



# Agenda

Board of Directors  
Kensington Police Protection  
and Community Service District  
**Regular Meeting**  
**Thursday, November 10, 2022**  
Via Teleconference

[www.kppcsd.org/2022-11-10-kppcsd-board-meeting](http://www.kppcsd.org/2022-11-10-kppcsd-board-meeting)

The page at the URL above will have instructions on how to join the online meetings.

*On September 16, 2021, the Governor signed into law AB 361. AB 361 added Section 54953(e) to the California Open Meetings Act, California Government Code 54950 et seq. (“The Brown Act”). Section 54953(e) allows District’s legislative body, the Board of Directors, to hold meetings by teleconferences during a proclaimed state of emergency subject to the Board making findings specified in Section 54953(e)(2). The Board may continue to hold teleconferenced meetings during the state of emergency so long as at least every 30 days, the Board reconsiders the state of emergency to determine if remote meetings are warranted under Section 54953(e)(3). When holding teleconferenced meetings, the Board must comply with the notice, access, public comment and other procedure requirements of Section 54953(e)(2).*

## **NOTICE:**

On Monday, November 21, Professional Tree Care will begin removing 22 diseased Monterey pine trees below Highland Boulevard and behind Hilltop and above the Community Center as well as ten diseased or dead trees near Windsor and an oak on the hillside below the walkway to Building E and above the restroom. This work was approved by the Board of Directors on October 13.

**Special Meeting (Closed Session) – 6:00 p.m.**

### **Call to Order**

### **Roll Call**

### **Special Meeting Agenda Item Public Comments**

*Individuals wishing to address the Board of Directors concerning any Special Meeting agenda items on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When the Board President calls on you, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. Please address your comments to the President and Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail it to the Clerk of the Board at 10940 San Pablo Avenue, Building B, El Cerrito, CA 94530 or email to [llewis@kppcsd.org](mailto:llewis@kppcsd.org).*

**1. Teleconference Meetings During State of Emergency**

Recommended Action: Adopt Resolution No. 2022-27 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.

Contact: Ann Danforth, General Counsel, [adanforth8@outlook.com](mailto:adanforth8@outlook.com)

**2. Appoint Real Property Negotiator**

Recommended Action: Appoint Interim General Manager Tony Constantouros to negotiate for the sale or lease of the northern portion of parking lot on the east side of Arlington Avenue between Arlmont Drive and Kensington Road.

Contact: Ann Danforth, General Counsel, [adanforth8@outlook.com](mailto:adanforth8@outlook.com)

**Adjourn to Closed Session**

**1. CONFERENCE WITH LEGAL COUNSEL--ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54956.9: 1 case

**2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS**

Property: Northern portion of parking lot on the east side of Arlington Avenue between Arlmont Drive and Kensington Road.

Agency Negotiator: Interim General Manager Tony Constantouros

Negotiating parties: Arlington Community Church

Under negotiation: price and terms of payment

**Regular Meeting - 7:00 p.m.**

**Call to Order**

**Announcement from Closed Session**

**Roll Call**

**Public & Consent Calendar Comments**

*All matters on the Consent Calendar are considered routine and are approved by one motion and vote, unless Board Member or General Manager first requests that a matter be removed for separate discussion and action. Individuals wishing to address the Board of Directors concerning Consent Calendar items or on matters not already on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When the Board President calls on you, you will be unmuted and can address the Board of Directors. Please state your name clearly for the audio recording. Please address your comments to the President and Board of Directors, and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail to the Clerk of the Board at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530), or email it to [llewis@kppcsd.org](mailto:llewis@kppcsd.org).*

## **Consent Calendar**

### **1. Meeting Minutes for October 13, 2022**

Recommended Action: Approve meeting minutes.

Contact: Lynelle Lewis, District Clerk, [llewis@kppcsd.org](mailto:llewis@kppcsd.org)

### **2. Financial Reports**

Recommended Action: Receive and accept financial reports.

Contact: Lisa Mundis, Finance Director, [lmundis@kppcsd.org](mailto:lmundis@kppcsd.org)

## **Discussion and Action**

### **3. Protocols for In-person and/or Hybrid Meetings**

Recommended Action: Review the recommended suggestions for running in-person or hybrid meetings that provide safety and security for staff, Board Directors and Kensington residents. Consider adopting protocols and requirements for all attendees.

Contact: Tony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

### **4. Recommendations for Kensington Park Improvements**

Recommended Action: Review, discuss, amend (as necessary) and approve the attached improvements to Kensington Park. Rank the improvements with a priority of A, B, or C to address as resources permit.

Contact: Directors Eileen Nottoli ([enottoli@kppcsd.org](mailto:enottoli@kppcsd.org)) and Rachelle Sherris-Watt ([rsherriswatt@kppcsd.org](mailto:rsherriswatt@kppcsd.org))

### **5. Possible Location of District Offices**

Recommended Action: Approve negotiations with property owners to purchase or lease properties for the location of District Police Department and Administrative Offices and appoint the Interim General Manager, as real estate negotiator for the following properties:

- Temporary location of Kensington Fire Department at the UUCB parking lot at the end of Craft Avenue
- Lot at the corner of Santa Fe and Oak View Ave. (Possible Address 151 Oakview Ave., Kensington)
- Property South of the Library that is owned by the District as part of the park
- 385 Colusa Ave (formerly Narsai's Restaurant)
- Lot behind St. Jerome's Church. St. Jerome's address is 305 Carmel Ave., El Cerrito
- Lot located on Colusa Ave between Carmel Ave. and San Carlos Ave., El Cerrito
- 401 Colusa Ave.

Contact: Anthony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

### **6. Community Facility District**

Recommended Action: Explore the possibility of forming a Community Facility District with the 2023/24 budget process.

Contact: Anthony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

**7. General Counsel Rate Increase**

Recommended Action: Authorize the General Manager to execute an amendment to the Contract for legal services with the Renne Public Law Group increasing the hourly rate for the General Counsel by \$25/hour to \$250/hour effective January 1, 2023.

Contact: Anthony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

**8. KCC Contract**

Recommended Action: Discuss status and extension of the contract.

Contact: Anthony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

**Comments & Reports**

**9. Director Comments.**

**10. General Manager's Report.**

**11. Board Correspondence.**

- KCC Recreation Office Report

**Adjournment**

The next regular meeting is scheduled for December 8, 2022.

**General Information**

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Service District, **10940 San Pablo Ave., Building B, El Cerrito, CA 94530.**
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at [llewis@kppcsd.org](mailto:llewis@kppcsd.org).

**Posted Agenda**

Public Safety Building – Colusa Food – Arlington Kiosk and at [www.kppcsd.org](http://www.kppcsd.org). Complete agenda packets are available at the Kensington Police Protection & Community Service District, **10940 San Pablo Ave., Building B, El Cerrito, CA 94530.**

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Service District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the **District offices, 10940 San Pablo Ave., Building B, El Cerrito, CA 94530** at the same time that those records are distributed or made available to a majority of the Board.