

Agenda

Kensington Police Protection and Community Services District

Board of Directors Special & Regular Meetings (Hybrid)

Thursday, July 13, 2023 6:30 p.m. Special Meeting (Closed Session) 7:00 p.m. Regular Meeting Kensington Community Center 59 Arlington Avenue, Kensington, CA

www.kppcsd.org/2023-07-13-kppcsd-board-meeting
e at the URL above will have instructions on how to in

The page at the URL above will have instructions on how to join the online meetings.

Virtual Access:

 $\underline{https://us02web.zoom.us/j/89069364377?pwd} = \underline{dWp0T0VBOEo3dGRaWW5xckVvOUhhdz09}$

Webinar ID: 89069364377 Passcode: 243071

The Board may hold hybrid meetings, where most or all of the Directors attend in person but the District offers the public the option of attending by Zoom or other teleconferencing methods. Please be advised that those participating in such meetings remotely do so at their own risk. The Board meeting will not be cancelled if any technical problems occur during the meeting.

Special Meeting (Closed Session) – 6:30 p.m.

Call to Order

Roll Call

Special Meeting Agenda Item Public Comments

Individuals wishing to address the Board of Directors concerning the Special Meeting agenda are invited to make oral comments of up to 3 minutes. For Zoom attendees: Please raise your hand via Zoom. When you are called on by the Board President, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 10940 San Pablo Ave., Bldg. B, El Cerrito, CA 94530 or llewis@kppcsd.org. For other concerns or needs contact David Aranda at (510) 960-0716.

Adjourn to Closed Session

1. Public Employment Pursuant to Section 54957(b)(1): General Manager.

Regular Meeting - 7:00 p.m.

- 1. Call to Order
- 2. Roll Call
- 3. **President's Comments**
- 4. Public Comment

Individuals wishing to address the Board of Directors concerning any items not on the agenda may make oral comments of up to three minutes. For Zoom attendees: Please raise your hand via Zoom. When you are called on by the Board President, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 10940 San Pablo Ave., Bldg. B, El Cerrito, CA 94530 or llewis@kppcsd.org. For other concerns or needs contact David Aranda at (510) 960-0716.

Consent Calendar

- 5. Meeting Minutes for Special Joint Meeting of April 24, and the Special/Regular meetings of May 11 and June 8, 2023.
- 6. Ratify the June 2023 bills paid.
- 7. Ratify Ad Hoc Consolidation Committee of Directors Sylvia Hacaj and David Spath.

Comments & Reports

- 8. Police Chief Report.
 - Monthly Report
 - Presentation of Retirement Plaque for Lieutenant B. Harms
- 9. General Manager's Report.
 - Monthly Report
 - KCC Recreation Office Report June 1, 2023
- 10. Verbal update from the Ad Hoc Consolidation Committee.
- 11. Verbal update by the Police Department and District Office Permanent Location Ad Hoc Committee.
- 12. Director Comments.

Discussion and Action

- 13. Discussion regarding parks facilities, improvements, and protection.
- 14. Approval to make park improvements up to \$50,000.

- 15. Approve and adopt Resolution No. 2023-15, A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Approving Changes and Additions to the Kensington Police Protection Community Services District Fee Schedule Effective July 15, 2023.
- 16. Approval of the Fiscal Year 2024 CalPERS Pay Scale.
- 17. Approve and Adopt Resolution 2023-20, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District To Accept Grant Funds For Fiscal Year 24 From The California Highway Patrol And The Cannabis Tax Fund Grant Program (CTFGP) And Authorize The Appropriate District Staff To Execute The Necessary Agreements And Contracts Associated With This Grant.

Adjournment

The next regular meeting is scheduled for August 11, 2023.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Service District at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530).
- To be added to the Board Agenda Mailing List, complete and submit the form at https://www.kppcsd.org/agenda-mailing-list or by notifying the Clerk of the Board at llewis@kppcsd.org.

Posted Agenda

Kensington Police Department – Colusa Food Market – Arlington Kiosk and at www.kppcsd.org Complete agenda packets are available at the Public Safety Building at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Service District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the District offices at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530 at the same time that those records are distributed or made available to a majority of the Board.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES Monday, April 24, 2023 Special Joint Meeting with Kensington Fire Protection District

7:00 p.m.

Call to Order

President Aquino-Fike called to order the special joint meeting between the KPPCSD and the KFPD Board of Directors at 7:15 p.m. [TS 0.18]

Roll Call [TS 0:42]

KPPCSD Director Cassandra Duggan, Vice-President Sarah Gough, Director Sylvia Hacaj, Director David Spath, and President Alexandra Aquino-Fike were present at roll call.

KFPD Director Don Dommer, Vie-President Daniel Levine, Director Larry Nagel, Director Jim Watt, and President Julie Stein.

KPPCSD staff present included Interim General Manager David Aranda, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis. KFPD staff present Interim General Manager Mary Morris-Mayorga.

Director Comments [TS .36]

Board members provide introductory comments expressing their appreciation for the presentation. They also thanked the community for their input, highlighted their reasons for supporting consolidation (i.e. unified government, more efficiency, better government and transparency, more efficiencies, etc.).

Discussion and Action [TS 6:37]

1. Presentation on Consolidation of Districts by Local Agency Formation Committee (LAFCO) Chief Executive Lou Ann Texeira.

Chief Executive Lou Ann Texeira presented background information LAFCO and provided an overview of both the reorganization and district consolidation process. She highlighted the options, potential benefits and outcomes, and timelines for the two processes. She pointed out that the new district would be a California Special District and ultimately governed by five board members. The application process is complex and could take 6-12 months or more. Ms. Texeira said that the process would call for a fiscal analysis of both districts, a plan for service, and resolutions prior to the application to LAFCO.

Board members asked questions about property tax revenue, the dissolution and successors district, number of board members, reorganization versus consolidation, boundary issues, reorganization timeline, and separation of police and fire services.

2. Special Meeting Agenda Item Public Comments [TS 38:53]

Addressing the Board were the following persons: 1) Kay Reed asked about the reorganization/consolidation process fiscal plans, use of and costs for consultants, and could community fund raise for this; 2) David Goldstein asked if money from the county changes, cost and time for each process, timeline to elect new board members; 3) Andrew Reed expressed excitement the meeting; 4) Jay James asked how many community service district there are in Contra Costa County; 5) Gail Feldman commented on the benefits of consolidation an urged moving forward; 6) Paul Dorroh commented that it would be sensible to wait for the two districts to hire permanent general managers before embarking on the consolidation effort; 7) Steve Simirin asked about the petition process and if there is provision to allow for a public vote; 8) Leslie Reckler urged further exploration, process to assess community input and approval, asked about standardization of staffing and benefits; 9) Rick Artis about the petition process; 10) Meryl Rafferty thanked the boards for this meeting; and 11) Elaine Stelton asked about the increased workload for the consolidated board.

There was a question and answer period regarding the process along with clarification of some of the questions raised. Director Levine will prepare a summary of the discussions and post it online.

Adjournment [TS 1:31:28]

The meeting was adjourned at 8:51 p.m.
The next regular meeting was scheduled for May 11, 2023.
Approved: July 13, 2023
SUBMITTED BY:
Lynelle M. Lewis, Clerk of the Board
David Aranda, Interim General Manager
Alexandra Aquino-Fike, President of the Board

Kensington Police Protection & Community Services District Side Letter MOU for July 1, 2022 until June 30, 2025

Article XII Holiday Pay Definitions

A. Holiday In Lieu Pay for Police personnel

For Classic and PEPRA Members:

- Holiday Pay is defined additional compensation for employees who are normally required to work on an approved holiday because they work in positions that require scheduled staffing without regard to holidays. If employees are paid over and above their normal monthly rate of pay for approved holidays, the additional compensation is holiday pay and reportable to PERS. All employees (except for the Chief) are required to work without regard to holidays.
- 1. Each Employee shall be paid 14 holidays, listed below, at 8 hours per holiday.
- 2. Each Employee shall be paid at their current base salary rate for 112 hours (14 holidays at 8 hours) in-lieu pay each year divided equally among semimonthly paychecks.
- 3. Any Employee receiving in-lieu pay as described above shall not be entitled to time off on holidays.
- 4. New employees who commence employment during the year shall receive in-lieu pay, as described above, on a pro-rated basis.

Holidays

- News Years Day
- Martin Luther King's Birthday
- President's Day
- Cesar Chavez Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Admission Day
- Columbus Day
- Veterans Day
- Thanksgiving Day
- The day after Thanksgiving
- Christmas

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES Thursday, May 11, 2023 Special & Regular Meeting (Hybrid)

Special Meeting – 6:00 p.m.

Call to Order [TS 1:17]

President Alexandra Aquino-Fike called the meeting to order at 6:02 p.m.

Roll Call [TS 1:29]

Director Cassandra Duggan, Vice-President Sarah Gough, Director Sylvia Hacaj, Director David Spath, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Interim General Manager David Aranda, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Discussion Only

1. Update from the KPPCSD Police Department & District Office Permanent Location Committee on Joint Occupancy of the Public Safety Building (PSB). [TS 1:51]

President Aquino-Fike presented background on the efforts to explore joint occupancy of the PSB, and offered thanks to the community, experts, staff and colleagues for their partnership in exploring the many complex issues. Vice-President Gough presented an update on the key findings and conclusions of the Committee. She highlighted the following: formation of the Committee; primary questions on joint occupancy for Kensington Fire Protection Distrct (KFPD); Kensington Police Department (KPD) space needs analysis and key findings; input from experts; dual-site concept analysis and key findings; input from experts; financial costs of joint occupancy versus several other options; impact of joint occupancy in the PSB on services; and the feasibility and timing of joint occupancy.

The Committee's Key Findings:

- 1) The KPD should be housed under one roof; no separation of core functions.
- 2) Given where we are today, with construction well underway, the inflexibility of the plan for the PSB, the information we had to access, the current KPD core functions cannot fit into the PSB under any occupancy scenario.
- 3) A return of the KPD to the PSB would likely require unacceptable compromises to the quality of police services.
- 4) Joint occupancy is not a low cost option and highly ulikely to be our lowest option.
- 5) Pursuit of joint occupancy of the PSB at this point in time poses other unnecessary risks to the KPPCSD and KFPD.

Conclusion:

- Continuing to seek police space in the PSB is no longer a reasonable path forward.
- Therefore, this Committee will not recommend a return of the KPD to the PSB.
- Instead, we will focus our Committee efforts only on options that that will allow our police department to remain together in 1 location in Kensington and able to provide the level of service we now expect.

Board members presented comments on the report and provided suggestions on plans to move forward.

Public Comments [TS 49:20]

Addressing the Board were the following persons: 1) Lin Due commented that the Unitarian Church parking lot is on the border of El Cerrito; 2) [name not given] expressed disappoinntment that joint occupancy is not an option, thanked the committee for their work, and urged further review of consolidation; 3) Candy Copogrossi thanked the committee for the analysis; 4) Julie Stein, KFPD Board President, asked that the Candance Wong estimate, Jim Watt's proposal, Steve Simpkins analysis, and the presentation should have been made public, and expressed concern about the 3-minute time limit; 5) Paul Dorroh asked about the number of attendees; 6) John Gaccione requested a copy of the report, and asked how much the District has to spend on a new facility; 7) Pat Gillette asked if KPPCSD has the money to pay for any of the options and expressed support for consolidation; 8) Elaine Stelton suggested investing in the Annex Building; 9) Rob Firmin congratulated the committee on the thorough analysis; and10) Andrew Reed suggested obtaining a financial analysis for a phased approach.

Adjournment [TS 1:17:22]

President Aquino-Fike adjourned the special meeting at 7:18 p.m.

Regular Meeting – 7:00 p.m

1. <u>Call to Order [1:25:33]</u>

President Aguino-Fike called the meeting to order at 7:26 p.m.

2. **Roll Call** [TS 1:25:43]

Director Cassandra Duggan, Vice-President Sarah Gough, Director Sylvia Hacaj, Director David Spath, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Interim General Manager David Aranda, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

3. <u>President's Comments</u> [TS 1:31:03]

- Director Duggan commented that an update on the long-term legal protection of the park would be forthcoming.
- Director Hacaj asked if consideration of the KCC contract could be moved up on the agenda ahead of the budget discusson.
- Vice-President Gough commented that there is on the positive energy in the community.

4. **Public Comment** [TS 1:26:00]

Addressing the Board were the following persons: 1) Ryan Lau, AC Transit External Affairs
Representative, asked the Board to encourage residents to take a transit survey; and 2) Pat
Gillette urged the fire and police boards to work together.

Comments & Reports

5. Police Chief Report. [TS 1:33:09]

The report was filed with the agenda packet.

6. General Manager's Report. [TS 1:33:17]

Interim General Manager Aranda announced that his report was filed with the agenda packet. Additionally, the KCC Recreation Office Report for May 1, 2023 was filed online.

Consent Calendar [TS 1:33:38]

- Motion by Director Duggan, seconded by Director Spath, to adopt the Consent Calendar items, carried (5-0) by the following roll call vote as follows: AYES (Duggan, Gough, Hacaj, Spath, and Aquino-Fike); NOES (none); ABSTAINED (none); ABSENT (none).
- 8. Approved the Special and Regular Meeting Minutes of April 13, 2023.
- 9. Ratified the April 2023 bills paid.

Discussion and Action

10. Approve Resolution No. 2023-05, A Resolution of the Board of Directors for KPPCSD Honoring William Driscoll for his Outstanding Service to the Community of Kensington. [TS 1:35:21]

Interim General David Aranda introduced William Driscoll and read the resolution of appreciation. The Board thanked Mr. Driscoll for his service to the community and his work over the years.

• Motion by Director Duggan, seconded by Director Hacaj, to approve Resolution No. 2023-05, carried (5-0) by voice vote.

Resolution No. 2023-05 – A Resolution of the Board of Directors for Kensington Police Protection and Community Services District Honoring William Driscoll for His Outstanding Service to the Community of Kensington.

11. Discussion of the Proposed Budget for 2024 (July 2023-June 2024) and Approval to Publish A Notice of Public Hearing for June 8, 2023. [TS 1:58:03]

Interim General David Aranda highlighted the recommended action. Board members asked questions and provided comments on the proposed budget. The Board asked questions about the budget.

- Motion by President Aquino-Fike, seconded by Director Duggan, to direct staff to publish a notice of public hearing regarding the proposed budget for 2024 to be held at the June 8th board meeting at 6:00 p.m., carried (5-0) by voice vote.
- 12. Approve A Contract Between KPPCSD and Kensington Community Council Effective July 1, 2023 and Approve Extending the Existing Contract Through June 30, 2023. [TS 1:40:50]

Director Hacaj presented an overview of the proposed agreement and the recommended action to approve extending the existing contract between the KPPCSD and the KCC through June 30, 2023 and approve a new contractual agreement between KPPCSD and KCC effective July 1, 2023.

- Addressing the Board were the following persons: 1) Lynn Wolter asked where a
 recreational fitness program falls under the new KCC contract and 2) Vida Dorroh
 applauded the Board for bringing this contract to closure.
- Motion by Director Hacaj, seconded by Director Duggan, that the Board adopts the agreement that is before us between the KPPCSD and the Kensington Community Council for educational and recreational services with the changes that were outlined, carried (5-0) by voice vote.
- 13. Approve Recommendations Related to the Approval of the Annual Kensington Park Assessment Park Assessment District Levy and Adopt Three Resolutions for Fiscal Year 2023-24 to collect the annual Kensington Park Assessment Pursuant to the Landscaping and Lighting Act of 1972 as follows: (1) Resolution No. 2023-06 Initiating Proceedings For The Levy And Collection Of Assessments For The Kensington Park Assessment District for Fiscal Year 2023-24; (2) Resolution No. 2023-07 Approving The Engineer's Report For The Kensington Park Assessment District For Fiscal Year 2023/24; and (3) Resolution No. 2023-08 Declaring the District's Intention To Levy And Collect Assessment For The Kensington Park Assessment District for Fiscal Year 2023-24. [TS 2:12:35]

Interim General David Aranda highlighted the recommended actions.

 Motion by Director Hacaj, seconded by President Aquino-Fike, to adopt Resolution No. 2023-06, for the levy and collection of assessments for the Kensington Park Assessment District for Fiscal Year 2023-24, carried (5-0) by voice vote.

Resolution No. 2023-06 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Initiate Proceedings For The Levy And Collection Of Assessments For The Kensington Park Assessment District for Fiscal Year 2023-24.

 Motion by Director Spath, seconded by Director Duggan, to adopt Resolution No. 2023-07 approving the Engineer's Report for the Kensington Park Assessment District For Fiscal Year 2023/24, carried unanimously (5-0) by voice vote.

Resolution No. 2023-07 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approve The Annual Report For The Kensington Park Assessment District For Fiscal Year 2023-24.

 Motion by Director Duggan, seconded by Director Gough, to adopt Resolution No. 2023-08 declaring the District's intention to levy and collect assessment for the Kensington Park Assessment District for Fiscal Year 2023-24, carried unanimously (5-0) by voice vote.

Resolution No. 2023-08 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Declare the District's Intention To Levy And Collect Assessment For The Kensington Park Assessment District for Fiscal Year 2023-24.

14. Discussion and Approval of Director David Spath Continuing to Serve on the KFPD's Emergency Preparedness Committee and Request of KFPD that He Remain on That Committee. [TS 2:16:00]

Board members thanked Director Spath for serving and representing the KPPCSD Board.

- Addressing the Board was Kensington Fire Protection District Board Member and Chair of the Emergency Fire Preparedness Committee Larry Nagel who thanked Director Spath for his service on the Committee.
- 15. Approval of Resolution 2023-09, A Resolution from the Board of Directors of Kensington Police Protection & Community Services District Inviting The Kensington Fire Protection District To Jointly Move Forward In Exploring Consolidation Of The Two Agencies. [TS 2:21:09]
 - Motion by Director Duggan, seconded by Director Hacaj, to adopt Resolution
 No. 2023-09 inviting the Kensington Fire Protection District to jointly move forward in
 exploring consolidation/reorganization of the two agencies into one district, carried (50) by voice vote.

Resolution No. 2023-09 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Inviting the Kensington Fire Protection District to jointly move forward in exploring Consolidation of the two agencies.

16. Authorization To Enter Into A Lease/Purchase Agreement For The Procurement Of One Hybrid Police Vehicle. [TS 2:25:50]

Interim General Manager David Aranda provided background information and answered questions related to this item.

• Motion by Director Hacaj, seconded by Director Spath, to authorize the District staff to enter in a lease/purchase agreement for the procurement of one hybrid police vehicle, carried unanimously (5-0) by voice vote.

Adjournment [TS 2:31:53]

The next regular meeting is scheduled for June 8, 2023.

President Aquino-Fike adjourned the meeting at 8:32 p.m.

SUBMITTED BY:
Lynelle M. Lewis, District Clerk of the Board
APPROVED: July 13, 2023
David Aranda, Interim General Manager
Alexandra Aquino-Fike, President of the Board

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES Thursday, June 8, 2023 Special & Regular Meeting (Hybrid)

Special Meeting – 6:00 p.m.

Call to Order [TS 4:22]

President Aquino-Fike called the meeting to order at 6:03 p.m.

Roll Call

Vice-President Sarah Gough, Director Sylvia Hacaj, Director Spath, and President Alexandra Aquino-Fike were present at roll call. Director Cassandra Duggan arrived at 6:07 p.m.

Staff present included Interim General Manager David Aranda, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Special Meeting Agenda Item Public Comments

SM 1. Conduct a Public Hearing for the Fiscal Year Budget 2023-2024 (July 1, 2023-June 30, 2024). [TS 6:05]

President Aquino-Fike opened the public hearing for the fiscal year budget at 6:06 p.m. General Manager Aranda reported that no written comments had been received.

• Addressing the Board was Sylvia Elsbury who asked questions about the proposed budget (i.e. legal expenses, accounting and audits, community events in the police budget, tennis court revenue, and community center revenue).

President Aquino-Fike closed the public hearing for the fiscal year budget at 6:16 p.m.

SM 2. Conduct a Public Hearing for the Annual Report of the Kensington Park Assessment District Levy for Fiscal Year 2024 (July 1, 2023-June 30, 2024). [TS 18:56]

President Aquino-Fike opened the public hearing at 6:18 p.m. General Manager Aranda reported that no written comments had been received. There were no public comments given.

President Aquino-Fike closed the public hearing at 6:20 p.m.

- SM 3. Approve And Adopt Resolution No. 2023-10, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Casting The District's Ballot For The Special District Risk Management Association Election.

 [TS 21:27]
 - Motion by Director Hacaj, seconded by President Aquino-Fike, to adopt Resolution No. 2023-10, a resolution of the Kensington Police Protection and Community Services District

approving the official 2023 election ballot for the Special District Risk Management Association Board of Directors marking the three incumbents Robert Swain, Jesse Claypool, and Sandy Seifert-Raffelson, carried (5-0) by voice vote.

- SM 4. Approve Adjusting the Wording in Previous M.O.U.'s Between KPPCSD and KPOA Regarding Holiday Pay as Required by CalPERS. [TS 26:03]
 - Motion by Director Spath, seconded by Director Duggan, to 1) approve adjustments to the wording in the previous M.O.U.'s between the KPPCSD and the KPOA regarding holiday pay as required by CalPERS and 2) authorize the Interim General Manager to execute M.O.U. amendments on behalf of the District, specific to amendments that conform the definition of holiday pay to CalPERS regulations to be incorporated in a side letter for the July 1, 2014-December 31, 2017 M.O.U., January 1, 2018-December 31, 2018 M.O.U., January 1, 2019-October 31, 2019 M.O.U., October 31, 2019-July 30, 2021 M.O.U., and the August 1, 2021-June 30, 2022 M.O.U, carried (5-0) by voice vote.
- SM 5. Approve And Adopt Resolution No. 2023-11, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Applications For The Per Capita Grant Funds. [TS 30:29]
 - Motion by Director Hacaj, seconded by Vice-President Gough, to adopt Resolution No. 2023-11, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District approving applications for the per capita grant funds, carried (5-0) by voice vote.
- SM6. Approve And Adopt Resolution No. 2023-18 Of The Kensington Police Protection And Community Services District Declaring That Governing Body Members And Volunteers Shall Be Deemed To Be Employees Of The District For The Purpose Of Providing Workers' Compensation Coverage For Said Certain Individuals While Providing Their Services. [TS 35:58]
 - Motion by Director Duggan, seconded by Director Hacaj, to adopt Resolution No. 2023-18 of the Kensington Police Protection and Community Services District declaring that governing body members and volunteers shall be deemed to be employees of the District for the purpose of providing workers' compensation coverage for said certain individuals while providing their services, carried (5-0) by voice vote.

President Aquino-Fike adjourned the special meeting at 6:39 p.m. [TS 40:05]

Regular Meeting - 7:00 p.m.

1. <u>Call to Order [TS 1:02:04]</u>

President Aguino-Fike called the meeting to order at 7:01 p.m.

2. **Roll Call** [TS 1:02:11]

Vice-President Sarah Gough, Director Cassandra Duggan, Director Sylvia Hacaj, Director David Spath, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Interim General Manager David Aranda, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

3. President's Comments [TS 1:02:27]

President Aquino-Fike thanked staff, board members, and the public for participating in today's meeting.

4. **Public Comment** [TS 1:04:35]

None.

Comments & Reports

5. Police Chief Report. [TS 1:05:32]

Police Chief Mike Gancasz reported that the May 2023 Police Chief's Report had been submitted. The report covered updates on patrol operations, traffic safety, administration, training, May patrol log, West County crime patrols, and community activity. He also reported on upcoming grants. No questions were asked.

6. General Manager's Report. [TS 1:07:10]

Interim General Manager Aranda provided highlights from his written report covering the time period May 9, 2023 through June 1, 2023. He reported that the Kensington Community Council Report for June 1, 2023 had been submitted, and noted that there would be a transition over the next few months of making tennis court reservations. There was board discussion about the status of the County allowing KPPCSD to assume the treasury responsibility. Interim General Manager Aranda said he would be getting clarification from the County on this matter.

 Addressing the Board was Sylvia Elsbury who commented that KCC was happy to take payments, but expressed liability concerns because the courts are owned by KPPCSD.

7. **Director Comments.** [TS 1:14:28]

Director Spath commented that the Emergency Preparedness Committee had discussions regarding acquiring long range acoustical devices for notifying residents of events including wildfire, evacuation drills, earthquake activities, etc. There will be a presentation on these systems in August.

Director Duggan presented the report on the long-term legal protection of Kensington Park Report. Highlights of potential approaches to provide further legal protection of the park included possible grants funds that would help in protecting our park from being used for non-recreational purposes, or investigating using the ordinance or initiative process to serve as a long-term regulation. Board members provided comments and asked questions about the written report.

• Addressing the Boaard were the following persons: 1) Mabry Benson commented that the parking lot doesn't need any special protection; 2) Gail Feldman commented that plans for the park should allow future boards to reflect future community priorities; and 3) Sylvia Rosales-Fike commented on the imortance of preserving the park.

Consent Calendar [TS 1:45:06]

8. **Meeting Minutes.**

Minutes for Special Joint Meeting and the May regular and special meeting will be provided for Board approval at the July 13, 2023 Board meeting.

- 9. Ratify the May 2023 Bills Paid.
 - Motion by President Aquino-Fike, seconded by Director Duggan, to ratify the May 2023 bills paid, carried (5-0) by voice vote.

Discussion and Action

- 10. Approve And Adopt Resolution No. 2023-12, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Authorizing The Assessment And Ordering The Levy For The Kensington Park Assessment District For Fiscal Year 2023-24 Pursuant To The Landscaping And Lighting Act Of 1972.

 [TS 1:46:52]
 - Motion by Director Duggan, seconded by Director Spath, to adopt Resolution No. 2023-12 of the Board of Directors of the Kensington Police Protection and Community Services District authorizing the assessment and ordering the levy for the Kensington Park Assessment District for Fiscal Year 2023-24 pursuant to the Landscaping and Lighting Act of 1972, carried (5-0) by voice vote.
- 11. Approve And Adopt Resolution No. 2023-13 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Affirming The Establishment Of The Appropriations Limit For Fiscal Year 2023-24. [TS 1:48:06]
 - Motion by Director Hacaj, seconded by Vice-President Gough, to adopt Resolution No. 2023-13 a resolution of the Board of Directors of the Kensington Police Protection and Community Services District Affirming the Establishment of the Appropriations Limit for Fiscal Year 2023-24, carried (5-0) by voice vote.

- 12. Approve And Adopt Resolution No. 2023-14 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Authorizing The Adoption Of The Budget For Fiscal Year 2024. [TS 1:49:22]
 - Addressing the Board was A. Stevens Delk who asked about the parks budget revenue.
 - Motion by Director Duggan, seconded by Director Hacaj, to adopt Resolution No. 2023-14 a resolution of the Board of Directors of the Kensington Police Protection and Community Services District authorizing the adoption of the budget for fiscal year 2024, carried (5-0) by voice vote.
- 13. Approve And Adopt Resolution No. 2023-15 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Changes And Additions To The Kensington Police Protection Community Services District Fee Schedule Effective July 1, 2023. [TS 1:53:55]
 - Addressing the Board was A. Stevens Delk who asked about resident rates versus nonresident rates.

Following input by board members, there was consensus to bring this item back to the July meeting for further consideration.

- 14. Approve And Adopt Resolution No. 2023-16, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Additions To The Kensington Police Protection And Community Services District Policy And Procedure Manual Adding Vacation And Sick Time For Non-Sworn Regular Employees Of The District. [TS 2:05:33]
 - Motion by Director Hacaj, seconded by Director Duggan, to adopt Resolution No. 2023-16
 a resolution of the Board of Directors of the Kensington Police Protection and Community
 Services District approving additions to the KPPCSD Policy and Procedure Manual adding
 vacation and sick time for non-sworn regular employees of the District, carried (5-0) by
 voice vote.
- 15. Approval to Move Forward in Requesting Proposals from Vendors in Performing the Financial Analysis for KPPCSD and KFPD as Required by LAFCO in the Consolidation Process. [TS 2:10:46]
 - Addressing the Board was Gail Feldman who expressed support for moving forward on this effort.
 - Motion by Director Spath, seconded by Director Duggan, to direct the general manager to draft a request for proposal and bring that draft back to the Board for review and approval and subsequently request the Fire Board to participate in its review and partner with us to move forward in performing the financial analysis, carried (5-0) by voice vote.

16. Approval of Amendment No. 1, An Amendment of the Contract Between KPPCSD, Owner and Fernando Herrera, Contractor to Increase His Monthly Maintenance Fees at the Park Site by \$500 Per Month. [TS 1:23:18]

Interim General Manager Aranda presented background information on the staff recommendation. There was discussion regarding the District's purchase and storage of park equipment and the lowering of the increase from \$500 to \$300 as a result of the equipment purchase.

- Addressing the Board was Sylvia Elsbury who commented that the Annex would be a good place for storing the park equipment.
- Motion by Director Hacaj, seconded by Director Spath, to approve amendment No. 1 to the contract between KPPCSD (owner) and Fernando Herrera (contractor) with amendments to Exhibit A that reflect a flat rate of \$2,575 per month and that the KPPCSD will supply a small riding mower, hedge clippers, a weed whacker, and a leaf blower, carried (5-0) by voice vote.

17. Presentation and Discussion of the Park Re-planting Project. [TS 2:39:22]

Director Duggan reported that the committee was tasked with providing "a thoughtful approach to future re-plantings and care of Kensington Park." To pursue this goal, they met with multiple community members, Hilltop Elementary School parents from the PTA, and Kensington Education Fund, KCC Recreation Director Jenny Parks, Fire Chief Eric Saylors, Police Sergeant Brian Lande, horticulturist Catya de Neergaard, retired landscape architect Lisa Caronna, representatives from Segorea-Te Land Trust, community members from Good Guest Kensington, native plant specialist Kirk Frye, Kensington Park landscaper Fernando Herrera, KPPCSD Park Administrator Rosa Ruiz, Timothy Cole of Blake Gardens, landscape architect Patricia Akinaga of Studio-MLA, landscape architect Anooshey Rahim of Dune Hai, and Nathan Bickart from Urban Tilth. She thanked all who generously gave their time and input to this project, for the good of the Kensington community.

Director Duggan gave a summary of the feedback from the community and from experts. To prioritize the most urgent landscape needs while keeping costs to a minimum, they recommended a two phased approach to re-planting in the park (see final report for details). Board members provided input on the plans and recommended that staff prioritize and cost out the projects.

18. Approve And Adopt Resolution No. 2023-17, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Establishing The Annual Supplemental Special Tax For Police Protection And Direct That A Signed Copy Of The Resolution Be Sent To NBS For The Placement Of The Supplemental Special Tax To Be Placed On The Tax Rolls. [TS 3:05:57]

Interim General Manager Aranda highlighted the staff recommendation.

- Addressing the Board was Paul Dorroh who thanked the Board for working together in Kensington's best interest.
- Motion by Director Spath, seconded by Vice-President Gough, to adopt Resolution
 No. 2023-17, a resolution of the Board of Directors of the Kensington Police Protection
 and Community Services District establishing the annual supplemental special tax for police
 protection, carried (5-0) by voice vote.

Adjournment [TS 3:09:55]

The next regular meeting is scheduled for July 13, 2023.

President Aquino-Fike adjourned the meeting at 9:09 p.m.

Kensington Police Protection & Community Services District Transaction List by Date June 12, 2023

l 40. 00	Туре	Date	Num	Name	Memo		Account	Class	Clr	Split	Amount
Jun 12, 23	Dill Doot Ob a ale	00/40/0000	20057	Advanced Contains Consum LLC	C404C0	101	Fire Oten Oberekine			040 Assessments Developed	4 500 04
	Bill Pmt -Check Bill Pmt -Check	06/12/2023 06/12/2023	30057 30058	Advanced Systems Group LLC AFLAC			· Five Star Checking · Five Star Checking			210 · Accounts Payable 210 · Accounts Payable	-1,580.21 -489.14
	Bill Pmt -Check	06/12/2023	30058	All City Management, Inc.	, ,		· Five Star Checking			210 · Accounts Payable	-1,102.82
	Bill Pmt -Check	06/12/2023	30060	Amazon			· Five Star Checking			210 · Accounts Payable	-423.18
	Bill Pmt -Check	06/12/2023	30061	AT&T CalNET 3			· Five Star Checking			210 Accounts Payable	-920.55
	Bill Pmt -Check	06/12/2023	30062	C & J Cleaning Services			· Five Star Checking			210 Accounts Payable	-1,150.00
	Bill Pmt -Check	06/12/2023	30063	C. L. E. A.	,		· Five Star Checking			210 Accounts Payable	-216.00
	Bill Pmt -Check	06/12/2023	30064	California Police Chiefs Association	2023-2024 CPCA Dues for 1-12 Pers		•			210 Accounts Payable	-210.00
	Bill Pmt -Check	06/12/2023	30065	Comcast			· Five Star Checking			210 Accounts Payable	-195.64
	Bill Pmt -Check	06/12/2023	30066	Contra Costa County - Dept of IT			· Five Star Checking			210 · Accounts Payable	-216.18
	Bill Pmt -Check	06/12/2023	30067	David Aranda	Travel reimbursement from 05/15/23 ·					210 · Accounts Payable	-2,065.46
	Bill Pmt -Check	06/12/2023	30068	Delta Dental			· Five Star Checking			210 · Accounts Payable	-1,326.97
	Bill Pmt -Check	06/12/2023	30069	Dooley Enterprise, Inc.			· Five Star Checking			210 · Accounts Payable	-750.85
	Bill Pmt -Check	06/12/2023	30070	EBMUD			· Five Star Checking			210 · Accounts Payable	-60.28
	Bill Pmt -Check	06/12/2023	30071	Fernando Herrera	0.1		· Five Star Checking			210 · Accounts Payable	-5,600.00
	Bill Pmt -Check	06/12/2023	30072	Gallow Technologies	Department Armory, Firearm Security		- 3			210 · Accounts Payable	-6,716.67
	Bill Pmt -Check	06/12/2023	30073	Great America Financial Services			Five Star Checking			210 · Accounts Payable	-241.79
	Bill Pmt -Check	06/12/2023	30074	Major Alarm			Five Star Checking			210 · Accounts Payable	-30.50
	Bill Pmt -Check	06/12/2023	30075	Motorola Solutions Red Cloud Inc.	AES Radio Encryption	101	· Five Star Checking			210 · Accounts Payable	-27,142.10
	Bill Pmt -Check	06/12/2023	30076	PG&E	1525420294-6	101	· Five Star Checking			210 · Accounts Payable	-906.32
	Bill Pmt -Check	06/12/2023	30077	PTS - Pacific Telemanagement Servi	5105269855 Payee ID 36309	101	· Five Star Checking			210 · Accounts Payable	-78.00
	Bill Pmt -Check	06/12/2023	30078	Radar Shop	WO# 11532	101	· Five Star Checking			210 · Accounts Payable	-243.00
	Bill Pmt -Check	06/12/2023	30079	Renne Public Law Group	Legal services rendered through April	101	· Five Star Checking			210 · Accounts Payable	-48,760.75
	Bill Pmt -Check	06/12/2023	30080	Rex Key and Security, Inc	0046899	101	· Five Star Checking			210 · Accounts Payable	-369.34
	Bill Pmt -Check	06/12/2023	30081	Rubiconn LLC	Invoice# 117072 June 2023	101	· Five Star Checking			210 · Accounts Payable	-4,482.00
	Bill Pmt -Check	06/12/2023	30082	Smile Business Products, Inc.	KP01	101	· Five Star Checking			210 · Accounts Payable	-247.62
	Bill Pmt -Check	06/12/2023	30083	USbancorp	077-0000620-000	101	· Five Star Checking			210 · Accounts Payable	-3,309.54
	Bill Pmt -Check	06/12/2023	30084	Vision Service Plan	3181189	101	· Five Star Checking			210 · Accounts Payable	-129.24
	Bill Pmt -Check	06/12/2023	30085	Walnut Creek Ford			· Five Star Checking			210 · Accounts Payable	-112.31
	Bill Pmt -Check	06/12/2023	30086	Westamerica Bank			· Five Star Checking			210 · Accounts Payable	-30,516.62
	Bill Pmt -Check	06/12/2023	30087	Wex Bank - Chevron			· Five Star Checking			210 · Accounts Payable	-835.76
	Bill Pmt -Check	06/12/2023	30088	Wex Bank - Exxon	369-677-649-5	101	· Five Star Checking			210 · Accounts Payable	-1,715.25
Jun 12, 23										T-4-1 D-1-1 A	

Total Paid Amount: -142,144.09

Kensington Police Protection & Community Services District Transaction List by Date June 26, 2023

	Туре	Date	Num	Name	Memo	Account	Class	Clr	Split	Amount
Jun 26, 23										
	Bill Pmt -Check	06/26/2023	30089	Advanced Systems Group LLC		1 · Five Star Checking			210 · Accounts Payable	-1,350.00
	Bill Pmt -Check	06/26/2023	30090	Amit H. Nath	Reimbursement on 06/07/23-06/10/23 1				210 · Accounts Payable	-300.00
	Bill Pmt -Check	06/26/2023	30091	California Consulting, Inc.	1	11 · Five Star Checking			210 · Accounts Payable	-975.00
	Bill Pmt -Check	06/26/2023	30092	CCC - Sheriff - Forensic Services	Invoice date 10/13/2022 - Past due in 1	11 · Five Star Checking			210 · Accounts Payable	-1,875.00
	Bill Pmt -Check	06/26/2023	30093	CCC Dept. of Information Technology	9284 1	11 · Five Star Checking			210 · Accounts Payable	-86.47
	Bill Pmt -Check	06/26/2023	30094	Contra Costa County - Conservation		1 · Five Star Checking			210 · Accounts Payable	-2,618.41
	Bill Pmt -Check	06/26/2023	30095	Department of Justice	155717 1	11 · Five Star Checking			210 · Accounts Payable	-64.00
	Bill Pmt -Check	06/26/2023	30096	EBMUD	1	1 · Five Star Checking			210 · Accounts Payable	-511.96
	Bill Pmt -Check	06/26/2023	30097	Fernando Herrera	Park monthly maintenance for June 2 1	1 · Five Star Checking			210 · Accounts Payable	-2,275.00
	Bill Pmt -Check	06/26/2023	30098	Galls Incorporated	Invoice# 024754888, 024785551, 0241	1 · Five Star Checking			210 · Accounts Payable	-2,033.87
	Bill Pmt -Check	06/26/2023	30099	Greg Harman	Billing coverage 07/01/2023-07/31/20 1	1 · Five Star Checking			210 · Accounts Payable	-329.70
	Bill Pmt -Check	06/26/2023	30100	Kanchana Borisuthiratana	1	1 · Five Star Checking			210 · Accounts Payable	-16.38
	Bill Pmt -Check	06/26/2023	30101	Lynelle Lewis	Mileage reimbursement from 04/10/2: 1	1 · Five Star Checking			210 · Accounts Payable	-152.08
	Bill Pmt -Check	06/26/2023	30102	Mobile Modular	R1031374 1	1 · Five Star Checking			210 · Accounts Payable	-5,630.25
	Bill Pmt -Check	06/26/2023	30103	Nippon Life Insurance Company of A	r GJ9600 1	1 · Five Star Checking			210 · Accounts Payable	-104.00
	Bill Pmt -Check	06/26/2023	30104	PG&E	5692102339-8	1 · Five Star Checking			210 · Accounts Payable	-336.65
	Bill Pmt -Check	06/26/2023	30105	Principal Life Insurance	1129864-10001 1	1 · Five Star Checking			210 · Accounts Payable	-150.40
	Bill Pmt -Check	06/26/2023	30106	Renne Public Law Group	Legal services rendered through May 1	1 · Five Star Checking			210 · Accounts Payable	-2,651.25
	Bill Pmt -Check	06/26/2023	30107	Rosa Ruiz	1	1 · Five Star Checking			210 · Accounts Payable	-51.82
	Bill Pmt -Check	06/26/2023	30108	Smile Business Products, Inc.	KP01 1	1 · Five Star Checking			210 · Accounts Payable	-173.73
	Bill Pmt -Check	06/26/2023	30109	Streamline	1	1 · Five Star Checking			210 · Accounts Payable	-200.00
	Bill Pmt -Check	06/26/2023	30110	UBS	27260 1	1 · Five Star Checking			210 · Accounts Payable	-239.52
	Bill Pmt -Check	06/26/2023	30111	USbancorp	1783852 1	1 · Five Star Checking			210 · Accounts Payable	-1,300.05
	Bill Pmt -Check	06/26/2023	30112	Verizon Wireless	772287401-00001 1	1 · Five Star Checking			210 · Accounts Payable	-716.81
	Bill Pmt -Check	06/26/2023	30113	Walnut Creek Ford	374669 1	1 · Five Star Checking			210 · Accounts Payable	-752.44
	Bill Pmt -Check	06/26/2023	30114	CC County Conservation & Developm	Franchise fee 3% for May 2023 1	1 · Five Star Checking			210 · Accounts Payable	-10,381.73
	Bill Pmt -Check	06/26/2023	30115	US Bank CCard	4866 9145 5552 5747 Statement datε 1	1 · Five Star Checking			210 · Accounts Payable	-7,914.14
Jun 26, 23						_				
									Total Paid Amount:	-43,190.66



Date: July 13, 2023

To: Board of Directors

From: Mike Gancasz, Chief of Police

Subject: Retirement of Lieutenant B. Harms

Recommendation

Recognize Lieutenant Brad Harms on his retirement from the Kensington Police Department (KPD) after 33 years of distinguished service in law enforcement.

<u>Background</u>

Officer Brad Harms joined law enforcement in 1990. Prior to joining the KPD, Officer Harms served with the Contra Costa County Sheriff Department and the Dixon Police Department. Throughout his distinguished career, Officer Brad Harms served with unwavering dedication and an unparalleled commitment to upholding the law. He embodied the essence of being a police officer, demonstrating courage, integrity, and a relentless pursuit of justice.

One area in which Officer Harms truly excelled was traffic enforcement. Through his efforts, he made our roads safer, ensuring a smooth traffic flow and safeguarding countless individuals' lives. Beyond his professional achievements, Officer Harms was a true friend to everyone he encountered. His genuine warmth, empathy, and compassion created lasting bonds within the department and throughout the community.

To commemorate Lieutenant Brad Harm's remarkable career, we will present him with two plaques as tokens of our gratitude and admiration. The first plaque will be awarded on behalf of the Kensington Police Department, recognizing his exemplary service, commitment to excellence, and unwavering dedication to safeguarding our community. The second plaque will be presented on behalf of the Kensington Police Officers Association, expressing their heartfelt appreciation for his mentorship, guidance, and genuine friendship.



KENSINGTON POLICE DEPARTMENT

10940 San Pablo Avenue • El Cerrito • CA • 94530 (510) 526-4141

www.kppcsd.org

DATE: June 31, 2023

TO: David Aranda: General Manager

FROM: M. Gancasz, Chief of Police

RE: Police Chief's Report, June 2023

Patrol Operations

The Kensington Police Department handled 845 incidents during the month of June (up from 804). 657 were officer-initiated events including 52 traffic enforcement stops resulting in the issuance of 23 citations. Officers responded to 188 dispatched calls for service and took 20 reports. Officers focused their patrols on looking for evidence of vandalism and catalytic converter theft. **No new vandalisms** were reported in June. Two felony arrests and one misdemeanor arrest were made in June. Officers received two reports of catalytic converter, two stolen vehicle reports, and four vehicle burglary reports, all of which are being investigated. Officers are pursuing leads and working directly with our partner agencies to reduce and prevent similar crimes. Response time for officers was reduced in June compared to May by 2.5 minutes. (June 5.6 minutes vs May 6.1 minutes).

Traffic Safety

Community members provided several online submissions with concerns about out-of-state vehicle registration, speeding vehicles, unlawful parking in the 1600 block of Ocean View Ave., and a significant road closure for Eldridge Ct. Officers researched and followed up on every submission. They completed parking enforcement and coordinated with the CHP and Contra Costa County Public Works to find solutions for the issues. There were no traffic collisions during the month allowing officers to focus on speed on Berkeley Park Blvd. Average speeds of 21.62 MPH below the 25MPH posted speed limit were observed and remained consistent throughout the month. Saturation patrols around Yale Ave. and Rugby Ave. resulted in speeds safe for the area and under the speed limit. There are no obvious speeding trends associated with days of the week.

Administration

There are two applicants for police officer currently in the background process, both lateral officers from the bay area. Chief Gancasz sat on a panel of Chiefs for the City of San Ramon to help them select their next Police Captain.

Training

Officer Jose Fajardo attended a 40-hour Basic Traffic Collision Investigations training, a foundational course for traffic enforcement. Officers also continued attending four-hour blocks of Advanced Officer Training focusing on perishable skills like de-escalation tactics and arrest and control techniques offered by our partners at the El Cerrito Police Department. KPD hosted two-hour blocks of arrest and control/de-escalation training with Sgt. Lande who is a certified instructor. Officer Payne completed the Field Training Officer

program and is now a solo officer. His professional development included attending an 8-hour class on authoring Search Warrants. Sgt. Nath is graduating on July 14 from the POST Supervisory Leadership Institute. Chief Gancasz will be in attendance for his graduation ceremony being held in San Diego.

June Patrol Log

- On Thursday, June 1, at 1412 hours, officers responded to a stolen catalytic converter report in the 100 block of Stratford Avenue.
- On Sunday, June 4, at 1022 hours, officers responded to a stolen catalytic converter report in the 200 block of Yale Avenue. The registered owners contacted police after returning from vacation.
- On Monday, June 5, offices observed a suspicious vehicle in the parking lot of the Exxon Gas station
 and contacted both occupants. Records revealed misdemeanor and felony warrants for which both
 were arrested. During the investigation officers located stolen property including banking
 information, personal identifying information, and narcotics. The items were collected, and the two
 suspects were transported to the Martinez Detention Facility. The investigation is ongoing.
- On Wednesday, June 14, KPD received a Suspected Child Abuse Report (SCAR) from Contra Costa County Child Protective Services. The reported incident occurred within the past year and the investigation is ongoing.
- On Wednesday, June 14, at 2200 hours, Officers were pro-actively patrolling the park to put a stop to the recent vandalism found in the restrooms. Officers observed and contacted several juveniles in the area and after a brief investigation, and collection of a large felt tip pen, the juveniles were released to their parents. The investigation is being forwarded to the District Attorneys Office for Review. Since the contact, there have been no more reports of vandalism at the park.
- On Thursday, June 15, at 1105 hours, officers responded to a stolen vehicle report in the 100 block of Sunset Drive. The vehicle was recovered two weeks later in the city of Richmond.
- On Saturday, June 17, at 1015 hours, officers responded to an auto burglary in the 100 block of Ardmore Road. \$450.00 worth of tools had been stolen. Officers are pursuing all investigative leads including checking the surrounding homes for any available security camera footage.
- On Saturday, June 17, at 2100 hours, officers received a parking complaint in the 100 block of Anson Way. The vehicle impounded for blocking the road.
- On Monday, June 25, at 0827 hours, officers responded to a report of an auto-burglary at Grizzly Peak Blvd. While taking the report, two additional reports of auto burglaries were broadcast. After home surveillance video footage was recovered from neighboring homes, Officers established the three crimes were probably committed by the same suspects. Officers also found the suspect vehicle had stolen license plates affixed to the bumper. Officers are working with allied agencies to develop a pattern for this group.
- On Wednesday, June 28, at 0049 hours, officers impounded a vehicle near Edgecroft Road and Coventry Rd. for overdue registration of more than one year.
- On Thursday, June 29, at 1024 hours, officers responded to a suspicious person in the 300 block of Colusa Ave. Records of the detained individual revealed an outstanding felony warrant for which he was arrested.
- On Friday, June 30, at 1024 hours, officers received a report of a missing person from the 100 block of Highland Blvd. An area check was conducted with the assistance from the caregiver and the individual was located unharmed.

West County Crime Patrols

• Officers Smith and Fajardo participated with West Contra Costa County police departments in a multi-agency crime suppression operation. Each West County agency combines resources to complete saturation patrols in every jurisdiction throughout the summer. This month, patrols were completed in Pinole. More than fourteen officers patrolled Pinole for ten hours making over 50 vehicle enforcement stops, conducting numerous probation and parole compliance checks, and making multiple arrests. The next joint operation in July will be held in the City of Richmond.

Community

Staff is preparing for the annual National Night out on Tuesday, August 1. Officers plan to be out in full force to heighten crime and drug prevention awareness, generate support for, and participation in, local anti-crime efforts, strengthen neighborhood spirit and police/community partnerships, and to meet members of the community. We are working closely with the Kensington Fire Department to coordinate our efforts.



Date: May 11, 2023

To: Board of Directors

From: David Aranda, Interim General Manager

Subject: General Managers Report

This report covers the time period of April 8, 2023, through May 8, 2023.

I have learned that things do not always go down in the timely manner that we wish for them to be accomplished. It has been slow going but here are a few updates regarding our work for KPPCSD:

- Communication with both the City of El Cerrito and Mobile Modular regarding the renewal of the
 lease to extend our stay in the modular building through August 2024. The agreements have not
 been finalized yet due to some negotiating regarding fixes the modular needs and costs that the
 City has been paying for that the District may now pay for, and hopefully reduce the monthly
 lease payment.
- The park tree removal project is still waiting for completion due to the nesting of birds in certain trees. I have been in ongoing communication with the Tree Company as to when we may be able to complete the project.
- The District Finances are taking shape along with the adjustments that have been needed with CalPERS. I continue to talk to the County about the District finances being moved out of the County Treasury and into our own savings, but the district is now set up to perform our own payables and make deposits remotely through Five Star Bank. This will save district staff time and make the process much more efficient.
- The Chief and I worked very diligently for COPS funding but ran into trouble beyond our control regarding filing the necessary paperwork. When the next cycle comes up, we will apply at that time.
- Many ongoing discussions with KCC, KFPD and other individuals regarding various aspects of our operations and the interaction of other groups, agencies and individuals.

General Managers Report May 11, 2023 Page 2 of 2

Recreation Office Report prepared by Jenny Parks Kensington Community Council July 1, 2023

KCC SUMMER CAMP:

Camp is in full swing. Each week we welcome 60 campers from 9-5. Camp drop off and morning care will be at the recreation building and camp pick up and aftercare will be at the community center.

KASEP:

We are currently working on our Fall class schedule and planning for classes to begin the week of September 11th.

The Fall KASEP brochure will be available mid-August and online registration opens Tuesday August 29th, 7pm for Kindergarten and 7:30pm for grades 1-6.

Adult Classes

Tai Chi with Nobuo Nishi is on Wednesdays & Fridays 9:30-11am.Community Center, drop in fee of \$15

Strength & Balance Yoga with Anja Borgstrom Tuesdays 8:30am

We have paused the Gentle Yoga class on Thursdays at 11:30am through the summer.

KCC & Other:

We had some broken bottles and open containers left in front of the office found on Monday June 13th. I notified KPD and was informed that they caught some juveniles drinking in the same spot the very next day.

We are working with KPPCSD for a smooth transition of the tennis court reservations in the coming month.

We had a successful Blood Drive will be in the Community Center on Tuesday June 6th. 27 donors gave 31 lifesaving units of blood.

On June 21st a swarm of bees was spotted near the community center. Lucky for us we have several beekeeper families who work at KCC and they were called in to get the bees back to a hive.



Date: July 13, 2023

To: Board of Directors

From: David Aranda, Interim General Manager

Subject: Discussion Regarding Park Facilities, Improvements and Protection

Recommendation

Let us have a good overall discussion so that staff can start developing a list based on priorities and needs and obtain pricing to keep moving forward in addressing the wonderful park facilities and operations at Kensington Park.

Background (THIS IS A DISCUSSION ITEM ONLY)

There are a number of moving parts regarding the Kensington Park facilities and operations. This agenda item is to assist the Board and staff to better understand the issues, determine priorities and build a process of accomplishing numerous projects for the benefit and safety of the community.

- 1. Park Committee Proposal For Park Improvements. The attached e-mail from Director Gough outlines the projects that are being proposed. After a discussion on this subject the next agenda item will formally ask for approval of an initial dollar amount of \$50,000 to begin work on the recommended improvements. This agenda item will assist in the Board understanding the recommendations and prioritizing the work.
- 2. <u>SDRMA Safety Report</u>. Attached is a report based on an investigation by the SDRMA safety risk officer. Many of the recommendations will be handled by staff and not involve substantial costs but there are few items I feel should be discussed and followed through on ASAP. I will bring those up in our discussion, but I welcome board members giving consideration to the report and board member concerns.
- 3. <u>Annex Building</u>. The attached inspection report and a verbal discussion I had with the inspector leads to the fact that the Annex building can become a viable facility within the park operations. As noted in the inspection report there will be additional work and costs in order to pursue making the Annex Building a functioning operational entity. Board member thoughts on this are welcomed.

Park Facilities and Operations at Kensington Park July 13, 2023 Page 2 of 2

4. Other. There are other various items that need to be addressed. Some examples of items on my list would include, repairs that will need to be made on the Recreational Building in conjunction with the KCC-KPPCSD agreement. Repairs in and around the Community Center. I am sure other board members have items that they would like to see addressed regarding the park facilities.

Exhibits

- Kensington Park Re-Planting Committee Proposal
- SDRMA Safety Report
- Annex Building Inspection Report

Kensington Park Re-Planting Committee Proposal for FY 2023-2024

By: Director Gough and Director Duggan

Date: July 13, 2023

Background:

In the June KPPCSD Board Meeting, this Committee provided an overview of the input we received as well as several recommendations for future park re-planting and care. Since that time, we have further refined our recommendations to reduce both scope and costs.

Therefore, the Kensington Park Re-Planting Committee requests approval and funding of the items outlined below to mitigate the blight and tree loss from the recent large scale tree removal along Highland Boulevard.

In this revised proposal, we substantially reduced the project scope to save costs and eliminate any need to engage a landscape architect. Separately, we flagged some maintenance concerns as well as provided preliminary suggestions for Phase 2 plantings. Please note, our Committee is <u>not</u> seeking approval for Phase 2 projects at this stage.

Phase 1 Proposal (to be done during Fiscal Year 2023-2024):

• Soil Testing: perform soil testing at 2 locations (Highland Blvd. and by serpentine rock) to understand soil health (pollutants and needed amendments)

Contractor: Cole RaineyCost Estimate: \$750

• Plant 7 trees by the Viewpoint on Highland Blvd (4 to the north and 3 to the south): combination of Coast Live Oak and California Buckeye; requires irrigation, staking and protective wire fencing

o Contractor: Fernando Herrera's Team

- Cost Estimate: \$10,000 (includes trees at \$5250, water line at \$3800, and County meter at \$250)
- Construct a 22 ft x 15 ft Viewpoint platform next to the sidewalk on Highland Avenue, without carve-outs for additional plantings, but with baserock, de-composed granite and wood borders in the style of the "Presidio" steps

o Contractor: FJ+I Engineering

o Cost Estimate: \$16,700

• Plant 5-6 Redbud trees (24" boxes) on northern and southern edges of the lawn area by Annex and Building E; requires irrigation, staking and protective wire fencing

o Contractor: Fernando Herrera's Team

o Cost Estimate: \$3,750 - \$4,500

Re-finish and repair all existing park benches and re-locate 2 to use at the Viewpoint platform.
 The plaques which are currently on the benches at the lower viewpoint will be placed on the Viewpoint benches. The lower viewpoint seating area will have at least one bench.

Provider: TBDCost Estimate: \$1000

Total Phase 1 Cost Estimate: \$32,200-\$32,950

Phase 2 Preliminary Suggestions ONLY (for FY 2024-2025):

- Swale with plantings
- Full replacement of existing path
- Rehabilitation of eastern slope
- Planting of additional trees by tot lot and library
- Removal of old fruit trees by library
- Removal of old concrete and wood by library

Flagged Maintenance/Safety Concerns

- Repairing/Mitigating dangerous concrete wall by oak tree
- Replacement of decomposing retaining wall by the tot lot
- Removal/Remediation of old foundation/structural remains behind Community Center



Kensington Police Protection & Community Services District

RISK CONTROL EVALUATION

Programs

Workers' Compensation Property/Liability

Conducted on May 31, 2023

Enriqueta Castro, CSP SDRMA Risk Control Manager

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Overview

On May 31, 2023, SDRMA conducted the Kensington Police Protection & Community Services District's Risk Control Evaluation and inspection of the community center and park. We would like to express our appreciation to David Aranda, Interim General Manager, Police Chief Mike Gancasz, and Rosa Ruiz, Administrative Assistant, for their participation and extensive feedback during this process.

Purpose

The purpose of SDRMA's Risk Control Evaluation is three-fold. It is designed to review a variety of relevant workplace safety and liability exposures and requirements, evaluate how the District is managing those exposures, and provide guidance when warranted.

Workers' Compensation and Property/Liability Categories

The District participates in SDRMA's Workers' Compensation and Property/Liability programs. During the evaluation we discussed the District's operations and exposures. Based on the District's feedback regarding their current operations, it was determined the following categories are applicable:

Workers' Compensation - Cal/OSHA Compliance

- Injury Illness & Prevention Program
- ATD & BBP Exposure Control (Police)
- COVID-19 Prevention Plan
- Emergency Action Plan
- Ergonomic Injury Management
- Fire Prevention Plan

- Hearing Conservation
- Heat Illness Prevention
- Ladder Safety
- PPE Requirements & Management
- Return to Work Practices
- Wildfire Smoke Protection

Property/Liability - Regulatory Compliance and Industry Best Practices

- ADA Compliance
- Contractor Selection

- Driver Safety & Vehicle Use Operations
- Employment Practices Liability

This report outlines the criteria for each category, provides feedback on the Districts procedures and control measures, and offers recommendations to assist the District with effective implementation. It also includes observations and recommendations identified during the community center and park inspection.

SDRMA Risk Control is available to assist the District with recommendation completion. We will reach out to the District to offer support and discuss the progress made on the recommendations. Please contact Henri Castro, SDRMA Risk Control Manager, with any questions or feedback.

Direct Line: 916.231.4135

Cell: 916.628.0272 hcastro@sdrma.org

Please note the SDRMA Risk Control Evaluation is not intended to cover all workplace safety and property/liability exposures. The information contained in this report is based on information gathered and observed at the time of the evaluation. The information does not guarantee that operations, whether noted or not, are in compliance with federal, state, or local laws or regulations.

1. Injury & Illness Prevention Program Implementation (IIPP)

All California employers must develop, implement, and maintain an effective IIPP as outlined in Cal/OSHA Standard CCR 3203. A written plan is required; however, employers with 10 or fewer employees, are permitted to communicate to and instruct employees orally in general safe work practices with specific instructions with respect to hazards unique to their job assignments.

CRITERIA

- A written IIPP is in place with the required elements and the District has assigned an IIPP Administrator who has the authority to implement the program.
- A system is in place to communicate safety information to employees through activities such as safety meetings, training, postings, safety committees, etc.
- A compliance system is in place to ensure employees are accountable for following the District's safety programs and safe practices.
- Hazard inspections are conducted and documented based on the IIPP's frequency schedule and a system is in place to identify and correct hazards in a timely manner.
- The District has identified and conducts Cal/OSHA required training topics which include the IIPP, and topics based on employee exposures.
- The District has accident reporting and investigation procedures in place.
- Training, inspections, and accident investigations are documented and maintained for at least three years.

COMMENTS:

The District has over 10 employees and are required to have a written IIPP in place. The Police Protection Department utilizes the Lexipol Police Manual and IIPP procedures are outlined in policy 1031. Relevant safety training for the police department is conducted. Safety training for other District employees is needed.

RECOMMENDATIONS:

1-1: Develop a written IIPP that includes the outlined criteria and identify the Cal/OSHA training employees for non-police employees. Once completed, ensure a system is in place to effectively implement the IIPP requirements. A sample program and development assistance are available through SDRMA.

2. Bloodborne Pathogens & Aerosol Transmissible Diseases Exposure Control

The Bloodborne Pathogens Standard <u>CCR 5193</u> applies when employee(s) have an "occupational exposure" to blood or other potentially infectious materials. Occupational Exposure means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

The Aerosol Transmissible Diseases Standard's <u>CCR 5199</u> "referring employer" requirements apply to police operations when transporting or detaining persons reasonably anticipated to be ATD cases, and when providing services in conjunction with health care or public health operations

CRITERIA

Blood borne Pathogens

- There is a written blood borne pathogens exposure control plan (BBP ECP) consistent with Cal/OSHA requirements. It identifies all positions that have occupational exposure to blood borne pathogens.
- Engineering controls have been identified to reduce exposures to BBPs (i.e.: safe work practices, PPE).
- Exposed employees receive training on the BBP ECP at hire, annually, and when hazards/exposures change.
- The hepatitis B vaccination series is offered to all potentially exposed employees free of charge at hire or when first assigned to positions with occupational exposure. If employees decline, they are required to sign a declination form.

Aerosol Transmissible Diseases

- There is a written ATD procedure in place consistent with Cal/OSHA requirements.
- Exposed employees receive training on the District's ATD at hire and annually.
- The seasonal flu vaccination is offered annually to exposed employees free of charge at hire or when first assigned to positions with occupational exposure. If employees decline, they are required to sign a declination form.

COMMENTS:

The Police Manual includes exposure control procedures that address BBP and ATD control measures. It is uncertain if the procedures include the Cal/OSHA required elements. The District does not currently offer the Hep B vaccination or flu vaccination to police protection officers as required.

RECOMMENDATIONS:

- 2-1: Review Cal/OSHA's program requirements for BBP and ATD to ensure the police policy includes the required elements. Ensure employees receive the required annual training.
- 2-2: Offer applicable employees the Hep B vaccination and seasonal flu vaccination as required.

3. COVID-19 Prevention Plan

All CA employers are currently required to comply with the COVID-19 Prevention Standard CCR 3205 with limited exceptions. Cal/OSHA outlines additional instructions on their COVID-19 FAQ site.

CRITERIA

- The District has developed a written COVID-19 Prevention Program (CPP) based on the most current requirements.
- A system is in place to keep abreast of changes from the California Department of Public Health (CDPH) and Cal/OSHA.
- A system is in place to keep abreast of County changes/requirements for workplaces.
- Employees have been trained on the written CPP and the signs and symptoms of COVID-19.

COMMENTS:

The District is in need of an updated program that includes the most current regulatory changes.

RECOMMENDATIONS:

3-1: Develop a written CPP that includes the current requirements. A sample program and development assistance are available through SDRMA.

4. Emergency Action Plan

All CA employers are required to comply with the Emergency Action Plan (EAP) Standard <u>CCR 3220</u>. A written plan is required except for employers with 10 or fewer employees. In this case the plan may be communicated orally to employees and the employer is not required to maintain a written plan.

CRITERIA

- The District has developed a written Emergency Action Plan as required by Cal/OSHA.
- The EAP addresses potential emergency situations that could affect the District and its facilities.
- Employees have received training on the program, exposures, and if applicable, their responsibilities.
- Emergency supplies are stored in the event employees must remain at District.

COMMENTS:

Cal/OSHA requires employers to have emergency procedures in place. Procedures should include evacuation measures, assembly areas, and shelter in place protocols.

RECOMMENDATIONS:

4-1: Develop emergency procedures and ensure employees are trained on the requirements. A sample program and development assistance are available through SDRMA.

5. Ergonomics Injury Management

The Ergonomics Repetitive Motion Injuries Standard <u>CCR 5110</u> applies when a work-related repetitive motion injury (RMI) has occurred to more than one employee performing a job, process, or operation of identical work activity. The RMIs must be diagnosed by a licensed physician and were reported by the employees to the employer in the last 12 revolving months.

CRITERIA

- There has been an evaluation of the RMI's work activity to identify exposures and causes.
- The District has corrected/minimized the identified exposures to the extent feasible. (I.e.: engineering controls, workstation redesign, adjustable fixtures, tool redesign, job rotation, work pacing or work breaks, etc.).
- Employees have received training on the written program, the identified RMIs, symptoms, early reporting, and control measures.

COMMENTS:

Over the last few years there have been ergonomic related injuries caused by cumulative trauma, manual material lifting, and other types of sprains and strains. The Police Chief indicated the District has reviewed the ergonomic related exposures and have taken measures to reduce this exposure.

No current recommendations.

6. Ladder Safety

The Portable Ladder Standard <u>CCR 3276</u> applies when employees are required to use portable ladders, with the exception of step stools.

CRITERIA

- The District has developed a code of safe practice on the required use, care, and inspection on all the types of portable ladders used at the District.
- Exposed employees have received ladder safety training.

COMMENTS:

It is unknown if employees utilize portable ladders while working at the District.

RECOMMENDATIONS:

6-1: If portable ladders are used by employees, ensure employees receive training on the proper use and care of the ladders. A Ladder Safety training handout is available through SDRMA.

7. Fire Prevention Plan

All CA employers are required to comply with the Fire Prevention Plan Standard <u>CCR 3221</u>. A written plan is required except for employers with 10 or fewer employees. In this case the plan may be communicated orally to employees and the employer is not required to maintain a written plan.

CRITERIA

- The District has developed a written Fire Prevention Plan as required by Cal/OSHA with a designated person responsible for the maintenance of fire prevention equipment and systems
- Housekeeping procedures are in place to control of accumulation of flammable or combustible waste materials.
- Employees are trained on the fire prevention program.

COMMENTS:

The District is in need of a written Fire Prevention Plan that provides information about the District's fire prevention equipment and systems.

RECOMMENDATIONS:

7-1: Develop a written Fire Prevention program as required. A sample program and development assistance are available through SDRMA. A sample program and development assistance are available through SDRMA.

8. Hearing Conservation

The Hearing Conservation Standards <u>CCR 5097</u>, <u>CCR5095</u>, <u>CCR5099</u> applies whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels.

CRITERIA

- A selection of hearing protectors is provided at no cost to employees exposed to noise levels at or above 85 dBA averaged over an eight-hour period.
- Annual training is conducted about the effects of noise on hearing. Training includes information on the purpose of hearing protectors and how to use them.

COMMENTS:

A written program is not currently required based on the Standard's application. Police officers are required to wear hearing protection while training at the shooting range.

RECOMMENDATIONS:

No current recommendations.

9. Heat Illness Prevention

The Heat Illness Prevention Standard CCR 3395 applies all outdoor places of employment.

CRITERIA

- The District has a written heat illness prevention program consistent with Cal/OSHA requirements.
- Employees who work in outdoor environments that exceed 80° F, have access to shade, the required quantities of clean cool water, and cool-down rest periods.
- Annual training is conducted for all affected employees prior to exposing them to hot work environments.
 Supervisors with oversight responsibilities for affected employees are trained on their responsibilities.
- During high-heat conditions (95° F), employees are monitored for symptoms of heat illness.

COMMENTS:

Cal/OSHA requires all employers to have a Heat Illness Prevention program in place for employees who work outdoors. The District does not currently have a written Heat Illness Prevention Program.

RECOMMENDATIONS:

9-1: Develop a written Heat Illness Prevention program and ensure it includes the required elements as outlined in the criteria.

10.Personal Protective Equipment (PPE) Management

Cal/OSHA Standard <u>CCR 3380</u> outlines the employers requirement to ensure that all required safety devices and safeguards, whether employer or employee provided, including personal protective equipment for the eyes, face, head, hand, foot, and extremities (limbs), protective clothing, respiratory protection, protective shields and barriers, comply with the applicable Title 8 Standards and are maintained in a safe, sanitary condition. This includes an assessment and training certification requirement.

CRITERIA

- The District has conducted an assessment to determine the District's workplace exposures and PPE requirements as required.
- The written assessment(s) include the date(s) of the assessment and who performed the assessment.
- A process is in place to select appropriate PPE based on the assessment results and the requirements.
- Training has been conducted for exposed employees on the required PPE and proper use and care.

COMMENTS:

A written assessment is required to ensure the District is utilizing the proper PPE and has procedures in place to train employees in the use and care.

RECOMMENDATIONS:

10-1: Conduct an assessment of District operations to determine appropriate PPE requirements and ensure employees receive training as required.

11.Return-To-Work Program

A Return to Work (RTW) Program is a workers' compensation-related program allowing employees who are injured on the job to perform their usual duties in a temporary, limited, or light-duty capacity while recovering. The overall goals of a return-to-work program are to lower costs related to employee injuries and keep injuried employees engaged.

CRITERIA

- The District has a written return-to-work program for lost time injuries.
- Alternate transitional duties are developed based on physical limitations set by the treating physician and the physical demands specified in the job descriptions.
- Employees are advised of the District's program at hire and routinely thereafter.
- The Districts industrial clinic and treating physicians have been informed of the District's return-to-work program.

COMMENTS:

The District has confirmed they support RTW efforts and have informal procedures in place.

RECOMMENDATIONS:

No current recommendations.

12. Wildfire Smoke Protection

The Protection from Wildfire Smoke Standard <u>CCR 5144.1</u> applies to employees working outdoors <u>for more than one</u> hour in locations where employee exposure to wildfire smoke can be reasonably anticipated.

CRITERIA

- Although not required, the District has a written Wildfire Smoke policy (preferred) or completes/provides
 Appendix B to affected employees.
- Designated person(s) monitors AQI when wildfire smoke is present and a system for communicating wildfire smoke hazards is in place.
- Training is provided to review smoke hazards and when the use of N95s is voluntary or required.

COMMENTS:

During a wildfire smoke event, the District monitors the AQI and provides employees with N95 respirators as required.

RECOMMENDATIONS:

12-1: Ensure exposed employees review the mandatory handout <u>Cal/OSHA's Protection from Wildfire Smoke</u> Information.

13.ADA Compliance

Title I Compliance – Prohibits discriminating against qualified individuals with disabilities in applying for jobs, hiring, firing and job training. Applies to employers engaged in an industry affecting commerce, employs 15 or more full-time employees, for at least 20 or more calendar weeks in the year. Title II - Prohibits discrimination against qualified individuals with disabilities in all programs, activities, and services of public entities.

CRITERIA

- The District has completed a self-evaluation of its programs and facilities with regard to ADA compliance.
- A process is in place to ensure all new construction, alterations, and additions meet current accessibility
 Standards. Existing and new programs and services are checked for accessibility.
- The District has developed a procedure for the filing of complaints related to compliance with the Americans with Disabilities Act.
- The District has designated a qualified individual to coordinate compliance with the Americans with Disabilities Act.

COMMENTS:

The District's Community Center & Parks have several parking areas with available handicap parking. The District has a contract in place with the Kensington Community Council (KCC) to provide recreational programs. Jenny parks has confirmed access to recreational programs complies with the ADA requirements.

13-1: Consider utilizing an ADA Certified Access Specialist to determine if acceptable access is available at the Community Center and parks.

14.Contractor Selection

Industry Best Practices

CRITERIA

- The District has a contractor selection process for reviewing references, site checks, insurance, loss history (where practical), Cal/OSHA citation history, and license verification for general contractors and all subcontractors.
- All contractor bid submissions are required to contain specific safety plans for the protection of people and property from equipment, construction, or other activities.
- Contractors are obligated to accept responsibility for cleanup and debris removal at work sites to reduce the potential for injury and/or property damage.

COMMENTS:

The District has a contract in place with Kensington Community Council. The contract includes provisions for use of District facilities for recreational programs. The contract is currently being reviewed.

No current recommendations.

15. Driver Safety & Vehicle Use Operations

Industry Best Practices

CRITERIA

- The District has procedures in place that establish vehicle use, use of personal vehicles during District business, driver selection criteria, and defensive driver requirements.
- All employees who are required to drive in the course of their employment, possess a CA drivers' license for the class of vehicle they operate, and are placed in the Department of Motor Vehicles' Employee Pull Notice Program.
- The District verifies that all employees, who are authorized to drive their personally owned vehicles in the course of their employment, maintain auto liability and property damage insurance coverage in accordance with the State of California's minimum requirements.
- Vehicle maintenance procedures are in place.
- Defensive driver training is conducted periodically.

COMMENTS:

The District has confirmed their police manual includes procedures on driver safety and vehicle use operations. Vehicle pursuit reports are reviewed to identify trends. Vehicle inspections are conducted, and vehicles are on a regular maintenance schedule.

RECOMMENDATIONS:

No current recommendations.

16.Employment Practices Liability

Industry Best Practices

CRITERIA

- The District has a personnel policy manual, and it is periodically reviewed and updated.
- The manual is available to all employees.
- A human resource professional is available to the District (staff/contract).
- Harassment prevention training is conducted for employees every two years, with special training for managers and supervisors.
- Written procedures are in place for reporting and investigating alleged workplace wrongdoing.
- The District complies with HIPAA.
- The District complies with all State mandated posting requirements.
- Written job descriptions are in place and annual performance evaluations are conducted.

COMMENTS:

A personnel policy is in place and was approved in December 2021. It is uncertain if the required harassment training has been conducted.

RECOMMENDATIONS:

16-2: Review the District's training records to ensure required harassment training has been conducted. If training is required, resources are available through Vector Solutions or CSDA.

Community Center & Park

During the evaluation an inspection was conducted to assist in identifying potential exposures at the Community Center and park. Please note the information contained in this report is based on information gathered and observed at the time of the inspection, it does not guarantee that all exposures were identified.

OBSERVATIONS/RECOMMENDATIONS

Stairways & Walkways

The park has a combination of unpaved trails, paved walkways, and stairways. It was noted that some stairways and paved walkways were well maintained, however, there were also stairways with worn planks, loose rails, and uneven steps, and raised cracks. The small stairway on the side of the community center is accessible to the public; however, the stairway leads to a path that has a drop and is unsafe.

- Consider utilizing an ADA Certified Access Specialist to evaluate the District's compliance with ADA requirements for parking lots, the Community Center, amphitheater, and general access.
- Develop an inspection process to identify maintenance and repair requirements.









Dog Leash Requirements

Based on feedback from the District, it's a common practice for dog owners to allow their dogs to go unleashed on a regular basis. The District is considering developing a fenced dog park. An SDRMA Risk Advisory is available on Dog park risk management.

 Enforce the Contra Costa County leash requirements, as noted on the parks signs.



OBSERVATIONS/RECOMMENDATIONS

Court Benches

- Repair both benches to reduce the potential for impairment, from the metal plates.
- If there is a concern about skateboarders using the bench, consider installing skateboard deterrents.



Picnic Areas

One of the designated picnic areas is located near a significant land drop. This could pose a fall exposure.

Consider installing a barrier to assist in preventing a fall down the hill.



Playgrounds

- Conduct regular inspections of both the swing set and preschool playgrounds.
 The U.S. Consumer Product Safety Commission recommends inspections based on anticipated playground use. The <u>Public Playground Safety Handbook</u> provides guidance and inspection checklists.
- Evaluate the adequacy of the surface material. Refer to page 8.2.4 for guidance on surfacing requirements.





OBSERVATIONS/RECOMMENDATIONS

Tennis Court Surface

The hump inside the tennis courts could pose a fall risk when visitors are actively playing tennis. When playing tennis, the player is typically focused on hitting the ball and is not generally looking at the court surface.

 Consider determining why the hump is there and consider other solutions so the court surface is flat.



Parking Space

One of the parking spaces along an incline does not have a parking block or curb, which would allow a driver to drive forward over the hill and onto a stairway.

 Provide a parking block for this space and assess other parking spaces for similar exposures.



Community Center - Portable Fire Extinguishers

- Conduct a monthly visual inspection of all portable fire extinguishers. Confirm the pin is in place, the gauge is in the green, and sign-off on the provided tag.
- Ensure smoke detector battery inspections are conducted semi-annually



Community Center - Janitorial Supplies

The District has indicated the janitorial supplies are kept locked and used by the contractor. They are not available to the public.

 Ensure the contractor has required Safety Data Sheets for the hazardous materials utilized in the event of an exposure.



INSPECTION

OBSERVATIONS/RECOMMENDATIONS

Community Center - Kitchen Industrial Stove

 Contact the local fire marshal to determine if the industrial stove in the kitchen has adequate fire protection equipment.



CANTOR INSPECTIONS

5621 Ludwig Ave. El Cerrito, CA 94530 (510) 507-2279

This report is CONFIDENTIAL.

It was prepared for the below-named and is not intended for use by any other person.

David Aranda for the KPPCSD

59 Arlington Avenue, Annex Building Kensington, CA

Inspected by Matt Cantor
Member: American Society of Home Inspectors

May 17, 2023

FOR OTHER THAN THE ABOVE-NAMED:

If you are not named above and wish to use this report, we strongly urge that you retain Cantor Inspections or other qualified inspection firm for an on-site review of this building and report. This report is based on information obtained at the site. With time, conditions change and the information may no longer be accurate. We will return and review the building and report with any interested party for an amount equal to 50% of the total fee paid for this inspection. This offer is good for 6 months from the date of inspection, after which a complete reinspection should be performed.

This inspection and report was performed according to the limitations and exclusions specified in the enclosed contract. In this contract our liability is limited to twice the cost of the inspection. Cantor Inspections will, upon request, perform an inspection without this limit on liability for an additional fee. The Inspector is not responsible for determining whether the structure complies with its plans or specifications. You should consult the architect, engineer, or other design professional on this topic.

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INTRODUCTION

Property Description

This building is a small commercial building, constructed in approximately 1960. This report describes the building as viewed from the front doors and the street. The building site slopes moderately to steeply down to the front. The sky was clear at the time of our inspection.

The interior was unfurnished at the time of our inspection, but storage blocked our view of some areas. These areas should be examined after the stored items have been removed.

General Comments

This report is a general overview of the structural components and major systems. It is not intended to be technically exhaustive in any one field. If further information is desired, specialists in the relevant fields should be retained to perform additional inspections.

A determination as to the presence of animal pests, rodents, termites, decay, or other wood destroying organisms is beyond the scope of this inspection. A qualified pest control firm should be contacted with any questions concerning the presence or treatment of these organisms. We are not qualified in these fields. Periodic examinations should be made by a licensed pest control firm as part of routine property maintenance.

We may make recommendations or suggestions in this report that differ from requirements by the local building department. For determinations as to what is permitted in this jurisdiction, the local building department should be consulted.

This report includes only those areas that are visually accessible and not areas that are made inaccessible by walls, concrete, earth, or any other obstacle to physical access or visual inspection, such as furniture or stored items. Defects in mechanical equipment not disclosed by our functional operation or visual inspection are not included. Items or conditions not mentioned in this report are not within the scope of this inspection. An examination of every window, door, light switch, outlet, water valve, etc., was not made.

At the end of this report we will list the recommendations we believe to be the most important. Those recommendations should not be considered the only significant items. You should establish your own priorities after thoroughly studying this report, reviewing all the recommendations in the report, and consulting experts or specialists as desired.

EXTERIOR

Siding

This building is primarily clad in a manufactured type of wood shingle siding. There is also common wood shingle siding on the side of the building.

The siding is in moderately worn to poor condition. Several manufactured shingles are damaged or missing. There is a large amount of siding damage, and we recommend repair or replacement by a qualified contractor. Replacement of the siding should be considered if the budget will allow and depending on the intended use. We suggest that replacement be considered.

There is wood-soil contact in several places. We recommend adequate wood-soil clearance be provided.

Adequate clearance between soil and wood (typically 6 inches in new construction) should be maintained to prevent moisture or insect damage. It is important to avoid raising the soil level too close to the siding when gardening adjacent to the structure. Areas of potential wood-soil contact should be checked periodically as part of routine maintenance.

Wood siding in several places is embedded in the soil below. See below.



This condition can trap moisture in the wood and is conducive to decay. We recommend adequate clearance be provided as needed to eliminate embedded conditions.

The lower edges of wood siding or wood trim are often buried in concrete, masonry, or asphalt when patios, sidewalks, or driveways are installed. The proper procedure is to leave a sufficient gap between the wood and the surface below. Ideally, embedded siding should be repaired to prevent damage by decay or termites. In some instances, repair may not be not practical, such as with porches protected against rainfall which show no overt signs of damage.

Paint

The paint is peeling on the siding and trim in several places, several doors, window frames, window sills roof fascia (trim), and eaves. We recommend the peeling paint be scraped, sanded, caulked, primed, and painted as needed by a qualified painting contractor.

Trim There are several gaps at the trim and siding connections. We recommend the exterior siding and trim be examined and caulked as necessary to prevent rainwater entry.

Windows

The exterior glazing putty is worn and missing in several places. We recommend new putty be installed as needed to protect the windows from moisture intrusion.



Grading

Greeting at the rear is very poor and it appears that surface runoff descending from the hill behind the building is able to reach the doorways and penetrate the structure at floor level. This has resulted in flooding and damage over time. We strongly recommend that the rear areas be regraded to divert water around the structure and prevent surface runoff from reaching doorways or siding add floor level. Additionally, we strongly recommend the installation of a subsurface drainage system that would run across the rear of the building and drain down the left- and right-hand sides to a suitable point of discharge in accord with local municipal requirements.

Landscaping

We recommend the area plant growth be cleared away to provide an effective fire break. The local fire department should be consulted concerning fire break recommendations in this area.

This building is located in an area that may be considered to be a High Fire Severity Zone. As such, special building requirements may be mandated for newly constructed buildings as well as additions or major remodeling.

For more information regarding wild fires we suggest visiting the office of the State Fire Marshal online at https://osfm.fire.ca.gov/divisions/code-development-and-analysis/wildfire-protection/.

Also: https://csfs.colostate.edu/wildfire-mitigation/wildfire-defensible-space-checklist/ and https://www.readyforwildfire.org and https://ucanr.edu/sites/fire/Wildfire-Preparation - Recovery

More information can also be found on line by searching for "Wildland Urban Interface". We recommend, for increased fire protection, reducing or removing vegetation near all buildings.

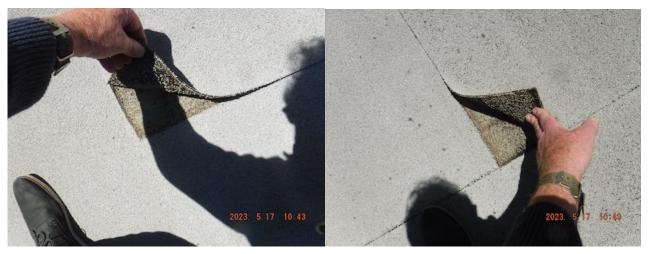
There are several large trees on the property. We recommend the area trees be examined by a tree surgeon. Regular care can extend the life of a tree and reduce the potential for falling branches.

ROOF

Roof Surface

This building has a modified bitumen roof. We inspected this roof from its surface after obtaining access with a ladder. This roof is in generally worn condition.

Several of the seams are not properly welded together. See two of these below.



This may be an adhesive type of modified bitumen and normal without the typical adhering bead resulting for adequate heating.

The roofing is loose in several places, and we recommend repair by a qualified roofer.

We recommend further inspection by a qualified roofer to determine the appropriate method of repair.

Roof Drainage

The roof has sheet metal rain gutters. They are in poor condition. We recommend the gutters be replaced. See below.



Several downspouts are damaged. See one below. We recommend all of the downspouts be replaced.



We recommend rain gutter downspouts be directed into subsurface drain lines.

Rain gutter downspouts are sometimes connected to underground drainage systems to prevent water from ponding adjacent to the foundation where it could adversely affect the soils supporting the building. Catch basins or surface mounted drains may also be connected to this piping. Subsurface drain piping can become clogged with debris and should be checked periodically in rainy weather or by using water from a garden hose to be sure the drains are free flowing.

General

This inspection addresses only the apparent visual condition of roofing materials, and does not include invasive testing nor guarantee against present or future leakage. Annual examinations should be made by a qualified roofer for needed periodic maintenance and repair.

Roof surfaces, rain gutters, downspouts, and subsurface drain lines should be checked regularly. Leaves and other debris should be removed as needed. Gutter corner joints and connections may need periodic caulking or sealing. Screens can be put at the downspout gutter connections to keep debris from blocking the downspouts. To check for adequate drainage walk around the building during or shortly after a heavy rain and observe the adequacy of the roof and area drainage systems.

FOUNDATION

Foundation

This building has a wood-framed structure with a concrete slab foundation. The slab floor was mostly inaccessible to inspection due to the presence of flooring in all areas.

We were not able to observe the tops of the foundation walls and were unable to determine if the framing is bolted to the foundation. It is likely, given the structure's age and type, that very outdated bolts are present that we could not see. We recommend further investigation by a qualified engineer.

The nature of this particular structure demands a specialized type of seismic retrofit as there are not typical stud walls that can be bolted to the slab. Nonetheless, this should be a manageable undertaking for a qualified structural engineer, and we would anticipate a reasonable cost for this relatively simple task.

Nonetheless, we consider this extremely important to protect the building from severe damage during the next large earthquake. It should be noted that this building is located quite close to an active fault line that is overdue for a significant earthquake.

Foundation General

The adequacy and condition of area soils, footings, foundations, and structural framing can only be determined after a detailed analysis by a soils, geotechnical, or structural engineer. This type of analysis and these determinations are beyond the scope of this inspection.

ELECTRICAL

Electrical Service

The main service wires run underground to the main panel at the right.

Main Panel

The main breaker panel is at the right exterior. We estimate the capacity of this system to be 200-amps, which should be adequate for normal electrical use. Both 120- and 240-volt service are provided. This panel has a 200-amp circuit breaker disconnect.

We did not locate the main panel grounding connection. We recommend it be located and checked by a qualified electrician.

Modern electrical services are typically grounded to the water piping, a driven rod in the earth, and/or steel rods embedded in the foundation. Older electrical services are typically grounded only to the water piping. A grounding conductor is often visible at the main panel, but it is not possible to locate the grounding connection. The gas piping and other metallic interior piping should be bonded to the grounding system.

There is no ground bus, and we recommend further investigation by a qualified electrician. A ground terminal or bus is likely needed for safety.

There is corrosion and built-up precipitate along the left side breakers, and we recommend repair or replacement by a qualified electrician. See this below.



Subpanels

There are extremely outdated circuit breaker panels on the right and middle walls and we recommend these panels be replaced now. One is shown below.



There may be distribution or subpanels that we did not locate during our inspection. We recommend any panel found, not mentioned in this report, be checked by a qualified electrician.

Wiring

This building is wired primarily with conduit, with some flexible metal cable (AC/MC) and raceway wiring. The raceway wiring is damaged in several places. We recommend upgrading of the raceway wiring for safety and the addition of an adequate number of outlets for use based on planned use.

Fixtures

There are several broken light fixtures, and we recommend they be repaired or replaced.

Several light fixtures are poorly wired and have loose components. We recommend they be properly re-installed by a qualified electrician.

Receptacles and Switches

The receptacles are the grounded 3-hole type.

Several outlets are wired in reverse polarity. The hot and neutral wires should be connected so the small slot is connected to the hot wire and the large slot to the neutral wire. We recommend the reverse polarity be corrected.

Reverse polarity is a defect where the hot and neutral wires to an outlet are reversed (or cross wired). This is a potential safety hazard, but is usually easily corrected. The smaller outlet slot (brass terminal) should be connected to the hot wire (black) and the large slot (silver terminal) to the neutral wire (white). The standard since 1948 has been to provide electrical equipment with polarized plugs.

We observed several ungrounded 3-hole outlets. We recommend each 3-hole outlet be examined by a qualified electrician and properly grounded as needed.

Ungrounded 3-hole outlets, also known as an "open ground," are common in older buildings and typically occur when 2-hole outlets are replaced with 3-hole types without adding a grounding wire. Properly installed three-hole outlets have a third grounding wire and are necessary for appliances with three-prong plugs. Using a three- prong plug in an ungrounded three-hole outlet is potentially hazardous. The accepted means of correcting this condition include replacement with a 2-hole receptacle; installation of a proper grounding wire to the outlet; or replacement with a GFCI receptacle.

Several outlets are loose and we recommend they be secured to prevent movement that can cause breakage or loose connections in the wiring.

We tested a representative number of the outlets and switches. An examination of each is beyond the scope of our inspection.

Exterior Electrical

There is loose conduit in several places, and we recommend this wiring be repaired or replaced.



Energy Efficiency

We recommend visiting the following website for information on energy cost and conservation: http://www.gosolarcalifornia.ca.gov/ or contacting the California Public Utility Commission for information on alternative energy source and energy conservation.

PLUMBING

Plumbing General

Waste piping should be cleaned out periodically to remove any accumulation of grease, hair, and dirt and to help prevent future debris blockage and subsequent drainage failure.

The gas and water piping was not fully accessible and an examination of each connection was not made. The standard test for leakage is to have the piping pressure tested. This is sometimes required before the gas can be turned on after it has been disconnected. With testing and a close examination of all the piping, leaking or other defects may be found.

The "sewer lateral," which is the buried waste piping that runs between the building and the main sewer, is often partially blocked or damaged by roots and other obstructions. We advise having all older sewer laterals checked by a qualified plumber using special video equipment designed for this purpose.

WATER HEATER

Water Heater

There is a $2\frac{1}{2}$ -gallon electric water heater below the sink in the large room at the left.



There was no hot water at the time of our inspection. The water heater was plugged into an operating electrical outlet and so is likely to have failed.

The water heater is 20 years old; it is in poor condition and we recommend it be replaced.

The water heater has a temperature and pressure relief (TPR) valve.

A temperature and pressure relief (TPR) valve is a safety valve which releases excess pressure from the water heater in the event the regulator fails. It is an important safety device which can prevent a dangerous explosion. Hot water may occasionally drip or spray from the valve discharge pipe, triggered by changes in water pressure. Leaky valves may fail from encrusted mineral residue, and should be replaced. Most TPR valve manufacturers recommend the valve be tested once a year.

Small capacity electric water heaters do not require seismic restraints.

Water Heater Maintenance

Water heaters should be set to 120° F. Third degree burns can occur in six seconds from a water heater output temperature of 140 degrees and in 30 seconds from 130 degree water. Small children can often not distinguish burns until they have already occurred.

ROOM HEATING

Unit Heaters

There are 2 gas-fired, ceiling-hung unit heaters, one in the left room and one in the right room. Both heaters are approximately 40 years old; they are in very worn condition and will soon need replacement.

Gas room heaters need regular cleaning and maintenance. They may not function safely when the burners or grills are obstructed by dust, lint, or personal property. Special care should be taken to keep children and combustible items well away from potentially hot surfaces. Room heaters should be routinely inspected for safety by the utility provider or a heating specialist.

The right room heater thermostat cover is missing.

There is no sediment trap at the left room heater and we recommend one be installed. This helps to deliver dry gas and prevent gas appliance failure.

We suggest both heaters replaced and the installation of heat pumps be considered.

Heating General

A determination as to whether adequate heating is provided to all the rooms is beyond the scope of this inspection.

Special care should be taken to avoid storing combustible materials (clothing or other items that could burn) near gas-fired heating equipment to prevent a potential fire hazard.

INTERIOR

Walls and Ceilings

The interiors appear to flood. We recommend grading and the installation of an adequate subsurface drainage system to address this condition.

Floors

We observed efflorescence on the VCT (vinyl composition tile) flooring.



We recommend these floors be removed and replaced after the flooring has been inspected and suitably sealed using a properly rated sealant. Sealants should be selected, in part, based on what is to be installed over them. A good choice for replacement may be vinyl plank, if this is compatible with future anticipated use of the space. (e.g. This would not be a good choice if very hot items may be dropped or fall in the space as in glass blowing, ceramics, etc.)

We recommend all of the concrete floors be sealed and a drainage system be installed to aid in addressing the signs of moisture in the slab as well as surface flooding.

Efflorescence is a white powdery deposit which occurs on masonry or concrete. Efflorescence indicates the presence of moisture in contact with the masonry or concrete. Minor efflorescence is common even in new construction. Substantial efflorescence indicates a defective drainage condition.

We do not perform a survey of the floors for slope or uniform elevation as part of our standard inspection. We can return with special equipment and provide a floor level survey to determine the extent of floor slope for an additional fee upon request.

Windows

The windows are primarily wood-framed, awning (which open from the bottom and are hinged at the top edge so that they open out as would an awning), and fixed glass. There are also some aluminum-framed, fixed glass and sliding glass windows.

We operated a representative sampling of the windows. All windows were not checked for proper functioning, cracked or broken glass, or for the presence or condition of screens. This inspection

does not include areas that are obscured by furniture, carpets, coverings, or any other items.

Doors

Several doors are difficult to operate and we recommend they be adjusted or repaired to operate properly.

Several doors rub at the frame and we recommend they be repaired to operate freely.

The door at the rear/right is damaged and we recommend it be repaired or replaced.

BATHROOMS

Rear Half Bathroom

This half bathroom has a toilet and china sink. The toilet is nonfunctional and does not have a flush handle and toilet seat. We recommend the toilet be repaired or replaced.

This bathroom has vinyl flooring, which is in poor condition. We recommend new flooring be installed.

This bathroom has 3-hole receptacles. We recommend upgrading to provide GFCI safety protection.

The outlets are wired in reverse polarity. The hot and neutral wires should be connected so the small slot is connected to the hot wire and the large slot to the neutral wire. We recommend the reverse polarity be corrected.

Front Half Bathroom

This half bathroom has a toilet and sink. The toilet is damaged and we recommend it be repaired or replaced.

General

Caulked joints should be checked frequently and recaulked as necessary. Proper caulking prevents water penetration and damage to walls and floors. Before caulk is applied, the surfaces should be cleaned carefully and any loose caulk should be removed. A good quality bathroom caulk, such as silicone, should be used. Bathrooms are areas of high humidity and special care should be exercised to keep them well ventilated. Windows should be left open when showering or bathing and fan-powered vents should be used when available.

SINK AREA

Sink Area

The sink is stainless steel. The sink drain is slow and we recommend it be cleared.

The sink area has plastic laminate countertops that are in generally worn condition and may soon need replacement.

There is a pull-chain light fixture near the metal sink and we recommend it be replaced with a safer fixture. Pull-chain switches are generally not approved for use within six feet of a water source to prevent electrical shock. We recommend a switch be added.

ENVIRONMENTAL

Hazardous Materials

Various potentially hazardous materials have been used in the construction of buildings over the years. Many naturally occurring materials and man-made building materials have been found to be hazardous or to have adverse environmental impact. These include but are not limited to asbestos, formaldehyde, lead paint, electromagnetic radiation, buried fuel tanks and radon. Buried fuel tanks may pose an environmental hazard. Hazardous materials, product liability, and environmental hazards are not included in the scope of our inspection. For information on hazardous materials, call the Environmental Protection Agency in San Francisco at 415-744-1500.

Asbestos

The chalk boards may contain asbestos materials.

Asbestos is found on most gas heating systems installed before 1978. Exposure to asbestos may be a health hazard and should be avoided. It may be possible to significantly reduce or eliminate the dispersal of asbestos fibers by painting the material. Removal or containment of these materials should only be done by properly trained and equipped professionals. Contractors in various trades such as flooring, roofing, heating, plumbing, or electrical may require asbestos abatement at additional expense prior to performing repairs, replacements, or modifications. For a determination as to the need for, or costs of abatement, a qualified asbestos abatement contractor should be retained. The presence of asbestos can only be determined by laboratory analysis, which is beyond the scope of our inspection.

PRIMARY RECOMMENDATIONS

Siding

There is a large amount of siding damage and we recommend repair or replacement by a qualified contractor. We suggest siding replacement.

There is wood-soil contact in several places. We recommend adequate clearance be provided as needed to eliminate embedded conditions.

Paint

We recommend the peeling paint be scraped, sanded, caulked, primed, and painted as needed by a qualified painting contractor.

Trim

We recommend the exterior siding and trim be examined and caulked as necessary to prevent rain water entry.

Windows

We recommend new putty be installed as needed to protect the windows from moisture intrusion.

Landscaping

We recommend the area plant growth be cleared away to provide an effective fire break.

Roof Surface

The roofing is loose in several places, and we recommend repair by a qualified roofer.

Roof Drainage

We recommend the gutters be replaced. We recommend all of the downspouts be replaced.

Foundation

It is likely, given the structure's age and type, that very outdated bolts are present that we could not see. We recommend further investigation by a qualified engineer.

Main Panel

We did not locate the main panel grounding connection. We recommend it be located and checked by a qualified electrician.

There is no ground bus and we recommend further investigation by a qualified electrician.

There is corrosion and built-up precipitate along the left side breakers and we recommend repair or replacement by a qualified electrician.

Subpanels

There are extremely outdated circuit breaker panels on the right and middle walls and we recommend these panels be replaced now.

Fixtures

There are several broken light fixtures and we recommend they be repaired or replaced.

Several light fixtures are poorly wired and have loose components. We recommend they be properly re-installed by a qualified electrician.

Receptacles and Switches

Several outlets are wired in reverse polarity. We recommend the reverse polarity be corrected.

We recommend each 3-hole outlet be examined by a qualified electrician and properly grounded as needed.

Several outlets are loose and we recommend they be secured to prevent movement that can cause breakage or loose connections in the wiring.

Exterior Electrical

There is loose conduit in several places and we recommend this wiring be repaired or replaced.

Water Heater

The water heater is 20 years old; it is in poor condition and we recommend it be replaced.

Unit Heaters

We suggest both heaters replaced and the installation of heat pumps be considered.

Floors

We recommend all of the concrete floors be sealed and a drainage system be installed.

Doors

The doors at the rear/right is damaged and we recommend it be repaired or replaced.

Rear Half Bathroom

We recommend the toilet be repaired or replaced.

We recommend new flooring be installed.

This bathroom has 3-hole receptacles. We recommend upgrading to provide GFCI safety protection.

The outlets are wired in reverse polarity. We recommend the reverse polarity be corrected.

Front Half Bathroom

The toilet is damaged and we recommend it be repaired or replaced.

Sink Area

The sink drain is slow and we recommend it be cleared.

There is a pull-chain light fixture near the metal sink and we recommend it be replaced with a safer fixture.

We recommend a switch be added for safety.

Thank you for using Cantor Inspections. If you have any questions or if we can be of further assistance, please do not hesitate to call us at (510) 507-2279.



To: Board of Directors

From: David Aranda, Interim General Manager

Subject: Approval to Make Park Improvements up to \$50,000

Recommendation

Approve the General Manager expending up to \$50,000 for park improvements and safety improvements.

Background

Directors Gough and Duggan were tasked with developing a park improvement plan in conjunction with the loss of some trees. This agenda item is requesting board approval to expend up to \$50,000 to begin implementing that plan and possibly purchase additional items for safety reasons.

Exhibits

- Kensington Park Re-Planting Committee Proposal
- Photos (5)

Kensington Park Re-Planting Committee Proposal for FY 2023-2024

By: Director Duggan and Director Duggan

Date: July 13, 2023

Background:

In the June KPPCSD Board Meeting, this Committee provided an overview of the input we received as well as several recommendations for future park re-planting and care. Since that time, we have further refined our recommendations to reduce both scope and costs.

Therefore, the Kensington Park Re-Planting Committee requests approval and funding of the items outlined below to mitigate the blight and tree loss from the recent large scale tree removal along Highland Boulevard.

In this revised proposal, we substantially reduced the project scope to save costs and eliminate any need to engage a landscape architect. Separately, we flagged some maintenance concerns as well as provided preliminary suggestions for Phase 2 plantings. Please note, our Committee is <u>not</u> seeking approval for Phase 2 projects at this stage.

Phase 1 Proposal (to be done during Fiscal Year 2023-2024):

• Soil Testing: perform soil testing at 2 locations (Highland Blvd. and by serpentine rock) to understand soil health (pollutants and needed amendments)

Contractor: Cole RaineyCost Estimate: \$750

• Plant 7 trees by the Viewpoint on Highland Blvd (4 to the north and 3 to the south): combination of Coast Live Oak and California Buckeye; requires irrigation, staking and protective wire fencing

o Contractor: Fernando Herrera's Team

- Cost Estimate: \$10,000 (includes trees at \$5250, water line at \$3800, and County meter at \$250)
- Construct a 22 ft x 15 ft Viewpoint platform next to the sidewalk on Highland Avenue, without carve-outs for additional plantings, but with baserock, de-composed granite and wood borders in the style of the "Presidio" steps

o Contractor: FJ+l Engineering

o Cost Estimate: \$16,700

• Plant 5-6 Redbud trees (24" boxes) on northern and southern edges of the lawn area by Annex and Building E; requires irrigation, staking and protective wire fencing

o Contractor: Fernando Herrera's Team

o Cost Estimate: \$3,750 - \$4,500

Re-finish and repair all existing park benches and re-locate 2 to use at the Viewpoint platform.
 The plaques which are currently on the benches at the lower viewpoint will be placed on the Viewpoint benches. The lower viewpoint seating area will have at least one bench.

Provider: TBDCost Estimate: \$1000

Total Phase 1 Cost Estimate: \$32,200-\$32,950

Phase 2 Preliminary Suggestions ONLY (for FY 2024-2025):

- Swale with plantings
- Full replacement of existing path
- Rehabilitation of eastern slope
- Planting of additional trees by tot lot and library
- Removal of old fruit trees by library
- Removal of old concrete and wood by library

Flagged Maintenance/Safety Concerns

- Repairing/Mitigating dangerous concrete wall by oak tree
- Replacement of decomposing retaining wall by the tot lot
- Removal/Remediation of old foundation/structural remains behind Community Center















To: Board of Directors

Submitted by: Director Hacaj, Rosa Ruiz and Lynelle Lewis

Presented by: David Aranda, Interim General Manager

Subject: Establishing Rates and Charges For Services And Facilities

Recommendation

Approve and adopt Resolution No. 2023-15, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Establishing Rates And Charges For Services And Facilities The District Provides Effective July 15, 2023.

Background

This agenda item was presented at the June 8th board meeting, and it became evident that there was additional information that needed to be gathered and incorporated into the resolution. While I was on vacation Director Hacaj, Rosa Ruiz and Lynelle Lewis worked on gathering the information and formulating it into a more comprehensive resolution.

Exhibits

 Resolution No. 2023-15, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Establishing Rates And Charges For Services And Facilities The District Provides Effective July 15, 2023

RESOLUTION NO. 2023-15

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT ESTABLISHING RATES AND CHARGES FOR SERVICES AND FACILITIES THE DISTRICT PROVIDES EFFECTIVE JULY 15, 2023

The Board of Directors of the Kensington Police Protection and Community Services District "Board of Directors") does find as follows:

WHEREAS, Section 6115 of the Government Code authorizes the Board of Directors to prescribe, revise and collect rates and other charges for services, including police services which it provides; and

WHEREAS, fees for these services have been updated and revised over the years; and

WHEREAS, the Board of Directors now wishes to revise the fees that the district charges for certain police services, administrative services and park facility rentals.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT AS FOLLOWS:

SECTION ONE - FEES FOR POLICE SERVICES: *Fees apply to all Residents & Nonresidents

<u>Service Type</u>	<u>Suggested</u>
Live Scan	\$100.00
Citation Sign off	\$0.00
Vehicle Release	\$175.00
Weapon Seizure, storage & return	\$250.00
Firearm storage fee (initial)	\$50.00
Firearm storage fee per day	\$5.00
False Alarm 1 st	\$0.00
False Alarm 2 nd -5 th	\$50.00
False Alarm 6 th & up	\$100.00
Clearance Letter	\$50.00
Report Copy	\$20.00 (+ \$0.10 per page)
Traffic Collision	\$20.00 (+ \$0.10 per page)
PD photo, audio, 7 Video	\$50.00 (+ device cost)
Electronic Records	\$75.00 (+ cost)
Photographs Photographs	\$50.00 (+ device cost)

$SECTION\ TWO\ -\ FEES\ FOR\ ADMINISTRATIVE\ SERVICES:\ *Fees\ apply\ to\ all\ Residents\ \&\ Nonresidents$

Service Type	<u>Suggested</u>		
Copies	\$.25 per page		
Faxes	\$1.00 per page		
Scan/Email	\$1.00 per page		

SECTION THREE – KENSINGTON COMMUNITY CENTER AND PARK PROPOSED RATES						
Kensington Community Center	All	Resident (hourly rate)	Non-Resident (hourly rate)	Minimum Time		
Entire Community Center (all rooms) plus grassy lawn		\$255.00	\$325.00	4 hours		
Main Hall only		\$130.00	\$200.00	4 hours		
Kitchen	\$80 Flat Rate					
Meeting Room 1		\$35.00	\$55.00	2 hours		
Meeting Room 2		\$20.00	\$25.00	2 hours		
Meeting Room 3		\$45.00	\$55.00	2 hours		
Grassy Round Lawn (in front of CC)	\$75/hour					
Amphitheater	\$45/hour					
BBQ (next to CC)	\$45/hour			4 hours		
Alcohol Permit (exclusive to ABC for selling)	\$50 Processing Fee					
Cleaning Deposit	\$250 without alcohol; \$500 with alcohol					
Tables						
6' x 30" Rectangular (seats 6-8)	\$4.00 each					
*District owns 12.						

60" Round (seats 8)	\$6.00 each					
*District owns 32.						
Chairs						
Metal Folding Chair						
Wictar Folding Chair	\$1.00 each					
*District owns ~ 150.	,					
Non modit Omeonications	Name and State and a state of the state of t	±: (24/-1/21	:		
Non-profit Organizations	Non-profit organiza	••		•		
	the community center for 12-40 regular meetings (2 hrs. or less)/year for an annual fee of \$175. That also entitles them to hold one 4 -hour					
		·				
	major event at the community center for a flat fee of \$300.) All Resident Non-Resident Minimum					
	All	Resident	Non-Resident	iviinimum		
Picnic Areas	Individuals/Groups	(hourly rate)	(hourly rate)	Time		
Picnic Areas ■ Site 1: Windsor Ave. S						
■ Site 1: Windsor Ave. S		(hourly rate)	(hourly rate)	Time		
■ Site 1: Windsor Ave. S of Basketball Court						
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court 		(hourly rate)	(hourly rate)	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) 		(hourly rate)	(hourly rate)	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) Site 3: Tot Lot 	Individuals/Groups	(hourly rate)	(hourly rate)	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) Site 3: Tot Lot Site 4: Tennis Court 		(hourly rate)	(hourly rate)	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) Site 3: Tot Lot Site 4: Tennis Court Refundable Cleaning 	Individuals/Groups	(hourly rate)	(hourly rate)	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) Site 3: Tot Lot Site 4: Tennis Court Refundable Cleaning Deposit 	Individuals/Groups \$30	(hourly rate) \$70 Resident	(hourly rate) \$90 Non-Resident	Time		
 Site 1: Windsor Ave. S of Basketball Court Site 2: Basketball Court (Due West) Site 3: Tot Lot Site 4: Tennis Court Refundable Cleaning 	Individuals/Groups \$30	(hourly rate) \$70	(hourly rate) \$90	All Day		

PASSED AND ADOPTED by the Board of Director Services District upon motion by Director the 13th day of July, 2023, by the following vote	, seconded by Director	
AYES:		
NOES:		
ABSENT:		
ABSTAINED:		
	Alexandra Aquino-Fike President, Board of Directors	
HEREBY CERTIFY the foregoing resolution wa Kensington Police Protection and Community Se Thursday, the 13 th day of July, 2023.		
Lynelle M. Lewis	David Aranda	
District Clerk of the Board	Interim General Manger	



To: Board of Directors

From: David Aranda, Interim General Manager

Subject: Approval of the CalPERS Pay Scale for Fiscal Year 2024

Recommendation

Approve the CalPERS pay scale for Fiscal Year 2024 for the Kensington Police Protection & Community Services District.

Background

California Law, which CalPERS has their own section, requires that agencies in the CalPERS program provide in an open meeting the pay scales for the job positions that appear on a District's organization chart. The attached chart is what the General Manager is asking the Board to approve. With the board's approval, the pay scale would then be made for both public view and for CalPERS, should they wish to have a copy.

Exhibits

2023 CalPERS Pay Scale

KPPCSD Salary Schedule - Effective July 1, 2023

	Hourly Rate	Range-Annual	Full/Part Time	Positions	Benefits	Department
Position	Hourly	Monthly	Status	Authorized	Status	PD/Dist
Chief of Police	\$94.03 — \$106.63/hr.	\$16,300.00 – \$18,484.00	FT	1	Y	PD
Police Lieutenant	\$65.80 — \$76.98/hr.	\$11,407.00 – 13,344.00	FT	1	Y	PD
Police Sergeant	\$56.10 — \$65.18/hr.	\$9,725.48 – \$11,299.32	FT	2	Y	PD
Police Officer	\$44.09 – \$54.67/hr.	\$7,643.08 – \$9,476.52	FT	5	Y	PD
Non-Sworn (evidence/backgrounds/admin)	\$53.52 – \$57.26/hr.	\$4,281.60 — \$4,580.80	PT	1	N	PD
Executive Assistant to the Chief (recommended)	\$30.60 – \$39.05/hr.	\$5,305.00 — \$6,770.00	FT	0	Y	PD
General Manager		Contract	PT	1		DIST
Finance Director			PT	1		DIST
Clerk of the Board			PT	1		DIST
Community Center Coordinator (Parks & Rec)			FT	1		DIST
Maintenance (General Contractor)			PT/contractor	1		DIST
Janitor (Community Center & Parks)			PT	1		DIST



To: Board of Directors

From: Mike Gancasz, Chief of Police

Subject: Acceptance of Grant Funds from the California Highway Patrol

Recommendation

Approve Resolution No. 2023-2, A Resolution of the Kensington Police Protection and Community Services District, To Accept Grant Funds For Fiscal Year 24 From The California Highway Patrol (CHP) And The Cannabis Tax Fund Grant Program (CTFGP) And Authorize The Appropriate District Staff To Execute The Necessary Agreements And Contracts Associated With This Grant. Acceptance of these funds will further our commitment to providing the highest level of service to the residents of Kensington.

Background

The passage of Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA), California voters mandated the state set aside funding for the CHP to award grants to local governments and qualified nonprofit organizations, as described in Revenue and Taxation Code Section 34019(f)(3)(B). The Kensington Police Department was notified it was awarded \$89,800.00 from the CHP Cannabis Tax Fund Grant Program (CTFGP). The Cannabis Tax Fund Grant Program marks an Important step toward reducing impaired driving crashes, increase training for police personnel surrounding the dangers of impaired driving, and making California's roadways a safer place to travel. The police department will use the grant funding to reduce and mitigate the impacts of impaired driving in our community.

Discussion and Analysis:

In recent years, the District of Kensington has experienced traffic related issues to include, speeding, Driving Under the Influence (DUI) and vehicle collisions. The Kensington Police Department has also seen a significant turnover in experienced, trained police personnel. The grant will support the Police Department's training program to get current officers the training they need to reduce the number of traffic collisions involving impaired drivers.

Some of the programs to be implemented under this grant include:

Specialized training in the areas of Advanced Roadside Impaired Driving Enforcement (ARIDE) and Standard Field Sobriety Tests (SFST).

- Proactive patrols of the District of Kensington in search of those persons Driving Under the Influence (DUI) of alcohol or drugs.
- Purchase of a dedicated DUI/Traffic Enforcement marked Police Vehicle.

The grant provides funding for the following items:

➤ ARIDE Training for (2) Officers / (2) Sergeants
 ➤ SFST Training for (2) Officers / (2) Sergeants
 ➤ DUI Saturation Patrols for (1) Officer / (1) Sergeant
 ➤ DUI Enforcement Vehicle – Police Interceptor
 The Kensington Police Department's CTFGP grant total allocation is: \$89,800.00.

- 1. Equipment Upgrades: A portion of the grant will be allocated towards the purchase of essential law enforcement equipment, including updated communication devices, patrol vehicle enhancements, and personal protective gear for our officers. These upgrades will improve operational efficiency and officer safety.
- Community Outreach Programs: We plan to allocate a portion of the grant towards community outreach programs aimed at fostering positive relationships between law enforcement personnel and community members. These initiatives may include community engagement events, educational workshops on crime prevention, and collaborative programs with local schools and youth organizations.
- 3. Training and Development: The grant will be utilized to provide specialized training and professional development opportunities for our officers. By enhancing their skills and knowledge in areas such as community policing, de-escalation techniques, and cultural sensitivity, we aim to improve the overall quality of law enforcement services delivered to our community.
- 4. Technology and Software Enhancements: To streamline our operations and improve efficiency, a portion of the grant will be allocated towards technology upgrades. This may include investing in new software systems for crime analysis, incident reporting, and data management, enabling us to make data-driven decisions and respond more effectively to community needs.

Accepting the grant funds from the California Highway Patrol will allow the Kensington Police Protection and Community Services District to make significant strides in enhancing community safety and supporting law enforcement initiatives. The proposed allocation of funds aligns with our District's mission and objectives, enabling us to serve our community more effectively.

<u>Attachment</u>

- Resolution No. 2023-20, A Resolution of the Kensington Police Protection and Community Services District, To Accept Grant Funds For Fiscal Year 24 From The California Highway Patrol (CHP) And The Cannabis Tax Fund Grant Program (CTFGP) And Authorize The Appropriate District Staff To Execute The Necessary Agreements And Contracts Associated With This Grant.
- California Highway Patrol (CHP) Cannabis Tax Fund Grant Program (CTFGP) award.

RESOLUTION NO. 2023-20

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT TO ACCEPT GRANT FUNDS FOR FISCAL YEAR 24 FROM THE CALIFORNIA HIGHWAY PATROL AND THE CANNABIS TAX FUND GRANT PROGRAM (CTFGP) AND AUTHORIZE THE APPROPRIATE DISTRICT STAFF TO EXECUTE THE NECESSARY AGREEMENTS AND CONTRACTS ASSOCIATED WITH THIS GRANT

The Board of Directors of the Kensington Police Protection and Community Services District "Board of Directors") does find as follows:

WHEREAS, the passage of Proposition 64, the Control, Regulate, and Tax Adult Use of Marijuana Act (AUMA), California voters mandated the state set aside funding for the California Highway Patrol to award grants to local governments and qualified nonprofit organizations, as described in Revenue and Taxation Code Section 34019(f)(3)(B); and

WHEREAS, The Kensington Police Department applied and was notified it was awarded a grant for fiscal year '24 from the Cannabis Tax Fund Grant Program (CFGP) and;

WHEREAS, funds allocated under this grant agreement shall not exceed \$89,000; and

WHEREAS, accepting the grant funds from the California Highway Patrol will allow the Kensington Police Protection and Community Services District to make significant strides in enhancing community safety and supporting law enforcement initiatives in regard to reducing impaired driving and increased training for police personnel and;

WHEREAS, Kensington Police Protection and Community Services District will enter into an agreement with the Department of California Highway Patrol to complete the project(s); and

WHEREAS, the Board authorizes the General Manager and Chief of Police from Kensington Police Protection and Community Services District as authorized signatories for the grant funding,

NOW, THEREFORE, BE IT RESOLVED that the Kensington Police Protection and Community Services District hereby:

- 1. Approves the filing of the project applications(s) for the CTFGP Law Enforcement grant project(s); and
- 2. This Board of Directors approves the receipt of CFGP funds in the amount of \$89,000;
- 3. Certifies that the grant money will be used as outlined in approved application;

4. Delegates the authority to the General Manager, or the Police Chief, to conduct all negotiations, sign and submit all documents, including, but not limited to applications, agreements, amendments, and payment requests, which may be necessary for the completion of the grant scopes(s); and

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and

5. Agrees to comply with all applicable federal, state and local laws, ordinances, rules, regulations and guidelines.

Community Services District upon motion by Director, seconded by Director, on Thursday, the 13th day of July, 2023, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Fike
President, Board of Directors

I, the undersigned, HEREBY CERTIFY the foregoing was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 13th day of July, 2023.

Lynelle M. Lewis

David Aranda

Interim General Manger

Clerk of the Board

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

601 North 7th Street Sacramento, CA 95811 (916) 843-3330 (800) 735-2929 (TT/TDD) (800) 735-2922 (Voice)



June 7, 2023

File No.: 060.15426.14597.066.2023.06004

Sergeant Amit Nath Kensington Police Department 10940 San Pablo Avenue El Cerrito, CA 94530

Dear Sergeant Nath:

On behalf of the California Highway Patrol (CHP), it is my pleasure to inform you, the Kensington Police Department, is conditionally approved for Cannabis Tax Fund Grant Program (CTFGP) funding in the amount of \$89,800.00. The purpose of this grant funding is to help your agency reduce and mitigate the impacts of impaired driving in your community.

All grant awards, including any adjustments to requested funding, were made by the Department based on the merits of the Grant Application, scale of operation, and in accordance with the Request for Application (RFA) requirements and associated regulations.

The official Grant Agreement for signature is forthcoming. In order to execute your Grant Agreement, please provide documentation from a local governing body, authorizing your organization to receive this grant funding, to the Cannabis Grants Unit, by email at CGUGrants@chp.ca.gov, as soon as possible. Refer to California Code of Regulations Title 13, Division 2, Chapter 13, Section 1890.13(g) for additional information.

The CHP looks forward to partnering with you and your agency on this project in an effort to make California's roadways a safer place to travel. If you have any questions, please feel free to contact the Cannabis Grants Unit at (916) 843-4360.

Sincerely,

K. M. DAVIS, Chief

Enforcement and Planning Division

