

**Unitarian Universalist Church of Berkeley Board of Trustees Meeting  
Wednesday, July 5, 2023**

**Meeting Conducted via Zoom Video Conference**

**Minutes – Approved**

**ATTENDEES**

Voting members: Bill Brown, Kay Fairwell, Randall Hudson, Beth Pollard, David Rosales, Cordell Sloan, Helen Tinsley-Jones

Absent: Michael Armstrong, Pier Sun Ho

Ex officio members: Tess O’Riva (Executive Director), Selene Fabiano (Secretary), Carolyn James (Treasurer)

Visitors: Barbara Cullinane, Jean Gleason, Jane Lundin, Fran Moulton, Lonnie Moseley, Larry Nagel, Melissa Rosales, Marta Tobey, Dave Wemmer

A quorum being present, the meeting was called to order by Helen Tinsley-Jones, co-president, at 7:02\_p.m. Beth did the chalice lighting and reading, Helen read the Board covenant, Kay read the land acknowledgement, and Bill read the Widening the Circle Vision Statement.

**CONSENT AGENDA**

**A motion for the following (M\_Cordell\_/S\_Beth\_) passed unanimously:**

- Approve agenda
- Approve June Board Meeting minutes
- Accept monthly Executive Director report
- Accept monthly Treasurer’s report
- Postponement of ED sabbatical application to August (for when Rev Marcus has arrived)

**ANNOUNCEMENTS/LISTENING**

**Announcements:**

- Tess reported that we have been asked to be the official home of Trackers Earth. They would potentially take over the piano office (room next to the meditation room) and may possibly use classroom space and need storage.

- This will need to be discussed by both the Finance Committee and Buildings & Grounds.
- Appreciations for Ministerial Send off - Board is appreciative of Kay Fairwell and the team for the ministerial send-off. Kay thanked Karen Tripp for coming up with the “hats off” theme and thanked everyone for the many contributions to the Memory Book.
- Rev Marcus starting information and dates. (Schedule can be found at the end of these minutes.) His tentative work schedule: Tuesday & Thursday – in person meetings; Wednesday – virtual meetings; Friday – writing day; Monday & Saturdays off

**Report from Board listening presence:** No report

**Congregants who wish to speak to the Board:** Jane Lundin recognized that the COVID-19 pandemic has been particularly hard on the music program asked how Brian is doing. Tess agreed that Brian has dealt with a number of challenges including giving up the music room for Good Earth. She is trying to make up for that. She is working on storage issues and is trying to give the choir space again. She noted that they wouldn’t give the piano room to Trackers Earth without Brian’s permission and without finding an adequate solution. She shared that Jeff Mertens has built a new shed which will be used, in part, for storage for music.

Marta Tobey expressed concern that Katya is feeling overworked and under-appreciated. Since Katya reports directly to Brian, Tess will talk with Brian about these concerns.

**DISCUSSION/ACTION ITEMS:**

**1. Request from Kensington Police Dept. to lease the overflow parking lot.** Representatives from the KPPCSD, Alexandra Aquino-Fike (Board Chair), Sarah Gough (Board VP) and Mike Gancasz (Chief) discussed their request and answered questions.

The request is to use the UUCB overflow parking lot near the Lawson Road entrance (not the lower parking lot where the Kensington Fire Department is currently leasing space) as a temporary home for the Kensington Police Department. The main safety building on the Arlington is being renovated; once renovated it will house only the Kensington Fire Department. As a result, the KPPCSD needs a short-term and long-term home. This is a pressing issue for them as the KPD is currently in a portable in El Cerrito. The current request would involve moving the KPD’s portable unit from El Cerrito to the UUCB parking lot and leasing that space for a minimum of five years. The Kensington Police Department is part of the Kensington Police Protection and Community Services District (KPPCSD) which also includes parks and recreation and waste management. The request is just for temporary housing of the police department.

Alexandra Aquino-Fike introduced herself. She described herself as a long-term social justice advocate. She was the VP at the East Bay Community Foundation, an organization that looks root causes of racial injustice in the East Bay and works to advance racial equity and eliminate

structural barriers. She now works at a nonprofit that addresses issues related to gender violence. She lives in Kensington and is the mother of 2 children.

Sarah Gough, VP of the KPPCSD board, introduced herself. She is a lawyer by training and worked in Hong Kong for nine years, helping women who survived human trafficking. She has been involved in various non-profits. She lives in Kensington and is raising 3 children.

Mike Gancasz, Police Chief, described himself as a law enforcement veteran of 25 years. He came to Kensington PD two years ago and has done a lot of rebuilding of the department which consists of 10 police officers.

The following questions were raised and answered:

Q: Would you be processing prisoners at the UUCB location?

A: No. Our station is an administrative building. We don't process prisoners in Kensington. We either drive them to the county jail in Martinez or we request space at the police departments in El Cerrito or Richmond.

Q: Is ammunition stored at the site?

A: Yes. It is locked up.

Q: Would you be storing evidence on site?

A: Yes. We have built a state-of-the art evidence room. We hired a consultant to advise us on the layout. The evidence room has alarms, cameras and 2 security doors.

Q: Is there a plan to communicate with neighbors about the move?

A: Yes. Decisions have to be announced at public board meetings, shared through our website and paper announcements. We would also take some extra steps to be sure the community understands.

Q: How much traffic do you expect? How many visitors to the office?

A: Foot and vehicle traffic by customer is almost none. A busy day would be one community member coming into the office. There is one officer on duty during the day and 2 officers at night. There is also a supervisor in the office. When officers are on duty they are mostly on patrol in the community. They come back to file reports, process evidence. There is also some administrative staff (a front desk person and finance staff).

Q: What about sirens and police cars racing to get to a call?

A: Typically don't get too many priority one calls (i.e. violent crimes that necessitate getting to a site as quickly as possible). KPD Officers don't turn on the siren at the beginning of their shift cars to test it; they test it when they are on patrol.

Q: What weapons are stored on site?

A: Officers are issued hand guns and they keep rifles in the cars when on patrol. Did away with the 12 gauge platform. They also have pepper spray and collapsible batons. They don't currently have any Tasers but the Chief anticipates petitioning the board to purchase Tasers, to use as an alternative to deadly force.

Q: Describe the fleet.

A: We have 7 cars. They are Ford Explorers; half of them are EV or hybrid. The intention is to move to electric vehicles. The officers are encouraged to wash them often. KPD has a take-home vehicle program; about half of the cars participate in that program. Only 3 police cars are onsite at a time.

Q: Will any of the other KPPCSD departments be housed on the UUCB sites?

A: We don't anticipate that. We have space in the community to house the other departments and we are exploring other options. Our current request is to use the church site for the police department.

Q: What is the square footage requirement?

A: Our portable unit is 2800 sq. ft. We need parking for 7 police cars plus 1 or 2 public parking spots.

Q: Will officers have body cameras or cameras on the vehicles?

A: Officers are equipped with body cameras but there are not cameras on the vehicle.

Q: Would there be surveillance cameras on your building?

A: Yes. We have surveillance cameras on the building. It's not unusual for police equipment/building to be vandalized/stolen. The cameras are not directed to the street. We don't monitor the camera 24 hours/day but we would look at the tape if something happened. Currently we have a camera pointed behind the police dept. where there were transients; one camera by the front door; 2 cameras directed on the vehicles; one camera in the evidence room and one camera in the computer room where DOJ computer is.

Q: Do the building cameras have audio capability? I don't think so.

Q: Partnering with the Police Department comes with some risk of reputation to our church. What kind of citizen complaints have you had?

A: We receive about 4 or 5 complaints each year. 95% of the complaints are centered on traffic enforcement, as we do a lot of traffic enforcement.

Q: What is the process for responding to complaints?

A: It's pretty robust. Complaints can be filed online or in person. All complaints go to the Chief. Investigate complaints using a 2-tiered process. The first level is an administrative inquiry which might involve looking at dispatch tapes, body cameras, or audio. If the inquiry rises to the next level, it goes to internal affairs and is either assigned to a lieutenant, a sergeant, or to a consultant. We file a report with the DOJ and try to close out the complaints within 90 days.

Q: Any there any pending lawsuits, complaints related to police misconduct, or civil rights complaints?

A: No

Q: When would you like to begin construction?

A: Our current lease with the city of EC is up in August 2024. If the plan to use the UUCB site is approved, we would spend this year to do the assessments, paving, electrical, water, and any clearing that we need to do.

Q: How long would you use the space?

A: We need to have a fuller discussion about this with our board. I (Alexandra) would recommend a long-term lease, hopefully 5 years. We also need a permanent new home which would probably require new construction. It will take time to raise the money and do the construction. Leasing is less ideal because there is less security for us. Moving the portable to UUCB and preparing the space for it would be an investment for us. In order for that investment to be palatable to the community, we would need a longer arrangement with a minimum of 5 years. If it's working well and UUCB is interested, maybe it could eventually be make it a permanent option. If it's a great arrangement, maybe longer term. The immediate priority is to get KPD back in Kensington in an affordable way. Would be a relief to the community to have some security for the medium term.

Q: What kind of signage and where would it go?

A: No more than is necessary. We would probably install a few small signs in the inbound route from Kensington so people know where to find us. Our PD has a lit sign with a blue shield. Do you use or plan to use AI/machine learning for facial recognition or other automation? We don't have a need for something like that. Can't anticipate that kind of a need in Kensington. Plans for armored vehicles? No. No swat team. Micro police department.

Q: Could we use this as an opportunity for the KPD to have a conversation with the UUCB congregation regarding social justice concerns? Can there be conversations and acknowledgement about historical issues, what is happening now, and the need for change?

A: Yes. We would very much like this. Alexandra acknowledged concerns regarding the history of law enforcement and people of color. Impressed by some of the more progressive policing that Chief G has brought to Kensington. Sarah stated that she felt that a partnership between KPD and UUCB could be a great opportunity for long overdue conversations in Kensington about what it means to be a person of color in Kensington, and to open these conversations with the community at large. She described the KPPCSD board as an "open and creative group of people who are looking to have these conversations." Mike stated he was open to this idea and invited us to come and visit his department, noting the agency has been completely overhauled.

Q: Are there people of color on the force?

A: Yes.

The Board will discuss this proposal at the August meeting.

## 2. **Summary of GA, 2023**, presented by Melissa Rosales and attendees

Melissa gave a brief report about GA and submitted a long written summary for board members and congregants. She highlighted the following two items:

1. UUA's new president, Sofia Betancourt, has ties to UUCB (she was an intern minister at UUCB) and the Bay Area.
2. Article 2 of the UUA Bylaws, where our principles and purposes live, is reviewed and revised by the UUA periodically. The last review was in the 1980's. A proposal for a revised Article 2 looks very different than the current version, and was voted on at GA 2023 and affirmed, a first step in its approval. Delegates will vote on the proposal at GA 2024; a 2/3 majority is required for the proposed changes to go through.

Melissa would like more of the congregation to know about the proposed Article 2 changes specifically, as well as about GA in general. Many parts of GA (e.g. the business meetings and worship services) are available at no cost. To find out more, go to <https://www.uua.org/ga>. Lonnie asked the Board to ask Rev. Marcus to include something from the UUA website in each Sunday service as a way to help the congregation know we're part of a large group of people with shared values. Fran Moulton expressed appreciation for theological and historical material presented at GA, noting that there were 89 online workshops available at GA this year. On 7/24 at 7PM, there will be a meeting in which people who attended GA will share their experience. Everyone is invited. The meeting will be recorded. Lonnie will talk with Fran and Melissa about creating an on-going structure to encourage connections between UUCB congregants and the UUA.

The Board thanked Melissa for all her work in putting together a very detailed report.

### 3. Freestone Oversight Committee Updates (Larry Nagel)

Larry shared the following in the 2<sup>nd</sup> Freestone Oversight Committee (FOC) report:

- 4 members met with GPL Engineers at Freestone to discuss structural analysis of the dome.
- The Freestone Committee (FC) will make a proposal to the FOC for a plan that would allow volunteers to stay overnight safely. The purpose is to encourage volunteers and remind them of the value of Freestone. If FOC approves the plan, the ultimate permission would have to come from the BOT since it was the BOT that previously voted to halt overnight stays.
- The Freestone Committee needs more help and is trying to recruit members.
- Dave Wemmer has found a civil engineer familiar with Sonoma County to determine what improvements need to be made to the road to for safe ingress/egress.
- Alan Davis is planning some fundraisers.
- Conservation easement – The director of the Petaluma USDA office visited Freestone and thinks there are enough wetlands to qualify for a site survey but is not sure if there are enough wetlands to qualify for an easement. If we don't qualify for a wetlands

easement, there may be other USDA easements or grants. Next step is to get a detailed biology report. We are awaiting a visit from the USDA biologist.

- The vacation rental permit has been submitted and accepted and should be sent to UUCB in about 4-6 weeks. The permit will allow UUCB to charge rent for overnight stays, but the FOC doesn't have any current plans for rentals.
- \$4999.56 of the \$5000 FY22-23 contingency loan fund has been used for the following items: vacation rental permit, home inspection, retainer for engineers, and work by engineers (i.e. site visit, recommendations, and LIDAR survey). There is an additional FOC \$7500 contingency loan fund for FY23-24.

#### 4. Vote Ministerial Housing Allowance for IRS - \$7000/month

The Finance Committee researched rules relating to the ministerial housing allowance in order to be sure they understood how the housing allowance works and if there is any risk to the church.

Per IRS provisions, ministers can exclude from taxable income a portion of their compensation from the church that is related to their housing costs. They can exclude whichever is the lowest of the following amounts:

1. Actual cost
2. Fair value of their housing including furniture & utilities
3. The allowance the church board states

It is important the board sets the allowance in writing before we begin to pay the minister. The allowance can't be set retroactively and it must be done every year. The UUCB Board needs to vote and document this decision before Rev. Marcus' first day of employment on 8/1/23.

#### Discussion:

There was some concern about setting the allowance so high and wanting to be sure that the Board is acting with integrity. Carolyn shared that the Finance Committee had the same concerns and in doing their research they learned that it is common place for the amount set by the church board be fairly liberal so that the church board isn't the limiting factor. There have been situations in which the IRS has allowed 100% of a minister's compensation as housing costs. It is the minister's responsibility for making an estimate of the fair value of their housing and keeping track of their actual costs. If the minister tried to exclude more than the fair value or actual cost and was audited, the minister would be responsible, not the church board. In other cases, if there was a problem it landed on the minister. The allowance the board sets is a maximum and gives the minister flexibility. We think the minister will be honest.

**Motion** (M Beth; S – Kay): Of the compensation the church pays the minister, the board designated \$7000/month as a housing allowance for the period of 8/1/2023 through 7/31/2024. The motion passed unanimously.

## 5. Ideas for the August Beacon on the Hill Board of Trustees article

The board discussed a few potential ideas for the August Beacon board article. The idea of writing about KPPCSD as a potential future tenant was nixed due to feeling that it's too early and there is still too much that we don't know.

The board settled on the idea of how to welcome a new minister and what it means to be welcoming. Information and dates about the start-up weekend with a UUA rep and the installation will be included. Kay invited board members who had additional ideas to send them to her by 7/10 and she will incorporate them into her article.

## **BOARD COMMITTEE MEMBER/LIAISON REPORTS - None**

### **ADJOURNMENT**

The meeting adjourned at 9:10PM

Respectfully submitted,

Selene Fabiano, Secretary

Next Board Meeting: August 2, 2023

## **Start-Up Schedule for Reverend Marcus**

8/1 Begins work

8/2 Attends 1st Board Meeting

8/6 1st Sunday @ church; welcome event being planned by Deborah Schmidt

First week in Aug & possibly continuing thru approx. 8/16 Meets with Board and Program Council members, staff and congregation; we'll receive info on how to sign up

8/20 1st sermon 9/8 thru 9/10 Start-Up Weekend • with congregation • UUA rep will be present the whole weekend •

9/8—post dinner meeting with Board

Tentative Work Schedule Mon. & Sat., days off; Tues & Thurs, in-person meetings; Wed., virtual meetings; Fri., writing day

Installation To be held in Spring, 2024