



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING MINUTES

DATE/TIME: September 20, 2023, 7:00PM

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

PRESENT: Directors: President Julie Stein, Vice President Director Daniel Levine,
Director Larry Nagel, Director Jim Watt
Staff: Board Clerk Candace Eros Diaz, Interim GM Mary Morris-Mayorga,
Fire Chief Eric Saylor
Consultant: EPC Coordinator Johnny Valenzuela
Absent: Director Don Dommer

1. CALL TO ORDER/ROLL CALL

President Julie Stein called the meeting to order at 7:06 p.m. and confirmed the roll call.

2. ANNOUNCE AND ADJOURN TO CLOSED SESSION (00:00:48 - Part I Recording)

Subject: Conference with Labor Negotiators (GC54957.6) – Agency designated representatives: President Julie Stein and Secretary Larry Nagel; Unrepresented employee: General Manager.

There was no public comment.

3. RECONVENE TO OPEN SESSION

The Board returned from Closed Session at 7:41 p.m. with no reportable actions. President Stein reconfirmed the roll call.

4. EMPLOYMENT AGREEMENT FOR GENERAL MANAGER POSITION (00:00:37 - Part II Recording)

President Stein noted that the contract under discussion for Interim GM Mary Morris-Mayorga was posted to the website and announced that Morris-Mayorga will join the KPPD as the Regular GM for a time period of two (2) years.

Several members of the public congratulated Mary Morris-Mayorga on her appointment and offered praise for her work with the district. A member of the public asked if the district will still pay a search fee to the recruiter for the search process that has already taken place.

President Stein gave thanks to Brent Ives for his work on the recruitment process.

MOTION: M/s Nagel/Levine: Motion to approve the Employment Agreement for General Manager with associated FY 2023-24 budget adjustments for terms as needed.

VOTE:

Ayes: Levine, Nagel, Stein, and Watt

Nays: None

Absent: Dommer

Motion passed 4-0-1

Video Time Stamped: 00:05:23

5. PUBLIC COMMENT (00:06:35)

Director Daniel Levine provided a report on the CSDA Conference he attended in Monterey on August 29-30, 2023. President Stein noted that the KPPD attorney verified that NextDoor does not qualify as “social media” under AB992.

There was no public comment.

6. ADOPTION OF CONSENT ITEMS (00:11:17)

President Stein proposed to approve all consent items on the agenda with a single motion. The board did not move to remove any items.

Board Clerk Candace Eros Diaz noted 1) the 07/13/2022 minutes were not included in the packet (3a) 2) an edit to agenda item 8d in the 7/19/2023 minutes, which were included in the packet.

- a. **Approval of Minutes** of the Board of Directors regular meetings of: 06/08/2022, 06/29/2022, 07/13/2022, 7/19/2023; and special meetings: 06/29/2022, 09/05/2023
- b. **Acceptance of Incident Activity Report** July and August 2023
- c. **Approval of Monthly Transmittal** 08/31/2023 and 09/20/2023
- d. **Approval of Monthly Financial Reports** 07/31/2023 and 08/31/2023
- e. **Development of New Purchasing Policy for Future First Reading**

There was no public comment.

MOTION: M/s Nagel/Levine: Motion to approve consent items 3a-3e.

VOTE:

Ayes: Levine, Nagel, Stein, and Watt

Nays: None

Absent: Dommer

Motion passed 4-0-1

Video Time Stamped: 00:14:10

7. FIRE CHIEF’S REPORT (00:14:19)

Fire Chief Eric Saylor presented the report as included in the packet. He encouraged the community to take ongoing CERT training and reviewed the incident report, and gave updates on administrative, operations, civic engagement activities that took place since the July 2023 board meeting.

There was no public comment.

8. EMERGENCY PREPAREDNESS COORDINATOR’S REPORT (00:18:13)

EPC Coordinator Johnny Valenzuela presented the report as included in the packet. He highlighted community engagement events, district communications/publications, initiatives/deliverables, and past meetings.

Director Nagel commended EPC Coordinator Valenzuela on his work and noted deep community participation at the reported events. EPC Coordinator Valenzuela commended the community and residents for their participation and support.

There was no public comment.

9. OLD BUSINESS (00:23:33)

There was no old business.

10. NEW BUSINESS (00:23:38)

a. Public Safety Building Budget Revision/Project Update

Interim GM Morris-Mayorga presented the report as included in the packet. The board discussed the item. Director Watt asked for the expected completion date of the project. Interim GM Morris-Mayorga confirmed the expected completion date is May 2024.

A member of the public asked 1) for clarification on the budget line item for attorney fees 2) to describe the change orders. President Stein directed members of the public to contact Interim GM Morris-Mayorga for these details.

There was no additional public comment.

MOTION: M/s Nagel/Watt: Motion to approve increasing the Public Safety Building Budget from \$7,925,000 to \$8,997,589.
--

VOTE: Ayes: Levine, Nagel, Stein, and Watt Nays: None Absent: Dommer
--

Motion passed 4-0-1

Video Time Stamped: 00:24:34

b. Resolution 2023-09 Approving the Final Combined Budget for Revenue, Operating Expenditures, and Capital Improvement Expenditures for FY 2023-2024 (00:35:01)

Interim GM Morris-Mayorga presented the report as included in the packet. She noted one narrative change to the description of the financial plan. Director Nagel asked about 1) a budget line item for a grant writer 2) a \$25,000 budget line item for the fiscal analysis for reorganization. Interim GM Morris-Mayorga responded to these questions. President Stein offered additional context on the Fire Safe planting grants and the water pipe replacement budget and expressed a desire for additional funding for these projects. She also expressed a desire to put a plan in place to operationalize spending and award funding. Interim GM Morris-Mayorga noted she would update the Replanting Grant form on the website. Director Watt asked for clarification on the projected financial forecast for FY 2027-28. Interim GM Morris-Mayorga provided this clarification and the board further discussed this portion of the budget. President Stein and Director Watt commended Interim GM Morris-Mayorga on the creation of a strong budget and for engaging Bill Zenoni to

create the district's five-year financial forecast.

A member of the public asked for clarification on the FY 2023-24 and FY 2024-25 budget line items for rolling stocks and rolling stock reserves. Interim GM Morris-Mayorga provided this clarification and noted she would update these two line items.

There was no additional public comment.

MOTION: M/s Nagel/Levine: Motion to approve Resolution 2023-09 approving the Final Combined Budget for Revenue, Operating Expenditures, and Capital Improvement Expenditures for FY 2023-24.

VOTE:

Ayes: Levine, Nagel, Stein, and Watt

Nays: None

Absent: Dommer

Motion passed 4-0-1

Video Time Stamped: 01:00:18

c. RFP for Financial Analysis Evaluating Reorganization (01:00:51)

Director Nagel presented the report as included in the packet. He noted any analysis is expected to be complete between June 2024 and December 2024. The board discussed the item. Director Watt stated he did not support the action and provided his concerns and rationale. He suggested KFPD and KPPCSD boards meet with any consultant separately and did not recommend the two boards meet jointly. President Stein echoed Director Watt's comments and added her concerns and rationale, referring to the June 21, 2023 minutes. She recommended that all board members have an opportunity to provide their input into any issued RFP and asked that the analysis address: 1) the financial implications of the KPPCSD's policy change to remove all of its funds from the county, specifically implications related to their cash flow, reserves, and staffing 2) the various aspects of CalPERS, specifically what KPPCSD's CalPERS obligations are and if they are on track to fulfill them. She asked the board to consider a 10-year analysis instead of the suggested five-year analysis and a joint powers agreement to share administrative costs. She stated her interest in KFPD merging with other West County fire agencies, as recommended in the Municipal Service Reviews (MSR), and provided her rationale. Director Levine responded to Director Watt and President Stein's comments and went on to provide his own rationale for supporting the motion. Director Nagel noted he does not have an opinion on consolidation due to a lack of data and would like additional information about cost effectiveness and improved efficiencies, which is why he supports this motion. Director Watt noted that KPPCSD does not want to be housed in the Public Safety Building and that the Unitarian Universalist Church recently denied their request. He requested additional information on the financial implications of relocating KPPCSD and noted that a financial consultant may not have the skill set to make these determinations.

Two members of the public, including one who is a Director on the KPPCSD board but commenting as a citizen, stated they are in favor of consolidation and of the motion and provided their opinion and rationale.

MOTION: M/s Levine/Nagel: Motion to extend the meeting to 10:15 p.m.

VOTE:

Ayes: Levine, Nagel, Stein, and Watt

Nays: None Absent: Dommer	
Motion passed 4-0-1	Video Time Stamped: 02:03:28

Several members of the public urged the board to approve this motion and provided their opinion and rationale. The board responded to the public comments and further discussed the item.

MOTION: M/s Nagel/Levine: Motion to extend the meeting to 10:30 p.m.	
VOTE: Ayes: Levine, Nagel, Stein, and Watt Nays: None Absent: Dommer	
Motion passed 4-0-1	Video Time Stamped: 02:30:38

A member of the public, who is a board member of the KPPCSD, commented on its decision to approve the proposed RFP and for it to be reviewed by the KFPD.

MOTION: M/s Nagel/Levine: Motion to table the issuance of an RFP to allow the board to make suggestions based on their concerns, and to send these to the GM; allow the ad hoc committee to discuss any changes to the RFP and vote on the motion at the October 18, 2023 meeting.	
VOTE: Ayes: Levine, Nagel, Stein, and Watt Nays: None Absent: Dommer	
Motion passed 4-0-1	Video Time Stamped: 02:32:52

d. Reserves Policy Potential Revisions (02:33:33)

MOTION: M/s Nagel/Levine: Motion to adjourn the meeting and move all remaining agenda items to the October 18, 2023 board meeting.	
VOTE: Ayes: Levine, Nagel, Stein, and Watt Nays: None Absent: Dommer	
Motion passed 4-0-1	Video Time Stamped: 02:34:30

Note: Items 10d-13a were the items referenced in above motion.

There was no public comment or board discussion.

11. GENERAL MANAGER'S REPORT Supporting Material – current and prior month) Action = Presentation/Discussion

12. COMMITTEE REPORTS (00:00:00)

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

- a. **Emergency Preparedness Committee Meeting** – Nagel/Dommer (Supporting Material)
- b. **Finance Committee Meeting** – Stein/Watt (No Report)
- c. **Reorganization Analysis Temporary Committee** – Levine/Nagel (No Report)
- d. **Information Technology Temporary Committee** – Levine/Nagel (No Report)

13. OUTSIDE AGENCIES REPORTS (00:00:00)

- a. **Contra Costa Special Districts Association** – Nagel (Supporting Material)

14. ADJOURNMENT: President Stein adjourned the meeting at 10:16 p.m.

The next Board of Directors meeting will occur on October 18, 2023.

MINUTES PREPARED BY: Candace Eros Diaz and Mary Morris-Mayorga

These minutes were approved at the Board Meeting of the Kensington Fire Protection District on October 18, 2023.

Attest:

Secretary of the Board