

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, June 8, 2023

Special & Regular Meeting (Hybrid)

Special Meeting – 6:00 p.m.

Call to Order [TS 4:22]

President Aquino-Fike called the meeting to order at 6:03 p.m.

Roll Call

Vice-President Sarah Gough, Director Sylvia Hacaj, Director Spath, and President Alexandra Aquino-Fike were present at roll call. Director Cassandra Duggan arrived at 6:07 p.m.

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

Special Meeting Agenda Item Public Comments

SM 1. Conduct a Public Hearing for the Fiscal Year Budget 2023-2024 (July 1, 2023-June 30, 2024). [TS 6:05]

President Aquino-Fike opened the public hearing for the fiscal year budget at 6:06 p.m. General Manager Aranda reported that no written comments had been received.

- Addressing the Board was Sylvia Elsbury who asked questions about the proposed budget (i.e. legal expenses, accounting and audits, community events in the police budget, tennis court revenue, and community center revenue).

President Aquino-Fike closed the public hearing for the fiscal year budget at 6:16 p.m.

SM 2. Conduct a Public Hearing for the Annual Report of the Kensington Park Assessment District Levy for Fiscal Year 2024 (July 1, 2023-June 30, 2024). [TS 18:56]

President Aquino-Fike opened the public hearing at 6:18 p.m. General Manager Aranda reported that no written comments had been received. There were no public comments given.

President Aquino-Fike closed the public hearing at 6:20 p.m.

SM 3. Approve And Adopt Resolution No. 2023-10, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Casting The District's Ballot For The Special District Risk Management Association Election. [TS 21:27]

- Motion by Director Hacaj, seconded by President Aquino-Fike, to adopt Resolution No. 2023-10, a resolution of the Kensington Police Protection and Community Services District

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approving the official 2023 election ballot for the Special District Risk Management Association Board of Directors marking the three incumbents Robert Swain, Jesse Claypool, and Sandy Seifert-Raffelson, carried (5-0) by voice vote.

SM 4. Approve Adjusting the Wording in Previous M.O.U.'s Between KPPCSD and KPOA Regarding Holiday Pay as Required by CalPERS. [TS 26:03]

- Motion by Director Spath, seconded by Director Duggan, to 1) approve adjustments to the wording in the previous M.O.U.'s between the KPPCSD and the KPOA regarding holiday pay as required by CalPERS and 2) authorize the Interim General Manager to execute M.O.U. amendments on behalf of the District, specific to amendments that conform the definition of holiday pay to CalPERS regulations to be incorporated in a side letter for the July 1, 2014-December 31, 2017 M.O.U., January 1, 2018-December 31, 2018 M.O.U., January 1, 2019-October 31, 2019 M.O.U., October 31, 2019-July 30, 2021 M.O.U., and the August 1, 2021-June 30, 2022 M.O.U, carried (5-0) by voice vote.

SM 5. Approve And Adopt Resolution No. 2023-11, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Applications For The Per Capita Grant Funds. [TS 30:29]

- Motion by Director Hacaj, seconded by Vice-President Gough, to adopt Resolution No. 2023-11, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District approving applications for the per capita grant funds, carried (5-0) by voice vote.

SM6. Approve And Adopt Resolution No. 2023-18 Of The Kensington Police Protection And Community Services District Declaring That Governing Body Members And Volunteers Shall Be Deemed To Be Employees Of The District For The Purpose Of Providing Workers' Compensation Coverage For Said Certain Individuals While Providing Their Services. [TS 35:58]

- Motion by Director Duggan, seconded by Director Hacaj, to adopt Resolution No. 2023-18 of the Kensington Police Protection and Community Services District declaring that governing body members and volunteers shall be deemed to be employees of the District for the purpose of providing workers' compensation coverage for said certain individuals while providing their services, carried (5-0) by voice vote.

President Aquino-Fike adjourned the special meeting at 6:39 p.m. [TS 40:05]

Regular Meeting - 7:00 p.m.

1. **Call to Order** [TS 1:02:04]

President Aquino-Fike called the meeting to order at 7:01 p.m.

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2. **Roll Call** [[TS 1:02:11](#)]

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

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

3. **President's Comments** [[TS 1:02:27](#)]

President Aquino-Fike thanked staff, board members, and the public for participating in today's meeting.

4. **Public Comment** [[TS 1:04:35](#)]

None.

Comments & Reports

5. **Police Chief Report.** [[TS 1:05:32](#)]

Police Chief Mike Gancasz reported that the May 2023 Police Chief's Report had been submitted. The report covered updates on patrol operations, traffic safety, administration, training, May patrol log, West County crime patrols, and community activity. He also reported on upcoming grants. No questions were asked.

6. **General Manager's Report.** [[TS 1:07:10](#)]

Interim General Manager Aranda provided highlights from his written report covering the time period May 9, 2023 through June 1, 2023. He reported that the Kensington Community Council Report for June 1, 2023 had been submitted, and noted that there would be a transition over the next few months of making tennis court reservations. There was board discussion about the status of the County allowing KPPCSD to assume the treasury responsibility. Interim General Manager Aranda said he would be getting clarification from the County on this matter.

- Addressing the Board was Sylvia Elsbury who commented that KCC was happy to take payments, but expressed liability concerns because the courts are owned by KPPCSD.

7. **Director Comments.** [[TS 1:14:28](#)]

Director Spath commented that the Emergency Preparedness Committee had discussions regarding acquiring long range acoustical devices for notifying residents of events including wildfire, evacuation drills, earthquake activities, etc. There will be a presentation on these systems in August.

Director Duggan presented the report on the long-term legal protection of Kensington Park Report. Highlights of potential approaches to provide further legal protection of the park

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included possible grants funds that would help in protecting our park from being used for non-recreational purposes, or investigating using the ordinance or initiative process to serve as a long-term regulation. Board members provided comments and asked questions about the written report.

- Addressing the Board were the following persons: 1) Mabry Benson commented that the parking lot doesn't need any special protection; 2) Gail Feldman commented that plans for the park should allow future boards to reflect future community priorities; and 3) Sylvia Rosales-Fike commented on the importance of preserving the park.

Consent Calendar [TS 1:45:06]

8. Meeting Minutes.

Minutes for Special Joint Meeting and the May regular and special meeting will be provided for Board approval at the July 13, 2023 Board meeting.

9. Ratify the May 2023 Bills Paid.

- Motion by President Aquino-Fike, seconded by Director Duggan, to ratify the May 2023 bills paid, carried (5-0) by voice vote.

Discussion and Action

10. Approve And Adopt Resolution No. 2023-12, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Authorizing The Assessment And Ordering The Levy For The Kensington Park Assessment District For Fiscal Year 2023-24 Pursuant To The Landscaping And Lighting Act Of 1972.
[TS 1:46:52]

- Motion by Director Duggan, seconded by Director Spath, to adopt Resolution No. 2023-12 of the Board of Directors of the Kensington Police Protection and Community Services District authorizing the assessment and ordering the levy for the Kensington Park Assessment District for Fiscal Year 2023-24 pursuant to the Landscaping and Lighting Act of 1972, carried (5-0) by voice vote.

11. Approve And Adopt Resolution No. 2023-13 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Affirming The Establishment Of The Appropriations Limit For Fiscal Year 2023-24. [TS 1:48:06]

- Motion by Director Hacaj, seconded by Vice-President Gough, to adopt Resolution No. 2023-13 a resolution of the Board of Directors of the Kensington Police Protection and Community Services District Affirming the Establishment of the Appropriations Limit for Fiscal Year 2023-24, carried (5-0) by voice vote.

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12. **Approve And Adopt Resolution No. 2023-14 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Authorizing The Adoption Of The Budget For Fiscal Year 2024. [TS 1:49:22]**

- Addressing the Board was A. Stevens Delk who asked about the parks budget revenue.
- Motion by Director Duggan, seconded by Director Hacaj, to adopt Resolution No. 2023-14 a resolution of the Board of Directors of the Kensington Police Protection and Community Services District authorizing the adoption of the budget for fiscal year 2024, carried (5-0) by voice vote.

13. **Approve And Adopt Resolution No. 2023-15 Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Changes And Additions To The Kensington Police Protection Community Services District Fee Schedule Effective July 1, 2023. [TS 1:53:55]**

- Addressing the Board was A. Stevens Delk who asked about resident rates versus non-resident rates.

Following input by board members, there was consensus to bring this item back to the July meeting for further consideration.

14. **Approve And Adopt Resolution No. 2023-16, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving Additions To The Kensington Police Protection And Community Services District Policy And Procedure Manual Adding Vacation And Sick Time For Non-Sworn Regular Employees Of The District. [TS 2:05:33]**

- Motion by Director Hacaj, seconded by Director Duggan, to adopt Resolution No. 2023-16 a resolution of the Board of Directors of the Kensington Police Protection and Community Services District approving additions to the KPPCSD Policy and Procedure Manual adding vacation and sick time for non-sworn regular employees of the District, carried (5-0) by voice vote.

15. **Approval to Move Forward in Requesting Proposals from Vendors in Performing the Financial Analysis for KPPCSD and KFPD as Required by LAFCO in the Consolidation Process. [TS 2:10:46]**

- Addressing the Board was Gail Feldman who expressed support for moving forward on this effort.
- Motion by Director Spath, seconded by Director Duggan, to direct the general manager to draft a request for proposal and bring that draft back to the Board for review and approval and subsequently request the Fire Board to participate in its review and partner with us to move forward in performing the financial analysis, carried (5-0) by voice vote.

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16. Approval of Amendment No. 1, An Amendment of the Contract Between KPPCSD, Owner and Fernando Herrera, Contractor to Increase His Monthly Maintenance Fees at the Park Site by \$500 Per Month. [TS 1:23:18]

Interim General Manager Aranda presented background information on the staff recommendation. There was discussion regarding the District’s purchase and storage of park equipment and the lowering of the increase from \$500 to \$300 as a result of the equipment purchase.

- Addressing the Board was Sylvia Elsbury who commented that the Annex would be a good place for storing the park equipment.
- Motion by Director Hacaj, seconded by Director Spath, to approve amendment No. 1 to the contract between KPPCSD (owner) and Fernando Herrera (contractor) with amendments to Exhibit A that reflect a flat rate of \$2,575 per month and that the KPPCSD will supply a small riding mower, hedge clippers, a weed whacker, and a leaf blower, carried (5-0) by voice vote.

17. Presentation and Discussion of the Park Re-planting Project. [TS 2:39:22]

Director Duggan reported that the committee was tasked with providing “a thoughtful approach to future re-plantings and care of Kensington Park.” To pursue this goal, they met with multiple community members, Hilltop Elementary School parents from the PTA, and Kensington Education Fund, KCC Recreation Director Jenny Parks, Fire Chief Eric Saylor, Police Sergeant Brian Lande, horticulturist Catya de Neergaard, retired landscape architect Lisa Caronna, representatives from Segorea-Te Land Trust, community members from Good Guest Kensington, native plant specialist Kirk Frye, Kensington Park landscaper Fernando Herrera, KPPCSD Park Administrator Rosa Ruiz, Timothy Cole of Blake Gardens, landscape architect Patricia Akinaga of Studio-MLA, landscape architect Anooshey Rahim of Dune Hai, and Nathan Bickart from Urban Tilth. She thanked all who generously gave their time and input to this project, for the good of the Kensington community.

Director Duggan gave a summary of the feedback from the community and from experts. To prioritize the most urgent landscape needs while keeping costs to a minimum, they recommended a two phased approach to re-planting in the park (see final report for details). Board members provided input on the plans and recommended that staff prioritize and cost out the projects.

18. Approve And Adopt Resolution No. 2023-17, A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Establishing The Annual Supplemental Special Tax For Police Protection And Direct That A Signed Copy Of The Resolution Be Sent To NBS For The Placement Of The Supplemental Special Tax To Be Placed On The Tax Rolls. [TS 3:05:57]

Interim General Manager Aranda highlighted the staff recommendation.

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- Addressing the Board was Paul Dorroh who thanked the Board for working together in Kensington's best interest.

- Motion by Director Spath, seconded by Vice-President Gough, to adopt Resolution No. 2023-17, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District establishing the annual supplemental special tax for police protection, carried (5-0) by voice vote.

Adjournment [[TS 3:09:55](#)]

The next regular meeting is scheduled for July 13, 2023.

President Aquino-Fike adjourned the meeting at 9:09 p.m.

SUBMITTED BY:

DocuSigned by:

Lynelle M. Lewis

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: July 13, 2023

DocuSigned by:

David Aranda

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David Aranda, Interim General Manager

DocuSigned by:

Alexandra Aquino-Fike

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Alexandra Aquino-Fike, President of the Board

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