



## KENSINGTON FIRE PROTECTION DISTRICT BOARD OF DIRECTORS MEETING MINUTES

**DATE/TIME:** June 8, 2022, 7:00PM

**LOCATION:** Zoom Teleconference

**PRESENT:** Directors: Director Don Dommer, Secretary Janice Kosel, Vice President Kevin Padian, President Larry Nagel, Director Julie Stein  
Staff: GM Bill Hansell, Interim Fire Chief Jose Castrejon, Fire Chief Michael Pigoni

### 1. CALL TO ORDER/ROLL CALL

President Larry Nagel called the meeting to order at 7:02 p.m. and confirmed the roll call.

### 2. PUBLIC COMMENT (00:01:01)

Secretary Janice Kosel asked for clarification on the square footage of the lot across the street from the Unitarian Church. GM Bill Hansell stated he would confirm this for Secretary Kosel.

A member of the public commented on the consolidation of the KFPD and KPPCSD and asked for each member of the board to publicly state their position on the matter. Another member of the public requested a hybrid option to attend meetings.

There was no additional public comment.

### 3. ADOPTION OF CONSENT ITEMS (00:13:27)

President Nagel proposed to approve all consent items on the agenda with a single motion. The board removed agenda item 3a and 3i.

- a. **Approval of Minutes** of the Board of Directors regular meetings of: 04/13/2022, 04/28/2022, and 05/07/2022
- b. **Acceptance of Incident Activity Report** May 2022
- c. **Approval of Monthly Transmittal** 06/08/2022
- d. **Approval of Monthly Financial Reports** 05/31/2022
- e. **Adoption of Resolution 2022-08 Re-Authorizing Remote Meetings**
- f. **Adoption of Resolution 2022-09 Establishing the Appropriations Limit of the Kensington Fire Protection District for FY 2022-2023**
- g. **Adoption of Resolution 2022-10 Authorizing Contra Costa County to Place the Special Tax on the Tax Roll for Fiscal Year 2022-2023 and to Collect the Special Tax on Behalf of the Kensington Fire Protection District**
- h. **Adoption of Resolution 2022-11 Ordering the Even Year Board of Directors Election, Consolidation of Elections, and Specifications of the Election Order**

**i. First Posting of Revised Policy 1170 Reserves to be Considered for Adoption at the July 13th, 2022 Board of Directors Meeting.**

There was no public comment.

<b>MOTION:</b> M/s Padian/Dommer: Motion to approve consent items 3b-3h.	
<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel, Padian, Stein Nays: None Absent: None	
Motion passed 5-0-0	<b>Video Time Stamped: 00:18:16</b>

**4. OLD BUSINESS (00:18:25)**

There was no old business.

**5. NEW BUSINESS (00:18:29)**

**a. Fire Hazard Abatement Hearing on the Designation of Properties Containing Fire Hazards**

President Nagel opened the public hearing and asked for any objections. There were no public objections.

Interim Fire Chief Jose Castrejon presented the report as included in the packet and gave his recommendations. He noted approximately 2200 residences are inspected annually. Fifty-three (53) noncompliance notices were sent to residents in March 2022 requesting conditions be cleared by April 15, 2022. Follow up inspections took place between April 18 - 21, 2022. Fourteen (14) residences remain noncompliant, seven (7) of which have followed up with KFPD.

A member of the public commented on wild fire hazards along Los Altos Drive and the west slope of Wildcat Canyon and recommended the district take immediate action to mitigate. Chief Michael Pignoni noted KFPD does not have the legal authority to remove hazards in Wildcat Canyon Regional Park.

Secretary Kosel commended the KFPD on these efforts.

There was no additional public comment. President Nagel closed the public hearing and terminated public testimony.

<b>MOTION:</b> M/s Kosel/Padian: Motion to approve Resolution 2022-12 Declaring that Weeds, Rubbish, Litter or other Flammable Material on Designated Private Properties Constitutes a Public Nuisance and Providing for Notice that the Fire Chief or Designee Shall Abate Such Public Nuisance Conditions if not Abated by the Property Owner.	
<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel, Padian, Stein Nays: None Absent: None	

Motion passed 5-0-0

Video Time Stamped: 00:30:58

**b. Fire Services Contract Fee Proposal for FY 2022-2023**

Interim Fire Chief Castrejon presented the report as included in the packet. He noted an increase of approximately 6.2% which reflects current Local 1230 and Public Safety Managers Association negotiations with an assumed 3% cost of living increase and additional costs for ongoing training. Secretary Kosel also noted an increased cost for firefighter pensions.

A member of the public asked if KFPD services would be negatively impacted if a loan were taken out to complete the Public Safety Building. Another member of the public commented that the proposal does not reflect true costs and is not inclusive of overall costs for all jurisdictions.

There was no additional public comment.

Director Stein asked what administrative services are provided to KFPD by the City of El Cerrito overhead. Interim Fire Chief Castrejon confirmed the overhead covers the KFPD HR department and city services. Chief Pignoni elaborated on the costs *not* covered by the contract and stated that the contract be renegotiated at the board's discretion. Director Stein asked that any additional unforeseen costs for services be covered by the contract and then redistributed to KFPD. Interim Fire Chief Castrejon confirmed this. Director Padian asked if any contract funds are allocated to PERS. Interim Fire Chief Castrejon confirmed this.

**MOTION:** M/s Kosel/Padian: Motion to approve the Fire Services Contract Fee Proposal for FY 2022-2023.

**VOTE:**

Ayes: Dommer, Kosel, Nagel, Padian, Stein

Nays: None

Absent: None

Motion passed 5-0-0

Video Time Stamped: 00:49:58

**c. Adoption of Resolution 2022-11 Preliminary FY 2022-2023 Budget**

GM Hansell presented the report as included in the packet. Secretary Kosel provided further detail and clarification on various budget line items.

A member of the public asked if a potential new KFPD hire will be reflected in the budget. They also asked for further information on proposed bids for the Public Safety Building. GM Hansell confirmed a new hire line item is pending further discussion on the scope of duties. He also confirmed that details of any proposed bids are pending and not ready to be presented to the board. Another member of the public commended Secretary Kosel's work on the budget. They also asked about the City of Kensington's long-term financial health if KFPD's budget went into a deficit. Secretary Kosel confirmed this could not be answered until costs associated with running an empty Public Safety Building were determined in one to two months.

There was no additional public comment.

Director Stein requested a complete budget that includes missing information and that it be adjusted accordingly once official bids are submitted. She also asked if the debt service/annual loan payment will be taken out of the operations budget. GM Hansell confirmed the debt service will remain a distinct line item for purposes of transparency. Secretary Kosel added that the KFPD accountant will likely make this determination.

The board further discussed the item.

<b>MOTION:</b> M/s Kosel/Padian: Motion to approve the Resolution 2022-11 Preliminary FY 2022-2023 Budget.	
<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel, Padian, Stein Nays: None Absent: None	
Motion passed 5-0-0	<b>Video Time Stamped: 01:48:28</b>

**d. Approval to Proceed with the PSB Seismic Renovation Project Based Upon Prior Findings Calling for Urgent Structural Remediation, 'Essential Services Facility' Building Code Compliance, and Fire Department Space Requirements**

GM Hansell presented the report as included in the packet.

A member of the public commented that a public meeting would be a good indicator of evaluating public opinion on the agenda item and urged the board not to evict the KPPCSD from the Public Safety Building. Another member of the public asked the board to publicly state their position on the eviction of the KPPCSD from the Public Safety Building given the opposition stated in the petition. Director Dommer responded to the public comment. Other members of the public expressed various concerns about and provided personal recommendations on this agenda item.

There were two written comments submitted by the public prior to the meeting.

The board and GM Hansell further discussed the item and responded to select public comments.

<b>MOTION:</b> M/s Padian/Kosel: Motion to approve motion directing the General Manager to continue, as originally instructed in the April 14th, 2021 Board of Directors meeting, to proceed with the seismic renovation plans as developed and presented monthly since September 2021.	
<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel Nays: Stein Absent: Padian	
Motion passed 3-1-1	<b>Video Time Stamped: 02:46:38</b>

<b>MOTION:</b> M/s Stein/Kosel: Motion to extend the June 8, 2022 Board of Directors meeting to 10:30 p.m.
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<b>VOTE:</b> Ayes: Kosel, Nagel, Stein Nays: Dommer Absent: Padian	
Motion passed 3-1-1	<b>Video Time Stamped: 02:48:50</b>

**e. PSB Seismic Renovation**

GM Hansell presented the report as included in the packet.

There was no public comment or discussion from the board.

**f. Temporary Facility Update**

GM Hansell presented the report as included in the packet. President Nagel recused himself from this agenda item. Director Kosel stepped in as his replacement.

Members of the public expressed their concern about the distance of the temporary facility from the City of Kensington. Interim Fire Chief Castrejon responded to this public comment. Another member of the public expressed their concern about carcinogenic fumes from the diesel generator near the preschool. Interim Fire Chief Castrejon and GM Hansell responded to this public comment.

GM Hansell noted that Director Padian previously expressed concerns about the location of the temporary facility, but conceded there was no other option but to place the facility in the parking lot of the Unitarian Universalist Church.

<b>MOTION:</b> M/s Kosel/Stein: Motion to approve the Temporary Facility Update report.	
<b>VOTE:</b> Ayes: Dommer, Kosel, Stein Nays: None Absent: Padian Abstain: Nagel	
Motion passed 3-0-1-1	<b>Video Time Stamped: 03:13:29</b>

**g. Proposal for a Joint Public Meeting with the KPPCSD Board, the Police Chief, and the Fire Chief to Present the Legal Regulations and Space Requirements for the PSB Renovation, and the Resulting Needs of the Police Department and Fire Department**

President Nagel presented the report as included in the packet. He noted the KPPCSD will not discuss this agenda item until their July 2022 Board of Directors meeting. GM Hansell noted KPPCSD staff is currently in transition. GM Hansell encouraged the public to review the November 16, 2019 special board meeting and the March 25, 2021 KFPD-KPPCSD joint meeting for background and context.

Director Kosel recommended an informational meeting and an ongoing exchange with the public. She also recommended that GM Hansell schedule a meeting with KPPCSD's general manager. GM Hansell confirmed he will take this action.

A member of the public commented that any future public meeting should attempt to address the community's questions and involve those who have organized the petition drive to set an agenda.

<b>MOTION:</b> M/s Kosel/Stein: Motion to approve that GM Hansell contact David Fike, Lynn Price, and Mr. Constantouros to prepare an agenda to present to the KFPD board at the June 29, 2022 Special Board of Directors meeting.
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<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel, Stein Nays: None Absent: Padian
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Motion passed 4-0-1	<b>Video Time Stamped: 03:25:14</b>
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<b>MOTION:</b> M/s Nagel/Kosel: Motion to approve a Special Board of Director's meeting on June 29, 2022 to complete the remaining agenda items.
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<b>VOTE:</b> Ayes: Dommer, Kosel, Nagel, Stein Nays: None Absent: Padian
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Motion passed 4-0-1	<b>Video Time Stamped: 03:26:27</b>
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6. **FIRE CHIEF'S REPORT** (00:00:00) (Supporting Material)  
Action = Presentation/Discussion
7. **EMERGENCY PREPAREDNESS COORDINATOR'S REPORT** (00:00:00) (Supporting Material)  
Action = Presentation/Discussion
8. **GENERAL MANAGER'S REPORT** (00:00:00) (Supporting Material)  
Action = Presentation/Discussion
9. **COMMITTEE REPORTS** (00:00:00)  
Informational reports from Board members or staff covering the following assignments:
  - a. **Emergency Preparedness Committee Meeting** - Padian/Nagel (Supporting Material)  
Draft Meeting Minutes of 05/26/2022 included for reference. Action = Report by EPC Chair & Discussion
  - b. **Finance Committee Meeting of 05/25/2022** - Kosel/Nagel (Supporting Material) Action = Report by Finance Committee Chair and Discussion
10. **OUTSIDE AGENCIES REPORTS** (00:00:00)
  - a. **Contra Costa Special Districts Association** – Stein  
Action = Report by District's representative to CCSDA
11. **ADJOURNMENT:** President Nagel adjourned the meeting at 10:28 p.m.

The next Special Board of Directors meeting will occur on June 29, 2022.

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 September 20, 2023.

Attest:

  
Secretary of the Board