

BOARD OF DIRECTORS MEETING MINUTES

Thursday, November 12, 2020

Via Teleconference

Special Meeting (7:00 p.m.)

CALL TO ORDER

[TS .03] President Chris Deppe called to order the Special Closed Session Meeting of the Board of Directors at 7:05 p.m. Directors Cyrus Modavi, Eileen Nottoli, Rachelle Sherris-Watt, and Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Bill Lindsay and General Counsel Ann Danforth.

PUBLIC COMMENT ON CLOSED SESSION AGENDA

None.

CLOSED SESSION

The Board of Directors met in Closed Session pursuant to California Government Code section 54957(b) to consider matters related to the appointment of the District General Manager, including the discussion of individual candidates.

Regular Meeting (7:30 p.m.)

ANNOUNCEMENT FROM CLOSED SESSION

[TS 0.11] President Deppe announced that in Closed Session Meeting the Board gave direction to staff.

CALL TO ORDER

[TS 0.25] President Deppe called to order the Regular Meeting of the Board of Directors at 7:47 p.m. Directors Sylvia Hacaj, Rachelle Sherris-Watt, Cyrus Modavi, and Eileen Nottoli were present at roll call.

Staff present included Interim General Manager Bill Lindsay, Interim Police Chief Walt Schuld, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

GENERAL PUBLIC COMMENT

[TS 1:43] The following persons provided public comment: 1) Linda Lipscomb thanked Officer Ted Foley for his helpfulness in assisting an elderly resident; 2) Katherine de Neergaard urged more cordial discussions and information sharing by the Board, commented on difficulty downloading the agenda link, and requested posting of monthly crime statistics; 3) Danielle Madugo relayed a resident's problem of being transferred to several agencies while trying to report a fire; and 4) Kyra Millich asked for the phone number to call in the event of a fire emergency.

BOARD/STAFF COMMUNICATION

[TS 42:33] General Manager's Report. Interim General Manager Bill Lindsay had no formal report. Director Nottoli asked for updates on weed removal at Covington and Arlington. She also asked about sprinkler repair by the tennis courts, no lights in certain areas of the park, removal of damaged oak trees, and domes for garbage containers. Mr. Lindsay said he will report back once he completes a walk-through of the park with the maintenance contractor. He noted he would be coming back to the Board in December for consideration of park maintenance contracts. Director Modavi asked about the status of posting the auditor's contract to the website, and Mr. Lindsay said it would be posted once the signed engagement letter is received.

[TS 18:55] The following persons provided public comment: 1) Meryl Natchez asked if the video format for the meeting could be changed so that all attendees can be seen; 2) Catherine de Neergaard said she would like to see meeting attendees and asked when the monthly crime statistics report would be posted; 3) Lynn Wolter asked about the number of attendees on the meeting, asked about posting monthly profit and loss statements, and thanked Director Modavi for following up on the auditor's contract; 4) Mabry Benson expressed displeasure at the Zoom meeting set up that doesn't show attendees and she expressed frustration at the delayed meeting start which required her to make numerous dial in attempts to join the meeting; 5) Steve Caramia commented he would like to see attendees on the Zoom meeting; and 6) Johanna Furman commented that she experienced technical difficulties dialing into the meeting, and asked about protocols for cell phone use in a fire emergency.

[TS 39:50] Police Chief Report. Interim Police Chief Schuld reported meeting with the Albany Police Chief about upcoming changes to the dispatch system scheduled for early 2021.

The following person provided public comment: 1) Johanna Furman said there needs to be more communication, because she still does not have a sense of what to do so in the event of a fire emergency.

[TS 42:35] Board of Directors Communication.

Director Hacaj thanked Mr. Lindsay for taking care of park maintenance issues.

CONSENT CALENDAR

1. [TS 44:16] **Consider Approval of Minutes for the Regular Board Meeting of October 22, 2020 and the Special Meeting of November 6, 2020.**

Director Nottoli pulled the October 22nd Minutes to note a correction on page 3 under financial statements ending September 30 ("funding for a 115 trust for CalPERS payments ~~and~~ like the one for retiree medical").

- Director Sherris-Watt made a motion to approve the Consent Calendar with corrections made to the October 22nd Minutes. Director Hacaj seconded the motion and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, Nottoli, and Deppe) and NOES (None).

BOARD DISCUSSION AND DETERMINATION

2. [TS 46:02] Receive a Status Report by the General Manager on Public Safety Building Project and Consider Directing Staff to Schedule a Joint Meeting of the KPPCSD and Kensington Fire Protection District (KFPD) Boards.

Interim General Manager Bill Lindsay presented an update on the Public Safety Building renovation and asked for direction on scheduling a joint meeting. Board members presented viewpoints on the pros and cons of holding a joint meeting.

[TS 59:18] The following persons provided public comment: 1) Kevin Padian commented that the KFPD closeout of the ticket was only a financial decision and doesn't express the board's intention on its plans, and he invited the KPPCSD board and staff to listen their last meeting; 2) Mabry Benson commented on the KFPD board meeting discussion and urged the KPPCSD board to listen; 3) A. Stevens Delk commented on KFPD board meeting discussions; 4) Julie Stein commented on the KFPD board's action and their discussion of other renovation strategies; 5) David Spath commented on KFPD board meeting discussions and suggested that both boards meet; 6) Meryl Natchez commented that KPPCSD should have 1 or 2 representatives at every KFPD meeting; and 7) Larry Nagel commented that a joint meeting should be scheduled with the two chiefs present.

- Director Modavi made a motion that we are open to the joint meeting pending when the Fire Board is ready to begin the process again. Director Hacaj seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, Nottoli, and Deppe) and NOES (None).

3. [TS 1:23:15] Receive a Presentation from Board President Deppe and Board Vice-President Sherris-Watt Regarding Kensington Pathways and Consider Possible Board Action and/or Direction to Staff.

President Deppe presented historical information on the Kensington paths including ownership, liability issues, options for the paths, and next steps. Contra Costa County Supervisor John Gioia provided historical background and the County's experience with the paths. He noted that the County never accepted the offer of dedication for the paths many years ago and their ownership is uncertain. Supervisor Gioia suggested evaluating one or two paths and said the County would be willing to provided help. Board members asked questions and commented on the information presented.

- At 9:48 p.m. it was moved (Hacaj), seconded (Sherris-Watt), and carried by a 5-0 roll call vote to extend the meeting to 10:30 p.m.

[TS 2:06:46] The following persons provided public comment: 1) Donna Stanton expressed concern about her potential liability from the increased number of walkers along the path by her home; 2) Rodney Paul suggested conducting an analysis on one or two paths rather than leaving them in their current state; 3) Kevin Padian commented that paths are important for evacuation routes and KPPCSD should look into the safety issues; 4) Rachel Faye urged the Board to determine a process to protect the future of the paths; 5) Matt Freedman urged the Board to explore path improvements and possible ownership; 6) Dave Weinstein urged the Board to preserve the paths; 7) Linda Lipscomb commented that KIC adopted a resolution in support of formal

acquisition of the paths; 8) Andrea Horinski urged the Board to undertake the survey of the current status of paths and move toward public ownership; 9) Lisa Caronna commented that it's important to move forward with planning for public ownership of the paths; 10) Meryl Natchez urged the District to move forward with work to acquire the paths; 11) Nicki Kaiser supported moving forward on addressing the paths;

- At 10:25 p.m. it was moved (Hacaj), seconded (Deppe), and carried by a 5-0 roll call vote to extend the meeting to 10:45 p.m.

12) Mark Altenberg supported improving the paths over time; 13) Paul Moss commented that the responsibility for maintaining the paths should be identified; 14) Kira Millich commented that the paths need maintenance and asked if establishing a nonprofit group had been considered to pursue grant funding; 15) Julie Stein commented that this is a great public education opportunity to highlight the paths and to pursue grant funds; and 16) Carol Olf commented on the usefulness of the paths and supported acquiring all the paths.

Director Sherris-Watt recommended that she and President Deppe review the comments received and come back to the Board with a list of options for consideration. President Deppe concurred.

ADJOURNMENT

[TS 2:52:35] President Deppe adjourned the meeting at 10:42 p.m.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: December 10, 2020

Bill Lindsay, Interim General Manager

Chris Deppe, President of the Board