

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES
Thursday, August 12, 2021
Via Teleconference

Special Closed Session Meeting

Call to Order [TS 4:27]

Vice-President Eileen Nottoli called to order the Special Meeting at 5:34 p.m.

Roll Call [TS 4:39]

Director Chris Deppe, Director Rachelle Sherris-Watt, and Vice-President Eileen Nottoli were present at roll call. Director Mike Logan and President Sylvia Hacaj joined during the Closed Session.

Staff present: General Manager Marti Brown and General Counsel Ann Danforth.

Special Meeting Agenda Public Comment [TS 6:35]

None.

Adjournment to Closed Session [TS 6:44]

Vice-President Nottoli announced that the Board would adjourn to Closed Session to consider two items.

Special Meeting

Announcement from Closed Session [TS 50:58]

President Hacaj reported that the Special Closed Session Meeting concluded at 6:19 p.m. and the Board gave direction to staff regarding two items.

Call to Order [TS 51:10]

President Hacaj called to order the Special Meeting at 6:20 p.m.

Director Chris Deppe, Director Mike Logan, Vice-President Eileen Nottoli, Director Rachelle Sherris-Watt, and President Sylvia Hacaj were present.

1. 10-Year Financial Forecasting Model Presentation [TS 51:34]

General Manager Marti Brown introduced Financial Consultant Andy Heath who presented the

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KPPCSD Meeting Minutes

August 12, 2021

Page 2 of 6

the financial forecast model for FY 2021-22 to FY 2031-32. Mr. Heath summarized two scenarios along with assumptions for Board consideration. Board members asked questions and provided comments. President Hacaj suggested building a vehicle replacement plan into a future model. Vice-President Nottoli suggested adding the replacement costs for personal computers, networks, technology, dispatch, etc.

Regular Meeting

Call to Order [TS 1.32:11]

President Sylvia Hacaj called to order the Regular Meeting at 7:01 p.m.

Roll Call [TS 1:32:18]

Director Chris Deppe, Vice-President Eileen Nottoli, Director Mike Logan, Director Rachelle Sherris-Watt, and President Sylvia Hacaj were present.

Staff present: General Manager Marti Brown, Police Chief Mike Gancasz, General Counsel Ann Danforth, Finance and Business Manager Katherine Korsak, and Clerk of the Board Lynelle M. Lewis.

Public & Consent Calendar Comments [TS 1:32:46]

None.

Swearing In [TS 1:33:32]

Police Chief Mike Gancasz introduced newly appointed Lieutenant Brad Harms. He summarized Lieutenant Harms background and experience and administered the oath of office. Lieutenant thanked the Board for the opportunity to serve the District. The Board and General Manager Brown congratulated Lieutenant Harms.

Consent Calendar [TS 1:40:04]

- Motion by President Hacaj, seconded by Vice-President Nottoli, to adopt Consent Calendar Items 1-5, carried unanimously (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj.

1. **Special Meeting of June 29, Regular Minutes of July 8, 2021, and Special Meeting of August 5.**

Action: Approved meeting minutes.

2. **June 2021 Financial Reports.**

Action: Received and accepted the Financial Reports.

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KPPCSD Meeting Minutes
August 12, 2021
Page 3 of 6

3. Senior Accountant Job Classification & Salary Schedule.

Action: Adopted Resolution No. 2021-15 – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Approving the Senior Accountant Classification and Salary Schedule.

4. Finance Director Job Classification & Salary Schedule.

Action: Adopted Resolution No. 2021-16 – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Approving the Finance Director Classification and Salary Schedule.

5. Establish CalPERS 457 Retirement Plan.

Action: Adopted Resolution No. 2021-14 – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Approving Adoption of CalPERS 457 Plan.

Discussion and Action

6. New Interim General Manager Contract. [\[TS 1:41:30\]](#)

General Counsel Ann Danforth presented the recommended action to retain Mr. Richard (“Rick”) L. Benson as Interim General Manager due to the departure of General Manager Marti Brown. The proposed terms are as follows: Salary \$105/per hour – no other benefits, no severance clause; Term 8/23/21 – 2/25/22; On-site 2 times per month for no less than two days; Time-off—three-week vacation planned in November; and Employment is “at-will” and may be terminated by the Board with or without cause.

Next, General Manager Brown recommended Ann Danforth to serve as Acting General Manager from August 14-22, 2021 since Mr. Benson’s start date is August 23. Ms. Danforth recused herself from the discussion on this recommendation. President Hacaj read the provisions for adding an urgency item to the agenda since this recommendation was not listed on the agenda.

- Motion by President Hacaj, seconded by Director Logan, to add to the agenda the appointment of General Counsel Ann Danforth as Acting General Manager, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.
- Addressing the Board was A. Stevens Delk who commented on the dates shown on the Interim General Manager contract.
- Motion by President Hacaj, seconded by Director Sherris-Watt, that the KPPCSD Board appoint Richard J. Benson as Interim General Manager with the terms outlined effective

DS SH DS RJB DS LML

KPPCSD Meeting Minutes

August 12, 2021

Page 4 of 6

August 23, carried unanimously (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

- Motion by President Hacaj, seconded by Director Sherris-Watt, that in the period following the departure of General Manager Marti Brown at 5:00 p.m. on August 13 until the onboarding of the new Interim General Manager Richard Benson on Monday, August 23 that General Counsel Ann Danforth serve as Acting General Manager, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

7. Amend Bay View Refuse Agreement – Organic Waste Recycling (SB 1383). [[TS 1:59:01](#)]

General Manager Marti Brown presented the recommended action to appoint the Interim General Manager as the lead negotiator to start negotiations and amend the existing contract with Bay View Refuse to include organic waste recycling per state Senate Bill 1383.

- Addressing the Board was A. Stevens Delk who commented on Kensington’s current efforts keep organic wastes from the landfill.

Following discussion, the Board requested that the Interim General Manager return to the Board to discuss parameters for negotiation.

- Motion by President Hacaj, seconded by Director Logan, that Board appoint the Interim General Manager Richard Benson to be the lead negotiator and begin negotiations to amend the existing contract with Bay View Refuse to include organic waste recycling as its defined by State Senate Bill 1383, carried unanimously (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

8. Board Director Attendance at CSDA’s Special District Leadership Academy. [[TS 2:22:49](#)]

Board President Sylvia Hacaj presented the recommended action to approve budget authority of the not-to-exceed amount of \$7,500 for the Board Directors to attend the CSDA’s Special District Leadership Academy scheduled for September 26-29, 2021.

- Motion by President Hacaj, seconded by Director Sherris-Watt, to approve budget authority of not to exceed \$7,500 for Board of Directors who wish to attend the CSDA Special District Leadership Academy which will take place at the end of September 2021, carried unanimously (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

9. Mask and Covid Vaccination Rules. [[TS 2:27:39](#)]

Director Deppe introduced the recommended action to adopt mask requirements and the proposed COVID vaccination rules for all KPPCSD and KPD employees. Board members discussed verification of medical and religious exceptions, who will pay costs for weekly testing of unvaccinated persons with religious or medical exemptions, whether there will be paid time for testing, and public notification of employee vaccination status. Following discussion, the Board

DS SH DS RJB DS LML

KPPCSD Meeting Minutes

August 12, 2021

Page 5 of 6

agreed in principle that all employees will be vaccinated with slightly modified language around medical and religious exemptions. District staff will return to the Board with the revised rules.

- Motion by Director Deppe to adopt the proposal as written and there will be an additional exception for persons who are able to provide a documented medical reason for their inability to be vaccinated, and that an employee who is not vaccinated must be tested weekly and this District will cover uncompensated costs. Director Sherris-Watt made a friendly amendment to add that that full vaccination is considered two weeks after one dose of the Johnson & Johnson vaccination or two weeks after the second dose of the Pfizer or Moderna vaccine. Director Deppe accepted the friendly amendment to the motion. Director Sherris-Watt seconded the amended motion, and the motion carried unanimously (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

Director Comments & Reports

1. Director Comments. [TS 3:05:35]

- Director Deppe thanked General Manager Marti Brown for the progress she made at the District and wished her success in her new position.
- Vice-President Nottoli commended General Manager Brown on her accomplishments in her tenure at the District, wished her well at the City of Willows, and expressed appreciation for her efforts.
- Director Sherris-Watt thanked General Manager Brown and said the City of Willows is lucky to have to her.
- Director Logan thanked Ms. Brown for her work at the District.
- President Hacaj thanked General Manager Brown for the progress she made during her tenure, especially for the substantial improvements at Kensington Park. She said the Board looked forward to working with the new Interim General Manager and future General Manager to continue the progress that has been started. In concluding, President Hacaj reported that Megan Burnham has been appointed as the new principal at Kensington Hilltop Elementary School.

2. General Manager Comments. [TS 3:07:49]

General Manager Brown thanked the Board for the opportunity to serve the them and the residents of Kensington.

Adjournment [TS 3:09:23]

President Hacaj announced that the next Regular Meeting is scheduled for September 9, 2021.

President Hacaj adjourned the meeting at 8:39 p.m.

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KPPCSD Meeting Minutes

August 12, 2021

Page 6 of 6

SUBMITTED BY:

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Lynelle M. Lewis

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: September 9, 2021

DocuSigned by:

Richard J. Benson

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Richard J. Benson, Interim General Manager

DocuSigned by:

Sylvia Hacaj

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Sylvia Hacaj, President of the Board

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