

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, December 10, 2015, at 7:30P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California.

1. Call to Order/Roll Call 7:30 P.M.

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

2. **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 purview 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.

3. Board/staff comments

Update from Ad Hoc Committee on Governance

4. Consent Calendar

- a) Minutes of the Regular Meeting of November 12, 2015 Pg. 3
- b) Unaudited Profit & Loss Budget Performance Report for November 2015 Pg. 17
- c) Variance Report for November 2015 Pg. 21
- d) Park Revenue & Expense Report for July through November 2015 Pg.23
- e) Board Member Reports-None this month
- f) KPD Monthly Statistics – Not available this month due to technical difficulties, on Richmond's end, in accessing records in Richmond's system. Pg. 29
- g) Training/ Reimbursement Report- None This Month
- h) Correspondence- Letters from community members Pg. 30
- i) Recreational Report Pg. 56
- j) Monthly Calendar Pg. 57
- k) General Manager's Report November 2015 Pg.59

5. Old Business

- a. The Board will receive a presentation from the General Manager and consider taking action on revising the community rental fees and other charges for use of the District facilities. Pg. 60

General Manager Recommendation: Take public comment, deliberate, and provide staff direction.

6. New Business

- a. The Board will receive a presentation from Vice President Gillette regarding the timeframe for the results and fact-finding report of the Ad Hoc Committee on Governance Options.

General Manager Recommendation: Take public comment, deliberate, and provide possible direction to the Ad Hoc Committee about the timing of its fact finding report.

- b. The Board will consider approving Resolution 2015-08 of the Kensington Police Protection and Community Services District authorizing an increase in Police Services Fees. Pg. 66

General Manager Recommendation: Take public comment, deliberate, and approve Resolution.

- c. The Board will review and discuss, for possible action, its Goals and Objectives for 2016. (Director Sherris-Watt) Pg.69

- d. Pursuant to KPPCSD Board Policy 5010.60, the Board will elect a President and Vice President for calendar year 2016. In addition, Board Policy 4060.1, states the President shall appoint and publicly announce the members of the standing committees and Board Coordinators for calendar year 2016, no later than the Board's regular meeting in January 2016.

General Manager Recommendation: Take public comment, deliberate, and provide staff direction.

7. ADJOURNMENT: Next meeting is scheduled for January 14, 2016 at 1930 hours.

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:

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

Meeting Minutes for 11/12/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, October 8, 2015, at 6:30 P.M., at the Community Center, Kensington, California. A Regular Meeting, in Open Session, followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddell, Renne Sloan Holtzman Sakai LLP
Pat Gillette, Vice President	Jonathan Holtzman, Renne Sloan Holtzman, Sakai LLP
Chuck Toombs, Director	Adam Benson, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Director	Gregory Wallace, Structural Engineer
Vanessa Cordova	Chris Deppe
	Catya de Neergaard
	Celia Concus
<u>Staff Members</u>	Gloria Morrison
Interim GM/COP Kevin Hart	Jim Watt
Sgt. Hui (on duty)	Peter Liddell
Lynn Wolter, District Administrator	Peter Conrad
	Marilyn Stollen
<u>Press</u>	A. Stevens Delk
Linnea Due	David Spath
	David Bergen
	Simon Brafman
	Karl Kruger
	Mabry Benson

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

PUBLIC COMMENTS

None.

CLOSED SESSION

The Board entered into Closed Session at 6:34 P.M.

Closed Session:

- a. Conference with Legal Counsel – Public Performance Evaluation (Government Code Section 54957). Title: General Manager/Chief of Police.
- 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 came out of Closed Session at 7:54 P.M., and began its Open Session.

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

President Welsh reported that, during Closed Session, the Board had addressed Item b first. President Welsh reported that, although GM/COP Hart had entered into Closed Session with the Board, he had left the Closed Session, before the Board began its discussion of Item b, in order to avoid any perceived impropriety. The Board gave guidance to the negotiators.

President Welsh reported that, with respect to Item a, GM/COP Hart had rejoined the Board's Closed Session for this item and that the Board had taken no action.

PUBLIC COMMENTS

President Welsh solicited comments for items not on the agenda.

Chris Deppe commented on the Petition Ordinance, which, he said, addressed contracting out and which had been deemed illegal at the prior Board meeting. He noted that it had been decided that the ordinance wouldn't affect the Ad Hoc Committee's work. He said it was strange that only one of the options that the Board asked the Ad Hoc Committee to consider was treated differently from the rest and asked that the Board rescind the Ordinance. President Welsh responded that it was premature to discuss the matter. Mr. Deppe responded there was no ordinance for merging with the Fire District or for splitting the position of GM/COP without a vote of the public. President Welsh noted that this was Mr. Deppe's opinion and that all proposed options faced hurdles. Mr. Deppe asked how the rest of the Board felt about the matter. GM/COP Hart reminded the Board that this was a time for the public to address the Board: The item was not for exchange or deliberation because it wasn't on the agenda.

Catya de Neergaard said she had come with a series of questions about the 2009 ordinance/Petition Initiative. She said there was confusion, following Randy Riddle's critique that had been given the prior month. She said she wanted it clarified that the ordinance was still law. Mr. Riddle replied that this item wasn't on the agenda and this time was for public comment only. He said that he could address this further only if the Board asked for this item to be on the agenda in the future. Ms. de Neergaard asked the Board to consider hers a request to place the item on the agenda so that the community could understand that the ordinance was still standing law. She said the community was exposed to litigation and that a lot of people had speculated how litigation could occur – at any time. She said that the ordinance was still a barrier to contracting out for police services and that it could take two to three years to litigate. She said she had spoken to an attorney who had indicated that the Board could go to court to have the ordinance repealed or voided. Or, she said, a citizen could take the matter to court. She said she wanted the ordinance laid to rest so it would no longer be a barrier.

Ms. de Neergaard asked Director Cordova about comments that had appeared online and that had been attributed to her. Ms. de Neergaard said that Director Cordova had reported that credible threats had been made to her personal safety and that the FBI had told her to temporarily relocate outside Kensington, where she had resided for over 15 years. Ms. de Neergaard went on to say that the FBI had offered to act as the liaison with State and County agencies to ensure that Director Cordova could continue to fulfill her duties as an elected Kensington representative while displaced. Ms. de Neergaard

asked Director Cordova if, in fact, she had left Kensington. Director Cordova responded that she had spent five days out of the District to run a 200-mile race and to spend time in the Sierra Nevada.

Ms. de Neergaard asked the Ad Hoc Committee to start generating data.

Celia Concus questioned why GM/COP Hart had dropped the term “Interim” from his title and said that doing so conveyed a sense of permanence and that this was inaccurate. She cited past issues of the Outlook and GM/COP Hart’s agreement, in which the title of GM/COP had been cited as interim, and she cited examples of other professionals who included words in their titles that indicated that their positions were temporary in nature. She said the Board could direct the GM/COP to change his title to include the word interim or explain to the community any assumptions about GM/COP Hart’s employment. Ms. Concus provided copies of her comments to members of the Board and to staff. Staff has included this document, under correspondence, in the December Board Packet.

Gloria Morrison commented on the recent incident involving police officers and asked how the matter would be decided. She said the Board and the GM/COP might start losing the confidence of the community, especially when one officer was involved in mishaps. She noted that the Richmond Police Department was investigating the matter and she questioned how much time the Richmond Police Chief would be able to spend on the matter, as he would likely be leaving the department soon. She said that she was waiting for results of the investigations, that she hoped they would be fair and legal for everyone, and that they would restore the community’s confidence.

Jim Watt said the Closed Session agenda had included a discussion of goals and objectives for the GM/COP. He said that he had reviewed the Interim GM/COP’s employment agreement and that it contained provisions which, to the best of his knowledge, the Board had failed to perform. He specifically cited section 6b of the agreement, which addressed the Board setting its own goals and objectives and then setting those for the GM/COP. He said he encouraged the Board to set these and use them to conduct a performance evaluation of GM/COP Hart. Mr. Watt also said that GM/COP Hart served as a councilman for the City of Dublin and that section 1b of his employment agreement said he was not to hold any such position without the prior written consent of the District. He questioned where, in the event of an emergency, GM/COP Hart would devote his attention: Dublin or Kensington. He concluded by saying that the Board needed to let the community know why it didn’t feel there was a conflict of interest in this situation.

A. Stevens Delk said the minutes of the September meeting were incorrect, with respect to what they indicated she had said: she had said that, in 2013-14, the Fire District had received \$3.2 million in ad valorem taxes and that the KPPCSD had received \$2.5 million in total taxes. She said these taxes were for total taxes, including special taxes. She said this was just for clarification; she was not asking for the minutes to be amended. She said the full text of her comments could be found on pages 36 and 37 of the October Board Packet. She said the take-home lesson was that, for the average property owner, the out of pocket costs for all KPPCSD services were \$1,800 for 2013-14 and that KFPD out of pocket expenses were \$1,500.

Marilyn Stollen said the Chief was into the sixth month of his interim term. She encouraged the Board to consider splitting the position of GM/COP. She noted that Kensington Next Door had indicated that the Board needed to wait for the Ad Hoc Committee to address this issue, and she said that the Committee was taking too long to do so. She said that others had suggested that the Board put this on the agenda several times in the past and that having the combined position created a conflict of interest. She concluded by saying that, in other communities, the position was split – Kensington was the only small town with the combined position – and that by not having the position split in Kensington could create situations that could put the District at risk.

Peter Liddell announced that the Kensington Public Safety Council would hold a meeting on Saturday, November 14th at 10:00 A.M., to discuss the heavy rains predicted by the National Weather Service. He said the meeting would include discussions about storm drains, sandbagging, and how to protect one’s home and property. He said that Cheryl Miller, of Diablo Fire Safe, would discuss the wildfire danger

associated with heavy vegetation and that she would discuss Diablo Fire Safe grant that might be available to homeowners to assist with abating unsafe vegetation conditions. He concluded by saying that the meeting would be held at the Community Center.

Chris Deppe said he had been trying to do research by using the District's website and said that doing so was difficult because of the PDF format used by the District. He asked that textual PDFs be used for the District agendas instead. GM/COP Hart said the District was working on this.

Peter Conrad asked the Board to move New Business, Item d, to the top of the agenda so that Mr. Wallace would not have to be kept late. Director Sherris-Watt said she supported the request. President Welsh and Director Sherris Watt said this would be taken up following the Consent Calendar.

BOARD COMMENTS

Director Sherris-Watt reported that the Park Buildings Committee had met, for the eighth time, on Monday and that, at that meeting, Mr. Gregory Wallace, seismic engineer, had presented his seismic study. She reported that the Committee had also completed an ADA study on the building and that she hoped the architect, Gilda Puente Peters, who had performed this analysis, would be able to make a presentation at the Board's December meeting. She concluded by reporting that the Committee would meet again the following Tuesday and on December 16th. Director Cordova noted that the Library had a section for documents such as the ADA analysis.

Director Toombs reported that there had been a Finance Committee meeting in October. He reported that the District normally received an annual evaluation from CalPERS in October but that, because of the implementation of GASB 68, the report was late in being issued and the District likely wouldn't receive it until late November. He said that the Committee had discussed a five-year plan and beginning to determine what kind of reserve policy to put into effect. He said that, during the discussion of the five-year plan, there was discussion about what would happen if CalPERS were to change its discount rate from the current 7 ½ %, which, Director Toombs noted, the entity had failed to meet for some time. He reported that the Finance Committee also had discussed a variance report to include with the monthly finance statements.

Director Cordova reported that, during the month of October, she had taken five days away from the District and that she looked forward to spending the holidays with her parents in Orange County. She reported that she had completed AB123 certification, which had a due date of December 5th. She noted that had completed this by way of the Attorney General's website at no cost. She reported that, during the month, she had met with residents of the Colusa Circle and Franciscan Way areas and that she would share the details of the meetings when the traffic issue came up later in the evening's agenda.

Vice President Gillette reported she was glad to be back, following some vacation time in September and a family wedding in October that had caused her to miss those two Board meetings.

President Welsh reported that, in addition to the Kensington Public Safety Council meeting, there would be two other events on Saturday, November 14th: the Library's 50th anniversary celebration (in the afternoon) and the Fire District's pasta feed and toy drive (in the evening).

STAFF COMMENTS

GM/COP Hart reported:

- He was continuing to work on the sound system and was exploring adding a loop system, which would improve the audio quality for those with hearing impairments, and that the Kensington Improvement Club (KIC) had offered to contribute \$5,000 to the sound system and, thereby, to share in its use.

- The commercial part of the tree-pruning project had been completed, and the citizen part of this was continuing.
- The Citizen's Academy was continuing on Wednesday evenings.
- A toy drive barrel had been placed in the lobby of the Public Safety Building.
- That, on the day after he had been sworn in, he had promised to issue a press release regarding an incident that had occurred in 2014. He reported that the audit of the incident, which he had committed to have performed, had been completed by an outside agency and that he was working with legal counsel on how to release as much information as possible in order to rebuild the community's trust. He said he hoped to release something within the next two to three weeks.

President Welsh asked if the possible change of Richmond's Chief of Police – something that had been raised earlier in the evening – would have an impact on the report. GM/COP Hart responded that it would not: The Chief was only one individual at the department and that, in fact, a Lieutenant had been assigned the internal affairs investigation.

Legal Counsel Randy Riddle reported that he wanted to address the role of the Board with respect to the disciplinary process. He said that, under the Government Code sections that have to do with community services districts, it makes clear that that responsibility lies with the General Manager.

AD HOC COMMITTEE REPORT

David Spath reported that the Committee was doing well, that it had had three meetings to date, and that GM/COP Hart would make a presentation on police services at the Committee's fourth meeting, on November 16th. Dr. Spath reported that this meeting would take place at the First Unitarian Church, from 7:00 PM until 9:00 PM. He said the public was invited to attend and said he and other members of the Committee had been disappointed by the small number of people attending its meetings. He reported that the Committee had begun to work on the first task that the Board had assigned – assessment of the current structure. He said the Committee had created five sub-committees to look at statutory/regulatory issues, financial issues, services provided, and public perception of services provided. He reported that a public forum, at which information would be shared and public input would be sought, would take place on Saturday, January 23rd, from 10:00 AM until noon. Dr. Spath thanked the Board for allocating two hours of Randy Riddle's time and said the Committee had used this time to better understand Kensington's responsibilities, as an unincorporated area and a community services district, to provide police services. He also reported that the Committee had created a document page on the District's website.

Dr. Spath asked if the Board should provide for Committee reports on a regular monthly basis. President Welsh responded that, for the time being, it would make sense to have this appear as an ongoing agenda item but that, if there were to be something specific for which the Committee wanted to ask, the language be provided to GM/COP Hart to include in the agenda.

Vice President Gillette said that she would like the Committee's work to be completed by the spring and asked Dr. Spath what deadline he anticipated. He responded that he would provide expected deadlines information to the Board at its December meeting.

Director Cordova suggested sending email updates and suggested that people contact District Administrator if they wanted to receive such updates.

Vice President Gillette thanked the Committee members for everything it had been doing.

Director Sherris-Watt asked Dr. Spath if the Committee needed more time with Public Law Group. Dr. Spath responded that the Committee had used the two hours already allocated and that he didn't see a need for more time.

Dr. Spath reported that it was proving difficult to find meeting space and that the Outlook had asked the Committee to provide updates for future issues.

David Bergen read a letter, about separating the position of General Manager/Chief of Police, which had been written by Jan Behrsin. In his letter, Mr. Behrsin asked that this matter be addressed sooner rather than later, cited that GM/COP Hart's contract would expire in 100 days, and stated that it was a conflict for the GM to supervise himself in his role as COP. Mr. Behrsin's letter said that, even if legally permissible to combine the two positions, the Community's history over the prior seven or so years demonstrated that the Board was unwilling to supervise the GM/COP thus, there were no checks and balances that were consistent with the government codes that required each special district to have a general manager to hire, supervise, discipline, and fire all district employees. The letter said there was no requirement for special districts to have chiefs of police. The letter concluded by saying that using the term "interim" was a sham and an attempt to deceive the public until the November 2016 election and that a lot of work needed to be done to ascertain whether the GM/COP position should be separated or remain as it is. David Bergen said he seconded almost everything that Jan Behrsin had written.

NEW BUSINESS

- 8d. The Board received a presentation from Gregory Wallace about the seismic analysis he had completed on the Community Center.

Director Sherris-Watt introduced Gregory Paul Wallace, seismic engineer, and thanked him for coming.

Gregory Wallace said he had conducted a structural analysis of the building. He reported that the building had been built in the 1950's and that there had been renovations in the 1980's. He said that, as was typical for buildings constructed in the 1950's, it had some structural deficiencies. He noted the attachments between the walls and the ceiling needed to be improved. He reported that this would help hold the building together so that it would shake as a unit in the event of an earthquake. He said the back portions of the building, which were built in the 1980's, were in better structural shape and that the front and side walls of the building, which were partial height, were most susceptible and were most in need of work. In particular, he said the front wall could tip away from the rest of the building. He reported that needed structural work could be incorporated into other building improvements.

Director Sherris-Watt reported that architect Bart Jones, who had done the addition to the Community Center in 1988, had provided some additional drawings to Mr. Wallace on Friday and that these motivated Mr. Wallace to perform more testing, which had been done earlier in the day by Consolidating Engineers. She reported that these test results would be incorporated into Mr. Wallace's numbers and that the tests showed that the rebar was 24 inches on center. He went on to explain that only those cells containing rebar contained grout; the other cells were hollow.

Director Sherris-Watt said that the Park Buildings Committee had hoped the Community Center could serve as an essential services building but that, because of the structural deficiencies, it probably couldn't. She said the building might, however, be able to serve as a life safety building.

Vice President Gillette asked if it was worth doing this work on the building. Gregory Wallace responded in the affirmative. He did say, however, that, even with the recommended basic work, parts of the building would likely sustain damage and would not be able to be used following a major earthquake on the Hayward fault. He noted that the safest parts of the building were the kitchen and the small meeting rooms.

Peter Conrad, a Park Buildings Committee member and architect, said that the front wall was the most vulnerable part of the building and that, if it failed, the roof would collapse. He added that steps could be taken to render the building capable of standing well enough to enable everyone to exit safely, following an earthquake.

Mr. Wallace noted that, if structural work were to be done on the roof, it could be re-roofed and insulated in conjunction. President Welsh asked about solar panels. Mr. Gregory responded that the roof could accommodate solar panels.

Director Sherris-Watt said that Mr. Wallace had provided an estimate of the seismic work of \$300,000 and of the roof replacement of \$50,000.

Director Toombs noted that the \$300,000 did not include architectural costs for anything more than steel posts reinforcing the front wall. He said it would be nice to address some aesthetic issues at the same time seismic work was done. He asked about accessibility issues. Director Sherris-Watt responded that this would be addressed at the December meeting. She said the Committee would then look for someone to marry the seismic and accessibility reports.

Director Cordova asked about WW Grant money. Director Sherris-Watt responded that the Committee planned for submission in the spring of 2016. She reported that everything would need to be completed by December 31, 2018.

Chris Deppe asked if research had ever been done to determine what it would cost to tear down the Community Center and build a new one. Director Toombs responded that the prior Parks Buildings Committee had looked at this and had determined that this would cost \$2.5 – \$5 million. Director Toombs noted that a complete report on the costs to repair, improve, and demolish the building was on the District website. Mr. Deppe said it seemed silly to spend \$500,000 on the building and still have it look the way it does.

The Board thanked Mr. Wallace for his presentation and President Welsh thanked Director Sherris-Watt for her work.

GM/COP Hart asked the Board to consider New Business Item 8 c next.

- 8c. The Board received a presentation from the General Manager and considered taking action on having the General Manager, with assistance from the District's CPA, Deborah Russell, and Renne Sloan's consultant, Adam Benson, prepare an updated five-year plan.

GM/COP Hart reported that, at the October 31, 2015 meeting of the Finance Committee, there had been a motion passed to recommend to the Board that the District update the five-year plan with assistance from Adam Benson and the District's CPA Deborah Russell. He reported that Adam Benson was in attendance to answer questions.

Adam Benson noted that while the building costs just discussed could be incorporated into a five-year plan, a big piece of the analysis - the labor contract – was still an unknown. Director Toombs asked GM/COP Hart how much it would cost to perform the updated analysis with assistance from Mr. Benson and Ms. Russell. Mr. Benson responded that the prior plan had been prepared for under \$5,000. He said that, because the framework had already been created, it likely wouldn't be as expensive to prepare an updated report. Director Cordova responded that, even though the amount was under the GM/COP's limit, she was concerned about the amount. She said that, although she would support this, she would need estimates for anything with a fiscal impact.

Vice President Gillette asked what GM/COP Hart was looking for from the Board. GM/COP Hart replied that he was seeking confirmation from the Board that it understood that there would be a cost to proceeding with updating the five-year plan.

Director Cordova said that the Board would need a motion but that she wanted it to include that the cost would not exceed \$5,000.

MOTION: Director Cordova moved, and Vice President Gillette seconded, that GM/COP Hart move forward with a five-year projection, hiring Adam Benson and Deborah Russell as needed, for an amount not to exceed \$5,000 without returning to the Board.

Motion passed: 5 – 0.

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

Jim Watt added that the Finance Committee's motion had included a recommendation to the Board that the five-year plan provide separate scenarios for circumstances in which CalPERS might not meet its target return rate, which it used for calculating the contributions from the District for its police officers. Mr. Benson said he could include two scenarios based on his understanding of CalPERS' recently revised flexible glide paths.

CONSENT CALENDAR

Karl Kruger asked the Directors to pull Item b. The Directors pulled Items a, c and d.

Director Toombs asked to discuss Item a. He noted that the minutes indicated that there were agenda items that were to be carried over to the November meeting. He asked that GM/COP Hart and staff go back over the minutes and get those items back on the agenda, such as action minutes. GM/COP Hart responded that action minutes would not be coming back to the Board until the audio equipment issue was resolved.

With respect to Item b, Karl Kruger said that he thought the variance report would include only current month issues. He said the report commented on items discussed the prior month and on items in the current month's Profit and Loss Report. He said the variance report should match the month's P&L Report contained in the Board Packet.

Jim Watt asked about the police officer who had been injured about a year earlier and about two other officers who also were injured. He asked how this might impact the workers' compensation costs to be included in the five-year forecast. He said he would like a written explanation of what might be the anticipated costs. He noted that, year-to-date, the District had spent \$45,000 on workers' compensation and the amount budgeted for the year was \$50,000. District Administrator Wolter responded that she could not answer the question about the future but that the \$45,000 spent year-to-date had been the annual workers' compensation premium charged by the Special District Risk Management Association. (SDRMA). She explained that the premium was usually paid once, early in the year and then, at the end of the year, there was a reconciliation.

President Welsh asked GM/COP Hart to provide information to the extent that he could without violating anyone's personnel rights or privacy.

Vice President Gillette noted that the District had to have workers' compensation insurance but that she understood Mr. Watt's concern that the District consider possible increases when setting the budget.

Director Sherris-Watt noted that, for Account 643 (Janitorial Supplies), the District had exceeded the amount budgeted for the year.

Director Cordova pulled Item c, the Variance Report. She said it wasn't something she had been expecting. She asked why certain accounts had been written about.

At 9:45 PM the Board noted the need to make a motion to extend the meeting.

MOTION: Vice President Gillette moved, and President Welsh seconded, to extend the meeting until the Board completed its business.

Motion passed: 5 – 0.

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

District Administrator Wolter responded that, with GM Hart's authorization, she had prepared the Variance Report. She said she had gone through the Profit and Loss report and identified things that stood out, relative to amounts budgeted for the month and or year-to-date, and addressed items that had been questioned by the Board at the prior month's meeting. President Welsh noted that this report was something that Karl Kruger had been asking for.

Director Cordova said that she appreciated the report as a support document but that she still wanted percentage variances to appear in a column on the P&L Report. She indicated she would meet with GM Hart to discuss the matter further.

Director Sherris-Watt asked about the Park and Recreation administrator's salary. She noted that Ms. DiNapoli performed a variety of duties and wondered if all her salary had been charged to account 602. District Administrator Wolter responded that 75% of Ms. DiNapoli's hours were charged to District Administration and 25% to Park and Recreation.

MOTION: Director Cordova moved, and Director Sherris-Watt seconded, that the Consent Calendar be approved.

Motion passed: 5 – 0.

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

The Board took a two minute recess and resumed its meeting at 9:59 P.M.

OLD BUSINESS

- 7 a. The Board received a presentation from the General Manager and considered rescinding the Board Adopted Zero Tolerance Policy from the UC Berkeley Traffic Safety Evaluation previously adopted by Board action on May 13, 2010.

GM/COP Hart provided a background summary. He said that the Traffic Safety Evaluation had been conducted in 2010 and that, subsequent to the study, the Board had adopted the Zero Tolerance Policy. He reported that, since he had started as GM/COP, he had heard complaints about the policy. He said that, although traffic and pedestrian safety were paramount, statistics suggested that the Zero Tolerance Policy hadn't really been enforced. He said that, in addition, the policy's title had a negative connotation. He said he also had learned that some in town were of the opinion that, if one were a Kensington resident, one wouldn't be cited. GM/COP Hart said he wanted to have the officers use discretion either to give someone a warning or a citation, instead of having zero tolerance. He said he would return to the Board in January with specific guidelines about traffic and pedestrian safety, but he did not recommend retaining zero tolerance because it was not good public policy.

President Welsh said there was a misunderstanding about the Zero Tolerance Policy. He said it had always been directed at traffic and pedestrian safety, but it hadn't meant that any infraction would automatically result in a citation: It was meant to provide strict enforcement where safety was known to be an issue. He said education needed to be an important component of enforcement.

Director Toombs said he was on the Board when the policy was adopted and that it passed unanimously because traffic was so awful. He said the reason for putting it in place still existed – public safety. He said that, if zero tolerance wasn't wanted, he would want something as good or better.

GM/COP Hart added that he had asked the County to conduct a study of the speed of traffic on Franciscan Way and that it showed that, although there were some spikes, the average speed was less than the posted speed of 25 miles per hour. He said that a challenge with Franciscan Way was the difficulty of operating radar there; regardless, the Contra Costa Traffic Engineer was opposed to making any traffic changes to the area.

Director Cordova responded that this was a sample. She said that she had been on Franciscan and spoken to neighbors and that she was in agreement with Director Toombs. She said that Zero Tolerance shouldn't be rescinded unless and until a meaningful replacement was already in place. She said the community had a speeding problem.

GM/COP Hart responded that removing Zero Tolerance didn't mean that the officers wouldn't enforce speed limits or other violations. He suggested looking into traffic calming and other options as part of a new approach to solving traffic problems.

Director Cordova suggested installing zero tolerance traffic zone signs, on streets such as Franciscan and the Arlington and near the school, so that drivers would know that, if caught speeding, they would receive a ticket. She said she would like to continue the item and, in the meantime, for GM/COP Hart to develop something with which to replace it. She said she didn't disagree with GM/COP Hart's philosophy.

Director Sherris-Watt thanked GM/COP Hart for bringing the matter to the Board and said there was a lot of work to do on it and a need to update it. She said that Zero Tolerance was an awful name and that it didn't convey what the District was trying to accomplish, which was to enforce the traffic laws and slow down drivers.

Vice President Gillette said she agreed with GM/COP Hart on the matter but said that something else needed to replace it. She said she thought enforcement was the answer. She said the item should be tabled until there was something to replace it.

Chris Deppe thanked Director Toombs for his work on traffic problems and said he agreed that the policy shouldn't be replaced until there was something to replace it. He noted that, between March and November 12th, there had been about 300 traffic stops, with 120 tickets issued. He said the Zero Tolerance Policy wasn't currently being followed; therefore he questioned whether a new policy would be followed. He said he would prefer to see the current policy followed and questioned what was currently being done. GM/COP Hart responded that discretion was being used. Mr. Deppe questioned what discretion meant and whether it meant that one person might get a ticket while someone else might not. He clarified that, with discretion, one didn't know what the rules were; whereas, with zero tolerance, they did. Mr. Deppe said that his understanding was that part of the reason for the Zero Tolerance Policy was that Kensington drivers thought that they wouldn't get tickets, no matter what they did. He said he thought it needed to remain that Kensington drivers wouldn't just get warnings – they should be treated like all other drivers.

President Welsh clarified that there was a difference between arbitrariness and discrepancy, and that he didn't think there should be arbitrariness but there should be some discretion. He said that, if the policy were to be rescinded, the Chief would then direct the officers to enforce, based on the Chief's direction.

Director Cordova said that many communities had published traffic protocol, including ways for residents to report traffic problems to the police department.

Vice President Gillette said she agreed with Mr. Deppe – that if you didn't have zero tolerance you had discrimination. She said this was an issue of trusting the officers to enforce the law as they saw fit. She reiterated that she didn't want to rescind the policy without knowing what would replace it.

Director Cordova suggested using the Outlook to educate the community about specific problem areas.

GM/COP Hart responded that the Directors had identified many of the elements he planned to incorporate into what he would recommend as replacement options but that he thought Zero Tolerance was bad public policy. He said he felt strongly about the perceptions associated with Zero Tolerance and with the notion that Kensington residents didn't receive citations. He said he wanted to start over, from scratch.

Director Sherris-Watt expressed that the Board had hired GM/COP Hart to do a job, that he felt constrained by this policy, that he would like to command his officers, and that he would like to construct a new program.

Vice President Gillette asked GM/COP Hart what he would do next, if the Board rescinded the Zero Tolerance Policy. GM/COP Hart responded that the replacement would be about public safety, pedestrian safety, focusing on key areas in the community, and discretion. He said he had received a number of emails about Zero Tolerance and that it was a point of contention among many in the community. He said that, in an effort to contribute to healing the community, he wanted to eliminate the policy and replace it with something else.

Director Cordova said she disagreed with the notion that the Board was preventing the Chief from doing his job. She said she thought this was a community policing issue and that there would be nothing to prevent GM/COP Hart from imparting his philosophy to his officers on how to handle infractions. She asked how long it would take for GM/COP Hart to get on paper his ideal policing model.

Vice President Gillette said that the Chief was trying to rescind Zero Tolerance and replace it with a set of other models and that putting all on paper would be impractical. GM/COP Hart agreed with this observation. Director Cordova said she wanted to continue the matter.

Chris Deppe said that warnings weren't effective and that citations were the only thing that worked. GM/COP Hart responded that discretion was an important element of policing. He said that, with respect to traffic there were only two musts: One was that the cited individual must sign the bottom of the citation. He said that other than the two "musts" other elements of the vehicle code were at the discretion of the officer. Mr. Deppe responded that Zero Tolerance had come about because there had been arbitrariness.

Simon Brafman expressed concern about crosswalks being violated by drivers, whether speeding or not. He wanted to know what could be done to make the crosswalks safer.

Karl Kruger said that not every stop required a citation. He said the officers should be allowed to use discretion.

A. Stevens Delk said that the UC Berkeley study had concluded that zero tolerance was an effective tool for reducing traffic accidents. She said that the GM/COP's Board Packet memo reported there was a perception that Zero Tolerance was a revenue generator and that the former GM/COP had reported at Board meetings that citations generated only about \$10 apiece for the District. She suggested an Outlook article that would explain where the components of a \$200 citation go. She noted that the memo also reported that, since the enactment of Zero Tolerance, there had been fewer citations though the GM/COP did not explain why this might have been so and that the policy hadn't been followed. She observed that, perhaps there were fewer citations because there were fewer violations and that the policy might be working as intended. She said what was important was whether there had been fewer accidents, in particular serious ones involving bodily injury. She said that, from posted police reports, there had been 19 (about six per year) accidents involving bodily injury during the three years prior to

enactment and that, in the four years following enactment there had been 11 (about three per year) and that this was a 50% reduction. She said the policy should be enforced uniformly and fairly. She noted that there had been cars parked illegally at a recent event on Coventry Road that hadn't been cited.

Mabry Benson questioned the rationale for not issuing 180 citations out of 300 stops and for issuing only 120 citations. GM/COP Hart responded that the officers had used their discretion.

David Bergen said Zero Tolerance had to do with more than just speeding, reckless driving, and endangering pedestrians – it appeared to have an effect on things such as parking and equipment failures. He noted that, with respect to crosswalks, there were LED lights for them that could be installed and that were effective. He said that, with respect to speed limits, something that might be effective would be changing the limits to an odd number, such as 19 or 23 miles per hour.

President Welsh said that, when Zero Tolerance was adopted, its intent was much clearer: it was about hot spots for pedestrian safety and traffic. He noted that, over time, it had mutated and that GM/COP Hart wanted to take the District back to the original intent of Zero Tolerance. He suggested that, when next discussed, GM/COP Hart fill in some of the blanks that had been mentioned during the evening's discussion and that he also include elements of officer discretion. He added that discretion could not be taken away from police officers. He noted that Kensington was the only area in which he had never received a warning; he'd only received tickets. He said he wanted to ensure that the Board wouldn't be rescinding something without knowing what it would receive in its stead.

Board consensus was that the item should be tabled. GM/COP Hart responded that it would be on either the December or January agenda.

MOTION: President Welsh moved, and Director Cordova seconded, to table the item until the December or January meeting, at the Chief's discretion.

Motion passed: 5 – 0.

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

8a. The Board received a presentation from the General Manager and considered taking action on revising fees for certain police records and services charged by the District.

GM/COP Hart briefed the Board on the item. He reported that fees for police records and services had last been revised in 2001. He summarized the chart of proposed new fees, said he had a responsibility to bring such items to the Board for consideration, and recommended they be adopted so that Kensington's fees would be similar to those of other agencies. He said that, if the Board wished to proceed, he would return with a resolution for the Board to consider.

Vice President Gillette said the Board needed to look at this. She questioned the charge of \$0.15 per page for copies. GM/COP Hart responded that there was a government code that regulated this amount.

Director Cordova said she thought the fee amounts were out of step. She said that, with respect to electronic records fees, she thought there might be a more effective way to handle these. She asked that, when the item came back to the Board, GM/COP Hart provide information about how many of each of the items had been completed in the prior year. She questioned if this was an issue of revenue generation. GM/COP Hart answered in the affirmative.

Vice President Gillette said that, for Kensington's small department, these were costly services to provide and so the District should charge for them. She said that what GM/COP Hart had proposed was good, in terms of increases, that it seemed reasonable, and that she saw no reason not to adopt the proposed increases.

President Welsh said he agreed and asked that the Board take up the item again at the next meeting for a final reading.

Gail Feldman said that she didn't think it was a bad idea to look at the fees but that she did have a question about one of the fees: for police reports. She said Kensington's fee, at \$20, looked higher than that for other jurisdictions. She said that obtaining a report, for a situation in which someone had been a victim, the District shouldn't charge that much, unless there were justification for doing so. GM/COP Hart responded that the cost of living had been another element of consideration with respect to the proposed fees. President Welsh asked how many requests for these reports the Department received. GM/COP Hart responded that the Department received no fewer than half a dozen requests per week. He added that the fees reflected staff time required to complete the requests.

Director Sherris-Watt said that fingerprinting was required for things like working at the school and she asked if live-scan was required for this. GM/COP Hart responded in the affirmative. She noted that live-scan appeared to be expensive. Director Cordova commented that the agencies usually picked up this cost.

Vice President Gillette said that the Board should give GM/COP Hart some leeway and said she didn't think the Board should question, in detail, everything he brought to the Board. She said she trusted his judgment and that asking him to provide information about how many of each of the items had been done seemed like micro managing.

Director Sherris-Watt said she agreed with Ms. Feldman – that the fee for police reports seemed high – and reiterated that she thought the fees for fingerprinting seemed high. Director Cordova said she agreed.

Director Toombs suggested that GM/COP Hart return to the next meeting with a resolution containing the proposed fees.

Celia Concus said that she had a neighbor whose car had been hit, that the neighbor had gone to the police department three times to get the report, and that when she received it the report was incorrect. She said that, for the department to charge the woman \$20 for this seemed punitive. She said that, from her own point of view, she had asked for Public Records Act requests and the amount she was charged for the records was too costly. She said she had been charged \$0.15 per page and that it didn't cost that much to prepare the document. Director Toombs said the District couldn't charge, on a per page basis, more than it cost to prepare each page.

GM/COP Hart said that his understanding was that there wasn't Board consensus about specific fees proposed and that, therefore, he would bring back to the Board a resolution containing the proposed fees. Director Cordova responded that she wished GM/COP Hart would reduce the fee for police reports. Director Toombs said she would have an opportunity to make that point when the resolution came before the Board. President Welsh and Vice President Gillette asked GM/COP Hart to take into consideration the comments that had been made and then revise the amounts if he thought doing so seemed appropriate.

- 8b. The Board was to receive a presentation from the General Manager and consider taking action on revising the rental fees and other charges for use of the District facilities.

Director Sherris-Watt said she hoped to table the item until the next meeting. Board consensus was to do so.

Director Cordova asked that, when discussed at the next meeting, the GM/COP could provide information about whom he had spoken with about revising the fees. In particular, whether he had spoken with the K-Groups. Director Sherris-Watt responded that the proposed fees were for party rentals, not fees for K-Groups.

**MOTION: Vice President Gillette moved, and President Welsh seconded, to adjourn the meeting.
Motion passed: 5 – 0.**

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

The meeting was adjourned at 11:06 P.M.

Len Welsh
KPPCSD Board President

Lynn Wolter
District Administrator

Unaudited Profit & Loss Budget Performance

November 2015

Ordinary Income/Expense	Nov 15	Budget	Jul - Nov 15	YTD Budget	Annual Budget
Income					
400 · Police Activities Revenue					
401 · Levy Tax	9,211.92	0.00	1,444,392.15	1,527,750.00	1,527,750.00
402 · Special Tax-Police	0.00	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	0.00	514,175.88	514,177.50	514,177.50
410 · Police Fees/Service Charges	305.00	125.00	1,115.00	625.00	1,500.00
411 · Kensington Hilltop Svcs Reimb	0.00	4,725.00	9,450.00	9,450.00	18,900.00
412 · Special Assignment Revenue	0.00	0.00	11,912.79	0.00	0.00
413 · West County Crossing Guard Reim	4,725.00	3,610.00	12,528.56	3,610.00	10,830.00
414 · POST Reimbursement	0.00	0.00	2,185.52	0.00	0.00
415 · Grants-Police	24,407.38	0.00	48,232.77	0.00	0.00
416 · Interest-Police	0.00	0.00	583.32	400.00	1,600.00
418 · Misc Police Income	934.44	1,666.67	4,865.82	8,333.35	20,000.00
419 · Supplemental W/C Reimb (4850)	4,298.56	0.00	20,596.01	17,194.24	17,194.24
Total 400 · Police Activities Revenue	43,882.30	10,126.67	2,751,727.82	2,761,540.09	2,791,951.74
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00	0.00	35,190.86	33,000.00	33,000.00
427 · Community Center Revenue	2,702.50	400.00	10,443.00	11,900.00	33,000.00
435 · Grants-Park/Rec	0.00	0.00	0.00	5,000.00	5,000.00
438 · Misc Park/Rec Rev	40.00	50.00	80.00	200.00	500.00
Total 420 · Park/Rec Activities Revenue	2,742.50	450.00	45,713.86	50,100.00	71,500.00
440 · District Activities Revenue					
448 · Franchise Fees	0.00	0.00	8,478.33	16,266.67	48,800.00
449 · District Revenue	0.00	0.00	1,147.00	0.00	0.00
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	0.00	0.00	10,454.33	16,266.67	48,800.00
Total Income	46,624.80	10,576.67	2,807,896.01	2,827,906.76	2,912,251.74
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	81,071.00	81,702.83	389,164.53	408,514.15	980,434.00

KPPCSD

Unaudited Profit & Loss Budget Performance

November 2015

	Nov 15	Budget	Jul - Nov 15	YTD Budget	Annual Budget
504 · Compensated Absences	1,691.60	2,900.00	15,863.82	17,100.00	20,000.00
506 · Overtime	9,778.97	5,000.00	43,646.98	25,000.00	60,000.00
508 · Salary - Non-Sworn	8,388.08	6,825.00	40,614.39	34,125.00	81,900.00
516 · Uniform Allowance	599.94	850.00	3,555.93	4,250.00	10,200.00
518 · Safety Equipment	195.96	0.00	195.96	250.00	3,250.00
521-A · Medical/Vision/Dental-Active	611.98	12,496.33	66,529.43	62,481.65	149,956.00
521-R · Medical/Vision/Dental-Retired	1,894.99	13,957.83	68,907.68	69,789.15	167,494.00
521-T · Medical/Vision/Dental-Trust	0.00	0.00	0.00	31,642.00	31,642.00
522 · Insurance - Police	190.00	245.00	2,377.50	2,475.00	5,240.00
523 · Social Security/Medicare	1,413.46	1,389.00	6,692.10	6,945.00	16,668.00
524 · Social Security - District	564.19	423.17	2,734.15	2,115.85	5,078.00
527 · PERS - District Portion	14,677.44	32,285.08	269,559.72	161,425.40	387,421.00
528 · PERS - Officers Portion	6,445.92	7,032.25	32,734.75	35,161.25	84,387.00
530 · Workers Comp	0.00	0.00	43,966.71	32,000.00	50,000.00
Total 500 · Police Sal & Ben	127,523.53	165,106.49	986,543.65	893,274.45	2,053,670.00
550 · Other Police Expenses					
552 · Expendable Police Supplies	121.82	141.67	1,350.93	708.35	1,700.00
553 · Range/Ammunition Supplies	0.00	0.00	0.00	500.00	5,000.00
560 · Crossing Guard	1,744.79	1,100.00	3,188.76	3,400.00	10,830.00
562 · Vehicle Operation	2,595.22	4,200.00	7,313.79	24,700.00	50,000.00
564 · Communications (RPD)	8,626.05	39,017.50	44,303.84	78,035.00	156,070.00
566 · Radio Maintenance	181.69	180.00	726.76	720.00	21,750.00
568 · Prisoner/Case Exp./Booking	512.36	500.00	3,553.87	2,500.00	6,400.00
570 · Training	807.99	800.00	2,332.60	4,100.00	10,000.00
572 · Recruiting	350.00	541.67	2,990.53	2,708.35	6,500.00
574 · Reserve Officers	0.00	337.50	136.50	1,687.50	4,050.00
576 · Misc. Dues, Meals & Travel	0.00	150.00	440.00	2,900.00	3,140.00
580 · Utilities - Police	208.61	1,500.00	2,749.57	4,400.00	10,000.00
581 · Bldg Repairs/Maint.	375.34	416.67	4,465.01	2,083.35	5,000.00
582 · Expendable Office Supplies	687.61	500.00	2,560.07	2,500.00	6,000.00
588 · Telephone(+Rich. Line)	568.34	700.00	2,372.00	3,600.00	8,904.00
590 · Housekeeping	639.39	333.33	1,926.85	1,666.65	4,000.00
592 · Publications	0.00	50.00	208.32	250.00	2,500.00
594 · Community Policing	1,396.94	1,550.00	3,868.64	2,200.00	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	1,732.61	1,750.00	3,500.00

KPPCSD
Unaudited Profit & Loss Budget Performance
November 2015

	Nov 15	Budget	Jul - Nov 15	YTD Budget	Annual Budget
Total 550 · Other Police Expenses	18,816.15	52,018.34	91,728.65	146,334.20	325,269.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	711.90	650.00	3,484.80	3,250.00	7,800.00
602 · Custodian	1,750.00	1,900.00	8,750.00	9,500.00	22,750.00
623 · Social Security/Medicare - Dist	0.00	49.75	0.00	248.75	597.00
Total 600 · Park/Rec Sal & Ben	2,461.90	2,599.75	12,234.80	12,998.75	31,147.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	360.88	350.00	2,021.34	2,320.00	5,616.00
643 · Janitorial Supplies	0.00	0.00	825.15	800.00	800.00
646 · Community Center Repairs	759.95	250.00	1,107.43	1,250.00	3,000.00
Total 640 · Community Center Expenses	1,120.83	600.00	3,953.92	4,370.00	9,416.00
660 · Annex Expenses					
662 · Utilities - Annex	239.44		493.43	416.65	1,000.00
666 · Annex Repairs	0.00	83.33	0.00	416.65	1,000.00
668 · Misc Annex Expenses	0.00	83.33	0.00	416.65	1,000.00
Total 660 · Annex Expenses	239.44	166.66	493.43	833.30	2,000.00
670 · Gardening Supplies	0.00	83.33	0.00	416.65	1,000.00
672 · Kensington Park O&M	3,948.69	6,525.00	27,616.80	32,625.00	78,300.00
674 · Park Construction Exp	0.00	0.00	0.00	5,000.00	5,000.00
678 · Misc Park/Rec Expense	170.00	83.33	170.00	416.65	1,000.00
Total 635 · Park/Recreation Expenses	5,478.96	7,458.32	32,234.15	43,661.60	96,716.00
800 · District Expenses					
810 · Computer Maintenance	1,089.00	0.00	14,215.00	12,570.00	24,288.00
820 · Cannon Copier Contract	397.38	500.00	1,961.10	2,900.00	5,700.00
830 · Legal (District/Personnel)	10,658.36	8,300.00	47,678.30	41,500.00	99,530.00
835 · Consulting	3,923.00	2,500.00	20,713.04	7,500.00	15,000.00
840 · Accounting	1,295.00	2,000.00	22,332.00	10,000.00	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

KPPCSD
Unaudited Profit & Loss Budget Performance
November 2015

	Nov 15	Budget	Jul - Nov 15	YTD Budget	Annual Budget
870 · County Expenditures	0.00	0.00	1,938.54	3,000.00	22,300.00
890 · Waste/Recycle	0.00	5,000.00	1,212.28	17,600.00	25,000.00
898 · Misc. Expenses	6,232.15	1,275.00	13,447.15	6,375.00	15,300.00
899 · Depreciation Expense	0.00	0.00	0.00	0.00	0.00
Total 800 · District Expenses	23,594.89	19,575.00	150,978.20	131,446.00	271,119.00
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	0.00	10,000.00
967 · Station Equipment	0.00	7,000.00	5,000.00	7,000.00	7,000.00
968 · Office Furn/Eq	1,076.00	0.00	1,076.00	6,000.00	6,000.00
972 · Park Buildings Improvement	8,758.25	2,100.00	13,658.25	10,500.00	25,000.00
Total 950 · Capital Outlay	9,834.25	9,100.00	19,734.25	56,500.00	81,000.00
Total Expense	187,709.68	255,857.90	1,293,453.70	1,284,215.00	2,858,921.00
Net Ordinary Income	-141,084.88	-245,281.23	1,514,442.31	1,543,691.76	53,330.74
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00	0.00	-177,746.56	0.00	0.00
710 · Bond Admin.	0.00	0.00	4,802.12	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	-29,309.22	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	-29,309.22	0.00	0.00
Net Other Income	0.00	0.00	29,309.22	0.00	0.00
Net Income	-141,084.88	-245,281.23	1,543,751.53	1,543,691.76	53,330.74

20

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Staff Report Consent Calendar Item c – Variance Report for the November 2015
Unaudited Profit and Loss Budget Performance Report

To: Kensington Police Protection and Community Services District Directors
From: General Manager Kevin Hart
Date: November 12, 2015

Account 415 Grants – Police

A COPS funding deposit was made. Year-to-date amount received is \$48,233. This was an unbudgeted amount because agencies are not permitted to budget COPS funding.

Account 506 Overtime

Police overtime, for the month of November, was more than the amount budgeted for the month. This additional expenditure is due to the fact that three officers are either out or working light duty because of injuries. Additionally, there have been mandatory trainings and vacations. As a result, other officers have had to work overtime to ensure adequate patrol coverage.

Accounts 508 & 601 Non-Sworn and Park & Rec.

For November and for the past few months, non-sworn staff has been assigned more tasks in part because three officers have either been out or on light duty because of injuries.

Account 521 Medical/Vision/Dental

Usually, the CalPERS medical insurance premium invoice arrives before checks are issued for the end of the month. November's checks were issued earlier than usual to accommodate the County's holiday schedule. Although the month's expenditures look low, and the YTD amounts appear to be close to budget.

Account 527 & 528 PERS District and Officers Portions

The District recently hired a PEPR employee. The contribution rates associated with his hire are lower than what had been budgeted. Also, GM/COP Hart contributes 6% of his salary to CalPERS, thereby further reducing the District's budgeted contribution amount. Therefore, both the month amounts and the YTD amounts are lower than had been budgeted.

Account 564 Communications (RPD)

The allocation, for budgeting purposes, is quarterly. The payments are made monthly. This will resolve itself over the course of the year.

Account 581 Building Repairs and Maintenance

Although the November amount did not exceed the amount budgeted, it did help push the YTD amount to just under the amount budgeted for the year. The YTD amount includes the office painting (\$2,770) that was done in September. I don't anticipate any more material expenses for this account.

Account 594 Community Policing

In November, Pagepoint added website features and uploaded a recording. Additionally, community outreach supplies were purchased. Although the total didn't exceed the amount budgeted for the month, it did help push the YTD amount close to the amount budgeted for the year. I don't anticipate any more material expenses for the account.

Account 830 Legal

In November, the District's legal expenses were \$10,685. This exceeded the amount budgeted for the month by about \$2,400. The YTD amount of \$47,700 is about \$6,200 more than was budgeted YTD of \$41,500. The amount budgeted for the year is \$99,530.

Account 835 Consulting

In November, the District's consulting expenses exceeded the amount budgeted for the month, and the YTD amount exceeds the amount budgeted for the year. Most of this is for the cost of Adam Benson's MOU analyses.

KPPCSD

Transaction Detail By Account

July through November 2015

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
Total 427 · Community Center Revenue					10,443.00

2:28 PM

12/03/15

Accrual Basis

KPPCSD

Transaction Detail By Account

July through November 2015

Date	Num	Name	Memo	Split	Amount
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
Total 438 · Misc Park/Rec Rev					80.00
Total 420 · Park/Rec Activities Revenue					45,713.86
TOTAL					45,713.86

27

KPPCSD

Transaction Detail By Account

July through November 2015

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
07/29/2015		Di Napoli, Andrea		112 · General ...	388.20
08/13/2015		Di Napoli, Andrea		112 · General ...	314.10
08/27/2015		Di Napoli, Andrea		112 · General ...	385.80
09/14/2015		Di Napoli, Andrea		112 · General ...	330.90
09/29/2015		Di Napoli, Andrea		112 · General ...	402.60
10/14/2015		Di Napoli, Andrea		112 · General ...	211.50
10/29/2015		Di Napoli, Andrea		112 · General ...	344.70
11/13/2015		Di Napoli, Andrea		112 · General ...	354.30
11/29/2015		Di Napoli, Andrea		112 · General ...	357.60
Total 601 · Park & Rec Administrator					3,484.80
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
Total 602 · Custodian					8,750.00
Total 600 · Park/Rec Sal & Ben					12,234.80
TOTAL					12,234.80

KPPCSD

Transaction Detail By Account

July through November 2015

Date	Num	Name	Memo	Split	Amount
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center					
07/01/2015	REV ...	Kensington Police P...		210 · Account...	-463.64
07/15/2015	16474	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
07/30/2015	16502	PG&E	Community C...	112 · General ...	229.72
07/30/2015	16527	EBMUD	840 Coventry	112 · General ...	30.29
08/14/2015	16545	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
08/14/2015	16553	EBMUD	2 Arlmont	112 · General ...	407.25
08/14/2015	16563	PG&E	Community C...	112 · General ...	219.44
09/15/2015	16596	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
09/15/2015	16613	EBMUD	840 Coventry	112 · General ...	38.68
09/30/2015	16629	PG&E	Community C...	112 · General ...	219.82
10/15/2015	16662	Olivero Plumbing Co.	CC Backflow ...	112 · General ...	120.00
10/15/2015	16663	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
10/30/2015	16696	PG&E	Community C...	112 · General ...	235.07
10/30/2015	16703	EBMUD	2 Arlmont 8/3...	112 · General ...	311.83
11/13/2015	16737	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
11/13/2015	16757	PG&E	Community C...	112 · General ...	244.20
11/13/2015	16759	EBMUD	Coventry Rd.	112 · General ...	38.68
Total 642 · Utilities-Community Center					2,021.34
643 · Janitorial Supplies					
08/14/2015	16557	UBS	Invoice# 211...	112 · General ...	671.63
09/15/2015	16607	UBS	Invoice# 211...	112 · General ...	38.28
10/15/2015	16673	Kensington Home a...	Light bulbs, n...	112 · General ...	115.24
Total 643 · Janitorial Supplies					825.15

KPPCSD

Transaction Detail By Account

July through November 2015

Date	Num	Name	Memo	Split	Amount
646 · Community Center Repairs					
08/28/2015	16568	Business Card	Bulletin Boar...	112 · General ...	347.48
11/30/2015	16771	Mightto Electric	Inv. # 2935 P...	112 · General ...	259.95
11/30/2015	16783	Summer Rain Land...	Com. Center ...	112 · General ...	500.00
Total 646 · Community Center Repairs					1,107.43
Total 640 · Community Center Expenses					3,953.92
660 · Annex Expenses					
662 · Utilities - Annex					
09/15/2015	16613	EBMUD	1 Windsor Sc...	112 · General ...	253.99
11/13/2015	16759	EBMUD	1 Windsor - ...	112 · General ...	239.44
Total 662 · Utilities - Annex					493.43
Total 660 · Annex Expenses					493.43
672 · Kensington Park O&M					
07/01/2015	REV ...		TO REVERS...	153 · Prepaid ...	1,122.61
07/01/2015	REV ...	Kensington Police P...		210 · Account...	-2,056.89
07/15/2015	16458	Andrea DiNapoli	Harman - Re...	112 · General ...	6.00
07/30/2015	16503	William Driscoll	7/1 - 7/31/15 ...	112 · General ...	425.00
07/30/2015	16513	Summer Rain Land...	Repair broke...	112 · General ...	175.00
07/30/2015	16513	Summer Rain Land...	Unclogged w...	112 · General ...	85.00
07/30/2015	16513	Summer Rain Land...	Graffiti removal	112 · General ...	190.00
07/30/2015	16513	Summer Rain Land...	July maint.	112 · General ...	2,050.00
07/30/2015	16527	EBMUD	1 Windsor	112 · General ...	2,056.89
08/28/2015	16569	Summer Rain Land...	Aug. Maint.	112 · General ...	2,050.00
08/28/2015	16576	William Driscoll	8/1 - 8/31/15 ...	112 · General ...	425.00
09/15/2015	16613	EBMUD	1 Windsor - Ir...	112 · General ...	1,836.35
09/30/2015	16639	NBS Government Fi...	Inv. # 915002...	112 · General ...	1,143.15
09/30/2015	16642	William Driscoll	9/1 - 9/30/15 ...	112 · General ...	425.00
09/30/2015	16644	Summer Rain Land...	Sept. Maint.	112 · General ...	2,050.00
09/30/2015	16644	Summer Rain Land...	Sept. Repairs...	112 · General ...	425.00
10/15/2015	16681	Professional Tree C...	Tree and bru...	112 · General ...	4,320.00

KPPCSD

Transaction Detail By Account

July through November 2015

Date	Num	Name	Memo	Split	Amount
10/30/2015	16697	William Driscoll	10/1 - 10/31/...	112 · General ...	425.00
10/30/2015	16711	Summer Rain Land...	Oct. Maint.	112 · General ...	2,050.00
10/30/2015	16716	Professional Tree C...	Tree removal...	112 · General ...	4,465.00
11/13/2015	16759	EBMUD	12 Windsor - ...	112 · General ...	1,473.69
11/30/2015	16777	William Driscoll	11/1 - 11/30/...	112 · General ...	425.00
11/30/2015	16783	Summer Rain Land...	Nov. Maint.	112 · General ...	2,050.00
Total 672 · Kensington Park O&M					27,616.80
678 · Misc Park/Rec Expense					
11/13/2015	16741	CPRS District III	Dues thru 1/3...	112 · General ...	170.00
Total 678 · Misc Park/Rec Expense					170.00
Total 635 · Park/Recreation Expenses					32,234.15
TOTAL					32,234.15

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Kensington Police Department Monthly Statistics

To: Kensington Police Protection and Community Services District Board

From: GM Kevin Hart

Date: December 10, 2015

On November 29, 2015, the Richmond Police Department's IT Department suffered a failure of one of its Aegis system's computer servers. The failure caused the loss of approximately one and a half years of data. The IT department is working to recover the lost data and restore the system.

This is significant to this month's board packet because, without this data, the police department staff is unable to give an accurate accounting of crime statistics, which are key to the supervisors' reports.

We anticipate that the system will be restored by the next monthly meeting of the KPPCSD Board in January.

To: KPPCSD Board of Directors
From: A. Stevens Delk, Ph.D.
Date: November 20, 2015
Re: Community Safety

As you know, salient conclusions of the 2010 UC traffic safety evaluation of Kensington were that “a citation is the most effective tool to influence and change a driver’s behavior,” while “verbal warnings are ineffective,” and that a “Zero Tolerance Policy” for traffic enforcement, especially at specific problem locations, “is a more positive spin on preventing serious traffic collisions.”¹

Interim GM/COP Hart seeks to have the District’s Zero Tolerance Policy rescinded, even before he recommends “other ways to improve traffic safety,” because he believes it is “bad public policy” primarily for two reasons (as stated in his memo).²

1. Hart believes there is a “perception...that Kensington is only conducting traffic enforcement as a revenue generator.”

The UC study addresses this potential problem and recommends “keep the public informed.”¹ Former GM/COP stated at one or more Board meetings that Kensington gets very little revenue from tickets (about \$10 per citation as I recall). This and other information, such as what exactly is Kensington’s Zero Tolerance Policy, could be made known to the vast majority of drivers who don’t attend monthly KPPCSD meetings or read agenda packets (and to those that do both but don’t remember everything and/or are confused nevertheless), perhaps through *Kensington Outlook* or a “Mayberry” courtesy note along with the citation.

2. Hart notes that a more recent “analysis of stops vs citations” has shown that there has been “a dramatic decrease in citations issued in recent years” which could be for “a number of reasons...but at a minimum...the policy is not being enforced.”

Actually, the “stop vs. citation ratio” was basically constant until this year. In 2011, the first year of Zero Tolerance, there were about 3.5 times more “moving citations” issued (1554) than the average for the previous 3 years (452/year).³ In 2014 there were 30% fewer citations (990 in 11 months)⁴ than in 2011. But, the percentage of traffic stops resulting in citations was about the same, namely a “citation rate” of 59% in 2011 and 56% in 2014.⁵ Thus, there were fewer citations issued apparently because there were fewer traffic stops made for some reason (more drivers were complying with the rules of the road, patrol officers were not out and observing violations, officers were not making stops for observed violations, but not that officers were “letting off more people”).

But what is important is not the number of stops and citations, but the number of accidents, especially serious ones involving bodily injury. In the 3 years before Zero Tolerance there were 19 accidents with injuries ($\approx 6/\text{yr}$),³ while in the next 4 years, there were 12 ($\approx 3/\text{yr}$)^{3,6} — half as many. Total accidents were down by one third the first year (2011) from an average of 31 to 21.³ That was great.

However, in 2014 the total number of accidents was 38.⁶ In 3 years, there was about a 50% decrease in stops/citations and a 80% increase in accidents.⁷ Although this may not be cause and effect, it is cause for concern.

Reports are incomplete or missing for 2015, but it is clear that stops/citations decreased further and accidents increased further. For the first 4 months, during the “Fog of Renogate, the Depletion of the Ranks and the Demise of Harman,” posted data indicate that the monthly averages dropped an additional 50% to 47 stops and 24 citations (51% citation rate). For June through October, under Hart’s leadership, monthly averages were 42 stops and 16 citations (38% citation rate). During the first 10 months of 2015, there were reports of 47 accidents, 24% more than in all of 2014, and more than twice as many as in the first year of Zero Tolerance. Fortunately, only 3 involved injuries.⁸

Former GM/COP Harman made an interesting comment in December 2011: “While our traffic enforcement efforts did not have the impact on reducing traffic collisions as we had hoped, the extra time devoted to traffic enforcement and patrol duties I believe resulted in the decrease in criminal activity in the community,” which “along with our Neighborhood Watch efforts...cut property crime in half.”⁹

Even before Zero Tolerance was implemented, Kensington was one of the safest communities anywhere. Every effort should be made by the Board to assure that Kensington residents and visitors are safe on our streets, as well as safe in our homes.

1. ITS Berkeley Traffic Safety Evaluation, specifically pages 68 and 73 of November Agenda Packet. See pages 68-69 for other significant conclusions of this and other studies.

2. November 12, 2015, memo from Interim GM Hart to KPPCSD Board, page 44 of November Agenda Packet.

3. December 2011 Police Department Report, page 34 of January 2012 Agenda Packet.

4. Compiled data from Team 1 Statistics and Team 2 Statistics in monthly Police Department reports (11 found for 2014).

5. Compiled data as in footnote 4: For 2011, 1531 stops and 906 citations, $906/1531=59\%$ (9 months, averaging 170 and 101 per month, respectively); for 2014, 990 stops and 551 citations, $551/990=56\%$ (11 months, averaging 90 and 50 per month, respectively). Note: The report referenced in footnote 3 did not provide data for the total number of Traffic Stops in 2011; therefore data from posted monthly reports were used in comparing 2011 with 2014.

6. For 2011: 4 accidents with injuries, 21 total accidents; data from Report in Footnote 3. For 2012: 4 accidents with injuries, 31 total accidents (possibly incomplete); for 2013: 1 with injuries, 42 total; for 2014: 3 with injuries, 38 total; data from reports with “YTD” numbers representing a full year.

7. Last year (2014) relative to first year of Zero Tolerance (2011) using monthly averages: stops, $90/170=53\%$; citations, $50/101=50\%$; accidents, $38/21=180\%$. See footnotes 5 and 6.

8. Compiled data, as in footnote 4, for 2015 (no relevant data found for May).

9. December 2011 Police Department Report, page 35 of January 2012 Agenda Packet.

Kevin Hart

From: Marilyn Stollon <mstollon@sonic.net>
Sent: Monday, October 19, 2015 5:16 PM
To: Kevin Hart
Subject: Fwd: Examples of Action Minutes; suggestions for next board meeting , sent previously
Attachments: kmac notes example, part of a recent mtg.docx; proposed exampleofMinutes.docx; EC councilMinutesExample.docx; MinutesTown of Moraga.docx

Chief Hart,

I sent this when the "S" hit the fan, and thought it might get buried in your emails. So I am resending it to you for the next board meeting, if it gets taken up.

Marilyn Stollon

Begin forwarded message:

From: Marilyn Stollon <mstollon@sonic.net>
Date: October 13, 2015 3:21:10 PM PDT
To: Kevin Hart <Khart@kensingtoncalifornia.org>
Subject: Examples of Action Minutes; suggestions for next board meeting

GMCOP Hart;

Here are some examples of action minutes : **KMAC, EC Council Minutes, KPPCSD, Moraga Minutes** demonstrating current minutes, pure action minutes and abbreviated summary minutes. I am also including the link to Moraga's council meetings which has the full abbreviated action minutes.

El Cerrito has video/audio with a drop down menu identifying each area of the agenda covered with the agenda right next to it as it plays, similar to Dublin. They have written minutes, I presume as a back up and to provide written notes for those whose computers can not handle video or streaming very well, or if they dont have a computer . Perhaps part of a need to accommodate the many.

I hope that the board adopts a short summary abbreviated minutes, so that someone could read the minutes and go back to the video and find the spot that they might want to hear. It is too hard to rely on video only because our present system for a 2-3 hour meeting has no delineation on the video to help the viewer find a section, and it is hard to transcribe what someone says, therefore a hybrid is really necessary.

As I indicated in my oral comments at the board meeting, I believe that this board is dysfunctional and has been for a very long time and easily falls back into its old ways of avoiding the Brown Act etc. We need to have the public record in hard copy, it is too easy for

tapes to be erased, skipped sections, technical problems have abounded over the years , where it was impossible to hear what anyone said. We need to have a paper back up with the salient points of every public official and residents.

Please feel free to send this to other board members, as it seems Mr. Toombs does not understand about action minutes, and Mr. Welsh seems inclined to have nothing but a name. Since we compare ourselves to Moraga, EC for PD salaries etc. it seems fitting to use these towns for council meeting examples.

Sincerely,

Marilyn Stollon

If you can not open the docx, let me know and I will resend as a .doc.

[http://www.moraga.ca.us/council/meetings/2015/062415/062415 TC Minutes REG Final.pdf](http://www.moraga.ca.us/council/meetings/2015/062415/062415%20TC%20Minutes%20REG%20Final.pdf)

*** **Berkeley** has no real defined minutes, but has live webcasts, live streaming/Internet, video, podcast (MP3 or MP4), cable B-TV, KPFB radio for all of its meetings, and this is maintained and updated on their website, so that you can pick and view an agenda, annotated agenda, video, live webcast or audio video this in addition to viewing it on TV several times etc.

Their agendas have numerous items on it and due to the volume of material to be covered there are limits on speakers and times.

KMAC Action Notes, with abbreviated summaries

GMCOP Hart:

Here is a current example of KMAC meeting notes, I abbreviated it to include an example of public comments at the beginning of the session, and then an example of a homeowner's proposal.

KENSINGTON MUNICIPAL ADVISORY COUNCIL REGULAR MEETING NOTES - DRAFT

CONFERENCE ROOM, COMMUNITY CENTER 59 ARLINGTON AVE.,
KENSINGTON, CALIFORNIA

Tuesday, September 29, 2015 7:00 PM

1. Roll Call - Catherine, Patrick, Walter and Chris

2. Citizens' Comments:

Name of Person- Concerned about notification process did not receive notification for issue concerning her and or impacting her property. Looking to see if County would mail notice to home owners. Asking how big we want Kensington, concerned about the size of properties approved lately.

Name of Person- Concerned about notification process for KMAC projects. Would like the bylaws changed to include mandatory notification. Concerned about large additions being approved over threshold.

Name of Person- Poor notification of KMAC meetings and limited availability of information on KMAC and process

Name of Person- Appreciates the volunteer hours provided by KMAC members. Feels the applicant should be encouraged to communicate with neighbors. Concerned about notification and overall process regarding development process in Kensington.

5. 215 Columbia Ave. (DP15- 3012)

The applicant requests approval of a development plan for a Kensington design review to construct an addition of approx. 579 SF to an existing single family residence that will make the gross floor area 2,778 SF (where the threshold maximum is 2,600).
Continued Hearing

Patrick Marasco (Applicant) 215 Columbia - Appreciates the neighbors willingness to work with him on the project to provide feedback and improve the project. He has done all they can to modify the project to meet the needs of a growing family and the property

they are in. He is proposing a second level addition in a community that has many two story homes. He is looking to shift the second story mass to reduce the impact on neighbors while still accomplishing their family objectives.

The applicant has requested a continuance to work with the neighbors to review the revised project to determine impacts.

Wade Skeels (Architect) - He has worked with the applicant to try to meet their needs while mitigating impact on the neighbors. He has reworked the project again with additional feedback from neighbors and KMAC. The goal of the new design is to mitigate the concerns of the impacted neighbors.

Michael Lasmanis – 225 Columbia - (neighbors to the South)- He is still undecided about providing support of the project and appreciates the applicants efforts to mitigate the impact on his view.

Dale Power – 1 Norwood View- Supports the project and believes the applicant has been very considerate of and is working with his neighbors to achieve a positive end for both his family and the community.

David Yarnell – 218 Colgate - (South neighbor to the rear) - Supports development but is concerned about the impact on his views and appreciates the applicants attempts to modify the project. He would like to see new story poles that represent the new proposal.

Terence Hawley – 212 Colgate - (North neighbor to the rear) - Opposes project and is very concerned about the impact on his parents home and appreciates the applicants willingness to modify the project. He would like to see new story poles to understand the impact of the modifications. He is still opposed to the revised project which was discussed at the meeting , but is willing to review the modifications.

Motion to approve a continuance to allow the applicant to install new story poles and file plans with the County.

Ayes 4 Patrick, Catherine, Walter and Chris / Nays 0

6. Adjournment: 8:55

Comparison of Current, Action and Modified Action Minutes as it Pertains to Public Comments at Kensington Board Meeting: Feb 12, 2015

October 13, 2015

Here is an example taken from the record of existing minutes, what it would be like if action minutes style was applied and /or if a summary was applied in the style of KMAC notes.

February 12, 2015 board meeting minutes

Board President's and Pat Gillette's comments regarding legality of issues were provided in detail. Not included here in this example.

Public Comments

This was regarding Police Chief Harman's performance and the investigation, taken in order verbatim from the written minutes.

Current Record: Example #1

Cath Delaney, a Lake Drive resident thanked the Board for its public service. She said she was the daughter of a police officer and therefore understood the tenet of a policeman's weapon. She said she was concerned about the police officer's weapon and that as a mother she was concerned that one of the officers had been involved with prostitution. She also said she wanted to address the inherent conflict of interest in the way the community was run. She said this might mean disbanding our police force and joining another police force so there would be more transparency and accountability.

Action Minutes

Cath Delaney, Lake Drive, resident commented

Brief Summary

Cath Delaney expressed concerns about the loss of the police officer's weapon, and his actions. There is an inherent conflict of interest in the way the community is run and said disbanding our police force and joining another force may result in more transparency and accountability.

Current Record : Example #2

Ava Schuing said she was concerned about leadership. She said she wanted to connect the police situation to the budget issue. She expressed concern that the police officer leading the negotiations for the police with the Board. She asked why

the board had allowed this to happen. She questioned why the Board was considering a four year contract that guaranteed jobs and increases.

Action Minutes

Ava Schuing commented.

Brief Summary

Ava Schuing expressed concerns about leadership, that the police officer in contention was leading negotiations with the Board, why had this happened and why the board was considering a four year contract with increases and job guarantees.

Current Record: Example #3

Garen Corbett said he didn't envy the Board's responsibilities and that he didn't appreciate the poor reputation being seen of Kensington in the media. He said that during his three years as homeowner he'd been saddened by the level of divisiveness. He said there was a general lack of oversight, the budgets were made up of very optimistic assumptions, there was a lack of long term planning and personnel management had been inadequate. He recommended that the role of GM and COP be separated. He said the GM had lost the community's confidence and that his handling of the Reno events had magnified his view. He said that the gmcop's contract should not be renewed . He concluded by saying the MOU should be delayed and that there should be a fresh look at the budget projections.

Action Minutes

Garen Corbett commented.

Brief Summary

Garen Corbett said there was a general lack of oversight, the budgets were made up of very optimistic assumptions, there was a lack of long term planning, and personnel management had been inadequate. He recommended the role of GM and COP be separated. The GM lost the community's confidence; his contract should not be renewed . The MOU should be delayed , and a fresh look at budget projections.

Conclusions

***From these examples, I would suggest that modified action minutes be recorded which captures the essence of the comments. Otherwise, key information is lost. In combination with decent video/audio a person could go back and find the comments they are interested in.

EL CERRITO CITY COUNCIL

MINUTES

REGULAR CITY COUNCIL MEETING

Tuesday, May 19, 2015— 7:00 p.m. City Council Chambers

PUBLIC HEARING:

Mayor Friedman opened the public hearing.

APPELLANT PRESENTATION: Howdy Goudey, and Robin Mitchell, El Cerrito, made the appellant presentation.

APPLICANT REBUTTAL: Carl Campos, Project Architect, LCA Architects.

PUBLIC TESTIMONY. Seven speakers.

Tom Panas, El Cerrito, queried whether the handling of stormwater on the site needs to be reconsidered for the site. Mr. Panas noted that between the additional water being added to the creek during a storm and the turbulence that will be created in the creek channel it appears that there may be a possibility that creek overflow may undermine the stonewalls of the creek. A much better solution would be a stormwater retention system as recommended by the State Water Resources Control Board instead of the system as proposed.

Arlin Robins, El Cerrito, stated the City is willing to encroach upon an existing ordinance and mandate that protects the creek for the sake of a developer who is trying to make the highest possible profit. There is a lot that could be done with the property to protect the existing creek by fifteen feet on either side. It is the responsibility of the Council and staff to look at the whole project and its impacts not only on the Elm Street property but also on the environment and people. Ms. Robins urged the City to take one more look and see if there is a way to reduce the size of the project and number of units and increase the distance between the building and the creek.

BJ Thorsnes, El Cerrito, stated that everyone is concerned about the creek, particularly the fact that buildings will be four feet from the creek. Ms. Thorsnes stated that the community does not agree with what the City is doing on many things and said that the community needs a better dialogue about development.

**Town of Moraga
Town Council Regular Meeting
June 24, 2015**

Minutes

Public Comments Opened

Fanny Wilson, Moraga stated she had attended the March 25 Town Council meeting, at which time she had raised concerns about a property on Wandel Drive , and had requested the Council strengthen its Loud and Unruly Party Ordinance. Although a resident of the Wandel Drive property had also spoken at the meeting to apologize for his fellow residents loud and unruly behavior, shortly thereafter, residents of the property had a party and had thrown beer bottles off the roof. In that case, no citations had been issued by the Moraga Police Department.

Ryan Lolles, Moraga, reported that he had contacted the Moraga Police about unruly behavior at a property located on Whitethorne , which was located directly behind his residence. He supported amendments to the Town's ordinance, advised that the Moraga Police had been extremely responsive to his calls, and encouraged the Police to issue citations when vioations occurred. He urged the Council to support a request for extensions to the existing ordinance and a requirement that landlords register their tenants.

Comments and reports by public officials are also brief and to the point.

The link below has complete minutes which could not be cut and pasted.

[http://www.moraga.ca.us/council/meetings/2015/062415/062415 TC Minutes REG Final.pdf](http://www.moraga.ca.us/council/meetings/2015/062415/062415%20TC%20Minutes%20REG%20Final.pdf)

Memo:To the Board and Interim Chief Hart; pls include in the record

From: Marilyn Stollon
November 12, 2015

My question is: the chief is now into 6 months of his interim term, and wouldn't it be wise for the board to begin discussion pertaining to separating the gmcop position and including the public and PLG. I raise this because it has been said here, and on ND that we need to wait for the adhoc committee, well the reality is the adhoc is taking a longer time to become a productive committee, and most likely wont have any findings in the near term, in spite of their good intentions.

I believe that the due process breaches are a major concern and a threat to the town that I believe the board really has no choice, but to step over the adhoc process and engage in discussion to remedy this situation. You may say that there are 2 investigations going on now and that due process is being done, but I and others ask, is that the best way to best manage a town, by crisis management, rather than proactively having a process in place that is legal and fair.

I would like to suggest as it has been suggested at minimum 8 times before at board meetings in April 2009, Oct 2010, July 2011, Dec 2012, Jan 2013, Feb 2013, Feb 2015, April 2015, and now Nov 12, 2015 that the board put this on the agenda and begin preliminary discussions of this long overdue topic. We are the only small town with a combined position in the area, (Moraga, Hercules, Tiburon, Fairfax, etc), all have 2 positions.

We are unable to provide due process to citizens and employees due to a clear unintended conflict of interest, as we have seen recently with our board member and repeatedly in the past i.e. Escobar, and others comes to mind. By discussing this at board meetings over time, we have the benefit of asking the Public Law Grp questions pertaining to liability, costs of potential litigation again, discussion of scenarios with and without a split position.

We have a ticking time bomb that is a threat to the board and ultimately to our financial stability. If the majority board does not see that now, after all that has occurred and will potentially occur, then I really don't know what will spur you on to take this seriously, other than another crisis.

Action Summary for Ms Wolter:

Ms Stollon asked that the board consider discussing the GMCOP split for several reasons: the expiring term of the interim chief, the slow progress of the ad hoc committee and the current due process breaches that occurred recently and in the past. She reminded the board that the issue had been raised no less than 9 times and not acted upon since 2009. She stated similar towns have split positions, and encouraged the board to begin the dialogue to avoid the potential threat of other situations coming up and putting the district at financial risk.

November 12, 2015

Dear Directors:

Last June, an article written for the *Outlook*, by Board members Welsh and Toombs commended Board members Gillette and Sherris-Watt for their "terrific job managing the selection of candidates for an interim general manager-chief of police." Similarly, an article in the July/August edition of the *Outlook*, written by Board member Sherris-Watt, states that the Board selected Kevin Hart to fill the position of "interim General Manager-Chief of Police." On August 14 the employment agreement for the Interim General Manager/Chief of Police was signed. Mr. Welsh signed on behalf of the Kensington Police Protection and Community Services District Board of Directors and Mr. Hart signed under the title Interim General Manager/Chief of Police.

Why then has Mr. Hart dropped the term interim? Mr. Hart identifies himself as: Kevin E. Hart, Chief of Police or General Manager without the term "interim". Omitting "interim" is misleading because it conveys the impression that the job has become permanent.

It appears that on his own, Mr. Hart has chosen to drop any reference to the "interim" nature of his employment, and the community is experiencing what might be called "tenure creep."

It is certainly reasonable to expect that anyone who serves in an official capacity and who is in a position to use official letterhead should be expected to accurately identify his or her rank and status of employment. Such accuracy on a public document is the most basic kind of good public information.

I have three communications to illustrate my point about accurate identification of an employee's interim status:

One example comes from the business sector. It's from East Bay Regional Data, Inc., an organization that maintains data for Bay Area real estate agents. The writer identifies himself as Bob Bemis, Interim CEO, East Bay Regional Data, Inc.

Another example comes from academia. Correspondence from the Mathematics Department at UC and is signed by Craig Evans, Interim Chair, Mathematics.

A third example can be found in the June, 2015 edition of the Kensington Outlook where Alma Key identifies herself as Interim Managing Editor.

It is not my intention to be disrespectful to Mr. Hart, but I wish to remind him that the KPPCSD board was very clear about the interim status of his position when his appointment was announced.

I believe the KPPCSD Board has two choices in this matter. It can instruct its employee to accurately self-identify, when acting in his official capacity, or it needs to explain to the community any assumptions about the terms and conditions of Mr. Hart's employment that have changed since he was appointed "Interim General Manager/Chief of Police."

Thank you,

Celia Concus

attached:

News Release from KPD, 10/27/15

General Manager, October 2015 Report

EBRD message to subscribers

UC Mathematics Dept notice of Town hall meeting



KENSINGTON POLICE DEPARTMENT

217 ARLINGTON AVENUE / KENSINGTON, CALIFORNIA 94707
TEL: 510-526-4141 FAX: 510-526-1028

Kevin E. Hart
Chief of Police

Release #: 2015-09

Release Date: 10/27/2015

NEWS RELEASE

Suspicious Death

On Tuesday, October 27, 2015, Kensington Police Officers were dispatched to the corner of Cowper Avenue and Highland Blvd. for a medical emergency. KPD Officers and Kensington Fire Department Engine 65 personnel responded to the scene. Fire personnel quickly determined that the unresponsive adult female was deceased due to an unknown cause. The scene was secured due to the unknown cause of death. The investigation is pending the Contra Costa County Coroner's final disposition.

General Manager October 2015 Report

General

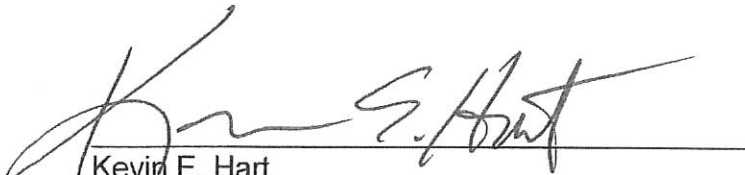
We continue to explore audio & video recording capabilities for the community center. I met with the KIC who expressed interest in developing a partnership in the funding of the system. I will be meeting other K groups next month to discuss the partnership idea. In addition, we are exploring options to enhance the audio to assist those with hearing difficulty and disabilities in order to meet ADA requirements.

I attended a four day course on the Role of the Chief of Police this month. Topics discussed were expectations of city managers and elected officials, professional expectations and development, labor relations and personnel issues, organizational development and change, public engagement, crisis communications and leadership, contemporary legal issues, emerging issues in policing, and leading in a political environment.

Work continues on improving the website to make it easier for the community to use and become ADA compliant.

The tree pruning was completed around the Community Center to ensure fuel reduction in the area. This was accomplished with the assistance of the Diablo Firesafe grant the District received.

The Citizen Academy started on October 7th and is in full swing. Topics covered so far are ethics and professional standards, crime prevention, crime scene investigations, emergency management and disaster preparedness.



Kevin E. Hart,
General Manager



11/4/2015

To all EBRD Subscribers:

On Wednesday, October 28, we experienced a failure in the on-line registration and reporting system that handles broker open houses and tours. The Paragon computer system was changed to make improvements in the tour functionality. Unfortunately, those changes were not communicated to you prior to the change, so the system appeared not to be working at all. The system was restored to its former working state shortly after the problem was identified.

I would like to be able to blame this incident on some computer failure or programming glitch, but that was not the case. The problem was the direct result of my failure to coordinate this change properly with the staff at EBRD and communicate the change to the membership. For that oversight, you have my sincere, personal apology. We will work hard to make sure the next tour update is properly installed with sufficient advance notice for you to make full use of the new capability.

Sincerely,

Bob Bemis
Interim CEO
East Bay Regional Data, Inc.

1000 Burnett Avenue Suite 250
Concord, CA Zip 94520

See what's happening on our social sites





Town hall meeting next week

From: Craig Evans
Date: November 5, 2015 at 3:51:18 PM PST
To:
Subject: Town hall meeting next week

To the Mathematics Department:

I am writing to announce a special town hall meeting to be held next week:

Tuesday, Nov 10, 5-6 pm in 1015 Evans Hall.

Attending will be Executive Vice Chancellor and Provost Claude Steele, Vice Provost for the Faculty Janet Broughton, MPS Dean Frances Hellman and Title IX Office Director Denise Oldham.

The main agenda will be a discussion of sexual harassment and aggression issues and general climate concerns.

Craig Evans
Interim Chair, Math Department

46

Kevin Hart

From: Marilyn Stollon <mstollon@sonic.net>
Sent: Monday, November 16, 2015 8:39 PM
To: Len Welsh GMail; rriddle@publiclawgroup.com; terry@calaware.org; tpeelee@bayareanewsgroup.com
Cc: Pat Gillette; Chuck Toombs; Rachelle Sherris-Watt; Vanessa Cordova; Kevin Hart
Subject: Denied to get on the agenda, Re: Conflict of Interest, GM/COP split

Len:

In response to your comments, you indicated that as Board president that the request to put public discussion of splitting the GMCOP on the agenda was denied again, I have a few comments and questions:

A question: I understand per the manual that the Board president supposedly has no control of the agenda, only the GM does, so why are you making the call for this not be on the agenda? Is it the GM's conflict of interest?? I understand that all directors are equal, per the manual, although from the meetings one might think otherwise.

I do not agree that having this on the agenda for discussion purposes would not benefit the board. I quote from the Policy Manual:

"It is incumbent on the Board of Directors to become aware of these needs and concerns through public study sessions, monitoring feedback on the utilization of services and other means of determining public interest as may become useful."The discussion at a board meeting is a method for you to become aware of the needs and concerns of the public. The adhoc committee is not the board. A simple request to hear from the public and as predictable as rain, you say NO...I called it and here it is.

I do feel that my rights are being abridged as a citizen requesting that the board after 7 years hear the public's concerns regarding this topic. It is pertaining to district business, it is timely, it dovetails with the adhoc committee. Now I understand that Rick Artis, your appointee is doing some of his own research into the gmcop area and conferred with me, this seems to be outside of committee, since as I recall they have not made

assignments, but I may be wrong. Nevertheless, are you waiting for him to complete his research?

So, by keeping the GM and Chief of Police positions combined, do you really think that you are saving money, that you can use an independent evaluator or call for an outside investigation, when there is an issue with the COP. May I ask what is the cost of the Richmond PD investigation is, and the related PLG costs? Do you have any idea of the ongoing legal costs to this town?? \$200, 000 this year from January to now, and it's not over yet. And close to a million from previous estimates of settlements and cases in the past few years. And I gather that the Board will provide "oversight", as they have been doing for years, is that right?

And the legal opinion from PLG on the combined position as you say will be completed as soon as it is "reasonably possible" , will that be in a week or two, or are we stalling for Dec, Jan, Feb?

Now you have said No for it being on the agenda in December, I am now going to officially ask for it to be an agenda item for January, February, and March. Thinking ahead...will you confirm January for a discussion of splitting the GMCOP position to hear public concerns about this clear conflict of interest?

Len, let me remind you that when you came out of the closed session, you said that the GM was conflicted out of the closed session as it pertained to the MOU KPD negotiations. A basic management duty that he can not oversee or participate in because of conflict of interest limitations in the government code!

Lastly, you mention to "leave the analysis of options to the ad hoc committee..." regarding governance. Please keep in mind that you charged the committee with comprehensive fact finding, not analysis, since Pat eliminated recommendations. Thank you for taking the time to respond.

Sincerely,

Marilyn Stollon, pls include in the record.

Kevin Hart

From: Mstollon <mstollon@sonic.net>
Sent: Thursday, November 12, 2015 10:21 PM
To: Kevin Hart; Lynn Wolter
Subject: ltr to board, presented at board mtg, 11/12/15

Digital copy same as the hard copy given to you, for the record
Thx,
Marilyn Stollon

Subject: ltr to board, presented at board mtg, 11/12/15

To the Board and Interim Chief Hart

From: Marilyn Stollon

November 12, 2015

My question is: the chief is now into 6 months of his interim term, and wouldn't it be wise for the board to begin discussion pertaining to separating the gmcop position and including the public and PLG. I raise this because it has been said here, and on ND that we need to wait for the adhoc committee, well the reality is the adhoc is taking a longer time to become a productive committee, and most likely won't have any findings in the near term, in spite of their good intentions.

I believe that the due process breaches are a major concern and a threat to the town that I believe the board really has no choice, but to step over the adhoc process and engage in discussion to remedy this situation. You may say that there are 2 investigations going on now and that due process is being done, but I and others ask, is that the best way to best manage a town, by crisis management, rather than proactively having a process in place that is legal and fair.

I would like to suggest as it has been suggested at minimum 8 times before at board meetings in April 2009, Oct 2010, July 2011, Dec 2012, Jan 2013, Feb 2013, Feb 2015, April 2015, and now Nov 12, 2015 that the board put this on the agenda and begin preliminary discussions of this long overdue topic. We are the only small town with a combined position in the area, (Moraga, Hercules, Tiburon, Fairfax, etc), all have 2 positions.

We are unable to provide due process to citizens and employees due to a clear unintended conflict of interest, as we have seen recently with our board member and repeatedly in the past i.e. Escobar, and others comes to mind. By discussing this at board meetings over time, we have the benefit of asking the Public Law Grp questions pertaining to liability, costs of potential litigation again, discussion of scenarios with and without a split position.

We have a ticking time bomb that is a threat to the board and ultimately to our financial stability. If the majority board does not see that now, after all that has occurred and will potentially occur, then I really don't know what will spur you on to take this seriously, other than another crisis.

Lynn Wolter

From: Marilyn Stollon <mstollon@sonic.net>
Sent: Tuesday, November 10, 2015 4:19 PM
To: Len Welsh; Pat Gillette; Rachelle Sherris-Watt; Chuck Toombs; Vanessa Cordova; Kevin Hart; Lynn Wolter
Subject: re MOU and possible additional language

Dear Board Members,

I have been reviewing various MOUs and town governance and comparing them to Kensington, I would like to make a suggestion, if I may to be forwarded to the negotiator, PLG for consideration. But perhaps, such language is already being included to strengthen the MOU to the benefit of Kensington, in order to provide financial flexibility in managing our town.

Fairfax which is similar to Kensington with an independent police force has a Town Manager, Finance Director, Town Council and Mayor for governance. In their recent MOU the following wording is pertinent to Kensington I believe. I notice that this occurs in other small towns as well.

Fairfax--Town has the right to manage and direct its business and personnel, to create, change combine, abolish jobs, depts, to subcontract or discontinue work for economic or operational reasons, to direct the work force, to increase or decrease the work force and determine the number of employees needed, to hire transfer, promote and maintain the discipline and efficiency of its employees, to establish work standards, schedules, reasonable workloads...to adopt rules of conduct and penalties for violations thereof...

Moraga, which has a town council and town manager, cop, has similar wording as follows:

Except as expressly modified or restricted by a specific provision of this Agreement, all statutory and inherent managerial rights, prerogatives, and functions are reserved and vested exclusively in the Town, including, but not limited to the following rights: to manage, control, and determine the mission of the Town's constituent departments, building facilities and operations; to set standards of service and productivity; to maintain the efficiency of operations; to determine the personnel, methods, means, facilities, and technology by which operations are conducted; to assign, repair, inspect, and retrieve Town property and leased space; to establish and determine the content of job classifications; to determine the procedures and standards of selection for employment and promotion; to establish initial salaries of new classifications after notification of the Association; to hire, transfer, promote, and maintain the discipline and efficiency of its employees; to manage, direct, and control employees and their work assignments; to counsel, reprimand, suspend, discharge, or otherwise discipline employees; to determine the number of employees to be

employed; to increase or decrease the work force; to transfer or lay off employees for lack of work or other legitimate reasons, or to recall laid off employees to work; to establish the starting and quitting time and the number of hours and shifts to be worked; to establish work standards, schedules of operation, and reasonable work load; to specify or assign work location, work assignments and require overtime; to adopt rules of conduct (including acceptable dress standards) and penalties for violation thereof; to expand, reduce, alter, combine, or cease any job, department, policy, operation or service; to subcontract, contract out, close down, discontinue, or relocate the Town's operations or any part thereof; upon reasonable suspicion of impaired ability on the job because of alcohol and/or drug use, to require employee physical examinations and tests endorsed by a physician and paid for by the Town; to take action deemed (in the Town's discretion) to provide for the safety of employees, clients, and constituents; to adopt, implement, enforce and (from time to time) modify or rescind safety and work rules and regulations; to take all necessary actions to prepare for and carry out its mission and operations in emergencies; and to take whatever other action is necessary or advisable, in the Town's discretion, to determine, manage, and fulfill the mission of the Town.

Sincerely,

Marilyn Stollon

pls include in the record

Lynn Wolter

From: Jan Behrsin <jbehrsins@gmail.com>
Sent: Thursday, November 12, 2015 3:31 PM
To: Chuck Toombs; Len Welsh; Rachelle Sherris-Watt; Vanessa Cordova; Pat Gillette
Cc: Lynn Wolter; Kevin Hart
Subject: REQUEST THAT THIS LETTER BE ENTERED INTO THE RECORD OF TONIGHT'S KPPCSD NOVEMBER 12, 2015 BOARD MEETING

Dear KPPCSD Board:

The last that I recall, Mr. Toombs' agenda for the adhoc committee to report out on the question of whether the COP position should be separate from the GM position had the report coming just prior to the November 2016 election. I do not know if this has been revised. This important question must be addressed sooner without delay.

According to the Interim COP/GM contract posted on line at the KPPCSD website, Interim COP/GM's contract

"shall be in full force and effect June 8, 2015 or upon Hart passing the District's full hiring process, which includes a background check and all required testing, whichever is later, and March 1, 2016."

Thus, the Interim COP/GM's contract expires approximately 100 days from today.

The contract goes on to provide:

"By mutual agreement of the parties, the term of this Agreement may be extended until June 1, 2016."

If there is the possibility that the District will have a new permanent COP and or the legally required General Manager in as little as 100 days from today, it seems the Board would want to know (as would Mr Hart) long before the expiration of the next 100 days, whether the community will have two positions--COP and General Manager-- so that the Board knows on what basis to start advertising and begin interviewing candidates for the permanent COP and/or General Manager position(s).

My recollection is that Mr. Toombs set a time just before the November 2016 election for the adhoc committee to report out on this question of separation of positions. In terms of timing, we see that just won't do.

A threshold undertaking, it seems to me, is to obtain advice of our legal counsel whether despite the California Government Code mandating that a District have a General Manager to hire, fire, supervise all District employees, and despite the COP being a District employee, it is legally permissible without creating an impermissible conflict of interest, for the employee to be supervised by and accountable to himself in the role of "supervisor," i.e. General Manager.

It seems to me that even if legally permissible to combine the two positions, our community's sad history over the past 7 or so years, demonstrates that the Board is either unwilling or incapable of supervising the COP, and having the COP, wearing the GM hat, supervise himself, has not proven to be a workable construct. This construct, where the "supervisor" and "supervisee" positions are held by the same person, does not do justice to the system of checks and balances the legislature had in mind in enacting the Government Code provisions mandating that each District have a General Manager to hire, fire, supervise, and discipline all District employees-- including the employee who is the COP. Note that there is no legal requirement that each District have a COP.

Unless the establishment of the adhoc committee as well as the designation of the position of COP/GM as "interim" are a sham intended to delay and deceive the community until the November 2016 election, there is a lot of immediate

work that needs to be done -- NOW-- to get the legal issues resolved and to assess the will of the community on whether, if legally permissible, the GM and COP positions shall be separate or consolidated.

Respectfully submitted for your consideration,
A. Jan Behrsin, resident

Office Report prepared by Marty Westby, Administrator
Kensington Community Council Board Meeting
December 7, 2015

KASEP:

FALL KASEP classes end Friday, December 18th.

Winter KASEP online registration was Tuesday, December 1st and continues throughout December. Winter KASEP classes start Monday, January 4th.

One hundred and thirty-four families (134) logged onto the system December 1st at 7:30pm and enrolled their children, filling 323 spaces in the first hour of registration. Many of the 53 KASEP classes offered are filled. Notification of classes with spaces left was emailed to families who are still looking for classes.

Winter KASEP session lost two teachers: Jose Rodriguez, Pokémon (moved to Hayward), and Erich Lindemann, Lacrosse (fall sport). We hope to have Lacrosse return Fall 2016.

The KASEP Winter Celebration, showcasing student work, is scheduled for Thursday December 10th from 5:00 – 6:00pm at the community center. KASEP Drama will be first on the program, followed by Recorder students, Karate, and Circus.

The office will be closed during the school break, December 21 - January 1, 2016.
WINTER KASEP Classes start Monday, January 4, 2016.

KCC Classes and Events:

KCC Adult exercise classes: Jazzercise, Body Sculpting, and Acrylic Artists, are taking a winter break, December 18th -and returning the week of January 4, 2016.

KCC Administrative:

Invitations to attend the Annual KCC- K Group meeting, scheduled for Monday January 11th at 7:30pm will be mailed out the week of December 14th. The meeting will be held at KCC's Recreation Building/ Building E. All Kensington Community Council "K" groups and Hilltop School Parent Groups are invited to attend.

KCC's Annual Fall Fund Drive continues with many generous donations and thanks to our community.

TLC work on KCC's Recreation Building is complete. Eleven new chairs, replacing cracked and aged chairs, were ordered and received.

December 2015

December 2015							January 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Nov 29	30	Dec 1	2	3	4	5
	7:00pm **Cub Scouts** (CCM) 7:00pm KCC Mtg (CC3)	7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	7:00am AA (CCM) 7:00pm Citizen's Academy (CCM)	7:00pm Ad Hoc Mtg (CCM) 7:15pm EBC (CC1)	6:00pm CC Rental (CCM)	12:00pm Girl Scout's Winter Crafts Faire (CCM)
6	7	8	9	10	11	12
	7:00pm **Cub Scouts** (CCM) 7:00pm KCC Mtg (CC3)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM) 6:00pm GPFF Holiday Dinner (CCM) 7:00pm *KED Mtg (CC3) 7:00pm Citizen's	6:00pm KPPCSD Mtg (CCM)	6:30pm Girl Scout's Holiday Craft Faire (CCM)	
13	14	15	16	17	18	19
	7:00pm **Cub Scouts** (CCM)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM) 7:00pm Parks Bldg Committee (CC3) 7:00pm Citizen's Academy (CCM)	7:15pm EBC (CC1)		
20	21	22	23	24	25	26
	7:00pm **Cub Scouts** (CCM)	7:30pm *Boy Scouts (CCM)	7:00am AA (CCM) 7:00pm Citizen's Academy (CCM)			4:00pm CC Rental (CCM)
27	28	29	30	31	Jan 1, 16	2
	7:00pm **Cub Scouts** (CCM) 7:30pm *KIC (CC3)	7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	7:00am AA (CCM) 7:00pm Citizen's Academy (CCM)			

January 2016

February 2016

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

January 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
31						

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Dec 27	28	29	30	31	Jan 1, 16	2
3	4 7:00pm **Cub Scouts** (CCM)	5 7:30pm *Boy Scouts (CCM)	6 7:00am AA (CCM) 7:00pm Citizen's Academy (CCM)	7 7:00pm Ad Hoc Mtg (CCM) 7:15pm EBC (CC1)	8	9 6:00pm CC Rental (CCM)
10	11 7:00pm **Cub Scouts** (CCM)	12 7:30pm *Boy Scouts (CCM)	13 7:00am AA (CCM) 7:00pm *KFD Mtg (CC3) 7:00pm Citizen's Academy (CCM)	14 6:00pm KPPCSD Mtg (CCM)	15	16
17	18 7:00pm **Cub Scouts** (CCM)	19 7:30pm *Boy Scouts (CCM)	20 7:00am AA (CCM) 7:00pm Park Bldg Committee (CC3) 7:00pm Citizen's	21 7:15pm EBC (CC1)	22	23 10:00am ad hoc
24	25 7:00pm **Cub Scouts** (CCM) 7:30pm *KIC (CC3)	26 7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	27 7:00am AA (CCM) 7:00pm Citizen's Academy (CCM)	28	29	30 6:00pm Hilltop 6th Grade Dance (CCM)
31	Feb 1	2	3	4	5	6

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

General Manager November 2015 Report

General

This month I attended the Contra Costa County Police Chiefs annual conference, as well as the National Cities Congress Conference. Both were extremely informative and worth attending. Multiple topics concerning law enforcement and community base related subjects were discussed. Attending the NCCC was at no cost to the District.

The citizen academy continues on schedule and has received very positive feedback on the course and instruction by participants. This month subjects included; Criminal laws, law of arrest, legal issues, use of force, evidence and DNA processing.

As you may recall, we received a 50% grant from Diablo Firesafe to perform some professional fuel reduction near and around the community center. After submitting the invoice for the cost of the work minus the 50% cost associated with performing the work, we received a check for the full amount. This means a savings of \$2,160., to the District. Please thank members of the Diablo Firesafe Council for the additional reimbursement.

Shasta Pumping Plant replacement Update- EBMUD's contractor has completed the temporary tank that will serve the area while the new tank is being built. Demolition of the old tank in progress. Demolition is expected to be completed in February 2016. Standard work hours are Monday-Friday 7:00am to 6:00pm. For more information about this project go to www.ebmud.com. Select construction project and scroll down to Kensington.

Work continues on improving the website to make it easier for the community to use and become ADA compliant.



Kevin E. Hart,
General Manager

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Staff Report for Agenda Item 5a. – Revising Rental Fees and Other Charges for the Use of District Facilities

To: Kensington Police Protection and Community Services District Board
From: GM Kevin Hart
Date: December 10, 2015

On April 12, 2001, the Kensington Police Protection and Community Services District Board unanimously approved Ordinance 2001-01 thereby revising “the rental fees and other charges for the use of District facilities.” A copy of this ordinance is attached.

During the intervening 14½ years, the Consumer Price Index for San Francisco – San Jose has averaged 2.43% annually, for a total increase of approximately 40%.

Spreadsheets containing relevant market data are attached.

Employing both a market-based analysis and a CPI-based analysis, I recommend that the Board consider revising fees and other charges as shown on the attached chart.

Should the Board wish to proceed, I’ll provide an ordinance for the Board to consider at its regular January meeting.

General Manager’s recommendation: Take public comment, deliberate, and authorize the General Manager to prepare a resolution reflecting these proposed fee revisions, as presented, for the Board to consider at its January meeting.

Community Center/Park Rental Comparison

Proposed Increase			
Kensington			
Community Center			
Community Center	\$125.00	\$150.00	4 hour min
Kitchen			
Side Room 1	\$35.00 W/O Kitch	\$45.00 W/O Kitch	4 hour min
Side Room 2	\$20.00 W/O Kitch	\$28.00 W/O Kitch	4 hour min
Side Room 3	\$55.00 W/O Kitch	\$65.00 W/O Kitch	4 hour min
Grassy Area			
Amphitheater	\$50.00 Flat Rate For Use Of		
BBQ	\$50.00 Flat Rate For Use Of		
Transfer of Date Fee	\$75.00 Flat Rate For Use Of		
Alcohol Permit For Non Sale	\$30.00		
Alcohol Permit For Sale requires ABC Fee plus	\$140.00		
Kensington Fee	\$140.00		
Key Deposit	\$125.00		
Cleaning Deposoit	\$250 without alcohol, \$500 with alcohol		
Kensington			
Park/Picnic Areas			
Picnic Area W/BBQ	\$73.00 a day	\$92.00 a day	
Transfer of Date Fee	\$17.00		

In order to rent Side Rooms 1-3, a lock would need to be added to the interior door that leads into the main hall.

Community Center/Park Rental Comparison

Community Center & Park Rental Fees	All Individuals/Groups	Resident	Non Resident	Hour Min.
Kensington Community Center Community Center Kitchen		\$75.00	\$100.00	4 hrs.
Side Room 1 Side Room 2 Side Room 3 Grassy Area Amphitheater BBQ				
Transfer of Date Fee				
Alcohol Permit				
Key Deposit	\$125.00			
Cleaning Deposoit	\$250 without alcohol; \$500 with alcohol			
Kensington Park/Picnic Areas Kensington Park		N/A		
El Cerrit6 Community Center Hall, Kitchen & Garden Skylight Room (Adjoining) Decoration/Rehersal/Clean Up (2hr Max day of event)		\$255.00 \$68.00	\$314.00 \$85.00	5 hrs. Saturdays, 3 hrs. Fri. & Sun. (25% off Fri. & Sun.)
Optional Clean-up Service Alcohol Permit Transfer of Date Fee	\$104.00 \$100-\$200 \$180.00 \$42.00			
El Cerrito Park/Picnic Areas Picnic Area W/BBQ Picnic Area W/O BBQ Arlington Areas # 5 & 6 Arlington Areas # 4, 5, & 6 Transfer Fee Restroom Key		\$73.00 a day \$62.00 a day \$137.00 a day \$210.00 a day	\$92.00 a day \$77.00 a day \$171.00 a day \$264 a day	
	\$17.00 \$17.00			

62

Community Center/Park Rental Comparison

Community Center & Park Rental Fees	All Individuals/Groups	Resident	Non Resident	Hour Min.
Albany Community Center	Community Based Organization(not for profit)	\$78.00	\$85.00	Fri. - Sun. 4 hr. min.
Community Center	Private Rental for Social or Fundraising Activities	\$106.00	\$113.00	Fri. - Sun. 4 hr. min.
Community Center	Commerical & Business	\$119.00	\$126.00	Fri. - Sun. 4 hr. min.
Albany Park/Picnic Areas				
Memorial East		\$16.00 an hour	\$18.00 an hour	4 tables, 1 standing BBQ, 1 Lg. BBQ
Memorial West		\$20.00 an hour	\$22.00 an hour	5 tables, 2 standing BBQ's, 1 Lg. BBQ
Entire Memorial Picnic Area		\$26.00 an hour	\$38.00 an hour	9 tables, 3 standing BBQ's, 2 Lg. BBQ's
Berkley Community Centers				
Frances Albrier Auditorium Kitchen	\$200.00 Deposit to hold date	\$96.00	\$80.00	2 hour min.
Insurance	\$59.00 Flat rate for use of Through homeowners or city - rates vary if going through city - depends on amount of people			
Set up cost	\$61.00 Flat rate			
Alcohol Not Permitted				
Jame Kenney Community Center				
Insurance	\$200.00 Deposit	\$65 W/O Kitchen	\$78 W/O Kitchen	2 hour min.
	Through homeowners or city - rates vary if going through city - depends on amount of people	\$83 With Kitchen	\$100 With Kitchen	
Alcohol Not Permitted				
Smaller Room - 25 People	\$200.00 Deposit	\$45 M-F	\$54 M-F	2 hour min.
Insurance	Through homeowners or city - rates vary if going through city - depends on amount of people	\$60 Sat-Sun	\$72 Fri-Sun	2 hour min.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**AMENDING ORDINANCE NO. 88-01
TO REVISE THE RENTAL FEES AND OTHER CHARGES FOR THE USE OF DISTRICT
FACILITIES**

ORDINANCE 2001-01

WHEREAS, Section 61621.5 of the Government Code authorizes the Board of Directors to adopt regulations binding upon all persons to govern the use of its park and recreational facilities and property, including regulations imposing reasonable charges for the use thereof; and

WHEREAS, the Board of Directors established such regulations and charges in Ordinance No. 88-01; and

WHEREAS, the Board of Directors amended such regulations and charges in Ordinance No. 93-01; and

WHEREAS, the Board of Directors now wishes to further amend Ordinance No. 88-01 in certain respects

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Kensington Police Protection and Community Services District that ordinance 93-01 be amended as follows:

1. **Section 2 – Rental & User Fee Schedule for the Community Center.**

Subsection D is amended to read as follows:

“D. Private Use

1. Six Month Contracts:

- | | | |
|----|-------------------------------|------------|
| a. | Main room and kitchen | |
| | Adult Group Use | \$33.00/hr |
| | Youth Group Use | \$13.00/hr |
| b. | Side room – all groups | \$13.00/hr |
| c. | Cleaning Deposit (refundable) | \$250.00 |
| d. | Lost key charge | \$25.00 |

2. All other uses:

- | | | <u>Residents</u> | <u>Non-Residents</u> |
|----|-----------------------|------------------|----------------------|
| a. | Main room and kitchen | | |
| | (Four Hour Minimum) | \$75/hr | \$100/hr |
| | Each Additional Hour | \$75/hr | \$100/hr |
| b. | Side Rooms (1&3) | \$25/hr | \$33/hr |
| c. | Side Room (2) | \$13/hr | \$17/hr |
| d. | Cleaning Deposit | \$250 | \$250 |
| | (Refundable) | | |

e.	Cleaning Deposit When alcohol permit issued (Refundable)	\$500	\$500
f.	Lost Key Charge	\$ 25	\$25
g.	Alcoholic Beverage Use Permit	\$100	\$100"

PART II – EFFECTIVE DATE

This Ordinance shall be in full force and effect thirty (30) days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District at a regular meeting thereof held on the 12th day of April 2001, by the following vote, to wit:

AYES: 5 Paul D. Haxo
Paul D. Haxo, President

NOES: 0 Patricia M. McLaughlin
Patricia M. McLaughlin, Director

ABSENT: 0 Joan K. Gallegos
Joan K. Gallegos, Director

Bruce V. Morrow
Bruce V. Morrow, Director

Ciara Wood
Ciara Wood, Director

Attest:

Diana Jones
Diana Jones
District Secretary

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Staff Report for Agenda Item 6b – Resolution 2015-08

To: Kensington Police Protection and Community Services District Board
From: GM Kevin Hart
Date: December 10, 2015

On April 12, 2001, the Kensington Police Protection and Community Services District Board unanimously approved Ordinance 2001-02, thereby “revising fees for certain police records and services.” A copy of this ordinance is attached.

During the intervening 14½ years, the Consumer Price Index for San Francisco – San Jose has averaged 2.43% annually, for a total increase of approximately 40%.

A spreadsheet containing relevant market data was presented to the Board at its November 12, 2015 meeting.

I recommend that the Board consider revising the fees for certain police records and services, which were last revised by the KPPCSD Board in 2001, as shown on the proposed Resolution 2015-08.

General Manager’s recommendation: Take public comment, deliberate, and approve Resolution 2015-08, as presented.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

REVISING FEES FOR CERTAIN POLICE RECORDS AND SERVICES

ORDINANCE 2015-08

WHEREAS, Section 61621 of the Government Code authorizes the Board of Directors to prescribe revise and collect rates or other charges for the services, including police services, which it provides; and

WHEREAS, fees for these services were codified and established by Ordinance 88-02 and revised by Ordinance 93-02, Ordinance 98-01, Ordinance 01-02; and

WHEREAS, the Board of Directors now wishes to revise the fees that the District charges for certain police records and services.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Kensington Police Protection and Community Services District as follows:

SECTION I – FEES

The fees for the following services shall be as follows:

LiveScan	\$85.00
Finger Printing	\$50.00 ink
Vehicle Release	\$150.00
Police Reports	\$20.00 + .15c per page
Accident Reports	\$20.00 + .15c per page
Clearance Letters	\$30.00
Non-Resident	\$40.00
Photographs	\$30.00 + fee to develop/media device
Electronic Records	\$50.00
VIN Verification	\$50.00
Vehicle Inspection	\$15.00
Citation Sign-off	\$20.00

SECTION II - REPEAL OF ORDINANCE 2001-02

Ordinance No. 2001-02 is repealed as of the effective date of this ordinance.

SECTION III - EFFECTIVE DATE

This ordinance shall be in full force and effect thirty (30) days after its adoption.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District at a regular meeting thereof held on the 10th day of December 2015, by the following vote, to wit:

Ayes:

Len Welsh, President

Noes:

Patricia Gillette, Vice President

Absent:

Chuck Toombs, Director

Vanessa Cordova, Director

Rachelle Sherris-Watt, Director

Attest:

Lynn Wolter,

District Administrator

2016 KPPCSD Goals

Community Relations

- Review ADA requirements for website and make changes.
- Work to run meetings with focus and brevity reviewing Robert's Rules of Order.
- Add stand-alone community calendar to website.
- Discuss community concerns and add to committee responsibilities as needed.
- Analyze lines of communication and how to utilize Next Door, Nixle, Facebook, etc., to promote community involvement.

Education

- Encourage participation by Board in yearly CSDA conference. Change date of October meeting.
- Review that education credit levels have been met by District Board and Staff.
- Create on-boarding procedures for newly elected directors.

Emergency Procedures

- Prepare emergency situation scenarios and courses of action in case of catastrophic events. Review with KPD, Board, KFPD and other K-groups.
- Designate areas of responsibility in emergency situations and update contact lists.
- Establish accounts for emergency supplies at local retailers.

Finance and Budgeting

- Review current banking practices and review financial processes.
- Explore possibilities for OPEB funding in addition to CalPERS.
- Add footnotes to monthly budget summaries.
- Add assumptions to proposed budgets.

Fire District Relations

- Participate in prescription drop-off events with KFPD.
- Explore development of a demonstration garden showing drought and fire resistant plants.
- Complete installation of a shed in Kensington Park measuring no more than 25' in length.

Intergovernmental Relations

- See Fire District Relations
- Review Board understanding of and involvement in, Lafco, CSDA.

Park Buildings

- Complete necessary minor repairs (approximate total \$2,000) to prevent damage to Community Center and Annex in event of an El Nino weather system.
- Create, distribute and tally results of a survey on use of the Community Center.
- Create an RFP for an architect to prepare preliminary drawings for seismic and ADA repairs to the Community Center.
- Prepare and submit proposal for WW Grant – deadline March, 31, 2016.
- Prepare map of park grounds including picnic areas. Create signage for each area.

- Prepare and propose reservation system for picnic tables on weekends and holidays. If adopted, add to the website.
- Receive updates from the KPSC concerning debris removal and review fuel reduction for building protection.
- Update sound system and recording of meetings to comply with ADA and improve ease of use.

Policy and Procedures

- Review financial procedures outlined by the Policy and Procedures manual and ascertain whether best practices are being followed. Rewrite policy if necessary.
- Review of Policy and Procedures manual. Bring monthly updates to the Board.
- Study meeting minutes provided by other jurisdictions to constituents. Possible adoption of new format.
- Establish meeting protocol – who sets up and takes down chairs, tables, and controls recording.

Public Safety Building

- Review condition of public safety building and explore possible options for future needs.

Solid Waste and Recycling

- Discuss possibility of community composting. Work with local Girl Scouts to review research and ideas for waste reduction.
- Annually review details of current garbage contract with the public.

Traffic Safety

- Request community input for establishing a list of safety "hotspots".
- Coordinate with county officials to remedy safety concerns.
- Work with Kensington Hilltop, area preschools, libraries and churches to provide safe conditions for children and elders during peak traffic times.

Additional Community Concerns

- Undergrounding of wires throughout Kensington.
- Community relations and resolutions with EBMUD.
- Establishing additional AC transit routes for students and commuters to El Cerrito.

The above is a list of possible goals for the 2016 calendar year. This list was created without consultation of other KPPCSD Board members or the GM/COP and reflects issues that have proved onerous, difficult or interesting to myself or were mentioned by constituents. Items pertaining to employees will be part of the goal process and released when vetted by the PLG. - Rachelle Sherris-Watt