

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**DRAFT**

### **BOARD OF DIRECTORS MEETING MINUTES**

**LOCATION:** Arlington Community Church, 52 Arlington Avenue, Kensington

**DATE:** May 23, 2019

#### **Special Meeting – Closed Session**

President Nottoli opened the meeting at 6:33. Directors Nottoli and Sherris-Watt were present at Arlington Church and Director Deppe was present by phone. President Nottoli asked for public comment; there were none and the Board went into closed session. Director Modavi joined shortly after the closed session began.

#### **Regular Meeting**

President Nottoli opened the regular meeting at 7:38. Directors Modavi, Nottoli and Sherris-Watt were present at Arlington Church and Directors Deppe and Hacaj were present by phone.

#### Old Business

Resolution 2019-05: A Resolution of the Board of Directors for the Kensington Police Protection and Community Services District Confirming the Assessment and Ordering the Levy for the Kensington Park Assessment District for Fiscal Year 2019/20.

*Board Vote:* President Nottoli moved to adopt Resolution 2019-05 and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion and it passed 5-0.

Resolution 2019-07: Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Authorizing the Execution and Delivery of an Installment Sale Agreement and Directing Certain Actions in Connection with the Acquisition and Construction of a Community Center Remodeling Project

Note: the Board considered Resolution 2019-07 for a loan of \$250,000 and 2019-08 for a loan of \$300,000. The likely amount of funding needed after taking into account a loan of \$250,000 is \$133,489 of which \$158,000 will be reimbursed after the ADA work is completed or any amounts recovered from the surety bond.

*Board Vote:* President Nottoli moved to adopt Resolution 2019-07 and Vice-President Hacaj seconded the motion to adopt Resolution 2019-07. Director Modavi voted present and Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor of the motion and it passed 4-0.

Resolution 2019-06: A Resolution of the Kensington Police Protection and Community Service District to Repeal Existing Sections 4000 and 5000, Renumber Existing Section 3000 as 5000, and Adopt New Sections 3000 and 4000.

*Board Vote:* Director Sherris-Watt moved to adopt Resolution 2019-06, a Resolution of the Kensington Police Protection and Community Service District to Repeal Existing Sections 4000 and 5000, Renumber Existing Section 3000 as 5000, and Adopt New Sections 3000 and 4000, with the following changes: (1) add the letter “d” in Section 3001.1(24) to the word “observe”, (2) add the letter “r” to the word “Manage” in Section 3110.2; (3) add the

words “item on” be added after the second “the” [in the 3<sup>rd</sup> line] in Section 4110.6.1, and (4) end the first sentence in Section 3000.1 after the word “District” with the proviso that the General Manager review suggestions from this evening and bring any revisions to the Board for consideration by September 1. President Nottoli seconded the motion. Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted in favor and Director Modavi voted against the motion. The motion passed 4-1.

Kensington Fire Protection District. KFPD Board Present Julie Stein presented a request from the Kensington Fire Protection District to Obtain and Share the Cost for a Legal Opinion Concerning Building within Kensington Park. No action was taken.

Motion to Extend Meeting to 10:30. President Nottoli moved to extend the meeting to 10:30 which was seconded by Director Modavi. Directors Deppe, Modavi, Nottoli and Sherris-Watt voted in favor of the motion which passed 4-0. Vice President Hacaj had left the meeting by 10.

Financial Audit for FY2018/19. Steven Chang of Lamorena & Chang, CPA presented the Kensington Police Protection and Community Services District: Financial Statements and Independent Auditor’s Report for the Year Ended June 30, 2018. He stated that it was a clean audit. In addition, Lamorena & Chang had requested a total payment of \$17,800 of which \$16,000 had been previously approved. The additional \$2,700 requested consisted of \$1,600 for the additional work to comply with new GASB 75 standard for Other Post-Employment Benefits (OPEB) and \$900 to include a cash flow analysis in the annual audit as requested by the Finance Committee. Mr. Chang noted that the approximately \$2.2 million unfunded OPEB liability has resulted in an approximately a total of \$7.2 million in liability as of June 20, 2018.

*Board Vote on Audit.* President Nottoli moved to accept the audit and Director Deppe seconded the motion. Directors Deppe, Modavi, Nottoli, and Sherris-Watt approved the motion which passed 4-0.

*Board Vote on Additional Monies.* President Nottoli moved to authorize the additional monies of \$1,600 to complete the audit and \$500 for the cash flow chart for a total of \$2,700; Director Sherris-Watt seconded the motion. Directors Deppe, Modavi, Nottoli, and Sherris-Watt approved the motion which passed 4-0.

Proposed Budget. The Proposed FY2019/20 Budget. Kensington Police Protection and Community Services District: Proposed Fiscal Year 2019/20 Budget was discussed. General Manager Constantouros noted that the budget assumes a temporary Chief of Police and a new officer starting as of July 1 and that the budget has the new administrative positions starting within the Fiscal Year with some overlap with current staff during the transition. No action was taken.

Motion to Extend Meeting to 10:45. President Nottoli moved to extend the meeting to 10:45 which was seconded by Director Sherris-Watt. Directors Deppe, Modavi, Nottoli and Sherris-Watt voted in favor of the motion which passed 4-0.

Public Comments. Linda Lipscomb noted recent press releases describing the arrests made by Officers Fodor, Foley, and Martinez and Sergeant Barrow.

Board and Staff Comments. General Manager Constantouros summarized information in his Monthly Report. He noted the low pay for Chief of Police may be a deterrent. Director Modavi noted his concern on the response time from his Public Record Act request to Albany.

Consent Calendar. Director Sherris-Watt requested that all minutes note the location of meetings, that the word “that” be changed to “for” page 3 of Item (e) in the line with Meryl Natchez, and that Item (f) be pulled. Director Modavi requested that \$1,8000 on page 2 of Item (e) be corrected.

*Vote to Approve Consent Calendar.* Director Sherris-Watt moved to approve items (a)-(e) and (g)-(h) with corrections made by Directors at the meeting. President Nottoli seconded the motion. Directors Deppe, Nottoli, and Sherris-Watt for and Director Modavi voted against the motion which passed 3 to 1.

Adjournment. President Nottoli moved to adjourn the meeting which was seconded by Director Sherris-Watt. Directors Deppe, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion which passed 4-0. The meeting adjourned at 10:44.

Prepared by: Eileen Nottoli

Date approved by the Board:

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Tony Constantouros, General Manager

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Eileen Nottoli, Board President