Item #15

Kensington Community Services District

DATE: December 11, 2025

TO: Board of Directors

FROM: David Aranda, Interim General Manager (IGM)

SUBJECT: Discussion Regarding District Policies and Proper Protocol for Directors Interacting with Staff, Consultants, and Officials with Other Organizations

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BACKGROUND:
You will find an e-mail attached to this ASI. Unfortunately, over the past few months there have been some incidents that concern your IGM. You will note the directions I have given staff regarding interacting with directors. I will also be speaking to various officials that KCSD interacts with and explain that no director has the authority to speak on behalf of the district without approval from the full board.

Attached are the various policies that KCSD operates under. I ask that all directors, for the good of the community, follow these policies and respect the directives I have provided for staff. Please note that failure to follow these policies can result in censure by the board and can result in legal proceedings.

EXHIBIT(S):

- Direction to Staff
- Policy 1010 (Basis of Authority) and Policy 1020 (Board/Staff Communications)

Item #15a

From: David Aranda

To: Mike Gancasz; Eric Saylors; mmayorga@kensingtonfire.org; Johnny Valenzuela; rjackson@kensingtonfire.org; Rosa Ruiz; Lynelle Lewis; Karn Borisuthiratana; Melissa Klinect; Fernando Herrera

Cc: David Spath

Subject: IMPORTANT DIRECTION

Date: Wednesday, December 3, 2025 9:39:45 AM

Good Morning: I would like to address and provide direction on a few things as we continue to move forward with all of us being one entity. 1. It is so important that we communicate well. Please keep the various parties in the loop as we continue to serve Kensington. 2. Due to some issues recently, I am asking all employees (Chief Saylors this will not apply to you since you report directly to the Board of Directors) and Consultants to do the following when approached by a director: A. Always be respectful. B. A simple greeting by a director and providing a greeting back is nice and acceptable.

C. Should a Director attempt to start talking district business please kindly respond that the Director should contact the General Manager. D. Report immediately any unwanted behavior by a director to the General Manager. E. I will requesting that any director that wishes to enter the fire station or the police station, contact me in advance for an appointment. Chief Gancasz and Chief Saylors, I would appreciate you forwarding this information to your respective staff. Should you have any questions about this memo, please contact me. I will be passing this information to all directors at an upcoming board meeting. Thank you all for the work you do in serving Kensington. David.

David Aranda

Interim General Manager

Kensington Police Protection & Community Services District

510-526-4141 | Main

661-300-1231 | Cell

510-440-5410 | Fax

Email: DAranda@kppcsd.org

10940 San Pablo Avenue | El Cerrito, CA. 94530

Policy 1010: Basis of Authority

1010.1 The Board of Directors is the legislative body and unit of authority within the District. Power is centralized in the elected Board collectively and not in an individual Director.

Apart from his/her normal function as a part of this unit, Directors have no individual authority. As individuals, Directors may not commit the District to any policy, act, or expenditure.

Policy 1020: Board/Staff Communications

Objectives: Effective governance of the District relies on the cooperative efforts of the elected Board, who set policy and priorities, and the District's staff members, who analyze problems and issues, make appropriate recommendations, and implement and administer Board policies.

District staff is responsible to ensure Board members have access to timely and professional information and to ensure such information is communicated completely to support the policy and decision-making processes. However, the District's resources are limited and the General Manager has sole discretion regarding the allocation of staff time.

Board members should avoid intrusion into those areas that are the responsibility of the General Manager and other District staff. Individual Board members shall not intervene in staff decision- making, the development of staff recommendations, scheduling of work, and executing District priorities without the prior knowledge and approval of the General Manager.

The General Manager is entirely responsible to recruit, evaluate, select, discipline and fire staff.

Except as assigned by the Board of Directors or for minor tasks as approved by the General Manager, no Board Member will assign projects to staff or alter work assignments at their personal discretion. This is to ensure all Board members are treated equally. It is also necessary to protect District staff from undue influence and pressure from individual Board members and to allow staff to execute priorities set by management and the Board without fear of reprisal.

Role of the Board: As the legislative body for the agency, the Board is responsible for all policy direction of the District, approving the District's budget, setting policy goals and objectives and adopting strategic plans. Individual Board Members cannot assign staff projects or change staff priorities without the approval of the General Manager. Only the General Manager may direct changes in staff assignments. The primary functions of the General Manager and other District staff include: to execute Board policy and other Board actions, and to keep the Board well informed in order to assist in their policy making and priority setting, which are basic responsibilities of the Board of Directors.

Individual Directors, as well as the Board as a whole, are permitted freedom of access to any public information requested of staff and shall receive the full cooperation and candor of staff in being provided with any requested information. The General Manager or General Counsel will pass critical information to all Board members.

There may be restrictions related to information which cannot be provided. Draft documents (e.g. staff reports in progress, etc.) are under review and not available for release until complete. In addition, there are legal restrictions on the agency's ability to release certain personnel information even to members of the Board. Any concerns Board members may have regarding the release of information or the refusal of staff to release information should be discussed with the General Counsel for clarification.

Policies: There shall be mutual respect from both staff and Directors of their respective roles and responsibilities at all times. Staff and Directors should promote teamwork and cooperation to complete the business of the District.

Purpose: The purpose of the policies listed below is to establish a structure for Board/staff communications consistent with these principles.

1020.1 The Board will direct all requests for information or questions to the General Manager and shall include the desired time and date for receiving the information. The General Manager, or her/his designee, will estimate the date they can provide the information. So that all Board members are equally informed, all written informational material requested by any Director shall be submitted by staff to all Board members with the notation indicating which Board member requested the information.

1020.1.1 From time to time, staff may require information from individual Directors. However, Directors may be bound by rules of law or procedure that do not permit Directors to discuss certain matters with staff. In the event that this arises, and staff believes that the information is necessary, staff will consult with the General Manager to resolve the issue.

1020.2 Individual Directors cannot directly assign work to the General Manager or other staff. Individual Directors may request information and/or updates on District projects. Board initiated projects will follow organizational channels, through the General Manager, unless there is an emergency. As no formal procedure will answer all cases, the following should be considered as a guide and used with restraint and judgment:

- Directors should clear all short-term requests of staff with the General Manager prior to contacting individual members of the staff. In most cases, the General Manager should direct and handle the request for the Director. At the discretion of the General Manager, specific employees can be designated as "Confidential Employees" consistent with Section 3120.4.2. These employees will have access to all records, investigations and legal documents and will not divulge any contents to any person except as required by law. Any violation shall be cause for discipline including termination.

- If an individual director believes that information or other work is required before that director can request it from the Board at a properly noticed meeting, that director may request the Board President to work with the General Manager to accommodate the request as appropriate in light of the District's resources and the Board's priorities.

1020.3 At Board meetings and other public meetings, respectful communication is expected. Staff is encouraged to give their professional recommendations, and the Board should recognize that staff may make recommendations that could be viewed as unpopular with the public and with individual Board members. Board members may request clarification and ask questions of staff at public meetings, and Directors are encouraged to participate in healthy discussions regarding items under discussion on the Agenda. However, Directors should refrain from debate with staff at Board meetings about staff recommendations or other items being discussed. The Board of Directors, as the decision maker, is free to reject or modify a staff recommendation and the Board's wishes will be implemented by staff even if contrary to a staff recommendation.

1020.4 Directors shall not attempt to coerce or influence staff, included in the making of recommendations, the awarding of contracts, the selection of consultants, the processing of any projects or applications, or the granting of permits. Directors shall not attempt to change or interfere with the operating policies and practices of any district department through interaction with staff. Individual Directors may discuss these items with the General Manager to get clarification or raise concerns.

1020.5 Board members should not make public comments critical of the performance of an individual District staff member. Any concerns by a Director over the behavior or work of a district employee during a Board meeting should be directed to the General Manager privately to ensure the concern is resolved. All complaints about employees from Directors should be submitted privately to the General Manager or, if a complaint concerns the General Manager, to General Counsel or during a closed session evaluation of the General Manager's performance.

1020.6 If a Director violates any of the policies regarding communications as stated in this policy, any member of staff has the right to either request that the Director speak directly with the General Manager about the subject matter presented or report the violation to the General Manager, without any fear of reprisal. If a staff member violates any policy, they can be subject to disciplinary action.

1020.7 In addition, a Director who violates these policies repeatedly, regarding communications may be subject to Censure, as provided in section 1030.14. Any member of any advisory Committee found in violation may be subject to dismissal from the Committee.