The deadline for agenda items to be included in the Board packet for the next regular meeting of 11/8/17 is Wednesday, 10/25/17 by 1:00 p.m. The deadline for agenda-related materials to be included in the Board packet is Wednesday, 11/1/17 by 1:00 p.m., Fire Protection District Administration Office, 217 Arlington Ave., Kensington.

IF YOU CHALLENGE A DECISION OF THE BOARD OF DIRECTORS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE BOARD MEETING OR IN WRITTEN CORRESPONDENCE DELIVERED AT, OR PRIOR TO, THE BOARD MEETING

# **CONSENT CALENDAR**

**MINUTES OF THE JULY 26, 2017 SPECIAL MEETING OF THE BOARD OF DIRECTORS  
OF THE KENSINGTON FIRE PROTECTION DISTRICT**

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**PRESENT:**     **Directors:**     Joe de Ville, Don Dommer, Nina Harmon, Janice Kosel and Larry Nagel  
                  **Staff:**             Fire Chief Lance Maples and Manager Brenda Navellier

**CALL TO ORDER:**

President Don Dommer called the meeting to order at 7:00 p.m. and noted that all Directors were present.

**ORAL COMMUNICATIONS:**

Director Kosel asked if President Dommer appointed a Policy Manual committee at the last meeting. Dommer affirmed that he did.

Linda Lipscomb thanked the Board for serving and thanked them for the 6/24/17 meeting regarding the public safety building. Lipscomb likes the idea of "one town" and thinks the two special districts should start acting like a little city and stop acting like two separate little districts. There needs to be a view of the overall situation, representing the tax payers. Lipscomb thanked the Board for considering "lesser fixes" to the public safety building instead of an extensive, expensive remodel. She suggested that neighboring areas that Kensington helps to serve through agreements could financially participate in the remodel of the public safety building. The building is at the service of neighboring jurisdictions.

Paul Dorrah thanked Director Nagel for attending the Police Officer Association barbeque last Sunday.

**CONFERENCE WITH REAL PROPERTY NEGOTIATORS – Price and Terms of Lease between KFPD and KPPCSD:**

Mabry Benson noted that there was damage from a leak in the police quarters during the \$1 lease term that the Fire District had to pay for the repairs. Director Kosel confirmed that was true. Benson said that needs to be reminded to the public.

Ciara Wood is delighted that KPPCSD is ready to negotiate and pay rent again. Their financial house is in better order now. KFPD did a wonderful thing for the CSD.

Catherine Mercurio agrees that both districts should share in the true maintenance cost of the public safety building. She asked how the lease amount came about? Maintenance should be shared. There should be a detailed listing showing the amount and specific KFPD costs should not be shared by KPPCSD. She said that information would be helpful with the Board's decision in closed session.

Catya de Neergard questioned why the Board was having a closed session. She agreed it is allowed under the Brown act but thinks negotiations should be done in full view of the public. She thinks only maintenance costs or \$1 per year should be charged to KPPCSD.

Karl Kruger said traditional common area expenses are real estate taxes which the District doesn't pay and insurance. He can't tell from financial statements how much building insurance costs. KFPD doesn't pay garbage bills, PG&E is about \$8,200/year, and the District pays water and janitorial. The building belongs to the citizens. It is not fair for FD to decide what the PD pays. Kruger suggested a subcommittee be created between KFPD and KPPCSD. FD should pay all of FD's expenses. FD cannot make building decisions unilaterally without notifying the police department. KFPD needs to think about the whole community. Kruger said if the District does not have a major renovation, the expenses are very small and do not equal \$100,000.

David Spath recommended that KFPD start from ground zero and move forward instead of basing costs on the past. He suggested maintenance costs based on percentage of s.f. for the lease and then reconcile it at the end of the year and then base the following year's lease on those figures.

Vidah Dorrah wanted to know what kind of lease is being considered and is there an offset for KFPD using the community center that belongs to KPPCSD. Dommer said KPPCSD has always offered the room at no charge.

Linda Lipscomb said there is a difference between capital costs and repairs and maintenance and the lease should be based on maintenance only. We should all be acting like one town with one set of tax payers. Lipscomb spoke in favor of consolidation with one general manager for Kensington to become a modern city. She advocated a \$1 lease. Nagel said that was an argument for incorporation. Lipscomb said Kensington doesn't have the tax base for incorporation. Kosel said KFPD already has a general manager.

Paul Dorrah said the agenda suggests a negotiation session but he does not see a negotiator for the police district. Dommer gave an explanation on why the Board did not take a vote at the July 12<sup>th</sup> meeting and his current thoughts. Dorrah asked if the Board has thought about setting a precedent with this 18-month lease and the two districts working together on their capital expenditures. Kosel said the District's financial analyst will be giving

them a number of how much they can afford to spend on the new building and how much KPPCSD will need to contribute. Dorrah suggested a short-term stop gap solution by passing a \$1 a year lease with shared common maintenance. Dommer said structural engineers have recommended a major renovation or rebuild and that came as an unexpected risk. If the District does the structural only plus a new roof and new mechanical it would probably only last 20 years. There are a lot of other deficiencies including a very poor layout.

The Board adjourned to Closed Session.

The Board reconvened the Board meeting at 7:55 p.m.

Director Kosel reported out that negotiations are concluded and the Board is proceeding to item 4 on the agenda.

**LEASE AGREEMENT BETWEEN KFPD and KPPCSD for use of Public Safety Building effective 7/1/17 through 12/31/18:**

Director Nagel made a motion to accept the lease as negotiated and included in the July 12<sup>th</sup> packet, and already approved by KPPCSD. Director Harmon seconded the motion.

AYES:	de Ville, Harmon, Kosel, Nagel
NOES:	Dommer
ABSTAIN:	None

Director Nagel stated that he agrees with the sentiment of “one Kensington”. While there is talk about the two Boards fighting that is not Nagel’s personal experience. He attends KPPCSD meetings and considers those Directors friends. There may be acrimony in town about governance it is not because of differences between the two Boards. Nagel said the governance structure in place is not idealistic but he believes one district cannot gift funds to another district. He thinks KPPCSD needs to pay their fare share and \$1 a year is not their fare share. He thinks the agreement negotiated is fair and equitable.

David Spath asked if maintenance costs are averaged over a certain period of time or are they projected? Why would KFPD want to base costs on historical averages? Director Nagel asked how the District could complete an estimate on future costs—they are unknown. Spath suggested starting with a percentage and then reconciling.

Paul Dorrah said Nagel brought up a “fit of public funds”. He reminded everyone that KFPD obtained a legal opinion from counsel about the \$1 lease when it was initiated. Dorrah thought the reasoning was the KPPCSD was a fellow government agency. Kosel agreed we received an opinion but that was not the reasoning from counsel. Dorrah said if that was a factor for the Board may want to revisit though.

Director Kosel said she voted for the lease because it was already approved by KPPCSD by a vote of 5-0. KFPD is asking for 1% of KPPCSD’s gross revenue and she is not aware of any other governmental entity that is housed for so low a percentage. KFPD is not profiteering. This is a short term lease for only 18 months and the Board needs to move on and figure out what it’s going to do with the public safety building.

Karl Kruger thinks that KPPCSD took a very casual approach to the negotiations and KFPD acted greedily. Kruger asked that KFPD publish the true costs of the public safety building maintenance on a regular basis.

Linnea said the rent was \$30,000 in FY13-14 and then CPI has been added over several years. She asked what was the \$30,000 based on? Kosel answered that it was based on years worth of maintenance from 1995 forward. Three years ago the KPPCSD President asked for relief by granting \$1 per year lease. The current lease is going back to the original lease. Kosel said the District is working on maintenance numbers that will be reviewed before releasing it to the public.

Vida Dorrah asked if the district doesn’t have a document how did it come up with the numbers? Kosel said the district has preliminary numbers that are very close to the lease amount but she hasn’t reviewed the document yet. Dorrah said that KPPCSD President presented the lease at their June meeting as already being voted on by KFPD which was not the case. Maybe KFPD wants to revisit and maybe KPPCSD would not have voted as they did.

Catherine Mercurio asked when the fire district assumed ownership of the public safety building? The Board answered since it was built in 1969-1970. No one is sure when KPPCSD starting paying rent. Mercurio thinks an historical perspective does help and suggested that percentage of occupancies be solidified for the future building and that they will be helpful with negotiations with KPPCSD. She suggested think about how KFPD would charge for maintenance with a brand new building. There is the cost of building the building and also maintaining it. Dommer said that maintenance costs on a new building a minimal for the first 20 years.

Kosel said that KFPD would not be able to get financing for the building without KPPCSD entering into a long-term lease agreement. KFPD is talking to CSDA’s financing arm. KFPD does not have the money to pay for

the entire public safety building itself. KFPD prefers not to go to the taxpayers. KFPD has enough money to build a fire station but not a public safety building without raising taxes. Kosel said a joint powers authority would not work because KPPCSD is not as financially stable as KFPD. KFPD would like to build a public safety building for police and fire but there are significant cash flow restraints. Interest rates are supposedly rising. There are lots of unknowns at this time. Mercurio said the more that KFPD communicates with the public, the better.

de Ville said he has lived in Kensington since 1950 and the police department has never owned a building of their own. They used to rent from a private individual on the Arlington for office space prior to the current building was built. de Ville does not know the history of rent, etc. prior to the last 20 years but he feels KPPCSD should pay for their fair share in expenses.

Harmon said she is a retired government employee and, in her experience, it is common for government agencies to rent. Harmon said she is a true believer in Kensington and she has a good relationship with the CSD Board members. Her obligation is to protection fire protection services as a member of the KFPD Board.

A resident asked what happened to the police evidence room at the public safety building. President Dommer gave an explanation of the roof leak, mold, asbestos and complete renovation of the room about 2 years ago.

**ADJOURNMENT:** The meeting was adjourned at 8:37 p.m.

MINUTES PREPARED BY: Brenda J. Navellier

These minutes were approved at the regular Board meeting of the Kensington Fire Protection District on October 11, 2017.

Attest:

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Larry Nagel, Board Secretary

**MINUTES OF THE SEPTEMBER 6, 2017 MEETING OF THE BOARD OF DIRECTORS  
OF THE KENSINGTON FIRE PROTECTION DISTRICT**

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**PRESENT:**     **Directors:**     Joe de Ville, Don Dommer, Nina Harmon, Janice Kosel and Larry Nagel  
                  **Staff:**             Chief Lance Maples and Manager Brenda Navellier

**CALL TO ORDER:**

President Don Dommer called the meeting to order at 7:00 p.m. and noted that all Directors were present.

**APPROVAL OF CONSENT ITEMS:**

President Dommer called for the approval of the consent calendar (items 3, 4, 5, 6, 7 & 8), consisting of approval of the June 14, 2017 minutes, June 24, 2017 minutes, and July 12, 2017 minutes, acceptance of the July 2017 incident activity report, approval of the June/July 2017 financial reports, and approval of the monthly transmittal #3. Director Nagel made a motion to approve the Consent Calendar items as submitted. Director deVille seconded the motion.

AYES:           de Ville, Dommer, Harmon, Kosel, Nagel  
NOES:           None  
ABSTAIN:       None

**ORAL COMMUNICATIONS:**

None

**FIRE CHIEF'S REPORT:**

Chief Maples announced the PulsePoint app. The department has been working on initiating this for years but the recent switch to Contra Costa County Fire Dispatch has made it possible. The free app is compatible with Apple and Android phones and will tell you if there is a nearby cardiac arrest call in a public place so that chances of receiving CPR are increased. One can also listen to dispatch traffic on the app. The developer of PulsePoint is a retired Fire Chief from San Ramon. Everyone in the County is now using the app except for Richmond.

Chief Maples said there are presently 23 working fires in the State. He gave an overview of the department's out-of-county responses during the present fire season including responses to the Alamo Fire, Detwiler Fire, the Orleans Complex, the Empire Fire and the Salmon Complex. Maples gave specific examples of the department's responses as individual line paramedics and how Battalion Chief Pigoni is operating as a strike team leader on a federal response.

In the adjacent community center room tonight, Battalion Chief Janes is holding a FRS radio class with 30 CERT members. Chief Maples announced that staff has been working with CalFire to put together an evacuation brochure for Kensington which will mirror the Ready, Set, Go! flyer that the District mailed a couple of years ago.

El Cerrito will be celebrating its 100<sup>th</sup> year anniversary on September 16<sup>th</sup> and 17<sup>th</sup> with a parade and a gala dinner at Berkeley Country Club. Maples handed out 100-year El Cerrito Fire Department patches to the Board members.

Director Kosel asked if the paramedics responded to calls related to the heat wave. Maples said there was not much of a spike. The District has run articles before about hydration and heat exhaustion. For cooling station ideas, he suggested Hilltop Mall in Richmond.

David Spath asked if the evacuation brochure was being coordinated with KPPCSD. Maples said B/C Janes is in touch with Chief Hull. Spath asked how the line paramedics are selected to respond to campaign fires. Maples explained it is based on rotation and it is not mandated.

Vida Dorrah asked if the fire department is working with the cemetery about unlocking their gate during an evacuation. Maples responded that fire or police will simply open the gate if it is needed for an evacuation route. Dorrah also asked for an explanation on the incident report categories which Maples gave.

**PRESIDENT'S REPORT:**

None.

**NEW BUSINESS:**

Resolution 17-06 Adopting the Final Combined Budget for Revenue, Operating Expenditures, and Capital Improvement Expenditures for FY17-18: Director Kosel gave an overview of budget review. The budget is adopted in draft at the June meeting, finalized at the September meeting, and a mid-year budget review is performed at the February meeting. Total revenue is projected at \$4.2 million, total operating expense is \$3.3 million and total expenditures including capital are projected at \$4.1 million. At the end of the fiscal year the District will have approximately \$650,000 in unallocated funds. That \$650,000 goes toward the designated funds that are detailed in the budget for the fire engines and the building fund. The Type III engine is scheduled to be replaced in FY18-19. At the end of FY17-18 the District will have approximately \$2 million dollars to put toward either the replacement or the renovation of the existing public safety building. The District has prepaid its retirees' healthcare benefits through the CERBT Trust with CalPERS. A new actuarial valuation is imminent. Water system improvements are budgeted at \$20,000 every year for any opportune hydrants where EBMUD may be working. Retiree medical benefits are budgeted at "0" under the assumption that the valuation will show the District is fully funded. Kosel reviewed the many community service activities budgeted including the pharmaceutical drop off, CERT sheds, the community shredder, Diablo Fire Safe matching grants, fire safe planting grants, the demonstration garden, and community sandbags during the winter. Linda Spath asked about approaching Diablo Fire Safe for funds toward the demonstration garden. Director Nagel said DFSC gives all their grant money toward fuel reduction. Nagel said he was glad to suggest it at the next meeting. Maples pointed out that DFSC had previously awarded a grant to promote red flag awareness. Kosel pointed out the \$750,000 allotted to spend on the public safety building during FY17-18. She asked if the District is happy with the current architectural firm since we have spent \$180,000 for a program that is about 20% more than we had said our maximum is. President Dommer gave an explanation on the progression of the cost estimates have been dramatic due to the current construction market. That is not the architect's fault. The project manager does not see the market leveling off anytime soon. Maples agreed that construction costs are running away from all public agencies. Dommer said he and the Chief met with the architect a few weeks ago and reduced the program at least 15% largely by giving up one of the apparatus bays. Spath asked about redesigning the building now. Dommer explained KFPD only has building massing and programmatic plans, not architectural drawings. Director Kosel made a motion to enact Resolution 17-06 adopting the final combined budget for FY17-18. Director de Ville seconded the motion.

AYES: de Ville, Dommer, Harmon, Kosel, Nagel  
NOES: None  
ABSTAIN: None

Proposal from Rockridge Geotechnical to provide Geologic Hazard Evaluation and Geotechnical Study at 217 Arlington Avenue for a fee of \$22,000: Dommer explained that the three proposals included in the packet are all for geotechnical work at the public safety building site. He explained that the current plan is to trench up the driveway and the geotechnical engineer will be looking for fissures. They might find an active or ancient fissure. Dommer said a new station cannot be built on the site if an active fault is found. The geotech would need to make a recommendation based on their findings. There have been four geotech reports done on the site prior to this but the last three did not involve trenching and it's been 48 years since the initial report. Director Kosel reported on a geological walk she went on through the City of El Cerrito from Arlington Park through the golf course. A resident asked if the Board had consulted Walter Alvarez, a retired professor of geology who lives in Berkeley and suggested the District do so since he is familiar with the area. Dommer explained the other two proposals in the packet – Lombardo Diamond Core Drilling to provide trench cutting and removal for a fee of \$1,461 and Chavarin Paving to recompact the open trench and reasphalt for \$3,198.00. Director Kosel asked for the work schedule. Navellier reported that the current schedule is the third or fourth week of September and the work would take one week. The parking lot would be closed to all users. Director Kosel made a motion to accept the Rockridge Geotechnical proposal in the amount of \$22,000 as included in the Board packet. Director Nagel seconded the motion.

AYES: de Ville, Dommer, Harmon, Kosel, Nagel  
NOES: None  
ABSTAIN: None

Proposal from Lombardo Diamond Core Drilling to provide Trench Cutting and Removal at 217 Arlington Avenue for a fee of \$1,461: Director Kosel made a motion to engage Lombardo Diamond Core Drilling for a fee of \$1,461 as described in the proposal in the Board packet. Director Nagel seconded the motion.



AYES: de Ville, Dommer, Harmon, Kosel, Nagel  
NOES: None  
ABSTAIN: None

Proposal from Chavarin Paving to provide recompacting an open trench and pouring new asphalt for a fee of \$3,198: Director Kosel made a motion to engage Chavarin Paving as described in the proposal in the Board packet for a fee of \$3,198. Director de Ville seconded the motion.

AYES: de Ville, Dommer, Harmon, Kosel, Nagel  
NOES: None  
ABSTAIN: None

A resident asked if the District had obtained competing bids. Dommer said the District did not. Navellier explained that the District had a hard time receiving the bids that were included in the packet. The last geotechnical consultant the District used was too busy for this job and same with the paving contractor. Dommer added the publicly funded construction must be bid and the resulting public safety building project would be publicly bid.

### **BOARD REPORTS:**

Public Safety Building: The Board received a series of questions from the Kensington Property Owners Association on 7/4/17. Answers to those questions were sent back to KPOA and included in the packet. The questions included rationale, current deficiencies, cost comparisons, standard spaces, coordination with KPPCSD, project financing, etc. The project has been hard to define since the District was initially looking into the park site, it is unknown whether KPPCSD is going to contract out for police employees, and the geotech needs to be completed on the current building. Dommer said he thinks that should all be cleared up this month. Vida Dorrah asked who was going to clear up those questions? Dommer said the geotech report should be complete and we would have those answers. He added that KFPD has been waiting for KPPCSD to make a decision on whether they are outsourcing but does not want to force them. At some point, they will make a decision. Dorrah asked if Dommer was suggesting that KPPCSD was making a decision this month? Dommer said he did not know, that when he talked to KPPCSD's President two or three months ago they hoped to be taking on some of these issues by now to be able to give KFPD some direction. Dommer said it is publicly known that KPPCSD is "looking at considering outsourcing" but everyone acknowledged it has not been agendized and Dommer agreed it would take months address. David Spath asked about an ideal schedule if KFPD was not waiting on KPPCSD. Dommer said construction documents would take about one year. The project would then go out to bid for 30 to 60 days. After Board approval, construction would probably take 18 to 22 months. Kosel said financing would go relatively quickly once the project is defined. KFPD cut back the program for KPPCSD's space as well as its own. KFPD plans on having another public meeting prior to moving forward. Karl Kruger said he is interested in the financial issues and does not believe KPPCSD has the funds for their portion of the project. He asked if KFPD had the funds? Dommer said the District has options and has already talked to one bank and the CSDA. Kruger asked if KPPCSD has the right to go into debt to KFPD without going to the voters. Dommer said he does not have all the answers right now, there are many loose ends. Kruger said the KPPCSD Finance Committee has not discussed the topic. Larry Nagel suggested putting the KPOA questions and answers on KFPD's website. Navellier said they will be posted and confirmed the building information from the 6/24/17 meeting is already posted. A resident suggested that even if KPPCSD contracts out, their footprint in the building may not change. Director Nagel talked about police response time and how they are out on patrol, not responding from the building. Vida Dorrah claimed that KFPD's response times have increased since contracting out in 1995. Chief Maples said he could not comment on response times over the past 20+ years at this moment. David Spath said the make-up of KPPCSD would be the same even if contracting out. Chief Maples said KFPD is not going to decide if KPPCSD is going to contract out or not. KFPD simply wants to know what space KPPCSD would need in a new or renovated building. Director Harmon said it will take time for KPPCSD to figure that out, it may be 3 months or 6 months but KFPD is not predicting. Dorrah asked if the Board was proceeding with the existing site and not considering anywhere else? Dommer explained the complications with the park site. Kosel said nothing had been decided until the geotech is complete.

Education: The Solano Stroll is 9/10/17, Tri-City Safety Day is on 9/23/17 at the El Cerrito Plaza, Fire Prevention Week Open House at Stations 65 and 72 will be held on 10/14/17, and the California ShakeOut will take place on 10/19/17. B/C Janes is contacting the CERT Coordinators to participate in the ShakeOut and coordinating with Chief Hull. Director Nagel pointed out the 9/16/17 El Cerrito Centennial parade and said he would be helping to staff the CERT booth. Maples said the Solano Stroll is expecting 100,000 people and Tri-City Safety Day is

expanding and has invited the Milo Foundation for animal adoption. Navellier reported that the next shredding event will be on 10/21/17 and the drug drop off will be on 10/28/17.

CSDA Chapter Meeting: Director Nagel and Director Harmon attended the July 2017 meeting. The main speaker was from the CSDA Finance Corporation. LAFCO reported that there is a lot of interest in special districts at the capitol right now, some of it stemming from the Little Hoover Report update. The October CSDA Chapter meeting will focus on East Contra Costa County Fire Protection District and their financial issues.

Diablo Fire Safe Council: Nagel reported that it is the end of the grant year. DFSC does not know if there will be future federal grants to apply for. PG&E has been cooperative with funding and usually attends the DFSC meetings. Maples reported that there were no forced abatements in Kensington this year and one property that it looked like it was going to be a problem was able to obtain DFSC grants for clearing their property.

Correspondence: Maples explained the State Responsibility Area (SRA) fee and that it was recently suspended. Approximately eight homes in Kensington are affected.

**ADJOURNMENT:** The meeting was adjourned at 8:26 p.m.

MINUTES PREPARED BY: Brenda J. Navellier

These minutes were approved at the regular Board meeting of the Kensington Fire Protection District on October 11, 2017.

Attest:

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Larry Nagel, Board Secretary



# EL CERRITO-KENSINGTON FIRE DEPARTMENT

10900 San Pablo Avenue • El Cerrito • CA • 94530  
(510) 215-4450 • FAX (510) 232-4917

[www.el-cerrito.org](http://www.el-cerrito.org)



September 1, 2017

**TO:** Kensington Fire Protection District Board Members

**FROM:** Michael Pigoni: Battalion Chief

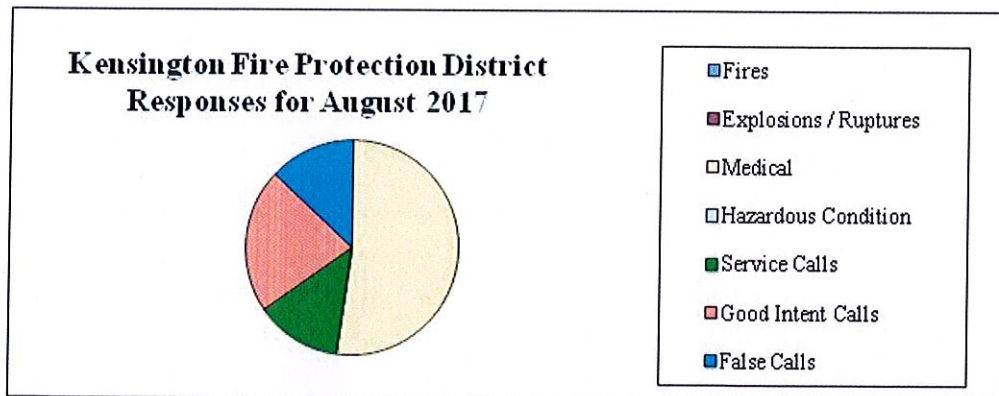
**RE:** Incident Activity Reports for the Month of August 2017

There were 23 incidents that occurred during the month of August in the community of Kensington. Please see the attached "Incident Log" for the dates, times, locations and incident type for these calls. Summary breakdowns of these calls are shown in the charts at the bottom of this page.

During this month, Engine 65 responded to a total of 44 calls in all districts. The total number of incidents for last month was down from July including medical and false alarms which may be attributed to cooler weather last month. There were no major incidents or property loss last month.

The chart below is broken down into NFIRS incident types. The following is a list of the response types, the number of responses for each type and the percentage of the total calls for each type.

<u>Call Type</u>		<u>Incident Count</u>	<u>Percentages</u>
<b>Fires</b>	<i>(Structure, Trash, Vehicles, Vegetation Fires)</i>	0	0.00%
<b>Explosions / Ruptures</b>	<i>(Over Pressure/Ruptures, Explosions, Bombs)</i>	0	0.00%
<b>Medical</b>	<i>(EMS, Vehicle Accidents, Extrication Rescue)</i>	12	52.17%
<b>Hazardous Condition</b>	<i>(Chemical Spills, Leaks, Down Power Lines)</i>	0	0.00%
<b>Service Calls</b>	<i>(Distress, Water/Smoke/Odor Problems, Public Assists)</i>	3	13.04%
<b>Good Intent Calls</b>	<i>(Cancelled En Route, Wrong Location)</i>	5	21.74%
<b>False Calls</b>	<i>(Wrong Company/Unit Dispatched)</i>	3	13.04%
<b>Totals</b>		<b>23</b>	<b>100.00%</b>



# Kensington Fire Protection District Response Log for August 2017

#	Incident Number	Date & Time	Address	City	Apparatus ID	Incident Type*
1	0007075308	03-Aug-17 22:31:07	4 Kerr AVE	Kensington	E165	321
2	0007075766	05-Aug-17 09:36:00	298 Los Altos DR	Kensington	E165	651
3	0007075790	05-Aug-17 10:38:31	242 Trinity AVE	Kensington	E165	700
4	0007076791	08-Aug-17 11:22:54	60 Kingston RD	Kensington	E165	550
5	0007076876	08-Aug-17 14:49:37	14 Kingston RD	Kensington	E165	745
6	0007077136	09-Aug-17 10:50:25	266 Willamette AVE	Kensington	E165	311
7	0007077653	10-Aug-17 19:18:07	750 Wellesley AVE	Kensington	E165	321
8	0007078621	13-Aug-17 14:50:24	262 Arlington AVE	Kensington	E165	321
9	0007078681	13-Aug-17 18:43:07	223 Kenyon AVE	Kensington	E165	611
10	0007078698	13-Aug-17 20:28:14	57 Cowper AVE	Kensington	E165	321
11	0017079448	16-Aug-17 00:46:16	2 Arlington AVE	Kensington	E165	611
12	0017080019	17-Aug-17 17:15:31	159 Arlington AVE	Kensington	E165	740
13	0017080090	17-Aug-17 20:53:57	5 Highgate CT	Kensington	E165	522
14	0017081069	21-Aug-17 02:06:33	16 Sunset DR	Kensington	E165	611X
15	0017081133	21-Aug-17 08:55:20	52 Kingston RD	Kensington	E165	611F
16	0017081709	22-Aug-17 19:55:13	280 Purdue AVE	Kensington	E165	321
17	0017082394	24-Aug-17 17:57:08	52 Arlington AVE	Kensington	E165	322
18	0017082489	25-Aug-17 02:58:44	44 Franciscan WAY	Kensington	E165	321
19	0017082497	25-Aug-17 04:04:56	439 Coventry RD	Kensington	E165	321
20	0017082717	25-Aug-17 17:49:03	Yale AVE	Kensington	E165	522
21	0017082729	25-Aug-17 18:43:45	134 York AVE	Kensington	E165	321
22	0017083438	27-Aug-17 17:37:21	32 Highgate RD	Kensington	E165	311
23	0017084417	30-Aug-17 09:44:31	120 Norwood CT	Kensington	E165	321

\* See Attached Table for Incident Type Explanations

Type Series	Description
100	(Structure, Trash, Vehicle, Vegetation Fire)
200	(Over Pressure/Ruptures Explosions, Bombs)
300	(EMS, Vehicle Accidents, Extrication, Rescue)

400  
500  
600  
700

*(Chemical Spills, Leaks, Down power Lines)  
(Distress, Water/ Smoke/Odor Problems, Public Assists)  
(Cancelled En Route, Wrong Location)  
(Wrong Company/Unit Dispatched)*

# Kensington Fire Protection District

## Engine 65 Response Log for August 2017

#	Incident Number	Date & Time	Address	City	Apparatus ID	Incident Type*
1	0007074388	01-Aug-17 12:52:07	402 Seaview DR	El Cerrito	E165	311
2	0007074755	02-Aug-17 13:25:31	Grizzly Peak BLVD	Orinda	E365	141
3	0007074916	02-Aug-17 20:55:14	Colusa AVE	El Cerrito	E165	311
4	0007074939	02-Aug-17 21:58:47	5933 San Diego ST	El Cerrito	E165	142
5	0007075308	03-Aug-17 22:31:07	4 Kerr AVE	Kensington	E165	321
6	0007075436	04-Aug-17 10:05:34	10690 San Pablo AVE	El Cerrito	E165	611M
7	0007075766	05-Aug-17 09:34:54	298 Los Altos DR	Kensington	E165	651
8	0007075783	05-Aug-17 10:19:48	11156 San Pablo AVE	El Cerrito	E165	745
9	0007075787	05-Aug-17 10:26:28	7900 Cutting BLVD	El Cerrito	E165	611X
10	0007075790	05-Aug-17 10:37:15	242 Trinity AVE	Kensington	E165	700
11	0007076285	06-Aug-17 19:47:49	3000 Shasta RD	Berkeley	E165	571
12	0007076370	07-Aug-17 05:58:52	832 Contra Costa DR	El Cerrito	E165	321
13	0007076791	08-Aug-17 11:22:33	60 Kingston RD	Kensington	E165	550
14	0007076876	08-Aug-17 14:48:43	14 Kingston RD	Kensington	E165	745
15	0007076961	08-Aug-17 18:48:49	3320 Yosemite AVE	El Cerrito	E165	111
16	0007076980	08-Aug-17 19:49:10	601 Seaview DR	El Cerrito	E165	554
17	0007077136	09-Aug-17 10:24:23	266 Willamette AVE	Kensington	E165	311
18	0007077562	10-Aug-17 14:20:32	608 Liberty ST	El Cerrito	E165	321
19	0007077653	10-Aug-17 19:16:09	750 Wellesley AVE	Kensington	E165	321
20	0007078621	13-Aug-17 14:47:15	262 Arlington AVE	Kensington	E165	321
21	0007078681	13-Aug-17 18:41:15	223 Kenyon AVE	Kensington	E165	611
22	0007078698	13-Aug-17 20:27:19	57 Cowper AVE	Kensington	E165	321
23	0007079022	14-Aug-17 18:47:34	Grizzly Peak BLVD	Orinda	E365	611F
24	0017079448	16-Aug-17 00:45:23	2 Arlington AVE	Kensington	E165	611
25	0017079484	16-Aug-17 06:56:58	6138 Plumas AVE	Richmond	E165	736
26	0017079578	16-Aug-17 11:44:34	5000 El Cerrito PLZ	El Cerrito	E165	744
27	0017080019	17-Aug-17 17:14:38	159 Arlington AVE	Kensington	E165	740
28	0017080090	17-Aug-17 20:52:21	5 Highgate CT	Kensington	E165	522
29	0017081069	21-Aug-17 02:05:47	16 Sunset DR	Kensington	E165	611X
30	0017081133	21-Aug-17 08:54:42	52 Kingston RD	Kensington	E165	611F

31	0017081230	21-Aug-17 14:02:26	970 Arlington BLVD	El Cerrito	E165	321
32	0017081709	22-Aug-17 19:53:30	280 Purdue AVE	Kensington	E165	321
33	0017081788	22-Aug-17 23:29:20	509 Colusa AVE	El Cerrito	E165	550
34	0017082070	23-Aug-17 18:13:02	909 King DR	El Cerrito	E165	651
35	0017082394	24-Aug-17 17:56:36	52 Arlington AVE	Kensington	E165	322
36	0017082489	25-Aug-17 02:55:56	44 Franciscan WAY	Kensington	E165	321
37	0017082497	25-Aug-17 04:04:35	439 Coventry RD	Kensington	E165	321
38	0017082717	25-Aug-17 17:48:24	Yale AVE	Kensington	E165	522
39	0017082729	25-Aug-17 18:42:42	134 York AVE	Kensington	E165	321
40	0017083438	27-Aug-17 17:36:16	32 Highgate RD	Kensington	E165	311
41	0017084136	29-Aug-17 13:49:50	6400 Manila AVE	Kensington	E165	321
42	0017084417	30-Aug-17 09:43:42	120 Norwood CT	El Cerrito	E165	321
43	0017084547	30-Aug-17 15:11:10	812 Kensington RD	Kensington	E165	321
44	0017084921	31-Aug-17 13:45:06	San Pablo AVE	El Cerrito	E165	311
				El Cerrito	E165	611

\* See Attached Table for Incident Type Explanations

**Type Series**

- 100
- 200
- 300
- 400
- 500
- 600
- 700

**Description**

- (Structure, Trash, Vehicle, Vegetation Fire)
- (Over Pressure/Ruptures Explosions, Bombs)
- (EMS, Vehicle Accidents, Extrication, Rescue)
- (Chemical Spills, Leaks, Down power Lines)
- (Distress, Water/ Smoke/Odor Problems, Public Assists)
- (Cancelled En Route, Wrong Location)
- (Wrong Company/Unit Dispatched)



# EL CERRITO-KENSINGTON FIRE DEPARTMENT

10900 San Pablo Avenue • El Cerrito • CA • 94530

(510) 215-4450 • FAX (510) 232-4917

[www.el-cerrito.org](http://www.el-cerrito.org)



October 1, 2017

**TO:** Kensington Fire Protection District Board Members

**FROM:** Michael Pigoni: Battalion Chief

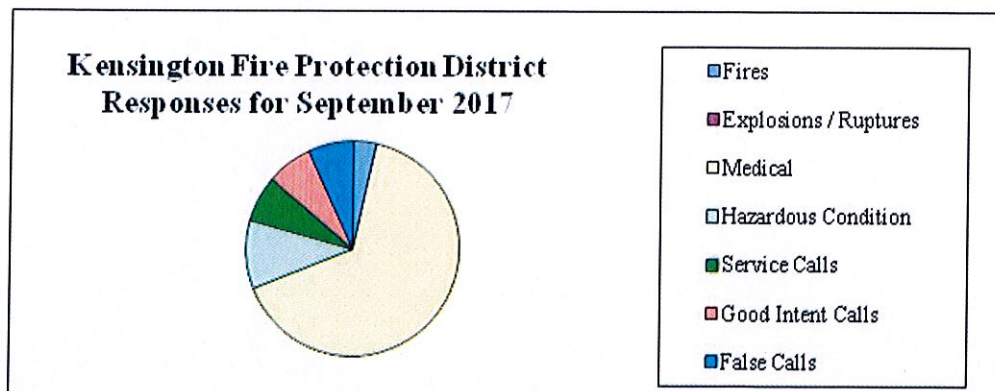
**RE:** Incident Activity Reports for the Month of September 2017

There were 30 incidents that occurred during the month of September in the community of Kensington. Please see the attached "Incident Log" for the dates, times, locations and incident type for these calls. Summary breakdowns of these calls are shown in the charts at the bottom of this page.

During this month, Engine 65 responded to a total of 60 calls in all districts. The month of September had an increase in calls both within the community and for Engine 65. This is due in part to an increase in medicals which may have been attributed to the warmer temperatures last month. There was a close call on September 9<sup>th</sup> on Norwood Avenue with a reported structure fire in the kitchen. Eight resources responded to this call. Engine 65 arrived on scene and found that the dishwasher had shorted out and while there was smoke in the house, the fire was contained to the appliance and there was no damage to the house other than the dishwasher.

The chart below is broken down into NFIRS incident types. The following is a list of the response types, the number of responses for each type and the percentage of the total calls for each type.

<u>Call Type</u>		<u>Incident Count</u>	<u>Percentages</u>
<b>Fires</b>	<i>(Structure, Trash, Vehicles, Vegetation Fires)</i>	1	3.45%
<b>Explosions / Ruptures</b>	<i>(Over Pressure/Ruptures, Explosions, Bombs)</i>	0	0.00%
<b>Medical</b>	<i>(EMS, Vehicle Accidents, Extrication Rescue)</i>	20	65.52%
<b>Hazardous Condition</b>	<i>(Chemical Spills, Leaks, Down Power Lines)</i>	3	10.34%
<b>Service Calls</b>	<i>(Distress, Water/Smoke/Odor Problems, Public Assists)</i>	2	6.90%
<b>Good Intent Calls</b>	<i>(Cancelled En Route, Wrong Location)</i>	2	6.90%
<b>False Calls</b>	<i>(Wrong Company/Unit Dispatched)</i>	2	6.90%
<b>Totals</b>		<b>30</b>	<b>100.00%</b>





# Kensington Fire Protection District Response Log for September 2017

#	Incident Number	Date & Time	Address	City	Apparatus ID	Incident Type*
1	0017085253	01-Sep-17 13:16:22	681 Coventry RD	Kensington	E171	311
2	0017085506	01-Sep-17 22:56:49	9 Beverly CT	Kensington	E365	400
3	0017085517	01-Sep-17 23:17:15	355 Yale AVE	Kensington	E365	400
4	0017085544	02-Sep-17 01:50:33	141 Saint Albans RD	Kensington	E365	550
5	0017085747	02-Sep-17 15:41:35	262 Lake DR	Kensington	E165	321
6	0017085812	02-Sep-17 18:26:33	129 Purdue AVE	Kensington	E365	321
7	0017086088	03-Sep-17 12:53:12	11 Arlington AVE	Kensington	E165	651
8	0017086401	04-Sep-17 09:17:48	106 York AVE	Kensington	E165	321
9	0017086406	04-Sep-17 09:26:16	153 Lawson RD	Kensington	E172	311
10	0017086509	04-Sep-17 16:12:19	122 Saint Albans RD	Kensington	E165	321
11	0017086647	05-Sep-17 01:49:32	681 Coventry RD	Kensington	E165	550
12	0017086893	05-Sep-17 16:56:53	Oberlin AVE	Kensington	E165	400
13	0017087173	06-Sep-17 13:15:36	8 Highgate RD	Kensington	E165	321
14	0017087379	07-Sep-17 06:24:13	243 Columbia AVE	Kensington	E165	321
15	0017087851	08-Sep-17 12:19:13	131 Norwood CT	Kensington	E165	321
16	0017088258	09-Sep-17 18:12:00	85 Norwood AVE	Kensington	E165	100
17	0017088414	10-Sep-17 09:04:12	228 Amherst AVE	Kensington	E172	321
18	0017089386	12-Sep-17 20:30:32	163 Arlington AVE	Kensington	E165	321
19	0017090703	16-Sep-17 17:07:08	250 Amhearst AVE	Kensington	E165	733
20	0017091248	18-Sep-17 11:30:36	85 Norwood AVE	Kensington	E165	321
21	0017091267	18-Sep-17 12:36:53	120 Norwood CT	Kensington	E165	321
22	0017091446	19-Sep-17 00:12:21	7 Ardmore PATH	Kensington	E165	321
23	0017091777	20-Sep-17 00:29:06	69 Kingston RD	Kensington	E165	321
24	0017092379	21-Sep-17 18:16:47	244 Colgate AVE	Kensington	E165	321
25	0017092497	22-Sep-17 07:57:45	Vassar AVE	Kensington	E165	736
26	0017092809	23-Sep-17 03:24:48	89 Edgcroft RD	Kensington	E165	321
27	0017093159	24-Sep-17 05:03:24	482 Beloit AVE	Kensington	E165	311
28	0017094818	28-Sep-17 16:24:55	232 Lake DR	Kensington	E165	321
29	0017095011	29-Sep-17 06:09:14	8 Kerr AVE	Kensington	E165	651
				Kensington	E165	321

\* See Attached Table for Incident Type Explanations

Type Series	Description
100	(Structure, Trash, Vehicle, Vegetation Fire)
200	(Over Pressure/Ruptures Explosions, Bombs)
300	(EMS, Vehicle Accidents, Extrication, Rescue)
400	(Chemical Spills, Leaks, Down power Lines)
500	(Distress, Water/ Smoke/Odor Problems, Public Assists)
600	(Cancelled En Route, Wrong Location)
700	(Wrong Company/Unit Dispatched)

# Kensington Fire Protection District Engine 65 Response Log for September 2017

#	Incident Number	Date & Time	Address	City	Apparatus ID	Incident Type*
1	0017085506	01-Sep-17 22:55:50	9 Beverly CT	Kensington	E365	400
2	0017085517	01-Sep-17 23:16:55	355 Yale AVE	Kensington	E365	400
3	0017085544	02-Sep-17 01:48:28	141 Saint Albans RD	Kensington	E365	550
4	0017085627	02-Sep-17 10:16:22	828 Shevlin DR	El Cerrito	E365	311
5	0017085731	02-Sep-17 15:08:31	7118 B ST	El Cerrito	E165	743
6	0017085747	02-Sep-17 15:40:36	262 Lake DR	Kensington	E165	321
8	0017085812	02-Sep-17 18:18:35	129 Purdue AVE	Kensington	E365	321
9	0017085926	02-Sep-17 23:21:00	101 Carmel AVE	El Cerrito	E165	321
10	0017086088	03-Sep-17 12:52:33	11 Arlington AVE	Kensington	E165	651
11	0017086401	04-Sep-17 09:16:53	106 York AVE	Kensington	E165	321
12	0017086509	04-Sep-17 16:11:09	122 Saint Albans RD	Kensington	E165	321
13	0017086526	04-Sep-17 17:07:36	923 Craft AVE	Kensington	E165	321
14	0017086647	05-Sep-17 01:48:47	681 Coventry RD	El Cerrito	E165	611F
15	0017086893	05-Sep-17 16:55:22	Oberlin AVE	Kensington	E165	550
16	0017087173	06-Sep-17 13:13:53	8 Highgate RD	Kensington	E165	400
17	0017087235	06-Sep-17 16:50:11	601 Seaview DR	Kensington	E165	321
18	0017087379	07-Sep-17 06:22:26	243 Columbia AVE	El Cerrito	E165	550
19	0017087472	07-Sep-17 11:25:34	517 Colusa AVE	Kensington	E165	321
20	0017087851	08-Sep-17 12:18:25	131 Norwood CT	El Cerrito	E165	321
21	0017087908	08-Sep-17 15:09:08	10690 San Pablo AVE	Kensington	E165	321
22	0017088241	09-Sep-17 17:22:30	701 Seaview DR	El Cerrito	E165	381
23	0017088258	09-Sep-17 18:10:46	85 Norwood AVE	El Cerrito	E165	311
24	0017088775	11-Sep-17 07:29:54	7 Pomona AVE	Kensington	E165	100
25	0017089386	12-Sep-17 20:29:54	163 Arlington AVE	El Cerrito	E165	321
26	0017089498	13-Sep-17 07:11:38	138 Ramona AVE	Kensington	E165	321
27	0017089570	13-Sep-17 11:01:27	3230 Carlson BLVD	El Cerrito	E165	611
28	0017089689	13-Sep-17 16:38:13	557 Clayton AVE	El Cerrito	E165	381
29	0017089888	14-Sep-17 10:57:10	6510 Gladys AVE	El Cerrito	E165	321
30	0017090086	14-Sep-17 22:22:05	155 Colusa AVE	El Cerrito	E165	311
31	0017090703	16-Sep-17 17:06:16	250 Amhearst AVE	El Cerrito	E165	611
				Kensington	E165	733

32	0017090785	16-Sep-17 20:49:16	10628 San Pablo AVE	El Cerrito	E165	111
33	0017091034	17-Sep-17 17:53:01	7720 Eureka AVE	El Cerrito	E165	321
34	0017091095	17-Sep-17 22:21:11	7720 Eureka AVE	El Cerrito	E165	321
35	0017091218	18-Sep-17 09:49:01	434 Kearney ST	El Cerrito	E165	740
36	0017091233	18-Sep-17 10:33:47	6510 Gladys AVE	El Cerrito	E165	321
37	0017091248	18-Sep-17 11:28:44	85 Norwood AVE	Kensington	E165	321
38	0017091267	18-Sep-17 12:35:28	120 Norwood CT	Kensington	E165	321
39	0017091446	19-Sep-17 00:09:12	7 Ardmore PATH	Kensington	E165	321
40	0017091507	19-Sep-17 07:35:24	214 Ramona AVE	Kensington	E165	321
41	0017091541	19-Sep-17 09:27:03	2222 Mono AVE	El Cerrito	E165	611X
42	0017091711	19-Sep-17 19:04:02	Eureka DR	El Cerrito	E165	736
43	0017091777	20-Sep-17 00:26:27	69 Kingston RD	El Cerrito	E165	600
44	0017092379	21-Sep-17 18:16:28	244 Colgate AVE	Kensington	E165	321
45	0017092497	22-Sep-17 07:57:13	Vassar AVE	Kensington	E165	736
46	0017092809	23-Sep-17 02:54:11	89 Edgcroft RD	Kensington	E165	321
47	0017092972	23-Sep-17 15:28:03	325 Pomona AVE	Kensington	E165	311
48	0017093025	23-Sep-17 18:43:51	1 Highgate RD	El Cerrito	E165	321
49	0017093036	23-Sep-17 19:26:25	904 Leneve PL	El Cerrito	E165	321
50	0017093159	24-Sep-17 05:01:43	482 Beloit AVE	El Cerrito	E165	143
51	0017093225	24-Sep-17 10:38:17	155 Colusa AVE	Kensington	E165	321
52	0017093336	24-Sep-17 16:46:11	1 Highgate RD	El Cerrito	E165	744
53	0017093583	25-Sep-17 12:25:33	214 Ramona AVE	El Cerrito	E165	321
54	0017093907	26-Sep-17 11:20:17	727 Colusa AVE	El Cerrito	E365	743
55	0017094017	26-Sep-17 17:13:54	205 Ramona AVE	El Cerrito	E365	911
56	0017094432	27-Sep-17 17:02:01	205 Ramona AVE	El Cerrito	E365	550
57	0017094818	28-Sep-17 16:23:23	232 Lake DR	El Cerrito	E165	321
58	0017094925	28-Sep-17 20:15:29	Cutting BLVD	Kensington	E165	651
59	0017095011	29-Sep-17 06:06:35	8 Kerr AVE	El Cerrito	E165	611T
				Kensington	E165	321

\* See Attached Table for Incident Type Explanations

Type Series	Description
100	(Structure, Trash, Vehicle, Vegetation Fire)
200	(Over Pressure/Ruptures Explosions, Bombs)
300	(EMS, Vehicle Accidents, Extrication, Rescue)

400  
500  
600  
700

*(Chemical Spills, Leaks, Down power Lines)  
(Distress, Water/ Smoke/Odor Problems, Public Assists)  
(Cancelled En Route, Wrong Location)  
(Wrong Company/Unit Dispatched)*

**Kensington Fire Protection District**  
**Balance Sheet**  
As of September 13, 2017

	Sep 13, 17
<b>ASSETS</b>	
<b>Current Assets</b>	
Checking/Savings	
Petty Cash	200.00
KFPD Revolving Acct - Gen Fund	12,374.52
General Fund	29,448.69
Special Tax Fund	5,868.33
Capital Fund	6,928.77
<b>Total Checking/Savings</b>	<b>54,820.31</b>
<b>Accounts Receivable</b>	
Due from County for Reimb.	17,983.35
Interest Receivable	607.64
Advance on Taxes	3,493,127.87
Advance on Supplemental Taxes	65,560.84
<b>Total Accounts Receivable</b>	<b>3,577,279.70</b>
<b>Other Current Assets</b>	
Prepaid Services - EC	2,120,180.44
Prepaid Exp.	1,309.00
Prepaid CERBT - Retiree Trust	929,113.99
<b>Investments</b>	
Capital Replacement Funds	2,418,425.00
Fire Protect. Contract Reserves	2,552,869.07
Investments - Other	274,843.97
<b>Total Investments</b>	<b>5,246,138.04</b>
<b>Total Other Current Assets</b>	<b>8,296,741.47</b>
<b>Total Current Assets</b>	<b>11,928,841.48</b>
<b>Fixed Assets</b>	
Land	5,800.00
Equipment	1,425,887.28
Accumulated Depreciation-Equip	-653,947.15
Building and Improvements	2,391,581.26
Accumulated Depreciation - Bldg	-929,467.00
Current Capital Outlay	
Firefighters Qtrs/Equip	4,954.06
<b>Total Current Capital Outlay</b>	<b>4,954.06</b>
<b>Total Fixed Assets</b>	<b>2,244,808.45</b>
<b>TOTAL ASSETS</b>	<b>14,173,649.93</b>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
<b>Accounts Payable</b>	
Due to Revolving Acct - Gen Fnd	17,983.35
Due to Other - Issued by CCC	1,727.50
<b>Total Accounts Payable</b>	<b>19,710.85</b>
<b>Other Current Liabilities</b>	
EI Cerrito Service Contract Pay	2,120,180.37
Wages & PR Taxes Payable	1,638.36
Deferred Comp Payable	1,387.44
<b>Total Other Current Liabilities</b>	<b>2,123,206.17</b>
<b>Total Current Liabilities</b>	<b>2,142,917.02</b>
<b>Total Liabilities</b>	<b>2,142,917.02</b>
<b>Equity</b>	

**Kensington Fire Protection District**  
**Balance Sheet**  
As of September 13, 2017

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	<u>Sep 13, 17</u>
Fund Equity - General	3,325,448.26
Fund Equity - Capital Projects	548,373.00
Fund Equity - Special Revenue	17,789.00
Fund Equity - Gen Fixed Asset	1,321,009.00
Fund Equity	4,052,257.79
Net Income	2,765,855.86
Total Equity	<u>12,030,732.91</u>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<u><b>14,173,649.93</b></u>

## Kensington Fire Protection District Revenue & Expense Prev Year Comparison

July 1 through September 13, 2017

	Jul 1 - Sep 13, 17	Jul 1 - Sep 13, 16	\$ Change	% Change
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Property Taxes	3,513,761.14	3,296,566.50	217,204.64	6.6%
Lease Agreement	5,911.34	1.00	5,910.34	591,034.0%
Interest Income	4,045.14	911.46	3,133.68	343.8%
Salary Reimbursement Agreement	10,836.82	8,844.00	1,992.82	22.5%
<b>Total Income</b>	<b>3,534,554.44</b>	<b>3,306,312.96</b>	<b>228,241.48</b>	<b>6.9%</b>
<b>Expense</b>				
<b>OUTSIDE PROFESSIONAL SERVICES</b>				
LAFCO Fees	2,122.85	2,123.97	-1.12	-0.1%
Contra Costa County Expenses	9.40	0.00	9.40	100.0%
El Cerrito Contract Fee	706,726.80	425,478.17	281,248.63	66.1%
Fire Abatement Contract	0.00	265.00	-265.00	-100.0%
Risk Management Insurance	13,268.00	12,106.00	1,162.00	9.6%
<b>Professional Fees</b>				
Accounting	1,056.25	146.25	910.00	622.2%
Legal Fees	418.50	103.14	315.36	305.8%
<b>Total Professional Fees</b>	<b>1,474.75</b>	<b>249.39</b>	<b>1,225.36</b>	<b>491.3%</b>
<b>Total OUTSIDE PROFESSIONAL SERVI...</b>	<b>723,601.80</b>	<b>440,222.53</b>	<b>283,379.27</b>	<b>64.4%</b>
<b>RETIREE MEDICAL BENEFITS</b>				
PERS Medical	10,629.10	9,212.49	1,416.61	15.4%
Delta Dental	1,008.86	1,442.91	-434.05	-30.1%
Vision Care	315.20	443.67	-128.47	-29.0%
<b>Total RETIREE MEDICAL BENEFITS</b>	<b>11,953.16</b>	<b>11,099.07</b>	<b>854.09</b>	<b>7.7%</b>
<b>COMMUNITY SERVICE ACTIVITIES</b>				
Public Education	202.50	1,270.47	-1,067.97	-84.1%
CERT Emerg Kits/Sheds/Prepared	0.00	4,373.68	-4,373.68	-100.0%
Open Houses	251.18	0.00	251.18	100.0%
<b>Total COMMUNITY SERVICE ACTIVITIES</b>	<b>453.68</b>	<b>5,644.15</b>	<b>-5,190.47</b>	<b>-92.0%</b>
<b>DISTRICT ACTIVITIES</b>				
Firefighters' Expenses	0.00	164.53	-164.53	-100.0%
Professional Development	580.00	1,155.76	-575.76	-49.8%
<b>Building Maintenance</b>				
Needs Assess/Feasibility Study	4,845.00	34,574.17	-29,729.17	-86.0%
Janitorial Service	315.00	315.00	0.00	0.0%
Medical Waste Disposal	1,186.56	523.98	662.58	126.5%
Gardening service	120.00	240.00	-120.00	-50.0%
Miscellaneous Maint.	1,150.09	4,054.51	-2,904.42	-71.6%
<b>Total Building Maintenance</b>	<b>7,616.65</b>	<b>39,707.66</b>	<b>-32,091.01</b>	<b>-80.8%</b>
<b>Building Utilities/Service</b>				
Gas and Electric	1,200.70	1,280.73	-80.03	-6.3%
Water/Sewer	206.39	188.14	18.25	9.7%
<b>Total Building Utilities/Service</b>	<b>1,407.09</b>	<b>1,468.87</b>	<b>-61.78</b>	<b>-4.2%</b>
Memberships	650.00	650.00	0.00	0.0%
<b>Office</b>				
Office Expense	796.12	76.89	719.23	935.4%
Office Supplies	41.74	101.16	-59.42	-58.7%
Telephone	1,355.32	1,204.55	150.77	12.5%
<b>Total Office</b>	<b>2,193.18</b>	<b>1,382.60</b>	<b>810.58</b>	<b>58.6%</b>
<b>Total DISTRICT ACTIVITIES</b>	<b>12,446.92</b>	<b>44,529.42</b>	<b>-32,082.50</b>	<b>-72.1%</b>
<b>Staff</b>				
Wages	14,406.28	13,852.20	554.08	4.0%
Longevity Pay	1,000.00	1,000.00	0.00	0.0%
Overtime Wages	186.99	0.00	186.99	100.0%
Medical/dental ins compensation	1,365.00	1,300.00	65.00	5.0%
Retirement Contribution	1,094.88	1,052.76	42.12	4.0%
Payroll Taxes	1,297.30	1,235.65	61.65	5.0%
Workers Compensation/Life Ins	646.19	931.07	-284.88	-30.6%
Payroll Processing	246.38	240.36	6.02	2.5%
<b>Total Staff</b>	<b>20,243.02</b>	<b>19,612.04</b>	<b>630.98</b>	<b>3.2%</b>
<b>Total Expense</b>	<b>768,698.58</b>	<b>521,107.21</b>	<b>247,591.37</b>	<b>47.5%</b>
<b>Net Ordinary Income</b>	<b>2,765,855.86</b>	<b>2,785,205.75</b>	<b>-19,349.89</b>	<b>-0.7%</b>
<b>Other Income/Expense</b>				
<b>Other Income</b>				
Transfers In - General	99,156.63	351,562.13	-252,405.50	-71.8%
<b>Total Other Income</b>	<b>99,156.63</b>	<b>351,562.13</b>	<b>-252,405.50</b>	<b>-71.8%</b>
<b>Other Expense</b>				
Transfers Out - Capital	4,156.63	351,562.13	-347,405.50	-98.8%
Transfers Out - Special	95,000.00	0.00	95,000.00	100.0%



**Kensington Fire Protection District  
Revenue & Expense Prev Year Comparison**

July 1 through September 13, 2017

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	Jul 1 - Sep 13, 17	Jul 1 - Sep 13, 16	\$ Change	% Change
Total Other Expense	99,156.63	351,562.13	-252,405.50	-71.8%
Net Other Income	0.00	0.00	0.00	0.0%
Net Income	<u>2,765,855.86</u>	<u>2,785,205.75</u>	<u>-19,349.89</u>	<u>-0.7%</u>

**Kensington Fire Protection District  
Revenue & Expense Budget vs. Actual  
July through August 2017**

	Jul - Aug 17	Budget	\$ Over Budget	% of Budget
<b>Ordinary Income/Expense</b>				
<b>Income</b>				
Property Taxes	3,513,761.14	3,492,000.00	21,761.14	100.6%
Special Taxes	0.00	0.00	0.00	0.0%
Other Tax Income	0.00	0.00	0.00	0.0%
Lease Agreement	5,911.34	5,911.66	-0.32	100.0%
Interest Income	4,045.14	6,666.66	-2,621.52	60.7%
Salary Reimbursement Agreement	5,418.41	9,645.50	-4,227.09	56.2%
Miscellaneous Income	0.00	0.00	0.00	0.0%
<b>Total Income</b>	<b>3,529,136.03</b>	<b>3,514,223.82</b>	<b>14,912.21</b>	<b>100.4%</b>
<b>Expense</b>				
<b>OUTSIDE PROFESSIONAL SERVICES</b>				
LAFCO Fees	2,122.85	2,200.00	-77.15	96.5%
Contra Costa County Expenses	0.00	0.00	0.00	0.0%
El Cerrito Contract Fee	471,151.20	471,151.16	0.04	100.0%
Water System Improvements	0.00	0.00	0.00	0.0%
Fire Abatement Contract	0.00	0.00	0.00	0.0%
Risk Management Insurance	13,268.00	13,163.00	105.00	100.8%
<b>Professional Fees</b>				
Accounting	0.00	480.00	-480.00	0.0%
Actuarial Valuation	0.00	0.00	0.00	0.0%
Audit	0.00	0.00	0.00	0.0%
Legal Fees	418.50	6,666.66	-6,248.16	6.3%
<b>Total Professional Fees</b>	<b>418.50</b>	<b>7,146.66</b>	<b>-6,728.16</b>	<b>5.9%</b>
Wildland Vegetation Mgmt	0.00	0.00	0.00	0.0%
<b>Total OUTSIDE PROFESSIONAL SERVI...</b>	<b>486,960.55</b>	<b>493,680.82</b>	<b>-6,700.27</b>	<b>98.6%</b>
<b>RETIREE MEDICAL BENEFITS</b>				
PERS Medical	0.00	0.00	0.00	0.0%
Delta Dental	0.00	0.00	0.00	0.0%
Vision Care	0.00	0.00	0.00	0.0%
<b>Total RETIREE MEDICAL BENEFITS</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>COMMUNITY SERVICE ACTIVITIES</b>				
Public Education	202.50	150.00	52.50	135.0%
Comm. Pharmaceutical Drop-Off	0.00	0.00	0.00	0.0%
Vial of Life Program	0.00	0.00	0.00	0.0%
CERT Emerg Kits/Sheds/Prepared	0.00	0.00	0.00	0.0%
Open Houses	251.18	255.00	-3.82	98.5%
Community Shredder	0.00	0.00	0.00	0.0%
DFSC Matching Grants	0.00	0.00	0.00	0.0%
Firesafe Planting Grants	0.00	0.00	0.00	0.0%
Demonstration Garden	0.00	0.00	0.00	0.0%
Community Sandbags	0.00	0.00	0.00	0.0%
<b>Total COMMUNITY SERVICE ACTIVITIES</b>	<b>453.68</b>	<b>405.00</b>	<b>48.68</b>	<b>112.0%</b>
<b>DISTRICT ACTIVITIES</b>				
Firefighter's Apparel & PPE	0.00	0.00	0.00	0.0%
Firefighters' Expenses	0.00	1,670.00	-1,670.00	0.0%
Staff Appreciation	0.00	0.00	0.00	0.0%
Professional Development	580.00	580.00	0.00	100.0%
<b>Building Maintenance</b>				
Needs Assess/Feasibility Study	4,845.00	20,000.00	-15,155.00	24.2%
Janitorial Service	210.00	250.00	-40.00	84.0%
Medical Waste Disposal	1,186.56	833.34	353.22	142.4%
Building alarm	0.00	0.00	0.00	0.0%
Gardening service	0.00	240.00	-240.00	0.0%
Miscellaneous Maint.	1,150.09	2,000.00	-849.91	57.5%
<b>Total Building Maintenance</b>	<b>7,391.65</b>	<b>23,323.34</b>	<b>-15,931.69</b>	<b>31.7%</b>
<b>Building Utilities/Service</b>				
Gas and Electric	1,200.70	1,250.00	-49.30	96.1%
Water/Sewer	-206.39	340.00	-546.39	-60.7%
<b>Total Building Utilities/Service</b>	<b>994.31</b>	<b>1,590.00</b>	<b>-595.69</b>	<b>62.5%</b>
Memberships	650.00	650.00	0.00	100.0%
<b>Office</b>				
Office Expense	779.12	500.00	279.12	155.8%
Office Supplies	41.74	420.00	-378.26	9.9%
Telephone	709.61	1,330.00	-620.39	53.4%
<b>Total Office</b>	<b>1,530.47</b>	<b>2,250.00</b>	<b>-719.53</b>	<b>68.0%</b>
<b>Total DISTRICT ACTIVITIES</b>	<b>11,146.43</b>	<b>30,063.34</b>	<b>-18,916.91</b>	<b>37.1%</b>
<b>Staff</b>				
Wages	14,406.28	14,403.33	2.95	100.0%
Longevity Pay	1,000.00	1,000.00	0.00	100.0%
Overtime Wages	186.99	256.66	-69.67	72.9%
Medical/dental ins compensation	1,365.00	1,300.00	65.00	105.0%
Retirement Contribution	1,094.88	1,094.67	0.21	100.0%
Payroll Taxes	1,297.30	1,298.16	-0.86	99.9%

**Kensington Fire Protection District  
Revenue & Expense Budget vs. Actual**

July through August 2017

	Jul - Aug 17	Budget	\$ Over Budget	% of Budget
Workers Compensation/Life Ins	646.19	650.00	-3.81	99.4%
Payroll Processing	183.28	245.00	-61.72	74.8%
<b>Total Staff</b>	<b>20,179.92</b>	<b>20,247.82</b>	<b>-67.90</b>	<b>99.7%</b>
Contingency				
General	0.00	0.00	0.00	0.0%
<b>Total Contingency</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Total Expense</b>	<b>518,740.58</b>	<b>544,376.98</b>	<b>-25,636.40</b>	<b>95.3%</b>
<b>Net Ordinary Income</b>	<b>3,010,395.45</b>	<b>2,969,846.84</b>	<b>40,548.61</b>	<b>101.4%</b>
Other Income/Expense				
Other Income				
Transfers In - General	4,156.63	0.00	4,156.63	100.0%
<b>Total Other Income</b>	<b>4,156.63</b>	<b>0.00</b>	<b>4,156.63</b>	<b>100.0%</b>
Other Expense				
Transfers Out - Capital	4,156.63	0.00	4,156.63	100.0%
<Gain>/Loss on Asset Disposal	0.00	0.00	0.00	0.0%
<b>Total Other Expense</b>	<b>4,156.63</b>	<b>0.00</b>	<b>4,156.63</b>	<b>100.0%</b>
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>
<b>Net Income</b>	<b>3,010,395.45</b>	<b>2,969,846.84</b>	<b>40,548.61</b>	<b>101.4%</b>

TRANSMITTAL - APPROVAL

TO: Auditor Controller of Contra Costa County:

Forwarded herewith are the following invoices and claims for goods and services received which have been approved for payment:

		KENSINGTON FPD				PY/CY:			
		TRANSMITTAL - APPROVAL				BATCH #:			
		Invoices				DATE:			
						LOCATION #:			
						FILENAME:			
VEND	VENDOR NAME	INVOICE DATE	DESCRIPTION	FUND ORG	SUB ACCT	TASK	ACTIVITY OR WORKAUTH	SINGLE POY	PAYMENT AMOUNT
50146	Delta Dental	10/01/17	BE002404018 Oct dental	7840	1061				1,008.86
50148	CalPERS	09/14/17	7072901257 Nov medical	7840	1061				7,440.12
50147	KFPD Revolving Fund	10/05/17	Reimburse revolving fund	7840	2490				17,048.28
50150	Vision Service Plan	09/20/17	001027770001 Oct vision	7840	1061				323.10
50151	City of El Cerrito	10/01/17	Oct fire protection	7840	2328				230,157.19
50179	Mailstream	09/20/17	52195 fall newsletter	7840	2490				1,373.72
50180	Meyers Nave	09/15/17	2017080331 legal counsel	7840	2490				2,512.62
<b>TOTAL</b>									<b>259,863.89</b>

Kensington FPD Approval

Date: 11/1

*Mudoff Green* Date: 10/16/17

10/5/17

**Attachment to Transmittal 100517**

Kensington Fire Protection District Revolving Fund 01406

Detailed invoice for reimbursement to the Revolving Fund for payment of the following expenditures:

INVOICE DATE	DESCRIPTION	AMOUNT
9/1/2017	All-Ways Green - janitorial	105.00
8/26/2017	Canepa - landscape maint.	120.00
8/22/2017	Comcast - internet	141.08
8/17/2017	Contra Costa County IT	9.40
8/7/2017	EBMUD -water/wastewater	412.78
8/4/2017	Office Depot - office exp.	17.00
8/5/2017	AT&T - telephone	377.71
8/5/2017	Sprint - telephone	126.92
9/4/2017	Deborah Russell - July/August acctg	1,056.25
9/15/2017	ICMA/RC - deferred comp August	1,387.44
9/6/2017	PG&E - gas	104.48
9/6/2017	PG&E - electric	1,330.03
9/4/2017	Office Depot - office supplies	118.53
9/9/2017	Sprint - telephone	63.46
9/6/2017	Pagepoint - website updates	90.00
9/9/2017	James Art - fire sprinkler review	333.50
9/15/2017	Payroll processing	63.10
9/15/2017	Payroll - 9/1-9/15/17	2,536.19
9/15/2017	Withholding payroll taxes 9/1-9/15/17	1,288.27
8/31/2017	KIC - signboard rental	10.00
9/14/2017	Pagepoint - website updates	101.25
9/5/2017	AT&T - telephone	374.17
9/1/2017	State Compensation - workers comp	242.74
10/1/2017	Stericycle - medical waste	394.68
9/13/2017	Mechanics Bank - newsletter postage, salary survey, et	969.32
10/2/2017	Payroll processing	63.10
10/2/2017	Payroll - 9/16-9/30/17	2,536.21
10/2/2017	Withholding payroll taxes 9/16-9/30/17	1,288.23
10/10/2017	ICMA/RC - deferred comp Sep	1,387.44
	<b>Total</b>	<b>17,048.28</b>

Please complete the enclosed deposit ticket and mail in the attached envelope to The Mechanics Bank.

# **CHIEF'S REPORT**

**KENSINGTON FIRE PROTECTION DISTRICT  
MEMORANDUM**

October 2017

TO: President and Board Members, Kensington Fire Protection District

FROM: Lance J. Maples, Fire Chief

SUBJECT: **Fire Chief's Report**

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**Assisting our Neighbors**

The El Cerrito/Kensington Fire Department has a long history of providing assistance in time of need to other agencies throughout the State of California through the California Fire Assistance Agreement which is a contract between the California Office of Emergency Services (OES) and the seven major agencies in the State that are responsible for fire protection and includes all local departments and special fire districts. The help that we provide is in the form of staffing the OES engine with four personnel as well as providing fire line medics, rescue personnel and strike team leaders.

In an effort to better understand the responsibilities and tasks that are required when on these assignments, the following is a brief overview of what a typical day in the life of a strike team leader is like. First, a strike team leader normally has five similar engines assigned to them with a maximum crew of 20 personnel. They travel to the incident in a convoy fashion and work as a team to accomplish the jobs assigned. Requests for a strike team are typically for vegetation fires that have exceeded the local government capabilities. These requests will come with little or no warning and the resources are expected to be on the road within 30 minutes to meet up and travel to the location of the incident. Many times these requests will come late in the day and require the team to be there by 6:00 am the next morning ready for an assignment which requires driving during the night. It is not uncommon to be assigned upon arrival and be on the fire line for close to 48 hours without sleep.

After the initial assignments, the strike team will end up back at the Incident Base to clean up, eat and rest. From this point on, the assignments will fall into a regular routine. The strike team leader from this point will have a number of responsibilities to deal with for their crew. Once in camp, they will assign personnel that will obtain any replacement supplies used on the fire line. The strike team leader will attempt to obtain sleeping arrangements for the crew which can be either nearby hotels or berths in a sleeping trailer which holds 42 persons or the crews can chose to sleep in tents which are carried on the engines. The strike team leader will also try to figure out if the crew will be put on 24 hour shifts or 12 hour shifts and, if 12 hours shifts, either day or night shift.

On 24 hour shifts, the crews are deployed for the entire time, taking rest breaks when possible and returning to base camp the next morning unassigned till 6:00 am the next day. This time is used to clean up, eat, place the engine back in service if needed and rest. On 12 hour shifts, crews are required to be up and ready by 6:00 am when working the day shift, briefed and ready to head out of

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camp by 7:30 am. Once on location, they are working till 6:00 pm. However, if the crews are on the fire line, they cannot leave till the next shift arrives, which can take up to 2 or 3 hours. Typically, base camp is an hour or more drive away, so once relief is on scene, the crews may not get back to camp till 9:00 or 10:00 pm, at which time they need to refuel, resupply, clean up and eat just to repeat the cycle the next morning. It is not uncommon to have only 5 or 6 hours to sleep each night.

The next day starts early for the strike team leader in that they need to be at briefing at 6:00 am, which means getting up early enough to clean up, eat breakfast and take care of any personal needs. At briefing they will get an overview of the incident including changes in the last 24 hours, overall outlook, weather, safety concerns, medical plans, any air operations and the strategies and assignments for all the divisions. The strike team leader will find out what division they are assigned to and after the briefing they will break out and meet with the division supervisor. At this gathering, more specific tactics and tasks will be delegated.

After this meeting, the strike team leader will meet with the crews assigned to them and relay the information to the company officers including the communication channels and location that everyone will be travelling to. Typically maps, printed or digital, will be passed out, copies of the Incident Action Plan shared and a time to leave camp is established, which is usually within the hour. In the meantime, the crews need to obtain bag lunches, ice, water, get their radios programmed if required, extra radio batteries and be ready to be gone for 12 to 24 hours.

Upon arriving at the assigned location, the strike team leader is required to size up the area and determine how best to deploy the resources to accomplish the tasks at hand. One of these tasks may be direct fire attack which would be stretching hose lines, cutting hand lines, trimming trees and whatever is needed to suppress the fire.

The team may also be assigned structure protection for a group of homes along a road in the direct or potential path of the fire. With this assignment, the strike team leader will direct crews to prep homes by reducing vegetation growth near the houses, cutting hand lines, pre-placing hose lines for defensive protection when the fire reaches the location and assisting residents in evacuating if needed. Structure prep and/or protection can happen hours or days before the fire reaches the area depending on the weather and fire intensity. It is a dangerous job when the fire reaches the home as it is difficult to determine how the fire will react as it nears and reaches new fuels. The strike team leader at this point is responsible to determine if the team is going to make a stand and try and protect the homes or if the intensity and speed of the fire indicates it is time to evacuate and leave the area for safety.

Other duties of the strike team leader, depending on the resources they are assigned, can be working with hand crews cutting fire breaks, using the engines to overhaul areas the fire has passed through to reinforce the fire lines or any combination of jobs.

As an example, Battalion Chief Pigoni was deployed last month to the Orleans Complex Fire in Northern California. He received his phone call in the afternoon prior to the day he needed to be at base camp. This was a special request in that the incident was looking for strike team leaders for resources already on scene. He left at 7:00 pm and arrived in base camp at 2:30 in the morning, was able to take a short nap in his vehicle and was at the 6:00 am briefing where he was informed that he

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would be assigned to a structure protection group. He would be working with a tribal hand crew, two out of state private fire engines and two US Forest Service engines. His primary task was to utilize the crews to implement the "Structure Protection Plan" which included clearing brush and cutting hand line as well as installing over 4,000 feet of hose lines around numerous homes and out buildings. In addition, he would "triage" all the structures in the division and place tags at the entrances and driveways that would detail any special concerns for those buildings.

On another day, after a lightning storm passed through the night, Chief Pigoni was tasked to take a engine crew and cut a trail through heavy brush and downed trees over two miles to hike in and checkout a remote smoke that was visible from the roads. There was a concern that it might be a tree hit by lightning and burning or a spot fire from the existing fire. Due to this being a "wilderness area" there was no nearby roads or existing trails. Once they made access and found a burning tree and underlining brush, he made contact with the division supervisor and requested a helicopter to make aerial water drops on the smoldering fire. This also required him to communicate directly with the helicopter once it was on scene to direct them in for the numerous water dumps that it required while maintaining a safety margin for the crew on the ground.

As the fire was being contained and more under control, Chief Pigoni was assigned to take his strike team of Type 3 engines and start pulling hose off the cold parts of the fire. In two days, 29,000 feet of 1-1/2" hose plus all the lateral hoses and hardware were removed off the trails and roads. To put this another way, approximately 290 rolls of 1-1/2" hose, 150 rolls of 1" hose, 150 gated wyes and 150 nozzles were picked up and hauled back to base camp. This was probably only about 25% of the entire hose deployed on the fire.

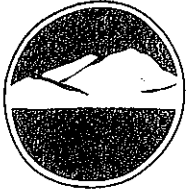
Another interesting job that he was assigned was to supervise the suppression repair crews that are tasked to fix roads and fire trails after the fire passes through and prep them to prevent erosion or plugged drains along all the fire roads and hand lines that were cut with bulldozers. The equipment he was assigned included excavators, graders, backhoes, water trucks and other various equipment needed to complete the task. He directly worked with the Forest Service and Tribal representatives to insure that sensitive areas were not impacted.

Most single overhead positions are deployed for 14 days on the fire and two days to travel to and from the incident. During this time, the work hours are long, the rest is minimal, while on the line, the air quality is poor at best, and not only do you face the dangers the fire imposes, you also are at the mercy of falling trees or rolling rocks in steep terrain and wild animals that are fleeing the area.

As you can see from this overview providing assistance to our neighbors can be a very taxing assignment but there is no better way to gain this type of experience.

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# **NEW BUSINESS**



## DARWIN MYERS ASSOCIATES

ENVIRONMENTAL RESEARCH ■ ENGINEERING GEOLOGY

September 25, 2017

Brenda Navellier  
Kensington Fire Protection District  
217 Arlington Avenue  
Orinda, CA 94707

**Subject: Proposal & Contract**  
Geologic Peer Review Services  
Proposed New Kensington FPD Fire Station  
217 Arlington Avenue/ APN 570-050-021  
DMA Proposal # 011.17

Dear Ms. Navellier:

In response to your request, we are enclosing our proposal to serve as the Geologic Peer Reviewer for the proposed fault investigation of the Kensington FPD's existing fire station site that is addressed 217 Arlington Avenue. That station was constructed during the 1969-1970 period, prior to issuance of the Alquist-Priolo Earthquake Fault Zone map by the California Geological Survey (formerly California Division of Mines & Geology). We have extensive experience in the evaluation of geologic hazards for projects in the East Bay area, including Kensington. For the past 26 years we have served as peer reviewer of geologic reports, grading plans and geotechnical reports for Contra Costa County. During that period of time we have also provided geologic peer review services for specific projects to the cities of Oakland, Orinda, Pittsburg and Richmond. All work performed under this contract would be performed by Darwin Myers, CEG 946. Additionally, we would attend meetings with representatives of the Kensington FPD staff and/or attend public meeting/ hearings as directed by our client. This proposal is organized to provide background information of the regulatory framework and implementation of the Alquist-Priolo (A-P) Act. That is followed by our approach, tasks, qualifications, insurance, and cost estimate/ budget, insurance, schedule, standard of care for a critical facility, and contract details. If you have any questions on our proposal, we would be pleased to respond to those either by a telephone call, email, letter or a meeting.

### ***BACKGROUND***

#### 1. Introduction

The Alquist-Priolo (A-P) Earthquake Fault Zone encompasses recently active and potential active traces of the Hayward fault. It was delineated by the California Geological Survey (CGS) in 1974 and revised in 1982. In the Kensington area the A-P zone is approximately 1,800 ft.± wide and trends approximately N31°W. An annotation on the official A-P zone map issued by the CGS states "***Massive Landslides, Fault Location Uncertain***" In summary, the CGS has delineated a broad A-P Zone because information on the precise location of the active trace(s) is sketchy in Kensington and adjacent portions of Berkeley and El Cerrito.

## 2. Alquist-Priolo Earthquake Fault Zoning Act

Our proposal includes three appendices which can be summarized as follows:

- Appendix A presents the provisions of the Alquist-Priolo Earthquake Fault Zoning Act (hereafter referred to as the A-P Act). This state law was adopted by the California legislature in December, 1972 (Its provisions can be found in the California Public Resources Code, Division 2, Chapter 7.5, commencing with Section 2621). According to the A-P Act, only single family residences that are 1 or 2 stories are exempt from the provisions of the state law. The proposed fire station is subject to the provisions of the state law that requiring a geologic investigation directed to the hazard of surface fault rupture.
- Appendix B presents the “Policies and Criteria” of the State Mining and Geology Board. The “Policies and Criteria” are intended to guide enforcement of the State law. The intent of the Board’s Policies and Criteria are to provide guidance to assist local jurisdictions on implementation of the A-P Act, as well as providing (i) definitions , (ii) establishing a procedure for public comment on preliminary Earthquake Fault Zone maps, (iii) provide specific criteria to be used by lead agencies in complying with the provisions of the A-P Act.
- Appendix C presents “Guidelines for Evaluation of the Hazard of Surface Fault Rupture.” These report guidelines were prepared by the CGS. State Mining and Geology Board has indicated that compliance of fault hazard investigations with these guidelines represent competent professional practice.

In summary, the A-P Act requires that for “projects” located within the Earthquake Fault Zone, geologic reports directed to the hazard of surface fault rupture must be prepared by a geologist registered in the State of California. The CGS has issued guidelines for required geologic reports, and the State Mining & Geology Board in on record stating that it considers compliance with these guidelines to represent competent professional practice. The CGS has also issued guidelines for the peer review of fault hazard investigations. Those guidelines have been adopted by the Board of Mines & Geology as representing competent professional practice.

Fault hazard investigations routinely include subsurface exploration. The most reliable method to identify the location of the fault on a parcel is the logging of an exploratory trench. The CGS guidelines indicate that the log must show the details of the exposed features and conditions; the log shall not be diagrammatic or generalized. Where a fault is confirmed, the precise width and position of the fault must be established by the project geologist. In most cases a second exploratory trench is needed to allow the fault to be traced across the site. Based on the findings of the project geologist, a map is prepared showing the precise location of the fault on the subject parcel. The State indicates that no structures for human occupancy can be constructed astride an active trace and that structures for human occupancy shall ordinarily achieve a setback of 50 ft. from the active trace. When a fault is confirmed to be present, it is essential that the project geologist thoroughly evaluate evidence on the recency of movement. Any fault trace that has exhibits evidence of Holocene age displacement is considered active.

The A-P Act requires that the fault hazard reports be reviewed by a registered geologist acting on behalf of the local jurisdiction. The CGS has prepared guidelines for review of the A-P reports by the peer review geologist acting in behalf of the local jurisdiction.

## 3. History

Kensington was developed when property owners, developers and planning commissions had no information on the location of the Hayward fault or how to incorporate knowledge of the active fault into

planning decisions. In the 40+ years since the official Earthquake Fault Zone maps were issued relatively few fault hazard investigations were performed in the neighborhood surrounding the site. Consequently, technical data on the precise location of the active trace(s) remains sketchy. When the CGS prepared the official A-P maps, the zone was centered over the inferred location of the active trace. The risks of surface fault rupture may be highest in the central portion zone. However, the State indicates that recently active and potentially active traces can exist anywhere in the Earthquake Fault Zone.

In the 1990s and extending through 2008, a USGS geologist, James Lienkaemper, attempted to map the *recently active trace*<sup>1</sup> of the Hayward fault using three lines of evidence:<sup>2</sup>

- Geomorphic expression (i.e. terrain features that are aligned and are typically associated with fault displacement at the surface),
- Tectonic creep (i.e. aseismic fault slip), and
- Fault exposures in exploratory trenches that were excavated by consultants who were exploring sites that fell within the A-P zone definition of a “project.”

The major scientific goal of the USGS mapping project was to learn how the distribution of fault creep features and creep rate varied both along the fault and transverse to the fault. The text accompanying the report cautions engineers and land use planners that the clarity of the features along the fault varies, and that subsidiary traces (i.e. branching or en echelon traces) may not be recognized because many sections of the fault were urbanized prior to the 1977, when the State of California first issued A-P Zone maps. Thus, geomorphic features indicative of active faulting may have been obliterated by human activity (e.g. grading, drainage improvements, construction, urban vegetation). Additionally, active and dormant landslides can obliterate tectonic creep features. For these reasons, the main method of recognizing and precisely locating active fault traces that lack reliable creep data will continue to be subsurface geologic investigations. As mapped by Lienkaemper, the recently active trace of the Hayward fault in the site vicinity is represented by either dashed or dotted lines, indicating the relative clarity of the features used to delineate the recently active trace. As shown by the USGS map, there is a suspected eastern trace that is represented by a dotted line with queries that trends along the Arlington Avenue frontage of the site. Another suspected trace, represented by a dashed line, trends subparallel to the eastern trace and passes approximately 200 ft. further to the southwest. In summary, there is considerable uncertainty in the precise location of the recently active trace(s) of the Hayward fault in the immediate site area. Nevertheless, the property is in the central portion of the A-P Zone, and there is an unknown (but potentially significant) risk of a fault trace on the fire station site.

## **APPROACH**

A peer reviewer must have the courage of our convictions, and cannot approve reports of an inadequate investigation. Nevertheless, like any review process there is a certain *give-and-take* involved between our firm (the reviewer) and the applicant's professional consulting team. So, while standards must be met, we strive to avoid running *rough-shod* over the project geologist. Our role as peer reviewer is to (i) sort out the important from the insignificant, and (ii) provide constructive comments and recommendations to the consultant during the course of the investigation, and (iii) ensure that the investigation and resulting report are consistent with the regulatory framework and report guidelines issued by the CGS.

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<sup>1</sup> The term “recently active fault trace”, as used in this USGS report, is defined as a fault trace that has evidence of movement during Holocene time (approximately the last 11,000 years).

<sup>2</sup> Lienkaemper, J.J., 2006 (revised 2008) *Digital Database of Recently Active Traces of the Hayward Fault, California*, pubs.usgs.gov/2006/177/ .

Our approach to peer review must be adequately broad in its scope to provide a sound technical basis for the conclusions reached. For the proposed investigation we understand that the trench must be backfilled at the end of each day. For that reason, the project geologist has indicated this will require dividing the trench into 3 segments, to be logged over a 3-day period. Therefore we shall make daily site visits to observe field procedures and view exposed conditions, along with viewing the adjacent area for evidence of tectonic creep features, and we will view at least one set of historic aerial photographs using a mirror stereoscope equipped with 3x and 8x binoculars. We will discuss any concerns with your consultant during the course of the investigation. We will then have the necessary background to review the fault hazard investigation report for this project. The following points summarize the principles underlying our approach to evaluation of potential geologic/ fault hazards.

1. Provide objective and unbiased evaluation, ensuring credibility.
2. Provide clear communication of findings.
3. Any recommendations that we may have shall be practical / feasible.

### ***TASKS***

Darwin Myers, Ph.D, CEG, will be responsible for the following tasks:

1. Review existing published geologic maps and geologic hazard maps.
2. Review of historic aerial photographs.
3. Perform three days of site visits during trenching to view exposed conditions, as well a field reconnaissance of lands adjacent to the project site.
4. During field exploration by the project geologist, discuss any issues / inconsistencies / concerns.
5. When the report documenting the investigation is issued by the project geologist, prepare a letter-report documenting our peer review, and provide our evaluation and any recommendations.

### ***QUALIFICATIONS***

Darwin Myers shall perform the peer review required by the state law under this contract. Dr. Myers has a Ph.D. in geology from the University of Wisconsin (Madison Campus), where his area of concentration was engineering geology, rock mechanics and geophysics. Dr. Myers has a M.S. degree in geology from Case Western Reserve University (Cleveland, Ohio), where his thesis was analysis of clays/ expansive soils. Additionally Dr. Myers has B.S. degrees in both geology and mathematics from Oregon State University.

Darwin Myers was the first County Geologist retained by a local jurisdiction in Northern California, and served as a County employee for 5 years. He then established his own consulting firm in and performed fault and landslide investigations, along with slope stability assessment for sites located in California and Nevada. At that time our work also included preparation of environmental impact reports. Our clients included the U.S. Forest Service and National Park Service. At that time we also had on-call contracts with Napa and Solano County and several cities in Contra Costa County to provide peer reviews.

In 1991 the Contra Costa County Peer Review Geologist retired, and County determined that they would retain a consultant to provide peer reviews rather than filling the vacant staff position. I was contracted by the Department of Conservation & Development to provide that review service at that time, and I have continued in that role. Dr. Darwin Myers is a Registered Geologist (RG 3164) and a Certified Engineering Geologist (CEG 946) in the State of California. Additionally, Darwin Myers is licensed in Oregon as a Registered Geologist and as an Engineering Geologist.

**Insurance**

We carry general liability and auto insurance, but not professional liability insurance or workers compensation insurance. Our role is limited to verifying compliance with regulations and standards. We do not design improvements or log borings or exploratory trenches. Further comments on insurance is provided in Table 1.

**Table 1. Discussion of DMA Insurance Coverage**

- Workers Compensation Insurance. Our last employee resigned approximately 10 years ago. Currently there are no employees and hence the insurance is not required.
- General Liability Insurance. The insurance coverage is provided by The Hartford (\$2 million each occurrence, \$2 million personal and adv injury, \$4 million general aggregate, \$2 million combined single limit. Over the past 20 years the scope of our work has been limited to peer reviews and 3th party reviews performed for local jurisdictions, special districts, and attorneys. There have been no claims filed against our firm and the coverage that we currently carry has been consistently found to be adequate. We do not believe increasing coverage for one project is warranted or could be justified. In effect, any increase on coverage would need to be added to the cost of our view services.
- Automobile Liability Insurance. The coverage is provided by State Farm Mutual Automobile Insurance Company (\$1 million each person for bodily injury, \$1 million each accident, and \$2 million property damage each accident).
- Professional Liability Insurance. We are being retained by the Kensington Fire Protection District to review technical reports/ data issued by licensed geologists. Our role is to insure that the investigation and resulting report comply with standards adopted by the State of California for fault hazard investigation in the Alquist-Priolo Earthquake Fault Zone. It is the responsibility of the project geologist to develop an adequate scope of work, evaluate the data gathered and provide recommendations. As peer reviewers we must rely on the observations, evaluation and interpretations of others. Our task is to question the internal consistency of the technical data gathered, and determine if the analysis is based on sufficient data to be adequate for the proposed project. Consequently, professional liability insurance is not required by Contra Costa County or other special districts and local jurisdictions that utilize our services

**Cost Estimate / Budget**

All technical work would be performed by Darwin Myers and charged on a time-and-materials basis. Our work would be performed at the following hourly rates:

Darwin Myers, CEG	\$150/hour
Word Processing/ GIS	\$62.50/hour
Mileage	\$0.45/ mile
Aerial Photographs (if any)	cost + 15%
Duplicating Charges	at cost

We estimate the time required for this project is as follows:

Field Work (incl travel time	.....12 hrs.@ \$150/hr.....	\$1,800.00
Geologic Research.....	4 hrs.@ \$150/hr.....	\$600.00
Report Preparation.....	4 hrs.@ \$150/hr.....	\$600.00
Expenses (mileage, duplicating, aerial photo).....		\$150.00
Contingency (10%).....		\$315.00

**Total \$3,465.00**

We believe that the proposed budget is adequate. We will not exceed the \$3,465.00 cost estimate without prior written authorization from of Kensington FPD. We are available to attend meetings that may be requested by the Kensington FPD. The cost of meetings is not included in our cost estimate. Meetings and travel time would be charged on a time and materials basis, at the rates specified in this proposal and contract (i.e. \$150/hr. and \$0.45/ mile).

### ***Schedule***

We are available to work on this project, and have no conflicts of interest. The current schedule is for opening the first segment of the exploratory trench on or about October 15<sup>th</sup>. Trenching is anticipated to take three days, and is anticipated to conclude on October 17<sup>th</sup>. We contacted your consultant (Kevin Ryan), and he indicated that he will keep me advised on the schedule as the date of commencement of the field work approaches. Upon issuance of the geologic report by your consultant, have a copy of the report provided to Darwin Myers Associates. We will complete our peer review within 14 days of receiving the fault investigation report. Our review shall follow the guidelines issued by the CGS. After the review is concluded, an electronic copy of the report and evidence of peer review must be provided to the California Geological Survey by the Kensington Fire Protection District.

### ***Standard of Care for a Critical Facility***

The biggest problem faced by a peer reviewer is the identification of standards (i.e. was the investigation performed in accordance with the existing standards of practice and consistent with the regulatory framework). The proposed project is construction of a fire station, which is a critical facility (i.e. a facility that will be needed by the community in the aftermath of a severe earthquake on the Hayward fault). According to the policies and criteria of the State Mining and Geology Board, structures for human occupancy are expected to achieve a minimum setback of 50 ft. from the confirmed location of the active fault, unless justification for a reduced setback can be justified [see Appendix B, Article 3603(a)]. In this case there is some weakly defined evidence presented in a map issued by the U.S. Geological Survey (USGS) suggesting a trace of the Hayward fault is located in the Arlington Ave. frontage of the site, trending subparallel to the road alignment at that location; and another map issued by the USGS shows a bedrock fault passing tangent to the northeast property corner. Where preliminary data indicates a suspected fault trace very near the site, there must be adequate data to characterize geologic conditions within 50 ft. of the building site, and provide an adequate basis to evaluate the activity status of any faults that are confirmed to be present. Potential sources of information include (a) examining the site vicinity for evidence of a systematic pattern of distress features that may be evidence of fault creep, (b) reviewing previous fault hazard investigations for nearby sites, (c) geologic analysis of historic aerial photographs, (d) review of published mapping of the USGS and CGS for evidence of faulting in the site vicinity, followed by re-evaluation of the possible fault-related features indicated by others.

For the proposed project, exploratory trenching is proposed that is to extend from the front to rear property line. Due to the size of the parcel and the adjacent land uses, it is not feasible to extend trenching beyond the limits of the parcel. We have not seen a site plan that showing the *footprint* of the proposed building, but we anticipate that even if trenching were to confirm that no active traces cross the subject parcel, the proven setback of the fire station building from active traces would be substantially less than 50 ft., which is a concern. Another concern we have is that the trench may encounter fill or landslide debris that will complicate interpretation of the geologic data gathered. For those reasons it is our recommendation that the investigation be broadened to include a geophysical survey, performed by licensed geophysicists. Potential geophysical exploration methods include seismic refraction, seismic reflection, and ground penetrating radar. Their purpose would be to supplement the trench data and would likely provide information pertinent to the fault investigation for lands within the 50 ft. setback zone.



While some geophysical work undoubtedly be performed on site, site conditions might necessitate that geophysical survey lines be located along strike but perhaps several hundred feet northwest (or southeast) of the fire station site.

In summary, the peer review geologist must evaluate both the approach of the project geologist and the nature of the project. According to Keaton, the standard of practice sets only minimum requirements.<sup>3</sup> In our opinion, where an active fault trace is suspected in proximity to a critical facility, as a minimum, it is prudent to explore the area within 50 ft. of the proposed building. It is clearly not practical to shadow the building site and area within 50 ft. of the building site with an exploratory trench. However, that does not mean that the potential hazards can be disregarded. Appropriate exploration methods are needed to satisfy the intent of the Alquist-Priolo Act for the proposed critical structure. Such data are needed to characterize subsurface conditions, and evaluate the significance of any fault-related features that may be confirmed on the site or within 50 ft. of the structure. The extent of the investigation should not be dictated by property lines. Instead, the challenges posed by existing development should be taken into account in developing an exploration program for full evaluation of the hazard of fault rupture. We feel strongly that the risks of fault rupture warrant use of geophysical methods in combination with trenching. The approach to geophysical exploration should be developed by the project geologist in consultation with a qualified geophysical consulting firm.

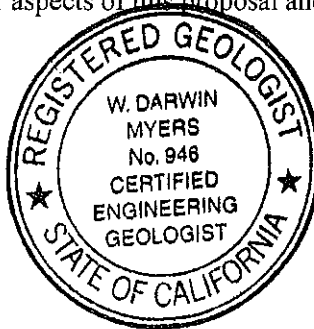
### **Contract Details**

If the terms of this Proposal and Contract are acceptable, please return one original copy that is signed and dated, ~~along with a retainer check for \$500.00.~~ <sup>EPNS</sup> When our peer review letter is submitted to the Kensington FPD, we shall include an invoice for the outstanding balance. We require payment within 30 days of that date. Please do not hesitate to call if the payment schedule proposed herein is a concern, or if additional information is needed regarding other aspects of this proposal and contract.

Sincerely,  
DARWIN MYERS ASSOCIATES



Darwin Myers, Ph.D., CEG 946  
Principal



\_\_\_\_\_  
*Signature of Authorized Representative of Kensington FPD*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Printed Name of Representative of Kensington FPD*

<sup>3</sup> Keaton, J. R., 1993, *Environmental and Engineering Geology Practice From the Technical-Professional Society Perspective*, AEG News, Fall 1993 (vol.36, No. 4).

# ***Appendix A***

## ***Alquist-Priolo Earthquake Fault Zoning Act***

**Appendix A**  
**ALQUIST-PRIOLO EARTHQUAKE FAULT ZONING ACT<sup>1</sup>**  
**Excerpts from California Public Resources Code**

**DIVISION 2. Geology, Mines and Mining**  
**CHAPTER 7.5 Earthquake Fault Zones<sup>2</sup>**

**2621.** This chapter shall be known and may be cited as the Alquist-Priolo Earthquake Fault Zoning Act<sup>1</sup>.

**2621.5. (a)** It is the purpose of this chapter to provide for the adoption and administration of zoning laws, ordinances, rules, and regulations by cities and counties in implementation of the general plan that is in effect in any city or county. The Legislature declares that this chapter is intended to provide policies and criteria to assist cities, counties, and state agencies in the exercise of their responsibility to prohibit the location of developments and structures for human occupancy across the trace of active faults. Further, it is the intent of this chapter to provide the citizens of the state with increased safety and to minimize the loss of life during and immediately following earthquakes by facilitating seismic retrofitting to strengthen buildings, including historical buildings, against ground shaking.

**(b)** This chapter is applicable to any project, as defined in Section 2621.6, which is located within a delineated earthquake fault zone, upon issuance of the official earthquake fault zones maps to affected local jurisdictions, except as provided in Section 2621.7.

**(c)** The implementation of this chapter shall be pursuant to policies and criteria established and adopted by the Board<sup>3</sup>

**2621.6. (a)** As used in this chapter, "project" means either of the following:

(1) Any subdivision of land which is subject to the Subdivision Map Act, (Division 2 (commencing with Section 66410) of Title 7 of the Government Code), and which contemplates the eventual construction of structures for human occupancy.

(2) Structures for human occupancy, with the exception of either of the following:

(A) Single-family wood-frame or steel-frame dwellings to be built on parcels of land for which geologic reports have been approved pursuant to paragraph (1).

(B) A single-family wood-frame or steel-frame dwelling not exceeding two stories when that dwelling is not part of a development of four or more dwellings.

**(b)** For the purposes of this chapter, a mobilehome whose body width exceeds eight feet shall be considered to be a single-family wood-frame dwelling not exceeding two stories.

**2621.7.** This chapter, except Section 2621.9, shall not apply to any of the following:

(a) The conversion of an existing apartment complex into a condominium.

(b) Any development or structure in existence prior to May 4, 1975, except for an alteration or addition to a structure that exceeds the value limit specified in subdivision (c).

(c) An alteration or addition to any structure if the value of the alteration or addition does not exceed 50 percent of the value of the structure.

(d) (1) Any structure located within the jurisdiction of the City of Berkeley or the City of Oakland which was

<sup>1</sup> Known as the Alquist-Priolo Special Studies Zones Act prior to January 1, 1994.

<sup>2</sup> Known as Special Studies Zones prior to January 1, 1994.

<sup>3</sup> State Mining and Geology Board.

damaged by fire between October 20, 1991, and October 23, 1991, if granted an exemption pursuant to this subdivision.

(2) The city may apply to the State Geologist for an exemption and the State Geologist shall grant the exemption only if the structure located within the earthquake fault zone is not situated upon a trace of an active fault line, as delineated in an official earthquake fault zone map or in more recent geologic data, as determined by the State Geologist.

(3) When requesting an exemption, the city shall submit to the State Geologist all of the following information:

(A) Maps noting the parcel numbers of proposed building sites that are at least 50 feet from an identified fault and a statement that there is not any more recent information to indicate a geologic hazard.

(B) Identification of any sites within 50 feet of an identified fault.

(C) Proof that the property owner has been notified that the granting of an exemption is not any guarantee that a geologic hazard does not exist.

(4) The granting of an exemption does not relieve a seller of real property or an agent for the seller of the obligation to disclose to a prospective purchaser that the property is located within a delineated earthquake fault zone, as required by Section 2621.9.

(e) (1) Alterations which include seismic retrofitting, as defined in Section 8894.2 of the Government Code, to any of the following listed types of buildings in existence prior to May 4, 1975:

(A) Unreinforced masonry buildings, as described in subdivision (a) of Section 8875 of the Government Code.

(B) Concrete tilt-up buildings, as described in Section 8893 of the Government Code.

(C) Reinforced concrete moment resisting frame buildings as described in Applied Technology Council Report 21 (FEMA Report 154).

(2) The exemption granted by paragraph (1) shall not apply unless a city or county acts in accordance with all of the following:

(A) The building permit issued by the city or county for the alterations authorizes no greater human occupancy load, regardless of proposed use, than that authorized for the existing use permitted at the time the

city or county grants the exemption. This may be accomplished by the city or county making a human occupancy load determination that is based on, and no greater than, the existing authorized use, and including that determination on the building permit application as well as a statement substantially as follows: "Under subparagraph (A) of paragraph (2) of subdivision (e) of Section 2621.7 of the Public Resources Code, the occupancy load is limited to the occupancy load for the last lawful use authorized or existing prior to the issuance of this building permit, as determined by the city or county."

(B) The city or county requires seismic retrofitting, as defined in Section 8894.2 of the Government Code, which is necessary to strengthen the entire structure and provide increased resistance to ground shaking from earthquakes.

(C) Exemptions granted pursuant to paragraph (1) are reported in writing to the State Geologist within 30 days of the building permit issuance date.

(3) Any structure with human occupancy restrictions under subparagraph (A) of paragraph (2) shall not be granted a new building permit that allows an increase in human occupancy unless a geologic report, prepared pursuant to subdivision (d) of Section 3603 of Title 14 of the California Code of Regulations in effect on January 1, 1994, demonstrates that the structure is not on the trace of an active fault, or the requirement of a geologic report has been waived pursuant to Section 2623.

(4) A qualified historical building within an earthquake fault zone that is exempt pursuant to this subdivision may be repaired or seismically retrofitted using the State Historical Building Code, except that, notwithstanding any provision of that building code and its implementing regulations, paragraph (2) shall apply.

**2621.8.** Notwithstanding Section 818.2 of the Government Code, a city or county which knowingly issues a permit that grants an exemption pursuant to subdivision (e) of Section 2621.7 that does not adhere to the requirements of paragraph (2) of subdivision (e) of Section 2621.7, may be liable for earthquake-related injuries or deaths caused by failure to so adhere.

**2621.9.** (a) A person who is acting as an agent for a transferor of real property that is located within a delineated earthquake fault zone, or the transferor, if he or she is acting without an agent, shall disclose to any prospective transferee the fact that the property is located within a delineated earthquake fault zone.

damaged by fire between October 20, 1991, and October 23, 1991, if granted an exemption pursuant to this subdivision.

- (2) The city may apply to the State Geologist for an exemption and the State Geologist shall grant the exemption only if the structure located within the earthquake fault zone is not situated upon a trace of an active fault line, as delineated in an official earthquake fault zone map or in more recent geologic data, as determined by the State Geologist.
  - (3) When requesting an exemption, the city shall submit to the State Geologist all of the following information:
    - (A) Maps noting the parcel numbers of proposed building sites that are at least 50 feet from an identified fault and a statement that there is not any more recent information to indicate a geologic hazard.
    - (B) Identification of any sites within 50 feet of an identified fault.
    - (C) Proof that the property owner has been notified that the granting of an exemption is not any guarantee that a geologic hazard does not exist.
  - (4) The granting of an exemption does not relieve a seller of real property or an agent for the seller of the obligation to disclose to a prospective purchaser that the property is located within a delineated earthquake fault zone, as required by Section 2621.9.
    - (e) (1) Alterations which include seismic retrofitting, as defined in Section 8894.2 of the Government Code, to any of the following listed types of buildings in existence prior to May 4, 1975:
      - (A) Unreinforced masonry buildings, as described in subdivision (a) of Section 8875 of the Government Code.
      - (B) Concrete tilt-up buildings, as described in Section 8893 of the Government Code.
      - (C) Reinforced concrete moment resisting frame buildings as described in Applied Technology Council Report 21 (FEMA Report 154).
  - (2) The exemption granted by paragraph (1) shall not apply unless a city or county acts in accordance with all of the following:
    - (A) The building permit issued by the city or county for the alterations authorizes no greater human occupancy load, regardless of proposed use, than that authorized for the existing use permitted at the time the city or county grants the exemption. This may be accomplished by the city or county making a human occupancy load determination that is based on, and no greater than, the existing authorized use, and including that determination on the building permit application as well as a statement substantially as follows: "Under subparagraph (A) of paragraph (2) of subdivision (e) of Section 2621.7 of the Public Resources Code, the occupancy load is limited to the occupancy load for the last lawful use authorized or existing prior to the issuance of this building permit, as determined by the city or county."
    - (B) The city or county requires seismic retrofitting, as defined in Section 8894.2 of the Government Code, which is necessary to strengthen the entire structure and provide increased resistance to ground shaking from earthquakes.
    - (C) Exemptions granted pursuant to paragraph (1) are reported in writing to the State Geologist within 30 days of the building permit issuance date.
  - (3) Any structure with human occupancy restrictions under subparagraph (A) of paragraph (2) shall not be granted a new building permit that allows an increase in human occupancy unless a geologic report, prepared pursuant to subdivision (d) of Section 3603 of Title 14 of the California Code of Regulations in effect on January 1, 1994, demonstrates that the structure is not on the trace of an active fault, or the requirement of a geologic report has been waived pursuant to Section 2623.
  - (4) A qualified historical building within an earthquake fault zone that is exempt pursuant to this subdivision may be repaired or seismically retrofitted using the State Historical Building Code, except that, notwithstanding any provision of that building code and its implementing regulations, paragraph (2) shall apply.
- 2621.8.** Notwithstanding Section 818.2 of the Government Code, a city or county which knowingly issues a permit that grants an exemption pursuant to subdivision (e) of Section 2621.7 that does not adhere to the requirements of paragraph (2) of subdivision (e) of Section 2621.7, may be liable for earthquake-related injuries or deaths caused by failure to so adhere.
- 2621.9.** (a) A person who is acting as an agent for a transferor of real property that is located within a delineated earthquake fault zone, or the transferor, if he or she is acting without an agent, shall disclose to any prospective transferee the fact that the property is located within a delineated earthquake fault zone.

(b) Disclosure is required pursuant to this section only when one of the following conditions is met:

- (1) The transferor, or the transferor's agent, has actual knowledge that the property is within a delineated earthquake fault zone.
- (2) A map that includes the property has been provided to the city or county pursuant to Section 2622, and a notice has been posted at the offices of the county recorder, county assessor, and county planning agency that identifies the location of the map and any information regarding changes to the map received by the county.

(c) In all transactions that are subject to Section 1103 of the Civil Code, the disclosure required by subdivision (a) of this section shall be provided by either of the following means:

- (1) The Local Option Real Estate Transfer Disclosure Statement as provided in Section 1102.6a of the Civil Code.
- (2) The Natural Hazard Disclosure Statement as provided in Section 1103.2 of the Civil Code.

(d) If the map or accompanying information is not of sufficient accuracy or scale that a reasonable person can determine if the subject real property is included in a delineated earthquake fault hazard zone, the agent shall mark "Yes" on the Natural Hazard Disclosure Statement. The agent may mark "No" on the Natural Hazard Disclosure Statement if he or she attaches a report prepared pursuant to subdivision (c) of Section 1103.4 of the Civil Code that verifies the property is not in the hazard zone. Nothing in this subdivision is intended to limit or abridge any existing duty of the transferor or the transferor's agents to exercise reasonable care in making a determination under this subdivision.

(e) For purposes of the disclosures required by this section, the following persons shall not be deemed agents of the transferor:

- (1) Persons specified in Section 1103.11 of the Civil Code.
- (2) Persons acting under a power of sale regulated by Section 2924 of the Civil Code.

(f) For purposes of this section, Section 1103.13 of the Civil Code shall apply.

(g) The specification of items for disclosure in this section does not limit or abridge any obligation for disclosure created by any other provision of law or that may exist in order to

avoid fraud, misrepresentation, or deceit in the transfer transaction.

**2622. (a)** In order to assist cities and counties in their planning, zoning, and building-regulation functions, the State Geologist shall delineate, by December 31, 1973, appropriately wide earthquake fault zones to encompass all potentially and recently active traces of the San Andreas, Calaveras, Hayward, and San Jacinto Faults, and such other faults, or segments thereof, as the State Geologist determines to be sufficiently active and well-defined as to constitute a potential hazard to structures from surface faulting or fault creep. The earthquake fault zones shall ordinarily be one-quarter mile or less in width, except in circumstances which may require the State Geologist to designate a wider zone.

(b) Pursuant to this section, the State Geologist shall compile maps delineating the earthquake fault zones and shall submit the maps to all affected cities, counties, and state agencies, not later than December 31, 1973, for review and comment. Concerned jurisdictions and agencies shall submit all comments to the State Mining and Geology Board for review and consideration within 90 days. Within 90 days of such review, the State Geologist shall provide copies of the official maps to concerned state agencies and to each city or county having jurisdiction over lands lying within any such zone.

(c) The State Geologist shall continually review new geologic and seismic data and shall revise the earthquake fault zones or delineate additional earthquake fault zones when warranted by new information. The State Geologist shall submit all revised maps and additional maps to all affected cities, counties, and state agencies for their review and comment. Concerned jurisdictions and agencies shall submit all comments to the State Mining and Geology Board for review and consideration within 90 days. Within 90 days of that review, the State Geologist shall provide copies of the revised and additional official maps to concerned state agencies and to each city or county having jurisdiction over lands lying within the earthquake fault zone.

(d) In order to ensure that sellers of real property and their agents are adequately informed, any county that receives an official map pursuant to this section shall post a notice within five days of receipt of the map at the offices of the county recorder, county assessor, and county planning commission, identifying the location of the map and the effective date of the notice.

**2623. (a)** The approval of a project by a city or county shall be in accordance with policies and criteria established by the State Mining and Geology Board and the findings of the State Geologist. In the development of such policies and criteria, the State Mining and Geology Board shall seek the comment and advice of affected cities, counties,

and state agencies. Cities and counties shall require, prior to the approval of a project, a geologic report defining and delineating any hazard of surface fault rupture. If the city or county finds that no undue hazard of that kind exists, the geologic report on the hazard may be waived, with the approval of the State Geologist.

(b) After a report has been approved or a waiver granted, subsequent geologic reports shall not be required, provided that new geologic data warranting further investigations is not recorded.

(c) The preparation of geologic reports that are required pursuant to this section for multiple projects may be undertaken by a geologic hazard abatement district.

**2624.** Notwithstanding any provision of this chapter, cities and counties may do any of the following:

- (1) Establish policies and criteria which are stricter than those established by this chapter.
- (2) Impose and collect fees in addition to those required under this chapter.

(3) Determine not to grant exemptions authorized under this chapter.

**2625.** (a) Each applicant for approval of a project may be charged a reasonable fee by the city or county having jurisdiction over the project.

(b) Such fees shall be set in an amount sufficient to meet, but not to exceed, the costs to the city or county of administering and complying with the provisions of this chapter.

(c) The geologic report required by Section 2623 shall be in sufficient detail to meet the criteria and policies established by the State Mining and Geology Board for individual parcels of land.

**2630.** In carrying out the provisions of this chapter, the State Geologist and the board shall be advised by the Seismic Safety Commission.

SIGNED INTO LAW DECEMBER 22, 1972; AMENDED SEPTEMBER 16, 1974, MAY 4, 1975, SEPTEMBER 28, 1975, SEPTEMBER 22, 1976, SEPTEMBER 27, 1979, SEPTEMBER 21, 1990, JULY 29, 1991, AUGUST 16, 1992, JULY 25, 1993, OCTOBER 7, 1993, AND OCTOBER 7, 1997

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# ***Appendix B***

## ***Policies & Criteria of State Mining and Geology Board***

## Appendix B

### POLICIES AND CRITERIA OF THE STATE MINING AND GEOLOGY BOARD With Reference to the Alquist-Priolo Earthquake Fault Zoning Act

(Excerpts from the California Code of Regulations, Title 14, Division 2)

#### 3600. Purpose.

It is the purpose of this subchapter to set forth the policies and criteria of the State Mining and Geology Board, hereinafter referred to as the "Board," governing the exercise of city, county, and state agency responsibilities to prohibit the location of developments and structures for human occupancy across the trace of active faults in accordance with the provisions of Public Resources Code Section 2621 et seq. (Alquist-Priolo Earthquake Fault Zoning Act). The policies and criteria set forth herein shall be limited to potential hazards resulting from surface faulting or fault creep within earthquake fault zones delineated on maps officially issued by the State Geologist.

NOTE: Authority cited: Section 2621.5, Public Resources Code. Reference: Sections 2621-2630, Public Resources Code.

#### 3601. Definitions.

The following definitions as used within the Act and herein shall apply:

(a) An "active fault" is a fault that has had surface displacement within Holocene time (about the last 11,000 years), hence constituting a potential hazard to structures that might be located across it.

(b) A "fault trace" is that line formed by the intersection of a fault and the earth's surface, and is the representation of a fault as depicted on a map, including maps of earthquake fault zones.

(c) A "lead agency" is the city or county with the authority to approve projects.

(d) "Earthquake fault zones" are areas delineated by the State Geologist, pursuant to the Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code Section 2621 et seq.) and this subchapter, which encompass the traces of active faults.

(e) A "structure for human occupancy" is any structure used or intended for supporting or sheltering any

use or occupancy, which is expected to have a human occupancy rate of more than 2,000 person-hours per year.

(f) "Story" is that portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. For the purpose of the Act and this subchapter, the number of stories in a building is equal to the number of distinct floor levels, provided that any levels that differ from each other by less than two feet shall be considered as one distinct level.

NOTE: Authority cited: Section 2621.5, Public Resources Code. Reference: Sections 2621-2630, Public Resources Code.

#### 3602. Review of Preliminary Maps.

(a) Within 45 days from the issuance of proposed new or revised preliminary earthquake fault zone map(s), cities and counties shall give notice of the Board's announcement of a ninety (90) day public comment period to property owners within the area of the proposed zone. The notice shall be by publication, or other means reasonably calculated to reach as many of the affected property owners as feasible. Cities and counties may also give notice to consultants who may conduct geologic studies in fault zones. The notice shall state that its purpose is to provide an opportunity for public comment including providing to the Board geologic information that may have a bearing on the proposed map(s).

(b) The Board shall also give notice by mail to those California Registered Geologists and California Registered Geophysicists on a list provided by the State Board of Registration for Geologists and Geophysicists. The notice shall indicate the affected jurisdictions and state that its purpose is to provide an opportunity to present written technical comments that may have a bearing on the proposed zone map(s) to the Board during a 90-day public comment period.

(c) The Board shall receive public comments during the 90-day public comment period. The Board shall

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# ***Appendix C***

## ***Guidelines for Evaluating the Hazard of Surface Rupture***

## Appendix C

### GUIDELINES FOR EVALUATING THE HAZARD OF SURFACE RUPTURE

(These guidelines, also published as DMG Note 49 (1997), are not part of the Policies and Criteria of the State Mining and Geology Board. Similar guidelines were adopted by the Board for advisory purposes in 1996.)

These guidelines are to assist geologists who investigate faults relative to the hazard of surface fault rupture. Subsequent to the passage of the Alquist-Priolo Earthquake Fault Zoning Act (1972), it became apparent that many fault investigations conducted in California were incomplete or otherwise inadequate for the purpose of evaluating the potential of surface fault rupture. It was further apparent that statewide standards for investigating faults would be beneficial. These guidelines were initially prepared in 1975 as DMG Note 49 and have been revised several times since then.

The investigation of sites for the possible hazard of surface fault rupture is a deceptively difficult geologic task. Many active faults are complex, consisting of multiple breaks. Yet the evidence for identifying active fault traces is generally subtle or obscure and the distinction between recently active and long-inactive faults may be difficult to make. It is impractical from an economic, engineering, and architectural point of view to design a structure to withstand serious damage under the stress of surface fault rupture. Once a structure is sited astride an active fault, the resulting fault-rupture hazard cannot be mitigated unless the structure is relocated, whereas when a structure is placed on a landslide, the potential hazard from landsliding often can be mitigated. Most surface faulting is confined to a relatively narrow zone a few feet to a few tens of feet wide, making avoidance (i.e., building setbacks) the most appropriate mitigation method. However, in some cases primary fault rupture or rupture along branch faults can be distributed across zones hundreds of feet wide or manifested as broad warps, suggesting that engineering strengthening or design may be of additional mitigative value (e.g., Lazarte and others, 1994).

No single investigative method will be the best, or even useful, at all sites, because of the complexity of evaluating surface and near surface faults and because of the infinite variety of site conditions. Nonetheless, certain investigative methods are more helpful than others in locating faults and evaluating the recency of activity.

The evaluation of a given site with regard to the potential hazard of surface fault rupture is based extensively on the concepts of *recency* and *recurrence* of faulting along existing faults. In a general way, the more recent the faulting the greater the probability for future faulting (Allen, 1975). Stated another way, faults of known historic activity during the last 200 years, as a class, have a greater probability for future activity than faults classified as Holocene age (last 11,000 years) and a much greater probability of future activity than faults classified as Quaternary age (last 1.6 million years). However, it should be kept in mind that certain faults have recurrent activity measured in tens or hundreds of years whereas other faults may be inactive for thousands of years before being reactivated. Other faults may be characterized by creep-type rupture that is more or less on-going. The magnitude, sense, and nature of fault rupture also vary for different faults or even along different strands of the same fault. Even so, future faulting generally is expected to recur along pre-existing faults (Bonilla, 1970, p. 68). The development of a new fault or reactivation of a long-inactive fault is relatively uncommon and generally need not be a concern in site development.

As a practical matter, fault investigations should be directed at the problem of locating existing faults and then attempting to evaluate the recency of their activity. Data should be obtained both from the site and outside the site area. The most useful and direct method of evaluating recency is to observe (in a trench or road cut) the youngest geologic unit faulted and the oldest unit that is not faulted. Even so, active faults may be subtle or discontinuous and consequently overlooked in trench exposures (Bonilla and Lienkaemper, 1991). Therefore, careful logging is essential and trenching needs to be conducted in conjunction with other methods. For example, recently active faults may also be identified by direct observation of young, fault-related geomorphic (i.e., topographic) features in the field or on aerial photographs. Other indirect and more interpretive methods are identified in the outline below. Some of these methods are discussed in Bonilla (1982), Carver and McCalpin (1996), Hatheway and Leighton (1979), McCalpin

(1996a, b, c), National Research Council (1986), Sherard and others (1974), Slemmons (1977), Slemmons and dePolo (1986), Taylor and Cluff (1973), the Utah Section of the Association of Engineering Geologists (1987), Wallace (1977), Weldon and others (1996), and Yeats and others (1997). McCalpin (1996b) contains a particularly useful discussion of various field techniques. Many other useful references are listed in the bibliographies of the references cited here.

The purpose, scope, and methods of investigation for fault investigations will vary depending on conditions at specific sites and the nature of the projects. Contents and scope of the investigation also may vary based on guidelines and review criteria of agencies or political organizations having regulatory responsibility. However, there are topics that should be considered in all comprehensive fault investigations and geologic reports on faults. For a given site some topics may be addressed in more detail than at other sites because of the difference in the geologic and/or tectonic setting and/or site conditions. These investigative considerations should apply to any comprehensive fault investigation and may be applied to any project site, large or small. Suggested topics, considerations, and guidelines for fault investigations and reports on faults are provided in the following annotated outline. Fault investigations may be conducted in conjunction with other geologic and geotechnical investigations (see DMG Notes 42 and 44; also California Department of Conservation, Division of Mines and Geology, 1997). Although not all investigative techniques need to be or can be employed in evaluating a given site, the outline provides a checklist for preparing complete and well-documented reports. Most reports on fault investigations are reviewed by local or state government agencies. Therefore it is necessary that the reports be documented adequately and written carefully to facilitate that review. The importance of the review process is emphasized here, because it is the reviewer who must evaluate the adequacy of reports, interpret or set standards where they are unclear, and advise the governing agency as to their acceptability (Hart and Williams, 1978; DMG Note 41).

The scope of the investigation is dependent not only on the complexity and economics of a project, but also on the level of risk acceptable for the proposed structure or development. A more detailed investigation should be made for hospitals, high-rise buildings, and other critical or sensitive structures than for low-occupancy structures such as wood-frame dwellings that are comparatively safe. The conclusions drawn from any given set of data, however, must be consistent and unbiased. Recommendations must be clearly separated from conclusions, because recommendations are not totally dependent on geologic factors. The final decision as to whether, or how, a given project should be

developed lies in the hands of the owner and the governing body that must review and approve the project.

## CONTENTS OF GEOLOGIC REPORTS ON FAULTS

Suggested topics, considerations, and guidelines for investigations and reports

The following topics should be considered and addressed in detail where essential to support opinions, conclusions, and recommendations, in any geologic report on faults. It is not expected that all of the topics or investigative methods would be necessary in a single investigation. In specific cases it may be necessary to extend some of the investigative methods well beyond the site or property being investigated. Particularly helpful references are cited parenthetically below.

- I. Text.
  - A. Purpose and scope of investigation; description of proposed development.
  - B. Geologic and tectonic setting. Include seismicity and earthquake history.
  - C. Site description and conditions, including dates of site visits and observations. Include information on geologic units, graded and filled areas, vegetation, existing structures, and other factors that may affect the choice of investigative methods and the interpretation of data.
  - D. Methods of investigation.
    1. Review of published and unpublished literature, maps, and records concerning geologic units, faults, ground-water barriers, and other factors.
    2. Stereoscopic interpretation of aerial photographs and other remotely sensed images to detect fault-related topography (geomorphic features), vegetation and soil contrasts, and other lineaments of possible fault origin. The area interpreted usually should extend beyond the site boundaries.
    3. Surface observations, including mapping of geologic and soil units, geologic structures, geomorphic features and surfaces, springs, deformation of engineered structures due to fault creep, both on and beyond the site.
    4. Subsurface investigations.

- a. Trenching and other excavations to permit detailed and direct observation of continuously exposed geologic units, soils, and structures; must be of adequate depth and be carefully logged (see Taylor and Cluff, 1973; Hatheway and Leighton, 1979; McCalpin, 1996b).
  - b. Borings and test pits to permit collection of data on geologic units and ground water at specific locations. Data points must be sufficient in number and spaced adequately to permit valid correlations and interpretations.
  - c. Cone penetrometer testing (CPT) (Grant and others, 1997; Edelman and others, 1996). CPT must be done in conjunction with continuously logged borings to correlate CPT results with on-site materials. The number of borings and spacing of CPT soundings should be sufficient to adequately image site stratigraphy. The existence and location of a fault based on CPT data are interpretative.
5. Geophysical investigations. These are indirect methods that require a knowledge of specific geologic conditions for reliable interpretations. They should seldom, if ever, be employed alone without knowledge of the geology (Chase and Chapman, 1976). Geophysical methods alone never prove the absence of a fault nor do they identify the recency of activity. The types of equipment and techniques used should be described and supporting data presented (California Board of Registration for Geologists and Geophysicists, 1993).
- a. High resolution seismic reflection (Stephenson and others, 1995; McCalpin, 1996b).
  - b. Ground penetrating radar (Cai and others, 1996).
  - c. Other methods include: seismic refraction, magnetic profiling, electrical resistivity, and gravity (McCalpin, 1996b).
6. Age-dating techniques are essential for determining the ages of geologic units, soils, and surfaces that bracket the time(s) of faulting (Pierce, 1986; Birkeland and others, 1991; Rutter and Catto, 1995; McCalpin, 1996a).
- a. Radiometric dating (especially  $^{14}\text{C}$ ).
  - b. Soil-profile development.
  - c. Rock and mineral weathering.
  - d. Landform development.
  - e. Stratigraphic correlation of rocks/minerals/fossils.
  - f. Other methods -- artifacts, historical records, tephrochronology, fault scarp modeling, thermoluminescence, lichenometry, paleomagnetism, dendrochronology, etc.
7. Other methods should be included when special conditions permit or requirements for critical structures demand a more intensive investigation.
- a. Aerial reconnaissance overflights.
  - b. Geodetic and strain measurements.
  - c. Microseismicity monitoring.
- E. Conclusions.
1. Location and existence (or absence) of hazardous faults on or adjacent to the site; ages of past rupture events.
  2. Type of faults and nature of anticipated offset, including sense and magnitude of displacement, if possible.
  3. Distribution of primary and secondary faulting (fault zone width) and fault-related deformation.
  4. Probability of or relative potential for future surface displacement. The likelihood of future ground rupture seldom can be stated mathematically, but may be stated in semiquantitative terms such as low, moderate, or high, or in terms of slip rates determined for specific fault segments.
  5. Degree of confidence in and limitations of data and conclusions.

## F. Recommendations.

1. Setback distances of proposed structures from hazardous faults. The setback distance generally will depend on the quality of data and type and complexity of fault(s) encountered at the site. In order to establish an appropriate setback distance from a fault located by indirect or interpretative methods (e.g. borings or cone penetrometer testing), the area between data points also should be considered underlain by a fault unless additional data are used to more precisely locate the fault. State and local regulations may dictate minimum distances (e.g., Sec. 3603 of California Code of Regulations, Appendix B).
2. Additional measures (e.g., strengthened foundations, engineering design, flexible utility connections) to accommodate warping and distributive deformation associated with faulting (Lazarte and others, 1994).
3. Risk evaluation relative to the proposed development.
4. Limitations of the investigation; need for additional studies.

traverses, locations of faults, and other data; recommended scale is 1:2,400 (1 inch equals 200 feet), or larger.

- C. Geologic map -- show distribution of geologic units (if more than one), faults and other structures, geomorphic features, aerial photographic lineaments, and springs; on topographic map 1:24,000 scale or larger; can be combined with III(A) or III(B).
- D. Geologic cross-sections, if needed, to provide 3-dimensional picture.
- E. Logs of exploratory trenches and borings -- show details of observed features and conditions; should not be generalized or diagrammatic. Trench logs should show topographic profile and geologic structure at a 1:1 horizontal to vertical scale; scale should be 1:60 (1 inch = 5 feet) or larger.
- F. Geophysical data and geologic interpretations.

IV. Appendix: Supporting data not included above (e.g., water well data, photographs, aerial photographs).

V. Authentication: Investigating geologist's signature and registration number with expiration date.

## II. References.

- A. Literature and records cited or reviewed; citations should be complete.
- B. Aerial photographs or images interpreted -- list type, date, scale, source, and index numbers.
- C. Other sources of information, including well records, personal communications, and other data sources.

III. Illustrations -- these are essential to the understanding of the report and to reduce the length of text.

- A. Location map -- identify site locality, significant faults, geographic features, regional geology, seismic epicenters, and other pertinent data; 1:24,000 scale is recommended. If the site investigation is done in compliance with the Alquist-Priolo Act, show site location on the appropriate Official Map of Earthquake Fault Zones.
- B. Site development map -- show site boundaries, existing and proposed structures, graded areas, streets, exploratory trenches, borings, geophysical

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## Appendix D

### GENERAL GUIDELINES FOR REVIEWING GEOLOGIC REPORTS

(These general guidelines are published as DMG Note 41 (1997). Similar guidelines were adopted by the State Mining and Geology Board for advisory purposes in 1996).

The purpose of this article is to provide general guidance for those geologists who review geologic reports of consultants on behalf of agencies having approval authority over specific developments. These general guidelines are modified from an article titled, "Geologic Review Process" by Hart and Williams (1978).

The geologic review is a critical part of the evaluation process of a proposed development. It is the responsibility of the reviewer to assure that each geologic investigation, and the resulting report, adequately addresses the geologic conditions that exist at a given site. In addition to geologic reports for tentative tracts and site development, a reviewer evaluates Environmental Impact Reports, Seismic Safety and Public Safety Elements of General Plans, Reclamation Plans, as-graded geologic reports, and final, as-built geologic maps and reports. In a sense, the geologic reviewer enforces existing laws, agency policies, and regulations to assure that significant geologic factors (hazards, mineral and water resources, geologic processes) are properly considered, and potential problems are mitigated prior to project development. Generally, the reviewer acts at the discretion or request of, and on behalf of a governing agency -- city, county, regional, state, federal -- not only to protect the government's interest but also to protect the interest of the community at large. Examples of

the review process in a state agency are described by Stewart and others (1976). Review at the local level has been discussed by Leighton (1975), Berkland (1992), Larson (1992), and others. Grading codes, inspections, and the review process are discussed in detail by Scullin (1983). Nelson and Christenson (1992) specifically discuss review guidelines for reports on surface faulting.

### THE REVIEWER

#### Qualifications

In order to make appropriate evaluations of geologic reports, the reviewer should be an experienced geologist familiar with the investigative methods employed and the techniques available to the profession. Even so, the reviewer must know his or her limitations, and at times ask for the opinions of others more qualified in specialty fields (e.g., geophysics, mineral exploitation and economics, ground water, foundation and seismic engineering, seismology). In California, the reviewer must be licensed by the State Board of Registration for Geologists and Geophysicists in order to practice (Wolfe, 1975). The Board also certifies engineering geologists and hydrogeologists, and licenses geophysicists. Local and regional agencies may have additional requirements.

The reviewer must have the courage of his or her convictions and should not approve reports if an inadequate investigation has been conducted. Like any review process, there is a certain "give-and-take" involved between the reviewer and investigator. If there is clear evidence of incompetence or misrepresentation in a report, this fact should be reported to the reviewing agency or licensing board. California Civil Code Section 47 provides an immunity for statements made "in the initiation or course of any other proceedings authorized by law." Courts have interpreted this section as providing immunity to letters of complaint written to provide a public agency or board, including licensing boards, with information that the public board or agency may want to investigate (see *King v. Borges*, 28 Cal. App. 3d 27 [1972]; and *Brody v. Montalbano*, 87 Cal. App. 3d 725 [1978]). Clearly, the reviewer needs to have the support of his or her agency in order to carry out these duties.

The reviewer should bear in mind that some geologic investigators are not accomplished writers, and almost all are working with restricted budgets. Also, the reviewer may be limited by their agency's policies, procedures, and fee structures. Thus, while a reviewer should demand that certain standards be met, he or she should avoid running rough-shod over the investigator. The mark of a good reviewer is the ability to sort out the important from the insignificant and to make constructive comments and recommendations.

A reviewer may be employed full time by the reviewing agency or part-time as a consultant. Also, one reviewing agency (such as a city) may contract with another agency (such as a county) to perform geologic reviews. The best reviews generally are performed by experienced reviewers. Thus, the use of multiple, part-time reviewers by a given agency tends to prevent development of consistently high-quality and efficient reviews. One of the reasons for this is that different reviewers have different standards, which results in inconsistent treatment of development projects. The primary purpose of the review procedure should always be kept in mind -- namely, to assure the adequacy of geologic investigations.

### Other Review Functions

Aside from his or her duties as a reviewer, the reviewing geologist also must interpret the geologic data reported to other agency personnel who regulate development (e.g., planners, engineers, inspectors). Also, the reviewing geologist sometimes is called upon to make investigations for his or her own agency. This is common where a city or county employs only one geologist. In fact, some reviewers routinely divide their activities between

reviewing the reports of others and performing one or several other tasks for the employing agency (such as advising other agency staff and boards on geologic matters; making public presentations) (see Leighton, 1975).

### Conflict of Interest

In cases where a reviewing geologist also must perform geologic investigations, he or she should never be placed in the position of reviewing his or her own report, for that is no review at all. A different type of conflict commonly exists in a jurisdiction where the geologic review is performed by a consulting geologist who also is practicing commercially (performing geologic investigations) within the same jurisdictional area. Such situations should be avoided, if at all possible.

## GEOLOGIC REVIEW

### The Report

The critical item in evaluating specific site investigations for adequacy is the resulting geologic report. A report that is incomplete or poorly written cannot be evaluated and should not be approved. As an expediency, some reviewers do accept inadequate or incomplete reports because of their personal knowledge of the site. However, unless good reasons can be provided in writing, it is recommended that a report not be accepted until it presents the pertinent facts correctly and completely.

The conclusions presented in the report regarding the geologic hazards or problems must be separate from and supported by the investigative data. An indication regarding the level of confidence in the conclusions should be provided. Recommendations based on the conclusions should be made to mitigate those geology-related problems which would have an impact on the proposed development. Recommendations also should be made concerning the need for additional geologic investigations.

### Report Guidelines and Standards

An investigating geologist may save a great deal of time (and the client's money), and avoid misunderstandings, if he or she contacts the reviewing geologist at the initiation of the investigation. The reviewer should not only be familiar with the local geology and sources of information, he or she also should be able to provide specific guidelines for investigative reports and procedures to be followed. Guidelines and check-lists for geologic or geotechnical reports have been prepared by a number of reviewing agencies and are available to assist the reviewer in his or her evaluation of reports (e.g., DMG Notes 42, 44, 46, 48, and 49; California Department of Conservation, Division of

Mines and Geology, 1997). A reviewer also may wish to prepare his or her own guidelines or check-lists for specific types of reviews.

If a reviewer has questions about an investigation, these questions must be communicated in writing to the investigator for response. After the reviewer is satisfied that the investigation and resulting conclusions are adequate, this should be clearly indicated in writing to the reviewing agency so that the proposed development application may be processed promptly. The last and one of the more important responsibilities of the reviewer should be implementation of requirements assuring report recommendations are incorporated and appropriate consultant inspections are made.

The biggest problem the reviewer faces is the identification of standards. These questions must be asked: "Are the methods of investigation appropriate for a given site?" and "Was the investigation conducted according to existing standards of practice?" Answers to these questions lie in the report being reviewed. For example, a reported landslide should be portrayed on a geologic map of the site. The conclusion that a hazard is absent, where previously reported or suspected, should be documented by stating which investigative steps were taken and precisely what was seen. The reviewer must evaluate each investigative step according to existing standards. It should be recognized that existing standards of practice generally set minimum requirements (Keaton, 1993). Often the reviewer is forced to clarify the standards, or even introduce new ones, for a specific purpose.

### **Depth (Intensity) of Review**

The depth of the review is determined primarily by the need to assure that an investigation and resulting conclusions are adequate, but too often the depth of review is controlled by the time and funds available. A report on a subdivision (e.g., for an EIR or preliminary report) may be simply evaluated against a check-list to make certain it is complete and well-documented. Additionally, the reviewer may wish to check cited references or other sources of data, such as aerial photographs and unpublished records.

Reviewers also may inspect the development site and examine excavations and borehole samples. Ideally, a field visit may not be necessary if the report is complete and well-documented. However, field inspections are of value, and generally are necessary to determine if field data are reported accurately and completely. Also, if the reviewer is not familiar with the general site conditions, a brief field visit provides perspective and a visual check on the reported conditions. Whether or not on-site reviews are made, it is

important to note that the geologic review process is not intended to replace routine grading inspections that may be required by the reviewing agency to assure performance according to an approved development plan.

### **Review Records**

For each report and development project reviewed, a clear, concise, and logical written record should be developed. This review record may be as detailed as is necessary, depending upon the complexity of the project, the geology, and the quality and completeness of the reports submitted. At a minimum, the record should:

1. Identify the project, permits, applicant, consultants, reports, and plans reviewed;
2. Include a clear statement of the requirements to be met by the parties involved, data required, and the plan, phase, project, or report being considered or denied;
3. Contain summaries of the reviewer's field observations, associated literature and aerial photographic review, and oral communications with the applicant and the consultant;
4. Contain copies of any pertinent written correspondence; and
5. The reviewer's name and license number(s), with expiration dates.

The report, plans, and review record should be kept in perpetuity to document that compliance with local requirements was achieved and for reference during future development, remodeling, or rebuilding. Such records also can be a valuable resource for land-use planning and real-estate disclosure.

### **Appeals**

In cases where the reviewer is not able to approve a geologic report, or can accept it only on a conditional basis, the developer may wish to appeal the review decision or recommendations. However, every effort should be made to resolve problems informally prior to making a formal appeal. An appeal should be handled through existing local procedures (such as a hearing by a County Board of Supervisors or a City Council) or by a specially appointed Technical Appeals and Review Panel comprised of geoscientists, engineers, and other appropriate professionals. Adequate notice should be given to allow time for both sides to prepare their cases. After an

appropriate hearing, the appeals decision should be in writing as part of the permanent record.

Another way to remedy conflicts between the investigator and the reviewer is by means of a third party review. Such a review can take different paths ranging from the review of existing reports to in-depth field investigations. Third party reviews are usually done by consultants not normally associated with the reviewing/permitting agency.

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- DMG NOTE 46 - Guidelines for geologic/seismic considerations in environmental impact reports, 1986.
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**MEMORANDUM OF UNDERSTANDING**  
**BETWEEN**  
**KENSINGTON FIRE PROTECTION DISTRICT AND KENSINGTON POLICE**  
**PROTECTION AND COMMUNITY SERVICES DISTRICT**

This Memorandum of Understanding (“MOU”) is made and entered into this \_ day of \_\_\_, 2017 by and between the Kensington Fire Protection District (“KFPD”) and the Kensington Police Protection and Community Services District (“KPPCSD”) (collectively the “Parties”) for the benefit of the community by providing park property for the construction of a fire-wise demonstration garden (“garden”).

**Recitals**

WHEREAS, KPPCSD is the owner of certain property (“property”) described in Exhibit A, which is attached hereto and incorporated herein by reference; and

WHEREAS, KFPD desires to design, construct, and maintain a fire-wise demonstration garden (“garden”) on the property for the benefit of the community; and

WHEREAS, KPPCSD confirms its interest in the same; and

WHEREAS, the Parties now wish to enter into an agreement to bring clarity to their joint commitment and to set out in general terms the various roles each Party will play and actions needed to be taken to effectuate the proposal; and

NOW THEREFORE, the Parties hereby agree as follows:

Section 1.     Purpose. This Agreement is intended to set forth the design, construction, and maintenance obligations of a fire-wise demonstration garden on KPPCSD property. The garden is intended to provide community members with ideas and the knowledge to transform their own home gardens into low water and/or fire resistive design and shall be approximately 2,200 square feet.

Section 2.     Terms. The following terms shall apply:

A.     Location

i.     The garden shall be located on a site owned by KPPCSD and described in Exhibit A of up to 2,200 square feet, the exact location and size to be determined in connection with the KPPCSD approval of the garden plans as set forth in this section.

B.     Financial Contribution

i.     KFPD shall pay the entire cost of designing, constructing, and maintaining the garden.

ii.    The KPPCSD Board or its designee must approve the garden plans before work begins.

- C. Maintenance and Access
  - i. KFPD shall be solely responsible for the maintenance and upkeep of the garden.
  - ii. KPPCSD shall permit KFPD necessary and reasonable access for the design, construction, and maintenance of the garden.
- D. Property Ownership. KPPCSD shall maintain ownership of the property. No portion of the property shall be deeded to KFPD.

Section 3. Indemnification.

- A. To the fullest extent permitted by law, KFPD shall (1) immediately defend and (2) indemnify KPPCSD, and its officials, officers, and employees from and against all liabilities regardless of nature, type, or cause, arising out of or resulting from or in connection with the performance of this MOU. Liabilities subject to the duties to defend and indemnify include, without limitation, all claims, losses, damages, penalties, fines, and judgments; associated investigation and administrative expenses; defense costs, including but not limited to reasonable attorneys' fees; court costs; and costs of alternative dispute resolution. KFPD's obligation to indemnify applies regardless of whether a liability is a result of the negligence of any other person, unless it is adjudicated that the liability is caused by the sole active negligence or sole willful misconduct of an indemnified party.
- B. The duty to defend is a separate and distinct obligation from KFPD's duty to indemnify. KFPD shall be obligated to defend, in all legal, equitable, administrative, or special proceedings, with counsel approved by KPPCSD, KPPCSD and its directors, officers, and employees, immediately upon submittal to KFPD of the claim in any form or at any stage of an action or proceeding, whether or not liability is established. A determination of comparative active negligence or willful misconduct by an indemnified party does not relieve KFPD from its separate and distinct obligation to defend KPPCSD. The obligation to defend extends through final judgment, including exhaustion of any appeals. The defense obligation includes an obligation to provide independent defense counsel if KFPD asserts that liability is caused in whole or in part by the negligence or willful misconduct of the indemnified party. If it is finally adjudicated that liability was caused by the sole active negligence or sole willful misconduct of an indemnified party, KFPD may submit a claim to KPPCSD for reimbursement of reasonable attorneys' fees and defense costs.

The review, acceptance or approval of KFPD's work or work product by any indemnified party shall not affect, relieve or reduce KFPD's indemnification or defense obligations. This Section survives completion of the services or the termination of this contract. The provisions of this

Section are not limited by and do not affect the provisions of this contract relating to insurance.

- C. Liabilities subject to this Section include any claim of discrimination or harassment, including but not limited to sexual harassment, arising from the conduct of the KFPD or any of the KFPD’s officers, employees, agents, licensees, or subcontractors. In the event of a discrimination or harassment complaint against any employee, agent, licensee or subcontractor of the KFPD or its subcontractors, the KFPD shall take immediate and appropriate action in response to such complaint, including, but not limited to termination or appropriate discipline of any responsible employee, agent, licensee or subcontractor.

Section 4. Insurance.

Before commencing any public works project upon the Property, the KFPD will provide insurance as set forth in Exhibit B, which is attached hereto and incorporated herein by this reference.

Section 5. Term.

- A. This MOU may be terminated at any time by mutual consent of the Parties.
- B. The KPPCSD may terminate this MOU by providing six months written notice of intent to terminate.

Section 6. Counterparts.

This MOU may be executed in multiple counterparts, each of which shall be an original and all of which together shall constitute one instrument.

**IN WITNESS WHEREOF**, the Parties have executed this Agreement, effective as of the date first written above.

KENSINGTON FIRE PROTECTION DISTRICT

By: \_\_\_\_\_

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

By: \_\_\_\_\_



**Exhibit A**  
**The Property**

The area to be utilized is identified in the Kensington Park Master Plan as “Area K” or “6.3.11”. The area is just northeast of the library, south of the driveway and northwest of the children’s Play Area. A colored diagram is included in the Master Plan showing the area as “Area K” between pages 24 and 25. The area is 50 feet by 60 feet at its widest points in a roughly triangular shape. The total approximate square footage is 2,200 s.f.

# Kensington Park Master Plan



**Exhibit B**  
**Insurance Requirements**

- (a) Requirement. KFPD shall procure and maintain during the period of performance of this Master Contract and for 24 months following completion, insurance from insurance companies authorized to do business in the State of California, as set forth in this section. These policies shall be primary insurance as to the KPPCSD so that any other coverage held by the KPPCSD shall not contribute to any loss under KFPD's insurance.

General liability: (with coverage at least as broad as ISO form CG 00 01 10 01) coverage in an amount not less than \$2,000,000 general aggregate and \$1,000,000 per occurrence for general liability, bodily injury, personal injury, and property damage.

Automobile liability: (with coverage at least as broad as ISO form CA 00 01 10 01, for "any auto") coverage in an amount not less than \$1,000,000 per accident for personal injury, including death, and property damage.

Workers' compensation and employer's liability: coverage shall comply with the laws of the State of California, but not less than an employer's liability limit of \$1,000,000.

A deductible or retention may be utilized, subject to approval by the KPPCSD.

- (b) Endorsements. The insurance policies shall be endorsed as follows:

For the commercial general liability insurance, the KPPCSD (including its officers, employees, and agents) shall be named as additional insured, and the policy shall be endorsed with a form equivalent to ISO form CG 20 10 10 93, that contain the provisions required by this contract.

KFPD's insurance is primary to any other insurance available to the KPPCSD with respect to any claim arising out of this Contract. Any insurance maintained by the KPPCSD shall be excess of the KFPD's insurance and shall not contribute with it. The KFPD's endorsement of insurance shall include a waiver of any rights of subrogation against the KPPCSD, and its directors, officers, employees and agents.

KFPD's insurance will not be canceled, limited, amended, reduced in coverage amount, or allowed to expire without renewal until after 30 days' written notice has been given to the KPPCSD, or after 10 days' written notice in the case of cancellation for non-payment of premium.

- (c) Qualifications of Insurer. The insurance shall be provided by an acceptable insurance provider, as determined by the KPPCSD, which satisfies the following minimum requirements: An insurance carrier admitted to do business in California and maintaining an agent for process within the state. Such insurance carrier shall maintain a current A.M. Best rating classification of "A-" or better and a financial size of "\$10 million to \$24 million (Class V) or better", or A Lloyds of London program provided by syndicates of Lloyds of London and other London insurance carriers, providing all participants are

qualified to do business in California and the policy provides for an agent for process in the state. Workers' Compensation and Employer's Liability shall be provided by an A-V rated carrier or by the California State Compensation Fund. If provided by a carrier other than California State Compensation Fund, KFPD shall provide proof of the carrier's A-V rating to KPPCSD.

- (d) Provision of Insurance Prior to Commencement of Services. Before commencing any services, KFPD shall furnish certificates of insurance and endorsements affecting coverage on forms provided by KPPCSD, or on equivalent ISO forms that contain provisions required by this contract.
- (e) Any third party contractors or subcontractors retained to perform work on the Property shall provide KPPCSD with insurance coverage as set forth above.

**County Administrator  
Risk Management Division**

2530 Arnold Drive, Suite 140  
Martinez, California 94553

**Contra  
Costa  
County**

Risk Management  
Administration  
Fax Number

(925) 335-1400  
(925) 335-1497



August 16, 2017

Kensington Police Protection and Community Services District  
217 Arlington Avenue  
Kensington CA 94707

**Re: Kensington Fire Protection District Agreement to Build a Demonstration Garden in the Kensington Police Protection and Community Services District Community Park**

To Whom It May Concern:

The Kensington Fire Protection District, as a participant, is included under the Contra Costa County Joint Powers Authority program for self-insurance.

The Contra Costa County Joint Powers Authority program for self-insurance is a comprehensive self-insurance program covering general and automobile liability exposures.

The self-insurance program provides for the legal defense of officials, employees, and volunteers of the Kensington Fire Protection District pursuant to government Code Section 825 and for the payment of all sums that the District is obligated to pay by reason of liability imposed by law and arising from acts or failures to act, excepting punitive damages. This protection covers services performed by officers, employees, and volunteers within the scope of their official duties in accordance with the conditions of their employment or service.

The self-insurance program is funded to provide payment of claims.

Sincerely,

A handwritten signature in black ink, appearing to read "Sharon Hymes-Offord".

Sharon Hymes-Offord  
Director of Risk Management

**COUNTY OF CONTRA COSTA  
CERTIFICATE OF SELF-INSURANCE**

**Risk Management Division, 2530 Arnold Drive, Suite 140, Martinez, California 94553**

**Coverages:** This is to certify to the *Kensington Police Protection and Community Services District* that the Kensington Fire Protection District is a participant in the Contra Costa County Joint Powers Authority program for self-insurance for the following:

---

<b>Type of Coverage</b>	<b>Self-Insured Limit</b>
<b>General Liability:</b> Personal Injury, Property Damage, and Errors and Omissions	\$1,000,000
<hr style="border-top: 1px dashed black;"/>	
<b>Professional Liability:</b>	\$1,000,000
<hr style="border-top: 1px dashed black;"/>	
<b>Automobile Liability:</b> Owned, Non-Owned & Hired Vehicles	\$1,000,000

---

**Terms, Conditions and Special Items:**

**Re: *Kensington Fire Protection District Agreement with the Kensington Police Protection and Community Services District (KPPCSD) to Build a Demonstration Garden in the KPPCSD Community Park***

It should be expressly understood that the intent of the insurance evidenced herein follows the provisions of the policies and regulations of the County of Contra Costa that does not permit any assumption of liability which does not result from and is not caused by the negligent acts or omissions of its officers, agents, employees or other persons under its direction and control, including the Kensington Fire Protection District. Any indemnification or hold harmless clause with broader provisions than required under such policies and regulations shall invalidate this certificate.

The provisions under General Liability, above, shall apply only with respect to claims arising out of the negligent acts or omissions of the Kensington Fire Protection District its officers, agents and employees or any other person under its direction and control.

---

**Additional Insured:** The Kensington Policy Protection and Community Services District including its officers, employees and agents are named as additional insured on the Contra Costa County Joint Powers Authority Program but only with respect to the above named agreement.



---

Sharon Hymes-Offord  
Director of Risk Management

Date Issued: 8/16/17

Client#: 7348

KENSIPOLI

ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY) 10/05/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER: Dealey, Renton & Associates, P. O. Box 12675, Oakland, CA 94604-2675, 510 465-3090. CONTACT NAME: Dealey, Renton & Associates. PHONE (A/C, No, Ext): 510 465-3090. FAX (A/C, No): 510 452-2193. INSURER(S) AFFORDING COVERAGE: INSURER A: State Compensation Ins. Fund of, NAIC #: 35076. INSURED: Kensington Fire Protection District, 217 Arlington Avenue, Berkeley, CA 94707.

COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

Table with columns: INSR LTR, TYPE OF INSURANCE, ADDL INSR, SUBR INSR, WVD, POLICY NUMBER, POLICY EFF (MM/DD/YYYY), POLICY EXP (MM/DD/YYYY), LIMITS. Includes rows for Commercial General Liability, Automobile Liability, Umbrella Liability, and Workers Compensation and Employers' Liability.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) RE: Community Demonstration

CERTIFICATE HOLDER: Kensington Police Protection Community Services District, 217 Arlington Ave., Kensington, CA 94707. CANCELLATION: SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE: [Signature]