

**KENSINGTON FIRE PROTECTION DISTRICT
AGENDA OF A MEETING OF THE
BOARD OF DIRECTORS**

Date of Meeting: October 8, 2014
Time of Meeting: 7:00 p.m.
Place of Meeting: Kensington Community Center
59 Arlington Avenue, Kensington, CA 94707

Please Note: Copies of the agenda bills and other written documentation relating to each item of business referred to on the agenda are on file in the office of the Kensington Fire Protection District Administration Office, 217 Arlington Avenue, Kensington, and are available for public inspection. A copy of the Board of Directors packet can be viewed on the internet at www.kensingtonfire.org/agenda/index.shtml.

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Manager, 510/527-8395. Notification 48 hours prior to the meeting will enable the Kensington Fire Protection District to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title 1).

7:00 p.m. **CALL TO ORDER**
Directors: Helmut Blaschczyk, Joe de Ville, Nina Harmon, Janice Kosel, and Laurence Nagel

1. **ADOPTION OF CONSENT ITEMS.** Items 3, 4 & 5
All matters listed with the notation "CC" are consent items, which are considered to be routine by the Board of Directors and will be enacted by one motion. The Board of Directors has received and considered reports and recommendations prior to assigning consent item designations to the various items. Copies of the reports are on file in the Fire Protection District Administrative Office at 217 Arlington Avenue and are available to the public. The disposition of the item is indicated. There will be no separate discussion of consent items. If discussion is requested for an item, that item will be removed from the list of consent items and considered separately on the agenda. PLEASE NOTE: Public review copy of the agenda packet is available at the Directors' table at the Board meetings.
2. **ORAL COMMUNICATIONS.** (This place on the agenda is reserved for comments and inquiries from citizens and Board members concerning matters that do not otherwise appear on the agenda. Speakers shall be requested to provide their names and addresses prior to giving public comments or making inquiries.)
- CC 3. **APPROVAL OF THE MINUTES.** Approval of the minutes of the regular meeting of September 10, 2014 (APPROVE)
- CC 4. **APPROVAL OF MONTHLY A/P VOUCHER - TRANSMITTAL #4** (APPROVE)
- CC 5. **APPROVAL OF MONTHLY FINANCIAL REPORT.** August/September 2014 (APPROVE)
6. **FIRE CHIEF'S REPORT**
 - a. Review of operations.
 - b. Regional issues and developments.
7. **PRESIDENT'S REPORT**

NEW BUSINESS

8. Actual Cost Agreement for EBMUD-Installed Main Replacement, Columbia Avenue, Kensington – Water Service Estimate of \$550,000 (ACTION)

9. **BOARD REPORTS**

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

- a. Finance Committee (Kosel/Blaschczyk):
- b. Public Safety Building (de Ville/Harmon): Structural engineer visit regarding apparatus bay floor slab
- c. Education (Kosel): Annual Fire Prevention Week Open House – 10/11/14 from 12 to 4 p.m.; Copies of the *Homeowner's Guide to Wildfire Prevention* obtained for Open House
- d. Contra Costa County/California Special Districts Assoc. (Nagel): Next meeting on October 20, 2014 – proposed membership fee increase
- e. Diablo Fire Safe Council/Interface (Staff):
- f. Correspondence: Thank you from Shu Ren School, Kensington

ADJOURNMENT. The next regular meeting of the Board of Directors of the Kensington Fire Protection District will be held on Wednesday, November 12, 2014, at 7:00 p.m. at the Kensington Community Center, 59 Arlington Avenue, Kensington, CA 94707.

The deadline for agenda items to be included in the Board packet for the next regular meeting of 11/12/14 is Wednesday, 10/29/14 by 1:00 p.m. The deadline for agenda-related materials to be included in the Board packet is Wednesday, 11/5/14 by 1:00 p.m., Fire Protection District Administration Office, 217 Arlington Ave., Kensington.

IF YOU CHALLENGE A DECISION OF THE BOARD OF DIRECTORS IN COURT, YOU MAY BE LIMITED TO RAISING ONLY THOSE ISSUES YOU OR SOMEONE ELSE RAISED AT THE BOARD MEETING OR IN WRITTEN CORRESPONDENCE DELIVERED AT, OR PRIOR TO, THE BOARD MEETING

CONSENT CALENDAR

**MINUTES OF THE SEPTEMBER 10, 2014 MEETING OF THE BOARD OF DIRECTORS
OF THE KENSINGTON FIRE PROTECTION DISTRICT**

PRESENT: **Directors:** Helmut Blaschczyk, Nina Harmon, Janice Kosel, Larry Nagel
 Staff: Chief Lance Maples, Manager Brenda Navellier
 Absent: Director Joe de Ville

CALL TO ORDER:

President Kosel called the meeting to order at 7:00 p.m. and noted the Directors that were present. President de Ville was excused.

APPROVAL OF CONSENT ITEMS:

President Kosel called for the approval of the consent calendar (items 3, 4, 5 & 6) consisting of approval of the minutes of the July 9, 2014 meeting, approval of the July incident activity report, approval of the August incident activity report, monthly transmittal #3, and approval of the monthly July/August 2014 financial report. Director Kosel pulled item #3, approval of the minutes from the consent calendar. Director Blaschczyk made a motion to accept consent calendar items 4 through 7. Director Nagel seconded the motion.

AYES: Blaschczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

ORAL COMMUNICATIONS:

President Kosel introduced Mike Kassarian who was in attendance and will become a new KFPD board member in December.

Ciara Wood passed out *The Homeowner's Guide to Wildfire Prevention* by Robert Sieben to each of the Board members. She requested the Board consider investing in these books for the residents of Kensington. The Board thought it was a good idea if the price is reasonable. Chief Maples is currently in touch with the author regarding pricing. Wood also brought to the Board's attention the FireWise training program that the City of Orinda recently participated in. She asked the Board to look into and consider the computer mapping for evacuation that Orinda was able to do with a grant that they received. She also requested that every time KFPD publishes *The Fire Plug* it should include information on defensible space. Wood said she has attended the FireWise training previously and it is an excellent resource that the Board members should consider—the emphasis is that fire safety begins in the home.

APPROVAL OF THE MINUTES:

President Kosel noted that "here" should be changed to "hear" on page 1, Oral Communications, second paragraph, last sentence. Director Harmon made a motion to accept the minutes of July 9, 2014 as corrected. Director Blaschczyk seconded the motion.

AYES: Blaschczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

CHIEF'S REPORT:

Chief Maples reviewed his written report. Captain/Paramedic Janes was deployed as an Incident Communications Manager to the July Complex in Klamath National Forest on 8/19/14 and was home as of 9/5/14. Previous to that he had been deployed to Washington State from 7/19/14 to 8/3/14. Janes is back on duty in Kensington. Janes is part of a federal communications team and they have already been out on two long extended assignments even though it is early in fire season. In August, Engine 372 was dispatched to the Lodge Fire for two weeks with Battalion Chief Gibson as the Incident Team Leader. During the same period, the OES 300 engine was dispatched for 12 days first to the Bald Fire and then relocated to the Eiler Fire. Both engine companies are back safe and sound.

Maples reported that Insurance Service Organization gives a public protection classification to every community based on four key components – needed fire flow, emergency communication, fire department which includes equipment/staffing/training, and water supply. When Kensington first contracted with El Cerrito, Kensington was rated a “4” on a scale of 1 to 10 with 1 being best. Ten years ago the community was moved up to a “3”. Maples has just received the 2014 rating for El Cerrito and Kensington and both have now moved up to a “2” which puts El Cerrito-Kensington Fire in the top 7% of all fire agencies in the State. Lots of work and data collection went into this rating. It is a great enhancement for commercial properties but it is also one of the factors homeowners insurance companies look at when writing policies.

Maples said the new ladder truck is in the shop having equipment installed. Once it is back in service, he will bring it to the Board meeting for the Directors to view. The firefighters have been performing lots of training on the truck.

During the last two weeks ECFD has received numerous grants including a \$50,000 Department of Transportation grant in conjunction with Albany Fire, and two State Homeland Security Grants, one for \$100,000 for a prime mover utility vehicle and one for \$20,000 for demolition tools. All three grants are 100% with no matching funds required.

Michael Bond presented at the Kensington Public Safety Council today on FireWise communities. There will be a second presentation on the 17th at the Arlington Community Church. Chief Gibson also made a presentation at the Kensington Public Safety Council last week regarding earthquake preparedness. Attendance was very high due to the recent Napa earthquake. There is an increased interest in CERT programs.

In answer to a question, Maples stated that ISO uses NFPA standards.

PRESIDENT’S REPORT:

President Kosel is pleased to report there were no forced vegetation abatements in Kensington this year and the voluntary community compliance was 100%. Kosel thanked Chief Maples for answering the email chain regarding the survey markers on the trail by Kensington School. Kosel thanked Maples for his responsiveness with the correct information to stop rumors that were circulating.

Kosel noted that when the District comes in under budget, it likes to provide some type of equipment to the staff as a reward. This fiscal year, the staff has requested a Holmatro combi tool at \$9,500. Kosel believes it is a valuable and modest request.

KFPD and KPPCSD are sponsoring another pharmaceutical drop off on Saturday, September 27, 2014. Pharmacies are now required to take back medications and the El Cerrito Recycling Center also has a drop off box at all times.

NEW BUSINESS:

Resolution 14-07 – Adopting the Final Combined Budget for Revenue, Operating Expenditures and Capital Improvement Expenditures for FY 14-15: Kosel noted that the District adopted the preliminary budget at their June meeting. Kosel reviewed the highlights and changes from earlier in the year. Total revenue projected is \$3.269 million, operating expenses are \$3.146, and total expenses with capital are \$3.998. Water systems are budgeted at \$380,000 with EBMUD contributing a total of 23% the project. A new Type I engine is budgeted at \$632,000 which will be taken from the engine reserve fund. The fund will be exhausted and reestablished after delivery of the new engine. This is consistent with the Board’s policy to save and pay cash for its rolling stock and major building upgrades/repairs. The District has not raised its special tax for nearly 40 years. Under Capital Outlay, Apparatus Bay Construction is now listed at \$200,000 due to the discovery of asbestos in the walls. The District is also having the bay floor slab that is shifting evaluated to see if it needs to be replaced. Also under Capital Outlay, Kosel requested that the Board consider adding the Holmatro combi tool. Revenue from the lease to KPPCSD is down from over \$31,000 to \$1. The Board sets aside funds every year for rolling stock and the building. Kosel moved the enactment of Resolution 14-07 as reflected in the packet with the addition of the Holmatro tool at a price not to exceed \$11,000. Director Nagel seconded the motion.

AYES: Blaszczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

Marvin Collins Construction Proposal for Additional Services in the Amount of \$9,360 and estimation of Structural Engineering Fees: Included in the packet is a proposal for \$9,360 from Marvin Collins for construction documents that would now include the removal of asbestos/replacement of sheetrock, etc. Also included is an estimation of structural engineering fees beginning with \$1,500 for a site visit and report and an additional \$5,000 to

\$7,000 for engineering if any corrections to the floor slab are needed. Director Nagel made a motion to accept the proposal dated July 21, 2014 in the amount of \$9,360. Director Blaschczyk seconded the motion.

AYES: Blaschczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

Director Nagel made a motion to accept the Marvin Collins proposal dated September 3, 2014 for a structural engineer initial site visit and report not to exceed \$1,500. Director Blaschczyk seconded the motion.

AYES: Blaschczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

Mack5 Proposal for Owner Representative Services at a Not-to-Exceed Amount of \$16,500 for the Apparatus Bay Project: KFPD has used Mack5 on previous construction projects and has been very happy with them in the past. Mack5's proposal is based on a total project budget of \$200,000 which does not include a flooring fix since it is unknown what, if any, engineering approach is needed at this time. If more than 100 hours of Mack5's time is needed, they would need to come back to the Board for additional approval. Director Nagel made a motion to accept the Mack5 proposal for owner representative services in an amount not to exceed \$16,500. Director Harmon seconded the motion. In answer to Blaschczyk's question, the \$200,000 is the District's best guess at this time for construction of the improvements and the professional services required. No professional estimates have been obtained at this time.

AYES: Blaschczyk, Harmon, Kosel, Nagel
NOES: None
ABSENT: de Ville

BOARD REPORTS:

Finance Committee: Annual audit field work will take place next week.

Education: A copy of the fall *Fire Plug* was included in the packet.

CSDA: The last meeting took place on July 21st which Nagel attended. Igor Skaredoff of the Contra Costa Resource Conservation District was elected LAFCO representative. The guest speakers were Lou Ann Teixeira of LAFCO and Lisa Vorderbrueggen of the Building Industry Association of the Bay Area. Nagel will forward Teixeira's presentation slides to Navellier to share with the Board. LAFCO is going through their second round of municipal service reviews which evaluates districts on how well they provide their services and also on their sustainability. Maples explained that LAFCO plans to postpone their second round MSR RFP's until November 2015 to start in 2016. They had previously published an RFP and received no interested responses. They will wait until the ambulance service contract has been signed next year. In answer to a question about how many ambulance providers are there, Maples said there are many including five large, nationwide firms plus Contra Costa Fire Protection District plans on bidding on the contract. The next meeting will take place on October 20th.

Correspondence: The Journal published an article on Ciara Wood's volunteer efforts, an email from Bob Shaner regarding the removal of eucalyptus by the school district was included, and the District received an email from Glen Kratkin of the Los Angeles Fire Department praising KFPD personnel (McCullagh, Yun and Hood).

In answer to a question, Maples said the old fire truck (1989 Pierce) will be surplused.

ADJOURNMENT: The meeting was adjourned at 7:58 p.m.

MINUTES PREPARED BY: Brenda J. Navellier

These minutes were approved at the regular Board meeting of the Kensington Fire Protection District on October 8, 2014.

Attest:

Larry Nagel, Board Secretary

TRANSMITTAL - APPROVAL

TO: Auditor Controller of Contra Costa County:
Forwarded herewith are the following invoices and claims for goods and services received which have been approved for payment:

		KENSINGTON FPD		PY/CY:					
		TRANSMITTAL - APPROVAL		BATCH #:					
		Invoices		DATE:					
				LOCATION #:					
				FILENAME:					
				KENSINGTON					
00982	Delta Dental	10/1/2014	BE000927370 Oct dental	7840	1061				1,189.07
01169	CalPERS	9/15/2014	14377812 Nov med	7840	1061				6,994.81
01406	KFPD	10/03/14	Reimburse revolving fund	7840	2490				15,284.08
01634	Vision Service Plan	09/19/14	00102770001 Oct vision	7840	1061				330.22
02120	City of El Cerrito	10/01/14	Oct fire protection	7840	2328				197,136.98
03590	Dell Marketing L.P.	09/15/14	XJMJ5842 - mgr's computer	7840	2490				1,017.71
07894	Bushwacker	09/04/14	6850 wildland interface	7840	2490				3,045.00
TOTAL									224,997.87

Kensington FPD Approval
Date: 1/1/14
Paul A. ...
Date: 10/13/14

October 3, 2014

Attachment to Transmittal 1014

Kensington Fire Protection District Revolving Fund 01406

Detailed invoice for reimbursement to the Revolving Fund for payment of the following expenditures:

INVOICE DATE	DESCRIPTION	AMOUNT
9/6/2014	Chem Dry - carpet cleaning	362.00
9/3/2014	Pagepoint - website updates	41.99
9/1/2014	All-Ways Green Service - janitorial	105.00
9/1/2014	Bay View Refuse - Sept-Dec 2014	336.28
8/26/2014	Kel-Aire - replace thermostats	708.42
8/26/2014	Canepa Landscape Maint.	120.00
9/1/2014	SCIF - workers comp ins.	657.62
9/8/2014	PG&E - electric	1,473.23
9/7/2014	PG&E - gas	46.56
9/17/2014	Payroll processing	54.50
9/17/2014	Payroll - 9/1-9/15/14	2,503.65
9/17/2014	Withholding payroll taxes 9/1-9/15/14	970.29
8/29/2014	NFPA - pub ed materials	305.93
9/20/2014	Petty cash funding - postage, solano stroll, etc.	196.48
9/4/2014	Office Depot - office supplies	120.77
9/9/2014	Sprint - telephone	64.56
9/5/2014	AT&T - telephone	474.46
9/6/2014	Russell - Aug accounting	487.50
7/31/2014	Harmon - reimburse memorial flowers	50.00
9/20/2014	Nagel - reimburse CSDA July mileage	27.45
9/16/2014	Pagepoint - website updates	42.00
9/11/2014	Mechanics - fire plug postage, agenda mtg	645.30
10/1/2014	Stericycle - medical waste/drug drop off	599.15
9/9/2014	Sieben - 250 Homeowner's Guide	1,362.50
10/2/2014	Payroll processing	54.50
10/2/2014	Payroll - 9/16-9/30/14	2,503.65
10/2/2014	Withholding payroll taxes 9/16-9/30/14	970.29
	Total	15,284.08

Please complete the enclosed deposit ticket and mail in the attached envelope to The Mechanics Bank.

Kensington Fire Protection District
Revenue & Expense Prev Year Comparison
July 1 through September 11, 2014

	Jul 1 - Sep 11, 14	Jul 1 - Sep 11, 13
Ordinary Income/Expense		
Income		
Property Taxes	2,815,785.36	2,669,715.69
Other Tax Income	153.26	148.12
Lease Agreement	0.00	15,757.00
Salary Reimbursement Agreement	8,282.46	7,951.06
Miscellaneous Income	11,191.57	10,496.42
Total Income	2,835,412.65	2,704,068.29
Expense		
OUTSIDE PROFESSIONAL SERVICES		
LAFCO Fees	1,796.45	1,760.39
Contra Costa County Expenses	7.62	8.83
EI Cerrito Contract Fee	402,556.42	393,472.31
Risk Management Insurance	11,523.00	10,601.00
Professional Fees		
Accounting	325.00	0.00
Legal Fees	87.48	0.00
Total Professional Fees	412.48	0.00
Total OUTSIDE PROFESSIONAL SERVICES	416,295.97	405,842.53
RETIREE MEDICAL BENEFITS		
PERS Medical	17,088.32	12,816.28
Delta Dental	1,693.41	1,639.97
Vision Care	447.51	447.47
Total RETIREE MEDICAL BENEFITS	19,229.24	14,903.72
COMMUNITY SERVICE ACTIVITIES		
Public Education	1,579.09	430.28
Vial of Life Program	0.00	114.27
Open Houses	0.00	199.57
Total COMMUNITY SERVICE ACTIVITIES	1,579.09	744.12
DISTRICT ACTIVITIES		
Firefighters' Expenses	1,078.95	0.00
Professional Development	0.00	1,117.68
Building Maintenance		
Janitorial Service	315.00	309.66
Medical Waste Disposal	453.84	430.60
Gardening service	240.00	120.00
Miscellaneous Maint.	3,689.58	633.47
Total Building Maintenance	4,698.42	1,493.73
Building Utilities/Service		
Garbage	336.28	284.96
Gas and Electric	2,900.94	2,576.31
Water/Sewer	350.02	132.47
Total Building Utilities/Service	3,587.24	2,993.74
Memberships	50.00	600.00
Office		
Office Expense	580.56	250.47
Office Supplies	259.39	137.53
Telephone	1,191.98	1,058.36
Total Office	2,031.93	1,446.36
Total DISTRICT ACTIVITIES	11,446.54	7,651.51

Kensington Fire Protection District
Revenue & Expense Prev Year Comparison
July 1 through September 11, 2014

	Jul 1 - Sep 11, 14	Jul 1 - Sep 11, 13
Staff		
Wages	12,517.82	12,514.64
Longevity Pay	1,000.00	0.00
Medical/dental ins compensation	1,300.00	1,200.00
Retirement Contribution	951.34	625.72
Payroll Taxes	1,034.12	957.40
Workers Compensation/Life Ins	657.62	917.30
Payroll Processing	272.50	209.60
Total Staff	17,733.40	16,424.66
Total Expense	466,284.24	445,566.54
Net Ordinary Income	2,369,128.41	2,258,501.75
Other Income/Expense		
Other Income		
Transfers In - General	0.00	589.67
Total Other Income	0.00	589.67
Other Expense		
Transfers Out - Capital	0.00	589.67
Total Other Expense	0.00	589.67
Net Other Income	0.00	0.00
Net Income	2,369,128.41	2,258,501.75

Kensington Fire Protection District
Revenue & Expense Prev Year Comparison
July 1 through September 11, 2014

	\$ Change	% Change
Ordinary Income/Expense		
Income		
Property Taxes	146,069.67	5.5%
Other Tax Income	5.14	3.5%
Lease Agreement	-15,757.00	-100.0%
Salary Reimbursement Agreement	331.40	4.2%
Miscellaneous Income	695.15	6.6%
Total Income	131,344.36	4.9%
Expense		
OUTSIDE PROFESSIONAL SERVICES		
LAFCO Fees	36.06	2.1%
Contra Costa County Expenses	-1.21	-13.7%
EI Cerrito Contract Fee	9,084.11	2.3%
Risk Management Insurance	922.00	8.7%
Professional Fees		
Accounting	325.00	100.0%
Legal Fees	87.48	100.0%
Total Professional Fees	412.48	100.0%
Total OUTSIDE PROFESSIONAL SERVICES	10,453.44	2.6%
RETIREE MEDICAL BENEFITS		
PERS Medical	4,272.04	33.3%
Delta Dental	53.44	3.3%
Vision Care	0.04	0.0%
Total RETIREE MEDICAL BENEFITS	4,325.52	29.0%
COMMUNITY SERVICE ACTIVITIES		
Public Education	1,148.81	267.0%
Vial of Life Program	-114.27	-100.0%
Open Houses	-199.57	-100.0%
Total COMMUNITY SERVICE ACTIVITIES	834.97	112.2%
DISTRICT ACTIVITIES		
Firefighters' Expenses	1,078.95	100.0%
Professional Development	-1,117.68	-100.0%
Building Maintenance		
Janitorial Service	5.34	1.7%
Medical Waste Disposal	23.24	5.4%
Gardening service	120.00	100.0%
Miscellaneous Maint.	3,056.11	482.4%
Total Building Maintenance	3,204.69	214.5%
Building Utilities/Service		
Garbage	51.32	18.0%
Gas and Electric	324.63	12.6%
Water/Sewer	217.55	164.2%
Total Building Utilities/Service	593.50	19.8%
Memberships		
Office	-550.00	-91.7%
Office		
Office Expense	330.09	131.8%
Office Supplies	121.86	88.6%
Telephone	133.62	12.6%
Total Office	585.57	40.5%
Total DISTRICT ACTIVITIES	3,795.03	49.6%

Kensington Fire Protection District
Revenue & Expense Prev Year Comparison
July 1 through September 11, 2014

	\$ Change	% Change
Staff		
Wages	3.18	0.0%
Longevity Pay	1,000.00	100.0%
Medical/dental ins compensation	100.00	8.3%
Retirement Contribution	325.62	52.0%
Payroll Taxes	76.72	8.0%
Workers Compensation/Life Ins	-259.68	-28.3%
Payroll Processing	62.90	30.0%
Total Staff	1,308.74	8.0%
Total Expense	20,717.70	4.7%
Net Ordinary Income	110,626.66	4.9%
Other Income/Expense		
Other Income		
Transfers In - General	-589.67	-100.0%
Total Other Income	-589.67	-100.0%
Other Expense		
Transfers Out - Capital	-589.67	-100.0%
Total Other Expense	-589.67	-100.0%
Net Other Income	0.00	0.0%
Net Income	110,626.66	4.9%

**Kensington Fire Protection District
Revenue & Expense Budget vs. Actual**

July through August 2014

	Jul - Aug 14	Budget	\$ Over Budget	% of Budget
Ordinary Income/Expense				
Income				
Property Taxes	2,815,785.36	2,982,110.00	-166,324.64	94.4%
Special Taxes	0.00	0.00	0.00	0.0%
Other Tax Income	153.26	0.00	153.26	100.0%
Lease Agreement	0.00	1.00	-1.00	0.0%
Interest Income	0.00	0.00	0.00	0.0%
Salary Reimbursement Agreement	8,282.46	8,522.70	-240.24	97.2%
Grant Revenue	0.00	0.00	0.00	0.0%
Miscellaneous Income	11,191.57			
Total Income	2,835,412.65	2,990,633.70	-155,221.05	94.8%
Expense				
OUTSIDE PROFESSIONAL SERVICES				
LAFCO Fees	1,796.45	1,850.00	-53.55	97.1%
Contra Costa County Expenses	0.00	0.00	0.00	0.0%
El Cerrito Contract Fee	402,556.42	402,556.50	-0.08	100.0%
Water System Improvements	0.00	0.00	0.00	0.0%
Fire Abatement Contract	0.00	0.00	0.00	0.0%
Risk Management Insurance	11,523.00	11,525.00	-2.00	100.0%
Professional Fees				
Accounting	162.50	400.00	-237.50	40.6%
Audit	0.00	0.00	0.00	0.0%
Legal Fees	0.00	5,000.00	-5,000.00	0.0%
Total Professional Fees	162.50	5,400.00	-5,237.50	3.0%
Wildland Vegetation Mgmt	0.00	0.00	0.00	0.0%
Total OUTSIDE PROFESSIONAL SERVIC...	416,038.37	421,331.50	-5,293.13	98.7%
RETIREE MEDICAL BENEFITS				
PERS Medical	17,088.32	3,328.32	13,760.00	513.4%
Delta Dental	1,128.94	425.82	703.12	265.1%
Vision Care	447.51	115.82	331.69	386.4%
Total RETIREE MEDICAL BENEFITS	18,664.77	3,869.96	14,794.81	482.3%
COMMUNITY SERVICE ACTIVITIES				
Public Education	1,537.10	2,166.66	-629.56	70.9%
Comm. Pharmaceutical Drop-Off	0.00	0.00	0.00	0.0%
Vial of Life Program	0.00	0.00	0.00	0.0%
CERT Emergency Kits	0.00	0.00	0.00	0.0%
Open Houses	0.00	0.00	0.00	0.0%
Community Shredder	0.00	0.00	0.00	0.0%
Total COMMUNITY SERVICE ACTIVITIES	1,537.10	2,166.66	-629.56	70.9%
DISTRICT ACTIVITIES				
Firefighter's Apparel	0.00	0.00	0.00	0.0%
Firefighters' Expenses	1,078.95	1,000.00	78.95	107.9%
Engine Rescue Equipment	0.00	0.00	0.00	0.0%
Staff Appreciation	0.00	0.00	0.00	0.0%
Professional Development	0.00	0.00	0.00	0.0%
Building Maintenance				
Janitorial Service	210.00	250.00	-40.00	84.0%
Medical Waste Disposal	226.92	666.00	-439.08	34.1%
Building alarm	0.00	0.00	0.00	0.0%
Gardening service	120.00	200.00	-80.00	60.0%
Miscellaneous Maint.	1,857.00	2,083.32	-226.32	89.1%
Total Building Maintenance	2,413.92	3,199.32	-785.40	75.5%
Building Utilities/Service				
Garbage	0.00	0.00	0.00	0.0%
Gas and Electric	1,381.15	1,200.82	180.33	115.0%
Water/Sewer	350.02	219.16	130.86	159.7%
Total Building Utilities/Service	1,731.17	1,419.98	311.19	121.9%
Election	0.00	0.00	0.00	0.0%
Memberships	50.00	50.00	0.00	100.0%
Office				
Office Expense	580.56	583.32	-2.76	99.5%
Office Supplies	259.39	416.66	-157.27	62.3%
Telephone	648.04	1,107.50	-459.46	58.5%
Total Office	1,487.99	2,107.48	-619.49	70.6%
Total DISTRICT ACTIVITIES	6,762.03	7,776.78	-1,014.75	87.0%

**Kensington Fire Protection District
Revenue & Expense Budget vs. Actual**

July through August 2014

	Jul - Aug 14	Budget	\$ Over Budget	% of Budget
Staff				
Wages	12,517.82	12,518.32	-0.50	100.0%
Longevity Pay	1,000.00	1,000.00	0.00	100.0%
Overtime Wages	0.00	216.66	-216.66	0.0%
Vacation Wages	0.00	0.00	0.00	0.0%
Medical/dental ins compensation	1,300.00	1,300.00	0.00	100.0%
Retirement Contribution	951.34	951.66	-0.32	100.0%
Payroll Taxes	1,034.12	1,033.00	1.12	100.1%
Workers Compensation/Life Ins	0.00	0.00	0.00	0.0%
Payroll Processing	218.00	230.00	-12.00	94.8%
Total Staff	17,021.28	17,249.64	-228.36	98.7%
Contingency	0.00	4,166.66	-4,166.66	0.0%
Total Expense	460,023.55	456,561.20	3,462.35	100.8%
Net Ordinary Income	2,375,389.10	2,534,072.50	-158,683.40	93.7%
Net Income	2,375,389.10	2,534,072.50	-158,683.40	93.7%

CHIEF'S REPORT

**KENSINGTON FIRE PROTECTION DISTRICT
MEMORANDUM**

October 1, 2014

TO: President and Board Members
Kensington Fire Protection District

FROM: Lance J. Maples, Fire Chief

SUBJECT: **Fire Chief's Report**

On September 15, 2014, El Cerrito Fire Department dispatched Engine 372 and OES 300 to the King Fire near Pollock Pines, CA. The King Fire started on September 14, 2014 and had rapid growth for the first 5 to 10 days of the fire. Engine 372 and OES 300 were assigned to fire suppression, mop up, overhaul operations and structure triage during their deployment. As of today, the fire has burned 97,099 acres and is 94% contained. 12 single family dwellings have been destroyed and 68 other structures have received damage. I am happy to report that Engine 372 returned home on September 25, 2014 and OES 300 returned home on September 26, 2014, with no injuries and all their equipment intact.

It should be noted that during the King Fire, due to extreme fire conditions, 12 firefighters had to deploy their emergency shelters to keep from being burned. Emergency shelters are only deployed as a last resort to protect a firefighter from severe injury or death, when being burned over is imminent. I am also happy to report that none of the 12 firefighters were seriously injured.

As we move into the heart of the fire season, please keep the men and women of our Fire Department in your thoughts.

NEW BUSINESS

September 8, 2014

Kensington Fire Protection District
Attn: Brenda J. Navellier
217 Arlington Ave.
Kensington CA 94707-1401

**SUBJECT: Water Service Estimate 14030; Actual Cost Miscellaneous Agreement
for EBMUD-Installed Main Replacement, Columbia Avenue,
Kensington**

Dear Ms. Navellier:

Enclosed are three copies of an actual cost Miscellaneous Agreement to proceed with engineering and installation. The estimated total amount of \$550,000.00 is preliminary only; EBMUD makes no representation regarding its accuracy. This amount includes the cost of all preliminary engineering, project administration, design, and construction of water system improvements, including, construction inspection, survey, permits, pipeline materials and appurtenances, pipe kills, affected service and hydrant lateral transfers, trench paving, and replacement of about 1,000 feet of 4-inch pipe with 6-inch pipe on Columbia Avenue in Kensington.

The sum specified above does not include costs associated with any unanticipated field conditions, restricted working hours, additional traffic control needs, or other unforeseen factors which may affect the overall cost. Such additional cost must be paid in advance following written invoice to Kensington Fire Protection District (KFPD) from EBMUD, per the enclosed agreement.

The preliminary estimate of \$550,000.00 shall be paid by KFPD to EBMUD in three (3) installments. Upon receipt of the initial installment, \$110,000.00, along with the three, signed agreement copies, EBMUD will perform all preliminary and design engineering, as well as survey work. The time needed for this initial design phase is about nine (9) months.

Upon completion of design, KFPD shall pay the second installment, 220,000.00. Following receipt of this second installment, EBMUD will commence installation of the improvements.

The third and final installment of \$220,000.00 will be due upon completion of 50% of the improvements work, as determined by EBMUD. KFPD shall be notified in writing at the point of 50% completion.

As described in Paragraph 7 of the enclosed agreement, after project completion and subsequent final accounting of total actual project cost, KFPD shall pay 77% of such cost and EBMUD shall pay 23% of such cost.

WSE 14030; Columbia Avenue Main Replacement
September 8, 2014
Page 2

EBMUD's cost share is based on maintaining the as-designed capacity of the pipelines (500 gallons per minute in accordance with EBMUD Policy 3.03) while providing for the project goal of meeting KFPD's fire flow requirement of 1,500 gallons per minute established in the 1998 Kensington Fire Flow Study.

If you wish EBMUD to proceed with the preliminary engineering and survey work, please sign and return all three copies of the agreement and return to my attention with the first installment payment of \$110,000.00. Please do NOT date the agreement; the agreement will be dated when signed by EBMUD's Director of Engineering & Construction.

If you have any questions, please call me at (510) 287-1278, or call Jose Rios at (510) 287-1091.

Sincerely,



Mark Swearingen
New Business Representative

/mws

Enclosures

cc: Jose Rios, EBMUD Water Distribution Planning

**AGREEMENT
FOR DESIGN, CONSTRUCTION, AND REPLACEMENT
OF WATER SYSTEM IMPROVEMENTS IN KENSINGTON
BETWEEN
EAST BAY MUNICIPAL UTILITY DISTRICT AND
KENSINGTON FIRE PROTECTION DISTRICT
MISCELLANEOUS AGREEMENT _____**

WITNESSETH

THIS AGREEMENT, dated _____, 20____, between the EAST BAY MUNICIPAL UTILITY DISTRICT (hereinafter called "EBMUD"), a municipal utility district formed under the California Municipal Utility District Act and the KENSINGTON FIRE PROTECTION DISTRICT (hereinafter called KFPD), a special district created pursuant to the Fire Protection District Law of 1961.

WHEREAS, KFPD commissioned EBMUD to prepare a comprehensive study of the water delivery system in Kensington in an effort to identify the improvements necessary to achieve fire flow standards provided by KFPD, resulting in the publication of the "Kensington Fire Flow Study," dated December 1998; and

WHEREAS, on December 8, 1999, the Board of Directors of the KFPD adopted the Kensington Water System Improvements Master Plan and funded the completion of various water system improvements consistent with the Kensington Fire Flow Study and Kensington Water System Improvements Master Plan; and

WHEREAS, on July 2, 2007, EBMUD completed the "Kensington Supplemental Fire Flow Study" as requested by KFPD and KFPD subsequently funded certain water system improvements as a result of the study; and

WHEREAS, on November 22, 2011, EBMUD and KFPD entered into a cost sharing agreement for additional water system improvement projects that provide improved fire flows to Kensington; and

4. EBMUD shall use its best efforts to perform, or cause to be performed, all tasks in order to complete construction of the water system improvements for a cost of \$550,000. This cost represents the cost estimate (in 2013 dollars) for design and construction of the replacement pipelines and appurtenances. All of the water system improvements are to be installed in accordance with the final improvement plans and specifications to be prepared by EBMUD.

5. All of the water system improvements installed shall become the property of EBMUD and shall be maintained by EBMUD in accordance with EBMUD policies, regulations, procedures, and practices.

6. For purposes of establishing the relative financial responsibilities among the parties to this Agreement, the following definitions shall be applied:

- a. The "total estimated project cost" shall mean \$550,000 which is the cost estimate to construct the water system improvements on Columbia Avenue in Kensington.
- b. The "total actual project cost" shall mean the final total cost to construct the water system improvements on Columbia Avenue in Kensington and EBMUD's performance of this Agreement.
- c. The "EBMUD contribution" is calculated as 23.0 percent applied to the total actual project cost. EBMUD's cost share is based on maintaining the as-designed capacity of the pipelines (500 gallons per minute in accordance with EBMUD Policy 3.03) while providing for the project goal of meeting KFPD's fire flow requirement of 1,500 gallons per minute established in the 1998 Kensington Fire Flow Study.

7. After final accounting of total actual project cost, KFPD shall pay 77 percent of such cost and EBMUD shall pay 23 percent of such cost. If the total actual project cost is less than the \$550,000 paid by KFPD to EBMUD, then EBMUD shall refund to KFPD the difference between

the total actual project cost and the \$550,000 paid by KFPD to EBMUD, as well as the 23 percent of the total actual project cost. If the total actual project cost is \$550,000, then EBMUD shall refund to KFPD 23 percent of that amount. If the total actual project cost is more than \$550,000, then EBMUD shall refund 23 percent of \$550,000 to KFPD, and KFPD shall pay 77 percent of the amount of the total actual project cost that exceeds \$550,000.

8. Upon completion of the project, EBMUD will determine the total actual project cost incurred in performance of the work. EBMUD's determination of all costs of construction shall be final and binding provided that such determination shall be made in accordance with generally accepted accounting principles. EBMUD will provide to KFPD its detailed final cost accounting for the water system improvements within 60 working days after project completion.

9. The parties to this Agreement acknowledge that unforeseen or unanticipated situations may be encountered during construction of the water system improvements that affect both the costs of these improvements and the schedule to complete the work. Such conditions include, but are not limited to:

- substantial adverse soil conditions, including unstable soils and/or contaminated soils;
- unanticipated underground obstructions;
- lane paving beyond the standard trench T-cut;
- California Environmental Quality Act (CEQA) requirements beyond a Notice of Exemption; and/or
- acquisition of any rights-of-way and/or temporary construction easements.

In the event that unforeseen conditions arise, the costs of which are above and beyond the total estimated project cost set forth hereinabove, EBMUD shall notify KFPD as soon as practicable regarding the impact of such conditions on the project cost and project schedule.

10. KFPD agrees to indemnify, defend and hold harmless EBMUD, its Directors, officers, employees, and agents from and against any and all loss, liability, expense, claims, costs, suits, demands and damages, including liability for inverse condemnation, nuisance, or trespass arising directly or indirectly from or in any way connected with the water system improvements work performed by EBMUD, the negligence or willful misconduct of KFPD, or the removal, treatment, and/or disposal of contaminated soil and/or water, including petroleum products or by-products. KFPD further agrees to indemnify, defend and hold harmless EBMUD, its Directors, officers, employees, and agents from and against any and all loss, liability, expense, claims, costs, suits, demands and damages arising directly or indirectly from or in any way connected with the levy, collection and use of the KFPD tax or other method of financing the improvements and the terms of this Agreement. KFPD shall make good to reimburse EBMUD for any expenditures, including reasonable attorneys' fees, EBMUD may make by reason of such matters set forth above.

11. Nothing in the Agreement is intended to affect the legal liability of either party to third parties by imposing any standard of care different from the standard of care imposed by law.

12. KFPD shall be named as an additional insured on all insurance policies of contractors constructing any of the water system improvements, to the same extent EBMUD is so named, and KFPD shall be named as an additional obligee on all performance and payment bonds posted in conjunction therewith.

13. At all times during the conduct of this work, EBMUD shall accept complete ownership, maintenance, and operation responsibility for the water system improvements constructed as defined herein.

14. In the event of cancellation or termination of this Agreement, it is agreed that EBMUD shall retain, from any sums paid by KFPD, an amount equal to the actual costs and expenses incurred by EBMUD in performance of this Agreement at the time of cancellation or termination.

15. Term of Agreement. Except for Sections 10 and 14 hereof, this Agreement shall expire upon acceptance as complete of the construction of the water system improvements and the payment of all sums required herein.

16. Modification of Agreement. This Agreement may be modified at any time by mutual consent of both parties. Any such modification shall be in writing and executed by both parties.

17. Accountability. Each party to this Agreement shall provide strict accountability of all funds paid and received for the construction of the water system improvements and shall report to each other all receipts and disbursements relating to the water system improvements.

19. Assignment. This Agreement is not assignable, and shall be binding upon and inure to the benefit of the heirs and successors of the parties.

20. Approvals. This Agreement, and the execution thereof by the undersigned officers, has been duly approved and authorized by the respective governing bodies of the undersigned parties to this Agreement.

21. Severability. In the event that any portion of this Agreement shall be deemed by any court of competent jurisdiction to be invalid, illegal or unenforceable, such portion shall be deemed severed from the Agreement, and the remaining parts shall remain in full force and effect, as fully as though such invalid, illegal or unenforceable portion had never been part of the Agreement to the extent allowed by law.

22. Waiver. No waiver of any breach by any party of any of the covenants contained in the Agreement shall be construed as a waiver of any subsequent or preceding breach of the same

or any covenant. No waiver of any default of any party shall be implied from any failure of the other party to take any action on account of such default if such default persists or is repeated, and no express waiver shall affect any default other than as specified in such waiver. The consent or approval by any party to or of any act requiring such consent or approval shall not be deemed to render unnecessary the consent or approval to or of any subsequent similar act.

23. Governing Law. This Agreement shall be construed and governed by the laws of the State of California and constitutes the entire Agreement of the parties, superseding all prior agreements written or oral.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the day and year first set forth above.

KENSINGTON FIRE PROTECTION
DISTRICT

By:

President, Board of Directors

Approved as to form

Legal Counsel

EAST BAY MUNICIPAL UTILITY
DISTRICT

By:

Director of Engineering & Construction

Approved as to form

Office of General Counsel

BOARD REPORTS



California Special Districts Association

Contra Costa County Chapter

MEMORANDUM

To: Contra Costa County Special Districts Association Members, Board of Director, and General Managers

From: CCCSDA Planning Committee (Bette Boatmun, John Burg, Igor Skaredoff, Dale Barton, E. J. Shalaby, Stan Caldwell, Sharyn Rossi, Andrew Leal)

Date: September 24, 2014

Subject: Proposal to be Presented at the October 20th Meeting for Consideration/Adoption

The planning committee met on August 15, 2014 and made recommendations regarding the following:

Current Budget

The proposed budget does not meet the benefits of recent past years. The association has eliminated scholarships. Reduction of newsletters that are distributed to elected officials locally, and at the State and Federal level, have been reduced to 2 a year from 4 a year. Much of the time, due to limited newspaper coverage, this is the only positive coverage given of our agencies.

Current dues are \$50 per year - approximate total collected from membership \$1750

Meeting Insurance - \$440

Newsletter - 4 issues \$3000

Miscellaneous memorial donations, postage etc. - \$300

The Central Contra Costa Sanitary District generously donates support services and meeting space.

Revenue is \$1750 + a few Associate Members at \$50 per year

Approximate total \$2000

Expenses approximately \$3740

Committee Proposals

Increase Membership dues from \$50 to \$100 annually

Increase Associate Members from \$50 to \$200 annually

Establish a Sponsoring Associate Member at \$ 500 annually

Rational for the Above

CCSDA dues have not increased since 1988. Services to the membership and community have been eliminated.

Open opportunities to firms and professional service providers who interact with special districts. This will enhance their ability to expand services.

Proposed Strategies

Increase dues and recruit new members and associates, and use part of the associate dues for community scholarships. (To be determined i.e., teachers and students).

Recruiting Approaches

Develop a package for Special District agencies who are not members, provide updated information to current and prospective members, and request that existing members follow up with prospective members.

Associate and Sponsoring Members

Obtain lists of prospective associate members from current agencies with contact information for an individual known to the agency. The information would be used to conduct a mailing campaign to recruit associate members. Have current member agencies follow up with prospective associates, inviting them to a meeting, giving them information about the association.

Types of organizations to target: CPA's, auditors, engineering, chemical, solar, law, and public relation firms. Banks and financial institutions may also be included.

Benefits for Members

Networking with local agencies and all who attend CCSDA meetings, receiving and giving information as part of the meeting programs, and inclusion of their articles in the newsletter pertinent to special district agencies

Benefits for Associate Members

Meet with special district staff and board members, advertise in newsletter at no cost, participate at meetings and on committees, give presentations, table top displays, and establish a scholarship fund for the community.

CCSDA will be voting on the dues increase and establishing two levels for Associate Membership at the Oct 20th meeting. The committee members encourage all member agencies representatives and all other interested parties to attend. If you have any questions, please contact Bette Boatman at 925-689-9255.

Dear El Cerrito &
Kensington Fire
Fighters,

Thank you very much
for coming to our
School and giving
your presentation.

The kids, teachers and
parents loved it. Thank
you for the hats and
coloring books too.

You all were great!

Sincerely,

Shu Fen PTO, Teachers
and kids

Capt/PP Chesapeake
Eng/P Hood

FF/P Faulkner