

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING MINUTES

Wednesday, November 30, 2022

Special Meeting – 7:00 p.m.

Via Teleconference

#### Call to Order [TS 5:07]

President Sylvia Hacaj called the special meeting to order at 7:26 p.m. President Hacaj apologized for the delay in starting the meeting citing technical difficulties resulting from a power outage.

#### Roll Call [TS 5:37]

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

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

#### Discussion and Action

##### 1. **Removal of Dead and Diseased Trees in Kensington Park** [TS 8:05]

Director Nottoli presented background information on the tree removal proposal and the rationale for the project. Director Sherris-Watt presented concerns about mitigating the District's liability issues before the winter storms. Interim General Manager Anthony Constantouros introduced the recommended actions and noted that the full arborist's reports are on the KPPCSD website. Arborists Thomas Dodge (Arbor Culture Consulting), Judith Thomas (Bay Area Plant Consultants), and Sean Murgatroyd (Save A Tree), and Craig Hancock (Professional Tree Company) summarized their assessments of the trees.

Board members asked questions of the arborists related to specific tree removal, treatment triage plans, costs, risk assessments, tree preservation, possible erosion issues, replanting plans, and trees located on school property.

- Addressing the Board were the following persons: 1) Bryan Uhlenbrook commented that Davey Tree Company disagreed with the arborist's tree removal proposal; 2) Catherine de Neergaard disagreed with the arborists reports as presented; 3) Cassandra Duggan, KPPCSD board member elect, disagreed with the arborist's findings, suggested listening to the community, having another expert to weigh in, and expressed concern about slides on the hillside; 4) Andrew Reed suggested saving this discussion for the newly elected Board, expressed appreciation for the reports, said the Board shouldn't do staff work, and urged the future Board to establish a replanting plan; 5) Carrick Roger suggested developing a replanting plan before removing trees and urged holding off on the project; 6) Sophie Boroditsky commented that it is time to accept that some trees are at the end of their life and the District should develop a process that is safe for the community; 7) Mabry Benson commented that the trees are a danger to kids and property, and we should be concerned about the safety and liability to the District; 8) Shoshana Wechsler

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allf

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TC

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suggested more time for independent weigh in and suggested having a replanting plan in place before doing any tree removal; 9) Moss Hahn commented that more experts are needed, suggested preparing a landscaping plan before doing any cutting, and suggested other treatment options for fungus and beetles; 10) Steve (wife spoke) commented that we need more time, more experts, and more community involvement; 11) Douglas Bevington commented that the process has been rushed and more analysis should be considered; 12) Stephanie Oxley commented on concerns about the tree removal's risk to climate change, and suggested using arborists that have no conflict of interest; 13) Meryl Natchez commented that a stewardship plan should be part of the plan for the park, suggested using an independent arborist, and urged the Board to listen to the community; 14) Andrew Gutierrez commented that trees can be hazardous to the community and offered help to get information from U.C. Berkeley; 15) Andrea Gordon commented that the process is rushed and suggested having a new to move forward; 16) Ciara expressed concern about plans to move ahead and urged community input; 17) Sylvia Elsbury commented that rather than removing the large oak tree, efforts should be made to shore it up and said that removing 33 trees is too much; 18) Ted Blanckenburg commented there is no need to rush, a replanting plan is needed, and the project should wait until the new Board is seated; 19) Vida Dorroh commented that we should take our time, listen to the community, and let the experts decide on which tree should come down; 20) Lynn Wolter commented that the process appears to be backwards and asked for an estimate for removing the trees; and 21) Yan commented that the process is rushed and there should be more time for community engagement.

Arborists Thomas Dodge and Judith Thomas responded to the public comments related to tree risk assessment, tree safety issues, and the tree replacement plan. Board members also commented on liability issues, possible risk impacts to insurance, boundaries of the KPPCSD and West County School District, tree safety, and adjusting the plan.

- Motion by Director Nottoli, seconded by Director Deppe, to direct General Manager Tony Constantouros to negotiate with the Professional to modify the September 28, 2022 proposal for professional tree care as follows: Include Items 1, 3, 4, 5 and 6; remove Items 7, 8, 9, and 10; include Items 11, 12, 13, 14, and 15; modify Item 16 for pruning of the live oak; include Items 17 and 18; and exclude Items 1 and 2, carried (4-1) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt; (NOES) Hacaj; and (ABSENT) None.

2. **Update on KCC Contract.** [[TS 2:38:38](#)]

Item 2 was pulled from the agenda.

**Adjournment** [[TS 2:39:11](#)]

President Hacaj adjourned the meeting at 10:01 p.m.

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

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SUBMITTED BY:

DocuSigned by:

*Lynelle M. Lewis*

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: January 12, 2023

DocuSigned by:

*Tony Constantouros*

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Tony Constantouros, Interim General Manager

DocuSigned by:

*Alexandra Aquino-Fike*

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Alexandria Aquino-Fike, President of the Board

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*TC*

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*LML*