

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, March 10, 2022

Via Teleconference

Draft

Special Closed Session Meeting

Call to Order [TS 5:39]

President Sylvia Hacaj called the meeting to order at 6:02 p.m.

Roll Call [TS 5:49]

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

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

Public Comment [TS 6:12]

None.

1. **Teleconference Meetings During State of Emergency** [TS 6:33]

- Motion by President Hacaj, seconded by Director Deppe, to adopt the resolution determining that current circumstances continue to warrant holding meetings by teleconference, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

Resolution No. 2022-03 – 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 15:03]

The Board adjourned to Closed Session at 6:13 p.m. to consider two items.

Regular Meeting

Call to Order [TS 1:18:49]

President Hacaj called the meeting to order at 7:15 p.m.

Roll Call [[TS 1:19:02](#)]

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

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

Announcement from Closed Session [[TS 1:19:20](#)]

President Hacaj announced that the Board gave direction to its lead negotiator on the issue of the Memorandum of Agreement for the police contract.

Public & Consent Calendar Comments [[TS 1:10:41](#)]

- The following persons addressed the Board: 1) Catherine DeNeergaard expressed concerns about the lack of police patrols, response to the community, and about partnering with organizations managing coyotes; and 2) A. Stevens Delk asked about new lids for trash containers in Kensington park.

Consent Calendar [[TS 1:24:26](#)]

- Motion by Director Sherris-Watt, seconded by Vice-President Logan, to approve Items 1 and 2 on the Consent Calendar, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

1. Meeting Minutes for the Special and Regular Meetings of February 10, 2022.

Approved the meeting minutes.

2. January 2022 & Revised December 2021 Financial Reports.

Received and accepted the financial reports.

3. Contract with FJ&I Engineering for Storm Drain Repairs.

Item 3 was pulled for discussion. Interim General Manager Benson summarized the recommended action to approve contracting with FJ&I Engineering to repair the storm drain at 92 Highland Blvd. in an amount not to exceed \$21,000.

- Motion by President Hacaj, seconded by Director Deppe, directing the Interim General Manager to request in writing the surveyor's opinion on where the drain lies, and if it is affirmed that the drain is on KPPCSD property, authorize the General Manager to negotiate and execute a contract with FJ&I Engineering to repair the storm drain at 92 Highland Blvd., carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

Discussion and Action

4. Elsie Neilson Park [[TS 1:40:14](#)]

Director Sherris-Watt presented background on the recommended action to name the corner lot at Arlington Avenue and Coventry Road, Elsie Neilson Park in recognition of her gift of this land to the citizens of Kensington as a park. This lot has occasionally been referred to as the “Gore” Lot or Kensington Corner.

- Addressing the Board were the following persons: 1) Lisa Caronna suggested having a plaque in the park recognizing the donation of Mrs. Neilson’s gift; 2) Linnea Due pointed out the misspelling of “Neilson” on the agenda (should be “ei” not “ie”); and 3) Linda Lipscomb suggested having a plaque for Mrs. Neilson that directs people to the location.
- Motion by Director Sherris-Watt, seconded by Director Nottoli, to name the donated property listed in the Grant Deed on the corner of Arlington Avenue and Coventry Road as Elsie Neilson Park and that we budget up to \$1,000 for signage, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

5. Update on Rollout of New Waste Collection Procedures [[TS 1:56:06](#)]

Interim General Manager Richard Benson provided an update on the rollout of new waste collection procedures noting that it had been successful. Bayview Refuse & Recycling President Greg Christie commented on the changeover process and provided updates on future composting and hazardous waste recycling plans.

- Addressing the Board were the following persons: 1) Danielle Madugo asked about hazardous waste drop off; 2) Linda Lipscomb applauded Bayview on their process for green waste removal; 3) Linnea Due asked about costs for hazardous waste disposal; 4) Gail Feldman asked about Bayview’s collection of plastic bags; 5) David Spath thanked Bayview for the excellent roll out and asked about hazardous waste collection fees; and; 6) Shelly Simirin commented on the Berkeley Recycling Center’s hazardous waste collection.

6. Ordinance Mandating Organic Waste Disposal Reduction [[TS 2:19:56](#)]

Interim General Manager Benson introduced the recommended action to adopt a motion to read by title only and waive further reading and to introduce Ordinance No. 2022-01 An Ordinance of the Board of Directors of the Kensington Police Protection and Community Services District Mandating Organic Waste Disposal Reduction.

- Addressing the Board were the following persons: 1) Gail Feldman commented on KPPCSD’s ability for enforcement and suggested additional review; and 2) Elaine Stelton commented that the inspection and enforcement provisions are an invasion of privacy and questioned how it will be enforced.

General Counsel Ann Danforth reviewed the procedure which governs enactment of an ordinance by a governing body.

- Motion by President Hacaj, seconded by Vice-President Logan, to adopt a motion to read by title only and waive further reading of Ordinance No. 2022-01 An Ordinance by the Board of Directors of the Kensington Police Protection and Community Services District Mandating Organic Waste Disposal Reduction, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.
- Motion by President Hacaj, seconded by Director Sherris-Watt, to introduce by title Ordinance No. 2022-01 An Ordinance by the Board of Directors of the Kensington Police Protection and Community Services District Mandating Organic Waste Disposal Reduction and propose to adopt and pass this first reading, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

7. Temporary Relocation of District Offices [[TS 2:41:27](#)]

Interim General Manager Benson presented the recommended actions to approve entering into negotiations with the City of El Cerrito to lease property for temporary relocation of District offices, and to appoint Interim General Manager Richard J. Benson as real estate negotiator for the property located at 10900 San Pablo Ave., El Cerrito, California. He noted that this is only a temporary move. There was Board discussion and questions were raised about the timeline and costs to make the building suitable for the staff and the Police Department.

- Addressing the Board were the following persons: 1) Linda Lipscomb commented that the negotiations should clarify that there will be independence between the functions of the KPPCSD and the El Cerrito Police Department; 2) Kensington Fire Protection District (KFPD) General Manager Bill Hansel provided an update on their schedule for temporary relocation and renovation of Public Safety Building (PSB), and on the proposal of financial assistance until KPPCSD finds a permanent location; 3) Jim Watt commented on the location's impact on response times and future costs for a permanent location; 4) Paul Dorrah summarized comments submitted to the Board by Vita Dorrah regarding squeezing out the KPPCSD from the PSB, spending community money on a Fire Department only building, displacement of the recreation department, and investigating an alternative site in the park adjacent to the library.
- Motion by President Hacaj, seconded by Vice-President Logan, to approve entering into negotiations with the City of El Cerrito to lease property for the temporary location of the District staff and Police Department offices, and to appoint Interim General Manager Richard Benson as the real estate negotiator for the property located at 10900 San Pablo Avenue in El Cerrito, California, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

The Board took a five-minute break. [[TS 3:13:32](#)]

8. Housing for the KPPCSD [[TS 3:21:08](#)]

Directors Deppe and Sherris-Watt presented an overview of several sites under consideration for relocating the District's facilities which include: commercial property, East Bay Municipal

Utility District property, private residences, Kensington Park (new construction), and Kensington Park (The Annex and Building E). They recommended we recommend pursuing relocation of the headquarters of the KASEP recreation program and classroom spaces to The Annex and moving the Kensington Police Department and the administrative offices of the KPPCSD into Building E. There was Board discussion about costs, timelines, and architectural analysis.

- Addressing the Board were the following persons: 1) Danielle Madugo commented on moving from the PSB and suggested having new locations in the park for both the KFPD and the KPPCSD; 2) Steve Simirin asked about changes to the roadways to support access for the police and about parking; 3) Gail Feldman, speaking on behalf of the Kensington Property Owners' Association, commented on their concerns around costs and impacts to the community, and suggested both boards undertake a combined financial analysis before moving forward; 4) Paul Dorroh commented that the District needs to look at whether the corner of the park land by the library is seismically sound for a new building and determine what the community wants and can afford; 5) Linda Lipscomb commented that the two boards need to think about the community's desires and move forward with greater cooperation; 6) KFPD General Manager Bill Hansell commented on reasons for not pursuing building at the park land; 6) David Spath commented that there was no public polling about building in the park and supported both boards preparing a joint financial plan; and 7) John Gaccione commented that construction costs to make the site work at the of the corner of park would be enormous.
- At 9:50 p.m. it was moved by President Hacaj and seconded by Director Sherris-Watt to extend the meeting to at least 10:30 p.m., carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

Directors responded to the questions and viewpoints of the public commenters. General Manager Benson provided an update on the feasibility of possible EBMUD locations and a private residence.

- Motion by Director Sherris-Watt, seconded by President Hacaj, to direct the General Manager to explore the possibilities of using Building E and The Annex for housing of recreation services, the police, and administrative staff, and that he take the action to hire consultants to analyze and prepare reports for the Board to make assessments, carried (5-0) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt and Hacaj; and (NOES) None.

Comments & Reports

9. Director Comments. [\[TS 4:23:36\]](#)

None.

10. General Manager Comments [\[TS 4:23:49\]](#)

None.

11. Board Correspondence [\[TS 4:24:01\]](#)

Interim General Manager Benson reported that the KCC had submitted its March report.

Adjournment [[TS 4:24:21](#)]

President Hacaj adjourned the meeting at 10:21 p.m.

The next regular meeting is scheduled for Thursday, April 14, 2022.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: April 14, 2022

Richard J. Benson, Interim General Manager

Sylvia Hacaj, President of the Board