

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**DRAFT**

### **BOARD OF DIRECTORS MEETING MINUTES**

**March 28, 2019**

President Nottoli opened the public comment portion at 6:31 with Directors Deppe, Hacaj, Modavi, and Sherris-Watt. Catya de Neergaard spoke on Officer Foley's citizens arrest of General Manager Constantouros. The Board adjourned to Closed Session.

President Nottoli opened up the Regular Meeting at 7:35 with Directors Deppe, Hacaj, Modavi, and Sherris-Watt present and reported that the Board gave direction to its counsel during Closed Session.

#### **Board and Staff Comments**

General Manager Constantouros announced that the bid for the Community Center renovations will be awarded at the Board's April 11 meeting and Matrix will present its recommendations to the Board at the April 25 meeting. He also told Director Modavi that he was looking into consultant costs and possible overruns.

Ann Danforth announced that three bids for the hazard abatement work were received but only two are under review because one was late.

Interim Chief of Police Hull announced that a new officer would start on April 1 and would be sworn in on April 11. He is working with the El Cerrito Police Chief and Fire Chief on evacuation planning and announced that there would be an evacuation drill in El Cerrito. Residents would be notified by the County's Warning System to either prepare to or to evacuate depending upon their location relative to the hypothetical event. The drill would assume that the event was in the hills and would direct traffic to the north, south, or west. The goal of the drill would be to identify where bottlenecks might occur.

Director Modavi raised concerns about the amount of invoices paid and owed to the Public Management Group for the administrative study and policy and procedure manual. He was concerned that there may be a cost overrun. Director Sherris-Watt said that cost overruns were not uncommon and that she has, for example, observed exceedances of staff overtime on occasion. She said that there would be time for the Board to review at a future meeting. Mr. Constantouros said that budget adjustments may be needed and he would look into this. Vice-President Hacaj noted that Board members need to be aware of Board priorities and be respectful on setting work for staff.

#### **Public Comments.**

Linda Lipscomb asked if anyone has approached Sunset Cemetery to open the gate on Franciscan to Chief Hull replied that it had been addressed but there was concern that it would

become a choke point. Dave Spath if routes would be provided. Chief Hull reported that the routes would be published and notification would be via the County notification system. The first areas that would be notified will be the areas that have been impacted while other areas will be told to be prepared to evacuate.

### **Donations to the Community Center Renovations**

Linda Lipscomb presented a donation of \$10,000 for the Community Center on behalf of the Kensington Improvement Club. Dave Spath announced that the Kensington Property Owners Association would be presenting a donation of \$5,000.

### **Community Center Renovations**

There was support for the improving the Community Center which had not had any significant work since the additions of the small meeting rooms in 1985. The Community Center is widely used by the Kensington Community Council and others. The renovations will bring the Community Center into compliance with Americans with Disabilities Act and upgrade it to life safety standards; it is not economically feasible to bring it up to essential services standards.

The base bid for renovations exceed the amount of available funds by \$— even before consideration of alternatives. The Finance Committee recommended that the Board apply for the loan but consider other funding options. The financial audit will likely show that the reserves were at \$1.3 million at the end of FY2017-18 and may be at \$1.8 million by the end of Fiscal Year 2018-19. The District will need to front \$158,000 for ADA renovations and be reimbursed by WW grants. There was a discussion on whether to use reserves or take a loan at 3.8% interest from the California Special District Association (CSDA). The reserves are needed in the event of an unexpected operation need and have been growing in light of a good economy which may or may not continue. In addition, the Finance Committee will be considering the use of a pension fund to address the District's unfunded Other Post-Employment Benefit obligation which will use monies from the reserves. The Kensington Fire Protection District will be contributing \$35,000 for a fire alarm system and will need its reserves for a new Public Safety Building.

Vice President Hacaj reviewed the bid alternatives and recommended — and not —. By including these alternatives, it would increase the amount of needed funds to approximately \$260,000. Director Sherris-Watt recommended that the District take out a loan in the amount of \$250,000.

Vice President Hacaj made and Director Deppe seconded a motion to fund the shortfall in funding by a loan of \$250,000 from CSDA. Directors Deppe, Hacaj, Nottoli, and Sherri-Watt voted in favor of the motion; Director Modavi voted present. Vice President Hacaj also suggested getting bids on doing the floor in the hallway and the two other meeting rooms.

At 9:45, President Nottoli made and Director Sherris-Watt seconded a motion to extend the meeting to 10:15. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion.

Director Sherris-Watt made and Director Deppe seconded a motion to move \$150,000 from reserves into the capital fund for the Community Center. Director Sherris-Watt explained that this transfer had been recommended by the Finance Committee at its June 22, 2017 but the transfer had not been made. Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor of the motion; Director Modavi voted present. [In response to questions from residents, Bill Zenoni confirmed on March 29 that the CSDA loan would be secured by the structure itself and not the underlying property and that the financing would have no impact on the District's insurance coverage, liabilities, or risk.]

Director Hacaj moved to adopt Resolution 2019-01 TITLE authorizing a loan of \$250,000 and make amendments to the draft Resolution to reflect the terms with any remaining necessary funds be taken from reserves. Director Sherris-Watt seconded the motion; Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted in favor and Director Modavi voted present.

**Arlington Church Rental Agreement**

President Nottoli presented the Arlington Church agreement where the Board will be meeting during the Community Center renovations. Director Modavi suggested Building E but it would not accommodate the number of people that come to our meeting.

At 10:15, President Nottoli moved and Director Sherris-Watt seconded a motion to extend the meeting to 10:30.

Prepared by: Eileen Nottoli

Date approved by the Board:

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Tony Constantouros, General Manager

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Eileen Nottoli, Board President