

Meeting Minutes for 6/30/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, June 30, 2016, at 6:00 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Special Meeting in open session followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddle, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Vice President	Jon Holtzman, Renne Sloan Holtzman Sakai LLP
Patricia Gillette, Director	Mabry Benson
Chuck Toombs, Director	Leonard Schwartzburd
Vanessa Cordova, Director	David Bergen
<u>Staff Members</u>	
Interim GM/COP Kevin Hart	
Lynn Wolter, District Administrator	
<u>Press</u>	

President Welsh called the meeting to order at 6:03 P.M.

President Welsh took roll call. He, Vice President Sherris-Watt, Director Gillette, Director Toombs, Director Cordova, Interim GM/COP Hart, and District Administrator Wolter were present.

PUBLIC COMMENTS

Mabry Benson said that there were three lawyers on the Board and asked what it was that they didn't understand about the law. She said that to release the report of any investigation done with the premise of confidentiality would be unwise. She asked why anyone would be forthcoming if they thought their confidential statements would be made public. She said that, regardless, all she heard, over and over, was that the report should be released and then all would be resolved. She said that, additionally, in the State of California, the Police Officers' Bill of Rights did not allow for the report to be made public. She asked if the attorneys had said it would be okay to release the report and said that, if they had, it would be a good idea to find a new law firm. She said the public had been told that at least some of the officers' behavior had been improper and that discipline had been imposed. She said that, if the report were released, Officer Ramos and Officer Barrow could appeal any discipline received. She said this sounded like more legal fees to her.

Leonard Schwartzburd asked if his appeal would be discussed. President Welsh responded in the affirmative. Dr. Schwartzburd asked if he would receive a reply after the evening's meeting. President Welsh responded in the affirmative.

David Bergen said he agreed with Ms. Benson's comments. He said that, if the report were to be released, then all the IA's, such as the Reno report, should be released. He questioned whether the 24-hour notice had been legal, since the meeting had not been an emergency meeting. Randy Riddle responded that 24 hours was the legally required notice for a Special Meeting. He clarified that a Special Meeting was any meeting that took place between Regular Meetings.

The Board entered into Closed Session at 6:08 P.M.

CLOSED SESSION

- a. Public employment: Title: (General Counsel) – Pursuant to Government Code Section 54957.
- b. (1) Conference with legal counsel – anticipated litigation: Significant exposure to litigation pursuant to paragraph (2) of subdivision (d) of Section 54959.9 (1 potential case); and (2) public employee discipline/dismissal/release.
- c. Conference with labor negotiator – Pursuant to Government Code Section 54957.6: Agency designated representative: Jon Holtzman, Employee organization: Kensington Police Officers Association.

The Board returned to Open Session at 7:44 P.M.

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

President Welsh reported that the Board had taken no action.

It was clarified that, per the Policy Manual, Special Meetings did not allow for general public comments: It allowed only for comments on items appearing on the agenda.

CONSENT CALENDAR

Director Cordova said she had meant to clarify a comment that had appeared in the minutes but thought this had appeared on a set of minutes that had already been approved. Therefore, she had no amendments for the May 12, 2016 Minutes.

MOTION: Director Cordova moved, and Director Toombs seconded, to approve the May 12, 2016 minutes.
Motion passed: 5 – 0.

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

- 7a. The Kensington Police Protection and Community Services District Board of Directors reviewed and considered the approval of Board Resolution 2016-10, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, affirming the establishment of the appropriations limit applicable to the district during fiscal year 2016-17.

IGM/COP Hart briefed the Board. He said the Appropriations Limit and the calculations were based on financial and population data calculated by and posted on the State of California Department of Finance's website. He said that, in order to meet legal requirements, the District needed to post the Notice at least 15 days prior to the June 30th meeting. He reported that the District had posted the Notice on June 14th. He provided a history of the setting of the Appropriations Limit, which was first set, by a special election, in the early 1980's. He added that, every four years, the voters needed to re-set the limit. He reported that the Appropriations Limit set for Fiscal Year 2016-17 was \$3,989,511.

Director Toombs said this would allow the District to spend the tax dollars it collects, up to this limit. He noted that every agency in the State has to go through this process.

Director Cordova said she had supported Measure V in 2014, when she had been a candidate, and said she was inclined to support the resolution.

MOTION: Director Toombs moved, and Vice President Sherris-Watt seconded, that Resloution 2016-10 be adopted, as stated in the agenda.

Motion passed: 5 – 0.

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

MOTION: Director Gillette moved, and President Welsh seconded, to adjourn.

Motion passed: 5 – 0.

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

The meeting was adjourned at 7:50 P.M.



Len Welsh
KPPCSD Board President



Lynn Wolter
District Administrator