

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT**  
**BOARD OF DIRECTORS MEETING MINUTES**

**Location:** Arlington Community Church, 52 Arlington

**April 11, 2019**

President Nottoli opened the meeting at 6:32. Directors Deppe, Hacaj, and Sherris-Watt were present and Director Modavi joined shortly thereafter. Linda Lipscomb asked that the Board consider mediation to resolve the matter with Officer Foley. The Board then went into closed session.

President Nottoli opened the regular meeting at 7:32. Directors Deppe, Hacaj, Modavi and Sherris-Watt were present. General Manager Tony Constantouros, Interim Chief of Police Rickey Hull, and General Counsel Ann Danforth were also present. President Nottoli reported that the Board gave direction to counsel on both matters during closed session.

Public Comments. Linda Lipscomb urged the Board to improve the current police department instead of going forward with a Request for Proposal (RFP). Mabry Benson urged the Board to work with the Fire Department to replace the Public Safety Building and set a time line. Johanna Ferman spoke on the need for improvements to the police department. Andrew Gutierrez reminded the Board on the twenty years of problems with the police. Meryl Rafferty asked the Board not to go forward with an RFP and warned about escalating costs.

General Manager Report. General Manager Tony Constantouros reported that the CLETS investigation was nearly complete, the financial audit would be presented to the Finance Committee on May 2 and had taken longer than usual because of the GASB requirements for retiree health benefits, the draft Policy and Procedure manual would be presented on April 25, and the draft budget would be presented in May.

Interim Chief of Police Report. Chief Rickey Hull reported that he met with El Cerrito Emergency Services on an emergency drill for both Kensington and El Cerrito planned for the fall. He noted that there will be a meeting with Sonoma and Butte fire departments on October 3. He then swore in new Officer Tamiko Fodor and reported that there are five more candidates in background.

Board Comments. Director Modavi said he will have elucidating comments on police data for the next meeting. President Nottoli said that the next Finance Committee meeting will be on May 2.

Community Center Renovations. General Manager Constantouros reported that the Board at its March 28 meeting had approved Eagle Builders which was the lowest responsive bidder at \$1,481, 200 for the base bid and that with Bid Alternates 1 (new floor in Main Room), 2 (new floor in Meeting Room 3), 3 (new partial-height-cabinet on west wall of Main Room), 4 (integrate existing AV into new cabinet on west wall of Main Room) and 8 (new acoustical ceiling tile) for a total of \$1,594,200. He recommended that the Board move to award the

contract and chosen bid alternates and authorize the General Manager to sign a contract subject to approval of the contract by the General Counsel. Gail Feldman asked about the qualifications of Eagle Builders. Vice-President Hacaj replied that the District was obligated to accept the lowest responsive bidder as determined by the architect. She also noted that the Board is obligated to accept the Eagle Builders contract because it is the lowest responsive bid as determined by the architect and Board counsel. One person asked what standard the seismic improvement will meet and Director Sherris-Watt replied that it would be built to life safety. Karl Kruger asked who would supervise the project and the cost for that oversight. Vice-President Hacaj replied said that Farhat Doud would come by daily as part of the contract with the architect.

*Motion to Authorize GM to Enter into the Base Contract plus Chosen Alternatives with Eagle Builders.* President Nottoli moved that the Board authorize the General Manager to enter into the contract with Eagle Building for the base contract and identified bid alternatives on page 5 of the Glass letter. Director Deppe seconded the motion. Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor to the motion and Director Modavi voted present. The motion passed 4-0.

General Manager Constantouros reported that the bidding on the main renovations did not include the asbestos abatement in the roof and skim-coat. Eco-Bay Services was the low bidder for this work at \$25,000. Eco-Bay was also the low bidder for the additional asbestos abatement removal of mastic under the floor of the Main Room and hallway for an additional \$8,500 which is a total of \$33,500 for the abatement work. Vice-President Hacaj noted that the monies for this work would be taken from franchise fees. Mabry Benson asked about the bids for the meeting rooms before voting on abatement and Vice-President Hacaj said that they did not require abatement.

*Motion to Authorize GM to Enter into Contract for Abatement.* President Nottoli moved to authorize our General Manager to enter into the contract with Eco-Services for the abatement work, and Director Deppe seconded the motion. Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted in favor of the motion and Director Modavi voted present. The motion passed 4-0.

Vice-President Hacaj reported that while the flooring in the Main Room and Meeting Room 3 would be replaced, there had been no proposal to replace the flooring in Meeting Rooms 1 and 2. This would be result in a mishmash of flooring. In addition, Meeting Room 1 had a crack in the slab across the floor similar to the one in Meeting Room 3 which needs to be repaired. She proposed that the floorings in these rooms be replaced now instead of sometime in the future when it would likely be more costly. She further explained that we do not have an estimate as yet to replace the flooring in Meeting Rooms 1 and 2 but it should be comparable to the bid of a \$13,500 for Meeting Room 1 for a total of \$27,000. In addition, the architect had been concerned that there may not have been a bid to replace the crack in slab for Meeting Room 1 and estimated the cost to be \$5,000 to \$8,000. Vice-President Hacaj proposed changing the base contract to include the work to replace the flooring in Meeting Rooms 1 and 2 assuming

\$13,500 per room, repair the cracks in both Meeting Rooms 1 and 3 for an estimated \$8,000, and add a cushion of \$5,000 for a cost not to exceed \$40,000. President Nottoli suggested an additional cushion of \$5,000 due to the uncertainty of costs to repair the crack for a cost not to exceed \$45,000.

Celia Concus asked to have the meeting rooms that would have new flooring identified. Vice-President Hacaj clarified the bid amounts in response to questions from Ellen Vaughan and Lynn Wolter. Gail Feldman noted that some of the bid alternates were in addition to the seismic upgrades and raised concerns financing some options that are beyond safety, some of which are for specific groups. Vice-President Hacaj replied that the alternates that were chosen were chosen prudently balancing functionality with fiscal prudence. Karl Kruger concurred that he had said do the project correctly but expressed concern that it might exceed the amount of the requested loan. Anthony Knight asked about the source of funding for the renovations and Vice-President Hacaj explained the accounting and the entities funding the renovations.

*Motion to Amend Base Contract to Address Flooring in Meeting Rooms 1 and 2 and Repair Meetings Rooms 1 and 3:* Director Sherris-Watt moved to amend the base contract to include the flooring in Meeting Rooms 1 and 2 and repair the crack in the slabs of Meeting Rooms 1 and 3 at a cost not to exceed \$45,000; Vice-President Hacaj seconded the motion. Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor of the motion and Director Modavi voted present. The motion passed 4-0.

President Nottoli moved to adjourn the meeting; Director Deppe seconded the motion. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt voted in favor and the motion passed 5-0.

Prepared by: Eileen Nottoli

Date approved by the Board: May 23, 2019

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Tony Constantouros, General Manager

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Eileen Nottoli, Board President