

Meeting Minutes for 12/8/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, December 8, 2016, at 6:00 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Regular Meeting (Open Session) followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Amara Morrison
Rachelle Sherris-Watt, Vice President	Doug Wilson
Vanessa Cordova, Director (until 9:45 PM)	Bill Glass
Sylvia Hacaj, Director	Farhat Daud
Eileen Nottoli, Director	Mabry Benson
	A. Stevens Delk
	Celia Concus
	Ciara Wood
<u>Staff Members</u>	Skye Dent
Lynn Wolter, District Administrator	Karl Kruger
	Linda Lipscomb
<u>Press</u>	Chris Hafner
Linnea Due	Nick Beaucage
	Lisa Caronna
	Ron Wiselman
	Pat Gillette
	Larry Nagel
	Melissa Holmes-Snyder
	Jim Watt
	Frank Lossy
	Catherine de Neergaard
	David Bergen
	John Gaccione
	Leonard Schwartzburd

At 5:51 P.M., President Welsh swore in newly elected Directors Sylvia Hacaj and Eileen Nottoli. Both Directors took and then signed their oaths of office.

President Welsh called the meeting to order at 5:57 P.M. President Welsh, Vice President Sherris-Watt, Director Nottoli, Director Hacaj, and District Administrator Wolter were present. Director Cordova participated by phone from Italy for the Closed Session and for part of the Open Session.

CLOSED SESSION

The Board entered into Closed Session at 5:58 P.M.

- a. Conference with legal counsel – anticipated litigation: The Board was briefed on matters

involving significant exposure to litigation pursuant to California Government Code Section 54956.9(d)(2).

- b. Public employee employment, discipline, or dismissal. The board was briefed on personnel matters pursuant to Government Code Section 54957(b)(2).

The Board returned to Open Session at 7:42 P.M.

President Welsh took roll call. President Welsh, Vice President Sherris-Watt, Director Hacaj, and Director Nottoli were present. President Welsh reported that Director Cordova was participating by phone.

President Welsh reported that, with respect to Item 2a, the matter the Board had discussed involved CalPERS and the District's practice, in which it had engaged since it first had a joint GM/COP, of pensioning out 100% of that position. He explained that CalPERS disagreed with this practice that it thought the GM portion of the position should not be pensionable. He said that, at this point, the District would be looking for an extension of time to appeal or to agree with CalPERS' decision.

President Welsh reported that, with respect to Item 2b, there had been a complaint against Master Sergeant Rickey Hull, which the Board would be asking an independent investigator to investigate.

President Welsh introduced Amara Morrison, the District's new general counsel, and welcomed the new Directors, Sylvia Hacaj and Eileen Nottoli. He reported that they had been sworn in prior to the Closed Session.

PUBLIC COMMENTS

Mabry Benson welcomed the old and new Board members. She said Board members had been texting a lot during Board meetings and that this was rude and a distraction. She said that meetings were conducted under the Brown Act, and thus, all discourse should be public. She also questioned why the letter from the Kensington Police Officers Association had been posted on the District's website and said that this organization had no special standing with respect to District business and that it should not be posted.

Officer Doug Wilson, Vice President of the Kensington Police Officers Association (KPOA), read a letter written by that organization on November 29th. He explained that, when the organization had written the letter, it had been with the understanding that the outgoing Board would be taking up the GM/COP issue because of the ensuing two-week gap between then and when the new Board would be seated. He said the KPOA had been concerned because there appeared to be no Board that could vote, no General Manager, and no Chief. Therefore, he said the employees thought they should speak up ask for someone to step into the position as soon as possible. He explained that the KPOA had agreed that, if the "old" Board hadn't taken action, the letter should be read to the "new" Board. President Welsh noted that this was an item on the agenda and so should be read later, but, because Officer Wilson needed to return home promptly, President Welsh made an exception and allowed Officer Wilson to proceed. The letter made the following points:

- There needed to be competent and knowledgeable leadership at the top of the organization.
- The KPOA voted unanimously to urge the KPPCSD Board to take immediate action to fill the GM/COP position.
- The Board should select someone who could transition into the position as quickly and seamlessly as possible, especially because of the impending critical issues needing attention.
- Kevin Hart was intimately acquainted with the District's current projects, personnel, and community.
- The KPPCSD would soon need to find a replacement for the Richmond Dispatch Center, complete the fiscal year audit, and develop the 2017-18 budget; would need to complete

unfinished disciplinary actions; would need to complete the transition to the new firearms; and new Directors would need time to get “up to speed.”

- Former IGM/COP Hart was willing and able to return as IGM/COP.
- The KPOA had not always agreed with every one of IGM/COP Hart’s actions but did support his leadership.
- The KPOA believed in IGM/COP Hart’s leadership, experience, and intimate knowledge to meet the challenges ahead.
- The KPOA respectfully requested that the KPPCSD Board take immediate action to appoint Kevin Hart to the position of IGM/COP.

Officer Wilson concluded by thanking the Board.

A. Stevens Delk said she wanted to correct something in the minutes of 10/31/16 meeting, a meeting at which the acoustics had poor and likely had resulted in her comment having been misunderstood. She said the minutes stated that, with respect to the 60% - 40% GM/COP split as indicated by the job posting, this correlated to a time split. In fact, she noted she had actually said that this didn’t mean that the time was actually split that way. She congratulated Directors Hacaj and Nottoli, whom, she said, had been elected by an impressive 2/3 vote. She noted that the Board minority still had rights and that she hoped the majority would respectfully listen to and consider what the minority said. She noted that, during their campaigns, Directors Hacaj and Nottoli had said they had hoped to resolve key issues facing the District through change, trust, and by working to reach consensus. She said she would do what she could to assist the Board.

With respect to the KPOA letter just read into the record, Celia Concus said that she had privately asked Officer Wilson how many officers had constituted a unanimous vote of the KPOA and that Officer Wilson had responded it had been unanimous among the six officers who had been in attendance. She said the vote had not been unanimous of all the police officers.

Ron Wiselman asked why the Board wanted to spend money to fight CalPERS. President Welsh asked Mr. Wiselman to save his comments for later, as this was an agenda item.

BOARD COMMENTS

President Welsh welcomed the new Directors and said he agreed with Dr. Delk’s comment that the Board should work at building consensus.

Director Nottoli said that, a year earlier, she could not have imagined herself serving on the Board and that her presence reflected the community’s desire for a new beginning. She said her interest began with an interest in addressing the District’s finances so that enjoyment of community could continue. She said the community was fortunate because there were so many who were interested in working for the betterment of Kensington. She noted that the work of the K-groups was invaluable and had enriched the community and that she looked forward to working with those groups and the community to improve the Community Center and to strengthen the KPPCSD. She concluded by thanking the community for its support.

Director Hacaj said that she, too, could not have imagined herself as a Director a year ago and that she had concluded she had something to offer to the community. She said she appreciated the community’s support in giving her the opportunity to serve and Linda Lipscomb’s comments, made at the prior Board meeting, welcoming the new Directors to the Board. She also noted that residents had expressed to her their support and their desire for change in the tenor and the manner in which the Board addressed District business. She pledged to do her best for the community. She concluded by thanking the community for its interest in the District affairs.

Vice President Sherris-Watt said that she, too, wanted to welcome the new Directors and that she was delighted that Amara Morrison, the District’s new legal counsel, was present. She noted that she hoped the District would become less contentious. She said that, later in the evening, the Board would be

hearing from the architects the Park Buildings Committee had selected to recommend to the Board. She said she also wanted to present notecards of Kensington landmarks, which had been prepared for the District by Kensington graphic designer Camden Richards and printed at no charge by Zip Code East Bay real estate firm. She said these would be sold as a fundraiser for the Community Center, and she thanked Mr. Richards and the real estate firm for underwriting this project. She asked if Jim Watt could set up the projector for the architect's presentation, and she apologized for not getting this done before the meeting began.

Director Cordova welcomed the new Directors, with a great amount of respect and enthusiasm. She said that they were very generous with the talent and time, that they were two of the kindest women she'd ever met, that she looked forward to working with them, and that she looked forward to continuing to work with President Welsh and Vice President Sherris-Watt.

STAFF COMMENTS

On behalf of District staff, District Administrator Wolter welcomed the new Directors. She reported that:

- The December 15th payroll process was almost complete and that the Transmittal Form would be ready for signatures Monday morning and that the schedule indicated that President Welsh and Director Cordova were to sign but that, with Director Cordova out of the county, a substitute would be needed. She said that the two new Directors had expressed an interest in learning how the payroll process worked and that she would be happy to provide that at any time.
- She had spoken with Steven Chang about the audit, that he had indicated it would be done within a couple of weeks, and that the Finance Committee should review the document, once completed.
- She had been in contact with Nicolay regarding the OPEB actuarial report and that the report was almost done. She said that, as with the financial audit, the Finance Committee should review it upon completion.
- Prior to the start of the meeting, she had distributed the new Budget Policy, which the Board had revised, by resolution, in February. She noted that the budget process would begin in February and that the budget should be ready for the Finance Committee to review soon thereafter.
- For the past few weeks, Consultant Robin Gonzales had been working with Police Services Specialist Andrea Di Napoli on the property room. She reported that, during that time, guns, ammunition, and narcotics had been properly purged and destroyed. She reported that all cash, which amounted to \$1,540, had been processed and deposited in the property room account, which now had a total of \$4,375, and that this money would be used to purchase needed items, such as refrigerators and storage bins, for the property room.
- Fleet maintenance officer, Rodney Martinez, had let her know that the 2002 white SUV, which had 60,000 miles, should be replaced and that, in the prior month the transmission on another vehicle, which also had 60,000 miles, had had to be replaced at a cost of about \$4,000. She encouraged the Board to bear this in mind when considering whether to purchase a new car.
- The moveable digital radar speed signs should be installed within the week, that Franciscan and Kenyon would be the first locations, and that future locations would be on the Arlington and Highland.
- The stationary "Entering Kensington" signs should be installed within the week.
- Within the next month, the District would need to decide with which agency it would contract for dispatch and records management services and that this decision would be driven by the IGM/COP. She said this was a very important task.
- At the Board's January meeting, staff would provide the Board with a mid-year budget review.

Director Nottoli asked that a copy of this report be sent to the Directors by email. District Administrator Wolter responded that she would do so.

President Welsh said he wanted to thank District Administrator Wolter because she had been doing a good job of “keeping all the balls in the air” while the District had been without a GM/COP. He noted that she had been doing a lot of this work even before the District had been without a GM/COP. He thanked her for the tremendous amount of extra effort she had put forth during the prior month.

Director Hacaj asked why the dispatch decision needed to be made in the next month. District Administrator Wolter responded that it was because legal documents would need to be prepared and personnel would need to be put in place. She reported that Richmond would stop providing service on July 1st. President Welsh noted that this could be a costly item.

President Welsh said he wanted to take agenda item 8e first: A presentation by Glass Associates.

NEW BUSINESS

8e. The Board received a presentation by Glass Associates, Inc. regarding their proposal to provide services for the Kensington Community Center remodel. Vice President Sherris-Watt presented the recommendation of the Park Buildings Committee that the KPPCSD enter into contract with Glass Associates, Inc. for completion of the terms set forth in the RFP dated July 2016.

President Welsh asked if the projector would need been set up. Vice President Sherris-Watt responded in the affirmative.

About fifteen minutes later, it was ascertained that the audio-visual equipment needed for the presentation wasn’t working properly, so the presentation proceeded without it.

Vice President Sherris-Watt reported that the Park Buildings Committee had been working for the past year-and-a-half and had been engaged in a good process. She said that, in July, an RFP had been prepared seeking proposals for completion of architectural drawings and construction documents for improvements to the Community Center. She noted that the RFP had included the seismic analysis that had been done on the building, the ADA analysis, and excerpts from previous reports that had been done primarily by Muller Caulfield. She said that, on October 5th, the Park Buildings Committee had received five presentations and that, from those presentations, the Committee had recommended unanimously to present Glass Associates to the Board. She introduced architects William Glass, Farhat Doud, and Virginia Rice.

Farhat Doud said some members of Glass Associates’ had more than forty years of experience completing diverse projects in the Bay Area. She said the firm was a small one but had been able to handle large jobs, such as buildings on the Berkeley campus. She noted that the firm had done a lot of public projects. William (Bill) Glass said that the firm had completed both small and extensive projects and that, in particular, the firm had a lot of experience with publicly bid projects. He said he knew there was a lot of concern about the cost of the project and that the firm’s expectation was that it would be designing a project that would be more expensive than the project the District was expecting to have. He said the firm would need to help the District prioritize the aspects of the project that would be possible now and the aspects that would need to be addressed later. He said that the program outlined probably could not be accomplished with the budget indicated because, once work began on the building, other things would come into play such as the energy code. He said that his firm was familiar with the public bid process and how to structure it so that a client would get the most out of what it wanted to spend and that the firm could control cost in that fashion. He said the firm had revised its proposal to include a cost consultant to provide a professionally executed cost estimate.

Ms. Doud spoke about the firm’s strengths, such as its broad experience working with a variety of community groups.

Vice President Sherris-Watt said that she had never voted on a recommendation for architects and that she would not be voting at this meeting. She said her committee felt that Glass Associates was able to

listen to disparate voices and to synthesize various concerns. She said that the firm was proposing three alternates within the request for proposal, knowing that all of them couldn't be funded but wanting to know what the costs would be. She said that there was a tight time schedule because of the WW funds and that this firm would be able to keep the project on track. She noted the firm had extensive knowledge of the codes and of the Community Center.

Mr. Glass noted that Ms. Doud was a Kensington resident and was familiar with the building. He invited the community to visit the firm's website to learn about its projects. He noted that the firm had a history of sustainable design and that this was part of its normal work. He said the firm performed work that ran the gamut of single-family residences to larger projects and that, for a project like the Community Center, someone would be making decisions for the community. A member of the public asked if the slides that the firm had intended to show as part of its presentation could be placed on the District's website. Mr. Glass responded in the affirmative.

Mr. Glass said that, when seismic upgrades, kitchen modifications or other minor modifications were made to the building, it would trigger a realm of other things. He said that, with the Community Center being a building that serves the public, the District was obligated to meet certain accessibility codes: specifically the path of travel had to be ADA compliant all the way from the entry point of the site to where the work was being done. He said this meant that the non-compliant parking space would need to be rebuilt so it had only a 2% cross-slope and that the entry to the front door would also have to meet the 2% cross-slope requirement. He said that all these kinds of things would add unexpected cost of the project. He clarified that, once the building was touched, the District would be obligated to meet current energy code; thus, all the lighting likely would have to be upgraded to high efficacy lighting with new controls and that this, too, would add to the cost of the project. He noted that, although the firm would not try to get to a LEED-radiant level, it would need to meet energy codes, which would require work to be done to the envelope. He noted that work done to the west side of the building would trigger other requirements. He said that what the Committee had indicated it wanted might be more expensive than what had been budgeted. Thus, he said the firm would structure the design and the construction bid documents so that the firm could target a baseline cost and then would provide add-on alternates, which could be cherry-picked if the baseline work came in under budget. He indicated that this would be a way to control costs.

Mr. Glass reported that there was a large building boom underway in the Bay Area and that, because of this, contractors were far less interested in public projects than they had been four years ago. He said this meant that there would be a smaller bid pool and that the costs would be higher. He said that the firm's cost estimators had indicated that this could add 20% to the cost of the project. He said he hoped the firm would be able to find contractors within the community who would be interested in the project.

President Welsh asked for clarification about the add-on alternates. He said that, when the District had first been talking about the project, the perceived necessity on the part of many had been that there were urgent safety issues – specifically seismic safety. He said it was understood that there might also be some ADA issues and some other issues once the building had been touched. He asked if there was a bottom-line minimum – the basic safety issues – the District could begin with before it talked about add-ons. Ms. Doud responded that the seismic work was a main focus. She added that, for a building like the Community Center, which was not an “essential services building,” the code said the building needed to stay standing long enough for people to get out of it. She said that the seismic work, the ADA work, and the energy code compliance would be the baseline work, and then items from the wish list could be added. She said that there was a desire to open the west wall to create a improved flow, which would make the building a great rental facility, and that there were great opportunities in both the front and the back of the building. She indicated that improving the kitchen was another possibility and that the building had some challenges in that it served both youth and adults.

Director Hacaj asked if the estimate included finishing the landscaping. Mr. Glass responded in the negative. He said the firm was concerned by how much the District already had on its plate. Director Hacaj clarified – she was concerned about what would be torn up and then put back together. Mr. Glass responded that the path from the parking space would all be hardscape and would be included in the

budget. Mr. Glass added that the bathrooms were not ADA compliant and were included in the path of travel.

Vice President Sherris-Watt said that, at this point, Glass Associates hadn't begun designing. That process would begin with the community and the Committee, together. She said that what the Committee was seeking was to begin contract negotiations so the firm could begin providing drawings. She noted that some cost estimating would follow this.

Lisa Caronna said that it was great that basic improvements were underway and that she had a some questions.

- Was the path of travel was from the parking space, and had the firm worked with the County to see if it would have a more stringent requirement that might require the path of travel to begin at the sidewalk?
- How had contingencies for construction and professional fees been calculated?
- How much would be available for actual construction, once costs of things like fees and permits had been deducted?
- Would the kitchen be considered commercial, which could legally be used for classes, or would it be a warming kitchen?

Mr. Glass responded that the initial expectation had been that it would be an industrial-strength kitchen and, thus, had included it in the initial cost proposal. He said the cost estimator would include cost escalator calculations between now and the bid date. He said that he didn't think there would need to be a design contingency because the fee was fixed and added that, unless the firm's scope changed, there should be no changes to the design fee. He said a contingency fee did need to be included in case something unanticipated occurred during construction, such as opening a wall and finding dry rot. He noted that the District would need to pay permit fees to the County. He said that he expected the construction budget would be between \$850,000 and \$870,000 and that, within that amount, there would need to be a contingency amount.

Ms. Doud responded that the path of travel typically begins when a person in a wheelchair can get out of a car. Thus, she said this would begin at the parking lot. Mr. Glass added that the District had had an accessibility study done by a qualified professional and that the District would also need to consider accessibility from a para-transit vehicle.

Linda Lipscomb said it would be helpful if Vice President Sherris-Watt would give some sort of executive summary about the criteria used in order to select and recommend this firm. She asked how the firms were compared to one another, which firms had been the frontrunners, and how the decision had been made to select Glass Associates.

Vice President Sherris-Watt said that pages 173 and 174 of the Board Packet provided a summary of the history, the current uses of the Community Center, and the firms that had made presentations. She said that, in terms of criteria and reasoning, the Committee had made the decision because she had known that every architectural firm presenting had a Kensington resident as either an architect or an employee and she was acquainted with every one of those people. She said that, because of this, she had removed herself from the voting process. She said that the criteria that the Committee had used included the restricted timeline; thus, some smaller firms could be at a disadvantage: A larger firm with more architects could be stronger to meet the District's needs. She said the Committee looked for a firm willing to work with differing opinions. She said that, knowing the District didn't have a GM with vast experience with this kind of project, the Committee was looking for a firm that would be able to advise on how to proceed if problems were encountered. She added that the Committee had been impressed that Glass Associates had extensive knowledge of regulations, had a low rate of change orders, and was willing to tackle the budget and be honest. She said the Committee had been impressed that the firm wanted a higher percentage for construction management costs than most firms recommend and that the Committee had thought this would provide savings in the long run: It would prevent costly problems.

Ciara Wood said that she had been on the Park Buildings Committee and that the Committee had been given five proposals, which it had studied. She said the Committee's reactions to the written proposals had been different from its reactions to the oral presentations, which had left the Committee most impressed by Glass Associates. She said that the Committee felt that the community would get the best service from this firm and that there really had been a process. She concluded by saying the Committee's recommendation to recommend this firm had been unanimous.

President Welsh said that the intent had been to have a presentation with slides but that hadn't happened. He suggested that, because this was a "big deal" to the community, the item should be tabled, and then considered at a Special Open Session meeting within the next two to three weeks to ensure it received the attention it deserved. He said this would enable the Board to get a good sense of what was being proposed and then to move forward.

Director Hacaj said this was a discussion about entering into negotiations about having this firm do the design work. President Welsh responded that it would be nice for the public to see what the whole game plan was.

Nick Beaucage said that Vice President Sherris-Watt had said she hadn't participated in the vote. Vice President Sherris-Watt confirmed that she had not. Mr. Beaucage responded that when the Committee had selected Gregory Wallace she had voted. Vice President Sherris-Watt said that, to her knowledge, she had not done so. Mr. Beaucage responded that this was a lie.

President Welsh said the Board would table the agenda item.

Vice President Sherris-Watt thanked Glass Associates for coming and apologized. Mr. Glass responded that next time they would bring their own projector.

Pat Gillette asked, for clarification, what the Board would be voting on and whether it was a \$150,000 fee. She also asked on what the community was supposed to be commenting. Vice President Sherris-Watt responded that the Board was receiving a presentation on the firm's proposal and that she was to present the recommendation of the Park Buildings Committee that the KPPCSD enter into contract with Glass Associates for completion of the terms set forth in the RFP. She said that the RFP and the firm's proposal were in the Board Packet and that the Board would be entering into negotiations with that contract. Ms. Gillette asked if Vice President Sherris-Watt had said, earlier in the evening, that the contract had just been amended. Vice President Sherris-Watt responded that the Committee had asked for the price of estimating costs, which the firm had then folded into the proposal. Ms. Gillette asked if the proposal in the Board Packet would change because of this added information. Vice President Sherris-Watt responded in the affirmative.

Director Cordova asked for confirmation that this agenda item was to initiate a negotiation; it was not a design phase. She asked why the Board wouldn't authorize commencement of negotiation. President Welsh responded that he didn't think that was quite true: The Board was considering whether to enter into a contract with this architectural firm. Vice President Sherris-Watt added that this was a discussion to enter into contract with Glass Associates. Director Cordova asked if there was a deliverable with this. Vice President Sherris-Watt responded in the affirmative.

MOTION: President Welsh moved, and Director Nottoli seconded, that this agenda item be tabled and taken up again, in a Special Session to be held within three weeks and to last two to three hours, to give the public a better chance to understand these issues, which are somewhat complex.

Motion passed 5 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli

NOES:

ABSENT: Cordova

President Welsh thanked Glass Associates for its presentation and apologized for the lack of organization. Mr. Glass responded that he hoped that as many people as possible would attend the

second meeting, that his firm would like to do this project, but that his firm didn't want the project if the community didn't want it.

- 8b. The Board reviewed and considered approving Resolution 2016-19, Approving Interim Appointment of Kevin Hart to Interim General Manager/Chief of Police Pursuant to Government Code Section 21221(h).

President Welsh introduced this item by saying that Kevin Kyle had resigned the prior Friday morning, by way of a phone call in which he had told President Welsh that he didn't want to return to the office. President Welsh noted that Mr. Kyle did not provide any notice and that the District had been without an IGM/COP since then. President Welsh reported that Master Sergeant Hull had been standing in, informally, as acting Chief. President Welsh said that he wanted to propose that the Board consider hiring Kevin Hart back and that Mr. Hart was willing to return. President Welsh said the terms under which Mr. Hart would come back would be identical to the terms under which the Board had hired Mr. Kyle. President Welsh clarified that Mr. Hart's current status was "retiree," and thus he would return as a retired annuitant, which was something provided for in CalPERS' rules. President Welsh added that, in that capacity, Mr. Hart would be paid an hourly wage, would be entitled to work 960 hours for the current fiscal year ending June 2017 and another 960 during the following 2017-18 fiscal year. He noted that the benefit of hiring a retired annuitant was that it would be very flexible, the District would not have to pay benefits, and the District would have to pay only an hourly rate. He noted that most of Mr. Hart's CalPERS retirement was not the District's obligation to pay. President Welsh strongly recommended that the Board bring Mr. Hart back because the Board had new General Counsel, two new Directors, and the Board was facing many important issues. He said it would be nice to have Mr. Hart present so the new Directors could "get their sea legs" and then decide later what they would want to do in the long run, such as whether they wanted to separate the GM/COP position.

President Welsh asked if there were any comments from other Board members. Vice President Sherris-Watt responded that there were none at that time.

President Welsh asked if there were public comments.

Mabry Benson said that she didn't think Mr. Hart should be brought back as IGM/COP and that his actions over the CalPERS audit were reason enough: They showed self-interest over the interests of the District by claiming that 100% of his time had been dedicated to the COP job. She also cited Mr. Hart's insistence, when he started with the District, that he wouldn't need medical coverage. She said Mr. Hart really hadn't had the skills to prepare a budget and had relied upon Adam Benson to do so at a significant cost to the District. She said Mr. Hart's performance of the GM duties was "abominably poor." She said there must be agencies that could provide a temporary GM and asked if the Board had conducted an exit interview with Mr. Kyle to find out why he'd left. President Welsh said, in response to Ms. Benson's last question, that he'd had a telephone conversation with Mr. Kyle, that Mr. Kyle had written a resignation letter, which had been published, and that the community likely would get any more information than it had already received.

Chris Hafner said she was speaking on behalf of the Kensington Property Owners' Association (KPOA). She said the KPOA had written something that had appeared in the most recent edition of the Outlook about next steps that should be taken, following the Ad Hoc Committee's report. She said a crisis might be an opportunity not to delay the resolution of bigger issues. She said the KPOA thought it was important to take the time to analyze the needs and to better understand what the GM position should look like going forward. She said the KPOA urged the Board to accelerate this analysis and let that inform the decision to bring on Kevin Hart or someone else for a finite period of time, which she said she understood was necessary.

Pat Gillette said she echoed Ms. Hafner's comments and urged the Board to determine what the structure was going to look like going forward. She also urged the Board to rehire Mr. Hart. She said that, given the state the District was in – with so many balls in the air and with new Directors – it would

be foolish to do anything else. She noted that Kevin Kyle, as a new GM, had felt overwhelmed by the GM duties. She noted that she supported splitting the GM/COP position but that the District didn't have the process or people in place yet. Therefore, she said the position should remain combined for as short a period of time as possible and until the current Board decided whether it wanted to split the position or think about another structure for the District. She said she disagreed with Ms. Benson on her observations of Mr. Hart's performance. She noted that he had brought good order to the District and that, because of this, his return would be good for the District. Ms. Gillette said that she had conducted an exit interview with Mr. Kyle and that he was unwilling to speak about why he didn't want to stay. She added that she didn't think the District would be likely to get any more information from him. She concluded by urging the Board, again, to bring back Mr. Hart to bring order to the District for at least the next two to three months and then have a transition to a new person, if there were to be one, or the new structure.

Jim Watt said that those who favored Mr. Hart's reappointment had stressed the fact that, because he had knowledge of the issues facing Kensington, he could hit the ground running and keep things under control until a suitable replacement could be found. He said he didn't think these were valid reasons. He cited the following reasons why Mr. Hart should not be reappointed:

- With 30 days notice, Mr. Hart had chosen to terminate his employment with the District four months prior to the end of his contract. He speculated that Mr. Hart had left to protect his retiree medical benefits that he would receive from Dublin. Regardless of the reason, Mr. Hart left Kensington in a bind.
- Bringing in Mr. Kyle added costs to the budget.
- The Board should not hire the person who created the problems it was now trying to repair.
- Mr. Hart had been with the District for 18 months. In his 100-day plan, Mr. Hart had said he would deliver a high level of accountability and eliminate internal strife. He said that today the department had many more problems than when Mr. Hart had arrived. He said that Mr. Hart had also promised to foster a good relationship with residents but that this had applied only to residents who had supported his programs and had not criticized his actions.
- In comments made to the Outlook, Mr. Hart had made disparaging remarks about the role of the GM, and yet the Kensington Police Officers Association (KPOA) had recently said that Mr. Hart would be needed to help complete the District's financial audit, to prepare the 2017-18 budget, to work on the Community Center remodel, and other issues that needed GM attention. He said Mr. Hart had failed to stay on top of the issues, noting that Mr. Hart hadn't thought financial matters had needed his attention.
- As a member of the Finance Committee, Mr. Watt said he had become increasingly frustrated by Mr. Hart's total lack of response to his questions and his failure to address important financial issues.
- Mr. Hart had routinely ignored PRA requests.
- Mr. Watt believed the reason Mr. Kyle had left after only two weeks on the job had to do with the current state of affairs in the department – a condition that could be laid only at the doorstep of Mr. Hart.
- Bringing back Mr. Hart, who had so mismanaged things, would be a dereliction of duties on the part of the Board.
- The District had been involved in an audit by CalPERS for almost one year. He said the audit had only come to light after a resident had found it on the CalPERS website. He noted that the audit involved pensions due to Mr. Hart and former GM/COP Harman and that it had not been disclosed to the Board or the public until ten months after it had been released. He said this brought into question Mr. Hart's willingness to keep the Board and public informed about matters concerning the District's finances. Mr. Hart had put his own interests above those of the taxpayers in a manner that suggested that he was not interested in representing the interests of Kensington.
- It was time to bring in someone new who would serve in a manner that was above reproach. Mr. Hart had had 18 months to turn things around, and he failed. Thus, he said it was time to look for another candidate.

- Having had two GMs in the last month had given the Kensington Police Department a toxic reputation, and so it was time to bring in a qualified COP and a separate qualified GM. The current people weren't "cutting it."

Frank Lossy said a GM had long been needed in the community. He said that the community had a police department that many residents enjoyed, but that the role of GM had not been well represented. He said he was concerned about bringing back Mr. Hart because he wasn't a GM, and he had downplayed this role. He noted that the GM/COPs who had preceded Mr. Hart also had downplayed the importance of the GM part of the job. He said he supported bifurcating the roles of GM and COP.

David Bergen said he agreed with the people who had said that having Mr. Hart return was a terrible idea. He said this was a time to find a new face for the position. He said his understanding was that PLG had people they could recommend for this job and that this was what he hoped the District would be doing.

A. Stevens Delk said that, in his GM report of the prior December, Mr. Hart had said he'd worked on his 100-Day Plan and the final report was pending. She asked if a final report had ever been completed. She said she was concerned about comments Mr. Hart had made in his exit interview with Outlook editor, Linnea Due, specifically that too much weight was placed on the GM function and that, in reality, it was a law enforcement function. She said this was a community services district that provides multiple services. She noted that 85% of the District's expenses were for police services, financed in part by two police special taxes. She noted that residents also paid for garbage service and that the rate for a 32-gallon can had risen by an average of 5.3% per year, over the prior 25 years – a rate greater than that of inflation. She questioned whether the Board and the GM had looked out for the community's best interests with this contract. She also asked about the status for the new contract with the County. She questioned Mr. Hart's statement that most of his work was as COP and whether he understood the purpose and organization of the District. She said the prior 18 months had not been good for the police department, with multiple citizen complaints, lawsuits, officer injuries, investigations, disciplinary actions, appeals, policy changes, etc. She concluded by saying that the District needed better executive leadership – right now.

Melissa Holmes Snyder said that she had lived in the community for about 15 years and that she served on the Kensington Municipal Advisory Council and on the Kensington Improvement Club. She said she supported bringing Kevin Hart back to continue serving as an IGM/COP. She said he would bring continuity, even though she didn't believe he was the right person for the long run. She said the police officers needed leadership, with Kevin Hart in that leadership position for a period of six months or less.

Celia Concus said she wanted to reiterate what people had been saying about not reinstating Kevin Hart. She cited that the District was required by law to have a GM and that it was time for the District to have a professional, well-trained, and experienced GM to take on the responsibilities of the District. She said Mr. Hart had not been adequately trained for the position. She said that, most recently, the CalPERS audit, which Mr. Hart had learned about in December 2015 and had responded to in January 2016 – Mr. Hart had "kept this under wraps." She said that he had kept this report from the Board and from the public and that this was not acceptable. She said that the first thing Mr. Hart had done after he had been hired was to order a new car for himself and that it was unacceptable for an interim employee to have done so. She said that, instead, the District had needed an audio-visual system and that Mr. Hart had not taken up this issue until after it had been brought to his attention that, by not having an audio-visual system, the District was in violation of ADA laws. She concluded by urging the Board not to re-hire Mr. Hart.

Karl Kruger said he was endorsing the Board rehiring Mr. Hart. He said that Mr. Hart had been the most professional GM/COP he had seen in 25 years. Mr. Kruger said he had been on the Finance Committee for a number of years and that Mr. Hart had been the most responsive GM for the Finance Committee. Mr. Kruger concluded by asking that Mr. Hart be rehired on a temporary basis.

Linda Lipscomb said she thought Mr. Kyle left because of the reputation Kensington was getting – for being a very contentious community. Ms. Lipscomb said that the District had originally been formed as a police district and then later had been re-formed as a community services district, with its main function being police. She said that, along the way, the functions of park and recreation and solid waste had been added. She reiterated that history is that the main function of the District is the administration of police service. She said that most of the District’s employees are police officers and that the Directors have little experience in this area. She said that, contrary to what had been said by some, the District had a balanced budget under former IGM/COP Hart and had increased its reserves for things such as the work to be done on the Community Center. She said the GM function had been fulfilled well by Mr. Hart. Ms. Lipscomb noted that Kensington is a very safe community – the fifth safest in California. She said this hadn’t happened by mistake. She said that a police officer had come to the Board that evening asking for Mr. Hart to be rehired. Mr. Lipscomb said the Board could not supervise the police department: The Board’s job was to set policy and to ensure that the policies are being administered. She urged the Board to hire back Mr. Hart, under the same provisions by which the Board had previously hired Mr. Kyle. She said that, over time, she had been convinced that the District should consider whether it would make sense to separate the GM and COP positions. But, she said the Board should not forget that its primary function is to provide police service to the community. She said that Mr. Hart had done a good job with the budget and with keeping “boots on the ground” to keep the community safe. She concluded by reiterating her support of the Board rehiring Mr. Hart.

Nick Beaucage said he opposed rehiring Mr. Hart. He said that he had brought concerns about the Park Buildings Committee to Mr. Hart on six or seven occasions and that Mr. Hart had assured him that he would talk with the Board. But, he said that Vice President Sherris-Watt had told him that Mr. Hart had not made any comments to her. He said that Mr. Hart’s performance as GM was lacking when it came to the Community Center.

Skye Dent said Mr. Hart had treated her very well. She said that, before IGM/COP Hart had come to the community, she had been profiled for a period of about six months. She said it hadn’t been until Mr. Hart had come to the community that she had begun to be treated professionally with more respect by the police department.

Ciara Wood said that, in February 2015 – following “Reno-gate,” there had been two meetings at the Community Center that had been very well attended and that, at those meetings, the community had spoken very clearly that it wanted the Board to split the GM/COP position because there was an inherent conflict of interest with the position being held by one person. She asked the Board to begin the hard work. She said that, if the Board rehired Mr. Hart, it would delay this hard work. She said the District was a community services district, not just a police district.

President Welsh noted that being a police chief in Kensington was a full-time position but that he thought the District might be able to get by with a part-time general manager.

**MOTION: President Welsh moved that the Board hire back Kevin Hart temporarily.
Motion failed for lack of a second.**

Pat Gillette asked what this meant since the District was required, by law, to have a GM and asked what the plan would be, going forward. President Welsh responded that the District was required to have a GM.

Vice President Sherris-Watt asked to take up Old Business, Item a. General Counsel Amara Morrison expressed concern that the District would be operating without a General Manager. She strongly recommended that, within the next week or so, the District schedule a Special Meeting to decide what it is the Board was going to do. She said staff needed direction and that the Board needed to provide direction about how the General Manager would be replaced.

OLD BUSINESS

- 7a. The Board discussed and considered taking action on the recruitment and selection process of a new Interim General Manager and/or Chief of Police. As part of this discussion, the Board considered recommendations made in the “Authorization for Succession Planning Interim General Manager/Chief of Police (GM/COP) Position” as well as the documents from the Policy and Procedures Manual.

Vice President Sherris-Watt reported that, in March 2016, she and Director Cordova had prepared a document regarding next steps forward. She said this transition document had originally been done with the view toward a leisurely development of a hiring process. She noted that Mr. Hart had resigned and then Mr. Kyle also had resigned. So, she said this would be the fourth time she would be going through the hiring process for the GM/COP position. She said she didn’t believe the District could continue in this manner and so she sought to appoint Rickey Hull as IGM/COP and to form an ad hoc committee of two members of the Board to begin immediately to culling and preparing to interview candidates to serve as the IGM/COP. She reported that she had already requested assistance from Jonathan Holtzman through Public Law Group, asking him for referrals through the public management part of PLG’s company, for candidates to serve as the Interim General Manager. She said she wanted someone who would fulfill three basic requirements: experience and training working as a GM; experience and training working with police forces; and ability to work with people with many divergent opinions. She said this was why she had included the documents she had in the agenda packet.

At 9:45 PM, President Welsh and Vice President Sherris-Watt noted it was time for a motion about extending the meeting past 10:00 P.M.

President Welsh noted that the phone connection with Director Cordova had been lost.

MOTION: Director Hacaj moved, and President Welsh seconded, that the Board extend the meeting to 10:30 P.M.

Motion passed: 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

President Welsh said there was an urgency to have a GM and a COP. He said he wasn’t saying that Master Sergeant Hull wasn’t qualified but that he needed some training. He said Master Sergeant Hull had not served in either position before in any substantial sense. He said he was concerned that the Board might be setting Master Sergeant Hull up for failure and that this wouldn’t be fair to him or to the community. Director Hacaj responded that Master Sergeant Hull had served in the interim capacity before. President Welsh responded that he’d not done so all by himself – he’d always had guidance. Vice President Sherris-Watt cited that Master Sergeant Hull had had that period before Mr. Hart had come on board. President Welsh responded that, during that time period, Master Sergeant Hull had not made COP decisions without input from Mr. Hart.

Skye Dent said that she was opposed to Master Sergeant Hull serving in this capacity and that she’d asked for an investigation of him. She said that she had been assaulted a few months earlier and that, rather than investigating the assault, Master Sergeant Hull had given the other party advice on how legally to take retaliation against her. She said that, when she had ordered a copy of the dispatch DVD, Master Sergeant Hull had found out about this, then had gone down to Richmond and had pretended to the Richmond PD that he was working with her, and he had taken the DVD copy: Thus, she’d had to wait for another copy to be made, even though she had paid for the copy Master Sergeant Hull had taken. She said she found Master Sergeant Hull to be disreputable. She said Master Sergeant Hull had known the son of the man who’d assaulted her for several decades and so Master Sergeant Hull had failed to include in the report that she’d been assaulted. She said that Master Sergeant Hull had been forced by IGM/COP Hart finally to do a real investigation and to write the report of the incident. She said the individual had admitted to having assaulted her but Master Sergeant Hull had refused to include

this in the report. She said that the report was supposed to have gone to the DA months earlier but that Master Sergeant Hull had been hiding it and refusing to take it to the DA's. She said he was the focus of an investigation, and he was the focus of an investigation of the U.S. Postal Service because her mail regarding this conflict had been stolen. She said she didn't think someone like this should be the GM/COP.

Catherine de Neergaard said she echoed Ms. Dent's comments. She said that she had been harassed a number of times by Master Sergeant Hull and that he was a very bad choice for a position of authority.

Pat Gillette said she wanted to express her amazement that the Board would make this decision. But, she said, with respect to Master Sergeant Hull as the solution to the problem the Board had now created, it would be a terrible idea to put him in charge for several reasons:

- She'd seen Master Sergeant Hull, when he had become angry, almost assault Chuck Toombs.
- He was a divisive member of the force.
- Master Sergeant Hull was currently involved in investigations, including the one involving Ms. Dent. So, how could he be the Chief of Police and be responsible for shepherding through to completion investigations involving himself?
- He had no experience being a General Manager. So, how could he perform this job? She said Vice President Sherris-Watt had criticized Mr. Hart who, at least, had 18 months of experience as a General Manager.

Ms. Gillette said that Vice President Sherris-Watt knew how long it took to get qualified candidates, to vet them, and to get them approved. She said this process would take at least three to four months. She said that, during that interval, the Board was going to place Master Sergeant Hull in the GM/COP position to look over the very people who had accused him of acting inappropriately. She questioned if Master Sergeant Hull would be monitoring himself and making decisions about himself. She said Master Sergeant Hull had been a divisive member of the police force. She said that this, combined with his lack of experience, meant that this was an irresponsible decision on the Board's part. Ms. Gillette said that she thought the Board needed to re-think its decision about Mr. Hart and that the Board needed to be practical and to think about what it could do to make the District run efficiently and effectively. But, she said that having Master Sergeant Hull serve in GM and COP positions was not a good solution.

Vice President Sherris-Watt responded that she appreciated the concerns expressed. She said she was aware of the situation and comments made by Ms. Gillette. She said she'd had a discussion with Master Sergeant Hull many months earlier about the alleged assault of Chuck Toombs. She said she was aware of the incident but wouldn't call it an assault. Vice President Sherris-Watt said that she had served on the Board for two years and was aware of the strengths and weaknesses of the GMs. She said that Master Sergeant Hull had served in this position, that she wouldn't put this on anyone longer than necessary, and that, if the law didn't require that the District have a GM, she would not have suggested putting Master Sergeant Hull in the position. She said that she would be making a motion to appoint Master Sergeant Hull as acting/interim COP. She asked for and received a second from Director Hacaj. President Welsh asked for clarification: He thought Vice President Sherris-Watt would be proposing Master Sergeant Hull for both the GM and COP positions. Vice President Sherris-Watt responded that she would be making a second motion because she was intending that, as soon as the Board could procure the services of an interim GM, it would remove the GM responsibilities from Master Sergeant Hull. Vice President Sherris-Watt and Directors Hacaj and Nottoli voted in favor of the motion, and President Welsh voted no because he thought it wasn't fair to Master Sergeant Hull. He cited the training and support that Master Sergeant Hull would need in order to be successful and said that without these, Master Sergeant Hull would likely fail.

President Welsh and Vice President Sherris-Watt reiterated that they'd lost contact with Director Cordova.

Vice President Sherris-Watt moved to appoint Master Sergeant to serve as the interim GM until the services of another GM can be procured. Director Nottoli seconded the motion.

Celia Concus asked for confirmation that the positions would be at-will and if the appointment would be a temporary measure. Vice President Sherris-Watt responded in the affirmative.

President Welsh said he didn't understand how the Board could hire Master Sergeant Hull to become GM/COP without a contract.

Pat Gillette asked if the Board would be paying Master Sergeant Hull differently because of the additional responsibilities and, if so, what the amount would be. She also asked what the terms of the contract would be, what the benefits would be, etc. Ms. Gillette asked if the proposed action had been properly noticed on the agenda. President Welsh responded that this was a good question, and he asked Ms. Morrison to answer. Ms. Morrison said the agenda item discussed succession planning but didn't mention any candidates. Ms. Morrison said this item should appear on a future agenda, with the name of the specific candidate.

District Administrator Wolter asked, with respect to the minutes, whether the two motions regarding Master Sergeant Hull were null and void and therefore would not appear as formal motions. Legal Counsel Amara Morrison responded that neither of the votes was legitimate.

President Welsh said this matter would be complicated by the fact that compensation couldn't be discussed at a special meeting, although the appointment itself could be.

Karl Kruger asked how the community could expect staff members to do their jobs with such a disorganized Board, and he asked how the Board could expect anyone to do a job for the District.

NEW BUSINESS

- 8g. Pursuant to KPPCSD Board Policy 5010.60, the Board elected a President and Vice President for the calendar year 2017. In addition, Board Policy 4060.1 states that the President shall appoint and publicly announce the members of the standing committees and Board Coordinators for calendar year 2017 no later than the Board's Regular Meeting in January 2017.

Melissa Holmes-Snyder said that she had been asking to meet with Vice President Sherris-Watt for the prior two years but that Vice President Sherris-Watt had not followed up on this. She expressed her concern that Vice President Sherris-Watt had had a consultant come to the meeting that evening but that it had been very disorganized presentation. She said it hadn't been the consultant's fault: Vice President Sherris Watt should have ensured that things were properly set up. Ms. Holmes-Snyder said she didn't oppose Vice President Sherris Watt serving on the Board, but she did object to her serving as the Board's President because she didn't have the needed leadership skills.

Nick Beaucage said that Vice President Sherris-Watt had never gotten back to him, either.

David Bergen said he supported Vice President Sherris-Watt becoming Board President. He said she had done a good job, she had always responded to him, and had the most experience among the Board members. He said the reason there had been a problem with the evening's presentation was that the projector that was supposed to have been used had been in a locked room.

Mabry Benson said that she had sent emails to the full Board but that President Welsh had never responded to her. She said that Vice President Sherris-Watt was the only other experienced Board member and that it wouldn't be appropriate for either of the new Directors to become the President.

Leonard Schwartzburd said that he supported Vice President Sherris-Watt's candidacy and that she had a unique ability to disagree without being disagreeable, which, he said was a vital attribute. He said the criticisms of her seemed irrelevant.

Catherine de Neergaard said she appreciated Vice President Sherris-Watt's gentleness and graciousness and her interest in many different areas of Kensington. She said she hoped that whoever was President would listen to all groups in the community.

John Gaccione said everyone agreed that there needed to be a change in tone in the meetings and that he supported Vice President Sherris-Watt to become the Board President for this reason.

MOTION: Director Nottoli moved, and Director Hacaj seconded, that Vice President Sherris-Watt be elected President.

Motion passed: 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

President Welsh said that he had reservations but that the manner in which Vice President Sherris-Watt dealt with the public was worth emulating. He said he thought she would need a lot of support, and he wished her well.

President Welsh reported that the next order of business was the election of the Board's Vice President.

MOTION: President Welsh moved, and Director Hacaj seconded, that Director Nottoli become the Board's Vice President.

Motion passed 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

Vice President Sherris-Watt said that she and President Welsh had had their differences but that, especially during the prior three weeks, which had been like a roller coaster, President Welsh had been amazing, communicative, and generous with his time. She said his work had been exceptional, and she thanked him.

Director Nottoli said President Welsh had been very helpful to Director Hacaj and herself as they endeavored to get up to speed.

District Administrator Wolter thanked President Welsh for the hundreds of hours he had donated to the community in order to keep things moving smoothly ensuring that staff was properly supported and that the IGM/COP was given appropriate direction.

- 8d. The Board discussed and considered adopting Resolution 2016-20, a resolution of the Board authorizing investment of monies in the Local Agency Investment Fund.

District Administrator Wolter reported that, in order for the District to transfer money from its LAIF account to its general fund so that its bills could be timely paid, the Board needed to approve the resolution. She said that the County required that such a resolution be approved and that fresh signatures be provided.

MOTION: Vice President Sherris-Watt moved, and Director Hacaj seconded, that the Board adopt Resolution 2016-20.

Motion passed: 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

- 8f. The Board discussed amending the Policy and Procedures Manual 5010.10 to add an additional regular meeting on the fourth Thursday of every month. First reading. The Board planned to discuss the matter again, for a second reading, at its January meeting.

President Welsh reported that there was a proposal to add a second regular meeting on the fourth Thursday of every month. President Welsh said he supported this change because there are decisions the Board can make only at regular meetings. He explained that the Board didn't have to have two meetings per month but that the second meeting date would be available, if needed.

Legal Counsel, Amara Morrison, asked for a formal motion to amend this section of the Policy Manual, the proposed amended version of which she read into the record:

“Regular meetings of the Board of Directors shall be held on the second and fourth Thursday of each calendar month at 7:30 P.M. in the Community Center, 59 Arlington Avenue, Kensington. The date, time, and place of regular Board meetings shall be reconsidered annually at the annual organizational meeting of the Board.”

MOTION: President Welsh moved, and Vice President Sherris-Watt seconded, that the Board consider the introduction of an amendment to Policy 5010.10, to add one regular meeting on the fourth Thursday of every month, and that this amendment be considered for adoption following a second reading at the Board's next meeting.

Motion passed 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

CONSENT CALENDAR

MOTION: President Welsh moved, and Vice President Sherris-Watt seconded, the adoption of the Consent Calendar.

Motion passed: 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

- 8c. The Board discussed and considered setting a date for a Special Meeting for strategic planning to include discussing priorities, goals, and timelines.

Vice President Sherris-Watt said she thought this was a good idea.

Larry Nagel introduced himself as one of the Directors of the Kensington Fire Protection District. He said his board had held such a meeting and that the process was extremely valuable. He said that it was important for a board to know where it was going and that the moderator was very important in keeping the group on track.

President Welsh thanked Mr. Nagel for his diligence in attending the KPPCSD meetings.

Mabry Benson said that she wanted this meeting to occur sooner than the end of January and that she wanted the Board to meet the following week to discuss the GM problem.

Director Hacaj said she would work on selecting the facilitator and organizing the meeting.

Skye Dent said she hoped there would be more candidates for the Board to consider for the GM and COP positions at its next meeting. Vice President Sherris-Watt said this would be a Board decision. President Welsh noted that District Administrator Wolter had received resumes for the GM/COP position and had forwarded them on to the Board.

MOTION: Director Hacaj moved, and Director Nottoli seconded, that the Board reserve Saturday, January 28th, for a Special Meeting to allow the Board to undertake strategic planning around goals, priorities, and timelines.

Motion passed: 4 – 0.

AYES: Welsh, Sherris-Watt, Hacaj, Nottoli NOES: ABSENT: Cordova

8a. The Board discussed the CalPERS audit of the District.

President Welsh said that this was something the Board had reported on following the Closed Session and that he wanted to table the item until the District had made more progress with CalPERS.

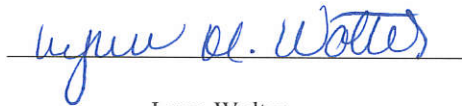
A. Stevens Delk asked that the District make it better known that hearing enhancement devices were available for those with hearing difficulties.

MOTION: Director Hacaj moved, and President Welsh seconded, to adjourn the meeting.

The meeting was adjourned at 10:30 P.M.



Len Welsh
KPPCSD Board President



Lynn Wolter
District Administrator