



KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS SPECIAL MEETING MINUTES

DATE/TIME: March 20, 2024, 7:00PM

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

PRESENT: Directors: President Daniel Levine, Vice President Danielle Madugo,
Director Julie Stein, Director Jim Watt
Staff: Interim GM Tim Barry, Board Clerk Candace Eros Diaz

1. CALL TO ORDER/ROLL CALL

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

2. PUBLIC COMMENT (00:00:47)

A member of the public noted that the April 27, 2024 shredding event was not in the latest issue of the Fire Plug. They then commented on the tie vote for a new director that took place at the March 18, 2024 special board meeting and commented on the board's processes.

Another member of the public read quotes from Mr. Dmitry Semenov's Ridgeline Municipal Strategies presentation that took place on January 17, 2024 and opined on his statements.

Deborah Lane opined on the board's votes for the director position at the March 18, 2024 special board meeting.

A member of the public commented on the issue of consolidation being a philosophical discussion of good governance and asked the board to consider funding fire prevention projects.

Director Stein commented that a KFPD board planning meeting about how it envisions itself as a separate district moving forward was not listed on the agenda and reminded the board that Mr. Semenov suggested this happen before any joint meeting of the KFPD and the KPPCSD boards were to take place. President Levine responded to these comments. President Stein provided clarification on President Levine's responses.

There was no additional public comment.

3. OATH OF OFFICE for Director [insert name] (00:16:17)

Interim GM Tim Barry introduced, provided background on this item, explained the apparent options available to the board to elect a new director, and asked for staff direction. The board discussed the item. Director's Stein and Watt expressed their interest in holding another special meeting in which all options under Government Code Section 1780 are on the agenda and are made available to the board to appoint a new director. President Levine and Director Madugo were not in favor of this as they stated that they already understood the options available to the

board.

A member of the public commented on the options available to the board to select a new director and asked the board not to discount the possibility it can be an effective four-member board.

Ciara Wood opined on the possible outcomes and dynamics of a four-member board, encouraged it to put off the conversation about consolidation until 2025 when the board has a fifth member, and to hold another special meeting to appoint a new director.

Anthony Knight asked if the appointment of a new director goes to the board of supervisors will the meeting be open to the public, will the candidates be allowed to speak, and if all supervisors will vote on the matter. President Levine confirmed this information.

Catya D asked the board to hold another special meeting to appoint a new director and recommended a special election take place. She also opined that the Contra Costa Board of Supervisors will likely vote in favor of Joe Gioya's vote and noted Gioya is in favor of consolidation and will likely vote in favor of the KFPD candidate who is also in alignment with consolidation.

There was no additional public comment.

President Levine expressed an interest in scheduling a special meeting where a second round of interviews with candidates Dean (Rick) Artis and Thomas Cunniff would take place. Director Watt was in favor of this. Director Stein asked Interim GM Barry to consult with KFPD general counsel about whether the board is able to exclude options under Government Code Section 1780. The board discussed the item further.

The board directed Interim GM Barry to schedule a special meeting where the two options of Government Code Section 1780 are agendaized, including inviting the two candidates back for a second round of interviews.

4. ADOPTION OF CONSENT ITEMS (01:05:46)

President Levine noted the regular minutes for 02/21/2024 and the special minutes for 10/26/2024 were not included in the packet and proposed to approve all consent items on the agenda with a single motion. Director Stein moved to remove the 01/17/2024 minutes, which will be discussed under New Business. President Levine also moved to remove agenda item 3b as it was incomplete.

- a. **Approval of Minutes** of the Board of Directors Regular meetings of 01/17/2024, 02/21/2024 and Special meeting of 10/26/2023
- b. **Acceptance of Incident Activity Report** February 2024
- c. **Approval of Monthly Transmittal** 03/20/2024
- d. **Approval of Monthly Financial Reports** 02/29/2024

MOTION: M/s Stein/Madugo: Motion to approve consent items 4c-4d.

VOTE:

Ayes: Levine, Madugo, Stein, and Watt

Nays: None Absent: None

Motion passed 4-0-0

Video Time Stamped: 01:08:37

5. FIRE CHIEF'S REPORT (01:07:46)

Fire Chief Eric Saylors presented the report as included in the packet. He provided administrative practices, operations, public outreach, and training updates.

There was no board discussion or public comment.

6. EMERGENCY PREP COORDINATOR'S REPORT (01:12:16)

EP Coordinator Johnny Valenzuela presented the report including presentation. He highlighted community engagement events, district communications/publications, initiatives/deliverables, and past meetings. He asked for staff direction on whether a volunteer program to distribute materials for the Evacuation Plan campaign should be formalized or if efforts should be coordinated with other Kensington groups and KFPD volunteer lists. The board decided to discuss this under agenda item 10a. Director Stein asked if statistics are being kept on the number of residents who participate in the shredding event. EP Coordinator Valenzuela provided some qualitative data based on his attendance at the events. President Levine asked to review the materials presented before the board votes on the matter.

Ciara Wood asked for the specific address participating in the Replanting Grant program. EP Coordinator Valenzuela could not provide this information immediately. Ms. Wood said she would follow up for more information.

Lisa Corrona thanked EP Coordinator Valenzuela for his hard work and then provided her sense of resident participation at the shredding event.

Director Watt asked for a copy of the "What's Happening in Wildcat Canyon" slide of the presentation. EP Coordinator Valenzuela stated he would post it on the KFPD website and in the Outlook.

There was no additional public comment.

7. OLD BUSINESS

There was no old business.

8. NEW BUSINESS (01:36:24)

- a. **January 17, 2024 Minutes** (10.90.40 in Board Policy Handbook + look at early 2020 for an adopted policy)

Director Stein introduced, provided background on, and specified agenda items 08a-d of the minutes for discussion. She noted her intention to include a more robust discussion and/or a write up of the Ridgeline Municipal Strategies presentation into the January 17, 2024 minutes and recounted her exchange with former GM Morris-Mayorga regarding her initial revisions to the minutes in this regard. Director

Stein asked Interim GM Barry for his guidance on how to implement the alternative that members of the board may submit written statements for agenda items. He stated that a director could verbally present comments on an agenda item that were previously written up and submit them for the record. President Levine uplifted Board Policy 10.90.40 in response. Interim GM Barry suggested that he work with Board Clerk Candace Eros Diaz to present the board with suggestions to change its current policy on minutes. The board discussed the item.

There was no public comment.

MOTION: M/s Stein/Levine: Motion to approve the minutes with the amendment to item 08c on page 35 of 46 of the January 17, 2024 agenda packet that reads: “Another member of the public commented on the community’s effort to elect board members who would consider consolidation.” to “Two members of the public commented on their efforts to elect board members who would consider consolidation.”	
VOTE: Ayes: Levine, Madugo, Stein, and Watt Nays: None Absent: None	
Motion passed 4-0-0	Video Time Stamped: 01:57:56

b. Public Safety Building Project Update (01:57:58)

Interim GM Barry presented the report as included in the packet. The board discussed the item. President Stein asked if “Substantial Completion” or the May 2024 date is what the loan company (Capital One) requires. Interim GM Barry stated he would provide this information at a later date. Director Watt asked for a special meeting where legal counsel would review change orders. Interim GM Barry reviewed the close-out process, which includes the agency’s position on change orders. Director Watt asked for a status update on Marjang’s review of his redesign. Interim GM Barry stated he would provide this information at a later date.

There was no public comment.

c. Emergency Preparedness Committee Work Plan (02:08:30)

President Levine provided background and presented the report as included in the packet. The board discussed the item. Director Watt requested to add a collaboration with East Bay Regional Park District to reduce fuel levels on the Tilden Park ridgeline to the work plan. Director Stein requested a presentation from general counsel about volunteer responsibilities, liabilities, and legal guidelines. Director Stein also requested the board consider the independent consultant position as a potential staff position with more input from the board, including an updated RFP for the EPC position and the possibility of conducting a survey with other fire agencies in this regard. The board discussed the CERT program.

Lisa Corrora commented that the EPC has always included two members of the KFPD board and provided monthly reports to the board. She agreed with the recommendation of an action plan for this committee with activities being approved

by the board. She opined that changes to the EPC job description/position and any regulations around volunteers is an administrative decision, but that the EPC committee could suggest volunteer duties.

There was no public comment.

The board took a recess at 9:28 p.m. The board reconvened at 9:31 p.m.

d. Board Secretary Position (02:25:45)

Director Watt requested a new Secretary be elected to the board. The board discussed the item. A new appointment will be made at the April 17, 2024 regular board meeting.

There was no public comment.

9. GENERAL MANAGER'S REPORT (02:28:08)

Interim GM Barry presented the report as included in the packet and asked the board for direction about the timing of a joint board workshop with the KPPCSD with regards to the Ridgeline Municipal Strategies fiscal analysis. The board discussed the item. Director Stein requested that a public portal/website be established and dedicated to the fiscal analysis where all requests from and information provided to Ridgeline Municipal Strategies will reside. The board discussed how information will be shared between the districts. Director Stein requested the KFPD board have an internal discussion with Fire Chief Saylor, and anyone he would like to include, prior to any joint meeting with the KPPCSD board. Directors Watt and Stein requested that the El Cerrito Fire Department, its Fire Chief, and the City Manager also be involved in any discussions prior to a joint meeting with the KPPCSD board. President Levine noted that former GM Morris-Mayorga be included in the discussion while she is still under a consulting contract with the district. Director Watt and President Levine confirmed that they would like to have a joint meeting with the KPPCSD board to discuss the staffing structure of a unified agency. Vice President Madugo stated her preference to conduct a joint meeting with the KPPCSD board prior to any internal discussion and provided her reasoning.

MOTION: M/s Levine/Madugo: Motion to continue the meeting to 10:30 p.m.	
VOTE: Ayes: Levine, Madugo, and Watt Nays: Stein Absent: None	
Motion passed 3-1-0	Video Time Stamped: 02:58:14

President Stein requested a board visioning discussion with the architect at Marjang.

There was no public comment.

10. COMMITTEE REPORTS (03:03:44)

a. Emergency Preparedness Committee Meeting

President Levine presented the report as included in the packet.

There was no public comment.

b. Finance Committee Meeting

Director Stein recommended moving the hose nozzle costs out of the operating budget and into the capital budget to keep the fire engine fund on track. She noted this can be handled in the annual budget process.

There was no public comment.

c. GM Recruitment Committee

President Levine provided some background on this item. The board discussed the item. The board agreed to discuss this item in further detail at a later date.

There was no public comment.

11. OUTSIDE AGENCIES REPORTS (03:08:54)

a. Contra Costa Special Districts Association

President Levine provided an update on the meeting he attended on Monday, March 18, 2024.

There was no public comment.

12. ADJOURNMENT: President Levine adjourned the meeting at 10:16 p.m.

MINUTES PREPARED BY: Candace Eros Diaz and Tim Barry

These minutes were approved at the Board Meeting of the Kensington Fire Protection District on April 17, 2024.

Attest:

Secretary of the Board