

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING MINUTES**  
**Thursday, January 14, 2021**  
**Via Teleconference**

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

**CALL TO ORDER**

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

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 (7:00 p.m.)**

**ANNOUNCEMENTS FROM CLOSED SESSION [TS .05]**

President Hacaj announced that in the Special Closed Session Meetings of January 7 and January 14, the Board gave direction to staff.

**CALL TO ORDER [TS 0.25]**

President Hacaj called to order the Regular Meeting of the Board of Directors at 7:06 p.m. Directors Rachelle Sherris-Watt, Eileen Nottoli, and Chris Deppe were present at roll call. President Hacaj announced that Director Cyrus Modavi would be absent due to illness.

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 1:03]**

The following persons provided public comment: 1) Laurence Nagel said he looked forward to working with the KPPCSD Board to address the unresolved problems in Kensington.

## **BOARD/STAFF COMMUNICATION**

**General Manager's Report.** [TS 2:40] Interim General Manager Bill Lindsay had no report.

**Police Chief Report.** [TS 3:09]. Interim Police Chief Walt Schuld announced that Captain Rickey Hull retired on December 30, 2020. He also announced the promotion of Detective Amit Nath to Police Sargent effective January 4, 2021 and the hiring of Police Captain Mike Gancasz effective January 18, 2021. He recognized several officers who had performed exceptionally well as follows: Letters of Commendation to Officers Roy Bang and Tomiko Fodor, Leadership Award to Officer Amit Nath, and Officer of the Year award to Officer Brad Harms.

**Board of Directors Communication.** [18:07] None.

## **CONSENT CALENDAR [TS 18:15]**

Interim General Manager Lindsay recused himself from participating on Item 5.

### **1. Considered Approval of Minutes for the Regular Board Meeting of December 11, 2020.**

Director Deppe pointed out that the language at the end of the first paragraph on page 3 of 5 should read "will provide an update on the paths no matter what at the next meeting". Director Sherri-Watt pointed out that the volunteer's name on page 3 of 5 in the second sentence of the first paragraph should read "Paula" rather than Paul. Additionally, she pointed out that on page 4 of 5 under public comment of Item 7 the word "liter" should be changed to "litter".

### **2. Received Financial Reports for the Month Ending November 2020.**

Budget vs. Actual Report November 2020; Balance Sheet November 2020; Income Statement November 2020; and Monthly Income Statement – July 2020 – November 2020.

### **3. Received Final Form of Contract with William Driscoll for Maintenance Services at Kensington Park and Community Center.**

The scope of work and associated contract for maintenance services at the Kensington Community Center and Kensington Park is for the base monthly amount of \$900.

### **4. Received Final Form of Contract with Fernando Herrera for Maintenance Services at Kensington Park and Community Center.**

The scope of work and associated contract to provide maintenance services at the Kensington Park, and at the KPPCSD-owned lot at the intersection of Arlington Avenue and Coventry Road, is for the base monthly amount of \$2,225.

### **5. Approved Contract Extension for Interim General Manager Bill Lindsay.**

The Board approved extending Mr. Lindsay's contract until January 31, 2021.

- President Hacaj made a motion to adopt Consent Calendar Items 1-5 with the changes to the Minutes indicated by Director Deppe and Director Sherris-Watt. Director Deppe seconded the motion, and it carried (4-0) by the following roll call vote: AYES (Directors Sherris-Watt, Nottoli, Deppe and Hacaj); NOES (None); and ABSENT (Modavi).

## **BOARD DISCUSSION AND DETERMINATION**

### **6. Consider Approval of an Employment Agreement with Marti Brown to Provide Services as General Manager for the Kensington Police Protection and Community Services District. [TS 22:05]**

Interim General Manager Lindsay presented an overview of the selection process and highlighted the terms of the employment agreement.

- The following persons provided public comment: 1) Linda Lipscomb thanked Chief Schuld for recognizing the work of the officers and she raised concern that the 30-hour work week was not specified in the employment agreement; and 2) Lynn Wolter commented that the work hours should be specified in the employment agreement.
- Director Sherris-Watt made a motion that we enter into an employment agreement with Marti Brown to provide services as General Manager for KPPCSD, the contract length is for one year at an approved salary of \$105.00 per hour, the employment is at will and the other provisions outlined in contract beginning on January 25, 2021. Director Deppe seconded the motion and it carried (4-0) by the following roll call vote: AYES (Directors Sherris-Watt, Nottoli, Deppe and Hacaj); NOES (None); and ABSENT (Modavi).

President Hacaj introduced Ms. Brown who said she is delighted to have the opportunity to serve the Board, residents, and the Police Department.

### **7. Receive a Status Report on the Public Safety Building (PSB) Renovation Project, and Consider Directing Staff to Schedule a Meeting Consisting of Two Members from the KPPCSD and KFPD Boards to Review the Project. [TS 39:58]**

Interim General Manager Lindsay summarized the recommendation to schedule a joint workshop style meeting with the two boards facilitated by General Managers of both agencies.

- The following persons provided public comment: 1) Larry Nagel commented that the KFPD Board expressed the desire to have all board members present and urged the KPPCSD Board to approve this recommendation; 2) Kevin Padian congratulated Chief Schuld on the officer's recognition and supported having both boards meet to understand the options that will be best for the community; 3) A. Stevens Delk commented that there is a discrepancy in the Plan G drawing in the KPPCSD packet and the one posted in the KFPD packet and said it should be resolved so that everyone is talking about the same options; 4) Linda Lipscomb urged the Board to advocate for the Police Department being housed in the PSB; and 5) Lynn Wolter commented that the PSB was built to house both the Police and Fire Departments and she supported keeping them in the same building.

Following discussion, the Board directed staff to proceed with scheduling a joint meeting with the Fire District Board no earlier than our next February meeting and at a time that can be practical for both full boards, general managers, and others that are necessary to attend. President Hacaj noted that there should be enough time to publicly notice the meeting as well.

**8. Receive an Update from Board Members Deppe and Sherris-Watt Regarding Kensington Pathways and Consider Possible Board Action and/or Direction to Staff. [TS 1:05:09]**

Director Deppe presented an update on information gathered pertaining to the paths including: offers of dedication, subdivision maps, property tax history, survey costs, California Environmental Quality Act reports, and a financing option from Contra Costa County. Contra Costa County Supervisor John Gioia proposed setting up Zoom meetings with County resources to identify the information needed and work through the issues related to the paths. He also proposed that in order to get the best use of the available funding, that the District begin with one or two paths--ideally where all property owners were in agreement and those in the best condition. Supervisor Gioia said both agencies will need to discuss ongoing future funding for the paths.

The following persons provided public comment: 1) Rodney Paul expressed support for Supervisor Gioia's offer; 2) Mabry Benson supported prioritizing paths and would like to know more about costs for improvement and liability factors; 3) Nikki Kaiser urged the Board to take advantage of Supervisor Gioia's offer for the paths and said she supported the wishes of the community; 4) Gretchen and Gail Gillfillan supported Supervisor Gioia's offer on the paths; 5) Meryl Natchez supported Supervisor Gioia's proposal; 6) Jane Kaplan commented that she appreciates Supervisor Gioia's approach on the paths; 7) Lisa Caronna expressed thanks for continuing research on the paths and supported Supervisor Gioia's proposal; 8) David Spath expressed appreciation for the work on this issue and urged the Board to accept Supervisor Gioia's proposal; and 9) Mark Altenberg urged support for Supervisor Gioia's offer.

The Board gave direction to staff to brief incoming General Manager Marti Brown and then schedule a meeting with Supervisor Gioia after KPPCSD's next board meeting and depending on the scheduling of the joint meeting with the KFPD Board.

**9. Consider Adopting a Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Amending Section 4020 of the District's Policy and Procedures Manual. [TS 1:42:32]**

General Counsel Danforth provided background information on a proposed amendment to Section 4020 of the District's Policy and Procedures Manual to deactivate the Finance Committee. Board members commented on the pros and cons of the recommended action.

- The following persons provided public comment: 1) Kevin Padian commented that the KPPCSD should have an independent financial planner to assess the District's long-term finances; 2) Linda Lipscomb favored retaining the Finance Committee; 3) Karl Kruger opposed eliminating the Finance Committee; 4) Rob Firmin opposed eliminating the Finance Committee and suggested that the Finance Committee have a set meeting schedule; 5) Meryl Natchez opposed eliminating the Finance Committee; 6) Lynn Wolter opposed eliminating the

Finance Committee; 7) Rick Artis commented that the Finance Committee input was valuable and opposed its elimination; and 8) Elaine Stelton opposed eliminating the Finance Committee and urged reconsideration.

- President Hacaj made a motion to adopt Resolution No. 2021-01, A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Correcting Policy Numbers and Amending Sections 2030 and 4020 of the District's Policy and Procedures Manual except that Policy 2030.4 to provide that the Board shall adopt a budget at a separate meeting from the review required by Section 2030.3 of this policy. Director Deppe seconded the motion and it carried (4-0) by the following roll call vote: AYES (Directors Deppe, Nottoli, Sherris-Watt, and Hacaj); NOES (None); and ABSENT (Modavi).

**Resolution No. 2021-01** - A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Correcting Policy Numbers and Amending Sections 2030 and 4020 of the District's Policy and Procedures Manual.

**ADJOURNMENT** [TS 2:29:36]

President Hacaj adjourned the meeting at 9:37 p.m.

SUBMITTED BY:

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 11, 2021

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Marti Brown, General Manager

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Sylvia Hacaj, President of the Board