

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, January 13, 2022

Via Teleconference

Special Closed Session Meeting

Call to Order [TS 3:36]

President Hacaj called the meeting to order at 6:03 p.m.

Roll Call [TS 3:48]

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

Staff present included Interim General Manager Richard J. Benson, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Public Comment [TS 4:06]

None.

1. Teleconference Meetings During State of Emergency [TS 4:34]

President Hacaj presented the recommended action for adopting the resolution to continue to meet by teleconference.

- Motion by President Hacaj, seconded by Director Sherris-Watt, to adopt the resolution determining that current circumstances continue to warrant holding meetings by Zoom, carried (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; (ABSENT) Director Logan.

Resolution No. 2022-01 – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.

Adjournment to Closed Session [TS 5:32]

The Board adjourned to Closed Session to consider three items: Conference with Real Property Negotiators, recruitment of a permanent General Manager, and Conference with Labor Negotiators.

Regular Meeting

Call to Order [TS 1:12:28]

President Hacaj called the meeting to order at 7:11 p.m.

KPPCSD Meeting Minutes
January 13, 2022
Page 2 of 4

Announcement from Closed Session [[TS 1:12:42](#)]

President Hacaj announced that the Board gave direction to its labor negotiator and the Board would return to closed session at the conclusion of its regular meeting.

Roll Call [[TS 1:12:56](#)]

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

Staff present included Interim General Manager Richard J. Benson, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Public & Consent Calendar Comments [[TS 1:14:47](#)]

- The following persons addressed the Board: 1) Lynn Wolter urged the Board to reinsitute the practice of providing routine monthly financial reports, and asked about police staffing numbers; and 2) A. Stevens Delk commented that the Policies & Procedures Manual page numbers need to be reformatted.

Consent Calendar [[TS 1:18:21](#)]

- Motion by President Hacaj, seconded by Director Sherris-Watt, to adopt Items 1-3 on the Consent Calendar, carried unanimously (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; (ABSENT) Director Logan.
1. **Meeting Minutes for December 9, 2021 Special and Regular Meetings and January 3, 2022 Special Meeting.**

Approved meeting minutes as presented.
 2. **November 2021 Financial Reports.**

Received and accepted financial reports.
 3. **Contract with DMG Engineering for Survey Services.**

Approved contracting with DMG Engineering to conduct a survey of District owned property in an amount not to exceed \$19,000 and authorize Interim Manager to sign a letter of engagement.

Discussion and Action

4. **Review of Proposed Gore Lot (Kensington Corner) Improvement Project.** [[TS 1:19:17](#)]

Interim General Manager Richard J. Benson presented the recommended action to approve the conceptual proposal from the Kensington Improvement Committee (KIC) to improve the

DS SH DS RJB DS LML

KPPCSD Meeting Minutes

January 13, 2022

Page 3 of 4

landscaping on the Gore Lot located at the intersection of Coventry Road and Arlington Avenue. The project would be at no cost to the District.

KIC representatives Sarah Gough and Lisa Coronna presented the organization's proposed landscape plan. Board members provided input on the proposal (i.e. more Board discussion, additional community outreach, liability issues, irrigation, timing, and the handrails on stairs).

- The following person addressed the Board: 1) Steven Simirin asked about the pedestrian walkway.
- Motion by President Hacaj, seconded by Director Nottoli, that we in principle approve in concept the proposal from the Kensington Improvement Committee to improve the landscape on the lot at the corner of Coventry Road and Arlington Avenue and this does not change the lot other than providing some enhancements, carried (3-1-1) by the following roll call vote: (AYES) Directors Nottoli, Sherris-Watt and Hacaj; (NOES) Director Deppe; and (ABSENT) Vice-President Logan.

5. Amendment #2 to Bay View Refuse Agreement. [TS 1:56:31]

Interim General Manager Richard J. Benson presented the recommended action to approve the second amendment to the Franchise Agreement with Bay View Refuse and Recycling Services which would address participation by commercial customers to comply with SB1383.

- The following person addressed the Board: 1) A. Stevens Delk thanked the District for amending the agreement to insure that restaurants will not have to pay extra for organic waste, and she asked about container sizes and pick up frequency.
- Motion by Director Sherris-Watt, seconded by President Hacaj, that we approve the amendment to the franchise agreement for solid waste, recyclable materials, and organic materials collection services between KPPCSD and Bay View Refuse and Recycling services, with the one change to the last sentence of page one to say 32 gallons instead of 35, carried (4-0-1) by the following roll call vote: (AYES) Directors Deppe, Nottoli, Sherris-Watt and Hacaj; (NOES) None; and (ABSENT) Director Logan.

Director Comments & Reports

6. Director Comments. [TS 2:07:37]

- Director Nottoli commented on conversations from Nextdoor about Kensington residents being charged higher sales tax for online and car purchases based on its zip code. The zip code, even if changed online, is often charged the Berkeley or Albany tax rate which is about two percent higher than the Kensington rate of 8.75%. Director Nottoli noted the significance is that money is going to Alameda County that should go to Contra Costa County, and the District's funds come from Contra Costa County. She reported bringing this to Supervisor John Gioia's attention, and he is looking into the matter so that online orders and car purchases when you live in Kensington will be charged the 8.75% tax rate instead of the 10.25% rate of Berkeley or the 10.75% rate in Albany.

DS SH DS RJB DS LML

KPPCSD Meeting Minutes

January 13, 2022

Page 4 of 4

- Director Sherris-Watt commented that if residents are looking for at-home COVID tests, they may be available through Supervisor John Gioia's office.

7. **General Manager Comments.** [\[TS 2:09:49\]](#)

- Interim General Manager Benson reported that the project to fix the stairs between the school and the park is underway and should be completed soon. He also reported that current police staffing includes 6 officers and 1 reserve officer.

Adjournment to Closed Session [\[TS 2:11:08\]](#)

The Board adjourned to Closed Session to continue its discussion at 8:11 p.m.

Announcement from Closed Session [\[TS 2:37:23\]](#)

President Hacaj announced that the Board adjourned the Closed Session Meeting at 8:34 p.m. She reported that the Board gave direction to its lead negotiator on real estate matters.

Adjournment [\[TS 2:37:36\]](#)

President Hacaj adjourned the meeting at 8:36 p.m.

The next regular meeting is scheduled for Thursday, February 10, 2022.

SUBMITTED BY:

DocuSigned by:
Lynelle M. Lewis

8483B78934AA4FC...

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 10, 2022

DocuSigned by:
Richard J. Benson

47AE4F1BD94E4AC...

Richard J. Benson, Interim General Manager

DocuSigned by:

Sylvia Hacaj

8C1CC334B1904A4...

Sylvia Hacaj, President of the Board