

Approved by BOD
10/26/17

Meeting Minutes for 9/28/17

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, September 28, 2017, at 6:30 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>
Rachelle Sherris-Watt, President	Ann Danforth, District's Legal Counsel
Eileen Nottoli, Vice President	Simon Brafman
Sylvia Hacaj, Director	Mabry Benson
Chris Deppe, Director	Andrew Gutierrez
<u>Staff Members</u>	
Anthony Constantouros, General Manager	
Rickey Hull, Interim Chief of Police	
Lynn Wolter, District Administrator	
<u>Press</u>	

President Sherris-Watt called the meeting to order at 6:32 P.M. President Sherris-Watt, Vice President Nottoli, Director Hacaj, Director Deppe, GM Constantouros, ICOP Hull, and District Administrator Wolter were present. President Sherris-Watt announced that Director Welsh was absent because of a family obligation.

CLOSED SESSION PUBLIC COMMENTS

None.

The Board entered into Closed Session at 6:33 P.M.

CLOSED SESSION

- 2a. Conference with Legal Counsel – Existing Litigation
 - 1. Three cases, names unspecified because disclosure would jeopardize existing settlement negotiations. Sections 54956.9(d)(2) and (g) of the California Government Code.
 - 2. Claims of [REDACTED] and [REDACTED]. Section 54956.9(d)(1) of the California Government Code.
- 2b. Conference with Legal Counsel – Anticipated Litigation
 - 1. Initiation of litigation pursuant to Section 54956.9(d)(4) of the California Government Code.
 - 2. Significant exposure to litigation pursuant to Sections 54956.9(d)(2) and (e)(1) of the California Government Code.

The Board returned to Open Session at 7:33 P.M.

Roll call: President Sherris-Watt, Vice President Nottoli, Director Hacaj, and Director Deppe were present. President Sherris-Watt announced that Director Welsh was absent because of a family obligation.

President Sherris-Watt announced there was nothing to report from the Closed Session.

PUBLIC COMMENTS

Simon Brafman said that one of the drinking fountains wasn't working and that the tennis courts needed some maintenance because they'd developed cracks. He asked if there were plans to take care of these. President Sherris-Watt responded that GM Constantouros had made note of his comments.

With respect to the prior meeting's discussion about the consulting firm RFP, Mabry Benson said she liked the suggestion that, when evaluation criteria were established for possible contracting out, these evaluation criteria should also be applied to Kensington's own department: She thought this would be enlightening.

Andrew Gutierrez asked if he could comment on the police statistics report that had been distributed by ICOP Hull. He said that,

- For the first time in the 25 years he'd been attending KPPCSD meetings, there was finally a summary of what Kensington's officers were doing.
- Officer Foley seemed to be an active officer on the street, but other officers... Wilkens – there was one tick that indicated she was still alive.
- He'd been speaking with ICOP Hull because the traffic and the speeding on the "North Arlington Freeway" were out of control.
- Tickets weren't given in Kensington for speeding because everyone appeared to be following the speed limits for the 300 countries they'd come from.
- The "North Arlington Freeway" light and Westminster were dangerous places, but this wasn't reflected in the police statistics or in the signs about people wanting to keep Kensington's police independent.
- Kensington's police had been independent for far too long and hadn't been doing a lot.
- He was glad to see that the Board was proceeding to try to get information about how to move forward and what the community could afford to correct some of these incidents.
- He thanked ICOP Hull for providing this information because it showed who was active on the streets and who wasn't.

ICOP Hull clarified that Officer Wilkens had been back on duty, but it had taken a couple of months for her to take the necessary trainings to get her retrained before he could put her back on the street. Therefore, he said the statistics reflected her having been back on the street for a short period of time. Mr. Gutierrez responded that he took his comment back.

BOARD COMMENTS

Vice President Nottoli reported that she'd attended the Tri-City Safety event at El Cerrito Plaza the prior Saturday and that ICOP Hull had been there for five or six hours. She said ICOP Hull had invited children to sit in the front seat of his vehicle and had encouraged someone to pursue a law enforcement career. She clarified that this had been a tri-city event with El Cerrito, Albany, and Kensington, and that there had been police cars and fire trucks.

With respect to traffic, Vice President Nottoli said she'd observed Officer Foley patrolling the Colusa Circle area on foot and stopping cars that had failed to stop at the stop signs – he'd issued polite warnings, which she said were sufficient for many people. She also reported that ICOP Hull had been able to produce the police statistics report because of the new Albany dispatch software. She said that, previously, it had taken a lot of work, by hand, to obtain and produce this information: However, ICOP Hull had been able to produce this report with a few strokes of a keyboard.

Vice President Nottoli reported that the Solid Waste Committee was looking to replace some of Kensington's public garbage containers that had been put out by the Kensington Improvement Club several years earlier. She reported that Committee members had indicated that some people didn't want to have to do composting for themselves – they wanted others to do this for them: Thus, the Committee would be getting a composting quote from Bay View. She noted that the 2015 survey had indicated that people didn't want to have to pay more for this service. She reported there would be a composting event at the Community Center on October 28th, though none of the Committee members wanted to attend because they thought someone else should do their composting for them. She also reported that the Committee was looking into having a quarterly pick-up of household hazardous waste at peoples' homes instead of having residents drive to Richmond to drop off such materials. She noted that the El Cerrito recycle center took many things considered to be household hazardous waste; thus, not much would need to go to Richmond or be picked up by Bay View on a quarterly basis. She also reported that old cans of paint could be taken to the Kelly Moore paint store on San Pablo Avenue.

President Sherris-Watt thanked ICOP Hull for attending the Tri-City Safety Day and said it had been a "child's delight" because of all the safety vehicles. She thanked ICOP Hull for representing Kensington and apologized for the lack of inclusion of the police statistics in the Board Packet – there had been email confusion, and this had not been ICOP Hull's fault. She said the report would be included in a future agenda packet.

President Sherris-Watt reported that the Board members had just returned from the California Special District Association Conference and that they would provide a synopsis of the events they had attended – hopefully by the October agenda.

STAFF COMMENTS

GM Constantouros reported that, with respect to the RFP process, he'd been able to make contact with the three major firms that conduct these kinds of analyses, that all are interested in submitting proposals, and that he'd mailed them copies of the RFP. He reported that he'd also identified who had done the analysis for the City of San Carlos, that he'd been able to contact this individual, and that this individual would be interested in participating. Thus, he said there could be as many as four proposals.

CONSENT CALENDAR

President Sherris-Watt noted that the Consent Calendar included the Statement of Budget Performance for August, 2017 and asked if anyone had any questions.

With respect to Account 972, Park Buildings Improvements, David Spath asked if the \$300,000, plus the \$158,000 East Bay Regional Park District grant money, was the total amount available. Director Hacaj responded that additional money had been set-aside in reserves. President Sherris-Watt clarified that the grant was a reimbursement bond and that there were \$250,000 in the District's reserves. Dr. Spath asked for clarification about the \$218,000 notation. Director Hacaj responded that it had been anticipated that more money was to have been spent in the prior fiscal year, but it hadn't been spent; thus, this was carried-over.

MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, to adopt the Consent Calendar.

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Hacaj, Deppe

NOES:

ABSENT: Welsh

NEW BUSINESS

7. The Board discussed the appointment of Director Deppe to be the KPPCSD Liaison to LAFCO.

President Sherris-Watt introduced the item, explaining that the Local Agency Formation Commission (LAFCO) needed a representative from each special district. She reported that Vanessa Cordova had filled this role when she'd been on the Board and that Director Deppe had offered to take on this role.

Director Hacaj read Director Welsh's emailed comment: He supported Director Deppe's appointment to be KPPCSD's liaison to LAFCO.

President Sherris-Watt reported that LAFCO typically met monthly to discuss issues pertinent to special districts; thus, it would be helpful to have a representative who could attend those meetings.

Director Deppe said he'd worked with LAFCO a lot when he'd served on the Ad Hoc Committee's Consolidation Subcommittee. Thus, he said that he'd spent time with Lou Ann Texeira, LAFCO's General Manager, that he knew how LAFCO worked, and that he looked forward to this.

MOTION: President Sherris-Watt moved, and Director Hacaj seconded, to appoint Director Deppe to be the KPPCSD's liaison to LAFCO.

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Hacaj, Deppe

NOES:

ABSENT: Welsh

8. The Board discussed moving the date of the regular November meeting, now scheduled for November 9th, to November 16th, 2017.

President Sherris-Watt reported that, because of Director obligations, there might not be a quorum on November 9th. Thus, the need to move the meeting to November 16th.

Director Hacaj noted that Director Welsh had emailed that he had no objections to the change of date.

MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, that the Board move the date of the Regular November meeting from November 9, 2017 to Thursday, November 16, 2017.

Motion passed: 4 – 0.

YES: Sherris-Watt, Nottoli, Hacaj, Deppe

NOES:

ABSENT: Welsh

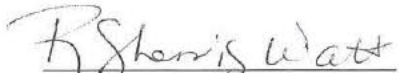
MOTION: President Sherris Watt moved, and Director Deppe seconded to adjourn the meeting.
Motion passed: 4 – 0.

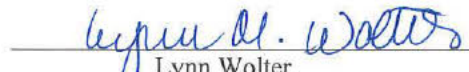
YES: Sherris-Watt, Nottoli, Hacaj, Deppe

NOES:

ABSENT: Welsh

The meeting was adjourned at 7:54 P.M.


Rachelle Sherris-Watt
KPPCSD Board President


Lynn Wolter
District Administrator