

Errors in the Watt Presentation on Proposed Alternatives for the Renovation of the Kensington Public Safety Building

Directors Don Dommer and Larry Nagel
Kensington Fire Protection District
January 15, 2023

Background

- The Kensington Public Safety Building was built in 1970
- The PSB has been non-compliant per code and police and fire service standards for 25 years and has outlived its useful life
- In 2016, a seismic assessment of the PSB revealed that “because the building does not meet the latest seismic code requirements and due to its proximity to major earthquake faults there is the possibility that significant structural damage may occur with loss of life during a seismic event”
- A project was started immediately to design a seismic renovation of the PSB to bring it up to essential service standards

Needs Assessment

RDC Architecture was hired to perform a needs assessment and make recommendations as to a future course. The following space requirements were determined in consultation with the Police Chief and the Fire Chief

	Existing	Reduced	Optimal
Fire	3,200 sf	5,500 sf	7,200 sf
Police	1,200 sf	2,900 sf	3,600 sf
Shared	500 sf	700 sf	700 sf
Building	300 sf	1,100 sf	1,100 sf
TOTAL	5,200 sf	10,200 sf	12,600 sf

“A ten pound problem in a five pound bag”

The Move to a Two Building Solution

- In April, 2021, the Police Chief, the Fire Chief, and both District General Managers agreed that both agencies would not fit into the PSB after it was renovated
- Consequently, the KFPD decided to pursue a fire-only plan for the renovated PSB and the KPPCSD started to pursue another building to house the Police and the KPPCSD staff
- The present plan for Station 65 provides 4,500 sf of space for Fire, which is 1,000 sf less than the “reduced space”
- The temporary police station provides 2,800 sf of space for Police

The “Watt” and the “Jones” Alternatives

- Neither alternative meets the requirements of the applicable building codes
- Neither the Police Chief nor the Fire Chief were consulted in the preparation of either of the alternatives
- It is not surprising, therefore, that neither alternative meets with the approval of the Police Chief or the Fire Chief, nor does either alternative satisfy the requirements of the Police Department or the Fire Department

Both Plans Require Two Buildings

- Both plans would require renting or purchasing another building to house the district staff that wouldn't fit into PSB.
- Neither alternative even mentions the space required in another building, let alone estimates the additional cost of renting or purchasing the second building
- It is far less efficient to put half of each agency in one building and the other half in another building than it is to keep both agencies together in separate buildings
- There is much more flexibility in siting the Police Station

Conclusions

- All of the material supporting this presentation is presented in a 24 page PDF which is included with these presentation slides but which obviously was too much material for this talk
- There is no factual evidence to support co-locating the Police and Fire Departments in the PSB. They won't fit, so two buildings would be required anyway
- Even if either of these alternatives was acceptable, the changes required to implement these plans would most likely increase the cost of the renovation to the point where the project would have to be abandoned



Kensington Fire Protection District

217 Arlington Avenue
Kensington, CA 94708

Board of Directors

President Julie Stein

Don Dommer

Daniel Levine

Larry Nagel

Jim Watt

Date: February 8, 2023

From: Don Dommer, Director

Larry Nagel, Director

Re: Errors in the Watt Presentation and Deficiencies of Proposed Alternatives

The presentation by Jim Watt at the KFPD Board Special Meeting on January 11, 2023 contained numerous factual errors which need to be corrected for the public record. This memorandum attempts to set the record straight by addressing these errors so that the KFPD Board can proceed with the Public Safety Building seismic renovation with the facts, and only facts, in hand.

The following paragraphs address the various errors in the presentation by Director Watt on a slide by slide basis. Appendix A contains in its entirety the slides from the presentation by Director Watt at the January 11, 2023 KFPD Board Meeting. Appendix B is a detailed list of the deficiencies of the Bart Jones alternative described in the presentation by Director Watt. Appendix C is a detailed list of the deficiencies of the Jim Watt alternative described in the presentation by Director Watt. Finally, Appendix D lists the applicable sections of the 2009 California Public Contract Code which describe the legal requirements should the district decide to significantly alter the construction plans for the Public Safety Building at this late date.

Detailed Critique of the Presentation by Director Watt at the January 11, 2023 KFPD Board Meeting (see Appendix A for the presentation Slides)

"Background" slide 1: "'Fire-Only' Station is a violation of policy."

False - This is a misleading statement. The policy was created as a *legal convenience* to allow for the collection of rental income from the KPPCSD to the KFPD in order to avoid concerns about "gifting of public funds" from one agency to another. In fact, the initial 1950's planning of the PSB was as a fire station to replace the older fire station further south on Arlington, which had outlived its useful life after +/-40 years. Meeting minutes from the 1960's describe the initial fire-only planning. It was only later that

"rental space" by the Kensington Police was requested by a KCSD Board Director and then considered by the KFPD board. The earliest drawing from May 9, 1997 shows adjacent but separate Fire and Police departments on the site south of the Kensington Library. The 1970 as-built plan of the PSB had completely separate entrances for Fire (217 Arlington) and Police (215 Arlington) and was completed at a time when policy and building codes allowed for small shared bunkrooms, and non-accessible restrooms, with obviously no IT space needs and smaller requirements for engines and gear, and fewer personnel. Even after the separate "215 Arlington" entrance porch and stair was filled-in and the police and fire use distribution in the building was inter-mixed in the 1998 plans, the building was non-compliant for current use and had no contingency space for any changing needs. It was established by both the Fire Chief and Police Chief in 1997 letters that more space was required for both departments. Note that the board policy can be amended at any time due to evolving needs of the agency. It is in no way an impediment to providing the necessary space for both departments.

"Background" slide 1: *"For 52 years, Police and Fire have co-exists (sic)..."*

False - As noted above, the building has been non-compliant per code and police/fire service standards for 25 years and outlived its useful life as a joint-facility. This was established in the studies between 2015 and 2019, which cost the district \$300,000, and confirmed that more square footage was needed, resulting in the 2019 recommendations for a fire-only renovation.

"Background" slide 1: *"The current central location is ideal for both Police and Fire".*

False - As repeated in many public meetings by the Police and Fire staff, the Police Department *"patrols"* and does not require a central location. It makes no sense to force the Police Department into a location where it does not need to while at the same time refusing to provide the Police Department the space that it requires to meet current standards. The flexibility of the Police Department location is an advantage to Kensington given the lack of a single large site for a properly sized joint structure.

"Background" slide 1: *"The long search for alternative locations for the Police shows that alternative, suitable locations of the police will be difficult to find, expensive to construct, and not centrally located".*

False - There is an option (and possibly more than one) to relocate the renovated police modular, and therefore not lose the \$200K renovation investment already made to the building, which provides the necessary space. Recent KPPCSD meetings directed the architect to provide pricing on relocation to the KPPCSD-owned side of the Arlington parking lot, and that has not been made public for consideration. Given 2022 bid-pricing on the PSB renovation site-work and the Temp Station 65 sitework, the costs for relocation could be financially sustainable. In fact, the excessive costs of changing the PSB renovation project in mid-construction could be used to pay for the bulk of the Police modular sitework. Why is this not being financially analyzed? Another option would be to consult with the Unitarian Church to see if the Craft Ave temp location would be an option. The KFPD has already substantially invested in upgrading that secure site and owns the large carport structure, all of which will be vacated after the renovation project is complete. Why will the KPPCSD not fully investigate this option and reveal the financial cost to the public? Also, the financial discussions and architect's

analysis by the KPPCSD for the 303 Arlington Ave location (which remains unoccupied) were not disclosed to the public. Per legal requirements, those discussions and documents are publicly disclosable and not privileged. Why were they not published for the public record and review? It is premature to conclude the study of Police Dept options when valuable information has not been disclosed or developed.

"Background" slide 2: "A fire-only plan was introduced (in April 2021) which replaced all further discussions on joint plans"

False - The approved fire-only plan at the time was presented in November, 2019 after four years and \$300K in consultant expenses, which established that both departments need more area to operate. An additional 18-months was spent by the KFPD and KPPCSD on many joint-occupancy alternatives, none of which were operationally acceptable and workable. With increasing construction inflation over all of that analysis time, it was clear that continued discussions would not provide any reasonable option and that the joint-occupancy alternatives had no contingency space for the future. What responsible public agency spends millions of dollars on renovations with no planning for the future and space-planning that are already out of date and non-compliant as soon as they are complete?

"Background" slide 2: "303 Arlington...proved unworkable"

False - As noted above, none of the architect's analysis and owner negotiations have been made public. This information is not privileged and should be disclosed to the public for full transparency. Since the location is still unoccupied and the rental economy has evolved, the owner may have a different perspective on negotiations.

"Background" slide 2: "Director Dommer and GM Hansell said the PSB could move forward as fire-only and interior changes could later be considered to house the Police."

False - This statement misleadingly does not reveal that any revisions needed to occur before or during the 9-months of design, engineering, and construction drawings prior to the permit submission and approval, and the subsequent public bidding, and start of construction. As a public contract project, it is illegal to change the project during construction without going through re-bidding. It was also noted repeatedly in public meetings that the option to house the police, if seriously considered, would be limited to the +/-800sf on the first floor with no changes to interior structural shear walls, and in that case, the fire department would need to rent administrative space elsewhere (with a diminished cost/benefit of the change). It is well documented that the Police Dept needs much more than 800sf, let alone more than the 1,200sf they previously occupied. Neither the Jim Watt alternative nor the Bart Jones alternative solve that problem, and both are deficient and unworkable in numerous ways (see the comprehensive non-compliance lists in Appendices B and C below). Per the Contra Costa Building Code and Essential Services design requirements, the proposed changes would require construction to stop completely, new RFPs issued for design and engineering services, new schedules for construction documents to be completed, new plan check by the County to be completed, the issuance of permit revisions, and new RFPs issued for construction bidding based on the revised permit drawings, followed by the selection of a new low-bidder. Only after this extensive process, could construction resume with all the additional costs of de-mobilization and re-mobilization with inflation costs added

over the 2022 bids. See Appendix D for the public contracting code requirements that apply to revisions to the current contract, as confirmed by legal counsel. Changes of this nature would require 5-6 months even before construction could start, with additional impacts on the cost of extending temporary facilities.

"Background" slide 2: *"When the 10-year fire contract was signed in 2020, El Cerrito requested no expansion of Kensington Fire Station 65."*

False - In the needs analysis from 2015 to 2019, and during the considerations of the prior "joint-proposals" from 2019 to 2021, Fire Chief Pigoni repeatedly pointed out the deficiencies of the proposals that lacked the proper space requirements, so it was emphasized by El Cerrito prior to the 2020 contract extension. The Chief also noted that those proposals had no contingency plans for the future, which is unheard of in terms of proper fire station planning. Also, the 2022 El Cerrito approval of the reduction in the contract reserve amount from 12-months to 6-months was based on achieving the necessary space required for its employees who service the contract.

"Background" slide 2: *"Although 40% of the Station 65 calls go into El Cerrito, El Cerrito is not contributing to the expansion."*

False - This is a completely misleading statement, as the contract with El Cerrito provides fire services at a much more affordable rate than Kensington could support if it had continued to operate an independent single fire station. Kensington benefits from the extensive resources of El Cerrito to an equal, and in some cases a greater degree, given the options of staffing and additional resources of two El Cerrito Fire Stations and admin. Kensington is responsible for the cost of its fire house while El Cerrito is responsible for Stations 71 and 72, which provide backup services to Kensington when needed.

"Background" slide 2: *"El Cerrito Station 72 (further up the Arlington) is similar in size to the portion of the PSB that is currently used for fire (4500sf) but El Cerrito has no plans to expand Station 72."*

False - Station 72 was built more recently and is not as out of date as Station 65. Also, per the Fire Chief, Wildfire response staffing should be placed at 65 as well as 72 for proper coverage on extreme fire hazard days. If Kensington does not provide the necessary space at 65, then the department will be forced to staff the additional crew only at 72, in which case response times to Kensington on extreme fire hazard days will suffer.

"KEPD and KPPCSD Financial Impacts" slide 3: *"This would leave the KFPD with virtually no remaining cash reserves"*

False - This is completely untrue. As shown in the NHA financial planning studies, the current cost of the renovation allows for the annual debt payment on the loan and the use of the "building" reserves, while continuing to provide 6-months of reserves for the EC contract, as required by contract, and the ongoing reserves for rolling stock (2 engines and a chief's SUV). The analysis covers contingencies for inflation and conservative revenue projections for twenty years. All of the financial information was presented publicly and is published on the district's website. Director Watt provides no

financial data to substantiate his statements. As the analysis shows, after the first two years of bulk construction payments for the project, the KFPD will begin building unrestricted reserves again (i.e. in addition to the required EC Contract and rolling stock reserves noted above.) Those reserves will be available for other disaster prep needs, since the building expenses will be substantially complete for the life of the structure. Ironically, if the current construction process is halted and extensive funds are spent to change the design and re-bid the project, that will definitely require the district to redirect the required EC Contract and rolling-stock reserve funds to pay for the added cost, which would destabilize the cash flow and reserves of the district. For full transparency, the cost of any design/construction changes at this late stage will far exceed the benefit, and it would be irresponsible for the Board to approve changes without a proper financial analysis that is at least equal to the degree which NHA reviewed the approved project.

"KFPD and KPPCSD Financial Impacts" slide 3: "District costs are likely to continue to raise faster than property tax revenues"

False - This is another very misleading statement as the NHA analysis included inflation indexes in its 20-year projections and applied documented historical trends in both growth and recession periods. The current project finances already take this into consideration.

"KFPD and KPPCSD Financial Impacts" slide 3: "The KPPCSD has limited available cash for their own station"

False - This is another misleading statement as the KPPCSD has not proceeded with the complete financial strategic planning that it started in 2021 under GM Brown but discontinued. Due to rising interest rates, the KPPCSD has already limited its options by not acting faster on long-term financing and will continue to make things worse by delaying action in the face of ongoing construction cost inflation. What is needed is expedient and transparent action on the costs for relocating the modular building, or the other options stated above, and the review of financing options that are typical for capital investments in buildings that have a long service life. Refusing to properly study the problem does not imply that the absence of a proper solution.

"KFPD and KPPCSD Financial Impacts" slide 3: "Proposed alternative KPPCSD sites, including Arlington Park, could cost \$4-6M, requiring debt service on \$3M-5M."

False - These are completely fabricated numbers with no backup provided and counter to the real-world amounts that Kensington established by bidding the PSB Renovation and the Temp Station in 2022. The KPPCSD should proceed with realistic projections based on cost-estimating services and comprehensive long-term financial studies, just as the KFPD did. It is irresponsible and reckless to stop a public construction project in mid-stream that has been well-planned and reviewed over seven years from 2015-2022 without any substantial feasibility and in-depth cost impact analysis.

"KFPD and KPPCSD Financial Impacts" slide 3: "Such costs could require a property tax assessment increase."

False - The PSB renovation project was thoroughly planned financially in order to not require a tax increase, and that process is well documented on the district's website.

The 4,500 sf provided to the Fire Department in the renovated building is actually far less than the Needs Analysis recommended for "optimal" conditions and is even less than the "reduced minimum" area calculations. Efficiencies have already been employed in order to avoid a tax increase, while simultaneously providing the service level that Kensington needs. The KPPCSD must undertake the same financial planning process to show that Police services do not have to be compromised by unnecessarily providing non-compliant and too little space. Without a proper review of the options, it is misleading to project tax increases.

"Kensington PD Modular Building Plan" slide 5:

Note - This is *not* the final plan as executed, so the layout is incorrect. The Police Chief developed the final layout based on the department's current and future needs, in a manner that complies with DOJ, security, and building code requirements. \$200K was invested into a layout that works. Conversely, the Bart Jones alternative and the Jim Watt alternative were developed without any input from the Police Chief and Staff. The police department personnel have stated that they cannot do their jobs and provide the services Kensington requires if they are forced to work in unsuitable and non-compliant conditions. Not only do the proposals not work but they are seriously compromising morale and the future staffing levels of the Police Department. Both the fire and police department personnel need to be consulted publicly on their space requirements, in a manner that was last done in 1997 when the Fire and Police Chiefs were asked to make public recommendations to the boards, as documented in the reports of the time which led to the 1998-99 renovations. The Kensington public needs to hear directly from the service professionals in order to determine what is "necessary".

Conclusions

The bottom line here is that neither of the alternatives described in the presentation by Director Watt meet the requirements of the applicable building codes. In addition, neither the Police Chief nor the Fire Chief were consulted in the construction of either of these alternatives. It is not surprising, therefore, that neither alternative satisfies the requirements of the Police Department nor the Fire Department. Finally, even if either of these plans was acceptable, the changes required to implement these plans would most likely increase the cost of the renovation to the point where the project would have to be abandoned.

Acknowledgments

The authors would like to acknowledge many helpful discussions with and information from Kensington Police Chief Mike Gancasz, El Cerrito/Kensington Fire Chief Eric Saylor, and former KFPD General Manager Bill Hansell.

**Appendix A
Presentation by Director Jim Watt
January 11, 2023 KFPD Special Board Meeting**

Slide 1

THE PUBLIC SAFETY BUILDING
CONSIDERING JOINT OCCUPANCY?

BACKGROUND

- **The PSB was built in 1970 for Fire and Police use**
 - KFPD Board Policy 11:30 states "The building is for the benefit of both police and fire functions"
 - Moving forward on the "fire only" station is a violation of this policy
- **Joint use of the PSB has been mutually beneficial**
 - For 52 years, Police and Fire have co-exists and the police have contributed to the maintenance and upgrading of the PSB
 - The current central location is ideal for both Police and Fire
 - The long search for alternative locations for the Police shows that alternative, suitable locations of the police will be difficult to find, expensive to construct, and not centrally located

BACKGROUND

- **In April 2021, the KFPD decided to pursue a fire-only plan because:**
 - A fire-only plan was introduced at that time which replaced all further discussions on joint plans
 - 303 Arlington (next to Ace Hardware) appeared to be a viable Police option, but that proved unworkable
 - Director Dommer and GM Hansell said the PSB could move forward as fire-only and interior changes could later be considered to house the Police
- **All the costs of the fire-only PSB are borne by Kensington**
 - When the 10 year fire contract was signed in 2020, El Cerrito requested no expansion of Kensington Fire Station 65
 - Although 40% of the Station 65 calls go into El Cerrito, El Cerrito is not contributing to the expansion
 - El Cerrito Station 72 (further up the Arlington) is similar in size to the portion of the PSB that is currently used for fire (~4500 sqft) but El Cerrito has no plans to expand Station 72

KFPD AND KPPCSD FINANCIAL IMPACTS

- **The total KFPD cost of the current fire-only plans is ~\$8.0M + \$2.0M in interest**
 - This would leave the KFPD with virtually no remaining cash reserves
 - Other emergency preparedness initiatives may have to be delayed indefinitely
 - District costs are likely to continue to raise faster than property tax revenues
- **The KPPCSD has limited available cash for their own station**
 - Unrestricted cash reserves are about 1.0 million
 - Proposed alternative KPPCSD sites, including Arlington Park, could cost \$4-6M, required debt service on \$3-5M
 - Such costs could require a property tax assessment increase

LAYOUT OF THE TEMPORARY EL CERRITO POLICE STATION

- Before turning to joint occupancy plans, let us review the current Temporary Station
- The Temporary Kensington Station is 2880 sqft
- Let's take a look at what this station provides and what is necessary

Slide 6



Slide 7

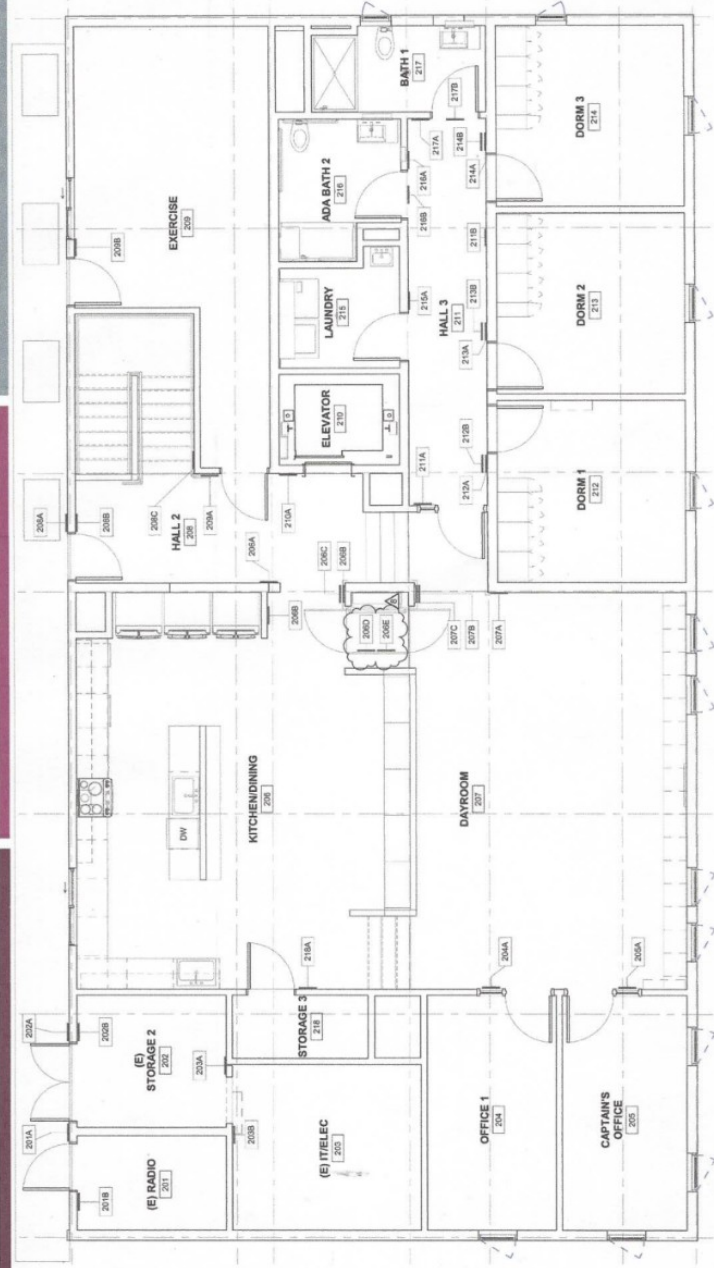


"Fire-Only" Floor 1

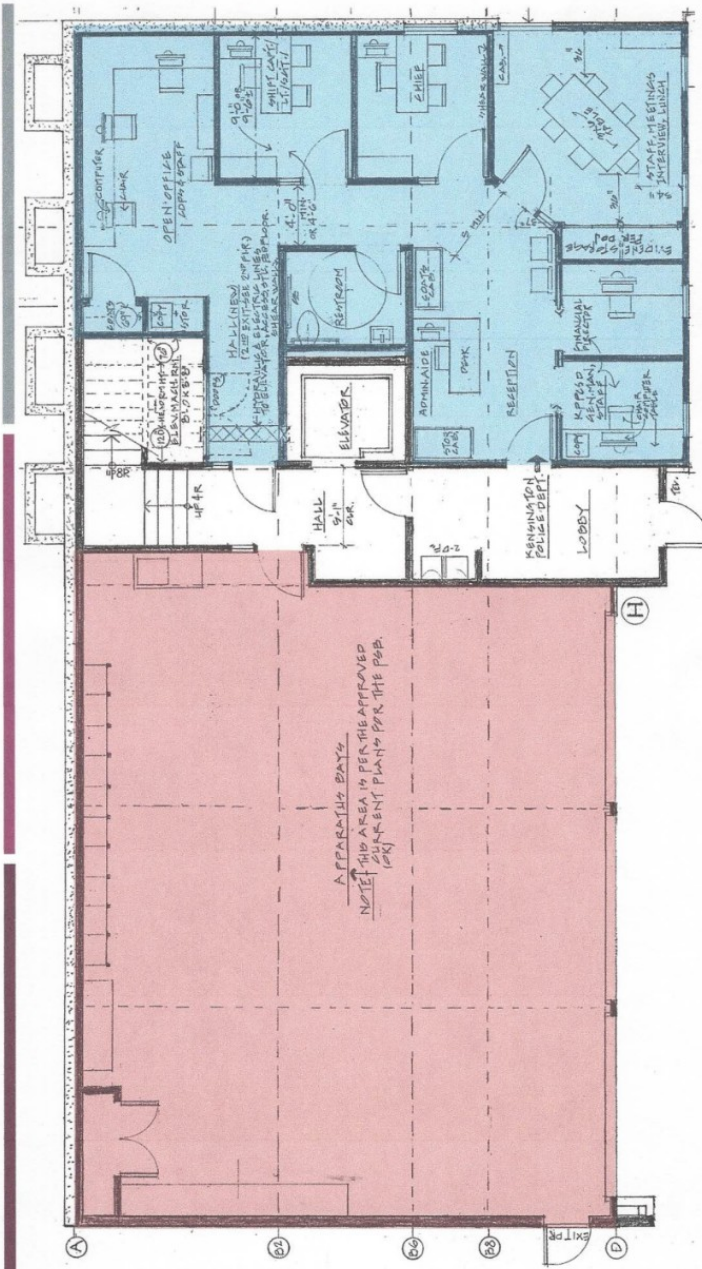
Slide 8

total proposed living area is 1700 → 2880 sqft

“Fire-Only” Floor 2



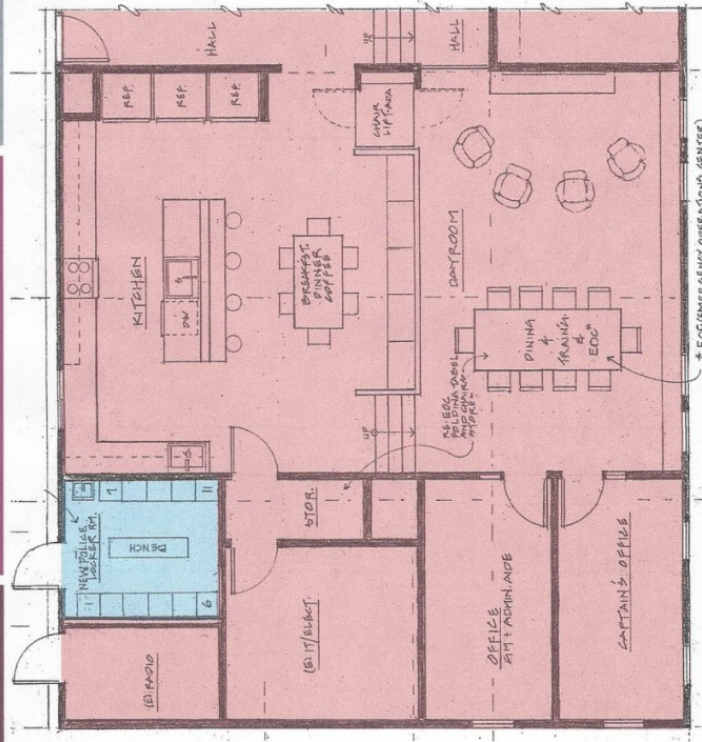
BART Floor 1



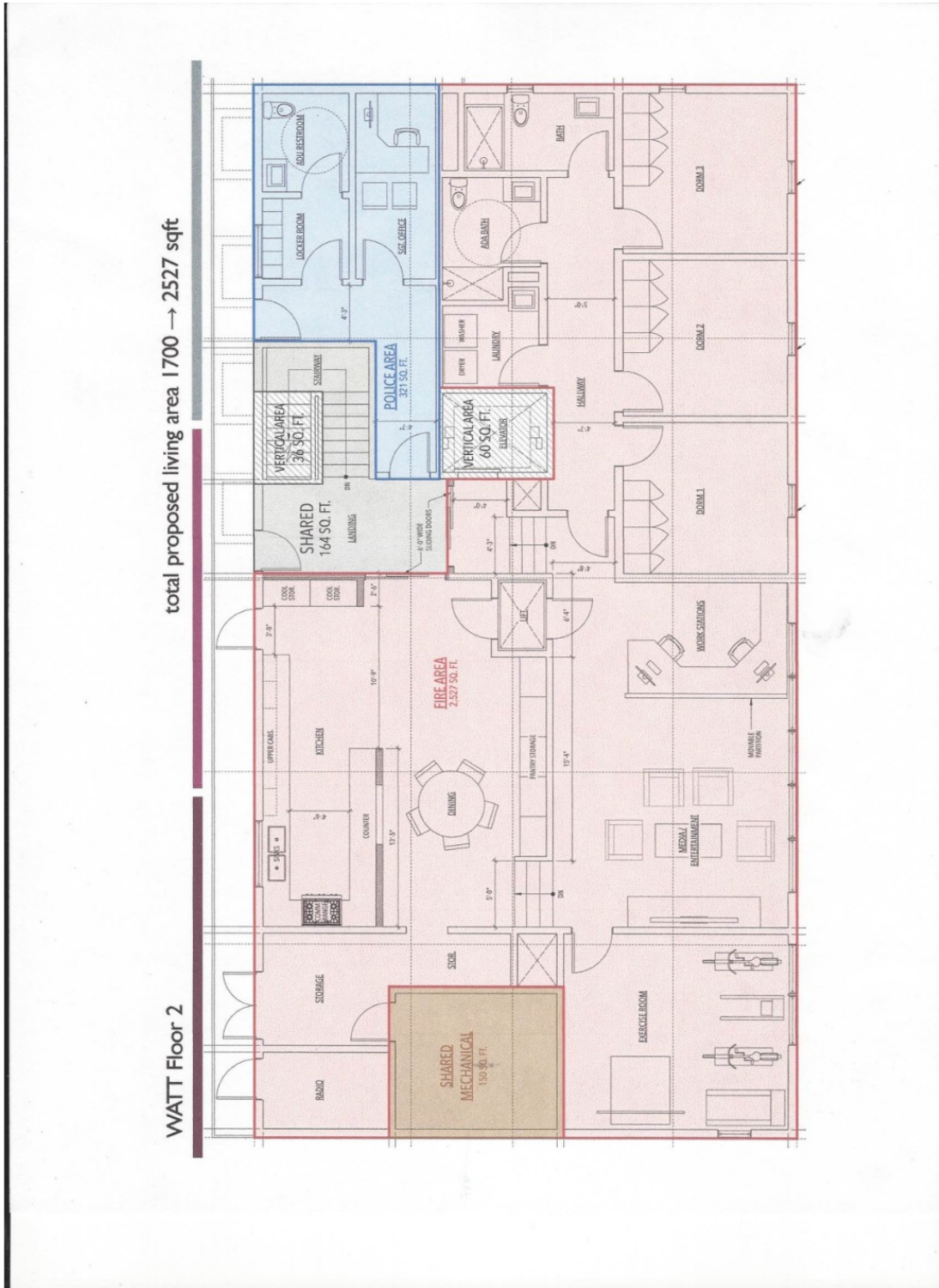
Slide 10

BART Floor 2 Living Area

total proposed living area 1700 → ~2730 sqft



Slide 12





THE RECENT ELECTION RESULTS INDICATE THAT
WE REVISIT JOINT OCCUPANCY PLANS



Appendix B
List of Deficiencies with the Bart Jones Alternative

1st Floor Issues:

- _ Non-Compliant Building Issues - *Significant structural change* to interior shear wall over drilled piers on line B-8. Insufficient seismic compliance.
- _ Non-Compliant Building Issues - Elevator Machine Room is too small and does not have necessary headroom clearance.
- _ Non-Compliant Police Area - Insufficient clearance under stair landing for NE corner of PD open office area
- _ Non-Compliant Police Area - No Secure Comm/IT Room per DOJ compliance
- _ Non-Compliant Police Area - No secure Desks for (2) Sergeants
- _ Non-Compliant Police Area - No Secure Office for Lieutenant
- _ Non-Compliant Police Area - No Secure Patrol Room area
- _ Non-Compliant Police Area - Evidence Room deleted: Insufficient space/security
- _ Non-Compliant Police Area - Insufficient security separations
- _ Non-Compliant Fire Dept Area - Insufficient KPPCSD admin/staff area, Non-compliant for accessibility code requirements
- _ Non-Compliant Fire Dept Area - No KFPD admin/staff area (No direct communication with fire staff)
- _ Non-Compliant Fire Dept Area - No meeting area for vendors outside of private quarters
- _ Non-Compliant Fire Dept Area - No secure records area
- _ Non-Compliant Fire Dept Area - No DOC/EOC
- _ Non-Compliant Fire Dept Area - No future contingency option for increasing ambulance/medical response

2nd Floor Issues:

- _ Non-Compliant Police Area - Locker Room does not meet accessibility code; Insufficient space & no direct access to workspace.
- _ Non-Compliant Fire Dept Area - DOC/EOC & Training Room is insufficient and unacceptable in Day Room
- _ Non-Compliant Fire Dept Area - No future contingency option for 4th bedroom in Day Room area as provided by the approved plan
- _ Non-Compliant Fire Dept Area - Insufficient fire staff parking, as noted in previous "joint-occupancy" designs

Appendix C
List of Deficiencies with the Jim Watt Alternative

1st Floor Issues:

- _ Non-Compliant Building Issues - *Significant structural change* to interior shear walls over drilled piers on lines B-2 & B6. Insufficient seismic compliance.
- _ Non-Compliant Building Issues - *Significant structural change* to interior shear wall over drilled piers on line B-8. Insufficient seismic compliance.
- _ Non-Compliant Building Issues - Elevator Machine Room is too small.
- _ Non-Compliant Building Issues - Insufficient clearance under stair landing for compliant Computer Rm
- _ Non-Compliant Police Area - Non-accessible compliant "Police Administration" (Too narrow for furniture clearances)
- _ Non-Compliant Police Area - Non-accessible compliant "Conference room". (Too narrow for furniture clearances)
- _ Non-Compliant Police Area - Non-accessible compliant "Kitchenette" (Too narrow for equipment clearances)
- _ Non-Compliant Police Area - Inefficient space planning and excessive hallway circulation wasting usable space in a confined area.
- _ Non-Compliant Police Area - Insufficient building security at entry (Unrestricted public access to secure police areas)
- _ Non-Compliant Police Area - Evidence Room cannot be combined with Radio and Armory.
- _ Non-Compliant Police Area - Non-accessible Chief's Office (Too narrow for furniture clearances)
- _ Non-Compliant Police Area - No secure Desks for (2) Sergeants
- _ Non-Compliant Police Area - No Secure Office for Lieutenant
- _ Non-Compliant Police Area - No Secure Patrol Room area.
- _ Non-Compliant Police Area - Insufficient KPPCSD admin/staff area, Non-compliant for accessibility code requirements
- _ Non-Compliant Fire Dept Area - No KFPD admin/staff area (No direct communication with fire staff)
- _ Non-Compliant Fire Dept Area - No meeting area for vendors outside of private quarters;
- _ Non-Compliant Fire Dept Area - No secure records area
- _ Non-Compliant Fire Dept Area - No DOC/EOC
- _ Non-Compliant Fire Dept Area - No future contingency option for increasing ambulance/medical response

2nd Floor Issues:

- _ Non-Compliant Building Issues - Egress from "Fire Area" does not meet code requirements. Also, sliding doors as shown do not provide proper response time access to stair with secure closure.
- _ Non-Compliant Building Issues - Egress from "Police Area" has non-compliant door clearance due to proposed walls.
- _ Non-Compliant Building Issues - Insufficient security separations between Police areas and Fire residence areas. Inefficient space planning and circulation.

- _ Non-Compliant Police Area - Non-compliant accessibility at "Locker Room"
- _ Non-Compliant Police Area - Non-compliant egress at "ADU Restroom"
- _ Non-Compliant Police Area - Non-accessible "Sgt Office" (Too narrow for furniture clearances)
- _ Non-Compliant Fire Dept Area - "Exercise Room" cannot be located in the NW corner as shown since ceiling height is 7'-10" and workout equipment requires 9'-0" min. vertical clearance. The only option with the required clearance is the SE corner which has higher existing ceilings due to the floor level change.
- _ Non-Compliant Fire Dept Area - No secure and separate Captain's office.
- _ Non-Compliant Fire Dept Area - "Workstations" do not provide acoustical separation as required for training and office work. Replacing the shared Office Rm 204 in the existing approved plan means that there is no immediate flex space for bunking on Red Flag Days.
- _ Non-Compliant Fire Dept Area - Exterior door opening at "Kitchen" is under a major structural E-W roof beam and must be filled in for structural compliance. Exterior door in that location also reduces usable space/efficiency and adds an unnecessary security point.
- _ Non-Compliant Fire Dept Area - Insufficient refrigerator storage for rotating (3) crews and (9) personnel w/no future contingency planning.
- _ Non-Compliant Fire Dept Area - Inefficient kitchen layout as required for (3) adults and lacking required accessible code requirements.
- _ Non-Compliant Fire Dept Area - Inefficient circulation in "Dining" area by inclusion of wall (near line B, which has already been demolished)
- _ Non-Compliant Fire Dept Area - Unsecured access to fire residence areas by Comm/IT/Utility maintenance vendors by open egress at "Dining"
- _ Non-Compliant Fire Dept Area - No future contingency option for 4th bedroom in Dayroom area as provided in current approved plan.
- _ Non-Compliant Fire Dept Area - Insufficient fire staff parking, as noted in previous "joint-occupancy" designs

Appendix D
2009 California Public Contract Code
Section 20810-20813 :: Article 53. Fire Protection Districts

PUBLIC CONTRACT CODE
SECTION 20810-20813

20810. The provisions of this article shall apply to contracts by fire protection districts as provided for in the Fire Protection District Law pursuant to Division 12 (commencing with Section 13000) of the Health and Safety Code.

20811. When a district board determines that it is in the public interest, a district may contract with any other public agency for fire protection services, rescue services, emergency medical services, hazardous material emergency response services, ambulance services, and any other emergency services for the protection of lives and property.

20812. (a) A district board may contract for special services. These contracts shall be with persons specially trained, experienced, expert, and competent to perform the special services. The special services shall be limited to the fields of accounting, administration, ambulance, architecture, custodial, economics, engineering, finance, insurance, labor relations, law, maintenance, mechanics, medicine, planning, science, technology, and other services which are incidental to the operation of the district.

(b) In the case of a district which has a final budget in excess of one million dollars (\$1,000,000), the district shall follow the contracting and purchasing procedures which apply to the county government of its principal county or the procedures in subdivision (c).

(c) In the case of a district which has a final budget less than one million dollars (\$1,000,000), the district shall follow the procedures of this subdivision.

(1) When the expenditure required for the service contract exceeds twenty-five thousand dollars (\$25,000), it shall be contracted for and let to the lowest responsible bidder. If two or more bids are the same and the lowest, the district board may accept the one it chooses.

(2) The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the bids. Notice shall be published at least twice, at least five days apart, in a newspaper of general circulation in the district, or if there is none, it shall be posted in at least three public places in the district. The notice shall distinctly state the service to be performed.

(3) The district board may reject any bids. If the district board rejects all bids, it may either readvertise or adopt a resolution, by two-thirds vote, declaring that the service can be performed more economically by the district's employees or obtained at a lower

price in the open market. Upon adoption of the resolution, the district board may undertake the service contract without further complying with this section.

(4) If no bids are received, the district board may undertake the service contract without further complying with this section.

(5) In the case of an emergency, the district board shall respond to the emergency pursuant to Chapter 2.5 (commencing with Section 22050) if notice for bids to let contracts will not be given.

20813. (a) All contracts for the construction or completion of any building, structure, or improvement, when the expenditure required for the work exceeds ten thousand dollars (\$10,000), shall be contracted for and let to the lowest responsible bidder after notice.

If two or more bids are the same and the lowest, the district board may accept the one it chooses.

(b) The notice inviting bids shall set a date for the opening of bids. The first publication or posting of the notice shall be at least 10 days before the date of opening the bids. Notice shall be published at least twice, not less than five days apart, in a newspaper of general circulation in the district, or if there is none, it shall be posted in at least three public places in the district. The notice shall distinctly state the work to be done.

(c) In its discretion, the district board may reject any bids presented and readvertise.

(d) In the case of an emergency, the district board may act pursuant to Chapter 2.5 (commencing with Section 22050).

(e) The district board may, subject to the provisions of Chapter 7 (commencing with Section 3247) of Title 15 of Part 4 of Division 3 of the Civil Code, require the posting of those bonds it deems desirable as a condition to the filing of a bid or the letting of a contract.

(f) Cost records of the work shall be kept in the manner provided in Chapter 1 (commencing with Section 4000) of Division 5 of Title 1 of the Government Code.