

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING MINUTES

Thursday, March 14, 2024

Special and Regular Meeting (Hybrid)

#### Special Meeting – 6:30 p.m.

1. **Call to Order** [[TS 1:39](#)]

President David Spath called the special meeting to order at 6:33 p.m.

2. **Roll Call** [[TS 1:51](#)]

Vice-President Alexandra Aquino-Fike, Director Cassandra Duggan, Director Sarah Gough, Director Sylvia Hacaj, and President David Spath were present at roll call.

Staff present included Interim General Manager David Aranda, General Counsel Ann Siprelle (via Zoom) and Clerk of the Board Lynelle M. Lewis.

3. **Public Comment** [[TS 2:15](#)]

- Addressing the Board were the following persons: 1) Sylvia Elsbury commented that the typographical error on the agenda item regarding the Di Napoli case was misleading because the Fire District wasn't involved in the lawsuit; 2) David Bergen suggested moving the tables over so that the entire Board could be seen; and 3) Lin Due ask if the Board was able to discuss the item regarding the Di Napoli case since part of the description was incorrect.

**Adjourn to Closed Session** [[TS 12:38](#)]

The Board adjourned to the closed session meeting at 6:39 p.m.

**Announcement from Closed Session** [[TS 38:01](#)]

President Spath reported that the typographical error on the agenda was not a Brown Act violation. The case number and other relevant information provided were correct and Counsel directed the Board to go on and discuss the case Di Napoli v. Kensington Police Protection and Community Services District. He announced that Counsel gave the Board direction on the other items.

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

1. **Call to Order** [TS 37:27]

President David Spath called the regular meeting to order at 7:08 p.m.

2. **Roll Call** [TS 37:36]

Vice-President Alexandra Aquino-Fike, Director Cassandra Duggan, Director Sarah Gough, Director Sylvia Hacaj, and President David Spath were present at roll call.

Staff present included Interim General Manager David Aranda, General Counsel Ann Siprelle (via Zoom) and Clerk of the Board Lynelle M. Lewis.

3. **President's Comments** [TS 47:06]

President Spath thanked the police officers and the Police Chief for their excellent work despite the limited staff. He commented that the police continue to patrol the neighborhood and are doing due diligence with their work. He noted that recently one of our officers arrested two individuals – one who had an outstanding felony charge at 3 o'clock in the morning during his patrol. President Spath pointed out that although Kensington has had a couple serious felony incidents, the police have responded appropriately within their staffing limits. In concluding, he complimented Albany and El Cerrito police departments for the mutual aid provided with the home invasion incident.

4. **Public Comment** [TS 37:52]

- Addressing the Board were the following persons: 1) Catya de Neergaard thanked Directors Aquino-Fike and Gough for their research on relocating the police and administrative staff, and also expressed concern about the recent home invasion and overall community safety with the Police Department being so far away; 2) Julie Stein, Kensington Fire Protection District (KFPD) board member, expressed concern about the typographical error on the special meeting agenda regarding the Di Napoli case because the KFPD is not involved; and 3) Lynn Wolter expressed concern about the typographical error on the special meeting agenda regarding the Di Napoli case, increased crime in the area, and the lack of police patrols.

**Consent Calendar** [TS 50:38]

- Motion by Director Hacaj, seconded by Director Duggan, to adopt the Consent Calendar, carried (4-0-1) by roll call vote as follows: AYES (Aquino-Fike, Duggan, Hacaj, and Spath); NOES (None); ABSTAINED (Gough); and ABSENT (None).

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5. **Meeting Minutes for the special and regular meetings of February 8, 2024.**
  - Approved
6. **February bills paid and the January and February 2024 financial statements.**
  - Received

### **Discussion and Action**

7. **Approval to extend the Mobile Modular contract through August 2025.** [\[TS 51:38\]](#)

Interim General Manager Aranda presented background information and the recommended action.

- Addressing the Board was Catya de Neergaard who asked about the cost of purchasing the modular unit.
  - Motion by Director Duggan, seconded by Vice-President Aquino-Fike, to approve the Interim General Manager signing a one-year rental agreement extension with Mobile Modular to rent the modular building through August 3, 2025 at a cost of \$4,664.50 per month, carried (5-0) by roll call vote as follows: AYES (Aquino-Fike, Duggan, Gough, Hacaj, and Spath); NOES (None); ABSTAINED (None); and ABSENT (None).
8. **Discussion and approval to request from the City of El Cerrito a five-year extension, with a 90-day op out after two years, to extend the license agreement that would allow the Police Building to remain on the City's property at 10940 San Pablo Ave. in El Cerrito.** [\[TS 56:27\]](#)

Interim General Manager Aranda presented the recommended action to allow the Interim General Manager to negotiate the agreement. Board members asked questions and provided their perspectives on the recommendation (i.e. moving the modular, costs of the new project, fiscal impacts on the community, and future flexibility).

- Addressing the Board were the following persons: 1) Catya de Neergaard supported the idea of moving or buying the modular buildings and suggested looking at the Annex; 2) Elaine Stelton expressed concern about increased crime in Kensington, the need for the police to be back in Kensington, and opposed the 5-year lease; 3) Gail Feldman expressed support for negotiating with the City of El Cerrito but suggested having funding discussions with the community going forward; 5) Sylvia Elsbury commented on the El Cerrito City Manager's comments at the KFPD meeting about KPPCSD providing police services in their city.

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- Motion by Director Hacaj that the Board direct our Interim General Manager to make a request from the City of El Cerrito for an up to five-year extension to the licensing agreement with a 90-day opt out after two years that would allow the Kensington Police Protection and Community Services District to remain on the city's property at 10940 San Pablo Avenue in El Cerrito. Director Gough offered an amendment to say a no penalty opt out after 90 days. Director Hacaj accepted the amendment to indicate that it is a no penalty opt out with a 90-day notice after two years. The motion was seconded by Vice-President Aquino-Fike.

Director Duggan proposed an amendment that perhaps instead of two years it says 18 months with a no penalty for a 90-day opt out clause. Director Hacaj did not accept the amendment.

President Spath said we have a motion with an amendment that the author has agreed to and asked for a roll call vote. The motion carried (4-1) by the following roll call vote: AYES (Aquino-Fike, Gough, Hacaj and Spath); NOES (Duggan); and ABSTAINED (None); ABSENT (None).

9. **Approval of a Change in Job Description and Salary Schedule in Promoting the Accounting Clerk Position to "Senior Accountant."** [\[TS 1:20:23\]](#)

Interim General Manager Aranda presented the recommended action requesting approval to make the change in the job description along with a change in the salary schedule for the Senior Accountant position.

- Addressing the Board was Julie Stein, KFPD board member, who expressed concern about the term "paper pusher" used to describe duties.
  - Motion by Director Duggan, seconded by Director Gough, to approve the Senior Accountant job description for KPPCSD and the salary schedule for that position of \$40-\$60/hr., carried (5-0) by roll call vote as follows: AYES (Aquino-Fike, Duggan, Gough, Hacaj, and Spath); NOES (None); ABSTAINED (None); and ABSENT (None).
10. **Approval of a Letter to AT&T and the CPUC strongly Opposing the Removal of Landlines in California.** [\[TS 1:24:48\]](#)

President David Spath introduced a proposal to send a letter to the California Public Utilities Commission (CPUC) expressing the community's concerns about AT&T's request to the CPUC to abandon providing landline service in California. President Spath noted that he would like to also send the letter to Assemblymember Buffy Wicks, Senator Nancy Skinner, and Contra Costa County District 1 Supervisor John Gioia.

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- Addressing the Board were the following persons: 1) Lynn Wolter pointed out that many children don't have access to cell phones to solicit help in an emergency, so land lines are important; and 2) Anthony Knight strongly supported this action, and suggested having the letter published in the Outlook newspaper to broaden awareness.
- Motion by Director Hacaj, seconded by Director Duggan, that the Board approve the letter to the California Public Utilities Commission with the following changes to send a copy to Assemblymember Wicks, California State Senator Skinner and Contra Costa County Supervisor Gioia, and to include a line about the benefits for young children, and send it to the editor of the Outlook to increase knowledge of this, and post the letter to the KPPCSD web page, carried (5-0) by roll call vote as follows: AYES (Aquino-Fike, Duggan, Gough, Hacaj, and Spath); NOES (None); ABSTAINED (None); and ABSENT (None).

**Comments & Reports**

**11. Police Chief Report. [\[TS 1:35:35\]](#)**

Police Chief Gancasz announced that his monthly report had been submitted. He reported on the hiring of a new officer, that a pending background check is underway for another applicant, and the upcoming hiring of another officer which is anticipated in July. This will put the police staffing at nine. In response to comments about police patrols, Chief Gancasz pointed out that Kensington police officers are on patrol seven days a week, 24 hours per day. He noted that staffing is a balancing act, but noted that he could include maps of the officer's locations. He commended all the officers who have been working overtime and he is proud of the work that they do. Board members expressed appreciation for the work of the police officers. The Board also expressed appreciation to Mike Logan for his volunteer work with the Police Department.

- Addressing the Board were the following persons: 1) Lynn Wolter applauded officers and Chief Gancasz who do great work they do with fewer staff, and said it would be great to get back to 10 officers; 2) Julie Stein, KFPD board member, encouraged the recruitment of female police officers; 3) Catya de Neergaard thanked the Chief on recruitment efforts, supported the recruitment of female officers, asked about license plate readers and cameras, urged the Board to bring the police back to Kensington; and 4) Gail Freeman supported showing the location of police patrols, commented on speeding on Arlington and suggested continuing placing patrol cars out to deter speeding.

**12. General Manager's Report. [\[TS 2:01:19\]](#)**

Interim General Manager Aranda announced that his report was filed. He pointed out that it also included a report from A. Stevens Delk on franchise fees and cost of service. Directors

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Duggan and Gough complimented Delk on her work. Director Hacaj asked the General Manager to ensure the timers for lights are adjusted due to daylight savings time. President Spath said he hoped neighbors aren't bothered by pickleball.

- Addressing the Board was Julie Stein, KFPD board member, who requested that the Board support placing all fiscal information submitted to Ridgeline in a public portal for transparency.

13. **Director Comments.** [\[TS 2:08:35\]](#)

- Director Duggan thanked everyone who participated in the meeting both in person and online. She urged the Board to share with voters the cost of the new police and administrative building, the cost for moving the modular building, and the potential tax increases involved.

**Adjournment** [\[TS 2:09:45\]](#)

President Spath announced that the meeting was adjourned at 8:41 p.m. The next regular meeting is scheduled for April 11, 2024.

SUBMITTED BY:

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*Lynelle M. Lewis*

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: April 11, 2024

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*David Aranda*

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David Aranda, Interim General Manager

DocuSigned by:

*David Spath*

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David Spath, President of the Board