

BACKGROUND AND DISCUSSION

At the January 8, 2020 Board meeting RGS presented a list of district oversight and support activities seen as assigned to either a General Manager or someone providing administrative assistance either as a district employee or by contract. A revised job description for the General Manager was also provided for review. The Board President established an Ad Hoc committee to further discuss these duties and provide feedback to RGS on potential staffing models. Exhibit A is a summary of the information provided by the committee on both these positions.

Based on this feedback, a new job description was prepared for the administrative support activities with the proposed title of District Secretary (Exhibit B) and an updated job description for the General Manager is attached (Exhibit C). For both positions, the duties described by the committee are included.

The General Manager is the executive authority for the district and oversees all operations. The District Secretary primarily provides support to the Board for agenda preparation and posting, and meeting minutes as well as bill paying duties and general office support activities for the General Manager. Based on the time spent by RGS staff for these activities over the past few months, the hours attributed to this activity by the previous District Manager, and the expectations expressed by the Board, it is recommended that each of these new positions be allocated as part-time (.5 FTE). While it may be possible to lower the hours projection for the District Secretary which is estimated on the high end, this may also impact the response to a recruitment.

The District Secretary position would be covered by the Fair Labor Standards Act (FLSA) and subject to payment of overtime (hourly rate plus one half or equivalent in comp time off) if they work more than 40 hours in a defined workweek. The General Manager position is considered exempt from FLSA requirements due to the executive and administrative duties performed and overtime payment would not be required for hours worked over 40 hours in a week. However, nothing in the law prohibits an employer from compensating an exempt employee for hours worked that exceed either their defined work week (40 hours) or a fixed schedule (20 hours). This compensation can be at the regular hourly rate or at time and one-half at the District's discretion.

Salary Survey

Typically, a compensation analysis is not conducted until job descriptions are finalized to ensure all relevant duties are considered, and a decision is made regarding full or part-time status is determined. However, the attached drafts are sufficiently fleshed out to perform a review of possible comparable positions in order to propose salary recommendations (Exhibit D). Recruiting for part-time positions can be challenging and depending on the benefits the District wishes to offer, there may be some flexibility with the compensation package for each position that can assist with the recruitment effort.

A summary of the employment agreement for the former full-time District Manager is provided below as a baseline for what might be considered for the newly established General Manager. The former District Manager split her time 50/50 between the District and the City of El Cerrito. While the net time for the District is not proposed to change (.5 FTE), the responsibility to act as the executive authority is recommended to be transferred from the Board President to this position which is a significant expansion of duties.

The salary for the former District Manager was \$8319.50 per month, or \$99,384 annually (based on 40 total hours) and had several benefits provided:

- 1) Health/Dental - a flat contribution of \$950 per month was paid for medical insurance plus \$30 per month for dental for purchase by the employee.
- 2) Deferred Compensation (457 plan) - District match of employee contribution up to 5% of employee base annual salary; in FY14-15 a District contribution of 2.6% of employee base salary was added requiring no employee match.
- 3) Longevity Bonus - \$1,000 annually paid in August of each year for an employee exceeding 15 years of service.
- 4) Life Insurance - District provides at no cost to employee a term policy equivalent to employee's annual salary.
- 5) Holidays - 11.5 paid holidays plus 4 floating holidays.
- 6) Sick leave - 2 weeks annually
- 7) Vacation - accrual begins with 10 days in the first year; increases to 15 days at year 5; 18 days at year 15; 20 days at year 20. The employee may cash out up to 10 days annually.

In order to attract qualified candidates who can act as the executive authority, it is recommended that the District advertise a salary of \$120,036-\$203,840 on an annualized basis. This is based on review of special district and other public agency managers (Exhibit D). The low end of the range is based on the non-special district positions, and the upper range is based on the Kensington Police Community Service District which is slightly lower than the average of those agencies reviewed. Due to the variable nature of duties attributed in any one agency, it is difficult to establish pure "comparable" positions for purposes of salary analysis, and it is recommended that the Board provide itself maximum flexibility when negotiating a compensation package with the selected candidate. For the position of District Secretary, \$40 per hour (or \$83,200 annually) is recommended based on similar positions within the County.

Because this is a unique hiring situation, it may also be appropriate to instead of offering specific benefits up front, indicate instead that the District will be flexible in responding to the needs of the successful candidate for General Manager. It is possible to negotiate the provision of medical insurances, deferred compensation contributions, leave accruals, etc. as well as salary based on what the parties can mutually agree to after a tentative job offer has been made. For example, one candidate may not require health insurance but would prefer a higher salary or

contribution to a deferred compensation plan. Assuming the Board is willing to continue the full array of the current benefits, those could be listed by way of example, but it can be specified that negotiation on benefits and advertised salary is possible within the current full compensation package.

There are no benefits currently established for a District Secretary and some feedback from the Board is requested about preferences in this area. It is recommended that a similar package be offered for this position as the General Manager and allow it to be subject to negotiation with caps or limits which the Board may wish to establish in advance.

Recruitment Process

When the Board is ready to proceed with the recruitment of the General Manager, it is recommended that an Ad Hoc Board Committee be appointed for this purpose. Once a job description is finalized, RGS can quickly implement a recruitment plan that includes the creation and distribution of a recruitment brochure, and a timetable for the various review steps including opening and closing dates, a preliminary review by RGS for minimum qualifications and a preliminary screening interview, and then a more structured interview to determine a list of finalists for consideration by the full Board. The more structured interview is typically a panel of reviewers, which based on Board feedback, might include the two Board Ad Hoc committee members and perhaps the Fire Chief who will work closely with the General Manager. It is also possible to expand the panel to include a manager from another public agency, members of the community, or others if desired. It is suggested that dates for these events be pre-determined so that it can be included in the brochure which not only ensures the process happens expeditiously but increases the likelihood of candidates staying in the process due to advance notification of critical dates.

It is recommended that the General Manager be appointed first so that person can participate in the selection of the District Secretary who they will supervise.

The recruitment for a General Manager can be expected to take a minimum of 12-16 weeks and a typical schedule for an executive recruitment would be as follows:

Weeks 1-2: Establish recruitment plan, develop brochure, determine dates for interviews, meet with/review proposed plan with Board Ad Hoc committee

Weeks 3-7: Recruitment open and closes; screening occurs on a flow basis

Weeks 8-9: Complete initial screening and interviews; establish which candidates will be invited to Panel Interview, send invites

Week 10: Conduct Panel Interview; determine finalists

Week 11-12: Conduct interview with full Board; select top candidate to do background checks

Week 13-14: Make a job offer/negotiate compensation package

Depending on where a candidate may currently be employed or located, notice and relocation can add 2-4 additional weeks before an individual may begin at the

District. While this schedule can be tightened, pre-planning and notice to those participating is key for completing the recruitment process promptly.

FISCAL IMPACT

The Board must approve budget revisions for these positions. This will be part of the Midyear Revisions and will be reflected in the 2020/2021 Budget. RGS's cost estimate for this process, per the timeline above, is \$12,000 to \$15,000.

ALTERNATIVE(S)

The Board can use the duties currently contained in the employment agreement of the previous District Manager or provide direction on modifications to the recommended job descriptions.

The Board may wish to consider revising the FTE allocation for the General Manager and District Secretary lower or higher than .5 but this decision needs to be made before a recruitment can be initiated.

The Board may develop an alternative recruitment plan in whole or in part. Risks depend on the course chosen.

GENERAL MANAGER

JOB DESCRIPTION

Status: At-will	F.L.S.A Status: Exempt
Reports To: Board of Directors	Established Date: MM/DD/2020

General Overview

The District Manager is responsible for overall operations of the Kensington Fire Protection District (KFPD) including all administrative, financial and facility management. This position is appointed by, and serves in at at-will capacity, to the District Board of Directors. The District Manager provides support to the Authority, serves as the official clerk to the Board, and represents the District with other governmental entities. This position also oversees contract compliance with the City of El Cerrito with whom the District contracts for fire protection services.

Distinguishing Characteristics

The District Director receives general direction from the Board of Directors.

The position is responsible for supervising any assigned support staff and may direct the work of contractors and consultants. The incumbent is expected to be available on-call for needed staff support during and after emergencies within District boundaries.

This is a professional level administrative classification. A professional and diplomatic demeanor with Board Members, elected officials, staff, and the public is required. Incumbents must possess the judgment necessary for handling confidential issues, and function effectively under deadlines with minimal supervision. Responsibilities include performing diverse, specialized, and complex work involving significant accountability and independent decision-making.

Specific Functions and Responsibilities

Duties may include, but are not limited to, the following functional areas:

General Administrative Oversight

- Manage all District activities on behalf of the Board of Directors within approved policies.

- Perform complex administrative assignments, which may include confidential matters, including the preparation of correspondence, staff reports, memoranda, agendas, resolutions, ordinances, requests for proposals, consultant agreements, presentations and other documents as needed.
- Communicate regularly with El Cerrito Fire Department administration and staff about contract services, as well as East Bay Regional Park District, Diablo Fire Safety Council, County staff and other agencies on issues related to KFPD operations.
- Interface with legal counsel as necessary regarding matters subject to closed session, potential litigation, risk management and confidential matters.
- Manage the District headquarters building including hiring contractors for repairs, maintenance and capital improvement projects, and acts as a liaison with the District's tenant in the building (Kensington Community Services District).
- Oversee headquarter activities including coordination of the shared meeting room calendar with the Kensington Police Department; Responsible for overall office operations including equipment and services.
- Prepare and deliver a monthly report to the Board of Directors on matters of interest concerning District operations and oversee the development and distribution twice a year of a newsletter to Kensington residents; performs various community outreach activities.
- Responsible for the hiring, evaluation and supervision of any District staff.
- Oversee updates and maintenance of the District website.
- Responsible for the bi-annual review and update of the District's policies and procedures.
- Enroll the District in the County Fire District's Joint Power Authority Association and attend the annual meeting on behalf of the District, and attend other meetings representing the District as directed by the Board.
- Assist the Board in defining program goals and objectives, and carry out varied special assignments, programs and projects as directed.

Contract Administration

- Prepare, administer, monitor, and audit the close-out of contracts; resolve contract payment disputes and confer with vendors and other divisions concerning contract payments and compliance.
- Review contract terms and conditions prior to submission for legal review and approval by the Board of Directors.

- Ensure compliance for fire services with the City of El Cerrito, and all District contracts; provide progress reports as directed.
- Ensure receipt of required documentation related to certificates of insurance, worker's compensation insurance, or performance bonds, as required.

Financial/Budget Oversight

- Oversee the processing of all incoming accounts payable and receivable, and monthly financial transmittals and statements; ensure account reconciliations.
- Monitor all investments within District policy.
- Develop and monitor the District fiscal year budget; calculate the annual appropriations limit; coordinate health benefit program for retired employees, and work with the District's contract accountant and auditor to ensure appropriate reports are produced in compliance with State law and Board policy, including the Government Accounting Standards Board (GASB).
- Assist in the identification of, and application for, grant or other new revenue sources which are compatible with the District's operations.
- Perform all necessary procedures to assist the County with District elections and placing the special tax on the tax roll.

Clerk of the Board

- Assist the Board President in the development of Board agendas and supporting materials; ensure preparation is in accordance with District policy and properly posted and uploaded to the website.
- Attend Board meetings and ensure minutes of Board actions are accurately reflected in the permanent record of proceedings; prepare memoranda to communicate significant actions to interested parties, and initiate follow-up on actions authorized by the Board.
- Oversee and orientations for new Board members; ensure filing requirements are met for staff, elected officials and consultants for the Fair Political Practices Commission, including distribution, collection and filing of required forms with the County Clerk as well as AB1234 Ethics Training.
- Respond to requests for public information in accordance with the Public Records Act.
- Oversee the filing and destruction of District records in compliance with policy and applicable law.

REQUIRED KNOWLEDGE, SKILLS, AND ABILITIES

Knowledge of:

- Principles, practices and techniques related to assigned functions including financial reporting, budget preparation and monitoring, contract administration, and general office and employee supervision
- Techniques for providing a high level of customer service and dealing effectively with the public, Board Authority members, vendors, contractors, and staff, in person and over the telephone
- Standard office practices and procedures

Ability to:

- Recommend and implement goals, objectives, and practices for providing effective and efficient services
- Analyze problems, identify alternative solutions, and implement recommendations in support of goals
- Oversee and monitor complex projects, on-time and within budget
- Function effectively under deadlines with minimal supervision.
- Plan, organize, train, schedule, assign, review and evaluate the work of staff
- Analyze, interpret, summarize, and present administrative and technical information and data in an effective manner
- Interpret, apply, and ensure compliance with federal, state and local policies, laws and regulations
- Effectively represent the District in meetings with governmental agencies, community groups, various business, professional, and regulatory organizations, and in meetings with individuals
- Purchase supplies and equipment effectively regarding quantity, quality and price
- Use tact and diplomacy with members of the public, Authority Board members, other agencies, government officials, employees, vendors, and customers
- Maintain accurate records and files, organize and maintain accurate and complex recordkeeping and indexing systems
- Use discretion with confidential information and protect sensitive files and data
- Prepare clear, accurate, and concise reports, meeting minutes, specifications, correspondence, presentations, policies, procedures and other written materials
- Follow oral and written directions, and communicate clearly and concisely, both orally and in writing
- Establish and maintain effective working relationships with those contacted in the course of the work

- Use modern office equipment, including computer equipment and specialized software applications efficiently and effectively
- Attend work and perform duties on a regular and consistent basis
- Function effectively under the pressure of recurring deadlines, prioritize workload, and exercise sound judgment
- Maintain high ethical standards in personal behavior

MINIMUM QUALIFICATIONS

Education and/or Experience

Any combination of training and experience which would provide the required knowledge, skills and abilities is qualifying. A typical way to obtain the required qualifications would be:

- Equivalent to graduation from an accredited four-year college or university with major coursework in business or public administration, or a related field.
- Five (5) years of progressively more responsible experience providing management oversight in a government agency or business.

Licenses and Certifications

Must possess and maintain a valid Class C California driver's license. Must continue to meet all terms and conditions of the District's insurance program as condition of employment.

ENVIRONMENTAL CONDITIONS/PHYSICAL DEMANDS

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Work is primarily performed indoors in a standard office setting with infrequent trips outdoors in all weather conditions.

Physical: Primary functions require sufficient physical ability to work in an office setting and operate office equipment; vision in the normal visual range with or without correction sufficient to read computer screens and printed documents; and hearing in the normal audio range with or without correction. **Frequent** sitting, reaching, bending; wrist and arm motions and upward/downward flexion of neck; fine finger dexterity of both hands, ability to grasp and hold; and lifting objects that weigh up to 15 lbs. **Occasional** standing, walking; carrying or pushing

objects that weigh up to 15 lbs., and lifting, carrying, or pushing objects that weigh up to 25 lbs.
Infrequent climbing; lifting, carrying, or pushing objects that weigh 26 - 40 lbs.