

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, March 10, 2016, at 6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will commence its monthly Regular Meeting in open session **Thursday, March 10, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. If further Closed Session is required, the Board will return to Closed Session following the end of the Regular Meeting.

1. Call to Order/Roll Call 6:00 P.M.

2. Closed Session-Public Comment

- a. Conference with Labor Negotiators (Government Code Section 54957.6) Agency designated representative: Jonathan Holtzman, Renne Sloan Holtzman Sakai LLP. Employee organization: Kensington Police Officers Association. The Board will receive an update on contract negotiations.
- b. Public Employee Discipline/Dismissal/Release (Government Code section 54957(b))
- c. Public Employee Discipline/Dismissal/Release (Government Code section 54957(b))

3. Regular Meeting: Open Session-Call to Order/Roll Call 7:30 P.M.

The Board will return to Open Session at approximately 7:30 PM and will report out on the Closed Session if reportable action is taken.

Note: All proceedings of the open session meeting will be videotaped.

- 4. Public Comments** Members of the public may address the Board on any issue on the Consent Calendar and items not listed on the agenda that are within the subject matter jurisdiction of the District. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Each speaker is allowed a maximum of five (5) minutes per Board Policy 5030.41.

5. Board/staff comments

6. Consent Calendar

- a) Minutes of the Regular Meeting of February 11, 2016 P-4
- b) Minutes of the Special Meeting of January 14, 2016 P-26
- c) Unaudited Profit & Loss Budget Performance Report for February 2016 P-42
- d) Park Revenue & Expense Report for February 2016 P-48
- e) Board Member Reports-None this month
- f) KPD Monthly Statistics for February 2016 P-52
- g) Training/ Reimbursement Report- None This Month

- h) Correspondence P-61
- i) Recreational Report P-140
- j) Monthly Calendar P-141
- k) General Manager's Report February 2016 P-143

7. Old Business

- a. Update from Ad Hoc Committee on Governance
- b. The Board will receive a report from the Parks Building Committee on a Measure WW Grant application for the Kensington Community Center facility improvements. The Board may take action to approve the application and subsequent submittal to the East Bay Regional Parks District for possible funding. P-154

General Manager Recommendation: Take public comment, receive the report and approve the Measure WW Grant application for the Kensington Community Center facility improvements.

- c. The Board will consider approving a proposal from the Interim General Manager/Chief of Police to increase the FY 15/16 Budget-Capital Outlay Item 965 by \$18,000. This amount is offset by new revenue, in the amount of \$18,526 of Asset Forfeiture Funds. Action item. P-167

General Manager Recommendation: Take public comment, deliberate, and consider approval of the proposed budget change.

8. New Business

- a. The Board will receive a presentation from the Interim General Manager/Chief of Police to offer a \$15,000.00 reward for information leading to the arrest and conviction of the suspect (s) regarding an unsolved homicide that occurred in Kensington in March 2011. Action item. P-177

General Manager Recommendation: Receive the report and presentation, take public comment, deliberate, authorize the \$15,000.00 reward, and approve the announcement of the reward.

- b. The Board will receive a report regarding a proposed contract with the Kensington Police Officer's Association and the Kensington Police Protection and Community Services District. The Board will review the terms and conditions of the contract and possibly decide placing the contract on the April 2016 agenda for possible approval. Action item. P-178
- c. The Board will receive a report from the Interim General Manager on the status of the investigation regarding a traffic stop conducted on October 7, 2015.

General Manager Recommendation: Receive the presentation, and take public comment. Informational item.

- d. The Board will discuss and consider approving a resolution to require a board member who becomes aware of possible misconduct by a District employee to report that conduct to the Board President or General Manager, and to encourage the Board member to inform the Board President and/or General Manager and General Counsel before speaking to reporters or other media sources. P-200

General Manager Recommendation: Take public comment, deliberate, and consider approving Resolution 2016-05. Action item

- e. The Board will consider changing the starting time of the April 14, 2016 regular meeting of the Board from 7:30 p.m. to 6:00 p.m. Action item.
 - f. The Board will consider appointing Chuck Toombs as the Kensington Police Protection and Community Services District Liaison to LAFCO. Action item.
 - g. The Board will review a report and possibly take action regarding succession planning for the Interim General Manager/Chief of Police position. Action item. P-202
9. ADJOURNMENT: Next meeting is scheduled for April 14, 2016 at 1930 hours, unless changed to 1800 hours by the Board.

General Information-Accessible Public Meetings

NOTE: UPON REQUEST THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT WILL PROVIDE WRITTEN AGENDA MATERIALS IN APPROPRIATE ALTERNATIVE FORMATS, OR DISABILITY-RELATED MODIFICATION OR DISABILITIES TO PARTICIPATE IN PUBLIC MEETINGS. PLEASE SEND A WRITTEN REQUEST, INCLUDING YOUR NAME, MAILING ADDRESS, PHONE NUMBER AND A BRIEF DESCRIPTION OF THE REQUESTED MATERIALS AND PREFERRED ALTERNATIVE FORMAT OR AUXILIARY AID OR SERVICE AT LEAST 2 DAYS BEFORE THE MEETING. REQUESTS SHOULD BE SENT TO:

Interim General Manager Kevin. E. Hart, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707. POSTED: Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at www.kensingtoncalifornia.org.

Complete agenda packets are available at the Public Safety Building and the Library.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Services District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the **District offices, 217 Arlington Ave, Kensington, CA 94707** at the same time that those records are distributed or made available to a majority of the Board.

The deadline for agenda items to be included in the Board packet for the regular monthly meeting is the Wednesday before the regular scheduled Thursday meeting the following week.

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Meeting Minutes for 2/11/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, February 11, 2016, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. The Regular meeting of the Board of Directors followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Teresa Stricker, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Vice President	Adam Benson, Renne Sloan Holtzman Sakai LLP
Chuck Toombs, Director	Mabry Benson
Patricia Gillette, Director	David Bergen
Vanessa Cordova, Director	Andrew Gutierrez
	Simon Brafman
	David Spath
<u>Staff Members</u>	Karl Kruger
Interim GM/COP Kevin Hart	Jim Watt
Sgt. Hui (on duty)	Ron Weisman
Lynn Wolter, District Administrator	Linda Lipscomb
	Shea Wolfe
<u>Press</u>	Leonard Schwartzburd
	Richard Freeman
	Andrea Lingenfelter
	Celia Concus
	A. Stevens Delk
	Marilyn Stollon
	Rich Karlssen
	Kay Reed
	Andrew Reed
	John Gaccione
	Trisha Mindel

President Welsh called the meeting to order at 6:31 P.M. President Welsh, Vice President Sherris-Watt, Director Toombs, Director Cordova, Director Gillette, Interim GM/COP Hart, and District Administrator Wolter were present.

PUBLIC COMMENTS

Mabry Benson said that, after the Cordova incident, she had drawn the conclusion that IGM/COP Hart had little control over the police department and that certain officers were determined to show IGM/COP Hart that they could do whatever they wanted. She cited the Police Manual's ride-along

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policy and asked who had approved Sergeant Barrow to ride along with Officer Ramos when the Cordova incident occurred. She asked what disciplines were in place to deal with policy violations. She said this was relevant to IGM/COP Hart's performance.

CLOSED SESSION

The Board entered into Closed Session at 6:34.

- a. Conference with Legal Counsel – Anticipated Litigation. Considered whether to initiate litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9: One potential case.
- b. Conference with Labor Negotiators (Government Code Section 54957.6) Agency designated representative: Jonathan Holtzman, Renne Sloan Holtzman Sakai LLP. Employee organization: Kensington Police Officers Association. The Board was to receive an update in contract negotiations.
- c. Public Employee Performance Evaluation (Government Code Section 54957(b)) Title: Interim General Manager/Chief of Police.

The Board returned to Open Session at 7:33 P.M.

President Welsh took roll call. Vice President Sherris-Watt, Director Toombs, Director Gillette, Director Cordova, and President Welsh were present.

President Welsh reported that

- With respect to Item a, the Board had conference with legal counsel about anticipated litigation, had given guidance to legal counsel, and that legal counsel would proceed to implement that guidance.
- With respect to Item b, the negotiator, Adam Benson, had been the negotiator and that no action had been taken.
- With respect to Item c, no action had been taken.

PUBLIC COMMENTS

President Welsh said he had been receiving complaints about the meetings going too long and so people were leaving before the meetings were over. Thus, he would be limiting public comments to five minutes per person.

Karl Kruger said he had been one of the people who had left the prior month's meeting before its end. As a result, he had not been present for the discussion of the six-month financial report. He said the thirteen footnotes had been helpful, and he complimented management for providing them. He said that he was happy there was an active Finance Committee, that it met regularly, and that this was important. President Welsh said he concurred and that its members offered helpful expertise.

A. Stevens Delk said a flyer had been included in the most recent Bay View Refuse bills, and it indicated that the list of items that could be recycled had been expanded. She noted that garbage cans were being left on the street too long and suggested that the Board or the IGM/COP contact Bay View to ask the company to include a flyer in its next bill asking residents not to leave cans on the street after a certain time. She noted that the Board recording sound quality had improved but said she couldn't see who was sitting at the staff table in the video recordings. She asked that this be remedied. Ms. Delk handed out a copy of her comments, and this appears in the March Board Packet, under correspondence.

John Gaccione said that, when IGM/COP Hart had come to Kensington, he had met with some of Mr. Gaccione's neighbors and that among the things discussed were the troubling stories about police misconduct and how it was seen as unacceptable behavior. He said that, given the recent police issue,

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IGM/COP Hart lacked the skillset needed to handle sensitive personnel matters. He noted that, at a recent CSDA conference in Monterey and in the presence of general counsel Randy Riddle, Vice President Sherris-Watt, and two Fire District members, IGM/COP Hart had told Director Cordova that more than one Kensington police officer had recently reported to him the location of her car. He said Director Cordova had expressed concern about this to IGM/COP Hart but that he had been dismissive of her comments. He said that, eight days later, Director Cordova had been pulled over by Kensington police officers in Berkeley. He said that, rather than staying in the District to manage this alleged misconduct, IGM/COP Hart told Director Cordova not to tell anyone, and he left Kensington to go to another conference, despite Director Cordova having told him that she was being targeted by Kensington police officers. Mr. Gaccione went on to say that, as a result, Director Cordova sought assistance from the District Attorney's office, which advised her to file a report with another law enforcement agency. Mr. Gaccione said that, four months later, IGM/COP Hart had still not filed Director Cordova's fix-it ticket with the court – instead IGM/COP Hart appeared to be playing politics with a Director who didn't support his spending policies. He said IGM/COP Hart was using this experience to suit his own interests and those of his officers. Mr. Gaccione added that the officers' due process rights appeared to be more important than Director Cordova's constitutional rights. Mr. Gaccione said that Director Cordova had been in full compliance to operate her vehicle and that she should be able to contest the charges in a courtroom: Instead, she was being strung along by an internal investigation where police were investigating police. He said that, for these reasons, he could not support an extension of the IGM/COP Hart's contract. Mr. Gaccione provided staff with a copy of his comments, and this appears in the March Board Packet, under correspondence.

Jim Watt said that, for the past nine months, he had been warning the Board about CalPERS and its lower than expected returns: CalPERS' expected return had been an unrealistic 7.5%. But, its actual rate of return had been 4.2% last year, and its current year-to-date return had been negative 10%. He said that the actual returns would result in the District having to contribute \$200,000 more per year to cover medical and pension benefit costs and that, because the District currently ran a balanced budget, this added expense would have to come from the District's \$1.1 million of reserves. He said the District should cut costs and build reserves by making major changes in the operation of the police department, such as reducing the number of vehicles.

Chris Deppe said his comments were based on some articles he had read about the Cordova traffic stop. He said that there had been a quote from IGM/COP Hart, indicating that citations were not typically given to Directors and that this implied the police might give preferential treatment to Directors. He said this could use some clarification. He asked what the timing was for the completion of the investigation of the Cordova incident. He said the larger issue had to do with recent articles and editorials that said that residents were being harassed by officers, which he found troublesome and hard not to believe. He said he also found quotes attributed to President Welsh and IGM/COP Hart troublesome because they indicated that they found it hard to believe that the officers might harass people. He said that, if neighbors were worried about the police, it made financial concerns pale in comparison. He said that it made things difficult if people were afraid to speak out about the police and that something needed to be done about this.

Mabry Benson repeated comments she had made earlier in the evening, before the Board went into Closed Session. She re-read Section 410.2.3 from the Police Policy Manual regarding peace officer ride-alongs and asked who had approved Sergeant Barrow to ride along with Officer Ramos when the Cordova incident had occurred. She asked what procedures and disciplines were in place to deal with any department policy violations. She also read Article 12 Section B of the MOU, violation of orders, which states that certain violations were sufficient cause for discipline – including demotion, discharge or penalty – and that the Board and the Chief of Police had the power to discharge an officer. She said that officers hiding behind the Officers' Bill of Rights only increased suspicion that they were engaging in retaliatory behavior and that this was not in the department's long-term best interests.

Celia Concus said she had a question for IGM/COP Hart: Could he estimate the number of citations that had been issued for a car with a missing front license plate by Kensington officers – inside of Kensington and outside of Kensington. IGM/COP Hart responded that he could not estimate. Director

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Gillette and President Welsh interjected that, because of the ongoing investigation, it would not be appropriate to answer. Ms. Concus said that, in walking and driving around Kensington, she had noticed many cars without front license plates. She questioned whether the California Vehicle Code had been selectively applied in the case of Director Cordova. She also questioned whether Kensington's officers were routinely enforcing the Vehicle Code outside of Kensington and whether they didn't have enough to do inside Kensington. She said she would submit a PRA Request for six months worth of evidence that would show such citation data. She said that, when she had suggested to IGM/COP Hart that his officers were harassing people, he had responded that his officers did not harass anyone. She questioned whether Kensington officers had, in fact, harassed Director Cordova. She said that very little information was going to come from the investigation because it involved police officers.

Linda Lipscomb said that she had received a ticket for a missing front license plate and that she had been a Director. She said people should not believe everything they read in the newspaper because it had been one-sided. She said she appreciated the police giving residents the kind of community that enjoyed a lower crime rate than any of the surrounding communities. She added that she had also received a citation for having a frame around her back license plate that had obscured part of a letter.

Andrew Gutierrez said that he had been one of the people quoted, that the Directors all had access to his complaint against the police department, and that former GM/COP Harman had been dismissive of it in his response to it.

Trisha Mindel thanked IGM/COP Hart for attending a meeting of newer residents she had hosted at her home for the purpose of discussing ideas and concerns. She said that, of about 20 residents invited, most of whom have lived in the community five years or less, three households had declined to attend because they feared police retaliation. She said she had been a beneficiary of police service, but the issue of fear was important to address. She said her group had also planned to discuss the number of complaints that had been claimed but not substantiated. She said that there had been questions raised about former GM/COP Harman's investigative process and that perhaps there might have been problems with complaints that had been made to him. But, she said, things happening today should not be based on what had happened with the former GM/COP.

Andrew Reed said that he had heard the words "wonder" and "suspicion" on the part of some people earlier in public comments but that these did not equate to reality or guilt. He said some were getting ahead of due process: There was an investigation that had not yet been completed, but some people had already made judgments. He said that the evening sounded like a kangaroo court and that this was a shame. He said he was tired of the same 10 to 14 people dominating the discussion with the words "suspicion" and "wonder" instead of facts. He said that, if the community were so concerned about money, much of it could be saved if due process were allowed to go forward.

Andrea Lingenfelter asked about due process with respect to an officer's conduct in Reno and said this hadn't worked out very well. She introduced herself as a new resident from whom the Board had not heard before. She said that it had been a year since the Reno incident, and that residents had had to read about it in the newspaper. She said she was disappointed by how that investigation had gone. She said that she knew that IGM/COP Hart was doing his best to create a healthier culture. She said that she believed the officers had a great deal of protection and that she wanted to be protected. She said that, for those officers who were well intentioned, those protections were warranted. She said that things were not right yet and that she believed that all lawful remedies had not yet been exhausted. She asked the Board to come up with something.

Ron Weisman said that, with respect to Director Cordova having been pulled over, he had left a voice mail message for IGM/COP Hart saying that he had been harassed, too. Mr. Weisman added that he had not heard back from IGM/COP Hart.

BOARD COMMENTS

Director Toombs reported that there had been a Finance Committee meeting on February 1st and that, at that meeting, the following had been discussed:

- A windfall of cash and how it might be spent
- Establishing a reserve policy subcommittee
- The Actuarial Report for the OPEB and whether or not more money should be contributed to the trust
- The cost of extending IGM/COP Hart's contract by three months: The consensus of the Committee and the consultants was that this would have no additional cost, as it had already been budgeted.

Director Toombs said he couldn't let the meeting go by without making comments about Mr. Peele and Mr. Borenstein. He said he took exception to the quality of the reporting that had been done by them. He said that, if one were to make such allegations, they had better have facts with which to back them up. He said there was an absence of real hard-core information. He said an investigation was ongoing and he preferred to see that due process was allowed to be completed, as this would be fair to all concerned. He said he was a firm believer in due process. He said that, if anyone had a complaint about the police, they had to tell the Chief so he could deal with it: Sitting on it and coming back five years later would not do anyone any good – it would be too late if action against an officer were warranted. He reiterated that, if any officer or member of the staff aggrieved anyone, they needed to let the Chief know promptly. He said he believed that State law was that people had a year in which to file complaints against officers. He added that people shouldn't wait two years and then tell a reporter: They should report complaints to the Chief right away. He concluded by saying that he didn't want to live in a community in which he felt threatened by anybody.

Director Cordova said she sat on the Formation and Reorganization Expert Working Group of the California Special Districts Association. She said this was a group of statewide fiduciaries who convened to discuss issues related to the dissolution and formation of special districts. She said that the working group had been examining an amendment to the Government Code Section 56877 and that this related to Kensington and the work of the Ad Hoc Committee. She reported that, due to the water crisis, many underperforming water districts had been forced to consolidate with larger ones. She said there also was a statewide trend of rogue annexations of special districts by cities. She explained that LAFCO currently had a process that required either a vote of the electorate or a protest proceeding. She said that the working group, along with other local government special interest organizations, had been working on language to add to Government Code Section 56878 to specify that, when a change of organization or a reorganization of a special district involved a dissolution of a special district and the governing board of the district proposed to be dissolved submitted a resolution of objection, the LAFCO Commission might determine, as a condition of approval of dissolution, that the change of organization or reorganization should be subject to a confirmation by a vote in an election to be held and conducted in the territory of the District subject to dissolution. She said this could impact the Ad Hoc Committee's research on the feasibility of consolidating the Fire District and the KPPCSD. President Welsh asked if this had a bill number. Director Cordova responded that she would keep him posted on that. She added that the language had received statewide support, with respect to water districts and annexations by cities.

Vice President Sherris-Watt reported that, on the prior evening and in her role of the Public Safety Building Coordinator, she had attended the Fire District Board's monthly meeting. She said that the Fire District was beginning a needs assessment of the Public Safety and that it would include the KPPCSD in the process. She thanked them for this.

Director Gillette said that, as Community Outreach Coordinator, she had been reaching out to members of the community by phone to get ideas from people about what they considered to be effective methods of reaching out to the community. She said she hoped to have a report at the Board's next meeting.

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Director Gillette reported that she also had responsibility for the Policy Manual, which former Director Lipscomb had worked on, and that she had some radical ideas for the Manual that she hoped to share the following month. She thanked Delk for her very thoughtful letter, which contained suggestions to consider for the Manual.

Director Gillette said she planned to make an official request that the April meeting start at 6:00 P.M. or 6:30 P.M. because she had to take a red-eye flight to Chicago that evening. President Welsh asked legal counsel, Theresa Stricker, if the Board would need to vote on this since the 7:30 PM start time had been set by the Policy Manual. Ms. Stricker responded it would be good to poll the Board to do this. Consensus was that this would appear on the March agenda.

Director Gillette said she wanted to echo some of the things that had been said by Director Toombs. She said she was disappointed, but not shocked, by the information that had appeared in the Contra Costa Times. She said that her experience with reporters was that one often did not get what one was looking for, in terms of in-depth or accurate reporting. She said she hoped everyone would keep an open mind and not praise or condemn anyone without knowing all the facts. She said she hoped the community would wait until it had all the facts on the issues. She said that, if Mr. Deppe had read IGM/COP Hart's monthly report, he would have seen that the IGM/COP had begun an inquiry into things that had been written in the article and that information on the investigation would likely be available by the Board's next meeting. Director Gillette said she continued to be concerned about the community and its rush to judgment. She said to the new residents that she had lived in Kensington for 38 years, that she had had only positive experiences with the police, but that she understood that might not have been their experience. She said her friends in Kensington also trusted the police. She added that this didn't mean that mistakes hadn't made or that there were people whose rights were protected and, therefore, about whom the Board couldn't do anything. She reiterated that many people had had only positive experiences with the police and echoed what Ms. Lipscomb had said: She too had received a fix-it for having the little sticker come off her car; something she had not realized until she had been cited. She said these things happened. She said that everyone was required to follow the law and that, if Board members were being treated differently by the Chief of Police, she hoped that would stop immediately. She added that, if she were driving without registration, without a driver's license, or without a front license plate, she expected to be ticketed the same way anyone else would. She said she hoped this had not been the police department's policy in the past or was so in the present.

President Welsh said he understood why people might be afraid of the police right now – because there were so many allegations within the community and because of what had been reported throughout the country. He addressed the article that had been referred to earlier in the evening. He said there was a lot of misinformation in the article and said he would put allegations made in it on the March agenda so that as many of them as possible could be cleared up. He said he had been misquoted as having said he hadn't care about the past. He said that was not true. He said he had looked into one past incident, the reporting had been completely wrong, and that this would be discussed at the next meeting. He said the community should wait for the objective report from the Richmond Police Department, which had no "skin in the game" with respect to what has gone on in Kensington. He added that there were other things that had been alleged in the Contra Costa Times and that these would be looked into as well.

President Welsh said that he had attended the memorial service for Tony Lloyd and that it had been a wonderful service. He said that Mr. Lloyd had served as a KPPCSD Director who had attended meetings right up until the end. He noted that amazing stories about Mr. Lloyd's many accomplishments had been shared at the service. He thanked the church for its wonderful service and for getting out the story on this amazing man's life.

STAFF COMMENTS

IGM/COP Hart reported:

- He and Officer Wilkens had attended a safety meeting in San Pablo to learn what its process and capabilities were, with respect to automated license plate readers of all vehicles coming into and out of that city. He added that each of these license plates was automatically "run." He

said the Board might be interested in considering this and added that San Pablo attributed solving five homicides to these cameras. He said that Piedmont had the same system and that El Cerrito was considering implementing it.

- FBI was accepting applications for its 2016 FBI Teen Academy, which would be a one-day class for anyone, under the age of 18, interested in learning what the FBI does.
- That Text 9-1-1 had been implemented. If, in the event of an emergency, one entered 9-1-1 as a text message, one would be connected to a dispatcher. He added that calling was the preferred method but texting was now an option.
- He had been briefed on the status of the Richmond investigation a couple of days earlier and had learned that the report likely would be delivered to him the following Tuesday.
- He said that he, too, had read the paper and that he would be conducting an inquiry into the allegations made in it. He said it should be ready before the Board's March meeting.
- Officer Armanino had left to go to another agency, and he thanked him for his service.
- He said he planned to include visibility of the staff table with the new video system.
- That he and Ron Weisman had talked with one another twice since October and that Mr. Weisman had never mentioned anything about Sergeant Barrow. He said he didn't remember having received a voicemail from Mr. Weisman but that, because of the newly installed phone system, it was possible that the voice mail message may have been lost. He invited Mr. Weisman to come to his office to discuss his concerns.

IGMCOP Hart said that, because Adam Benson was present, he hoped the Board would consider Item 9f first. He also asked that the Board consider 9i because a mother, who needed to get home to a child, was in the audience and wanted to comment on it. President Welsh responded that the Board would consider 9i first.

- 9 i. The Board considered approving proposed Resolution 2016-04 of the Kensington Police Protection and Community Services District, showing support for the study of the formation of a countywide community choice aggregation (CCA) entity and inclusion of stockholders from unincorporated communities in the county's future CCA formation planning.

President Welsh thanked Director Cordova for placing the item on the agenda and preparing the resolution.

Director Cordova introduced the item and described this as a pooling of consumer electricity demand within a specific region and providing the consumer with a provider choice, usually at a lower cost. She said many counties were exploring this. She said Contra Costa County was a bit late in coming to the table on this. She said Kensington was often not included in such County-wide discussions because it didn't have a city council. She said she had brought this before the Board so that it could support the County in its efforts to investigate the feasibility of community choice and so that it could have a seat at the table if there were to be a planning phase to CCA. She explained that the resolution only provided support of the County Supervisors. Vice President Sherris-Watt thanked the Kensington Green Group, which brought together speakers and community members to discuss community choice.

Richard Freeman said he was proxy for Shoshana Wexler, a member of the Green Group who could not attend the evening's meeting. He read a statement from Ms. Wexler in which she:

- Thanked President Welsh and Director Cordova for sponsoring the resolution.
- Noted that the Board of Supervisors would be meeting on February 29th to discuss this issue and the inclusion of unincorporated areas in County-wide planning.
- Urged the KPPCSD Board to vote yes on its resolution.

Shea Wolfe said she had been living in Kensington for about eight years, and she thanked the Board for moving this item up on its agenda. She said that she was a scientist on climate change, that she was concerned about the effects of climate change, and that she was in favor of community choice energy. She said that she supported a feasibility study for Contra Costa County and that she believed Sonoma

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and Marin Counties already had such programs. She explained that this option would make lower rates and energy mix choices available to consumers. She said communities needed to move away from fossil fuel and to renewable energy sources because of climate change. She said it was important for Kensington to be included Contra Costa County's feasibility study.

Vice President Sherris-Watt said she wanted to make a correction with regards to the notation that there would be no fiscal impact resulting from the Board's approval of the resolution: she said that KPPCSD's electric bills were over \$800 per month and this could be reduced with a CCA program. Director Cordova responded that the reason there would be no fiscal impact was because approval of the resolution was pro-forma, although Director Sherris-Watt's comment was a good one.

MOTION: Director Gillette moved, and President Welsh seconded, adoption of Resolution 2016-04.

Motion passed 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

9 f. The Board considered increasing the FY 15/16 budget in order to increase the Annual Required Contribution (ARC) for Retiree Health Liabilities.

President Welsh asked that Adam Benson assist with this agenda item.

Adam Benson reported that, at the February 1st Finance Committee meeting, there had been a 5 – 5 vote on whether to increase, above the recommended minimum, the amount of money the District should contribute to the OPEB Trust; as such, there had been no recommendation. He reported that, at the Board's request, he had examined the Actuarial Report and its assumptions, and he had prepared a memo about orders of magnitude to test different assumptions.

Director Cordova said the Board had asked Mr. Benson to assist the IGM/COP with a five-year plan, and she asked him to help her integrate these two efforts. Mr. Benson responded that this was not related to the five-year plan: The five-year plan would be done later, once a new MOU was adopted.

Vice President Sherris-Watt said she had asked for this to be on the agenda, following the Finance Committee's meeting, because she believed that the District should put a larger amount of money into the OPEB Trust, based on Mr. Benson's analysis. She noted that the actuarial report's medical trend rate was low, based on industry standards, and that Mr. Benson's analysis used a higher trend rate that resulted in a higher contribution amount. She added that moving \$20,000 into the OPEB Trust made sense because the longer the District waited, the more money it would have to contribute.

Director Toombs said that, once the District passed a new MOU, it would have to do another actuarial report and that this might happen in the next two to four months. He said there been discussion about the medical trend rates, the implied subsidies, and the mortality rates, but the Board needed to bear in mind that the District was also paying as it went. He said the Trust was meant to be funded over a limitless horizon and that the ARC would be revised perpetually because the District was required to do an actuarial report every two years. He said that moving \$20,000 today, from reserves into the Trust in a diminishing stock market, could result in the \$20,000 declining to a lower amount. He noted that Mr. Watt had said the Board needed to increase its reserves. He said it made no sense to move money to satisfy a political objective. He projected that the ARC would likely increase by \$30,000 to \$40,000 once the new MOU was adopted.

President Welsh noted that once money was put into the Trust, the District could not withdraw it.

Vice President Sherris-Watt said that the District needed to fund the officers' benefits and that putting the additional funds into the Trust was prudent. She added that it seemed odd to go against Mr. Benson's recommendation. Director Toombs responded that Mr. Benson had said that, if the District

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was just going to move money out of reserves and put it into the Trust, doing so didn't make sense. He said that, if the money were to come from operating expenses that would be different, but no one was saying from where that would come.

Trisha Mindel said that actuaries had to go through a great deal of training and that, as such, the actuarial report had merit.

Mr. Benson said that actuaries use long-range averages and that many elements go into an actuarial report to derive the ARC. He said he had been asked to use different, more conservative assumptions in preparing his memo. He noted that his memo did not include a recommendation.

Director Gillette asked what was the advantage of contributing an additional \$20,000 to the OPEB and if there was some urgency to do so. Mr. Benson responded that there was no urgency to contribute more, the District was not at risk of not being able to fund the benefit, and that the District had already set aside \$600,000 in the Trust managed through CalPERS. He noted that contributing the \$20,000 would not make a difference in the District's future ability to afford the benefit. He added that, if, on the other hand, the Board thought that the assumptions used were not conservative enough, then setting aside just the ARC was not enough.

Director Gillette asked Director Toombs to confirm that he had said the District would be doing another actuarial report within three months and asked if that was the normal schedule for doing so. Director Toombs responded that actuarial reports needed to be done every two years – the normal time frame – or whenever there was a major change in the structure of an organization that affected benefits, such as the adoption of a new MOU or a cafeteria plan for the GM/COP. He added that the cost of doing an actuarial report was expensive: between \$6,000 and \$8,000. President Welsh reiterated that the District would probably be doing a new report in three to four months.

Director Gillette asked Vice President Sherris-Watt why she felt it was more prudent for the District to make an increased contribution right now when the Board would have to re-evaluate its position three or four months from now. Vice President Sherris-Watt responded that the report to be done four months from now would not show that the District was going to owe less, so why not start now. She said the medical trend rate was too low. She noted that Mr. Benson had provided an additional set-aside range of between \$19,541 and \$39,041. Director Cordova added that this had been raised at the time the budget had been set, and the intent had been to re-visit it at mid-year.

Jim Watt said that the Board's January 14, 2016, decision to accept TCS's Actuarial Report as presented had the caveat that the ARC be revisited to consider adding more to the account. He said that, subsequent to this, there had been discussion about having Mr. Benson prepare an order of magnitude analysis. He said Mr. Benson had completed this analysis, and it showed the District probably should add \$20,000 to \$40,000 to the \$199,000 currently shown in the budget. He said he thought \$40,000 was more realistic. He said \$20,000 would be acceptable if it were to be included in the 2015-16 budget. He said there had been jokes at the Finance Committee meeting about actuaries not being able to predict the future with any degree of accuracy. He said economists, such as himself, had correctly predicted nine of the last five recessions. He added that the actuarial report needed to be done correctly and that Mr. Benson had made needed corrections. He said that he hoped the Board would unanimously agree to increase the OPEB funding by \$20,000, that not to do so would make a mockery of the process the Board had agreed to follow, and that it would be a waste of time and money to have had Mr. Benson prepare his report.

Karl Kruger said he had the opposite view of this. He said that the actuarial report had come to the Finance Committee in December and that the Committee knew it had a problem. He said the Finance Committee then had come to the Board to ask that Mr. Benson analyze the numbers, and the Board said it was willing to spend another \$5,000. He said he had been so disgusted that he had walked out. He said Director Toombs had already stated most of his own arguments, and he reiterated that the Board should wait until after the MOU process was completed to do another actuarial report. He said the

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Board had an active Finance Committee and, if it didn't want to listen to its suggestions, why have the Committee.

Leonard Schwartzburd said he had a question about actuaries: If insurance companies had actuaries, why was the insurance industry one of the most profitable if actuaries were so hapless? Director Toombs responded that this was a good argument for accepting the actuarial report. He added that different actuaries could have different points of view and still be right.

Paul Dorroh said that he had worked with some very fine actuaries during his years in the business and that actuaries were employed to serve different purposes and that, as such, they used different sets of assumptions. He asked, assuming the Board were to decide to set aside an amount now – \$20,000 – and then, three or four months down the road there were a new actuarial report and it showed the new ARC amount of \$40,000 higher, if there would be credit for the \$20,000. Mr. Benson responded in the affirmative, as long as the amount was applied to the same fiscal year.

Director Gillette said this seemed to be an issue of timing – whether more money should be put aside now or in a few months. She said that it appeared that the actuarial report might not be the best and that, if the District were to do another report, it might elect to use a different actuary.

Director Cordova asked Teresa Stricker if the matter required two readings. Ms. Stricker responded in the negative.

Kay Reed said she was looking for facts. She asked, of other well-managed municipalities, how Kensington was doing, with respect to funding. Director Cordova responded that the Fire District was fully funded, and the KPPCSD was at its legal minimum. Ms. Reed said the Fire District had its own unique over-funding problems. Mr. Benson responded by clarifying that what was under discussion was the funding of retiree medical benefits through a CalPERS trust and that, on the pension benefits side, the KPPCSD was about 75% funded, which was similar to that of most other agencies. Mr. Benson said that, on the OPEB (Other Post-Employment Benefits) side, the KPPCSD was about 30% funded. He added that, before the 2008 recession, many agencies had established policies to fund the full ARC amount to amortize the unfunded liability over a reasonable period of time. Then, when the recession hit, these agencies could not fund the amount; instead they opted to fund on a pay-as-you go basis. Mr. Benson said the KPPCSD had a good policy of funding the ARC and of paying-as-it-goes. He said the District provided a rich benefit of paying 100% of medical for retirees. He noted that, with respect to the Fire District, it had a closed plan, meaning it had no new retirees joining – so a different situation from that of the KPPCSD.

MOTION: Vice President Sherris-Watt moved, and Director Cordova seconded, that the District contribute \$19,541 into the OPEB Trust for the 2015-2016 Fiscal Year. Motion failed 2 – 3.

AYES: Sherris-Watt, Cordova NOES: Welsh, Gillette, Toombs ABSENT:

Director Gillette noted this was a timing issue, the Board would revisit it once the MOU was received, and that was her reason for voting in the negative.

- 9 a. The Board considered approval of a three-month extension for the contract with Interim General Manager/Chief of Police Kevin Hart, with no change in monthly compensation, benefits, or other terms and conditions of employment.

IGM/COP Hart asked Adam Benson to remain to assist with this agenda item and then excused himself from the meeting.

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President Welsh introduced the item, saying that, under consideration pursuant to the terms of the IGM/COP's existing contract, the Board would consider whether or not to extend the contract three months. He said the cost of the extension had been included in the budget.

Director Toombs clarified that the existing nine-month contract included an option to extend by three months. He said he thought it would be prudent to extend because the Board was waiting for a number of parallel actions to occur, and it needed a GM/COP to manage the process going forward for at least the next three months.

Director Gillette said she wanted to speak in favor of IGM/COP Hart, noting that he had come in and done a wonderful job taking control of a department that needed more supervision. She added that he had done a terrific job during the short time he had been here and that he had faced some difficult challenges. She said she had a lot of confidence in him and his ability to do the job for another three months. She added that she wasn't sure what the District would do if it didn't extend the contract. She concluded by saying she was in favor of extending the contract.

President Welsh that said IGM/COP Hart had spent a lot of time reaching out to the community: he had had an open-door policy; he had attended meetings at people's homes; and he had done many things to take the pulse of the community.

Vice President Sherris-Watt said she had been thinking about this issue for a long time. She noted that she had been reading a book about Dwight Eisenhower and that the biographer had written about Eisenhower's view of Douglas McArthur: He had no respect for McArthur because he valued the man over the institution. She said that, if she were to vote for an extension, she would be valuing the man over the institution, and the man she would be valuing was herself because she would be voting for her own comfort. She said, because she had seen what a good job IGM/COP Hart had done, she had come to think the job was too much for one person. She said this was not to supersede the Ad Hoc Committee's work, but the job of the IGM/COP was overwhelming. She said the District needed a General Manager and a Chief of Police and, for this reason, she would not be voting in favor of the three-month extension.

Director Cordova said there was a difference between the appointment and the extension of the contract, noting there had been a unanimous decision when the Board hired IGM/COP Hart. She said she had been disappointed that IGM/COP Hart had been unwilling to share in the burden of the richness of his medical benefits, and thus she had no interest in extending a contract she didn't support initially for this reason.

Marilyn Stollon responded to Director Gillette's commenting that she didn't know what she would do if the contract weren't extended. Ms. Stollon said that the District could go to recruiting firms for temporary General Managers and Chiefs of Police or combinations of the two. Director Gillette responded that the District was just regaining stability, that IGM/COP Hart had been primarily responsible for this, and that not to extend the contract by three months was unbelievable and would be irresponsible. She added that this IGM/COP was more conciliatory than anyone who had held the position in the past, that he was trying to repair what had gone wrong in the community, and that he had brought order to the Department. She said that not to extend the contract, because someone disagreed with the money – when there would be no impact on the budget, would be irresponsible. She added that the Board had a responsibility to the District and questioned how it would make sense to take this man out and have no one or to put a temporary person in the job for three months.

Vice President Sherris-Watt said she had initially thought she would vote to extend the contract but then wondered what she would do at the end of the contract in June: How would she explain then not to have another extension – would this become a permanent position because she lacked the courage to do the hard work. She said she had promised the community this would be a temporary position while the community decided what it needed. She said that she could see what good work had happened but that the Board needed to figure out the best long-term structure, regardless of the individual. Director Gillette responded by asking if Vice President Sherris-Watt wanted to split the GM/COP position. Vice

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President Sherris-Watt responded that the role was completely overwhelming. Director Gillette asked what Vice President Sherris-Watt thought things would look like the next day.

Director Cordova responded that the District had a succession plan: The highest-ranking officer would take over, as he had before, for a limited period of time.

Director Toombs said that the Ad Hoc Committee had a responsibility to explore whether to split the job and that he would not trump that. He added that the Board had voted unanimously to have the Ad Hoc Committee research splitting the position as part of its fact-finding and that he wasn't going to consider splitting it because someone had philosophically decided the job was too big. He said this was a three-month extension, not a three-year extension.

Mabry Benson said that Director Gillette sounded as though this was a permanent position and that it was not. She said there was no reason to extend the contract. She suggested having a temporary General Manager and having the highest-ranking officer serve as the Chief of Police, and she said that this would not interfere with the work of the Ad Hoc Committee. Director Cordova responded that this could be an opportunity to test-drive this concept.

Karl Kruger said that the community was waiting for the Ad Hoc Committee but that, if it weren't for them, he'd recommend asking IGM/COP Hart to sign a two-year contract. He said this was the most professional management the District had had since he had been in Kensington: 25 years. He said that the District had someone who had an understanding and that he hoped the day would come that the Board could offer a two-year contract, at a minimum.

Chris Deppe said it was bothersome that Board members had said it would have no options if it didn't extend the contract. He said that he hoped this wasn't the Board's decision-making process and that it wasn't a good reason to extend the contract. Director Gillette responded that her comment about not knowing what the Board would do if it didn't extend the contract had been a flippant one. Mr. Deppe asked what the Board's contingency plan was. President Welsh responded that, when the Board hired IGM/COP Hart, it didn't know how he would work out. He said that the three-month extension had been included in case IGM/COP Hart hadn't worked out but that he had worked out fabulously. President Welsh said that IGM/COP Hart was one of the most professional people to hold the position – perhaps, ever. He asked why, given this, the Board wouldn't extend the contract. Mr. Deppe asked what the contingency plan would be if the Board did not approve the extension. President Welsh responded that the Board would do the same thing it had done before: There would be another search, and Master Sergeant Hull would have to help out. He said there were options, but they weren't needed because IGM/COP Hart was working out well.

Celia Concus said that, at the Board's Closed Session earlier in the month, she had given a number of reasons why IGM/COP Hart was not working out well. She noted that the District was required to have a General Manager but not required to have a Chief of Police. She said that the District had not had a General Manager and that, when it had been time to replace former GM/COP Harman, there had not been enough time to seek two separate positions. She said that IGM/COP Hart self-identified as Chief. She said that, when IGM/COP Hart attended Board meetings he was in civilian attire and so attended in his capacity as General Manager. She said his background had always been as a police officer and so was, first and foremost, a Chief and serving as General Manager secondarily. She said it was time to try having a General Manager in charge of the police department. She concluded by asking that the Board not extend the contract but, instead, find a General Manager and another way to lead the police department.

The Board noted that it was 9:45 P.M.

MOTION: Director Toombs moved, and President Welsh seconded, to extend the meeting until the evening's business was concluded.

Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

Leonard Schwartzburd said that the opinion expressed that IGM/COP Hart was better and more professional didn't require a very high bar and that he supported what Ms. Concus had said. He said that IGM/COP Hart had minimized some important issues, that he had done so for political reasons, and that he hoped the Board would take a different course.

Simon Brafman said the Board was not taking responsibility. He said that, having a six-month period, would have allowed for a search for the right person. He asked why the medical insurance issue hadn't been caught sooner and why the law firm hadn't been asked to bear responsibility for its cost. He said the Board didn't understand what it meant to hire someone who was employed in another city.

Rich Karlssen said that a committee had been appointed to look at the GM/COP position and that the community should wait for the committee's findings. He said the Richmond Police Department was conducting an investigation that was almost complete and that he saw this as a serious matter. He said the Board should allow IGM/COP Hart complete the investigation process and then go forward. He said that he had seen Daniel Borenstein and had talked to him about his editorial and that Mr. Borenstein had indicated that he needed feedback from either the Board or IGM/COP Hart. He said the community needed to give IGM/COP Hart time to see where he was going, how he was going to do it, and what he was going to do with the investigation. He said IGM/COP Hart had been part of the command staff in Alameda County and that it had been very successful in its disciplinary actions. He asked the Board to let IGM/COP Hart do the job he had been appointed to do.

John Gaccione said he liked IGM/COP Hart as a person but that he presented himself as a Chief, not as the Interim Chief of Police. He said IGM/COP Hart didn't relate as the General Manager. He said the Board needed to give clear direction to the police department about the Board's expectations. He added that he had had a conversation with one of the officers and that the officer had said that he needed to hear what it was that the Board expected of him and looked to the Board for direction. He said that, with respect to a succession plan, when there was no Chief, it went to the highest ranking officer. He said it was not a legal requirement to have a Police Chief, but it was a legal requirement to have a General Manager. He noted that a strong police department was one that had the trust of the community and one that had strong morals.

Ron Weisman asked what the Board was going to do in three months and said it appeared that the Board was going to "kick the can down the road."

A. Stevens Delk said she had sent two emails to IGM/COP Hart regarding police reports posted on the website and that IGM/COP Hart had addressed the issue raised in the first one: monthly police reports, which had been restored to the website. However, the issue of identifying officers in various reports had not been resolved. She added there had been no posting of police activities. She said Sgt. Hui was assigned posting police documents on the website and that this was not the best use of his time. She noted that Brown Taylor's report had suggested a police specialist position and that this might be a way to take care of making such website postings. Instead, she said, the person holding this position had been assigned to the investigations unit. She said the Taylor report listed nine officers but the police reports mentioned only some by name and she questioned what the others did and how the department was being run. She said that the Board wanted to earn a certificate of transparency but that the police department, the District's main component, had become less transparent. She said she didn't think that IGM/COP Hart was doing an excellent job as Chief of Police.

Linda Lipscomb said the Board's job was to hire a CEO of the town, currently defined as the General Manager/Chief of Police. She said it appeared that, if the contract were not renewed on some philosophical grounds in order to drive a wedge between the two positions, was ridiculous. She said that

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the Board had a fiduciary responsibility to stabilize the community and that it could do so by continuing the contract. She added that she had heard nothing that would prevent the Board from doing this, other than sophistry. She said it was important to recognize the circumstances IGM/COP Hart had come into: a situation of chaos. She said there was a group that wanted chaos, and she asked the Board not to bow to that. She said she had objected to the use of the term "interim" because it had no legal significance: It was used in situations such as when there had been no full recruitment. She noted that IGM/COP Hart had been fully recruited, he was fully qualified, and he had done a spectacular job in the face of the dissension within the community to calm the waters and to present himself as a fine CEO for the town. She said the Board should finish its discussion and take its vote.

Andrew Reed said he agreed with what Mr. Karlssen and Ms. Lipscomb had said. He said the District should get the facts and reports, be patient, and let the Board do its job. He said that, with respect to the issue of General Manager/Chief of Police position and whether it should be split, the Committee was working on it. He said that there was an idea that the District could have both a Chief of Police and a General Manager on its budget, but that he couldn't see how that could be fiscally possible. He said, however, there was discussion in the community now about the potential of merging the Fire and Police Districts. He noted that there had been a letter in the Outlook outlining the fiscal aspects and benefits to the whole community of joining the two districts. He said he wanted an efficient, well run organization; one for which there was a single board of five to seven people managing fire and police and saving the community hundreds of thousands of dollars. He said that then the community could afford a general manager and a leader of the police. He said that he disagreed with the notion of having one of the sergeants leading the department and that the department needed a real leader. He said the community had not had a person like IGM/COP Hart in the position before, that he was great, and that the community would be foolish to let him go.

MOTION: Director Toombs moved, and President Welsh seconded, that the Board extend Interim General Manager/Chief of Police Kevin Hart's contract for the three-month term called for under the current agreement with him.

Motion passed: 3 – 2.

AYES: Welsh, Gillette, Toombs NOES: Sherris-Watt, Cordova ABSENT:

- 9 b. The Board received a presentation and considered approving Resolution 2016-03, fixing the employer contribution at the equal amount for employees and annuitants under the Public Employees' Medical and Hospital Care Act.

Adam Benson introduced the item, noting it had come from CalPERS and would allow the District to establish a cafeteria plan for IGM/COP Hart. He said this established the District's healthcare contribution to CalPERS at the PEMHCA minimum of \$125 per month. He said there was a cafeteria plan document from a broker that would allow the District to contribute the remainder healthcare contribution, per IGM/COP Hart's contract, to the cafeteria plan.

Director Toombs asked for clarification of his understanding that the resolution would be in line with the notion that the District had a healthcare arrangement wherein the District would pay the minimum, and the savings that IGM/COP Hart had given back under his contract would go towards the cafeteria plan. He also asked for confirmation that this would also set up the model for future possible use of a cafeteria plan. Mr. Benson responded why the Board would do this: It would separate the active and retiree healthcare contributions, which would establish that, in retirement, the GM/COP would only be eligible for the PEMHCA minimum, which was required by CalPERS regulations. Mr. Benson added that any future GM/COP would negotiate his own healthcare as part of the compensation package.

Director Cordova asked for clarification that this had effectively been approved when the Board had approved the original contract. Mr. Benson responded that was correct, but it had just taken some time to get the actual legal documents and to get the resolution from CalPERS. He added that, with the

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Board's approval, this would go back to CalPERS, and then the cafeteria plan would be operational by March 1st.

**MOTION: Director Cordova moved, and President Welsh seconded, that the Board pass Resolution 2016-03, pursuant to the Board's original approval of the this contract.
Motion passed: 5 – 0.**

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

IGM/COP Hart returned to the meeting.

6. Update from Ad Hoc Committee

David Spath provided the Directors with a progress report document. It is included in the March Board Packet's Consent Calendar.

David Spath thanked Director Cordova for having pointed out the government code issue earlier in the evening. She responded by letting Dr. Spath know that CSDA would be willing to assist the Ad Hoc Committee with its research.

Dr. Spath said the progress report summarized what the Committee had done to date, including holding a forum. He said that there had been about 185 forum attendees, 41 of whom had completed a questionnaire. He said that there were three subcommittees and that these would have public forums. He said the public had poorly attended the Committee's regular meetings; only five people and one Director had attended the Committee's last meeting. He urged people to attend and noted that the meetings had been announced in several ways.

Dr. Spath said the subcommittee members would be travelling to conduct the Committee's business and asked if they could be reimbursed for the mileage, parking, and bridge tolls. The Board and staff responded that the District had a reimbursement policy and that this should be followed.

Director Cordova suggested it would be good for the Committee to develop an FAQ page for the Committee's website page. Dr. Spath concurred and added that the Committee had created a new website page for documents received from members of the public that related to the Committee's work.

Director Gillette thanked Dr. Spath and the Committee and said she had faith in the Committee's ability to accumulate all the facts the Board would need to make decisions about the future of the District. She said this made her not want to preempt any decision. She added that this was work the Directors could not have accomplished, given their own workloads. She said the Committee had shown itself to be objective, straightforward, informative, and valuable to the community.

Director Toombs said he echoed Director Gillette's comments. He said the reason he didn't attend the Committee's meetings was that he didn't his presence to bias the Committee's work. Director Cordova said that she did attend and that she did speak and ask questions. Dr. Spath responded that he didn't think the Committee members were intimidated by anyone. President Welsh noted that Dr. Spath was hoping for more community attendance to find out what residents thought.

Rich Karlssen asked where the Committee meeting notices were posted. Dr. Spath responded that they were posted on the District's website. Board consensus was that the meeting notices should be sent to the same people who received the Board's agendas. Celia Concus said she didn't think this was an appropriate use of this list because those individuals had not asked to receive anything other than Board agendas. President Welsh suggested that staff send an email to all recipients of the Board's agenda asking if anyone wanted to opt out of receiving notices of committee meetings

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CONSENT CALENDAR

President Welsh asked if anyone wanted to pull an item from the Consent Calendar.

Director Toombs said that, given the late hour he would not pull the financial report, although he would have liked to.

Director Cordova said she had a request for a change to the minutes. She said that Intergovernmental External Issues was actually Board Coordinator position and asked that this be included. President Welsh asked that the minutes reflect what was in the Policy Manual. District Administrator Wolter suggested tabling this set of minutes and then revisiting them after she had gone back and listened to the tape.

Director Cordova asked if the appointments appeared on the website and added that she thought this was on the CSDA Transparency checklist. President Welsh concurred that it would be nice to have Mr. Gobler add this to the website.

**MOTION: Director Toombs moved, and President Welsh seconded, adoption of the Consent Calendar, with the exception of the January 14, 2016 Minutes.
Motion passed: 5 – 0.**

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

8 a. The Board considered approving proposed Resolution 2016-02 of the Kensington Police Protection and Community Services District, amending Board policy governing the preparation of the budget to ensure consistency with state law provisions governing the budget process.

Director Cordova asked for clarification that there was a discrepancy between the KPPCSD Policy Manual and state code, with respect to approving a budget, and that this would reconcile the discrepancy.

Director Sherris-Watt asked for a minor change: to change the language under Section 3020.2 to be gender neutral; specifically changing the word "his" to the word "the."

**MOTION: President Welsh moved, and Vice President Sherris-Watt seconded, to approve Resolution 2016-02, as amended.
Motion passed: 5 – 0.**

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

At 10:32 P.M., the Board took a five-minute break.

9 c. The Board considered a proposal from the Interim General Manager/Chief of Police to increase the FY 15/16 Budget for Capital Outlay Item 965 by \$18,000. This amount would be offset by new revenue, in the amount of \$18,526, of Asset Forfeiture Funds.

President Welsh introduced the item and asked IGM/COP Hart to provide the background on it.

IGM/COP Hart said the District had received its first installment of asset forfeiture funds, in the amount of \$18,526, from WESTNET as a result of the Kensington Police Department's participation in that program. He said he didn't know the full amount the District would receive, but the total would be divided among several agencies. IGM/COP Hart said the budget called for \$10,000 to be spent for

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weapons in order to standardize the force. He said that research had shown that the total for weapons, holsters, ammunition pouches, and equipment lighting would exceed the \$10,000. He said the officers currently did not have body armor issued to them, which, as the employer, the District was required to provide, pursuant to the government code. He suggested adding the \$18,000 of asset forfeiture funds to the amount budgeted for safety equipment in order to cover body armor, the weapons, and related weapon equipment. He explained that the proposed increase to \$28,000 was a not-to-exceed amount. IGM/COP Hart recommended that the Board authorize him to accept the asset forfeiture funds and to authorize the expenditure for body armor and weapons. He said there might be an opportunity to receive grant money to cover the bulletproof vests.

Director Cordova said she had had a conversation with the range master and that he had told her that the service weapons being used were varied among the officers. She noted that the ammunition for these weapons also was varied. She said the officers, not the District, had purchased the weapons. She said this caused her concern, given the Reno incident. She asked IGM/COP Hart to explain his recommendation, from a policy standpoint, with respect to the District's legal exposure. IGM/COP Hart responded that, historically, the officers had been allowed to bring their own guns and that this meant that the range master had had to purchase ammunition for these various weapons. IGM/COP Hart said he was proposing one kind of weapon and one kind of ammunition, which would enable the District to purchase ammunition in bulk and would standardize both the weapons and ammunition.

Director Cordova asked if IGM/COP Hart's intention was to issue one gun or two, with the second as a backup. IGM/COP Hart responded, one weapon would be issued to each officer.

Vice-President Sherris-Watt asked about the lighting feature. IGM/COP Hart responded that none of the officers' weapons currently had this feature but that this feature was now routine for most departments. He said he was recommending a state-of-the-art weapon, which would include the light feature on the weapon itself.

Director Cordova asked if the weapons would be semi-automatic. IGM/COP Hart responded in the affirmative.

Vice President Sherris-Watt said that she supported the concept of standardized weapons and body armor but that she would like more financial detail. IGM/COP Hart responded that he hadn't decided on what specific weapon he would get, though it was down to two. He added that the cost would be approximately \$14,000 for the weapons and about \$10,000 for the body armor. Director Cordova said she wanted to see an itemized list. Director Cordova noted that, years ago, IGM/COP Hart had owned a police equipment business and said she wanted to ensure that there were no ties between the source of this expenditure and IGM/COP Hart's prior life. IGM/COP Hart responded in the negative.

Vice President Sherris-Watt asked what the length of a warranty for body armor was. IGM/COP Hart responded that manufacturers usually provided a warranty of five years.

Director Cordova asked to table the item until more detail was provided. IGM/COP Hart asked that the Board approve everything in general and then, prior to the actual expenditure, he would provide this detail. He said he didn't want to move forward unless he knew that the Board supported the funding source and the concept of the expenditure.

Director Toombs asked for confirmation that, once the District purchased body armor, the officers would be required to wear it. IGM/COP Hart confirmed this. Director Toombs also asked for confirmation that, once the District purchased the weapons, the officers would be required to carry them. IGM/COP Hart confirmed this.

Director Cordova asked what would happen to the weapons the officers were currently carrying and for which the officers had been reimbursed. IGM/COP Hart clarified that the District had not reimbursed the officers, rather the officers, in accordance with the MOU, had received a weapons allowance.

Director Cordova asked for confirmation that each officer's gun was his/her personal weapon.

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IGM/COP Hart responded in the affirmative. Director Cordova said she wanted to revisit this because she was unclear about it. Director Gillette responded by asking Director Cordova what she wanted clarified. Director Cordova responded that the policy change needed to be clearer and that she wanted an itemized list of what IGM/COP Hart would like.

Jim Watt said he and Karl Kruger has spoken about this item and the two of them were in agreement about what he was going to say. He said he wanted to mention what had happened at the Finance Committee meeting – IGM/COP Hart had asked the Committee to consider recommending an increase in the amount that had been budgeted for legal expenses by \$80,000 because it had become clear that the amount budgeted would be exceeded. He said that, by a unanimous vote, the Committee had declined to make that recommendation. He said the Committee had agreed that the final amount expended should speak for itself, as compared to the amount that had been budgeted. He said he thought the same thing should be done with this item.

Mr. Watt said he had reviewed the budget, going back to 2007, and the District had expensed over \$100,000 during this eight-year period on WESTNET costs. He said it was good news that the District would be receiving \$18,000 for its involvement in WESTNET, but he didn't think the money should be used for police-related items; instead, it should go into the general fund. He added that, if the expenditure for weapons exceeded the \$10,000 budgeted then this should be reflected in the year-end financial report. He said the community had not been provided with the details to support the purchases of the safety equipment. He said he had spoken to a friend who told him that a Glock 22 plus a holster and an ammunition clip would cost about \$6,000 for ten officers. He said that this would leave another \$4,000 for training and extras, and that the total for these would come within the \$10,000 budgeted. He said there was no backup to support the \$10,000 amount cited for body armor. He said that his friend had directed him to a website that showed a level 3-A bullet-safe vest, capable of stopping a 44 magnum bullet, could be purchased for \$299 and that, therefore, the total for body armor should not be more than \$5,000. He said that the vests would have a lifespan of about three years and that because of this lifespan, the vests would be an ongoing expense. He concluded by saying that, given the anticipated benefits costs, the District needed to pay greater attention to controlling costs and that more detail was needed for Board approval.

Leonard Schwartzburd said he had a question about the flashlight on the gun: would an officer need to pull his gun to use a flashlight. IGM/COP Hart responded that an officer would not pull out a gun just to use a flashlight: Officers carried separate flashlights. President Welsh asked if the flashlight would be detachable from the gun. IGM/COP Hart responded in the affirmative.

President Welsh asked IGM/COP Hart about the cost differences cited by Mr. Watt. IGM/COP Hart responded that there was no way that the items, suitable for police use, were available for the prices that had been cited by Mr. Watt. IGM/COP Hart said the vests he had looked at were more than \$700, and this price had been discounted from \$1,200.

Director Gillette said she was surprised by Mr. Watt's comments. She said that the District paid IGM/COP Hart for his expertise.

IGM/COP Hart noted that the funds coming from WESTNET were restricted: They could only be used for police training or equipment and, therefore, could not go into the general fund. He said that most agencies would be using this money to provide 21st century policing and that he was trying to achieve this with his recommendations. He said that body cameras were among the 21st century policing recommendations and that he hoped to come to the Board about these in the future.

President Welsh asked that, because Mr. Watt had taken the time and trouble to come up with his recommendations, IGM/COP Hart take a look at them. IGM/COP Hart said that he would do so and that his job was to get the best deal for the District.

Director Gillette said that, given the issues that had been raised, it would be a good idea to itemize exactly what the costs would be and then bring the item back to the Board.

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Celia Concus asked if it was standard to have two proposals and suggested that this would be a good thing to do. IGM/COP Hart responded that the department had obtained multiple proposals and that the department knew from experience that there were certain vendors that provided the best prices for law enforcement. He said that the guns would, tentatively, come from LC Action and the vests from Adamson Police and that both these suppliers were well known.

Director Gillette asked if the Board needed to accept the \$18,000 that evening. IGM/COP Hart responded that the check had been deposited into the District's account, and he recommended that the money be allocated to safety equipment.

MOTION: Director Cordova moved, and Director Gillette seconded, that the Board continue the item.

Motion passed: 4 – 1.

AYES: Welsh, Gillette, Sherris-Watt, Cordova NOES: Toombs ABSENT:

Vice President Sherris Watt noted that she wanted a breakdown for the equipment.

Director Toombs noted that he had voted in the negative because he wants the officers to have body armor now. President Welsh added that it was the law that employers must provide the safety equipment and enforce its use.

9 d. The Board received a presentation from the Interim General Manager and considered taking action on revising the rental fees and other charges for use of the District facilities.

IGM/COP Hart provided the background on this item and a summary of the proposed rates. He noted that the rates had not been increased for a number of years and recommended that the Board approve the proposed rates. He said the proposed rates were consistent with rates charged in other communities and noted that a goal of the District was to raise fees. He said this was the Board's second look at this: It had seen proposed increases at a prior meeting. He said, however, that this would constitute a first reading and that, with Board approval, he would return to the next meeting with a resolution.

Director Gillette said that a resident had expressed concern about the proposed hourly rates for residents to rent the Community Center. She said that, if one were to add up all the hourly rates for the different parts of the Community Center, the total would be about \$350 per hour and that this amount seemed really high.

Director Cordova said that the picnic table reservation rate of \$73 was too high. She said that such funds should be intended to improve facilities and that Kensington had one small park that served its residents. She said parks should provide universal access, she didn't have children, but she couldn't imagine having to spend \$73 to reserve a table: The most it should be was \$20 per hour, with a minimum. She said the District had not made improvements to the Community Center to justify a sharp increase in those fees.

Director Toombs said his concern was that the District was trying to restore the building and that it needed the revenue to help pay for the cost of this. He added that an individual didn't have to spend \$73 to use the picnic tables, only to reserve it if one wanted it for a specific time.

Vice President Sherris-Watt said she had put this issue out to the parent community, which said the amounts for the picnic tables were too expensive and they were already paying taxes. She added that they had said \$10 per hour, with a minimum, would be more reasonable and that they didn't want to use the tables for a whole day.

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IGM/COP Hart said that he was trying to raise revenues and that he was open to amendments. He recommended increasing fees to stay current, to cover daily expenses, and to ensure that the District didn't lose money when it rented out the facility.

Vice President Sherris-Watt proposed that she and Director Gillette meet to discuss amendments. Director Gillette responded that she would do so.

Celia Concus asked that these fees be considered in the context of the recently increased police fees, which, she said, some people found offensive.

David Bergen asked how picnic table reservations would be enforced and said that, for \$75, he could buy a table and bring it to the park.

- 9 e. The Board received a report from the Parks Building Committee on a Measure WW Grant application for the Kensington Community Center facility improvements.

Vice President Sherris-Watt said the Park Buildings Committee had begun a preliminary project application for Measure WW Grant money. She said the Committee had submitted the information to the East Bay Regional Park District because they had hoped they would get some feedback on what the Committee was proposing to do before it actually submitted the grant. She said the Committee had not heard back yet. She said that the window for applying was between 2/1 and 3/31/16 and that, if this year's window was missed, the District would have to wait another year. She said the District would be asking for \$158,000 of grant money, the maximum amount available. She said they would submit the application for the ADA upgrades to the building, which came in with an estimate of approximately \$180,000. She added that the Board had designated about \$207,000 for building improvements, and she asked if the Board would like this item to come before it in March.

Director Cordova said that, because she wrote park grants she would like to review the document.

President Welsh asked for confirmation that the deadline was March 31st. Vice President Sherris-Watt confirmed this. President Welsh responded that this would allow the Board to review the document at the Board's next meeting.

Director Toombs asked for confirmation that this would appear on the March agenda. President Welsh confirmed this.

- 9 g. The Board received a report on negotiations with Conterra Ultra Broadband to authorize Conterra to construct, operate, and maintain an underground conduit under Kensington Park Road to provide broadband services to Kensington Hilltop Elementary School.

IGM/COP Hart explained that 50 miles of fiber optic cable was being installed for the WCCUSD, ranging from Richmond to Kensington. He said that the boring for the section of the cable installation affecting the KPPCSD would begin on Rincon Road, which was County-owned, and then proceed up Kensington Park Road, part of which is owned by the KPPCSD, to the school. He said the installation would be accomplished by boring underground to accommodate a two-inch pipe and added that a stub-out would be installed to accommodate any possible future wi-fi installation at the Community Center. He said he had contacted the District's law firm to ascertain what would be needed to complete the process.

The District's legal counsel, Teresa Stricker, explained that a license agreement would be needed with Conterra and that the Community Center stub-out would be a bonus. She noted that she was in the process of getting the license agreement in place and that Conterra would then go to the County to obtain an encroachment permit.

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Director Toombs asked about insurance coverage. Ms. Stricker responded that the agreement would contain all the needed indemnity provisions.

Director Cordova asked if the work would initiate CEQA. Ms. Stricker responded in the negative.

Vice President Sherris-Watt asked if IGM/COP Hart would be notifying the library and the Kensington Community Council. He responded in the affirmative.

Jim Watt asked if the work, especially the proposed stub-out in one of the planter boxes four feet from the Community Center, would conflict with the work related to re-grading for ADA compliant parking places. IGM/COP Hart responded that the line would be between 36 and 40 inches deep, so this would be unlikely.

David Bergen asked what size the stub-out box would be. IGM/COP Hart responded that it would be two feet by three feet and would be at the surface. He asked, if the District were to provide wi-fi at a later date, would the District be limited in its service provider. He added that he would like to see wi-fi added to the Community Center.

Director Cordova asked if construction documents would be available for review. IGM/COP Hart responded in the affirmative.

IGM/COP Hart said the Board did not need to take action on this item.

- 9 h. The Board received a report from the Finance Committee about forming a subcommittee comprised of five members of the Finance Committee to develop a Budget Reserve Policy Informational item.

President Welsh introduced the item and explained that the Finance Committee needed authorization from the Board to establish a subcommittee of five members. Director Toombs noted that the subcommittee, because of its size, would be exempt from the Brown Act.

IGM/COP Hart said the staff report named the five individuals recommended by the Finance Committee. President Welsh provided the names: Jim Watt, Gloria Morrison, Rob Firmin, Karl Kruger, and Paula Black.

MOTION: Vice President Sherris-Watt moved, and Director Cordova seconded, the formation of the subcommittee.

Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

IGM/COP Hart noted that he had failed to mention under his General Manager's Report that he was trying to identify a time and date for the Board workshop. He said that he had sent the name of a consultant and a scope of work to the Directors and that this had been budgeted. March 12th was identified as a proposed date for which three of the Directors had said they were available. President Welsh and Director Gillette said they would reply to IGM/COP Hart.

President Welsh said that, earlier, he had let Leonard Schwartzburd know he could make a comment at the end of the meeting. Dr. Schwartzburd said he wanted to know, once the Richmond investigation was out, what level of it could be released to the public. IGM/COP Hart said that, once he received it, he would forward it to Public Law Group and ask the firm to review it to ascertain what could be legally released.

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Director Cordova asked, based on the findings, if it would be Richmond that would sustain or not sustain the allegations and not IGM/COP Hart. IGM/COP Hart responded that, ultimately, Richmond would make findings, but the Chief of Police would sustain or not sustain. President Welsh asked for confirmation that this would be IGM/COP Hart. IGM/COP Hart confirmed this. Director Cordova responded that this was different from what had been explained to her. She said she understood that Richmond would sustain, partially sustain, or not sustain the allegations, that this would then be forwarded to IGM/COP Hart, at which point IGM/COP Hart would review the report and the recommendation – she said she understood there was one, and that IGM/COP Hart would be responsible for any further action. IGM/COP Hart said he would have to concur or not concur with the recommendations.

Director Toombs said this was a possible violation of the Brown Act and so there shouldn't be any further discussion.

MOTION: Director Gillette moved, and President Welsh seconded, that the meeting be adjourned.

Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

The meeting was adjourned at 12:01 A.M.

Len Welsh
KPPCSD Board President

Lynn Wolter
District Administrator

Meeting Minutes for 1/14/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, January 14, 2016, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. The Regular meeting of the Board of Directors followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddell, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Vice President	Adam Benson, Renne Sloan Holtzman Sakai LLP
Chuck Toombs, Director	John Holtzman, Renne Sloan Holtzman Sakai LLP
Patricia Gillette, Director	Deborah Russell, CPA
Vanessa Cordova, Director	Mabry Benson
	Gloria Morrison
	David Spath
<u>Staff Members</u>	Karl Kruger
Interim GM/COP Kevin Hart	Jim Watt
Sgt. Hui (on duty)	Ron Weiselman
Lynn Wolter, District Administrator	Linda Lipscomb
	Catherine de Neergaard
<u>Press</u>	Leonard Schwartzburd
	Steve Bates
	Lisa Caronna
	Celia Concus
	David Bergen

President Welsh called the meeting to order at 6:32 P.M. President Welsh, Vice President Sherris-Watt, Director Toombs, Director Cordova, Director Gillette, Interim GM/COP Hart, and District Administrator Wolter were present.

PUBLIC COMMENTS

Mabry Benson said she wanted the labor negotiators to hear what she had to say about the MOU and about possible extension of contracts with present or future General Managers or Chiefs of Police. (Jonathan Holtzman and Adam Benson came into the room). She said nothing in the contracts should prevent police services from being provided in any manner the Board sees fit. She said that the previous MOU allowed the Board to dismiss officers and that the Board should retain that power.

CLOSED SESSION

The Board entered into Closed Session at 6:35.

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- a. Conference with Labor Negotiators (Government Code Section 54957.6) Agency designated representative: Jonathan Holtzman, Renne Sloan Holtzman Sakai LLP. Employee organization: Kensington Police Officers Association. The Board was to receive an update in contract negotiations.
- b. Public Employee Performance Evaluation (Government Code Section 54957(b)) Title: Interim General Manager/Chief of Police.

The Board returned to Open Session at 7:40 P.M.

President Welsh took roll call. Vice President Sherris-Watt, Director Toombs, Director Gillette, Director Cordova, and President Welsh were present.

President Welsh reported that the Board

- Had considered only Item a.
- Had been briefed by its representatives and had given guidance.
- Would return to Closed Session at the end of the Open Session

PUBLIC COMMENTS

Linda Lipscomb said that Richard "Tony" Lloyd had passed away on December 24th. She said he had been a KPPCSD Director, serving the same four years on the Board as she and that he had served with Directors Toombs and Gillette and Director Welsh, as well. She said that she, Tony, and Paul Dorroh had campaigned together. She said that he had "shown up" – serving in leadership positions – that he had spoken up for what he thought was right and fair; and that he had kept calm – never raising his voice or showing disrespect during discussions. She noted that, among his many accomplishments, he had served as President of the Board and had been Chairman of the committees to which he had been assigned and that he had fulfilled his commitment to the community, despite having serious health problems. She concluded by saying that volunteers like Tony were "where the rubber meets the road with democracy" and that she was happy to have served with him.

Ms. Delk thanked the Board and staff for improvements that had been made to the way minutes were amended and posted. She noted that there were no minutes posted under the website's new Approved Minutes tab for January, May, June, July, September, and October of the prior year and that they did not appear under this tab because they had been approved without amendments. She asked that a notation appear on the new tab, if these minutes were to be found elsewhere. She asked that the pages of the minutes be numbered separately, in addition to being hand-numbered as part of each Board Packet.

Ms. Delk also commented upon the Policy Manual's section pertaining to Public Complaints. She said greater clarity was needed with respect to complaints made by members of the public against the Board of Directors and that a new section was needed for complaints against the General Manager/Chief of Police. Ms. Delk handed out a copy of her comments and this document is included, under correspondence, in the February Board Packet.

Leonard Schwartzburd read the oath he had taken when he was sworn into the CERT Program. He noted this was the same oath taken by the IGM/COP and each member of the Board. He summarized the reasons why President Welsh and Director Toombs had violated their oaths:

- Preventing members of the public from being able to express themselves freely at meetings.
- Intimidating bullying.
- Cooperating in a cover up of dishonest falsification of the minutes of ten months earlier.
- Making untrue statements.

Dr. Schwartzburd said IGM/COP Hart violated his oath by:

- Cooperating with the attempted cover up of the dishonest falsification of the minutes.

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- The manner in which he responded to Dr. Schwartzburd's complaint of a dishonest and false police report.

Dr. Schwartzburd concluded by saying that he was angry that President Welsh, Director Toombs, and IGM/COP Hart had proven that they were not public servants who were there to serve the public. Dr. Schwartzburd handed out a copy of his comments, and this document is included, under correspondence, in the February Board Packet.

Gloria Morrison thanked IGM/COP Hart for his extensive explanation of his recent investigations. She said it didn't make her happy that there was an individual who continued to embarrass Kensington. She said she didn't like to think Kensington had become a place where mistakes couldn't be made without them being considered to be part of a plot or something sinister.

Ms. Morrison said she had questions about the status of Director Cordova's accusation of harassment. IGM/COP Hart responded that the investigation was still pending; the investigator was still working on it. President Welsh added that IGM/COP Hart had asked the Richmond Police Department to conduct the investigation. IGM/COP Hart said he anticipated that the investigation would be completed by the end of the first week of February.

Ms. Morrison asked about the status the Policy and Procedures Manual, noting that there had been a committee that had done a lot of work on this. President Welsh responded that he would be making an appointment of a Board Coordinator for this and said he thought that person would be making a report soon. Ms. Morrison said she would hate for all the previous work to have been for no purpose.

Mabry Benson repeated the comments she had made prior to the Closed Session: With respect to the MOU being negotiated with the police officers and the possible contracts with GMs and COPs, nothing in them should prevent the District from providing police service in any manner it saw fit. She said that the prior MOU provided that the Board could dismiss officers and that the Board should retain that power.

Ms. Benson said she wanted to thank staff on the draft minutes because they now had the watermark of "draft" written on them. She also thanked IGM/COP Hart for mentioning his 100-Day Plan in his General Manager's Report and for reporting that he was working on it. Regarding IGM/COP Hart's mention of the internal investigations, she said that, while some residents were happy with the police officers, some residents had complaints about actions of some of the officers. She said that, as long as the GM and COP positions were combined there would be problems. She said the process for filling the GM/COP position, or of these as separate positions, needed to get started. She said that the Board needed to establish a process for this and asked if the Board would do nothing until after it received the findings of the Ad Hoc Committee, which she said likely would not happen until July. She noted that the Board likely would need to extend IGM/COP Hart's contract in March since an alternative had not been discussed. She then asked if IGM/COP Hart would continue with more extensions. She said that there would need to be an interview process for the permanent employee or employees, with the positions formally advertised and that a firm should be hired to assist with that process. She said that, given the amount of time the process would likely take, the Board should have begun earlier.

Ms. Benson said that she had spoken with Charles Reichmann, of the Ad Hoc Committee, about contracting out and said that he was reluctant to proceed with working on this without Board approval allowing him to contact possible agencies.

Jim Watt said the current economic climate could create economic hardships for the District. He said that, based on information he had received from CalPERS and on declines in equities since the start of the year, CalPERS performance for the fiscal year-to-date was a negative 12%. He said this meant that the District's \$8.3 million invested in CalPERS pension fund was worth about \$7 million. He said it was unlikely that CalPERS would be able to change this negative into its target return of 7.5%. He said that a miss of 5% on CalPERS's returns would translate into an additional \$15,000 contribution on the part of taxpayers to fund officers' pensions and that a negative 12% return would translate into an additional

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annual contribution of \$140,000. He concluded by saying that, given the generous compensation packages – based on the compensation study he had prepared, the District was not looking out for the long-term protection of the taxpayer.

Lisa Caronna reported on the Kensington Improvement Club's (KIC) recent work:

- Hired the arborists of Brende & Lamb to prune the oak tree in the Colusa Circle, which was then lit with holiday lights by local merchants.
- Pathway cleanups – special thanks to Gretchen Gillfillan, with an upcoming cleanup of upper Ardmore Path on February 6th.
- Work with the County gardener – thanks to Lorraine Osmundson, with weeding and enhancements being done on the Arlington Avenue medians using landscape and lighting tax dollars.
- Coordinating with Kensington Property Owners' Association (KPOA) in identifying a process for undergrounding utilities, with a workshop to be scheduled for sometime in the spring.

President Welsh thanked Ms. Caronna for the work being done by the KIC and other K-Groups.

Catherine de Neergaard thanked Jim Watt and Mabry Benson for their comments. She reported that there is a new Kensington group – the Kensington Green Group, for all things green and sustainable. She said there would be a meeting at Gayle Tapscott's home at 7:00 PM, on the 20th. She reported that there would be several speakers discussing community choice energy – neighborhood energy as an alternative to PG&E to reduce the carbon footprint.

Steve Bates reported there had recently been another water main break on Arlington Avenue that caused flooding in at least two homes. He said his three homes had been flooded by a break in 2012, at which time he had learned that EBMUD paid only a fraction of every dollar for damage caused. He said he was working to compile a list of recent water main breaks in order to get a group together to approach EBMUD. He noted that EBMUD's policy was to repair, not to inspect and maintain – even though it knows its pipes are aging and likely to continue breaking. President Welsh concurred that the community was having lots of water main breaks, said he wanted to talk to the District's attorneys to see what action could be taken, and thanked Mr. Bates for bringing the matter to the community's attention. IGM/COP Hart added that Mr. Bates was doing his own research, that he had met with Mr. Bates, and that he wanted to meet with him again to ensure a united front in moving forward with EBMUD.

Celia Concus said she had been asking for consistency in the way crime statistics were included. She said that sometimes there is a Watch Commander's Report and sometimes the information is just included. Sometimes the Watch Commander's identified and other times it's identified as a Sergeant's report, with no identification who the officer is. She said she wanted to know who was working and when. She said that, specifically, she wanted to know who had been working in October, when Director Cordova had been pulled over in Berkeley. She asked if there was a response to that. IGM/COP Hart responded that he was working to develop consistency. He noted that, for the prior two months – due to a problem with Richmond Police Department's system, all statistics had had to be done by hand. IGM/COP Hart invited Ms. Concus to come by his office to discuss her concerns. President Welsh added that he understood her concern to be that of consistent format and encouraged her to take IGM/COP Hart up on his offer of a meeting.

David Bergen said he wanted the website documents to be in text format instead of PDF format. He added that he wanted the documents to be text-readable. Vice President Sherris-Watt added that she and IGM/COP Hart were interested in making improvements to the website.

Chris Hall said he wanted the Ad Hoc Committee to hurry along the separation of the GM/COP position for Chief Hart's sake and everyone else's. President Welsh responded that he didn't know what the Ad Hoc Committee's schedule was. Mr. Hall suggested that the Committee provide an update. Mr. Hall asked President Welsh to repeat what he reported out at the end of the Closed Session. President Welsh responded that he had reported that the Board had met with its labor negotiators, the Board had been

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given certain information, and the Board gave the negotiators some advice. President Welsh clarified that this had to do with the MOU and that the negotiators worked for the District.

Ron Weiselman questioned how an MOU could be negotiated when the District didn't know how much money it had. President Welsh responded that the District did know how much money it had. He said that work was being done on figuring out the District's future pension and healthcare obligations. He added that this was being reviewed at Finance Committee meetings.

BOARD COMMENTS

Vice President Sherris-Watt reported that the Park Buildings Committee's January 20th meeting date had been changed to January 27th at 7:00 PM and that a Community Center pump had been replaced the prior week. She also noted that work had begun on the reservoir and, as a result, there were lots of trucks in the area; she encouraged people to drive with caution in the area.

Director Gillette said she echoed the comments made about Tony Lloyd by Linda Lipscomb. She said his passing was a loss to the community, and he had donated his time here and elsewhere for a number of various organizations.

President Welsh said he would miss Tony Lloyd; he had been warm and accessible to President Welsh when he had first joined the Board. He added that he and Director Toombs had written a piece for the February Outlook. He asked Director Toombs to read the article.

Director Toombs said that Outlook Editor, Linnea Due, had asked President Welsh and himself to write the piece. He read the eulogy, which cited that Mr. Lloyd had passed away on December 24th from complications due to longstanding health issues. He noted that Tony had been born in Detroit in 1949; had met his wife, Carol, at Michigan Bell; moved to California in 1976; spent his career at Pacific Bell/AT&T; was an accomplished musician, vocalist, founding member of the Blues Daddies and member of Cantare Con Vivo; visited families at Christmastime to convince their children that Santa was outside their windows; served as Moderator at the Arlington Community Church and as a board member of the Kensington Community Council; served as a KPPCSD Director from 2010 – 2014, serving as Vice President and President during some difficult years; was a devoted husband and father of two daughters; and was positive and constructive. Director Toombs added that donations in Tony's name could be made to Cantare Con Vivo or Arlington Community Church. He concluded by announcing that a memorial service would be held January 29th at 2:00 PM at the Arlington Community Church and that he would miss Tony.

President Welsh said that a couple of people had asked what the Board was doing about the IGM/COP's contract, which would be ending soon. He said there would be a Closed Session, following the Open Session, to address the matter.

STAFF COMMENTS

GM/COP Hart reported:

- For the past few months he had been working to resolve a longstanding feud between two neighbors, over cars parked for longer than 72 hours. He noted that members of the Board had received correspondence regarding this matter.
- He was working to organize a Goals and Objectives Workshop for 2016. He said he wanted to clarify the Board's intention about the facilitator – was it the Board's intention that he return with three proposals, or was it the Board's intention that he select the facilitator in order to move things along quickly.

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Director Cordova responded that she thought IGM/COP Hart was to select the date only. She said she wanted to see a handful of consultants specializing in this type of work. She suggested Public Law Group as a resource. She didn't want the IGM/COP to unilaterally pick the facilitator. Vice President Sherris-Watt noted that the Fire District had done this type of strategic planning and that she was comfortable with IGM/COP Hart selecting a facilitator. President Welsh said he thought things had been clear in the minutes of the last meeting and he asked if Director Cordova had had a chance to review those minutes. Director Cordova said she might have misunderstood. She said she wanted to see scope and cost information as well as information about who might be available to perform the work. IGM/COP Hart said that he wasn't opposed to providing the information and that time was of the essence. Director Cordova said she would look at the proposed candidates. IGM/COP Hart responded that the minutes indicated the direction in which he was to go, but that, if the Board wanted to go in a different direction, he served Board.

Randy Riddle noted that, if the Board wanted to go in a different direction, it would need to be on the agenda. Vice President Sherris-Watt said she would be comfortable with IGM/COP Hart identifying a couple of suggestions and Director Cordova reviewing them. Director Gillette said that the Board had hired the IGM/COP to make certain decisions for the Board and that the Board could be stalled forever in trying to get to perfect. She concluded by saying that the Board should stick with the decision it had made at the prior Board meeting. President Welsh noted that a decision had already been made and he didn't want to change it. He said the Chief needed to work to find a date and then move forward.

IGM/COP Hart confirmed that had direction.

IGM/COP Hart asked District Administrator Wolter to report on recent changes made to the minutes to make them more user friendly. District Administrator Wolter reported that minutes contained in Board Packets had always been draft minutes; but, in order to make it more obvious that these minutes were draft minutes, she had added a "Draft" watermark to them. She noted that a header had been added to the minutes, indicating that approved minutes, whether approved as prepared or approved as amended, would appear on the District website, under the tab "Approved Minutes." Director Toombs responded that the minutes looked really nice.

President Welsh asked what changes would be made, with respect to amending minutes. Randy Riddle responded that, going forward, there would be draft minutes and a drop down menu for all approved minutes.

Celia Concus asked if the minutes would continue to be summary minutes or if they would change to action minutes. President Welsh responded that might be on the agenda in the future but that wasn't what was taking place at this point.

Leonard Schwartzburd said it was really important for the public to know what the approved minutes are. He said that, if the draft minutes are incorrect, it was incumbent upon everyone to present what had actually been approved so that it would be obvious. He said the draft minutes weren't the final minutes and that the final minutes should be most available to the public.

Ron Weisman asked that changes be highlighted in amended minutes so readers would know what had been changed. President Welsh asked Randy Riddle to discuss what was standard practice, with respect to minutes, and noted that the District had limited staff with limited time. Mr. Riddle responded that the approach the District would now be taking would be consistent with general practice. President Welsh asked if there was a problem with highlighting changes, especially in light of the fact that there weren't very many changes. IGM/COP Hart responded that changes were already being highlighted in yellow in the approved minutes, so that readers would know, when reading the approved minutes, what changes had been made.

In consideration of CPA Deborah Russell's and consultant Adam Benson's attendance, the Board proceeded to Item 9h.

- 9h. The Board received the Draft Actuarial Study of Retiree Health Liabilities as of July 1, 2015. The report had been prepared by Total Compensation Systems, Inc.

IGM/COP Hart reported that the Actuarial Study was a legal requirement, that a study had to be done every two years, and that the District had worked with Total Compensation Systems for several years. He noted that Mr. Benson and members of the public had spoken with the actuary. He said the Finance Committee had reviewed the report on December 17th, at which time a motion had been made to move the report forward for the Board's consideration. He introduced Ms. Russell and Mr. Benson, who summarized the work that had been completed.

Ms. Russell said she had completed some work that had been requested and she distributed copies of her work. She said one of the questions that had arisen had to do with the number of active and retired members. She said she had prepared a recap, which matched the budget. She said the actuary had been given one retiree too many and that, at the time of the report's preparation, there had been nine active members, which was what the actuary had used. Ms. Russell had prepared a schedule, by age group and by active or retired category, and the type of plan in which the members were enrolled. She said the second page of her summary showed the premiums being paid for the members. She said the budget reflected real numbers.

Mr. Benson said he had reviewed the actuarial report. He noted that the Finance Committee had raised some questions about some of the assumptions but that, without answering those specific questions, the report, as prepared, satisfied the District's legal obligation. He added that nothing prohibited the District from contributing more than the ARC (Annual Required Contribution) to the OPEB Trust. He said actuaries had some discretion in making assumptions but that modifying those assumptions would affect the result, negatively or positively.

IGM/COP Hart reported much had been said about the trend rate. Ms. Russell responded that the actuary stood by his rate of 4%. She added that some in the community had questioned that rate but that the District had hired a professional who had been approved and who, even after having been approached by members of the community, stood by that rate. Mr. Benson said a 4% medical trend rate was a little on the low side, if looking over a short period of time. He noted that CalPERS rate declined by 3.8% in 2015 but went up by about 4.5% in 2016. IGM/COP responded that the actuarial report covered a 24-year period of time and that this drove the actuary determining a 4% trend rate. Discussion ensued about the range of medical trend rates used by various actuaries, with Mr. Benson concluding that a 4% trend rate was not as conservative as he would like to see.

Mr. Benson discussed the discount rate. He noted that the District had a little over \$600,000 in the trust, invested in one of CalPERS' three CERBT portfolios, with each of the three portfolios having a different target rate of return. He said the actuary had used a 7% discount rate, that using this rate was pretty consistent, and that he didn't think the District needed to lower that rate.

IGM/COP asked if Mr. Benson and Ms. Russell were comfortable with the actuarial report. They responded in the affirmative.

President Welsh noted that Mr. Benson had raised the issue of the medical trend rate being on the low side and, as a result, the Board might want to consider contributing more to the OPEB Trust. Mr. Benson responded that, if the market declined, newly added money would likely decline in value. Ms. Russell added that, if extra were to be contributed, it would be a cash transaction involving the moving of cash from savings to the trust but that the transaction wouldn't affect the District's income statement.

Jim Watt said he was opposed to the Board approving the actuarial study and handed out a document he had prepared. He said the vote of the Finance Committee, recommending that the Board accept the Study as prepared, had been eight to one, with himself as the dissenting vote. He said that he was opposed to the Board's accepting the report as prepared; instead, he wanted the Board to ask Mr. Benson to prepare some alternatives: a 5% medical trend and a 6% discount rate. He said that the Board should approve a report based on reasonable assumptions and accurate data and that it needed to

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approve a report that would ensure that adequate money would be available for the officers' medical costs upon their retirements. He summarized his rationale for using different rates than those used by the actuary. He also said he disagreed with the mortality assumptions made by the actuary and said that the actuary had failed to include the implied subsidy, which he said would increase the amount that the District would need to contribute.

Mr. Watt concluded by recommending that the District contract for a new actuarial report by either Bartle Associates, the District's former actuarial firm, or by Nicolay Consulting, which prepares actuarial reports for the Fire District. He added that a report prepared by Bartle would cost about \$8,500 and one prepared by Nicolay would cost about \$4,000.

At 9:21, the Board took a break in Item 9h and moved to Item 9b.

9b. The Board received a presentation from the Interim General Manager, who recognized the 2015 Kensington Police Department Citizen's Academy participants for their contributions to the community.

IGM/COP Hart said voluntarism was unique to Kensington. He read the memo he had prepared that summarized topics the Citizen's Academy had covered. He said he had commissioned challenge coins for the Kensington Police Department, gave a history of challenge coins, and then presented coins to each of the Directors and to each of those who had participated in the Academy. Academy graduate participants were: Bill Benson, Mabry Benson, David Garfin, Susan Garfin, Katie Gluck, Peter Liddell, Gretchen Gillfillan, Jim Watt, and S.D.

Mabry Benson and Susan Garfin encouraged others to attend the Citizens' Academy.

IGM/COP Hart also recognized Officer Wilkens for organizing the Citizens' Academy and presented her with a challenge coin – the first member of the Kensington Police Department to have received one.

President Welsh thanked all those who had participated in the Citizens' Academy.

At 9:34 the President Welsh entertained a motion to extend the meeting.

MOTION: Director Toombs moved, and President Welsh seconded, that the meeting go beyond 10:00 PM.

Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

The Board resumed discussion of Item 9h.

Paul Dorroh reiterated that the Finance Committee's vote to recommend Board approval of the actuarial study had been eight to one and explained why he had voted in the affirmative in light of Mr. Watt's extensive presentation. He said it was a legal requirement to determine an amount that the District would record as an expense and that the amount had to come from an actuarial study. He said he had more than 24 years of experience in the insurance business and that he had reviewed many actuarial reports during that time. He said that, based on his experience, the number prepared by the actuary might not be wrong. He noted that actuaries were almost always wrong because they were in the business of predicting the future – which nobody can do. He said that, while there might be discrepancies among various actuaries, he urged the Board not to get a new actuarial study. Instead, he recommended waiting to have a new report prepared in two years and, in the meantime, possibly interviewing different actuarial firms.

Director Gillette thanked Mr. Watt for his research and Mr. Dorroh for his explanation. She said she thought Mr. Dorroh's comments were appropriate, in that the District had paid for the report. She added that the District had the option of contributing more than the actuary recommended and that the Board

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should consider this. She asked Marilyn Stollon and Mr. Watt not to attribute bad motive or intent to people trying to do their jobs – whether the actuary or one of the people in the District. She said Mr. Watt had raised sufficient cause for the District to consider whether this was the right actuary for the District.

Vice President Sherris-Watt said the District had just completed its three-year contract with this company. She noted that the mathematics of the report were correct but the premise was incorrect. She said she was uncomfortable approving the actuarial report because some of its assumptions were incorrect and its conclusion would impact the budget and other decisions for the next two years. She asked Randy Riddle what the Board's legal obligation was. Ms. Russell responded that, if the District opted to request another actuarial report, the District would need those numbers by March or April for purposes of preparing the budget. Director Gillette asked if the District could ask for a new actuarial report next year. IGM/COP Hart responded in the affirmative but added there would be a cost associated with it. Vice President Sherris-Watt asked, if there were new numbers in a new MOU, might that be a good time to prepare a new actuarial study. Director Gillette said she didn't want to jump to conclusions; this had been recommended by the Finance Committee, with eight of nine members voting in the affirmative. Vice President Sherris-Watt responded that she had done her due diligence and spoken with other actuaries and that she would be happy to write up a report for the Board's next agenda.

President Welsh said he wanted to hear what Fire Board Director, Larry Nagel, had to say. Mr. Nagel reported that, at the prior night's Fire District meeting, the Fire Board had reviewed an actuarial report prepared by Nicolay, which used a more conservative set of assumptions. He said he appreciated the fact that some of the KPPCSD Directors were concerned about the report they had received. He said the Nicolay report came back with a 13% increase in the amount of money the Fire District should set aside for medical costs for its retirees. He noted that the Fire District had nowhere near as many retirees and no active members. He said that, the prior night, they had gone from a position of being \$200,000 over funded, to one of \$26,000 underfunded. He said what had contributed to the change was that people were living longer.

President Welsh asked Randy Riddle if the actuarial report failed to meet the GASB legal requirements. Mr. Riddle responded that this wasn't his area of expertise. Mr. Benson responded that the actuary was certified and so met the requirement. President Welsh said he didn't see any benefit to obtaining another report. Mr. Benson added that the District's minimum requirement was the pay-as-you-go amount.

Jim Watt noted that Total Compensation Systems actuary had decreased the recommended ARC between his report of two years earlier and his current report and said he found this unintelligible. President Welsh responded that he wasn't in favor of spending more money for another actuarial report, adding that the Board could always contribute more than the recommended amount.

Vice President Sherris-Watt said she thought the report was faulty, and she wanted what was best for Kensington. Director Cordova added that the Directors, as fiduciaries, had a legal responsibility to adopt an actuarial report and an even greater one to adopt a report in which they had confidence. She said the report had failed to include the implied subsidy and more current mortality information, and it contained incorrect employee counts. She asked that the item be continued, with Mr. Benson seeing what he could come up with as an estimate. She added that, if the Board voted on the item that night, she would be a "no" vote.

Director Gillette asked if the District could ask the actuary come to explain his report. The response was in the negative.

Ron Weisman asked that the Board put aside more money.

Celia Concus noted that \$6,500 had been budgeted for recruiting but had not been spent. She said that, when IGM/COP Hart had decided he needed health insurance, the Board just voted for it – no one

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complained that the District didn't have the money. She concluded by saying the District needed to be financially responsible.

President Welsh called for the question.

**MOTION: Director Toombs moved, and Director Gillette seconded, that the Board accept the report as presented, with the caveat added by Director Gillette that the Board would revisit and consider adding more than the recommended amount to the account.
Motion passed 3 – 2.**

AYES: Welsh, Gillette, Toombs NOES: Sherris-Watt, Cordova ABSENT:

Upon the motion having been made and seconded, Gloria Morrison added that the Finance Committee had said it wanted to do what had been added as the caveat and said she supported Director Toombs' motion.

President Welsh asked if it would make sense to have a new actuarial report. Director Toombs responded he, Mr. Benson, President Welsh, and IGM/COP Hart had a conversation on December 30th about these issues. One of the recommendations they had made was to have the actuary re-run some numbers and then have orders of magnitude done by Mr. Benson. He said that Mr. Benson had done reports of orders of magnitude and cost and that they weren't anywhere near as bad as people had thought; but they still had not asked the actuary to run new numbers with different assumptions. He said that, under these circumstances, it seemed premature to have a new actuarial report done. He added that what had been discussed at the Finance Committee had been to run new numbers with different medical trend rates and discount rates, see what the numbers looked like, and have Mr. Benson prepare an order of magnitude report. President Welsh responded that preparing a new actuarial report could be tabled, pending the discussion at the next Finance Committee meeting.

6. Update from Ad Hoc Committee on Governance

David Spath reported that there had been a meeting the prior week and that work plans and suggested timelines had been received for all but one of the three tasks: Rick Artis had been injured and so had been unable to submit his work but would be doing so shortly. Dr. Spath said the groups had indicated that they likely would complete their work by June.

Dr. Spath reported there was some difficulty associated with obtaining information on contracting out: The committee would need Board authorization to contact and engage in discussions about costs of service with other agencies. President Welsh responded that he didn't see any difficulty with that.

President Welsh asked if the Committee was taking into consideration transition costs that the District would bear if it were to contract out for services, noting that he had heard these could be very costly. He asked if the Committee planned to go to a fiscal expert to determine what the cost of transition would be – in addition to the contract costs. Dr. Spath responded that this was something the Committee would need to look at. President Welsh noted that the District had its own OPEB and CalPERS obligations and said that his understanding was that these wouldn't go away: The District would owe a bill if it were to make a transition to contracting out for police services. He said this suggested that conversations would need to be had with CalPERS and a financial consultant. Dr. Spath responded that a good place to start might be to ask the Fire District what its transition costs had been when it contracted out for service. Dr. Spath added that there would be obligations with respect to retirees and that, if the current officers weren't hired by the contracting agency, there would be an added cost there as well. President Welsh suggested that Mr. Benson might be able to assist with this issue. Director Gillette responded that she thought it would not be a good idea to rely on twenty-year-old information from the Fire District, with respect to transition costs. President Welsh clarified that, in addition to the cost for contracted service, there would be a cost associated with getting out of the District's current structure of providing its own service.

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Vice President Sherris-Watt said there likely would be hidden costs and surprises with any of the options being considered. Director Gillette responded that she didn't think this was a hidden cost: it's a very real cost.

Mabry Benson said the concerns were very real but that the Board was asking a lot of a volunteer committee for whom this was not an area of expertise. President Welsh clarified that he thought a consultant would be needed to identify such costs. Dr. Spath responded that the Committee was still in its beginning stages and was just beginning to identify where it might need consultants.

Randy Riddle asked for clarification of what the Committee was seeking from the Board. President Welsh responded that it was seeking a letter giving members of the Committee permission to engage in dialog with different jurisdictions about what the costs might be if the District were to contract out for services. Mr. Riddle responded that this was within the scope of the Committee's charge from the Board and that, if President Welsh wanted to sign a letter memorializing this, it would be fine. President Welsh asked Dr. Spath to prepare a draft letter. Director Cordova asked for confirmation that Mr. Riddle would review the letter before President Welsh signed it. President Welsh responded in the affirmative.

Dr. Spath reported that each of the subcommittees would be providing updates at the Committee's meetings. He said members of the public were welcome to attend the Committee's meetings and to submit documents and letters. Director Cordova complimented Dr. Spath on the job he was doing as the Committee's Chairman.

Dr. Spath announced there would be a Community Forum on January 23rd, with coffee being served a 9:30 and the forum going from 10:00 until noon.

Ron Weiselman said, if the Ad Hoc Committee wouldn't be completing its work until June, it wouldn't be in time for the ballot. He said no one was talking about getting rid of the Dorroh amendment and that this prohibited the splitting of the GM/COP position. Dr. Spath responded that the Committee's role was to present findings of fact. President Welsh noted that Mr. Riddle had given an opinion that the Dorroh initiative wasn't lawful. Dr. Spath clarified that the Dorroh document had to do with contracting out for services.

IGM/COP Hart said he had received documents that individuals had asked to have posted on the Ad Hoc Committee's section of the website. He said he wanted to ensure that the Board wanted this to occur. Dr. Spath clarified that there were documents that the Committee had received from the public on issues relevant to the Committee's work. IGM/COP Hart clarified that the Board would not see these until they had been posted online. Director Gillette responded that this would give undue importance to those documents and that she foresaw judgment calls that could prove troublesome. She said that, on the other hand, she wasn't sure it really mattered, given she wasn't sure how many people would look at them. Director Toombs said that the Committee should look at the good and the bad, synthesize it, and then let the Board know what was critically relevant.

Steve Bates said he had concerns about contracting out: How much influence would Kensington have over what kind of police service it would have. He said this was very different from fire service. He said he was concerned that an oppressive culture could result. He asked if the Board would be looking at the kind of service the community would be receiving, if it were to contract out. Dr. Spath responded that these points were well taken and that the Committee would be meeting with jurisdictions that had contracts with the Sheriff's Department to discuss issues such as these. He added that a couple of jurisdictions had terminated their service contracts with the Sheriff's Department. Vice President Sherris-Watt noted that UC Berkeley contracted out for service: bomb disposal. Dr. Spath responded that contracting out for bomb disposal service was different from contracting out for community policing.

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Randy Riddle said, with respect to the documents that would be posted, he would like to talk to Dr. Spath off-line; noting that the District would need to be careful about personal identifiers on the documents and that there should be some criteria about what goes up and what doesn't.

- 9a. Director Cordova appointed an alternative member to the Ad Hoc Committee on Governance to replace Miki Tal, who had recently resigned.

Director Cordova announced that Miki Tal had tendered her resignation and thanked Ms. Tal for her service. Director Cordova recommended that the Board appoint Mabry Benson to the Committee. She introduced Mabry Benson and said Ms. Benson had been attending all of the Ad Hoc Committee's meetings.

MOTION: Director Cordova moved, and President Welsh seconded, that the Board appoint Mabry Benson to the Ad Hoc Committee on Governance.
Motion passed 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

At 10:31 the Board took a five-minute break.

CONSENT CALENDAR

President Welsh asked if anyone wanted to pull an item from the Consent Calendar.

Director Toombs said that he was interesting in the interim financial report, but the Board would be discussing this item later in the agenda.

MOTION: Vice President Sherris-Watt moved, and President Welsh seconded, adoption of the Consent Calendar.
Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

President Welsh and IGM/COP Hart clarified that the presence of the Police Fees Resolution on the Consent Calendar constituted its second reading.

- 9c. General Counsel presentation on legal opinion regarding the ability of the same individual to hold the position of General Manager and Chief of Police.

Randy Riddle reported that he had been asked to issue an opinion about whether it was unlawful for the District to have the same individual serve as General Manager and Chief of Police. He said a perspective to be considered was whether it was unlawful for the District to have consolidated the duties of the two positions: The Board had made the determination that it wanted the same individual to perform these duties. Mr. Riddle reviewed his December 8, 2015 Memorandum in which he concluded:

- Community Service District Law does not limit the District from assigning its General Manager the additional title and duties of Chief of Police.
- Having a single person serve as both GM and COP would not violate the doctrine of incompatible offices.
- The above were consistent with the opinion of the District's prior counsel.

He said he had a high degree of confidence that, if a court were to consider this issue, this was the conclusion it would reach.

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David Bergen read comments that had been prepared by Marilyn Stollon, which stated that she thought that having one person serve in both capacities constituted a conflict of interest and that the community would continue to have ongoing legal suits as long as it continued to have a combined GM/COP position. A copy of Ms. Stollon's comments is included in the February Board Packet, under Correspondence.

President Welsh clarified that there was a difference between the legal opinion and what the Board might choose to do – as a business decision – and said that the Ad Hoc Committee would be addressing this issue.

Mr. Riddle said that, as the GM/COP, Mr. Hart would have a single duty: Loyalty to the District.

Dr. Schwartzburd asked if it would be legal for a Special District to have one person serve as Fire Chief and General Manager. Mr. Riddle responded that he hadn't looked into this, with respect to Special Districts.

9d. The Board received a presentation from the Interim General Manager/Chief of Police regarding the mid-year 2015/16 review of the budget.

IGM/COP Hart gave a brief overview of the budget. He reported:

- The District had received more revenue than budgeted.
- Police Salaries were approximately \$7,000 lower than budgeted.
- District's net income was \$140,000 ahead of what had been budgeted.
- He expected to be under budget at the end of the year.

IGM/COP Hart thanked District Administrator Wolter for preparing the footnotes, which added a better understanding of the mid-year summary. Director Toombs said that he was impressed by the footnotes and thanked District Administrator Wolter for doing them. Director Toombs asked about Account 449. District Administrator Wolter responded that the District had just received a check from Bay View Refuse, in the amount of \$32,000, that represented the 7% franchise fee. She added that staff would need to review gross receipts to calculate the amount that needed to go to the County. Director Toombs asked if Bay View Refuse was current in what it owed. IGM/COP Hart responded in the affirmative. President Welsh added that Bay View Refuse had apologized for having been late in sending the fees and that they would pay monthly in the future.

9e. The Board received the proposed Resolution 2016-01 of the Kensington Police Protection and Community Services District amending Board policy governing the process for resolving public complaints regarding the General Manager/Chief of Police to provide separate procedure for resolving complaints against the General Manager/Chief of Police, and consider placing the resolution on the February 2016 agenda for approval.

Director Gillette introduced the item, saying that the proposed resolution was intended to provide a short-term fix until there could be a holistic review of the Policy and Procedures Manual. She explained that the way the policy manual was currently written was such that, if someone had a complaint against the GM/COP the individual had to go first to the GM/COP. She said this made no sense and that in order to correct this she had prepared proposed changes to Section 1030 (Public Complaints). Her proposal was that the complainant would, instead, first go to the Board President or to a person designated by the Board President. She noted that outside counsel had reviewed the proposed amendment. She clarified that what this meant was that a member of the Board would determine whether the Board would review the matter, in which case that Board member would have to recuse him or herself from any further involvement – because the Board acts as an appellate in such circumstances. Or, an outside investigator would review the matter. She added that the intent was to have a separate person so there could be an objective evaluation of a complaint.

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David Bergen conveyed information contained in a statement written by Marilyn Stollon, which reiterated that she thought there was a conflict of interest in having one person holding the combined position of General Manger and Chief of Police.

Mabry Benson said she was concerned that having just the Board President or a member of the Board decide what to do about a complaint was not going to be satisfactory because there had been instances where officers had come to the Board and asked to have a problem resolved and the Board just threw it away. She said that there wasn't enough specificity in the language.

Vice President Sherris-Watt thanked Director Gillette for proposing the language. She asked if two Board members might be good.

Director Toombs said he would like "more meat on the bones" to the proposal. He said he wanted to ensure that it would be clear what the Board President would decide and he would prefer to have an outside person conduct any investigation of any alleged complaint against the GM/COP, especially because the Board might need to act as the appellate.

Director Gillette responded that, in a corporate setting, it was typical for complaints against the CEO to be brought to the President of the Board. She said she would be willing to take another look at it and add "more meat" and bring it back. She said she wanted to get something in place sooner rather than later.

Director Cordova said that, if the Board had a policy of a rotating presidency, she would find this more palatable. She said the Board President's powers should stop at running the meetings and making appointments. She added that, given the District's structure, any complaints against the GM/COP should go to a civil review panel. She said she was not willing to cede her fiduciary power. Director Gillette responded that perhaps this could be a rotating ombudsman position of the Board. Director Cordova responded that this was headed in the right direction – that she would like to see this as a rotating position. Director Gillette said she would revamp and come back with something next month.

IGM/COP Hart clarified that this would not constitute a first reading. Rather, there would be another proposal.

- 9f. The Board reviewed proposed Resolution 2016-02 of the Kensington Police Protection and Community Services District amending Board policy governing the preparation of the budget to ensure consistency with state law provisions governing the budget process, and consider placing the resolution on the February 2016 Board agendas for approval.

Randy Riddle presented the item. He noted that there were inconsistencies between state law and the Board's Policy and Procedures Manual and, thus, he had prepared an amended policy, which would be consistent with State law, for the Board to consider. He said there had been a typographical error on the document. It had said both June 1 and July 1. The correct date was July 1. Director Toombs noted another typographical error with respect to an April date and a May one. Mr. Riddle confirmed that the May 15th date was correct. President Welsh asked if this constituted the first reading. IGM/COP Hart confirmed that was correct and that, with a four-fifths vote of the Board at the next meeting, it would be adopted. IGM/COP Hart said there would need to be a motion amending Section 3020.4 of the resolution to read July 1, instead of June 1.

MOTION: Director Gillette moved, and President Welsh seconded, that Section 3020.4 of the Resolution be amended to read "July."

Motion passed 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

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- 9g. Pursuant to Board Policy 4060.1, Board President Len Welsh appointed and publicly announced the members of the standing committees and Board Coordinators for calendar year 2016.

President Welsh announced the following appointments:

Standing Committees

- Finance: President Welsh said that he would like to continue as the Chairman, that he would like Director Toombs to continue as Vice Chairman, that he would like the current committee members (Pat McLaughlin, Gloria Morrison, Elena Caruthers, Karl Kruger, Paul Dorroh, Simon Brafman, Derek Suring, Paula Black, Linda Lipscomb, Jim Watt and Paul Haxo) to continue, and that he would like Rob Firmin to be a new member.
- Solid Waste: President Welsh explained this was really a County committee with a Kensington representative serving on it and said would like to do so.
- Emergency Preparedness: President Welsh asked Director Toombs to serve as Chairman and said he would like to serve as Vice Chair.

Board Coordinators

- Finance and Administration: President Welsh announced he would serve in this capacity because he would be Chairman of the Finance Committee.
- Intergovernmental/External Issues: Director Cordova
- District Policies and Procedures: Director Gillette
- Public Safety Building: Vice President Sherris-Watt
- Park Planning and Recreation:
 - Grounds – President Welsh as Chair with current committee members Katie Gluck, Charli Danielson, Gretchen Gillfillan, Ray Barraza, and Peter Liddell continuing.
 - Park Buildings – Vice President Sherris-Watt as Chair with current committee members (Ciara Wood, Peter Liddell, Katie Gluck, Jim Watt, Paula Black, Gretchen Gillfillan, and Peter Conrad) continuing with Todd Hodson as a new committee member.
- Park Funding – Vice President Sherris-Watt
- Community Outreach: Director Gillette

MOTION: Director Gillette moved, and President Welsh seconded, that the Board adjourn back into Closed Session.

Motion passed: 5 – 0.

AYES: Welsh, Gillette, Toombs, Sherris-Watt, Cordova NOES: 0 ABSENT:

The Board adjourned to go back into Closed Session at 11:23 P.M.

These are draft minutes. Once approved by the Board, the minutes will be posted on the District website, under the dropdown menu "Approved Minutes."

The Board entered into Closed Session and then came out of Closed Session at 11:45 P.M. President Welsh announced there was no reportable action.

The meeting was adjourned at 11:45 P.M.

Len Welsh
KPPCSD Board President

Lynn Wolter
District Administrator

Unaudited Profit & Loss Budget Performance

February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
400 · Police Activities Revenue					
401 · Levy Tax	0.00	0.00	1,537,196.18	1,527,750.00	1,527,750.00
402 · Special Tax-Police	0.00		681,690.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00	0.00	0.00	0.00	0.00
404 · Measure G Supplemental Tax Rev	0.00		514,175.88	514,177.50	514,177.50
409 · Asset seizure forfeit/WEST NET	0.00		18,525.71		
410 · Police Fees/Service Charges	20.00	125.00	1,495.00	1,000.00	1,500.00
411 · Kensington Hilltop Svcs Reimb	0.00	4,725.00	18,900.00	14,175.00	18,900.00
412 · Special Assignment Revenue	0.00	0.00	11,912.79	0.00	0.00
413 · West County Crossing Guard Reim	0.00	3,610.00	7,010.00	7,220.00	10,830.00
414 · POST Reimbursement	0.00	0.00	2,185.52	0.00	0.00
415 · Grants-Police	13,787.60	0.00	95,559.79	0.00	0.00
416 · Interest-Police	0.00	0.00	583.32	800.00	1,600.00
418 · Misc Police Income	-263.00	1,666.67	6,389.95	13,333.36	20,000.00
419 · Supplemental W/C Reimb (4850)	0.00	0.00	29,346.65	17,194.24	17,194.24
Total 400 · Police Activities Revenue	13,544.60	10,126.67	2,924,970.79	2,775,650.10	2,791,951.74
424 · Special Tax-L&L	0.00		35,190.86	33,000.00	33,000.00
427 · Community Center Revenue	1,565.00	100.00	22,658.00	23,100.00	33,000.00
435 · Grants-Park/Rec	0.00	0.00	0.00	5,000.00	5,000.00
438 · Misc Park/Rec Rev	0.00	50.00	120.00	350.00	500.00
Total 420 · Park/Rec Activities Revenue	1,565.00	150.00	57,968.86	61,450.00	71,500.00

Account 415 Grants – Police

A COPS funding deposit, in the amount of \$13,788 was made. YTD is \$95,560 Agencies are not permitted to budget COPS funding.

Total 400 – Police Activities Revenue

YTD Total Police Activities Revenue is \$149,320 greater than the YTD budgeted amount.

KPPCSD
Unaudited Profit & Loss Budget Performance
February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
448 · Franchise Fees	21,555.68	0.00	61,250.59	32,533.34	48,800.00
449 · District Revenue	0.00		1,147.00		
456 · Interest-District	0.00	0.00	0.00	0.00	0.00
458 · Misc District Revenue	0.00	0.00	829.00	0.00	0.00
Total 440 · District Activities Revenue	21,555.68	0.00	63,226.59	32,533.34	48,800.00
Total Income	36,665.28	10,276.67	3,046,166.24	2,869,633.44	2,912,251.74
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	70,596.54	81,702.83	609,709.31	653,622.64	980,434.00
504 · Compensated Absences	1,191.60	0.00	26,947.26	17,100.00	20,000.00
506 · Overtime	2,842.40	5,000.00	57,179.81	40,000.00	60,000.00
508 · Salary - Non-Sworn	8,930.18	6,825.00	66,459.86	54,600.00	81,900.00
516 · Uniform Allowance	499.95	850.00	5,283.83	6,800.00	10,200.00
518 · Safety Equipment	0.00	0.00	445.96	250.00	3,250.00
521-A · Medical/Vision/Dental-Active	15,696.85	12,496.33	116,889.65	99,970.64	149,956.00
521-R · Medical/Vision/Dental-Retired	13,736.47	13,957.83	120,872.21	111,662.64	167,494.00
521-T · Medical/Vision/Dental-Trust	0.00		0.00	31,642.00	31,642.00
522 · Insurance - Police	245.00	1,000.00	3,308.50	3,965.00	5,240.00
523 · Social Security/Medicare	1,228.81	1,389.00	10,530.17	11,112.00	16,668.00
524 · Social Security - District	596.04	423.17	4,461.29	3,385.36	5,078.00
527 · PERS - District Portion	12,944.27	32,285.08	309,995.38	258,280.64	387,421.00
528 · PERS - Officers Portion	5,765.20	7,032.25	50,282.35	56,258.00	84,387.00
530 · Workers Comp	0.00	0.00	43,966.71	38,000.00	50,000.00
Total 500 · Police Sal & Ben	134,273.31	162,961.49	1,426,332.29	1,386,648.92	2,053,670.00

Accounts 502 – Police Salaries, 504 – Compensated Absences, and 506 - Overtime
YTD, Accounts 502, 504 and 506, combined, are approx. \$17,000 less than the total amount budgeted YTD for these three accounts.
Accounts 508 & 601 Non-Sworn and Park & Rec.

For February and for the past few months, non-sworn staff has been assigned more tasks, in part, because three officers have been out or on light duty.
Thus, hourly wages, YTD, for these two accounts are approx. \$12,200 more than the amount budgeted YTD for these two accounts.

Account 521 Medical/Vision/Dental
CalPERS medical premiums for the following month are due on the 10th of the month. Thus, the YTD amount is \$26,000 greater than the YTD budgeted amount.

Account 527 – PERS District Portion

The District prepaid the \$197,471 annual Unfunded Accrued Liability amount due to CalPERS, which saved the District \$7,300. This lump sum payment is reflected in the YTD amount, which is greater than the YTD budgeted amount. However, at the current monthly rate of approx. \$13,000, the total for the year should be approx. \$25,000 less than the amount budgeted for the year.

Account 528 – PERS Officers Portion

Because the District had hired a PEPPRA employee and because the IGM/COP Hart contributes 6% of his salary to CalPERS, this YTD amount is approx. \$6,000 lower than the YTD budgeted amount.

KPPCSD
Unaudited Profit & Loss Budget Performance
February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
550 · Other Police Expenses					
552 · Expendable Police Supplies	224.84	141.67	1,592.62	1,133.36	1,700.00
553 · Range/Ammunition Supplies	0.00	0.00	2,025.30	3,000.00	5,000.00
560 · Crossing Guard	1,143.14	1,700.00	5,956.36	6,600.00	10,830.00
562 · Vehicle Operation	1,072.97	2,500.00	10,608.15	41,700.00	50,000.00
564 · Communications (RPD)	10,522.98	39,017.50	72,609.23	117,052.50	156,070.00
566 · Radio Maintenance	181.69	180.00	1,271.86	21,080.00	21,750.00
568 · Prisoner/Case Exp./Booking	390.39	1,000.00	5,165.57	5,500.00	6,400.00
570 · Training	-235.00	800.00	3,823.16	6,600.00	10,000.00
572 · Recruiting	0.00	541.67	4,290.53	4,333.36	6,500.00
574 · Reserve Officers	0.00	337.50	174.50	2,700.00	4,050.00
576 · Misc. Dues, Meals & Travel	95.00	150.00	1,935.00	3,100.00	3,140.00
580 · Utilities - Police	210.78	100.00	6,552.99	7,000.00	10,000.00
581 · Bldg Repairs/Maint.	0.00	416.67	4,602.59	3,333.36	5,000.00
582 · Expendable Office Supplies	784.51	500.00	4,808.10	4,000.00	6,000.00
588 · Telephone(+Rich. Line)	484.92	600.00	4,201.15	5,700.00	8,904.00
590 · Housekeeping	512.53	333.33	3,196.79	2,666.64	4,000.00
592 · Publications	0.00	50.00	2,579.91	2,300.00	2,500.00
594 · Community Policing	455.70	200.00	5,134.49	2,600.00	4,000.00
596 · WEST-NET/CAL I.D.	0.00	0.00	5,508.00	5,925.00	5,925.00
599 · Police Taxes Administration	0.00	0.00	2,607.54	2,600.00	3,500.00
Total 550 · Other Police Expenses	15,844.45	48,568.34	148,643.84	248,924.22	325,269.00

Account 562 – Vehicle Operation
YTD expenses are almost \$31,000 less than the YTD budgeted amount. This is due, in part, to relatively low gas prices.

Account 564 Communications (RPD)
Payments are made on a monthly basis, and we were just invoiced for December. The allocation, for budgeting purposes, is quarterly. The YTD amount is \$44,400 less than the YTD budgeted amount in part because of timing. At a monthly rate of approx. \$10,500 the year's total may be approx. \$20,000 less than the amount budgeted for the year.

Account 566 Radio Maintenance
The annual payment of about \$20,000 will be due shortly. This will bring the YTD amount close to the amount budgeted for the year.

Account 594 Community Policing
The YTD amount is \$1,100 greater than the amount budgeted for the year. This is due, in part, to additional work done on the website.

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KPPCSD
Unaudited Profit & Loss Budget Performance
February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	683.40	650.00	5,496.30	5,200.00	7,800.00
602 · Custodian	1,750.00	1,900.00	14,000.00	15,200.00	22,750.00
623 · Social Security/Medicare - Dist	0.00	49.75	0.00	398.00	597.00
Total 600 · Park/Rec Sal & Ben	2,433.40	2,599.75	19,496.30	20,798.00	31,147.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	537.39	440.00	3,500.79	3,640.00	5,616.00
643 · Janitorial Supplies	0.00	0.00	825.15	800.00	800.00
646 · Community Center Repairs	0.00	250.00	1,792.43	2,000.00	3,000.00
Total 640 · Community Center Expenses	537.39	690.00	6,118.37	6,440.00	9,416.00
660 · Annex Expenses					
662 · Utilities - Annex	0.00		493.43		
666 · Annex Repairs	0.00	83.33	0.00	666.64	1,000.00
668 · Misc Annex Expenses	0.00	83.33	0.00	666.64	1,000.00
Total 660 · Annex Expenses	0.00	166.66	493.43	1,333.28	2,000.00
670 · Gardening Supplies					
672 · Kensington Park O&M	2,695.00	6,525.00	32,647.95	52,200.00	78,300.00
674 · Park Construction Exp	0.00		0.00	5,000.00	5,000.00
678 · Misc Park/Rec Expense	0.00	83.33	170.00	666.64	1,000.00
Total 635 · Park/Recreation Expenses	3,232.39	7,548.32	39,429.75	66,306.56	96,716.00

Account 672 Kensington Park O&M
The YTD amount is approx. \$20,000 less than the amount budgeted YTD.

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KPPCSD
Unaudited Profit & Loss Budget Performance
February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
800 · District Expenses					
810 · Computer Maintenance	1,089.00	0.00	18,005.77	15,988.00	24,288.00
820 · Cannon Copier Contract	407.38	400.00	3,143.49	4,100.00	5,700.00
830 · Legal (District/Personnel)	34,160.70	8,300.00	93,508.14	66,400.00	99,530.00
835 · Consulting	7,441.50	0.00	24,900.04	10,000.00	15,000.00
840 · Accounting	3,364.34	2,000.00	30,071.34	16,000.00	34,000.00
850 · Insurance	0.00	0.00	27,480.79	30,000.00	30,000.00
860 · Election	0.00	0.00	0.00	0.00	0.00
865 · Police Bldg. Lease	0.00	0.00	0.00	1.00	1.00
870 · County Expenditures	0.00	0.00	8,383.54	7,500.00	22,300.00
890 · Waste/Recycle	0.00	1,500.00	259.74	23,600.00	25,000.00
898 · Misc. Expenses	784.41	1,275.00	14,716.41	10,200.00	15,300.00
899 · Depreciation Expense	0.00	0.00	0.00	0.00	0.00
Total 800 · District Expenses	47,247.33	13,475.00	220,469.26	183,789.00	271,119.00

Account 830 – Legal

In February, the District paid Public Law Group's January invoice. This brought the YTD amount to \$93,500. This amount is approx.\$27,000 more than YTD budgeted amount. The amount budgeted for the year is \$99,530.

Account 835 Consulting

The YTD amount exceeds the amount budgeted YTD by \$15,000. Most of this is for Adam Benson's analyses.

Account 840 Accounting

The YTD amount exceeds the YTD budgeted amount by \$14,000. Review of the detail for this account revealed that approx. \$24,400 has been paid to CPA Deborah Russell YTD. This amount exceeds was budgeted for her work for the full fiscal year. This is due, in large part, to the additional financial analyses Ms. Russell has been asked to do for the Board and for the Finance Committee.

Account 898 Miscellaneous Expenses

The YTD amount exceeds the YTD budgeted amount by about \$4,000. This reflects the one-time CSDA dues amount of \$5,700 and three District members attending the CSDA conference in Monterey at a cost of approximately \$4,000.

Unaudited Profit & Loss Budget Performance

February 2016

	Feb 16	Budget	Jul '15 - Feb 16	YTD Budget	Annual Budget
950 · Capital Outlay					
962 · Patrol Cars	0.00	0.00	0.00	30,000.00	30,000.00
963 · Patrol Car Accessories	0.00	0.00	0.00	3,000.00	3,000.00
965 · Weapons / Radios	0.00	0.00	0.00	10,000.00	10,000.00
967 · Station Equipment	2,898.00		8,017.29	7,000.00	7,000.00
968 · Office Furn/Equip	0.00		1.00	6,000.00	6,000.00
972 · Park Buildings Improvement	0.00	2,100.00	13,658.25	16,700.00	25,000.00
Total 950 · Capital Outlay	2,898.00	2,100.00	21,676.54	72,700.00	81,000.00
Total Expense	205,928.88	237,252.90	1,876,047.98	1,979,166.70	2,858,921.00
Net Ordinary Income	-169,263.60	-226,976.23	1,170,118.26	890,466.74	53,330.74
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-177,746.56	0.00	0.00
710 · Bond Admin.	0.00	0.00	8,999.40	0.00	0.00
715 · Bond Interest Income	0.00	0.00	-75.24	0.00	0.00
720 · Bond Principal	0.00	0.00	125,718.06	0.00	0.00
730 · Bond Interest	0.00	0.00	17,992.40	0.00	0.00
Total 700 · Bond Issue Expenses	0.00	0.00	-25,111.94	0.00	0.00
995 · Loss/(Gain) - Asset Disposition	0.00	0.00	0.00	0.00	0.00
Total Other Expense	0.00	0.00	-25,111.94	0.00	0.00
Net Other Income	0.00	0.00	25,111.94	0.00	0.00
Net Income	-169,263.60	-226,976.23	1,195,230.20	890,466.74	53,330.74

Accounts 962 & 963 Patrol Cars and Accessories

The Chief's car has been ordered, but the invoice has not yet been received. The budgeted amount is \$33,000.

Account 965 – Weapons/Radios

New weapons have been budgeted at \$10,000 but they have not yet been ordered.

Account 967 – Station Equipment

A new phone system has been installed. A \$5,000 deposit has been made. The contract total is about \$8,000. Thus, the annual amount will exceed the budgeted amount by about \$1,000.

Account 968 – Office Furn/Equip

A new microphone system has been budgeted but not yet purchased. Thus, the YTD total is \$5,000 less than the YTD total.

Bottom line: YTD Net Income exceeds the YTD budgeted amount by about \$305,000.

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KPPCSD

Transaction Detail By Account

July 2015 through February 2016

Date	Num	Name	Memo	Split	Amount
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L					
10/01/2015	JV07...	CCC Taxes-LLD	SP ASSESS ...	146 · Advance...	35,190.86
Total 424 · Special Tax-L&L					35,190.86
427 · Community Center Revenue					
07/16/2015	1189		CC Rental 6-...	112 · General ...	412.50
07/16/2015	4434		CC Rental 7-...	112 · General ...	300.00
07/16/2015	1350		CC Rental 7-...	112 · General ...	450.00
07/16/2015	1393		CC Rental 7-...	112 · General ...	300.00
07/16/2015	1036		CC Rental 7-...	112 · General ...	600.00
07/16/2015	006		Alanon Mtg J...	112 · General ...	90.00
08/04/2015	264		CC Rental P...	112 · General ...	700.00
08/04/2015	3751		CC Rental P...	112 · General ...	900.00
09/01/2015	208		CC Rental 8-...	112 · General ...	375.00
09/01/2015	224		CC Rental 8-...	112 · General ...	400.00
09/01/2015	3126		CC Rental 8-...	112 · General ...	375.00
09/01/2015	009		Wake Up to ...	112 · General ...	90.00
10/13/2015	1013		CC Rental 1...	112 · General ...	1,550.00
10/13/2015	1159		East Bay Coll...	112 · General ...	598.00
10/13/2015	10857		CC Rental Fe...	112 · General ...	375.00
10/13/2015	2889		CC Rental Fe...	112 · General ...	300.00
10/30/2015	16724	Micahel Collier	Reimburse...	112 · General ...	-75.00
11/16/2015	13		Wake Up to ...	112 · General ...	90.00
11/16/2015	2263		Michael Colli...	112 · General ...	1,000.00
11/16/2015	712		Kris Luna CC...	112 · General ...	400.00
11/16/2015	1979		Robin Green...	112 · General ...	412.50
11/16/2015	223		George Ferg...	112 · General ...	800.00
12/03/2015	1043		CC Rental P...	112 · General ...	300.00
12/03/2015	5927...		CC Rental P...	112 · General ...	800.00
12/03/2015	3014		CC Rental Py...	112 · General ...	800.00
01/07/2016	8250		KCC first half...	112 · General ...	7,500.00
01/07/2016	727		Rental Fee fo...	112 · General ...	450.00
01/12/2016	4468		CC Rental P...	112 · General ...	800.00

KPPCSD

Transaction Detail By Account

July 2015 through February 2016

Date	Num	Name	Memo	Split	Amount
02/04/2016	1722		CC Rental 2-...	112 · General ...	550.00
02/04/2016	2139		CC Rental 2-...	112 · General ...	550.00
02/04/2016	2082		CC Rental 3-...	112 · General ...	375.00
02/04/2016	0014		Alanon Mtg R...	112 · General ...	90.00
Total 427 · Community Center Revenue					22,658.00
438 · Misc Park/Rec Rev					
08/04/2015	4445		Tennis Court ...	112 · General ...	40.00
11/16/2015	4645		Tennis Court ...	112 · General ...	40.00
01/07/2016	4691		Tennis Court ...	112 · General ...	40.00
Total 438 · Misc Park/Rec Rev					120.00
Total 420 · Park/Rec Activities Revenue					57,968.86
TOTAL					57,968.86

KPPCSD

Transaction Detail By Account

July 2015 through February 2016

Date	Num	Name	Memo	Split	Amount
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator					
07/15/2015		Di Napoli, Andrea		112 · General ...	395.10
07/30/2015		Di Napoli, Andrea		112 · General ...	388.20
08/14/2015		Di Napoli, Andrea		112 · General ...	314.10
08/28/2015		Di Napoli, Andrea		112 · General ...	385.80
09/15/2015		Di Napoli, Andrea		112 · General ...	330.90
09/30/2015		Di Napoli, Andrea		112 · General ...	402.60
10/15/2015		Di Napoli, Andrea		112 · General ...	211.50
10/30/2015		Di Napoli, Andrea		112 · General ...	344.70
11/13/2015		Di Napoli, Andrea		112 · General ...	354.30
11/30/2015		Di Napoli, Andrea		112 · General ...	357.60
12/15/2015		Di Napoli, Andrea		112 · General ...	424.50
12/29/2015		Di Napoli, Andrea		112 · General ...	236.70
01/14/2016		Di Napoli, Andrea		112 · General ...	330.00
01/28/2016		Di Napoli, Andrea		112 · General ...	336.90
02/11/2016		Di Napoli, Andrea		112 · General ...	347.10
02/28/2016		Di Napoli, Andrea		112 · General ...	336.30
Total 601 · Park & Rec Administrator					5,496.30
602 · Custodian					
07/15/2015	16466	William Driscoll	7/1 - 7/15/15 ...	112 · General ...	875.00
07/30/2015	16503	William Driscoll	7/16 - 7/31/1...	112 · General ...	875.00
08/14/2015	16539	William Driscoll	8/1 - 8/15/15 ...	112 · General ...	875.00
08/28/2015	16576	William Driscoll	8/16 - 8/31/1...	112 · General ...	875.00
09/15/2015	16601	William Driscoll	9/1 - 9/15/15 ...	112 · General ...	875.00
09/30/2015	16642	William Driscoll	9/15 - 9/30/1...	112 · General ...	875.00
10/15/2015	16665	William Driscoll	10/1 - 10/15/...	112 · General ...	875.00
10/30/2015	16697	William Driscoll	10/16 - 10/31...	112 · General ...	875.00
11/13/2015	16761	William Driscoll	11/1 - 11/15/...	112 · General ...	875.00
11/30/2015	16777	William Driscoll	11/16 - 11/30...	112 · General ...	875.00
12/15/2015	16806	William Driscoll	12/1 - 12/15/...	112 · General ...	875.00
12/30/2015	16838	William Driscoll	12/16 - 12/31...	112 · General ...	875.00
01/15/2016	16872	William Driscoll	1/01 - 1/15/1...	112 · General ...	875.00

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Transaction Detail By Account

July 2015 through February 2016

Date	Num	Name	Memo	Split	Amount
01/29/2016	16907	William Driscoll	1/16 - 1/31/1...	112 · General ...	875.00
02/12/2016	16938	William Driscoll	2/1 - 2/15/16 ...	112 · General ...	875.00
02/29/2016	16965	William Driscoll	2/16 - 2/29/1...	112 · General ...	875.00
Total 602 · Custodian					14,000.00
Total 600 · Park/Rec Sal & Ben					19,496.30
TOTAL					19,496.30

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February 2016 WATCH COMMANDER MONTHLY REPORT

Sergeant-Varies

TEAM #1 STATISTICS

Officer:	RAMOS (K41) (0600-1800)	(K) (1200-2400)	WILSON (K38) (1800-0600)
Days Worked	14	0	12
Traffic Stops	9	0	2
Moving Citations	2	0	0
Parking Citations	0	1	6
Vacation/Security Checks	5	0	28
FI-Field Interview	2	0	0
Traffic Accident Reports	3	0	0
Cases	10	0	3
Arrests	2	0	0
Calls for Service	45	00	37

BRIEFING/TRAINING:

- Penal Code 451 – Arson
- California Gun Laws
 1. PC25850 – Possess Loaded Firearm
 2. PC26500 – Firearm sales must be completed through a dealer
 3. PC12025 – All handgun sales are recorded by the state
 4. PC12050 – Carry Permits
 5. PC26350 – Open Carry

SERGEANT'S REVIEW:

- IACP Best Practices Guide Internal Affairs: A Strategy for Smaller Departments

SERGEANT'S SUMMARY:

Officer Wilkens and I would like to inform everyone that the Kensington Police Department is pleased to announce a free pocket guide to assist us with informing Kensington residents of all the different types of identity theft and scams that are being commonly used in our area.

This booklet was obtained to give our residents the best information available to help combat the occurrence of identity theft, and provide tips on how to protect yourself should you become a victim of this crime.

The booklet includes the following information:

- How to make sure credit cards are guarded
- How to be cyber secure
- How to watch out for skimming
- How to stay away from scams
- How to protect from ID theft at work

... And much more!

Identity theft is a crime that occurs when someone uses your personal information, without your consent, for financial gain. Identity theft and scams have sky rocketed in recent years, and affect millions of US citizens every year.

We strive to keep our residents safe, and this will help us work together to protect your identity from being stolen and misused.

Please come by the station to pick up your free booklet.

SIGNIFICANT EVENTS:

- 2016-281 – On 2-1-2016, at 1040 hours, Officer Ramos responded to the 100 block of Arlington Avenue, for a reported theft from an unlocked vehicle.
- 2016-288 – On 2-1-2016, at 1832 hours, Officers Wilson and Ramos responded to the 600 block of Beloit Avenue, for a reported assault and battery.
- 2016-296 – On 2-2-2016, at 1735 hours, Officer Wilson responded to the 00 block of Norwood Avenue for a reported death investigation, natural causes.
- 2016-0359 – On 2-10-2016, at 1943 hours, Sgt. Barrow responded to the 00 block of Ardmore Dr. to a report of theft from an unlocked vehicle
- 2016-407 – On 2-16-2016, at 0655 hours, Officer Ramos responded to the 200 block of Arlington Avenue, for a reported person trespassing. The subject was arrested and transported to the Contra Costa County Martinez Detention Facility. KPD has arrested this person at least five times for the same offence and other crimes within Kensington.

- 2016-418 – On 2-17-2016, at 0843 hours, Officer Ramos responded to the 1600 block of Oak-View Avenue for a reported residential burglary.
- 2016-443 – On 1-22-2016, at 1055 hours, Officer Ramos responded to the 300 block of Coventry Road for a reported identity theft.
- 2016-446 – On 1-22-2016, at 1224 hours, Officer Ramos responded to the 300 block of Coventry Road for a reported identity theft.
- 2016-478 – On 2-24-2016, at 1543 hours, Sgt. Barrow responded to the 200 block of Arlington Avenue and then 200 block of Yale Avenue, for a reported assault. One subject was taken to the hospital with nonlife threatening injuries.
- 2016-505 – On 2-28-2016, at 1043 hours, Officer Ramos responded to the 00 block of Lawson Drive for a reported vehicle burglary. A female was located inside of a resident's van. The female was later arrested for burglary, illegal drugs, possession of drug paraphernalia, destruction of evidence, and probation violation. She was transported to the hospital and then county jail.
- 2016-513 – On 2-29-2016, at 1706 hours, Officer Ramos responded to the 00 block of Arlington Avenue for a reported vandalism, graffiti.

February 2016 WATCH COMMANDER MONTHLY REPORT

Sergeant Hull

TEAM #2 STATISTICS

Officer:	Hui (K42) (0600-1600)	(K) (1130-2130)	Hull (K17) (2000-0600)
Days Worked	15	0	14
Traffic Stops	02	0	02
Moving Citations	00	0	00
Parking Citations	00	0	00
Vacation/Security Checks	00	0	01
FI-Field Interview	00	0	02
Cases	05	0	04
Self Initiated Cases	00	0	00
Arrests	00	0	00
Calls for Service	13	0	35

BRIEFING/TRAINING:

- Penal Code 451 – Arson
- California Gun Laws
 - PC25850 – Possess Loaded Firearm
 - PC26500 – Firearm sales must be completed through a dealer
 - PC12025 – All handgun sales are recorded by the state
 - PC12050 – Carry Permits
 - PC26350 – Open Carry

SERGEANT'S REVIEW:

- IACP Best Practices Guide Internal Affairs: A Strategy for Smaller Departments

SERGEANT'S SUMMARY:

Events in recent months have created heartfelt fracture in trust between some elements of this beloved community and its police department. Though the potential of this reality has always existed given the role of the Kensington Police Department within the District of Kensington, building and maintaining trust between KPD and this District has always been a priority and a focal point of most previous KPD administrations.

However, public perceptions based on the actions or decisions of a few have made the process of re-establishing a level of trust, which should exist in a public law enforcement partnership, has proven to be challenging.

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I would like to affirm that internal procedural justice is being re-established and it is now our task to re-establish mutual trust between this organization and the residents of this District.

I would like to assure the District that KPD, though currently with minimal staffing, is focused on maintaining the quality of life enjoyed in this District by focusing on your law enforcement needs and serving its community caretaking needs as needed. KPD will continue to work to reduce crime and to maintain it at a minimal level.

SIGNIFICANT EVENTS:

2016-0312 – On 2-4-2016, at 2000 hours, Sgt. Hull responded to the 00 block of Camelot Ct to a report of a hit & run vehicle collision.

2016-0359 – On 2-10-2016, at 1943 hours, Sgt. Barrow responded to the 00 block of Ardmore Dr. to a report of theft from an unlocked vehicle

2016-0370 – On 2-11-2016, at 0924 hours, Officer Armanino responded to 00 block of Arlmont Dr. to a reported disturbance (barking dogs).

2016-0384 – On 2-13-2016, at 1355 hours, Sgt. Hull responded to the 200 block of Colgate Ave. to a civil dispute.

2016-0390 – On 2-13-2016, at 2203 hours, Sgt. Hull responded to the 200 block of Amherst Ave. to a report of residential burglary.

2016-0391 – On 2-13-2016, at 2219 hours, Sgt. Hull responded to the 100 block of Ardmore Rd. to a report of residential burglary.

2016-0425 – On 2-18-2016, at 1501 hours, Sgt. Hui responded to the 700 block of Wellesley Ave. to a report of bicycle theft.

2016-0430 – On 2-18-2016, at 2053 hours, Sgt. Hull responded to the 00 block of Highgate Rd. to a report of criminal threats.

2016-0476 – On 2-24-2016, at 1227 hours, Sgt. Hui responded to the 00 block of Arlington Ave. to a report of mail theft.

2016-0478 – On 2-24-2016, at 1636 hours, Sgt. Barrow responded to the 200 block of Yale Ave. to a reported assault.

2016-0481 – On 2-24-2016, at 2241 hours, Sgt. Hull responded to the 400 block of Coventry Ave. to a reported disturbance (barking dogs).

2016-0483 – On 2-24-2016, at 0913 hours, Sgt. Hui responded to the 1600 block of Oak View Ave to a report of vandalism.

2016-0486 – On 2-25-2016, at 0839 hours, Sgt. Hui responded to the 400 block of Colusa Ave. to a report of vandalism.

Investigation statistics

SIGNIFICANT EVENTS:

2016-288 Assault and Battery

On 2/1/2016, Officers Wilson and Ramos responded to the 600 block of Beloit Avenue, for a reported assault. During the follow up investigation it was determined that this case would be forwarded to the Contra Costa County District Attorney's Office for review. **Case closed pending DA review.**

2016-296 Death Investigation

On 2/2/2016, Officers Ramos, Wilson and I responded to the 00 block of Norwood Avenue for reported welfare check. Officers had to force entry and found a deceased person. It was determined that the person's death was of natural causes. **Case closed.**

2016-281, 359, and 426 Thefts form unlocked vehicles

During the month of February the district sustained three thefts from unlocked vehicles. Some of these thefts appear to have been in the late afternoon and from work trucks. These cases are under investigation.

2016-407 Trespassing/ Arrest

On 2-16-2016, Officer Ramos responded to the 200 block of Arlington Avenue, for a reported person trespassing. The suspect was arrested and I transported the suspect to the Contra Costa County Martinez Detention Facility. KPD has arrested this person at least five times for the same offence and arrests for other crimes within Kensington.

2016-446 and 476 Identity Thefts

During the month of February, Officers responded to two identity thefts. At this time we are following up on some other cases that maybe linked to these and hope to have an update by next month. These cases are under investigation.

2016-478 Assault and Battery

On 2-24-2016, Sgt. Barrow responded to the 200 block of Arlington Avenue and then 200 block of Yale Avenue, for a reported assault. One subject was taken to the hospital with nonlife threatening injuries. **This case will be forwarded to the Contra Costa County District Attorney's Office for review.**

2016-505 Vehicle Burglary/ Arrest

On 2-28-2016, Officer Ramos responded to the 00 block of Lawson Drive for a reported vehicle burglary. A female was located inside of a resident's van. The female was later arrested for burglary, illegal drugs, possession of drug paraphernalia, destruction of evidence, and probation violation. The suspect was transported by ambulance to the hospital as they had ingested narcotics'. After being cleared she was transported to the county jail. **Closed by arrest.**

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2016-390, 391, and 418 Residential burglaries

During the month of February, Officers responded to three residential burglaries. The victims returned home and found their homes had been burglarized. These cases are under further investigation.

2016-483, 484, and 486 Vandalism

During the month of February, Officers responded to three vandalisms where vehicles had windows smashed. These cases are under further investigation.

KPD Monthly Crime Statistics

February 2016

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	2	0	0	2	0
Residential Burglary	3	3	0	0	0
Larceny Theft	5	4	0	1	1
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	<u>10</u>	<u>7</u>	<u>0</u>	<u>3</u>	<u>1</u>
Other Crimes					
Other misdemeanor	1	0	0	1	1
Identity Theft	2	2	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	1	1	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	4	4	0	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	2	0	2	0	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	<u>10</u>	<u>7</u>	<u>2</u>	<u>1</u>	<u>1</u>
All Crime Totals	<u>20</u>	<u>14</u>	<u>2</u>	<u>4</u>	<u>2</u>

Traffic Accidents (Non Injury)	1
Traffic Accidents (Injury)	0

KPD Crime Statistics

YTD 2016

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	4	0	0	4	2
Residential Burglary	4	4	0	0	0
Larceny Theft	7	4	2	1	1
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	<u>15</u>	<u>8</u>	<u>2</u>	<u>5</u>	<u>3</u>

Other Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Other misdemeanor	1	0	0	1	1
Identity Theft	6	6	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	2	1	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	6	4	2	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	5	3	2	0	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	<u>20</u>	<u>14</u>	<u>4</u>	<u>2</u>	<u>1</u>

All Crime Totals	<u>35</u>	<u>22</u>	<u>6</u>	<u>7</u>	<u>4</u>
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Traffic Accidents (Non Injury)	8
Traffic Accidents (Injury)	0

* 2011 case

**KENSINGTON POLICE PROTECTION
AND COMMUNITY SERVICES DISTRICT**

**AD HOC COMMITTEE ON GOVERNANCE
AND OPERATIONS STRUCTURE**

PROGRESS REPORT

FEBRUARY 11, 2016

Pursuant to the Process Framework, the following summarizes the progress of the Ad Hoc Committee (Committee) on Governance and Operations Structure.

The Committee held its first Public Education Forum on January 23, 2016. The intent of the Forum was to provide Kensington residents with information on Kensington's statutory/regulatory requirements to provide police services (See attached summary), the history of police staffing in Kensington, an overview of police staff, services and administrative functions, a review of Contra Costa County police services data and a review of financial data. A copy of the complete Forum presentation is included with this update.

The Forum was attended by approximately 85 people. Attendees asked a number of questions and were also asked to fill out a questionnaire about their experience as well as provide comments on the Forum. There were 41 responses with 25 respondents providing separate comments. An analysis of the responses along with a summary of the comments is attached.

The Committee has created three Subcommittees to address the additional tasks: 1) Assessment of Contracting Services, 2) Consolidating with the Fire District and 3) Bifurcation of the GM/COP Position. The Subcommittees have developed draft Work Plans (See attached) and have begun their investigatory work. Based on their progress implementing the Work Plans, the Subcommittees will establish dates for Public Forums to advise the community of their fact finding and obtain community input.

The Regular and Special Committee meetings continue to be poorly attended by the public. The Committee has used different methods to reach residents including monthly verbal updates at the KPPCSD Board meetings, a monthly column in the Outlook about Committee activities and posting notices of meetings and

meeting recordings on Next Door. The Committee has also created a web page that includes meeting agendas, meeting recordings, Committee documents and documents provided by the public on issues relevant to the Committee's work. The public can also submit questions and documents to the Committee chair at the chair's Committee e-mail address. All documents received are made public and emailed directly to each Committee member.

**January 23, 2016 KPPCSD Ad Hoc Committee Presentation
Summary of Questionnaire Comments**

Related to Content and Delivery

12 Positive Comments as Follows:

- 7 general comments – Very impressed; Great Presentation; Good tone and Delivery; Well organized; Neutral and Informative.
- 4 comments that financial content was good.
- 1 comment thanking Committee for effort.

15 Negative Comments as Follows:

- 6 comments – too much time spent on financials.
- 4 comments – committee member offering “opinion” was inappropriate.
- 3 comments that financial chart without special assessment revenues shown is misleading.
- 1 comment – concern about bias in presentation / hidden agenda of members.
- 1 comment – financials should be audited before presentation.

Related to Format

- 2 comments – Difficulty reading pie charts with colors/ability to distinguish colors.
- 1 comment – make text larger
- 1 comment – list names of all Committee Members in Presentation
- 1 comment that charts and graphs can't describe the services we are getting.

Suggestions

- Want to see more recent information.
- Want to see more in depth information.
- Want to see suggestions / lessons from other cities (Clayton/Orinda)
- Would like us to share information in advance of presentations.
- Want more in depth examination of fire and police costs.
- Want the committee to consider Kensington proximity to high crime areas when comparing to Orinda, Lafayette, Walnut Creek.

Opinions/Observations

- 2 comments that police and fire should receive equal revenues.
- 1 comment that economy of scale works against Kensington services cost per capita.
- 1 comment that any move to consolidate police and fire is a money grab.

Bifurcation Subcommittee – The beginning..... This fits into the work plan (attached)

Process Framework statement for Bifurcation of the GM/COP Position:

The committee will research the bifurcation of the current GM/COP position and analyze the economy of a variety of alternatives posed by the Community, including but not limited to a:

- *Part-time GM*
- *Full-time police captain or lieutenant instead of COP*
- *Shared GM or COP*

The Committee will also present cost benefits of all alternatives to our current structure of GM/COP relative to all alternative scenarios, such as contracting out or district consolidation.

Proposed Step 1 - Determine potential comparable entities – Approach to gathering information: January 22, 2016

A. Meet with California Special Districts staff in Sacramento to determine potential comparable agencies and organizational structure:

- 1. Determine CSD with Shared (GM/Other) Positions: Similar demographics**
 - GM/COP - GM/Other Lead Role (example: GM/Fire Chief, Chief Engineer, Finance Director, Attorney)
- 2. Determine CSD with Split Positions: Similar demographics**
 - GM/COP or GM/Other Lead Role (example: GM/Fire Chief, Chief Engineer, Finance Director, Attorney)
- 3. Determine Special Districts with part-time GM's verses full time GM's**
- 4. Determine Special Districts that share General Manager with another agency (could be 2 CSD's)**
- B. Meet with Marilyn Stollon and review her research (maybe this should be the first thing we do).**

C. Determine cities to review under each category (1 - 4 Above)

Ground rules:

1. No gated communities
2. No communities more than 3 times the size of Kensington - approx. 20,000 population
3. Community Service Districts preferred (but could be small city with part-time or shared City Manager)
4. Similar crime stats if possible

GM/COP Split Research Options: Possible comparative CSD's Police Service Districts and small cities.

		Source: California Special Districts Association CSD's with Police Service	Source: Research and Community member data (Marilyn Stollon and others)	Jim Watt's similar demographic and crime profile
Bear Valley CSD	Tehachapi	X	X	
Bell Canyon CSD	Bell Canyon	X		
Capistrano CSD	San Clemente	X	X	
De Luz CSD	Murrieta	X		
Diablo CSD	Diablo	X	X	
Kensington Police Protection and CSD	Kensington	X		
Lake Don Pedro CSD	La Grange	X		
Lake Shastina CSD	Weed	X	X	
Marin City CSD	Marin City	X		
Mountain House CSD	Mountain House	X	X	
Santa Lucia CSD	Carmel	X	X	
Southern Coachella Valley CSD	Thermal	X	X	
Stallion Springs CSD	Tehachapi	X	X	
Marinwood CSD	San Raphael		X	
Colma	Colma		X	
Sutter Creek	Sutter Creek		X	
Broadmoor Police Protection District	San Mateo Co		X	
Pauma Valley (gated community)			X	
Surfside Colony (gated community)			X	
Saddle Creek (pop. 100)			X	
(Near) Copperopolis (gated community)			X	
Small Cities in Bay Area				
Moraga				X
Clayton				X
Tiburon				X
Belvedere				X
Ross				X

Ad Hoc Committee For Governance and Operations Structure
Committee on Contracting of Police Services – Proposed work plan
and timeframe

1. Meeting with CoCo County Sheriff's Office about provision of services
 - 1.1. Services provided at no Cost pursuant to statute
 - 1.2. Resident Deputy Program
 - 1.3. Contract Route

2. Contact and meet with other departments about provision of police services including but not necessarily limited to:
 - 2.1. El Cerrito
 - 2.2. UC Police
 - 2.3. Albany
 - 2.4. Berkeley

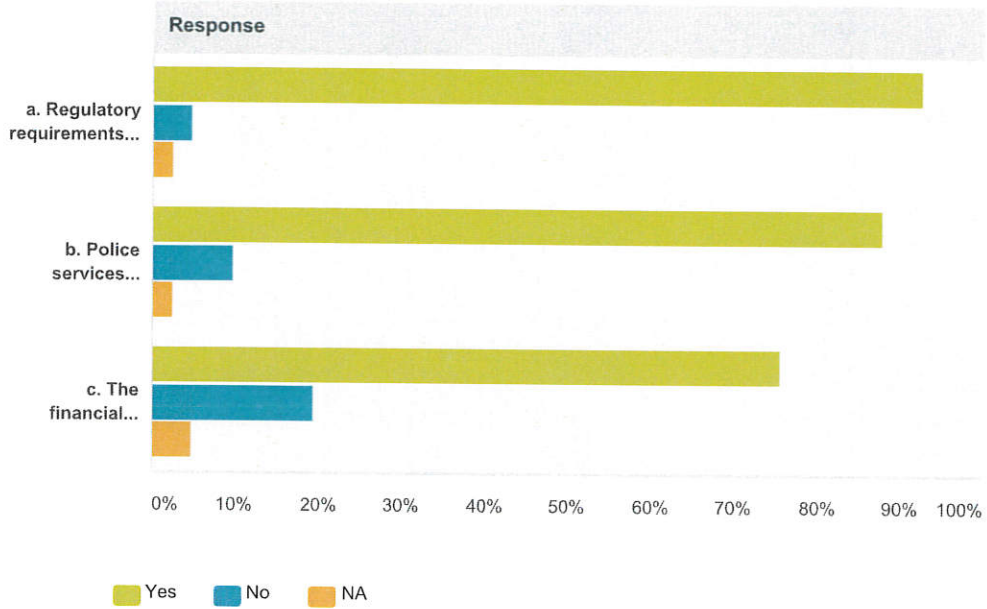
3. Meet with representatives of cities currently contracting for services from CoCo County Sheriff including but not necessarily limited to:
 - 3.1. Orinda
 - 3.2. Lafayette
 - 3.3. Danville
 - 3.4. Blackhawk
 - 3.5. Oakley

Notes:

- a) To accomplish 1 and 2 there is likely a need of explicit KPPCSD Board authorization to discuss the cost of services.
- b) Should we be seeking information only on the cost of replicating the services currently provided by KPD, or something else?
- c) 1 can likely be completed by the end of January (assuming Sheriff availability); 2 by the end of February; and 3 by the end of March.

Q1 Did you find the forum helpful in improving your knowledge and understanding of:

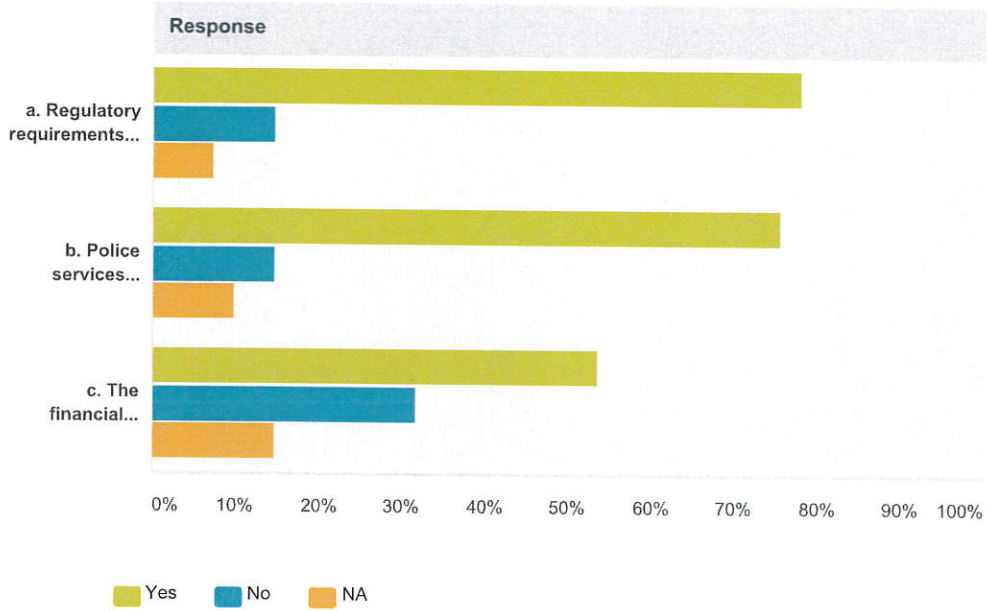
Answered: 41 Skipped: 0



Response	Yes	No	NA	Total
a. Regulatory requirements relevant to Kensington police services	92.68% 38	4.88% 2	2.44% 1	41
b. Police services currently provided by KPPCSD	87.80% 36	9.76% 4	2.44% 1	41
c. The financial status (revenues and expenses) of the KPPCSD	75.61% 31	19.51% 8	4.88% 2	41

Q2 Did the forum provide you with your desired level of knowledge and understanding of:

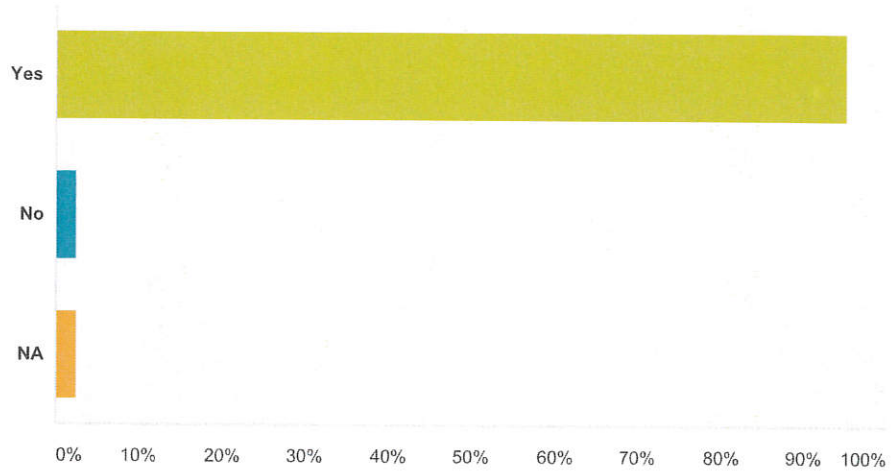
Answered: 41 Skipped: 0



Response	Yes	No	NA	Total
a. Regulatory requirements relevant to Kensington police services	78.05% 32	14.63% 6	7.32% 3	41
b. Police services currently provided by KPPCSD	75.61% 31	14.63% 6	9.76% 4	41
c. The financial status (revenues and expenses) of the KPPCSD	53.66% 22	31.71% 13	14.63% 6	41

Q3 Did you find the format and content (presentations and handouts) of the forum to be helpful:

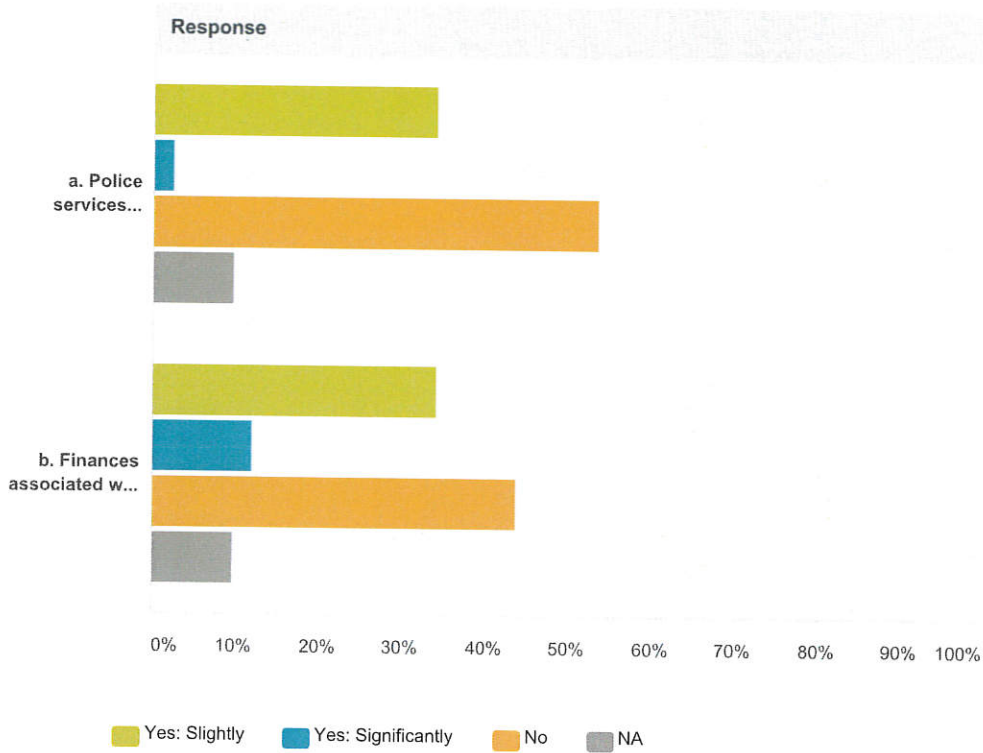
Answered: 41 Skipped: 0



Answer Choices	Responses	
Yes	95.12%	39
No	2.44%	1
NA	2.44%	1
Total		41

Q4 Did this forum change your perceptions or feelings about:

Answered: 41 Skipped: 0



Response	Yes: Slightly	Yes: Significantly	No	NA	Total
a. Police services provided by KPPCSD	34.15% 14	2.44% 1	53.66% 22	9.76% 4	41
b. Finances associated with police services	34.15% 14	12.20% 5	43.90% 18	9.76% 4	41

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**Draft Work Plan Kensington Ad Hoc Committee on Governance
General Manager/Chief of Police Biforcation Study**

Area	Tasks	Resources	Assigned To	Completion Date*	Comments
General for shared or split GM/COP	1a	Case Studies - Other similar Districts with shared GM/COP or other GM/shared positions.	Existing research by others, LAFCO, new research	January 30	Include the total budget and employee size of the comp jurisdictions
	1b	Identify 4 - 5 similar size and demographic agencies for study	Existing research by others, LAFCO, new research	January 30	
General Manager					
Regulatory	2a	GM	State law governing Special Districts per previous research by ad hoc committee	Done	
Job Duties Current	2b	GM - What they do now - List job duties	K - Job Description, Interviews with Hart, Board Members, others?	February 17	
Job Duties Future	2c	GM - What they could do - Compare to similar agencies	Research & meet with other agencies, review other job descriptions, meet with head hunter(s) filling similar positions.	March 18	
Time Required	2d	GM - Estimated time required per job duty with existing oversight of police department.	Per list above of job duties	February 17	May be too subjective
	2e	GM - Estimated time required with contracting out police services	Review similar agencies that contact out	March 18	May be too subjective
Financial	2f	GM - Part-time	K - % of total comp and research similar agencies, define % increase over existing budget and trade-offs	March 18	Financial assistance may be required
	2g	GM - Full-time	K - % of total comp and research similar agencies, define % increase over existing budget and trade-offs	March 18	Financial assistance may be required
	2h	GM - Shared with another jurisdiction/district/agency	Research other shared similar positions	March 18	Financial assistance may be required
Chief of Police					
Regulatory	3a	COP or other positions (Captain, Lieutenant)	Review standards for police departments, required staffing	January 30	
Job Duties Current	3b	COP - What they do now - List job duties	K - Job Description, Interviews with Hart, Board Members, others?	January 30	
Job Duties Future	3c	COP - What they could do - Compare to similar agencies	Research & meet with other agencies, review other job descriptions, Meet with head hunter filling similar positions.	March 18	
Time Required	3d	COP - Estimated time required per task	Per list above of job duties	January 30	may be too subjective
Financial	3f	COP - Part-time	??	March 18	Possible with 24/7 service?
	3g	COP - Full-time	Research collected to date, Compare to other small police departments	March 18	Financial assistance may be required
Communication	4a	Draft Report	Research other shared similar positions	March 18	
	4b	Community Forum Presentation?		May 7	
	4c	Final Board Reprt		May 20	
				June 24	

* Assumes subcommittee formed in early January

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Ad Hoc Governance Committee – Consolidation Subcommittee

Proposed work plan and timelines

- Interview representatives from relevant organizations regarding details, logistics and views of potential Consolidation
 - Kensington Fire Protection District (KFPD)
 - Local Agency Formation Commission (LAFCO)
 - Kensington Police Protection and Community Services District (KPPCSD)
 - Others as needed
 - Anticipated completion – early March
- Survey Special Districts and small Communities with independent and unified governance structures
 - Anticipated completion – early March
- Complete financial data collection and analysis for Kensington Districts
 - 2014-2015 Audited Financials
 - Revenue/Expense analysis
 - Five year projections
 - Anticipated completion – dependent on release of audited financials, MOU definition and financial projections; mid-March is projected
- Define potential post-Consolidation structure(s)
 - Governance
 - Financials
 - Other aspects?
 - Anticipated completion – end of March/beginning of April
- Settle timing of Town Hall meeting to discuss results
 - Earliest possible date will be dependent on timelines defined by availability of 2014-2015 Audited Financials
 - Anticipated completion – these timelines should be clear by the next regular Committee meeting

Kensington Police Protection and Community Services District
Ad Hoc Committee for Governance and Operations Structure
Special Meeting

Public Education Forum

Saturday, January 23, at 9:30 am - Noon
Community Center, 59 Arlington Avenue, Kensington, California

Agenda

9:30 am	Coffee and Treats - Meet and Greet
10:00 am	Introductions/Roll Call of Committee Members- Charge of the Committee and Forum Process
	Description of Statutory/Regulatory Requirements for Police Services in Kensington
	Description of Police Services and other District Programs
	Description of District Financials
	Questions/Comments
12 Noon	Closing and Next Steps



Regulatory Subcommittee

Kensington Ad-Hoc Committee on
District Services and Structure

**Kensington is an unincorporated
community in Contra Costa County**

**The KPPCSD is a
Community Services District**

created under State of California Community Service District Law
(Gov Code Section 61000 et seq.)

There are no statutory requirements that a community or a Community Services District provide police services.

If the District did not exist, how would police services be provided?

- County Sheriff required by law to provide law enforcement services in unincorporated areas of the county.

What are the options when unincorporated areas finance additional County Sheriff services?

- Residential Deputy Program
- Contracts
(Danville, Lafayette, Orinda, Oakley)

Once a police department is formed, additional mandates are required.

Examples:

- Record keeping and reporting to DOJ
- Police Officer Standards and Training

Title of
“Police Chief” or “Chief of Police”
is not mandated for the highest ranking
officer in a police department.

There are no national or state staffing level requirements for police departments.

Every community makes that decision.

Contra Costa County range:

- .67 sworn / 1,000 residents - Lafayette
- 1.97 sworn / 1,000 residents - Kensington

Source: LAFCO 2011
Final Law Enforcement Municipal Service Review

Once a Community Service District has a police department there are no required levels of service.

- The Board of Directors has the authority to determine the level of service provided.

Is a General Manager required in a Community Service District?

Yes!

**Board is required by law to appoint a
General Manager.**

Overview of Historical KPD Staffing

Kensington Ad-Hoc Committee on
District Services and Structure

Historical KPD Staffing

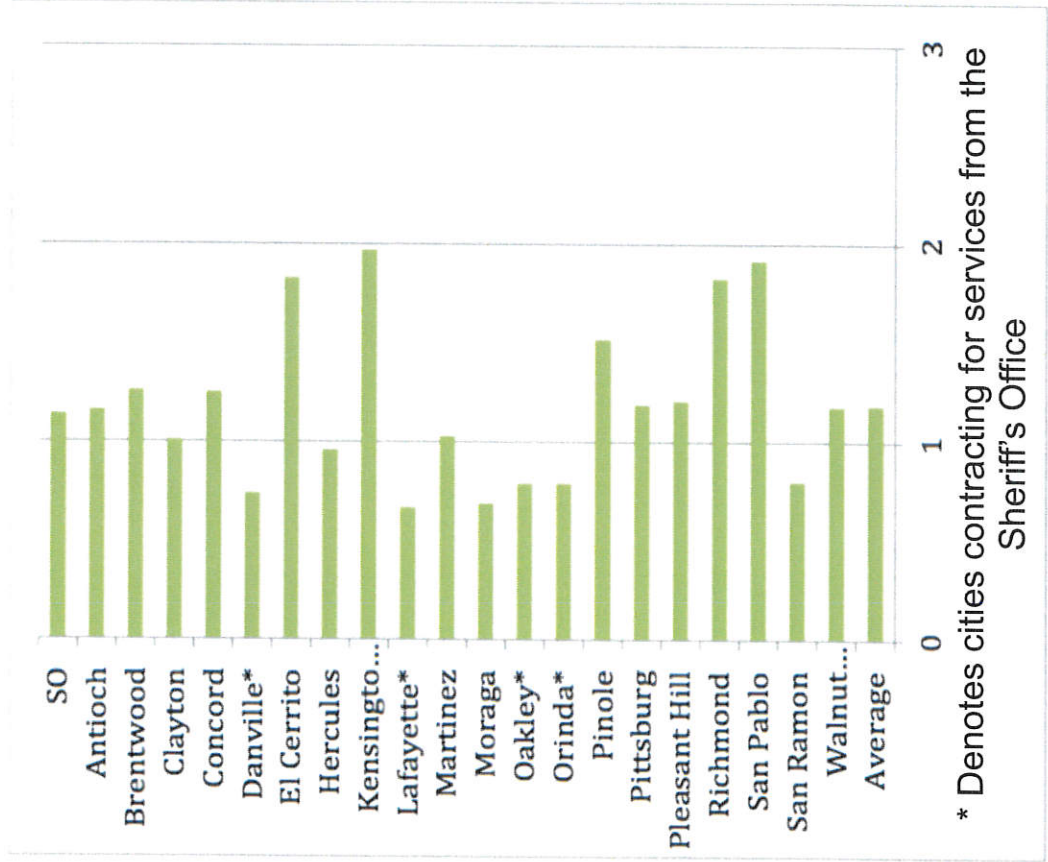
- In 1948 the KPD had 2 full time officers, 1 part time officer, and a COP ¹
- By 1984 (earlier, but hard to know exactly when) the KPD had 10 officers, including a COP ²
- Currently there are 10 officers, including a COP, + 2 Reserve officers ³
- Total sworn staff is 10 ³
- Kensington desired ratio of sworn staff per 1000 is 2.0 ⁴
- Current Kensington sworn staff per 1000 is 1.89 (^{10 / 5,281 population})
- Contra Costa average of sworn staff per 1000 is 1.18 ⁴

Sources:

1. Outlook Archives
2. KPCCSD Archives
3. KPD
4. LAFCO Report 2011

Staffing Levels per 1,000 Residents (FY 10-11)

LAFCO Report 2011

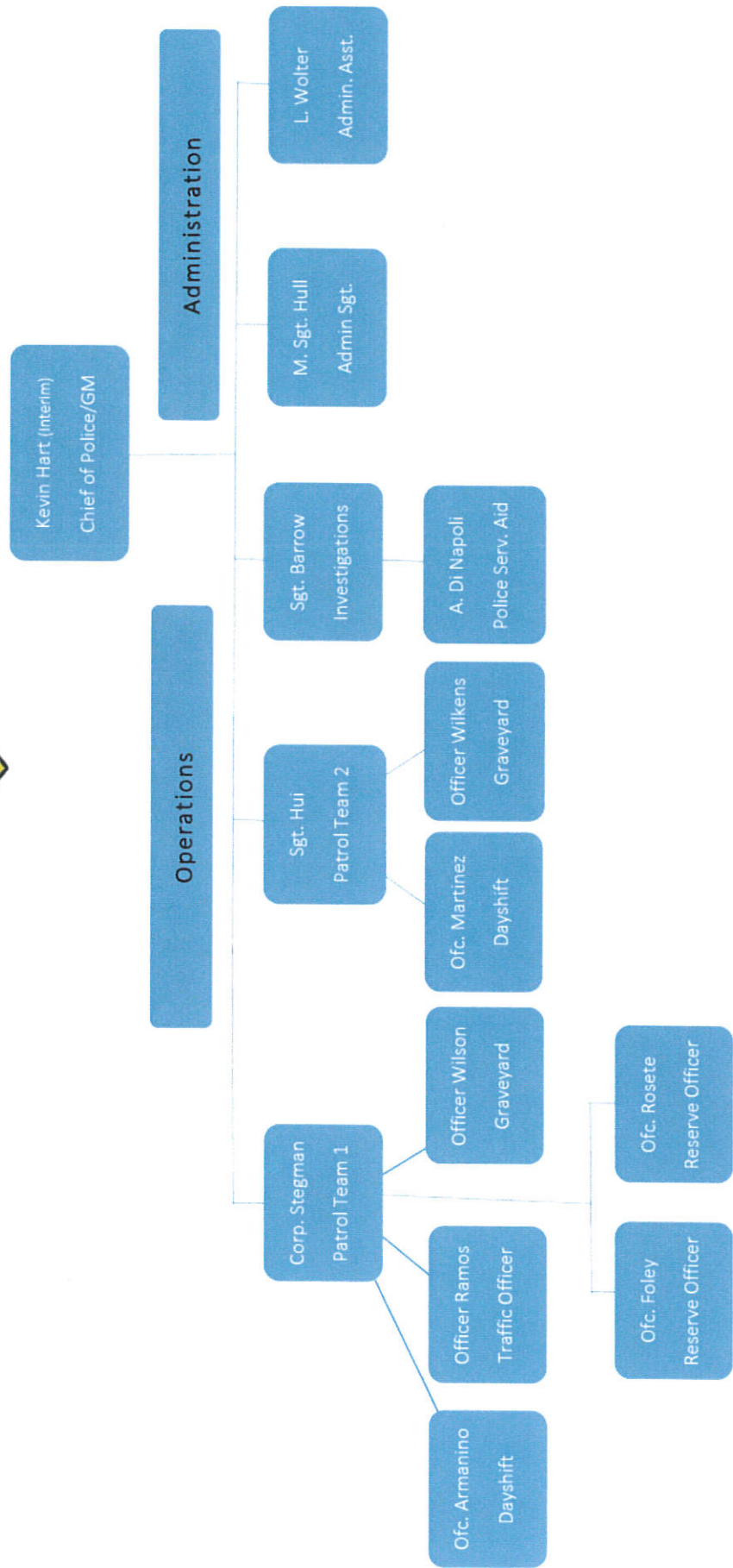


Overview of Police Staff, Services and Administrative Functions

Kensington Ad-Hoc Committee on
District Services and Structure

Kensington Police Department

Agency Organization Chart



KPD Scheduling and Staffing

- KPD is considered at full staff with 10 sworn officers (including the Chief), working 80 hours per pay period (pay period = 2 weeks).
- 2 Patrol Teams work opposing sides of the week.
 - Team 1 Sunday-Tuesday.
 - Team 2 Thursday -Saturday.
 - Teams 1 & 2 alternate Wednesdays on a modified schedule.
- Team structure/ shift assignments.
 - Dayshift officer 6:00 AM - 6:00 PM hours.
 - Supervisor 12:00PM -12:00 AM hours.
 - Graveyard officer 6:00 PM - 6:00 AM hours.

KPD Scheduling and Staffing

- Wednesday Schedule.
 - Dayshift officer 6:00 am -2:00 PM hours.
 - Supervisor 2:00- 8:00 PM hours (day/ swing shift coverage).
 - Graveyard officer 8:00 PM – 6:00 AM hours.

Supervision and Special assignments

- Master Sergeant 7:00 am – 5:00 PM Thursday-Sunday (functions as a supplementary Operations Manager and supplementary supervisor on Patrol team 2).
- Detective Monday- Thursday 7:00 AM -5:00 PM.
- Traffic Officer Monday- Thursday 8:00 AM - 6:00 PM.
- Even with Three Sergeants and a Corporal acting as supervisors there are still windows of time each day where patrol officers may not have supervision.

Collateral duties

- Every Officer has multiple administrative collateral duties.
- Many of these duties appear to come with any full-service police departments: whether it has 10 employees or 5,000.
- The breadth of response and kinds of service calls that Kensington Police responds to (dogs barking, solicitors, all EMT/Fire Calls) may be broader than other communities.

Collateral Services/duties

- **General Patrol** • A Victim of Violent
- Police Records • Crime Advocate
- Traffic Control/Safety • Community Crime
- Hilltop School Safety Alerts
- Crime Reporting • **Key Program**
- Supervision • **Vacation Watch**
- **Detective Services** • Electronic Satellite
- Internal Affairs • Pursuit Devices
- Maintaining Policy Critical Reach
- Manual
- Citizens Academy

Administrative/Technological

Support Functions

- **FTO (Field Training Officer)** • Patrol Vehicle Keys
- **Fleet Management** • P.A.S. Coordinator
- Evidence Technician • Squad Room Forms
- (CSI) • **Property Room**
- **AEDs and Inspection** • **Traffic Signs/Radar**
- Daytime community • Court Traffic Surveys
- presentations • **Radios**
- Background • **Police IT/social media**
- Investigator • Maintain Legal Source
- LiveScan • Book Resource
- PA System/KPPCSD • ARIES Data Liaison
- Recordings & Agenda

Administrative Functions (continued)

- **CLETS** to Richmond*
- **Administrator** • **New Officer**
(restraining orders) • **Training**
- **Phreaks Rep (police)** • **Parking Citations**
- **computer system** • **Court Liaison**
- **Aries Liaison (Data)** • **Monthly Reports**
- **Impact Weapons** • **Maintain electronic**
Coordinator satellite pursuit
- **Continuous** devices
- **Professional Training**
- **Maint. Critical Reach**
- **Dispatch: outsourced**

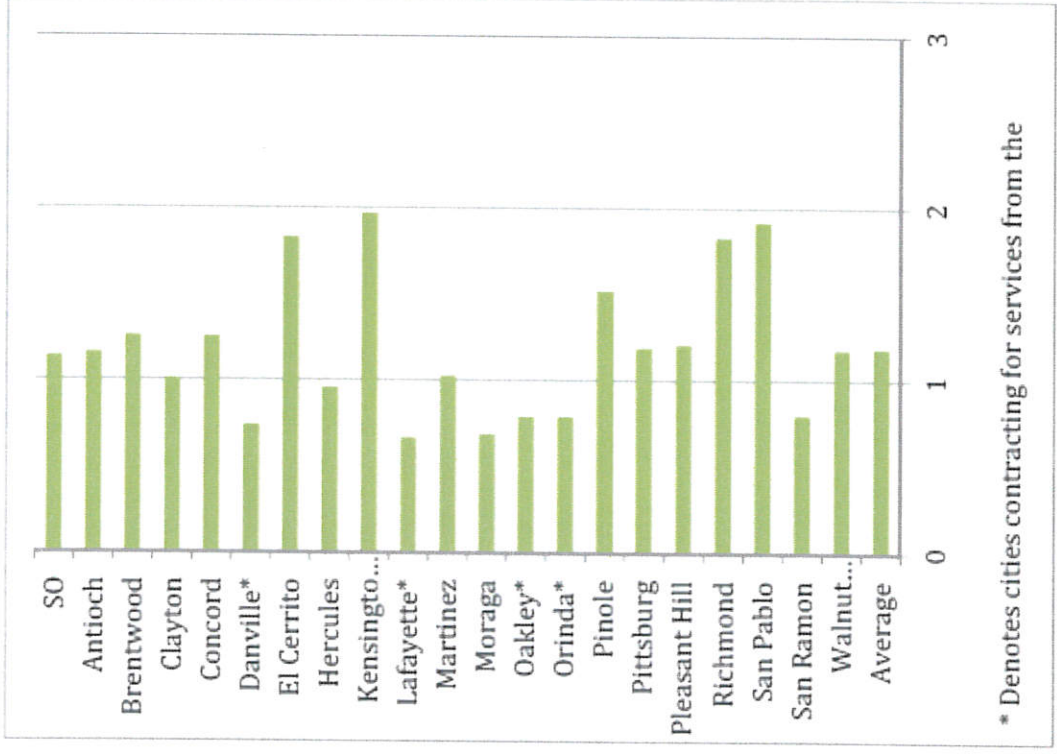
To Do

- Estimate percentage of total time officers spend on administrative functions
- Assess what may be optional and/or comparative levels of service and activities

**Review of Contra Costa County
Police Services Data
from 2011 LAFCO MSR**

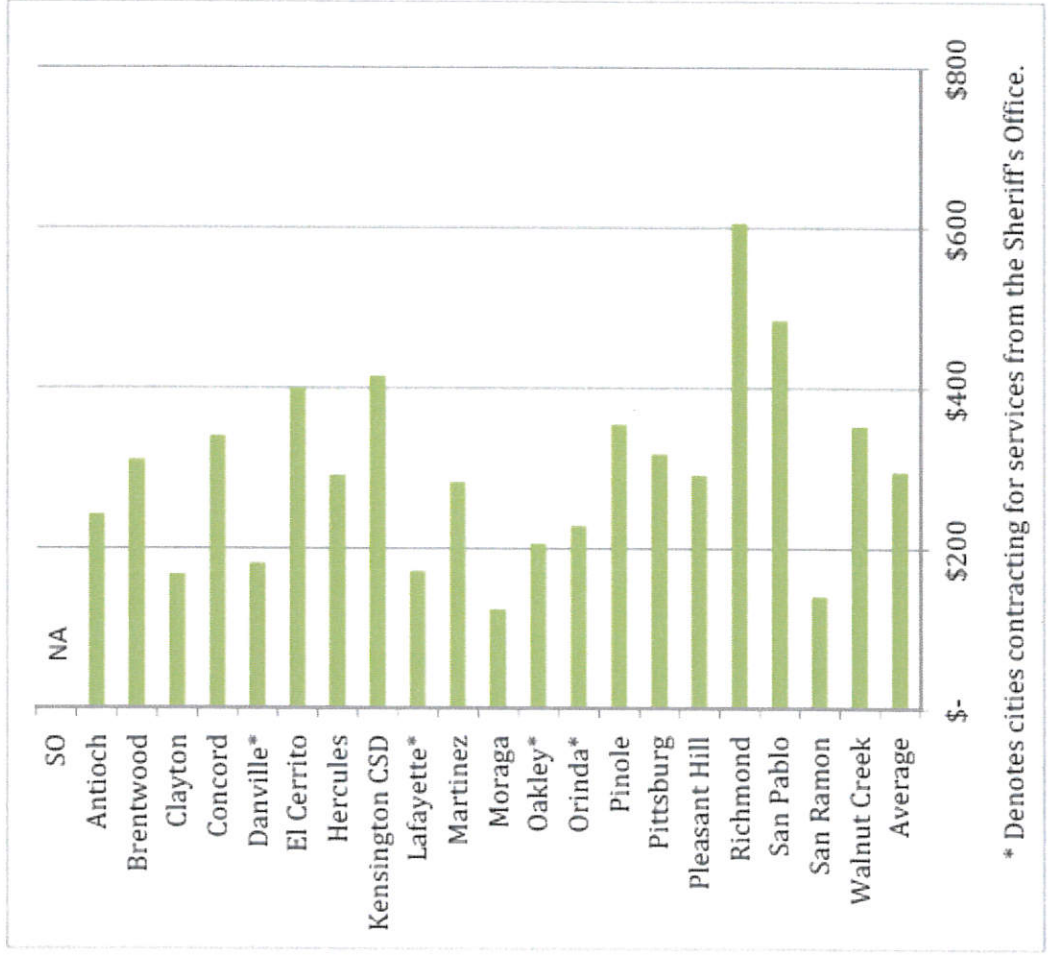
*Kensington Ad-Hoc Committee on
District Services and Structure*

Staffing levels per 1000 residents (CY 10-11)



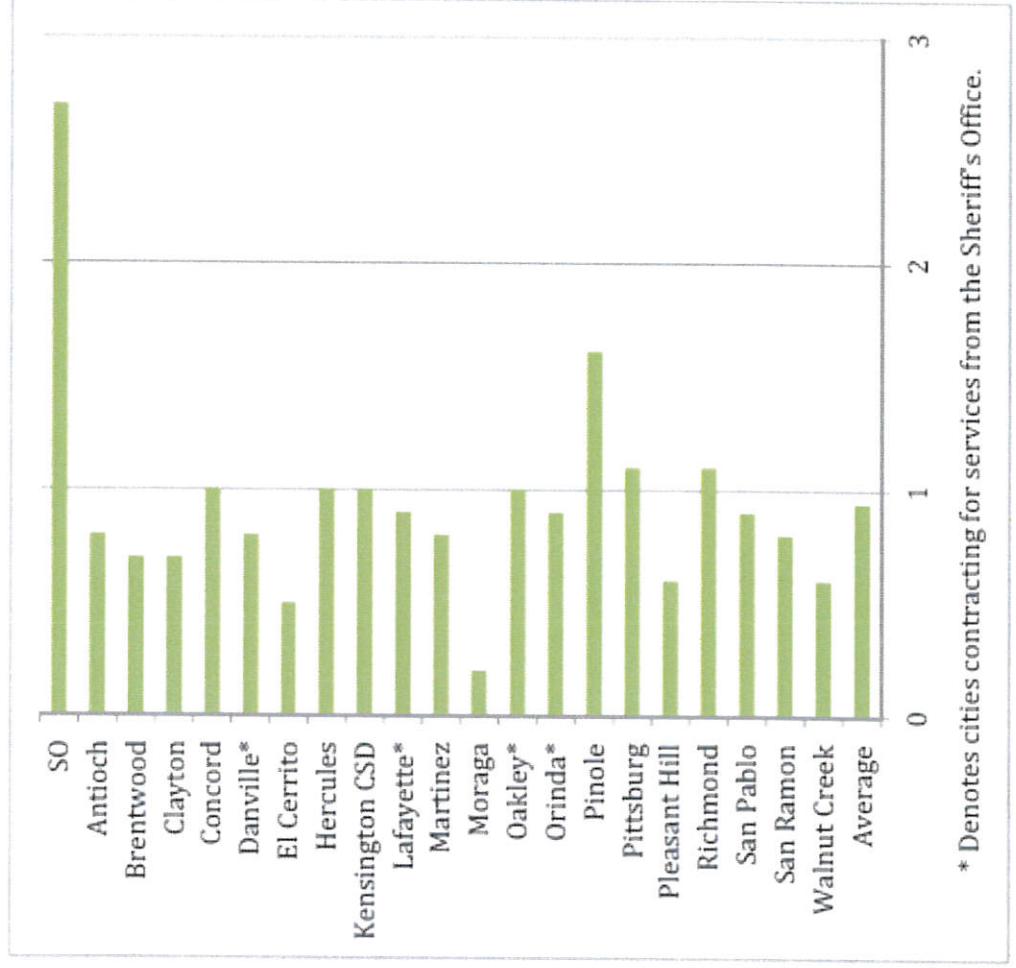
Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

General Fund expenditures per capita (CY 09-10)



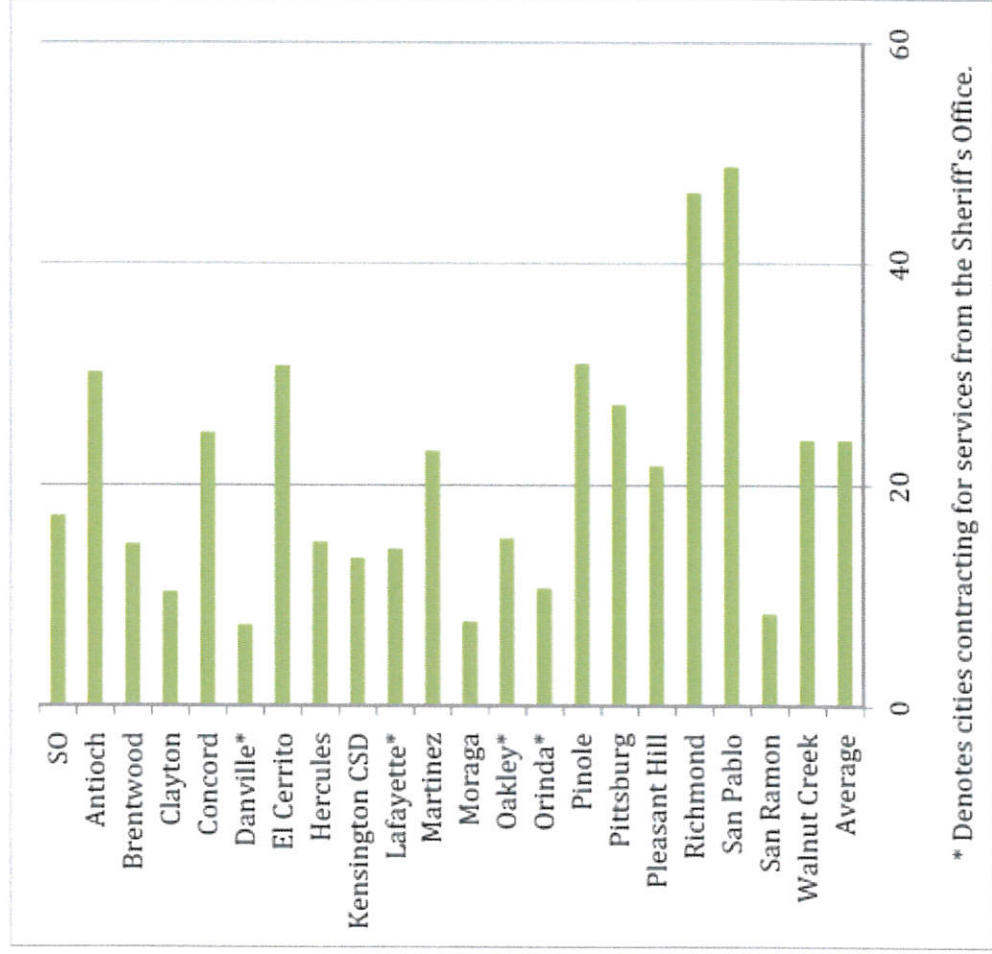
Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

Annual average Service Calls per capita (CY 07-09)



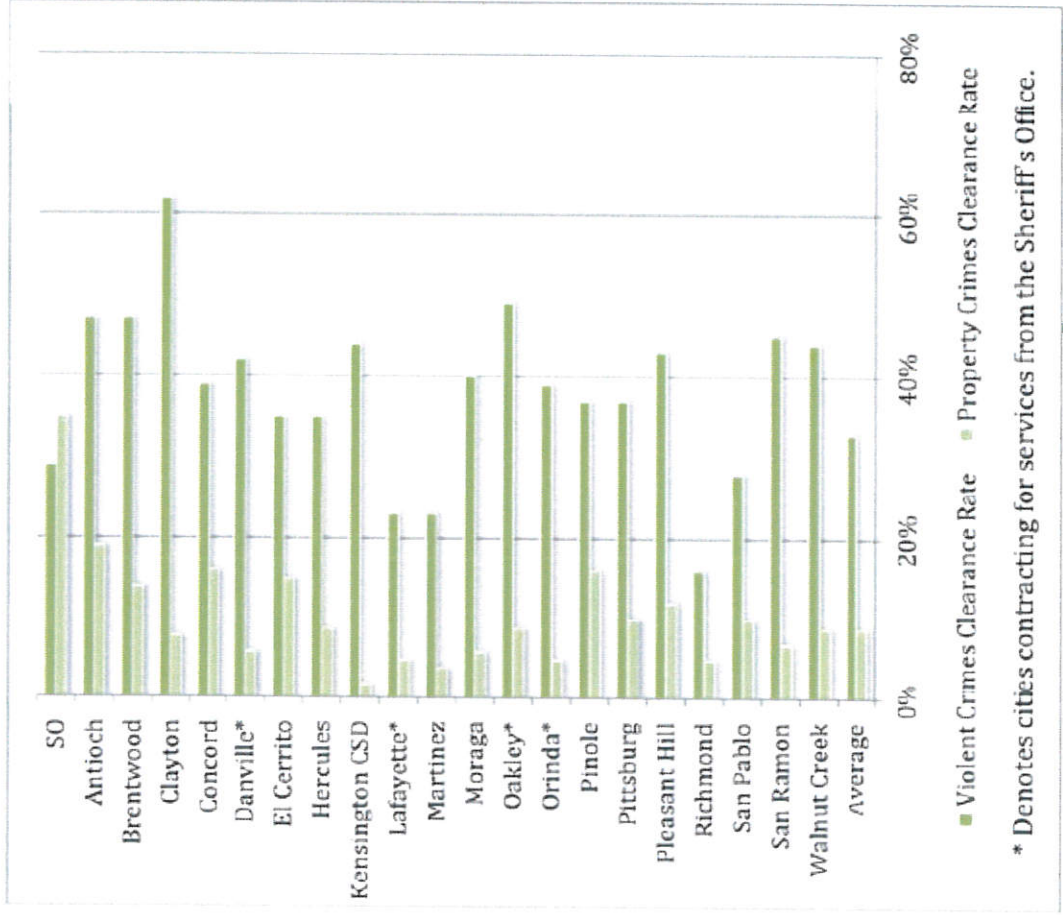
Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

Total Crimes per 1000 Population (CY 07-09)



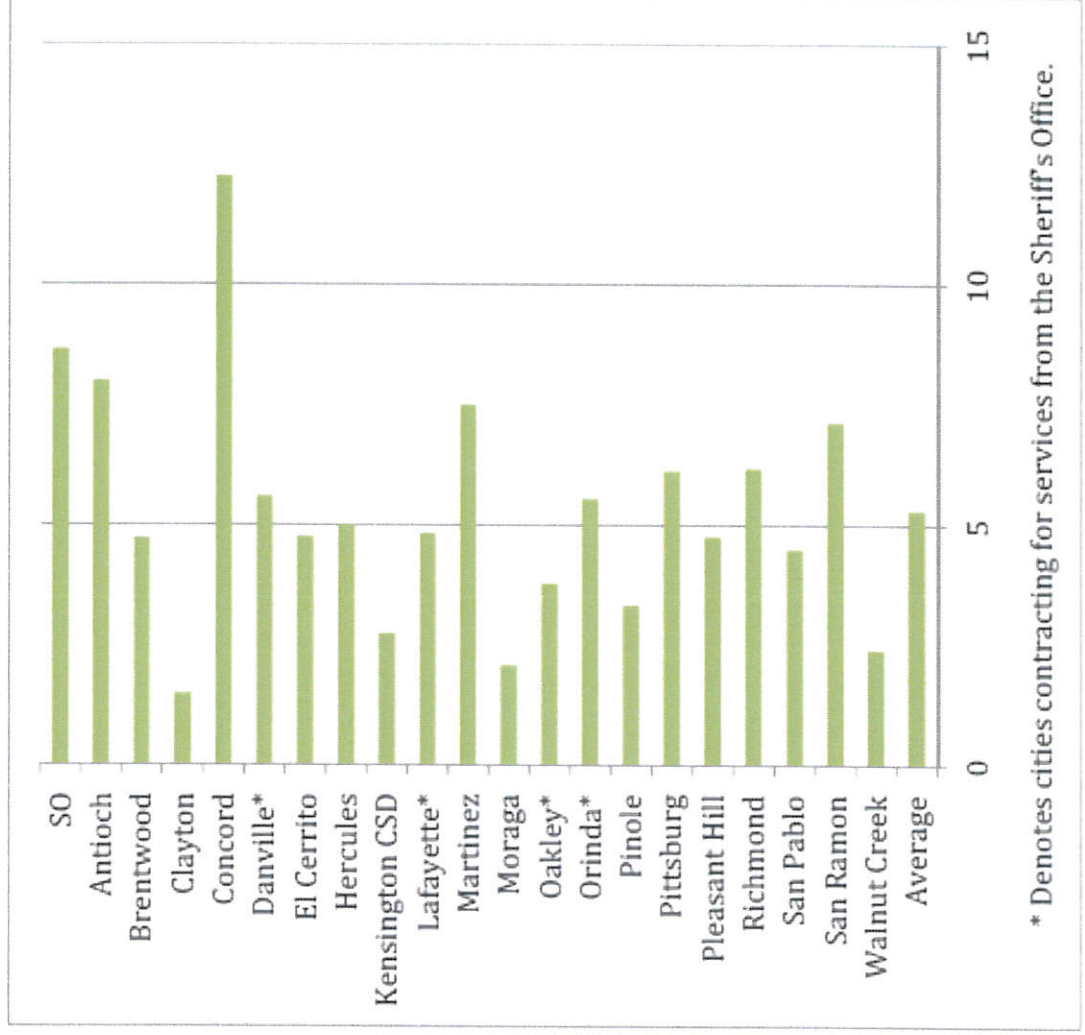
Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

Clearance Rates (CY 07-09)



Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

Priority One Response Times (2010)



Source: LAFCO 2011
Final Law Enforcement
Municipal Service Review

Staff and Budget Indicators

Agency	2010 Population	Sworn Staff	Sworn Staff per 1,000 population	Police General Fund Expenditure	Percent of Agency General Fund	Cost per Capita
Office of the Sheriff	154,708	176 ¹	1.14	\$74.0 million	33.00%	N.A.
Antioch	102,372	119	1.16	24.9 million	73.00%	243
Brentwood	51,481	62	1.26	16.0 million	45.10%	311
Clayton	10,897	11	1.01	1.8 million	50.00%	168
Concord	122,067	152	1.25	41.6 million	58.60%	341
Danville	42,039	31	0.74	7.5 million	42.20%	182
El Cerrito	23,549	43	1.83	9.4 million	35.70%	400
Hercules	24,060	23	0.96	7.0 million	36.00%	292
Kensington CSD	5,077	10	1.97	2.1 million ²	N.A.	415
Lafayette	23,893	16	0.67	4.1 million	43.10%	172
Martinez	35,824	37	1.03	10.1 million	52.50%	283
Moraga	16,016	11	0.69	2.0 million	32.80%	125
Oakley	35,432	28	0.79	7.3 million	59.40%	207
Orinda	17,643	14	0.79	4.0 million	40.70%	229
Pinole	18,390	28	1.52	6.5 million	53.10%	355
Pittsburg	63,264	75	1.19	20.1 million	63.90%	318
Pleasant Hill	33,152	40	1.21	9.7 million	52.70%	292
Richmond	103,701	190	1.83	62.9 million	51.50%	606
San Pablo	29,139	56	1.92	14.1 million	73.70%	485
San Ramon	72,148	58	0.8	10.2 million	27.10%	141
Walnut Creek	64,173	76	1.18	22.4 million	36.90%	353
Total or Average	1,049,025 total	1,256 total	1.18 average	\$357.7 million total	48% average	\$296 average

Notes:

(1) Patrol and Investigation-related – does not include Contracts, Administrative Services, Coroner, Custody, or Support Services.

(2) Includes expenditures from all sources of District funds.

Source: LAFCO 2011 Final Law Enforcement Municipal Service Review

Service Indicators

Agency	Service Calls ¹	Calls per Capita	Violent Crimes ²	Property Crimes ²	Total Crimes per 1,000 population	Violent Crimes Clearance Rate	Property Crimes Clearance Rates	Response Time - 1 ³	Response Time Seconds per Square Mile
Office of the Sheriff	425,000	2.7	590	2,085	17.3	29%	35%	8:39	1
Antioch	85,200	0.8	877	2,219	30.2	47% 46%	19% 8%	8:00	17
Brentwood	38,000	0.7	124	631	14.7	47% 56%	14% 14%	4:44	19
Clayton	7,450	0.7	8	105	10.4	62% 62%	8% 15%	1:30	21
Concord	122,300	1	438	2,593	24.8	39%	16%	12:15	47
Danville	35,000	0.8	22	290	7.4	42%	6%	5:36	19
El Cerrito	10,500	0.5	155	570	30.8	35%	15%	4:45	73
Hercules	23,300	1	58	300	14.9	35%	9%	5:00	39
Kensington CSD	5,000	1	4	64	13.4	44% 65%	2% 17%	2:45	150
Lafayette	21,400	0.9	24	317	14.3	23%	5%	4:50	19
Martinez	28,200	0.8	123	703	23.1	23%	4%	7:30	36
Moraga	3,100	0.2	11	112	7.7	40%	6%	2:05	13
Oakley	36,165	1	88	452	15.2	49%	9%	3:47	14
Orinda	16,200	0.9	11	177	10.7	39%	5%	5:33	26
Pinole	29,750	1.61	119	452	31.0	37% 52%	16% 16%	3:20	38
Pittsburg	72,200	1.1	202	1,526	27.3	37% 36%	10% 10%	6:08	21
Pleasant Hill	20,800	0.6	115	607	21.8	43%	12%	4:45	35
Richmond	110,600	1.1	1,136	3,674	46.4	16%	5%	6:11	12
San Pablo	26,500	0.9	308	1,113	48.8	28%	10%	4:30	104
San Ramon	57,700	0.8	51	552	8.4	45%	7%	7:08	23
Walnut Creek	37,000	0.6	122	1,422	24.1	44% 43%	9% 15%	2:25	7
Total or Average	1.2 mil. total	0.9 average	4,586 total	20,684 total	21.1 average	38.3% average	10.6% average	5:19 average	35 average

Notes:

- (1) Average number of calls per year over past three years.
- (2) Average number of crimes per year over past three years.
- (3) Response time for Priority 1 calls in minutes and seconds.
- (4) Violent Crime and Property Crime Clearance Rates in regular type indicates DOJ data. Violent Crime and Property Crime Clearance Rates in bold type indicates local agency data.

Source: LAFCO 2011 Final Law Enforcement Municipal Service Review

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Crime Statistics 2014 – Kensington & Other Cities

City	Population	Violent crime	Murder and non-negligent manslaughter	Rape (revised definition) ¹	Rape (legacy definition) ²	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft	Arson
Berkeley	117,753	431	3	35	0	263	130	5,102	932	3,615	555	15
San Pablo	29,831	241	5	10	0	91	135	1,162	402	456	304	7
Hercules	25,026	27	0	0	1	16	10	286	60	180	46	0
El Cerrito	24,485	77	0	0	3	43	31	926	158	667	101	8
Albany	19,350	31	0	0	3	24	4	478	105	319	54	0
Pinole	19,034	69	1	5	0	27	36	632	78	473	81	1
Moraga	16,953	8	0	0	1		7	150	33	104	13	2
Clayton	11,646	4	0	0	1	2	1	111	48	51	12	1
Emeryville	10,972	117	0	0	7	60	50	1,603	129	1,354	120	2
Tiburon	9,232	1	0	0	0	0	1	107	21	82	4	0
Kensington	5,281	2	0	0	1	0	1	46	16	25	5	0

The columns labeled Violent Crimes and Property Crimes are the sum of all related crimes types listed to the right in the table.

Source: https://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-8/table-8-bystate/Table_8_Offenses_Known_to_Law_Enforcement_by_City_2014.xls

Kensington Crime Statistics – 2010-2015

Year	Population	Violent crime	Murder and non-negligent manslaughter	Rape (legacy definition) ²	Robbery	Aggravated assault	Property crime	Burglary	Larceny-theft	Motor vehicle theft	Arson
2010	5,430	2	0	0	0	2	110	37	61	12	0
2011	5,137	3	1	0	1	1	93	28	51	14	0
2012	5,185	4	1	0	3	0	85	30	45	10	2
2013	5,230	5	0	0	0	5	85	36	35	14	2
2014	5,281	2	0	1	0	1	46	16	25	5	0
2015		3	0	0	0	3	104	20	68	16	0

The columns labeled Violent Crimes and Property Crimes are the sum of all related crimes types listed to the right in the table.

Source for 2010 to 2014: www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2014/crime-in-the-u.s.-2014/tables/table-8/table-8-by-state/Table_8_Offenses_Known_to_Law_Enforcement_by_California_by_City_2014.xls

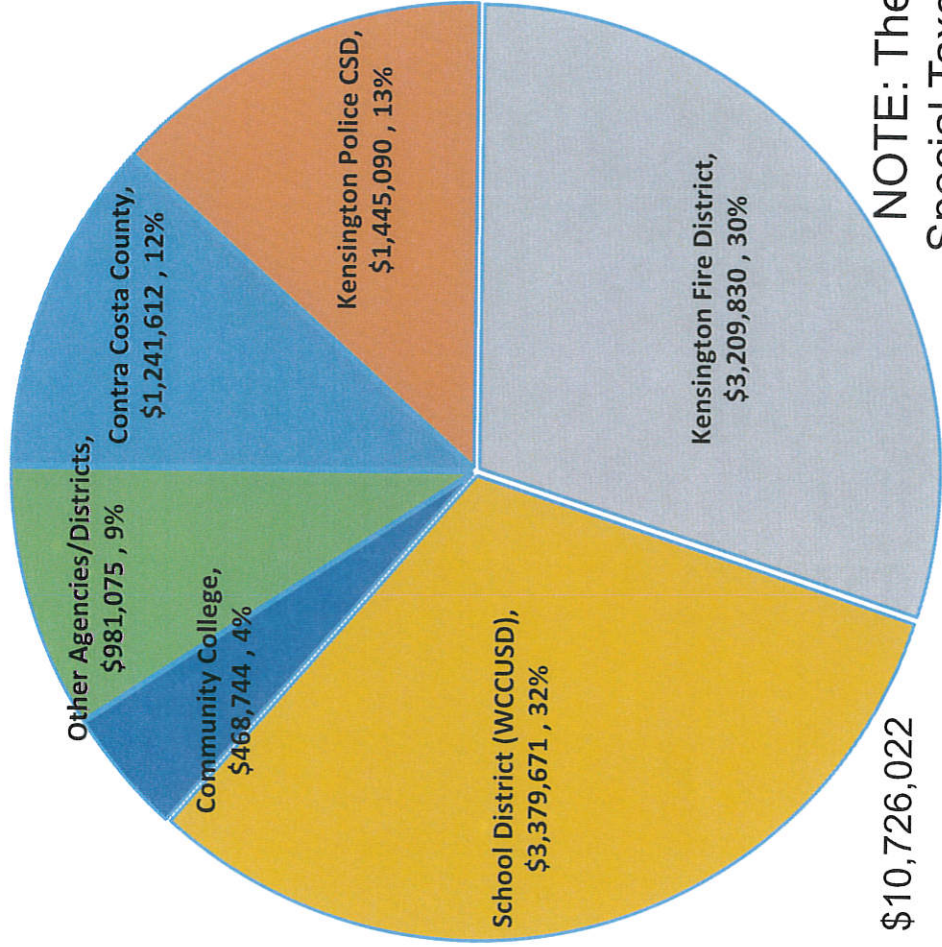
Source for 2015: Kensington statistics presented to KPPCSD Board for January 2016 meeting.

First Review of Kensington District Financial Data

Kensington Ad-Hoc Committee on
District Services and Structure

Ad Valorem Property Tax Distribution in Kensington (2014-2015)

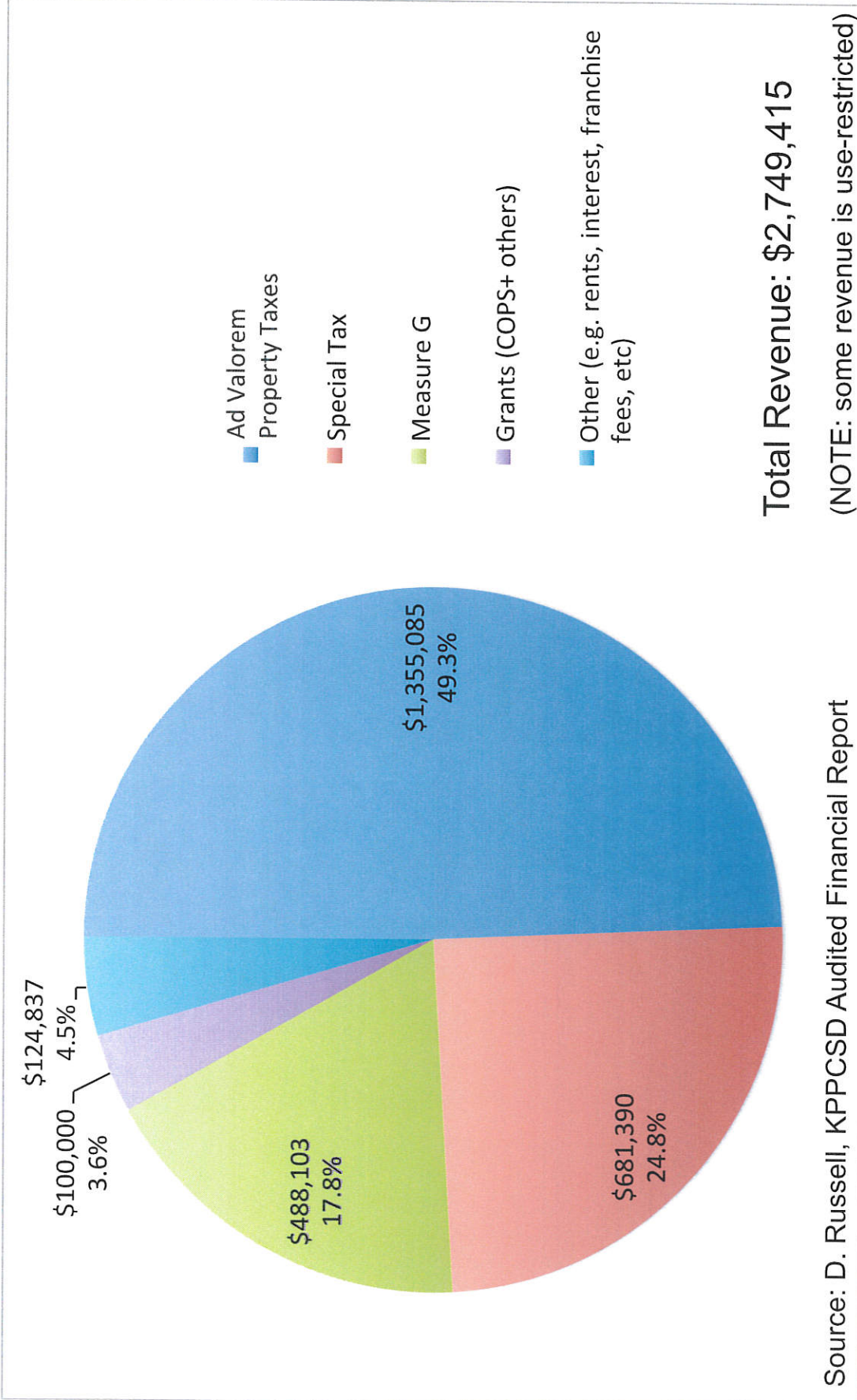
DISTRIBUTION OF EVERY \$100 OF AD VALOREM PROPERTY TAX IN
KENSINGTON



Total Ad Valorem Tax: \$10,726,022
Source: CCC

NOTE: These do not include
Special Taxes & Assessments

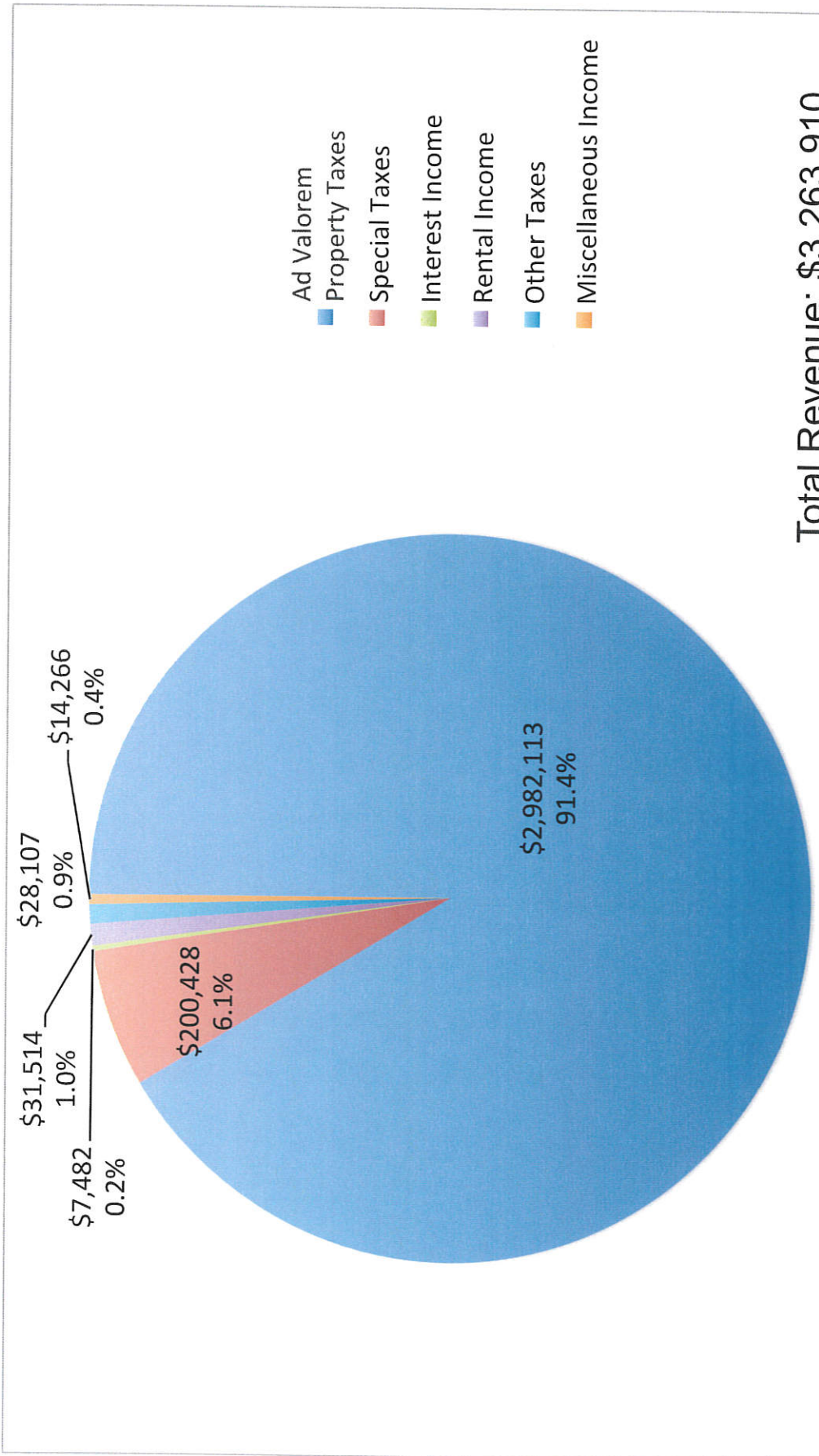
KPPCSD - Revenue by source (FY2013-2014)



Source: D. Russell, KPPCSD Audited Financial Report

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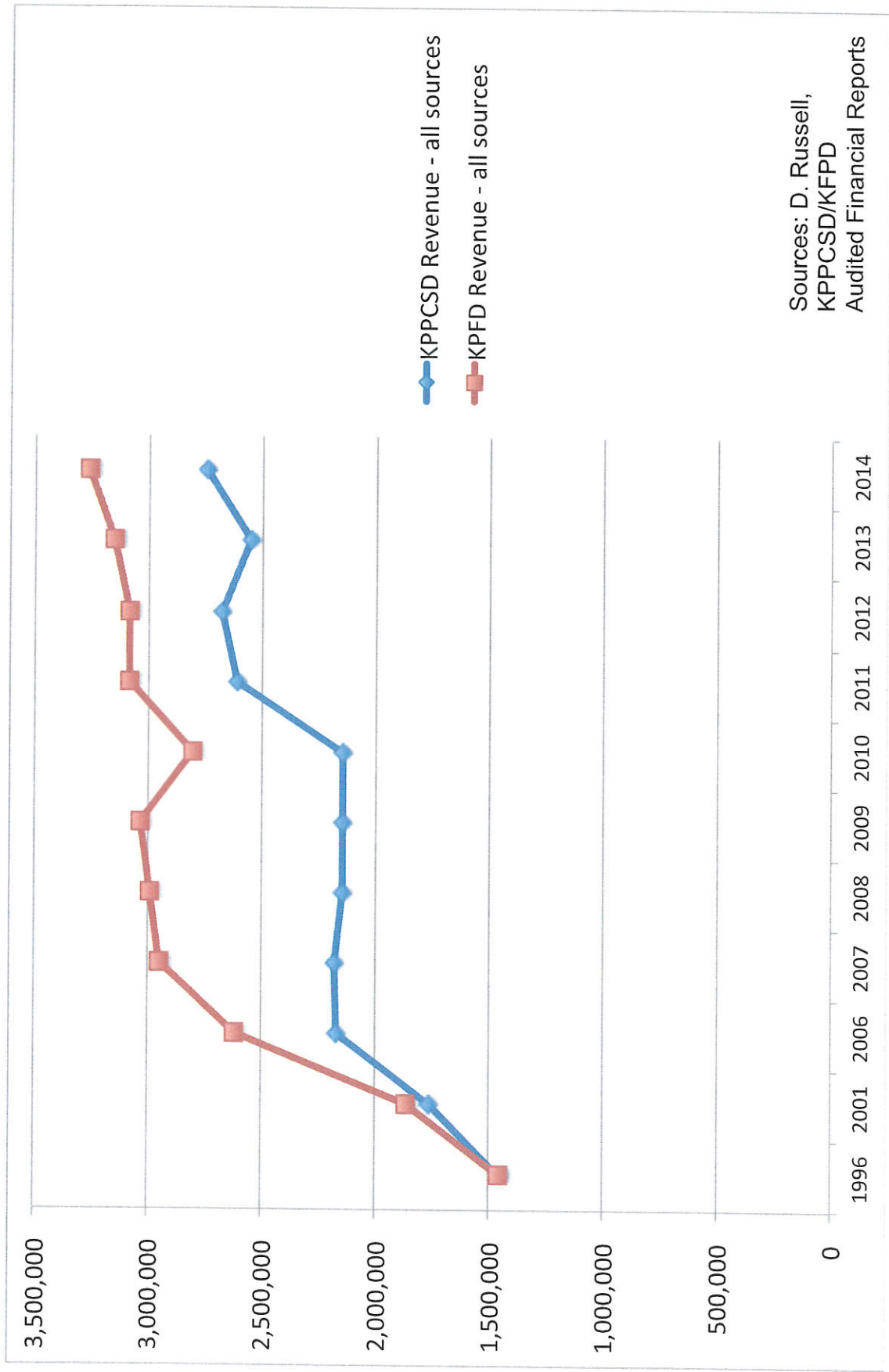
KFPD – Revenue by source (FY2013-2014)



Total Revenue: \$3,263,910

Source: D. Russell, KFPD Audited Financial Report (NOTE: some revenue is use-restricted)

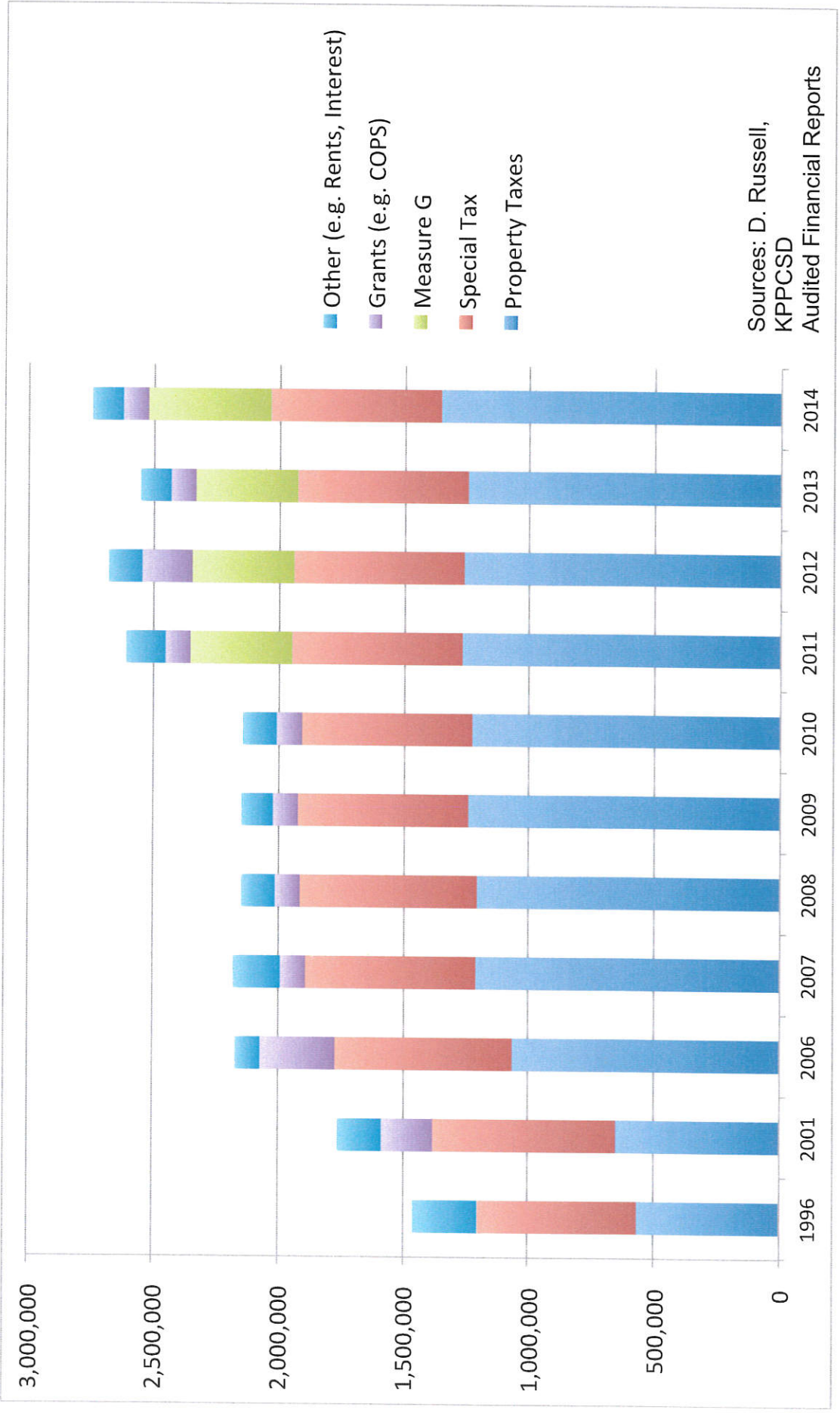
KPPCSD and KFPD Revenue - Historical



Sources: D. Russell,
KPPCSD/KFPD
Audited Financial Reports

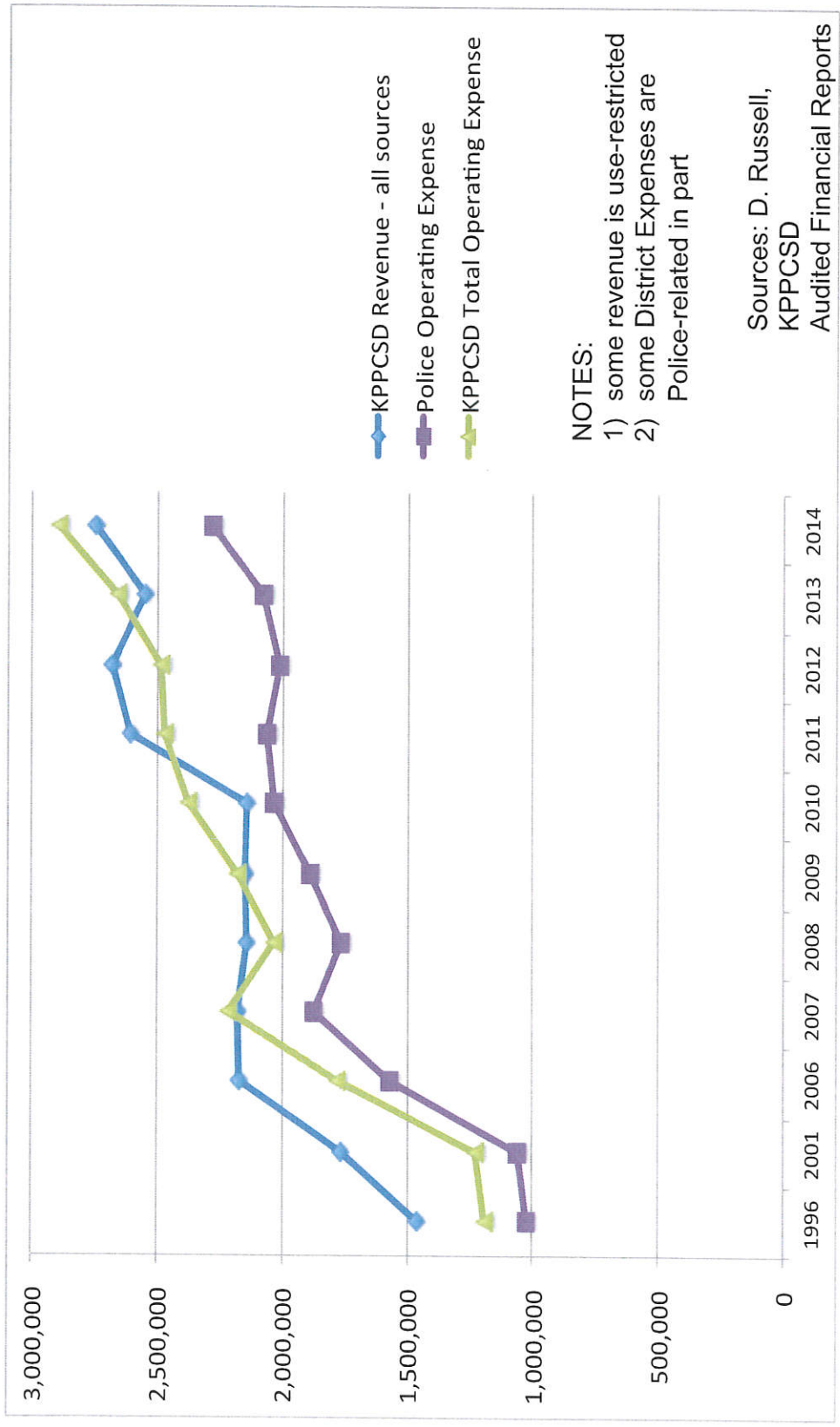
KPPCSD – Historical revenue

Stack bar plot by revenue source



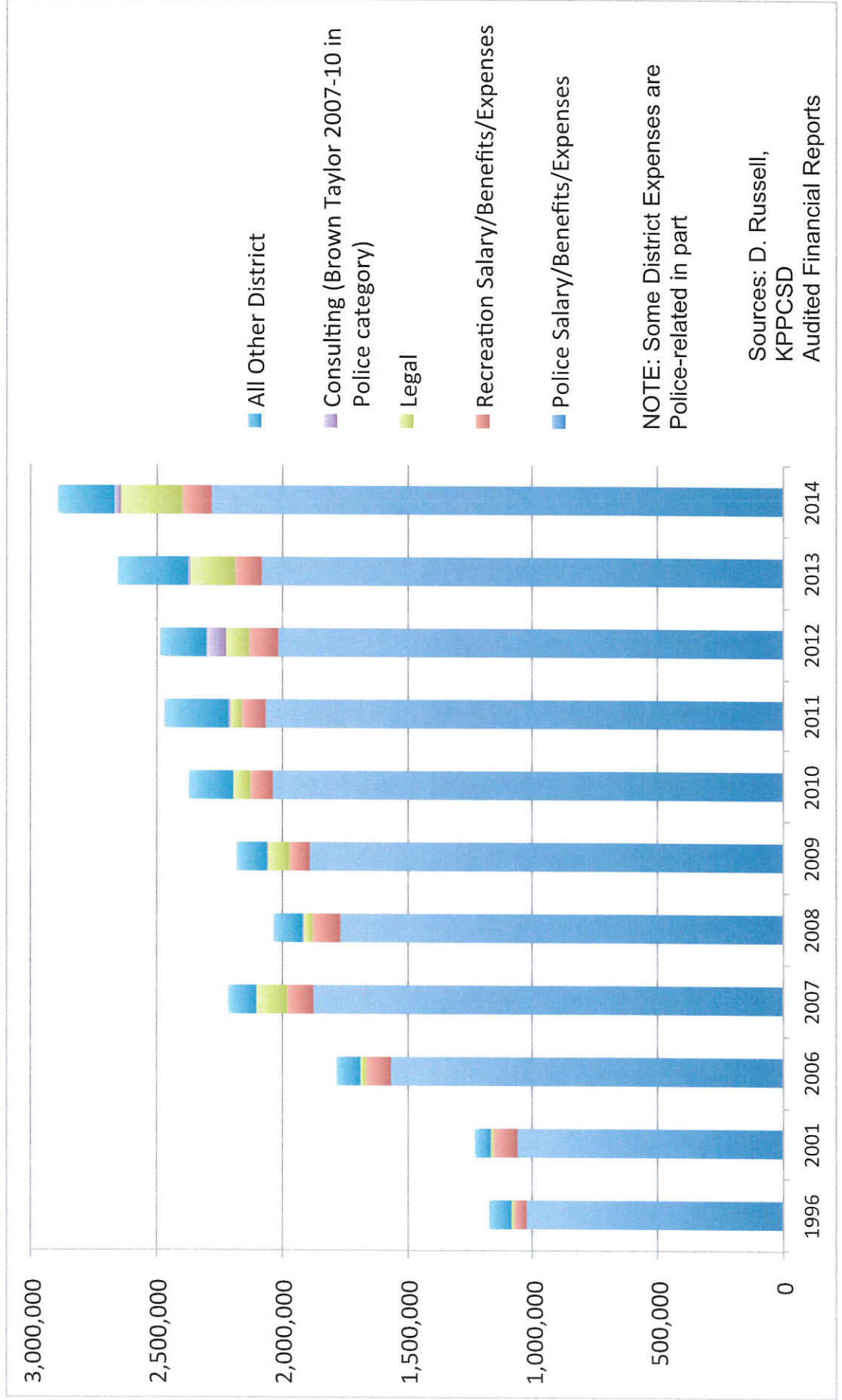
Sources: D. Russell,
KPPCSD
Audited Financial Reports

KPPCSD Revenue, Total & Police Operating Expenses - Historical



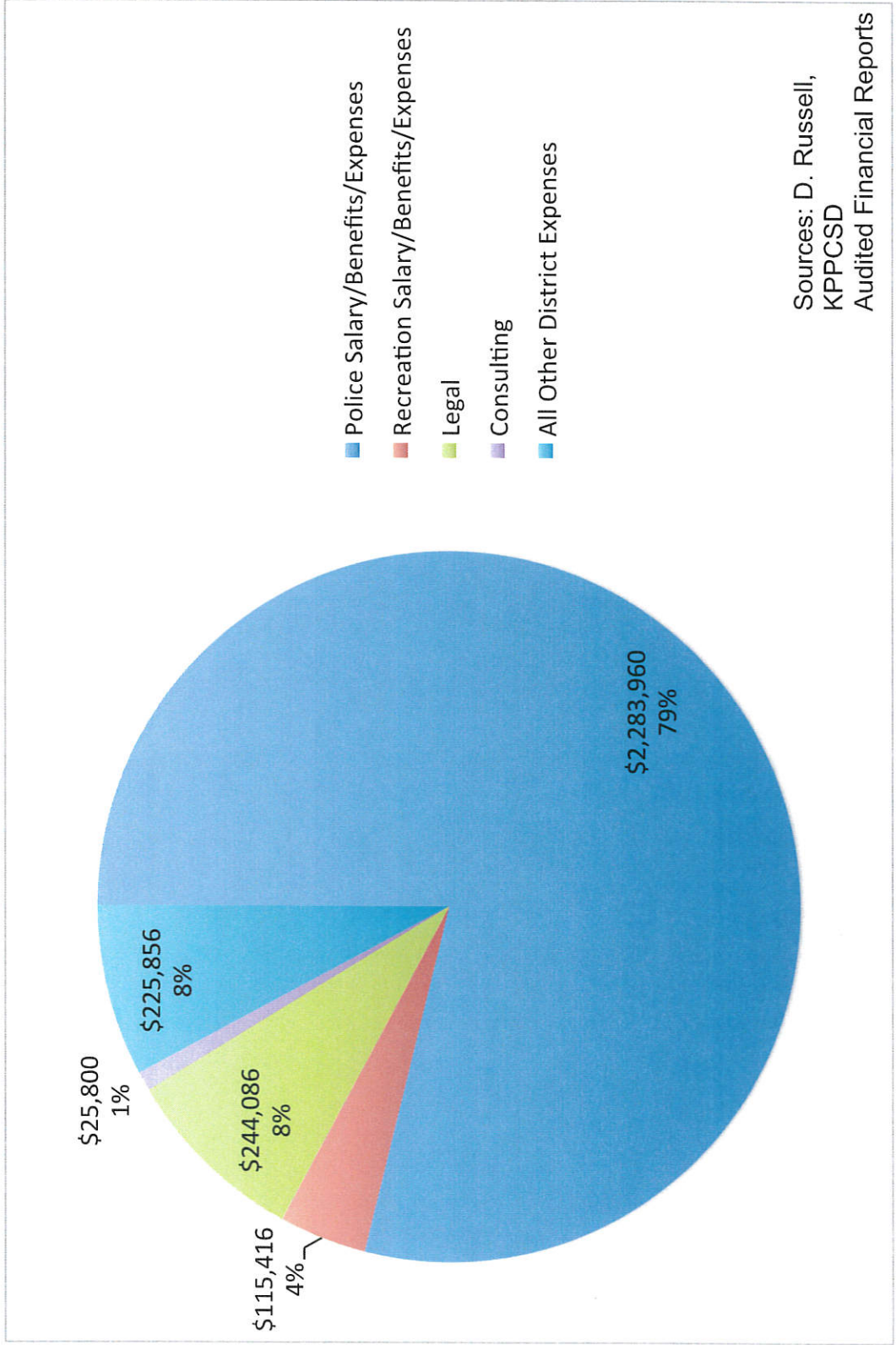
KPPCSD – Historical expenses

Stack bar plot by category

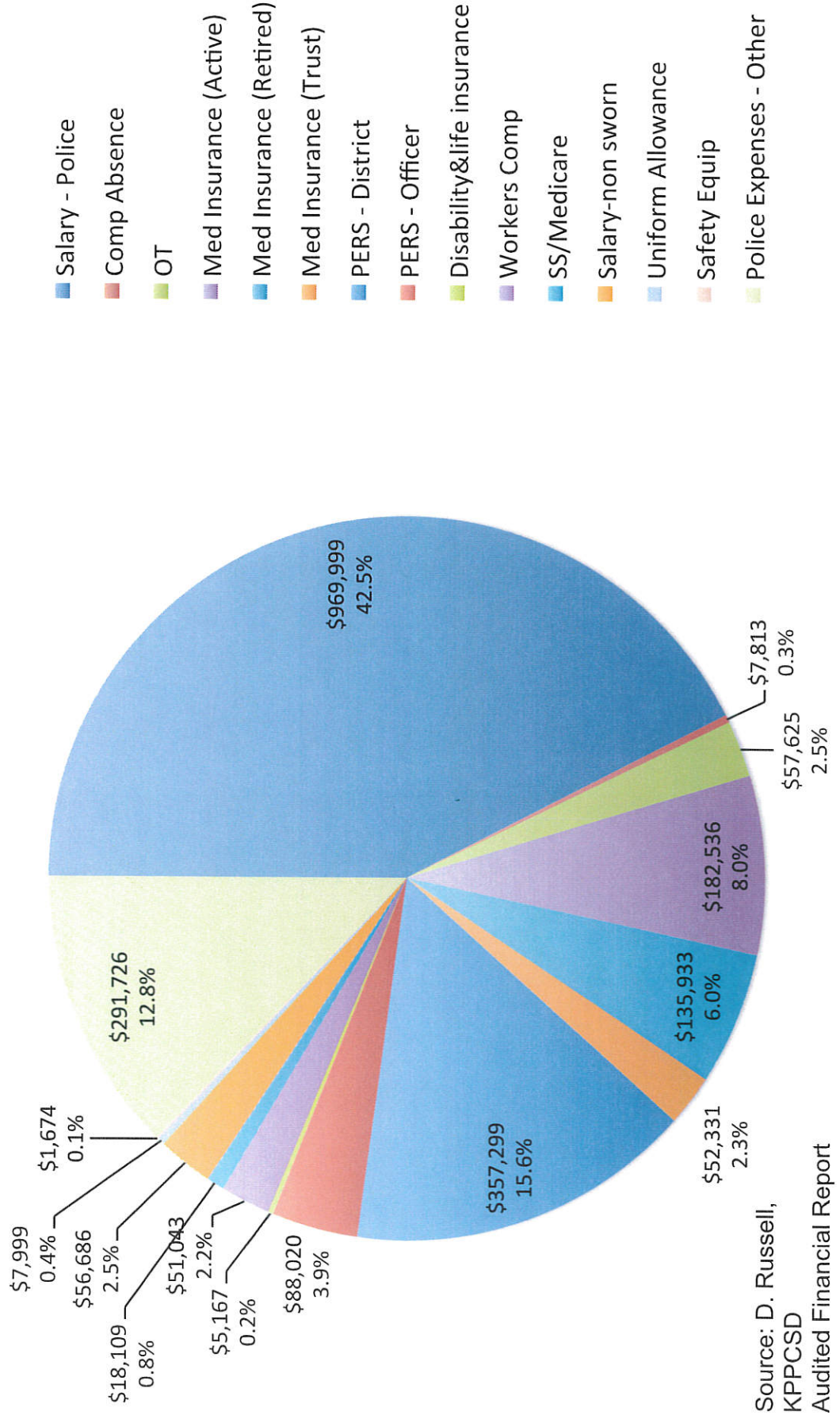


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KPPCSD Operating Expenses FY 2013-2014

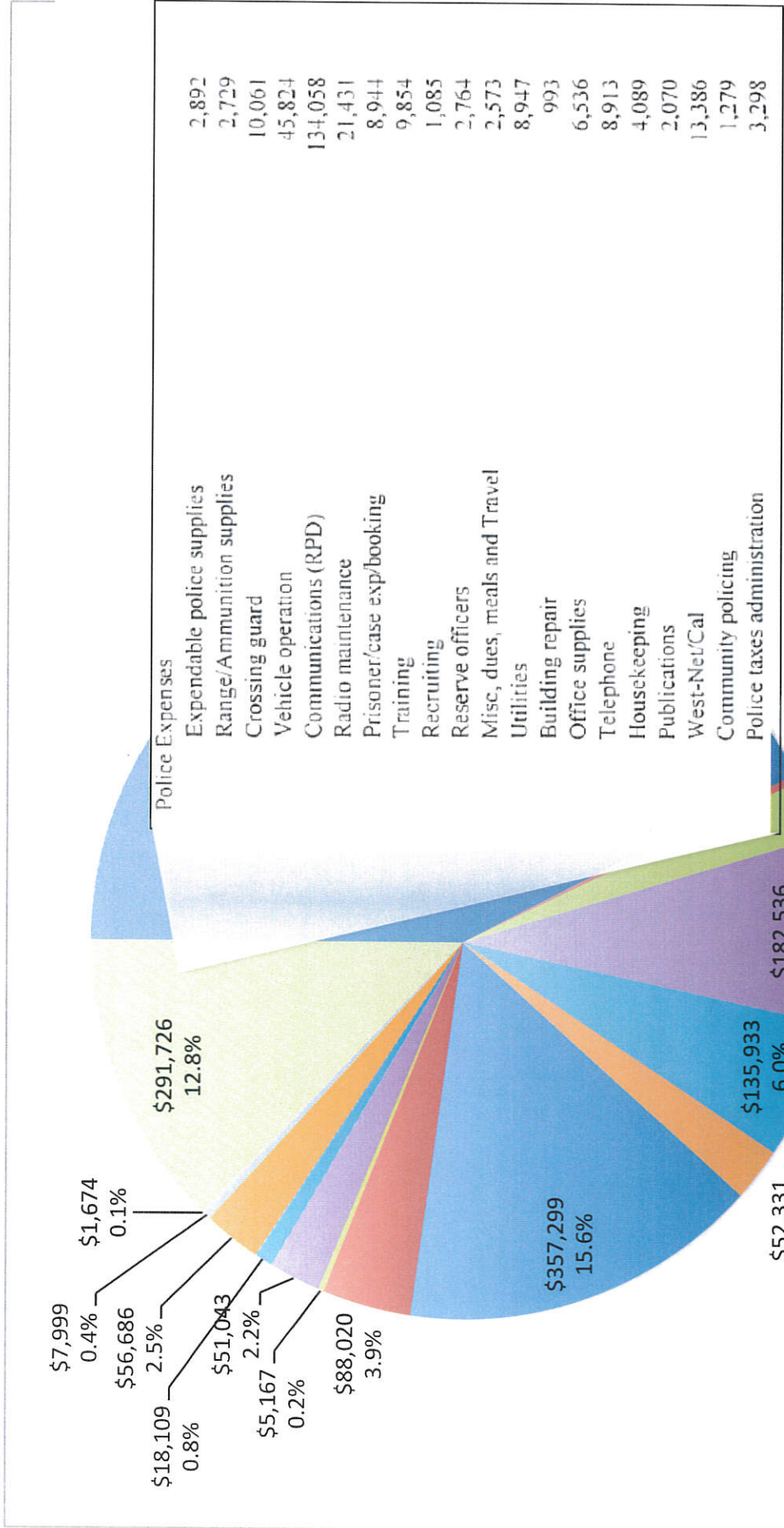


KPPCSD Police Operating Expenses FY 2013-2014



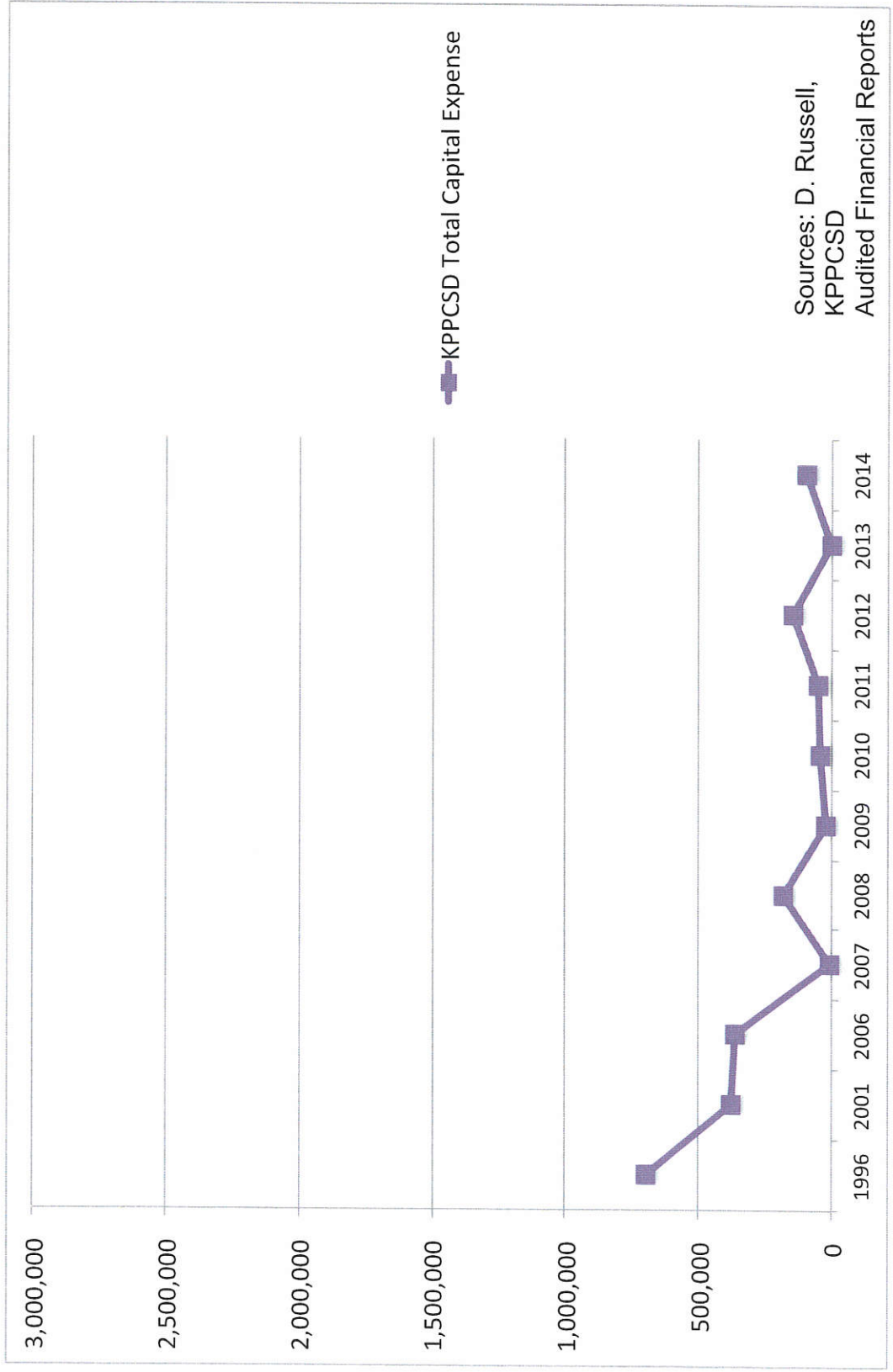
Source: D. Russell,
KPPCSD
Audited Financial Report

Breakout of Police Expenses - other FY 2013-2014



Source: D. Russell,
KPPCSD
Audited Financial Report

KPPCSD Capital Expense totals - Historical



Acknowledgements

Lynn Wolter

Brenda Navellier

Deborah Russell, CPA

Gail Feldman

Simon Brafman

District Ad Hoc Committee

**January 23, 2016 KPPCSD Ad Hoc Committee Presentation
Summary of Questionnaire Comments**

Related to Content and Delivery

12 Positive Comments as Follows:

- 7 general comments – Very impressed; Great Presentation; Good tone and Delivery; Well organized; Neutral and Informative.
- 4 comments that financial content was good.
- 1 comment thanking Committee for effort.

15 Negative Comments as Follows:

- 6 comments – too much time spent on financials.
- 4 comments – committee member offering “opinion” was inappropriate.
- 3 comments that financial chart without special assessment revenues shown is misleading.
- 1 comment – concern about bias in presentation / hidden agenda of members.
- 1 comment – financials should be audited before presentation.

Related to Format

- 2 comments – Difficulty reading pie charts with colors/ability to distinguish colors.
- 1 comment – make text larger
- 1 comment – list names of all Committee Members in Presentation
- 1 comment that charts and graphs can’t describe the services we are getting.

Suggestions

- Want to see more recent information.
- Want to see more in depth information.
- Want to see suggestions / lessons from other cities (Clayton/Orinda)
- Would like us to share information in advance of presentations.
- Want more in depth examination of fire and police costs.
- Want the committee to consider Kensington proximity to high crime areas when comparing to Orinda, Lafayette, Walnut Creek.

Opinions/Observations

- 2 comments that police and fire should receive equal revenues.
- 1 comment that economy of scale works against Kensington services cost per capita.
- 1 comment that any move to consolidate police and fire is a money grab.

KPPCSD Ad Hoc Committee on Governance and Structure

Regulatory Subcommittee Research and Findings

January 23, 2016

Purpose: To identify regulations and requirements for Police Services for the Kensington Police Protection and Community Services District - KPPCSD (a Community Service District under California law)

Question: Are there statutory or regulatory requirements that Kensington provide police services of any kind?

Answer: There is no statutory requirement that a particular community affirmatively act to provide itself police protection.¹

Question: Are police services required in a Community Services District?

Answer: No. There is no statutory requirement that a community service district provide police services.²

Question: If the District didn't exist, how would police services be provided?

Answer: In unincorporated area of the county such as Kensington that do not have their own police departments, the County Sheriff is required by law to provide law enforcement services to the community (Cal. Gov. Code § 26600 *et seq.*)³

Currently in the West County area of Contra Costa County, the Sheriff has a substation in Richmond with a beat assigned to cover pockets of disconnected unincorporated areas including East Richmond Heights, Rollingwood, North Richmond and El Sobrante. It is unknown at this time whether Kensington would be added to the existing beat or whether a new beat would be developed should the Community Service District not exist.⁴

¹ Public Law Group Memo Nov 3, 2015

² The Kensington Police Protection District was created in 1946 and was reorganized in 1953 under the Community Services District Law (Cal. Gov. Code § 61000 *et seq.*) as the Kensington Community Services District. In 1955 the District expanded its services to include parks and recreation. In 1979 solid waste collection services were added, and in 1995 the name of the District was changed to the Kensington Police Protection and Community Services District (KPPCSD). LAFCO MSR Sept 7, 2011

³ Public Law Group Memo Nov 3, 2015.

⁴ Interviews with Supervisor John Gioia and Senior Deputy County Administrator Timothy Ewellf

Question: What are the options for unincorporated areas independently financing additional County Sheriff services?

Answer:

1. The Sheriff 's Department has a "Resident Deputy Program" that allows unincorporated areas to fund officers who are dedicated to a specific area to supplement the Sheriff's coverage. (examples: North Richmond, Alamo, Blackhawk, Round Hill).
2. The Sheriff's department has contracts with four cities for police services where city funds are used to meet the service level desired by those communities. Currently those cities are: Danville, Lafayette, Orinda and Oakley (Note: Oakley in process of establishing their own police department).

Question: Once a Community Service District has a police department, are there additional mandates that must be met?

Answer: Yes. There are statutory requirements that must be met by all police departments. A few examples are: They must meet all requirements for record keeping and reporting crimes as required by the Attorney General and the Department of Justice (Cal. Penal Code § 13020). They must also meet all requirements for police officers training as prescribed by the Commission of Peace Officer Standards and Training. (Cal. Penal Code § 832).

Question: Once there is a police department, is there a requirement for a "Police Chief?"

Answer: There is no requirement for the title of Chief of Police or Police Chief, however someone must be ultimately responsible for overseeing the statutory requirements, the provision of police services and the supervision of officers. The title "Police Chief or Chief of Police" is the most common title in North America for an officer with the highest rank or authority in a police department.

Question: Are there any national or state staffing level requirements for police departments?

Answer: No. Every community makes that determination. In Contra Costa County police staffing levels in 2011 ranged from .67 sworn staff per 1,000 residents in Lafayette to 1.97 per 1,000 in Kensington.⁵

Once a Community Services District has a police department are there required levels of service?

Answer: No. The Board of Directors has the authority to determine district policies (Cal. Gov. Code § 61040 et seq.). This authority would include determining the level of services to be provided, as part of the budget process (Cal. Gov Code § 61110).⁶

Question: Is a General Manager required in a Community Services District?

Answer: Yes. Community Services Districts are required by law to appoint a general manager who serves at the pleasure of the Board of Directors (Cal. Gov. Code § 61050).

⁵ LAFCO, MSR Sept 2011

⁶ Public Law Group Memo dated Nov 3, 2015

February 29, 2016

Mr. Kevin Hart
Kensington Police Protection and Community Services District
217 Arlington Ave
Kensington, CA 94707

Dear Mr. Hart:

EBMUD's biennial report for its most recently completed two-year budget cycle (Fiscal Years 2014-2015) is enclosed for your information. EBMUD worked tirelessly during this historically dry period to implement comprehensive drought plans to meet the water supply needs of East Bay customers.

These achievements were accomplished through significant customer conservation, thoughtful forward planning, robust partnerships and a solid financial foundation.

This report also features the District's push to increase investment in rebuilding the East Bay's aging water infrastructure and a growing commitment to sustainability in our water supply and infrastructure planning. We continue to be an industry leader in meeting or surpassing stringent state and federal water quality standards.

Additional copies of this report are available on request, and the report also is available online at www.ebmud.com. If you have questions about EBMUD programs or services, please call me at (510) 287-0101.

Sincerely,



Alexander R. Coate

ARC:AP:TM

Attachment

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National Take Back Initiative 11

For

April 30, 2016

Collection Day Protocols

- State and local law enforcement agencies will host one or more collection sites at locations of their choosing. Locations should be selected that provide easy access and available parking.
- Controlled, non-controlled, and over the counter substances may be collected. The general public is often unaware of the distinction in medication status.
- Collection efforts may be combined with community drug awareness activities and involve the distribution of brochures and other information.
- This program is anonymous and all efforts should be made to protect the anonymity of individuals disposing of medications. No questions or requests for identification should be made.
- Participants may dispose of medication in its original container or by removing the medication from its container and disposing of it directly into the disposal box. If an original container is submitted, the individual should be encouraged to remove any identifying information from the prescription label.
- No effort should be made by law enforcement personnel to count, inventory, or log medications.
- All solid dosage pharmaceutical product and liquids in consumer containers may be accepted. Liquid products, such as cough syrup, should remain sealed in their original container. The depositor should ensure that the cap is tightly sealed to prevent leakage.
- Intra-venous solutions, injectibles, and syringes will not be accepted due to potential hazard posed by blood-borne pathogens.
- Illicit substances such as marijuana or methamphetamine are not a part of this initiative and should not be placed in collection containers. If an individual attempts to surrender an illicit controlled substance, law enforcement personnel should handle such material as abandoned property or in accordance with their department policy.

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- All participants must retain possession of their own medication during the surrender process. Law enforcement personnel should not handle the medications at any time.
- A law enforcement officer must remain with the drug disposal box at all times. Collected pharmaceutical products should be handled as drug evidence with law enforcement custody to safe-guard the surrendered material.
- **If you need additional collection boxes, you are authorized to use a container approved by your department as part of its standard operating procedures.**
- At the conclusion of the event, a law enforcement officer will seal the drug disposal boxes in accordance with your agency's policy and procedure. It is recommended that the box be sealed with tamper-evident tape or evidence sticker. Each box should be labeled as "Miscellaneous Pharmaceuticals" to be turned over to DEA."
- The drug collection boxes should then be returned to your police department and stored per your department's standard operating procedures for safe keeping and temporary storage, **or until they are turned over to DEA.**
- No hazardous materials or waste, firearms, or any other items other than pharmaceuticals will be accepted or disposed of at the collection sites.

*Please ensure all boxes are taped, marked with agency name and weight in pounds and turned into DEA as soon as possible. Please coordinate submitting your collections with your local DEA point of contact in your AOR.



**California Special
Districts Association**
Districts Stronger Together

DATE: February 19, 2016
TO: CSDA Voting Member Presidents and General Managers
FROM: CSDA Elections and Bylaws Committee
**SUBJECT: CSDA BOARD OF DIRECTORS CALL FOR NOMINATIONS
SEAT B**

The Elections and Bylaws Committee is looking for Independent Special District Board Members or their General Managers who are interested in leading the direction of the California Special Districts Association for the 2017 - 2019 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA Regular member located within the geographic network that they seek to represent. (See attached Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all Board meetings, held every other month at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend CSDA's two annual events: Special Districts Legislative Days (held in the spring) and the CSDA Annual Conference (held in the fall).
- **Complete all four modules of CSDA's Special District Leadership Academy within 2 years.**
(CSDA does not reimburse for expenses for the two conferences or the Academy classes even if a Board or committee meeting is held in conjunction with the events).



**California Special
Districts Association**
Districts Stronger Together

2016 BOARD OF DIRECTORS NOMINATION FORM

Name of Candidate: _____

District: _____

Mailing Address: _____

Network: Bay Area Network

Telephone: _____

(PLEASE BE SURE THE PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE)

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this **form and a Board resolution/minute action supporting the candidate and Candidate Information Sheet** by fax or mail to:

CSDA
Attn: Charlotte Lowe
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732 (916) 442-7889 fax

DEADLINE FOR RECEIVING NOMINATIONS – May 30, 2016

(30)



**California Special
Districts Association**

Districts Stronger Together

2016 CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

****Candidate Statement** – Although it is not required, each candidate is requested to submit a candidate statement of no more than 300 words in length. **Any statements received in the CSDA office after June 2, 2016 will not be included with the ballot.**

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A. Stevens Delk

There was some good news in the flyer that came with the last Bay View bill, although it was not obvious. We can now officially recycle paper milk and juice cartons; take-out pizza boxes; pots, pans, scrap metal, and even aerosol cans; and we can finally recycle plastic bags through BV — but still not styrofoam.

Plastics are major environmental pollutants because they don't decompose biochemically, they just eventually fracture into small pieces that look tasty to fish and other animals; and plastic bags are frequently "blowing in the wind." I urge the Board to urge Kensington residents to first "reduce" the use of, then "reuse" whenever possible, and finally "recycle" all plastics and other recyclable materials.

During discussions of the last BV rate hike, it was clear that most residents did not want cans to be left on the sidewalk or by the street, and I believe that was the primary reason it was mandated that everybody pay for more expensive backyard garbage pickup. But some people do leave their cans out. Sometime a driveway or backyard gate is right next to a neighbor's front yard, and polite requests, that cans not be left out permanently are to no avail. And some residents consider paper yard-bags to be one-time-use items and leave them to biodegrade in the gutter where BV threw them.

Perhaps the Board and/or i-GM would consider having BV include a statement in the next flyer. For example: "All garbage, recycling and green waste containers should be removed from the sidewalk/street as soon as possible, but no later than the day after pickup. Keep Kensington A Neat Place To Be."

Changing subjects: The quality of the recordings of Board meeting is much better than in the past. I can now understand a lot better by listening to the video than by attending the meeting. I know the District is working on improving the audio system and I appreciate the efforts.

However, there is a problem with the Board-meeting videos. The podium for members of the public is at the far left and the Directors' table takes up the rest of the picture. Frequently, an authoritative voice is heard that cannot be matched with someone on screen, but occasionally, at the very right-hand edge, one gets the glimpse of a corresponding hand movement.

Perhaps the Board and Staff tables could be shifted stage-right a bit, and the Staff table also rotated a bit so that Staff is visible in videos.

02/11/2016

When Mr. Hart came to Kensington we invited him to meet with a group of our neighbors to discuss some of their concerns. One of the issues raised was the many troubling stories of Kensington Police misconduct and how it was seen as unacceptable behavior.

So it is somewhat painful to again be speaking about KPD misconduct issues. And in addition, to consider that Interim chief Hart may be lacking the professional skills needed to manage sensitive personnel matters.

For example, at a recent CSDA conference in Monterey, in the presence of general counsel Randy Riddle, Director Sherris-Watt, and two fire district board members, Mr. Hart told Director Cordova over dinner that "more than one" Kensington police officer had recently reported to him the location of her vehicle.

The comment was overheard by several people in the room. When she expressed her concern about the inappropriateness of his comment and the actions of the officers, Mr. Hart was dismissive of her concerns.

Eight days later, Director Cordova was pulled over by KPD in Berkeley.

Rather than remain in the district to manage this escalating crisis of alleged misconduct, Mr. Hart advised Director Cordova "not to tell anyone". He again left Kensington for another conference and training despite the Director's concerns that she was being targeted by Kensington Police officers. As a result, she sought assistance from the district attorney's office, who advised her to file a report with another law enforcement agency.

Four months later and one corrected citation, Mr. Hart continues to refuse to file the "fixit" ticket with the court. Instead, he appears to be playing politics with a director who does not support his spending policies.

He seems to be using this humiliating experience to suit his own interests, and those of his officers. Their due process rights appear to be more important than Director Cordova's Constitutional rights.

She has installed a front license plate and proven to investigators, constituents and reporters that she was in full compliance to operate her vehicle. She should be entitled to contest these charges in a courtroom. Instead, she is being strung along, as a result of the internal investigation, where police are investigating police.

A new interim GM/COP at odds with board members is not a constructive approach to correcting the KPD problems. This approach also does very little to help bring credibility and build trust. It would certainly seem that Kensington would be much better served if Mr. Hart could limit his political maneuvering to the Dublin city council.

So, it is for these reasons that I cannot support an extension of Mr. Harts contract, nor his extended benefits.

John Gaccione
12 Eldridge Court

Kevin Hart

From: Mstollon <mstollon@sonic.net>
Sent: Thursday, February 18, 2016 3:46 PM
To: Rachelle Sherris-Watt; Len Welsh; Vanessa Cordova; Chuck Toombs; Pat Gillette; Kevin Hart
Cc: Lynn Wolter; David Spath
Subject: Police officer staffing study: some considerations

Please include in the record.

Dear Board Members,

I would like you to review this study in support of not filling Armanino's position. As you can see crime rates have not increased in our area with an officer out on injury (and now long term disability), and another officer opening (turner) prior to the hiring of Armanino. I would like to suggest this as an agenda item, pls respond.

By not staffing this position , it would permit some much needed budget savings on many levels, in view of our continued high legal fees on track for over \$100k this year?. We need to look closely at staffing levels as Kensington has one of the highest ratios in the greater Bay Area , is this really necessary, or can some savings be obtained without the loss of safety etc. This survey is a clear indication that the two are NOT linked, staffing levels and crime stats.

We need to be serious about cutting costs on all levels, and here is an opportunity to do so, to direct the interim chief do his job to look for savings, potential reorganization rather than spending, or at minimum to wait until the AD HOC completes its work or ensure that the committee addresses staffing needs in its findings. I have forwarded the full study to the committee .

As the study indicated, during the times of cutbacks depts were reorganized and officers went into the field to patrol, reorganization could yield better value in terms of services to the public and short and long term costs. I hope you will begin to consider some real cost savings, as to date there is no indication of any belt tightening. If there is, and I missed something please let me know.

Respectfully,

Marilyn Stollon

.....|.....

"Police officer staffing study: analyzing the commonly held belief that more cops equals less crime."

J. Gruffy, J. Laron, C. Kelso. Professional Issues in Criminal Justice vol 5, 2010

Study compared crime rates over a 12 year period, in 24 metropolitan areas where police staffing levels fluctuated.

" A commonly held belief among law enforcement officials , law enforcement pundits and citizens in the U.S.is that more police officers on the streets or investigating crimes results in less crime and safer communities. Intuitively, this belief is logical, however, no solid data support this claim" .

Stats were taken from Bureau of Justice and Uniform Crime Reports from FBI.

Large and medium police depts and county sheriffs depts were included that had high staffing fluctuations over 12 yrs ,i.e. SJ,SF, Oakland, Fresno, Alameda Sheriffs, Orange Cty, San Diego Cty, Santa Barbara sheriffs depts among others .

Conclusions

134

To the authors surprise, and contrary to what they expected they found that crime rates did NOT go up when staffing levels dropped for 50% of the agencies surveyed. They found that when staffing rates increased crime rates also increased.

They suggest further studies because this will effect how cities , politicians can and will handle staffing during a financial crisis.

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Lynn Wolter

From: Mstollon <mstollon@sonic.net>
Sent: Thursday, February 18, 2016 3:46 PM
To: Rachelle Sherris-Watt; Len Welsh; Vanessa Cordova; Chuck Toombs; Pat Gillette; Kevin Hart
Cc: Lynn Wolter; David Spath
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They suggest further studies because this will effect how cities , politicians can and will handle staffing during a financial crisis.

Kevin Hart

From: Jan Behrsin <jbehrsin@gmail.com>
Sent: Tuesday, February 09, 2016 2:37 PM
To: Chuck Toombs; Len Welsh; Rachele Sherris-Watt; Vanessa Cordova; Pat Gillette
Cc: Kevin Hart; 'Randy Riddle'; Lynn Wolter
Subject: Request for Information Regarding Interim COP/GM Hart Employment Contract

Dear Board:

I understand that this coming Thursday, February 11, 2016, the Board will consider whether to extend the employment contract which the District Board executed with Interim COP/GM Kevin Hart.

It is my understanding that the proposed extension is without changes to the original employment contract with Mr Hart executed August 14, 2015.

My copy of that original contract has a provision at paragraph 1, called "Duties" of Mr Hart and at section 1 provides as follows:

- B. Hart hereby agrees to perform all such functions and duties to the best of his ability and in a competent and efficient manner. Hart further agrees to focus his full professional time, ability and attention to District business during the term of this Agreement. Consequently, Hart hereby agrees not to engage in any other business pursuits whatsoever directly or indirectly, or render any services of a business, commercial, or professional nature to any other person or organization for compensation, without the prior written consent of the District. This shall not preclude Hart volunteering his services to other entities or individuals as long as volunteer services are not in conflict with the services to be provided by Hart under this Agreement. Hart agrees that he will notify the KPPCSD Board President of any such volunteer services including the name of the organization and the time commitment.

To emphasize, the District and Mr Hart agreed that Mr Hart would

"focus his full professional time, ability and attention to District business during the term of this Agreement. Consequently, Hart agrees not to engage in any other business pursuits whatsoever directly or indirectly, or render any services of a business, commercial, or professional nature to any other person or organization for compensation, without the prior written consent of the District."

As you all most likely are aware, there has been and continues to be community discussion whether Mr Hart breached this contract commitment by rendering services for compensation to organizations other than to the KPPCSD while employed by the KPPCSD.

I respectfully request the following information:

1. During the term of his employment with KPPCSD did Mr Hart ***"render any services of a business, commercial, or professional nature to any other person or organization for compensation, without the prior written consent of the District."***
2. During the term of his employment with KPPCSD did Mr Hart ***did "render any services of a business, commercial, or professional nature to any other person or organization for compensation"*** If he did, please provide me with (1) the

names of the individuals or organizations for whom he rendered such services, (2) the dates of his rendering of such services, and (3) a copy of the required ***“the prior written consent of the District”*** for him to do so.

3. Mr Hart’s PRA response to a constituent regarding his travel and expense reimbursement requests, refers to POST as reimbursing the District for a portion of Mr Hart’s travel and expenses. In case any of the Board members is as unfamiliar as I was as to what “POST” means, it is an acronym for the “Police Officer Standards and Training Commission.” My questions are (1) was the District in fact reimbursed by POST as Mr Hart represented? and (2) during the term of his employment with the District, is Mr Hart engaged in or has he been engaged in contract work for POST, and if the answer to that question is in the affirmative, I respectfully request (1) the dates of his rendering of such services, and (2) a copy of the required ***“the prior written consent of the District”*** for him to do so.

Thank you.

Please include a copy of this request in the official KPPCSD records

Respectfully submitted,
A. Jan Behrsin, resident

Office Report prepared by Marty Westby, Administrator
Kensington Community Council Board Meeting
March 7, 2016

KASEP:

KASEP Spring Online Class Registration is scheduled for Tuesday, March 8th, starting at 7:30pm. KCC staff will be onsite at the KCC Office to provide telephone support. Spring session begins Monday March 21st and continues through to Friday May 27th.

KASEP has eleven (11) new classes this spring: LEGOS- 2 classes, Block Printing, 2 classes, Self Defense for Girls, Computer Exploration and Computer -Designing Video Gaming classes, Flag Football, Mini Sports Medley for Kinder, Storytime Fun for Kinder, and Fly Fishing 101. Sandy Thacker, KASEP carpentry teacher of 32 years, is on sabbatical this spring, returning to teach the first week of summer camp and FALL KASEP.

KCC Summer Day Camp:

The KCC Summer Camp Online Registration started Tuesday March 1st. KCC Summer Camp starts Monday, June 13th and continues for 10 weeks --ending Friday August 19th. Children entering grades 1st through 6th grades as of FALL2016 can enroll in camp. One hundred and thirty-five (135) campers registered for one of the 10 weeks of camp on day one of online enrollment!

KCC Summer Camp enjoys all our Kensington Park's amenities: tennis courts, kitchen, basketball courts, classrooms, large grassy area and our new BBQ. We take up the entire foot print with sport games, tennis lessons, art classes, cooking classes, and the list continues.

Camp cost is \$265 per week/per camper; camp begins at 9:00am and ends at 5:00pm. Early morning (8:00- 9:00am) and late afternoon (5:00-6:00pm) extended care is available.

For a complete listing of field trips, specialty teachers and themed weeks, as well as to register, visit KCC's website at WWW.KensingtonCommunityCouncil.Org.

KCC Events:

The Annual KCC Senior Picture for the Outlook is scheduled for Sunday, May 1st at 3:30pm (photo shoot is at 4:00pm); location - outside KCC Office. This is open to all high school senior students attending any public or private school, and who lives in or lived in Kensington at some point during their early years, and attended all or part of the Hilltop Elementary School.

KCC welcomes Ms. Karina (Kari) Tindol as the new "KCC Administrator. She is being trained to take over managing the adult recreation, afterschool children, as well as KCC Summer Camp programs. Marty will continue on for an interim period of time, part-time, training Kari along the way.

KCC will be closed April 4-8 for spring break. No KASEP classes.

KCC is sponsoring a Cooking Camp with Chef Eric Pomert. The camp is half day (9:30 - 12:30pm), Monday - Friday, April 4th -8th. Registration is online and is for students grades 3rd-6th. Registration is on the KCC website.

March 2016

April 2016

March 2016

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

Su	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 28	29	Mar 1 7:30pm *Boy Scouts (CCM)	2 7:00am AA (CCM)	3 2:00pm Diablo Fire Safe Council (CC3) 7:00pm Ad Hoc Mtg (CCM) 7:15pm EBC (CC1)	4	5
6	7 7:00pm **Cub Scouts** (CCM) 7:00pm KCC Mtg (CC3)	8 7:30pm *Boy Scouts (CCM)	9 7:00am AA (CCM) 7:00pm *KFD Mtg (CC3)	10 6:00pm KPCCSD Mtg (CCM)	11	12 1:00pm CC Rental (CCM)
13	14 6:30pm Park Bldg Mtg 7:00pm **Cub Scouts** (CCM)	15 7:30pm *Boy Scouts (CCM)	16 7:00am AA (CCM)	17 7:15pm EBC (CC1)	18	19 5:00pm CC Rental (CCM)
20	21 7:00pm **Cub Scouts** (CCM)	22 7:30pm *Boy Scouts (CCM)	23 7:00am AA (CCM)	24	25	26
27	28 7:00pm **Cub Scouts** (CCM) 7:30pm *KIC (CC3)	29 7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	30 7:00am AA (CCM) 7:00pm Park Bldg Committee (CC3)	31	Apr 1	2

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April 2016

April 2016							May 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	1	2	3	4	5	6	7
10	11	12	13	14	15	16	8	9	10	11	12	13	14
17	18	19	20	21	22	23	15	16	17	18	19	20	21
24	25	26	27	28	29	30	22	23	24	25	26	27	28
							29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 27	28	29	30	31	Apr 1	2
3	4	5	6	7	8	9
	7:00pm **Cub Scouts** (CCM) 7:00pm KCC Mtg (CC3)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM)	7:00pm Ad Hoc Mtg (CCM) 7:15pm EBC (CC1)		
10	11	12	13	14	15	16
	7:00pm **Cub Scouts** (CCM)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM) 7:00pm *KED Mtg (CC3)	6:00pm KPPCCSD Mtg (CCM)		
17	18	19	20	21	22	23
9:00am CC Rental (CCM)	7:00pm **Cub Scouts** (CCM)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM) 6:30pm KIC/KPOA MTG (CCM)	7:15pm EBC (CC1)		
24	25	26	27	28	29	30
	7:00pm **Cub Scouts** (CCM) 7:30pm *KIC (CC3)	7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	7:00am AA (CCM)			

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

General Manager February 2016 Report

General

During the month of February 2016, the Kensington Police Department and Community said good bye to Officer Chris Armanino. Although he was only here a short time as a full time officer, he was with Kensington for over five years as a Police Officer Reserve. During his employee exit interview, Officer Armanino said he was sad to leave Kensington, but better opportunities for growth of a larger police department were part of his reason to leave. We wish him well in his new endeavor.

Officer Rodney Martinez has returned from extended medical leave after receiving an on the job injury in 2014. Officer Martinez's first week back he attended range qualification, and reviewed all new policy and procedures that had been implemented since he left, along with reviewing current policies on; Use of force, firearms, pursuits, response to calls, and discriminatory/sexual harassment to name a few.

I continue to attend meetings and participated in conference calls regarding loss data from our Records Management System, coordinated by the Richmond Police Department.

I attended the monthly West Contra Costa County Police Chiefs meeting, as well as the full Contra Costa County Police Chiefs meeting. This month was a combined meeting with all Chiefs of Police from Contra Costa and Alameda Counties. During these meeting we were briefed on Cyber and Civil Rights Investigations by the FBI, Common Sense: The issue of Firearms by Congressman Eric Swalwell and Chiefs Rainey, Leal and Lucero, and discussed issues of mutual interest.

Kensington Police Officer Stephanie Wilkins was named Officer of the Year at the Law Enforcement Night, held the Richmond Elks in El Sobrante. Officer Wilkins was nominated by her peers of the Kensington Police Department for her many efforts towards the community, most notably her work on the recent Citizen Police Academy held last year for Kensington residents.

A dead tree was removed this month near the school that was very close to the overhead power lines of PG&E. This was done at no cost to the District.

I attended a neighborhood meeting with about 15 residents. We discussed mutual interests of concern for the Kensington Community. I also attended the KIC meeting this month and gave a short presentation.

Remember, text to 911 is in full operation for Kensington residents. See Press Release on January 27, 2016 for more details.

As a result of the recent newspaper article concerning 911 calls and the accusation of harassment by the police force by individuals who claimed not to have called 911, I launched an inquiry into specific 911 disconnect calls as indicated in the article. Please see my attachment to this report.

Have you ever been a victim of Identity Theft? Make sure it does happen again or don't become a victim. Stop by the office and pick up your free Identity Theft Booklet.



Kevin E. Hart,
Interim General Manager

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The Bay Area News Group, specifically the West County Times published an article in their paper on February 1, 2016, entitled: Kensington Investigation-“Residents say police force is targeting them”. The article was written by Thomas Peele. The sub-headline read “Claims of harassment and stalking pile up against town’s troubled department.”

As a result of this article and residents’ concerns, I conducted an inquiry into the concerns mentioned in the article. I will explain the facts, along with providing documented proof that these allegations did not happen as reported and/or believed as noted in the article.

I will only be reporting about the Police Department, and issues noted in the article, not about the affairs of the Board of Directors.

1. Traffic Stop involving a KPPCSD Board of Director-

Facts: At the time of this writing, this personnel matter is still under investigation and review. I appreciate the work performed by Richmond Police Department, at no charge to the District. I will review and evaluate the report, and will determine, what if any, departmental violations may have occurred.

2. Intimidation for speaking critical of Police Department.

Facts: In connection with this claim, I reached out to everyone listed in the article, and reviewed computer records and past investigations. Based on this examination, I have found no evidence of any intimidation by members of the police force in connection with the situations addressed in the article. In fact, I have only found one complaint for intimidation that was lodged against officers and a formal investigation was completed. The article mentioned Andrew Gutierrez filed a formal complaint. That is correct. Two Kensington Police members were on routine patrol, one a Field Training Officer and one was a trainee. They observed a vehicle traveling with a taillight out on Arlington. They subsequently pulled behind the vehicle, and accessed the California Law Enforcement telecommunication System (CLETS) to check registration/ownership status before conducting a traffic stop. While they waited for the computer to return the data, the vehicle pulled to the shoulder and stopped. Corporal Stegman and Officer Wilkens passed by the vehicle and pulled to the shoulder as well. The vehicle and ownership came back to a Kensington resident and CPL Stegman recognized the name. Stegman decided to not conduct a traffic stop at this time and left the area. Based on my review of the facts, this matter was handled appropriately.

3. Allegation of intimidation by Kensington Police Officers by responding to residence of Laurel Chick. According to the article, Laurel Chick stated she felt intimidated after two officers arrived at her door after a 911 call. She stated she never made a 911 call from her residence.

Facts: The Richmond Police/Fire 911 Dispatch center received a call from a phone number registered to the address of Laurel Chick’s residence, on October 17, 2012, at 1408 hours. The incident report number is 2012-6624, and Ms. Chick was the point of contact. The report states the officer (s) arrived and contacted Ms. Chick who stated she had misdialed. The officers subsequently cleared the scene. A copy of all calls for service from that residence for the year 2012 and a copy of the 911 disconnect incident report is attached.

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4. Vanessa Cordova claims an officer responded to her residence after a 911 call which she stated was never made.

Facts: Phone call # 1. In my discussions with Vanessa Cordova, she mentioned two separate times when police responded to her residence without being called. While living at 16 Kensington Court, she states that sometime in February 2015, Sergeant Ricky Hull responded to her place of residence. Ms. Cordova stated this was very strange to her, because she does not have a land line phone in the residence. In any event, a call from a phone number registered to that address was made to the Richmond Police/Fire 911 Dispatch center on February 25, 2015, at 1207 hours. This generated incident report number 2015-822. Sergeant Hull explained to me that he did respond and talked with Ms. Cordova who stated she did not make any 911 call from the residence and that she was not in need of an emergency response. The name associated with the phone number is Joanne Garvey. Copies of the RMS reports are attached.

Phone call # 2. The second call occurred at the same address of 16 Kensington Court, Kensington. Incident report 2015-958 was generated. The call to the Richmond Police/Fire Dispatch center was from an 800 number, which turns out to be assigned to All American Monitoring. I called and spoke to a representative of the company, who confirmed they are a monitoring company and they received an alarm call from 16 Kensington Court at the above stated time and date. They were unable to contact anyone at the residence by phone, so they requested a Kensington Police unit respond to the scene. This is standard protocol for any alarm company. The name associated with the call is Joanne Garvey who may have been a former tenant that had a hard line installed at the residence in the past. Copies of the RMS reports are attached.

5. Cathie Kosel states it was falsely reported by Kensington Police Officers that she answered her door naked when the officers knocked on her door.

Facts: The fact is there is no copy of any Kosel investigation that I have been able to find in the office. Apparently, the investigation was done by the law firm at the time and reported to the Board their findings, verbally. I have, however, talked with the officers who were involved in the investigation. The previous chief of police had overheard a conversation of the officers discussing when they went to the Kosel residence to drop off District documents. They told me that there was never a report nor complaint that Ms. Kosel answered the door naked as reported in the newspaper. I would classify this incident as a terrible misunderstanding or interpretation and may have been exaggerated by all parties involved. The District has since implemented new policies whereas police officers do not drop off documents at the personal residences of members of the Board of Directors. If needed, Board members are asked to come to the office. I see this matter closed.

This is an attachment to the February 2016 General Managers/Chief of Police Report.

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<u>Incident Address</u>	<u>Incident Date And Time</u>	<u>Incident Number</u>	<u>Incident Type</u>
248 STANFORD AVE	08/30/2012 07:46:00	2012-00005666	ABANDONED AUTO
248 STANFORD AVE	09/01/2012 14:11:00	2012-00005708	ABANDONED AUTO
248 STANFORD AVE	09/01/2012 14:11:03	2012-00023118	ABANDONED AUTO
248 STANFORD AVE	10/17/2012 14:08:00	2012-00006624	911 DISCONNECT

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Incident Report

Print Date/Time: 02/02/2016 14:18
Login ID: k42

KENSINGTON POLICE DEPARTMENT
ORI Number: CA0071300

Incident: 2012-00006624

Incident Date/Time: 10/17/2012 2:08:00 PM
Location: 218 STANFORD AVE
Kensington CA - CALIFORNIA 94708
Phone Number: (510) 705-1346
Report Required: No
Prior Hazards: No
LE Case Number:

Incident Type: 911 DISCONNECT
Venue: Kensington
Source: 911
Priority: 2
Status: In Progress
Nature of Call:

Unit/Personnel

Unit	Personnel
W100	26-BARROW
X1	41-RAMOS

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
1	CALLER	CHICK, LAURA CMCST	218 STANFORD AVE KNSNGTN	(510) 705-1346			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
R12	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

contacted on 911 disconnect

CAD Narrative

10/17/2012 14:08:52 DOTY,STACEY Narrative: E911 Info - Class of Service: VOIP Special Response Info: RICHMOND PD
RICHMOND FIRE RICHMO

10/17/2012 14:09:09 DOTY,STACEY Narrative: LAND LINE .. NOTHING SAID.. VM ON CB.,
I arrived and contacted the resident who had mis dialed.

I found no signs of foul play.

KTB K26

<u>Incident Address</u>	<u>Incident Date And Time</u>	<u>Incident Number</u>	<u>Incident Type</u>
16 KENSINGTON CT	08/03/2003 14:28:59	2003-00001785	MEDICAL
16 KENSINGTON CT	08/03/2003 14:31:00	2003-00001733	ALARM
16 KENSINGTON CT	07/04/2004 14:01:04	2004-00001464	MEDICAL
16 KENSINGTON CT	07/04/2004 14:03:00	2004-00001421	MEDICAL
16 KENSINGTON CT	12/11/2005 16:30:00	2005-00002526	FOUND PROPERTY
16 KENSINGTON CT	02/08/2007 07:42:00	2007-00000391	ALARM
16 KENSINGTON CT	02/13/2007 09:26:00	2007-00000455	ALARM
16 KENSINGTON CT	03/02/2007 17:38:52	2007-00000680	ALARM
16 KENSINGTON CT	03/02/2007 18:26:23	2007-00000682	ALARM
16 KENSINGTON CT	12/26/2007 11:08:31	2007-00004585	ALARM
16 KENSINGTON CT	10/09/2008 07:46:49	2008-00002276	MEDICAL
16 KENSINGTON CT	10/09/2008 07:48:06	2008-00005388	INFO ONLY
16 KENSINGTON CT	04/20/2009 03:11:07	2009-00001674	ALARM
16 KENSINGTON CT	03/11/2012 03:40:11	2012-00000576	MEDICAL
16 KENSINGTON CT	03/11/2012 03:42:00	2012-00001757	MEDICAL
16 KENSINGTON CT	06/16/2012 18:20:55	2012-00004016	ALARM
16 KENSINGTON CT	09/14/2012 13:27:08	2012-00005940	ALARM
16 KENSINGTON CT	03/13/2013 19:15:37	2013-00001240	ALARM
16 KENSINGTON CT	05/21/2014 10:53:28	2014-00001125	MEDICAL
16 KENSINGTON CT	05/21/2014 10:56:52	2014-00002463	MISCELLANEOUS
16 KENSINGTON CT	05/31/2014 09:34:40	2014-00002646	ALARM
16 KENSINGTON CT	06/02/2014 10:01:42	2014-00002689	ALARM
16 KENSINGTON CT	06/02/2014 17:25:00	2014-00002698	ALARM
16 KENSINGTON CT	06/03/2014 20:22:45	2014-00001237	MEDICAL
16 KENSINGTON CT	06/03/2014 20:24:00	2014-00002721	MEDICAL
16 KENSINGTON CT	06/07/2014 19:49:17	2014-00001269	MISCELLANEOUS
16 KENSINGTON CT	06/07/2014 19:51:00	2014-00002798	OUTAIDED
16 KENSINGTON CT	06/09/2014 14:46:26	2014-00002831	OPEN DOOR
16 KENSINGTON CT	06/11/2014 19:11:50	2014-00001304	MISCELLANEOUS
16 KENSINGTON CT	07/13/2014 07:08:18	2014-00001577	MEDICAL
16 KENSINGTON CT	07/13/2014 07:12:00	2014-00003438	EXTRA PATROL
16 KENSINGTON CT	09/12/2014 09:45:47	2014-00004714	SECURITY CHECK
16 KENSINGTON CT	10/08/2014 11:03:00	2014-00005273	ALARM
16 KENSINGTON CT	10/22/2014 08:45:10	2014-00005558	ALARM
16 KENSINGTON CT	12/27/2014 10:05:00	2014-00006718	EXTRA PATROL
16 KENSINGTON CT	01/05/2015 09:49:37	2015-00000074	ALARM
16 KENSINGTON CT	02/25/2015 12:07:09	2015-00000822	911 DISCONNECT
16 KENSINGTON CT	03/08/2015 17:38:27	2015-00000958	ALARM

Incident Report

Print Date/Time: 02/02/2016 12:15
Login ID: k37

KENSINGTON POLICE DEPARTMENT
ORI Number: CA0071300

Incident: 2015-0000822

Incident Date/Time: 2/25/2015 12:07:09 PM
Location: [REDACTED]
Kensington CA - CALIFORNIA 94707
Phone Number: [REDACTED]
Report Required: No
Prior Hazards: No
LE Case Number:

Incident Type: 911 DISCONNECT
Venue: Kensington
Source: 911
Priority: 2
Status: In Progress
Nature of Call:

Unit/Personnel

Unit	Personnel
S40	17-HULL

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
	CALLER	M, GARVEY JOANNE	[REDACTED] Richmond CA - CALIFORNIA	[REDACTED]			

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
R12	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

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CAD Narrative

02/25/2015 12:07:09 LAMB, DOUGLAS Narrative: E911 Info - Class of Service: RESD Special Response Info: RICHMOND PD
RICHMOND FIRE RICHMO Uncertainty: Confidence:

02/25/2015 12:07:30 LAMB, DOUGLAS Narrative: NOTHING SAID CALLING BACK

02/25/2015 12:07:34 LAMB, DOUGLAS Narrative: PHONE ONLY RINGS

02/25/2015 12:08:00 HILL, MARIANNE Narrative: BC

Resident Vanessa Cordova advised she did not call 911 and does not have a hard line to the home. The phone # that made the call was [REDACTED]. Cordova advised she was not familiar with this phone number and was not in need of emergency services. The name associated with this call is Joanne Garvey who may have been a former tenant that had a hard line phone. Closed.
RLH

Incident Report

Print Date/Time: 02/02/2016 12:16

Login ID: k37

KENSINGTON POLICE DEPARTMENT

ORI Number: CA0071300

Incident: 2015-00000958

Incident Date/Time:	3/8/2015 5:38:27 PM	Incident Type:	ALARM
Location:	[REDACTED] Kensington CA - CALIFORNIA 94707	Venue:	Kensington
Phone Number:	(800)318-9486	Source:	Telephone
Report Required:	No	Priority:	3
Prior Hazards:	No	Status:	In Progress
LE Case Number:		Nature of Call:	

Unit/Personnel

Unit	Personnel
X1	41-RAMOS

Person(s)

No.	Role	Name	Address	Phone	Race	Sex	DOB
	CALLER	ALARM, ADEN	<UNKNOWN>				

Vehicle(s)

Role	Type	Year	Make	Model	Color	License	State
------	------	------	------	-------	-------	---------	-------

Disposition(s)

Disposition	Count
R25	1

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

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CAD Narrative

03/08/2015 17:40:16 BOWIE, ALLISON Narrative: J GARVEY ESTATES, 510-525-8265, LIVING SLIDER/NUCK SLIDER
03/08/2015 17:59:50 K41 Narrative: Operator error. JMR k41

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Date: March 10, 2016
TO: KPPCSD Board of Directors
FROM: Kevin E. Hart, Interim General Manager
Subject: **Item 7b-Application for Measure WW Local Grant Program**

The Parks Building Committee has been meeting for several months to discuss possible options to renovate the Kensington Community Center.

During the course of this review, the Committee has consulted with Structural Engineers and ADA Compliance Specialists.

Although more preliminary work is to be done, the East Bay Regional Parks District provides financial assistance in the forms of grants through Measure WW. The Deadline to submit proposals in March 31, 2016.

The Committee recommends the Kensington Board of Directors approve the submission of the Project Application requesting \$158,358.00, which if approved, could be partial funding for the overall renovation project.

General Manager Recommendation: Take public comment, deliberate, and approve submission of the Grant Application to the East Bay Regional Parks District, Measure WW Grant Program.



Kevin E. Hart
Interim General Manager

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East Bay Regional Park District
MEASURE W W LOCAL GRANT PROGRAM

Applications Accepted February and March each year.

PROJECT APPLICATION

PROJECT NAME KENSINGTON COMMUNITY CENTER	AMOUNT OF GRANT REQUESTED	\$ 158,358
	Estimated TOTAL PROJECT COST (Grant and other funds)	\$ 208,490
GRANT APPLICANT (Agency and Address) KENSINGTON POLICE PROTECTION COMMUNITY SERVICE DISTRICT	PROJECT ADDRESS 59 ARLINGTON AVE, KENSINGTON 94708 2017	Expected Date of Completion:

Grant Applicant's Representative Authorized in Resolution

KEVIN HART / GENERAL MANAGER	khart@kensingtoncalifornia.org	(510) 526-4141
Name / Title	E-mail Address	Phone

Person with grant administration responsibility for Project (if different from authorized representative)

KEVIN HART / GENERAL MANAGER	khart@kensingtoncalifornia.org	(510) 526-4141
Name / Title	E-mail Address	Phone

Scope of Work:

TO COMPLETE AMERICAN DISABILITY ACT (ADA) UPGRADES TO THE PROPERTY

For Dev. Projects Land Tenure - <u>1.2</u> Acres	For Acquisition Projects:
<u>1.2</u> Acres owned in fee simple by Grant Applicant	Acres to be acquired in fee simple. (Provide purchase agreement and appraisal for approval prior to acquisition.)
Acres available under an permanent easement.	Acres to be acquired under public access easement. (Provide copy of easement for approval prior to acquisition.)
Acres available under a lease	Acres acquired under other public access agreement. (Provide copy of agreement for approval prior to acquisition.)
Other (explain)	Other (explain)

I certify that the information contained in this Project application is accurate and I further certify that this Project is consistent with the park and recreation element of the applicable city or county general plan, park district and recreation plan, or appropriate recreation planning document.

KEVIN HART 	GENERAL MANAGER
Application Submitted by	Title

3/10/16
Date

155

COST ESTIMATE

ITEM #2

Project Name: Kensington Community Center ADA Upgrades

Applicant: Kensington Police Protection Community Service District

Construction Costs – See detail below

Amount

Building Construction	\$84,430
Site work	\$63,860
Contingency – 15%	\$22,200
Subtotal	\$170,490

Pre-Construction Costs

Architects and Engineers – 15%	\$25,500
Permits and fees	\$7,500
In-house Staff Time	\$5,000
Subtotal	\$38,000
Grand Total	\$208,490

Funding Sources

Measure WW Local Grant	\$158,358
KPPCSD	\$50,132
Grand Total	\$208,490

Detailed Cost Estimates -- See drawings shown in Item # 7

Building Construction

1. So. Door	\$2,460
2. No. Door	960
3. Main room	4,100
4. Meeting room	7,210
5. Meeting room	1,790
6. Meeting room	2,110
7. Corridor	1,780
8. Boys restroom	21,335
9. Girls restroom	22,735
10. Kitchen	16,890
11. Storage	2,760
12. Storage	300
Total	\$84,430

Site Costs

1. Parking	\$16,300
2. Walkway	6,400
3. Walkway	6,730
4. Walkway	3,400
5. Walkway	9,960
6. Barbeque	2,320
7. Walkway/bench	1,700
8. Bench #1	900
9. Walk/bench #1	100
10. Flagpole area	5,800
11, 12, 13. Walk	3,470
14. Walk	3,000
15. Grating	200
16. Deck	2,000
17. Walk	1,580
Total	\$63,860

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Notice of Exemption

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk
County of: Contra Costa
555 Escobar Street
Martinez, CA 94553

From: (Public Agency): Kensington Police Protection and
Community Services District

217 Arlington, Kensington, CA 94707

(Address)



Project Title: Kensington Community Center Upgrade

Project Applicant: Kensington Police Protection and Community Services District

Project Location - Specific:

59 Arlington Ave, Kensington, CA 94707

Project Location - City: Kensington

Project Location - County: Contra Costa

Description of Nature, Purpose and Beneficiaries of Project:

The Kensington Community Center was first built in 1956 to be used for youth groups, and after school enrichment programs. Use of the building has expanded for community meetings and events. The building suffers from aged seismic safety standards and its failure to meet current ADA compliance standards.

Name of Public Agency Approving Project: Kensington Police Protection and Community Services

Name of Person or Agency Carrying Out Project: Kevin E. Hart, Interim General Manager

Exempt Status: (check one):

- Ministerial (Sec. 21080(b)(1); 15268);
- Declared Emergency (Sec. 21080(b)(3); 15269(a));
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- Categorical Exemption. State type and section number: Section 15301 of the CEQA Guidelines
- Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Of the 16 examples of Class 1 projects that are listed in the CEQA Guidelines, the proposed project is most similar to the example in section (d) which states in part; Restoration or rehabilitation of deteriorated or damaged structures, facilities, to meet current standards of public health and safety standards. Building will be brought to current seismic standards, and ADA standards in bathrooms, parking lot and kitchen areas.

Lead Agency

Contact Person: Kevin E. Hart

Area Code/Telephone/Extension: 510 526-4141

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: [Signature] Date: 3/1/2016 Title: Interim General Manager

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

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ITEM # 3



State of California—Natural Resources Agency
CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
2016 ENVIRONMENTAL FILING FEE CASH RECEIPT

RECEIPT#	07-2016- 060
STATE CLEARING HOUSE # (If applicable)	

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY

LEAD AGENCY KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT		DATE 03/02/2016	
COUNTY/STATE AGENCY OF FILING Contra Costa		DOCUMENT NUMBER 2016-77	
PROJECT TITLE KENSINGTON COMMUNITY CENTER UPGRADE			
PROJECT APPLICANT NAME KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT		PHONE NUMBER (510) 526-4141	
PROJECT APPLICANT ADDRESS 217 ARLINGTON	CITY KENSINGTON	STATE CA	ZIP CODE 94707
PROJECT APPLICANT (Check appropriate box): <input type="checkbox"/> Local Public Agency <input type="checkbox"/> School District <input type="checkbox"/> Other Special District <input type="checkbox"/> State Agency <input type="checkbox"/> Private Entity			

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,070.00	\$	0.00
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,210.25	\$	0.00
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board only)	\$850.00	\$	0.00
<input type="checkbox"/> Projects Subject to Certified Regulatory Programs (CRP)	\$1,043.75	\$	0.00
<input checked="" type="checkbox"/> County Administrative Fee	\$50.00	\$	50.00
<input type="checkbox"/> Project that is exempt from fees			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Other _____		\$	_____

PAYMENT METHOD:

Cash Credit Check Other _____

TOTAL RECEIVED \$ _____ 50.00

SIGNATURE X <i>C. Pittman</i>	PRINTED NAME AND TITLE C. PITTMAN, DEPUTY CLERK
----------------------------------	--

County Receipt Number: 2523275

15196

Old Republic Title / Contra Costa (CA)

OWNERSHIP INFORMATION

Parcel Number : 572 040 013 3
Owner : Kensington Community Service
CoOwner :
Site Address : Arlington Ave Kensington 94707
Mail Address : 217 Arlington Ave Kensington Ca 94707

ASSESSMENT AND TAX INFORMATION

<i>Land</i>	: \$103,428	<i>Exempt Type</i>	:
<i>Structure</i>	: \$139,778	<i>Exempt Amount</i>	:
<i>Other</i>	:	<i>Tax Rate Area</i>	: 85064
<i>Total</i>	: \$243,206	<i>15-16 Taxes</i>	: \$1,295.72

PROPERTY DESCRIPTION

<i>Zoning</i>	: R-6	<i>Map Bk-Pg</i>	:
<i>Land Use</i>	: 75 Soc,Fraternal,Svc Organization	<i>Sub/Plat</i>	:
<i>Legal</i>	: RO SAN PABLO POR LOT H SUBN LOT 1		
	:		
	:		

PROPERTY CHARACTERISTICS

<i>Total Rooms</i>	:	<i>Lot Acres</i>	: 1.21
<i>Bedrooms</i>	:	<i>Lot SqFt</i>	: 52,577
<i>Bathrooms</i>	:	<i>Lot Dimension</i>	:
<i>Dining Room</i>	:	<i>Bldg SqFt</i>	: 3,568
<i>Family Room</i>	:	<i>Addition SF</i>	:
<i>Other Rooms</i>	:	<i>Bldg Style</i>	:
<i>Utility Rooms</i>	:	<i>1st FlrSF</i>	: 3,568
<i>Stories</i>	:	<i>2nd FlrSF</i>	:
<i>Units</i>	:	<i>BsmrTotSF</i>	:
<i>Garage Type</i>	:	<i>Garage SF</i>	:
<i>Garage Space</i>	:	<i>Air Cond</i>	:
<i>Patio</i>	:	<i>Heat Type</i>	:
<i>Roof Type</i>	:	<i>Fireplace</i>	:
<i>Appliance</i>	:	<i>Foundation</i>	:
<i>Spa/HotTub</i>	:	<i>Year Built</i>	: 1956
<i>Pool</i>	:	<i>Eff Yr Built</i>	: 1956
<i>CntlHt/AC</i>	:		

ITEM # 1

1989 ROLL
ASSESSOR'S MAP
BOOK 572 PAGE 04
CONTRA COSTA COUNTY, CALIF.
OCT 1 0 2007

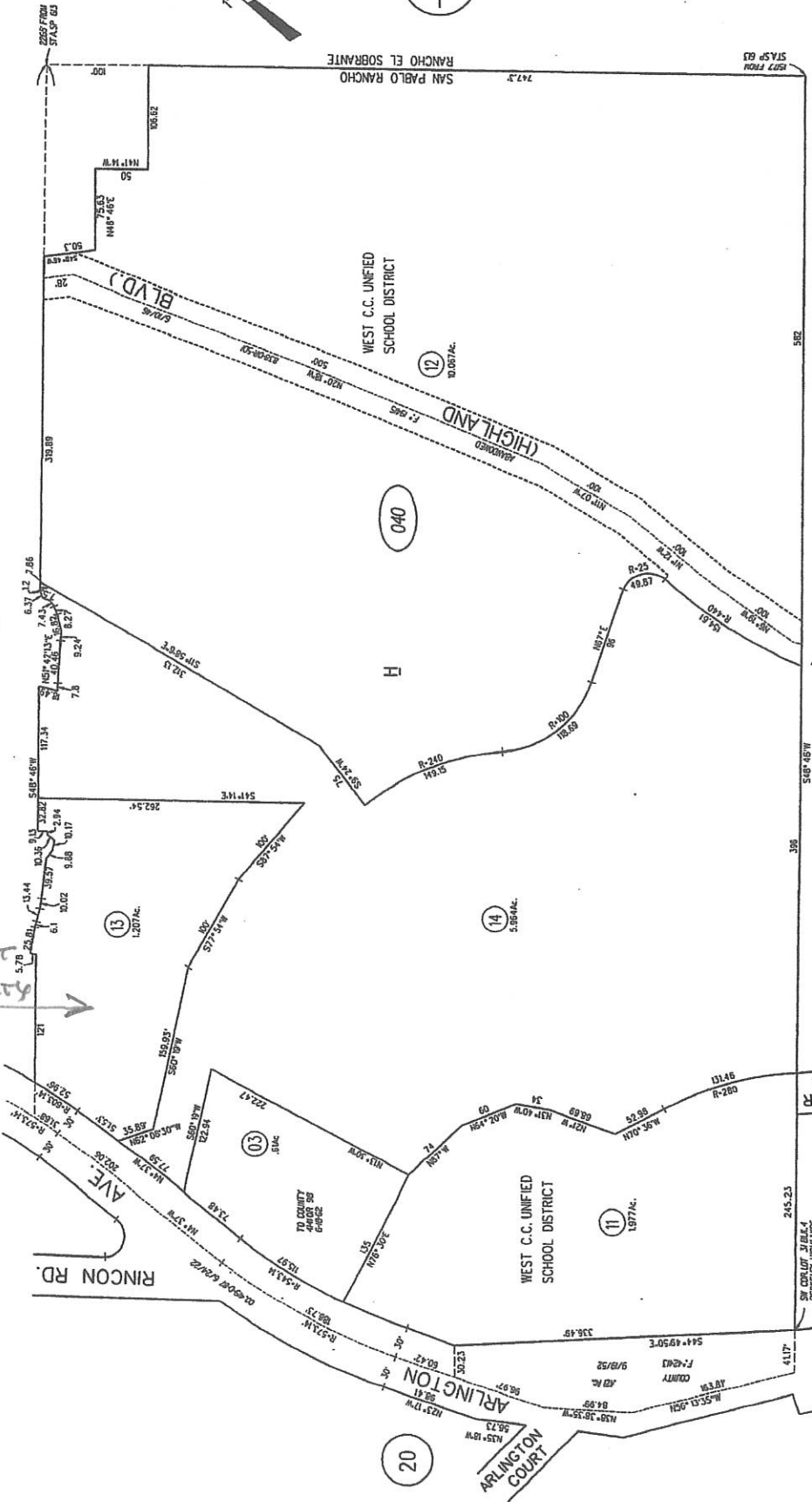
P.B.
573

110°

SUB'DN OF LOT 1 SAN PABLO RANCHO M.B. C-46

03

SUBJECT
PROPERTY →



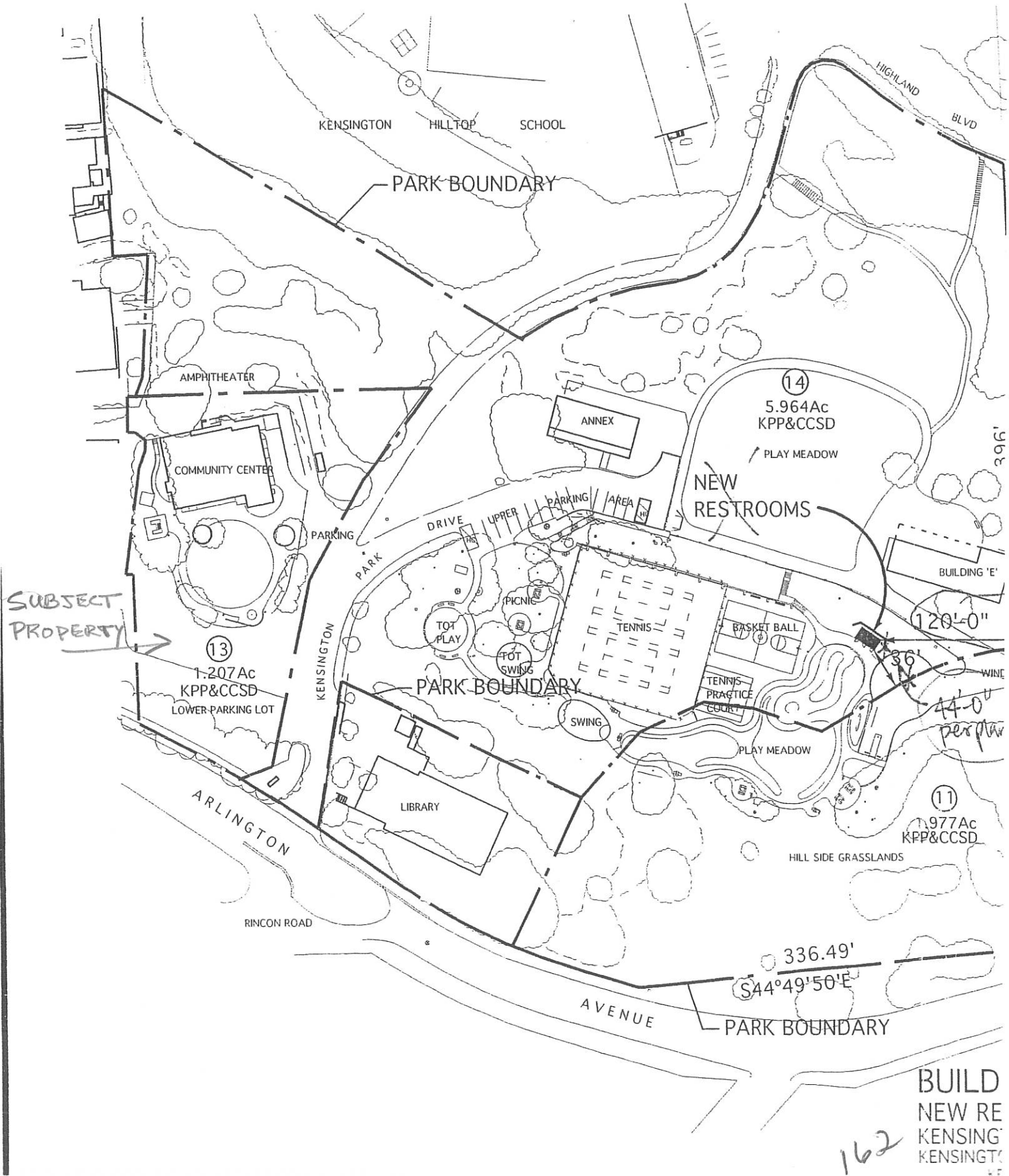
- 14 5730/01
- 040
- 05
- 11
- 13

NOTE: THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY. NO LIABILITY IS ASSUMED FOR THE ACCURACY OF THE INFORMATION DELINEATED HEREON. ASSESSOR'S PARCELS MAY BE DIFFERENT FROM LOT SPLIT OR BUILDING SITE CORNERS.

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ITEM #5

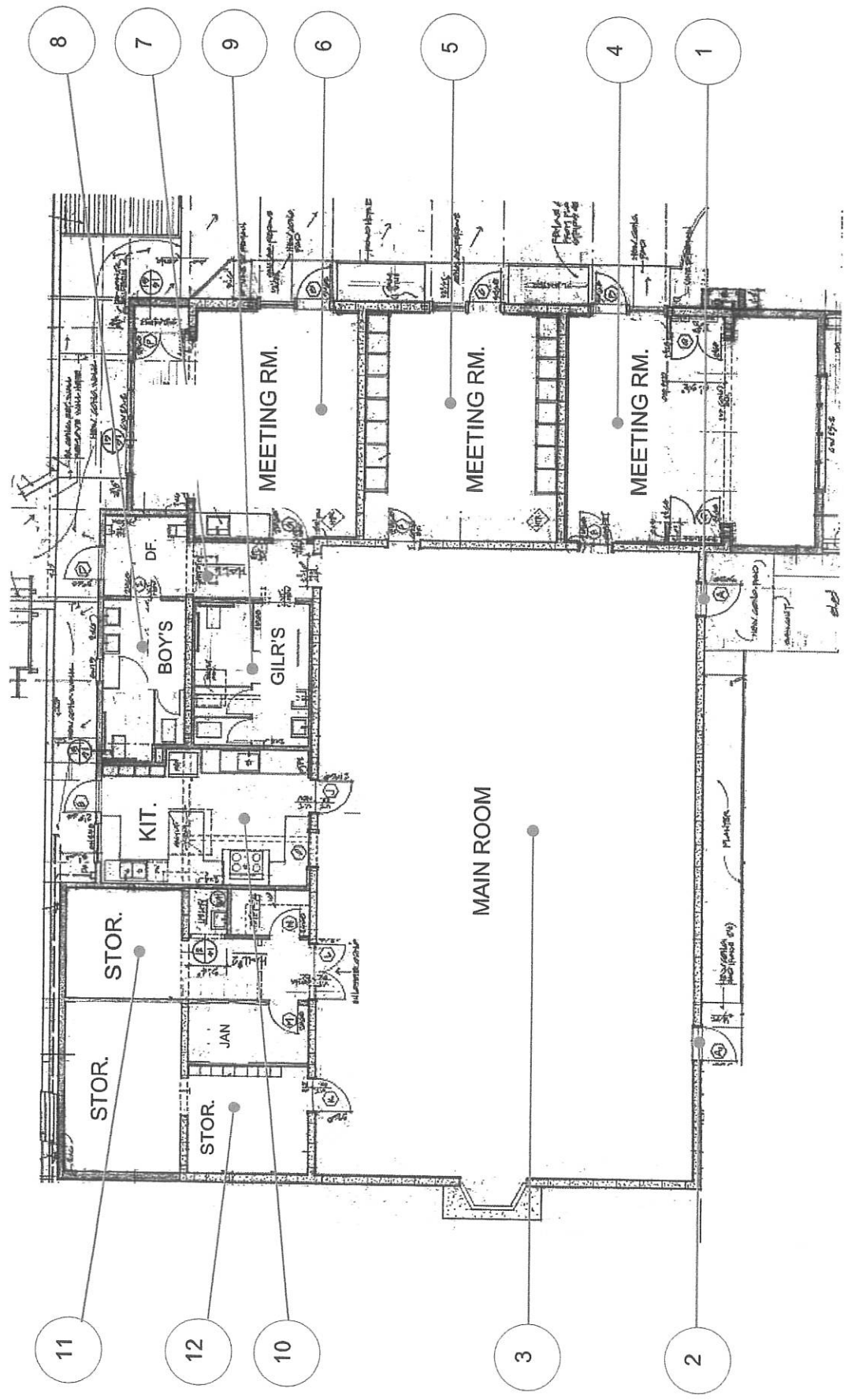
The property is subject to no leases or other agreements affecting the use of the property and is owned free and clear by the Kensington Community Service District.



BUILD
 NEW RE
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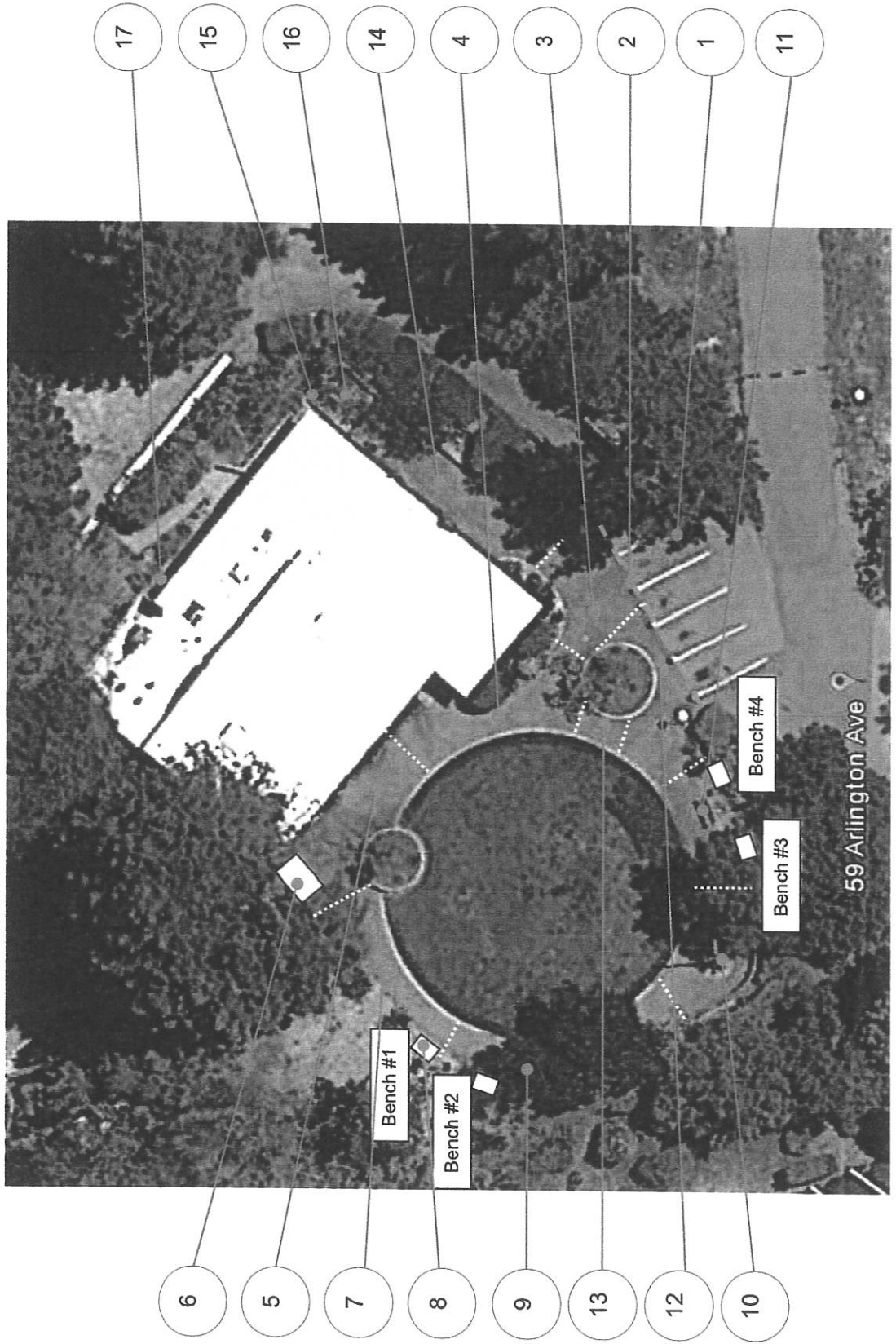
162

KENSINGTON COMMUNITY CENTER
Site Plan



163

KENSINGTON COMMUNITY CENTER
Site Plan



ITEM # 7

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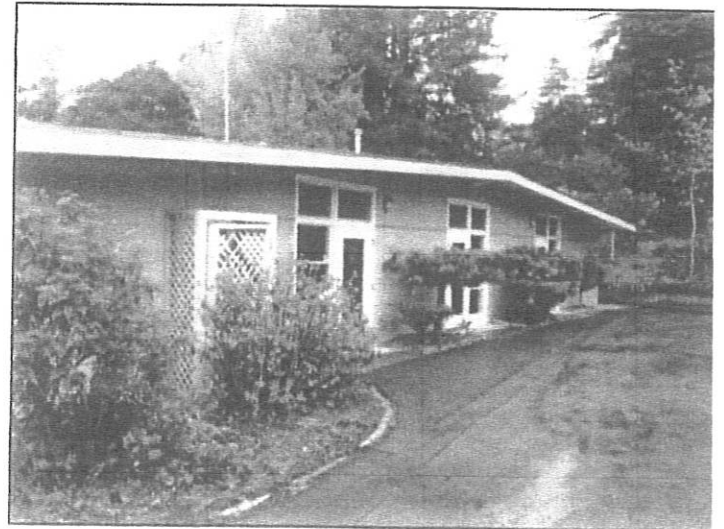
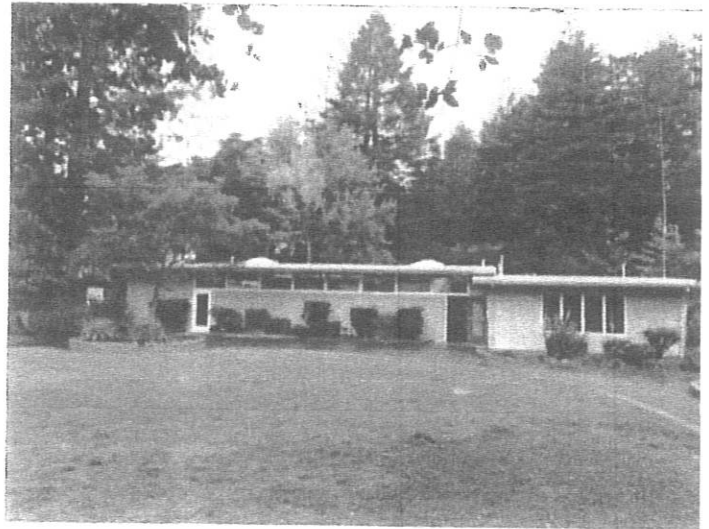


Above: Community Center exterior.

Below: Community Center Main Room, with exposed metal trusses.



EXISTING BUILDING



Item # 9

The project will require a building permit and a grading permit.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Date: March 10, 2016
TO: KPPCSD Board of Directors
FROM: Kevin E. Hart, Interim General Manager
Subject: **Item 7c-Budget Increase request-Capital Outlay/Asset Forfeiture funds**

Police Agencies that participated in the West Contra Costa County Narcotics Enforcement Team, (WEST-NET) recently received Asset Forfeiture funds that were generated by the unit. This resulted because most of the criminal cases have been adjudicated and, therefore, some funds are ready for distribution to police agencies. Last week, \$18,525.71, was disbursed to KPPCSD as part of our share for involvement in the task force. I anticipate more asset forfeiture funds as other cases are adjudicated. A new revenue line item has been created to account for this in the budget.

The Board approved its FY 15/16 budget for Capital Outlay at its regular meeting in August 2015. Line item 965 was approved for \$10,000, to purchase weapons for use by each Kensington Police Officer while on duty.

Extensive research has been done to identify the best type of weapon, model, holster, lighting source, and ammo holders to suit Kensington's needs. The results of the research revealed the costs to purchase weapons and associated equipment would exceed the budgeted amount significantly.

Additionally, the District currently does not issue body armor for its police officers. The cost associated with the purchase of body armor is more in line with the budgeted amount approved for weapons of \$10,000.

I recommend the \$10,000 originally approved for the purchase of weapons be allocated for the purchase on body armor for each Kensington Police Officer. KPD previously submitted a grant request to purchase body armor and was denied. We have renewed our grant proposal, and if successful, this request may offset the cost.

The Finance Committee met on February 1, 2016, and reviewed the recommendation of the Interim General Manager and voted unanimously to recommend to the Board of Directors, approval to accept the Asset Forfeiture funds and increase the FY15/16 year budget by \$18,525.71, and recommend the board approve the expenditure for weapons and associated equipment for an amount not to exceed \$18,000. This would increase line 965 from a budgeted \$10,000 to \$28,000.

At the KPPCSD meeting on February 11, 2016, the Board asked for additional information regarding the purchase of weapons and body armor.

Body Armor-I have included a quote from Adamson Police Products for 15 vests, level 3a for a cost of \$10,335.00 plus \$878.49 tax for a total cost of \$11,213.49. The retail cost of these vests are \$1,174.00, however, our quoted price is \$689.00 each. It's important to note that not all vests

fit one size. These vests are light weight, custom fit, durable and are made with material that breaths for the individual officer. This will cover 10 full time officers, plus current reserve officers. Although we currently only have two reserve officers, we are currently advertising Police Reserve opportunities in Kensington. I recommend we keep the Purchase Order open, as we may not order all 15 vests at the same time, which will reduce the overall costs for vests. However, I recommend you provide authorization of up to 15 vests.

Firearms-I have included two separate quotes for the purchase of new firearms for each full time officers and reserves. The total costs vary based on the firearm and the associated equipment, such as holster, ammo pouch, night sights, and tactical light.

After extensive reach by members of the Kensington Police Department, we have narrowed down the new weapon of either a Glock or a Sig Sauer. Final decisions will be made after meet and confer will Kensington Policer Officer's Association.

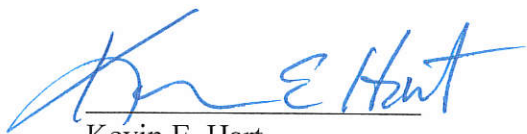
In reviewing the quote from LC Action, the prices vary based on the type of Glock order from \$11,455.48-\$12,574.39.

I reviewing the quote from Adamson Police Products, the price for Sig Sauer, along with the same associated equipment, is \$13,295.76.

The total number of weapons to be order will be 15. This number provides for all full time and reserve officers, potential new reserve officers and a small number of additional weapons to resupply officers of any malfunctioning weapons while repairs are being completed.

1. Body Armor	Max Cost	\$11,213.49
2. Weapons	Max Cost	\$13,295.76
3. Ammunition	Approx. Cost	\$1,500.00
4. Range Fees/Targets	Approx. Cost	\$2,000.00
	Grand Total	<u>\$28,009.25</u>

General Manager Recommendation: Take public comment, deliberate, and consider approval of the proposed budget change.



Kevin E. Hart
Interim General Manager



Quotation

DATE Jan 28, 2016	PAGE 1
ORDER NUMBER QT007739	

3290 Arden Road
Hayward, CA 94545
PH: (510)723-0643 FX: (510)723-0650

Sold To KENSINGTON POLICE DEPT.
ATTN: KEVIN HART
217 ARLINGTON
KENSINGTON, CA 94707

Ship To KENSINGTON POLICE DEPT.
217 ARLINGTON
KENSINGTON, CA 94707

REFERENCE	PO NUMBER	CUSTOMER NO	SALESPERSON	ORDER DATE	SHIP VIA	TERMS
		300448	TONY	Jan 28, 2016		NETO30

QUANTITY			ITEM NUMBER	DESCRIPTION	UNIT PRICE	UNIT	AMOUNT
ORD	SHIP	B / O					
15	0	15	821/SM02 3A	BODY ARMOR BA 3A00S SM02, SUMMIT, APEX CARRIER	689.00	EA	10,335.00
This quote is valid for 60 days							
QUOTE GOOD FOR 30 DAYS							

	Subtotal	10,335.00
	Total Sales Tax	878.49
	Total Order	11,213.49

Original

169



Search for Products



888.588.8569

SHOP BY CATEGORY

BRANDS

LAW

FIRE

EMS

MILITARY

OUTDOORS

CLEARANCE

Thru Monday | BUY 2 POLO'S GET THIRD ONE FREE

*5.11 Tactical, Under Armour, clearance and additional discount codes excluded. Offer ends Monday, Feb 29th at 11:59pm EST.

USE PROMO CODE
B2G1POLO
IN CART

SHOP NOW



SUMMIT SM02, APEX 2 Carrier



Second Chance SUMMIT SM02, APEX 2 Carrier

Item #: SCA-SM02-3A-M

\$1,174.99

Be the first to review this product

Select Threat Level

Level IIIA

Select Type

Male

1 Quantity

ADD TO CART ▶

Item will ship from our warehouse in 20-30 business days
[Check Availability/Add Multiple Items](#)

Product Details

Shipping Information

Second Chance SUMMIT SM02, APEX 2 Carrier

The Summit concealable vest from Second Chance®, marks the peak of performance in armor, offering unparalleled comfort and exceptional ballistic protection. The Summit incorporates state-of-the-art technologies and the most advanced exclusive materials, offering the softest most flexible armor, combined with uncompromised performance.

FEATURES:

- **Core MatrixTechnology®** – The use of Core Matrix Technology in this package provides reduction in blunt trauma with increased ballistic and fragmentation resistance. This patented technology offers a soft flexible feel through the fusing of woven Twaron® aramids, establishing a reinforced structure.
- **Honeywell Spectra®** – The Summit features exclusive Honeywell Spectra fibers confirmed to be one of the worlds strongest and lightest ballistic fibers, holding a molecular backbone that is fifteen times stronger than steel.
- **Honeywell Gold Shield®** – This patented unidirectional aramid fiber provides substantially heightened protection against special threats, simultaneously offering excellent fragmentation defense and blunt trauma reduction without concession in comfort.
- **X-STATIC®XT2™** – Internal liner made of X-STATIC®XT2™ antimicrobial knit, which repels micro-organisms, reduces odor, and repels moisture

Similar Products



[Second Chance Prism Multi-Threat Body Armor](#)
\$1,022.99



[Second Chance Monarch MR01 Ballistic](#)
\$719.99

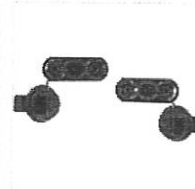


[Second Chance TAC Carrier \(Spec Color,](#)
\$128.99

People Also Bought



[Streamlight Siege Lantern with four C4](#)
\$49.99



[Code 3 Hide-A-Way LED System](#)
\$100.83



[Belleville Hot Weather 8" Steel Toe Flight Boot](#)
\$189.99

170

TYPE II TECHNICAL SPECIFICATIONS:

- NIJ Standard: 0101.06 Compliant
- NIJ Model #: BA-2000S-SM02
- Areal Density (lbs/ft²): 0.79
- Thinness (in.): 0.190
- V50 (9mm): 1770
- V50 (.357 Mag): 1676
- V50 (.357 SIG): N/A
- V50 (.44 Mag): N/A
- Armor Materials: Honeywell® Spectra Shield®, Honeywell® Gold Shield®, Tex Tech Core Matrix Technology™
- Panel Covering: Dual covered, 2 Ply, 70 Denier Textured Nylon Ripstop and TPU Lamination System

Leave a message



TYPE IIF TECHNICAL SPECIFICATIONS:

- NIJ Standard: 0101.06 Compliant
- NIJ Model #: BA-2000S-SM02F
- Areal Density (lbs/ft²): 0.79
- Thinness (in.): 0.190
- V50 (9mm): 1717
- V50 (.357 Mag): 1659
- V50 (.357 SIG): N/A
- V50 (.44 Mag): N/A
- Armor Materials: Honeywell® Spectra Shield®, Honeywell® Gold Shield®, Tex Tech Core Matrix Technology™
- Panel Covering: Dual covered, 2 Ply, 70 Denier Textured Nylon Ripstop and TPU Lamination System

TYPE IIIA TECHNICAL SPECIFICATIONS:

- NIJ Standard: 0101.06 Compliant
- NIJ Model #: BA-3A00S-SM02
- Areal Density (lbs/ft²): 1.04
- Thinness (in.): 0.250
- V50 (9mm): N/A
- V50 (.357 Mag): N/A
- V50 (.357 SIG): 1868
- V50 (.44 Mag): 1720
- Armor Materials: Honeywell® Spectra Shield®, Honeywell® Gold Shield®, Tex Tech Core Matrix Technology™
- Panel Covering: Dual covered, 2 Ply, 70 Denier Textured Nylon Ripstop and TPU Lamination System

TYPE IIIAF TECHNICAL SPECIFICATIONS:

- NIJ Standard: 0101.06 Compliant
- NIJ Model #: BA-3A00S-SM02F
- Areal Density (lbs/ft²): 1.04
- Thinness (in.): 0.250
- V50 (9mm): N/A
- V50 (.357 Mag): N/A
- V50 (.357 SIG): 1884
- V50 (.44 Mag): 1648
- Armor Materials: Honeywell® Spectra Shield®, Honeywell® Gold Shield®, Tex Tech Core Matrix Technology™
- Panel Covering: Dual covered, 2 Ply, 70 Denier Textured Nylon Ripstop and TPU Lamination System

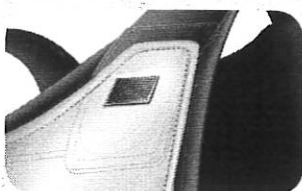
No reviews have been submitted for Second Chance SUMMIT SM02, APEX 2 Carrier
Be the first to write a review.

Second Chance Armor, Inc. is a leading manufacturer of concealable body armor for the law enforcement, government and security markets,

APEX²TM CONCEALABLE CARRIER

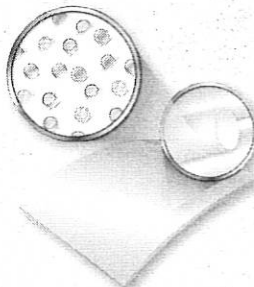


Perfecting upon the design of its predecessor, the APEX²TM Carrier unites purpose and style with its advanced moisture and odor management features in this new stylish look. Not only does the APEX² Carrier protect the integrity of your ballistic package, its low profile design offers increased mobility and comfort in a wide range of adjustability to suit the needs of various body types.



INTEGRATED GRIP-LOKTM

Integrated Grip-LokTM panel suspension system reduces curling and wrinkling



INTERNAL X-STATIC[®]

Internal liner made of antimicrobial and anti-odor X-Static[®] silver fiber, which repels micro-organisms and reduces odor

EXTERNAL MICROFIBER

External material made of 100% microfiber for long-term durability

FRONT PLATE POCKET

Dual-plate pocket with an internal back insert design accommodates soft-trauma insert and 5" x 8" and 7" x 9" IMPACTM special threat plates.

STRAP SYSTEM

Combination 4- and 6- point strap system provides maximum adjustability

RETENTION TAILS

Standard retention tails (front and rear) helps to reduce shifting of armor panels (not shown)

*Also available in a SPA² PolycottonBlend

REAR PLATE POCKET

Dual-plate pocket with an internal back insert design accommodates soft-trauma insert and 5" x 8" and 7" x 9" IMPACTM special threat plates.

EXTENDED BACK LOOP

Loop extends across the entire back of the carrier for maximum adjustability.

Available colors:



Black, White, Navy, Grey, Olive, Tan, Brown

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L.C. ACTION POLICE SUPPLY
 1088 NORTH FIRST STREET
 SAN JOSE, CA 95112
 Toll Free: 800-541-1270
 Tel: 408-294-COPS (2677)
 Fax: 408-294-6444

Email: Stacy@LCAction.com

Quotation

Date: November 4, 2015

To: ATTN: ERIC STEGMAN KENSINGTON POLICE DEPT P# 510-526-4141 EMAIL: ESTEGMAN@KENSINGTONCALIFORNIA.ORG	Ship to (if different address):
--	--

SALES REP'	CUSTOMER #	EST. DELIVERY	SHIP VIA	F.O.B.	TERMS
Stacy			BEST WAY		NET 30

QTY.	DESCRIPTION	UNIT PRICE	TOTAL
15	GLOCK MODEL G17 GEN4 WITH FIXED SIGHTS AND 3 LE MAGS	357.00	5,355.00
15	TRIJICON GL1010 HD NIGHT SIGHT SET, ORANGE FRONT OUTLINE	123.75	1,856.25
15	SAFARILAND 6360 LEVEL 3 ALS HOLSTER FOR GLOCK WITH LIGHT	101.25	1,518.75
15	SAFARILAND 77 DOUBLE MAG POUCH FOR GLOCK	22.87	343.05
15	STREAMLIGHT TLR-1 TACTICAL LIGHT	99.00	1,485.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
9			0.00

SUBTOTAL	10,558.05
SALES TAX RATE %	8.50 %
SALES TAX	897.43
SHIPPING & HANDLING	
TOTAL DUE	\$11,455.48

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L.C. ACTION POLICE SUPPLY
 1088 NORTH FIRST STREET
 SAN JOSE, CA 95112
 Toll Free: 800-541-1270
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To: ATTN: ERIC STEGMAN KENSINGTON POLICE DEPT P# 510-526-4141 EMAIL: ESTEGMAN@KENSINGTONCALIFORNIA.ORG	Ship to (if different address):
--	--

SALES REP'	CUSTOMER #	EST. DELIVERY	SHIP VIA	F.O.B.	TERMS
Stacy			BEST WAY		NET 30

QTY.	DESCRIPTION	UNIT PRICE	TOTAL
15	GLOCK MODEL G31 GEN4 WITH FIXED SIGHTS AND 3 LE MAGS	357.00	5,355.00
15	TRIJICON GL1010 HD NIGHT SIGHT SET, ORANGE FRONT OUTLINE	123.75	1,856.25
15	SAFARILAND 6360 LEVEL 3 ALS HOLSTER FOR GLOCK WITH LIGHT	101.25	1,518.75
15	SAFARILAND 77 DOUBLE MAG POUCH FOR GLOCK	22.87	343.05
15	STREAMLIGHT TLR-1 TACTICAL LIGHT	99.00	1,485.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
357			0.00

SUBTOTAL	10,558.05
SALES TAX RATE %	8.50 %
SALES TAX	897.43
SHIPPING & HANDLING	
TOTAL DUE	\$11,455.48

175



L.C. ACTION POLICE SUPPLY
 1088 NORTH FIRST STREET
 SAN JOSE, CA 95112
 Toll Free: 800-541-1270
 Tel: 408-294-COPS (2677)
 Fax: 408-294-6444

Email: Stacy@LCAction.com

Quotation

Date: September 26, 2015

To: ATTN: ERIC STEGMAN KENSINGTON POLICE DEPT P# 510-526-4141 EMAIL: ESTEGMAN@KENSINGTONCALIFORNIA.ORG	Ship to (if different address):
--	--

SALES REP'	CUSTOMER #	EST. DELIVERY	SHIP VIA	F.O.B.	TERMS
Stacy			BEST WAY		NET 30

QTY.	DESCRIPTION	UNIT PRICE	TOTAL
15	GLOCK MODEL G21 GEN4 WITH FIXED SIGHTS AND 3 LE MAGS	417.00	6,255.00
15	TRIJICON GL1040 HD NIGHT SIGHT SET, ORANGE FRONT OUTLINE	132.50	1,987.50
15	SAFARILAND 6360 LEVEL 3 ALS HOLSTER FOR GLOCK WITH LIGHT	101.25	1,518.75
15	SAFARILAND 77 DOUBLE MAG POUCH FOR GLOCK	22.87	343.05
15	STREAMLIGHT TLR-1 TACTICAL LIGHT	99.00	1,485.00
			0.00
			0.00
			0.00
			0.00
			0.00
			0.00
45			0.00

SUBTOTAL	11,589.30
SALES TAX RATE %	8.50 %
SALES TAX	985.09
SHIPPING & HANDLING	
TOTAL DUE	\$12,574.39

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Date: March 10, 2016
TO: KPPCSD Board of Directors
FROM: Kevin E. Hart, Interim General Manager
Subject: **Item 8a-Request for authorization to provide financial reward for unsolved homicide in Kensington Park**

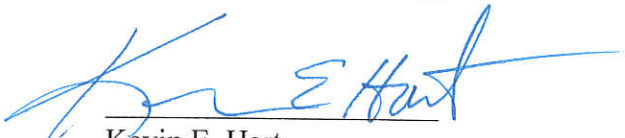
On March 12, 2011, in the early morning hours, the body of Erik Elliott, a 50 year old local transient who was raised in Kensington, was found dead in the Kensington Community Park. The body was found on the western hillside below the basketball court area.

An autopsy revealed Elliott was the victim of an assault and ruled the death a homicide. All leads in this investigation have since been pursued and have gone cold. Evidence in the investigation revealed there were multiple unidentified subjects either involved or with some knowledge of the circumstances leading to Elliott's murder. We believe a cash reward for information leading to the suspects capture and prosecution will be helpful to motivate those who have knowledge of this incident to come forward.

I recommend the Kensington Police Protection and Community Services District offer a \$15,000 reward for information leading to the arrest and conviction of the suspect (s) of this senseless murder.

The funds would only be expended after the conviction of the suspect if the information provided was verified to have come from the specific source and led to the arrest and conviction.

General Manager Recommendation: Take public comment, deliberate, authorize the \$15,000.00 reward and approve the announcement of the reward.



Kevin E. Hart
Interim General Manager

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MEMORANDUM OF UNDERSTANDING

Between

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

And

KENSINGTON POLICE OFFICERS' ASSOCIATION

July 1, 2014 until December 31, 2017

This Memorandum of Understanding is made and entered into on _____, 2016, between the Kensington Police Protection and Community Services District, Contra Costa County, Kensington, California, hereinafter referred to as "The District", and the Kensington Police Officers' Association, hereinafter referred to as "The Association". It is the intent and purpose of this Memorandum to assure sound and mutually beneficial working and economic relations between the parties hereto. This Memorandum of Understanding will become effective retroactive to July 1, 2014 (the "Effective Date").

ARTICLE I RECOGNITION

The District agrees to recognize the Association as the majority representative of all police personnel excluding the Chief of Police, and agrees to meet and confer with the Association in all matters relating to wages, hours and other terms and conditions of employment.

ARTICLE II RIGHTS

A. District Rights Include:

Except as otherwise provided in this Agreement, the rights of the District include, but are not limited to, the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work, lack of sufficient financial resources, or for other business related reasons as determined in the sole discretion of the District; maintain the efficiency of government operation; determine the methods, means and personnel by which government operations are to be conducted; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work, including contracting of specified services.

Nothing contained within this article is intended to, in any way, supersede or infringe upon the rights of the recognized employee organization as provided under state and federal law, including, but not limited to, California State Government Code Sections 3500 through 3510, inclusive.

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B. Association Rights Include:

1. The Association's right to represent their members before the Board of Directors or advisory boards with regard to wages, hours and working conditions or other matters within the scope of representation.
2. The right to be given reasonable written notice of any proposed ordinance, rule, resolution, regulation or amendment thereto relating to matters within the scope of representation.
3. Employees represented by the Association shall be free to participate in Association activities without interference, intimidation or discrimination, in accordance with State Law and the Department's Rules & Regulations.

ARTICLE III SCOPE OF AGREEMENT

A. Conditions

The terms of this Memorandum of Understanding are final. Except as otherwise provided herein, no changes or modifications shall be offered, or otherwise presented by the Association or the District for the duration of this agreement, provided, however, that nothing herein shall prevent the parties to this Memorandum of Understanding from meeting and conferring and making modifications herein by mutual consent.

B. Procedure for Meet and Confer

The District, through its representatives, and representatives of the Association shall meet and confer in good faith regarding matters within the scope of this agreement.

ARTICLE IV HEALTH PLAN BENEFITS/PENSION

A. Health Plan Benefits

Current Employees

The District shall provide health benefits through the Public Employees' Retirement System Health Benefit Program.

Effective July 1, 2014, the District will pay up to 100% of the premium for the non-Medicare and Medicare-eligible Kaiser Bay Area HMO plan for the eligible employee and his or her eligible dependents. If the employee chooses a plan other than the Kaiser Bay Area HMO, the employee shall be solely responsible for all costs over the premium for the Kaiser Bay Area HMO plan.

Effective January 1, 2017, all eligible employees will be required to contribute at least \$85 per month toward the cost of healthcare regardless of the coverage level

selected. The District will contribute a maximum of the Kaiser Bay Area HMO plan for Employee only, Employee + 1, or Employee + 2 coverage, less the \$85 monthly employee contribution. If an employee elects a plan that costs more than the Kaiser Bay Area HMO, the employee will be responsible for the \$85 monthly contribution plus any amounts above the District's maximum contribution.

Effective June 30, 2017, all eligible employees will be required to contribute at least \$125 per month toward the cost of coverage regardless of the coverage level selected. The District will contribute a maximum of the Kaiser Bay Area HMO plan for Employee only, Employee + 1, or Employee + 2 coverage, less the \$125 monthly employee contribution. If an employee elects a plan that costs more than the Kaiser Bay Area HMO, the employee will be responsible for the \$125 monthly contribution plus any amounts above the District's maximum contribution.

The following example is provided for illustrative purposes only as 2017 PEMHCA premiums are not yet published:

Coverage Level	Hypothetical 2017 Kaiser Bay Area Monthly Premiums	KPOA Member Contribution Effective 6/30/2017	Maximum District Contribution Effective 6/30/2017
Employee Only	\$746.47	\$125.00	\$621.47
Employee + 1	\$1,492.94	\$125.00	\$1,367.94
Employee + 2	\$1,940.82	\$125.00	\$1,815.82

Eligible Retirees

The District will pay the health care premiums for eligible retirees and their eligible dependents pursuant to the Public Employees' Medical and Hospital Care Act (PEMHCA) and in the amounts required by California Government Code §22892(b).

B. Dental and Vision Benefits

The District shall provide for a vision plan through VSP, and a dental plan through Delta Dental, maintaining the same benefit package as is currently provided under the District's VSP Group Vision Care Plan, effective October 1, 2013, and the District's Contract with Delta Dental, effective October 1, 2007, as amended. The District will pay the premiums for the eligible employee and his or her eligible dependents.

C. Pension/ Retirement Plan

Classic Member (Definition): "Classic Member" means an employee who first became a member of CalPERS, or another public retirement system that has reciprocity with CalPERS, before January 1, 2013, and who did not have a break in service of more than six months before returning to membership in CalPERS with a new employer.

No Change to Classic Members: Three Percent (3%) at Age 50 CalPERS plan.

To Include: One Year Final Compensation 01/06/93
 1959 Survivor Benefit 09/01/79
 Inc. 59 Survivor Benefit 07/04/80

Pension Cost Sharing under AB 340 (PEPRA), as amended: Per this Memorandum of Understanding;

For Classic Members the District currently pays 9.0% of the employee contribution as an Employer-Paid Member Contribution ("EPMC"). Effective March 1, 2016, the District will pay 7.0% of each Classic Member's employee contribution and the employee will pay 2.0%.

Effective March 1, 2017, the District will pay 5.0% of each Classic Member's employee contribution and the employee will pay 4.0%.

The District shall adopt and file with CalPERS a resolution providing that employee pension contributions will be picked up by the District under section 414(h)(2) of the Internal Revenue Code.

New Member: "New Member" means an employee who first becomes a member of CalPERS on or after January 1, 2013, and who was not a member of another public retirement system that has reciprocity with CalPERS before that date, or, if he or she was a member of CalPERS, or another public retirement system that has reciprocity with CalPERS, before that date, returned to CalPERS membership with a new employer after a break in service of more than a six months.

Pension Plan: CalPERS Option Plan Two; 2.7% at Age 57.

Final compensation for New Members shall be the average of the pensionable compensation earned during the 36-consecutive month period of employment that produces the highest average.

Pension Cost Sharing under AB 340: New Members must contribute 50% of the normal cost of pension benefits, as defined by CalPERS, with no cap in place as for Classic Members. AB 340 (PEPRA), as amended, prohibits the employer from paying this contribution on the employee's behalf (Govt. Code Sect. 7522.30(c)).

The District shall adopt and file with CalPERS a resolution providing that employee pension contributions will be picked up by the District under section 414(h)(2) of the Internal Revenue Code.

D. Life Insurance

The District shall provide an one hundred thousand dollar (\$100,000) term life insurance policy for represented employees. The District shall pay the base premium. The employee shall pay any additional costs over the standard base premium.

E. Disability Insurance

The District agrees to provide disability benefits through California Law Enforcement Association (CLEA) "Plan A" or Police Officers Research Association of California (PORAC) "Premier Plus" plan. The District shall increase each members' base pay by the cost of the plan premium. The employee shall pay the premium for the plan through payroll deduction.

F. Deferred Compensation

The District has established a Deferred Compensation Plan to be made available to all eligible district employees pursuant to Federal legislation permitting such plans. Employees can invest portions of their current income to meet their future financial requirements and supplement their District retirement, at no cost to the District.

G. Contra Costa County Employees' Federal Credit Union

Optional participation by payroll deduction at no cost to the District.

ARTICLE V SICK LEAVE

A. Accrual

All employees shall accrue sick leave at the rate of ten (10) hours for each calendar month that the employee has worked. Employees may accumulate an unlimited amount of sick leave. At the discretion of the Chief of Police, a medical professional's note may be required for any period of sick leave that exceeds three (3) consecutive days. Requests for medical notes shall not be subject to the grievance procedure.

B. Termination of Sick Leave

If an employee has accumulated and unused sick leave at the time of termination, resignation, or retirement, he or she shall not be eligible for a cash payout for that sick leave time. However, retirement credit for any such accumulated and unused sick leave may be allowed per CalPERS agreement in effect at the time of the employee's retirement or resignation.

C. Family Sick Leave

Employees may utilize up to 60 hours of accrued sick leave per year for illness or injury to members of their immediate family as defined by California Labor Code 233. Additional family sick leave may be granted at the discretion of the Chief of Police.

ARTICLE VI VACATION AND LEAVES OF ABSENCE

A. Eligibility

All personnel shall be eligible to take paid vacation leave at the end of twelve (12) months of continuous service. An employee may request to be allowed to take 52 hours of vacation upon completion of continuous service for six (6) months. Such a request must be made in writing and submitted to the Chief of Police, and may be granted at the Chief's discretion.

B. Vacation Accrual

Accrued vacation time shall be posted monthly. Employees shall receive a total of 104 hours (13 days) of accrued vacation time upon completion of the first year. Except as modified by Paragraph C, accrued vacation time shall be determined according to the Vacation Accrual Schedule below.

<u>Year(s) of Service</u>	<u>Total Yearly Hourly Accrual</u>	<u>Accrued Hours Per Month</u>
1	104	8.67
2	112	9.33
3	120	10.00
4	128	10.67
5	136	11.33
6	144	12.00
7	152	12.67
8	160	13.33
9	160	13.33
10	168	14.00
11	168	14.00
12	176	14.67
13	176	14.67
14	184	15.33
15	184	15.33
16	192	16.00
17	192	16.00
18	200	16.67
19	200	16.67
20	208	17.33

C. Use of Vacation:

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1. Workweek Vacation Sign Up - Employees are to sign up for their yearly-allotted vacation time by January 31 in the order of their seniority. (Signup sheet to be posted on or around December 15.) Not to include single day vacation requests, employees must sign up for a minimum of one (1) workweek per vacation selection. Employees shall have the option to pass on one or both selections. Vacation period runs from February 1 through January 31.
2. Single Day Vacations - Employees are allowed one single day vacation per shift page. Request must be turned in a minimum of 72 hours prior to the vacation day and are not to be used during the following holidays: Christmas, New Year's Day and Thanksgiving Day. Note: If two (2) or more employees are away, either on vacation, sick or school, single vacation days shall be allowed only if it does not incur overtime or present an undue hardship to the department.
3. Remaining Vacations Days - Upon completion of the initial posting of vacations, employees may sign up for additional vacation time on a first come first serve basis. Additional vacation day requests shall be allowed at the discretion of the Chief of Police. It shall be the policy of the department not to cancel days off during the above mentioned holidays to allow additional vacation day requests.
4. Vacation Accrual Limit - Employees shall be allowed up accrue up to 200 hours of vacation. Once that amount of vacation has accrued, however, no further vacation shall accrue until the employee's balance is reduced below 200 hours through the use of vacation leave. Current employees may retain any vacation accrued as of the date of ratification of this contract by the Association and the District without having such accrual counted as part of the 200 hour accrual limit. The Chief of Police may approve vacation carryovers in excess of the 200 hour accrual limit due to staffing shortages and other operational needs of the District. Such excess carryovers shall only be permitted for a one year period.
5. Number of Employees on Vacation - One officer, corporal or sergeant allowed off per team, when at full strength, a maximum of two (2) officers or two (2) corporals or two (2) sergeants may be off on vacation per workday. Department will make every effort to allow assigned vacations when not at full strength. The Chief of Police has the authority to change the number of employees allowed if circumstances warrant it.
6. Vacation at Termination - Employees leaving the district with accrued vacation leave shall be paid the amount of accrued vacation to the date of termination. Payment for accrued Vacation shall be at the employee's current rate of pay.

7. Effect of Extended Military Leave - An employee who interrupts his or her service because of extended military leave shall be compensated for accrued vacation at the time the leave becomes effective.
8. Sick Leave During Vacation - Vacation leave may be converted to sick leave, subject to the review and approval of the Chief of Police, if an employee is injured or sick during his or her vacation for a period in excess of twenty-four (24) hours.
9. Transfer of Vacation Time to Bereavement Leave - Vacation leave may be converted to bereavement leave, subject to the review and approval of the Chief of Police, if a death or anticipated death in the immediate family of an employee occurs during that employee's vacation period.
10. Leaves of Absence - The Board of Directors has the power to grant leaves of absence with or without pay. The decision is normally based upon the recommendation of the Chief of Police. The Chief of Police has the authority to grant leaves of absence not to exceed three (3) days.
11. Bereavement/Emergency Leave of Absence
 - a. Time off, consisting of 40 hours with pay, may be granted to any employee in the event of the death of a member of the employees' immediate family. One day of death leave for deaths occurring to persons not in the immediate family may also be granted at the discretion of Chief of Police.
 - b. In addition to the 40 hours, additional hours may be granted at the discretion of the Chief of Police,
 - c. Bereavement leave shall not be charged against either vacation or sick leave accumulation.
 - d. The Chief of Police shall be notified as soon as possible of any event requiring an emergency leave of absence.
 - e. Definition of Family

For the purpose of bereavement or emergency leaves of absence, family as, used herein shall be construed as being the following relatives of the employee:

Spouse	Brother	Mother-in-law	Step Child
Child	Sister	Father-in-law	Step Sibling
Mother	Grandmother	Sister-in-law	Step Parent
Father	Grandfather	Brother-in-law	Step Grandparent

ARTICLE VII SALARIES

The Board of Directors provides that an employee must be paid a salary within the range established for his or her classification. The District and the Association agree the District will compensate all members of the Association as follows:

There shall be no wage increase from July 1, 2014 through February 29, 2016. Effective the first pay period after March 1, 2016, all employees on active payroll shall receive a one-time lump sum payment of one-thousand dollars (\$1,000). The parties agree that this one-time bonus is not intended to compensate employees for any time worked in the past and or in the future and further agree that this bonus does not meet the criteria under California Code of Regulations 571(b) as reportable compensation for retirement purposes.

Effective the first pay period after March 1, 2016, salaries will be increased by 3.0%. Specifically, the monthly base wage rate salary schedule and compensation levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer shall be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$8,077.74	\$8,320.07	-----	-----	-----
Sergeant	\$7,039.61	\$7,321.19	\$7,540.83	\$7,842.47	-----
Corporal	\$6,977.23	-----	-----	-----	-----
Officer	\$5,516.98	\$5,820.42	\$6,140.54	\$6,478.27	\$6,840.42

Effective the first pay period after March 1, 2017, salaries will be increased 3.0%. Specifically, the monthly base wage rate salary schedule and compensation levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer shall be:

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	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$8,320.08	\$8,569.67	-----	-----	-----
Sergeant	\$7,250.80	\$7,540.82	\$7,767.05	\$8,077.75	-----
Corporal	\$7,186.55	-----	-----	-----	-----
Officer	\$5,682.49	\$5,995.03	\$6,324.76	\$6,672.62	\$7,045.63

A. Step Increases

1. Classification - Police Officers
 - a. Step One: Minimum hiring rate.
 - b. Step Two: Employees shall be eligible for advancement to Step Two upon completion of twelve, (12) months employment, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.
 - c. Additional Steps: Employees shall be eligible for advancement to additional steps upon completion of one year at the previous step, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.
2. Classification - Sergeants
 - a. Step One: Minimum hiring rate,
 - b. Steps Two: through Step four: Employees shall be eligible for advancement to the next higher Step upon completion of twelve (12) months employment in grade, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.

B. Hourly Rate of Pay

The hourly rate shall be calculated by multiplying the monthly salary by twelve (12) and dividing by the total number of working hours per year, which by convention is 2080.

ARTICLE VIII OVERTIME

A. Overtime Policy - Definition

Overtime work for all employees, except as otherwise provided, shall be defined as any time worked beyond the normal working day or shift, or beyond the normal

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working week. Time worked in excess of the basic workweek because of changes in days off or shifts shall not be considered overtime. Except as otherwise provided herein, overtime shall commence at the time an employee reaches the place where he or she is directed to report and shall continue until he or she is released or the work is completed, whichever is the earlier. Compensation for overtime shall be at one and a half the current rate of pay.

B. Compensatory Time Policy - Defined

Compensation for overtime hours worked shall be paid at one and one-half times the employee's basic hourly salary every pay period. Compensatory time off at the rate of one and one-half times the number of hours worked may be accrued at the employees' written request in lieu of time and one-half pay.

Compensatory time off may be requested and taken, as long as it does not cause overtime.

Employees shall be allowed to cash in compensation time three (3) specific times per year, with a maximum cash-in for forty (40) hours each date. Employees will be allowed to hold a maximum of one hundred (100) hours on the books. The specific dates are:

July 1, November 1, and March 1

C. Reimbursement for Meals

District agrees to reimburse members of the Association for up to two (2) meals per month at a cost not to exceed ten (10) dollars per meal when they work over twelve (12) hours during a single shift.

D. Minimum Call-Out Compensation

Employees who are called out to perform unscheduled work shall be compensated for a minimum of three (3) hours work at the time and one-half rate.

E. Non Call-Out Overtime

Non Call-Out overtime, or that overtime which represents a simple extension of the normal workday, is not subject to any minimum period for pay purposes. Compensation will be based on the nearest one-half hour, to be rounded off; except that overtime worked during the first one-half hour following a normal shift shall be compensated by a minimum of one-half hour overtime.

F. Appearances in Court

Officers directed to appear in court outside of normal shift hours shall receive a minimum of four (4) hours overtime. Court time exceeding the minimum four (4) hours shall be granted on an hour 'by hour basis, unless part of normal shift.

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G. Call-Out Standby

When any employee is placed on standby by the Police Department or any related department in regards to official police duties, the employee shall receive the minimum of two (2) hours overtime (time and a half).

ARTICLE IX EDUCATION / LONGEVITY BENEFITS

A. Education Incentive Program

A monthly incentive payment of five percent (5%) of their base salary shall be paid to qualified personnel, who have obtained an Intermediate Post Certificate,

An additional monthly incentive payment of two and one-half percent (2.5%) of their base salary shall be paid to qualified personnel who obtain an Advanced POST Certificate.

B. Tuition Refund Plan

The District establishes an education pool each Fiscal Year; individual employees shall have the opportunity to draw from this pool to a maximum of five hundred dollars (\$500.00) per year. The money shall, be used for tuition, books, materials and supplies. Employees shall be working towards a degree, POST Certificate or taking a class that benefits the District and must complete the course with a passing grade. Employees are not eligible for the benefits set forth in this Section B until they have completed two years of service with the District as full time officers and only if they are working full time at the time they seek to utilize these benefits. The Chief, in his sole discretion, will be allowed to grant an exception from this policy.

Employees failing to complete the course or failing to receive a passing grade shall reimburse the District the amount paid in full.

C. Training

Training shall be provided as mandated by the State of California, at a minimum.

D. Longevity Incentive Benefit

The District agrees to provide Longevity Incentive to each member of the Association. There will be an annual bonus of one hundred dollars (\$100.00) for each year of service with the District, beginning with the 10th year of service, to be paid every year at the end of the first pay period in December.

ARTICLE X CLOTHING ALLOWANCE./SAFETY EQUIPMENT

A. Installments - Amount

The District shall provide a clothing allowance in the amount of eight hundred dollars (\$800.00) per year, to be paid in twenty-four (24) installments of \$33.33.

B. Damaged Uniforms

It is the policy of the District to pay for the cost of repairing and/or replacing uniforms that are damaged in the line of duty.

C. Safety Equipment

As soon as practical, the District shall purchase body armor vests for all officers pursuant to Kensington Police Department Policy #1024.3. Once issued, body armor vests are to be worn pursuant to Kensington Police Department Policy #1024.1 through 1024.3.3.

The District also agrees to reimburse members of the Association for safety equipment up to two hundred and fifty dollars (\$250.00) per year each year the officer is employed under this contract. Unused reimbursement funds may be rolled over by individual officers to the following year for the life of the contract, not to exceed seven hundred fifty dollars (\$750.00). The Chief of Police shall review and approve all purchases of safety equipment for which the officer seeks reimbursement before such items are purchased.

ARTICLE XI HOLIDAY PAY

A. Holidays

Employees are paid for the following fourteen (14) Holidays: New Year's Day, Martin Luther King's Birthday, Lincoln's Birthday, President's Day, Cesar Chavez Day, Memorial Day, Independence Day, Labor Day, Admission Day, Columbus Day, Veteran's Day, Thanksgiving Day, the day after Thanksgiving, and Christmas. Employees are not entitled to any extra compensation if they are required to work on these days.

ARTICLE XII PERSONNEL ACTIONS

A. Authority

The information contained in the Kensington Police Department Policy Manual is furnished to acquaint officers with some of the more important personnel policies and practices pertaining to employment with the Kensington Police Department. Although not presented in the form of regulations, each of the subjects covered in subsequent paragraphs has substantive authority in the powers granted to the Board of Directors or the Chief of Police by special laws of the State of California.

B. Definition of Just Cause

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Just cause for employment actions, up to and including termination, shall include, but not be limited to the following: Failure of an employee either willfully, or through negligence or incompetence, to perform the duties of his or her rank or assignment, or violation by an employee of any police policies or order, or instruction having the effect of a policy or order.

C. Definition of Discipline

Consistent with Kensington Police Department Policy Manual #340.8, discipline shall include suspension, punitive transfer, demotion, and termination.

D. Discharge

The Chief of Police may discharge an employee for just cause. Any employee who has been discharged is entitled to receive a written statement of reasons for such action and shall have ten (10) days in which to respond.

E. Suspension

An employee may be suspended from his or her position by the Chief of Police at any time for a disciplinary purpose, or for other just cause. Suspension without pay cannot exceed thirty (30) days per occurrence.

A Master Sergeant or Sergeant, may for the good of the service, detach an employee from active duty, require that the employee relinquish his or her badge and other official police credentials, and assign the employee to remain at his or her home pending action by the Chief of Police at the earliest practical moment.

F. Demotion

The Chief of Police can demote an employee whose ability to perform required duties falls below standard or for disciplinary purposes. Notice of the demotion must be given the employee no later than two (2) weeks prior to the effective date of demotion.

G. Reduction in Departmental Seniority

The Chief of Police can reduce an employee in departmental seniority with attendant loss of privileges normally determined by such seniority and by such seniority and as outlined elsewhere in this Memorandum.

H. Right of Appeal to Matters Not Involving Discipline

An employee has the right to appeal to the Board of Directors relative to any situation affecting his or her employment status or conditions of employment, except in those cases involving a general plan affecting the department as a whole, pursuant to Kensington Police Department Policy Manual #1006. The decision of

the Kensington Police Protection and Community Services District Board is considered final.

I. Right of Appeal to Matters Involving Suspension, Punitive Transfer, Demotion, and Termination

The probationary period for the original appointment of employees shall be for a period of eighteen (18) months. Individual probationary periods may be extended upon decision of the Chief of Police. Consistent with Kensington Police Department Policy Manual #340.9, during the probationary period, an employee may be terminated or otherwise rejected with or without cause, at any time, without right of appeal.

After the probationary period, any employee challenging discipline shall have the option of choosing between the dispute-resolution provisions of Kensington Police Department Policy Manual #1006, or in addition to the grievance procedure and after it is exhausted, requesting an evidentiary hearing to the Board of Directors. Any employee who wishes to preserve the right of appeal and request an evidentiary hearing must within twenty (20) days of the date of a Notice of Discipline, submit in writing to the Chief of Police a separate written statement indicating that he or she wishes a hearing before the Board of Directors consistent with due process rights and the Public Safety Officers Procedural Bill of Rights Act. Each party shall bear the cost of its own presentation, including preparation and post-hearing briefs, if any. The decision of the Kensington Police Protection and Community Services District Board is considered final.

Any grievance not filed or appealed within the time limits specified shall be considered settled on the basis of the last disposition given. The time lines contained in this Article XII Personnel Actions and Policy 1006 may be waived for a specific time period at any step with the mutual agreement of the parties.

ARTICLE XIII NO UNLAWFUL DISCRIMINATION

No employee shall be demoted or dismissed, or in any way unlawfully discriminated against because of race, color, religion, creed, sex, pregnancy, childbirth or related medical condition, ancestry, citizenship, national origin, age, marital status, sexual orientation, physical or mental disability, medical condition or any other characteristic protected by federal, state, or local law.

Neither the District nor the Association shall interfere with, intimidate, restrain, coerce or discriminate against employees because of the exercised of their rights to engage or not to engage in any activities pursuant to Section 3500, *et seq.*, of the Government Code.

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ARTICLE XIV SCOPE AND SEVERABILITY

It is mutually agreed that ratification and approval of this Memorandum of Understanding relieves the Association and the District of any and all further obligation to meet and confer pursuant to Section 3500, *et seq.*, of the California Government Code for the period covered by the Memorandum of Understanding. Meet and confer sessions may, however, be reopened during the life of the Memorandum of Understanding by mutual consent of the Association and the District.

In case of material conflict between this Agreement and the approved District policies and procedures, the provisions of the Agreement shall govern.

If any portion of this Memorandum of Understanding is declared null and void by superseding Federal or State Law, the balance of the Memorandum of Understanding shall continue in full force and effect, and the parties hereto shall commence negotiations to ensure that the superseded portion shall be rewritten to conform as closely as possible to the original intent.

ARTICLE XV DURATION

This agreement shall be in full force and effect from the July 1, 2014 through December 31, 2017.

Kensington Police Protection &
Community Services District
Board of Directors

Kensington Police Officers
Association Representatives

Len Welsh, Board President

Keith Barrow, KPOA President

By Kevin Hart
Interim General Manager / Chief of Police

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KPPCSD
Title: Police Officer
Analysis Date: 6/30/2015

Survey Agency	Comparable Classification	Top Step Base	POST Pay/Educ. Incent.	Uniform Allowance	Longevity (20 YOS)	EPMC		Insurance				Total Insurance	Total Comp	Rank
						(%)	(\$)	Health	Dental	Vision	OPEB			
Albany	Police Officer	\$8,423	\$505	\$83	\$0	-1.0%	-\$90	\$1,858	\$139	\$0	\$122	\$2,119	\$11,040	5
Berkeley	Police Officer	\$9,628	\$385	\$117	\$481	0.0%	\$0	\$1,534	\$172	\$0	\$1,744	\$3,450	\$14,062	1
Broadmoor Police Protection District	Police Officer	\$7,466	\$560	\$0	\$0	9.0%	\$722	\$1,700	\$0	\$0	\$0	\$1,700	\$10,448	7
Central Marin Police Authority	Police Officer	\$6,929	\$346	\$0	\$0	0.0%	\$0	\$1,858	\$167	\$0	\$156	\$2,181	\$9,456	10
East Bay Regional Park District	Police Officer	\$7,093	\$532	\$92	\$0	6.0%	\$463	\$1,750	\$196	\$0	\$71	\$2,016	\$10,196	8
El Cerrito	Police Officer	\$8,075	\$290	\$83	\$727	0.0%	\$0	\$1,989	\$177	\$0	\$0	\$2,166	\$11,341	4
Moraga	Patrol Officer	\$7,387	\$222	\$88	\$0	0.0%	\$0	\$2,102	\$0	\$0	\$0	\$2,102	\$9,798	9
Piedmont	Police Officer	\$7,902	\$553	\$125	\$0	0.0%	\$0	\$1,798	\$202	\$33	\$1,027	\$3,060	\$11,640	3
Richmond	Police Officer	\$9,293	\$746	\$67	\$651	-2.0%	-\$215	\$1,858	\$122	\$18	\$623	\$2,621	\$13,162	2
KPPCSD	Police Officer	\$6,641	\$498	\$67	\$167	9.0%	\$664	\$1,858	\$203	\$30	\$449	\$2,539	\$10,575	6
	Median (Excluding KPPCSD) Variance from Median	\$7,902 -15.96%						\$8,748 -8.14%					\$11,040 -4.21%	
	Average (Excluding KPPCSD) Variance From Average	\$8,022 -17.21%						\$8,869 -9.29%					\$11,238 -5.90%	

Notes:

Albany: City contributes \$928/month to Retiree Health Savings Plan for employees with 24 to 34 completed YOS; OPEB calculated from PEMHCA minimum
 Berkeley: Contract expired July 5, 2014.
 Broadmoor Police Protection District: District contributes \$1,700/month per employee to Union run Health & Welfare Trust (includes health, dental, vision, retiree health, and life insurance).
 Central Marin Police Authority: Authority contributes 2.0% (1-15 YOS) or 2.25% (16+ YOS) of base pay into Retiree Health Savings Account for employees hired after 1/1/13 (defined contribution plan).
 East Bay Regional Park District: POA only eligible for PEMHCA minimum retiree health benefit (\$122/month in 2015) which has a normal cost of 1.0% in most recent GASB 45 actuarial valuation report.
 El Cerrito: Employees may continue health coverage in retirement at their own expense (potential implied subsidy, but no direct City contribution).

KPPCSD
 Title: Police Officer
 Analysis Date: 6/30/2015

Survey Agency	Comparable Classification	EPMC				Insurance				Total Insurance	Total Comp	Rank		
		Top Step Base	POST Pay/Educ. Incent.	Uniform Allowance	Longevity (20 YOS)	(%)	(\$)	Wages + EPMC	Health				Dental	Vision
Broadmoor Police Protection District	Police Officer	\$7,466	\$560	\$0	\$0	9.0%	\$722	\$1,700	\$0	\$0	\$0	\$1,700	\$10,448	2
Central Marin Police Authority	Police Officer	\$6,929	\$346	\$0	\$0	0.0%	\$0	\$1,858	\$167	\$0	\$156	\$2,181	\$9,456	4
East Bay Regional Park District	Police Officer	\$7,093	\$532	\$92	\$0	6.0%	\$463	\$1,750	\$196	\$0	\$71	\$2,016	\$10,196	3
KPPCSD	Police Officer	\$6,641	\$498	\$67	\$167	9.0%	\$664	\$1,858	\$203	\$30	\$449	\$2,539	\$10,575	1
	Median (Excluding KPPCSD) Variance from Median	\$7,093 -6.37%						\$8,180 -1.76%					\$10,196 3.71%	
	Average (Excluding KPPCSD) Variance From Average	\$7,163 -7.28%						\$8,068 -0.39%					\$10,033 5.40%	

Notes:
 Broadmoor Police Protection District: District contributes \$1,700/month per employee to Union run Health & Welfare Trust (includes health, dental, vision, retiree health, and life insurance).
 Central Marin Police Authority: Authority contributes 2.0% (1-15 YOS) or 2.25% (16+ YOS) of base pay into Retiree Health Savings Account for employees hired after 1/1/13 (defined contribution plan).
 East Bay Regional Park District: POA only eligible for PEMHCA minimum retiree health benefit (\$122/month in 2015) which has a normal cost of 1.0% in most recent GASB 45 actuarial valuation report.

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KPPCSD
 Title: Police Officer
 Analysis Date: 6/30/2015

Survey Agency	Comparable Classification	Top Step Base	POST Pay	Uniform Allowance	Longevity (20 YOS)	EPIMC		Wages + EPIMC	Insurance				Total Insurance	Total Comp
						(%)	(\$)		Health	Dental	Vision	OPEB Normal Cost		
El Cerrito	Firefighter	\$8,213	N/A	\$60	N/A	0.0%	\$0	\$8,273	\$1,989	\$177	\$0	\$300	\$2,466	\$10,739
KPPCSD	Police Officer	\$6,641	\$498	\$67	\$167	9.0%	\$664	\$8,036	\$1,858	\$203	\$30	\$449	\$2,539	\$10,575
	Variance (\$)	-\$1,572						-\$237						-\$164
	Variance (%)	-19.14%						-2.87%						-1.53%

Notes:

Kensington Police Officers' Association
 3-10-2016 Board Session
 Wage & EP/MC Contract Comparison

Term	Kensington		Moraga		Tiburon		Belvedere		Clayton		Ross	
	7/1/14 - 6/30/17	7/1/15 - 6/30/17	7/1/15 - 6/30/17	7/1/15 - 6/30/17	7/1/15 - 6/30/18	7/1/15 - 6/30/18	7/1/15 - 6/30/18	7/1/15 - 6/30/18	7/1/15 - 6/30/18	7/1/15 - 6/30/18	7/1/15 - 6/30/19	7/1/15 - 6/30/19
FY2015	0%											
FY2016	3.0% (3/1/16) + \$1,000 lump sum -2.0% EP/MC (3/1/16)	3.25% + 1.0% (7/1/15) -1.0% ER cost share (7/1/15)	6.0% (7/1/15) -3.0% ER cost share (7/1/15)	1.0% (7/1/15)	4.0% (7/6/15) -3.0% EP/MC (7/6/15)	3.5% (1/1/16) + \$850 lump sum -1.5% EP/MC (1/1/16) \$50/mo EE contribution (1/1/16)						
FY2017	3.0% (3/1/17) -2.0% EP/MC (3/1/17) \$85/mo EE contribution (1/1/17) \$125/mo EE contribution (6/30/17)	3.25% + 1.0% (7/1/16) -1.0% ER cost share (7/1/16)	3.0% (7/1/16)		4.0% (7/4/16) -3.0% EP/MC (7/4/16)	3.5% (7/1/16) -1.5% EP/MC (7/1/16) \$75/mo EE contribution (7/1/16)						
FY2018			CPI up to 3.0% (7/1/17)		4.0% (7/3/17) -3.0% EP/MC (7/3/17)	3.5% (7/1/17) -1.5% (7/1/17) \$90/mo EE contribution (7/1/17)						
FY2019						3.5% (7/1/18) -1.5% (7/1/18) \$105/mo EE contribution (7/1/18)						
Contract Term Average Annual Net Gain, Excluding Health	+0.66% (1.0% over 2-years)	+3.25%	3.00%	+1.0%	+1.0%	+2.0%						

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Kensington Police Officers' Association (Excludes General Manager/Chief of Police)
 MOU Costing
 3-10-2016 Analysis

	FY2015-16 Budget	FY2015-16 Forecast ¹	FY2016-17 Forecast ²	FY2017-18 Forecast ³	FY2018-19 Forecast ³
Wages					
Wages Non-PEPRA (Base, Educ Inc, Long, Holiday)	\$761,949	\$768,282	\$790,564	\$812,795	\$814,195
Wages PEPRA (Base, Educ Inc, Long, Holiday)	\$50,619	\$51,334	\$77,250	\$83,100	\$87,725
Uniform Allowance (9 @ \$800)	\$7,200	\$7,200	\$7,200	\$7,200	\$7,200
Non-Recurring, One-Time Payment (9 @ \$1,000)	\$0	\$9,000	\$0	\$0	\$0
Total Wages	\$819,768	\$835,816	\$875,014	\$903,095	\$909,120
Benefits					
Medical Insurance - Active (Health Only) ⁴	\$133,119	\$133,119	\$139,775	\$146,764	\$154,102
Medical Insurance - Retired (Health Only) ⁴	\$148,854	\$148,854	\$156,297	\$164,112	\$172,317
Medical Insurance - Trust (Health Only) ⁴	\$31,642	\$31,642	\$33,224	\$34,885	\$36,630
CalPERS Benefits					
Employer Normal Rate	\$151,854	\$153,159	\$170,943	\$176,104	\$177,278
Employer UAAL + Side Fund	\$204,742	\$204,742	\$229,208	\$262,557	\$189,857
Employer Paid Member Contribution	\$69,223	\$69,793	\$71,799	\$73,800	\$73,926
Medicare (1.45%)	\$11,887	\$12,119	\$12,688	\$13,095	\$13,182
Total Benefits	\$751,321	\$753,429	\$813,933	\$871,316	\$817,292
Total Wages + Benefits	\$1,571,089	\$1,589,245	\$1,688,947	\$1,774,411	\$1,726,411
Employee Concessions					
EPMC	--	(\$5,165)	(\$21,252)	(\$32,768)	(\$32,824)
Active Health Savings	--	\$0	(\$4,590)	(\$13,500)	(\$13,500)
Retiree Health Savings - Pay-Go	--	\$0	(\$6,630)	(\$19,500)	(\$19,500)
Retiree Health Savings - ARC (Estimate)	--	\$0	(\$4,000)	(\$8,000)	(\$8,000)
Total Wages + Benefits with Concessions	\$1,571,089	\$1,584,080	\$1,652,475	\$1,700,643	\$1,652,588
Year-over-Year Increase (\$)		\$12,991	\$68,394	\$48,169	(\$48,056)
Year-over-Year Increase (%)		0.83%	4.32%	2.91%	-2.83%

¹ Reflects 3.0% wage increase, 2.0% reduction in EPMC effective 3/1/2016, and \$1,000 non-recurring lump sum.
² Reflects 3.0% wage increase, additional 2.0% reduction in EPMC effective 3/1/2017, and 6 months of healthcare contributions at \$85/month.
³ MOU expires halfway through FY2017-18. As such, analysis reflects no wage increase or EPMC reduction. Reflects ongoing savings of \$125/month health contribution.
⁴ Includes 5.0% year-over-year growth in active and retiree health premiums.

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Kensington Police Officers' Association
 Old TA v. New Package Proposal
 3/10/2016 Board Session

	7/1/2014	1/1/2015	7/1/2015	3/1/2016	7/1/2016	1/1/2017	3/1/2017	6/30/2017	7/1/2017	Cumulative Change	MOU Start Date	MOU End Date	Term (Years)
Wages	-	3.75%	3.75%	-	4.25%	-	-	-	4.25%	16.98%	1/1/2015	6/30/2018	3.5
EPMC	-	-3.00%	-3.00%	-	-3.00%	-	-	-	-3.00%	-12.00%			
Health	-	-	-	-	-	-	-	-	-	0.00%			
No Change													
											Net => 5.0%		

	7/1/2014	1/1/2015	7/1/2015	3/1/2016	7/1/2016	1/1/2017	3/1/2017	6/30/2017	7/1/2017	Cumulative Change	MOU Start Date	MOU End Date	Term (Years)
Wages	-	-	-	3.00% +\$1,000	-	-	3.00%	-	-	6.09%	7/1/2014	12/31/2017	3.5
EPMC	-	-	-	-2.00%	-	-	-2.00%	-	-	-4.00%			
Health	-	-	-	-	-	\$85/month	-	\$125/month	-	-1.77% ¹			
											Net => 0.32%		

¹ Converted to percentage of base wage for top step Police Officer to facilitate comparison (\$125 / \$7,045.63 = 1.77%).

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

RESOLUTION NO. 2016-05

ESTABLISHING A POLICY TO REQUIRE BOARD MEMBERS TO REPORT POSSIBLE EMPLOYEE VIOLATIONS OF LAW OR DISTRICT POLICY, AND FOR MAKING SUCH INFORMATION PUBLIC

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

WHEREAS, the members of the Board of Directors of the Kensington Police Protection and Community Services District have a duty to act in the best interest of the District and its residents; and

WHEREAS, Directors should report possible employee violations of law or District policy when they learn about them; and

WHEREAS, publicly revealing information about employee personnel matters may violate the employee's constitutional and statutory rights of privacy; and

WHEREAS, the Board of Directors wish to formally adopt a policy addressing these matters;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Kensington Police Protection and Community Services District that the following policy is hereby adopted:

Any board member who becomes aware through personal observation, or what the member considers a reliable source, of conduct by any District employee that the member believes is unlawful or inconsistent with District Policy, shall inform (1) the Board President in the event the conduct concerns the General Manager/Chief of Police, and/or (2) the General Manager in the event the conduct concerns any other employee. The board member shall inform the Board President or General Manager, as the case may be, within 10 days of becoming aware of the alleged conduct. Board members are encouraged, but not required, to (1) report such information to the Board President and/or General Manager before speaking to reporters or other media sources, and (2) discuss the matter with the District's General Counsel before speaking to the media or otherwise making the information public.

Passed and adopted this 10th day of March, 2016, by the following vote of the Board.

AYES:

NOES:

ABSENT:

President, Board of Directors
Kensington Police Protection and Community Services District

ATTEST: _____
General Manager of the District

RESOLUTION NO. 2016-05

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

05

AUTHORIZATION FOR SUCCESSION PLANNING INTERIM GENERAL MANAGER/CHIEF OF POLICE (GM/COP) POSITION

BACKGROUND

On February 11, 2016, the Board approved (3-2) to extend the contract of the interim General Manager/Chief of Police to June 1, 2016. This document contemplates a variety succession planning options for the Board's immediate consideration.

APPROACH

The approaches presented herein were developed employing research provided by:

- Public Law Group (PLG);
- California Special Districts Association (CSDA);
- California Peace Officers Association (CPOA);
- Commission on Accreditation for Law Enforcement Agencies (CALEA); and
- California Association of Local Area Formation Commissions (CALAFCo).

Also considered were the District's immediate challenges, including:

- Service continuity;
- Regulatory compliance;
- Fiscal impact;
- Work of the Ad-Hoc Committee on Governance and Operations Structure;
- Community will.

Multiple public sector recruitment firms were also interviewed, including Public Management Group, Management Partners, Kampa Community Solutions and Bob Murray & Associates.

ISSUES

The current contract for the incumbent Interim GM/COP expires June 1, 2016. The brevity of this recruitment period presents many challenges for the Board, but also a unique opportunity to explore alternative recruitment approaches that could potentially contain costs while maximizing expertise and oversight.

While the Ad-Hoc Committee is currently exploring a variety of long-term governance models, its work does not preclude the Board, an elected body, from authorizing an immediate study of succession to ensure service continuity and regulatory compliance come June 1. In this regard, the Board effectively has two options for consideration:

1. Recruitment for Interim GM/COP position (Status quo)

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

By the recent execution of an option to extend the term of employment, the incumbent's contract will end on June 1, 2016. There are no additional extensions. As such, the Board has two options to explore:

- a) Negotiate a new short-term contract with the incumbent; or
- b) Initiate a new open recruitment for an Interim GM/COP.

If a new recruitment is initiated, it is strongly recommended that the Board convene a Citizen Search Committee, as was originally mandated by consensus at a Special Meeting in January 2015.

2. Recruitment for separate Interim GM and Interim COP positions (Temporary)

The combined GM/COP position is novel to the public sector employment market. Combined with a narrowing recruitment window, the Board may choose to consider an alternative recruitment approach that contemplates separate and temporary interim GM and COP positions.

How can the District afford two separate positions?

Part-time General Manager

The current GM responsibilities represent only a fraction of the combined GM/COP position. In fact, some of the most critical duties of the GM are actually contracted out to financial analyst Adam Benson of Public Management Group and Deborah Russell, CPA. As such, it is not unreasonable to assume that a part-time GM could easily meet the remaining administrative responsibilities.

According to the CSDA, several of the state's special districts employ a part-time GM, such as Muir Beach Community Services District and Rossmoor/Los Alamitos Area Sewer District in Orange County. Other districts, including Serrano Water District and Granada Community Services District, have contracted GM services directly with public sector management consulting firms to offset total compensation costs associated with direct hires. Many of these firms, including Public Management Group and Management Partners, are recognized experts in interim city manager placements, offering municipal agencies a choice of candidates with proven expertise and exceptional qualifications, including advanced degrees, such as MBA, MPA and JD degrees.

Per Diem or Contract Interim COP

Another option is to temporarily convert the COP position to per diem status. According to the CPOA, per diem peace officers are typically highly trained retired professionals who enjoy the flexibility and/or temporary relocation experience per diem assignments offer.

"Per diems" are usually paid at a flat hourly rate between \$55 and \$75 per hour with no benefits. Many, according to CALEA, seek part-time community policing assignments, while others specialize in transitions as interim chief or captain, leading agencies during permanent recruitments, then moving along to the next opportunity once the position is filled.

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

The CPOA recognizes the emerging market for well-trained interim police staffing and has partnered with recruiter Bob Murray & Associates (BMA) to connect its membership with law enforcement agencies in transition. Like other public sector recruiters, BMA has extensive experience in developing interim contract appointments of annuitants to offset total compensation costs.

Can we just hire an Interim GM?

Yes. With this approach, the Board would need to appoint an Acting Chief of Police from the current rank and file.

What about the Ad-Hoc Committee's work?

The Board's primary responsibility is to ensure delivery of service and oversight by a General Manager. While the Board eagerly awaits the findings of the Ad-Hoc Committee, it is not prohibited from taking action to ensure the District remains fully operational.

In the event the Board executes an alternative approach to the combined GM/COP position, it would only be temporary, thus providing a "proof of concept" opportunity that may in fact be useful to the Ad-Hoc Committee and the greater community.

NEXT STEPS

- Discuss temporary succession planning approaches for the Interim General Manager/Chief of Police position;
- Seek public comment;
- Authorize Public Law Group to research and recommend an interim management succession plan for the purpose of ensuring service continuity, oversight and cost containment;
- Authorize Adam Benson, Public Management Group/PLG, to provide cost analysis of recommendations.

FISCAL IMPACT

There are material costs associated with any executive search. Depending on the interim staffing approach, however, there is also potential for long-term cost savings.

Respectfully submitted by:

Director Vanessa Cordova
Intergovernmental Relations Coordinator

Director Rachelle Sherris-Watt
Vice President

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