

## Meeting Minutes for 2/8/18

A Regular Meeting (Open Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, February 8, 2018, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California.

### ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Rachelle Sherris-Watt, President	Ann Danforth, District's Legal Counsel
Eileen Nottoli, Vice President	Nathan Russell, Nixle Representative
Chris Deppe, Director	Mabry Benson
Sylvia Hacaj, Director	David Spath
	Anthony Knight
	Linda Lipscomb
<u>Staff Members</u>	Celia Concus
Anthony Constantouros, General Manager	David Spath
Lynn Wolter, District Administrator	Andrew Gutierrez
Rickey Hull, Interim Police Chief	Catherine Mercurio
	A. Stevens Delk
<u>Press</u>	Frank Lossy
	Barbara Steinburg
	Keith Barrow, Kensington Police Officers Association (off duty)

President Sherris-Watt called the meeting to order at 7:39 P.M. President Sherris-Watt, Vice President Nottoli, Director Deppe, Director Hacaj, GM Constantouros, and District Administrator Wolter were present. President Sherris-Watt announced that Director Welsh was absent.

### PUBLIC COMMENTS

A. Stevens Delk complimented the new website.

Anthony Knight said that a Fire Board meeting had been held the prior evening and that it had been a critical one because it had to do with the feasibility of remodeling the Public Safety Building. He expressed concern that none of the KPPCSD Board members had attended the meeting and noted that no Fire Board members were in attendance at this evening's KPPCSD meeting. The Public Safety Building doesn't meet current needs and will need to be rebuilt or renovated. The two districts have to cooperate on this project.

Mabry Benson said there are claims made by some citizens that Kensington has a perfectly good police department. However, many dispute that. There have been boards that refused to acknowledge that there were any problems or failed to look for ways to correct them. She cited improper behavior and excessive legal expenses resulting from that behavior. The Reno incident was the catalyst that caused some to demand that such issues be addressed. The Ad Hoc Committee had been the first step, but a citizen committee is not in a position to address the District's problems, such as pension costs and organizational issues. The community elected new Board members who promised to look into these

matters. They started by separating the General Manager/Chief of Police (GM/COP) position and then hiring an experienced and knowledgeable GM and letting the COP devote himself entirely to policing. They hired an experienced and expert firm to help them evaluate issues and solutions. Some are concerned about contracting, but it's not a "done deal." The Matrix report hasn't been completed. Some are concerned that Kensington might lose fine officers, but all the departments the Ad Hoc Committee interviewed said that Kensington's officers would be able to apply. If these departments reject any Kensington officers, why would Kensington want them?

### **BOARD COMMENTS**

Director Hacaj announced that the first Matrix community meeting would be held in the Community Center on the morning March 17<sup>th</sup>.

President Sherris-Watt invited residents to explore the District's new website. She noted that the old website had been hacked twice and, therefore, had had to be removed completely. It would take time to put original documents on the new website. Director Deppe had indicated that it was unknown how the old website had been infected. To prevent any damage to the new site or to anyone's computer, the Board had let the old site "go quiet."

President Sherris-Watt announced that the Finance Committee would be meeting on March 1<sup>st</sup>.

President Sherris-Watt reported that the Public Safety Building Coordinator is Director Welsh and that he's charged with addressing the ongoing issue of improvements to the Public Safety Building.

### **STAFF COMMENTS**

None.

### **CONSENT CALENDAR**

President Sherris-Watt asked Director Hacaj about the correct spelling of "NanaWall," which she provided.

**MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, to adopt the Consent Calendar.**

**Motion passed: 4 – 0.**

**AYES: Sherris-Watt, Nottoli, Deppe, Hacaj**

**NOES:**

**ABSENT: Welsh**

President Sherris-Watt asked to skip Old Business in order to address New Business, Item a.

### **NEW BUSINESS**

- 6a. The Kensington Police Protection and Community Service District received a presentation from Nathan Russell, Account Representative for Nixle. The Board discussed this emergency services option and considered taking action to authorize General Manager Constantouros to enter into a one-year agreement with Nixle.

President Sherris-Watt introduced Nixle's Nathan Russell.

Mr. Russell said that Nixle is an emergency notification system. It had been used by eight agencies in Napa County during the recent North Bay fires. The Marin County Sheriff's Department, Alameda (police, fire and public works), El Cerrito, San Pablo, and Berkeley also use the system. It's a way for public safety officials to better serve communities by providing timely information. The system can also be used for community event information. Those wishing to receive such notifications can sign up on Nixle's website.

President Sherris-Watt clarified that Nixle is different from the Contra Costa Community Warning System, which had been discussed at the Board's prior meeting. Nixle operates only through cellular service, and with it, community members could receive messages through their cellular devices.

Mr. Russell added that residents could decide what types of information they want to receive and how they want to receive it: Text or email.

President Sherris-Watt asked how ICOP Hull would send out a message, such as inviting residents to come and have coffee with him, and how end users would receive this.

Mr. Russell explained that Nixle is a software service; there's no hardware involved. Thus, it's accessed through a computer, tablet, or cell phone. The initiator would craft his/her message and would send it out to the community. Those who had signed up to receive it would do so. Nixle could also make it possible to broadcast messages through social media channels, such as Facebook, Twitter, and Google. Individuals could opt in to receive information from their own and other communities. In the event of something like an earthquake, information could be "pushed out" to participants.

Vice President Nottoli asked how Kensington would receive information if something like a wildfire were occurring in Berkeley or El Cerrito.

Mr. Russell responded that Kensington could receive information from other jurisdictions and then disseminate it. Residents/participants could opt in to as many communities as they wanted by going through an opt-in portal on the Nixle website or by texting their zip code to 888777. If someone wanted to receive information for another community, they would text the zip code for that community to 888777. Another method would be to create a "key" word. Then, by texting that word to 888777, information for that word would become available. "Key" words, for things other than locations, could also enable a participant to create groups.

President Sherris-Watt said that Kensington parents use Nixle because their children attend El Cerrito High School and can opt into the El Cerrito system.

Director Deppe asked if Mr. Russell had talked to the Fire District about Nixle. Mr. Russell responded in the negative.

President Sherris-Watt said that there would be a per-agency cost, but this is something in which she thought the Fire District should participate.

Director Deppe asked if there would be any conflict if the Fire District (KFPD) and the KPPCSD both had Nixle. Mr. Russell suggested that there be two separate platforms – one for the KPPCSD and one for the KFPD. Residents would have to sign up for both, in order to receive notifications from both agencies.

President Sherris-Watt noted that part of the adoption of this system would be dependent upon the District's communication with the community. She said she'd like to do an informational campaign about emergency-related issues.

Director Deppe commented that it would be odd if the KPPCSD had Nixle but the Fire District didn't. President Sherris-Watt responded that, after having looked at things like privacy and message control, it would behoove the District to keep this to itself. She asked about the cost of the service.

Mr. Russell responded that cost was based on census population, which for Kensington is about 5,000 people. This would qualify for Nixle's annual minimum price of \$3,000, plus a one-time set-up fee of \$240. Thus, for the first year, the cost would be \$3,240 for each recurring year, and it would be \$3,000. He noted that there would be no limit to the number of administrators or the number of messages sent out.

Director Hacaj noted there would be small annual increases in the fee. Thus, the longer the contract, the longer the District could lock in the price.

President Sherris-Watt asked Mr. Russell about the issue of contract length. He responded that a standard term would be three years but that Nixle could be flexible: There could be a one-year agreement, with a one-year option with no fee increase for the second year.

Frank Lossy asked who would pay for the service. Director Hacaj responded that it would be the District. Mr. Russell clarified that there would be no cost for residents to sign up or to receive notifications, unless an individual's phone plan charged for such messages. Mr. Russell noted that customers could customize their profiles and not receive texts: Instead, information could be sent to them by email.

Barbara Steinburg said she only has a landline. She asked what system would be available for her. President Sherris-Watt responded that the county's warning system would notify her in the event of a major emergency with reverse 9-1-1 calls and that Ms. Steinburg was already signed up for this. Mr. Russell added that the county could geo-target certain serious notifications.

Director Hacaj asked if the county would take a Nixle notification from Kensington and then send it back only to Kensington's residents. President Sherris-Watt responded that such notification would have to be life threatening. Director Hacaj explained the distinction: For a missing child, Nixle would create a notification; but the County warning system likely would not do so.

Celia Concus noted that there are some "dead" zones in the Berkeley/Kensington hills, where there is no cell phone reception. She asked what would be done about this. Vice President Nottoli responded that an old-fashioned method, such as a loud speaker, could be used to notify people of danger.

With respect to the Fire District using Nixle, Mabry Benson asked if El Cerrito's Nixle service would cover Kensington, given that Kensington contracts for fire service with El Cerrito. Mr. Russell responded that, to the best of his knowledge, only El Cerrito's police department has access to the Nixle system. President Sherris-Watt said it was her belief that the Kensington Fire Department would produce its own warning notices and have its own Nixle system, even though El Cerrito and Kensington have a fire chief in common.

Catherine Mercurio said she'd used Nixle for a long time, she's a firm believer in the system, and it had taken her about 30 seconds to sign up for the service. She said there seemed to be concern about the possibility of there being two separate Kensington Nixle systems – one for police and one for fire. Given the cost, she said it might make sense to have one Nixle account, rather than two. If there had to be two systems, she asked Mr. Russell if there might be a price break for the second system.

Mr. Russell responded that the cost would not be \$3,000 per account. The second Nixle account would cost about \$500.

Anthony Knight said he wasn't comfortable with the focus on the police department. He suggested a joint meeting of the Kensington Fire Protection District (KFPD) and the KPPCSD, at which the KFPD could express its interest – or not – and coordination could be settled.

President Sherris-Watt responded that the KFPD and the KPPCSD are two separate districts and that it would behoove the KPPCSD to control and be in charge of its account and not to bring anyone else into

it because there were issues of privacy. In the future, the KPPCSD might find that Nixle works well and that it might be fine for the KFPD to have access to the KPPCSD's account. The Board sees this as a stand-alone value for the community that could better prepare residents in the event of an emergency.

Mr. Knight responded that, as a Kensington resident, he saw this as very one-sided and shortsighted. He reiterated that he'd like to see both boards in the same room. He said he saw this decision coming from the Directors personally and not from any joint cooperation.

Director Hacaj responded that there were no decisions being made at this point. The Board was only trying to get information to the community.

David Spath asked how this would be done and if multiple individuals would be responsible for transmitting this information. He also asked what kind of training would be needed. He noted there was not a large body of people: police officers, a GM, a District Administrator, and one other person. They're not at the office all the time. If Nixle's a 24-hour operation, how would it work in Kensington, given the District's human resources limitations?

Mr. Russell responded that Nixle would allow access to be granted to as many people as wanted. Notifications could be initiated from one's cell phone or tablet. Regarding receiving notifications in the middle of the night, Mr. Russell said Nixle would be available whenever needed, but users could set quiet hours and create other customizations.

Dr. Spath asked who would enter information into Nixle – would it be the officer on the swing shift, or would the message go to the GM, who would then initiate it?

Director Hacaj responded that the District would have to determine this. But notifications could be sent from a police officer's cell phone or the ICOP's home because it's cloud-based and on all the time. The District would set the protocol.

Director Deppe asked if there was an "App" for Nixle. Mr. Russell responded in the affirmative – it's called "Everbridge." He added that Everbridge is Nixle's parent company. One could receive a "push notification" through this App. The App has the ability to create incident zones and is a free download.

Linda Lipscomb asked what the scope would be. She said she didn't want to see this turned into a "Nextdoor." She asked who would input information and how and wondered if dispatch would be the best to do this. She said there needed to be a defined scope to prevent it from becoming a vehicle of contention and gossip. She recommended that there be a limit of what types of Nixle notices could be sent out and a definition of who would be responsible for sending out notices. She echoed what Mr. Knight had said: It would be a good idea to get the second Nixle account for \$500. The Fire District is financially well off, so it should be the lead account at the higher, \$3000, amount.

President Sherris-Watt responded that Nixle is not a social media platform. It's very specific – an emergency notification, general alerts, and community events system. She said that the District Board, GM, and ICOP would control this. Nixle would send out notifications such as, there's a lost child or there's an upcoming meeting. She said the Board would always demand the same professionalism and protocol that it would demand of its agendas. She requested that the Board not wait on this because emergencies don't wait. This would not be a panacea, but what the Board's trying to do this year is to cover a variety of "what-ifs" in a variety of ways. Citing last year's fires in the North Bay, she said the Board needed to do everything it could to notify people quickly, wherever they may be.

Director Deppe asked how emergency and meeting notifications would be differentiated. Mr. Russell responded that there would be three levels of notification: emergencies, advisories, and community events. The priority level would be established at the time the notification is sent, and residents could establish what level notification they'd receive. He added that notifications were color-coded: Red for emergencies, yellow for advisories, and green for community events: Nixle emails would be color-

coded; however Nixle text messages would not be. And, Google would provide only Nixle's emergency alerts.

GM Constantouros asked what local agencies have been using Nixle and for how long. Mr. Russell responded that he'd been working with Nixle for three years. He didn't know for how long El Cerrito had been using the service – but for at least three years. San Pablo and Berkeley are the same. Three Alameda departments and San Leandro PD use the system. He noted that many more, outside the immediate Bay Area use the system but that Albany and Emeryville do not use Nixle: They rely on the county system. He said it's primarily law enforcement that uses the system.

President Sherris-Watt said she'd spoken with ICOP Hull prior to inviting Mr. Russell to attend the meeting, and he'd spoken of his willingness to participate with this service.

Director Deppe asked what the police department's opinion was of Nixle. ICOP Hull responded that he hadn't taken a survey of the officers or the employees, but he'd seen El Cerrito using Nixle, and it appeared to be positive. He assured people that the information pushed out on Nixle would be vetted to ensure there would not be any false notifications. He said his personal opinion is that it's a valuable system.

Barbara Steinburg asked if Nixle would have a way to contact someone who only had a landline. Mr. Russell responded in the affirmative but that it would be redundant of the county reverse 9-1-1 system.

Director Hacaj clarified that Nixle had been developed to supplement the county's system. President Sherris-Watt added that the county's system could be available to devices other than one's landline, but one would have to sign up to receive this additional service.

Director Hacaj said she'd like not to limit this to a one-year contract. She thought it would be good to incorporate the Fire District in any potential meeting so it could make its own decision, but she didn't want this to hold things up. The Board was trying to respond to residents' concerns about improving Kensington's own emergency notification capabilities. She agreed that the Board should move forward.

Director Deppe said he'd like to see a one-year contract so that the Board could evaluate the system after the first year: How effective the system is, and how many people sign up for it.

Director Hacaj recommended an outreach program to get people to sign up for Nixle, especially if participation would be a measurement of the system's success.

**MOTION: President Sherris-Watt moved, and Director Hacaj seconded, to authorize General Manager Constantouros to enter into a one-year agreement with Nixle, with an option for a second year.**

**Motion passed: 4 – 0.**

**AYES: Sherris-Watt, Nottoli, Deppe, Hacaj**

**NOES:**

**ABSENT: Welsh**

President Sherris-Watt said she had no hesitancy that, should the fire department and the police department agree that they could work together and have a Nixle contract, she would be glad to go to the KFPD and ask that they pay half the cost of the full agreement.

President Sherris-Watt thanked Mr. Russell.

## OLD BUSINESS

### 5a. Update on police staffing.

ICOP Hull presented a slide and handout, which showed police department staffing from January 2015 to date. He reported that the Kensington Police Department has been working for several months with only five officers and one interim chief. He noted that this is not the first time the department had experienced this. He said he couldn't find numbers prior to 2015, but his recollection was that at about the turn of the century, the department had been down to four officers and a chief.

With respect to the lack of staffing, ICOP Hull wanted to emphasize that the District is still being patrolled 24 hours per day by a Kensington police officer. This had some negative effects:

- Residents won't see a patrol car in their neighborhood as frequently as they used to or had become accustomed to when the department had been fully staffed. Fully staffed is defined as nine officers and one chief: Ten positions.
- Less traffic enforcement.
- Only one officer working during the day and only one working at night, with one sergeant working several hours between those shifts.
- Overtime budget had been exceeded to ensure all shifts are covered. The 2017-18 budgeted amount is \$75,000. The amount spent year-to-date is \$99,000, with four-and-a-half months left in the year.

ICOP Hull said that, if he'd been able to anticipate all the vandalism incidents that had occurred at the start of the New Year, he could have scheduled anywhere from two to four officers to have been working in order to have prevented those crimes. But, even if the department had been fully staffed and two or three officers had been working, there's no guaranty the crimes could have been prevented. However, it would have raised the probability that the suspects would have seen a patrol car, and this would have been enough to prevent them from doing what they did.

ICOP Hull said he'd been addressing staffing since he'd first been promoted into the position of Interim Chief of Police, and it was still an ongoing issue. His idea for dealing with attrition was to rely on the reserve program: If the department is losing officers, it can pull in reserve officers. Other options being considered: police academy cadets; laterals, who might transfer into the department; and retired annuitant police officers, who could work a certain number of hours per year. He fully expects that a decision will be made soon, and the District will be bringing on a new employee in order to bring staffing levels a little bit higher. The department is not anywhere near what it's been budgeted for. One of the issues of bringing on a new officer is that individual would have to go through a four to eight month process:

- Background
- Medical
- Psychological

ICOP Hull said the District was looking at ways to get officers on as soon as possible. Consideration has to be given to the Matrix study. By the time the Matrix study is complete – whatever decision is going to be made – it would be easier to bring on someone who was prepared to go now.

ICOP Hull noted that most police departments are experiencing an inability to staff at budgeted levels. He suggested this might be so because not as many people want to become police officers anymore. As a result, some agencies have dropped their standards in order to have people who might be qualified to go through their academies.

ICOP Hull reported that, since he's been in the position, he'd received five applications for the reserve program. Two had been rejected, two had been hired, and one was still going through a background process.

Linda Lipscomb thanked ICOP Hull for acknowledging that officer presence was a significant deterrent to crime. She noted that this had been the community's experience in the past. With respect to the options for recruitment, she asked if annuitants, reserves, and cadets would require the same vetting time period, since they'd been vetted in the course of past service, currently as a reserve, or when they'd entered the academy. She asked if a new vetting process was initiated for each agency they joined.

ICOP Hull responded in the affirmative. One wouldn't know what had transpired between an individual's employment at one agency and his/her applying for employment with another agency. The reserves have already been through the vetting process; they simply need to be hired. The background, medical, and psychological screening can take four to eight months, if not longer. Even if there were retirees, lateral transfers, or cadets, they would still need to go through the same process. He defined a "lateral" as a police officer who's working for one police department and wants to go to work for another police department.

Celia Concus asked if the vetting process had to take place before or after someone was hired. ICOP Hull responded that it would be before: A police officer can't be put on the street, with authority from the state, without having all three of the processes completed.

Catherine Mercurio asked about the outreach that's been put in place to communicate with laterals and others who might be interested – how would people know there's a need in Kensington.

ICOP Hull responded that, in the past, the District had advertised on the California Special District's Association website, sent officers to different academies to speak to classes, and spread the word. He said that something that's always been an issue is Kensington's salary range. It would be difficult to get another officer to come to Kensington and take a \$20,000 to \$30,000 pay cut.

Barbara Steinburg asked if some of the officers were leaving because of concerns over the talk about contracting out.

ICOP Hull responded in the negative. No officers had left because of any conversation surrounding the Matrix investigation or the prospect of contracting out. The only reason he'd seen officers leaving was because of retirement, for administrative reasons, or because they wanted more money and went to other departments that offered higher salaries.

Sergeant Barrow, president of the Kensington Police Officers Association, said that there are officers who are concerned about their jobs and are, therefore, looking. They're not happy right now. They're looking because they don't know if the department is going to be here in six months.

A member of the public asked if there were things the Board or residents could do to help. It's clear that staffing is "decaying." ICOP Hull welcomed any support the District and the residents want to give.

Anthony Knight said that, during his years in Kensington, it had been his impression that there had been two officers on the street at any given time. He thought it was a fundamental of police work because an officer could get into trouble and need backup. With the short staffing, the District had given this up, and there are individual officers on the street who were out there on their own. He asked if it was part of the present staffing that there were single officers patrolling, without support.

ICOP Hull responded that it is true that the District has single officers working entire shifts. However, it is not true that they don't have support. When the District made the transition from the Richmond Police dispatch to the Albany Police dispatch, one of the things of great importance to him was officer safety. This is why he'd been insistent that Kensington be on the same radio wavelength with either El Cerrito or Albany because Kensington shares borders with both those cities. If an officer who's working alone needs cover, all he or she has to do is say so on the radio. Working Kensington is like a beat, and just one officer covers most beats. So there would never be a time when a Kensington officer



– although they might be alone – would be without cover. Albany’s officers would respond. Prior to the dispatch transition, El Cerrito officers had responded.

Frank Lossy asked people to speak directly into the microphone. He asked questions about the bar graph slide ICOP Hull had projected onto the wall of the Community Center. It looks as though there are five or six officers on duty this year. He understood ICOP Hull to have said that there’s one officer on duty during the day and one officer on duty during the night, and their backup is from other, neighboring, police departments. There were only two officers in the course of a day. He didn’t understand why there were five or six indicated. He asked for the level of staffing to be clarified.

ICOP Hull responded that the current schedule was:

- For four days a week, for the day shift, there’s either one or three employees working – a patrolman, a sergeant, and ICOP Hull. For all police activities that might occur, there would be three people on duty who could provide backup. If additional backup was needed, the department could request that officers from El Cerrito or Albany come to assist.
- For weekends or graveyard shifts, a sergeant would be present for part of the day and for part of the evening.

There are times in Kensington when an officer would be working alone. Even if the department was fully staffed at ten officers, there would still be periods, from time to time, when an officer would work alone. It’s happening more frequently now because the department has fewer officers. Officers still have a right to their vacations and might call in sick. Both affect the schedule and the budget. It’s causing overtime and someone else to cover the shift. More times than not, that person will be working alone. He reiterated that, if there were a police incident, there would be officers from other cities who would come to assist –just as Kensington officers go to these cities to assist their officers.

David Spath said it was good police practice to have an officer and a supervisor on duty. However, there’s only one sergeant now, and he can’t work seven days a week. So, it’s not an ideal situation to have just one officer on duty and have supervision just half the time. He noted that, historically, there’d been a just one four-hour period when only one officer had been on duty without supervision. With the Ad Hoc Committee review, his understanding was that good police practice is to have a supervisor on duty at the same time that an officer is on duty.

ICOP Hull responded that Dr. Spath’s observation was correct. He explained how the Kensington Police Department was addressing this concern. There’s never been a time when supervisors have not made themselves available to any officer, on a 24-hour-a-day basis. The sergeant and ICOP Hull will work their shifts, and as they go home, their phones are always on and always available for phone calls. They also will come in when necessary. There are two types of supervision: direct (a supervisor is on duty) or indirect (a supervisor is available by phone). With some phone calls, it’s necessary for the supervisor come in. In an optimal situation, there would be a supervisor on duty with each officer.

Andrew Gutierrez said there was an economy of scale problem. If one officer goes out, that’s a 10% reduction. The graph prepared by ICOP Hull shows that, beginning in 2016 the department was down to six or seven officers and this continued until 2017. Were there a larger pool of officers and a larger department, schedules could be rearranged. This would provide coverage. The District doesn’t have the economy of scale to cover the changes noted in the graph. He would like to see officers’ lives and careers protected, but it has to be based on merit. When the District thinks about options, they should be about what’s best for the community. The biggest problem is that the department is too small.

ICOP Hull said that there’s a lot of give and take within the department – because it’s small. He doesn’t expect the staffing level to be this small forever. This is not the first time the department has been this small. With respect to scheduling, he said Mr. Gutierrez is correct: If there were enough employees, the schedule could be changed to work better for the District’s best interests, and overtime costs wouldn’t be so high.

Celia Concus cited some of Marilyn Stollon's prepared comments:

- According to the 2011 Municipal Services Report (MSR) on Contra Costa County law enforcement, "the number of sworn officers per capita is a traditional indicator of service level. There are no state or national standards for police staffing levels." "Agencies countywide averaged 1.18 sworn officers per thousand residents." Kensington has 1.2 officers per thousand residents, with a staff of six. Kensington exceeds the number of sworn officers found in other districts.
- The following low-crime cities have a ratio lower than Kensington's: Clayton, Lafayette, Moraga, Orinda, Danville, San Ramon, and Saratoga. Saratoga has less than half the sworn officers per capita than Kensington. Ms. Stollon added Saratoga because it's in the top ten safest cities in California. So, too, are Danville, Moraga, and Orinda. The number of officers doesn't imply or correlate to safety or crime statistics.

Linda Lipscomb said she'd heard that quotation and so had looked it up. She said those towns mentioned do not lie between Richmond and Oakland. She said one could look at the number of Part I crimes in the FBI's Table 8. Kensington is, to a degree, unprotected because its officers are stretched. They don't have the physical presence on the streets. It used to be that, when one came through town, one saw a police vehicle. This discouraged trouble. Kensington is located near high-density areas – so, different from Moraga, Los Altos, and Clayton, and the community is seeing the effects of this. Cutting the department by half and having officers work so much overtime is demoralizing and has not produced the safety to which the residents are entitled. The police department is budgeted for ten officers, and the community should have the ten.

Celia Concus said the Arlington has a lot of traffic coming from El Cerrito and Berkeley, and these are not high crime areas. Those living near the Del Norte BART station are not driving Arlington Avenue. The people who live in the El Cerrito hills live in homes and have incomes and education levels comparable to those who live in Kensington. Homes in North Berkeley, from Marin Circle to Kensington, are even more expensive than those in Kensington. These people aren't criminals. The areas adjacent to Kensington are not high crime areas.

Anthony Knight responded that Kensington's "soft underbelly" is San Pablo Avenue, which is connected to Kensington by Moser and the Arlington and by Fairmount. Kensington is a short drive away. Kensington is the thoroughfare from below the hills. That's where the danger is and that's where he wants patrols. He cited the survey that Brown Taylor had done. One of the important findings of that public report had been that there was a morale problem in the police department. He asked ICOP Hull if there was a similar problem now and wondered why the four officers had left. It's natural to believe they'd left because it's not a happy work environment.

ICOP Hull responded that, no matter how large or small an agency might be, there are always morale issues. He said that the bigger issue is whether the reduced staffing was affecting scheduling. He hadn't seen people not showing up for their shifts. He's concerned about burnout, given the small number of officers. It may be nice to earn overtime in the beginning, but at some point the officers want to spend time with their families or take care of off-duty tasks.

Andrew Gutierrez reiterated that the pool of officers is too small. If there were a larger pool, schedules could be rearranged to accommodate issues. If the community could receive the same level of service, with the same station and for roughly the same cost, this could be a good option. The departments' current officers could apply for the jobs in that service. Too small a pool is causing most of the problems.

Vice President Nottoli read comments she'd prepared about staffing:

- Police services are vital to Kensington.
- The community is safe.
- Usually, contact between officers and the community is good.
- Police officers' work is difficult and critically important.

- Police departments throughout the state are struggling to maintain fully staffed forces.
- A small department, like Kensington's, faces particular problems.
- President Sherris-Watt and she have been meeting regularly with GM Constantouros and ICOP Hull to address staffing and recruitment needs.
- Maintaining a full roster in the face of injuries and vacations is problematic for a small department.
- KPPCSD doesn't have the means to hire beyond its level of the budgeted number of officers in order to maintain a cushion for filling unexpected vacancies, and retirements amplify these problems.
- There had been opposition in the fall, when ICOP Hull suggested hiring a reserve officer in anticipation of one or more vacancies.
- The loss of one officer will have a disproportionate impact, compared to a larger force.
- It takes considerable time and money to recruit and vet candidates.
- During the past several months, there has been a growing number of stories about increasing problems cities are having with police staffing.
- Albany's Chief McQuiston said he teaches at the police academy, and enrollment is down – even with the lowering of standards, which he attributed to more opportunities elsewhere in the good economy and the increased scrutiny of police.
- Police job listings have decreased, and Berkeley's staffing has reached “a crisis point,” and that police chief has said the city will have to “rethink the way we do business.”
- Kensington's police positions are not attractive to those interested in a law enforcement career because the department lacks opportunities to work in specialized investigative units and offers fewer opportunities for advancement.
- She'd compared police salaries on Transparent California, and this showed that Kensington's salaries are considerably lower, both in terms of base pay and long-term opportunities. Albany's, El Cerrito's, Richmond's, and Berkeley's, total pay can be much higher – especially when overtime and other pay is factored in.
- Palo Alto is offering \$25,000 signing bonuses, on top of starting salaries of between \$100,000 and \$119,000. This is the competitive environment in which Kensington finds itself.
- While Kensington's retirement benefits are more generous than those of other agencies, young officers are more focused on salary, especially with the high cost of housing.
- Kensington's longstanding problem of maintaining a fully staffed force is aggravated by conditions that are bigger than Kensington.
- Such challenges are among the reasons the Board voted to bring in Matrix Consulting to thoroughly analyze Kensington's police service options so there can be public discussions grounded in reality and facts.
- In the meantime there's a staffing problem that must be addressed. There are three options: recruit from police academies, but those academies are having lower enrollments and fewer graduates, they will need training, and then they could then go on to other agencies to make more money; hire retirees; and/or hire reserves, which had been attractive in the past. It's important for GM Constantouros and ICOP Hull to explore these options to recruit additional officers. This must be a high priority until minimum staffing is restored.
- She requested that, until this is accomplished, GM Constantouros and ICOP Hull report back to the Board each month in public session on the progress they're making on recruiting.

President Sherris-Watt thanked ICOP Hull for having been interested in staffing levels since he'd been appointed in December 2016. GM Constantouros and ICOP Hull consider this to be vital and have been paying attention to the issue for many months. The graph shows that, in the last three years and two months, it has only been since October that the department's on staff number of six has matched the number of officers on duty. There had typically been two or three officers who had been on payroll but not on duty – due to things like injuries and administrative leave. This is more complicated in a small agency like Kensington's because the outcome of various leaves may not be known: Will the officer be retiring? Will the officer return to work? When the reserve application process has a rejection rate of 40%, there are applicants who are too problematic to bring on board. Thus, it's difficult to find the kind of officers the District wants to hire in order to maintain the quality of the department.

- 6b. The Kensington Police Protection and Community Services District Board of Directors discussed and considered taking action regarding Board and Committee meetings for calendar year 2018.

President Sherris-Watt proposed that she work with Director Deppe to create a color-coded calendar of meetings for the coming year that could be uploaded to the website.

Director Deppe responded that he wasn't sure this could be color-coded, but the calendar could be created.

President Sherris-Watt noted that the calendar could be included in the Board's next agenda packet.

District Administrator Wolter asked if the Board wanted her to notify the District's email list about the upcoming Matrix presentation. Director Hacaj responded that she'd put together something for the District to send out in a variety of ways.

President Sherris-Watt thanked Director Hacaj for covering this and asked her to address all the formats. Director Hacaj said she would discuss the matter with GM Constantouros to ensure notification would go out. She reiterated that the Matrix presentation would occur on March 17<sup>th</sup>.

President Sherris-Watt announced that there would not be another Board meeting in February. The next Board meeting would be held March 8<sup>th</sup>.

**MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, that the meeting be adjourned.**

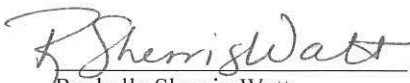
**Motion passed: 4 – 0.**

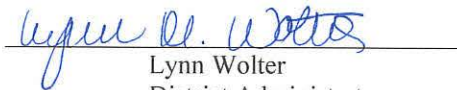
**AYES: Sherris-Watt, Nottoli, Deppe, Hacaj**

**NOES:**

**ABSENT: Welsh**

The meeting was adjourned at 9:29 P.M.

  
Rachelle Sherris-Watt  
KPPCSD Board President

  
Lynn Wolter  
District Administrator