

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING MINUTES

March 28, 2019

President Nottoli opened meeting at 6:31. Directors Deppe, Hacaj, Modavi, Nottoli, 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.

#### **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**

Many residents spoke in support for 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 exceeded the amount of available funds by approximately \$365,000 before consideration of alternatives. Bill Zenoni has contacted four lenders and found that the California Special District Association offered the most favorable terms. The Finance Committee recommended that the Board apply for a 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 advance the \$158,000 for ADA renovations which will 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 operational need and have been growing in light of a good economy which may or may not continue. 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.

*Motion to Approve Alternates 1-5 and 8.* Vice President Hacaj reviewed the bid alternatives and recommended Alternates 1-4 and 8 for new flooring in the main room, the hallway, a partial height cabinet, AV system integrated into the cabinet, and new ceiling tile in the main room but not Alternates 5-7 for approximately \$125,000. Vice-

President Hacaj moved that Alternates 1-5 and 8 be approved, and Director Deppe seconded the motion. Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted for the motion. Director Modavi voted present. The motion passed 4-0.

*Motion to Extend the Meeting to 10:15.* 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.

*Motion to Move \$150,000 From Reserves to Capital Fund.* General Manager Constantouros asked the Board to transfer \$150,000 from Reserves to the Capital account. Director Sherris-Watt explained that this transfer had been recommended by the Finance Committee at its June 22, 2017 meeting but the transfer had not been made. Director Sherris-Watt made and Director Deppe seconded a motion to move \$150,000 from reserves into the capital fund for the Community Center. Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor of the motion; Director Modavi voted present. The motion passed 4-0.

*Motion to Adopt Resolution 2019-01: A Resolution Authorizing the Execution and Delivery of A Lease Agreement and Site Lease and Authorizing and Directing Certain Actions In Connection Therewith.* Director Hacaj moved to adopt Resolution 2019-01: A Resolution Authorizing the Execution and Delivery of A Lease Agreement and Site Lease and Authorizing and Directing Certain Actions In Connection Therewith to authorize a loan of \$250,000 and amend the draft Resolution to reflect the terms of the loan and state that any remaining necessary funds to 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. The motion passed 4-0.

### **Arlington Church Rental Agreement**

*Motion to Approve Lease with Arlington Church.* President Nottoli moved to approve the lease with Arlington Church and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Nottoli and Sherris-Watt voted to approve the lease. Director Modavi voted no. The motion passed 4-1.

**Presentation by Fire Board Directors Nagel and Dommer Regarding the Public Safety Building**  
Kensington Fire Protection District Vice President Dommer and Director Nagel renovating the building at the current site or building a new building in the park.


Several residents suggested alternative sites and noted that the center of town would be closer

*Motion to Extend Meeting to 10:45.* At 10:15, President Nottoli moved and Director Sherris-Watt seconded a motion to extend the meeting to 10:45. Directors Deppe, Hacaj, Modavi, Nottoli and Sherris-Watt voted for the motion which passed 5-0.

*Motion to Adjourn.* President Nottoli moved to adjourn the meeting and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Modavi, Nottoli and Sherris-Watt voted to adjourn the meeting. The motion passed 5-0 and the meeting ended at 10:44.

Prepared by: Eileen Nottoli

Date approved by the Board: August 8, 2019

  
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Tony Constantouros, General Manager

  
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Eileen Nottoli, Board President