

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, October 12, 2023

Special & Regular Meetings (Hybrid)

Special Meeting (Closed Session) – 6:00 p.m.

Call to Order [[TS 1:38](#)]

President Aquino-Fike called the meeting to order at 6:04 p.m.

Roll Call [[TS 1:54](#)]

Director Cassandra Duggan, Vice-President Sarah Gough, 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 Siprelle, and Clerk of the Board Lynelle M. Lewis.

Special Meeting Agenda Item Public Comments [[TS 2:14](#)]

None.

Adjourn to Closed Session [[TS 3:12](#)]

The Board adjourned to closed session at 6:05 p.m. to discuss existing litigation, conference with labor negotiators and public employee appointment.

Announcements from Closed Session [[TS 59:48](#)]

President Aquino-Fike announced that there were no reportable items from closed session.

Regular Meeting - 7:00 p.m.

1. **Call to Order** [[TS 59:55](#)]

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

2. **Roll Call** [[TS 1:00:00](#)]

Director Cassandra Duggan, Vice-President Sarah Gough, 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 Siprelle, and Clerk of the Board Lynelle M. Lewis.

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3. **President's Comments** [[TS 1:00:15](#)]

President Aquino-Fike welcomed everyone to the meeting and noted that there was a full agenda with important updates. She thanked the community for their thoughts on some of the challenges facing our community, as well as how we might move forward, and for their time. She pointed out that staff and the Board were diligently working to address the issues.

4. **Public Comment** [[TS 1:01:34](#)]

- Addressing the Board were the following persons: 1) Marilyn Stollon expressed concern about the rushed process to switch General Counsels at the last meeting, the lack of information about the process, missing background about the new firm, alternate options, and lack on public input; and 2) Chris Madugo ask if there was a plan for the flat portion at the top of the park and ask where he could find information on the park improvement plan.

Consent Calendar [[TS 1:05:11](#)]

Director Spath said that the Special Meeting Minutes of September 17 should be corrected to show that Directors Hacaj and Duggan were also present.

- Motion by Director Duggan, seconded by Director Spath, to approve the Consent Calendar, carried (5-0) by roll call vote.

5. **Approve Minutes for the Special and Regular Meetings of September 14, September 17, and September 27, 2023.**

Approved minutes with the correction to the Special Meeting Minutes of September 17.

6. **Receive and file financial reports and ratify the September 2023 bills paid.**

Received and filed reports and ratified the bills paid.

Comments & Reports

7. **Police Chief Report.** [[TS 1:07:38](#)]

Police Chief Mike Gancasz highlighted the 700 incidents handled by the Kensington Police Department during September (down from 817 the prior month). Four hundred fifty-four were officer-initiated events, including 50 traffic enforcement stops resulting in 34 citations (down from 35 in the prior month). Officers responded to 238 dispatch calls for service (up from 276) and took 28 reports (up from 24). Officers focused on deterring auto burglaries and vandalism around Grizzly Peak Blvd and Beloit Ave, where there has been an increase in reported crimes. Two felony arrests were made. Officers received one report of a catalytic converter theft, one stolen vehicle report, one residential burglary, and one vehicle burglary report, all of which are being investigated. Officers are pursuing leads and working with our partner agencies to reduce and prevent similar crimes. Response time for officers has remained consistent at 5.8 minutes.

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He also reported that on Thursday, September 21, the Berkeley and Albany Police Departments responded to an active shooter at the Berkeley Toyota Dealership. Due to the seriousness and complexity of the scene, Albany requested Kensington officers provide mutual police services in their city until additional Albany Police Officers could be called into work. Off-duty KPD officers responded to Albany to assist, and police services in Kensington were unaffected.

- Addressing the Board was A. Stevens Delk who asked about the police response time in light of the location of the Police Department in El Cerrito.

8. **General Manager's Report.** [[TS 1:13:25](#)]

Interim General Manager David Aranda highlighted a letter from Greg & Kim from Bay View Refuse summarizing the Kensington Cleanup event activities. He noted that the event was very successful. Next, Mr. Aranda reported that he had gathered information regarding solid waste franchise fees that the District and the County collects. He noted that the District will continue to work with the County and would probably need to hire someone to analyze the calculations used for franchise fees and the Proposition 218 requirements. He will report back to the Board on this matter.

9. **Verbal Update from the Ad Hoc Consolidation Committee.** [[TS 1:16:19](#)]

Director Spath reported that the Kensington Fire Protection District (KFPD) Board reviewed the request for proposal and have come up with some revisions that will be reviewed by their board. He recommended waiting to see their revisions before moving forward.

10. **Update by the Police Department and District Office Permanent Location Ad Hoc Committee.** [[TS 1:17:50](#)]

President Aquino-Fike and Vice-President Gough presented updates on real estate properties no longer under consideration (i.e. any property outside Kensington; Public Safety Building; Unitarian Universalist Church of Berkeley; Annex E, Building E or interior of Kensington Park; Sunset View Cemetery and Mausoleum; commercial properties for lease or sale on Arlington; and properties listed for sale on Arlington).

President Aquino-Fike highlighted with properties suggested by the community and under review (i.e. lot south of the Library on Arlington; 303 Arlington and connected properties; Narsai David property at 385 Colusa; 219 Arlington next to the Public Safety Building; County properties; EBMUD properties in Kensington; and KPPCSD share of parking lot across from Library). Director Spath reported that the District has an opportunity to access Federal Emergency Management Agency (FEMA) grant funding that provides grants to mitigate hazards for essential services such as fire and police. In order to take advantage of this, the District must begin now to meet deadlines for funding. In concluding, President Aquino-Fike assured the community that the Board is investigating all options and will leave no stone unturned.

- Addressing the Board were the following persons: 1) Danielle Madugo expressed support for the hillside south property of the Library and suggested looking at 1 Beloit; 2) Paul Dorroh thanked the Board for the review of the properties; 3) Steve Simirin asked about access to the

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area south of the Library; 4) Mabry Benson commented that the parking lot property should not be dismissed; 5) Elaine Stelton commented that using the parking lot property would reduce parking availability for Community Center events and it would jeopardize the District's income; and 6) John Gaccione commented that consideration should be given to 79 Arlington, property around Colusa Circle, and the property owned by the District, and then asked if the FEMA grant would cover moving the modular buildings.

11. **Director Comments.** [[TS 1:57:36](#)]

- Director Hacaj commented on last month's meeting around the process by which we chose a general counsel. She encouraged all members of the board, the new general counsel and general manager to read the Policy and Procedures Manual because it's a covenant between the KPPCSD community and the Board on how we are going to operate as a group.
- Director Duggan commented that the Board should think about what is best for the community as a whole. The change in the general counsel was a move in the right direction, the firm has many specialists in all areas of California Special District Association law, and she is confident they will serve us well.
- Vice-President Gough thanked Director Hacaj for her comments, said she appreciates the positive tone brought in with the new Board, and noted that she had read the Policy & Procedures Manual. As a director of a public agency, Director Gough acknowledged and condemned the attacks on Jewish people this past weekend.

Discussion and Action

12. **Approve agreement with In-Time Services Inc. for timekeeping-to-payroll services at a cost of \$13,125.** [[TS 2:02:52](#)]

Interim General Manager Aranda presented the recommended action. He pointed out an error in the presented invoice versus what we are asking (should be \$13,625 rather than \$13,125). Mr. Aranda noted that the annual subscription is \$7,500 and pointed out that the services will greatly reduce manual input by staff.

- Motion by Vice-President Gough, seconded by Director Duggan, to approve the budgeted expenditure for the InTime Timekeeping-to-Payroll Module at a cost of \$13,625, carried (5-0) by roll call vote.

13. **Approve agreement with Public Safety Family Counseling Group, Inc. for psychological counseling services at a cost of \$7,500/year.** [[TS 2:06:50](#)]

Interim General Manager Aranda presented the recommended action.

- Addressing the Board were the following persons: 1) Marilyn Stollon asked about the cost structure for services and suggested this should be monitored; and 2) Elaine Stelton asked about what the District will receive for the costs.

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- Motion by Director Spath, seconded by Director Hacaj, to approve the agreement and the expense of \$7,500 per year with Public Safety Family Counseling Group, carried (5-0) by roll call vote.

14. **Approve update to Lieutenant Salary Schedule effective January 1, 2024.** [[TS 2:19:44](#)]

Director Spath expressed concern about the way the position is structured (management position but not identified as at-will), and asked that this item be tabled for further consideration at the next meeting. Interim General Manager Aranda said that staff would review this concern and come back with information to the Board.

15. **Declare two vehicles as surplus and lease/ purchase an administrative police vehicle at a cost not to exceed \$50,000.** [[TS 2:20:50](#)]

Interim General Manager Aranda presented the recommended action and asked that the Board provide two separate motions. He reported that Kensington Police Vehicles #0201 (2002 Ford Explorer) and #1601 (2016 Ford Taurus) have high mileage, would require expensive repairs to keep them operational, and suggested that both vehicles be decommissioned. Mr. Aranda said the Police Department recommends trading in vehicle #1601 for a new vehicle. The trade-in value would be applied to the purchase price. The new vehicle (Ford Explorer) estimated cost ranges between \$45,000 and \$50,000. He noted that the Police Department budgeted for one police vehicle in FY23/24 and has not completed that purchase. Vehicle #0201 can be donated to an appropriate charity in Contra Costa County. Director Hacaj suggested donating the surplus vehicle to Lifelong Medical Care who provides mental health services to homeless people in the East Bay.

- Motion by Director Hacaj, seconded by Director Duggan, to approve the KPPCSD Board approve Resolution No. 2023-19 declaring the 2002 Ford Explorer (last four digits of the VIN number 7537) and the 2016 Ford Taurus (last four digits of the VIN number 7133) as surplus subject to disposal donation or trade, carried (5-0) by roll call vote.
- Motion by Director Duggan, seconded by Director Spath, to purchase the administrative police vehicle at a cost not to exceed \$50,000, carried (5-0) by roll call vote.

16. **Discussion and possible appointment regarding a wellness survey for the community of Kensington.** [[TS 2:27:20](#)]

President Aquino-Fike summarized a request for a wellness survey for the community of Kensington. Following Board discussion, President Aquino-Fike appointed Director Duggan to lead the development and execution of a survey to look into the needs of the elderly and disabled populations within the parameters of our jurisdiction. Following this survey, a report will be presented to the Board to discuss the proposed scope of this effort.

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17. Discussion and recommendations regarding the Contra Costa County Hazard Mitigation Plan Development which incorporates KPPCSD and KPFD. [TS 2:36:29]

Interim General Manager Aranda reported that he and Director Spath have been reviewing federal and local grant funding to assist with a future building. He noted that it is imperative that KPPCSD have an updated Hazard Mitigation Plan in place for us to even qualify to apply for FEMA grants that become available each year. He recommended, in consultation with the General Manager of the KPFD, that a Town Hall Meeting is held in which both General Managers preside over such a meeting to gain input from the community in identifying the various hazards that pose the greatest risk to the community and methods of mitigation in addressing those hazards. Director Spath emphasized the need to work expeditiously on the Plan in order to meet the FEMA deadlines. Following Board comments, there was consensus to move forward.

18. Approval to perform a Geotechnical Engineering Study in the area along the Arlington South of 61 Arlington Ave. [TS 2:40:28]

Interim General Manager Aranda introduced the recommended action to consider proposals to perform a Geotechnical Engineering Study in the area along the Arlington South of 61 Arlington Avenue. The District owns the property south of the library, and it is very important that a study be done on the stability of that property if any further discussion is going to take place on utilizing that property for a future police building or any other development that may take place in that location. Mr. Aranda presented proposals for consideration from the California Engineering Company and Alan Kropp & Associates, Inc. Board members commented on the proposals.

- Addressing the Board were the following persons: 1) Lisa Caronna commented that Alan Kropp & Associates are very knowledgeable about earthquake and slide issues in the area; 2) Chris Madugo commented that a literature assessment of the site should be done first; and 3) Larry Nagel, KFPD Board member, suggested that KPPCSD contact the geotechnical engineer used by KFPD for the Public Safety Building.
- Motion by Director Hacaj, seconded by Director Spath, that we accept the proposal from Alan Kropp & Associates to perform a geotechnical engineering study in the area along the Arlington South of 61 Arlington Avenue, carried (5-0) by roll call vote.

Adjournment [TS 2:53:23]

President Aquino-Fike adjourned the meeting at 8:56 p.m. The next regular meeting is scheduled for November 9, 2023.

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SUBMITTED BY:

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Lynelle M. Lewis

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: November 9, 2023

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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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