

BOARD OF DIRECTORS MEETING MINUTES

Thursday, September 10, 2020

Via Teleconference

Regular Meeting - 7:30 p.m.

CALL TO ORDER

President Deppe called to order the Regular Meeting of the Board of Directors at 7:52 p.m. Directors Eileen Nottoli, Rachelle Sherris-Watt, Sylvia Hacaj, and Cyrus Modavi were present at roll call.

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

GENERAL PUBLIC COMMENT

The following persons provided public comment: 1) Rodney Paul commented that two paths are blocked which could be important for evacuation and urged KPPCSD to assume public path ownership; 2) Danielle Madugo thanked the Police Department for their help on a phishing scam and asked for the opening of the bathrooms in Kensington Park; and 3) Paul Dorroh thanked Interim Police Chief Schuld and Officer Brad Harms for their response about parking and urged the District to do something about the paths and take ownership.

BOARD/STAFF COMMUNICATION

General Manager's Report. Interim General Manager Lindsay provided a status update on the recruitment of a permanent General Manager. The consultant has completed the recruitment brochure which has been printed and distributed to a pool of applicants. The deadline for applicants is Monday, October 12th, with screening to begin immediately thereafter. Next, Mr. Lindsay provided an update on the process for retaining a new independent financial auditor for the District and proposals are due September 14th. The current schedule calls for selection by the Board of Directors at the September 24th meeting.

Mr. Lindsay reported that KCC Recreation Director Jenny Parks has notified District staff that they will start their first in-person, socially-distanced after school camp beginning Monday, September 21st. He also reported that he has received substantial requests imploring the District to open the restrooms in the park. He noted that we are not yet ready to implement local public health orders related to Covid-19, but we are looking to see how this might be done. Director Hacaj suggested looking at funds from the school crossing guard fund. In concluding, Mr. Lindsay reported on the Proposition 68 per capita grant that was awarded to KPPCSD in the amount of \$177,952. The grant requires a 20% match by the District (i.e., \$44,488) and funding may be used for capital improvements to park and recreation facilities.

The following persons provided public comment: 1) Mabry Benson commented that the General Manager recruitment brochure doesn't show a relationship between that Police Department; and 2) Paul Dorroh commented that capital improvements to the paths and the amphitheater behind the Kensington Community Center would be good candidates for the grant funds.

Police Chief Report. Interim Police Chief Schuld announced that the community warning system is up to 6,319 with 934 signing up in August. He thanked Peter Liddell and President Deppe for volunteering to open gates at the cemetery in the event of an evacuation or emergency. Mr. Schuld commented that he had received numerous letters of commendation for the work of Kensington Police officers. Next Interim Police Chief Schuld swore in Officers Jose Fajardo and Roy Bain. Board members congratulated and welcomed the new officers to the District.

- The following person provided public comment: 1) David Bergen asked whether the District was losing two officers.

CONSENT CALENDAR

1. Consider Approval of Minutes for the Regular Board Meeting of July 9, 2020.

- Motion by President Deppe that we adopt the Minutes with the following corrections: (1) On page 1 correct the date of evaluation drill to August 22nd, (2) On page correct spelling of Nixel to Nixle, and (3) On page 6, Item 6 correct the motion to show Director Sherris-Watt (rather than Hacaj) as the subcommittee of the Finance Committee. Director Hacaj seconded the motion. The motion carried (4-1) by the following roll call vote: AYES (Directors Sherris-Watt, Hacaj, Nottoli, and Deppe) and NOES (Modavi).

BOARD DISCUSSION AND DETERMINATION

2. Authorize Reimbursement for Employees and Board Members During the Shelter In Place Order.

Director Rachelle Sherris-Watt provided a summary of the recommendation to authorize compensation of \$100 per month, dated from March 2020, to employees who worked from home for more than 10 hours. This stipend is to cover supplies and other expenses. This compensation would be authorized through June 2021 or until the stay at home order is lifted.

- Motion by Director Sherris-Watt that the KPPCSD authorize reimbursement of \$100 per month from March 2020 to employees who work from home more than 10 hours per week or employees who are authorized by the General Manager. This compensation is to be given with the return of receipts covering each month that the reimbursement is desired. This compensation is authorized until June 20, 2021 or until the stay at home order is lifted, whichever comes first. Additionally board members will be granted a stipend of \$50 a month under the terms listed above. Payment will be issued in a manner that is decided by the General Manager and the Finance Director. Should employees of the KPPCSD or KPD or a board member require computer equipment to work remotely or attend Zoom meetings, a District computer or laptop will be issued within 5 business day from the request. This equipment remains property of the KPPCSD and must be returned upon request or upon leaving the District's employ. The motion was seconded by Director Nottoli. The motion carried (5-0) by the following roll call vote: AYES (Directors Sherris-Watt, Modavi, Hacaj, Nottoli, and Deppe) and NOES (None).

3. Authorize Payment of a Stipend to KPPCSD Employees and Contractors for Necessary Face Coverings Required by the Contra Costa County Public Health Order.

Director Rachelle Sherris-Watt provided a summary of the recommendation to authorize a \$50 stipend to KPPCSD employees and contractors towards the purchase of necessary face coverings required by the Contra Costs County public health order.

- Motion by Director Sherris-Watt that we authorize the payment of \$50 to KPPCSD employees and contractors for necessary face coverings required by the Contra Costa County's public health order. This would be a \$50 reimbursement towards the purchase of masks. Furthermore should the Board resume in person meetings of any kind prior to June 2021, board members and the General Counsel would also be eligible for this \$50. The motion was seconded by Director Nottoli. The motion carried carried (5-0) by the following roll call vote: AYES (Directors Sherris-Watt, Modavi, Hacaj, Nottoli, and Deppe) and NOES (None).

4. Discuss and Consider Adopting Resolution No. 2020-20 of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 3190.1 Social Media Policy.

President Deppe announced that this policy will be brought back after additional review. There was consensus to bring back the policy to the Board. President Deppe asked the Board to send their comments to him and Interim General Manager Lindsay.

- The following person provided public comment: 1) Julie Stein asked how the policy would address first amendment issues.

5. Discuss and Consider Adopting Resolution No. 2020-19 of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 1057 Public Records Act Requests.

General Counsel Danforth presented the staff recommendation that the Board hear public testimony, consider the proposed draft Policy 1057 (California Public Records Act Response Procedure) and adopt the draft resolution. Policy 1057 would formalize the District's current process.

There was no public comment.

- Motion by Director Sherris-Watt that the Board adoption Resolution 2020-19 of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 1057. President Deppe made a friendly amendment to add a sentence to 1057.1 that it shall be encouraged to use the Request for Public Records form at the bottom of the policy. Director Hacaj seconded the motion. The motion carried carried (4-1) by the following roll call vote: AYES (Directors Nottoli, Hacaj, Sherris-Watt, and Deppe) and NOES (Modavi).
- At 9:50 p.m. it was moved, seconded and carried to extend the meeting to 10:15 p.m. The motion carried unanimously 5-0.

6. Receive an Update on the Current Status of the Architectural Design Process for Housing both the Kensington Fire Department and the Kensington Police Department in the Public Safety Building.

Interim General Manager Lindsay presented information on discussions between the architectural firm of RossDrulisCusenbery (RDC) and Contra Costa County. He said RDC reported that Contra Costa has yet to make a determination regarding which government entity is responsible for interpretation and enforcement of permitting issues for enclosing the second floor deck and replacement cost valuation. RDC also reported that an elevator/lift will be a required element of the renovation. To move the design process forward, Mr. Lindsay and Kensington Fire Protection District General Manager Mary Morris-Mayorga agreed to request the architect begin to create a new conceptual design option that includes an elevator/lift and encloses the second floor deck. He noted the work will cost an additional \$6,000, to be equally divided between KPPCSD and KPFD (i.e. \$3,000 by KPPCSD). Mr. Lindsay reported authorizing this cost increase on behalf of KPPCSD. Mr. Lindsay noted that he had requested that the architect provide a rough schedule for general planning purposes that describes the activities and timetable from now through project completion, assuming that there are no unforeseen obstacles.

- The following persons provided public comment: 1) David Bergen mentioned the idea of putting a handicap parking lot on the second floor, and 2) Mabry Benson mentioned that there is not enough space for handicap parking at the top, so an elevator would be needed.

ADJOURNMENT

President Deppe adjourned the meeting at 10:15 p.m.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: October 8, 2020

Bill Lindsay, Interim General Manager

Chris Deppe, President of the Board