

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING MINUTES**

**Thursday, December 12, 2019**

Arlington Community Church  
52 Arlington, Kensington, CA

**Special Closed Session (7:00 p.m.)**

**1. Roll Call**

President Nottoli called to order the special closed session meeting at 7:00 p.m. Directors Cyrus Modavi, Rachelle Sherris-Watt, and Sylvia Hacaj were present at roll call.

General Counsel Jon Holtzman was present at roll; however, Mr. Holtzman recused himself from the closed session discussion.

**2. Public Comment**

There was no comment.

**3. Adjourned to Closed Session**

The Board adjourned to Closed Session.

**Regular Meeting (7:30 p.m.)**

**4. Roll Call**

President Nottoli called to order the regular meeting at 7:30 p.m. Directors Cyrus Modavi, Rachelle Sherris-Watt, Eileen Nottoli, and Sylvia Hacaj were present at roll call. Director Chris Deppe joined via teleconference.

Staff present included: General Manager Tony Constantouros, General Counsel Ann Danforth, Interim Chief of Police Steve Simpkins, and District Finance and Business Manager Katherine Korsak.

**5. Public Comment**

- Several members of the public commented on their preference for maintaining a local police force and suggested bringing this issue to the voters. Another member of the public commented on the process for keeping meeting minutes.

**6. Consent Calendar**

President Nottoli presented the Minutes of November 14, 2019. Director Sherris-Watt suggested that the Board table action on the Minutes until the new District Clerk of the Board begins in January 2020.

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- It was moved by Director Sherris-Watt, seconded by Director Modavi, to table the Consent Calendar item until January 2020, carried (5-0) by a consensus of the Board.

## 7. Board/Staff Comments

General Manager Tony Constantouros presented a progress report on the work at the Community Center. Next, he reported on budget discussions from the December 19, 2019 Finance Committee, and said that updated budget information will be presented at the January 21, 2020 Finance Committee meeting. General Manager Constantouros reported that the District received no responses to the request for proposal for police services.

Interim Chief of Police Steve Simpkins reported that police officers were pleased with the terms of the tentative Memorandum of Understanding. Next, he commented on organizational changes, daily schedule system improvements, and the updated fire readiness plan. In concluding, Interim Chief Simpkins reported that a seasoned officer will soon join the force.

## 8. New Business

### a. Agreement with the Kensington Police Officer Association (KPOA).

Chief Negotiator Jon Holtzman highlighted the Memorandum of Agreement (MOU) with the KPOA. The wage increases will be 8% for the first year, 4% for the second year, and 3% in the third year. He said the cost of these increases will be funded through changes in retiree health benefits. Director Sherris-Watt reported that the MOU was discussed at the December 3, 2019 Finance Committee and approved for recommendation to the Board.

- Several members of the public commented that this agreement was a positive action. Questions were raised about other post-employment benefits, trust costs, and health care costs.
- Motion by President Nottoli, seconded by Director Modavi, to approve the resolution approving the tentative agreement with the Kensington Police Officer's Association for the period of October 2019 to June 2022, carried unanimously (5-0) by the following roll call vote: AYES (Modavi, Deppe, Sherris-Watt, Hacaj, and Nottoli).

Resolution No. 2019-15 – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Approving the Tentative Agreement with the Kensington Police Officer's Association for the Period of October 2019 to June 2022.

### b. Proposal for Body-Worn Cameras for Police.

Interim Police Chief Steve Simpkins presented a proposal for the purchase of body-worn cameras. This item was carried over to allow staff to develop a body-worn camera policy for Board consideration in January 2020.

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**c. Proposal from HF&H Consultants to Develop Methodology for Rate Review of Bay View Refuse Rates in 2023.**

President Nottoli highlighted the proposal to extend the contract for 10 years and to hire a consultant to advise on the contract process at a cost of \$10,000. If approved the rates would be reviewed in 2023. There was Board consensus to table this item until April 2020.

**d. Public Safety Building Update.**

Directors Sherris-Watt and Chris Deppe provided an update on the Public Safety Building design and discussions with the Kensington Fire Protection District (KFPD).

- Members of the public commented that the desires of the community should be formalized and included in the discussions with the KFPD.

**e. Removal of 16 Dead or Diseased Trees in Kensington Park.**

President Nottoli highlighted the proposal to remove 16 trees that are dead or diseased in the park because of the potential to injure persons or property should any of these trees fall. She pointed out that many of the Monterey pines in the park are at the end of their life. President Nottoli said Expert Tree Service was the lowest responsive bidder.

- It was moved by Director Sherris-Watt, seconded by President Nottoli, to hire Expert Tree Service to remove the trees at a cost of \$28,450, carried (5-0) by the following roll call vote: (AYES) Modavi, Deppe, Hacaj, Sherris-Watt, and Nottoli.

**f. Reimbursement of Defense Fees for General Manager Constantouros.**

General Counsel Ann Danforth summarized the recommended action.

- Several members of the public presented comments on the recommendation.
- It was moved by Director Sherris-Watt, seconded by Director Hacaj, to approve the reimbursement of legal fees for General Manager Constantouros in the amount of \$12,422.50, carried (4-1) by the following roll call vote: (AYES) Deppe, Hacaj, Sherris-Watt, and Nottoli; and (NOES) Modavi.

**g. Draft Policy and Procedure Manual Section 1000.**

Attorney Danforth summarized the amendments to Policy 1000.

- It was moved by Director Sherris-Watt, seconded by Director Hacaj, to adopt a resolution of the Board of Directors of the Kensington Police Protection and Community Services District amending Policy 1000, carried (4-1) by the following roll call vote: (AYES) Deppe, Hacaj, Sherris-Watt, and Nottoli; and (NOES) Modavi.

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Resolution No. 2019-15 - A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Amending Policy 1000.

**h. Election of Officers for 2020.**

President Nottoli opened nominations for President. Director Sherris-Watt summarized the accomplishments of President Nottoli and Vice-President Hacaj, highlighted their work and thanked them for their commitment to the District over the past year.

- It was moved by Director Sherris-Watt, seconded by President Nottoli, to nominate Director Chris Deppe as President of the Board for 2020, carried (4-1) by the following roll call vote: (AYES) Deppe, Hacaj, Sherris-Watt, and Nottoli; and (NOES) Modavi.
- It was moved by Director Deppe, seconded by President Nottoli, to nominate Director Sherris-Watt as Vice-President of the Board for 2020, carried (4-1) by the following roll call vote: (AYES) Deppe, Hacaj, Sherris-Watt, and Nottoli; and (NOES) Modavi.

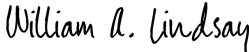
**Adjournment**

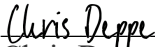
President Nottoli adjourned the meeting at 11:30 p.m.

SUBMITTED BY:

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 Lynelle M. Lewis, District Clerk of the Board

APPROVED: May 14, 2020

DocuSigned by:  
  
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 Bill Lindsay, Interim General Manager

DocuSigned by:  
  
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 Chris Deppe, President of the Board