

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

Arlington Community Church
52 Arlington, Kensington, CA
January 23, 2020

Regular Meeting (7:30 p.m.)

1. CALL TO ORDER/ROLL CALL

President Christopher Deppe called to order the regular meeting of the Board of Directors at 7:30 p.m. Directors Cyrus Modavi, Rachele Sherris-Watt, Eileen Nottoli, and Sylvia Hacaj were present at roll call.

Staff present included General Manager Tony Constantouros, General Counsel Ann Danforth, and District Clerk of the Board Lynelle M. Lewis.

2. GENERAL PUBLIC COMMENT

Andrew Gutierrez commented on the work of the Board and Jim Watt spoke about the rules for public comment.

3. BOARD/STAFF COMMUNICATIONS

General Manager Constantouros provided an update on the January 21st Finance Committee meeting discussions. He reported that during the budget update there was discussion about Kensington Community Center construction costs along with pension funding options. The Committee asked staff to present the following information at the March 3rd Finance Committee: update on the 10-year budget forecast; complete budget projections for FY 2019-2020; information on CALPERS pension funding amortization and the establishment of a 115 Retirement Trust; and a quantitative budget summary to determine cash flow status. In response to questions by the Board, the General Manager said the Finance Committee handouts would be posted to the KPPCSD website.

Interim Police Steve Simpkins reported that the postal robbery suspect had been apprehended. He gave an update on administrative changes to insure timely response to citizen calls as a results of comments on Next Door. He reported that in response to the Elks Club proposal for Officer of the Year, the department selected Officer Martinez and would prepare a commendation. Next, he reported that the replacement for Officer Martinez is in progress and would be completed soon. Chief Simpkins noted that he is at the half way point of his tenure and the next three months he would continue to focus on community outreach efforts. Director Hacaj said there had been graffiti and break ins of the physical education containers at the school during the recent vacation, and she suggested having additional patrols during vacations. Chief Simpkins said he would look into this. In concluding, Chief Simpkins announced that he would not be present at the February 13th board meeting.

4. Process for General Manager (GM) Evaluation and Board/District Goal Setting and Consider Proposals to Conduct These Services.

President Deppe announced that the Board expressed an interest in finding a facilitator to help with the General Manager evaluation and to consider using the same person/firm to facilitate a goal setting process. There was considerable discussion about the two proposals submitted by Rauch Communication Consultants Inc. and RPLG Solutions. Board members commented on the proposed process, scope of services, cost considerations, the deliverables and potential conflicts of interest by the submitters. There was consensus by the Board to move forward with the process.

- Andrew Reed provided public comment on the proposals.
- Motion by Director Nottoli, seconded by Director Sherris-Watt, to approve the proposal submitted by RPLG Solutions to assist in preparing the performance evaluation of the General Manager with a project cap of \$3,500. The motion included a request that the Board discuss potential conflicts of interest and discuss the process for self-assessment and priority setting. The motion carried (4-1) by the following roll call vote: AYES (Sherris-Watt, Nottoli, Hacaj, and Deppe); and NOES (Modavi).

5. Consider Proposal for Body Worn Cameras.

Interim Police Steve Simpkins presented background information on the contract for body worn cameras (BWCs) for the Police Department. Staff recommended a contract with Axon Enterprises, Inc. which provides an annual maintenance plan that includes the cost of ongoing data storage, maintenance, and replacement for the BWCs. The cost for this contract is spread over a five-year period for a total of \$30,942.23. President Deppe announced that the Finance Committee supported this recommendation. There was discussion about the BWC Policy. Suggestions included longer retention time for videos, inserting page numbers on the policy, and an annual report to the Board.

- Motion by Director Sherris-Watt, seconded by Director Nottoli, to approve the contract with Axon in the amount of \$30,944.23 for a five-year term and authorize the Interim Police Chief to negotiate and execute the contract, carried (5-0) by the following roll call vote: AYES ((Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

6. Consider Proposal for East Bay Regional Communications System Authority (EBRCSA) Patrol Radio Update.

Chief Simpkins summarized the recommendation for upgrading police radios in order to communicate with the EBRCSA system. President Deppe announced that the Finance Committee supported this recommendation.

- Motion by Director Hacaj, seconded by Director Nottoli, to approve a contract with Motorola Solutions in the amount of \$5,100.74 for supplying radio updates and authorized the Interim Police Chief to negotiate and execute the contract, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

7. Consider Proposal for Purchase of Mobile Patrol Car Computers.

Chief Simpkins provided background information on the purchase agreement for mobile data computers (MDCs). After researching potential solutions for replacing MDCs, staff obtained a purchase quote for \$27,977.29. There will be an ongoing monthly cost for the air cards that communicate the information from Dispatch to the MDCs. That cost is \$189.95 per month and will be covered by existing budget funds.

- Motion by Director Hacaj, seconded by Director Nottoli, to approve the purchase agreements with DuraTech USA for GeTac computers in the amount of \$25,157.55 which includes a five-year warranty and around the clock hardware support and LEHR Pursuit North for installation in the amount of \$2,819.74, and authorized the Interim Police Chief to negotiate and execute the contract. The motion carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

8. Consider Proposal from Ross Drulis Cusenbery (RDC) to Engage RDC to Create a Design for The Public Safety Building That Houses Both the Fire and Police Departments.

President Deppe presented information on the RDC proposal for architecture design services for the Kensington Police Department to explore options for retaining the Police Department in the remodel of the Kensington Public Safety Building (PSB). President Deppe pointed out that there is no guarantee this would result in a practical design, but this process would see if there is any way to fit both departments in the PSB. The cost to get conceptual floor plans is estimated at \$10,993.

- David Fike provided public comment on the proposal.

- Motion by Director Sherris-Watt, seconded by Director Hacaj, to accept the proposal from RDC to execute conceptual floor plans for the PSB, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

9. Proposal to Give Permission to the Kensington Fire Protection District (KFPD) In Determining the Legality of Building a Combined Fire/Police Station in Kensington Park.

President Deppe provided an update on the proposal to share legal costs with the KFPD on obtaining a legal opinion on the right of the KPPCSD to sell a portion of Kensington Park for building a public safety building. The KPPCSD would authorize its attorney, Ann Danforth, to work with counsel chosen by the KFPD (up to \$2,100 for ten hours) to clarify the rights and responsibilities given to each special district in developing lands acquired through bonds. The KFPD attorney also will share all research done to date on this issue. In response to a question asked about the terms of the bond designating Kensington Park, Attorney Danforth said she would provide a copy of the deeds and engineer's report to the Board.

- Jim Watt provided public comment on the proposal.
- Motion by Director Sherris-Watt, seconded by Director Hacaj, to offer up to 10 hours of counsel by District Counsel Ann Danforth to work with KFPD, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

10. Proposal to Give Permission to The Kensington Fire Protection District (KFPD) to Determine if an Earthquake Fault Exists in Kensington Park.

Director Sherris-Watt presented the proposal that the KPPCSD should allow the KFPD to engage a seismic engineer to study fault lines in Kensington Park at the location identified by the KFPD building committee in March of 2019. This approval is in effect until August 2020. It was pointed out that this approval does not imply or approve further development or action on Kensington Park property. There was lengthy discussion on the pros and cons of this action.

- A member of the audience commented on the proposal.
- Motion by Director Modavi, seconded by Director Sherris-Watt, to authorize the KFPD to engage a seismic engineer to study fault lines in Kensington Park, carried (3-2) by the following roll call vote: AYES (Modavi, Sherris-Watt, and Deppe); NOES (Nottoli and Hacaj).

11. Proposal from The Kensington Fire Protection District (KFPD) to Create a Joint Committee to Explore Options for Housing the Fire and Police Departments.

Director Sherris-Watt presented the proposal to explore the KFPD invitation to form a joint 2x2 committee to address the future housing of the Fire and Police Departments.

- Motion by Director Hacaj, seconded by Director Nottoli, that the Board agree to a joint 2x2 Committee with President Deppe and Director Sherris-Watt as members, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

12. Preview Presentation Regarding Options for Housing the Police Department.

President Deppe and Director Sherris-Watt gave a slide presentation on possible options for housing the Police Department. They pointed out this information would be shared with the community on January 25th. There was discussion and comments offered on possible options (i.e. Unitarian Church, the cemetery, parking lot at Arlington Community Church).

ADJOURNMENT

President Deppe adjourned the meeting at 10:30 p.m.

SUBMITTED BY

Lynelle M. Lewis
District Clerk of the Board

APPROVED: February 13, 2020

Tony Constantouros
General Manager

Christopher Deppe
President of the Board