

General Manager Report

August 6, 2019

Community Center Progress Report

Eco Bay Services, Inc. started the abatement work on July 9 which was completed on July 23. The District also held a Groundbreaking Ceremony on July 23. The general contractor, KCK Builders, started their work the following day on July 24. KCK has demolished the front wall and has started work on the upper roof. Demolition within the building, which largely consists of minor items being removed from walls, ceilings, etc. and cabinetry removal, has been underway. The asphalt paving in front of the entry wall, now demolished, is also being removed. The construction is currently scheduled to be completed by early 2020.

Legal Billing

At the July 11 Board Meeting it was indicated that most legal billings for fiscal year 2018/19 had not been paid. This was largely due to confusion on billing procedures used by the law firms. Since the detailed billing statements are confidential and attorney client privileged, they need to be processed separately. Unfortunately, the one-page billing statements, instead of being forwarded directly for payment, were either attached to the detailed statements, marked confidential, or included in confidential mailings. As a result, most billings were not processed for payment. These submittal and processing issues have been identified and discussed with the principals of both firms and will be corrected.

The law firm that the District had utilized in the past (*Renne Sloan Holtzman Sakai LLP*) had split into two separate firms (*Sloan Sakai Yeung & Wong LLP* and *Renne Public Law Group*). There was extra care in submitting detailed confidential statements and some transition adjustment as both firms continued performing work for the District. To get the complete accounting of legal charges, it was recommended that charges be summarized after the statements for the close of the fiscal year have been submitted. Attached are Charts I, II, III & IV which summarize charges, payments and funds due for both law firms. Chart I indicates that the total balance due for legal and consulting is \$169,356.46 and identifies the amounts due each firm. With billings received and problems identified and corrected, it is the District's intent to pay the amount due.

It should be noted that District legal & consulting fees have been about \$250,000 or more for the last several fiscal years. Fiscal Year 2018/19 had a number of new and unique issues which required outside expertise. This included community center bidding, contracting and financing; Policy and Procedures Manual review and updating; public safety investigations, such as CLETS; finalization and distribution of the police RFP; and a large volume of Public Records Act requests. Based on these issues, the current budget should be adjusted at mid-fiscal year, along with any

other accounts requiring changes. It is difficult to anticipate legal issues that may arise during the course of the year. A more accurate projection will be achievable at mid-fiscal year with six months completed in the 2019/20 fiscal year.

Police Services Request For Proposal

The RFP has been distributed to the cities of Albany, El Cerrito, and Berkeley and the County Sheriff. To date, the District has received responses from Chief of Police Andrew Greenberg of Berkeley and County Sheriff-Coroner David Livingston. Neither agency will be submitting a response to the RFP. Copies of their communications are attached.