

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

## BOARD OF DIRECTORS MEETING MINUTES

Wednesday, February 9, 2023

Regular Meeting (Hybrid)

7:00 p.m.

### Call to Order [TS 2:41]

President Aquino-Fike called the meeting to order at 7:03 p.m.

### Roll Call [TS 2:50]

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

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

[TS 3:06] President Aquino-Fike provided an update on the tree removal schedule at Kensington Park scheduled for February 20-24, 2023.

### Public & Consent Calendar Comments [TS 4:21]

Addressing the Board were the following persons: 1) Lynn Wolter read a letter from Mark Constantini urging the Board to redeliver the letter to the Kensington Fire Protection District (KFPD) regarding KPPCSD's interest in having both agencies housed in the renovated Public Safety Building (PSB); 2) A. Stevens Delk commented that the Financial Reports did not show Bayview franchise fee payments to the County, and urged reinstatement of the Finance Committee; and 3) Rodney Paul commented on the Ardmore Path damage, and urged the District to address public ownership of the paths.

### Consent Calendar [TS 18:06]

- Motion by President Aquino-Fike, seconded by Director Duggan, to approve Consent Calendar Items 1-4, carried (5-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, Nottoli, and Aquino-Fike; (NOES) None; and (ABSENT) None.

#### 1. **Teleconference Meetings During State of Emergency**

**Adopt Resolution No. 2023-02** – 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.

#### 2. **Meeting Minutes for January 12, 2023 and February 1, 2023**

Approved meeting minutes.

#### 3. **Financial Reports**

Received and accepted financial reports through November 2022.

**4. Receive 2022-2023 Tax Levy Reports for Police and Park Taxes**

Received and accepted the Annual Summary Reports for Police, Police Supplemental, and Kensington Park Tax Levies for FY 2022-2023.

**Discussion and Action**

**5. Interim GM Search [[TS 19:22](#)]**

President Aquino-Fike announced that tonight's meeting would be the last for Interim General Manager Tony Constantouros. President Aquino-Fike recommended approval of a contract with David Aranda as the new Interim General Manager. General Counsel Ann Danforth summarized the recruitment process and the contract provisions.

- The following persons addressed the Board: 1) A. Stevens Delk pointed out that the word “hours” was missing in the proposed contract on page 2 under Terms (line 3); 2) Mabry Benson asked about Mr. Aranda's general manager's experience in California and commented that the community should have been provided more background information; 3) Lynn Wolter commented on her prior positive interactions with Mr. Aranda; and 4) Lin Due commented that the last recruiter should have been used as a cost saving measure since their service was still under contract in light of the District's need to save money for the Police Department relocation.
- Motion by Director Duggan, seconded by Vice-President Gough, that the Board approve the contract with David Aranda as Interim General Manager, carried (4-1) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) Nottoli; and (ABSENT) None.

**6. Updates from *Ad Hoc* Board Committees [[TS 49:36](#)]**

President Alexandra Aquino-Fike provided an update on the Police Department & District Office Permanent Location Committee (“Committee”). She reported that the Committee and the Kensington Fire Protection District (KFPD) Temporary Public Safety Building (PSB) Committee have been meeting for the past four weeks. The Committee also has been meeting with Police Chief Gancasz. She noted that the Committee's priority is to fully learn from the safety experts their operations, challenges, and needs with the shared goal to build a strong, modern, stable Police Department (PD) physically based in Kensington. They are identifying a joint understanding of what the terms of dual occupancy of the PSB would look like and this will be presented in the form of a recommendation to the full board. She pointed out that dual occupancy is still the focus of current conversations, and the Committee anticipates sharing the details with the Board and public shortly.

Director Duggan provided an update from the Kensington Park Re-planting Strategy Committee. She reported on the planned tree removal in Kensington Park scheduled for February 20-24<sup>th</sup>. She also reported that she and Vice-President Gough met with KFPD Fire Chief Eric Saylor and representatives of Good Guests Kensington to seek their recommendations for the park. She went on to report that Laura Callen of Good Guests is connecting the Committee with other partners and the U.C. Berkeley Landscape Department

staff. Director Duggan noted that they have a meeting scheduled with Timothy Cole of Blake Gardens and would be adding Hilltop School staff as a partner. In concluding, she invited everyone to a community meeting scheduled for Monday, February 27<sup>th</sup> to provide input on the replanting of Kensington Park.

Director Hacaj asked questions of the Permanent Location Committee regarding the timeline of presenting the recommendations. Vice-President Gough said community input would be part of the process and that their conceptual recommendations for the permanent location would be presented at a special meeting. Next, Director Hacaj reported that a community member suggested that the Park Re-planting Strategy Committee consider a mix of deciduous and evergreen trees or shrubs. Director Hacaj recommended using a facilitator for the special meeting on the permanent relocation.

- Addressing the Board was Lin Due who suggested announcing the special meeting on the permanent location in the Kensington Outlook.

7. **KCC Contract Update** [[TS 1:03:46](#)]

Director Hacaj reported that the negotiating team has been discussing the contract details; however, they have not been able to come to terms on a final agreement.

8. **Proposed KPPCSD/KFPD Joint Meeting with Contra Costa LAFCO** [[TS 1:11:35](#)]

Vice-President Sara Gough reported that Contra Costa LAFCO Executive Officer Lou Ann Teixeira has agreed to speak to the KPPCSD and KFPD Boards about the consolidation process in March or April. She noted the presentation is only informational, and said that community members could submit questions to her at [SGough@kppcsd.org](mailto:SGough@kppcsd.org) in advance of the presentation.

9. **Options to Improve Community Engagement at Meetings** [[TS 1:15:59](#)]

Director Duggan presented several items for consideration to improve community engagement in board meetings (both virtually and in-person) and asked for community input. These suggestions included: permanent hybrid meetings; switching from a Zoom webinar to a meeting format so the community could be visible; starting meetings earlier; changing the agenda order (i.e. placing consent calendar last, moving closed session to later part of meeting, and having the police report earlier); reading citizen's letters aloud; more community listening meetings; placing the Zoom link on the KPPCSD home page; appointing one speaker for groups talking on the same topic; and improving accessibility.

Board members provided varied viewpoints on reading letters into the record. President Aquino-Fike said the Board would continue to explore the ideas with next Interim General Manager.

- Addressing the Board were the following persons: 1) Larry Nagel, former KFPD Board President, spoke about their practice for reading letters into the public record; 2) Mabry Benson commented that it would be unfair to allow the reading of long letters when other public comments are limited to 3 minutes, and suggested having a section on the website to post letters; 3) Lisa Caronna commented that reading letters can be problematic and

suggested having a place on the agenda for public correspondence; and 4) Sylvia Elsbury suggested publishing letters in the agenda packet.

### **Comments & Reports**

#### **10. Director Comments.**

- President Aquino-Fike announced that Interim General Manager Tony Constantouros would be stepping down after tonight’s meeting and thanked him for his guidance to all the new board members.
- Director Nottoli thanked Mr. Constantouros for all his help over the years and for being the District’s first professional general manager.
- Former Director Mike Logan praised and thanked Mr. Constantouros for his second round as general manager, for his responsiveness, and said it was a pleasure working with him. Mr. Logan also relayed sentiments of gratitude from former Director Rachelle Sherris-Watt.
- Vice-President Gough thanked Mr. Constantouros for making this a smooth transition for the new board members and wished him well.
- Director Hacaj thanked Mr. Constantouros for his service to the Board, herself, and to the Kensington Community. She also relayed thanks and best wishes from former Director Chris Deppe.

#### **11. General Manager’s Report**

Interim General Manager Constantouros commented on his tenure and recognized the board members and staff who worked with him on numerous critical District issues over the past 3.5 years. He also commented that the District was in good hands with the new board members. Mr. Constantouros recognized the dedicated Police Department and staff who are committed to the community, General Counsel Danforth for her guidance, and thanked his wife and children for their support.

The Kensington Community Council submitted their February 1, 2023 KCC Recreation Office.

#### **12. Police Chief Report**

Chief of Police Michael Gancasz presented highlights from the Kensington Police Department (PD) Monthly Report. He noted that a new officer had joined the department, there were two additional applicants in the background process, and anticipated that the PD would be fully staffed by March. He reported that the PD received a certificate of compliance from the Department of Justice, the PD stepped up their community outreach regarding online fraud issues, and he provided an update on officer training.

**13. Board Correspondence**

None.

**Adjournment**

The meeting was adjourned at 9:06 p.m.

The next regular meeting is scheduled for March 9, 2023.

SUBMITTED BY:

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: March 9, 2023

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David Armanda, Interim General Manager

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Alexandra Aquino-Fike, President of the Board

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING MINUTES

Thursday, February 23, 2023

Special Meeting

(Zoom Teleconference)

2:45 p.m.

#### **Call to Order** [TS 15:42]

President Aquino-Fike called the meeting to order at 2:46 p.m.

#### **Roll Call** [TS 15:43]

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

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

#### **Public & Consent Calendar Comments** [TS 16:35]

- Addressing the Board was Lin Due who pointed out an error in the date listed in Item 2 (i.e. should be May 31, 2023 rather than July 13, 2023).

#### **Discussion and Action**

##### **1. Filling Board Vacancy**

Interim General Manager David Aranda announced that on February 10, 2023 the past Interim General Manager Tony Constantouros and the Board President received the resignation of Director Eileen Nottoli effective March 10, 2023. He presented a list of recommendations for Board consideration as follows: 1) Motion to accept Ms. Nottoli's resignation; 2) Approve the posting for the vacancy; 3) Approve placing an application and information online for interested parties to apply for the vacant seat; and 4) Approve placing on the April 13<sup>th</sup> agenda the selection of an individual to be appointed as a Director for KPPCSD.

- Motion by Director Duggan, seconded by Director Hacaj, that we accept Eileen Nottoli's resignation from the Board, carried (4-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) None; and (ABSENT) None.

The Board discussed the Notice of Vacancy of the Board of Directors and suggested adding a contact phone number to the Notice.

- Motion by Director Hacaj, seconded by Vice-President Gough, to direct staff to post the Notice of Vacancy resulting from Eileen Nottoli's resignation in all regular places where our agenda is posted which also includes our agenda distribution list, carried (4-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) None; and (ABSENT) None.

Next, the Board discussed options for either election or appointment to fill the vacancy, and there was consensus to opt for the appointment process. Interim General Manager Aranda presented two options for director applications for the Board's consideration (the former KPPCSD application and one from Stallion Springs Community Services District). There was board discussion about the form, candidate vetting, references, proof of residency, and word limits.

- Motion by President Aquino-Fike, seconded by Director Hacaj, to keep questions 1-4 on the former KPPCSD application form with the edit of combining questions 5 and 6 and deleting question 8, carried (4-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) None; and (ABSENT) None.

Interim General Manager Aranda reviewed the proposed timeline. The Notice of Vacancy will be made available in hard copy and electronically on the KPPCSD website posted by the middle of next week, application deadline of April 6<sup>th</sup>, and board consideration at the regular meeting of April 13<sup>th</sup>.

## 2. **Contract with Kensington Community Council (KCC)** [[TS 47:18](#)]

Director Hacaj reported that KPPCSD and Kensington Community Council have been negotiating a new agreement since July 2022, meeting several times for at least 90 minutes in July, November, and December 2022 and continues to work cooperatively toward a draft to present to both boards. The current extension was authorized on December 8, 2022 and expires February 28, 2023.

- Motion by Director Duggan, seconded by Vice-President Gough, to extend the existing contract between the KPPCSD and the KCC until May 31, 2023, carried (4-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) None; and (ABSENT) None.

## **Adjournment** [[TS 50:41](#)]

The meeting was adjourned at 3:21 p.m.

The next regular meeting is scheduled for March 9, 2023.

SUBMITTED BY:

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: March 9, 2023

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David Aranda, Interim General Manager

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Alexandra Aquino-Fike, President of the Board