



Agenda

Kensington Police Protection and Community Services District

**Board of Directors
Regular Meeting (Hybrid)
Thursday, February 9, 2023
7:00 p.m.**

**Kensington Community Center
59 Arlington Avenue, Kensington, CA
www.kppcsd.org/2023-02-09-kppcsd-board-meeting**

NOTE: Those attending the meeting in person must wear masks and observe social distancing. Please see Board approved Covid Protocols listed at the end of the agenda.

Virtual Access:

<https://us02web.zoom.us/j/87404251057?pwd=YkRTREVVeWtpM0JCNkIrUXhDZDhVdz09>

Zoom ID: 874 0425 1057

Passcode: 521476

On September 16, 2021, the Governor signed into law AB 361. AB 361 added Section 54953(e) to the California Open Meetings Act, California Government Code 54950 et seq. (“The Brown Act”). Section 54953(e) allows District’s legislative body, the Board of Directors, to hold meetings by teleconferences during a proclaimed state of emergency subject to the Board making findings specified in Section 54953(e)(2). The Board may continue to hold teleconferenced meetings during the state of emergency so long as at least every 30 days, the Board reconsiders the state of emergency to determine if remote meetings are warranted under Section 54953(e)(3). When holding teleconferenced meetings, the Board must comply with the notice, access, public comment and other procedure requirements of Section 54953(e)(2).

The Board may also hold hybrid meetings, where most or all of the Directors attend in person but the District offers the public the option of attending by Zoom or other teleconferencing methods. Please be advised that those participating in such meetings remotely do so at their own risk. The Board meeting will not be cancelled if any technical problems occur during the meeting

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PUBLIC NOTICE:

Tree Removal Schedule Update

Removal of diseased or dead trees at Kensington Park will occur

Monday, February 20, 2023 to February 24, 2023*

(*weather or other factors may alter the schedule)

Regular Meeting - 7:00 p.m.

Call to Order

Roll Call

Public & Consent Calendar Comments

All matters on the Consent Calendar are considered routine and are approved by one motion and vote, unless Board Member or General Manager first requests that a matter be removed for separate discussion and action. Individuals wishing to address the Board of Directors concerning Consent Calendar items or on matters not already on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President you will be unmuted and can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors, and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530, or llewis@kppcsd.org.

Consent Calendar

1. **Teleconference Meetings During State of Emergency**
Recommended Action: Adopt Resolution No. 2023-02 A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.
Contact: Ann Danforth, General Counsel, adanforth8@outlook.com
2. **Meeting Minutes for January 12, 2023 and February 1, 2023**
Recommended Action: Approve meeting minutes.
Contact: Lynelle Lewis, District Clerk, llewis@kppcsd.org
3. **Financial Reports**
Recommended Action: Receive and accept financial reports.
Contact: Lisa Mundis, Finance Director, lmundis@kppcsd.org
4. **Receive 2022-2023 Tax Levy Reports for Police and Park Taxes**
Recommended Action: Receive and accept financial reports.
Contact: Lisa Mundis, Finance Director, lmundis@kppcsd.org

Discussion and Action

5. **Interim GM Search**
Recommended Action: Consider approval of Interim General Manager contract with David Aranda.
Contact: Ann Danforth, General Counsel, adanforth8@outlook.com

6. **Updates from *Ad Hoc* Board Committees**

Recommended Action: Receive updates from the Board *ad hoc* committees established in the January 12, 2023 board meeting.

- Police Department & District Office Permanent Location Committee
- Preliminary Kensington Park Re-planting Strategy

Contact: Alexandra Aquino-Fike, President of the Board, AAquinoFike@kppcsd.org

7. **KCC Contract Update**

Recommended Action: Receive an update on the KCC Contract.

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

8. **Proposed KPPCSD/KFPD Joint Meeting with Contra Costa LAFCO**

Recommended Action: Receive an update on the status of the joint meeting from Director Gough.

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

9. **Options to Improve Community Engagement at Meetings**

Recommended Action: Discuss options for improving community engagement in board meetings (both virtually and in-person).

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

Comments & Reports

10. **Director Comments**

11. **General Manager's Report**

- KCC Recreation Office Report

12. **Police Chief Report**

13. **Board Correspondence**

Adjournment

The next regular meeting is scheduled for March 9, 2023.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send 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 two days before the meeting. Requests should be sent to Kensington Police Protection & Community Service District at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530).
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at llewis@kppcsd.org.

Posted Agenda

Kensington Police Department – Colusa Food – Arlington Kiosk and at www.kppcsd.org. Complete agenda packets are available at the Public Safety Building at *10940 San Pablo Ave., Building B, El Cerrito, CA 94530*.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Service 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 at *10940 San Pablo Ave., Building B, El Cerrito, CA 94530* at the same time that those records are distributed or made available to a majority of the Board.

KPPCSD Board Approved Meeting Protocols:
(Adopted November 10, 2022)

- Masks must be worn over the mouth and nose throughout the meeting. An N95 or surgical mask is required. Cloth masks, gaiters and bandanas are not acceptable.
- Masks must be worn regardless of vaccination status by all meeting attendees.
- Masks will be provided upon request.
- Surfaces will be sanitized between meetings.
- Sanitary wipes will be available for use at the podium.
- Rows of chairs will be set up with 6-foot distancing.
- You are welcome to sign the attendance log. Attendees who do so will be notified if a Board or staff member or community member (who notifies us) contracts Covid within 4 days of the meeting. No names or personal information will be shared.
- Please no eating or drinking during the meeting. If you must eat or drink, please do so outside the Community Center.
- Outside doors will be open throughout the meeting, please dress appropriately.
- If you are ill, please stay home and engage electronically.
- Vaccination/boosters for Covid-19 and the flu are recommended for those eligible.
- Hand Sanitizer will be available.



Date: February 9, 2023
To: Board of Directors
From: Ann Danforth, General Counsel
Subject: Resolution for the Board to Continue Holding Remote Meetings

Recommendation:

Review, discuss, amend (as necessary) and adopt the attached Resolution.

Rationale for Recommendation:

On September 16, 2021, the State of California adopted Assembly Bill 361, which amends the Brown Act (also known as the California Open Meetings Law) with respect to conducting remote meetings by teleconferencing. Staff believes that the present circumstances meet the criteria for continuing teleconferencing meetings, as explained below. Adoption of the resolution will authorize the Board of Directors to continue that practice, if necessary, for its February 9, 2023 meeting.

Background, Discussion and Analysis:

AB 361, codified as Government Code Section 54953(e)(1), authorizes teleconferenced meetings during a proclaimed state of emergency under the circumstances and criteria discussed at the Board's special meeting on September 28, 2021.¹ At that meeting, the Board determined that the then-current circumstances met those requirements, adopting Resolution 2021-19.

Section 54953(e)(3) limits the duration of each such determination to 30 days. If the state of emergency remains active or state or local officials have imposed or recommended measures to promote social distancing, the Board must reconsider the circumstances of the state of emergency within 30 days and determine either that the state of emergency continues to directly impact the ability of the members to meeting safely in person or that state or local officials have imposed or recommended measures to promote social distancing. Accordingly, on October 14, 2021, the Board re-considered the circumstances of the state of emergency and adopted Resolution No. 2021-20, deciding to continue to hold meetings remotely. The Board came to a similar decision on November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12, 2022, June 30, 2022, July 14, 2022, August 11, 2022, August 25, 2022, September 8, 2022, October 13, 2022, November 10, 2022, December 8, 2022, and January 12, 2023, adopting

¹ As also discussed at that meeting, the Brown Act also allows teleconferencing under Section 54954(b), but the restrictions are significantly more burdensome.

Resolutions 2021-21, 2021-22, 2022-01, 2022-02, 2022-03, 2022-04 2022-08, 2022-10, 2022-17, 2022-20, 2022-21, 2022-22, 2022-26, 2022-27, 2022-29, 2022-28 and 2023-01, respectively.

To continue holding teleconferenced meetings during the Covid 19 threat without calling special meetings when the interval between regular meetings exceeds once a month, the Board must regularly reconsider its decision to meet remotely. The attached draft Resolution 2023-02 will authorize continued teleconferenced meetings in the event that one or more directors cannot attend in person.

Contra Costa County's Covid level is currently low, down from medium last month. <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>. The level has varied from medium to high during the previous six months or so. As of the date of this report, the CDC continues to recommend moving group activities outdoors rather than holding them indoors and increasing distance from others. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html#ventilation>; <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html#space>. The CDC also continues to recommend masks as critical public health tool. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/masks.html>. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>. The CDC has published a list of medical conditions are associated with the highest risk of serious Covid 19 illness. Merely being over 65 significantly increases the likelihood of severe disease. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

Contra Costa County Health Services Department updated its Covid prevention website on June 27, 2022, recommending masks and social distancing and discouraging indoor gatherings between people of different households. The website notes that the danger of catching Covid is higher indoors when people are close to each other. <https://www.coronavirus.cchealth.org/prevention>.

The Bay Area generally enjoys a strong vaccination rate. However, as of February 6, 2023, only 54.2 % of Contra Costa County residents have received the recommended additional dose. <https://www.coronavirus.cchealth.org/data-summary> (the County website does not provide information about the percentage of residents that have received the most recent booster). In addition, the District cannot assume that all meeting attendees are vaccinated. We do know that many Board meeting attendees are over 65 and therefore considered more vulnerable to Covid.

The Board has held two hybrid meetings to date. The system seems to work fairly well, but there were some glitches. In the future, hybrid meetings may be the key to holding in-person meetings while still allowing vulnerable or ill people to participate. With that in mind, the District has adopted protocols to promote health safety. Given the factors cited in the previous paragraph, and the fact that Governor Newsom's 2020 declaration of a state of emergency remains in effect, the Board may decide that current conditions warrant continuing to meet remotely. I note that the attached resolution will enable the Board to hold either remote or hybrid meetings.

Future Meetings

The Governor's State of Emergency is currently scheduled to end on February 28, 2023. AB 361 does not apply in the absence of a proclaimed state of emergency. The Brown Act contains other provisions allowing members of a legislative body to meet remotely but they are more limited.

Gov. Section 54954(b) authorizes teleconference meetings as follows:

- (1) All teleconference locations are identified in the notice and agenda;

- (2) An agenda is posted at each teleconference location;
- (3) The public is entitled to attend at each teleconference location;
- (4) All votes are taken by roll call; and
- (5) At least a quorum of the members participating are within the geographic jurisdiction of the public agency.

Gov. Section 54954(f), effective January 1, 2023, authorizes teleconference meetings under the following circumstances:

- (1) A quorum of the Board must participate in person at a single location within the boundaries of the District.
- (2) A director who wishes to participate remotely must have either **just cause** or **emergency circumstances**, both of which terms are further described in the statute.
- (3) A director attending remotely because of just cause must describe the circumstances requiring their remote attendance and may not use the “just cause” provision more than twice in a calendar year.
- (4) A director attending remotely because of an emergency must give a general description of the emergency circumstances, but the member is not required to disclose any medical diagnosis, disability, or personal medical information. The Board of Directors must take action to approve the request
- (5) The director must disclose at the meeting before any action is taken whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals.
- (6) The member must participate through both audio and visual technology (i.e. the member must be on-screen.
- (7) A member cannot attend meetings remotely for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year.

Fiscal Impact:

There is no fiscal impact from approving the Resolution.

Exhibits

- Resolution No. 2023-02 Making Findings to allow Remote Attendance

RESOLUTION NO. 2023-02

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT MAKING FINDINGS AND
DETERMINING A NEED TO CONTINUE ALLOWING
REMOTE ATTENDANCE AT BOARD MEETINGS**

WHEREAS, the Board of Directors of the Kensington Police Protection and Community Services District (“District”) is committed to preserving public access and participation in Board of Directors’ meetings; and

WHEREAS, all meetings of the District’s Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the Board conduct its business; and

WHEREAS, Government Code section 54953(e)(1) of the Brown Act, allows a legislative body to hold a teleconference meeting, without compliance with the requirements of Government Code section 54953(b)(3), under any of the following conditions:

- A. State or local officials have imposed or recommended measures to promote social distancing.
- B. The meeting is for the purpose of determining, by majority vote, whether because of the emergency, meeting in person would present imminent risks to the health or safety of attendees
- C. The legislative body has determined, by majority vote, that, because of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

WHEREAS, to meet by teleconference under Government Code section 54953(e), the Governor must have proclaimed a state of emergency under the California Emergency Services Act (Govt. Code § 8625 *et. seq.*); the legislative body must reconsider the circumstances of the state of emergency every thirty days; and the legislative body must find that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing; and

WHEREAS, if the legislative body does not make the above findings every thirty days, it must again determine whether the conditions specified in Government Code section 54953(e)(1) still pertain before holding further teleconferenced meetings under that subsection; and

WHEREAS, on September 28, 2021, October 14, November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12, 2022, June 9, 2022, June 30, 2022, July 14, 2022, August 11, 2022, August 25, 2022, September 8, 2022, October 13, 2022, November 10, 2022, December 8, 2022 and January 12, 2023, the Board held special meetings in which it found that then-current circumstances met the criteria of Government Code Section 54953(e)(1)(A) and (C); and

WHEREAS, on February 9, 2023, the Board reviewed the evidence in the records and determined the following by majority vote:

- A. The state of emergency proclaimed by Governor Newsom on March 4, 2020, continues to exist;
- B. State or local officials continue to impose or recommend measures to promote social distancing.
- C. Because of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- D. The state of emergency continues to directly impact the ability of the members to meet safely in person

WHEREAS, many persons who regularly attend Board meetings are over the age of 65 and therefore considered particularly vulnerable to COVID-19; and

WHEREAS, the District provides in the public notices and agendas for all public meetings the online and telephone options for participation in public meetings, protecting the right of the public to address their local officials and to participate in public meetings, and posts this information on the District's website, including instructions on how to access the public meeting remotely.

NOW, THEREFORE BE IT RESOLVED, that the Board of Directors has reconsidered the circumstances of the state of emergency; and be it

FURTHER RESOLVED, that the Board finds that State or local officials continue to impose or recommend measures to promote social distancing and that State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Board members, staff, and the public to meet safely in person; and, be it

FURTHER RESOLVED, that the Board finds that because of the aforesaid declared State of Emergency, requiring members to meet in person would present an imminent risk to the health or safety of meeting attendees; and be it

FURTHER RESOLVED, that the Board authorizes and directs the General Manager to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director _____, seconded by Director _____, on Thursday, the 9th day of February 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Fike
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the Special Meeting of said Board held on Thursday, the 9th day of February 2023.

Lynelle M. Lewis
District Clerk of the Board

Anthony Constantouros
Interim General Manger

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

**Wednesday, February 1, 2023
Special Closed Session Meeting
Via Teleconference
9:30 a.m.**

Call to Order

President Aquino-Fike called the meeting to order at 9:32 a.m.

Roll Call

Director Cassandra Duggan, Vice-President Sarah Gough, Director Sylvia Hacaj, Director Eileen Nottoli, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Clerk of the Board Lynelle M. Lewis.

Special Meeting Public Comments

None.

Adjourn to Closed Session

The Board adjourned to Closed Session at 9:36 a.m. to discuss the Interim General Manager recruitment.

Announcement from Closed Session

President Aquino-Fike announced that the Board took no action and gave direction to the negotiator/recruiter.

Adjournment

The meeting was adjourned at 1:22 p.m.

The next regular meeting is scheduled for February 9, 2023.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 9, 2023

Tony Constantouros, Interim General Manager

Alexandra Aquino-Fike, President of the Board

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, January 12, 2023

Special & Regular Meetings (Hybrid)

Kensington Community Center

59 Arlington Avenue, Kensington, CA

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

Call to Order [[TS 4:20](#)]

President Alexandria Aquino-Fike called the meeting to order at 6:07 p.m.

Roll Call [[TS 4:41](#)]

Director Cassandra Duggan, Vice-President Sarah Gough, Director Sylvia Hacaj, Director Eileen Nottoli, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Special Meeting Agenda Item Public Comments [[TS 5:02](#)]

No public comment.

1. Teleconference Meetings During State of Emergency. [[TS 6:48](#)]

- Motion by Vice-President Gough, seconded by Director Duggan, to adopt Resolution No. 2023-01 to continue holding remote meetings by teleconference, carried (5-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, Nottoli, and Aquino-Fike, (NOES) None; and (ABSENT) None.

Resolution No. 2023-01—A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.

Adjourn to Closed Session [[TS 8:13](#)]

2. The Board adjourned to Closed Session at 6:20 p.m. to discuss public employee appointment.

Regular Meeting - 7:00 p.m.

Call to Order [[TS 59:33](#)]

President Aquino-Fike called the meeting to order at 7:02 p.m.

Roll Call [TS 59:34]

Director Director Cassandra Duggan, Director Sarah Gough, Director Sylvia Hacaj, Director Eileen Nottoli, and President Alexandra Aquino-Fike were present at roll call.

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Announcement from Closed Session [TS 59:52]

President Aquino-Fike announced that the Board adjourned the closed session meeting at 6:47 p.m., they made no decisions, and it gave direction to staff.

Public & Consent Calendar Comments [TS 1:01:48]

- Addressing the Board were the following persons: 1) Rob Firmin, President of the Kensington Property Owners Association (KPOA), read a letter from the association advocating that the KPPCSD and the Kensington Fire Protection District (KFPD) jointly conduct a comprehensive cost benefits analysis and operations evaluation on options to house the Police Department (PD) in the Public Safety Building (PSB); 2) Paul Dorroh commented on the financial reports and pointed out some areas were severely over budget, suggested more written commentary, and urged reconstituting the Finance Committee; 3) Andrew Reed suggested that the Board prepare and submit a letter of intent stating that KPPCSD wishes to have both police and fire protection in the PSB; 4) David Spath commented on the need to reconstitute the Finance Committee and recreate the Emergency Preparedness Committee; and 5) Lynn Wolter commented she was pleased to see the financial and a police reports, expressed concern about the smaller number of police officers, and urged more financial commentary.

Consent Calendar [TS 1:14:32]

- Motion by President Aquino-Fike, seconded by Director Hacaj, to adopt the Consent Calendar, carried (5-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, Nottoli, and Aquino-Fike; (NOES) None; and (ABSENT) None.
1. **Meeting Minutes for November 30 and December 8, 2022.**
 - Approved the Minutes as presented.
 2. **Financial Reports.**
 - Approved the Financial Reports for October 2022 and 1st Quarter 2022-2023.

Discussion and Action [[TS 1:15:34](#)]

3. Formation of *Ad Hoc* Board Committees.

General Counsel Danforth provided an overview of the Board President's authority to establish *ad hoc* advisory committees. President Aquino-Fike provided the rationale for the establishment of the committees and their purpose. Board members commented on the recommendations.

- Addressing the Board were the following persons: 1) David Spath applauded the Board for looking at a cost benefits analysis for the PSB, expressed concern about precluding the land south of the Library for the police and administrative staff, and said the Bob Jones' architectural plan account for the operational needs of the PD; 2) Lynn Wolter commented on the splitting of the General Manager position and contracting out of the Police Department; 3) Mabry Benson urged the Board to review earlier reports and findings on the PD relocation, suggested looking at the Library parking lot for the PD, and asked about consulting with the chiefs on the Jones' architectural report; 4) Andrew Reed commented that we are not in a position to build a new building, the park has seismic issues, and supported working with the KFPD to make one building work; 5) John Gaccione commented that the Board should review the proposed PSB plans to see that the areas are too small.

President Aquino-Fike announced the establishment of the following temporary *ad hoc* advisory committees and made appointments as follows:

- (i) Kensington Police Department and KPPCSD permanent office location – President Aquino-Fike and Vice-President Gough
- (ii) Preliminary Kensington Park Replanting Strategy – Vice-President Gough and Director Duggan

4. Board Special Assignments. [[TS 1:45:59](#)]

President Aquino-Fike appointed the following board members to undertake the special assignments listed below:

- (i) Interim and Permanent GM Search – President Alexandra Aquino-Fike
 - (ii) KCC Contract Finalization – Director Sylvia Hacaj
 - (iii) Long-term legal protection of Kensington Park – Director Cassandra Duggan
 - (iv) Preliminary Board Representative on Consolidation – Director Sarah Gough
- Addressing the Board was the following person: 1) David Fike applauded the board members for taking on the assignments to work on the important community issues.

5. KCC Contract Update [[TS 1:50:31](#)]

Director Hacaj provided an update on the contract negotiations with Kensington Community Council (KCC), and said she anticipated having a final contract to present by February.

- Addressing the Board was the following person: 1) Ann Forest, KCC board representative, said they had received the latest draft, will be holding a special meeting to review the contract, and they will report back to the KPPCSD following their board meeting.

6. **Proposed KPPCSD/KFPD Joint Meeting** [[TS 1:53:44](#)]

Interim General Manager Tony Constantouros reported on the recommended action to call a joint meeting between KPPCSD and the KFPD to hear a presentation on the LAFCO consolidation process from Lou Ann Texeira, Executive Officer of the Contra Costa Local Agency Formation Commission (LAFCO).

- Addressing the Board was the following person: 1) David Spath commented he was encouraged by the Board's efforts and offered KPOA's assistance to facilitate this.
- Motion by Director Duggan, seconded by Vice-President Gough, to call a joint meeting between KPPCSD and the KFPD to hear a presentation on the LAFCO consolidation process from Lou Ann Texeira, Executive Officer of the Contra Costa Local Agency Formation Commission (LAFCO), carried (5-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, Nottoli, and Aquino-Fike; (NOES) None; and (ABSENT) None.

7. **Strategic Plan** [[TS 1:57:31](#)]

Interim General Manager Tony Constantouros provided an overview on the following recommended actions: consider requesting a proposal from Mr. Martin Rauch of Rauch Communication Consultants to update the Strategic Plan; schedule the consultant to overview the process and answer any questions; schedule and updated strategic planning session; and utilize the current Strategic Plan as a basis to prepare an updated Strategic Plan.

Board members offered their perspectives on the recommended action (i.e. support for current version, revisiting this, scaling down the plan, tabling for later consideration, and setting priorities). Following considerable discussion, the Board gave direction to Interim General Manager Constantouros to speak with Martin Rauch about scaling down the proposal to one that establishing yearly goals.

8. **Pursue Engagement with Recruitment Firm** [[TS 2:11:42](#)]

President Aquino-Fike presented the recommended action to authorize General Manager Constantouros to negotiate and enter into a contract with BHI Management Consulting for the recruitment of the next Interim General Manager.

Board members offered their perspectives on the recommended action (i.e. time to move on, premature to select a new recruiter, listen to what the current firm has to say about the current pool, need for larger candidate pool, and relook at General Manager job description).

- Addressing the Board was the following person: 1) Mabry Benson expressed support for talking with the current recruiter about the candidate pool.

- Motion by Director Duggan, seconded by Director Hacaj, to authorize Interim General Manager Constantouros to enter into a contract at a cost not to exceed \$10,000 with BHI Management Consulting for the recruitment of the next KPPCSD Interim General Manager, subject to approval of the General Counsel as to form, carried (4-0) by the following roll call vote: (AYES) Directors Duggan, Gough, Hacaj, and Aquino-Fike; (NOES) Nottoli; and (ABSENT) None.

Comments & Reports

9. Director Comments. [[TS 2:22:13](#)]

President Aquino-Fike commented that it was an honor to be elected by the community to the KPPCSD Board and selected by her peers to serve as President of the Board. She highlighted her campaign platform (civic engagement, protecting our park and recreation services, maintaining high quality police and fire services, fitting both departments in the PSB, and consolidating the two districts). In concluding, President Aquino-Fike remarked that she looked forward to working with the community to implement change.

Director Duggan thanked President Aquino-Fike for reiterating the new board members campaign platform. She praised KPOA for being leaders in this community. Director Duggan pointed out that 24 participants were on Zoom and 10 people were in the audience. She reassured Mr. Constantini that the Board received his letter and offered well wishes for his health. In concluding, she thanked everyone for participating and welcomed community involvement and expressed appreciation for the cooperative efforts between the KPPCSD and KFPD.

Director Gough gave assurance of the Board's willingness to work with the KFPD Board to resolve the KPPCSD office location. She commented that she was looking forward to learning more about the consolidation process and working on the Preliminary Kensington Park Replanting Strategy Ad Hoc Committee. In concluding, she thanked Interim General Manager Constantouros for his service to the District.

Director Hacaj commented that she was enjoying getting to know her new colleagues and is looking forward to working with them.

Director Nottoli wished everyone a happy new year.

10. General Manager's Report. [TS]

Interim General Manager Tony Constantouros provided updates on the following: tree work schedule, removal of a fallen tree that occurred during the December storm by Kensington Library, a possible review of human resource changes, the upcoming budget review process, and LAFCO information. He also reported that the KCC Recreation Office Report for January 2023 had been received.

- Addressing the Board was the following person: 1) Mabry Benson asked questions about the fallen tree by Kensington Library asked about the online General Manager's report.

11. Police Chief Report. [[TS 2:51:46](#)]

Police Chief Mike Gancasz presented highlighted from the December 2022 Police Report. The Board expressed appreciation for the report and asked questions (i.e. speed signs, catalytic converter thefts, community vandalism, need for a generator for the PD in the event of a power failure, and personnel).

12. Board Correspondence. [[TS 3:06:06](#)]

None.

Adjournment [[TS 3:07:14](#)]

President Aquino-Fike adjourned the meeting at 9:11 p.m.

The next regular meeting is scheduled for February 9, 2023.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 9, 2023

Tony Constantouros, Interim General Manager

Alexandra Aquino-Fike, President of the Board



KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

February 9, 2023

ITEM 2

FINANCIAL REPORTS THROUGH THE MONTH OF NOVEMBER 2022

SUMMARY OF RECOMMENDATION

Receive financial reports presented for FY 2022-2023 through November 2022.

ATTACHMENTS

1. November 2022 Summary Balance Sheet
2. November 2022 Revenue and Expense Report

SUBMITTED BY:

Lisa Mundis

Lisa Mundis
Finance Director

Kensington Police Protection & Community Services District
 Summary Balance Sheet
 As of November 30, 2022

	Nov 30, 22
ASSETS	
Current Assets	
Checking/Savings	1,086,539.17
Accounts Receivable	3,575,190.28
Other Current Assets	0.01
Total Current Assets	4,661,729.46
Fixed Assets	5,700,704.31
Other Assets	3,581,780.48
TOTAL ASSETS	13,944,214.25
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	(2,701.67)
Credit Cards	(117,675.97)
Other Current Liabilities	65,786.00
Total Current Liabilities	(54,591.64)
Long Term Liabilities	8,689,566.10
Total Liabilities	8,634,974.46
Equity	5,309,239.79
TOTAL LIABILITIES & EQUITY	13,944,214.25

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through November 2022

	As of Nov 30, 2022				2022-2023 Amended Annual Budget	
	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Annual Budget	% of Annual Budget	
Revenue						
400 · Police Activities Revenue						
401 · Levy Tax Police- Co. Prop. 1%	2,087,233	(114,667)	95%	2,201,900	95%	
402 · Special Tax-Police	685,470	(34,530)	95%	720,000	95%	
404 · Measure G Supplemental Tax PD	651,974	(326)	100%	652,300	100%	
410 · Police Fees/Service Charges	2,357	(1,643)	59%	12,000	20%	
414 · POST Reimbursement	4,624	(10,376)	31%	125,000	4%	
415 · COPS Grants-Police	74,358	4,358	106%	175,000	42%	
418 · Reimbursements/Refunds	0	(2,000)	0%	6,000	0%	
Total 400 · Police Activities Revenue	3,506,016	(159,184)	96%	3,892,200	90%	
420 · Park/Rec Activities Revenue						
424 · Special Tax-L&L Parks	44,359	(41)	100%	44,400	100%	
427 · Community Center Revenue	16,300	(3,700)	82%	57,700	28%	
438 · Tennis Court Revenue	635	135	127%	1,500	42%	
439 · Other Community Center Revenue	0	(5,000)	0%	15,000	0%	
Total 420 · Park/Rec Activities Revenue	61,294	(8,606)	88%	118,600	52%	
440 · District Activities Revenue						
456 · Interest-District	5,093	3,421	305%	5,000	102%	
458 · Other District Revenue	7,573	4,273	229%	9,700	78%	
Total 440 · District Activities Revenue	12,666	7,694	255%	14,700	86%	
460 · Waste Removal Revenue						
461 · Waste Removal Franchise Fee	2,988	(33,692)	8%	110,000	3%	
Total 460 · Waste Removal Revenue	2,988	(33,692)	8%	110,000	3%	
TOTAL REVENUE	3,582,964	(193,788)	95%	4,135,500	87%	

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through November 2022

	As of Nov 30, 2022				2022-2023 Amended Annual Budget	
	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	2022-2023 Amended Annual Budget	% of Annual Budget	
Expense						
500 · Police Salary and Benefit Exp						
502 · Salary - Officers	387,223	495,000	(107,777)	78%	1,114,880	35%
506 · Overtime	77,893	41,690	36,203	187%	100,000	78%
508 · Salary - Non-Sworn	26,408	28,375	(1,967)	93%	68,100	39%
509 · Hiring Bonus	12,000	8,100	3,900	148%	20,000	60%
521-A · Medical/Vision/Dental-Active	55,050	71,970	(16,920)	76%	172,700	32%
521-R · Medical/Vision/Dental-Retired	80,047	66,950	13,097	120%	160,400	50%
521-T · Medical/Vision/Dental-Trust	0	63,300	(63,300)	0%	89,820	0%
522 · Officer Life Insurance	736	4,220	(3,484)	17%	10,100	7%
523 · SocialSecurity/Medicare-Police	7,141	6,375	766	112%	15,300	47%
524 · Social Security - District	1,581	4,845	(3,264)	33%	11,600	14%
527 · PERS - District Portion	82,197	97,425	(15,228)	84%	233,750	35%
529 · Pension Obln Bond Payment	0	138,110	(138,110)	0%	331,450	0%
530 · Workers Comp	39,533	18,720	20,813	211%	44,900	88%
Total 500 · Police Salary and Benefit Exp	769,809	1,045,080	(275,271)	74%	2,373,000	32%
550 · Police Operating Expenses						
552 · Office Supplies and Expenses	2,620	5,565	(2,945)	47%	13,300	20%
553 · Police Equipment and Supplies	5,700	11,875	(6,175)	48%	28,500	20%
554 · Traffic Safety	270	13,345	(13,075)	2%	32,000	1%
560 · Crossing Guard	6,372	7,440	(1,068)	86%	17,800	36%
561 · Fleet Expense	12,477	38,125	(25,648)	33%	91,500	14%
564 · IT and Communications	180,016	80,544	99,472	224%	193,300	93%
568 · Evidence	6,802	2,500	4,302	272%	6,000	113%
570 · Training and Travel Exp	2,098	10,440	(8,342)	20%	25,000	8%
571 · Records	0	2,500	(2,500)	0%	6,000	0%
572 · Hiring	1,256	8,345	(7,090)	15%	20,000	6%
574 · Reserve Officers	0	1,470	(1,470)	0%	3,500	0%
576 · Dues and Subscriptions	775	2,095	(1,320)	37%	5,000	16%
588 · Telephone	15,303	12,625	2,678	121%	30,300	51%
591 · General Liability Insurance	40,177	17,600	22,577	228%	42,100	95%
592 · Printing and Publications	0	3,845	(3,845)	0%	9,200	0%
593 · Volunteer Programs	0	1,065	(1,065)	0%	2,500	0%
594 · Community Events	0	2,095	(2,095)	0%	5,000	0%
595 · Legal/Consulting - Police	8,450	3,750	4,700	225%	9,000	94%
599 · Police Taxes Administration	1,049	2,315	(1,266)	45%	5,500	19%
Total 550 · Police Operating Expenses	283,364	227,539	55,825	125%	545,500	52%
TOTAL POLICE DEPARTMENT EXPENSES	1,053,173	1,272,619	(219,446)	83%	2,918,500	36%

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through November 2022

	As of Nov 30, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	2022-2023 Amended Annual Budget	% of Annual Budget
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator	13,860	17,294	(3,434)	80%	41,500	33%
602 · Custodial/Cleaning Services	0	18,750	(18,750)	0%	45,000	0%
623 · Social Security/Medicare - Dist	0	4,500	(4,500)	0%	10,800	0%
Total 600 · Park/Rec Sal & Ben	13,860	40,544	(26,684)	34%	97,300	14%
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
641 · General Maintenance	8,825	1,250	7,575	706%	3,000	294%
642 · Utilities-Community Center	4,172	8,125	(3,953)	51%	19,500	21%
643 · Janitorial Supplies	1,297	500	797	259%	1,200	108%
644 · Landscaping	23,330	5,440	17,890	429%	13,000	179%
645 · General Liab./Workers Comp	9,390	3,500	5,890	268%	3,500	268%
646 · Community Center Repairs	5,104	3,125	1,979	163%	7,500	68%
647 · Legal/Consulting	0	10,475	(10,475)	0%	10,000	0%
Total 640 · Community Center Expenses	52,118	32,415	19,703	161%	57,700	90%
650 · Park						
651 · General Maintenance	14,930	14,750	180	101%	35,400	42%
652 · Repairs	7,848	5,000	2,848	157%	12,000	65%
653 · Landscaping	7,450	22,940	(15,490)	32%	55,000	14%
656 · Utilities	4,044	1,000	3,044	404%	2,400	169%
657 · General Liab/Workers Comp	9,390	9,600	(210)	98%	9,600	98%
658 · Levy Administration	4,007	3,970	37	101%	9,500	42%
659 · Other Park Expenses	0	220	(220)	0%	500	0%
674 · Tennis Court Maint/Repair	0	180	(180)	0%	500	0%
Total 650 · Park	47,669	57,660	(9,991)	83%	124,900	38%
TOTAL PARKS & RECREATION EXPENSE	99,787	90,075	9,712	111%	279,900	36%
750 · Waste Management Expenses						
751 · Waste Removal Franchise Fee Exp	0	19,720	(19,720)	0%	47,300	0%
752 · Waste Management Program Admin	0	1,250	(1,250)	0%	3,000	0%
753 · Other Waste Management Exp	0	220	(220)	0%	500	0%
Total 750 · Waste Management Expenses	0	21,190	(21,190)	0%	50,800	0%
TOTAL SOLID WASTE MANAGEMENT EXPENSE	0	21,190	(21,190)	0	50,800	0

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through November 2022

	As of Nov 30, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	2022-2023 Amended Annual Budget	% of Annual Budget
800 · District Expenses						
807 · Salaries	166,940	160,095	6,845	104%	384,200	43%
808 · Payroll Taxes	22,457	24,044	(1,587)	93%	57,700	39%
809 · Benefits	0	21,044	(21,044)	0%	50,500	0%
810 · IT Contract	5,273	11,588	(6,315)	46%	27,800	19%
815 · Admin Communications	3,148	1,794	1,354	175%	4,300	73%
816 · Office Supplies	(168)	669	(837)	(25%)	1,600	(10%)
817 · Postage	0	294	(294)	0%	700	0%
818 · Mileage Reimbursement	14	169	(155)	8%	400	3%
819 · Dues/Subscriptions	0	4,419	(4,419)	0%	10,600	0%
820 · Copier Contract	2,095	2,750	(655)	76%	6,600	32%
825 · Board Continuing Ed/Conferences	0	5,220	(5,220)	0%	5,500	0%
830 · Legal (District/Personnel)	0	0	0	0%	45,000	0%
831 · Training and Travel Admin	8,238	18,750	(10,513)	44%	6,500	127%
835 · Consulting	0	2,720	(2,720)	0%	35,000	0%
840 · Accounting/Audit	18,400	14,595	3,805	126%	75,000	25%
850 · Insurance	26,754	31,250	(4,496)	86%	31,900	84%
851 · Workers Comp	37,560	13,294	24,266	283%	4,500	835%
860 · Election	13,178	4,500	8,678	293%	7,500	176%
861 · LAFCO	1,505	2,100	(595)	72%	2,100	72%
865 · Police Bldg. Lease	23,282	20,000	3,282	116%	48,000	49%
866 · Bldg Maintenance/Repair	3,098	1,470	1,628	211%	3,500	89%
867 · Utilities	3,203	5,625	(2,422)	57%	13,500	24%
868 · Janitorial	138	3,000	(2,862)	5%	7,200	2%
870 · County Expenditures	8,176	10,475	(2,299)	78%	25,000	33%
898 · Other Expenses	16,526	419	16,107	3,944%	1,000	1,653%
Total 800 · District Expenses	359,817	360,284	(467)	100%	855,600	42%
TOTAL DISTRICT ADMINISTRATIVE EXPENSE	359,817	360,284	(467)	100%	855,600	42%
Bond Expense						
700 · Bond Expense						
975 · Community Center Loan Repayment	0	0	0	0%	30,700	0%
TOTAL BOND EXPENSE	0	0	0	0%	30,700	0%
TOTAL OPERATING REVENUE	3,582,964	3,776,752	(193,788)	95%	4,135,500	87%
TOTAL OPERATING EXPENSES	1,512,777	1,744,168	(231,391)	87%	4,135,500	37%

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through November 2022

	As of Nov 30, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	2022-2023 Amended Annual Budget	% of Annual Budget
950 · Capital Outlay						
963 · Patrol Car Accessories	8,009	6,250	1,759	128%	15,000	53%
965 · Personal Police Equipment-Asset	0	6,250	(6,250)	0%	15,000	0%
966 · Police Traffic Equipment	0	10,440	(10,440)	0%	25,000	0%
967 · Station Equipment	28,913	20,845	8,068	139%	50,000	58%
968 · Office Furn/Eq	12,430	20,845	(8,415)	60%	50,000	25%
969 · Computer Equipment	24,797	10,440	14,357	238%	25,000	99%
970 · Upgrade Phone System	0	10,440	(10,440)	0%	25,000	0%
972 · Park Buildings Improvement	0	39,595	(39,595)	0%	95,000	0%
974 · Other Park Improvements	18,773	10,440	8,333	180%	25,000	75%
978 · Pk/Rec Furn/Eq	0	10,440	(10,440)	0%	25,000	0%
983 · Building Temporary Relocation	0	41,669	(64,630)	0%	100,000	0%
Total 950 · Capital Outlay	92,921	187,654	(94,733)	50%	450,000	21%



KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

February 9, 2023

ITEM 4

Annual Summary Reports for Police, Police Supplemental, and Kensington Park Tax Levies.

SUMMARY OF RECOMMENDATION

Receive Annual Summary Reports presented for FY 2022-2023.

ATTACHMENTS

1. FY 2022-23 Police Tax and Supplemental Tax Annual Report
2. FY 2022-2023 Kensington Park A.D. Annual Summary Report

SUBMITTED BY:

Lisa Mundis

Lisa Mundis
Finance Director

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Fiscal Year 2022/23 Final Levy Summary Report For:

POLICE TAX AND SUPPLEMENTAL POLICE TAX

January 2023

Prepared by:



Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

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1.2 Supplemental Police Tax	1
2. SB 165: Local Agency Special Tax and Bond Accountability Act	2

1. FISCAL YEAR 2022/23 LEVY SUMMARY

1.1 Police Tax

In 1994, the voters of the Kensington Police Protection and Community Services District (the “District”) approved a special tax to provide a source of funding for police protection services. The special tax is not increased annually.

The following table shows a breakdown of the total levy for Fiscal Year 2022/23 by Class of Improvement:

Class of Improvement	Number of Parcels	Rate per Parcel	Total Levy
Single Family Residential	2,098	\$300.00	\$629,400.00
Multiple Unit Residential	89	450.00	40,050.00
Commercial or Institutional	26	450.00	11,700.00
Miscellaneous Improved	3	300.00	900.00
Unimproved	38	90.00	3,420.00
Totals:	2,254		\$685,470.00

1.2 Supplemental Police Tax

In 2010, the voters of the District approved a supplemental special tax to raise revenue to support police protection services by the Kensington Police Department. The purpose of the supplemental special tax is to raise revenue only for the purposes of obtaining, operating, maintaining and expanding police protection service, facilities and equipment, for paying for salaries and benefits to police personnel, and for such other necessary police protection service expenses of the District as such services shall be made available throughout the District.

The annual maximum supplemental special tax will be increased by the Consumer Price Index (CPI). The Supplemental Police Tax will be levied in perpetuity.

As directed by the District, the supplemental special tax will be levied at the maximum rate for Fiscal Year 2022/23.

The following table summarizes the Fiscal Year 2022/23 levy information with a comparison of the prior year and current year Maximum Rate for each Class of Improvement:

Class of Improvement	Number of Parcels	FY 2021/22 Maximum Rate	FY 2022/23 Maximum Rate ⁽¹⁾	FY 2022/23 Actual Rate per Parcel ⁽²⁾	Total Levy
Single Family Residential	2,098	\$271.78	\$285.35	\$285.34	\$598,643.32
Multiple Unit Residential	89	407.67	428.03	428.02	38,093.78
Commercial or Institutional	26	407.67	428.03	428.02	11,128.52
Miscellaneous Improved	3	271.78	285.35	285.34	856.02
Unimproved	38	81.53	85.60	85.60	3,252.80
Totals:	2,254				\$651,974.44

(1) The maximum rate percentage change from the prior year was 4.996%

(2) Represents 100% of the FY 2022/23 Maximum Rate. May include even cent rounding adjustment for placement on the Contra Costa County tax roll.

NBS

Melissa Ellico, Administrator
Darrylanne Zarate, Project Manager
Tim Seufert, Client Services Director

2. SB 165: LOCAL AGENCY SPECIAL TAX AND BOND ACCOUNTABILITY ACT

Senate Bill 165, filed with the Secretary of State on September 19, 2000, enacted the Local Agency Special Tax and Bond Accountability Act (the “Act”). This Act requires that any local special tax or local bond measure subject to voter approval contain a statement indicating the specific purposes of the special tax, require that the proceeds of the special tax be applied to those purposes, require the creation of an account into which the proceeds shall be deposited, and require an annual report containing specified information concerning the use of the proceeds. The Act only applies to any local special tax measure or local bond measure adopted on or after January 1, 2001 in accordance with Section 50075.1 or Section 53410 of the California Government Code.

Some of the requirements of the Act are handled at the formation of the Special Tax District and others are handled through annual reports. This Section of this report intends to comply with Section 50075.3 or Section 53411 of the California Government Code that states:

“The chief fiscal officer of the issuing local agency shall file a report with its governing body no later than January 1, 2002, and at least once a year thereafter. The annual report shall contain all of the following:

- (a) The amount of funds collected and expended.
- (b) The status of any project required or authorized to be funded as identified in subdivision (a) of Section 50075.1 or Section 53410.”

The requirements of the Act apply to:

**Kensington Police Protection and Community Services District
Supplemental Police Tax**

PURPOSE OF SPECIAL TAX

The purpose of the Supplemental Police Tax revenue is for obtaining, operating, maintaining and expanding police protection service, facilities and equipment, salaries and benefits to police personnel, and for other necessary police protection service expenses of the District.

COLLECTIONS & EXPENDITURES – (CUMULATIVE)

Fund	Total Amount Collected	06/30/2022 Balance	Amount Expended	Service Status
Supplemental Police Tax Fund	\$605,524.25	\$0.00	\$605,524.25	Ongoing

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Fiscal Year 2022/23 Final Levy Summary Report:

KENSINGTON PARK ASSESSMENT DISTRICT

January 2023

Prepared by:



Corporate Headquarters
32605 Temecula Parkway, Suite 100
Temecula, CA 92592
Toll free: 800.676.7516

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District Summary 1

Levy Summary 2

DISTRICT SUMMARY

The Board of Directors of the Kensington Police Protection and Community Services District (KPPCSD), under the Landscaping and Lighting Act of 1972 (the “1972 Act”) established the Kensington Park Assessment District (the “District”) on December 6, 1994.

The District provides funding for the continued maintenance, servicing, and operation of various improvements, including landscaping and grass, water and electric services, equipment and supplies repair or replacement of existing improvements, and the addition of future improvements (if determined to be necessary) within the boundaries of the District.

Annual Increase

The assessment rate and the annual rate escalation factor were approved by property owners through the assessment balloting procedures of Proposition 218 following a public hearing on May 28, 1997.

The maximum allowable assessment amount may be increased by the percentage change that is equal to the percentage change in the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index for all Urban Consumers (CPI-U): San Francisco-Oakland-Hayward for February of each Fiscal Year, subsequent to the base year. The CPI increase for the period ending February 2022 was 5.1934%.

Levy

In Fiscal Year 2022/23, there were 2,188 parcels levied on the Contra Costa County tax roll for a total of \$44,359.18. The table in Section 1 provides the Levy Summary for Fiscal Year 2022/23.

NBS

Melissa Ellico, Administrator
Darrylanne Zarate, Project Manager
Tim Seufert, Client Services Director

LEVY SUMMARY

District	County Fund No.	Final Applied Levy ⁽¹⁾	
		Parcel Count	Levy Amount
Kensington Park Landscape Maintenance District	J232579754	2,188	\$44,359.18
Total		2,188	\$44,359.18

(1) Final applied levy on the Contra Costa County Tax Roll.



Date: February 9, 2023
To: Board of Directors
From: Ann Danforth, General Counsel
Subject: Contract to Retain David A. Aranda as Interim General Manager

Recommendation:

Approve Employment Agreement with David A. Aranda, for Interim General Manager Services.

Background, Discussion and Analysis:

The District was fortunate to re-hire Antony Constantouros as Interim General Manager last spring. However, as a PERS annuitant, Mr. Constantouros is limited in the number of hours that he can work for the District in a given fiscal year. He is nearing that limit. Accordingly, the Board of Directors held a special meeting on February 1, 2023, to interview candidates to assume Interim General Manager duties while the District continues to look for a permanent GM.

The Board authorized Board President Alexandra Aquino-Fike to negotiate a contract with David A. Aranda, a very experienced candidate. The key terms of the resulting employment agreement are the following:

- Mr. Aranda's compensation shall be \$105 per hour, which is the same as the District currently pays Mr. Constantouros.
- Mr. Aranda will spend two days per week in the District offices.
- Mr. Aranda lives in Portland, Oregon. Because it is important that the GM be physically present to supervise District personnel, the contract includes reimbursement for Mr. Aranda's travel expenses. The contract caps the reimbursable expenses at \$639.00 per week.

Fiscal Impact:

The additional cost of this agreement would be covered by the District's reserves.

**Kensington Police Protection and Community
Services District – Interim General Manager
Employment Agreement**

1. **Employment:**

This Interim General Manager Employment Agreement (Agreement) is entered between the Kensington Police Protection and Community Services District (“District”) and David A. Aranda (“Manager”). Under this Agreement, the District offers, and Manager accepts, at-will employment as Interim General Manager of the District. Manager acknowledges that he serves at the pleasure of the Board of Directors, and may be dismissed at any time without cause, subject to the provisions of section 6 of this Agreement.

The parties acknowledge that this is a temporary position, intended to provide for District management while the District recruits for a permanent General Manager.

2. **Duties:**

Manager shall perform those duties and have those responsibilities that are commonly assigned to a general manager of a special district in California, and as may be further set forth in California Government Code Sections 61050 and 61051 and the Policies set forth in the District’s Policy and Procedures Manual . Manager shall perform such other legally permissible and proper duties and functions consistent with the office of General Manager, as the Board of Directors shall from time to time assign. The parties anticipate that Manager will devote approximately 20-25 hours per week performing their duties for the District. Unless previously arranged with the Board President, Manager will spend no less than two days per week in the District offices. Except as provided herein, Manager may otherwise perform their duties remotely.

3. **Devotion to District Business:**

Manager shall not engage in any business, educational, professional, charitable, or other activities that would conflict or materially interfere with performance of their General Manager duties, except as may be specifically authorized by the Board of Directors.

4. **General Manager Authority:**

A. Except for the purpose of inquiry, the Board of Directors and its members shall

deal with all subordinate District employees (including, without limitation, the Chief of Police), officers, contractors, and consultants solely through the Manager or the Manager's designee, and neither the Board of Directors nor any member thereof shall give direction to any subordinate of the Manager, either publicly or privately. For purposes of this section, legal counsel is not subordinate to the Manager.

B. No member of the Board of Directors will order the appointment or removal of any person to any office or employment under the supervision and control of the Manager, provided that, nothing herein shall limit the Board's appellate responsibilities.

C. Neither the Board of Directors nor any of its members shall interfere with the execution of the powers and duties of the Manager, as specified in the District Policies No. 1015 and 3000 and this Agreement, or any other lawfully adopted and authorized document.

5. **Term:**

Manager's employment will commence February 13, 2023, and shall continue until December 31, 2023 or the date of earlier termination in accordance with the provisions in this Agreement. On or about September 14, 2023, the Manager shall report the number of worked in the prior and then-current fiscal year. The parties may amend this Agreement in writing pursuant to Section 16.

6. **Termination of Employment and this Agreement:**

A. If District terminates this Agreement (thereby terminating Manager's employment), by action of the affirmative votes of a majority of the members of the Board of Directors, Manager shall not be entitled to any additional compensation or payment but shall be entitled only to accrued Base Salary.

B. If, during the Term or any extended Term, Manager dies, Manager's estate shall receive Accrued Salary, but shall not be entitled to any additional compensation or payment.

C. In the event Manager is permanently disabled or is otherwise unable to perform his duties because of sickness, accident, injury, or mental incapacity for a period of three consecutive months, the District may terminate Manager's employment and this Agreement consistent with state law.

D. Manager may resign from their employment at any time, upon giving thirty (30) days written notice to the Board of Directors.

7. Compensation, Place of Work and Annual Evaluation:

A. Manager's Base Salary shall be One Hundred-Five Dollars per hour (\$105/hour). Said amount shall be payable in the same manner as other employees of the District are paid. Increases in Manager's Base Salary may be effective at any time at the sole discretion of the Board of Directors. The Manager will telecommute to the extent it does not interfere with their performance in the organization and community. They will provide regular reporting on hours worked to ensure compliance with budget parameters.

B. In addition to the Base Salary, Manager shall be entitled to reimbursement for travel expenses, as follows:

- i. For round trip airfare, up to \$300 for each week that Manger travels to the Kensington offices, for which Manager shall submit receipts;
- ii. For car rental, up to \$150 for each week that Manger travels to the Kensington offices, for which Manager shall submit receipts; and
- iii. For lodging, meals, incidentals and all other expenses, the United States General Services Administration's *per diem* rate for Alameda County.

C. Within 30 days of commencing employment with the District, Manager will submit goals and objectives for their tenure for approval by the Board of Directors.

D. Manager's Base Salary increases, if any, shall be approved in open session of the Board, but shall not require an amendment to this Agreement to be effective. Such increases may be set forth in an annual salary resolution or minute action approved by the Board of Directors by resolution.

E. Manager is a retired annuitant under the California Public Employees Retirement System and subject to the Public Employees' Pension Reform Act (PEPRA) and the Public Employees' Retirement Law (PERL). Manager shall be responsible for regulating their work for District so as to comply with the aforesaid statutes and any implementing regulations.

8. Other Benefits:

Other than the hourly salary set forth in this agreement, recognizing the part-time status of the Interim General Manager position, the District will not be responsible for any additional employee benefits. Notwithstanding the foregoing, Manager shall be entitled to any paid sick leave to which he is entitled under state law.

9. **Business and Professional Expenses:**

A. District recognizes that Manager may incur expenses of a non-personal, job-related nature that are reasonably necessary to Manager's service to District. District agrees to either pay such expenses in advance or to reimburse the expenses, so long as the expenses are incurred and submitted according to District's normal expense reimbursement procedures or such other procedure as may be designated by the Board of Directors. To be eligible for reimbursement, all expenses must be supported by documentation meeting District's normal requirements and must be submitted within time limits established by District.

B. District agrees to pay Manager's travel and subsistence expenses for official travel, meetings, and occasions for Manager's reasonable participation in necessary official and other functions for the District; including, but not limited to, regional, state, and local conferences, and governmental groups and committees on which Manager serves as a member. Notwithstanding the above, the number and allowable cost of conferences or meetings District will pay for each year, shall be at the discretion of the Board of Directors as set forth in the District's budget.

10. **Abuse of Office or Position:**

If Manager is convicted of a crime involving an abuse of their office or position, all of the following shall apply: (a) if Manager is provided with administrative leave pay pending an investigation, Manager shall be required to fully reimburse District such administrative leave amounts paid; (b) if District pays for the criminal legal defense of Manager (which would be in its sole discretion, as it is generally not obligated to pay for a criminal defense), Manager shall be required to fully reimburse District such amounts paid. For purposes of this Section, abuse of office or position means either: (x) an abuse of public authority, including waste, fraud, and violation of the law under color of authority; or (y) a crime against public justice.

11. **Communications Upon Manager's Separation:**

In the event the District terminates the Manager for any reason or no reason, the District and the Manager agree that, other than dates of hire, notice and separation, no member of the Board of Directors, the District Management staff, nor the Manager, shall make any written, oral or electronic statement to any member of the public, the press, or any District employee concerning the Manager's termination except in the form of a joint press release or statement, the content of which is mutually agreeable to the District and the Manager. The joint press release or statement shall not contain any text or information that is disparaging to either party. Either party may verbally repeat the substance of the joint press release or statement in response to any inquiry.

12. Indemnification:

Consistent with the California Government Code, District shall defend, hold harmless, and indemnify Manager using legal counsel of District's choosing, against expense or legal liability for acts or omissions by Manager occurring within the course and scope of Manager's employment under this Agreement. Legal representation, provided by District for Manager, shall extend until a final determination of the issues including any and all losses, damages, judgments, interest, settlements, fines, court costs, and the reasonable costs and expenses of legal proceedings, including appeals, and including attorneys' fees, and expert witness fees and all other trial and appellate costs, and other liabilities incurred, imposed upon, or suffered by Manager in connection with or resulting from any claim, action, suit, or proceeding, actual or threatened. In the event, there is a conflict of interest between District and Manager such that independent counsel is required for Manager, Manager may engage their own legal counsel, in which event District shall indemnify Manager, including direct payment of all such reasonable costs related thereto.

13. Notices:

Any notices to be given hereunder by either party to the other in writing may be effected either by personal delivery, mail, or email. Mailed notices shall be addressed to the parties as set forth below, but each party may change their address by written notice given in accordance with this Section. Notices delivered personally or by email will be deemed communicated as of actual receipt. Mailed notices will be deemed communicated and received as of three (3) calendar days following the date of mailing.

DISTRICT: Kensington Police Protection and Community Services District Attention:
President of the Board
217 Arlington Avenue
Kensington, CA 94707

MANAGER: David A. Aranda, Interim General Manager
3256 SW Huber St. Unit B
Portland, OR 972196

14. Conflict District Policies and Practices:

The District's personnel ordinances, resolutions, rules and policies shall apply to Manager in the same manner as applied to other management employees, provided, however, in the event of a conflict between the provisions of this Agreement and the District policies and procedures, this Agreement shall prevail over District policies and procedures.

15. Entire Agreement:

This Agreement represents the entire agreement between the parties and supersedes any and all other agreements, either oral or in writing, between the parties with respect to the employment of Manager by District, and contains all of the covenants and agreements between the parties with respect to that employment. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by either party, or by anyone acting on behalf of either party, which are not embodied herein, and that no other employment agreement, statement, or promise not contained in this Agreement shall be valid or binding upon either party.

16. Modifications:

Any modifications to this Agreement shall be effective only if in writing and signed by both of the parties hereto.

17. Effect of Waiver:

The failure of either party to insist upon strict compliance with any of the terms, covenants, or conditions of this Agreement by the other party shall not be deemed a waiver of that term, covenant, or condition, nor shall any waiver or relinquishment of any right or power at any one time or times be deemed a waiver or relinquishment of that right or power for all or any other

times.

18. Partial Invalidity:

If any provision of this Agreement is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions shall nevertheless continue in full force without being impaired or invalidated in any way.

19. Governing Law:

This Agreement shall be governed by and construed in accordance with the laws of the State of California.

This Agreement is entered into this _____ day of February, 2023, pursuant to Board authorization on February 9, 2023.

Kensington Police Protection and Community Services District

By: _____

Alexandra Aquino-Fike, President

Sarah Gough, Vice President

Manager

David A. Aranda, Interim General Manager

Attest:

Lynelle Lewis, Clerk of the Board

Approved as to Form:

Ann Danforth, District General Counsel



Kensington Police Protection and
Community Services District

Item 06
Updates from Ad Hoc Committee

This will be an oral report



Kensington Police Protection and
Community Services District

Item 07
KCC Contract Update

This will be an oral report



Kensington Police Protection and
Community Services District

Item 08
Proposed KPPCSD/KFPD Joint Meeting with
Contra Costa LAFCO

This will be an oral report



Kensington Police Protection and
Community Services District

Item 09
Options to Improve Community Engagement at
Meetings

This will be an oral report

Office Report prepared by Jenny Parks Kensington Community Council February 1, 2023

KASEP:

KASEP Winter Session is at the half way mark, Week 5 of a 10 week session. We cancelled 2 days of classes at the beginning of the session due to park closure from the large storm. Winter session ends Friday, March 17th. KCC will be closed, no KASEP classes, President's Week, February 20th -24th.

Spring KASEP starts Monday, March 20th and ends Friday, June 2nd. KASEP Spring Brochure will be distributed to Hilltop students the week of February 28th. Online registration is scheduled for Tuesday, March 7th at 7:00pm.

We are offering many of the same classes for spring session with a few changes in the art classes and adding Volleyball on Mondays.

Tax forms, both W-2 and 1099s were distributed for tax year 2022

KCC SUMMER CAMP:

Summer Camp runs for 9 weeks, starting June 12th and ending August 11th. Enroll by the week; camp day is 9-5 with the option of morning and after care. The cost of the camp will be \$400 per week. Campers must be entering first through entering 6 graders, in the fall 2023. Summer Camp planning is in the works and camp online registration starts Tuesday, February 28th. Camp schedule will be available on our website the week of February 13th. Brochures will be sent home in the Hilltop etree the week of February 13th.

KCC:

The KCC website has been updated with the new KCC officers. The 2023 KCC Calendar has been updated and the community events have been added to the schedule.

KCC Movie Night in the Park, Saturday, September 16th

Fall Picnic Sunday, October 22nd

Adult Classes

Art Classes- Jewelry Making w/ April Schlanger -Continue Wednesdays in February at 6:00pm in the Recreation Building.

Tai Chi with Nobuo Nishi Weds & Fridays 9:30-11am. Community Center, drop in fee of \$15
Strength & Balance Yoga with Anja Brogstrom Tuesdays 8:30am and Gentle Yoga Thursdays 11:30am in the Community Center, drop in fee of \$20.

Tennis Courts

Tennis Court reservations are required for weekends by calling the KCC office at 525-0292. A fee increase as of August 1st to \$7 residents and \$10 non-resident for 1 hour of court time; checks can be made out to KPPCSD and left in the KCC office mail box. Weekdays are on a first come first serve basis except during KASEP Tennis classes.

MONTHLY REPORT

JANUARY 2023

KENSINGTON POLICE DEPARTMENT



10940 San Pablo Ave
El Cerrito CA, 94550
510-526-4141

January 2023 Monthly Report

Happenings

The Kensington Police Department welcomed police applicant David Payne to the team. After a rigorous testing process, which included several interviews and a background check, David accepted his badge on Thursday, January 26, and is scheduled to start his field training program on February 9 with Sergeant B. Lande. The POST approved training program typically lasts 16 weeks. We look forward to him being a part of our future.

Our recruiting team received and reviewed five applications for police officer. Only two met the criteria to move forward in the process. Both applicants were interviewed by the Chief of Police and are now in the background phase of the hiring process. Police officer backgrounds typically take two months.

The Kensington Police Department follows the guidelines set forth by the Department of Justice related to incident-based reporting. We received our certificate of compliance on January 27th. This achievement would not have been realized if not for the attention to detail applied to this program by Sergeant A. Nath and staff. The certificate can be found at the end of the monthly report.

We have stepped up our social media awareness messaging to include tips on how to avoid becoming a victim of online theft. <https://consumer.ftc.gov/articles/scammers-use-fake-emergencies-steal-your-money>

Going forward, officers will deliver informational flyers to members of the community when appropriate. Members of the community can also pick up these useful tips which are located in the police department lobby free of charge. Any member of the community can always call and ask for an officer's assistance if they need help with this type of issue.

Organization

- | | |
|--------------------|------------|
| 1. Chief of Police | M. Gancasz |
| 2. Lieutenant | B. Harms |
| 3. Sergeant | A. Nath |
| 4. Sergeant | B. Lande |
| 5. Officer | J. Fajardo |
| 6. Officer | D. Siebert |
| 7. Officer | M. Farley |
| 8. Officer | Vacant |
| 9. Officer | Vacant |
| 10. Support Staff | J. Haynes |
| 11. Volunteer | L. Stokes |
| 12. Volunteer | M. Logan |
| 13. Volunteer | E. Woo |

January 2022

Fleet..... All Cars in service
 CIBRS/NIBRS.....Compliant
 RIPA.....Compliant
 Training.....Supervisory Leadership/DV
 CCW Program..... up to date

January 2022

On duty Injuries.....Zero
 On duty collisions.....Zero
 Complaints.....Zero
 Compliments.....Three
 COVID Exposure..... Zero

PATROL OPERATIONS

INCIDENT SUMMARY	
DESCRIPTION	COUNT
Incidents Captured	1019
Public Calls for Service	177
Officer Initiated Events	842
Traffic Stops	28
Citations Issued	35
Arrests	1
Reports taken	28

PART 1 CRIMES	
DESCRIPTION	COUNT
Assault	1
Murder	0
Sex Offenses	1
Robbery/Extortion	0
Burglary	0
Theft	8
Arson	0

INCIDENTS BY TYPE		
INCIDENT TYPE	DESCRIPTION	COUNT
10-33	Alarm	12
10851 VC	Vehicle Theft	1
11-24	Abandoned Vehicle	9
11-82	Vehicle Accident - No Injury	2
20002 VC	Hit and Run - Property Damage	3
23103 VC	Reckless Driving	2
415 PC	415 PC - Disturbance of Peace	2
459 PC	Burglary	2
484 PC	Theft	1
484G	Fraud Use of Credit Card	1
487 PC	Grand Theft	2
488 PC	Petty Theft	2
530.5 PC	Identity Theft	2

594 PC	Vandalism	1
911CALL	911 Call	20
ADVICE	Person Seeking Advice From PD	3
ANIMAL	Animal Call	1
AREACHK	Area Security Check	269
BEATINFO	Beat Info	1
BOLO	BOLO	1
CITECORR	Citation Correction	2
COP	Community Oriented Policing	11
EXTPATRL	Request for Extra Patrol	369
FLAG	Flag down of Officer	1
FNDPROP	Found Property Report	1
FOLLOWUP	Case/Incident Follow-Up Activity	35
HAZARD	Hazard	5
INFO	INFORMATION	8
KPDASST	KPD Assist	1
MPAIDED	Citizen Assist	41
MPAUTO	Mis Pub Auto	3
MPCIVIL	Misc. Civil Matter	2
OUTASST	Assistance to an Outside Agency	16
PARKER	Parking Citation	22
PARKNWLK	Park and walk	3
PEDCHK	Misc. Check of a Pedestrian	2
PROPDMG	Damage to Property (City or Private)	1
PROPPKUP	Property Pickup	1
RIDER	Ride Along	3
ROADCLS	Road Closure	11
SECURITY	Security or Business Check	60
SUSCIRC	Suspicious Circumstance	9
SUSPERS	Suspicious Person/s	2
SUSVEH	Suspicious Vehicle	7
TRFHAZ	Traffic Hazard	8
TRIP	Check Vehicle Registration & Status	15
VACWATCH	Vacant Home Watch	6
VEHRELS	Vehicle Release	2
VEHSTOP	Vehicle Stop	28
WELFARE	Welfare Check	7

Total Incidents 1019

- On Thursday, January 5, officers took a report of online theft in the 100 block of Arlington Avenue. The loss was approximately \$2,000. The investigation is ongoing.
- On Friday, January 6, officers responded to a road rage incident on Anson Way. Officers determined a hit and run collision took place on Sunset Drive near Arlington Avenue. The at fault driver who fled the scene was contacted, arrested, and charged with hit & run, unlicensed driver, and an additional right of way violation. The case is being reviewed by the District Attorney for prosecution.
- On Wednesday, January 11, officers took a report of online theft in the 100 block of Lenox Road. The loss was approximately \$8,000. The investigation is ongoing.
- On Thursday, January 12, officers took a report of a stolen catalytic converter in the 200 block of Stanford Avenue.
- On Wednesday, January 18, officers took a report of online theft in the 200 block of Columbia Avenue. The loss was estimated to be \$6,500.
- On Wednesday, January 18, Officers took a report of a hit and run collision in the area of Stanford Avenue and Yale Avenue.
- On Monday, January 23, officers took a stolen vehicle report in the 100 block of Arlington Court. Investigating officers helped the owner track his car using a mobile app. The vehicle was recovered later that day by the Oakland Police Department.
- On Tuesday, January 24, officers responded to a non-injury collision in the 200 block of Willamette Avenue.
- On Thursday, January 26, officers responded to a hit and run collision between Wellesley Avenue and Arlington Avenue. Officers obtained surveillance photos of the suspect car which was broadcast to surrounding agencies. The suspect is still at large, and the investigation is ongoing.
- On Monday, January 30, Officers took a report of online theft. The estimated loss is unknown.
- On Tuesday, January 31, Officers responded to a structure fire in the 200 block of Stanford Avenue. Officers completed traffic control and scene security while firefighters extinguished the blaze. Officers contacted the Red Cross to assist the resident with safe housing. The home was red-tagged the following day by County Code Enforcement who returned to the scene with officers. Fire Investigators have not determined a cause.

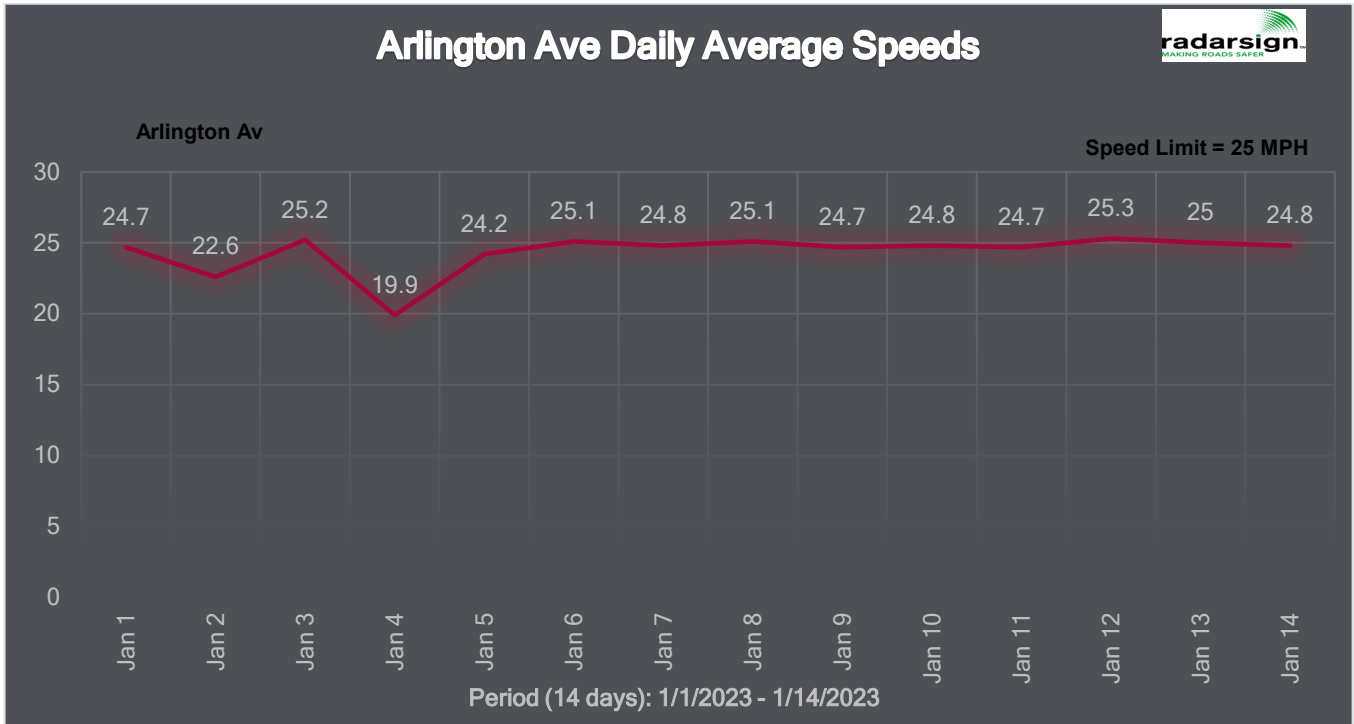
Traffic Safety

During January, traffic collisions were down 16%, from 6 to 5, even though traffic through Kensington, as measured by the Radar sign on Arlington Ave, increased by 11.5%. The stop sign at Grizzly Peak and Spruce Ave had been knocked down by an unreported motor vehicle collision. KPD requested Contra Costa County Public Works replace the sign. KPD received three online supplemental traffic safety reports in January. All three were resolved.

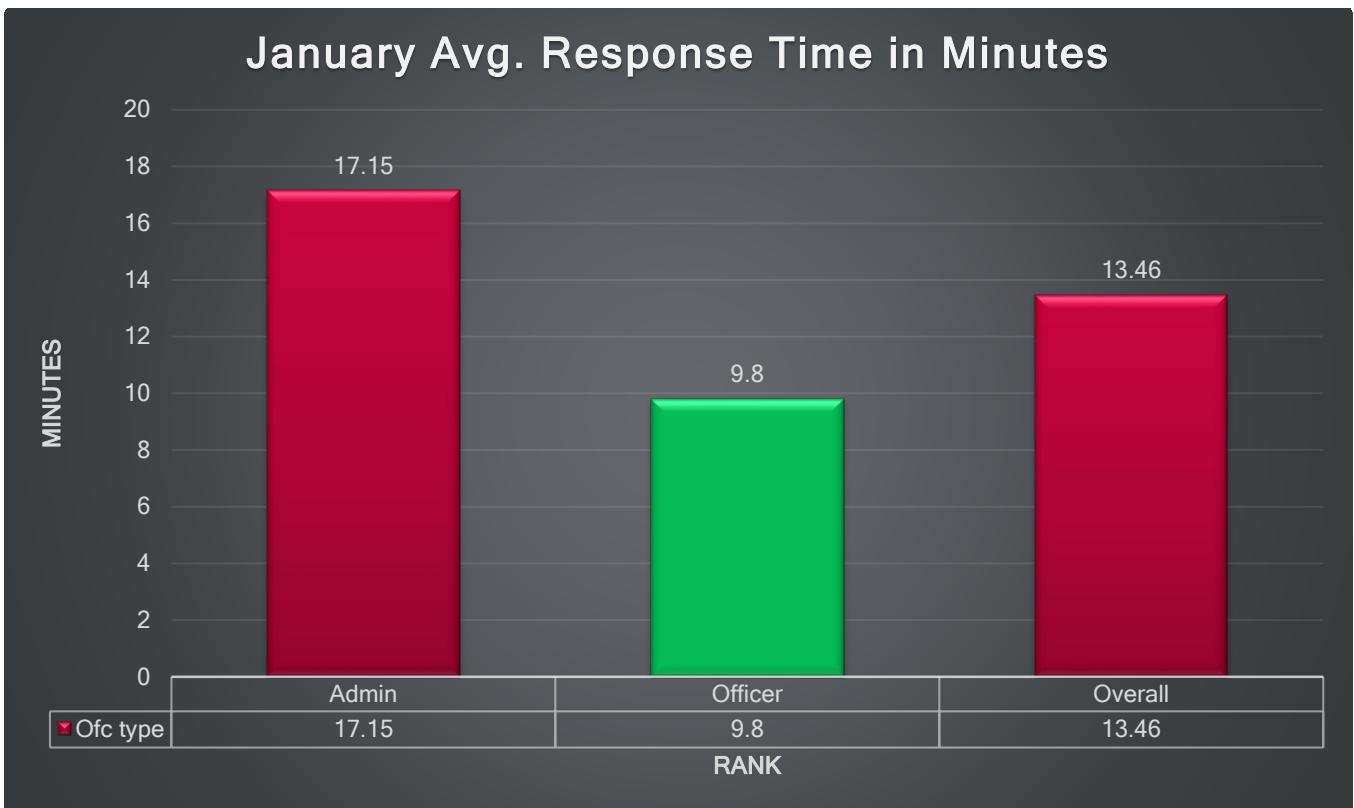
KPD Officers also responded to and coordinated numerous road closures due to downed trees and other storm-related damage. All closures were handed off to the appropriate partner agencies, which included: PG&E, Contra Costa County Public Works, EBMUD, and Stege Sanitation District. As of the end of January, KPD was no longer maintaining any road closures.

KPD continued to monitor speeding on Arlington Av and observed that the average speeds remained consistent with December 2022. The average vehicle speed on Arlington Ave is consistent with the 25 MPH posted speed, showing a two-week average speed of 24.35MPH. There is a minor fluctuation between average and peak speeds with most speed violations occurring between 1130am and 330pm. There is no obvious trend regarding speeding by the day of the week.

During January 2022, 24,230 cars passed the radar sign, and 33 of those vehicles exceeded the speed limit by 15mph or more. For every 1000 cars passing the radar sign on Arlington Ave, 1.36 vehicles will exceed the speed limit by 15mph. The 85th percentile speed averaged 31.29 MPH. That means that 85% of all vehicles passing the radar had a speed no more than 6.29 mph above the speed limit. Of all the vehicles passing the radar, 21.5% of all vehicles exceeded the speed limit by 5 mph (an increase from December 2022) and 1.5% exceeded the limit by 10 mph.



New Location



Staff reports they are very happy with the new facility and are pleased to have adequate parking, sufficient work space, and modern equipment. The Police Officers Association purchased a small exercise gym for the membership and

worked with the Chief to select an area for placement that wouldn't interfere with day-to-day operations. The small gym is regularly used by officers before and after their shifts. The gym has many advantages including, enhancing employee health and wellness, physical fitness, reduced on the job injuries, and an additional recruiting tool for the hiring team.

Response time for officers is consistent with times in December. Staffing levels dropped from 7 to 6 on January 15, due to scheduled and unscheduled absences. A new officer will start on February 9, and an officer on leave will return February 19, bringing staffing up to 8. We have another officer in the background process and anticipate them starting the first week of March, bringing the police department to the authorized staffing level of 9.

Training

Sergeant B. Lande attended a POST approved, 40-hour, Field Training Supervisor Course and was appointed the Supervisor of the Kensington Police Training Program. Sergeant A. Nath attended session #2 of the POST approved Supervisory Leadership Institute. Chief Gancasz attended the annual Contra Costa County Police Chiefs Conference in Napa. Attendees included every Chief in Contra Costa and District Attorney D. Smith. Subject matter included legislative updates, implementing reporting procedures for SB2, and common staffing challenges throughout the profession.

California Incident Based Reporting System (CIBRS) Certification Package

Congratulations! Your agency has submitted the required volume of data meeting the 3% error threshold and are being considered for CIBRS and NIBRS certification. Please complete this form and have it signed by an agency head record supervisor and return it to CANIBRS@doj.ca.gov.

Primary Agency Contact Information

1. Agency Name: Kensington Police Department
2. Agency ORI: CA0071300
3. Agency Primary Contact: Amit Nath
4. Agency Primary Contact Title: Police Sergeant
5. Agency Primary Contact Email: anath@kppcsd.org
6. Chief/Sheriff Name: Michael Gancasz
7. Chief/Sheriff Email: mgancasz@kppcsd.org
8. My Agency (parent) submits data on behalf of another agency (contract): YES NO
9. If Yes, please provide the ORI's your Agency also submits for (attach extra sheet if necessary):

Agency Name: <u>N/A</u>	Agency ORI: <u>N/A</u>
Agency Name: <u>N/A</u>	Agency ORI: <u>N/A</u>
Agency Name: <u>N/A</u>	Agency ORI: <u>N/A</u>
Agency Name: <u>N/A</u>	Agency ORI: <u>N/A</u>

Agency Record Management System (RMS) Information

1. Was the system built in-house or acquired from a vendor? Vendor
2. What is the name of your existing Records Management System (RMS) service provider/vendor? Sunridge Systems
3. What is the product name of your RMS system? RIMS
4. Which version of the NIBRS technical specification is applied in your system? 2019.2 NIBRS Technical Specifications
5. Which version of the CIBRS Technical specification is applied in your system? 2020.2 CIBRS Flat File Final Technical Manual
6. What is the release date on the current version of the CIBRS Offense Code Table in your system? February 2022
7. My agency uses the following submission method(s) (Select check box for each submission method used):

IBR Submissions

- Manual Entry – CIBRS Web Portal
- Flat File – Manual CIBRS Upload
- Flat File – WebServices
- XML – Manual CIBRS Upload
- XML – WebServices

DV Submissions

- Manual Entry – CIBRS Web Portal
- Flat File – Manual CIBRS Upload
- Flat File – WebServices
- XML – Manual CIBRS Upload
- XML - WebServices

Acknowledgements

Please read and initial the following statements related to incident submission and certification:

AN My Agency understands that the CIBRS incident submissions now contains the following combined data sets: Arrest, Arson, Crimes and Clearances, Hate, Homicide, LEOKA, Cargo Theft, Human Trafficking, Anti-Reproductive Rights Crimes, and Violent Crimes Against Senior Citizens.

AN My Agency understands that the Domestic Violence-Related Calls for Service collection has remained the same as it was under Summary Reporting. The only difference is the submission method. The DV Call for Service information is now reported under their own segment to the CIBRS repository. This segment is separate from the other IBR segments reported and will be submitted in a separate file.

AN My Agency will continue to maintain submissions under the 3% threshold. CA DOJ will be periodically checking on the monthly error rates to ensure ongoing compliance. I understand that my Agency's Certification could be placed on probation potentially if we fall below the 3% error threshold multiple months in a row.

AN My Agency understands that even though a 3% error rate is the threshold to obtain and maintain certification, my Agency is responsible for resolving all errors and resubmitting them to CIBRS. If there is a defect/bug identified in my RMS that prevents us from fixing and resubmitting, we will notify CANIBRS@doj.ca.gov immediately and provide details on estimated fix and implementation dates.

AN My Agency understands that we must verify and validate all Warnings generated from submissions. This means my agency will review the warnings and either fix and resubmit the incident or work through the Warning Verification process.

AN My Agency understands that all error resolution must occur in my Agency's RMS followed by a resubmission to the CIBRS repository in a timely manner. Your RMS should be able to generate a file for upload of just the resubmissions and not the entire monthly file again.

AN My Agency understands there will be quarterly CIBRS Offense Listing updates and it is my agency's responsibility to ensure we are using the current version of this listing.

AN My Agency understands there is a one-to-many relationship between California statutes and UCR Offense codes. I understand that the ability to submit the one-to-many relationship will be a part of routine validation and verification checks.

AN My Agency understands we will need to coordinate the reporting of outside warrants with originating agencies.

AN My Agency understands and follows the FBI's rules for Exceptional Clearances. My agency is correctly clearing by exceptional means. This means for each incident reported as exceptionally cleared, my LEA has verified it meets **ALL FOUR** conditions:

1. The LEA investigation must have clearly and definitely established the identity of as least one offender.
2. The LEA must have sufficient probable cause to support arresting, charging, and prosecuting the offender.
3. The LEA must know the exact location of the offender so they could make an arrest if circumstances did not prevent it.
4. There must be a reason outside the control of the LEA preventing the arrest, charging, and turning over for prosecution.

AN My Agency is using the two-level decision-making process outlined in the FBI's Hate Crime User Manual for identifying and reporting hate crimes.

AN My Agency understands that if we change RMS service providers/vendors, we will need to be re-certified or if my agency changes the method of submission outlined in number six on the second page.

AN My Agency is using the CIBRS Zip Code Table to populate data for DE C1 (Zip Code)

AN My Agency understands that we need to communicate all personnel changes affecting CIBRS user accounts and submissions in a timely manner to CANIBRS@doj.ca.gov

AN My Agency understands we will not to create any user accounts for personnel outside of our agency.

AN My Agency understands we will not be able to create an account or provide our RMS vendor with access to the CIBRS Production Environment.

AN My Agency is able to submit the CIBRS data elements and values required as needed for Hate Crimes, Homicide, Anti-Reproductive Rights Crimes (ARRC), and Crimes Against Senior Citizens.

Agency Checklist

Please mark each box to verify your RMS is able to collect and submit the following:

- Able to collect information about all offenses in an incident
- Collect detailed CA offense code information assigned to each NIBRS code in an incident
- Able to collect up to 10 offenses in an incident
- Able to collect information about Animal Cruelty offenses
- Able to collect information about Human Trafficking offenses
- Able to collect information about Identity Theft offenses
- Able to collect information about Hacking/Computer Invasion offenses
- Demographic information stored for each victim in an incident
- Victim injury stored for each victim in an incident
- Demographic information stored for each known offender in an incident
- Relationship between each victim and offender stored for all offenses in an incident
- Track multiple clearances
- Track whether an incident was exceptionally cleared
- Record and store exceptional clearance date
- Track and record Anti-Reproductive Rights Crimes (ARRC) incidents
- Track and record Cargo Theft incidents

Agency Signatures

We have completed the above checklist and initialed the above acknowledgements. I understand my agency's responsibilities to obtain and maintain CIBRS Certification.

Records Supervisor Name: Amit Nath (Police Sergeant) Date: 1-18-2023

Records Supervisor Signature:  Date: 1-18-2023

Agency Head Name: Michael Gancasz (Chief of Police) Date: 1-18-2023

Agency Head Signature:  Date: 1-18-2023

California DOJ Checklist

Checklist Item	Criteria Met	Notes/Comments
Has submitted multiple months of CIBRS data		
Has submitted the corresponding DV files for reported months.		
Months of data submitted has been at an acceptable error rate.		
Has the ability to resubmit records that need correction or update timely		
Agency is submitting both Group A and Group B arrests		
Current errors on incidents that have not been resubmitted and unconfirmed warnings provided to agency		
Corrections for outstanding errors identified and provided to agency		

CA DOJ Signatures

This Agency has met the requirements for CIBRS Certification and is certified as of this date: _____

CIBRS Team Member Name: _____ Date: _____

CIBRS Team Member Signature: _____ Date: _____

CJSC Manager Name: _____ Date: _____

CJSC Manager Signature: _____ Date: _____

MONTHLY REPORT

DECEMBER 2022 PAGE 9-14

Yearend briefing included PAGE 1-8

KENSINGTON POLICE DEPARTMENT



10940 San Pablo Ave
El Cerrito CA, 94550
510-526-4141

It's been an exciting year filled with progress, advancement, and change for the KPPCSD and the Police Department. We moved operations to a new location in El Cerrito, successfully hired a lateral officer, and made progress modernizing our equipment and procedures. Efficient, effective, and safe allocation of employee resources were the metrics applied most often in 2022.

Analytics

The available incident and case statistics for the Kensington Police Department from 1/1/2022 thru 1/22/2022 are compiled in this end of year monthly report. The report is not an overall summary of the work performed in 2022, but an aggregate of data available on December 22, 2022.

Year to Year from 2021 to 2022, all categories of incidents (including dispatched Calls for Service and Officer Initiated Activities) saw an increase except for traffic enforcement stops and criminal arrests which saw slight declines of 12% and 15% respectively. Case reports for 2022 (N=350) are projected to be slightly above that of 2021 (N=343), with likely less than a 1% increase year over year.

Part 1 crimes were either the same or increased from 2021 to 2022, with increases in vehicle theft, burglary, and domestic violence. Theft showed an overall decline of 16%. However, Catalytic Converter thefts have increased from 11 in 2021 to 42 in 2022, an increase of 380%.

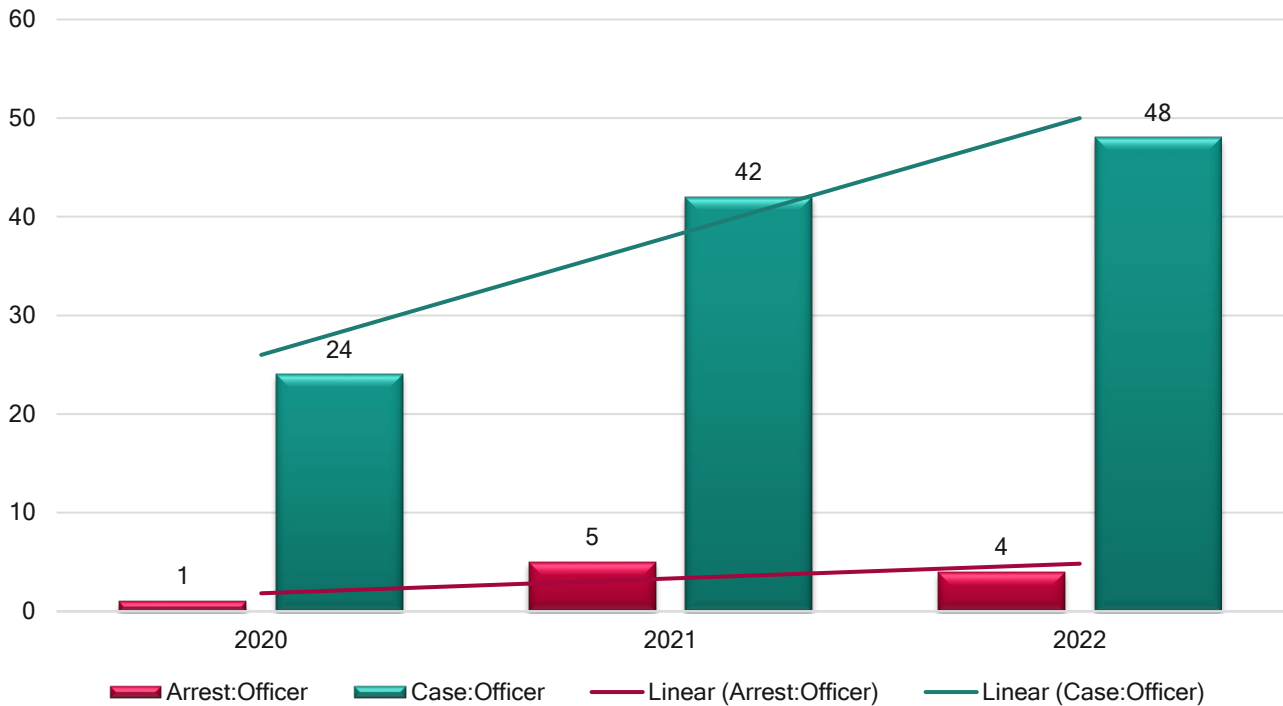
Remaining fully staffed continues to be a challenge for police departments throughout the country and the law enforcement profession is experiencing significant difficulty recruiting officers. Several factors perpetuate this dilemma including, but not limited to, social, political, economic, and generational perceptions. Kensington's police staff dropped 23% from 2020 and 14% from 2021. Active recruitment to fill those vacancies continues. KPD operated for a significant portion of 2022 with only 6 sworn staff which may have slightly contributed to the decrease in criminal arrests from 2021.

At the same time, between 2020 and 2022, overall Calls For Service (CFS), Officer Initiated Activity (OIA), and Case Investigations increased. Arrests trended upwards as well, since 2020. Consequently, the officer/work ratios for KPPCSD Staff have significantly increased. Since 2020, the ratio of cases to officers has increased by 200%; arrests per officer by 400% and Calls for Service (CFS) by 38%. Combined, these numbers indicate not only an overall increase in the volume of officer work but also the intensity of work as a function of effort and risk. Notably, despite short staffing, individual officers have increased their arrest ratios thereby taking on greater exposure to risk.

Table 1. Ratio of Arrest, Cases, and CFS per Officer over time

Work Ratio	2020	2021	2022
Arrest: Officer	1	5	4
Case: Officer	24	42	48
CFS: Officer	191	224	264
Total Staff	9	8	7 (6 Jan-Sept)

Chart 1. Ratio of Arrests and Cases per Officer over time

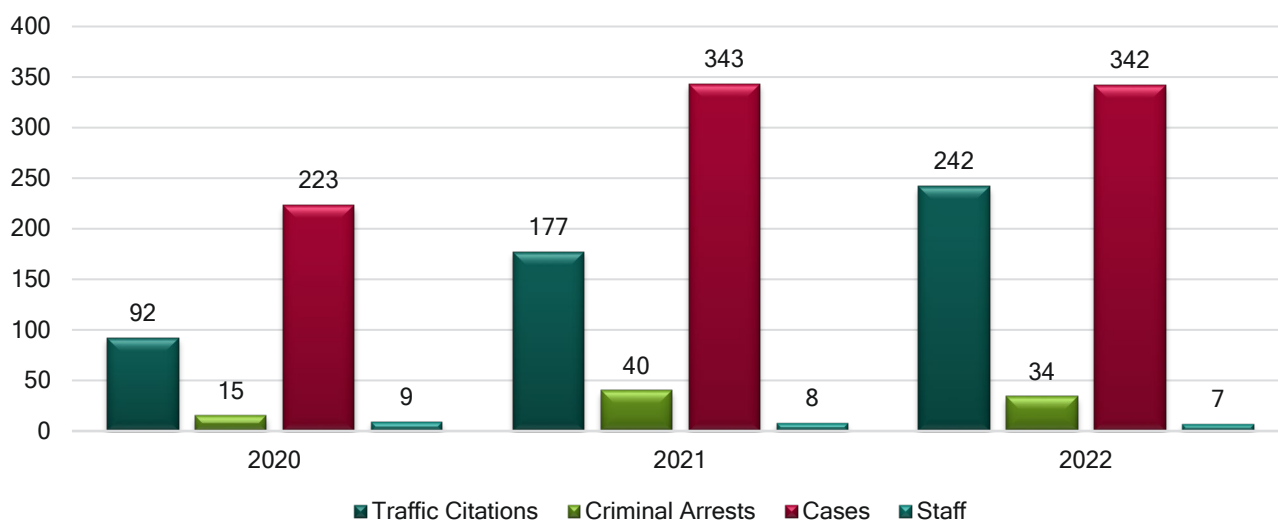


Overall, the volume of work as recorded as incidents has increased by 3%. Decomposed, into Calls for Service (CFS) and Officer Initiated Activity (OIA), each category increased by approximately 3%. In response to the rise in catalytic converter thefts, officers increased their security and area checks by 374%. Collisions as measure by property damage only collisions and hit and runs increased by 41%. Although traffic stops decreased by 12%, traffic enforcement (citations issued) increased by 36%. This is remarkable and shows an increase in officer efficiency. KPD officers used no force to affect an arrest in 2022.

Table 2. General Statistics

Category	2020	2021	2022	Change	Change 21-22
Incidents	9691	11018	11347	329	3%
Calls for Service	1719	1799	1853	54	3%
Officer Initiated Activity	7972	9219	9494	275	3%
Traffic Stops	542	603	531	-72	-12%
Traffic Citations	92	177	242	65	36%
Criminal Arrests	15	40	35	-5	-13%
Collision Reports	10	29	42	13	45%
Security Checks	1121	734	2752	2018	374%
Use of Force	0	0	0	0	0%
Cases	223	343	342	-1	0%
Staff	9	8	7	-1	-12.5% (-25% Jan-Sep)

Chart 2. General Statistics

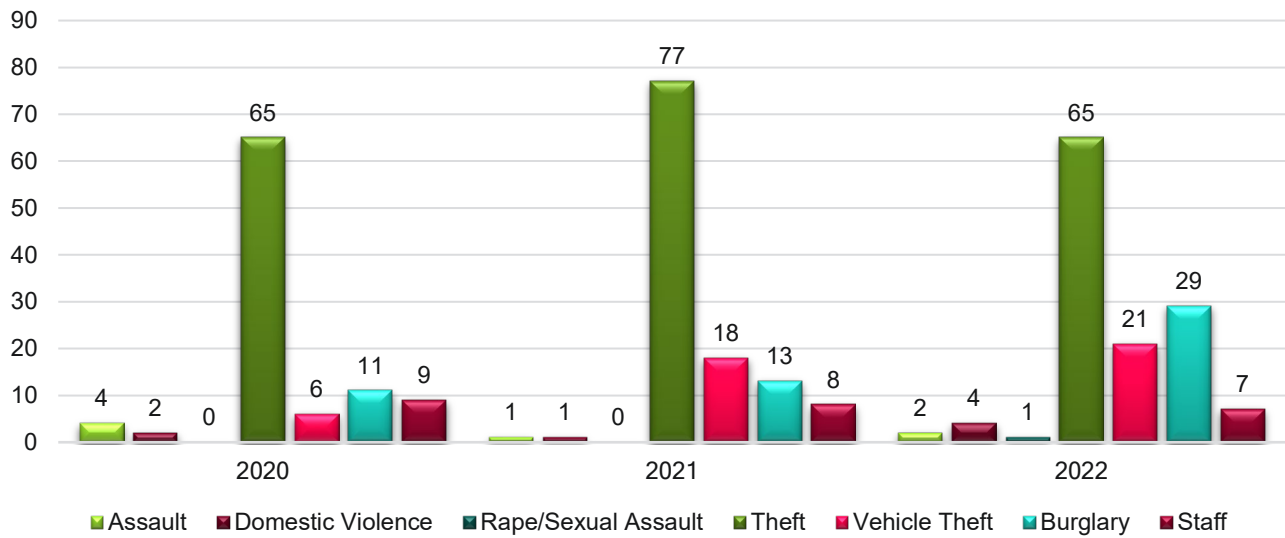


Part 1 crimes saw increases in 2022 from 2021 and 2020. Assaults, domestic violence, sexual assault, vehicle theft, and burglaries increased, however, the baseline frequency for violent crimes such as assault and sexual assault is very low. For example, the average frequency of Assault or Domestic Violence in the past three years is 2.33/year. The average frequency of sexual assault is .33/year. Consequently, an absolute increase in these categories creates a large relative increase as represented by percent change. Property crimes such as Theft, Vehicle Theft and Burglary, trended upwards both in terms of absolute frequency and relative percent changes.

Table 3. Part 1 Crimes

Category	2020	2021	2022	Change	Change 21-22
Homicide	0	0	0	0	0%
Robbery	0	0	0	0	0%
Assault	4	1	2	1	100%
Domestic Violence	2	1	4	3	400%
Rape/Sexual Assault	0	0	1	1	100%
Theft	65	77	65	-12	-16%
Vehicle Theft	6	18	21	3	17%
Burglary	11	13	29	16	223%
Use of Force	0	0	0	0	0%
Staff	9	8	7	-1	-12.5% (-25% Jan-Sep)

Chart 3. Part 1 Crimes



Traffic Safety has shown marked increases in collisions and hit and runs. Hit and run collisions, which are a crime, were up 350% since 2020. Non-criminal collisions were up 340%. The rate of increase slowed in 2022. 19 Collisions occurred on Arlington Ave, 6 on Kenyon Av, 6 on Wellesley, and 3 at the intersection of Grizzly Peak and Spruce Av. These four roads accounted for 43% of all collisions.

Figure 4. Traffic Safety 2020-2022

Category	2020	2021	2022	Change	Change 21-22
Collisions	5	16	17	1	6%
Hit and Runs	6	12	21	9	75%
Total	11	28	38	10	35%

Chart 4. Traffic Safety 2020-2022

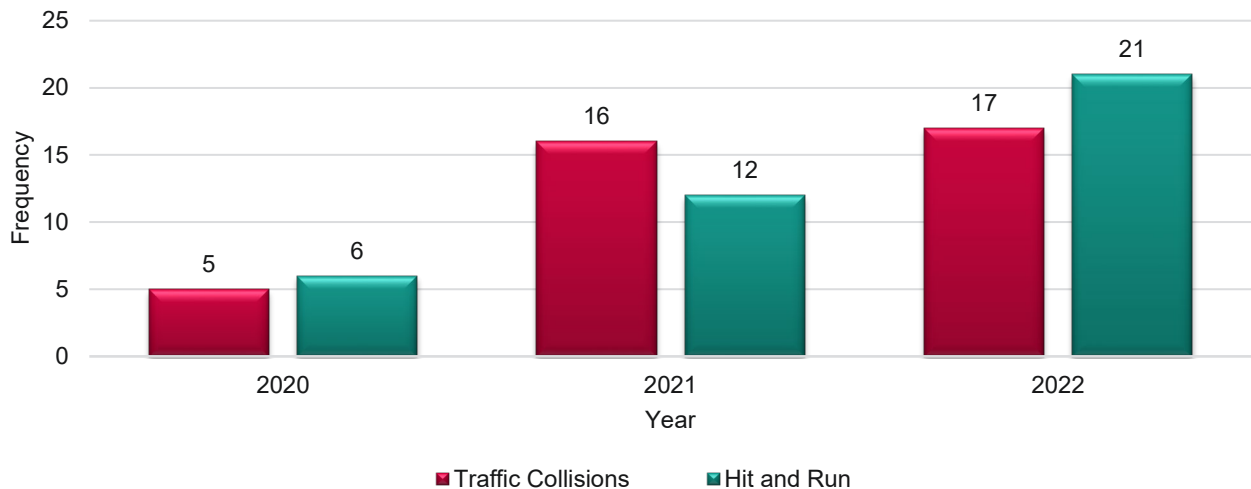
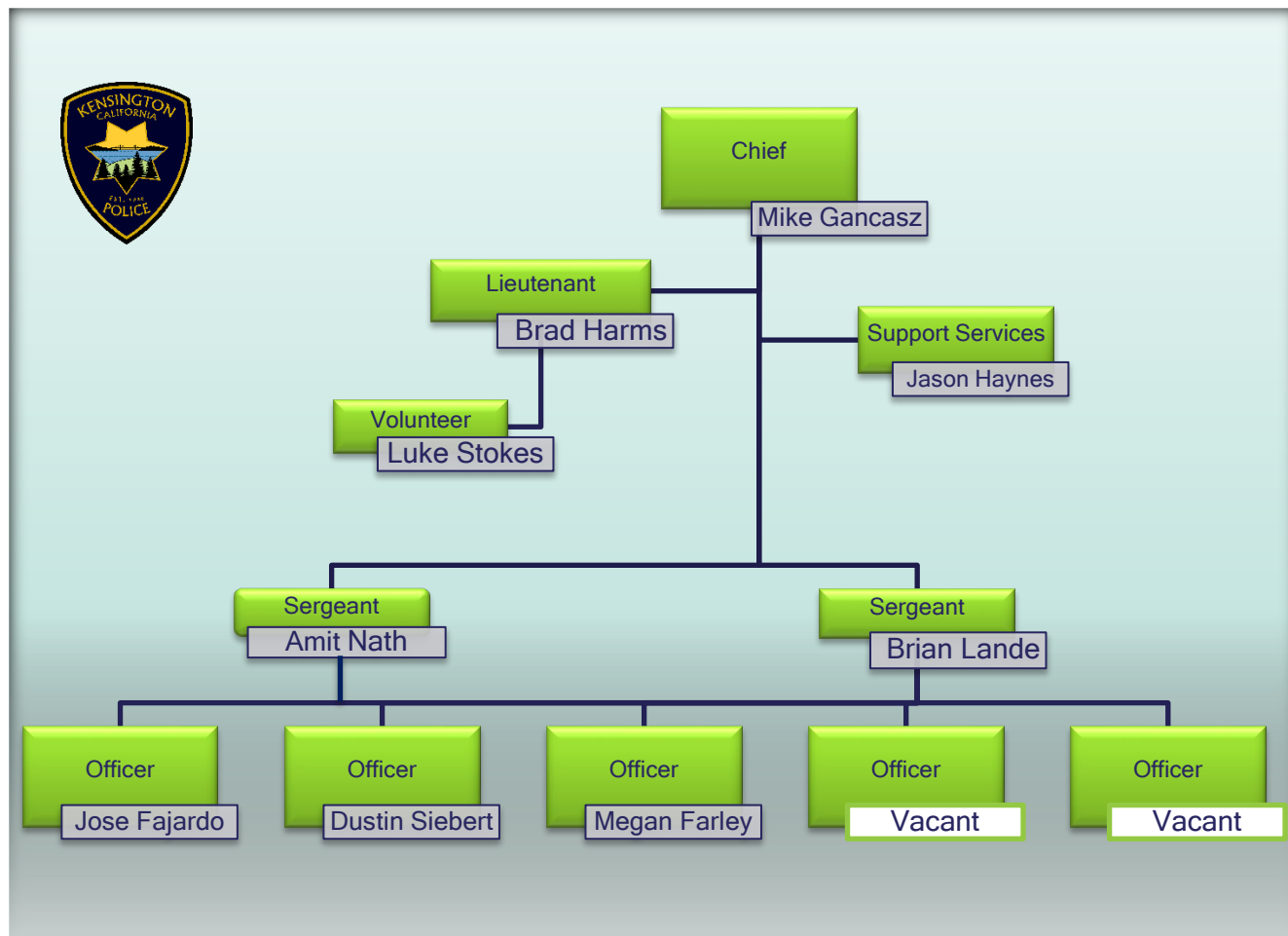


Figure 5. Current Staffing



In Kensington and across the nation, the [challenges police departments face in retaining and recruiting](#) officers are daunting – a staffing crisis exacerbated by retirements, resignations, multiple social, political, and economic forces, including generational differences, negative perceptions of policing and the long hiring process of many agencies, has caused an extreme shortage of police applicants ([2019 survey by the International Association of Chiefs of Police](#)). In 2021, Kensington PD saw unprecedented turnover. Five officers and two support staff departed. We responded by forming a recruiting/hiring team whose goal was to fill the vacancies with only the best, most qualified applicants. KPD recruited and hired two lateral police officers and one non-sworn support services staff member in November 2021, and another lateral police officer in September 2022. KPD also recruited and hired a volunteer who works an average of 20-40 hours per month. We currently have one applicant for police officer in the background process and one volunteer in the background process. We anticipate one retirement within the ranks in mid-2023 which we will have to backfill.

New Facility

The new police facility became operational on October 12, 2022 and has been well received by staff and members of the public. An analysis of officer response times to calls before and after moving to the new location revealed a slight increase of **39 seconds** overall. Response times to priority 1 calls have decreased from 2020 to 2022.

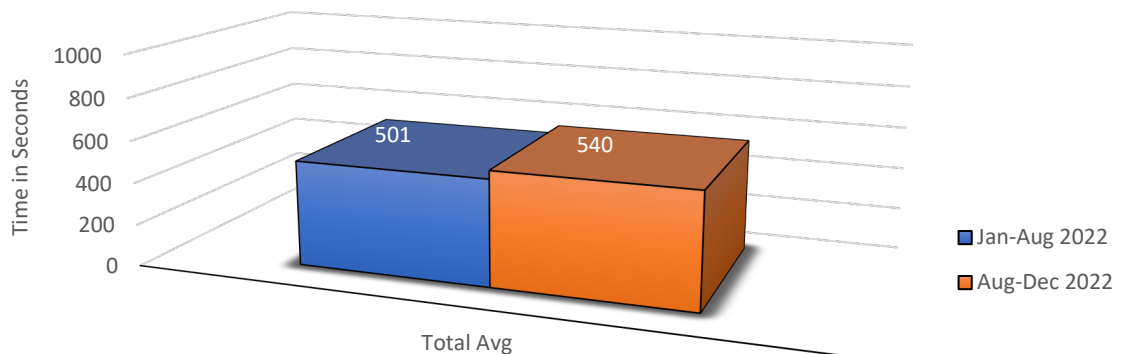
Figure 6. Police Response Over Time

Priority	2020	2021	2022	% Change
*Priority 1 (Code 3) In Progress Dispatched <i>(robbery, assault, violence, medical, alarm, accident)</i>	2.4 min	1.3 min	55 sec	-44% (-35 seconds)
Priority 2/3 (Code 1/2) General Non-Priority Dispatched <i>(barking dog, information, general contact, follow up)</i>	6 min	7.3 min	9 min	+17.7% (1.3 min avg)
Average Yearly Response (Code 1-3) <i>(Trend analysis)</i>	4 min	3.5 min	4.5 min	+14% (1 min avg)

Chart 6. 2022 Average Relocation Response Time Comparison - All Calls for Service

- Pre-build/move, January through August staffing = 6. Response time **8.21 minutes** (501 sec)
- Post build/move, August through December staffing = 5. Response time **9 minutes** (540 sec)
- Drive time from 10940 SPA to Kensington Avg = 4-6 mins

Average Response Time in Seconds

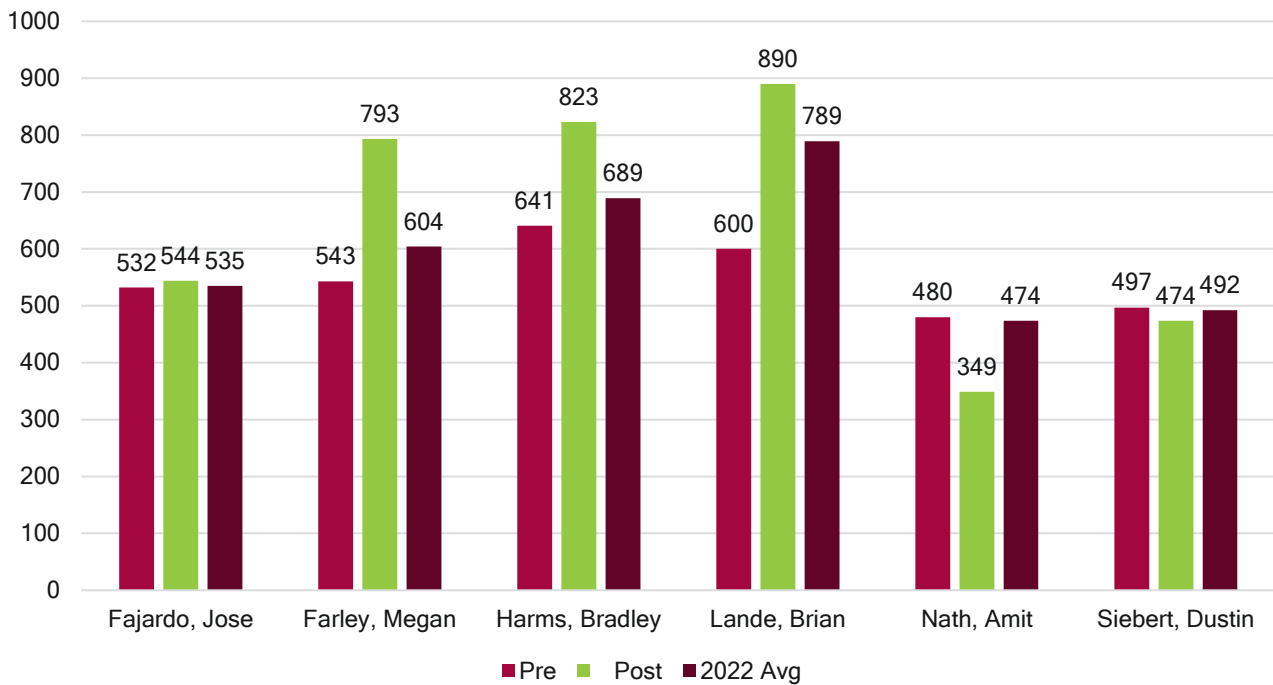


	Total Avg
■ Jan-Aug 2022	501
■ Aug-Dec 2022	540

Name	Pre (move)	Post (move)	% Change	Change	2022 Avg	2022 CFS
Fajardo, Jose	532	544	2.2%	12	535	154
Farley, Megan	543	793	46.0%	250	604	216
Harms, Bradley	641	823	28.0%	182	689	196
Lande, Brian	600	890	48.0%	290	789	66
Nath, Amit	480	349	-27.0%	-131	474	82
Siebert, Dustin	497	474	-5.0%	-23	492	124
Average	549 sec	646 sec	17.6%	1:37 (1 minute 37 sec)	597 sec	140

Figure 7. Comparative Response Time by employee – Pre/Post Move

Chart7. Comparative Response Time and CFS by Employee



December 2022 Monthly Report

Happenings

Sergeant A. Nath was accepted to the POST Sherman Block Supervisory Institute. The Sherman Block Supervisory Leadership Institute (SBSLI) is a program designed to stimulate personal growth, leadership, and ethical decision-making in California law enforcement front-line supervisors. Designed and implemented in 1988 through the efforts of California law enforcement professionals and top educators and trainers, the SBSLI is an intense program based on experiential learning techniques. Students are challenged to learn new ways to resolve issues through group and individual work.

The curriculum takes students through an analysis of management (planning, organizing, directing, etc.) and leadership (inspiring, challenging, developing, etc.) and how each discipline compliments the other. The course progresses from self-evaluation to interpersonal evaluation, to organizational relationships.

Graduates of SLI can earn college credit upon completion of the program through [CSULB's College of Continuing and Professional Education \(CCPE\)](#).

Chief Gancasz and Sergeant Nath attended a risk management seminar for law enforcement managers presented by the California Police Chiefs Association (CPCA).

Volunteer Program: Support Staff J. Haynes completed a background on police volunteer Luke Stokes who is helping staff with a variety of tasks as we get settled into the new location. We are happy to have him as part of our Team.

Organization

1. Chief of Police	M. Gancasz
2. Lieutenant	B. Harms
3. Sergeant	A. Nath
4. Sergeant	B. Lande
5. Officer	J. Fajardo
6. Officer	D. Siebert
7. Officer	M. Farley
8. Officer	Vacant
9. Officer	Vacant
10. Support Staff	J. Haynes
11. Volunteer	L. Stokes

December 2022

CLETS License.....	CCSO Dispatch Alternative Fleet.....	One vehicle Out of Svc
CIBRS/NIBRS.....	Compliant	
RIPA.....	Compliant	
Training.....	Supervisory Leadership/RM	
CCW Program.....	up to date	

December 2022

On duty Injuries.....	Zero
On duty collisions.....	Zero
Complaints.....	One
Compliments.....	One
COVID Exposure.....	One

Kensington Police Patrol Log

- On Saturday, December 3, a vehicle was burglarized in the 600 block of Beloit Avenue. Officers procured video of the crime captured by the home security system and are following up on the lead.
- On Wednesday, December 7, officers responded to a non-injury hit and run collision in the 700 block of Wellesley Avenue. Officers took a report, however, there were no witnesses to this event.
- On Thursday, December 8, officers responded to a disturbance in the 200 block of Coventry Road. Officers deescalated the situation and took a field report.
- On Friday, December 9, officers responded to a non-injury hit and run collision in the 300 block of Berkeley Park Blvd. Officers took a report, however, there were no witnesses to this event.
- On Wednesday, December 14, officers responded to a residential burglary in the 200 block of Los Altos Drive. Officers processed the crime scene and collected video of the suspect, latent prints, and DNA evidence. The homeowner was not home when this happened, and the investigation is on-going.
- On Thursday, December 15, officers responded to a non-injury collision at Kenyon Avenue near Grizzley Peak Blvd. A report was taken.
- On Thursday, December 15, police responded to a medical call in the 100 block of Sunset Drive. Officers performed CPR on an elderly man until fire arrived and took over. The male was transported to a local hospital and later pronounced deceased.
- On Friday, December 16, officers took a report of online fraud. The case is ongoing.
- On Monday, December 19, officers responded to a medical emergency in the 1600 block of Ocean View Avenue.
- On Wednesday, December 28, officers responded to the 100 block of Purdue Avenue for a person having a mental health crisis. The subject was transported to a local hospital for treatment.

Community Engagement

Lt. Harms and Sgt. Lande, attended a Toys for Tots bake sale



Sgt. Lande, attended the tree lighting ceremony at Colusa Circle

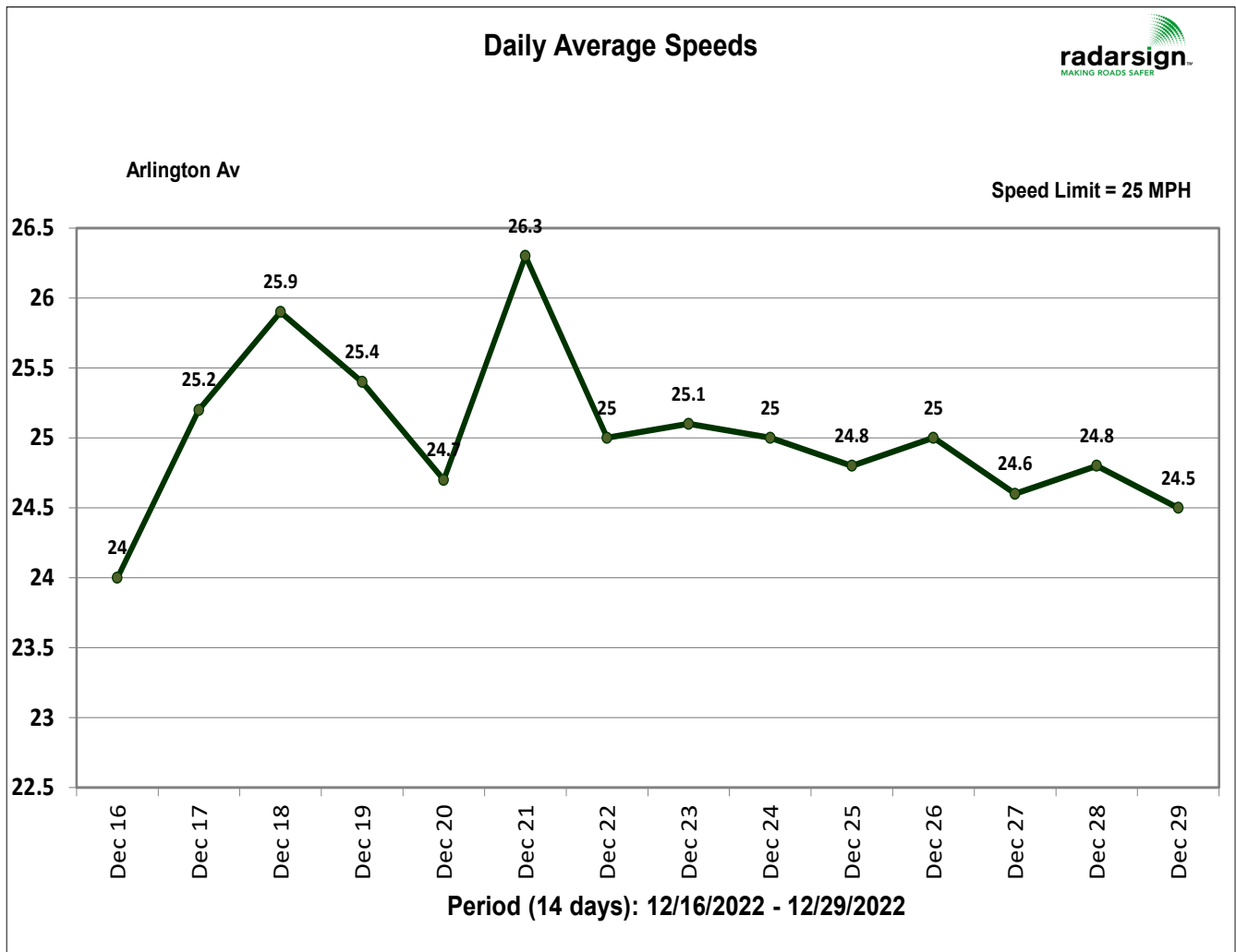


DECEMBER PATROL OPERATIONS

Traffic Safety

The Community has a variety of posted speed limit signs throughout the district. The District also owns 5 smart signs alerting drivers to their speed. The signs collect a variety of measurements including speed, frequency, and patterns of behavior. Sergeants analyze this data and assign beat officers to patrol those areas in conjunction with the days and times showing the highest frequency of speeding.

The average vehicle speed on Arlington Ave is consistent with the 25 MPH posted speed. There is minor fluctuation between average and peak speeds with most violations occurring between 1030am and 130pm. During this period, 21,437 cars passed the radar sign, and 29 of those vehicles exceeded the speed limit by 15mph or more. For every 1000 cars passing the radar sign on Arlington Ave, 1 vehicle will exceed the speed limit by 15mph. The 85th percentile speed averaged 31.29 MPH. That means that 85% of all vehicles passing the radar had a speed no more than 6.29mph above the speed limit. Of all the vehicles passing the radar, only 5.5% of all vehicles exceeded the speed limit by 5mph.



Call for Service Breakdown

INCIDENT SUMMARY	
DESCRIPTION	COUNT
Incidents Captured	1058
Public Calls for Service	186
Officer Initiated Events	872
Traffic Stops	59
Citations Issued	62
Arrests	0
Reports taken	38

PART 1 CRIMES	
DESCRIPTION	COUNT
Assault	1
Murder	0
Sex Offenses	0
Robbery/Extorsion	1
Burglary	2
Theft	9
Arson	0

INCIDENTS BY TYPE		
INCIDENT TYPE	DESCRIPTION	COUNT
10-33	alarm	19
10852	vehicle tampering	2
11-24	abandoned vehicle	6
11-82	vehicle accident – non injury	1
11-83	vehicle accident – no details	1
20002 VC	hit and run – property only	4
23103 VC	reckless driving	1
246 PC	discharge of firearm	1
273.5 PC	inflict corporal injury	1
415 PC	disturbance of peace	6
459 PC	burglary	3
487 PC	grand theft	21
488 PC	petty theft	2
530.5 PC	identity theft	1

INCIDENTS BY TYPE (continued)		
INCIDENT TYPE	DESCRIPTION	COUNT
594 PC	vandalism	2
911CALL	911 call	17
ADVICE	person with question	1
ANIMAL	animal call	1
SECURITY PATROLS	neighborhood security check	681
CITE CORRECTION	citation correction	6
COP	community oriented policing	13
CRNRCSE	coroner's case	1
FLAG	flag down of officer	2
FNDPROP	found property report	1
FOLLOWUP	case/incident follow-up activity	27
HAZARD	hazard	4
IMPOUNDP	towed/stored vehicle	1
KPDASST	officer assist	1
MPAIDED	citizen assist	37
MPAUTO	mis pub auto	9
OUTASST	assist other PD	13
PARKER	parking citation	21
PEDCHK	misc. check of a pedestrian	1
ROADCLS	road closure	6
SUSCIRC	suspicious circumstance	11
SUSPERS	suspicious person/s	2
SUSVEH	suspicious vehicle	13
TRFHAZ	traffic hazard	5
VACWATCH	vacant home watch	12
VEHRELS	vehicle release	1
VEHSTOP	vehicle stop	59
WELFARE	welfare check	10
SUSVEH	suspicious vehicle	13
TRFHAZ	traffic hazard	5
		Total Incidents 1027



KENSINGTON POLICE DEPARTMENT

2021 ANNUAL REPORT

POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

2021



Letter from the Chief

Members of the Board and General Manager,

Thank you for supporting the Kensington Police Department and its dedicated staff. It is an honor to present the Kensington Police Department Annual Report for 2021. If the measure of public safety is the absence of crime, blight, and disorder, then the Special District of Kensington continues to be a safe community. As an agency, we believe public trust is priceless. We are strengthening our relationship with the community by recruiting and selecting individuals who reflect our vision of serving everyone with professionalism, fairness, and compassion. Our men and women are held to high standards, and our organizational common purpose is to provide world class police service.

To address the unprecedented employee turnover in 2021, we created a recruiting/hiring team comprised of experienced law enforcement professionals and one civilian. The team managed the selection, appointment, and training of three new officers, the promotion of a Lieutenant, and the approval of a new Kensington training program by the California Commission on Peace Officer Standards and Training. New policy's, procedures, and standards consistent with 21st century policing methods were implemented, and new training programs were adopted. Our Traffic Unit received a grant from the Office Of Traffic Safety and a dedicated Traffic Unit was deployed to increase traffic safety and awareness. Moving citations increased from previous years by 26% and we are now accurately reporting Stop Data pursuant to the Department of Justice Racial Profiling Act of 2020.

Our team continues developing innovative, efficient ways to provide service to our community.

Thank you for your continued support!!

*Michael Gancasz
Chief of Police*





Law Enforcement Code of Ethics

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality, and justice. I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency.

I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession... law enforcement.



THE TEAM



Michael Gancasz
Chief of Police



Brad Harms
Lieutenant



Amit Nath
Sergeant



Jose Fajardo
Police Officer



Dustin Siebert
Police Officer



Megan Farley
Police Officer



Thang Ho
Reserve Officer



Jason Haynes
Support Staff



TEAMWORK

NEW PROGRAMS

- New Scheduling & Payroll System
- National Incident Based Reporting
- Racial Identity Profiling Act
- Evidence Room Audit
- POST Approved FTO Program
- POST Employee File Audit
- Recruiting & Selection Team
- DMV Compliance Audit
- Department Equipment Audit
- New Dept Identification Cards
- Electronic Evidence Collection
- Coyote Awareness Program
- Community Nixle Alerts
- Body Worn Camera Audits
- New Fleet Maintenance Program
- Hiring & Retention Incentives
- New Performance Appraisal Program
- New De Escalation Tools
- New CCW Retiree Program & Policy
- Electronic Case Filing
- New Hire Onboarding Process
- New Firearms Policy
- Dedicated Traffic Enforcement Car
- AXON Camera Tagging Program
- GPS Patrol Fleet Program
- Advanced Traffic Collision Software
- Realigned Command Structure
- New Perishable Skills Program

The Kensington Police Department launched many *new programs* aimed at improving the effectiveness of the organization. Our mission was to improve policy, practice and procedure by leveraging technology, 21st century policing methods, and more than 90 years of professional police experience to ensure success.



2021 Staff Meeting

"It's amazing what you can accomplish when no one cares who gets the credit"



Scheduling & Payroll

Contemporary Scheduling & Payroll Program - inTime

The Kensington Police Department introduced a new scheduling program to efficiently manage uniformed and operational personnel. Prior to using inTime, staff relied on paper documents to manage scheduling, overtime, court, and payroll. This created challenges including the inability to efficiently allocate adequate staffing and resources.

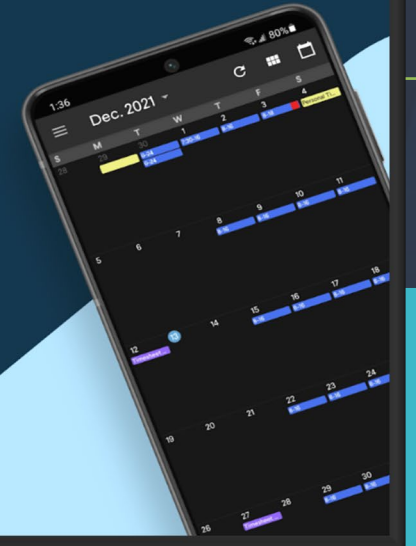
Staff are now notified through their smartphone when they have a subpoena, when their schedule changes, and when their payroll is due. The new system lets us set a 16-hour fatigue rule limiting employee time at work.

The program has been very successful, and scheduling is done right the first time. The hours needed to process payroll and generate work schedules decreased significantly since the program was implemented.



inTime

Scheduling & workforce management software, built for public safety.





Uniformed Crime Reporting Transition 2021

NIBRS - National Incident Based Reporting System

As recommended by professional law enforcement organizations, the FBI has made nationwide implementation of NIBRS a top priority because NIBRS can provide more useful statistics to promote constructive discussion, measured planning, and informed policing.

When used to its full potential, the UCR Program's National Incident Based Reporting System (NIBRS) identifies, with precision, when and where crime takes place, what form it takes, and the characteristics of its victims and perpetrators. Armed with such information, law enforcement can better define the resources it needs to fight crime, as well as use those resources in the most efficient and effective manner.

I'm happy to report the Police Department successfully transitioned away from UCR, adopting the National Incident Based Reporting System in 2021.



<p>Provides greater specificity in reporting offenses</p> 	<p>Collects more detailed information</p> 	<p>Helps give context to specific crime problems</p> 	<p>Provides greater analytic flexibility</p> 
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RIPA Transition 2021



RIPA – Racial and Identity Profiling Act

The Racial and Identity Profiling Act was enacted in order to better identify and mitigate race-based and identity-based bias in policing.

The law requires California police departments to record data on stops made by police officers, including fields such as perceived identity and demographics, reasoning for stops and searches, and the outcome of each encounter. RIPA does not explicitly distinguish between vehicle or pedestrian stops.

The Kensington Police Department began capturing and reporting data pursuant to the RIPA standards and is in full compliance.

Racial & Identity Profiling Act (RIPA)
California Assembly Bill 953



Evidence Room Audit

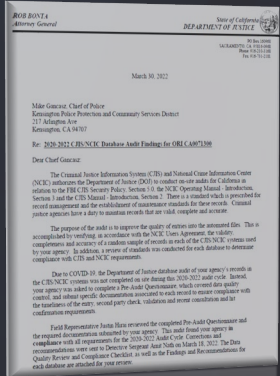


CALIFORNIA DEPARTMENT OF JUSTICE
Office of the Attorney General

Evidence Room Audit / DOJ Firearms Compliance

A civilian audit of the KPD evidence room was commissioned to ensure compliance with state law and accepted practice. We identified areas needing improvement and acted. For example, enhanced room security was installed, we established stringent accountability procedures, and appointed a police sergeant to manage the evidence room. The audit revealed firearms that were no longer needed. After consulting the Department of Justice on proper disposal procedures, each weapon was documented and taken to an authorized facility where they were destroyed.

More than 40 firearms were eliminated during this audit, and I'm happy to report KPD received a letter from the Department of Justice commending our staff for their attention to detail throughout this process.





COMPLIANCE



UCR/NIBRS TRANSITION
National Incident Based Reporting System
*In full compliance



RIPA
Racial Identity Profiling Act
*In full compliance

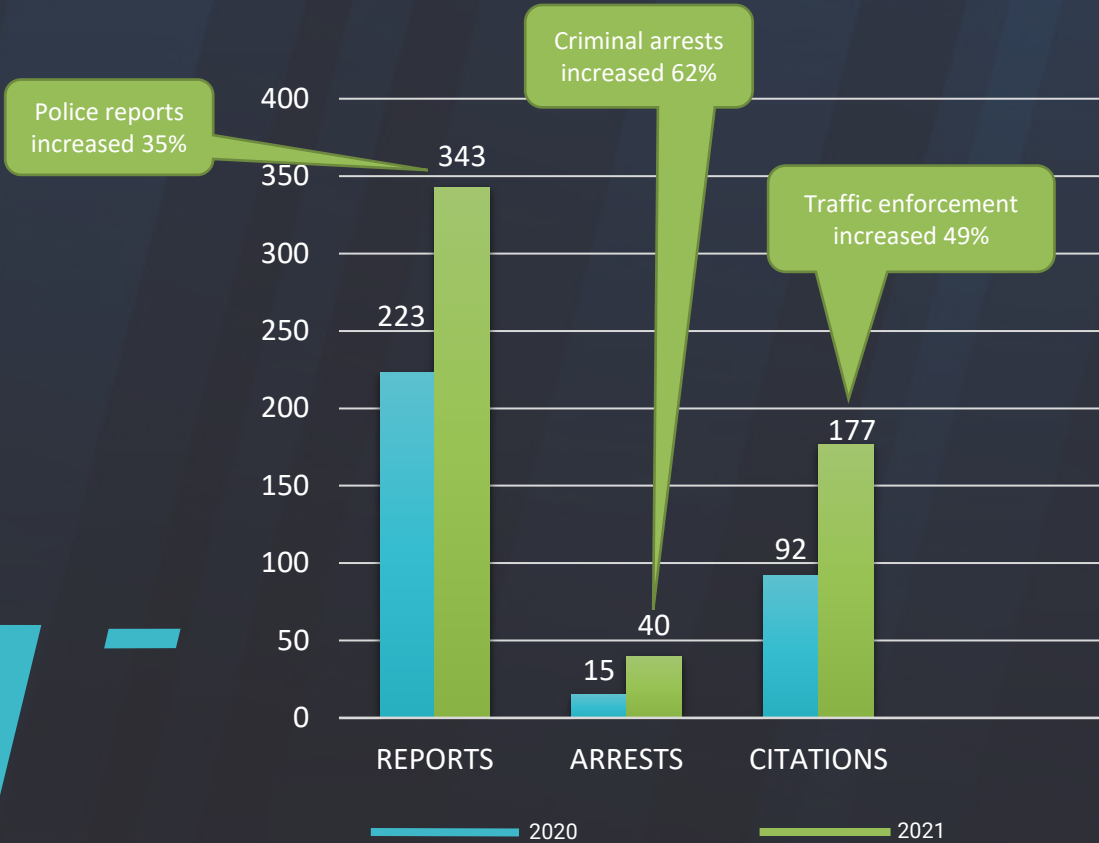


EVIDENCE ROOM/FIREARMS
Internal DOJ Audit
*In full compliance

"These important programs were given priority status early in the year"



2021 GENERAL STATISTICS



BREAKDOWN

Category	2020	2021	Change
Incidents	9691	11018	+1327
Calls for service	1719	1799	+80
Officer Initiated	7972	9219	+1247
Traffic Stops	542	603	+61
Traffic Citations (moving violations)	92	177	+85
Criminal Arrests	15	40	+25
Collision Reports	10	29	+19
Security Check	1121	734	-387
Use of Force	0	0	0

"There were no formal complaints made against the Kensington Police Department or the officers in 2021"



2021 CRIME REPORTING

The statewide increase in theft related crimes had patrol officers on alert. They arrested more than 15 suspects engaged in crimes related to vehicle theft, package theft, burglary, and catalytic converter theft.



PART 1 CRIMES

Category	2020	2021	Change
Homicide	0	0	0
Robbery	0	0	0
Assault	4	1	-3
Domestic Violence	2	1	-1
Rape/Sexual Assault	0	0	0
Theft	65	77	+12
Vehicle Theft	6	18	+12
Burglary	11	13	+2
Use of Force	0	0	0



Reserve Officer Ho cleans a patrol car before heading out. KPD's new fleet maintenance program requires every car be kept sharp

OUR SERVICES



PATROL



TRAFFIC



INVESTIGATION



COMMUNITY



Kensington Patrol Operations



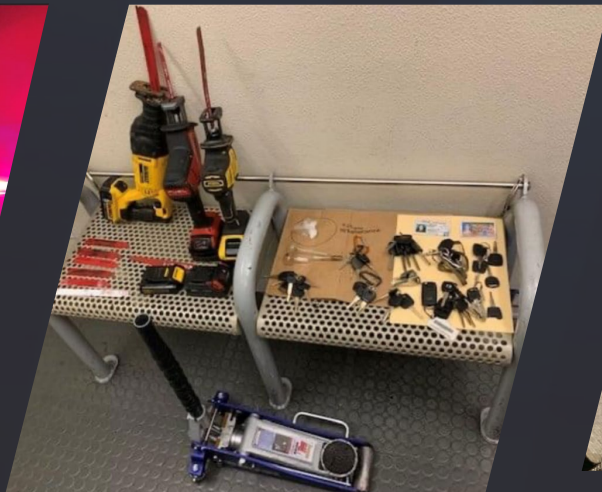
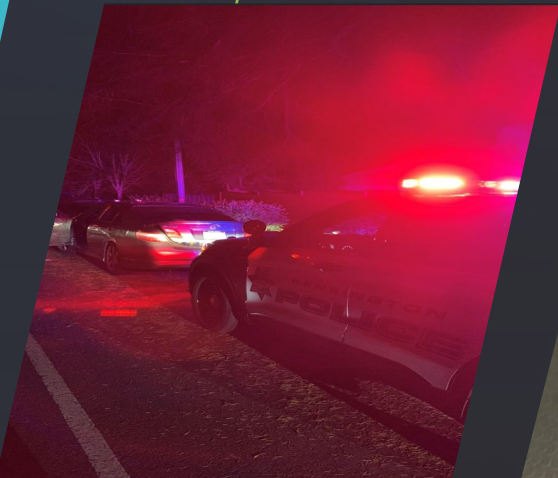
Sgt. Amit Nath oversees the Patrol Unit. Amit has more than ten years experience in law enforcement. In 2021, patrol officers wrote more police reports, issued more citations, responded to more calls for service, and made more criminal arrests than in the previous two years. Amit and his team accomplished this with below minimum staffing levels for the entire year.



PATROL



KEEPING US SAFE!!





Kensington Traffic Safety and Enforcement



Lt. Brad Harms oversees the Traffic Safety and Enforcement Unit. Brad has more than thirty years experience in law enforcement and traffic safety. In 2021, a dedicated **Traffic Enforcement Unit** was deployed. Officers issued 49% more moving citations than the previous year. Brad was awarded a \$25,000 Traffic Safety Grant to enhance our existing program. I'm happy to report our officers are now accurately reporting traffic data to the National Highway Traffic Safety Administration and Contra Costa County. This allows us to compete for future grants.



TRAFFIC



KEEPING US SAFE!!



Kensington Investigations



Sgt. Amit Nath oversees the Investigations Unit. Amit reviews police reports for necessary elements and investigative leads. He completes follow up, conducts interviews, takes evidence to the crime lab, writes search and arrest warrants, and reviews cases with the District Attorney for prosecution. In 2021, KPD had more cases filed by the Contra Costa DA than in any of the previous two years.



INVESTIGATIONS



SUSPECT ARRESTED



Returning stolen property to the owner





CASE STUDY

In the early morning hours of December 13, Police and Fire responded to a home engulfed in flames on Yale Ave. Sgt. Nath, worked closely with Fire Investigators, gathering evidence and interviewing victims and witnesses. He identified a suspect that fled the scene shortly before the fire was reported. Sgt. Nath authored an arrest warrant for the suspect and presented his case to a Superior Court judge who approved the warrant. Within 5 days, the suspect was apprehended in a neighboring jurisdiction and taken to county jail. This was no coincidence as Nath already notified the neighboring police department the suspect might seek refuge in their city. Sgt. Nath presented his case to the District Attorney who filed several felony charges against the suspect, including arson, burglary, vandalism, and animal cruelty.



Suspect Arrested in Connection with Structure Fire

By Linnea Due

Kensington fire and police departments combined forces to bring a quick and professional result to an incident that, terrible as it was, could easily have been far, far worse. At around 5am, police responded to a disturbance on Yale Avenue. The house, said Kensington Police Chief Mike Gancasz, was familiar to beat officers. "Kensington homes rarely have multiple calls for service. That house had four or five calls for service in one year. Everyone's been called to that house." A medical team was also dispatched from the fire department in case of possible injuries.

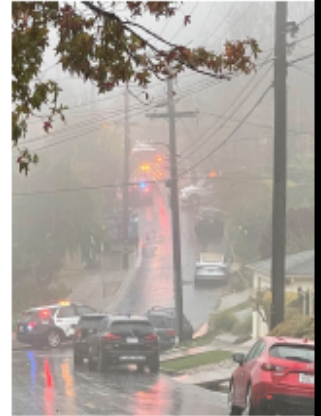


Photo: Nancy Rubin

Said Kensington/El Cerrito Fire Chief Michael Pigoni, "A male person living there was said to have made threats that he was going to burn the house down. It was also rumored that he had a gun."

A couple hours later, at 8:05am, the fire department was alerted that the house was on fire. "We had to wait a couple minutes for the police to clear the scene," Pigoni said. "The police went in, and the guy wasn't to be found. And he wasn't out there waving a gun. So we were able to go in and start fire suppression."

It was change of shift at the fire department, and firefighters at the end of their shift hadn't left yet. They leapt into their structure fire gear and headed to the scene; soon engines from Berkeley, Richmond, and the county fire agency, ConFire, joined Kensington. Although the entire house was engulfed, houses on either side and above came through unscathed. Luckily, it was raining heavily. The crew coming off shift had been up all night on flood calls.

Said Gancasz, "The minute the fire was out, Detective Sergeant Amit Nath began investigating." Acting on a tip, Nath interviewed residents all around the subject house. "He established a suspect, wrote an arrest warrant, and began contacting surrounding agencies." It turned out that Hercules police officers knew the suspect well. In less than 48 hours, the man was arrested.

Nath presented the case to the district attorney. The suspect is in custody, charged with arson, criminal threats, animal cruelty (a dog died in the fire), vandalism, and committing a crime while out on bail.

Gancasz said that Nath stressed to the DA how disastrous this incident could have been. "Kensington is an extraordinarily risky location," Gancasz said. "If this had been in August, that fire could have burned all the way to Walnut Creek."

Both Pigoni and Gancasz are full of praise for their teams and for their sister department. "The fire department knocked it out of the park," Gancasz said. "Surrounding police agencies helped us with perimeter security. Everybody out there did a great job." And he is justly proud of Sergeant Nath. "There were five days between the fire being extinguished and the guy under arrest."



OFFICER TRAINING



Kensington Police Officers attend a Basic Police Academy, must pass a rigorous field training program, receive perishable skills training each year, and attend advanced technical training in order to provide quality services to the citizens of Kensington.

Officers on patrol are required to complete a Field Training Program certified by the California Commission on Peace Officer Standards and Training (POST). Officers must meet minimum standards before becoming a solo field officer.

All officers at the Kensington Police Department received perishable skills training required in the POST Perishable Skills Program (PSP).

2021 Courses	Hours	2021 Courses	Hours
Firearms	4	Racial Profiling	2
Use of Force	4	Domestic Violence	2
Driving	4	Defensive Tactics	4
First Aid	4	Crisis Intervention	4

AB392 Peace Officers: Deadly force

In 2021, all officers were trained on the legal changes to the Penal Code (Sections 196 and 835a) covering police use of force and when a peace officer is authorized to use force.

Additionally, KPD officers received specialized training in traffic enforcement, criminal investigation, alcohol and drug influence, crisis negotiation, legal update, and de-escalation.

2021 Courses	Hours	2021 Courses	Hours
De-Escalation	4	AB392 Use of Force Update	1
Radar Operator	24	Cultural Diversity Training	8
Laser Operator	8	Implicit Bias Training	8
Supervisor Course	80	Drug Recognition Course	8
Manager Workshop	6	Field Training Officer Update	8

COMMUNITY ENGAGEMENT



★ KENSINGTON ★

**NATIONAL
NIGHT OUT**



**AUGUST 3RD 2021
6PM-8PM**



COMMUNITY OUTREACH

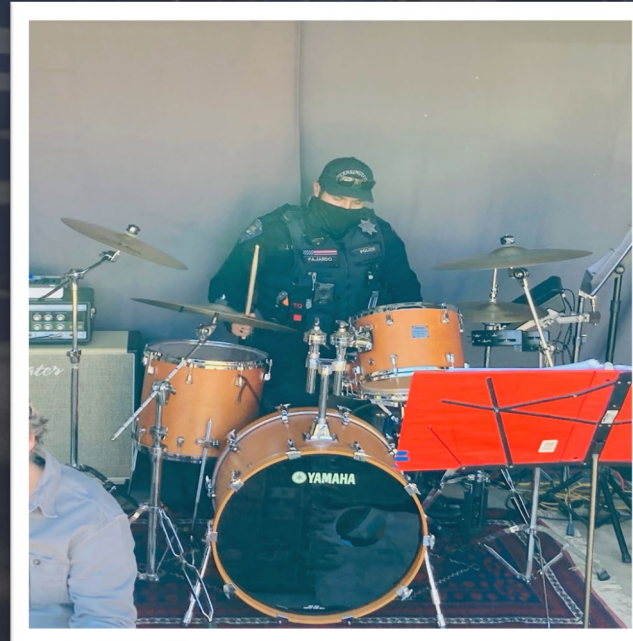
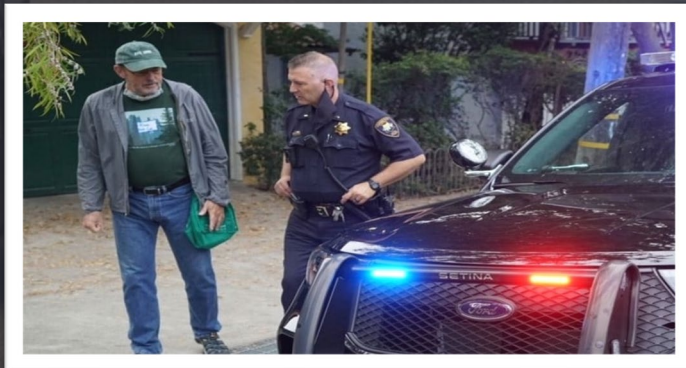
BUILDING BRIDGES

The West County
**"GREAT PUMPKIN"
CONTEST**

Visit your local police department's social media platforms & Vote for your favorite entry by 10/28/2021
Winner will be announced on Halloween!
Winning city donates prize to the school of their choice



SpOoky SeasOn



ACKNOWLEDGEMENTS



The Kensington Police Department would like to thank the community for its continued support in 2021. Residents, families, and community groups rallied around the department donating masks, cleaning supplies, meals, snacks, bagels and “thank you” cards with positive messages.

The department would also like to acknowledge the following people for their support:

GENREAL MANAGER RICK BENSON
BOARD PRESIDENT SYLVIA HACAJ
VICE PRESIDENT MIKE LOGAN
DIRECTOR RACHELLE SHERRIS-WATT
DIRECTOR EILEEN NOTTOLI
DIRECTOR CHRISTOPHER DEPPE
CLERK OF THE BOARD LYNELLE LEWIS
GENERAL COUNSEL ANN DANFORTH
FFINANCE DIRECTOR LISA MUNDIS
SUPPORT STAFF ROSA RUIZ

Special thanks to former Interim Police Chief Walt Schuld, former General Manager Marti Brown, and former Finance Manager Katherine Korsak



Kensington Police Department

www.KPPCSD.org





KENSINGTON POLICE DEPARTMENT

Michael Gancasz
Chief of Police

Kensington Police Department Annual Use of Force Report 2021

The Police Department's Annual Use of Force Report is submitted annually to identify:

- Any trends in the use of force by police officers
- Any training needs
- Any equipment needs, and
- Any policy recommendations

The Police Department's Use of Force Policy is available on the District website for viewing by the public at kppcsd.org. Our policy is updated throughout the year to conform to Federal, State, and Local laws. The Police Department contracts with Lexipol, a private company whose focus is on reducing liability risks and avoiding litigation. More than 90 percent of law enforcement agencies in California subscribe to Lexipol services. Kensington Police Officers are committed to using the least amount of force to reasonably effect an arrest when performing their duties. In the event force is used by an officer, the incident is thoroughly documented and reviewed by field supervisors and the Chief of Police.

Overview

I am pleased to report there were no Use of Force incidents by Kensington Officers in 2021. Officers made 40 custodial arrests this year compared to 15 last year.

Training

Officers received training in de-escalation, using force, firearms, defensive tactics, driving, first aid, racial profiling, domestic violence, and crisis intervention. All officers are up to date and comply with Peace Officers Standards & Training (POST) mandated perishable skills training (PSP).

Recommendations

1. Officers are limited in their less-lethal force options. For example, our agency is the only police department in Contra Costa County that doesn't issue Tasers to its officers. Over 15,000 law enforcement agencies worldwide deploy this valuable life-saving de-escalation device. Collectively, agencies that gave the Taser to their officer's benefit from a 48% decrease in suspect injury and a 76% decrease in officer injury.



2. In addition to mandated PSP training, employees received professional development training. Professional development training boosts retention, saves time, improves customer service and safety, and strengthens our organization's reputation. Our ability to invest in each employee is critical to their success and the success of the Kensington Police Department.

Instituting a mandatory 40-hour professional development program for every employee is contemporary and cost-effective. Adopting this enhanced training curriculum in conjunction with issuing an additional less-lethal force option in the form of Tasers will save the district money while significantly reducing liability over time.

Both items require unbudgeted monies and will be addressed through the budget process

A handwritten signature in blue ink, appearing to read "M. Gancasz".

M. Gancasz
Chief of Police

COMMISSION ON
PEACE OFFICER STANDARDS AND TRAINING

September 13, 2021

Michael S. Gancasz, Chief
Kensington Police Department
217 Arlington Avenue
Kensington, CA 94707

Dear Chief Gancasz:

This correspondence reports the findings of the Peace Officer Standards and Training (POST) compliance inspection of your agency's adherence to minimum selection and training standards conducted on July 15, 2021.

AGENCY ROSTER

A roster of personnel in the POST Electronic Data Interchange (EDI) System was compared with your agency roster. All personnel have been appropriately documented in EDI. You can find your Agency Roster under the Reports tab in EDI.

SELECTION STANDARDS

I reviewed the files of six (6) Peace Officers/Reserve Officers and/or Public Safety Dispatchers hired by your agency since your agency's last audit. The background files were examined and determined to be in compliance with established selection standards. Overall, the files were professionally assembled and well written. However, there were files in need of improvement. For more details, please see the Compliance Inspection Checklist.)

I discussed the results of the files and the attached compliance list with you and staff. Each item has been corrected by staff since the date of the audit.

TRAINING STANDARDS

Training records for the previous two-year Continuing Professional Training (CPT) cycle, which ended on December 31, 2020, were reviewed. There were no deficiencies notes. You agency was in full compliance with post requirements and regulations for CPT/PSP training.

The current training cycle ends on December 31, 2022. A Compliance Analysis Report can be found in EDI under the Reports tab.



GAVIN NEWSOM
GOVERNOR

ROB BONTA
ATTORNEY GENERAL

COMPLIANCE INSPECTION ADDENDUM

I would like to recognize for the courtesies extended by you and your staff in assisting with this review. All were responsive, professional, and helpful.

I appreciate your willingness and desire to partner with POST for the overall betterment of the Kensington Police Department. If I can answer any questions or assist in any other manner, please contact me by telephone at (916) 227-3918 or by e-mail at Donald.Lane@post.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "DONALD LANE". The signature is written in a cursive style with capital letters.

Donald Lane
Law Enforcement Consultant
Region 5 Manager

Enclosures

DL/ah



March 30, 2022

Mike Gancasz, Chief of Police
Kensington Police Protection and Community Services District
217 Arlington Ave
Kensington, CA 94707

Re: **2020-2022 CJIS/NCIC Database Audit Findings for ORI CA0071300**

Dear Chief Gancasz:

The Criminal Justice Information System (CJIS) and National Crime Information Center (NCIC) authorizes the Department of Justice (DOJ) to conduct on-site audits for California in relation to the FBI CJIS Security Policy, Section 5.0, the NCIC Operating Manual - Introduction, Section 3 and the CJIS Manual - Introduction, Section 2. There is a standard which is prescribed for record management and the establishment of maintenance standards for these records. Criminal justice agencies have a duty to maintain records that are valid, complete and accurate.

The purpose of the audit is to improve the quality of entries into the automated files. This is accomplished by verifying, in accordance with the NCIC Users Agreement, the validity, completeness and accuracy of a random sample of records in each of the CJIS/NCIC systems used by your agency. In addition, a review of standards was conducted for each database to determine compliance with CJIS and NCIC requirements.

Due to COVID-19, the Department of Justice database audit of your agency's records in the CJIS/NCIC systems was not completed on site during this 2020-2022 audit cycle. Instead, your agency was asked to complete a Pre-Audit Questionnaire, which covered data quality control, and submit specific documentation associated to each record to ensure compliance with the timeliness of the entry, second party check, validation and recent consultation and hit confirmation requirements.

Field Representative Justin Hirai reviewed the completed Pre-Audit Questionnaire and the required documentation submitted by your agency. This audit found your agency **in compliance** with all requirements for the 2020-2022 Audit Cycle. Corrections and recommendations were sent to Detective Sergeant Amit Nath on March 18, 2022. The Data Quality Review and Compliance Checklist, as well as the Findings and Recommendations for each database are attached for your review.

Mike Gancasz, Chief of Police
March 30, 2022
Page 2

I would like to thank Sgt. Nath for the preparation of the records and assistance in conducting the audit. If you have any questions regarding the audit findings or procedures, please feel free to contact Mr. Hirai at (916) 210-2493 or by e-mail at Justin.hirai@doj.ca.gov.

Sincerely,

Michael Van Winkle

Michael Van Winkle, Manager
Database Audits & Criminal Justice Support Section
Justice Data & Investigative Services Bureau

For: ROB BONTA
Attorney General

cc: Detective Sergeant Amit Nath