

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING MINUTES**  
**Thursday, December 10, 2020**  
**Via Teleconference**

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

**CALL TO ORDER [TS .03]**

President Chris Deppe called to order the Special Closed Session Meeting of the Board of Directors at 6:32 p.m. Directors Cyrus Modavi, Eileen Nottoli, Rachelle Sherris-Watt, and Sylvia Hacaj were present.

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 adjourned to 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.)**

**ANNOUNCEMENTS FROM CLOSED SESSION [TS 0.11]**

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

**CALL TO ORDER [TS 0.25]**

President Deppe called to order the Regular Meeting of the Board of Directors at 7:31 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 1:43]**

The following persons provided public comment: 1) Lawrence Thal urged the Board to take action on the Kensington paths and the Public Safety Building; 2) Danielle Madugo commented that maintenance and ownership of the paths would be beneficial to everyone; and 3) Julie Stein thanked the Board for the Brown Act briefing presented at the past Finance Committee meeting.

## **CONSENT CALENDAR [TS 8:19]**

The following person provided public comment: 1) A. Stevens Delk pointed out two typographical errors in the resolution on declaring the election.

### **1. Adopt Resolution No. 2020-20 of the Board of Directors of the Kensington Police Protection and Community Services District Declaring Results of Election Held On November 3, 2020 for the Election of Directors.**

- President Deppe made a motion to adopt Resolution No. 2020-20 with the following amendments to the language in the resolution: “Board of Supervisors has caused” and a correction to the total numbers on the votes received by each candidate (Sylvia Hacaj 2,287; Eileen Nottoli 1,941; Lynn Wolter 1,160; and Elaine Stelton 1,082). Director Sherris-Watt seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Hacaj, Nottoli, and Deppe) and NOES (None).

### **2. Administer the Oath of Office to Directors Sylvia Hacaj and Eileen Nottoli to Serve on the Kensington Police Protection and Community Services District Board of Directors. [TS 14:45]**

President Deppe administered the Oath of Office to the newly elected Directors.

## **BOARD/STAFF COMMUNICATION**

### **General Manager’s Report. [TS 20:10]**

Interim General Manager Bill Lindsay reported that there is no new information on the Public Safety Building at this time, but expected to have more information in January. Next, Mr. Lindsay reported on the new Contra Costa County public health orders that affect Kensington Park and related facilities. There was a suggestion to place a teaser on the KPPCSD web page about the mask wearing requirement at the park. In concluding, Mr. Lindsay advised that the Fiscal Year 19-20 audit process has begun.

### **Police Chief Report. [TS 31:30]**

Interim Police Chief Walt Schuld reported that the Police Department has been responding to complaints from Berkeley Park residents about East Bay Municipal Utility District (EBMUD) trucks working on the San Pablo Clearwell and Rate Control Replacement Project. He also reported that the Police Department is increasing enforcement in the area, they met with Berkeley Park residents, and plans are underway to schedule a meeting with EBMUD to discuss safety protocols. Chief Schuld announced that the Police Department can take vacation watch information over the phone due to the Covid-19 epidemic.

### **Board of Directors Communication. [TS 37:31]**

Director Nottoli commended Directors Hacaj and Sherris-Watt on their work to bring closure to the Community Center improvement project. Director Sherris-Watt congratulated Directors Nottoli and

Hacaj for returning to the Board. She noted that the Board traditionally celebrates volunteers at this time of year. She thanked the volunteers David Bergen, Peter Liddell, Jim Watt, Rob Firmin, Paul Black, Karl Kruger, and Mike Logan for their contributions to the District. She also thanked the Interim General Manager Lindsay and Interim Police Chief Schuld for their work over the past nine months. Director Sherris-Watt reported that the Finance Committee meeting will be rescheduled in 2021. President Deppe congratulated Directors Nottoli and Hacaj on their re-election to the Board and also thanked Interim General Manager Lindsay and Interim Police Chief Schuld. President Deppe reported that he and Director Sherris-Watt will provide an update on the paths once they gather more information.

### **CONSENT CALENDAR [TS 48:05]**

#### **3. Consider Approval of Minutes for the Regular Meeting of November 12, 2020.**

#### **4. Adopt Resolution No. 2020-21 of the Board of Directors of the Kensington Police Protection and Community Services District to amend its Conflict of Interest Code.**

Director Nottoli pulled Item 4 to comment that Disclosure Category 3 in Appendix A should be narrowed to exclude those funds that individuals do not manage (i.e. mutual funds). She also noted that Item 17 of the Conflict of Interest Code History needed modification. General Counsel Danforth noted the changes.

#### **5. Receive Financial Reports for the Month Ending October 2020.**

- Director Hacaj made a motion to adopt the Consent Calendar with changes that were specified in Resolution No. 2020-21 and the amendment to the Conflict of Interest Code history. Director Sherris-Watt seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Hacaj, Sherris-Watt, Nottoli, Modavi, and Deppe) and NOES (None).

### **BOARD DISCUSSION AND DETERMINATION**

#### **6. Discuss and Consider Revision of Policy 4170.1 to Change Regular Board Meetings to Monthly Rather Than Twice Monthly. [TS 54:13]**

Board members commented on the proposed revision and also on changing the start time to 7:00 p.m. rather than 7:30 p.m.

- The following person provided public comment: 1) Julie Stein voiced support for changing regular meetings to one meeting per month and the 7:00 p.m. start time.
- President Deppe made a motion to adopt a resolution of the Board of Directors of the Kensington Police Protection and Community Services District Amending Policy No. 4170.1 to reduce the number of regular board meetings to one per month and change the starting time to 7:00 p.m. instead of 7:30 p.m. Director Sherris-Watt seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe) and NOES (None).

**Resolution No. 2020-22** – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Amending Policy No. 4170.1 to Reduce the Number of Regular Board Meetings to One Per Month.

**7. Review and Approve Scope of Work and Contract with William Driscoll to Provide Maintenance Services at the Kensington Community Center and Kensington Park for the Base Monthly Amount of \$900. [TS 1:11:40]**

Interim General Manager Lindsay introduced the recommended actions and reviewed the scope of work for Items 7 and 8. Board members provided feedback on the scope of work.

- The following person provided public comment: 1) A. Stevens Delk questioned the scope of work citing Bayview services which currently provide for emptying public litter and recycling cans.

**8. Review and Approve Scope of Work and Contract with Fernando Herrera to Provide Maintenance Services at the Kensington Community Center and Kensington Park for the Base Monthly Amount of \$2,225.**

- Director Hacaj made a motion that the Board approve the scope of work for William Driscoll (Item 7) for ongoing maintenance services at the Kensington Community Center and Kensington Park and the scope of work for Fernando Herrera (Item 8) for ongoing maintenance services at Kensington Park with the following changes: 1) in the scope of work for William Driscoll it should specify that the two District-owned trash cans are one at the northwest corner of Oakview and Colusa Avenue and the other at the northeast corner of Amhurst and Arlington Avenue; 2) change in the scope of work for Mr. Herrera should be that the term of “Gore lot” is stricken in every instance and that it is referred to as that vacant lot at Coventry Road and Arlington Avenue; 3) that the contracts should come back to the Board for approval in January; and 4) gave direction to staff that the contract’s scope of work should be reviewed annually. Director Sherris-Watt seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe) and NOES (None).

**9. Elect President and Vice-President of the Kensington Police Protection and Community Services District Board of Directors for the Terms of Office to Commence January 1, 2021. [TS 1:40:09]**

- Director Sherris-Watt made a motion to nominate Director Hacaj as President of the Board for 2021. President Deppe seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe) and NOES (None).
- President Deppe nominated Director Nottoli as Vice-President of the Board for 2021. Director Hacaj seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Hacaj, Nottoli, and Deppe) and NOES (None).

**ADJOURNMENT** [TS 1:47:44]

President Deppe adjourned the meeting at 9:19 p.m.

SUBMITTED BY:

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: January 14, 2021

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Bill Lindsay, Interim General Manager

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Chris Deppe, President of the Board