

BOARD OF DIRECTORS MEETING

September 10, 2020

ITEM 6

UPDATE ON THE CURRENT STATUS OF THE ARCHITECTURAL DESIGN PROCESS FOR HOUSING BOTH THE KENSINGTON FIRE DEPARTMENT AND THE KENSINGTON POLICE DEPARTMENT IN THE PUBLIC SAFETY BUILDING

SUMMARY OF RECOMMENDATION

Receive an update on the current status of the architectural design process for housing both the Kensington Fire Department and the Kensington Police Department in the Public Safety Building.

BACKGROUND

Summary of Prior Architectural Work

The architectural firm of RossDrulisCusenbery (RDC) was initially engaged by the Kensington Fire Protection District (KFPD) to design a necessary renovation of the KFPD Public Safety Building (PSB). On September 11, 2019, RDC presented a design for the PSB that housed only the KFPD. After that, the KPPCSD pursued the idea of having RDC come up with a design that would house both departments in the current PSB, and subsequently worked with both the Fire District and RDC for permission to engage RDC. At its meeting of January 23, 2020, the KPPCSD Board, with the concurrence of the KFPD, approved an agreement with RDC in the amount of \$15,673 for their firm to attempt to find a design for the renovation of the Public Safety Building that could accommodate space needs of both KFPD and the KPPCSD Police Department. It was understood that there was no guarantee that this work by RDC would result in a feasible design, but the Board majority felt that it was worthwhile to fund this important additional attempt at a solution.

During the course of the work by RDC, several technical design issues arose that required additional analysis and meeting(s) with the Contra Costa County Building Official. These issues involve accessibility and seismic requirements for the renovated Public Safety Building, and were outside of the original scope of work contracted for by KPPCSD. To continue this architectural analysis, the KPPCSD provided additional funding for an Extra Service Request (ESR 001), with the cost of that ESR split evenly with the Fire District. The cost to each agency was approximately \$13,000.

After undertaking this work, RDC met on July 22nd (along with their structural engineer, IDA) with two Contra Costa County Building Department plan check officials. The key agenda items discussed were:

1. Is there an opportunity to avoid having to add an elevator/lift to serve active-duty staff areas of the project?
2. Is it acceptable to enclose exterior deck areas for use as interior space without violating the “no increase in building size” provision in the Alquist-Priolo seismic legislation?
3. Is the team using the appropriate valuation methodology for establishing the “value of the building,” which in turn defines the project budget limit?

4. How does the County address cost contingencies such as property value changes, construction cost-overruns relative to the project cost budget?

Of the four items discussed, Items #3 and #4 received conclusive responses. The replacement value is calculated, consistent with the architect's approach, by estimating the project as though one was building a full-new-building, with a construction date equivalent to the dates of the proposed remodel. In addition, the budget approval occurs at the time of permitting, and is fixed at that time; therefore, cost overruns during construction (as a result of unforeseen circumstances) will *not* negatively impact the permit.

For Items #1 and #2 above, the County officials acknowledged the legitimacy of the collective approach, and reinforced that the architect's methodology was on track. However, they felt that more individuals needed to offer opinions before they could provide conclusive decisions. They agreed that the *unnecessary hardship* argument for the elevator/lift was the right approach, but could not confirm that it would be approved.

As for enclosing the deck, the Planning Department was called into the conversation for a ruling. During the meeting, the County acknowledged that they have rarely (if ever) had to rule on Alquist-Priolo legislation-related permitting issues, so they are figuring out internally which departments will be taking the lead on which items.

Current Update

On August 20th, RDC provided an update to the interim General Manager regarding an August 18th call that they had with Judi Kallerman, Principal Plan Checker with Contra Costa County, regarding the two remaining technical issues. RDC reported the following:

- Enclosing the second floor deck, and replacement cost valuation – Contra Costa has yet to make a determination regarding which government entity is responsible for interpretation and enforcement of permitting issues associated with the Alquist-Priolo act.
- Necessity for an elevator/lift – Although there is yet to be a final determination, the preliminary indication is that an elevator/lift will be a required element of the renovation.

County staff also indicated that they are extremely busy and would not be able to resolve these issues for at least a number of weeks.

Based on this update, I contacted Kensington Fire Protection District General Manager Mary Morris-Mayorga to discuss how to move the design forward expeditiously. We agreed that, based on the County's preliminary indication regarding the necessity of an elevator/lift, and the belief that the issue regarding enclosing the second floor deck can be resolved in our favor, the best use of our collective resources would be to request that the architect begin immediately to create a new conceptual design option that includes an elevator/lift and encloses the second floor deck. The architect concurred that this was the most efficient approach, and redirected resources to that effort. They also indicated that completing that work would cost an additional \$6,000, to be equally divided between KPPCSD and KPFD (i.e, \$3,000 to KPPCSD). I authorized this cost increase on behalf of KPPCSD in order to keep this design process moving forward.

It should be noted that I have also requested that the architect provide a rough schedule for general planning purposes that describes the activities and timetable from now through project completion, assuming that there are no unforeseen obstacles. At the time this agenda report is being prepared, I have not yet received this schedule, but will provide it to the Board as soon it is available.

RECOMMENDATION

Receive an update on the current status of the architectural design process for housing both the Kensington Fire Department and the Kensington Police Department in in the Public Safety Building.

FISCAL IMPACT

The initial contract between KPPCSD and RDC was for the amount of \$15,673; the ESR approved by the KPPCSD Board was for an additional \$13,000; and the General Manager authorized a \$3,000 increase to the amount of the ESR. The total cost to date, then, for architectural services by RDC based on these authorized expenditures to date is approximately \$32,000. Funding is from budgeted capital funds.

SUBMITTED BY:

Bill Lindsay
Interim General Manager