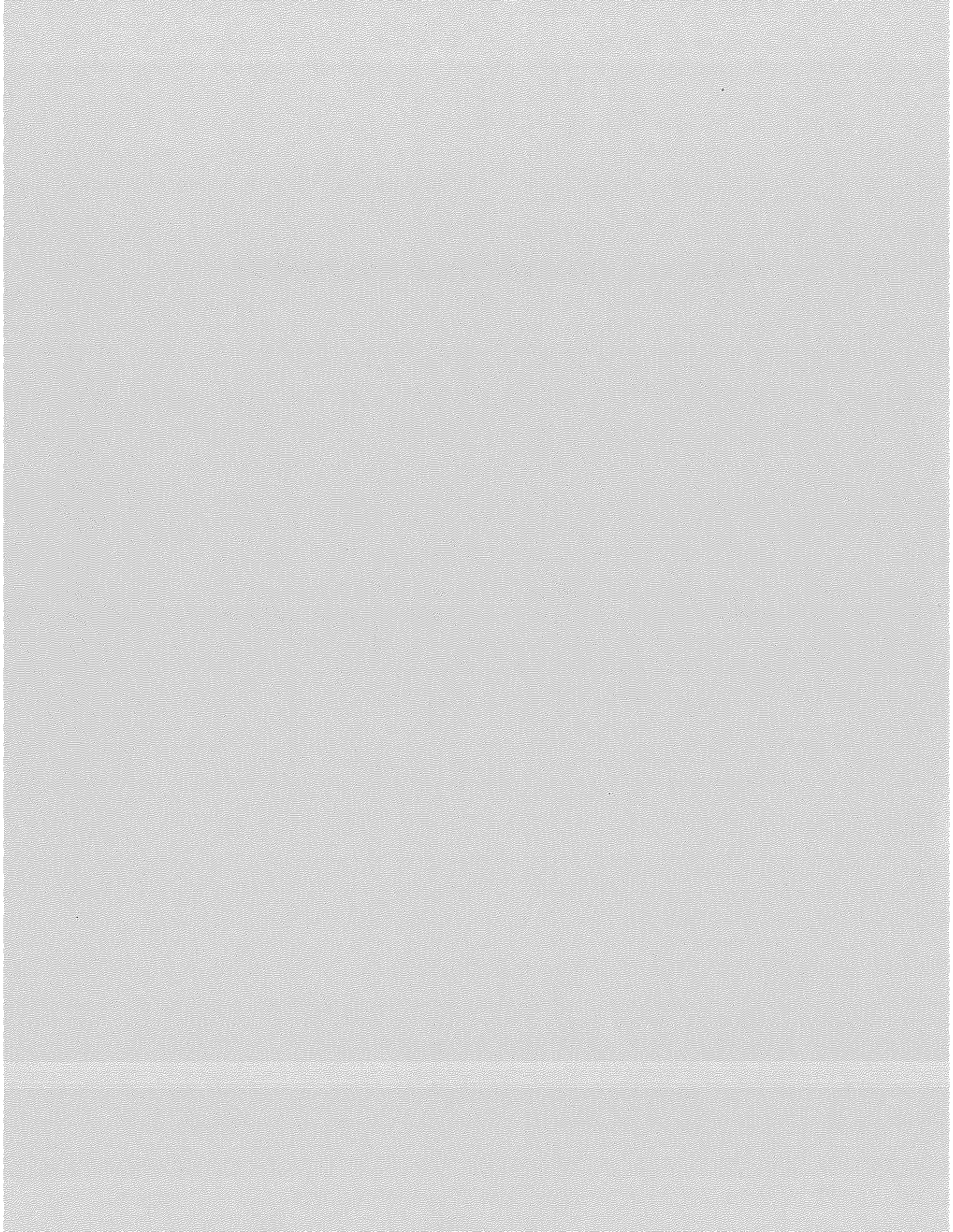


## **AGENCY COMMENTS & RESPONSES**



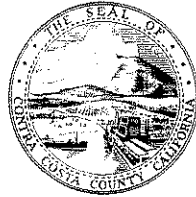


Community  
Development  
Department

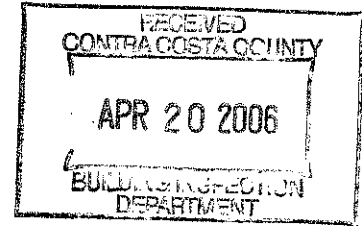
County Administration Building  
651 Pine Street  
4th Floor, North Wing  
Martinez, California 94553-0095

Phone: (925)335-1210

Contra  
Costa  
County



Dennis M. Barry, AICP  
Community Development Director



Date: \_\_\_\_\_

AGENCY COMMENT REQUEST

We request your comments regarding the attached application currently under review.

<p style="text-align: center;"><b>DISTRIBUTION</b></p> <p><input checked="" type="checkbox"/> Building Inspection</p> <p><input type="checkbox"/> HSD, Environmental Health, Concord</p> <p><input type="checkbox"/> HSD, Hazardous Materials</p> <p><input checked="" type="checkbox"/> P/W - Flood Control (Full Size)</p> <p><input checked="" type="checkbox"/> P/W - Engineering Svcs (Full Size)</p> <p>Date Forwarded _____</p> <p><input type="checkbox"/> P/W Traffic (Reduced)</p> <p><input type="checkbox"/> P/W Special Districts (Reduced)</p> <p><input type="checkbox"/> Comprehensive Planning</p> <p><input type="checkbox"/> Redevelopment Agency</p> <p><input type="checkbox"/> Historical Resources Information System</p> <p><input type="checkbox"/> CA Native Amer. Her. Comm.</p> <p><input type="checkbox"/> CA Fish &amp; Game, Region _____</p> <p><input type="checkbox"/> US Fish &amp; Wildlife Service</p> <p><input checked="" type="checkbox"/> Fire District <u>Kensington</u></p> <p><input checked="" type="checkbox"/> Sanitary District <u>Steg</u></p> <p><input checked="" type="checkbox"/> Water District <u>EBMUD</u></p> <p>City _____</p> <p><input checked="" type="checkbox"/> School District <u>West Contra Costa</u></p> <p><input type="checkbox"/> Sheriff Office - Admin. &amp; Comm. Svcs.</p> <p><input type="checkbox"/> Alamo Improvement Association</p> <p><input type="checkbox"/> El Sobrante Plg. &amp; Zoning Committee</p> <p><input checked="" type="checkbox"/> MAC <u>Kensington</u></p> <p><input type="checkbox"/> DOIT - Dep. Director, Communications</p> <p><input type="checkbox"/> CAC R-7A Alamo</p> <p>Community Organizations</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p>Please submit your comments as follows:</p> <p>Project Planner <u>Ryan Hernandez</u></p> <p>County File <u>DP063026</u></p> <p>Number: <u>MS060011</u></p> <p>Prior To: <u>4-28-06</u></p> <p>We have found the following special programs apply to this application:</p> <p><input type="checkbox"/> <u>N</u> Redevelopment Area</p> <p><input type="checkbox"/> Active Fault Zone</p> <p><input type="checkbox"/> <u>N</u> Flood Hazard Area, Panel # _____</p> <p><input type="checkbox"/> <u>N</u> 60 dBA Noise Control</p> <p><input type="checkbox"/> <u>N</u> CA EPA Hazardous Waste Site</p> <p><input type="checkbox"/> <u>N</u> Traffic Zone _____</p> <p><input type="checkbox"/> CEQA Exempt Categorical Exemption Section</p>
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Please indicate the code section of recommendations that are required by law or ordinance. Please send copies of your response to the Applicant & Owner.

No comments on this application.

Our Comments are ~~attached~~

Comments: DESIGN OF MIXED USE BLDG.  
TO COMPLY WITH 2001 CBC, 2001 CPC, 2001 CML,  
2001 CEC. ARCH/ENGR TO DESIGN BUILDING.  
SUBMIT SOILS REPORT, TITLE 24 CALS  
AND SURVEY.

[Signature]  
Signature RB

Agency 4/28/06

Date

S:current planning/templates/forms/agency comment request

Office Hours Monday - Friday: 8:00 a.m. - 5:00 p.m.  
Office is closed the 1st, 3rd & 5th Fridays of each month





# STEGE SANITARY DISTRICT

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*District Manager/Engineer:*  
Douglas Humphrey, P.E.

*District Counsel:*  
William D. Esselstein

*Board of Directors:*  
Douglas Bruce  
Jay Z. James  
Dwight Merrill  
Alan C. Miller  
Beatrice R. O'Keefe

*April 28, 2006*

*County Administration Building  
651 Pine St.  
4<sup>th</sup> Floor., North wing  
Marinez, CA 94553-0095*

*Dear Ryan Hernandez:*

The proposed project located at 401 Colusa Avenue, Kensington, CA lies within the boundaries of the Stege Sanitary District and sanitary sewer service is available subject to this District's regulations and requirements regarding such service that includes but is not limited to:

- *The minimum inside diameter of side sewers (laterals) to serve commercial buildings shall be six (6) inches.*
- *All new building side sewers (laterals) including side sewer (lateral) replacements shall be equipped with a backflow protection device (BPD).*
- *Pay fees for all new fixtures*
- *A connection charge for each residential units*

*Any sanitary sewer work from a point two (2) feet outside the building foundation to the connection to the public sewer shall be subject to the regulations of the Stege Sanitary District. A Stege Sanitary District connection permit and payment of fees are required prior to any work on the sewer lines. Connection and testing should be made in the presence of a Stege Sanitary District representative.*

*This letter does not imply approval of any proposed sanitary sewerage facilities or concepts that may be shown on the preliminary drawings.*

*If you have any further questions on this matter please feel free to call us at (510) 524-4668.*

*Sincerely,*

*Arvin Gonzales  
Engineer Tech. II / Inspector*





# REVIEW OF AGENCY PLANNING APPLICATION

**THIS IS NOT A PROPOSAL TO PROVIDE WATER SERVICES**

The technical data supplied herein is based on preliminary information, is subject to revision and is to be used for planning purpose ONLY.

DATE: 04/20/2006	EBMUD MAP(S): 1482B514	EBMUD FILE:S-8344
AGENCY: Contra Costa County Community Development Department Attn: Ryan Hernandez 651 Pine Street, 4th Floor, North Wing MARTINEZ, CA 94553	AGENCY FILE: MS060011, DP063026	FILE TYPE: Tentative Map
APPLICANT: Andrew Woolman Architect 1231 D Solano Avenue Albany , CA 94706	OWNER: The Circle Partnership 625 Santa Fe Avenue  Albany, CA 94706	

### DEVELOPMENT DATA

ADDRESS/LOCATION: 401 Colusa Avenue	City: KENSINGTON	Zip Code: 94707
ZONING: DV-K PREVIOUS LAND USE: P-1		
DESCRIPTION: Major modification to a P-1 to establish a mixed use building including 2 retail spaces & 3 residential units.	TOTAL ACREAGE: .11 ac.	
TYPE OF DEVELOPMENT:  Multi Family Residential: 3 Units Commercial: 2158 Sqft		

### WATER SERVICES DATA

PROPERTY: in EBMUD	ELEVATION RANGES OF STREETS: 131-135	ELEVATION RANGE OF PROPERTY TO BE DEVELOPED: 131-135								
All of development may be served from existing main(s) Location of Main(s): Colusa Ave, Oakview Avenue		None from main extension(s) Location of Existing Main(s):								
<table border="1"> <thead> <tr> <th>PRESSURE ZONE</th> <th>SERVICE ELEVATION RANGE</th> </tr> </thead> <tbody> <tr> <td>G1AA</td> <td>100-200</td> </tr> </tbody> </table>	PRESSURE ZONE	SERVICE ELEVATION RANGE	G1AA	100-200	<table border="1"> <thead> <tr> <th>PRESSURE ZONE</th> <th>SERVICE ELEVATION RANGE</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>		PRESSURE ZONE	SERVICE ELEVATION RANGE		
PRESSURE ZONE	SERVICE ELEVATION RANGE									
G1AA	100-200									
PRESSURE ZONE	SERVICE ELEVATION RANGE									

### COMMENTS

When the development plans are finalized, the project sponsor should contact EBMUD's New Business Office and request a water service estimate to determine the costs and conditions of providing water service to the development. Engineering and installation of water meters requires substantial lead time, which should be provided for in the project sponsor's development schedule. No water meters are allowed to be located in driveways. Due to EBMUD's limited water supply, all customers should plan for shortages in time of drought.

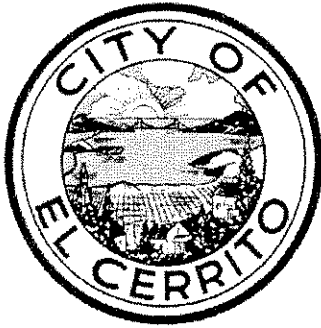
LEA

**CHARGES & OTHER REQUIREMENTS FOR SERVICE:**  
Contact the EBMUD New Business Office at (510)287-1008.

*David J Rehnstrom* 4/25/06  
David J Rehnstrom, Senior Civil Engineer; DATE  
WATER SERVICE PLANNING SECTION







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## EL CERRITO FIRE DEPARTMENT

10900 San Pablo Avenue

El Cerrito, CA 94530

(510) 215-4450

FAX (510) 232-4917

**To:** Ryan Hernandez

**From:** Michael J. Bond, Fire Prevention Officer

**Subject:** Condo / Retail Complex Conditions of Approval  
(App. Dp063026 / ms060011)

**Date:** May 2, 2006

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The Fire Department submits the following Conditions of Approval:

1. **Construction Plans.**

A. The applicant shall obtain approval from the Fire Department for all construction plans prior to issuance of a building permit.

2. **Fire Sprinklers.**

A. The applicant shall install an NFPA 13 automatic sprinkler system for retail spaces and NFPA 13-R automatic fire sprinkler system throughout the residential portions of the structure that protects attics, large closets, porches, canopies, balconies, corridors, garbage enclosures, mechanical rooms, basements, storage closets, stairwells, and elevator shaft.

B. Fire Sprinkler System and Standpipe shall be interconnected.

C. Fire Department Connections (FDC's). One FDC shall be located in an area to be identified on the on building plans.

D. Fire sprinkler system shall be 24-hour monitored.

E. Provide Sprinkler Riser Control room in the building with approved sign for sprinkler riser.

F. Submit fire sprinkler plans to the Fire Department for review and approval before installation, conduct and meet all required acceptance tests prior to occupancy.

3. **Class III Standpipe System.**

A. The applicant shall install Class III Standpipe system with 2 ½ inch discharges in all stairwells and on all levels including garage and roof.

B. Wet System shall be interconnected with automatic fire sprinkler system.

C. One a standpipe shall be installed in the south parking garage on the support column located between parking stalls 17 & 18.

D. One serviceable standpipe shall operate during construction.

Page Two

Condo / Retail Complex Conditions of Approval

(App. Dp063026 / ms060011)

May 2, 2006

**4. Fire Alarm System.**

- A. The applicant shall install an approved NFPA 72 type fire alarm system throughout the complex including garbage, garbage areas, mechanical rooms, and storage closets.
- B. Fire alarm system shall be 24-hour monitored.
- C. There shall be one operable enunciator panel in a location approved by the Fire Department.
- D. Plans shall be submitted to the Fire Department for review and approval before installation.
- E. Alarm system shall meet all required acceptance tests on the fire alarm system prior to occupancy.

**5. Smoke Detectors.**

- A. Smoke detectors (monitored) shall be provided in all common areas and interior corridors.
- B. Each residence will have local (non monitored) smoke detectors as required.

**6. Heat Detectors.**

- A. Heat detectors (monitored) shall be provided in laundry rooms, elevator equipment room and similar areas.

**7. Water Supply.**

- A. Additional Fire hydrant(s) shall be required.
  - 1. Fire hydrant is required within 50' of the Fire Department Connection (FDC)
  - 2. Maximum Fire Hydrant spacing shall be no more than 500' between fire hydrants around exterior of the complex.

**8. Emergency Medical Services Elevator.**

- A. If the applicant installs an elevator, an emergency medical services elevator that meets the provisions of Section 3003.5a of the California Building Code shall be installed.

**9. Exits.**

- A. Exit signs shall be internally or externally illuminated. Internally illuminated exit signs shall be equipped with battery back up.
- B. Externally illuminated exit lights, the light source shall be provided from two lamps.
- C. Approved self-luminous signs may be used.
- D. Exit signs shall be visible throughout sales area—consider hanging from ceiling.
- E. Egress illumination (emergency lights) supplied by two sources of power shall illuminate means of egress at an intensity of not less than 1 foot-candle at the floor level.

**10. Circuit Breakers and other Major Equipment.**

A. The applicant shall label all circuit breakers. Major equipment shall have corresponding labels.

**11. Site Address.**

A. The applicant shall provide minimum 6-inch addresses, consisting of reflective materials and colors that contrast that of the building exterior at parking entrances. Addresses shall be unobstructed and clearly visible from the street facing the property prior to occupancy.

**12. Knox Box Key Vault.**

A. The applicant shall install a Knox key vault on the exterior of the building at an approved location.

**13. Emergency Vehicle Access.**

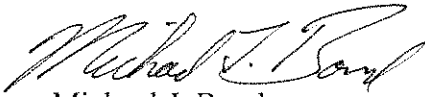
A. Emergency vehicle access is required. Emergency vehicles shall be able to drive within 150 of any exterior portion of the complex.

B. This does not have to be roadway. EVA can be sod stone or any other decorative material that will support the working loads of Fire Trucks while operating from one location.

**14. Gates.**

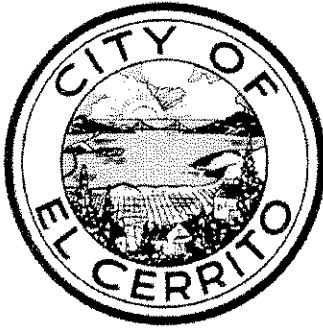
A. Electric or mechanical gates shall have Knox Entry System incorporated into the electronic controls of the gate.

B. Non electric or mechanical gates shall have a Knox Box adjacent to the gate lock with gate keys placed in the Knox Box.



Michael J. Bond  
Fire Prevention Officer  
El Cerrito Fire Department  
(510) 215-4450





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**EL CERRITO FIRE DEPARTMENT**

10900 San Pablo Avenue

El Cerrito, CA 94530

(510) 215-4450

FAX (510) 232-4917

**To:** Ryan Hernandez

**From:** Michael J. Bond, Fire Prevention Officer

**Subject:** Condo / Retail Complex MINOR SUBDIVISION Conditions of Approval  
(App. Dp063026 / ms060011)

**Date:** May 2, 2006

---

The Fire Department submits the following Conditions of Approval:

1. Fire Department has no restrictions or conditions of approval for this minor subdivision Parcel # 5710—311-001.

A handwritten signature in cursive script that reads "Michael J. Bond".

Michael J. Bond  
Fire Prevention Officer  
El Cerrito Fire Department  
(510) 215-4450





*DRAFT, not yet adopted by KMAC*

## Kensington Municipal Advisory Council Minutes

Meeting of April 24, 2007

Council Members present:

Chair: Reyes Barraza

Secretary: Richard Karlsson

Member: Kay Reed

Alternate Member: Chris Brydon

1. The meeting commenced at 7:00 p.m.
2. The minutes of March 27th were approved by a vote of 4 – 0, with the following revisions: page 2, fourth paragraph from the bottom, first sentence was revised to read: "Rich Karlsson noted the view easement would run with the land and is a unique solution that he supports, but he did not believe that KMAC could recommend such a requirement as a condition of approval." Under item 7, Procedural Matters, the minutes were corrected to read that "all forms have been received."
3. Citizens Comments: Member Reed stated that "Smart and Green Day" was on an upcoming date in Kensington, and that fluorescent light bulbs would be given away without charge and an assessment of one's home (regarding the use of such bulbs) would be conducted without charge by PG&E.
4. Consent Items: none
5. ~~6 Kingston Road (DP 073010) Development Plan review for a 268 sq.ft. addition to an existing residence. Request a variance for a 0' setback (15' required) for a new garage. (This item was taken out of order as all of those persons presenting on Colusa Circle development plans were not yet present).~~

~~Chair Barraza began the discussion by stating the criteria required to meet the Kensington combining ordinance and the state requirements for obtaining a variance. Thereafter, the architect for the owners of 6 Kingston Rd., Steve Caccamo, made the presentation. Mr. Caccamo stated that the plan was to allow for an extension for a garage and family room to the front of the house. A 0' setback and variance was sought to allow for the expansion toward the street. The variance was sought due to the odd shape of the lot.~~

~~Member Reed noted that the requested expansion also exceeded the recommended floor area to parcel size guidelines for Kensington by 10%. The architect stated that~~

Secretary Karlsson agreed with Member Reed that the conditions to obtain a variance had not been met. Thereafter Member Reed requested the owners whether they would prefer to have KMAC make a recommendation upon the plans submitted or whether they would like to request a continuance to work further on the plans in light of the comments made by the community and KMAC members. Mr. Bronson and Ms. Potozkin requested a continuance. *Member Reed then made a motion to grant the request for continuance and the motion was approved 4-0.*

6. **Colusa Ave. (DP 033047)** Request for substantial amendment to approved Planned Unit Development 3056-82 to allow modification of Phase III and IV in the triangular block bounded by Colusa Ave., Santa Fe Ave. and Oak View Ave. *Hearing continued from February 27, 2007 and **401 Colusa Ave. (DP 063026 and MS 060011)**.* Request for substantial amendment to approved Planned Unit Development 3056-82 to allow modification of Phase II in order to establish a three story mixed use building including 2 residential and 3 residential condominium units. (As the foregoing applications were to hear details regarding the split of former approved development plan 3056-82, the items were combined on the public hearing, with separate considerations for a recommendation by the Advisory Council as to each).

Ed Hammond made the presentation as to Phase III and IV requests (hereinafter #1) and Andrew Woolman made the presentation as to Phase II request (hereinafter #2). Mr. Woolman began the presentation of regarding #2 and discussed the changes and how he believed this revised plan was an improvement over the last plan presented. He also presented a two and a half page parking and traffic analysis by Mr. Charlie Abrams, a Traffic Engineer. In summary, Mr. Abrams' report stated that, though the proposed parking plan did not satisfy the County guidelines, Mr. Abrams did not believe it exacerbated the existing conditions in the area and that the project (#2) "would be an improvement over existing parking conditions."

Mr. Woolman indicated that the revised plan had increased parking over the past plan. Chair Barraza asked if three quarters of the new spaces indicated were not parking spaces currently in existence. Mr. Woolman responded that three more spaces were created on Colusa Ave and that the parking spaces within the structure would use electronic stacking that allowed two cars per parking space. Ray inquired if one of the retail spaces were intended to be a restaurant, and Mr. Woolman indicated that was not the intent and that the owners would stipulate to this limitation. Ray B. then inquired about the residence that was added to this same property and if it was zoned residential or commercial. He was advised that it was zoned commercial.

Ed Hammond was then asked about his parking study. He advised KMAC that the cost for the parking study was \$8k to \$20k for a parking study only. He also contacted Mr. Abrams for a parking study but the study was not completed in time for the presentation before KMAC. Mr. Hammond indicated that he did not think that the study would be beneficial and would like to do without it. Chair Barraza asked if he was asking KMAC for a "leap of faith" that the parking would be sufficient

and on that basis approve. Mr. Hammond indicated only that the parking study that he had contracted for was inadequate and that a decent study would be too costly. Member Kay Reed indicated that she was more concerned about the traffic study than the parking study and the impact of Oak View becoming a one-way street. Mr. Hammond indicated that was approved in 1983, but if KMAC preferred keeping that street two way as part of its recommendation, he would support it. He would, however, lose additional parking around project #1 if that were the recommendation.

The next speaker was Janet Hittle, 1612 Oak View Ave., and she opposed the projects. She stated that the result of the projects is that Kensington would lose parking spaces as a result of building on what is now vacant property and is being used for parking as well as the builder's admissions that they do not meet current parking requirements. She was concerned about a proposal to move the bus stop, about the increased traffic and the change to a one-way street for Oak View Ave. off the circle. She also opposed any three story buildings and said that the proposed three story buildings were out of character for the neighborhood. She also believed it was inappropriate to consider existing on-street parking to meet the parking needs of these new proposed projects.

Mr. Woolman responded that they should receive credit for those surrounding their property and those currently on their property ... and those currently being allowed unauthorized use by the owners of the property. He also understood that a three story building would have a negative impact for three or four houses in the neighborhood, but that a three story structure on this property has been approved for 25 to 30 years. They had taken great efforts to reduce the size of the building, by setting back the third story, but they were not willing to not have a third story.

The next speaker was Ron Wizelman, 1635 Ocean View Ave., and he objected to counting the parking spaces on the existing vacant lot as 'new' when considering the impact of the new building. He indicated that the occupants of the new structure would use those spaces, meaning that those currently parking in the vacant lot would move to the street. He is also concerned because the parking study by Mr. Abrams did not address traffic flow and he believed that the combined new businesses would generate a lot of new traffic.

Tim Kraus, 401 Michigan Ave., representing and related to the owner of project #2 stated that in his view those parking spaces on the vacant property should count as additional parking spaces because they were illegally parked currently and the owner of the lot could prevent such parking. While he recognized that this was a 'tight situation', he noted that the project had been scaled down immensely.

The next speaker was Mrs. Farve, 164 Ocean View Ave. and she lives on the corner up the street from the proposed development. She described the current parking/traffic conditions as "horrendous". She said she could not imagine why KMAC would recommend more businesses. She stated that the current parking and traffic situation is far worse than when the original development plan was approved in 1982, that the owners of businesses should not "make a profit on the backs of neighbors", and that the current parking environment is appalling. Joe

Koontz, 398 Ocean View Ave. stated that in his view a traffic study would be appropriate. He also noted that when the vacant property is no longer vacant, a traffic safety problem may result due to a blind spot. Additionally, if Oak View is changed to a one-way street, the day care center on Oak View may be impacted. He also pointed out that this has not been a good location for businesses, noting that both the Porta Brazil restaurant and the flower shop have gone out of business. He personally did not want the neighborhood to look like Elmwood.

Joan Gallegos, 239 Cambridge Ave. was the next speaker and she has traffic concerns about changing Oak View to one way street and the impact that would have on other nearby streets. For those going to El Cerrito, the visibility from the corner of Santa Fe and Oak View is currently bad. She believes that a parking study and a traffic study is needed. Mary Stollon, 12 Eldridge Ct., stated that she has used the current businesses since 1993. She does not like or see the need for three stories. She also noted that it would be difficult finding a tenant for the third story as they would not be visible from the street. As for parking, if there is not parking, she said she will not stop to shop. She also inquired where the employees of the shop would park and is concerned that the more congested the area, the more dangerous for pedestrians. Recently, it took her 15 minutes to find a place to park.

Ben Clow, 21 Eldridge Ct., has lived in same house since 1947. It is ten times busier now than when he moved to Kensington. People will do anything to avoid Colusa Circle area because of the traffic. He does not believe that people in the area will support the businesses; there is too much going into that little circle. Though he is sorry for the owners, the plan upsets him and he believes a traffic study and a parking study is necessary.

The public comment portion of the meeting was thereafter closed by the Chair and concerns of KMAC members were then taken. Member Brydon stated that in his view the parking concerns had not been adequately addressed. Member Reed stated that the residents should know that this area was zoned as commercial property; that one of the reasons people were not shopping there was because there was not enough diversity of shops; and as commercial property, and not residential property, there were different considerations for recommendation by KMAC.

That said, her concerns were that there were no assessments of the view impacts of a third story. She recognized that each had set back the third story on their respective projects, but was that sufficient? She was also concerned that there was no traffic study, and that the parking study that KMAC received was for only one of the two projects and seemed inadequate to address the concerns raised. She had concerns about Project #2 in that one of the units had three bedrooms, which raised her concerns as to whether two parking spaces were sufficient. She was also concerned about what retail may go into the respective spaces and the parking demands of the business types and whether deed restrictions were not appropriate to limit heavy traffic businesses, such as take out food.



Chair Barraza said he had great reservations about a third story, which he believed was one story too many. He believed that the Kensington Overlay ordinance would be applicable – as this was new application and subject to new rules – and that views had to be considered and did not allow third stories for residential properties. He believed that story poles may answer the question to impact.

Mr. Hammond responded that he had substantially scaled down the improvements to his property design and that all of his businesses in the area are full. As for the height, he believed that it was in keeping with the commercial area.

The respective owners of each project were then asked, given the concerns of the citizens present and KMAC, if they would prefer to proceed for a recommendation or request a continuance.

Mr. Kraus and Mr. Woolman wanted to proceed. *Chair Barraza then moved that the proposed improvements to 401 Colusa Ave. be recommended for denial, on the basis that they did not meet the provisions of the Kensington Overlay ordinance and did not adequately address parking or traffic. The motion was approved, 4 – 0.*

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~~Mr. Hammond then asked if he was being asked to do a traffic study for the entire area, including 401 Colusa Ave. He was advised that he only had to address the impacts of his property and changes, not of other properties in the area. Upon that condition, Mr. Hammond requested a continuance for his Triangular project (#1) on Colusa Circle. He also stated that he would have his study to KMAC at least one week in advance of the next hearing that his property is scheduled for hearing. Kay Reed made a motion that Mr. Hammond's request for a continuance be granted, so that he could come back before KMAC with a traffic and parking study relevant to his parcel. The motion was approved, 4 – 0.~~

7. Informational Reports – this matter was continued.

8. The meeting was adjourned at 10:50p.m.

Minutes prepared by Secretary Karlsson

