

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, October 22, 2020

Via Teleconference

Special Meeting (7:00 p.m.)

CALL TO ORDER

[TS .03] President Chris Deppe called to order the Special Closed Session Meeting of the Board of Directors at 7:00 p.m. Directors Cyrus Modavi, Eileen Nottoli, Rachelle Sherris-Watt, and Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Bill Lindsay and General Counsel Ann Danforth.

PUBLIC COMMENT ON CLOSED SESSION AGENDA

None.

CLOSED SESSION

The Board of Directors met in Closed Session pursuant to California Government Code section 54957(b) to consider matters related to the appointment of the District General Manager, including the discussion of individual candidates.

Regular Meeting (7:30 p.m.)

ANNOUNCEMENT FROM CLOSED SESSION

[TS 0.16] President Deppe announced that the Closed Session Meeting would be continued after the Regular Meeting.

CALL TO ORDER

[TS .51] President Deppe called to order the Regular Meeting of the Board of Directors at 7:39 p.m. Directors Sylvia Hacaj, Rachelle Sherris-Watt, Cyrus Modavi, and Eileen Nottoli were present at roll call.

Staff present included Interim General Manager Bill Lindsay, Interim Police Chief Walt Schuld, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

GENERAL PUBLIC COMMENT

[TS 1.06] The following persons provided public comment: 1) Julian Jenson proposed off leash time for dogs at Kensington Park after school hours and considering a feasibility study on this issue; 2) Justin supported having off leash times in the park and urged consideration of a feasibility study; 3) Betty Lee supported off leash time for dogs at the park and encouraged a feasibility study; 4) Kelly McDonald supported the study of allowing dogs off leash at the park; and 5) Andy Wilbert supported a feasibility study for allowing dogs off leash at the park.



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BOARD/STAFF COMMUNICATION

[TS 10:42] General Manager's Report. Interim General Manager Bill Lindsay reported that the Kensington Park restrooms will open on Monday, October 26th. He said the restrooms will be disinfected each morning according to Center for Disease Control health standards. Signage will also be posted both inside and outside of the restrooms reminding park users of safe park and restroom usage. The Board recommended that staff look into installing lids on the toilets and including on the signage a reminder about wearing masks. Mr. Lindsay said he would follow on these recommendations.

[TS 14:54] The following persons provided public comment: 1) Kelly McDonald asked if there would be extra cleaning of the park; and 2) Danielle Verdugo thanked the Board for opening the restrooms and asked about the cleaning schedule for the bathroom. Mr. Lindsay addressed the commenters and said he would follow up on overall park cleaning efforts.

[TS 17.45] Police Chief Report. Interim Police Chief Schuld said the Police Department responded to complaints about dogs off leash in the park. There was discussion about the Contra Costa County "leash law" ordinance and KPPCSD's authority to override this. General Counsel Danforth will research exemptions to the "leash law" ordinance and report back to the Board.

[TS 20:50] Board of Directors Communication. Director Modavi requested having a discussion about temporary housing for the police relocation. Director Sherris-Watt mentioned that there was discussion in 2015 about creating a dog park and suggested revisiting this topic in the coming months. She offered condolences to the family and friends of former KPPCSD Attorney Randy Riddle who recently passed away.

CONSENT CALENDAR

1. [TS 24:28] **Consider Approval of Minutes for the Regular Board Meeting of October 8, 2020.**

Director Modavi pulled the Minutes to express concern that the minutes do not include sufficient Board discussion on issues. Mr. Lindsay said that the minutes followed current District policy. Following board discussion, President Deppe said minute preparation can be considered at future meeting as part of the Policies & Procedures review.

- President Deppe made a motion to approve the October 8th Minutes as presented on the Consent Calendar and Director Hacaj seconded the motion. The motion carried (4-1) by the following roll call vote: AYES (Directors Sherris-Watt, Nottoli, Hacaj, and Watt) and NOES (Modavi).

BOARD DISCUSSION AND DETERMINATION

2. [TS 35:27] **Review Final Financial Report for the Community Center Renovation Project.**

Director Sherris-Watt presented an overview of the Community Center renovation project scope, expenses and donations from 2015-2020. The District's costs for the renovation project was \$1,209,563.94. She noted that while the Center has been completed, due to Covid-19 there has

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been limited use and no events or tours have been scheduled.

3. **[TS 52:47] Review Financial Statements for the Quarter Ending September 30, 2020.**

Interim General Manager Lindsay presented financial statements (expense report, balance sheet, and income statement) from July 1 through September 30, 2020. He said the Finance Committee reviewed these statements on October 20th, and staff will be providing responses to questions that were raised. Mr. Lindsay and Interim Police Chief Schuld responded to questions raised by Director Nottoli on line item increases in insurance, communications, workers' compensation, overtime, and general liability expenses. They pointed out that that some expenses were paid in a lump sum (i.e. annually) versus on a monthly billing. Director Nottoli also asked about budget projections for category 527 (CalPERS District portion). Mr. Lindsay said staff would follow up on this. Additionally, Director Nottoli asked about the funding for a 115 trust for CalPERS payments like the one for retiree medical. Mr. Lindsay said this will be discussed at the December Finance Committee meeting.

Director Sherris-Watt reported that the CalPERS report has come out and will be presented at the December Finance Committee meeting along with exploration of the 115 pension trust. She pointed out that the Police Specialist's salary should be shown in Category 508 (Non-Sworn Personnel) rather than in police salaries (Category 502). Mr. Lindsay said that this will be corrected. Director Hacaj commented that the high costs for Category 506 (Police Salaries overtime) is a concern. Interim Chief Schuld explained the extenuating circumstance at the Police Department such as vacations, new officer training, two officers impacted by Covid-19, paternity leave, a special project of downloading criminal records, cash out of accrued comp time, and sick time. He said that after meeting with the officers in September, 100% of them agreed to flex their time and change shifts to save overtime. Director Modavi pointed out that the union also was instrumental in this concession.

4. **[TS 1.12.21] Report by General Manager on Public Safety Building (PSB) Design and Construction Schedule.**

Interim General Manager Lindsay summarized the architect's draft work plan that described the activities and projected timetable for the PSB. He reported that the design phase is projected to be 11-12 months from the notice to proceed, followed by a bid/construction phase of 14-16 months, and a total project duration of 28-30 months. Director Modavi asked several questions regarding the architect's work plan, and if the plan had been shared with the Kensington Fire Protection District (KFPD). Director Modavi suggested scheduling a 2x2 meeting to discuss the plans with KFPD. Mr. Lindsay responded to the questions and said the work plan was obtained in the context of KPPCSD's contract with the architect.

- **[TS 1:24:50]**The following person provided public comment: 1) Julie Stein, KFPD board member, commented that there are some communication disconnects between the agencies, that KFPD received different estimates for developing construction drawings, that roles and responsibilities for sharing information should be defined, KFPD had not seen the architect's work plan, and clarified the KFPD Interim General's actions on putting out the financial analysis and finance options for the project.

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Mr. Lindsay said that in the future he would share information obtained on the project with the KFPD Interim General Manager.

ADJOURNMENT

[TS 1:29:40] President Deppe announced at 9:10 p.m. that the Regular Meeting would be adjourned to the Special Closed Session Meeting.

ANNOUNCEMENT FROM CLOSED SESSION

President Deppe announced that in Closed Session, the Board gave direction to staff.

SUBMITTED BY:

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Lynelle M Lewis

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: November 12, 2020

DocuSigned by:

William A. Lindsay

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Bill Lindsay, Interim General Manager

DocuSigned by:

Chris Deppe

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Chris Deppe, President of the Board

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