



Agenda

Kensington Police Protection and Community Services District

Board of Directors
Special & Regular Meetings (**Hybrid**)

Thursday, December 14, 2023
5:30 p.m. Special Meeting (Closed Session)
6:00 p.m. (Public Hearing)
7:00 p.m. (Regular Meeting)

Kensington Community Center
59 Arlington Avenue, Kensington, CA

www.kppcsd.org/2023-12-14-kppcsd-board-meeting

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

Virtual Access:

<https://us02web.zoom.us/j/88437491855?pwd=VklQUzk0Q1hxMWpOMHBhdHAYU3ltZz09>

Webinar ID: 884 3749 1855 Passcode: 859511

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) – 5:30 p.m.

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 Public 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. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to Gov't. Code Sec. 54956.9(d)(2): one case (Eileen Nottoli, Marilyn Stollon, John Gaccione, Marina Gutierrez, Andrew Gutierrez, Mabry Benson, Bill Benson, David Bergen, Tom Dean, Craig Rice, and Gail Feldman PRA request).
2. PUBLIC EMPLOYEE APPOINTMENT (Gov't. Code Sec. 54957)
Title: General Manager.

Announcements from Closed Session

Public Hearing – 6:00 p.m.

Open Public Hearing

*Individuals wishing to address the Board of Directors concerning the Public Hearing 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. Any record owner of a parcel upon which the solid waste rates are proposed to be imposed and any tenant directly liable for the payment of solid waste rates (i.e., a customer of record who is not a property owner) may submit a written protest to the proposed CPI Passthrough Rate adjustments; however, only one protest will be counted per identified parcel. All written protest must include: (1) statement the identified property owner or tenant is opposed to the proposed CPI Passthrough Rate adjustments and increases; (2) provide the location of the identified parcel (by street address, assessor's parcel number, or customer account number); and (3) include the name and signature of the property owner or tenant submitting the protest. Written protests may be submitted to the Clerk of the Board by mail or in person at 10940 San Pablo Ave, Bldg. B, El Cerrito, CA 94530 or in person during the public hearing (date, time, and location noted above). The District Clerk must receive written protests delivered by mail no later than 4:00 p.m. on the date of the public hearing, or if delivered in person, prior to the close of the public comment portion of the public hearing. Any protest submitted via e-mail or other electronic means will not be accepted as a valid written protest. Please indicate on the outside of any envelope mailed to the District "Attn: Rate Hearing." For other concerns or needs contact David Aranda at (510) 960-0716.*

1. Conduct a public hearing on proposed adoption of automatic inflation adjustments based upon increases in the consumer price index ("CPI Passthrough Rates") to the District's solid waste rates charged by the District's solid waste franchisee, Bay View Refuse and Recycling Services, Inc. for the collection of solid waste, organics, and recyclable materials within the District.

Public Comment

2. Accept and approve a proposed CPI rate increase to residential and commercial customers from Bay View Refuse & Recycling of 3.4% effective January 1, 2024.

Close Public Hearing

Adjourn Special Meeting

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. Approve meeting minutes for the Special and Regular Meeting of November 12, 2023.
6. Receive and file financial reports and ratify the November 2023 bills paid.
7. Approve KPPCSD publicly available Salary Schedule for July 1, 2023 and September 8, 2023.

Discussion and Action

8. Approve Resolution No. 2023-21, A Resolution of the Kensington Police Protection and Community Services District Board of Directors to clarify the February 9, 2023 action to appoint David Aranda as Interim General Manager.
9. Approval of Interim General Manager David Aranda's amended and restated employment agreement.
10. Receive and file the SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax for Fiscal Year 2023.
11. Approve entering into a consulting agreement with R3Consulting Group for a solid waste study at a cost of \$15,000.
12. Discussion regarding Contra Costa County Hazard Mitigation Plan process.
13. Discussion and request to approve the reorganization proposal submitted by Ridgeline Municipal Strategies for \$49,620 in conjunction with KFPD also accepting the proposal.
14. Approve Resolution No. 2023-22, A Resolution of the Kensington Police Protection and Community Services District Board of Directors authorizing submittal of individual grant applications for all grant programs for which the Kensington Police Protection and Community Services District is eligible.
15. Approval to Spend Up to \$8000 to Perform an ADA Survey on park facilities and four paths.

16. Elect a President and Vice President for the Kensington Police Protection and Community Services District Board of Directors to comments January 1, 2024.

Comments & Reports

17. Police Chief Report.
 - Monthly Report
18. General Manager's Report.
 - Monthly Report
 - KCC Recreation Office Report December 2023
 - Parks Report
19. Verbal update from the Ad Hoc Consolidation Committee.
20. Update by the Police Department and District Office Permanent Location Ad Hoc Committee.
21. Director Comments.

Adjourn

The next regular meeting is scheduled for January 11, 2024.

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.



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Public Hearing on Proposed Automatic Inflation Adjustments And Increases To The Kensington Police Protection And Community Services District Solid Waste Rates

Background and Information

Please understand that per the contract with Bay View Refuse & Recycling an increase is allowed each year based on a formula as outlined in the contract. A copy of that portion of the contract is attached.

THE ONLY MEANS IN WHICH THE COST-OF-LIVING INCREASE WOULD NOT BE ALLOWED IS IF THE DISTRICT RECEIVED 50 PERCENT OF THE OWNERS IN KENSINGTON PLUS ONE OPPOSING THE INCREASE IN THE FORM OF A WRITTEN PROTEST.

As of this writing there have been no written protests received. The public hearing with comments from residents of Kensington should only revolve around the CPI increase.

Please note that agenda number 11 will address other issues that have been raised regarding solid waste fees. In the agenda 11 packet are fee comparisons of solid waste charges in surrounding communities.

I will now turn the public hearing over to President Aquino-Fike.

President Aquino-Fike will do the following:

1. Declare the hearing open.
2. Acknowledge that each property owner was mailed a letter informing them of the proposed CPI increase and the public hearing and the method of turning in a written protest.
3. Acknowledge written protests (Zero received to date)
4. Allow comments from the public both in person and on zoom.
5. Obtain Board Comments, if any.
6. Close the Public Hearing.

Exhibits

- Kensington CPI 2024 increase in rates

EXHIBIT B

RATE ADJUSTMENT METHODOLOGY

General

Subject to the terms herein, the Contractor shall be entitled to an annual adjustment of all Rates. Contractor shall submit its calculation of a Rate adjustment to the District General Manager on or before October 1 of each year. Contractor's Rate calculations shall include a proposed new Rate schedule, all supporting calculations, and any other documentation or evidence determined by the District General Manager to be reasonably necessary to ensure that the calculation of Rate adjustments has been performed in strict conformance to the requirements of this Exhibit B.

The District General Manager shall make a good faith effort to approve Rates by November 1 of each year, and such Rates shall be effective on each subsequent January 1. If Rates are not effective by January 1 due to a delay caused solely by the District, District shall allow Contractor to retroactively bill Customers for the amount of the Rate increase for any period of said delay that is solely caused by the District. If Rates are not effective by January 1 as a result of Contractor's delay in submitting the Rate calculations in a complete and accurate form, then prior Rates remain in effect until such adjustment is made.

Index Rate Adjustment

The index Rate adjustment methodology involves adjusting then-current Rates by the CPI to determine the Rates for the coming calendar year. The intent of performing the index-based adjustment is to allow Contractor's Compensation to be adjusted annually throughout the Term of this Agreement using a simple mathematical formula based on a readily available price index, rather than conducting the rate adjustments through review of actual changes in Contractor's costs for providing service.

If the CPI is discontinued or revised during the Term by the BLS, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if said index had not been discontinued or revised.

Calculation Method

Contractor shall calculate the adjustment to its Rates using the following methodology:

Step 1: Determine the Annual Percentage Change in the CPI. The Annual Percentage Change means the percentage change in the CPI for August over the prior year as reported by the U.S. Bureau of Labor Statistics. As of the Effective Date, the percentage change in CPI shall be obtained from U.S. Bureau of Labor Statistics "Table 16. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, by expenditure category and commodity and service-group" for San Francisco-Oakland-San Jose, CA. An example of this table is provided herein. The Annual Percentage Change shall be rounded to the nearest tenth percent (0.1%).

EXHIBIT B RATE ADJUSTMENT METHODOLOGY

Table B. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, by expenditure category and commodity and service group-Continued
(1982=100, unless otherwise noted)

Demand group	Monthly index and percentage change ¹					
	San Francisco-Oakland-San Jose, CA			Seattle-Tacoma-Bremerton, WA		
	Index	Percent change from--		Index	Percent change from--	
		Aug. 2014	Aug. 2013		Aug. 2014	Aug. 2013
Expenditure category						
All items	253.354	3.0	0.0	247.185	1.8	-0.2
All items (1982=100) ²	778.880	-	-	753.515	-	-
Food and beverages	255.088	4.1	1.0	251.651	2.7	4
Food	254.888	3.9	.7	254.356	2.7	4
Food at home	248.412	5.4	.8	243.270	3.5	4
Food away from home	262.111	2.2	.6	271.967	1.7	.3
Alcoholic beverages	262.361	5.7	-0.0	219.352	2.5	1.2
Housing	279.769	4.2	1.0	252.951	3.7	.3
Shelter	315.155	4.8	1.2	293.351	4.4	5
Rent of primary residence ³	352.421	5.8	1.2	294.058	5.0	.9
Owners' equivalent rent of residences ^{3,4}	339.576	4.7	.6	303.595	4.6	6
Owners' equivalent rent of secondary residence ^{3,4}	339.576	4.7	.6	303.595	4.6	6
Fuels and utilities	331.826	2.7	.8	245.025	1.3	-1
Household energy	302.311	-3	-3.4	224.812	-1	-1
Energy services ⁵	302.077	-3	-3.3	254.627	3	0
Electricity ⁵	315.630	2.3	-4.6	279.135	3	0
Utility (speed) gas service ⁵	261.625	11.6	1.0	181.528	-1	0
Household furnishings and operations	132.845	.3	.3	170.341	.3	-4
Apparel	118.830	.8	1.8	132.457	.8	6
Transportation	198.602	.4	-3.6	232.224	-3	-2.7
Private transportation	187.215	.1	-3.1	244.322	4	-6
Motor fuel	297.489	2.0	-4.8	415.481	1.3	-2.4
Gasoline (all types)	295.273	2.0	-4.9	423.881	1.2	-2.4
Gasoline, unleaded regular ⁶	297.945	2.0	-4.9	466.790	1.2	-2.4
Gasoline, unleaded midgrade ^{6,8}	273.395	2.0	-4.7	325.075	1.0	-2.4
Gasoline, unleaded premium ⁶	274.718	1.9	-4.7	370.684	1.1	-2.2
Medical care	NA	-	-	NA	-	-
Recreation ⁷	169.846	-5	-7	95.950	-1.0	5
Education and communication ⁷	141.876	-1.1	-2	138.462	1.5	4
Other goods and services	427.337	2.5	-1	396.334	-1.8	1.8
Commodity and service group						
All items	253.354	3.0	0	247.185	1.8	-0.2
Commodities	184.735	1.3	-6	195.227	4	-3
Commodities less food and beverages	145.071	-7	-1.8	157.938	-1.1	-7
Nondurables less food and beverages	189.556	6	1.8	205.163	-3	-1.1
Durables	102.610	-2.5	-1.9	129.046	-2.1	-1
Services	310.910	3.8	.9	295.122	2.8	-1
Special aggregate indexes						
All items less medical care	245.286	2.7	.0	241.185	2.0	-1
All items less shelter	229.369	1.8	.7	230.237	6	-5
Commodities less food	150.288	-4	-1.4	170.191	-9	6
Nondurables	224.052	2.5	-2	228.273	1.1	-3
Services less rent of shelter ⁴	195.409	1.0	-1.1	207.589	0	-9
Services less medical care services	321.539	2.5	.8	304.823	9	-9
Energy	301.818	3.6	4	286.160	3.1	-2
All items less energy	302.711	1.3	-4.3	327.559	1.0	-1.6
All items less food and energy	253.827	3.1	.3	244.849	1.9	-1
All items less food	254.448	2.9	.2	243.471	1.7	-1

1 Areas on pricing schedule 1 (see table B-1) will appear as dashed lines.
2 Index on a 100-point scale for 1982 base in March.
3 The index series was calculated using a Laspeyres estimator. All other Laspeyres index series were calculated using a geometric mean estimator.
4 Index on a December 1982=100 base.
5 Speed of index based on a subsample of retail samples.
6 Index on a December 1982=100 base.
7 Index on a December 1982=100 base.
8 Data not available for publication.
9 Data not available.
NOTE: Index applies to a month as a whole, not to any specific date.

EXHIBIT B RATE ADJUSTMENT METHODOLOGY

Step 2: Specify the Rate Adjustment Factor, which shall equal:

1. The Annual Percentage Change in CPI (determined in Step 1) if the Annual Percentage Change is equal to or greater than 3.0% and equal to or less than 5.0%; or
2. 3.0% if the Annual Percentage Change in CPI is less than 3.0%; or,
3. 5.0% if the Annual Percentage Change in CPI is greater than 5.0%.

Step 3: Calculate the adjusted value for each Rate charged under this Agreement, rounded to the nearest cent, as follows:

Adjusted Rate = Then-current Rate x (1 + Rate Adjustment Factor) with the exception that the 20-gallon Rate shall equal the adjusted monthly 32-gallon Rate less \$4.00

For example, assuming:

1. Then-current Rate for a 32-gallon can = \$40.00
2. Rate Adjustment Factor = Annual Percentage Change in CPI = 3.54%
3. Adjusted Rate for a 32-gallon can = $\$40.00 \times (1 + 0.0354) = \41.42

Dear KPPCSD Directors,

On December 14, 2023 the KPPCSD will hold a public hearing to consider any protest votes from Kensington customers to a proposed rate adjustment required under the existing franchise agreement with Bayview Recycling and Refuse Company.

In regard to the action to approve CPI pass-through rates we object to the end date of January 1, 2028. We suggest the duration of the approved pass-through rates should coincide with the end of the Franchise term of August 2026.

In a previous KPPCSD action on November 11, 2021, the franchise agreement was extended to August 2026 due to the implementation of weekly food waste recycling. In that same franchise amendment the parties agreed that a rate review would be initiated “no sooner” than August 2024 (Article 9.2D attached). There has not been a rate review for at least ten years due to a franchise agreement approved in 2014 that eliminated that requirement.

We see problems however with the language of the adopted amendment and suggest your board address these immediately.

- 1) There is no date by which a rate review should be conducted. Nothing in the General Manager’s report explains why the rate review is postponed for three years from the date of the amendment, but the window for the review should not be unbounded thereafter.
- 2) The amendment requires joint engagement of the rate-review firm. This will not result in an independent review if the Franchisee pays for the rate review and passes back the costs of the review to the customers by Bayview in their operating costs. It is more appropriate for the rate-review firm to be contracted by the KPPCSD. The District has collected franchise fees for this purpose. The qualified consultant can be mutually agreed by the District and Bayview if it is based solely on qualifications to do the work and the time frame to do the work, as those criteria do not pose a conflict of interest.
- 3) The franchise agreement should also be amended to include a definition for the company’s “operating margin” which has not previously been established under the current franchise, but is used in determining rate adjustments.

Finally, we urge your board to conduct a legal and fiscal review of the District’s and County’s franchise fee imposed on Bayview Refuse and Recycling. Doing this would improve transparency and accountability to Kensington rate payers. The Zolly vs. Oakland case confirms that local governments must meet specific requirements regarding the franchise fees charged to solid waste companies and passed back in rates to customers, that these are not a tax and that the fee is related to the administration costs of the agreement by the local government. It is documented that in the past, the District has used the franchise funds for other general fund purposes. We request the District respond by reviewing use of the franchise fees and fully demonstrate to Kensington ratepayers that the District is in compliance with Proposition 26.

Thank you for your consideration.

Sincerely,
Rob Firmin, President KPOA, and Board

November 11, 2021 Amendment to Bay View Franchise Agreement

Article 9.2D

Rate Review

- (1) At any time, but no sooner than August 31, 2024, upon either Contractor or District request, Contractor and the District shall jointly engage a qualified consultant, mutually agreed upon, to conduct a comprehensive rate review.
- (2) The rate review shall determine whether collection service fees are to be adjusted up or down based on the company's operating margin as reflected on the Company's financial statement for the year ending December 31st prior to the date of review.
- (3) The determination whether an adjustment shall be made and the amount of the adjustment, if made, shall be no greater than the average operating margin of Contractor for the three Fiscal Years prior to the review or 10%, whichever is less.
- (4) Upon adjustment, if any, of Bay View's fees, annual fee increases shall be determined according to the criteria specified in Step 3 of Exhibit B of the underlying Franchise Agreement.



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Approve a CPI Rate Increase from Bay View Refuse & Recycling of 3.4% Effective January 1, 2024

Recommendation

Approve the 3.4% CPI increase for Bay View Refuse to charge Kensington solid waste users effective January 2024.

Background

As noted in the public hearing the contract between Bay View Refuse and Kensington Police Protection and Community Services District allows for an annual CPI increase. Also, as noted in the public hearing there were ZERO written protests regarding the CPI increase.

Exhibits

- Bay View Refuse & Recycling Letter Regarding Proposed Rate Increased Effective January 1, 2024
- Exhibit B Rate Adjustment Methodology
- KPPCSD Notice of Public Hearing on Proposed Adjustments/Increased to Solid Waste Rates



September 30, 2023

Mr. David Aranda, General Manager
Kensington Community Services District
10940 San Pablo Ave, Bldg. B
El Cerrito, CA 94530

Subject: Kensington proposed rate increase effective January 1, 2024, according to Consumer Price Index (CPI) calculation of new rates.

Dear Mr. Aranda,

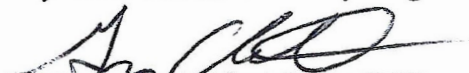
According to the franchise agreement with the District, Exhibit B, Rate Adjustment Methodology, rates shall be adjusted annually according to the Annual Percentage Change in the Consumer Price Index (CPI).

We have attached Table 4. CPI-U (All Urban Consumers) for the San Francisco-Oakland-Hayward, CA all Items Index change from August 2022 to August 2023, showing a 3.4% percentage change over the past year.

Please see attached a schedule with the current 2023 rates along with the projected rates effective January 1, 2024.

Please don't hesitate to contact me if you have any additional questions.

Sincerely,
Bay View Refuse and Recycling Service,



Gregory Christie, President

Residential:**Current Rates****Rates effective January 1, 2024**

1-32 gallon can Once a week service	\$57.82	\$59.78
2-32 gallons cans Once a week service	\$115.54	\$119.46
3-32-gallon cans Once a week service	\$173.32	\$179.21
1-20 gallon can (mini) Once a week service	\$53.82	\$55.78
1-45 gallon can Once a week service	\$123.40	\$127.59

Commercial:

1 cubic yard-wet	\$63.60	\$65.75
1 cubic yard-dry	\$61.57	\$63.65
1-32 gallon can Once a week service	\$59.90	\$61.93

Please note under Exhibit B, “Rate Adjustment Methodology” the rate for the 20-gallon can is \$4.00 less than the 32-gallon rate.

Table 4. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, all items index, August 2023
 [1982=84=100, unless otherwise noted]

Area	Pricing Schedule ¹	Percent change to Aug. 2023 from:			Percent change to Jul. 2023 from:		
		Aug. 2022	Jun. 2023	Jul. 2023	Jul. 2022	May 2023	Jun. 2023
U.S. city average.....	M	3.7	0.6	0.4	3.2	0.5	0.2
Region and area size²							
Northeast.....	M	2.8	0.7	0.5	2.6	0.5	0.2
Northeast - Size Class A.....	M	3.6	0.9	0.6	3.2	0.6	0.3
Northeast - Size Class B/C ³	M	1.8	0.4	0.4	1.9	0.4	0.1
New England ⁴	M	2.3	0.3	0.4	2.1	0.2	-0.1
Middle Atlantic ⁴	M	3.0	0.8	0.5	2.8	0.7	0.3
Midwest.....	M	3.4	0.5	0.2	2.9	0.7	0.3
Midwest - Size Class A.....	M	2.9	0.4	-0.3	3.2	1.1	0.7
Midwest - Size Class B/C ³	M	3.6	0.5	0.5	2.8	0.5	0.1
East North Central ⁴	M	3.3	0.2	-0.1	3.1	0.6	0.3
West North Central ⁴	M	3.5	1.1	0.8	2.5	1.0	0.3
South.....	M	4.1	0.7	0.6	3.4	0.5	0.2
South - Size Class A.....	M	4.3	0.7	0.6	3.7	0.4	0.1
South - Size Class B/C ³	M	4.0	0.8	0.6	3.2	0.5	0.2
South Atlantic ⁴	M	4.5	0.7	0.6	3.8	0.4	0.1
East South Central ⁴	M	4.5	0.6	0.4	3.6	0.7	0.2
West South Central ⁴	M	3.2	0.8	0.6	2.5	0.5	0.2
West.....	M	3.9	0.6	0.4	3.5	0.4	0.1
West - Size Class A.....	M	4.1	0.5	0.5	3.4	0.4	0.0
West - Size Class B/C ³	M	3.7	0.6	0.3	3.5	0.5	0.2
Mountain ⁴	M	3.6	0.5	0.3	3.5	0.1	0.2
Pacific ⁴	M	4.0	0.6	0.5	3.5	0.5	0.1
Size classes							
Size Class A ⁵	M	3.8	0.6	0.4	3.4	0.5	0.2
Size Class B/C ³	M	3.6	0.6	0.5	3.0	0.5	0.2
Selected local areas							
Chicago-Naperville-Elgin, IL-IN-WI.....	M	2.3	0.1	0.2	2.2	0.0	0.0
Los Angeles-Long Beach-Anaheim, CA.....	M	3.3	0.6	0.7	2.7	0.4	0.0
New York-Newark-Jersey City, NY-NJ-PA.....	M	3.5	1.0	0.6	3.2	0.8	0.4
Atlanta-Sandy Springs-Roswell, GA.....	2	4.4	1.1				
Baltimore-Columbia-Towson, MD ⁶	2	3.1	0.5				
Detroit-Warren-Dearborn, MI.....	2	5.9	0.6				
Houston-The Woodlands-Sugar Land, TX.....	2	2.7	1.0				
Miami-Fort Lauderdale-West Palm Beach, FL.....	2	7.8	1.2				
Philadelphia-Camden-Wilmington, PA-NJ-DE-MD.....	2	3.9	0.8				
Phoenix-Mesa-Scottsdale, AZ ⁷	2	3.7	0.1				
San Francisco-Oakland-Hayward, CA.....	2	3.4	0.0				
Seattle-Tacoma-Bellevue, WA.....	2	5.4	0.8				
St. Louis, MO-IL.....	2	3.1	0.2				
Urban Alaska.....	2	2.0	1.3				
Boston-Cambridge-Newton, MA-NH.....	1				2.8	-0.1	
Dallas-Fort Worth-Arlington, TX.....	1				4.0	0.3	
Denver-Aurora-Lakewood, CO.....	1				4.7	1.3	
Minneapolis-St. Paul-Bloomington, MN-WI.....	1				1.0	0.4	
Riverside-San Bernardino-Ontario, CA ⁴	1				3.4	0.6	
San Diego-Carlsbad, CA.....	1				4.3	0.3	
Tampa-St. Petersburg-Clearwater, FL ⁸	1				5.9	-0.1	
Urban Hawaii.....	1				2.1	0.7	
Washington-Arlington-Alexandria, DC-VA-MD-WV ⁹	1				1.8	-0.1	

¹ Foods, fuels, and several other items are priced every month in all areas. Most other goods and services are priced as indicated: M - Every month. 1 - January, March, May, July, September, and November. 2 - February, April, June, August, October, and December.

² Regions defined as the four Census regions.

EXHIBIT B

RATE ADJUSTMENT METHODOLOGY

General

Subject to the terms herein, the Contractor shall be entitled to an annual adjustment of all Rates. Contractor shall submit its calculation of a Rate adjustment to the District General Manager on or before October 1 of each year. Contractor's Rate calculations shall include a proposed new Rate schedule, all supporting calculations, and any other documentation or evidence determined by the District General Manager to be reasonably necessary to ensure that the calculation of Rate adjustments has been performed in strict conformance to the requirements of this Exhibit B.

The District General Manager shall make a good faith effort to approve Rates by November 1 of each year, and such Rates shall be effective on each subsequent January 1. If Rates are not effective by January 1 due to a delay caused solely by the District, District shall allow Contractor to retroactively bill Customers for the amount of the Rate increase for any period of said delay that is solely caused by the District. If Rates are not effective by January 1 as a result of Contractor's delay in submitting the Rate calculations in a complete and accurate form, then prior Rates remain in effect until such adjustment is made.

Index Rate Adjustment

The index Rate adjustment methodology involves adjusting then-current Rates by the CPI to determine the Rates for the coming calendar year. The intent of performing the index-based adjustment is to allow Contractor's Compensation to be adjusted annually throughout the Term of this Agreement using a simple mathematical formula based on a readily available price index, rather than conducting the rate adjustments through review of actual changes in Contractor's costs for providing service.

If the CPI is discontinued or revised during the Term by the BLS, such other government index or computation with which it is replaced shall be used in order to obtain substantially the same result as would be obtained if said index had not been discontinued or revised.

Calculation Method

Contractor shall calculate the adjustment to its Rates using the following methodology:

Step 1: Determine the Annual Percentage Change in the CPI. The Annual Percentage Change means the percentage change in the CPI for August over the prior year as reported by the U.S. Bureau of Labor Statistics. As of the Effective Date, the percentage change in CPI shall be obtained from U.S. Bureau of Labor Statistics "Table 16. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, by expenditure category and commodity and service-group" for San Francisco-Oakland-San Jose, CA. An example of this table is provided herein. The Annual Percentage Change shall be rounded to the nearest tenth percent (0.1%).

EXHIBIT B RATE ADJUSTMENT METHODOLOGY

Table B. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, by expenditure category and commodity and service group-Continued
(1982=100, unless otherwise noted)

Demand group	Monthly index and percentage change ¹					
	San Francisco-Oakland-San Jose, CA			Seattle-Tacoma-Bremerton, WA		
	Index	Percent change from--		Index	Percent change from--	
		Aug. 2013	June 2014		Aug. 2013	June 2014
Expenditure category						
All items	253.354	3.0	0.0	247.185	1.8	-0.2
All items (1982=100) ²	778.880	-	-	753.515	-	-
Food and beverages	255.088	4.1	1.0	251.651	2.7	4
Food	254.888	3.9	.7	254.356	2.7	4
Food at home	248.412	5.4	.8	243.270	3.5	4
Food away from home	262.111	2.2	.6	271.967	1.7	.3
Alcoholic beverages	262.361	5.7	-0.0	219.352	2.5	1.2
Housing	279.769	4.2	1.0	252.951	3.7	.3
Shelter	315.155	4.8	1.2	293.351	4.4	5
Rent of primary residence ³	352.421	5.8	1.2	294.058	5.0	.9
Owners' equivalent rent of residences ^{3,4}	339.576	4.7	.6	303.595	4.6	6
Owners' equivalent rent of secondary residence ^{3,4}	339.576	4.7	.6	303.595	4.6	6
Fuels and utilities	331.826	2.7	.8	245.025	1.3	-1
Household energy	302.311	-3	-3.4	224.812	-1	-1
Energy services ⁵	302.077	-3	-3.3	254.627	3	0
Electricity ⁵	315.630	2.3	-4.6	279.135	3	0
Utility (speed) gas service ⁵	261.625	11.6	1.0	181.528	-1	0
Household furnishings and operations	132.845	.3	.3	170.341	.3	-4
Apparel	118.830	.8	1.8	132.457	.8	6
Transportation	198.602	.4	-3.6	232.224	-3	-2.7
Private transportation	187.215	.1	-3.1	244.322	4	-6
Motor fuel	297.489	2.0	-4.8	415.481	1.3	-2.4
Gasoline (all types)	295.273	2.0	-4.9	423.881	1.2	-2.4
Gasoline, unleaded regular ⁶	297.945	2.0	-4.9	466.790	1.2	-2.4
Gasoline, unleaded midgrade ^{6,8}	273.395	2.0	-4.7	325.075	1.0	-2.4
Gasoline, unleaded premium ⁶	274.718	1.9	-4.7	370.684	1.1	-2.2
Medical care	NA	-	-	NA	-	-
Recreation ⁷	109.846	-5	-7	95.950	-1.0	5
Education and communication ⁷	141.876	-1.1	-2	138.462	1.5	4
Other goods and services	427.337	2.5	-1	396.334	-1.8	1.8
Commodity and service group						
All items	253.354	3.0	0	247.185	1.8	-0.2
Commodities	184.735	1.3	-6	195.227	4	-3
Commodities less food and beverages	145.071	-7	-1.8	157.938	-1.1	-7
Nondurables less food and beverages	189.556	6	1.8	205.163	-3	-1.1
Durables	102.610	-2.5	-1.9	129.046	-2.1	-1
Services	310.910	3.8	.9	295.122	2.8	-1
Special aggregate indexes						
All items less medical care	245.286	2.7	0	241.185	2.0	-1
All items less shelter	229.308	1.8	.7	230.237	6	-5
Commodities less food	150.288	-4	-1.4	170.191	-9	6
Nondurables	224.052	2.5	-2	228.273	1.1	-3
Services less rent of shelter ⁴	195.409	1.0	-1.1	207.589	0	-9
Services less medical care services	321.539	2.5	.8	304.823	9	-9
Energy	301.818	3.6	4	286.160	3.1	-2
All items less energy	302.711	1.3	-4.3	327.559	1.0	-1.6
All items less food and energy	253.827	3.1	.3	244.849	1.9	-1
All items less food	254.448	2.9	.2	243.471	1.7	-1

1 Areas on pricing schedule 1 (see table B.1) will appear reclassified to schedule 2 in the November 2017 release.
2 The index series was calculated using a Laspeyres estimator. All other item series were calculated using a geometric mean estimator.
3 Indexes on a December 1982=100 basis.
4 Speed of index based on a subsample of rental units.
5 Indexes on a December 1982=100 basis.
6 Indexes on a December 1982=100 basis.
7 Data not available for publication.
8 Data not available.
NOTE: Index applies to a month as a whole, not to any specific date.

EXHIBIT B RATE ADJUSTMENT METHODOLOGY

Step 2: Specify the Rate Adjustment Factor, which shall equal:

1. The Annual Percentage Change in CPI (determined in Step 1) if the Annual Percentage Change is equal to or greater than 3.0% and equal to or less than 5.0%; or
2. 3.0% if the Annual Percentage Change in CPI is less than 3.0%; or,
3. 5.0% if the Annual Percentage Change in CPI is greater than 5.0%.

Step 3: Calculate the adjusted value for each Rate charged under this Agreement, rounded to the nearest cent, as follows:

Adjusted Rate = Then-current Rate x (1 + Rate Adjustment Factor) with the exception that the 20-gallon Rate shall equal the adjusted monthly 32-gallon Rate less \$4.00

For example, assuming:

1. Then-current Rate for a 32-gallon can = \$40.00
2. Rate Adjustment Factor = Annual Percentage Change in CPI = 3.54%
3. Adjusted Rate for a 32-gallon can = $\$40.00 \times (1 + 0.0354) = \41.42



NOTICE OF PUBLIC HEARING ON PROPOSED AUTOMATIC INFLATION ADJUSTMENTS AND INCREASES TO THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT SOLID WASTE RATES

The Kensington Police Protection and Community Services District (“District”) invites the public to attend a **public hearing to be held on Thursday, December 14, 2023, at 6:00 p.m.** to consider adoption of automatic inflation adjustments based upon increases in the consumer price index (“CPI Passthrough Rates”) to the District’s solid waste rates. **The public hearing is currently scheduled to be held in the Kensington Community Center located at 59 Arlington Avenue, Kensington, CA 94707.**

The CPI Passthrough Rates will be applied to the then current rates charged by the District’s solid waste franchisee, Bay View Refuse and Recycling Services, Inc. (“Contractor”), for the collection of solid waste, organics, and recyclable materials within the District. If adopted, the current rates will be adjusted according to the change in the consumer price index (identified below) each year, subject to other parameters provided below, for the following five-year period. The CPI Passthrough Rates will go into effect for services provided on and after January 1, 2024, with increases scheduled for each January 1 thereafter through and including January 1, 2028

Members of the public may also attend the public hearing remotely via Zoom. The information required to access the meeting remotely will be made available prior to the date of the meeting. You may also visit the District’s website at the following link for instructions on how to join the District’s online meeting: www.kppcsd.org/kppcsd-board

The purpose of the public hearing is to consider all oral testimony and written protests to, and the adoption of, the proposed CPI Passthrough Rates for solid waste service. If adopted, the new rates will go into effect for services provided on and after January 1, 2024.

This Notice is being mailed to the District’s property owners who receive solid waste, recycling, and organics collection service, as well as any tenants that are directly liable for payment of these rates. This Notice describes the reasons for the CPI Passthrough Rate increases and adjustments and the protest procedure that is available to property owners and tenants.

Pursuant to California Government Code section 53756, an agency providing refuse collection services may adopt a schedule of fees or charges authorizing automatic adjustments that passthrough adjustments for inflation. Notice of such inflation adjustments in subsequent years shall be in writing only at least thirty (30) days prior to the date of the adjustment to each customer of record. There is no requirement that the agency hold subsequent public hearings in subsequent years.

The proposed CPI Passthrough Rate increases and adjustments are based on the terms of the District’s Franchise Agreement for Solid Waste, Recyclable Materials, and Organic Materials Collection Services between the District and Contractor (the “Franchise Agreement”). However, the amount of the CPI Passthrough Rate is limited to the proportional cost to the District and Contractor in providing these services to each property it serves. A copy of documents associated with the Franchise Agreement and past CPI Passthrough Rates is available online at <https://www.kppcsd.org/waste-management> and the Franchise Agreement is on file with the District Clerk of the Board (“District Clerk”).

Solid Waste Services Overview

The District has the responsibility and the authority to provide solid waste handling services to District residents and businesses. The District entered into a Franchise Agreement on October 23, 2014 and the Board of Directors

of the District (“District Board”) has approved an amendment to extend the termination date of the Franchise Agreement through August 31, 2026.

On December 19, 2016 the State of California enacted Senate Bill 1383 (“SB 1383”) establishing regulatory requirements for jurisdictions, generators, haulers, solid waste facilities, and other entities to support achievement of state-wide organic waste disposal reduction targets. Among other things, SB 1383 requires public agencies that provide solid waste collection services to implement collection programs, meet processing facility requirements, conduct contamination monitoring, provide education, maintain records, submit reports, monitor compliance, conduct enforcement, and fulfill other requirements. The District, through the Franchise Agreement has delegated some of its solid waste collection responsibilities to the Contractor, acting as the District’s designee.

Residential trash, recyclables, and organics (including green waste) are picked up weekly. Contractor offers backyard service for trash and curbside pickup for recyclables and green waste. In addition, Contractor will recycle natural Christmas trees during any green waste pickup (no flocking or non-organic materials such as tinsel) and will have an annual general cleanup in September in which residents can leave up to 1½ cubic yards of trash (about 11-12 large black plastic bags).

Commercial customers’ services include trash, recyclables, and organics (including green waste) picked up weekly. Rates are determined on the basis of the type of service, frequency of collection, and size of container, as further described below.

Reasons for the CPI Passthrough Rate Adjustments

Rate increases and adjustments are needed primarily for the following reasons:

1. Covering the projected costs for franchise services and fees. The Franchise Agreement provides for annual inflationary increases and involves adjusting the then-current solid waste rates by the calculated increase in CPI to determine the rates for the following year. The purpose of this adjustment is to allow the Contractor’s rates to adjust annually to keep pace with the costs of providing the solid waste services. The use of an annual CPI adjustment is beneficial and allows agencies to keep pace with the costs of providing services between the years in which an independent rate consultant is hired to conduct a cost of service study and report.
2. Covering the projected costs for implementing Senate Bill 1383 Reducing Short-Lived Climate Pollutants in California. SB 1383 passed as part of California’s larger strategy to combat climate change. The law was designed to reduce global warming super pollutants like methane, which is up to 84 times more potent than carbon dioxide. Landfills are one of the largest producers of methane in the state. When organic material breaks down in the landfill methane is generated. There will be a move away from landfilling organic waste (like food, paper, and yard waste). The District is partnering with Contractor to implement the SB 1383 requirements. Part of the CPI Passthrough Rates is required for the ongoing costs of compliance monitoring and reporting services for elimination of food waste in solid waste collection.

The Basis for Calculating the Proposed CPI Passthrough Rates

The CPI Passthrough Rates are determined each year by the annual percentage change in the CPI for August over the prior year as reported by the U.S. Bureau of Labor Statistics “Table 16. Consumer Price Index for All Urban Consumers (CPI-U): Selected areas, by expenditure category and commodity and service-group” for the San Francisco-Oakland-San Jose, CA.

The actual CPI Passthrough Rate to be used for each year’s adjustment is the greater of three percent (3%) or the calculated change in CPI, subject to a maximum five percent (5%) cap per year. This means that if the CPI

calculation is less than 3%, then 3% will be used. If the CPI calculation is greater than 3% then the CPI calculated rate will be used up to a maximum of 5% for any given year.

Finally, the percentage rate determined above is then multiplied to the current year’s rate to create the adjusted rate effective January 1 of the following year. In the event the index used for the calculation is discontinued or is otherwise not available, the District will use another similar index to complete the annual CPI Passthrough Rate calculations.

The District has determined that the proposed total solid waste rates set forth in the following tables does not exceed the estimated reasonable proportional cost of providing service to each parcel at each level of service. The following rates are monthly service rates.

Service Type (provided once per week)	Current Rates	Rates Effective January 1, 2024
Residential Service		
1 - 32 Gallon Can	\$57.82	\$59.78
2 - 32 Gallon Cans	\$115.54	\$119.46
3 - 32 Gallon Cans	\$173.32	\$179.21
1 - 20 Gallon Can (mini)	\$53.82	\$55.78
1 - 45 Gallon Can	\$123.40	\$127.59
Commerical Service		
1 Cubic Yard – Wet	\$63.60	\$65.75
2 Cubic Yard – Wet	\$127.20	\$131.50
1 Cubic Yard – Dry	\$61.57	\$63.65
2 Cubic Yard – Dry	\$123.14	\$127.30
1 - 32 Gallon Cart	\$59.90	\$61.93
1 - 45 Gallon Cart	\$78.00	\$80.65
1 - 65 Gallon Cart	\$119.80	\$123.86
1 - 95 Gallon Cart	\$179.90	\$185.79

Commercial Service Monthly Rates per Pick-Up per Container		
Number of Weekly Pick-Ups/Container	Current Rate	Rates Effective January 1, 2024
1 Cubic Yard – Wet		
1 Pick-Up	\$275.60	\$284.91
2 Pick-Ups	\$551.20	\$569.82
3 Pick-Ups	\$826.80	\$854.73
4 Pick-Ups	\$1,102.40	\$1,139.64
5 Pick-Ups	\$1,378.00	\$1,424.55
1 Cubic Yard – Dry		
1 Pick-Up	\$266.80	\$275.81
2 Pick-Ups	\$533.60	\$551.62
3 Pick-Ups	\$800.40	\$827.43
4 Pick-Ups	\$1,067.20	\$1,103.24
5 Pick-Ups	\$1,334.00	\$1,379.05
2 Cubic Yard – Wet		

1 Pick-Up	\$551.20	\$569.82
2 Pick-Ups	\$1,102.40	\$1,139.64
3 Pick-Ups	\$1,653.60	\$1,709.50
4 Pick-Ups	\$2,204.80	\$2,279.33
5 Pick-Ups	\$2,756.00	\$2,849.10
2 Cubic Yard – Dry		
1 Pick-Up	\$533.60	\$551.63
2 Pick-Ups	\$1,067.20	\$1,103.26
3 Pick-Ups	\$1,600.80	\$1,654.89
4 Pick-Ups	\$2,134.40	\$2,206.52
5 Pick-Ups	\$2,668.00	\$2,758.15
1 - 32 Gallon Cart		
1 Pick-Up	\$59.90	\$61.93
2 Pick-Ups	\$119.80	\$123.86
3 Pick-Ups	\$179.70	\$185.79
4 Pick-Ups	\$239.60	\$247.72
5 Pick-Ups	\$299.50	\$309.65
1 - 45 Gallon Cart		
1 Pick-Up	\$78.00	\$80.65
2 Pick-Ups	\$156.00	\$161.30
3 Pick-Ups	\$234.00	\$241.95
4 Pick-Ups	\$312.00	\$322.60
5 Pick-Ups	\$390.00	\$403.25
1 - 65 Gallon Cart		
1 Pick-Up	\$119.80	\$123.86
2 Pick-Ups	\$239.60	\$247.72
3 Pick-Ups	\$359.40	\$371.58
4 Pick-Ups	\$479.20	\$495.44
5 Pick-Ups	\$599.00	\$619.30
1 - 95 Gallon Cart		
1 Pick-Up	\$179.70	\$185.79
2 Pick-Ups	\$359.40	\$371.58
3 Pick-Ups	\$539.10	\$557.37
4 Pick-Ups	\$718.80	\$743.16
5 Pick-Ups	\$898.50	\$928.95

PUBLIC HEARING AND PROTESTS

Any record owner of a parcel upon which the solid waste rates are proposed to be imposed and any tenant directly liable for the payment of solid waste rates (i.e., a customer of record who is not a property owner) may submit a written protest to the proposed CPI Passthrough Rate adjustments; however, only one protest will be counted per identified parcel. All written protest must include: (1) statement the identified property owner or tenant is opposed to the proposed CPI Passthrough Rate adjustments and increases; (2) provide the location of the identified parcel (by street address, assessor’s parcel number, or customer account number); and (3) include the name and signature of the property owner or tenant submitting the protest. Written protests may be submitted to the District Clerk by mail or in person at 10940 San Pablo Ave, Bldg. B, El Cerrito, CA 94530 or in person during the public hearing (date, time, and location noted above). The District Clerk must receive written protests delivered by mail no later than 4:00 p.m. on the date of the public hearing, or if delivered in person, prior to the close of the public comment

portion of the public hearing. Any protest submitted via e-mail or other electronic means will not be accepted as a valid written protest. Please indicate on the outside of any envelope mailed to the District “Attn: Rate Hearing.”

The District Board will accept and consider all written protests and will hear and consider all oral comments to the proposed CPI Passthrough Rate adjustments and increases at the public hearing. Oral comments at the public hearing will not qualify as formal protests unless accompanied by a written protest. Upon the conclusion of the public hearing, the District Board will consider adoption of the proposed CPI Passthrough Rate increases as described in this notice. If written protests against the proposed CPI Passthrough Rates are not presented by a majority of the property owners or tenants of the identified parcels subject to the solid waste rates, the District Board will be authorized to adopt the CPI Passthrough Rate increases.

The documents supporting the proposed CPI Passthrough Rate adjustments and increases are available for review online at www.kppcsd.org/kppcsd-board and at the District Office at 10940 San Pablo Ave, Bldg. B, El Cerrito, CA 94530, Monday through Thursday between 9:00 a.m. and 2:00 p.m.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

**Thursday, November 9, 2023
Special & Regular Meetings (Hybrid)**

Special Meeting (Closed Session) – 6:00 p.m.

Item #05

Call to Order [[TS 0:55](#)]

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

Roll Call [[TS 1:07](#)]

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 and Clerk of the Board Lynelle M. Lewis.

Special Meeting Agenda Item Public Comments [[TS 1:28](#)]

None.

Adjourn to Closed Session [[TS 2:29](#)]

The Board adjourned to closed session at 6:05 p.m. to discuss existing litigation, conference with labor negotiators and public employee appointment.

Announcements from Closed Session [[TS 59:51](#)]

At 7:02 p.m., President Aquino-Fike announced that there were no reportable items from closed session.

Regular Meeting - 7:00 p.m.

1. **Call to Order** [[TS 1:00:23](#)]

President Aquino-Fike called the meeting to order at 7:03 p.m.

2. **Roll Call** [[TS 1:00:31](#)]

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 and Clerk of the Board Lynelle M. Lewis.

3. **President's Comments** [[TS 1:00:58](#)]

President Aquino-Fike had no comment.

4. **Public Comment** [[TS 1:01:11](#)]

- Addressing the Board was the following person: 1) A, Stevens Delk thanked the Board and Interim General Manager Aranda for giving attention to the Bayview services and rates.

Consent Calendar [[TS 1:02:23](#)]

Interim General Manager Aranda clarified the revenue numbers on the Financial Report.

- Motion by Director Hacaj, seconded by Director Duggan, to adopt the Consent Calendar, carried (5-0) by roll call vote.

5. **Approve Minutes for the Special and Regular Meeting of October 12, 2023.**

Approved.

6. **Receive and File Financial Reports and Ratify the October 2023 Bills Paid.**

Received and filed reports and ratified bills paid.

Comments & Reports [[TS 1:06:32](#)]

7. **Police Chief Report.**

Police Chief Mike Gancasz commented that the written monthly report had been submitted. He highlighted the results of a grant funded saturation patrol operations conducted on October 20th. Next Chief Gancasz pointed out that officers and community volunteers participated in the 25th annual shredding and drug take back day on October 28th.

8. **General Manager's Report.** [[1:15:39](#)]

Interim General Manager Aranda commented that the written General Manager's Report had been submitted. He noted that the District received a report about illegal dumping and that Bayview would be coming out to take care of this. The KCC Recreation Report for November 1, 2023 and the Parks Report also was submitted.

9. **Verbal Update from the Ad Hoc Consolidation Committee.** [[TS 1:16:24](#)]

Director Spath commented that his update would be combined with Item 13.

10. **Update by the Police Department and District Office Permanent Location Ad Hoc Committee.** [[TS 1:17:06](#)]

President Aquino-Fike reported that the 385 Colusa Avenue and 219 Arlington properties are no

longer being considered for a permanent location. She also reported that KPPCSD is moving forward with geotechnical studies for a possible new police and district office facility on the vacant parcel south of the Library on Arlington. Additionally, the Committee has had discussions with Contra Costa County to better understand the full process for developing a new building on that location. Next, Vice-President Gough reported on discussions regarding potential state funding grant opportunities for this construction.

11. **Director Comments.** [[TS 1:25:50](#)]

Director Duggan reported that she and Director Hacaj attended the California Special District's Association Leadership Academy in Santa Rosa. Next, she reported that she had put in a proposal to U.C. Berkeley School of Public Policy for a masters program student to assist with her in connection with creating a survey for identifying possible unmet needs of elderly and disabled individuals in Kensington.

Director Hacaj encouraged citizens to write to the Contra Costa County Public Works Department, Supervisor Gioia, and the Kensington Property Owners Association about the sidewalk south of the Library (i.e. 59 Arlington) which is falling in and covered with construction horses. She said this area is a safety hazard. Director Hacaj also encouraged residents to clean out gutters, sidewalks, and other areas as the rainy season is approaching.

Discussion and Action

12. **Approval to Accept \$41,000 in Grant Money from the Office of Traffic Safety for a Traffic Records Improvement Project.** [[TS 1:31:28](#)]

Chief of Police Gancasz provided background information on a traffic records improvement grant that provides funding for the purchase and implementation of traffic crash reporting systems as well as electronic citation equipment and software.

- Motion by Director Duggan, seconded by Director Hacaj, to accept \$41,000 in grant money from the Office of Traffic Safety to be used for a Traffic Improvement Project, carried (5-0) by roll call vote.

13. **Approve a Request for Proposal Regarding a Financial Study of KPPCSD and KFPD for Reorganization information.** [[TS 1:35:27](#)]

Director Spath, of the Reorganization Committee, reviewed the request for proposal that had been approved by the KFPD to obtain pricing from various vendors regarding a financial study of KPPCSD and KFPD in respect to reorganization. He pointed out that the consultant selected will be required to complete the following objectives: Objective I – Conduct a Fiscal Analysis of the KPPCSD and the KFPD, Objective II – Conduct a Fiscal Analysis of the KPPCSD and KFPD as a Combined District, and Objective III – Prepare a Report and Present the Fiscal Analysis separately to the Boards of the KPPCSD and KFPD. Upon acceptance by each district board, a public townhall meeting will be facilitated by the General Managers of each district. Proposals are due December 8, 2023. There was Board comment about advertising the proposal and the public hearings.

- Motion by Director Hacaj, seconded by Director Spath, that the Board approve the request for proposal to obtain pricing from various vendors regarding a financial study of the KPPCSD and KFPD in respect to reorganization, carried (5-0) by roll call vote.

14. **Introduction and Presentation of the Public Safety Camera Program Called FLOCK.**
[\[TS 1:51:24\]](#)

Police Chief Mike Gancasz and Officer Lande provided background information on the FLOCK program. Representatives from FLOCK Safety presented information about the technology being used by police departments throughout the Bay Area to assist in various facets of police work. Board members asked questions about the cost, location of cameras, policies, data retention, case studies, training and information sharing. The next steps will be for staff to bring back cost information and a draft policy for review by the Board.

- Addressing the Board were the following persons: 1) John Gaccione asked about data retention of camera footage and asked about license plate readers; and 2) Paul Dorroh commented that this is a proactive step taken by the KPD.

Adjournment [\[TS 2:39:32\]](#)

President Aquino-Fike adjourned the meeting at 8:42 p.m. The next regular meeting is scheduled for December 14, 2023.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: December 14, 2023

David Aranda, Interim General Manager

Alexandra Aquino-Fike, President of the Board

Kensington Police Protection & Community Services District
Balance Sheet
As of November 30, 2023 (Unaudited)

	Nov 30, 23
ASSETS	
Current Assets	
Checking/Savings	
100 · Petty Cash	\$ 100
101 · Five Star Checking	47,683
102 · Five Star Payroll	0
103 · Five Star Saving	1,356
110 · CCC Cash Accts	139,316
117b · Admin - Cash	28,218
133b · Resv - Cash	93,430
134 · CCC LAIF Accounts	645,510
Total Checking/Savings	955,613
Accounts Receivable	3,618,072
Other Current Assets	0
Total Current Assets	4,573,685
Fixed Assets	5,516,690
Other Assets	3,171,324
TOTAL ASSETS	13,261,698
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	47,614
Credit Cards	3,624
Other Current Liabilities	(613)
Total Current Liabilities	50,625
Long Term Liabilities	
240 · 2020 Pension Obligation Bond	4,244,000
265 · Compensated Absence/Vac Buyback	95,793
290 · Community Center Loan	161,054
293 · Vehicle Capital Lease	133,987
295 · Net OPEB Liability	579,377
297 · Deferred Inflows - OPEB	507,406
298 · Deferred Inflows - Pension	1,267,514
Total Long Term Liabilities	6,989,131
Total Liabilities	7,039,756
Equity	6,221,943
TOTAL LIABILITIES & EQUITY	\$ 13,261,698

Kensington Police Protection & Community Services District
Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	All Funds				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
Ordinary Income/Expense					
Income					
400 · Property Tax Revenue					
401 · Levy Tax Police- Co. Prop. 1%	\$ -	\$ 2,228,041	\$ 2,400,000	\$ (171,959)	93%
402 · Special Tax-Police	-	685,470	685,000	470	100%
404 · Measure G Supplemental Tax PD	-	679,346	660,000	19,346	103%
410 · Police Fees/Service Charges	370	2,755	5,000	(2,245)	55%
414 · POST Reimbursement	-	5,687	10,000	(4,313)	57%
415 · COPS/Other PD Grants	34,910	121,069	195,000	(73,931)	62%
418 · Reimbursements/Refunds	-	897	-	897	100%
Total 400 · Property Tax Revenue	35,280	3,723,265	3,955,000	(231,735)	94%
420 · Park/Rec Activities Revenue					
406 · Per Capita Park Grant	-	-	180,000	(180,000)	0%
424 · Special Tax-L&L Parks	-	46,719	46,000	719	102%
427 · Community Center Revenue	1,728	21,511	50,000	(28,489)	43%
438 · Tennis Court Revenue	290	1,039	1,000	39	104%
439 · Other Community Center Revenue	420	1,321	-	1,321	100%
Total 420 · Park/Rec Activities Revenue	2,438	70,590	277,000	(206,410)	25%
440 · District Activities Revenue					
448a · Franchise Fees Gross	-	-	120,000	(120,000)	0%
448b · less Franchise Fees Paid Out	-	-	-	-	0%
456 · Interest-District	4	6,383	10,000	(3,617)	64%
458 · Other District Revenue	-	6,456	68,500	(62,044)	9%
Total 440 · District Activities Revenue	4	12,839	198,500	(185,661)	6%
460 · Waste Removal Revenue					
461 · Waste Removal Franchise Fee	26,206	43,721	-	43,721	100%
Total 460 · Waste Removal Revenue	26,206	43,721	-	43,721	100%
480 · Rental Revenue - KPFD	-	9,754	29,300	(19,546)	33%
Total Income	63,928	3,860,169	4,459,800	(599,631)	87%
Gross Profit	63,928	3,860,169	4,459,800	(599,631)	87%
Expense					
500 · Police Salary and Benefit Exp					
502 · Salary - Officers					
503.1 · Holiday Pay	3,437	16,764	50,100	(33,336)	33%
503.2 · Incentive Pay- Education	859	4,561	4,100	461	111%
503.3 · Incentive Pay- POST Certificate	3,531	19,043	34,600	(15,557)	55%
502 · Salary - Officers - Other	82,680	427,136	1,141,400	(714,264)	37%
Total 502 · Salary - Officers	90,507	467,504	1,230,200	(762,696)	38%
506 · Overtime	15,714	72,179	120,000	(47,821)	60%
508 · Salary - Non-Sworn	6,822	28,713	53,900	(25,187)	53%
509 · Hiring Bonus	-	11,000	20,000	(9,000)	55%
510 · Vacation Cash Out	-	-	20,600	(20,600)	0%
516 · Uniform Allowance	800	3,900	10,800	(6,900)	36%
521-A · Medical/Vision/Dental-Active	13,546	76,491	183,700	(107,209)	42%
521-R · Medical/Vision/Dental-Retired	12,155	72,653	145,400	(72,747)	50%
522 · Officer Life Insurance	470	2,450	8,500	(6,050)	29%
523 · SocialSecurity/Medicare-Police	1,609	8,264	20,300	(12,036)	41%
524 · Social Security - District	423	1,780	4,100	(2,320)	43%
527 · PERS - District Portion	17,718	89,765	269,700	(179,935)	33%
529 · Pension Obln Bond Payment	-	78,463	330,900	(252,437)	24%
530 · Workers Comp	-	38,000	38,000	-	100%
531 · Unemployment	1,800	6,750	52,000	(45,250)	13%
Total 500 · Police Salary and Benefit Exp	161,563	957,913	2,508,100	(1,550,187)	38%
520 · In Lieu Health Expense	-	750	500	250	150%
550 · Police Operating Expenses					
552 · Office Supplies and Expenses	986	2,278	21,400	(19,122)	11%
553 · Police Equipment and Supplies	2,874	6,680	30,000	(23,320)	22%
554 · Traffic Safety	960	6,268	25,000	(18,732)	25%
561 · Fleet Expense	7,542	19,436	17,000	2,436	114%
562 · Vehicle Operation	3,545	15,684	30,000	(14,316)	52%
563 · Vehicle Lease	3,310	26,422	86,500	(60,078)	31%
564 · Annual Law Enfcmnt. Tec/Dispatch	4,482	174,664	160,000	14,664	109%

Kensington Police Protection & Community Services District
Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	All Funds				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
566 · Radio Maintenance	740	10,460	37,800	(27,340)	28%
567 · Alarm	-	-	4,000	(4,000)	0%
568 · Evidence	-	3,058	7,500	(4,442)	41%
569 · Emergency Preparedness	-	-	3,000	(3,000)	0%
570 · Training and Travel Exp	32	12,125	30,000	(17,875)	40%
571 · Records	75	300	38,800	(38,500)	1%
572 · Hiring	134	3,746	25,000	(21,254)	15%
576 · Dues and Subscriptions	-	980	7,000	(6,020)	14%
580 · Utilities - Police	2,412	22,136	27,000	(4,864)	82%
581 · Bldg Repairs/Maint.	-	2,707	10,000	(7,293)	27%
587 · IT Contract	303	303	43,300	(42,997)	1%
588 · Telephone	924	10,845	10,000	845	108%
591 · General Liability Insurance	-	52,942	55,000	(2,058)	96%
592 · Online Services/Business Accts	420	440	5,000	(4,560)	9%
593 · Volunteer Programs	-	-	7,500	(7,500)	0%
594 · Community Events	-	3,008	7,500	(4,492)	40%
595 · Legal/Consulting - Police	-	1,679	9,000	(7,321)	19%
597 · Police Bldg. Lease	11,201	36,293	66,000	(29,707)	55%
597.1 · Bldg Maintenance/Repair	1,087	3,214	10,000	(6,786)	32%
597.2 · Utilities	-	-	-	-	0%
597.3 · Janitorial - Police Building	1,150	4,256	14,000	(9,744)	30%
599 · Police Taxes Administration	-	-	5,000	(5,000)	0%
Total 550 · Police Operating Expenses	42,177	419,926	792,300	(372,374)	53%
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	2,052	10,796	86,000	(75,204)	13%
602 · Custodial/Cleaning Services	-	1,780	12,000	(10,220)	15%
623 · Social Security/Medicare - Dist	-	-	6,600	(6,600)	0%
600 · Park/Rec Sal & Ben - Other	-	625	-	625	100%
Total 600 · Park/Rec Sal & Ben	2,052	13,201	104,600	(91,399)	13%
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
641 · General Maintenance	2,775	11,662	2,500	9,162	466%
642 · Utilities-Community Center	1,388	5,778	13,000	(7,222)	44%
643 · Janitorial Supplies	-	1,017	1,500	(483)	68%
644 · Landscaping	-	-	30,000	(30,000)	0%
645 · General Liab./Workers Comp	-	1,362	1,400	(38)	97%
646 · Community Center Repairs	-	463	10,000	(9,537)	5%
647 · Legal/Consulting	-	582	-	582	100%
640 · Community Center Expenses - Other	-	3,648	-	3,648	100%
Total 640 · Community Center Expenses	4,163	24,511	58,400	(33,889)	42%
650 · Park					
651 · General Maintenance	-	3,050	30,000	(26,950)	10%
652 · Repairs	-	915	-	915	100%
653 · Landscaping	-	360	-	360	100%
656 · Utilities	2,458	12,220	-	12,220	100%
657 · General Liab/Workers Comp	-	12,000	12,000	-	100%
658 · Levy Administration	-	4,128	10,000	(5,872)	41%
674 · Tennis Court Maint/Repair	-	351	-	351	100%
Total 650 · Park	2,458	33,025	52,000	(18,975)	64%
Total 635 · Park/Recreation Expenses	6,622	57,536	110,400	(52,864)	52%
750 · Waste Management Expenses					
751 · Waste Removal Franchise Fee Exp	13,318	20,824	51,400	(30,576)	41%
752 · Waste Management Program Admin	-	-	68,490	(68,490)	0%
753 · Other Waste Management Exp	6,225	8,432	3,040	5,392	277%
Total 750 · Waste Management Expenses	19,543	29,257	122,930	(93,673)	24%
800 · District Expenses					
807 · Salaries	24,070	104,287	259,400	(155,113)	40%
808 · Payroll Taxes	1,993	8,786	19,800	(11,014)	44%
809 · Benefits	-	-	50,000	(50,000)	0%
815 · Admin Communications	249	3,773	7,500	(3,727)	50%
816 · Office Supplies	189	898	2,000	(1,102)	45%
817 · Postage	-	555	-	555	100%

Kensington Police Protection & Community Services District
Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	All Funds				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
818 · Mileage Reimbursement	99	379	-	379	100%
819 · Dues/Subscriptions	-	14,599	11,000	3,599	133%
820 · Copier Contract	229	2,118	-	2,118	100%
825 · Board Continuing Ed/Conferences	-	4,783	8,000	(3,217)	60%
830 · Legal (District/Personnel)	15,458	30,161	25,000	5,161	121%
831 · Training and Travel Admin	1,179	10,229	18,700	(8,471)	55%
835 · Consulting	-	2,025	50,000	(47,975)	4%
840 · Accounting/Audit	18,779	74,142	95,000	(20,858)	78%
850 · Insurance	-	45,000	45,000	-	100%
851 · Workers Comp	-	1,569	1,500	69	105%
861 · LAFCO	-	1,455	2,000	(545)	73%
870 · County Expenditures	-	3	25,000	(24,997)	0%
891 · COVID	-	-	-	-	0%
898 · Other Expenses	-	8,468	5,000	3,468	169%
Total 800 · District Expenses	62,245	313,229	624,900	(311,671)	50%
950 · Capital Outlay					
963 · Patrol Car Accessories	-	61,530	-	61,530	100%
967 · Station Equipment	-	(136)	-	(136)	100%
968 · Office Furn/Eq	-	(690)	-	(690)	100%
974 · Other Park Improvements	-	30,819	80,000	(49,181)	39%
978 · Pk/Rec Furn/Eq	-	1,323	-	1,323	100%
Total 950 · Capital Outlay	-	92,845	80,000	12,845	116%
997 · Payroll Expenses	294	1,692	-	1,692	100%
Total Expense	294,496	1,886,350	4,343,730	(2,457,380)	43%
Net Ordinary Income	(230,568)	1,973,820	116,070	1,857,750	1,701%
Other Income/Expense					
Other Expense					
700 · Bond Expense					
975 · Community Center Loan Repayment	-	-	30,500	(30,500)	0%
Total 700 · Bond Expense	-	-	30,500	(30,500)	0%
Total Other Expense	-	-	30,500	(30,500)	0%
Net Other Income	-	-	(30,500)	30,500	0%
Net Income	(230,568)	1,973,820	85,570	1,888,250	2,307%

Kensington Police Protection & Community Services District
General Fund Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	General Fund				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
Ordinary Income/Expense					
Income					
400 · Property Tax Revenue					
401 · Levy Tax Police- Co. Prop. 1%	\$ -	\$ 2,228,041	\$ 2,400,000	\$ (171,959)	93%
402 · Special Tax-Police	-	685,470	-	685,470	100%
404 · Measure G Supplemental Tax PD	-	679,346	-	679,346	100%
Total 400 · Property Tax Revenue	-	3,592,857	2,400,000	1,192,857	150%
440 · District Activities Revenue					
456 · Interest-District	4	5,649	10,000	(4,351)	56%
458 · Other District Revenue	-	6,456	68,500	(62,044)	9%
Total 440 · District Activities Revenue	4	12,105	78,500	(66,395)	15%
480 · Rental Revenue - KPPFD	-	9,754	29,300	(19,546)	33%
Total Income	4	3,614,716	2,507,800	1,106,916	144%
Gross Profit	4	3,614,716	2,507,800	1,106,916	144%
Expense					
500 · Police Salary and Benefit Exp					
502 · Salary - Officers	-	(216)	-	(216)	100%
Total 500 · Police Salary and Benefit Exp	-	(216)	-	(216)	100%
750 · Waste Managment Expenses					
753 · Other Waste Management Exp	-	79	-	79	100%
Total 750 · Waste Managment Expenses	-	79	-	79	100%
800 · District Expenses					
807 · Salaries	24,070	104,287	259,400	(155,113)	40%
808 · Payroll Taxes	1,993	8,786	19,800	(11,014)	44%
809 · Benefits	-	-	50,000	(50,000)	0%
815 · Admin Communications	249	3,773	7,500	(3,727)	50%
816 · Office Supplies	189	898	2,000	(1,102)	45%
817 · Postage	-	555	-	555	100%
818 · Mileage Reimbursement	99	379	-	379	100%
819 · Dues/Subscriptions	-	14,599	11,000	3,599	133%
820 · Copier Contract	229	2,118	-	2,118	100%
825 · Board Continuing Ed/Conferences	-	4,783	8,000	(3,217)	60%
830 · Legal (District/Personnel)	15,458	30,161	25,000	5,161	121%
831 · Training and Travel Admin	1,179	10,229	18,700	(8,471)	55%
835 · Consulting	-	2,025	50,000	(47,975)	4%
840 · Accounting/Audit	18,779	74,142	95,000	(20,858)	78%
850 · Insurance	-	45,000	45,000	-	100%
851 · Workers Comp	-	1,569	1,500	69	105%
861 · LAFCO	-	1,455	2,000	(545)	73%
870 · County Expenditures	-	-	25,000	(25,000)	0%
898 · Other Expenses	-	8,467	5,000	3,467	169%
Total 800 · District Expenses	62,245	313,225	624,900	(311,675)	50%
997 · Payroll Expenses	294	1,692	-	1,692	100%
Total Expense	62,539	314,780	624,900	(310,120)	50%
Net Ordinary Income	(62,535)	3,299,936	1,882,900	1,417,036	175%
Net Income	(62,535)	3,299,936	1,882,900	1,417,036	175%

Kensington Police Protection & Community Services District
Police Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	Police Fund				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
Ordinary Income/Expense					
Income					
400 · Property Tax Revenue					
402 · Special Tax-Police	\$ -	\$ -	\$ 685,000	\$ (685,000)	0%
404 · Measure G Supplemental Tax PD	-	-	660,000	(660,000)	0%
410 · Police Fees/Service Charges	370	2,755	5,000	(2,245)	55%
414 · POST Reimbursement	-	5,687	10,000	(4,313)	57%
415 · COPS/Other PD Grants	34,910	121,069	195,000	(73,931)	62%
418 · Reimbursements/Refunds	-	897	-	897	100%
Total 400 · Property Tax Revenue	35,280	130,408	1,555,000	(1,424,592)	8%
Total Income	35,280	130,408	1,555,000	(1,424,592)	8%
Gross Profit	35,280	130,408	1,555,000	(1,424,592)	8%
Expense					
500 · Police Salary and Benefit Exp					
502 · Salary - Officers					
503.1 · Holiday Pay	3,437	16,764	50,100	(33,336)	33%
503.2 · Incentive Pay- Education	859	4,561	4,100	461	111%
503.3 · Incentive Pay- POST Certificate	3,531	19,043	34,600	(15,557)	55%
502 · Salary - Officers - Other	82,680	427,352	1,141,400	(714,048)	37%
Total 502 · Salary - Officers	90,507	467,720	1,230,200	(762,480)	38%
506 · Overtime	15,714	72,179	120,000	(47,821)	60%
508 · Salary - Non-Sworn	6,822	28,713	53,900	(25,187)	53%
509 · Hiring Bonus	-	11,000	20,000	(9,000)	55%
510 · Vacation Cash Out	-	-	20,600	(20,600)	0%
516 · Uniform Allowance	800	3,900	10,800	(6,900)	36%
521-A · Medical/Vision/Dental-Active	13,546	64,033	183,700	(119,667)	35%
521-R · Medical/Vision/Dental-Retired	12,155	60,773	145,400	(84,628)	42%
522 · Officer Life Insurance	470	2,450	8,500	(6,050)	29%
523 · SocialSecurity/Medicare-Police	1,609	8,264	20,300	(12,036)	41%
524 · Social Security - District	423	1,780	4,100	(2,320)	43%
527 · PERS - District Portion	17,718	89,765	269,700	(179,935)	33%
529 · Pension Obln Bond Payment	-	78,463	330,900	(252,437)	24%
530 · Workers Comp	-	38,000	38,000	-	100%
531 · Unemployment	1,800	6,750	52,000	(45,250)	13%
Total 500 · Police Salary and Benefit Exp	161,563	933,791	2,508,100	(1,574,309)	37%
520 · In Lieu Health Expense	-	750	500	250	150%
550 · Police Operating Expenses					
552 · Office Supplies and Expenses	986	2,278	21,400	(19,122)	11%
553 · Police Equipent and Supplies	2,874	6,680	30,000	(23,320)	22%
554 · Traffic Safety	960	6,268	25,000	(18,732)	25%
561 · Fleet Expense	7,542	19,436	17,000	2,436	114%
562 · Vehicle Operation	3,545	15,684	30,000	(14,316)	52%
563 · Vehicle Lease	3,310	26,422	86,500	(60,078)	31%
564 · Annual Law Enfcmnt. Tec/Dispatch	4,482	174,664	160,000	14,664	109%
566 · Radio Maintenance	740	10,460	37,800	(27,340)	28%
567 · Alarm	-	-	4,000	(4,000)	0%
568 · Evidence	-	3,058	7,500	(4,442)	41%
569 · Emergency Preparedness	-	-	3,000	(3,000)	0%
570 · Training and Travel Exp	32	12,125	30,000	(17,875)	40%
571 · Records	75	300	38,800	(38,500)	1%
572 · Hiring	134	3,746	25,000	(21,254)	15%
576 · Dues and Subscriptions	-	980	7,000	(6,020)	14%
580 · Utilities - Police	2,412	22,136	27,000	(4,864)	82%
581 · Bldg Repairs/Maint.	-	2,707	10,000	(7,293)	27%
587 · IT Contract	303	303	43,300	(42,997)	1%
588 · Telephone	924	10,845	10,000	845	108%
591 · General Liability Insurance	-	52,942	55,000	(2,058)	96%
592 · Online Services/Business Accts	420	440	5,000	(4,560)	9%
593 · Volunteer Programs	-	-	7,500	(7,500)	0%
594 · Community Events	-	3,008	7,500	(4,492)	40%
595 · Legal/Consulting - Police	-	1,679	9,000	(7,321)	19%
597 · Police Bldg. Lease	11,201	36,293	66,000	(29,707)	55%

Kensington Police Protection & Community Services District
Police Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	Police Fund				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
597.1 · Bldg Maintenance/Repair	1,087	3,214	10,000	(6,786)	32%
597.3 · Janitorial - Police Building	1,150	4,256	14,000	(9,744)	30%
599 · Police Taxes Administration	-	-	5,000	(5,000)	0%
Total 550 · Police Operating Expenses	42,177	419,926	792,300	(372,374)	53%
950 · Capital Outlay					
963 · Patrol Car Accessories	-	61,530	-	61,530	100%
967 · Station Equipment	-	(136)	-	(136)	100%
968 · Office Furn/Eq	-	(690)	-	(690)	100%
Total 950 · Capital Outlay	-	60,703	1,491,200	(1,430,497)	4%
Total Expense	203,740	1,415,171	4,792,100	(3,376,929)	30%
Net Ordinary Income	(168,460)	(1,284,762)	(3,237,100)	1,952,338	40%
Net Income	(168,460)	(1,284,762)	(3,237,100)	1,952,338	40%

Kensington Police Protection & Community Services District
Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	Parks Fund				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
Ordinary Income/Expense					
Income					
420 · Park/Rec Activities Revenue					
406 · Per Capita Park Grant	\$ -	\$ -	\$ 180,000	\$ (180,000)	0.0%
424 · Special Tax-L&L Parks	-	-	46,000	(46,000)	0%
427 · Community Center Revenue	1,728	21,511	50,000	(28,489)	43%
438 · Tennis Court Revenue	290	1,039	1,000	39	104%
439 · Other Community Center Revenue	420	1,321	-	1,321	100%
Total 420 · Park/Rec Activities Revenue	2,438	23,871	277,000	(253,129)	9%
Total Income	2,438	23,871	277,000	(253,129)	9%
Gross Profit	2,438	23,871	277,000	(253,129)	9%
Expense					
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	2,052	10,796	86,000	(75,204)	13%
602 · Custodial/Cleaning Services	-	1,780	12,000	(10,220)	15%
623 · Social Security/Medicare - Dist	-	-	6,600	(6,600)	0%
600 · Park/Rec Sal & Ben - Other	-	625	-	625	100%
Total 600 · Park/Rec Sal & Ben	2,052	13,201	104,600	(91,399)	13%
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
641 · General Maintenance	2,775	11,662	2,500	9,162	466%
642 · Utilities-Community Center	1,388	5,778	13,000	(7,222)	44%
643 · Janitorial Supplies	-	1,017	1,500	(483)	68%
644 · Landscaping	-	-	30,000	(30,000)	0%
645 · General Liab./Workers Comp	-	1,362	1,400	(38)	97%
646 · Community Center Repairs	-	463	10,000	(9,537)	5%
647 · Legal/Consulting	-	582	-	582	100%
640 · Community Center Expenses - Other	-	3,648	-	3,648	100%
Total 640 · Community Center Expenses	4,163	24,511	58,400	(33,889)	42%
650 · Park					
651 · General Maintenance	-	3,050	30,000	(26,950)	10%
652 · Repairs	-	915	-	915	100%
653 · Landscaping	-	360	-	-	-
656 · Utilities	2,458	12,220	-	12,220	100%
657 · General Liab/Workers Comp	-	12,000	12,000	-	100%
658 · Levy Administration	-	4,128	10,000	(5,872)	41%
674 · Tennis Court Maint/Repair	-	351	-	351	100%
Total 650 · Park	2,458	33,025	52,000	(18,975)	64%
Total 635 · Park/Recreation Expenses	6,622	57,536	110,400	(52,864)	52%
800 · District Expenses					
898 · Other Expenses	-	1	-	1	100%
Total 800 · District Expenses	-	1	-	1	100%
950 · Capital Outlay					
974 · Other Park Improvements	-	30,819	80,000	(49,181)	39%
978 · Pk/Rec Furn/Eq	-	1,323	-	1,323	100%
Total 950 · Capital Outlay	-	32,142	80,000	(47,858)	40%
Total Expense	8,674	102,880	295,000	(192,120)	35%
Net Ordinary Income	(6,236)	(79,008)	(18,000)	(61,008)	439%
Other Income/Expense					
Other Expense					
700 · Bond Expense					
975 · Community Center Loan Repayment	-	-	30,500	(30,500)	0%
Total 700 · Bond Expense	-	-	30,500	(30,500)	0%
Total Other Expense	-	-	30,500	(30,500)	0%
Net Other Income	-	-	(30,500)	30,500	0%
Net Income	(6,236)	(79,008)	(48,500)	(30,508)	163%

Kensington Police Protection & Community Services District
Waste Management Profit & Loss Budget vs. Actual
November 30, 2023 (Unaudited)

	Waste Management Fund				
	Nov 23	Jul - Nov 23	Budget	\$ Under Budget	% of Budget
Ordinary Income/Expense					
Income					
440 · District Activities Revenue					
448a · Franchise Fees Gross	\$ -	\$ -	\$ 120,000	\$ (120,000)	0%
456 · Interest-District	-	734	-	734	100%
Total 440 · District Activities Revenue	-	734	120,000	(119,266)	1%
460 · Waste Removal Revenue					
461 · Waste Removal Franchise Fee	26,206	43,721	-	43,721	100%
Total 460 · Waste Removal Revenue	26,206	43,721	-	43,721	100%
Total Income	26,206	44,455	120,000	(75,545)	37%
Gross Profit	26,206	44,455	120,000	(75,545)	37%
Expense					
750 · Waste Management Expenses					
751 · Waste Removal Franchise Fee Exp	13,318	20,824	51,400	(30,576)	41%
752 · Waste Management Program Admin	-	-	68,490	(68,490)	0%
753 · Other Waste Management Exp	6,225	8,354	3,040	5,314	275%
Total 750 · Waste Management Expenses	19,543	29,178	122,930	(93,752)	24%
800 · District Expenses					
870 · County Expenditures	-	3	-	3	100%
Total 800 · District Expenses	-	3	-	3	100%
Total Expense	19,543	29,181	122,930	(93,749)	24%
Net Ordinary Income	6,663	15,274	(2,930)	18,204	-521%
Net Income	6,663	15,274	(2,930)	18,204	-521%

Kensington Police Protection & Community Services District
Transaction List by Date
November 15, 2023

	Type	Date	Num	Adj	Name	Memo	Account	Class	Clr	Split	Debit	Credit
Nov 15, 23	Bill Pmt -Check	11/15/2023	30317		AFLAC	M1F02 INV# 700078 October billing	101 · Five Star Checking			210 · Accounts Payable		625.26
	Bill Pmt -Check	11/15/2023	30318		AT&T CalNET 3	BAN 9391062077 Stmt 10/03/2023-1	101 · Five Star Checking			210 · Accounts Payable		924.10
	Bill Pmt -Check	11/15/2023	30319		Best Best & Krieger LLP	Professional services rendered throu	101 · Five Star Checking			210 · Accounts Payable		21,682.34
	Bill Pmt -Check	11/15/2023	30320		BIGO TIRES	INV# 005011-201875	101 · Five Star Checking			210 · Accounts Payable		1,318.62
	Bill Pmt -Check	11/15/2023	30321		Brian Lande	Reimbursement for Police Training 11	101 · Five Star Checking			210 · Accounts Payable		269.87
	Bill Pmt -Check	11/15/2023	30322		C & J Cleaning Services	October 2023	101 · Five Star Checking			210 · Accounts Payable		1,150.00
	Bill Pmt -Check	11/15/2023	30323		C. L. E. A.	November 2023 Billing	101 · Five Star Checking			210 · Accounts Payable		216.00
	Bill Pmt -Check	11/15/2023	30324		CCC Office of the Sheriff		101 · Five Star Checking			210 · Accounts Payable		8,584.00
	Bill Pmt -Check	11/15/2023	30325		CCC Police Chiefs' Association	INV# 24-W12	101 · Five Star Checking			210 · Accounts Payable		1,250.00
	Bill Pmt -Check	11/15/2023	30326		City of El Cerrito	INV# 215326 License fees for Octobe	101 · Five Star Checking			210 · Accounts Payable		5,571.00
	Bill Pmt -Check	11/15/2023	30327		City of El Cerrito Finance Department	INV 20231010-16 Fire Inspection	101 · Five Star Checking			210 · Accounts Payable		408.00
	Bill Pmt -Check	11/15/2023	30328		Crime Scene Cleaners, Inc.	Invoice 88055	101 · Five Star Checking			210 · Accounts Payable		100.00
	Bill Pmt -Check	11/15/2023	30329		CSDA	2024 Membership renewal	101 · Five Star Checking			210 · Accounts Payable		8,187.00
	Bill Pmt -Check	11/15/2023	30330		Data Ticket Inc.	Invoices from June - September 202	101 · Five Star Checking			210 · Accounts Payable		372.32
	Bill Pmt -Check	11/15/2023	30331		Delta Dental	05-0491200004	101 · Five Star Checking			210 · Accounts Payable		1,326.97
	Bill Pmt -Check	11/15/2023	30332		Department of Justice	155717	101 · Five Star Checking			210 · Accounts Payable		66.00
	Bill Pmt -Check	11/15/2023	30333		EBMUD		101 · Five Star Checking			210 · Accounts Payable		2,458.36
	Bill Pmt -Check	11/15/2023	30334		EDD	Account ID 932-0525-0	101 · Five Star Checking			210 · Accounts Payable		1,800.00
	Bill Pmt -Check	11/15/2023	30335		Eide Bailly LLP	Client # 266131	101 · Five Star Checking			210 · Accounts Payable		18,750.00
	Bill Pmt -Check	11/15/2023	30336		Fernando Herrera	Services rendered in October	101 · Five Star Checking			210 · Accounts Payable		2,775.00
	Bill Pmt -Check	11/15/2023	30337		GRAFIX SHOPPE	INV# 153666	101 · Five Star Checking			210 · Accounts Payable		578.00
	Bill Pmt -Check	11/15/2023	30338		Great America Financial Services	015-1439943-000	101 · Five Star Checking			210 · Accounts Payable		270.46
	Bill Pmt -Check	11/15/2023	30339		Greg Harman	Coverage Period December 2023	101 · Five Star Checking			210 · Accounts Payable		329.70
	Bill Pmt -Check	11/15/2023	30340		InTime Services Inc.	INV# 12307	101 · Five Star Checking			210 · Accounts Payable		13,625.00
	Bill Pmt -Check	11/15/2023	30341		Kanchana Borisuthiratana	Travel reimbursement from 10/16/23-	101 · Five Star Checking			210 · Accounts Payable		1,179.33
	Bill Pmt -Check	11/15/2023	30342		Major Alarm	150046003	101 · Five Star Checking			210 · Accounts Payable		69.00
	Bill Pmt -Check	11/15/2023	30343		Marrkel Smith	Reimbursement for Police Training or	101 · Five Star Checking			210 · Accounts Payable		966.93
	Bill Pmt -Check	11/15/2023	30344		Mobile Modular	R1031374	101 · Five Star Checking			210 · Accounts Payable		5,630.25
	Bill Pmt -Check	11/15/2023	30345		Nippon Life Insurance Company of Ai	GJ9600	101 · Five Star Checking			210 · Accounts Payable		104.00
	Bill Pmt -Check	11/15/2023	30346		PG&E		101 · Five Star Checking			210 · Accounts Payable		1,385.37
	Bill Pmt -Check	11/15/2023	30347		Principal Life Insurance	1129864-10001, for November	101 · Five Star Checking			210 · Accounts Payable		150.40
	Bill Pmt -Check	11/15/2023	30348		Public Safety Family Counseling Gro	INV# P2324-216	101 · Five Star Checking			210 · Accounts Payable		7,500.00
	Bill Pmt -Check	11/15/2023	30349		Renne Public Law Group	Legal services rendered through Sep	101 · Five Star Checking			210 · Accounts Payable		2,042.25
	Bill Pmt -Check	11/15/2023	30350		Rex Key and Security, Inc	0046899	101 · Five Star Checking			210 · Accounts Payable		1,000.00
	Bill Pmt -Check	11/15/2023	30351		Rubiconn LLC	November Billing	101 · Five Star Checking			210 · Accounts Payable		4,482.00
	Bill Pmt -Check	11/15/2023	30352		Smile Business Products, Inc.	KP01 INV# 1155414	101 · Five Star Checking			210 · Accounts Payable		154.54
	Bill Pmt -Check	11/15/2023	30353		Streamline	INV# 4E33FC18-0036	101 · Five Star Checking			210 · Accounts Payable		249.00
	Bill Pmt -Check	11/15/2023	30354		TransUnion	813540	101 · Five Star Checking			210 · Accounts Payable		75.00
	Bill Pmt -Check	11/15/2023	30355		US Bank CCard	4866 9145 5552 5747	101 · Five Star Checking			210 · Accounts Payable		6,929.92
	Bill Pmt -Check	11/15/2023	30356		USbancorp	Cust# 1783852	101 · Five Star Checking			210 · Accounts Payable		4,609.59
	Bill Pmt -Check	11/15/2023	30357		Verizon Wireless	772287401-00001	101 · Five Star Checking			210 · Accounts Payable		761.75
	Bill Pmt -Check	11/15/2023	30358		Vision Service Plan	00102808	101 · Five Star Checking			210 · Accounts Payable		258.48
	Bill Pmt -Check	11/15/2023	30359		Walnut Creek Ford	INV 112696	101 · Five Star Checking			210 · Accounts Payable		202.46
	Bill Pmt -Check	11/15/2023	30360		Wex Bank - Chevron	0496-00-526644-0	101 · Five Star Checking			210 · Accounts Payable		1,601.83
	Bill Pmt -Check	11/15/2023	30361		Wex Bank - Exxon	369-677-649-5	101 · Five Star Checking			210 · Accounts Payable		1,943.41
	Bill Pmt -Check	11/15/2023	30362		Lynelle Lewis	Mileage reimbursement from 10/12/2	101 · Five Star Checking			210 · Accounts Payable		74.67
	Bill Pmt -Check	11/15/2023	30363		Rosa Ruiz	October reimbursement	101 · Five Star Checking			210 · Accounts Payable		24.29
	Bill Pmt -Check	11/15/2023	30364		Ford Motor Credit Company LLC	Ford vehicle 2023	101 · Five Star Checking			210 · Accounts Payable		904.82
	Bill Pmt -Check	11/15/2023	30365		SSD Alarm	Account # A000093 - Alarm services	101 · Five Star Checking			210 · Accounts Payable		1,087.05
										Total Paid Amount:		136,024.34

Nov 15, 23

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
P.O. Box 942809
Sacramento, CA 94209-0001
(916) 653-3001

December 01, 2023

[LAIF Home](#)
[PMIA Average Monthly](#)
[Yields](#)

KENSINGTON POLICE PROTECTION AND
COMMUNITY SERVICES DISTRICT
TREASURER-TAX COLLECTOR
625 COURT STREET
FINANCE BUILDING, ROOM 102
MARTINEZ, CA 94553-1281

[Tran Type Definitions](#)

Account Number: 16-07-003

November 2023 Statement

Account Summary

Total Deposit:	0.00	Beginning Balance:	666,952.59
Total Withdrawal:	0.00	Ending Balance:	666,952.59



Date: December 14, 2023
To: Board of Directors
Submitted by: Isabel Safie, Best Best & Krieger
Subject: Available Pay Schedules

Recommendation

Duly approve the revised publicly available pay schedule effective July 1, 2023, and the new publicly available pay schedule effective September 8, 2023.

Background

CalPERS has instructed that the July 1, 2023 publicly available pay schedule must be updated to identify the list the pay rate for the General Manager position, and reapproved in accordance with public meeting laws, in order to avoid compliance risks. The revised document is identical to the original July 1, 2023 publicly available pay schedule except for the addition of the pay rate for the General Manager position, both hourly and monthly values, and an updated date of approval.

In addition, CalPERS communicated to our legal counsel that it was unusual that the pay rate for the General Manager position had not been adjusted since July 1, 2020 despite the fact that the pay rates for other positions had been increased since then. This omission was brought to the Board's attention in early September and legal counsel was directed to determine the appropriate adjustment for the General Manager position in light of the adjustments made to other positions. Legal counsel determined that the comparable position, in terms of level of responsibility and the complexity of the duties, is the Chief of Police position. Accordingly, the pay rate for the General Manager position has been adjusted by the same percentage increase to the Chief of Police position between July 1, 2020 and July 1, 2023. Although the increases to other positions was effective July 1, 2023, it is not possible to make the adjustment to the General Manager position earlier than September 8, 2023, when the omission was brought to the Board's attention.

Financial Impact

None. This Agenda Item only adjusts the pay rate for the General Manager position to identify the hourly rate that could be paid to an individual appointed to that position.

Publicly Available Pay Schedules

December 14, 2023

Page 2 of 2

Exhibit(s)

- Revised Publicly Available Pay Schedule effective July 1, 2023.
- Publicly Available Pay Schedule effective September 8, 2023.

KPPCSD Salary Schedule - Effective July 1, 2023

Item #07a

	Hourly Rate	Range-Annual	Full/Part Time	Positions	Benefits	Department
Position	Hourly	Full-time 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	\$95 – \$106.92/hr.	\$16,466.64 – \$18,532.76.00	PT	1		DIST
Accounting Clerk			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

Revised from Salary Schedule Approved 7/13/23
Approved by Board of Directors 12/14/2023

Alexandra Aquino-Fike, President, Board of Directors

KPPCSD Salary Schedule - Effective September 8, 2023

Item #07b

	Hourly Rate	Range-Annual	Full/Part Time	Positions	Benefits	Department
Position	Hourly	Full-time 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	\$125.40 – \$141.70/hr.	\$21,736.00 – \$24,561.33	PT	1		DIST
Accounting Clerk	\$36 – \$56/hr.	\$6,240.00 – \$9,706.67	PT	1: \$36/hr		DIST
Clerk of the Board	\$30 – \$50/hr.	\$5,200.00 – \$8,666.67	PT	1: \$46/hr		DIST
Community Center Coordinator (Parks & Rec)	\$25 – \$40/hr.	\$4,333.33 – \$6,933.33	FT	1: \$38/hr		DIST
Maintenance (General Contractor)			PT/contractor	1		DIST
Janitor (Community Center & Parks)	\$20 – \$30/hr.	\$3,466.67 – \$5,200.00	PT	1: \$25/hr		DIST

Approved by Board of Directors 11/09/2023

Approved by Board of Directors 12/14/2023

Alexandra Aquino-Fike, President, Board of Directors



Date: December 14, 2023
To: Board of Directors
From: Isabel Safie, Best Best & Krieger
Presented by: Ann Siprelle, General Counsel
Subject: Retired Annuitant Appointment Resolution and Restated Employment Agreement for Interim General Manager

Recommendation

Discussion, and ultimately, the approval of the retired annuitant appointment Resolution and restated employment agreement for the interim General Manager.

Background

The Board appointed David Aranda, a retired annuitant, as the interim General Manager, effective February 13, 2023, with an employment agreement inadvertently identifying a specific termination date rather than a termination based on an event. CalPERS' working after retirement laws only allow for a retiree to be appointed to a specific position once. Since the Board intended for Mr. Aranda to serve as the interim General Manager until such a time that regular General Manager has been appointed, and given that the District's recruitment efforts have yet to result in an interested and qualified candidate, the specific termination date specified in the employment agreement is inconsistent with the Board's intent.

After consultation with CalPERS, and in light of the Board's intention on the duration of Mr. Aranda's appointment, the District's legal counsel has prepared a resolution clarifying the Board's intention and ratifying the prior appointment of Mr. Aranda in compliance with the CalPERS' working after retirement rules. In addition, legal counsel has prepared a restated and amended agreement for interim General Manager services that reflects a termination date that is consistent with the Board's intention and removes any provisions in the original agreement that are inconsistent with the working after retirement rules. In addition, the agreement adjusts the hourly rate for Mr. Aranda to \$142.20 consistent with the adjustment to the pay rate to the General Manager position to align with the increases provided to other District positions as of July 1, 2023. However, the effective date for Mr. Aranda cannot date back to July 1, 2023. Rather, it will only date back to September 8, 2023 when it was brought to the Board's attention that the pay rate for the General Manager position had not been adjusted consistent with the adjustment to other positions.

While the new hourly rate represents a substantial increase, this is parity adjustment commensurate with the rate of increase provided to other District staff. The increased hourly rate will also improve the District's chances of finding a candidate to take over the General Manager role on a regular basis.

Fiscal Impact

The additional pay that will be provided to Mr. Aranda as a result of the increased pay rate of \$142.20 as of 9/8/23 will be a maximum of \$31,000 for this fiscal year. On a prospective basis, for every hour worked by Mr. Aranda, the District will pay an additional \$37.20. However, as a CalPERS retired annuitant, Mr. Aranda's hours are limited.

Exhibits

1. Resolution No. 2023-21 clarifying the action to appoint David Aranda as interim General Manager (Agenda #8)

RESOLUTION NO. 2023-21

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT TO CLARIFY THE FEBRUARY 9, 2023
ACTION TO APPOINT DAVID ARANDA AS INTERIM
GENERAL MANAGER**

WHEREAS, on February 9, 2023, the Board of Directors (“Board”) of the Kensington Police Protection and Community Services District (“District”) approved, pursuant to minute order, the interim appointment of David Aranda as interim General Manager effective February 13, 2023, pending the recruitment of a regular General Manager; and

WHEREAS, the action included the approval of a draft employment agreement, which included several items that, unbeknownst to the Board, staff, or Mr. Aranda, did not conform to the applicable working after retirement laws pursuant to Government Code sections 7522.56 and 21221(h); and

WHEREAS, the Board and David Aranda wish to amend and restate the employment agreement to eliminate the items that do not conform to Government Code sections 7522.56 and 21221(h); and

WHEREAS, although the intention of the Board was for the appointment to last until the District was able successfully recruit a regular General Manager in order to maintain stability in District operations, the draft employment agreement included a termination date of December 31, 2023 which is inconsistent with the intention of the Board; and

WHEREAS, a duration of the interim appointment tied to the successful recruitment and employment of a regular General Manager, rather than to a specific date, is critical as it ensures the continuity in leadership even if the recruitment process takes longer than anticipated; and

WHEREAS, the foregoing flexibility is critical to the District because of the challenges that it has experienced in maintaining continuity in the General Manager position given that the position is not a CalPERS-eligible position and requires less than full-time work schedule; and

WHEREAS, amending and restating the employment agreement to reflect the intention of the Board on the duration of Mr. Aranda’s appointment will give the District time to explore any necessary adjustments to its recruitment for the General Manager position to improve the likelihood of finding a suitable candidate or to pursue other options that will eliminate the ongoing challenges with filling the General Manager position on a regular basis; and

WHEREAS, the Board wishes to ratify its February 9, 2023 action to appoint David Aranda as interim General Manager effective February 13, 2023, but restate and amend the employment agreement as set forth above; and

WHEREAS, Government Code sections 7522.56 and 21221(h) permit the District to appoint a California Public Employees' Retirement System ("CalPERS") retired annuitant to a vacant position requiring specialized skills during recruitment for a regular appointment, and provides that such appointment will not subject the retired person to reinstatement from retirement or loss of benefits so long as it is a single appointment that does not exceed 960 hours in a fiscal year; and

WHEREAS, the Board of Directors appointed David Aranda, a CalPERS retiree, as interim General Manager effective February 13, 2023 at its regular meeting on February 9, 2023; and

WHEREAS, David Aranda has significant experience in managing, directing and overseeing the operation of a special district given his prior experience as the general manager of a number of special districts both before and after his retirement; and

WHEREAS, an appointment under Government Code section 21221(h) requires an active, publicly posted recruitment for a regular replacement; and

WHEREAS, the recruitment for a regular appointment, notice of which is posted at www.kppcsd.org, is active; and

WHEREAS, given the challenges in the recruitment process to date, the District will be pursuing other efforts to address the challenges it has experienced in the continuity in the General Manager position; and

WHEREAS, this section 21221(h) appointment shall only be made once and, therefore, will end on the date immediately preceding the date on which the regular replacement for the vacant position of General Manager commences his or her employment or, if earlier, the date that this appointment is terminated by the District or David Aranda; and

WHEREAS, it is understood by the District and David Aranda that the combined total hours to be worked by David Aranda in any fiscal year, for all retired annuitant positions with any CalPERS employers, shall not exceed the 960-hour limitation set forth in Government Code sections 7522.56(d) and 21221(h), unless an exception applies; and

WHEREAS, the compensation paid to retired annuitants cannot be less than the minimum nor exceed the maximum hourly rate paid to other employees performing comparable duties; and

WHEREAS, the hourly rate for the General Manager position in effect on February 13, 2023 is \$105; and

WHEREAS, effective September 8, 2023, the minimum hourly rate for the General Manager position was increased to \$125.40 and a maximum hourly rate for this position of \$142.20 was added to align to both the prior increases, on a percentage basis, to the hourly rate

for the Chief of Police position and the use of a range for the hourly rate rather than a single value for the same position; and

WHEREAS, the hourly rate paid to David Aranda as of February 13, 2023 is \$105, and as of September 8, 2023 is \$142.20, subject to any cost of living adjustments as reflected in any publicly approved pay schedule; and

WHEREAS, although the reimbursements provided to David Aranda to offset the costs of traveling to and from his out of state residence to the District were deemed both reasonable and in the District's interest given the significant value of having someone with Mr. Aranda's experience and skillset serve as the interim General Manager in light of the challenges experienced by the District, it was recently brought to the District's attention that such reimbursements are not permitted by Government Code section 21221(h); and

WHEREAS, David Aranda has agreed to repay all such reimbursements to the District; and

WHEREAS, David Aranda will not receive benefits, incentives, compensation in lieu of benefit or any other form of compensation in addition to the hourly pay rate.

NOW THEREFORE, THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT RESOLVES AS FOLLOWS:

SECTION 1. The Recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. The Board of Directors hereby ratifies the February 9, 2023 action taken by minute order to appoint David Aranda as interim General Manager pending the recruitment for a regular appointment to the General Manager position.

SECTION 3. The Board of Directors hereby rescinds the unintended December 31, 2023 termination of David Aranda's appointment and clarifies that its intent was, and is, for the appointment to continue pending the recruitment for, and commencement of the employment of, the regular General Manager.

SECTION 4. The Board of Directors hereby approves the amended and restated employment agreement between the District and David Aranda.

SECTION 5. The Board Chair is hereby authorized to execute the amended and restated employment agreement between the District and David Aranda on behalf of the District.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director _____, seconded by Director _____, on Thursday, the 14th day of December, 2023, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Fike
President, Board of Directors

HEREBY CERTIFY the foregoing resolution 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 14th day of December, 2023.

Lynelle M. Lewis
Clerk of the Board

David Aranda
Interim General Manger



Date: December 14, 2023
To: Board of Directors
From: Isabel Safie, Best Best & Krieger
Presented by: Ann Siprelle, General Counsel
Subject: Retired Annuitant Appointment Resolution and Restated Employment Agreement for Interim General Manager

Recommendation

Discussion, and ultimately, the approval of the retired annuitant appointment Resolution and restated employment agreement for the interim General Manager.

Background

The Board appointed David Aranda, a retired annuitant, as the interim General Manager, effective February 13, 2023, with an employment agreement inadvertently identifying a specific termination date rather than a termination based on an event. CalPERS' working after retirement laws only allow for a retiree to be appointed to a specific position once. Since the Board intended for Mr. Aranda to serve as the interim General Manager until such a time that regular General Manager has been appointed, and given that the District's recruitment efforts have yet to result in an interested and qualified candidate, the specific termination date specified in the employment agreement is inconsistent with the Board's intent.

After consultation with CalPERS, and in light of the Board's intention on the duration of Mr. Aranda's appointment, the District's legal counsel has prepared a resolution clarifying the Board's intention and ratifying the prior appointment of Mr. Aranda in compliance with the CalPERS' working after retirement rules. In addition, legal counsel has prepared a restated and amended agreement for interim General Manager services that reflects a termination date that is consistent with the Board's intention and removes any provisions in the original agreement that are inconsistent with the working after retirement rules. In addition, the agreement adjusts the hourly rate for Mr. Aranda to \$142.20 consistent with the adjustment to the pay rate to the General Manager position to align with the increases provided to other District positions as of July 1, 2023. However, the effective date for Mr. Aranda cannot date back to July 1, 2023. Rather, it will only date back to September 8, 2023 when it was brought to the Board's attention that the pay rate for the General Manager position had not been adjusted consistent with the adjustment to other positions.

While the new hourly rate represents a substantial increase, this is parity adjustment commensurate with the rate of increase provided to other District staff. The increased hourly rate will also improve the District's chances of finding a candidate to take over the General Manager role on a regular basis.

Fiscal Impact

The additional pay that will be provided to Mr. Aranda as a result of the increased pay rate of \$142.20 as of 9/8/23 will be a maximum of \$31,000 for this fiscal year. On a prospective basis, for every hour worked by Mr. Aranda, the District will pay an additional \$37.20. However, as a CalPERS retired annuitant, Mr. Aranda's hours are limited.

Exhibits

1. Interim General Manager Amended and Restated Employment Agreement

**INTERIM GENERAL MANAGER
AMENDED AND RESTATED EMPLOYMENT AGREEMENT**

This AMENDED AND RESTATED AGREEMENT is between the KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT, a special district (hereinafter referred to as “District”), and DAVID ARANDA, an individual (hereinafter referred to as “Manager”).

RECITALS

WHEREAS, the District Board of Directors appointed Manager as Interim General Manager effective February 13, 2023, at its regular meeting on February 9, 2023, pursuant to Government Code sections 7522.56 and 21221(h).

WHEREAS, an employment agreement between the District and Manager was entered into effective February 13, 2023 (“Agreement”).

WHEREAS, the Board of Directors now wishes to amend and restate the Agreement (“Restated Agreement”) to comply with Government Code sections 7522.56 and 21221(h) and to clarify the intended duration of the appointment.

AGREEMENT

1. Employment:

Under this Restated Agreement, the District offers, and Manager accepts, at-will employment as Interim General Manager of the District. Manager acknowledges that he serves at the pleasure of the Board of Directors, and may be dismissed at any time without cause, subject to the provisions of section 6 of this Restated Agreement.

The parties acknowledge that this is a temporary position, intended to provide for District management while the District recruits for a permanent General Manager.

2. Duties:

Manager shall perform those duties and have those responsibilities that are commonly assigned to a general manager of a special district in California, and as may be further set forth in

California Government Code Sections 61050 and 61051 and the Policies set forth in the District's Policy and Procedures Manual . Manager shall perform such other legally permissible and proper duties and functions consistent with the office of General Manager, as the Board of Directors shall from time to time assign. The parties anticipate that Manager will devote approximately 20-25 hours per week performing the duties of the General Manager for the District. Unless previously arranged with the Board President, Manager will spend no less than two days per week in the District offices. Except as provided herein, Manager may otherwise perform his duties remotely.

3. Devotion to District Business:

Manager shall not engage in any business, educational, professional, charitable, or other activities that would conflict or materially interfere with performance of his General Manager duties, except as may be specifically authorized by the Board of Directors.

4. General Manager Authority:

A. Except for the purpose of inquiry, the Board of Directors and its members shall deal with all subordinate District employees (including, without limitation, the Chief of Police), officers, contractors, and consultants solely through the Manager or the Manager's designee, and neither the Board of Directors nor any member thereof shall give direction to any subordinate of the Manager, either publicly or privately. For purposes of this section, legal counsel is not subordinate to the Manager.

B. No member of the Board of Directors will order the appointment or removal of any person to any office or employment under the supervision and control of the Manager, provided that, nothing herein shall limit the Board's appellate responsibilities.

C. Neither the Board of Directors nor any of its members shall interfere with the execution of the powers and duties of the Manager, as specified in the District Policies No. 1015 and 3000 and this Restated Agreement, or any other lawfully adopted and authorized document.

5. Term:

The Manager's appointment as interim General Manager shall be effective on February 13, 2023 ("Effective Date"). This appointment shall end as of the first of the following to occur: (i)

upon the employment commencement date of a permanent General Manager employed by District; or (ii) upon termination of this Restated Agreement by either Manager or District as provided in Section 6 of this Restated Agreement. Employment is temporary, at-will and may be terminated with or without cause and with or without notice at any time by the Manager or the District. Manager is not eligible for any severance payment or benefit relating to or arising out of the termination of this Restated Agreement. The parties may amend this Restated Agreement in writing pursuant to Section 16.

6. Termination of Employment and this Restated Agreement:

A. If District terminates this Restated Agreement (thereby terminating Manager's employment), by action of the affirmative votes of a majority of the members of the Board of Directors, Manager shall not be entitled to any additional compensation or payment but shall be entitled only for hours worked but unpaid ("Accrued Pay").

B. If the Manager dies during his appointment as interim General Manager, Manager's estate shall receive the Accrued Pay, but shall not be entitled to any additional compensation or payment.

C. In the event Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, or mental incapacity for a period of three consecutive months, the District may terminate Manager's employment and this Restated Agreement consistent with state law.

D. Manager may resign from his employment at any time, upon giving thirty (30) days written notice to the Board of Directors.

7. Compensation, Place of Work and Annual Evaluation:

A. Manager shall be compensated at the rate of One Hundred-Five Dollars (\$105) per hour of work performed. Said amount shall be payable in the same manner as other employees of the District are paid. Effective September 8, 2023, and consistent with the District's publicly available pay schedule effective on such date, Manager shall be compensated at the rate of One Hundred Forty-Two Dollars and Twenty Cents (\$142.20) per hour of work performed. The

Manager will telecommute to the extent it does not interfere with his performance in the organization and community. He will provide regular reporting on hours worked to ensure compliance with budget parameters.

B. Within 30 days of commencing employment with the District, Manager will submit goals and objectives for his tenure for approval by the Board of Directors.

C. Manager is a retired annuitant under the California Public Employees Retirement System and subject to the Public Employees' Pension Reform Act (PEPRA) and the Public Employees' Retirement Law (PERL). Manager shall be responsible for regulating his work for District so as to comply with the aforesaid statutes and any implementing regulations.

8. Other Benefits:

Other than the compensation described above in Section 7, Manager will receive no other benefits, incentives, compensation in lieu of benefits, or any other form of compensation. Manager understands and agrees that he is not, and will not be, eligible to receive any benefits from the District, including any District group plan for hospital, surgical, or medical insurance, any District retirement program, or any paid holidays, vacation, sick leave, or other leave, with or without pay, or any other job benefits available to an employee in the regular service of the District, except as required by state or federal law.

9. Business and Professional Expenses:

A. District recognizes that Manager may incur expenses of a non-personal, job-related nature that are reasonably necessary to Manager's service to District. District agrees to either pay such expenses in advance or to reimburse the expenses, so long as the expenses are incurred and submitted according to District's normal expense reimbursement procedures or such other procedure as may be designated by the Board of Directors. To be eligible for reimbursement, all expenses must be supported by documentation meeting District's normal requirements and must be submitted within time limits established by District.

B. District agrees to pay Manager's travel and subsistence expenses for official travel, meetings, and occasions for Manager's reasonable participation in necessary official and other

functions for the District; including, but not limited to, regional, state, and local conferences, and governmental groups and committees on which Manager serves as a member. Notwithstanding the above, the number and allowable cost of conferences or meetings District will pay for each year, shall be at the discretion of the Board of Directors as set forth in the District's budget.

10. Communications Upon Manager's Separation:

In the event the District terminates the Manager for any reason or no reason, the District and the Manager agree that, other than dates of hire, notice and separation, no member of the Board of Directors, the District Management staff, nor the Manager, shall make any written, oral or electronic statement to any member of the public, the press, or any District employee concerning the Manager's termination except in the form of a joint press release or statement, the content of which is mutually agreeable to the District and the Manager. The joint press release or statement shall not contain any text or information that is disparaging to either party. Either party may verbally repeat the substance of the joint press release or statement in response to any inquiry.

11. Indemnification:

Consistent with the California Government Code, District shall defend, hold harmless, and indemnify Manager using legal counsel of District's choosing, against expense or legal liability for acts or omissions by Manager occurring within the course and scope of Manager's employment under this Restated Agreement. Legal representation, provided by District for Manager, shall extend until a final determination of the issues including any and all losses, damages, judgments, interest, settlements, fines, court costs, and the reasonable costs and expenses of legal proceedings, including appeals, and including attorneys' fees, and expert witness fees and all other trial and appellate costs, and other liabilities incurred, imposed upon, or suffered by Manager in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened.

12. Notices:

Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery, mail, or email. Mailed notices shall be addressed to the parties as set forth below, but each party may change their address by written notice given in accordance with this Section. Notices delivered personally or by email will be deemed communicated as of actual

receipt. Mailed notices will be deemed communicated and received as of three (3) calendar days following the date of mailing.

DISTRICT: Kensington Police Protection and Community Services District
Attention: President of the Board
217 Arlington Avenue
Kensington, CA 94707

MANAGER: David A. Aranda
[Address on File]

13. Conflict District Policies and Practices:

The District's personnel ordinances, resolutions, rules and policies shall apply to Manager in the same manner as applied to other management employees, provided, however, in the event of a conflict between the provisions of this Restated Agreement and the District policies and procedures, this Restated Agreement shall prevail over District policies and procedures.

14. Entire Agreement:

This Restated Agreement represents the entire agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to the employment of Manager by District, and contains all of the covenants and agreements between the parties with respect to that employment. Each party to this Restated Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by either party, or by anyone acting on behalf of either party, which are not embodied herein, and that no other employment agreement, statement, or promise not contained in this Restated Agreement shall be valid or binding upon either party.

15. Modifications:

Any modifications to this Restated Agreement shall be effective only if in writing and signed by both of the parties hereto.

16. Effect of Waiver:

The failure of either party to insist upon strict compliance with any of the terms, covenants, or conditions of this Restated Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other times.

17. Partial Invalidity:

If any provision of this Restated Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

18. Governing Law:

This Restated Agreement shall be governed by and construed in accordance with the laws of the State of California.

MANAGER:

Dated: _____

DAVID ARANDA

DISTRICT:

Dated: _____

ALEXANDRA AQUINO-FIKE,
Board President



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Receive and File the SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax for Fiscal Year 2023

Recommendation

Motion to Receive and File the SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax which shows compliance for Fiscal Year 2023.

Background

The voters in Kensington approved a supplemental tax specifically to assist with funding the Kensington Police Department. The money received from the property owners each year must be specifically applied to the Police Department.

Senate Bill 165 requires that the Board acknowledge that monies received for a specific fiscal year balance with monies spent for the same specific year and that the purpose of the special tax was properly applied.

As noted on the attached report the district received \$635,710.02 from the property owners of Kensington for the supplemental police tax and for the “purpose of obtaining, operating, maintaining and expanding police protection service, facilities and equipment, salaries and benefits to police personnel and for other necessary police protection service expenses of the district.” For fiscal year 2023 the District exceeded that dollar amount in supporting police operations so all money received from the property owners for this specific police tax were expended in fiscal year 2023.

Exhibits

- SB165 Local Agency Special Tax and Bond Accountability Act – KPPCSD Fiscal Year 2023/24 Final Levy Listing Report

SB 165: LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT

Senate Bill 165, filed with the Secretary of State on September 19, 2000, enacted the Local Agency Special Tax and Bond Accountability Act (the "Act"). This Act requires that any local special tax or local bond measure subject to voter approval contain a statement indicating the specific purposes of the special tax, require that the proceeds of the special tax be applied to those purposes, require the creation of an account into which the proceeds shall be deposited, and require an annual report containing specified information concerning the use of the proceeds. The Act only applies to any local special tax measure or local bond measure adopted on or after January 1, 2001 in accordance with Section 50075.1 or Section 53410 of the California Government Code.

Some of the requirements of the Act are handled at the formation of the Special Tax District and others are handled through annual reports. This Section of this report intends to comply with Section 50075.3 or Section 53411 of the California Government Code that states:

"The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 50075.1 or Section 53410."

The requirements of the Act apply to:

Kensington Police Protection and Community Services District Supplemental Police Tax

PURPOSE OF SPECIAL TAX

The purpose of the Supplemental Police Tax revenue is for obtaining, operating, maintaining and expanding police protection service, facilities and equipment, salaries and benefits to police personnel, and for other necessary police protection service expenses of the District.

COLLECTIONS & EXPENDITURES – (CUMULATIVE)

Fund	Total Amount Collected	06/30/2023 Balance	Amount Expended	Service Status
Supplemental Police Tax Fund	\$635,710.02	\$0.00	\$635,710.02	Ongoing



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Approve Entering Into a Consulting Agreement with R3Consulting Group to Spend \$15,000 for a Solid Waste Financial Study

Recommendation

Approve entering into a consulting agreement with R3Consulting Group for a solid waste study at a cost of \$15,000.

Background

First, please note the attached solid waste rates from various entities in the region around Kensington. This was requested by some residents and the information is more appropriately placed in this agenda item rather than the CPI agenda/public hearing item.

Second, a recent review of by legal counsel on solid waste rates and franchise fees produced a recommendation for an outside consulting firm to properly determine costs associated with the District as opposed to revenue received by Franchise Fees. The District currently receives 7% of the gross sales from Bay View and keeps 4% and sends the County 3%.

I had a conversation with representatives from the County and they are NOT interested in joining us in this study.

Fiscal Impact

This is an unbudgeted request which would have an impact on the solid waste departments funding.

Exhibits

- Proposal from R3 Consulting Group
- 2023/2024 Comparison of Refuse, Recycling and Organics Rates and Services with Albany, El Cerrito, Berkeley and Piedmont.
- Copy of City of Berkeley's 5-year rate schedule effective July 1, 2023.

November 27, 2023

Mr. David Aranda
General Manager
Kensington Police Protection
and Community Services District
submitted via email: DAranda@kppcsd.org

Mr. Lutfi Kharuf
Partner
BBK Law
lutfi.kharuf@bbklaw.com

SUBJECT: Solid Waste Franchise Fee Study – R3 Proposal

Dear Mr. Aranda,

R3 Consulting Group, Inc. (R3) is pleased to submit the attached proposal to the Kensington Police Protection and Community Services District (District) to provide a Solid Waste Franchise Fee Study (Study).

R3 is a statewide leader in analyzing solid waste franchise fees and we are excellently positioned to provide well-informed and cost-effective analysis to the District. Our team members are experts in the underlying solid waste management operations necessary for such analysis, and we have provided solid waste rate, revenue and fee studies to local governments throughout the state for over 20 years.

Study Approach

Upon acceptance of this proposal, R3 will provide the District with:

1. Cost-Recovery Analysis

R3 will research, analyze and estimate the value of the District's solid waste management, administration, oversight, compliance and other expenditures that may be eligible for recovery from solid waste rates via franchise fees.

The analysis will rely on financial information provided by the District, including but not limited to internal cost-allocation information, salary and benefit information for positions having responsibility for solid waste management and compliance matters, street sweeping, storm-drain and/or catch basin waste removal, compliance activities, and other associated information that may identified by the District or R3.

The outcome of the analysis will be a set of total annual costs for solid waste management, administration, oversight, compliance and other activities. This total will represent the fee amount available to offset documentable District expenditures.

2. Vehicle Impact Analysis

R3 will research, analyze and estimate the value of the impact that solid waste collection vehicles operated by the District's contracted solid waste service provider(s) have on the District's streets.

The analysis will be based on the value of the District's streets, wear and tear to them, and the estimated proportionate impact from solid waste collection vehicles. Information used in this analysis may include but is not limited to the number of street miles by type, vehicle trips on streets by vehicle type, pavement management plans, and other associated information provided by the District.

The outcome of this analysis will be a total annual proportionate allocation of maintenance needs attributable to solid waste collection vehicles. The resultant total will represent the fee amount available to offset vehicle impacts to streets.

3. Property Value Analysis

R3 will research, analyze, and estimate the value of the District-government property rights conveyed to the District's contracted solid waste provider(s) that may be eligible for recovery via franchise fees.

The analysis will be based on the estimated amounts of time that solid waste containers are placed in the public right-of-way for collection as well reasonable estimates of the rental value for that unique use of the public right-of-way. This analysis may also include other significant uses of government property that may be identified by the District and R3.

The outcome of this analysis will be an estimated annual figure for the rental value associated with the use of District government property and will represent the fee amount available to compensate the District for the use of public property.

4. Fee Analysis

R3 will research, analyze and summarize current fee revenues paid to District by contracted solid waste providers and will compare those values to the sum of the cost-recovery and property value fee estimates per the above. Differences between current franchise fee revenues, fees collected through other mechanisms (e.g., AB 939 or SB 1383 fees) and those resulting from our analysis will be identified and quantified. R3 makes no guarantee that the analytical results will support existing District fee revenue generation.

5. Findings

R3 will provide the District (through its legal counsel) with a written memorandum of findings regarding the results of our analysis and comparison to current fee revenues. We will work with District legal counsel to revise and finalize the memorandum for District consideration. One round of revisions in response to comments is included in our pricing.

6. Meetings

R3 will periodically meet with District representatives throughout the engagement. This will include an initial kick-off meeting, limited check-in meetings, and a meeting to review draft results. Public meetings are not included in the base pricing, but our team can be available, on an hourly basis, to attend public meetings if necessary. All meetings will be conducted virtually.

Study Timeline & Fee

R3 anticipates completing the Study within 90 to 150 days of proposal acceptance, reliant on timing of proposal acceptance and the District's timely and thorough provision of information needed for completion. R3 proposes to complete the Study for a fee of **\$15,000**. An engagement and start-up fee of \$5,000 is due within 30 days of executed contract/purchase order, and \$10,000 is due within 30 days of Study completion. For cost-effective service delivery, R3's pricing proposal is fixed. Any additional consulting services beyond those proposed will be charged at our standard hourly billing rates, shown in **Table 1**, on the following page.

Table 1: Standard Hourly Billing Rates

CLASSIFICATION	HOURLY RATE
Principal	\$ 285 per hour
Sr. Director	\$ 285 per hour
Director	\$ 240 per hour
Sr. Managing Consultant	\$ 220 per hour
Managing Consultant	\$ 200 per hour
Sr. Consultant	\$ 190 per hour
Consultant	\$ 170 per hour
Associate Consultant	\$ 155 per hour
Expert Witness	1.5x Rates Listed Above
REIMBURSABLE COSTS	
Consultants/Subcontractors	Cost plus 10%
Lodging and meals	Direct cost
Travel - <i>Private or company car</i>	At Current Federal Rate
Travel - <i>Other</i>	Direct cost
Delivery and other expenses	Direct cost

About R3

Incorporated in 2002, R3 is an “S” Corporation and a California Certified Small Business with offices in Roseville and Oakland. With decades of solid waste consulting experience and knowledge, our seasoned, professional team members have backgrounds in the public and private sectors, engineering, resource management, environmental science, and urban planning. We have conducted hundreds of solid waste management consulting projects for clients throughout California, and we aim to always complete work in a cost-effective manner while achieving our clients’ goals and objectives.

With R3, our clients always receive:

- » **Unbiased, conflict-free project management and objective, fair treatment.**
 - We have no entanglements with local districts or waste haulers, no hidden agendas, and no pre-ordained vendors. This translates to a high repeat customer rate and solid, respectful relationships with cities and haulers.
 - Extensive experience managing projects with multiple stakeholders, which includes planning realistic goals, schedules, and budgets, effectively communicating with all key players, working collaboratively to achieve objectives and stay responsive, and streamlining processes.
- » **Data-driven solutions and clear deliverables.**
 - Best-approach, honest recommendations to meet the District’s needs, derived from decades of solid waste consulting experience and analysis of client data.
 - Focused on improving safety & customer service, increasing productivity, and reducing costs.
- » **Comprehensive, up-to-the-minute understanding of industry regulations.**
 - Principals and key staff have superior knowledge base from over decades of hands-on industry and legislative compliance experience. This foundational knowledge is supplemented by active, weekly participation and engagement with industry groups, regulators, and state policymakers.

Project Team

Oversight and Quality Assurance

R3's solid waste franchise fee studies are overseen by R3's seasoned solid waste consultants Garth Schultz, Scott Hanin, and William Schoen, each of whom have over 20 years of experience in the solid waste field. Garth is R3's President and has been the lead analyst on R3's prior solid waste franchise fee studies. He also brings experience in both the public and private solid waste sectors.

Scott, Principal, is a former District manager and former solid waste joint powers' authority executive director. In his prior roles, Scott conducted numerous fee studies, of all varieties and types. William, Sr. Director, is R3's most senior financial analyst and has completed rate and fee studies for dozens of public agencies statewide.

Client Engagement and Analysis

The District's client contact and Project Lead for this engagement will be **Garth Schultz**. Garth is the primary consultant to the District and will be responsible for engaging with the District to gather necessary information for completion of the Study, arrange associated meetings, and communicate results.

Garth will work with the support and direction of **Scott Hanin**, who will provide analytical oversight and quality control and assurance. The team will be supported by other qualified R3 staff, as necessary, for timely and successful completion. Brief biographies of our staff are currently available on our website, and relevant team resumes can be made available upon request.

* * * * *

We appreciate the opportunity to submit this proposal to the District. If you have questions regarding our proposal or need additional information, please reach out directly.

Sincerely,



Garth Schultz | *President*
R3 Consulting Group, Inc.
510.292.0853 | gschultz@r3cgi.com

Comparison of Refuse, Recycling and Organics Rates and Services

2023/2024 Rate Comparison with Albany, El Cerrito, Berkeley and Piedmont

	Kensington	Albany	El Cerrito	Berkeley	Piedmont
	Bay View Refuse/Rec	Waste Mgmt	East Bay Sanitary/El Cerrito Recycling	City of Berkeley	Republic Svcs
Residential Svc Levels	1/1/2024	5/1/2023	Proposed 1/1/2024	7/1/2024	7/1/2023
20-gal curbside	\$55.78	\$44.59	\$49.89	\$39.30	\$94.76
20-gal backyard		\$62.66			\$145.00
32-gal curbside	\$59.78	\$49.93	\$65.31(35-gal)	\$55.66	\$100.41
32-gal backyard		\$68.00			\$150.65
64-gal curbside	\$119.56	\$86.30	\$129.67	\$81.60	\$138.33
64-gal backyard		\$104.37			N/A
Unlimited Organics and Yard Waste	Yes	No	No	No-prepaid bags, 10 max per week	Yes
Additional Organics Cart Charge	No	64-gal or 96-gal \$8.85 per month	35-gal \$31.08 64-gal \$61.73	\$3.00 per prepaid bag	No
Commercial Svc Levels					
32-gal	\$61.93	\$42.22	\$68.17(35-gal)	\$39.28	\$100.88
64-gal	\$123.86	\$84.44	\$135.41	\$78.51	\$138.80
95-gal	\$185.79	\$126.66	N/A	\$117.72	\$155.38
1-cubic yd/1x week	\$284.91	\$198.92	\$421.07	\$160.76	\$256.59
2-cubic yd/1x week	\$569.82	\$397.84	\$842.01	\$321.56	\$513.25
Organic Service included in rate	Yes	No	Yes (1-64 gal)	No	yes

Kensington residential rates cover weekly backyard pickup for garbage and curbside for recyclables and organics. Additional blue and green bins are provided upon request. Additional organic material (yard waste) may be placed out in cans, paper lawn bags or small tarps after the initial green bin is filled. One general cleanup. No distance fees. Commercial rates cover collection of garbage, recycling and organics.

Albany's residential rates cover weekly garbage, recycling and organic weekly collection. Albany provides optional backyard services, \$18.07 extra per month. Additional organics cart (64 or 96 gal) \$8.85 extra per month. 20% Senior discount for all residential services.

Commercial rates include garbage and recycling service. Commercial organics service is provided at 50% of the regular trash rate. Commercial Organics rates are determined by the type of service, i.e., rolling carts, cubic yard bins or compactor service.

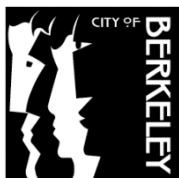
El Cerrito rates cover weekly curbside collection of garbage, recycling and organics. Backyard service is offered for elderly/disabled only. Additional recycling (blue) carts are available at no charge. 1–64-gal organics cart provided. Additional organics carts are charged, 35 gal \$31.08: 64 gal/\$61.73 per month. One free by-request trash or green pick-up a year (equal to 11 cans/bags).

The City of Berkeley residential rates cover weekly curbside collection of garbage, recycling and organics. Charges are billed through the property owner's yearly taxes. City provides customers with one yearly free bulky pick-up equal to 20 bags. Additional charges are billed for distance and stairs. Residents in certain hillside fire zones pay an additional surcharge on their monthly rate to cover the cost of the fire fuel chipping and debris bin service, cost ranges from \$.77 to \$5.41 per month. For smaller amounts of debris, residents can place vegetation in their regular weekly compost bin or purchase [pre-paid paper plant-debris bags](#) (with a City of Berkeley logo) from Ace Hardware at 2020 Milvia Street, or the [Berkeley Transfer Station](#) at 1201 Second Street. These paper bags will be picked up year-round during the regular weekly service with a maximum of 10 bags per week.

Commercial rates cover garbage and recycling collection. Organic carts (20-gal, 32-gal, 64-gal or 96-gal) or 1-cubic to 6-cubic yard bins and charged at 80% of the garbage rates; i.e. 1-32 gal organics cart/1x week is \$39.28 per month; 1-1 cubic yard organics service/1x week is \$160.76 per month.

The City of Berkeley proposed a five-year rate schedule and held a proposition 218 hearing held on June 27, 2023. Current rates were effective July 1, 2023, and will increase yearly per schedule through July 1, 2027.

Piedmont's residential rates cover weekly curbside or backyard collection of garbage and curbside collection of recycling and organics. Organics (yard waste) are unlimited if using bio bags, paper lawn bags or tied. Recycling is unlimited and customers may request an additional blue cart, or, on occasional occurrence, material can be bagged and placed within 3 feet of the curb. Advance notice is required for additional yard waste and recycling. Single-family customers may request up to a maximum of twelve (12) cubic yards per year, up to two (2) clean-ups, up to six (6) cubic yards per clean-up. Commercial rates cover garbage and recycling collection. Organic bin monthly charge rates (35-gal, 64-gal or 95-gal) are \$9.08 per container, per number of pick-ups per week.



PUBLIC NOTICE OF PROPOSED FIVE-YEAR RATE SCHEDULE FOR CITY OF BERKELEY'S ZERO WASTE SERVICES

THIS NOTICE PROVIDES IMPORTANT INFORMATION ABOUT A PROPOSED INCREASE IN REFUSE/RECYCLING FEES AND MAJORITY PROTEST PROCESS

THE NEED FOR ADJUSTMENTS IN ZERO WASTE'S FIVE-YEAR RATE SCHEDULE

This notice concerns the City of Berkeley's proposal to increase the rates it charges for both residential and commercial Zero Waste services, including garbage collection, transfer & disposal, recyclables collection and processing, and organics collection and composting. The proposed rates for the five-year rate schedule would fund all costs to deliver these services, including operational, maintenance, financial, and capital expenditures. The costs include annual increases for landfill disposal expenses; labor; vehicle fuel, maintenance, and replacement; composting and recycling expenses; maintenance of the closed landfill; and environmental and design phases of the Transfer Station's Replacement Project. These rates have not been adjusted since July 2020. The proposed rates are calculated based upon the cost to provide Zero Waste services to each customer based upon each customer's volume and frequency of collection.

The proposed five-year rate schedule ensures sustainable and stable funding of the Zero Waste Fund to support the City's strategic plan goals to provide state-of-the-art, well-maintained infrastructure, amenities, and facilities; be a global leader in addressing climate change, advancing environmental justice, and protecting the environment; and provide excellent, timely, easily-accessible service and information to the community.

PUBLIC NOTICE AND MAJORITY PROTEST PROCESS

You are being provided with this notice as the identified owner of real property in the City of Berkeley subject to these rates. Property owners or tenants of the property have a right to submit a written protest to the proposed rate change.

WHEN WILL THE CITY COUNCIL CONSIDER THE FIVE-YEAR RATE SCHEDULE?

The City Council will consider the adoption of the proposed fees at a Public Hearing on Tuesday, June 27, 2023, 6:00 p.m., Berkeley Unified School District Board Room, 1231 Addison Street, Berkeley, CA 94702.

WHEN WOULD THE NEW FIVE-YEAR RATE SCHEDULE BE EFFECTIVE?

If a majority of the affected property owners submit protests, the proposed rate changes will not be imposed. If there is not a majority protest, City Council can adopt the rates and they would become effective on July 1, 2023 and each July 1 thereafter.

IS THERE A RIGHT TO PROTEST?

Yes. Under Proposition 218, a property owner or tenant may protest the proposed rates. All protests must be in writing, include an original signature, and be submitted as set forth below. Protests submitted by e-mail or facsimile, as well as verbal protests, will not be counted. All members of the public are entitled to make comments at the Public Hearing, regardless of whether they choose to submit a written protest or own property that would be subject to the new or increased fee or charge. You may file a protest in two ways:

1. **Written protests by mail.** If you wish to hand-deliver or submit your protest by mail, it must be received no later than 3 p.m. on June 27, 2023. You may hand-deliver or mail your written protest in advance of the Public Hearing to: City Clerk, City of Berkeley, 2180 Milvia Street, First Floor, Berkeley, CA 94704. The written protest must include the printed name and original signature of the property owner or tenant, and identify the property's parcel number. The person signing the protest shall identify themselves as the owner of the parcel as shown on the last equalized secured property tax assessment roll, the owner's authorized representative, or a tenant of the parcel. Failure to include this information will result in an invalid protest and will not be counted.
2. **Written protest in person at the Public Hearing.** A written protest may be presented at the Public Hearing on June 27, 2023, and must be received prior to close of the Public Hearing. In order to be counted, the written protest must include a printed name and original signature of the property owner or tenant, and identify the property's parcel number. The person signing the protest shall identify themselves as the owner of the parcel as shown on the last equalized secured property tax assessment roll, the owner's authorized representative, or a tenant of the parcel. Failure to include this information will result in an invalid protest and will not be counted.

Protests may be withdrawn by the person who submitted the original protest. Written requests for withdrawal must contain all the same information that is required on the protest and must be submitted by the same deadlines and in the same manner as required for the original protest. Written protests will be tabulated immediately following the close of the Public Hearing and the results will be reported directly to the City Council. If you do not want to protest the proposed rates, you do not need to take any action.

WHAT FEES ARE BEING CONSIDERED?

The charts below summarize the rate changes. Other relevant fees and the full five-year rate schedule, including the staff report and resolution, are available on the City website at <https://berkeleyca.gov/city-services/trash-recycling> or at the City Clerk Department at 2180 Milvia Street.

Residential¹ Can/Cart Rates: The following monthly rates apply to refuse cans and carts collected one time per week from residential customers and include all solid waste collection, transfer, landfilling, recyclables collection and processing, and organics collection and processing. **No new or replacement 13- or 45-gallon carts will be provided; service will continue for existing containers.**

Container Size	Current	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
13 Gallon	\$17.78	\$23.78	\$29.78	\$35.78	\$41.78	\$47.78
20 Gallon	\$27.30	\$33.30	\$39.30	\$45.30	\$51.30	\$57.30
32 Gallon	\$43.66	\$49.66	\$55.66	\$61.66	\$67.66	\$73.66
45 Gallon	\$61.38	\$66.63	\$72.63	\$78.63	\$84.63	\$88.09
64 Gallon	\$87.28	\$75.60	\$81.60	\$87.60	\$93.60	\$99.60
96 Gallon	\$130.87	\$94.47	\$100.47	\$106.47	\$112.47	\$118.47

Residential Bin Rates: For residential units requiring refuse bin service, the monthly residential solid waste management integrated rates (i.e., includes recycling and organics carts) for these City-provided bins shall be:

1 time per week service

Container Size	Current	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
1 cubic yard	\$173.77	\$174.47	\$190.17	\$207.29	\$221.80	\$230.67
1.5 cubic yards	\$250.44	\$251.44	\$274.07	\$298.74	\$319.65	\$332.43
2 cubic yards	\$327.29	\$328.60	\$358.17	\$390.41	\$417.74	\$434.45

2 times per week service

Container Size	Current	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
1 cubic yard	\$335.36	\$336.70	\$367.00	\$400.03	\$428.04	\$445.16
1.5 cubic yards	\$492.84	\$494.81	\$539.34	\$587.88	\$629.04	\$654.20
2 cubic yards	\$650.47	\$653.07	\$711.85	\$775.91	\$830.23	\$863.44

Carts for commercial and multifamily²: The following monthly rates apply to carts for garbage and recycling collection. Carts for organics collection shall be charged at 80% of these rates.

Current Rates

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$14.61	\$30.61	\$45.89	\$64.11	\$83.77	\$104.90	\$122.38
20 Gallon	\$22.44	\$47.05	\$70.61	\$98.64	\$128.87	\$161.40	\$188.29
32 Gallon	\$35.89	\$75.34	\$112.97	\$157.82	\$206.23	\$258.19	\$301.25
45 Gallon	\$50.45	\$105.91	\$158.86	\$221.91	\$290.02	\$363.11	\$423.64
64 Gallon	\$71.74	\$150.63	\$225.92	\$315.60	\$412.44	\$516.45	\$602.49
96 Gallon	\$107.57	\$225.92	\$338.89	\$473.39	\$618.61	\$774.64	\$903.73

¹ Residential means any detached or attached house or residence designed or used for occupancy by one family, provided that collection service feasibly can be provided to such premises as an independent unit, and the owner or occupant of such independent unit is billed directly for the collection service. Residential includes units of a duplex, tri-plex, or four-plex residential structure provided that each unit is separately billed for their specific service level.

² Multi-Family means any residential premises with five or more dwelling units used for residential purposes (excluding units used for temporary residential purposes such as hotels) that receive centralized collection service for all units on the premises, which are billed to one customer at one address.

Proposed Rates – effective July 1, 2023

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$14.67	\$30.73	\$46.07	\$64.36	\$84.11	\$105.32	\$122.87
20 Gallon	\$22.53	\$47.24	\$70.90	\$99.03	\$129.39	\$162.05	\$189.04
32 Gallon	\$36.03	\$75.64	\$113.43	\$158.45	\$207.06	\$259.22	\$302.46
45 Gallon	\$50.65	\$106.33	\$159.49	\$222.80	\$291.18	\$364.56	\$425.33
64 Gallon	\$72.03	\$151.23	\$226.83	\$316.86	\$414.09	\$518.52	\$604.90
96 Gallon	\$108.00	\$226.83	\$340.24	\$475.28	\$621.08	\$777.74	\$907.35

Proposed Rates – effective July 1, 2024

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$15.99	\$33.49	\$50.21	\$70.16	\$91.68	\$114.80	\$133.92
20 Gallon	\$24.56	\$51.49	\$77.28	\$107.95	\$141.03	\$176.63	\$206.06
32 Gallon	\$39.28	\$82.45	\$123.63	\$172.71	\$225.69	\$282.55	\$329.68
45 Gallon	\$55.21	\$115.90	\$173.85	\$242.85	\$317.39	\$397.37	\$463.61
64 Gallon	\$78.51	\$164.85	\$247.24	\$345.38	\$451.36	\$565.18	\$659.34
96 Gallon	\$117.72	\$247.24	\$370.86	\$518.06	\$676.98	\$847.74	\$989.01

Proposed Rates – effective July 1, 2025

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$17.43	\$36.51	\$54.73	\$76.47	\$99.93	\$125.14	\$145.98
20 Gallon	\$26.77	\$56.12	\$84.23	\$117.66	\$153.72	\$192.53	\$224.60
32 Gallon	\$42.81	\$89.87	\$134.76	\$188.25	\$246.01	\$307.98	\$359.35
45 Gallon	\$60.18	\$126.33	\$189.50	\$264.71	\$345.95	\$433.13	\$505.34
64 Gallon	\$85.58	\$179.68	\$269.49	\$376.46	\$491.99	\$616.05	\$718.68
96 Gallon	\$128.32	\$269.49	\$404.24	\$564.68	\$737.91	\$924.03	\$1,078.02

Proposed Rates – effective July 1, 2026

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$18.65	\$39.06	\$58.57	\$81.82	\$106.92	\$133.89	\$156.20
20 Gallon	\$28.64	\$60.05	\$90.13	\$125.90	\$164.48	\$206.01	\$240.32
32 Gallon	\$45.81	\$96.16	\$144.19	\$201.43	\$263.23	\$329.54	\$384.50
45 Gallon	\$64.40	\$135.18	\$202.76	\$283.24	\$370.17	\$463.45	\$540.71
64 Gallon	\$91.57	\$192.26	\$288.36	\$402.81	\$526.42	\$659.17	\$768.99
96 Gallon	\$137.30	\$288.36	\$432.54	\$604.21	\$789.56	\$988.72	\$1,153.48

Proposed Rates – effective July 1, 2027

Container Size	Number of Collections per Week						
	1X	2X	3X	4X	5X	6X	7X
13 Gallon	\$19.40	\$40.63	\$60.91	\$85.10	\$111.20	\$139.25	\$162.44
20 Gallon	\$29.79	\$62.45	\$93.73	\$130.94	\$171.06	\$214.25	\$249.94
32 Gallon	\$47.64	\$100.01	\$149.96	\$209.49	\$273.76	\$342.72	\$399.88
45 Gallon	\$66.97	\$140.59	\$210.87	\$294.57	\$384.97	\$481.99	\$562.34
64 Gallon	\$95.23	\$199.95	\$299.89	\$418.93	\$547.48	\$685.54	\$799.75
96 Gallon	\$142.79	\$299.89	\$449.84	\$628.38	\$821.14	\$1,028.26	\$1,199.62

Bins (Loose) for commercial and multifamily buildings: The following monthly rates apply to front and rear loading metal bins for loose garbage and recycling collection. Bins for organics collection shall be charged at 80% of these rates.

Current Rates

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$26.87	\$146.90	\$308.48	\$462.76	\$646.41	\$844.71	\$1,057.72	\$1,234.01
1.5	\$30.07	\$220.36	\$462.76	\$694.12	\$969.57	\$1,267.05	\$1,586.59	\$1,851.03
2	\$33.45	\$293.84	\$617.02	\$925.50	\$1,292.75	\$1,689.40	\$2,115.44	\$2,468.01
3	\$40.21	\$440.71	\$925.50	\$1,388.27	\$1,939.18	\$2,534.14	\$3,173.17	\$3,702.01
4	\$60.15	\$587.62	\$1,234.01	\$1,851.03	\$2,585.54	\$3,378.83	\$4,230.90	\$4,936.03
5	\$60.15	\$734.52	\$1,542.52	\$2,313.78	\$3,231.93	\$4,223.55	\$5,288.60	\$6,170.04
6	\$66.57	\$881.42	\$1,851.03	\$2,776.53	\$3,878.30	\$5,068.23	\$6,346.31	\$7,404.04

Proposed Rates – effective July 1, 2023

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$26.98	\$147.49	\$309.72	\$464.61	\$649.00	\$848.09	\$1,061.95	\$1,238.95
1.5	\$30.19	\$221.24	\$464.61	\$696.89	\$973.45	\$1,272.12	\$1,592.94	\$1,858.44
2	\$33.59	\$295.01	\$619.49	\$929.21	\$1,297.92	\$1,696.16	\$2,123.90	\$2,477.89
3	\$40.38	\$442.47	\$929.21	\$1,393.82	\$1,946.93	\$2,544.28	\$3,185.86	\$3,716.82
4	\$60.39	\$589.97	\$1,238.95	\$1,858.44	\$2,595.88	\$3,392.35	\$4,247.82	\$4,955.77
5	\$60.39	\$737.46	\$1,548.69	\$2,323.04	\$3,244.86	\$4,240.45	\$5,309.76	\$6,194.72
6	\$66.83	\$884.95	\$1,858.44	\$2,787.64	\$3,893.81	\$5,088.50	\$6,371.69	\$7,433.66

Proposed Rates – effective July 1, 2024

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$29.41	\$160.76	\$337.59	\$506.43	\$707.41	\$924.42	\$1,157.52	\$1,350.45
1.5	\$32.91	\$241.16	\$506.43	\$759.61	\$1,061.06	\$1,386.61	\$1,736.30	\$2,025.69
2	\$36.61	\$321.56	\$675.24	\$1,012.83	\$1,414.74	\$1,848.81	\$2,315.05	\$2,700.89
3	\$44.01	\$482.30	\$1,012.83	\$1,519.26	\$2,122.16	\$2,773.27	\$3,472.59	\$4,051.34
4	\$65.82	\$643.07	\$1,350.45	\$2,025.69	\$2,829.51	\$3,697.66	\$4,630.12	\$5,401.79
5	\$65.82	\$803.83	\$1,688.07	\$2,532.11	\$3,536.90	\$4,622.09	\$5,787.64	\$6,752.24
6	\$72.85	\$964.59	\$2,025.69	\$3,038.53	\$4,244.25	\$5,546.47	\$6,945.15	\$8,102.68

Proposed Rates – effective July 1, 2025

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$32.06	\$175.23	\$367.98	\$552.01	\$771.08	\$1,007.62	\$1,261.70	\$1,471.99
1.5	\$35.87	\$262.86	\$552.01	\$827.98	\$1,156.56	\$1,511.41	\$1,892.57	\$2,208.01
2	\$39.91	\$350.50	\$736.01	\$1,103.99	\$1,542.06	\$2,015.20	\$2,523.40	\$2,943.98
3	\$47.97	\$525.70	\$1,103.99	\$1,656.00	\$2,313.15	\$3,022.86	\$3,785.12	\$4,415.96
4	\$71.75	\$700.95	\$1,471.99	\$2,208.01	\$3,084.17	\$4,030.45	\$5,046.84	\$5,887.95
5	\$71.75	\$876.18	\$1,840.00	\$2,760.00	\$3,855.22	\$5,038.08	\$6,308.52	\$7,359.95
6	\$79.41	\$1,051.41	\$2,208.01	\$3,312.00	\$4,626.23	\$6,045.65	\$7,570.21	\$8,831.93

Proposed Rates – effective July 1, 2026

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$34.30	\$187.50	\$393.74	\$590.65	\$825.05	\$1,078.15	\$1,350.02	\$1,575.03
1.5	\$38.38	\$281.26	\$590.65	\$885.94	\$1,237.51	\$1,617.21	\$2,025.05	\$2,362.57
2	\$42.70	\$375.04	\$787.53	\$1,181.27	\$1,650.01	\$2,156.27	\$2,700.04	\$3,150.05
3	\$51.33	\$562.50	\$1,181.27	\$1,771.92	\$2,475.07	\$3,234.46	\$4,050.08	\$4,725.07
4	\$76.77	\$750.01	\$1,575.03	\$2,362.57	\$3,300.06	\$4,312.58	\$5,400.11	\$6,300.11
5	\$76.77	\$937.51	\$1,968.80	\$2,953.20	\$4,125.08	\$5,390.74	\$6,750.12	\$7,875.14
6	\$84.96	\$1,125.01	\$2,362.57	\$3,543.84	\$4,950.07	\$6,468.84	\$8,100.12	\$9,450.16

Proposed Rates – effective July 1, 2027

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$35.67	\$195.00	\$409.48	\$614.28	\$858.05	\$1,121.27	\$1,404.02	\$1,638.04
1.5	\$39.92	\$292.51	\$614.28	\$921.37	\$1,287.01	\$1,681.90	\$2,106.05	\$2,457.07
2	\$44.41	\$390.04	\$819.03	\$1,228.52	\$1,716.01	\$2,242.52	\$2,808.04	\$3,276.06
3	\$53.38	\$585.00	\$1,228.52	\$1,842.79	\$2,574.08	\$3,363.84	\$4,212.08	\$4,914.08
4	\$79.84	\$780.02	\$1,638.04	\$2,457.07	\$3,432.07	\$4,485.08	\$5,616.12	\$6,552.11
5	\$79.84	\$975.01	\$2,047.55	\$3,071.33	\$4,290.09	\$5,606.37	\$7,020.12	\$8,190.15
6	\$88.36	\$1,170.01	\$2,457.07	\$3,685.59	\$5,148.07	\$6,727.60	\$8,424.13	\$9,828.17

Bins (Compacted) for commercial and multifamily buildings: The following monthly rates apply to front and rear loading metal bins for compacted garbage and recycling collection. Compacted bins for organics collection shall be 80% of these rates.

Current Rates

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$26.87	\$440.70	\$925.45	\$1,388.29	\$1,939.24	\$2,534.13	\$3,173.15	\$3,702.04
1.5	\$30.07	\$661.09	\$1,388.29	\$2,082.35	\$2,908.71	\$3,801.16	\$4,759.77	\$5,553.09
2	\$33.45	\$881.51	\$1,851.06	\$2,776.51	\$3,878.26	\$5,068.19	\$6,346.31	\$7,404.04
3	\$40.21	\$1,322.14	\$2,776.51	\$4,164.80	\$5,817.53	\$7,602.43	\$9,519.50	\$11,106.04
4	\$60.15	\$1,762.87	\$3,702.04	\$5,553.09	\$7,756.63	\$10,136.49	\$12,692.69	\$14,808.08
5	\$60.15	\$2,203.57	\$4,627.57	\$6,941.35	\$9,695.79	\$12,670.66	\$15,865.81	\$18,510.12
6	\$66.57	\$2,644.27	\$5,553.09	\$8,329.60	\$11,634.89	\$15,204.69	\$19,038.93	\$22,212.12

Proposed Rates – effective July 1, 2023

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$26.98	\$294.98	\$619.44	\$929.23	\$1,298.00	\$1,696.18	\$2,123.90	\$2,477.90
1.5	\$30.19	\$442.49	\$929.23	\$1,393.78	\$1,946.90	\$2,544.24	\$3,185.87	\$3,716.87
2	\$33.59	\$590.02	\$1,238.97	\$1,858.41	\$2,595.85	\$3,392.31	\$4,247.80	\$4,955.77
3	\$40.38	\$884.95	\$1,858.41	\$2,787.64	\$3,893.87	\$5,088.56	\$6,371.72	\$7,433.64
4	\$60.39	\$1,179.95	\$2,477.90	\$3,716.87	\$5,191.77	\$6,784.69	\$8,495.64	\$9,911.54
5	\$60.39	\$1,474.92	\$3,097.38	\$4,646.08	\$6,489.72	\$8,480.90	\$10,619.51	\$12,389.44
6	\$66.83	\$1,769.90	\$3,716.87	\$5,575.28	\$7,787.62	\$10,177.00	\$12,743.39	\$14,867.31

Proposed Rates – effective July 1, 2024

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$29.41	\$321.52	\$675.19	\$1,012.86	\$1,414.82	\$1,848.84	\$2,315.05	\$2,700.91
1.5	\$32.91	\$482.31	\$1,012.86	\$1,519.22	\$2,122.12	\$2,773.23	\$3,472.60	\$4,051.39
2	\$36.61	\$643.13	\$1,350.48	\$2,025.67	\$2,829.47	\$3,697.62	\$4,630.10	\$5,401.79
3	\$44.01	\$964.59	\$2,025.67	\$3,038.53	\$4,244.32	\$5,546.53	\$6,945.17	\$8,102.67
4	\$65.82	\$1,286.14	\$2,700.91	\$4,051.39	\$5,659.03	\$7,395.32	\$9,260.25	\$10,803.58
5	\$65.82	\$1,607.67	\$3,376.15	\$5,064.22	\$7,073.79	\$9,244.18	\$11,575.27	\$13,504.49
6	\$72.85	\$1,929.19	\$4,051.39	\$6,077.06	\$8,488.50	\$11,092.93	\$13,890.29	\$16,205.37

Proposed Rates – effective July 1, 2025

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$32.06	\$350.46	\$735.95	\$1,104.02	\$1,542.15	\$2,015.23	\$2,523.40	\$2,943.99
1.5	\$35.87	\$525.72	\$1,104.02	\$1,655.95	\$2,313.11	\$3,022.82	\$3,785.13	\$4,416.01
2	\$39.91	\$701.01	\$1,472.02	\$2,207.98	\$3,084.13	\$4,030.40	\$5,046.81	\$5,887.95
3	\$47.97	\$1,051.41	\$2,207.98	\$3,312.00	\$4,626.31	\$6,045.72	\$7,570.24	\$8,831.91
4	\$71.75	\$1,401.90	\$2,943.99	\$4,416.01	\$6,168.34	\$8,060.89	\$10,093.67	\$11,775.90
5	\$71.75	\$1,752.36	\$3,680.00	\$5,520.00	\$7,710.43	\$10,076.15	\$12,617.05	\$14,719.89
6	\$79.41	\$2,102.82	\$4,416.01	\$6,623.99	\$9,252.47	\$12,091.30	\$15,140.42	\$17,663.85

Proposed Rates – effective July 1, 2026

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$34.30	\$374.99	\$787.47	\$1,181.30	\$1,650.10	\$2,156.30	\$2,700.04	\$3,150.07
1.5	\$38.38	\$562.52	\$1,181.30	\$1,771.87	\$2,475.03	\$3,234.41	\$4,050.09	\$4,725.13
2	\$42.70	\$750.08	\$1,575.07	\$2,362.54	\$3,300.02	\$4,312.53	\$5,400.08	\$6,300.11
3	\$51.33	\$1,125.01	\$2,362.54	\$3,543.84	\$4,950.15	\$6,468.92	\$8,100.16	\$9,450.15
4	\$76.77	\$1,500.03	\$3,150.07	\$4,725.13	\$6,600.13	\$8,625.16	\$10,800.23	\$12,600.21
5	\$76.77	\$1,875.02	\$3,937.60	\$5,906.40	\$8,250.16	\$10,781.48	\$13,500.24	\$15,750.28
6	\$84.96	\$2,250.01	\$4,725.13	\$7,087.67	\$9,900.14	\$12,937.69	\$16,200.25	\$18,900.32

Proposed Rates – effective July 1, 2027

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
1	\$35.67	\$389.99	\$818.97	\$1,228.55	\$1,716.11	\$2,242.55	\$2,808.04	\$3,276.07
1.5	\$39.92	\$585.02	\$1,228.55	\$1,842.75	\$2,574.03	\$3,363.79	\$4,212.10	\$4,914.14
2	\$44.41	\$780.08	\$1,638.07	\$2,457.04	\$3,432.02	\$4,485.03	\$5,616.09	\$6,552.11
3	\$53.38	\$1,170.01	\$2,457.04	\$3,685.59	\$5,148.15	\$6,727.68	\$8,424.16	\$9,828.15
4	\$79.84	\$1,560.03	\$3,276.07	\$4,914.14	\$6,864.13	\$8,970.16	\$11,232.24	\$13,104.22
5	\$79.84	\$1,950.02	\$4,095.11	\$6,142.66	\$8,580.17	\$11,212.74	\$14,040.25	\$16,380.30
6	\$88.36	\$2,340.01	\$4,914.14	\$7,371.18	\$10,296.15	\$13,455.20	\$16,848.26	\$19,656.33

Refuse Roll-off (Loose) for commercial and multifamily buildings: The following monthly rates apply to refuse from roll-off collection containers.

Current Rates

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$90.87	\$1,118.35	\$2,356.65	\$3,531.95	\$4,935.03	\$6,445.95	\$8,070.77	\$9,421.76
12	\$147.82	\$2,242.76	\$4,704.82	\$7,062.68	\$9,867.64	\$12,895.54	\$16,147.60	\$18,843.51
14	\$169.63	\$2,615.94	\$5,492.39	\$8,240.40	\$11,511.85	\$15,041.37	\$18,835.03	\$21,974.41
15	\$178.11	\$2,804.96	\$5,892.23	\$8,836.53	\$12,344.25	\$16,134.27	\$20,202.98	\$23,567.72
16	\$187.81	\$2,989.13	\$6,281.17	\$9,421.76	\$13,153.63	\$17,193.25	\$21,527.31	\$25,112.57
20	\$209.61	\$3,319.91	\$7,850.25	\$11,773.56	\$16,443.24	\$21,489.75	\$26,907.01	\$31,391.32
25	\$212.04	\$3,671.29	\$9,809.48	\$14,716.65	\$20,555.57	\$26,859.76	\$33,637.71	\$39,240.36
30	\$216.88	\$4,042.05	\$11,773.56	\$17,658.52	\$24,664.26	\$32,233.41	\$40,364.76	\$47,085.76

Proposed Rates – effective July 1, 2023

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$91.24	\$1,122.82	\$2,366.08	\$3,546.07	\$4,954.77	\$6,471.74	\$8,103.05	\$9,459.44
12	\$148.41	\$2,251.73	\$4,723.64	\$7,090.93	\$9,907.11	\$12,947.13	\$16,212.19	\$18,918.89
14	\$170.31	\$2,626.41	\$5,514.36	\$8,273.36	\$11,557.89	\$15,101.53	\$18,910.37	\$22,062.30
15	\$178.82	\$2,816.18	\$5,915.80	\$8,871.88	\$12,393.62	\$16,198.81	\$20,283.79	\$23,661.99
16	\$188.56	\$3,001.09	\$6,306.30	\$9,459.44	\$13,206.24	\$17,262.02	\$21,613.42	\$25,213.02
20	\$210.45	\$3,333.19	\$7,881.65	\$11,820.65	\$16,509.02	\$21,575.71	\$27,014.64	\$31,516.88
25	\$212.89	\$3,685.97	\$9,848.72	\$14,775.51	\$20,637.79	\$26,967.20	\$33,772.26	\$39,397.32
30	\$217.75	\$4,058.22	\$11,820.65	\$17,729.16	\$24,762.92	\$32,362.34	\$40,526.22	\$47,274.10

Proposed Rates – effective July 1, 2024

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$99.45	\$1,223.88	\$2,579.02	\$3,865.22	\$5,400.70	\$7,054.20	\$8,832.33	\$10,310.79
12	\$161.77	\$2,454.38	\$5,148.77	\$7,729.12	\$10,798.75	\$14,112.37	\$17,671.29	\$20,621.59
14	\$185.64	\$2,862.78	\$6,010.65	\$9,017.97	\$12,598.10	\$16,460.67	\$20,612.30	\$24,047.91
15	\$194.92	\$3,069.64	\$6,448.22	\$9,670.35	\$13,509.05	\$17,656.70	\$22,109.33	\$25,791.57
16	\$205.53	\$3,271.18	\$6,873.86	\$10,310.79	\$14,394.80	\$18,815.61	\$23,558.62	\$27,482.19
20	\$229.39	\$3,633.18	\$8,591.00	\$12,884.51	\$17,994.83	\$23,517.52	\$29,445.96	\$34,353.40
25	\$232.05	\$4,017.71	\$10,735.11	\$16,105.31	\$22,495.19	\$29,394.25	\$36,811.76	\$42,943.08
30	\$237.35	\$4,423.46	\$12,884.51	\$19,324.78	\$26,991.58	\$35,274.95	\$44,173.58	\$51,528.77

Proposed Rates – effective July 1, 2025

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$108.40	\$1,334.03	\$2,811.14	\$4,213.09	\$5,886.77	\$7,689.07	\$9,627.24	\$11,238.76
12	\$176.33	\$2,675.28	\$5,612.16	\$8,424.74	\$11,770.64	\$15,382.48	\$19,261.71	\$22,477.53
14	\$202.34	\$3,120.43	\$6,551.61	\$9,829.58	\$13,731.93	\$17,942.13	\$22,467.41	\$26,212.22
15	\$212.46	\$3,345.90	\$7,028.56	\$10,540.68	\$14,724.86	\$19,245.81	\$24,099.17	\$28,112.81
16	\$224.02	\$3,565.59	\$7,492.51	\$11,238.76	\$15,690.33	\$20,509.01	\$25,678.90	\$29,955.59
20	\$250.04	\$3,960.16	\$9,364.19	\$14,044.12	\$19,614.36	\$25,634.10	\$32,096.10	\$37,445.21
25	\$252.93	\$4,379.30	\$11,701.27	\$17,554.79	\$24,519.76	\$32,039.73	\$40,124.82	\$46,807.95
30	\$258.71	\$4,821.57	\$14,044.12	\$21,064.01	\$29,420.82	\$38,449.70	\$48,149.20	\$56,166.36

Proposed Rates – effective July 1, 2026

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$115.99	\$1,427.41	\$3,007.92	\$4,508.01	\$6,298.84	\$8,227.31	\$10,301.15	\$12,025.48
12	\$188.67	\$2,862.55	\$6,005.01	\$9,014.47	\$12,594.59	\$16,459.25	\$20,610.02	\$24,050.96
14	\$216.51	\$3,338.86	\$7,010.22	\$10,517.65	\$14,693.17	\$19,198.08	\$24,040.13	\$28,047.08
15	\$227.33	\$3,580.12	\$7,520.56	\$11,278.53	\$15,755.60	\$20,593.01	\$25,786.11	\$30,080.71
16	\$239.71	\$3,815.18	\$8,016.99	\$12,025.48	\$16,788.66	\$21,944.64	\$27,476.42	\$32,052.48
20	\$267.54	\$4,237.37	\$10,019.69	\$15,027.21	\$20,987.37	\$27,428.48	\$34,342.82	\$40,066.37
25	\$270.64	\$4,685.85	\$12,520.35	\$18,783.62	\$26,236.14	\$34,282.51	\$42,933.56	\$50,084.51
30	\$276.82	\$5,159.08	\$15,027.21	\$22,538.49	\$31,480.28	\$41,141.18	\$51,519.65	\$60,098.01

Proposed Rates – effective July 1, 2027

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$120.63	\$1,484.50	\$3,128.23	\$4,688.33	\$6,550.79	\$8,556.40	\$10,713.19	\$12,506.50
12	\$196.22	\$2,977.05	\$6,245.21	\$9,375.05	\$13,098.37	\$17,117.63	\$21,434.43	\$25,012.99
14	\$225.17	\$3,472.42	\$7,290.63	\$10,938.36	\$15,280.89	\$19,966.01	\$25,001.74	\$29,168.96
15	\$236.43	\$3,723.32	\$7,821.39	\$11,729.67	\$16,385.83	\$21,416.73	\$26,817.56	\$31,283.94
16	\$249.29	\$3,967.79	\$8,337.66	\$12,506.50	\$17,460.20	\$22,822.43	\$28,575.48	\$33,334.58
20	\$278.24	\$4,406.87	\$10,420.47	\$15,628.30	\$21,826.86	\$28,525.62	\$35,716.54	\$41,669.02
25	\$281.46	\$4,873.29	\$13,021.17	\$19,534.97	\$27,285.59	\$35,653.81	\$44,650.90	\$52,087.89
30	\$287.89	\$5,365.44	\$15,628.30	\$23,440.03	\$32,739.49	\$42,786.83	\$53,580.43	\$62,501.93

Refuse Roll-off (Compacted) for commercial and multifamily buildings: The following monthly rates apply to refuse from compactor roll-off collection containers.

Current Rates

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$90.87	\$3,355.05	\$7,069.95	\$10,595.84	\$14,805.10	\$19,337.86	\$24,212.31	\$28,265.27
12	\$147.82	\$6,728.27	\$14,114.46	\$21,188.05	\$29,602.93	\$38,686.63	\$48,442.80	\$56,530.54
14	\$169.63	\$7,847.83	\$16,477.17	\$24,721.21	\$34,535.54	\$45,124.11	\$56,505.09	\$65,923.22
15	\$178.11	\$8,414.88	\$17,676.70	\$26,509.59	\$37,032.74	\$48,402.82	\$60,608.94	\$70,703.16
16	\$187.81	\$8,967.39	\$18,843.51	\$28,265.27	\$39,460.88	\$51,579.75	\$64,581.92	\$75,337.70
20	\$209.61	\$9,959.73	\$23,550.76	\$35,320.68	\$49,329.73	\$64,469.24	\$80,721.04	\$94,173.95
25	\$212.04	\$11,013.86	\$29,428.45	\$44,149.94	\$61,666.70	\$80,579.28	\$100,913.12	\$117,721.07
30	\$216.88	\$12,126.15	\$35,320.68	\$52,975.57	\$73,992.78	\$96,700.23	\$121,094.29	\$141,257.28

Proposed Rates – effective July 1, 2023

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$91.24	\$2,245.64	\$4,732.15	\$7,092.15	\$9,909.55	\$12,943.48	\$16,206.11	\$18,918.89
12	\$148.41	\$4,503.45	\$9,447.28	\$14,181.87	\$19,814.23	\$25,894.25	\$32,424.38	\$37,837.77
14	\$170.31	\$5,252.81	\$11,028.72	\$16,546.73	\$23,115.79	\$30,203.07	\$37,820.74	\$44,124.61
15	\$178.82	\$5,632.36	\$11,831.60	\$17,743.76	\$24,787.25	\$32,397.62	\$40,567.58	\$47,323.98
16	\$188.56	\$6,002.17	\$12,612.59	\$18,918.89	\$26,412.48	\$34,524.05	\$43,226.83	\$50,426.04
20	\$210.45	\$6,666.38	\$15,763.31	\$23,641.31	\$33,018.03	\$43,151.41	\$54,029.29	\$63,033.76
25	\$212.89	\$7,371.94	\$19,697.44	\$29,551.03	\$41,275.58	\$53,934.40	\$67,544.51	\$78,794.63
30	\$217.75	\$8,116.44	\$23,641.31	\$35,458.32	\$49,525.83	\$64,724.69	\$81,052.44	\$94,548.21

Proposed Rates – effective July 1, 2024

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$99.45	\$2,447.75	\$5,158.05	\$7,730.44	\$10,801.40	\$14,108.39	\$17,664.66	\$20,621.59
12	\$161.77	\$4,908.77	\$10,297.53	\$15,458.23	\$21,597.51	\$28,224.74	\$35,342.58	\$41,243.17
14	\$185.64	\$5,725.57	\$12,021.30	\$18,035.93	\$25,196.21	\$32,921.35	\$41,224.61	\$48,095.82
15	\$194.92	\$6,139.27	\$12,896.45	\$19,340.69	\$27,018.10	\$35,313.41	\$44,218.66	\$51,583.14
16	\$205.53	\$6,542.37	\$13,747.72	\$20,621.59	\$28,789.60	\$37,631.21	\$47,117.25	\$54,964.38
20	\$229.39	\$7,266.35	\$17,182.00	\$25,769.03	\$35,989.65	\$47,035.04	\$58,891.92	\$68,706.80
25	\$232.05	\$8,035.42	\$21,470.21	\$32,210.62	\$44,990.38	\$58,788.49	\$73,623.52	\$85,886.15
30	\$237.35	\$8,846.92	\$25,769.03	\$38,649.56	\$53,983.16	\$70,549.91	\$88,347.16	\$103,057.55

Proposed Rates – effective July 1, 2025

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$108.40	\$2,668.05	\$5,622.27	\$8,426.18	\$11,773.53	\$15,378.15	\$19,254.48	\$22,477.53
12	\$176.33	\$5,350.55	\$11,224.31	\$16,849.48	\$23,541.28	\$30,764.96	\$38,523.41	\$44,955.06
14	\$202.34	\$6,240.87	\$13,103.22	\$19,659.17	\$27,463.86	\$35,884.27	\$44,934.82	\$52,424.44
15	\$212.46	\$6,691.81	\$14,057.13	\$21,081.36	\$29,449.73	\$38,491.61	\$48,198.34	\$56,225.62
16	\$224.02	\$7,131.18	\$14,985.02	\$22,477.53	\$31,380.67	\$41,018.02	\$51,357.80	\$59,911.17
20	\$250.04	\$7,920.32	\$18,728.38	\$28,088.24	\$39,228.72	\$51,268.19	\$64,192.19	\$74,890.41
25	\$252.93	\$8,758.61	\$23,402.53	\$35,109.58	\$49,039.52	\$64,079.46	\$80,249.64	\$93,615.90
30	\$258.71	\$9,643.14	\$28,088.24	\$42,128.02	\$58,841.64	\$76,899.40	\$96,298.41	\$112,332.73

Proposed Rates – effective July 1, 2026

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$115.99	\$2,854.81	\$6,015.83	\$9,016.02	\$12,597.68	\$16,454.62	\$20,602.29	\$24,050.96
12	\$188.67	\$5,725.09	\$12,010.01	\$18,028.94	\$25,189.17	\$32,918.51	\$41,220.05	\$48,101.91
14	\$216.51	\$6,677.73	\$14,020.45	\$21,035.31	\$29,386.33	\$38,396.16	\$48,080.26	\$56,094.16
15	\$227.33	\$7,160.23	\$15,041.13	\$22,557.05	\$31,511.21	\$41,186.03	\$51,572.23	\$60,161.41
16	\$239.71	\$7,630.36	\$16,033.97	\$24,050.96	\$33,577.31	\$43,889.28	\$54,952.85	\$64,104.95
20	\$267.54	\$8,474.75	\$20,039.37	\$30,054.42	\$41,974.73	\$54,856.97	\$68,685.65	\$80,132.74
25	\$270.64	\$9,371.71	\$25,040.71	\$37,567.25	\$52,472.28	\$68,565.02	\$85,867.11	\$100,169.02
30	\$276.82	\$10,318.16	\$30,054.42	\$45,076.99	\$62,960.55	\$82,282.36	\$103,039.30	\$120,196.02

Proposed Rates – effective July 1, 2027

Capacity in Cubic Yards	Monthly Rental Rate	Plus: Service Collection Charge Based on Number of Collections Per Week						
		1X	2X	3X	4X	5X	6X	7X
6	\$120.63	\$2,969.01	\$6,256.47	\$9,376.66	\$13,101.59	\$17,112.80	\$21,426.38	\$25,012.99
12	\$196.22	\$5,954.10	\$12,490.41	\$18,750.10	\$26,196.74	\$34,235.25	\$42,868.85	\$50,025.99
14	\$225.17	\$6,944.84	\$14,581.26	\$21,876.72	\$30,561.79	\$39,932.01	\$50,003.47	\$58,337.92
15	\$236.43	\$7,446.64	\$15,642.77	\$23,459.33	\$32,771.66	\$42,833.47	\$53,635.12	\$62,567.87
16	\$249.29	\$7,935.58	\$16,675.33	\$25,012.99	\$34,920.41	\$45,644.86	\$57,150.96	\$66,669.15
20	\$278.24	\$8,813.74	\$20,840.95	\$31,256.59	\$43,653.72	\$57,051.24	\$71,433.07	\$83,338.05
25	\$281.46	\$9,746.58	\$26,042.34	\$39,069.94	\$54,571.18	\$71,307.62	\$89,301.80	\$104,175.78
30	\$287.89	\$10,730.88	\$31,256.59	\$46,880.07	\$65,478.98	\$85,573.65	\$107,160.87	\$125,003.86

Distance Charges. To service containers that customers elect to not place at the curb (i.e., on property collection), there shall be an additional charge.

Current Rates

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$33.50	\$67.00	\$100.50	\$134.00	\$167.49	\$200.99	\$234.49
Bins (1 - 2 cubic yards), per Bin	\$55.83	\$111.66	\$167.49	\$223.33	\$279.16	\$334.99	\$390.82
Each Additional 20 feet, or part thereof							
Carts, per account	\$11.17	\$22.33	\$33.50	\$44.67	\$55.83	\$67.00	\$78.16
Bins (1 - 2 cubic yards), per Bin	\$22.33	\$44.67	\$67.00	\$89.33	\$111.66	\$134.00	\$156.33
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$11.17	\$22.33	\$33.50	\$44.67	\$55.83	\$67.00	\$78.16
Bins (1 - 3 cubic yards), per Bin	\$55.83	\$111.66	\$167.49	\$223.33	\$279.16	\$334.99	\$390.82
Bins (4 - 6 cubic yards), per Bin	\$61.41	\$122.83	\$184.24	\$245.66	\$307.07	\$368.49	\$429.90
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.58	\$5.16	\$7.74	\$10.32	\$12.89	\$15.47	\$18.05
Bins (1 - 3 cubic yards), per Bin	\$22.33	\$44.67	\$67.00	\$89.33	\$111.66	\$134.00	\$156.33
Bins (4 - 6 cubic yards), per Bin	\$24.57	\$49.13	\$73.70	\$98.26	\$122.83	\$147.40	\$171.96

Proposed Rates – effective July 1, 2023

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$34.50	\$69.01	\$103.51	\$138.02	\$172.52	\$207.02	\$241.53
Bins (1 - 2 cubic yards), per Bin	\$57.51	\$115.01	\$172.52	\$230.03	\$287.53	\$345.04	\$402.55
Each Additional 20 feet, or part thereof							
Carts, per account	\$11.50	\$23.00	\$34.50	\$46.01	\$57.51	\$69.01	\$80.51
Bins (1 - 2 cubic yards), per Bin	\$23.00	\$46.01	\$69.01	\$92.01	\$115.01	\$138.02	\$161.02
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$11.50	\$23.00	\$34.50	\$46.01	\$57.51	\$69.01	\$80.51
Bins (1 - 3 cubic yards), per Bin	\$57.51	\$115.01	\$172.52	\$230.03	\$287.53	\$345.04	\$402.55
Bins (4 - 6 cubic yards), per Bin	\$63.26	\$126.51	\$189.77	\$253.03	\$316.29	\$379.54	\$442.80
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.66	\$5.31	\$7.97	\$10.62	\$13.28	\$15.94	\$18.59
Bins (1 - 3 cubic yards), per Bin	\$23.00	\$46.01	\$69.01	\$92.01	\$115.01	\$138.02	\$161.02
Bins (4 - 6 cubic yards), per Bin	\$25.30	\$50.61	\$75.91	\$101.21	\$126.51	\$151.82	\$177.12

Proposed Rates – effective July 1, 2024

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$35.54	\$71.08	\$106.62	\$142.16	\$177.69	\$213.23	\$248.77
Bins (1 - 2 cubic yards), per Bin	\$59.23	\$118.46	\$177.69	\$236.93	\$296.16	\$355.39	\$414.62
Each Additional 20 feet, or part thereof							
Carts, per account	\$11.85	\$23.69	\$35.54	\$47.39	\$59.23	\$71.08	\$82.92
Bins (1 - 2 cubic yards), per Bin	\$23.69	\$47.39	\$71.08	\$94.77	\$118.46	\$142.16	\$165.85
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$11.85	\$23.69	\$35.54	\$47.39	\$59.23	\$71.08	\$82.92
Bins (1 - 3 cubic yards), per Bin	\$59.23	\$118.46	\$177.69	\$236.93	\$296.16	\$355.39	\$414.62
Bins (4 - 6 cubic yards), per Bin	\$65.15	\$130.31	\$195.46	\$260.62	\$325.77	\$390.93	\$456.08
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.74	\$5.47	\$8.21	\$10.94	\$13.68	\$16.42	\$19.15
Bins (1 - 3 cubic yards), per Bin	\$23.69	\$47.39	\$71.08	\$94.77	\$118.46	\$142.16	\$165.85
Bins (4 - 6 cubic yards), per Bin	\$26.06	\$52.12	\$78.19	\$104.25	\$130.31	\$156.37	\$182.43

Proposed Rates – effective July 1, 2025

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$36.61	\$73.21	\$109.82	\$146.42	\$183.03	\$219.63	\$256.24
Bins (1 - 2 cubic yards), per Bin	\$61.01	\$122.02	\$183.03	\$244.03	\$305.04	\$366.05	\$427.06
Each Additional 20 feet, or part thereof							
Carts, per account	\$12.20	\$24.40	\$36.61	\$48.81	\$61.01	\$73.21	\$85.41
Bins (1 - 2 cubic yards), per Bin	\$24.40	\$48.81	\$73.21	\$97.61	\$122.02	\$146.42	\$170.82
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$12.20	\$24.40	\$36.61	\$48.81	\$61.01	\$73.21	\$85.41
Bins (1 - 3 cubic yards), per Bin	\$61.01	\$122.02	\$183.03	\$244.03	\$305.04	\$366.05	\$427.06
Bins (4 - 6 cubic yards), per Bin	\$67.11	\$134.22	\$201.33	\$268.44	\$335.55	\$402.66	\$469.77
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.82	\$5.64	\$8.45	\$11.27	\$14.09	\$16.91	\$19.73
Bins (1 - 3 cubic yards), per Bin	\$24.40	\$48.81	\$73.21	\$97.61	\$122.02	\$146.42	\$170.82
Bins (4 - 6 cubic yards), per Bin	\$26.84	\$53.69	\$80.53	\$107.38	\$134.22	\$161.06	\$187.91

Proposed Rates – effective July 1, 2026

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$37.70	\$75.41	\$113.11	\$150.81	\$188.52	\$226.22	\$263.92
Bins (1 - 2 cubic yards), per Bin	\$62.84	\$125.68	\$188.52	\$251.36	\$314.19	\$377.03	\$439.87
Each Additional 20 feet, or part thereof							
Carts, per account	\$12.57	\$25.14	\$37.70	\$50.27	\$62.84	\$75.41	\$87.97
Bins (1 - 2 cubic yards), per Bin	\$25.14	\$50.27	\$75.41	\$100.54	\$125.68	\$150.81	\$175.95
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$12.57	\$25.14	\$37.70	\$50.27	\$62.84	\$75.41	\$87.97
Bins (1 - 3 cubic yards), per Bin	\$62.84	\$125.68	\$188.52	\$251.36	\$314.19	\$377.03	\$439.87
Bins (4 - 6 cubic yards), per Bin	\$69.12	\$138.25	\$207.37	\$276.49	\$345.61	\$414.74	\$483.86
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.90	\$5.80	\$8.71	\$11.61	\$14.51	\$17.41	\$20.32
Bins (1 - 3 cubic yards), per Bin	\$25.14	\$50.27	\$75.41	\$100.54	\$125.68	\$150.81	\$175.95
Bins (4 - 6 cubic yards), per Bin	\$27.65	\$55.30	\$82.95	\$110.60	\$138.25	\$165.89	\$193.54

Proposed Rates – effective July 1, 2027

Customer Type	Monthly Charge Based on Number of Collections Per Week						
Container Type	1X	2X	3X	4X	5X	6X	7X
Residential							
Distance from Curb (up to 25 feet)							
Carts, per account	\$38.83	\$77.67	\$116.50	\$155.34	\$194.17	\$233.01	\$271.84
Bins (1 - 2 cubic yards), per Bin	\$64.72	\$129.45	\$194.17	\$258.90	\$323.62	\$388.34	\$453.07
Each Additional 20 feet, or part thereof							
Carts, per account	\$12.94	\$25.89	\$38.83	\$51.78	\$64.72	\$77.67	\$90.61
Bins (1 - 2 cubic yards), per Bin	\$25.89	\$51.78	\$77.67	\$103.56	\$129.45	\$155.34	\$181.23
Commercial							
Distance from Curb (up to 25 feet)							
Carts, per cart	\$12.94	\$25.89	\$38.83	\$51.78	\$64.72	\$77.67	\$90.61
Bins (1 - 3 cubic yards), per Bin	\$64.72	\$129.45	\$194.17	\$258.90	\$323.62	\$388.34	\$453.07
Bins (4 - 6 cubic yards), per Bin	\$71.20	\$142.39	\$213.59	\$284.79	\$355.98	\$427.18	\$498.37
Each Additional 20 feet, or part thereof							
Carts, per cart	\$2.99	\$5.98	\$8.97	\$11.96	\$14.95	\$17.94	\$20.93
Bins (1 - 3 cubic yards), per Bin	\$25.89	\$51.78	\$77.67	\$103.56	\$129.45	\$155.34	\$181.23
Bins (4 - 6 cubic yards), per Bin	\$28.48	\$56.96	\$85.44	\$113.91	\$142.39	\$170.87	\$199.35

Stair Surcharge. To service carts that require climbing stairs, there shall be an additional charge.

Monthly Charge Based on Number of Collections Per Week Per Cart							
Effective Date	1X	2X	3X	4X	5X	6X	7X
Current	\$7.40	\$14.80	\$22.20	\$29.60	\$37.00	\$44.40	\$51.80
July 1, 2023	\$11.50	\$23.00	\$34.50	\$46.01	\$57.51	\$69.01	\$80.51
July 1, 2024	\$11.85	\$23.69	\$35.54	\$47.39	\$59.23	\$71.08	\$82.92
July 1, 2025	\$12.20	\$24.40	\$36.61	\$48.81	\$61.01	\$73.21	\$85.41
July 1, 2026	\$12.57	\$25.14	\$37.70	\$50.27	\$62.84	\$75.41	\$87.97
July 1, 2027	\$12.94	\$25.89	\$38.83	\$51.78	\$64.72	\$77.67	\$90.61

Hard to Service Roll off Containers. There shall be a monthly surcharge, as shown below where extra handling (spinning) of roll-off containers, or where reloading of a container onto a truck is required. The surcharge shall be multiplied by the number of service pickups per week.

Effective date:	Current	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
per pickup per week	\$53.90	\$54.12	\$55.74	\$57.42	\$59.14	\$60.91

Key/Access Code Charges. There shall be a monthly surcharge, as shown below where key/code management is necessary to access containers. The surcharge shall be multiplied by the number of service pickups per week.

Effective date:	Current	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
per pickup per week	\$40.35	\$26.56	\$27.36	\$28.18	\$29.02	\$29.90

HOW DO I LEARN MORE?

Additional rate information, including fees for one-time special services, is available at <https://berkeleyca.gov/city-services/trash-recycling>. On that webpage, you will also find the staff report and City Council resolution proposing the new rates, as well as full five-year rate schedule for both residential and commercial service, and information about the City's *Zero Waste* program.

For further questions, please call 311 and/or submit an online request for service or information at <https://berkeleyca.gov/city-services/report-pay/report-issues/request-service-information> and reference *Zero Waste Rates and Proposition 218* in the description.

If you would like a mailed copy of the full five-year rate schedule for both residential and commercial rates, please call 311 or submit an online request for service or information.



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Discussion Regarding the Contra Costa County Hazard Mitigation Plan

Recommendation

While this agenda item is not requiring any action, the IGM would appreciate that the Board agrees with moving forward in seeing a finalized hazard mitigation plan and that the Board agrees with the IGM recommendation of a Town Hall meeting to provide the Hazard Mitigation Action Items to the Community.

Background

FEMA requires every five years an updated Hazard Mitigation Plan. Entities such as KPPCSD and KFPD need to have that updated plan to qualify for grants that might be available to make improvements and to assist in mitigating hazards caused by natural disasters such as earthquakes and wildfires.

KPPCSD and KFPD are working with Contra Costa County Emergency Managements Services, who contracted with a firm to write an updated Hazard Mitigation plan, not only for the county but for entities such as ours.

On December 4, 2023, the IGM, Police Chief and Director Spath attended the initial meeting in developing the Hazard Mitigation Plan for Contra Costa County and all entities wishing to participate and develop their own plan as part of the County plan. The General Manager from KFPD and a Fire Captain from El Cerrito Fire were also in attendance as we work together to see that Kensington is well represented and prepared to apply for grants that can benefit and protect the community.

The meeting provided instructions for each entity in what needs to be developed for hazard mitigation projects desired in the future along with many of the requirements that are needed to meet FEMA guidelines and thus qualify for grants.

Some key action items for KPPCSD and KFPD involve the following:

1. Obtain Community Input from Kensington Residents on the proposed mitigation projects. It is suggested that a town hall meeting be held in early January so that the proposed projects can be presented and additional input from the residents can be addressed.
2. Review the Mitigation projects with The KPPCSD board of Directors (The KFPD would do the same with the KFPD board of directors).
3. Submit the information to the County Consultant for input and approval.
4. The District would review a draft of the overall mitigation plan and the Board would approve the plan and wish to be participants in the plan by submitting a Resolution stating such.



Date: December 14, 2023

To: Board of Directors

From: David Aranda, Interim General Manager

Subject: Discussion and Request To Approve The Reorganization Proposal Submitted By Ridgeline Municipal Strategies For \$49,620 In Conjunction With KFPD Also Accepting The Proposal

Recommendation

Approve accepting the proposal from Ridgeline Municipal Strategies for \$49,620 subject to the KFPD doing the same.

Background

For many years now, the residents of Kensington have desired to consider the KPPCSD and KFPD reorganizing into one entity. There are questions about the benefit of two entities becoming one or remaining separate districts. A financial study of both entities as outlined in the proposal should help all to better understand if there are benefits to becoming one entity or if the numbers show that each district should remain separate entities.

A committee from each entity worked on developing an RFP and each board approved the RFP with it being sent to seven vendors along with it being advertised in the CSDA RFP section of the webpage. As noted with the attachments, some vendors were concerned about the scope of the work and thus to not bid on the job.

Ridgeline Municipal Strategies did submit a response to the proposal, and it is hoped that both KPPCSD and KFPD would elect to move forward by accepting this proposal. In the past both entities have shared expenses on joint projects, and it would be beneficial for each entity to continue with the spirit of sharing costs. The KFPD will have this agenda item for their upcoming board meeting on December 20th.

The IGM will be calling the references provided in the proposal and will have a verbal update for the regarding the responses from the references.

Exhibits

- Ridgeline Municipal Strategies Proposal to Prepare Fiscal Analysis
- Berkson Associates Response to Prepare Fiscal Analysis
- EPS Response to Proposal for Fiscal Analysis
- KPOA Letter dated December 1, 2022 Supporting Consolidation



Proposal to Prepare Fiscal Analysis Evaluating Reorganization of Kensington Special Districts



Submitted to:



and





December 8, 2023

Ms. Mary Morris-Mayorga
Kensington Fire Protection District
Mr. David Aranda
Kensington Police Protection and Community Services District
10940 San Pablo Avenue
El Cerrito, CA 94530

Dear Ms. Morris-Mayorga and Mr. Aranda,

Ridgeline Municipal Strategies, LLC ("Ridgeline") is pleased to submit this proposal to prepare a Fiscal Study Evaluating Reorganization of Kensington Special Districts ("Fiscal Study").

Ridgeline is a registered municipal advisory and financial consulting firm assisting California's special districts with financial planning and financing. Our team has over 30 years of combined experience in addressing financing needs of local communities. We have completed over 60 financial consulting assignments and over 150 municipal financings that raised more than \$1 billion in proceeds.

We believe that a comprehensive planning approach is fundamental to the financial health and decision-making process of public agencies. In preparing the Fiscal Study, we will work with you to ensure that all expenses, costs, revenues, and other funding sources and uses are properly captured and incorporated into the fiscal model.

We have read and will comply with all terms and conditions of your RFP. Our proposal is firm and valid for 90 days.

We look forward to working with you on this Fiscal Study.

I, Dmitry Semenov, the Principal of Ridgeline, will be the designated contact on your Project. You can reach me at (916) 250-1590 and dsemenov@ridgelinemuni.com.

Sincerely,
RIDGELINE MUNICIPAL STRATEGIES, LLC

Dmitry Semenov
Principal



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**RIDGELINE MUNICIPAL STRATEGIES, LLC
PROPOSAL TO PREPARE FISCAL ANALYSIS
EVALUATING REORGANIZATION
of
KENSINGTON SPECIAL DISTRICTS**



INTRODUCTION

On November 10, 2023, the Kensington Fire Protection District (“KFPD”) and Kensington Police Protection and Community Services District (“KPPCSD”) (collectively, the “Districts”) issued a Request for Proposals (the “RFP”) for the Fiscal Analysis Evaluating Reorganization of Kensington Special Districts (the “Fiscal Study”). Ridgeline Municipal Strategies, LLC (“Ridgeline”) is presenting this proposal in response to the RFP.

FIRM BACKGROUND and PRIOR EXPERIENCE

Firm Overview

Founded in February 2021, Ridgeline’s vision is to provide personalized, innovative, and independent municipal advisory and financial consulting services to California communities. While we are a young firm, the members of our team have over 30 years of industry experience, completed over 60 various financial consulting assignments, and participated in the preparation and sale of over 150 municipal bond issues, bank loans, and private placements that raised over \$1 billion in financing proceeds.

The public safety (fire and police protection) sector is a core focus of our practice.

RELEVANT EXPERIENCE OVERVIEW

FIRE and POLICE SERVICE FOCUS	ANALYSIS & PLANNING
22 public safety clients	11 public safety financing studies
FISCAL STUDIES	LOCAL KNOWLEDGE
7 fiscal studies	Northern CA and Bay Area experience

Public Safety Clients

The public safety sector experience of Ridgeline and its principal is as follows:

No	Agency Name	Project Description
1	Alpine FPD	UAL Refunding
2	Bonita-Sunnyside FPD	UAL Refunding; Continuing Disclosure
3	Borrego Springs FPD	UAL Refunding
4	Cameron Park CSD	Park and Fire Fee Nexus Study
5	City of Hayward	Fire Station / Police Facility Financing
6	City of Placerville	Police Vehicles and Communication Equipment Financing
7	City of San Marcos	Regional Fire Safety Training Center Financing
8	Cosumnes CSD	Ambulance Financing
9	County of Madera	Fire Apparatus Financing
10	Ebbetts Pass FPD	Pension Cost Optimization, UAL Refunding
11	Kelseyville FPD	Fire Mitigation Fee Nexus Study
12	Lake County FPD	Pension Cost Optimization, UAL Refunding, Fee Nexus Study
13	Lake Valley FPD	UAL Refunding
14	Lakeport FPD	Fire Mitigation Fee Nexus Study
15	Lakeside FPD	Pension Cost Optimization, UAL Refunding, Fire Station Financing
16	Moraga-Orinda FPD	Fiscal Impact Study
17	Multnomah Co Rural FPD No 10	Fire Station Financing
18	Northshore FPD	Fire Mitigation Fee Nexus Study
19	Oceano CSD	UAL Refunding; Fiscal Consulting
20	Penn Valley FPD	UAL Refunding
21	Rancho Adobe FPD	UAL Refunding
22	South Lake County FPD	Fire Mitigation Fee Nexus Study

Fiscal Analysis Experience

Fiscal analysis is incorporated into most of our work. Specific fiscal study experience of our team members includes the following assignments:

- Town of Moraga & Moraga-Orinda FPD – Rancho Laguna Fiscal Impact Study;
- Placer County – Forest Ranch Fiscal Analysis;
- Placer County – Martis Valley Community Plan Fiscal Analysis;
- City of Auburn – Home Depot Fiscal Analysis
- City of Woodland – Automall Fiscal Analysis;
- City of Woodland / Yolo County – Spring Lake Specific Plan Fiscal Analysis;
- Sacramento County – Arden Arcade Incorporation Fiscal Analysis.

Additionally, the members of our team have performed in-depth fiscal and financial sustainability / credit risk analysis of over 100 public agencies.

Project Organization and Project Team

The following Ridgeline team members will work with the Districts on the Fiscal Study:

Mr. Dmitry Semenov, Principal, will be the Project Manager and primary consultant on all Project tasks. He specializes in advising public agencies on fiscal and credit strategies, debt issuance and management, infrastructure, facilities, and equipment financing, and pension cost optimization. Mr. Semenov has completed over 150 municipal financings that raised more than \$1 billion in funding proceeds. Prior to launching Ridgeline, he spent over 10 years in commercial banking, serving fire districts, cities, counties, water and wastewater agencies, transportation agencies, school districts, special districts, and other types of public agencies on the West Coast. He also worked for over 15 years in the public finance consulting and community development field.

Mr. Semenov is a registered Municipal Advisor Professional (Series 50 license) and Municipal Advisor Principal (Series 54 license) with the SEC and MSRB and holds a Master of Business Administration degree from the University of California, Davis and a Bachelor of Science degree in Economics from the Plekhanov University of Economics.

Mr. Jordan Bird, Associate, will provide analytical support on the Project. He specializes in fiscal analysis, as well as risk and credit assessment of public agencies. Mr. Bird has performed risk assessment and in-depth financial and fiscal analysis for dozens of local government agencies on the West Coast. Prior to joining the Ridgeline team, he spent over three years as a financial analyst at commercial banks focusing on municipal lending to fire districts, water and wastewater agencies, cities, counties, special districts, and school districts. Mr. Bird holds a Bachelor of Science degree in Economics from the California Polytechnic State University, San Luis Obispo, CA.

Ms. Galina Rybakova, Research Associate, will provide analytical and research support on the Project. She specializes in fiscal and data analysis. Prior to joining Ridgeline, she spent a decade working as a data and corporate finance analyst with several financial institutions and manufacturing companies. Ms. Rybakova holds a Bachelor of Science degree in Economics from the State University of Technology and Computer Science, Moscow, Russia.

PROJECT APPROACH

As the Districts and the public are evaluating the fiscal sustainability of fire and police protection, parks and recreation, and solid waste collection services in the area, it is of utmost importance that detailed and comprehensive fiscal analysis supports the deliberations and the decision-making process.

Ridgeline takes a practical approach to fiscal analysis, rooted in pragmatic realities of prudent financial management that we take into consideration while preparing clients for issuing debt and performing credit due diligence. Our calculations are not theoretical concepts, but rather hands-on cash flow evaluations designed to prepare public agencies for long-term fiscal resiliency and ability to meet the high expectations of lenders and municipal bond investors. We feel that this is particularly important for the Fiscal Study, since the KPPCSD has significant debt exposure. With the possibility of more debt issuance to fund the permanent police station, it is important to start preparing for that as early as practically possible.

One of the most significant financial issues facing California local governments in general and public safety agencies in particular (given their large concentration of Safety employees) is the growing unfunded pension liability and the associated pension costs. Ridgeline has been actively helping the public safety community with optimization of unfunded pension liabilities. While the KPPCSD has issued pension obligation bonds to address its pension liabilities, new unfunded pension obligations have continued to accumulate and need to be proactively managed.

We intend to utilize our hands-on knowledge of pension obligations and CalPERS' practices to help the Districts evaluate alternative approaches to managing their pension costs and identify cost saving strategies.

To ensure quality and efficiency of the Fiscal Study process, we propose the following Project approach:

- **Research Stage:**
 - Gather and review Project-related information, including but not limited to:
 - audited financial statements.
 - budgets and financial forecasts.
 - El Cerrito Fire Services contract.
 - board meeting packets.
 - strategic plans.
 - alternative governance models report.
 - loan agreements.
 - CalPERS and OPEB actuarial valuation reports.

- capital project and equipment programs.
- anticipated grant revenue information.
- reserve policies.
- information pertaining to permanent police station location and costs.
- data on property tax base and growth projection scenarios.
- information on past and proposed tax measures.
- any other relevant information available from the Districts.

A kick-off meeting will be held with the Districts' teams (staff, board members, and any necessary third parties). While the meeting could be done virtually, we recommend an in-person meeting at the Districts' offices, if circumstances allow. During the meeting we will be looking for input on the following topics:

- Strategic initiatives, major upcoming capital projects and equipment purchases, and challenges and opportunities that each District is facing.
- Tax base and growth projections.
- Revenue sources.
- Anticipated funding initiatives (debt financing, grant funding, etc.).
- Reserve targets.
- Regulatory and contractual requirements.
- Billing and collection procedures.
- Desired fiscal analysis alternatives.
- Any other input and themes that need to be incorporated into the Fiscal Study.

During the meeting we will identify and document the Districts' goals and priorities, explore various fiscal alternatives and identify the preferred one, determine capital projects and associated funding mechanisms to be included in the analysis, etc.

Our proposal assumes that the kick-off meeting will be held jointly with both Districts.

- **Analysis Stage:**
 - Based on the information gathered during the Research Stage, Ridgeline will develop fiscal models, analyze historical revenues and expenses, and develop detailed projections for each Project alternative:
 - The KFPD operating independently;
 - The KPPCSD operating independently; and,
 - The Districts operating on a consolidated basis.

The projections will be done for a 10-year period. The models will incorporate staffing assumptions, known and anticipated revenue and cost increases, as well as reserve targets. The revenue and expense categories will generally follow the pattern used in the audited financial statements and budgets to allow for easy verification of data and comparison with future actual performance. Particular attention will be given to the following issues:

- pension and OPEB costs and cost control measures;
- contractual obligations related to the El Cerrito Fire Services contract;
- staffing, major equipment, and capital improvement costs and reserves (including permanent police station, as applicable) and funding sources, including debt issuance and possible grant funding resources;
- borrowing capacity assessment; and
- Districts' ability to meet their existing and anticipated future debt-related financial covenants and maintain targeted reserve levels.

The models will allow the Project team to evaluate the long-term fiscal sustainability of the KFPD and the KPPCSD as independent districts, as well as the long-term fiscal sustainability of the Districts operating on a consolidated basis.

The model outputs will be provided to the Districts' staff for review and comments.

- Once the financial models are approved by the Districts, Ridgeline will prepare the detailed Fiscal Study report, documenting the research, assumptions, analysis, findings, and recommendations. The report will provide substantiated conclusions as to whether the Districts can sustainably operate independently and/or on a consolidated basis. The report will be provided to the Districts in a draft form first to allow for review and comments.

The report will be finalized once the Districts confirm that it has been prepared to their satisfaction.

- **Public Presentation Stage:**

- Ridgeline will prepare and deliver presentations to the Districts' boards of directors and to the public and/or the Contra Costa County LAFCo, if necessary. Presentation materials will be provided to the Districts' staff for review and approval ahead of time.

SCOPE OF WORK

To complete the Scope of Services outlined in the RFP, Ridgeline proposes the following scope of work.

Task 1: Fiscal Analysis of KPPCSD and KFPD as Independent Districts

Ridgeline will develop a separate fiscal model for each District as an independent operation. The analysis will include 3-5 years of historical financial data, a 10-year projection for the existing revenue sources, operating expenses, capital improvements, reserves, etc. and an evaluation of the fiscal capacity of each District to continue providing services. The analysis will account for the present and future capital and operational needs of each Districts and include the following:

1. The projected cost of the KPPCSD's requirement to secure a permanent police station location in Kensington under the following scenarios:
 - a. the KPPCSD using its own buildings and land vs. purchasing land and building a new structure; and
 - b. the KPPCSD sharing space with the KFPD in the Kensington Public Safety Building.
2. The KFPD's contractually obligated reserves for the El Cerrito Fire Services contract.
3. The KFPD's current reserve policy for fire engine and vehicle replacement.
4. Staffing costs and capital reserves required to manage and maintain the Kensington Public Safety Building.
5. For each District, Ridgeline will develop a projection of the CalPERS pension costs and OPEB costs, including normal costs and amortization of the unfunded accrued liability, Section 115 Trust contributions, repayment of pension obligation bonds, etc., to the extent applicable. We will work closely with the Districts' staff and CalPERS and third party actuaries to develop future liability projections.
6. An assessment of each District's borrowing capacity.

Ridgeline will work with the Districts' team to obtain on-going feedback and review of the analysis throughout the work process.

Task 1 deliverables:

- Separate fiscal models for each District, prepared in Excel and provided to the Districts in the PDF format.
- Brief technical memorandum documenting the assumptions, methodologies, and results of the fiscal analysis.

Task 2: Fiscal Analysis of KPPCSD and KFPD as a Consolidated District

Ridgeline will develop a fiscal model for the two Districts operating as a consolidated district. The analysis will incorporate assumptions from Task 1 and include a 10-year projection for the existing revenue sources, operating expenses, capital improvements, reserves, etc. and an evaluation of the fiscal capacity of the consolidated district to provide services. The consolidated fiscal analysis will address the following topics:

- An assessment of the consolidation's impact on general fund balances, liquid cash reserves, and capital reserves for dedicated purposes.
- The full immediate and long-term cost of rehousing the Kensington Police Department in an essential service structure in Kensington.
- Identify potential cost savings and increases due to consolidation and potential impacts on the Districts' ability to continue providing their services on a consolidated basis.
- Analysis of staffing changes and the associated CalPERS pension impacts.
- An assessment of the consolidated District's borrowing capacity and its comparison to the borrowing capacities of the Districts operating independently.

The analysis will be consistent with Government Code Section 56653(b)(5). The Districts may need to develop additional documentation to meet the requirements of Government Code Sections 56653(b)(1)-(4).

Task 2 deliverables:

- Fiscal models for the consolidated district, prepared in Excel and provided to the Districts in the PDF format.
- Brief technical memorandum documenting the assumptions, methodologies, and results of the fiscal analysis.

Task 3: Fiscal Study Report Preparation and Presentation

Based on the work completed in prior tasks, Ridgeline will prepare the Fiscal Study report, which will incorporate the following information:

- The description of both Districts and their services.
- Service area description.
- Overview of financial operations for the last 3-5 years.
- The 10-year financial projections developed during Tasks 1 and 2.
- Summary of the capital facilities program.

- The fiscal models developed during Tasks 1 and 2.
- Fiscal analysis assumptions and methodology.
- Comparative analysis of the studied operating scenarios.

The report will be prepared as follows:

- The preliminary report will allow for the District teams' review and comments.
- The administrative draft report will be presented at the Districts' Board of Directors meetings.
- The final report will include the final Board of Directors and staff changes.

The report will be delivered to the Districts in the PDF format. The printing and reproduction costs of the hard copies are not included in the budget and will be the responsibility of the Districts.

The Fiscal Study and its results will be presented at each District's board meeting and subsequently at a public town hall and/or LAFCO meeting. The Project budget includes a total of three (3) presentations.

Task 3 deliverables:

- Preliminary, Administrative Draft, and Final Fiscal Study Reports
- Presentation materials for the District board meetings and public town hall / LAFCO meeting.

PROJECT TIMELINE

We anticipate the following Project timeline:

- Contract Award – February 1, 2024
- Information Gathering and Review (2-3 weeks) – February 2024
- Kick-off Meeting – Early March 2024
- Fiscal Model Development and Review (3-4 weeks) – March – April 2024
- Report Preparation and Review (4-5 weeks) – April – May 2024
- District Board Meetings – May – June 2024 (depending on Districts' schedules)
- Town Hall / LAFCO Meeting – June – July 2024 (depending on Districts' schedules)

The timeline can be revised as necessary. Our current work pipeline allows us to complete the Fiscal Study within the outlined schedule, assuming timely feedback from the Districts.

The timeline assumes one week review time for the fiscal models and report by the Districts' staff. Board meeting materials will be provided one week prior to board meetings.

Districts' staff will be responsible for scheduling and coordinating the board meetings and the public town hall / LAFCO meeting.

PROJECT BUDGET

To complete the Scope of Work, Ridgeline proposes a **not-to-exceed budget of \$49,620**, as detailed in the table below.

Ridgeline will be compensated on a time and materials basis, not-to-exceed total budget. Time may be re-allocated between tasks and team members, as necessary. Invoices will be submitted to the Districts monthly.

If there are material changes to the Scope of Work, a revised budget may be negotiated by a mutual written agreement between Ridgeline and the Districts.

**Kensington Fire Protection District & Kensington Police Protection and Community Services District
 Fiscal Study Project Budget**

Task	Description	Hours [1]			Total	Total Cost [1]
		Principal @ \$315/hr	Associate @ \$195/hr	RA @ \$95/hr		
1	Fiscal Analysis of KPPCSD and KFPD as Independent Districts					
1.1	Gather and Review Project Information / Data	8	8	2	18	\$4,270
1.2	Kick-Off Meeting / Client Interviews	6	6	0	12	\$3,060
1.3	Fiscal Model Development	16	32	4	52	\$11,660
2	Fiscal Analysis of KPPCSD and KFPD as a Consolidated District	8	16	0	24	\$5,640
3	Fiscal Study Report Preparation and Presentation					
3.1	Report Preparation	20	36	8	64	\$14,080
3.2	Board Meetings and Town Hall Presentations	24	6	4	34	\$9,110
	Travel Expenses					\$1,800
TOTAL		82	104	18	204	\$49,620

[1] Time and cost are estimates and will vary. Billings will be done on T&M basis for actual amount of time required, not to exceed total amount shown.

Our budget includes one (1) in-person kick-off meeting with the Districts’ team, two (2) in-person Board meetings and one (1) in-person town hall / LAFCO meeting. Additional in-person meetings will be billed at \$1,200 per meeting (includes travel costs).

All project deliverables will be provided electronically in the PDF format. Printing and reproduction costs will be responsibility of the Districts and are not included in the budget.

REFERENCES

We encourage you to contact our references listed below:

1. *Lake County Fire Protection District* – fire mitigation fee nexus study, pension cost optimization strategy, comprehensive pension liability management policy, unfunded accrued liability refunding (2022-23).

Ms. Miasha Rivas, Finance Analyst

Mr. Willie Sapeta, Fire Chief

(707) 994-2170

mrivas@lakecountyfire.com



2. *City of San Juan Bautista* – Fiscal and feasibility analysis, financing strategy and financing for water and wastewater compliance projects (full system rebuild) (2021 – on-going):

- a. Project fiscal feasibility analysis for the EPA;
- b. Water and wastewater rate study preparation support;
- c. Financial planning, budget development, financing strategy development and implementation, DWR and EPA negotiation support;
- d. Phase 1 SRF and USDA financing - \$18m and \$10.3m – completed;
- e. Phase 1 interim project financing (bank line of credit) - \$14.6m – completed;
- f. Successful grant applications to USDA (\$6.5m), EPA STAG (\$1m), and State of California (\$3m);
- g. On-going USDA, SRF and interim financings for Phase 2.

Mr. Don Reynolds, City Manager

(831) 594-6322

citymanager@san-juan-bautista.ca.us



3. *Lakeside Fire Protection District* – Comprehensive pension cost optimization strategy, pension liability management policy, issuance of \$27.9M pension obligation bonds (public sale), \$4.6M fire station renovation financing (2018-23).

Mr. Don Butz, Fire Chief

(619) 390-2350

dbutz@lakesidefire.org



EXCEPTIONS TO THE RFP

We have read the Fiscal Study RFP dated November 10, 2023. Based on the reviewed information, we believe that we fully understand the Fiscal Study scope and are able to accomplish the work to the Districts' satisfaction.

We do not request any exceptions to the Scope of Work.

We would like to request the following exceptions to the Agreement language:

- As a registered municipal advisory firm under the regulatory authority of the U.S. Securities and Exchange Commission ("SEC") and the Municipal Securities Rulemaking Board ("MSRB"), we are required to include certain provisions and disclosures into all our contracts. We request that the following language be added to the Consultant Agreement:

"Ridgeline is a registered municipal advisor with the Securities and Exchange Commission (the "SEC") and the Municipal Securities Rulemaking Board (the "MSRB"), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2. This Agreement designates Ridgeline as the District's independent registered municipal advisor ("IRMA") with regard to the attached Scope of Services for purposes of SEC Rule 15Ba1-1(d)(3)(vi) (the "IRMA Exemption"). Ridgeline shall not be responsible for, or have any liability in connection with, verifying that Ridgeline is independent from any other party seeking to rely on the IRMA Exemption (as such independent status is required pursuant to the IRMA Exemption, as interpreted from time to time by the SEC). The District acknowledges and agrees that any reference to Ridgeline, its personnel, and its role as IRMA, including in the written representation of the District required under SEC Rule 15Ba1-1(d)(3)(vi)(B) shall be subject to prior approval by Ridgeline. The District further agrees not to represent that Ridgeline is the District's IRMA with respect to any aspect of a municipal securities issuance or municipal financial product, outside of the attached Scope of Services or without Ridgeline's prior written consent.

MSRB Rule G-42 requires that municipal advisors make written disclosures to its clients of all material conflicts of interest and certain legal or disciplinary events. Such disclosures are provided in Ridgeline's Disclosure Statement delivered to the District together with this Agreement as Attachment ____."

The Disclosure Statement referenced above is enclosed as Appendix A.

- The following language should be added to the Agreement:

ELECTRONIC DELIVERY OF DOCUMENTS

Client agrees that delivery of information and documents shall be in a manner acceptable to Ridgeline, and Client agrees and acknowledges that delivery shall normally be via electronic means, including, but not limited to, an emailed hyper-link to the email address provided to Ridgeline by Client. Client hereby consents to such electronic delivery of all documents and information required pursuant to this Agreement, acknowledges that this form of electronic delivery constitutes delivery to Client of the information linked thereto or contained therein and agrees and acknowledges that: (i) Client's consent to electronic delivery means that Client will receive an email that contains either a hyper-link that will connect Client to the relevant information on a particular web page of Ridgeline's website or the web site of a third-party or an attachment, such as a PDF file or other document; (ii) Client has access to this media and the ability to print and/or download the information provided thereby; (iii) Client will update Client's electronic contact information immediately if Client's email address changes; (iv) Client agrees to maintain a working and operational email address, and maintain a computer system that is able to accept and incorporate then-current standards of communication; and (v) Client's consent to electronic delivery, as described herein, is valid until Client effectively revokes such consent. Occasional requests for paper documents will not trigger revocation. Client may revoke such consent to electronic delivery at any time by providing written notice to Ridgeline.

LIMITATION OF LIABILITY

Except to the extent caused by willful misconduct, bad faith, gross negligence, or reckless disregard of obligations or duties under this Agreement on the part of Ridgeline or any of its associated persons, neither Ridgeline nor any of its associated persons shall have liability to any person for any act or omission in connection with performance of its services hereunder, or for any error of judgment or mistake of law, or for any loss arising out of any issuance of municipal securities, any municipal financial product or any other financial product or investment, or for any financial or other damages resulting from the Client's election to act or not to act, as the case may be, contrary to or, absent negligence on the part of Ridgeline or any of its associated persons, upon any advice or recommendation provided by Ridgeline to the Client.

APPENDIX A: DISCLOSURE OF CONFLICTS OF INTEREST AND OTHER INFORMATION FOR RIDGELINE MUNICIPAL STRATEGIES, LLC

I. Introduction

Ridgeline Municipal Strategies, LLC (hereinafter, referred to as “Ridgeline”) is a registered municipal advisor with the Securities and Exchange Commission (the “SEC”) and the Municipal Securities Rulemaking Board (the “MSRB”), pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2.

The MSRB is the primary rulemaking body for the municipal securities industry in general and municipal advisors in particular. Their website can be accessed at www.msrb.org. The website includes, among other things, the municipal advisory client brochure, which describes protections that are provided by the MSRB’s rules and the process for filing complaints with appropriate regulatory authorities. The municipal advisory client brochure can be accessed at:

<http://www.msrb.org/~media/Files/Resources/MSRB-MA-Clients-Brochure.ashx?la=en>.

In accordance with MSRB rules, this disclosure statement is provided by us to each client prior to the execution of our advisory agreement with written disclosures of all material conflicts of interests and legal or disciplinary events that are required to be disclosed with respect to providing financial advisory services pursuant to MSRB Rule G-42(b) and (c)(ii). Ridgeline employs a number of resources to identify and subsequently manage actual or potential conflicts of interest in addition to disclosing actual and potential conflicts of interest provided herein.

Fiduciary Duty

Ridgeline has a fiduciary duty to the Client and must provide both a Duty of Care and a Duty of Loyalty that includes the following.

Duty of Care:

- Exercise due care in performing its municipal advisory activities;
- Possess the degree of knowledge and expertise needed to provide the Client with informed advice;
- Make a reasonable inquiry as to the facts that are relevant to the Client’s determination as to whether to proceed with a course of action or that form the basis for any advice provided to the Client; and,
- Undertake a reasonable investigation to determine that we are not providing any recommendations on materially inaccurate or incomplete information.
- We must have a reasonable basis for:
 - Any advice provided to or on behalf of the Client;
 - Any representations made in a certificate that we sign that will be reasonably foreseeably relied upon by the Client, any other party involved in the municipal securities transaction or municipal financial product, or investors in the Client’s securities; and,
 - Any information provided to the Client or other parties involved in the municipal securities transaction in connection with the preparation of an official statement.

Duty of Loyalty:

We must deal honestly and with the utmost good faith with the Client and act in the Client's best interests without regard to the financial or other interests of Ridgeline. We will eliminate or provide full and fair disclosure (included herein) to the Client about each material conflict of interest (as applicable). We will not engage in municipal advisory activities with the Client, as a municipal entity, if we cannot manage or mitigate our conflicts in a manner that permits us to act in the Client's best interest.

How We Identify and Manage Conflicts of Interest

Code of Ethics. Ridgeline requires all of its employees to conduct all aspects of our business with the highest standards of integrity, honesty and fair dealing. All employees are required to avoid even the appearance of misconduct or impropriety and avoid actual or apparent conflicts of interest between personal and professional relationships that would or could interfere with an employee's independent exercise of judgment in performing the obligations and responsibilities owed to a municipal advisor and our clients.

Policies and Procedures. Ridgeline has adopted policies and procedures that include specific rules and standards for conduct. Some of these policies and procedures provide guidance and reporting requirements about matters that allow us to monitor behavior that might give rise to a conflict of interest. These include policies concerning the making of gifts and charitable contributions, entertaining clients, and engaging in outside activities, all of which may involve relationships with clients and others that are important to our analysis of potential conflicts of interest.

Supervisory Structure. Ridgeline has both a compliance and supervisory structure in place that enables us to identify and monitor employees' activities, both on a transaction and firm-wide basis, to ensure compliance with appropriate standards. Prior to undertaking any engagement with a new client or an additional engagement with an existing client, appropriate municipal advisory personnel will review the possible intersection of the client's interests, the proposed engagement, our engagement personnel, experience and existing obligations to other clients and related parties. This review, together with employing the resources described above, allows us to evaluate any situations that may be an actual or potential conflict of interest.

Disclosures. Ridgeline will disclose to clients those situations that it believes would create a material conflict of interest, such as:

- 1) any advice, service or product that any affiliate may provide to a client that is directly related to the municipal advisory work of Ridgeline;
- 2) any payment made to obtain or retain a municipal advisory engagement with a client;
- 3) any fee-splitting arrangement with any provider of an investment or services to a client;
- 4) any conflict that may arise from the type of compensation arrangement we may have with a client; and
- 5) any other actual or potential situation that Ridgeline is or becomes aware of that might constitute a material conflict of interest that could reasonably be expected to impair our ability to provide advice to or on behalf of clients consistent with regulatory requirements.

If Ridgeline identifies such situations or circumstances, we will prepare meaningful disclosure describing the implications of the situation and how we intend to manage the situation. Ridgeline will also disclose any legal or disciplinary events that are material to a client's evaluation or the integrity of our management or advisory personnel. Ridgeline will provide this disclosure (or a means to access this information) in writing prior to starting our proposed engagement, and will provide such additional information or

clarification as the client may request. Ridgeline will also advise clients in writing of any subsequent material conflict of interest that may arise, as well as the related implications, its plan to manage that situation, and any additional information such client may require.

II. General Conflict of Interest Disclosures

Disclosure of Conflicts Concerning the Firm's Affiliates

Ridgeline does not have any affiliates that provide any advice, service, or product to or on behalf of the Client that is directly or indirectly related to the municipal advisory activities to be performed by Ridgeline.

Disclosure of Conflicts Related to the Firm's Compensation

Ridgeline has not made any payments directly or indirectly to obtain or retain the Client's municipal advisory business.

Ridgeline has not received any payments from third parties to enlist Ridgeline's recommendation to the Client of its services, any municipal securities transaction or any municipal finance product.

Ridgeline has not engaged in any fee-splitting arrangements involving Ridgeline and any provider of investments or services to the Client.

From time to time, Ridgeline may be compensated by a municipal advisory fee that is or will be set forth in an agreement with the client to be, or that has been, negotiated and entered into in connection with a municipal advisory service. Payment of such fee may be contingent on the closing of the transaction and the amount of the fee may be based, in whole or in part, on a percentage of the principal or par amount of municipal securities or municipal financial product. While this form of compensation is customary in the municipal securities market, it may be deemed to present a conflict of interest since we may appear to have an incentive to recommend to the client a transaction that is larger in size than is necessary. Further, Ridgeline may also receive compensation in the form of a fixed fee arrangement. While this form of compensation is customary, it may also present a potential conflict of interest if the transaction ultimately requires less work than contemplated and we are perceived as recommending a more economically friendly pay arrangement. Finally, Ridgeline may contract with clients on an hourly fee basis. If Ridgeline and the client do not agree on a maximum amount of hours at the outset of the engagement, this arrangement may pose a conflict of interest as we would not have a financial incentive to recommend an alternative that would result in fewer hours. Ridgeline manages and mitigates all of these types of conflicts by disclosing the fee structure to the client, and by requiring that there be a review of the municipal securities transaction or municipal financial product to ensure that it is suitable for the client in light of various factors, after reasonable inquiry, including the client's needs, objectives, and financial circumstances.

Disclosure Concerning Provision of Services to State and Local Government, and Non-Profit Clients

Ridgeline regularly provides financial advisory services to state and local governments, their agencies, and instrumentalities, and non-profit clients. While our clients have expressed that this experience in providing services to a wide variety of clients generally provides great benefit for all of our clients, there may be or may have been clients with interests that are different from (and adverse to) other clients. If for some reason any client sees our engagement with any other particular client as a conflict, we will mitigate this conflict by engaging in a broad range of conduct, if and as applicable. Such conduct may include one or any combination of the following: 1) disclosing the conflict to the client; 2) requiring that there be a review of the municipal securities transaction or municipal financial product to ensure that it is suitable for the client in light of various factors, including the client's needs, objectives and financial circumstances; 3) implementing procedures that establishes a "firewall" that creates physical, technological and procedural

barriers and/or separations to ensure that non-public information is isolated to particular area such that certain governmental transaction team members and supporting functions operate separately during the course of work performed; and 4) in the rare event that a conflict cannot be resolved, we will withdraw from the engagement.

Disclosure Related to Legal and Disciplinary Events

As registered municipal advisors with the SEC and the MSRB, pursuant to the Securities Exchange Act of 1934 Rule 15Ba1-2, our legal, disciplinary and judicial events are required to be disclosed on our forms MA and MA-I filed with the SEC, in 'Item 9 Disclosure Information' of form MA, 'Item 6 Disclosure Information' of form MA-I, and if applicable, the corresponding disclosure reporting page(s). To review the foregoing disclosure items and material change(s) or amendment(s), if any, clients may electronically access Ridgeline filed forms MA and MA-I on the SEC's Electronic Data Gathering, Analysis, and Retrieval system, listed by date of filing starting with the most recently filed at www.sec.gov/edgar/searchedgar/companysearch.html.

Ridgeline does not have any legal or disciplinary events or disciplinary history on its Form MA and Form(s) MA-I, which includes information about any criminal actions, regulatory actions, investigations, terminations, judgements, liens, civil judicial actions, customer complaints, arbitrations, and civil litigation. There have been no material changes to a legal or disciplinary event disclosure on any form MA or Form MA-I filed with the SEC.

Disclosure Related to Recommendations

If Ridgeline makes a recommendation of a municipal securities transaction or municipal financial product or if the review of a recommendation of another party is requested in writing by the Client and is within the scope of the engagement, Ridgeline will determine, based on the information obtained through reasonable diligence of Ridgeline whether a municipal securities transaction or municipal financial product is suitable for the Client. In addition, Ridgeline will inform the Client of:

- the evaluation of the material risks, potential benefits, structure, and other characteristics of the recommendation;
- the basis upon which Ridgeline reasonably believes that the recommended municipal securities transaction or municipal financial product is, or is not, suitable for the Client; and,
- whether Ridgeline has investigated or considered other reasonably feasible alternatives to the recommendation that might also or alternatively serve the Client's objectives.

If the Client elects a course of action that is independent of or contrary to the advice provided by Ridgeline, Ridgeline is not required on that basis to disengage from providing services to the Client.

Disclosure Related to Record Retention

Pursuant to the SEC record retention regulations, Ridgeline is required to maintain in writing, all communications and created documents between Ridgeline and the Client for five (5) years.

III. Specific Conflicts of Interest Disclosures – Client

To our knowledge, following reasonable inquiry, as of the commencement of the Project, we are not aware of any actual or potential conflict of interest that could reasonably be anticipated to impair our ability to provide advice to or on behalf of the Client in accordance with applicable standards of conduct of MSRB Rule G-42. If we become aware of any potential conflict of interest that arises after this disclosure, we will disclose the detailed information in writing to the Client in a timely manner.

Ridgeline does not act as principal in any of the transactions related to its role / work on the Project.

Ridgeline does not have any other engagements or relationships that might impair Ridgeline's ability to either render unbiased and competent advice to or on behalf of the Client, or to fulfill our fiduciary duty to the Client, as applicable.



Mary Morris-Mayorga
General Manager
Kensington Fire Protection District
217 Arlington Avenue
Kensington, CA 94707

December 8, 2023

sent via email

Dear Ms. Morris-Mayorga,

I appreciate receiving the RFP for Fiscal Analysis Evaluating Reorganization of the Kensington Police Protection and Community Services District (KPPCSD) and the Kensington Fire Protection District (KFPD).

The project is very important and challenging; however, I must decline the request to submit a proposal at this time. I understand that one of the RFP's objectives is to provide a concise fiscal analysis of potential reorganization, but the scope of the RFP includes additional objectives and multiple options, for example issues surrounding KPPCSD building and space needs and location. These additional, indirectly related issues expand the scope significantly and require additional consultant staff capacity and expertise.

Please let me know if you have any questions or whether I can be of assistance in the future.

Respectfully,

A handwritten signature in black ink that reads 'Richard L. Berkson'. The signature is fluid and cursive.

Richard Berkson, Principal, BERKSON ASSOCIATES
34 Terrace Avenue
San Anselmo, CA 94960
(510) 612-6906

cc: David Aranda, Interim General Manager, Kensington Police Protection and Community Services District

From: Ashleigh Kanat <akanat@epsys.com>
Sent: Thursday, December 7, 2023 5:50 PM
To: David Aranda <DAranda@kppcsd.org>
Subject: RE: RFP

Hi David,

Just following up to confirm that EPS will not be submitting a proposal. I appreciate your call the other day and the clarification provided, especially related to the PERS issues. I considered submitting a proposal with an alternative approach/scope but ultimately decided it was too risky, especially in light of our limited capacity as we approach the end of the year. I hope you end up with a great consultant to help you out. If not, and if you choose to reissue the RFP, I would recommend separating your request for facility analysis from the financial analysis. The combination results in more variables and greater complexity than may be strictly necessary.

Thank you,
Ashleigh

ASHLEIGH KANAT (*she/her/hers*)
PRINCIPAL

Economic & Planning Systems (EPS)
T 510-841-9190
D 510-626-8384



December 1, 2022

Dear District Board Directors,

The KPOA (Kensington Property Owners Association) has advocated for consolidation of the two Kensington districts for considerable time. The recent election is a clear indication that Kensington residents support consolidation of the two districts. We are strong supporters of this strategy and are willing to help achieve a successful outcome.

The LAFCO consolidation process takes time. Therefore it is important that both boards work together to initiate and complete the consolidation process. We recommend that following actions be taken beginning either in the December 2022 board meetings, or in the January meetings.

- We suggest both district boards vote to pursue consolidation and agree to create a committee of members of both boards to oversee the process. It is important to send a joint notice to LAFCO indicating that the two districts have voted to pursue consolidation, and propose a meeting with the Executive Officer Lou Ann Texeira. During KPOA's discussions with Ms. Texeira, she has emphasized the importance of meeting with LAFCO to ensure that the boards' written consolidation proposal meets LAFCO's requirements. Such a meeting might be held in a public forum, which would allow residents to understand the process and ask questions. A financial analysis and Municipal Services Review (MSR) is required by LAFCO to be completed by a LAFCO-approved consultant. Given that in Kensington's two previous MSRs LAFCO recommended the two districts consider consolidating, KPOA is confident the LAFCO consultant's analyses will confirm the prudence of consolidation, and that LAFCO will authorize the action.
- The consolidation process will require staff who can work with LAFCO and the consultant to complete the consolidation proposal. The Kensington Fire Protection District may soon hire an interim General Manager (GM) and the Kensington Police Protection and Community Services District has a part-time interim GM whose contract will soon end. KPOA suggests the Districts consider having their human resource recruiters evaluate the option of the two districts jointly hiring a GM prior to completion of consolidation. If feasible, having a single GM would be prudent given: a) the intent to consolidate the two districts; and b) the inefficiency of working with another two part-time interim GMs to serve while consolidation is processing. The new single GM's performance can be evaluated during the time required to complete consolidation, while the GM gains knowledge and experience with the current two district's responsibilities.

Sincerely,

Rob Firmin, KPOA President
and the KPOA Board of Directors



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Approve A Resolution Authorizing Submittal of Individual Grant applications for All Grant Programs for Which the Kensington Police Protection and Community Services District Is Eligible

Recommendation

Approve Resolution No. 2023-22 A Resolution of the Kensington Police Protection and Community Services District Board of Directors Authorizing Submittal of Individual Grant Applications for All Grant Programs for Which the Kensington Police Protection and Community Services District is Eligible. The General Manager will oversee the program and keep the board and public informed as to the uses of the grant money.

Background

The CalRecycle Grant program is available to KPPCSD, and the dollar amount is \$75,000. R3 Consulting Group has experience in applying for the grant and working with the District and the Solid Waste Provider regarding the qualifying items that the district may use the Grant Money for.

Unfortunately, we cannot use this grant money for the study as discussed in the earlier agenda item. There are other possibilities for the district to utilize the grant money in areas such as containers and informational flyers.

Exhibits

- Confirmation of Grant
- Resolutions No. 2023-22
- Budget Template
- Application Certification
- Narrative Proposal

Date: 11/14/2023

From: grantassistance@calrecycle.ca.gov
Alexander Soulard asoulard@r3cgi.com

Subject: Confirmation of Grant Application Submittal for SB 1383 Local Assistance Grant Program (OWR4)

Dear Applicant,

This message is to confirm submittal of your application for SB 1383 Local Assistance Grant Program (OWR4, Grant ID: 27986) with the Department of Resources Recycling and Recovery (CalRecycle). This confirmation only indicates receipt of your application, and does not address its completeness or any guarantee of funding. To access the application, sign in to the Grants Management System (GMS) at <https://secure.calrecycle.ca.gov/Grants>.

Thank you for your interest in this grant program.

RESOLUTION NO. 2023-22

RESOLUTION OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS AUTHORIZING SUBMITTAL OF INDIVIDUAL GRANT APPLICATIONS FOR ALL GRANT PROGRAMS FOR WHICH THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT IS ELIGIBLE

Whereas, Public Resources Code sections 48000 et seq. authorize the Department of Resources Recycling and Recovery (CalRecycle) to administer various grant programs (grants) in furtherance of the State of California’s (state) efforts to reduce, recycle and reuse solid waste generated in the state thereby preserving landfill capacity and protecting public health and safety and the environment; and

Whereas, in furtherance of this authority CalRecycle is required to establish procedures governing the application, awarding, and management of the grants; and

Whereas, CalRecycle grant application procedures require, among other things, an applicant’s governing body to declare by resolution certain authorizations related to the administration of CalRecycle grants.

Now, therefore, be it resolved that the **Kensington Police Protection and Community Services District Board of Directors** authorizes the submittal of applications to CalRecycle for all grants for which **the Kensington Police Protection and Community Services District** is eligible; and

Be it further resolved that the **Interim General Manager**, or their designee, is hereby authorized and empowered to execute in the name of **the Kensington Police Protection and Community Services District** all grant documents, including but not limited to, applications, agreements, amendments and requests for payment, necessary to secure grant funds and implement the approved grant project; and

Be it further resolved that these authorizations are effective for five years from the date of adoption.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director _____, seconded by Director _____, on Thursday, the 14th day of December, 2023, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Fike
President, Board of Directors

HEREBY CERTIFY the foregoing resolution 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 14th day of December, 2023.

Lynelle M. Lewis
Clerk of the Board

David Aranda
Interim General Manger

Applicant Name: Kensington Police Protection and Community Services District	
<p>Directions: Before completing the Budget Template, please review the Read Me tab of this workbook which includes examples of costs for each category. Then, complete the Budget Template below by providing detailed information on costs requested for this grant for activities identified in the Narrative Proposal Itemize each item type intended for purchase separately and include pertinent information (year, make, and model for vehicles; relevant specifications for large equipment; capacity (cubic feet) for refrigeration). Add rows to the table below, as needed, ensuring that formatting carries over to new rows. Ensure that the Applicant's name is included at the top of this template.</p>	
Indirect Costs	
Expenditure Detail (Include specific details about costs)	Total Funds
Indirect Costs Subtotal:	\$ -
Indirect Costs Cap (10% of total grant amount)	\$7,500.00
Within Cap:	Yes
Capacity Planning/Program Evaluation/Gap Analysis	
On-Call Consulting Contract for SB1383 Program Analysis, Implementation, and Multifamily Collection Improvements	\$ 30,000.00
Capacity Planning/Program Evaluation/Gap Analysis Subtotal:	\$ 30,000.00
Edible Food Recovery	

Personnel Subtotal:	\$ -

Procurement	
Procurement Subtotal:	\$ -
Record Keeping	
Record Keeping Subtotal	\$ -
Upgrade/Expansion	
Upgrade/Expansion Subtotal	\$ -
Total Project Funds	\$ 75,000.00



Application Certification

Application Information

Applicant: Kensington Police Protection and Community Services District

Cycle Name: SB 1383 Local Assistance Grant Program Application Due Date: 11/15/2023

Cycle Code: OWR4 Secondary Due Date: 12/20/2023

Grant ID: 27986

Grant Funds Requested: \$75,000.00

Matching Funds: \$0.00 (if applicable)

Contacts

Name	Title	Prime	Second	Auth	Cnslt	Prtcpt. Auth
David Aranda	General Manager	X		X		
Alexander Soulard	Consultant				X	

Budget

Category Name	Amount
Capacity Planning/Program Evaluation/Gap Analysis	\$30,000.00
Edible Food Recovery	\$0.00
Edible Food Recovery - Personnel	\$0.00
Education	\$20,000.00
Equipment	\$25,000.00
Indirect Costs	\$0.00
Personnel	\$0.00
Procurement	\$0.00
Record Keeping	\$0.00
Upgrade/Expansion	\$0.00

Documents

Document Title	Received Date
Required	
Application Certification	
Budget	11/14/2023
Narrative Proposal	11/14/2023

Required By Secondary Due Date

Resolution/Letter of Commitment

Other Supporting Document(s)

Joint Powers Agreement

Letter of Authorization/Resolution

Letter of Designation

Application Certification

Resolution

Check the following, as applicable. See Application Guidelines and Instructions for more information and examples.

- Applicant acknowledges that its approved Resolution must be uploaded no later than the secondary due date. Applicant further acknowledges that if its Resolution is received after this date, its application will be disqualified.

Program Questions

SB 1383 Local Assistance Grant Program: If you are a Special District, do you provide solid waste collection services?

- Yes

California Labor Code section 1782 prohibits a charter city from receiving state funding or financial assistance for construction projects if that charter city does not comply with Labor Code sections 1770-1782. If any applicants or participating jurisdictions are charter cities or joint powers authorities that include charter cities, the lead applicant must certify that Labor Code section 1782 does not prohibit any included charter city from receiving state funds for the project described in this application. If it is determined after award that a participating jurisdiction is a charter city prohibited from receiving state funds for this grant project, the grant will be terminated and any disbursed grant funds shall be returned to CalRecycle. If any applicant or participating jurisdiction is a charter city or a joint powers authority that contains one or more charter cities, does Labor Code section 1782 prohibit those charter cities from receiving state funding for the project described in this grant application? Check the following, as applicable.

- Applicant certifies that no charter cities included in this application are prohibited from receiving state funding for the project described in this grant application OR this application does not include any charter cities.

SB 1383 Local Assistance Grant Program: Does your jurisdiction have an enforceable ordinance(s), or similarly enforceable mechanism pursuant to section 18981.2 of Title 14 of the California Code of Regulations?

(x Yes) (No)

Conditions and Certification

Condition of Application Submittal: Acceptance of Grant Agreement Provisions

In the event the Applicant is awarded a grant, the submittal of this Application constitutes acceptance of all provisions contained in the Grant Agreement, which may consist of the following:

- Executed Grant Agreement Cover Sheet and any approved amendments
- Exhibit A - Terms and Conditions
- Exhibit B - Procedures and Requirements
- Exhibit C - Application with revisions, if any, and any amendments

Environmental Justice:

In the event Applicant is awarded a grant, submittal of this Application constitutes acceptance of the following; that in the performance of the Grant Agreement, Applicant/Grantee shall conduct their programs, policies, and activities that substantially affect human health or the environment in a manner that ensures the fair treatment of people of all races, cultures, and income levels, including minority populations and low-income populations of the State. (see Govt. Code §65040.12(e) and Pub. Resources Code §71110(a))

Certification:

I declare under penalty of perjury under the laws of the State of California, that funds have been allocated for the project(s)/activities identified in the grant application and that sufficient funds are available to complete the project(s)/activities identified in the grant application, that I have read the Application Guidelines and Instructions and that all information submitted for CalRecycle's consideration for award of grant funds is true and correct to the best of my knowledge, and that on behalf of the Applicant I accept the above conditions of submittal.

X

Signature of Signature Authority (as authorized in Resolution or Letter of Commitment) or Authorized Designee (as authorized in Letter of Designation, submitted with this Application)

Date

Print Name

Print Title

IMPORTANT! Applicant must print out this document, have the Signature Authority sign it, upload signed document to the application system, and retain the original hard copy document in your cycle file.

<https://secure.calrecycle.ca.gov/Grants/Grant/Grant.aspx?GrantID=27986>

Date Generated: November 14, 2023 12:17 PM

Page 2 of 2

Narrative Proposal

SB 1383 Local Assistance Grant Program

Fiscal Year 2022–23

Instructions

The Narrative Proposal document describes the details of the proposed project. All responses must be provided within the greyed-out text box under each prompt in this document. Utilizing a document or form other than the official CalRecycle Narrative Proposal document, or tampering with the CalRecycle version, will subject the applicant to disqualification from the SB 1383 Local Assistance Grant Program.

Each section of this form must have a response. If a question does not apply to the proposed project use the response field to explain why it is not applicable. Ensure the narrative responses are concise, detailed, and address each portion of the question.

Information presented must be consistent with tasks line items included in the Budget, and any other supporting documentation submitted. Refer to the Application Guidelines and Instructions for further information.

After completing this document, save it, and upload it to the Documents Tab of your application in the Grants Management System (GMS).

Applicant Name: Kensington Police Protection and Community Services District

Project Description

1. Provide a clear and detailed description of the proposed grant project that will be implemented as a direct result of receiving grant funds, including a description of the edible food recovery activities, if applicable.
The Kensington Police Protection and Community Services District will be using SB1383 Grant Funding to conduct an analysis of the Districts current SB1383 programs to determine areas of need and support for program implementation. The District will work with a consultant and its hauler to determine gaps in implementation and develop programs that will satisfy those needs. There will also be a focus on developing enhanced multifamily collection of organics and recycling as well as educational and outreach support to ensure any programs implemented are successful.

Budget

1. Provide a clear and detailed explanation of the costs you have included in the Budget template. Explain why the included costs are necessary for implementing the proposed grant project.

On-Call Consulting Contract for SB1383 Program Analysis, Implementation, and Multifamily Collection Improvements – The Kensington Police Protection and Community Services District will contract with a consultant to collect data from the City and the franchised hauler to determine the needs of District, the status of SB1383 implementation and identify any gaps that need to be filled in SB1383 compliance. Data collected will be used to develop complimentary programs to those being offered by the District and its franchised hauler to address the various needs of SB1383 more completely.

Development of Multifamily Organics and Recycling Collection Systems – The District will identify potential multifamily organics and recycling collection sites that will be offered enhanced collection systems with robust signage, enhanced collection systems with new and/or existing bins, and potential innovative solutions to increase organics and recycling collection and address contamination issues. These projects will be tracked to document any improvements, participation levels, and potential future collection system improvements.

Development of Public Organics and Recycling Collection Systems – The District will identify any needs for organic and recycling collection systems in public offices, parks and other public spaces. Based on the identified needs, new and/or existing collection systems would be provided as appropriate.

Direct Mailers/Billing Inserts/Electronic Outreach to Businesses and Residents – Outreach materials will be developed for use by the District and their haulers to meet the annual notice requirements, but also to highlight any current programs, and/or assistance available to commercial and residential generators.

Promotional Material Including Print and Digital Marketing Collateral, Water-Resistant Signs/Posters for Various Stakeholders, Including Businesses and Haulers – Educational materials will be developed to help facilitate clean source separation of recycling and organics waste streams. This will include outreach for new and existing public bins, materials that residents and businesses may access online, and other identified outreach methods that will encourage program participation and reduce contamination of divertible waste streams.

Jobs

1. Will the proposed grant project create **new** jobs? If yes, how many new positions will be created and how many hours per week will each position be working? List each **new** position and include job title, hourly wage, weekly hours to be worked,

Department of Resources Recycling and Recovery (CalRecycle)

and a brief description of each position.

No

2. Will the proposed grant project supplement the current salary for one or more existing positions? If yes, list each **existing** position receiving grant funding and include job title, weekly hours to be worked, and a brief description of each position.

No

Note: Each position, funded in whole or in part by grant funds, must be included in the Budget.

Edible Food Recovery

1. Will funds be used for edible food recovery? If not, please explain why.
No. There is not many commercial or food generating businesses in the District. Therefore, no budget has been allocated for those businesses.
2. Provide the name and address of all organizations associated with grant project activities involving edible food recovery. For example, if you are partnering with a local food bank to recover and distribute food, please list the address of the food bank here. If you are partnering with multiple organizations, please list all names and addresses.

Not Applicable



Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: Approval To Spend Up To \$5000 For A Consultant To Review ADA Compliance On Park Facilities And Possibly Kensington Paths

Recommendation

Approve allowing the General Manager to spend up to \$5,000 for ADA inspections on Park facilities and possibly some paths in Kensington.

Background

This request covers two issues. First, as noted in the attached report from SDRMA, it was recommended that our park facilities have a review by a qualified ADA inspector.

Second, it is possible that we may need to have some sampling of Kensington paths also looked at by an ADA consultant. This would assist in determining what potential issues exist in possible ownership of the paths. Please note that this may be addressed by the County so I am asking the board to provide some money in case the District needs to follow up on it. In this regard the meeting mentioned in my General Managers report between the County Supervisor, Berkeley Path Wanderers and various Public Works officials from both Contra Costa County and Berkeley were very helpful in understanding the possibility of various ADA waivers for various facilities. We are attempting to obtain the actual documents. It was also interesting to note that Berkeley with their 140 plus paths have had not lawsuits or ADA complaints.

You will find attached two proposals. I would recommend the Board approve the General Manager spending up to \$5,000 for an ADA consultant as I continue to work with both consultants in obtaining the best person for the job at the best pricing.

Exhibits

- Email from Bassam Altwal Assoc.
- 4Leaf Task Order Proposal
- SDRMA Risk Control Evaluation

From: bassam@calaccessibility.com <bassam@calaccessibility.com>
Sent: Saturday, November 25, 2023 2:14 PM
To: David Aranda <DAranda@kppcsd.org>
Subject: RE: Kensington proposal

It does, let me know what you want to drop and I'll take a look,

Bassam Altwal *Assoc. AIA .CASp. CASI. AAAEA*
Certified Access Specialist
Former Chairman of the Planning Commission for the City of Clayton (2017-2021)

Please note as of Jan 1st. 2023, our hourly rates have been changed. (unchanged since 2019)

T 415.310.3010 T 925.421.0044 F 877.610.3773
www.calaccessibility.com
Accessibility Consulting; CASp surveys

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From: David Aranda <DAranda@kppcsd.org>
Sent: Thursday, November 23, 2023 7:40 AM
To: bassam@calaccessibility.com
Subject: RE: Kensington proposal

Thank you. I will be in touch. Question, if we were to drop one or two of the paths for inspection would that change the overall pricing? Thanks David. I need to bring this dollar amount to the Board for approval and I was trying to keep it in the \$5000-\$6000 range. Take care. David.

David Aranda
Interim General Manager

Kensington Police Protection & Community Services District

510-526-4141 | Main
510-960-0716 | Cell
510-440-5410 | Fax
Email: DAranda@kppcsd.org
10940 San Pablo Avenue | El Cerrito, CA. 94530





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From: bassam@calaccessibility.com <bassam@calaccessibility.com>

Sent: Wednesday, November 22, 2023 10:38 AM

To: David Aranda <DAranda@kppcsd.org>

Subject: Kensington proposal

Hi David and it was a pleasure meeting you few days ago.

Here are the numbers for the inspections and if approved (as a whole) , I can send you an official proposal.

- 1- Park area , includes parking by the office area, parking by the playground, parking by the upper structure, path of travel around the office area, path of travel from the library to the playground, path of travel from play ground to tennis court courts and around tennis courts with all it's components, steps from "upper area" to tennis courts, tennis courts, Playground and it's components , lockout area trail around upper area leading to lockout area. \$3,200.00
- 2- Willamette path \$1,800.00
- 3- Coventry path \$800.00
- 4- Stratfrod path \$800.00
- 5- Ardmore path \$1,200.00

The above quotes are treated together and cannot be separated individually.

Let me know if accepted and I can generate a proposal.

Regards and happy Thanksgiving

Bassam Altwal Assoc. AIA .CASp. CASI. AAAEA

Certified Access Specialist

Former Chairman of the Planning Commission for the City of Clayton (2017-2021)

T 415.310.3010 T 925.421.0044 F 877.610.3773

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Accessibility Consulting; CASp surveys

Please note as of Jan 1st. 2023, our hourly rates have been changed. (unchanged since 2019)

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4LEAF, INC.

 ENGINEERING . CONSTRUCTION MANAGEMENT
 PLAN CHECK . BUILDING INSPECTION . PLANNING

Task Order: ADA Inspections (Kensington Park & Paths)

DATE: 11/27/23
4LEAF JOB NO.: TBD
4LEAF PRINCIPAL: Raylee Glasser
PROJECT(S): **ADA Inspections (Kensington Park & Paths)**
LOCATION: 59 Arlington
TASK ORDER # 1

ADA INSPECTIONS	DATE	ESTIMATED HOURS	UNIT PRICE	ESTIMATED TOTAL
Inspector	11/27/2023	24	\$180	\$4,320.00
Offsite Project Manager	11/27/2023	2	\$130	\$260.00
Preliminary Sub-Total of Services provided by 4LEAF				\$4,580
Preliminary Estimated Fees				\$4,580
Reimbursables N/A				\$0
Total Preliminary Estimated Fees				\$4,580

The scope includes inspecting the grounds of Kensington Park and inspect the following paths: Ardmore Path, Stratford Path, Williamett Path and Coventry Path. 4LEAF will provide qualified inspectors, project managers, and document control personnel. 4LEAF's inspection will be in conformance with the approved scope of services provided by Kensington Police Protection & Community Services District. 4LEAF will bill on a lump sum basis only per the Terms and Conditions of this agreement. If additional hours are needed, 4LEAF will require pre-approval before completion. This estimate is based on the information provided to 4LEAF by Kensington Police Protection & Community Services District on 11/27/23.



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

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.





Date: December 14, 2023

To: Board of Directors

From: David Aranda, Interim General Manager

Subject: Elect a President and Vice-President for the Kensington Police Protection and Community Services District Board of Directors to commence January 1, 2024.

Recommendation

This is the responsibility of the five board members to proceed with this process and determine who will be serving as the President and Vice-President for the calendar year of 2024.

Background

As noted in the KPPCSD Policy Manual section 4170.6 the board annually elects at the December meeting the position of President and Vice-President to serve in those positions for the following calendar year.

Attached is the policy that outlines that action and outlines the responsibility of the two positions.

Exhibits

- KPPCSD Policy Manual Section 4170.6
- KPPCSD Policy Manual Section 4040

with the 24-hour notice requirement. An emergency situation means a crippling disaster that severely impairs public health, safety, or both, as determined by the General Manager after consulting with the Board President, or in their absence, the Vice-President.

4170.3.1 When possible, notice shall be provided to the local newspaper, any other media outlet by telephone at least one hour before the meeting.

4170.3.2 Actions taken during an emergency meeting shall be by roll call vote.

4170.3.3 The Board may meet in closed session if agreed to by 2/3 vote of the members present, or if less than 2/3 present, by unanimous vote.

4170.3.4 Following an emergency meeting, the minutes of the meeting, a list of persons notified or attempted to be notified of the meeting, and actions taken must be posted for ten (10) days in the District office.

4170.3.5 Workshops. The Board President may schedule a workshop to discuss the status of projects and any items of general information. If no actions or direction is given by the Board of Directors at the workshop no minutes will be prepared. Minutes must be taken at any workshop where priorities are discussed, where votes are taken, or where direction is given to staff.

4170.4 Adjourned Meetings. A majority vote of the quorum of the Board of Directors may adjourn any Board meeting at any place in the agenda to a time and place specified in the order of adjournment, except that if no quorum is present or no Directors are present at any regular or adjourned regular meeting, the Board president or General Manager may declare the meeting adjourned to a stated time and place. Notice of the adjourned meeting shall be posted on or near the door of the meeting within 24 hours after the adjournment and the adjourned meeting shall be noticed in the same manner as a special meeting.

4170.5 Annual Workshop. The Board of Directors shall hold an annual organizational and goal setting workshop.

4170.6 Annual Elections. The Board will elect a President and Vice President among its members at the regular December meeting or the first meeting following certification of an election. The President and Vice President serve during the coming calendar year from January 1st to December 31st.

Committees may be deactivated at any time if it is deemed to be in the best interest of the District, if there are limited objectives of the committee or there is insufficient need for the committee. There is no obligation to activate any committees.

4020.2 Board Coordinators.

From time to time, the Board may decide that specific District services would benefit from a Board Coordinator. Within ten days of this decision, the Board President shall appoint and publicly announce the Coordinator or Coordinators.

Policy 4030: Duties of the Board President

4030.1 Presiding Officer. The President of the Board of Directors shall serve as the presiding officer at all Board meetings.

In the absence or disability of the President, the Vice President of the Board of Directors shall serve as the presiding officer over all meetings of the Board. If the President and Vice President of the Board are both absent or disabled, the remaining members present shall select one of themselves to act as temporary presiding officer of the meeting.

The presiding officer shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions. The presiding officer may move, second, debate, and vote from the chair.

4030.2 Duties Regarding Meetings. The President shall preside over and conduct all meetings of the Board of Directors, shall carry out the resolution and orders of the Board of Directors, and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe including, but not limited to, the following:

- Call the meeting to order at the appointed time;
- Announce the business to come before the Board in its proper order;
- Enforce the Board's policies in relation to the order of business and the conduct of meetings;
- Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- Explain what the effect of a motion would be if it is not clear to every member or direct staff to explain it;
- Restrict discussion to the question when a motion is before the Board;
- Rule on meeting procedure;
- Submit motions to a vote, and state clearly the results of the vote; and

Policy 4000: Board Responsibility

4000.1 Each Board member is elected by and responsible to the electorate of the entire District. Directors do not represent any fractional segment of the community.

Policy 4010: Attendance at Meetings

4010.1 Members of the Board of Directors are expected to and shall attend all regular and special meetings of the Board unless there is good cause for absence.

To be counted as present for any meeting, Board Members must be present for the duration of the meeting. If a Board Member participates in a meeting by telephone or electronic device, their attendance by these methods will be noted in the minutes and they shall be counted as present for the duration of their participation.

Good cause for excusable absence, include late arrivals or early departures, includes temporary illness or other unavoidable circumstances of which the President of the Board is notified prior to the meeting. Good cause also includes Board authorized meeting absences such as attendance at a conference directly related to the functions and interests of the District or at the meeting of another public agency in order to participate in an official capacity. The minutes of the meeting shall note that the Board Member is excused from the meeting under the circumstances noted in this section.

A Board Member who will be absent for good cause may notify the President by electronic transmission (email), telephone, or letter. The President shall notify the General Manager and the Board of all absences that are excused for good cause. The minutes shall indicate whether an absence was excused.

A vacancy shall occur if a Board Member is absent from three (3) consecutive regular meetings without good cause, or six (6) in a twelve-month period, except as otherwise provided for by law or as authorized by the Board.

Policy 4020: Committees of the Board of Directors

4020.1 Temporary Advisory Committees. The Board President shall appoint any such temporary advisory committees as may be deemed necessary or advisable by the President or the Board. The purpose of a temporary advisory committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. A temporary advisory committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

4020.1.1 Optional Committees. The Board shall have the authority to activate or deactivate any other committees at any time. Two Directors may ask for the activation of an Optional Committee. This request should be made in writing and its formation dependent on a majority vote by the Board of Directors.



KENSINGTON POLICE DEPARTMENT

10940 San Pablo Avenue • El Cerrito • CA • 94530

(510) 526-4141

www.kppcsd.org

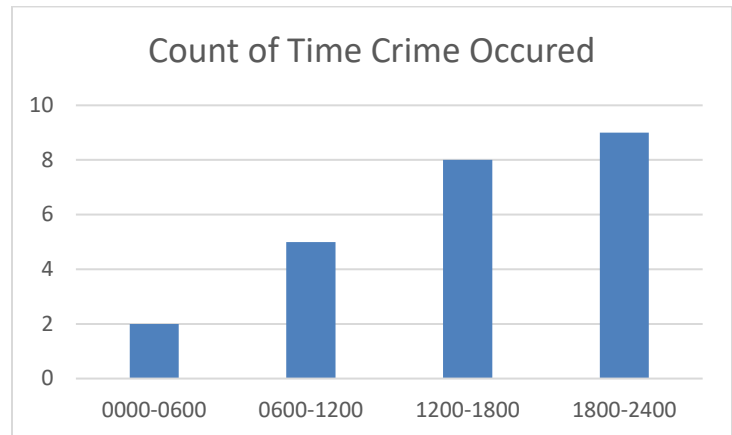
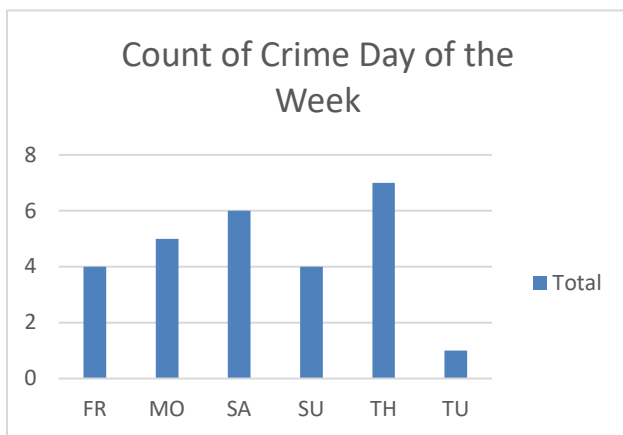
Item #17

DATE: November 30, 2023
TO: David Aranda: General Manager
FROM: M. Gancasz, Chief of Police
RE: Police Chief's Monthly Report, November 2023

The Kensington Police Department handled 684 incidents during September (up from 627). Four hundred and seventy-two were officer-initiated events, including 50 traffic enforcement stops resulting in 30 citations (down from 47 in the prior month). Officers responded to 212 dispatched calls for service (down from 234) and took 29 reports (up from 24 in October). Officers focused on deterring auto burglaries and vandalism around Grizzly Peak Blvd and Beloit Ave, where there has been an increase in reported crimes. Three misdemeanor arrests were made. Officers investigated three catalytic converter thefts, one stolen vehicle report, one vehicle burglary, and one felony domestic violence incident, all of which are being investigated. Officers are pursuing leads and working with our partner agencies to reduce and prevent similar crimes. Response time for officers increased from 4.17 minutes to 5.7 minutes.

The Contra Costa County District Attorney's Office filed felony charges on a suspect arrested for possession of a stolen vehicle in Kensington. The case was investigated by Ofc. Payne. Sgt. Lande delivered the final investigation to a judge who issued a bench warrant for the suspect who is still at-large.

Officers responded to three mental health calls in November and authored three psychiatric holds. Referrals were made to the Contra Costa County Mental Health Evaluation Team (MHET). MHET deputies from the Sheriff's Office and clinicians responded to assist KPD twice this month.



The provider for Kensington's Crime Mapping Analysis, Geolitica, was bought by a competitor and service has been temporarily interrupted. Staff is hopeful the service will be brought back online soon.

Traffic Safety

There were four traffic collisions reported in November. All collisions were non-injury, and three of the four were hit-and-runs. There were no online supplemental traffic reports.

Administration

KPD was awarded its second grant for FY 23/34 in the amount of \$41,000.00. The Office of Traffic Safety (OTS) funded the purchase of an electronic traffic citation program, which includes equipment, software, and training. We will use this funding to modernize and improve the efficiency of our traffic safety program. We anticipate the components to be operational in February 2024. The police department replaced its aging (2016) administrative fleet vehicle with a new one and anticipate it being field ready by the end of the month.

Training

Department training focused on perishable skills. Sgt. Lande provided Advanced Arrest and Control/De-Escalation courses with a focus on positional control. Sgt. Lande, Thota, and Payne also completed an Advance Patrol Tactics course. Ofc. Farley completed an investigations course, Initial Child Interview Training for Law Enforcement. Sgt. Lande, Ofc. Payne, Ofc. Fajardo, and Ofc. Farley also completed Naloxone Training for Law Enforcement.

October Patrol Log

- On Monday, November 1, at 1856 hours, officers took a phone report of possible fraud and Elder Abuse. The loss was approximately \$20,000.00. The investigation is ongoing.
- On Thursday, November 2, at 1733 hours, officers were dispatched to the 1600 block of Ocean View Avenue for an assault. After an initial investigation, it was confirmed one of the involved parties was suffering from a mental health crisis and transported to the hospital. This case has been referred to the Contra Costa County Mental Health Team (MHET).
- On Friday, November 3, at 1124 hours, officers were dispatched to the 200 block of Purdue Avenue for a suspicious circumstance referencing unwanted calls. No crime was identified, and the reporting party was provided resources to prevent the continued calls.
- On Friday, November 3, at 1711 hours, officers were dispatched to the zero hundred block of Anson Way for a Coroner's case. This case is closed.
- On Friday, November 3, at 2002 hours, officers contacted an individual at the police department lobby regarding a violation of civil order report. A report was taken, and the individual was given a new court date for their outstanding misdemeanor warrant.
- On Saturday, November 4, at 2058 hours, officers responded to the area of Kenyon Avenue and Purdue Avenue for a non-injury traffic collision.
- On Monday, November 6, at 2139 hours, officers responded to the seven hundred block of Coventry Road for a report of a Catalytic Converter theft. The investigation is ongoing.
- On Wednesday, November 8, at 0945 hours, officers responded to the eight hundred block of Coventry Road for a report of a Catalytic Converter theft. The investigation is ongoing.
- On Wednesday, November 8, at 1036 hours, officers responded to the five hundred block of Coventry Road for a report of a Catalytic Converter theft. The investigation is ongoing.
- On Saturday, November 11, at 0130 hours, officers contacted an individual near Mosser Lane and Terrace Drive. Officers determined the driver had an outstanding misdemeanor warrant and was in possession of narcotics. After admitting to ingesting Fentanyl, an ambulance was called, and he was released with a court date for his warrant. A separate possession case was forwarded to the DA for prosecution.

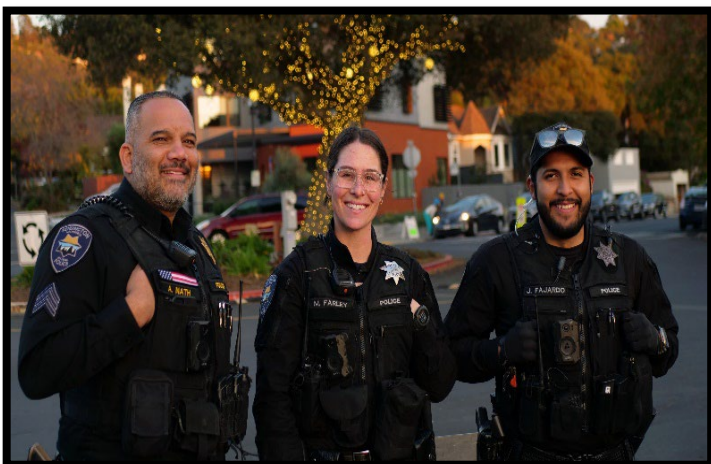
- On Saturday, November 11, at 2024 hours, officers contacted a man experiencing a mental health crisis. The subject was transported to the hospital for treatment.
- On Thursday, November 16, at 1917 hours, officers were dispatched to the two hundred block of Princeton Avenue for a hit and run property only collision. The investigation is ongoing.
- On Friday, November 17, at 0800 hours, officers were dispatched to the one hundred block of Ardmore Road on a report of an abandoned vehicle marked by officers on November 13. The vehicle was towed for the violation.
- On Friday, November 17, at 0945 hours, officers took a report of a stolen license plate on Stratford Road.
- On Saturday, November 18, at 0852 hours, officers were dispatched to Highgate Road for an auto burglary.
- On Monday, November 20, at 1046 hours, officers were dispatched to the four hundred block of Colusa Avenue for a hit-and-run collision that occurred on November 17, 2023.
- On Tuesday, November 21, at 1033 hours, offices were dispatched to Highgate Road for a report of a missing elderly person. The individual had been missing for at least one hour at the original time of call. After an extensive search of the area the individual was located unharmed. They were reunited with their family.
- On Thursday, November 23, at 1251 hours, officers were dispatched to the seven hundred block of Coventry Road for a Coroner's case. This case is closed.
- On Friday, November 24, at 0515 hours, officers responded to the two hundred block of Columbia Avenue for a missing person report. Through a multi-jurisdictional investigation involving Kensington, East Bay Regional Parks, and Oakland Police Department the subject was located and provided medical treatment.
- On Sunday, November 26, at 2349 hours, officers responded to Sunset Dr, to investigate a domestic battery. The investigation is ongoing.
- On Thursday, November 30, at 1318 hours, officers were conducting routine traffic enforcement in the four hundred block of Beloit Avenue, when they contacted a subject with multiple out-of-county warrants. The suspect was arrested without incident and released with a citation to appear on the warrants.

Traffic Safety Grant Patrol Operations

On Thursday, November 16, Kensington Officers were out-and-about looking for impaired drivers as they took part in grant funded saturation patrols. Inclement weather kept motorists inside resulting in lower vehicle traffic than usual, fortunately there were no traffic collisions reported. Seven traffic stops were completed, six citations were issued, and one warning was given.

Community

On Sunday, November 26, Sgt. Nath, Officer Fajardo, and Officer Farley attended the Colusa Circle Holiday Fair held by the Colusa Circle Merchants Association. The event was well attended with no issues reported.



Check out our new traffic enforcement Car funded by the California Highway Patrol!

KPD Officers chose the colors and graphics scheme which we really like. We've received lots of positive feedback from community members and law enforcement agencies about our new car. We are very happy with the clean, modern, and professional appearance.



KPD Hosts California Highway Patrol Training at the Kensington Community Center

Kensington PD hosted a two-day law enforcement training course presented by the California Highway Patrol on identifying impaired drivers. The class, held at the Kensington Community Center on December 2 & 3, was attended by more than 25 law enforcement officers from across the bay area including three Kensington Officers. The Highway Patrol was very pleased with the facility and inquired about us hosting future training.





Date: December 14, 2023
To: Board of Directors
From: David Aranda, Interim General Manager
Subject: General Manager's Report for November 5th Through December 7th, 2023

The District has many things going on, as the December Board agenda reflects.

I spent a good amount of time working on gathering the information that will be discussed under the various agenda items. In addition, I was involved in the following:

- The public records request has been very time-consuming and expensive. More details on the costs will be shared in the January G.M. report.
- Attended a Hazard Mitigation meeting with Director Spath, Police Chief Gancasz, G.M. from KFPD Mary Morris-Mayorga, along with a Fire Captain from El Cerrito Fire that was sponsored by the County and had the count consultant doing a presentation. I also attended an evening session that was designed for the public.
- Attended via Zoom a Path's meeting that was organized by the County Supervisor. It revolved around input from The Berkeley Path Wanderers regarding maintenance, repair, budgeting and liability between the City of Berkeley and the Path wanderers along with input from the Public Works people from Berkeley and Contra Costa County. Very informative and more information will be presented to the Board and our residents soon.
- Continue working with LAIF and The County regarding the movement of District funds to District accounts.
- Interviewed a Berkeley student regarding the program that Director Duggan is overseeing in connection with determining the needs of residents in Kensington.
- I had a Zoom meeting with a group that specializes in Federal Grant Funding and recommendations.
- Several conversations with vendors regarding the RFP on Reorganization. They were confused and concerned about the various requirements in the RFP.

General Manager's Report

December 14, 2023

Page 2 of 2

- Worked with attorneys on various cases that are ongoing.
- Provided directions to Fernando regarding park safety improvements.
- Coordinated the delivery of the Ford vehicle for the Chief and completed all the paperwork for the lease.
- Continued to work on obtaining the \$180,000 in park grant money.

PLEASE NOTE THAT THE DISTRICT OFFICE WILL BE CLOSED THE WEEK OF CHRISTMAS AND NEW YEARS. AS ALWAYS DISPATCH WILL CONTACT AN OFFICER WHEN NEEDED.



Kensington Police Protection & Community Services District

Item 18b

Date: December 05, 2023

To: Board of Directors

From: Rosa Ruiz

Subject: Parks Report

In observance of Christmas and New Year's, the District office will be closed on Monday, 25th, 2023, and Monday, January 1st, 2024.

Community Center Events:

1. The PD has been training at the center with Defensive tactics twice a month for about 2 hours.
2. The Kensington Property Owners Association will be finally hosting their regular monthly meeting at the center on the first Tuesday of every month, in room 3, from 6 to 9 PM. They are sharing the center, Mediterranean cooking class, and Boy Scouts.
3. Thank you—letters were sent out to community members from donations at the Art show. One being an El Cerrito resident.
4. The heater at the center hasn't been working properly, and a technician will check it out. 12/18/23.

Park:

1. Parking lines at the park were repainted, along with installation of new Yellow Bollard Gard.
2. Trash containers have been well kept; no more overflowing trash at the park.
3. More to come.

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

KASEP:

Winter KASEP Registration opens Tuesday, December 5th, 7pm for kindergarten and 7:30 for grades 1-6 online at KensingtonCommunityCouncil.org/KASEP. Winter session begins the week of January 2nd, 2024 and goes for 10 weeks.

We have 75 classes scheduled for afterschool this winter session.

Upcoming KASEP holidays
Winter break Dec.18- Jan 1st
January 18th
February 19-23rd

Adult Classes

Tai Chi with Nobuo Nishi is on Wednesdays & Fridays 9:30-11am -Community Center

Strength & Balance Yoga Tuesdays 8:30am & Thursdays 11:30am-Community Center

*New Class Cardio Dance Class begins Friday, December 1st, each Friday 11:15-12:15, Community Center

Family Yoga Sundays at 10am in front of the Recreation Building

Mediterranean Cooking in the CC kitchen, Tuesdays evening 6:00-8:00pm

The Art of Jewelry Making class Friday, January 12th, 6-8pm in the Recreation Building.

KCC & Other:

The fire alarm seems to be fixed and not going off every day.

Curbs and parking lines were repainted in the parking lot. Great!

KCC Elected 3 new Board members- Cara Gillen, Jesse Montano & Farrah Japaz at November meeting.

KCC December Board Meeting is cancelled, next Meeting January 8th, 2024



ALAN KROPP
& ASSOCIATES, INC.

GEOTECHNICAL
CONSULTANTS

ALAN KROPP, CE, GE
JAMES R. LOTT, CE, GE
FREDERICK MAURER, CE, GE
JEROEN VAN DEN BERG, CE
THOMAS M. BRENCIG, CE

Item 20

November 15, 2023
P-9279, L-33224

David Aranda
Kensington Police Protection & Community Services District
217 Arlington Avenue
Kensington, CA 94707

RE: Initial Geotechnical/Geological Studies
Police Department Building Site
Kensington, California

Dear Mr. Aranda:

At your request, we have performed initial geotechnical/geologic studies for a possible new Kensington Police Protection & Community Services District (KPPCSD) facility. No conceptual plans for the site have been developed, but the facility will likely include a main building (with perhaps 3,000 square feet of floor space over one or two stories), parking for 15 vehicles, and an access driveway from Arlington Avenue. Given the sloping terrain on the site, some grading will be necessary.

GENERAL SITE DESCRIPTION

The property under consideration for this project is a large, vacant parcel along the east side of Arlington Avenue, immediately south of the Kensington Library. The property slopes downhill to the west, toward Arlington Avenue. This location is illustrated on Figure 1, Site Plan. It should be noted the boundaries shown on this figure are approximate, and based on general parcel outlines we obtained; the actual site boundaries should be established by a professional land surveyor.

PURPOSE AND SCOPE OF WORK

The purpose of our services in this initial study was to assess the viability of the site for the proposed development from a geotechnical/geologic hazards standpoint.

Our scope of work would included:

- Reviewing key relevant published geologic maps and reports.
- Reviewing available consultant reports for the immediate area.
- Performing a reconnaissance of the site and vicinity to observe current site conditions and possible evidence of obvious geologic concerns.

- Compiling and reviewing the collected data.
- Preparation of an initial geotechnical/geologic study report presenting our analyses and including our conclusions regarding the viability of the site for the proposed development from a geotechnical/geologic hazards standpoint.

PUBLISHED DATA

1. Topography and Geology

The topographic map for this area (the Richmond Quadrangle) prepared by the United States Geological Survey (USGS) indicates the site is located in an area of moderately sloping terrain near the crest of the northern Berkeley Hills. The northern corner of the site is the highest point on the parcel and has an elevation of approximately 660 feet (mean sea level datum), while the southern corner is the lowest point and has an elevation of about 600 feet.

The site is located in the northern portion of the Coast Ranges geomorphic province of California. The oldest widespread rocks in the region are highly deformed sedimentary and volcanic rocks of the Mesozoic Age (the period from 225 million to 65 million years before present) Franciscan Assemblage. These rocks are in fault contact with similar-age sedimentary rocks of the Mesozoic Age Great Valley Sequence, and sometimes are overlain by Mesozoic age volcanic rocks which belong to the Coast Range Ophiolite. The Mesozoic rocks are, in turn, overlain by a diverse sequence of Tertiary Age (the period from 65 million to 1.8 million years before present) sedimentary and volcanic rocks. Since their formation, the Mesozoic and Tertiary rocks have been extensively deformed by repeated episodes of folding and faulting (Dibblee, 2005; Graymer and others, 1996; and Radbruch and Case, 1967).

A geologic map of the area (Graymer, 2000) indicates that the site is locally within a complex geologic environment of many of the bedrock units described above. A copy of the portion of the Graymer map that includes the site is presented as Figure 2, Geologic Map. This figure illustrates that the Graymer maps the site as underlain by serpentinite (sp), a unit within the Franciscan Assemblage. Nearby, volcanic keratophyre bedrock (Jsv, belonging to the Coast Range Ophiolite), as well as sedimentary bedrock of the Knoxville Formation (KJk, part of the Great Valley Sequence) and mélange units associated with the Franciscan Assemblage are all present.

2. Landslides

As a result of the shearing from episodes of folding and faulting, a number of landslides are present in the Kensington area. One landslide map series often cited for Bay Area sites are the preliminary photo-interpretive landslide maps by Tor Nilsen of the USGS; in the subject area the relevant map is for the Richmond Quadrangle (Nilsen, 1975). A copy of the portion of the Nilsen map of the study area is presented as Figure 3, Landslide Map 1. This map indicates the site is within a graded area in the upper reaches of a queried massive landslide complex that underlies most of Kensington and a large part of El Cerrito. Although we have seen that many other Bay Area landslide maps by Nilsen illustrating smaller landslide deposits are fairly reliable, we believe that the photographic interpretation technique without field verification is not reliable for these massive landslide areas (and that perhaps why Nilsen has designated them as “queried” or uncertain). In contrast, the landslide mapping by the California Division of Mines and Geology (now the California Geological Survey) in their 1973 study of El Cerrito, Richmond, and San Pablo (which also included Kensington) is more reliable regarding the locations of landslides in the

Kensington area. A copy of the portion of the CDMG map of this area from their 1973 publication is presented as Figure 4, Landslide Map 2. This map indicates the large Blakemont landslide is immediately adjacent to the northwest corner of the site (but does not encroach into it), and a very small landslide deposit is present about 1,000 feet east of the site.

3. Faulting and Seismic Shaking

Seismic activity within the northern Coast Ranges is generally associated with active faults belonging to the San Andreas system of faults, including major active structures both east and west of the site. The principal active faults in the region are the Hayward-Rodgers Creek fault, mapped approximately 300 feet southwest of the site; the San Andreas fault, 18.5 miles to the west; and the Calaveras fault, 13 miles to the southeast. Other major active faults in the region include the San Gregorio fault, approximately 21.5 miles to the west; the Greenville fault, 18.5 miles east; the Concord-Green Valley fault, 14 miles northeast; and the West Napa fault, 18.5 miles northeast (Jennings and Bryant, 2010). Table 1 summarizes the fault parameters of selected known active faults closest to the site and Figure 5, Regional Active Fault Map provides locations of the key faults:

Table 1. Fault Parameters

Fault	Distance and Direction from Site ¹	Maximum Moment Magnitude
Hayward-Rodgers Creek	300 feet southwest	7.6
Calaveras (north of Calaveras Reservoir)	13 miles southeast	6.8
Concord-Green Valley	14 miles northeast	6.9
San Andreas (1906 rupture)	18.5 miles west	7.9
San Gregorio	21.5 miles west	7.3
Greenville	18.5 miles east	6.9
West Napa	18.5 miles northeast	6.5

¹ Measured from Lienkaemper (1992), Wagner et al. (1990) and Jennings and Bryant (2010).

The nearest active trace of the Hayward-Rodgers Creek fault is mapped approximately 300 feet southwest of the site (California Geological Survey, 1982; and Lienkaemper, 1992). The site is located within the Alquist-Priolo Earthquake Fault Zone (APEFZ) established by the State of California around the Hayward-Rodgers Creek fault. The mapped fault location and the limits of the APEFZ in the area are presented on Figure 6, Alquist-Priolo Earthquake Fault Zone Map.

The term “active fault,” as used herein, refers to a fault that has experienced movement during Holocene time (about the last 11,000 years). The Hayward-Rodgers Creek fault is a northwest-trending zone about 70 miles long, which extends from southeastern San Jose, through multiple east bay communities, into San Pablo Bay. Beneath San Pablo Bay, the fault steps right (east), continuing north to Napa. To the south, near San Jose, the Hayward-Rodgers Creek fault merges with the Calaveras fault (Jennings and Bryant, 2010).

The Hayward-Rodgers Creek fault last ruptured along the southern segment near Castro Valley in a major earthquake in 1868, and with an average recurrence interval of 161 (\pm 65) years, it is considered to present a high rupture hazard in the near future (Lienkaemper and others, 2012).

During historical times, well-documented surface creep has occurred along the Hayward-Rodgers Creek fault at average rates ranging from about 0.2 to 0.4 inches per year (Lienkaemper and others, 1991). More recently, there has been recognition of variability in creep rates, both spatially along the fault trace and temporally. Lienkaemper and others (2012) describe several discrete fault segments that have experienced increased or decreased creep rates since the 1989 Loma Prieta earthquake, including one apparent locked segment that may indicate it to be the next segment to rupture.

Studies by the United States Geological Survey's Working Group on California Earthquake Probabilities (Aagaard and others, 2016) have estimated a 72-percent probability that at least one magnitude-6.7-or-greater earthquake will occur in the San Francisco Bay Region before the year 2043. They estimated that the highest probability for a magnitude-6.7-or-greater earthquake would be on the Hayward-Rodgers Creek fault, at 33 percent. The nearest active trace of the Hayward-Rodgers Creek fault is approximately 1,000 feet to the southwest. Additionally, there is a 22-percent probability for a magnitude-6.7-or-greater earthquake to occur on the Northern San Andreas fault, located approximately 18.5 miles to the west, and 16-percent probability for a magnitude-6.7-or-greater earthquake to occur on the Concord fault, located approximately 14 miles to the northeast, during that same period.

LOCAL CONSULTANT STUDIES

Two studies were performed by Durham, Durham, & Mannion (DDM) for an addition to the Youth Hut in Kensington Park in the 1980's. It should be noted that the Youth Hut is now the Kensington Community Center building located about 300 feet north of the parcel under consideration in this report. The DDM reports were:

- "Geologic Investigation of the Vicinity of the Kensington Youth Hut", dated August 14, 1986 (?).
- "Fault Assessment of the Kensington Youth Hut Area, Kensington, Contra Costa County, California", dated April 6, 1988.

The 1986 report was focused on geologic contacts between various geologic units that extended through the Youth Hut area being caused by faulting, as well as through the entire park area, including the parcel under consideration in this report. Based on their mapping, and limited test pits in the Youth Hut area, they concluded the contacts may have been old faults, but the contacts did not show any evidence of being recent or active.

The subsequent 1988 report was much more detailed and included hand augering eight borings in the general Youth Hut area. Based on their work, they developed a geologic map of the entire Kensington Park site. DDM concluded the area was underlain by a complex bedrock setting including Franciscan Assemblage units, as well as younger sedimentary units and rhyolite (keratophyre). They mapped the property now proposed for the new Police Department development as underlain by serpentinite, greenstone, and silica-carbonate rocks belonging to the Franciscan Assemblage. DDM concluded no active faults passed through the subject site, and the nearest active fault traces were related to the Hayward fault which passed 300 to 400 feet to the southwest. It should be noted that this report was subsequently reviewed and approved by the Contra Costa County geologist for compliance with the Alquist-Priolo Act active fault criteria.

SITE RECONNAISSANCE

We recently visited the site and observed the surficial characteristics of the property. The site is irregular in shape and the terrain on the property is quite variable. There has clearly been past grading over much of the site, probably related to Kensington Park and past site uses. Level areas for recreational courts, lawns, playgrounds, and picnic areas are present along the northeastern boundary of the site. A broad, undeveloped, graded level bench area is present on the site just downhill of the level picnic and pavement area. We noted a pipe present near the center of the site which discharges water from the upper-level areas; this leads to a surface flow channel which crosses the site to carry surface water westerly down to an inlet by the Arlington Avenue sidewalk. A broad area of high moisture (with green vegetation amidst the brown dry native grasses) is present immediately south of the flow channel. A second area of high moisture was observed in the eastern corner of the site.

Cut slopes are present along the southwestern boundary of the subject site just uphill of the Arlington Avenue sidewalk. Bedrock outcrops are present throughout these cut slopes, and some raveling of the bedrock materials was noted but no significant instabilities. Although there were some uneven portions of the site, it appears these features are primarily related to past grading activities, and not to landsliding.

Locations of some of the key surface features we observed at the site are presented on the Site Plan (Figure 1).

EVALUATION AND CONCLUSIONS

1. Introduction

The primary focus of our initial geotechnical/geologic studies was to assess whether there were serious geologic hazards present on the property that might render the site unsuitable for development from a geotechnical/geologic perspective. The most key hazards we evaluated in this regard was related to landsliding or fault rupture. Secondary concerns such as strong earthquake shaking, expansive soils, and site grading have also been considered. These elements are discussed below.

2. Landsliding

Based on our review of published literature and our site observations, it is our opinion there is a low likelihood of significant landslides being present at the site. The natural setting is one of relatively strong bedrock units that are not highly susceptible to landsliding. The most reliable landslide map of the area (CDMG, 1973) does not indicate any landslides are present on the property. No dramatic landforms were noted during our site reconnaissance that seemed to be indicative of ground instability. The raveling of the bedrock we observed in cut slopes along Arlington Avenue is largely an erosional process and not a sign of landslide-type instability. However, it should be noted that past grading may have resulted in the placement of potentially unstable fill materials on the property, particularly where the undeveloped, graded bench is present.

3. Fault Rupture

The site is located within the Alquist-Priolo Earthquake Fault Zone (APEFZ) established by the State of California around the Hayward-Rodgers Creek fault. However, all of the data we reviewed indicates the active trace(s) of the Hayward-Rodgers Creek fault pass about 300 feet southwest of the project site.

Therefore, we conclude the site has a low likelihood for fault rupture during future earthquakes. Nonetheless, if the project proceeds, a detailed fault study of the site will need to be performed because the site is located within an APEFZ, and because police department usage makes the development a critical facility.

4. Strong Earthquake Shaking

It is very likely all facilities that might be built on the site will be subject to very high levels of shaking during a future earthquake. Of course, this is true of all projects constructed in the Bay Area, and excellent design practices have been developed to provide reasonable performance during such events. Although the site is located fairly close to the Hayward-Rodgers Creek fault, reasonable design details are readily available for the levels of shaking that would occur during an earthquake event on that fault.

5. Expansive Soils

The surficial soils at the site are likely to be highly expansive, and such soils can cause damage to improvements during shrink/swell behavior that typically occurs. However, such soils are common throughout the Bay Area, and design practices are in widespread use to minimize impacts from expansive soils.

6. Site Grading

The site currently has mild to moderate slopes present, and grading will be necessary to develop the proposed facilities. Because the site generally contains shallow soils over strong bedrock, normal grading practices can be used and should perform well. Some remedial grading of existing fill from old grading activities may be necessary to stabilize such areas where concerns exist regarding future stability.

7. Conclusions

Based on our work to date, it is our opinion there are no significant geotechnical/geologic hazards at the site that will render the site unsuitable for the development of the proposed police facilities.

FUTURE WORK

When plans for the proposed police facilities are created, a detailed geotechnical/geologic investigation of the site should be performed. This will include geotechnical engineering and geologic components. A fault rupture analysis will be needed to satisfy the requirements of the Alquist-Priolo Earthquake Fault Zone provisions. This will include fault trenching that extends at least 50 feet beyond any proposed buildings. Also, subsurface borings and laboratory testing of recovered samples will be needed to guide the development of geotechnical recommendations for site grading, building foundations, site drainage, and other details.

LIMITATIONS

This firm's services would be performed in accordance with generally accepted geological and geotechnical engineering principles and practices. This warranty is in lieu of all other warranties, either expressed or implied.

Thank you for the election of our firm to perform this work. If you have any questions, please call us.

Very truly yours,

Alan Kropp

Alan Kropp, G.E.
Principal Engineer



AK/jc

Copies: Addressee (PDF) – daranda@kppcsd.org

- Attachments:
- Figure 1 - Site Plan
 - Figure 2 - Geologic Map
 - Figure 3 - Landslide Map 1
 - Figure 4 - Landslide Map 2
 - Figure 5 - Regional Active Fault Map
 - Figure 6 - Alquist-Priolo Earthquake Fault Zone Map

P-9279 Kensington Police - Vacant Lot Initial Study

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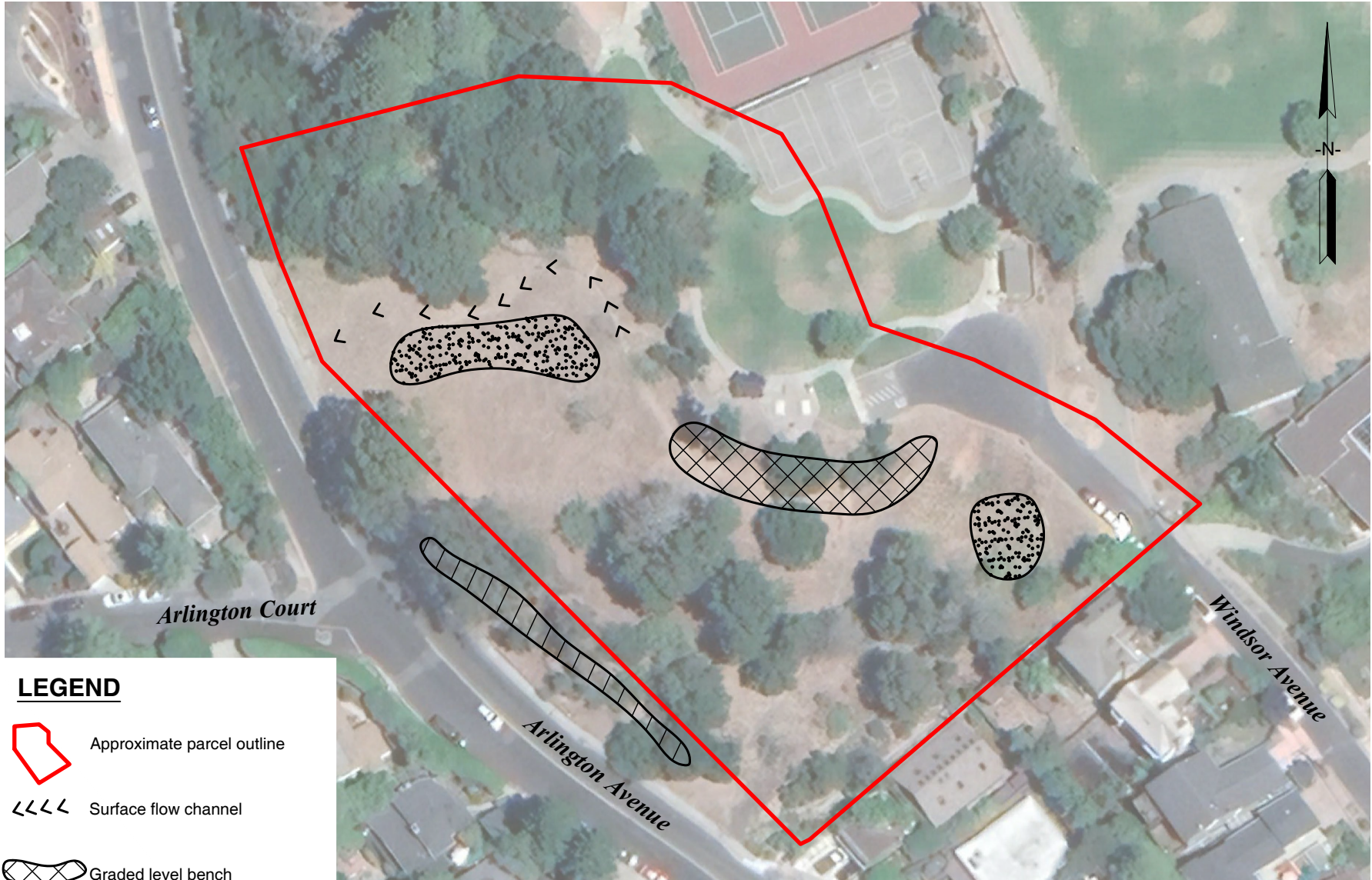
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LEGEND

 Approximate parcel outline

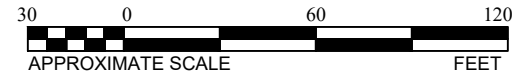
 Surface flow channel

 Graded level bench

 Moisture area

 Bedrock exposed in cut slope

Base: Google Earth, 7/10/2022.



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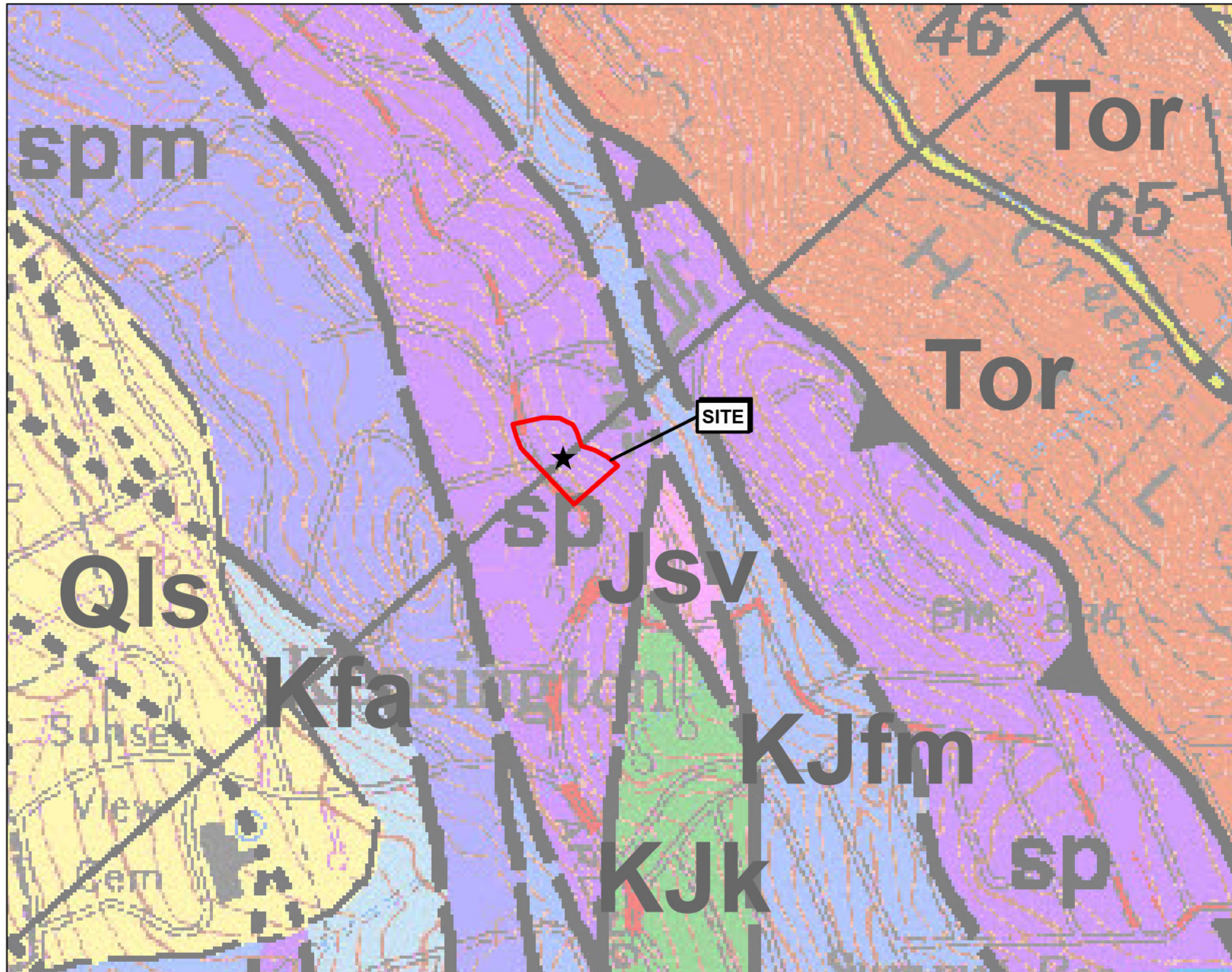
SITE PLAN

POLICE DEPARTMENT BUILDING SITE
Kensington, California

PROJECT NO.
P-9279

DATE
November 2023

FIGURE **1**

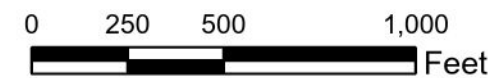


LEGEND

- Qls Landslide deposits (Holocene and/or Pleistocene)
- Tor Orinda Formation (late Miocene)
- KJk Knoxville Formation (Early Cretaceous and Late Jurassic)
- sp Serpentinite
- Jsv Keratophyre and quartz keratophyre (Late Jurassic) (Late Cretaceous to Late Jurassic)
- KJfm Franciscan complex, m \acute{e} lange (Cretaceous Late Jurassic), includes mapped locally: Graywacke and meta-graywacke blocks
- Kfa Sandstone of the Alcatraz terrane of Blake and others (1984)(Cretaceous)
- spm Serpentinite matrix m \acute{e} lange

Base: Graymer, 2000.

Original figure produced in color.


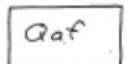


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GEOLOGIC MAP		
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-  Landslide deposit
- Arrows indicate general direction of movement. Queried where uncertain
-  Artificial fill

Base: Nilsen, USGS OFR 75-277-415

Original figure produced in color.



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LANDSLIDE MAP 1		
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Base: CDMG Tri Cities Preliminary Report 19, Plate 6, 1973.

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- S- Shallow slide plane - 0 to 10 ft.
- I- Intermediate slide plane - 10 to 20 ft.
- D- Deep slide plane - greater than 20 ft.
(all estimates approximate -no drill hole or other "hard" data available)
- U- Undetermined
- SI- Shallow and/or intermediate
- ID- Intermediate and/or deep
(queried where thickness approximation is very uncertain)
- dg- Disturbed ground
- Outline of landslide (dashed where approximate, queried where slide limits uncertain.) Arrow shows primary direction of movement. Stippling, indicates slide scarps or exposed slide plane.
- Query indicates uncertainty of landslide existence.
- Landslide too small to show on map.

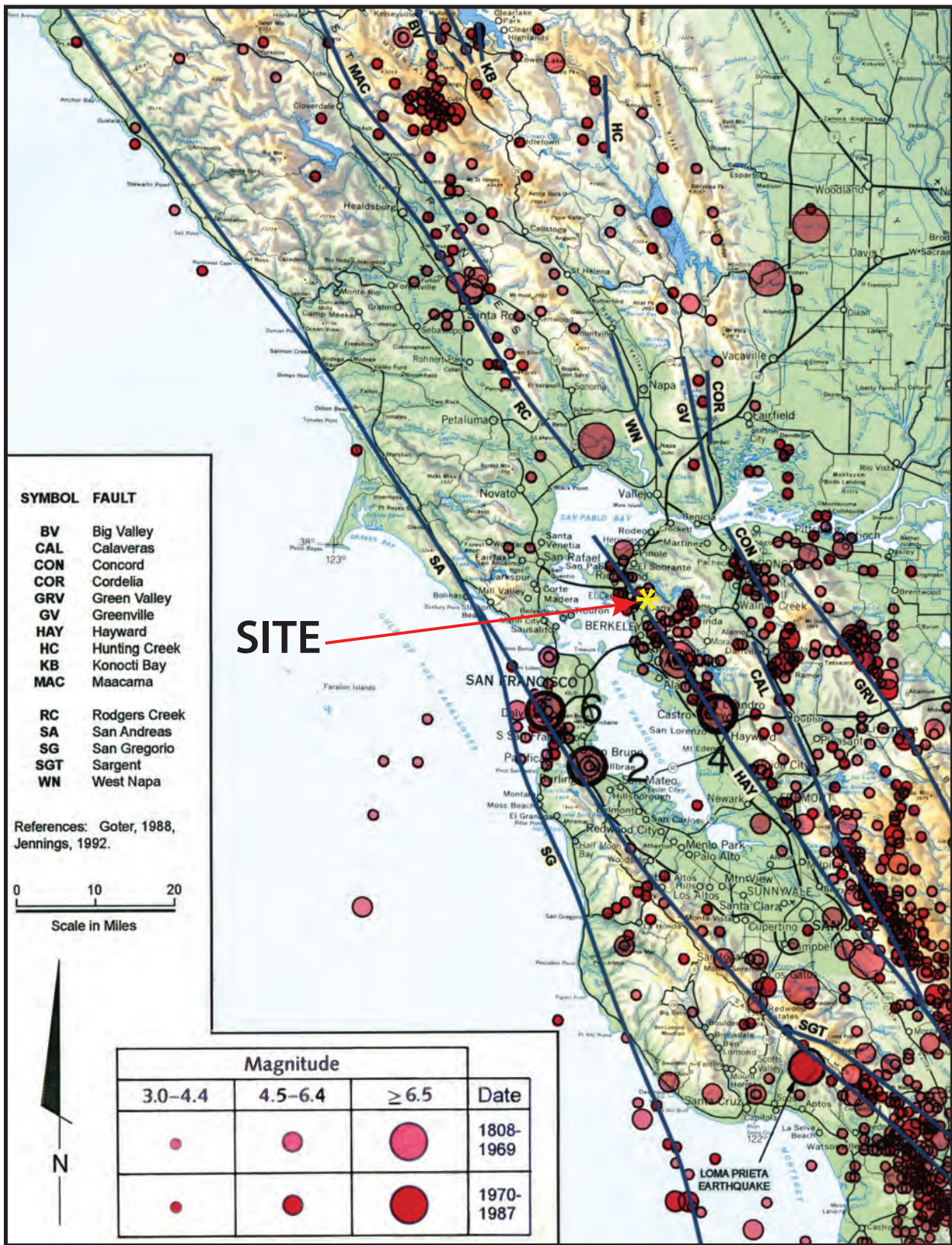
LANDSLIDE MAP 2

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FIGURE **4**



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REGIONAL ACTIVE FAULT MAP

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FIGURE **5**



LEGEND

MAP EXPLANATION

Potentially Active Faults

1906 C
 Faults considered to have been active during Holocene time and to have a relatively high potential for surface rupture; solid line where accurately located, long dash where approximately located, short dash where inferred, dotted where concealed; query (?) indicates additional uncertainty. Evidence of historic offset indicated by year of earthquake-associated event or C for displacement caused by creep or possible creep.

Special Studies Zone Boundaries

○—○ These are delineated as straight-line segments that connect encircled turning points so as to define special studies zone segments.
 ---○ Seaward projection of zone boundary.

Base: Alquist Priolo Earthquake Fault Zone Map, Richmond Quadrangle, California, 1982.

Original figure produced in color.



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ALQUIST PRIOLO EARTHQUAKE FAULT ZONE MAP

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PROJECT NO. P-9279	DATE November 2023	FIGURE 6