

Meeting Minutes for 2/23/17

A Closed Session of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, February 23, 2017, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Regular Meeting (Open Session) followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Rachelle Sherris-Watt, President	Amara Morrison, Wendel Rosen
Eileen Nottoli, Vice President	Marilyn Stollon
Len Welsh, Director	Barbara Steinberg
	Ciara Wood
	Linda Lipscomb
	A. Stevens Delk
	Jim Watt
<u>Staff Members</u>	Lisa Caronna
Rickey Hull, IGM/COP	Frank Lossy
Lynn Wolter, District Administrator	Celia Concus
	David Spath
<u>Press</u>	David Bergen
Linnea Due	John Gaccione
	Mabry Benson
	Linda Spath
	Anthony Knight

President Sherris-Watt called the meeting to order at 6:32 P.M. and announced that this was the Board's second Regular Meeting for the month of February. President Sherris-Watt, Vice President Nottoli, Director Welsh, IGM/COP Hull, and District Administrator Wolter were present. Director Hacaj participated in the Closed and Open Sessions by phone from Ebbets Pass Fire District, Arnold, CA. Director Cordova had been detained while traveling, due to Hurricane Doris, and so did not participate.

CLOSED SESSION PUBLIC COMMENTS

None.

The Board entered into Closed Session at 6:32 P.M.

CLOSED SESSION

- a. Public employee employment, discipline, or dismissal: The Board was briefed on personnel matters pursuant to Government Code Section 54957(b)(1). Three items.
- b. Conference with Legal Counsel – anticipated litigation: The Board was briefed on matters involving significant exposure to litigation pursuant to Government Code Section 54956.9(e). Two items.

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

President Sherris-Watt took roll call. President Sherris-Watt, Vice President Nottoli, and Director Welsh were present. Director Hacaj participated by phone from Ebbets Pass Fire District, Arnold, CA. Director Cordova was unable to join the meeting because of Hurricane Doris.

President Sherris-Watt reported that the Board had agreed to post the GM job description the next day, on the District's website.

PUBLIC COMMENTS

Barbara Steinberg said she'd live in the community for many years and wanted to address the Board about something it wasn't yet addressing so it would have time to think about it: Contracting out police services. She said the Directors had the authority to make the decision about this but that she assumed that the Board would be responsive to Kensington's needs and wishes. She said residents should be well informed about this and proposed that residents be allowed to vote on the matter.

Ciara Wood said that she was a former Director and that the Board was facing very complex matters. She expressed her appreciation for the Directors taking this on and said that things move more slowly than the members of the public, who had not served on the Board, think they should.

Marilyn Stollon said that she'd listened to the audio of the Board's prior meeting and that it had been difficult to get the gist of what had been going on because many speakers hadn't identified themselves. She suggested that, at the beginning of every meeting, especially when the recording was audio only, the Board remind speakers to identify themselves.

Linda Lipscomb raised a point of order: The agenda indicated that there were descriptions for the GM and COP and that, perhaps the posting for the GM position was premature because the separation hadn't been formally done. She also said there had been no report regarding the two Closed Session items. Amara Morrison responded that there was no reportable action taken, other than what President Sherris-Watt had reported, which was that the job description would be posted.

BOARD COMMENTS

Vice President Nottoli reported that she and Director Hacaj had attended the "Best Practices" conference that had been put on by the CSDA and that she would be attending the upcoming "Director Leadership Conference."

President Sherris-Watt reported that the Finance Committee had met the previous night and had approved Nicolay's OPEB Valuation Report, which would appear in the Board's next agenda packet.

President Sherris-Watt said the Board had received comments about its refusal to interact with speakers during public comments. She said the reason the Board no longer answered questions was because it would be a Brown Act violation; the Board had been counseled by several lawyers that it should not engage in dialog about items not on the agenda during public comments.

A. Stevens Delk said, that with respect to public comments, the Brown Act said the Board could briefly comment or answer questions. She said she would bring the Brown Act with her to the Board's next meeting. President Sherris-Watt provided an example whereby engaging in dialog, during public comments, could result in creating the impression that the Board had made a decision. Director Welsh said he agreed with Ms. Delk – that a brief response to clarify a point of fact would be fine. He noted that this had been the Board's practice for many years.

STAFF COMMENTS

None.

CONSENT CALENDAR

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

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Hacaj NOES: ABSENT: Cordova

OLD BUSINESS

- 7a. The Board received an update from the Interim General Manager/Chief of Police regarding the status of negotiations for the provision of dispatch, RMS, and Records, Management services to the District.

IGM/COP Hull reported that the District would need to transition to another source for dispatch and RMS, and records management. He said he'd met with the Berkeley, Richmond, and Albany Police Chiefs. He said he'd also met with the Sheriff's department, but the only service that agency wanted to provide was dispatch. Thus, he said that if Kensington went with the Sheriff's Department, Kensington would need to enter into a contract with El Cerrito for its Records Management System (RMS) and for its records services department. He explained that, in this situation, Kensington would continue to use the same software it currently used, which is called New World, and then interface with the software being used by the Sheriff's Department, and Kensington would have to incur some costs for the Sheriff's Department part of the relationship. IGM/COP Hull reported that, if Kensington went with the Sheriff's Department, for dispatch only, the cost would be approximately \$60,000 per year. He said he didn't yet have the costs from El Cerrito for the RMS services. He said that, under this scenario, Kensington would have a contract with the Sheriff's Department, a contract with El Cerrito, and a contract with one or two software vendors.

IGM/COP Hull reported that, if Kensington went with Albany Police Department, Kensington would use that city's software program, which would result in transition costs, because the software Kensington uses is not compatible with Albany's. Albany, which is adjacent to Kensington, could be on the same radio channel with Kensington, which would solve the officer safety issue.

IGM/COP Hull said there were positive aspects to both options. Albany was offering to provide dispatch, RMS, and records department services: Thus, all the contracts would be with a single agency, except for the software, which would need to be provided by another vendor. He said that Albany uses software called RMS, Kensington uses New World, and the Sheriff's Department uses Tiburon and that none of these software programs were compatible with each other. Thus, he said that, if Kensington were to go with RMS, it would have to pay the up front costs for that change. He explained that, if Kensington went with the Sheriff's Department, which would have Kensington on the same radio channel with El Cerrito, El Cerrito would likely upgrade its software to RMS in two years. Thus, he said one of the things Kensington would have to contemplate now was when it wanted to switch to the RMS system: If Kensington did so now, it would be with Albany; if Kensington wanted to wait, it would be with El Cerrito.

With respect to the software programs, IGM/COP Hull reported that RMS has better reviews from police officers and departments and was easier to use. He reported that, with New World software, Kensington was currently spending an average of ten hours per month for two people to generate the Uniform Code Report (UCR). He said that errors or inconsistencies were time-consuming to locate and

fix. He said he understood that, with RMS, locating and fixing such problems was easier; therefore, converting to RMS could result in cost savings, in terms of man-hours, of \$600 - \$800 per month. He reported that, with the Albany option, annual costs of about \$75,000 would be incurred, and there would be up front costs of about \$40,000 for data migration plus the initial cost for the software, which would be about \$85,000. Thus, he said it would be close to \$200,000 for this program, but he said the \$85,000 cost of the new program could be amortized over three, five, or seven years. He said that the three-year amortized amount plus the \$75,000 annual cost would be equal to about the same amount if Kensington contracted with Richmond and that the software cost would be paid off in three years' time. He reported that the Sheriff's Department option would cost about \$60,000 per year, with a one-time payment of about \$28,000 plus a mobile license fee for each individual. Thus, he said this total would be between about \$100,000 to \$110,000. He said more departments were leaning toward the RMS program – both El Cerrito and Richmond would be moving to this within the next couple of years. Given this, IGM/COP Hull said he'd probably recommend going that way, too. He noted that, if Kensington went with the Sheriff's Department, it would have to pay to convert to that department's software and then transition again later to the RMS program. Vice President Nottoli asked if this was because El Cerrito was thinking about going to RMS in two years, and IGM/COP Hull responded in the affirmative. She asked if there would be an additional \$8,000 charge if Kensington went with the Sheriff's Department. IGM/COP Hull responded in the affirmative and said this would be for infrastructure costs. He summarized by saying that, when the conversion to RMS occurred, with the Sheriff's Department option, that total cost would be about \$200,000 (\$85,000 for software plus \$100,000 to go online with that department. He said this would be comparable to the cost of the Albany option. Vice President Nottoli clarified that the cost for El Cerrito's records services would add to the cost of the Sheriff's option.

President Sherris-Watt said this was an involved and complex issue on which Vice President Nottoli and IGM/COP Hull had been working. She said this issue would be coming before the Finance Committee and before the Board within the next month-and-a-half because AT&T had a very long lead time for the transfer of 9-1-1, which she said she was trying to whittle down. She explained that this was a specialized service within AT&T, which was why the lead time was so long.

Ciara Wood said this had been difficult to follow and asked if the Board and IGM/COP Hull could create a chart. President Sherris-Watt and Vice President Nottoli responded that there would be a document and that lots of work was in progress. President Sherris-Watt also noted that IGM/COP Hull had approached the City of Berkeley and UC Berkeley, but they had declined to provide bids.

Director Welsh asked when IGM/COP Hull would be providing the Board with a recommendation on which way it should go. IGM/COP Hull responded that he hoped KPPCSD would be at the decision making stage in March. Vice President Nottoli added that she and IGM/COP Hull could have had something at this evening's meeting, but they had wanted to get all the costs. She noted that, if Kensington went with Albany, it would be a "one-stop shop," which would be great, but they wanted to have another option, which was why they were looking at alternates. She said that additional costs continued to be added to the estimates that had already been provided, which helped explain why the process was taking so long, even though she and IGM/COP Hull had been working on the effort since January. Director Welsh responded that he understood this was a complicated process and that he appreciated how far Vice President Nottoli and IGM/COP Hull had come with the work. Director Welsh asked why the City of Berkeley had declined to provide a bid. Vice President Nottoli responded that this city has its own dispatch and doesn't have enough dispatchers and that Berkeley has a new interim chief, who has a lot on his plate. She added that UC Berkeley hadn't returned IGM/COP Hull's calls. She noted that Albany had provided dispatch for Kensington in the past and that Albany and El Cerrito had provided mutual aid to Kensington; Berkeley had never engaged in that.

IGM/COP Hull reported that Kensington is in Contra Costa County and Albany is in Alameda County and that there had been some concerns expressed about cross-county issues. He said there were no such issues. If, in the event of an emergency, Kensington were to be dispatched by the Sheriff's Department, Kensington would be dispatched by the same dispatch that would interact with the deputies, but a call for fire service would have to be passed from dispatch to separate fire service facility. He reported that

the same would be true if Kensington went with Albany. He noted that, when the earthquake had happened about 30 years earlier, Albany had been dispatching for Kensington, and there had been no problems reported, even though the Office of Emergency Services was located in Martinez (Contra Costa County).

NEW BUSINESS

- 8a. The Board reviewed and considered approval of Resolution 2017-06 to amend Appendix A of Policy #2000 of the District Policy and Procedures Manual to create job descriptions for: i) District Chief of Police; and ii) District General Manager and considered directing staff to conform implementing policies (Policy #2000.25) to reflect these two separate job descriptions.

President Sherris-Watt introduced the item and noted that this was the first reading of the resolution.

Director Welsh suggested that, in addition to creating the two job descriptions, the Board should retain what it already had in the Policy and Procedures Manual: The combined position, so that it had maximum flexibility to deal with the situation it had been dealt, noting that time was of the essence. President Sherris-Watt reported that some had said the job descriptions were scanty because any employee contract the Board would sign would supersede the job descriptions. Director Welsh said that the resolution was worded in such a way that it indicated the Board would be moving from "A" to "B" and that he didn't want the Board to write itself out of the combined position option.

Jim Watt said he was confused because he thought the agenda item would include a discussion of GM job duties. He said he had some suggestions on what should be some changes and modifications to the GM job description contained in the packet. He said that there was discussion about splitting the function of GM/COP, which was important, and that the reason for this was that the GM would be taking on added responsibilities and should be held to a higher standard. In particular, Mr. Watt said he was looking for ways to reduce the cost of running the District. Mr. Watt's suggestions for the GM job description included:

- Amending the Kensington Park item "to include the planned upgrade of the Kensington Community Center" to ensure that the GM delivers the best possible work on the Community Center for a price the District could afford.
- Adding 1) "Provides recommendations for reducing the District's operating expenses, staffing modifications, and capital outlays," 2) Works with the Board on relocation considerations connected with the replacement or upgrade of the Public Safety Building," 3) Assists the Board in evaluating all factors in connection with the possible outsourcing of police services to another agency," and 4) "Assists the Board in recommended MOU modifications."

Mr. Watt concluded by saying that what he was looking for in a GM was someone who could deliver some needed changes, particularly in cost savings, and who would be responsible for producing cost benefits to the District. Otherwise, he said he saw no reason why the job had been bifurcated in the first place, if in fact, the District would end up paying more for two positions while still delivering the same degree of service.

Lisa Caronna said she was concerned with the process with this issue: To her knowledge there had been no previous action taken by the Board to even split the GM/COP position, and now there were two jobs before the community. She said this was exactly what the community feared: Decisions being made by the Board without a public process, with no analysis, no open information or discussion on the bigger issue of the split. She said this would apply not only to splitting the position but also to contracting out, consolidation with the Fire District, and all the things that had been studied. She reiterated that the Board hadn't taken action in public to split the GM/COP, and now there was this item, which indicated that, de facto, this split had been done.

Ms. Caronna said there was:

- No analysis for the public to evaluate this.
- No financial impact information.
- No information about from where the money would come or what services would be reduced to pay for the position.
- No study of the time allocation that would be desired based on the tasks.
- No information about what this person would be expected to do and whether it was envisioned as a part-time, full-time position, or 10% time position, as indicated under the current IGM/COP contract.
- No analysis of legal ramifications if the District were to go back to a combined position. She explained that she had raised this issue because of the Randy Riddle analysis, which had been done about the legality of the dual position.
- No process on actual recruitment, other than what had been reported earlier that night. She asked President Sherris-Watt if she'd reported that the GM position would be going public the next day. Ms. Caronna said this hadn't been vetted but was going out, without public input.
- No author of the document in the Board Packet. She noted that every item in the Board Packet should identify the Board member, the committee, the GM, or whatever source was proposing the item.

Regarding the job description, Ms. Caronna said the Board had missed the most important element of the GM position: Implementation of Board policies. She said this was basic and was a mandate of the duties of the GM, as established in California State Law about Special District. She said she also had a lot of comments about the actual wording, which she wouldn't go into. But, she said there was no reference to the GM being able to negotiate with unions, the waste hauler, or other contractors for any other contracts. She summarized by saying there were many issues, and she reiterated that there were bigger issues with the process.

Director Welsh said it would be good if Ms. Caronna would submit her suggestions in writing.

Ciara Wood asked the Board to consider, in so far as the GM would have something to do with Park Development, that investigating grant opportunities for park development would be a helpful addition to the job description.

Frank Lossy said that he'd been a resident for 50 years and that he had a lot of experience dealing with the KPPCSD Board and running the community. He said he'd had a hearing problems for decades and there was a problem with the way in which the sound system equipment had been purchased and with the lack of instruction on how it should be used effectively. He said the money spent on the sound system had not been spent effectively because people didn't know how to use it properly. He urged the Board to bring in someone to provide instruction. He concluded by saying he appreciated that people had worked to try to improve things. President Sherris-Watt responded that this was an important issue and that it would be turned over to the Technology Committee.

Celia Concus said that at least two members of the Ad Hoc committee were present and that she wanted to address some of the comments that Ms. Caronna had made. She said Ms. Caronna had been the chair of the Bifurcation Subcommittee and that the members of the Ad Hoc Committee had spent more than a year studying the various aspects of Kensington governance. Ms. Concus said that, during the final presentation of the Committee, Ms. Caronna had reported that every agency with which she'd spoken had said that bifurcation of the GM/COP position was the way to go and that this change would be in the District's best interest. Ms. Concus said the Board was moving forward with this to improve governance.

Ms. Caronna responded that Ms. Concus's comment had been well taken, that this had been a summary finding, but that the Ad Hoc Committee had not been the Board. The Committee had presented pros and cons only: Its charge had been to bring information to the Board so it could then further study things, and have its own deliberation, in a public setting, about what it wanted to do. She said the Board

made decisions and had its own responsibility for conducting a public process, performing its own due diligence, and doing its own analysis.

David Spath said he seconded what Ms. Caronna had just said. He said the qualifications for the GM weren't clearly delineated. He said that the Board should develop a complete list prior to considering going out for notice and that he wanted the GM to be in a position to negotiate the contracts because contracts were currently being negotiated by legal services, which translated into added expense. He said that, if the Board were to hire an experienced GM, Dr. Spath would expect that person to be able to serve the Board in that capacity, at the direction of the Board.

A. Stevens Delk said the Board should be looking at two separate documents: One that would go into the Policy and Procedures Manual, which should be a general overall description of the duties for the GM and for the COP; the other would be used as the job description for hiring someone. She said she didn't think the Policy Manual version should include time specific duties, such as being responsible for the Community Center remodel. She said she was on the Policy and Procedures Committee and noted that the Manual contained a contract for Helen Horowitz, who had not been in the District since 2005, and that a contract agreement should not be in the Manual, but a general job description should be. Director Welsh and President Sherris-Watt responded that they agreed with Ms. Delk's comments.

President Sherris-Watt said that some of the things that had been put forth, such as negotiating contracts, evaluating outsourcing, or MOU modifications, should fall under the direction of the Board but should not in the Manual. She said that, in terms of process, there were some fair criticisms but that the Board had been evaluating this situation, had retained information from the Ad Hoc Committee, and was now putting that knowledge to use. She said that, in late December, the Board had said it would be appointing IGM/COP Hull but that it felt that it was time to split the position. She said Kevin Kyle's abrupt departure had illustrated to her and to the other Directors that the KPPCSD was in a precarious position: She said she didn't want the District to be so vulnerable again. She said the Board had publicly stated it was working with Bob Deis of PMG and that the Board had had a Closed Session discussion with him regarding the qualifications for a GM. She said that the Board should broaden its agenda to address the financial impacts and that she didn't see any legal ramifications – Randy Riddle's document had indicated there were no legal reasons the positions couldn't be combined, separated, or returned to a combined state.

Amara Morrison asked if President Sherris-Watt had intended for this to be a first reading and for the Board to come back for a second reading. President Sherris-Watt responded in the affirmative. Ms. Morrison asked if the Board wanted to address the possibility of giving itself the option of having either a combined position or two separate positions. President Sherris-Watt responded that Director Welsh had indicated a desire to see the combined position remain as an option, and she concurred. Ms. Morrison offered proposed language for the resolution that would allow the Board to recruit for the combined position or for the separate positions:

“The Board of Directors hereby approves the amendment of Appendix ‘A’ of District Policy and Procedures Manual Policy #2000, the text of which is attached hereto as Attachment ‘1’ to include two separate job descriptions, one for the position of District General Manager and one for the position of District Chief of Police, and retain the existing combined job description of General Manager/Chief of Police. The Board of Directors shall have the authority to recruit for a candidate for either the combined role of General Manager/Chief of Police or candidates for the role of General Manager and the role of Chief of Police.”

Director Welsh explained the rationale for proceeding in this manner – putting the cart before the horse. He said that, if the Board made the hire of someone without the authority in the P&P Manual to do so, there could be a problem. He added that he didn't want to waste any time on this: There was a lot to do. He said there could be better analysis, but things were backing up and the Board didn't have the ability to deal with those things right now. He said this was totally separate from whether or not the District contracted out for police, which he saw as being a long discussion with the community. Vice President Nottoli said that, given her experience with researching dispatch, any discussions about contracting out for police services would take a long time.

- 8b. The Board received an update from Director Nottoli regarding the development of a Community Center wireless facility policy.

Vice President Nottoli thanked David Bergen, who had done a lot of work in getting to understand the system that had been installed at the Community Center. She announced there would be a meeting of the Technology Committee the following week at which time the Committee would consider a draft Wi-Fi policy to bring back to the Board for its approval and would work to better understand the system.

- 8c. The Board received an update from Director Hacaj regarding renovations to the Community Center.

Director Hacaj reported that the Park Committee had met on February 15th and that there was a draft document with Glass Associates, which she would bring to the Board in March. She also reported that the Committee would be meeting monthly. President Sherris-Watt announced that the Park Committee would meet on the third Wednesday of every month, in Room 3.

- 8d. The Board reviewed and considered approval of Resolution 2017-18 to amend Sections 5060.5, 5060.5.2, and 5060.4.4 of the District's Policy and Procedures Manual to reflect a change from the preparation of summary minutes to action minutes.

President Sherris-Watt reported that she had proposed this agenda item, this was the first reading, and she explained why she had placed it on the agenda. She handed out copies of her presentation to the members of the public. With respect to 5060.4.4, this section of the policy states that recordings of Board meetings "shall be retained for 90 days after the date of the meeting or until the minutes of the meeting had been approved..." President Sherris-Watt proposed that this be changed to 365 days, to ensure public access for a longer period. She said she didn't believe it was a best practice to keep recordings forever in order to keep the District's website clear and maneuverable.

President Welsh said there was a difference between storing information on the website, which was a burden, and storing it somewhere else, which could be done inexpensively. He said this would enable the District to honor public records requests. President Sherris-Watt said there should be a time limit on both types of storage.

With respect to 5060.5 and 5060.5.2, President Sherris-Watt said that changing from summary to action minutes would save staff time, money, meeting time, and trees. She said the District was really crunched right now, as far as staff time was concerned. She said it required four hours of staff time to record Board meetings – two regular meetings per month – plus a Finance Committee meeting, which last about two hours, for a total of ten hours of staff time per month. She reported that translating the recordings into minutes took between six and eight hours for a regular meeting. Thus, she said 16 to 20 hours per month were needed for transcription, for a total of between \$1,190 and \$1,380 per month, or up to \$16,560 per year. She said the minutes tended to be more like verbatim transcriptions than summaries, which meant more printing and longer agendas. She suggested the following solutions:

- Hire a less expensive minutes taker. But, she said the Board had the benefit of a District Administrator who had familiarity with the community and its issues. She noted that a new person would require a steep learning curve and, perhaps, a greater number of hours to complete the task of preparing minutes.
- Provide true summary minutes like the ones prepared by El Cerrito. These provide a brief description of what occurred. She reported that Albany provided the names of the people who spoke and the issue on which they spoke, but they appeared in list format rather than being connected. She reported that Berkeley had action minutes that provided less information than what she was proposing: Berkeley provided numbers but no names and no topics. She reported that more condensed minute taking had been tried in the past but these had,

sometimes, resulted in complaints – the minutes didn't accurately reflect the language or intent of the speaker.

- Prepare action minutes, which she said was her suggested solution. She said these would reflect official action and would require less staff time at meetings and for document preparation. She reported that public comments often appeared in Board Packets, under correspondence. She noted that moving to action minutes would not prevent members of the public from providing documents that would appear in Board Packets.

David Bergen said that data storage these days was very inexpensive, and so storing recordings wouldn't really affect the District's website: As long as the data was digital, it would be easy to convert it to another format. Therefore, he said he didn't see any reason for throwing out anything. He said he didn't like the idea of action minutes.

Marilyn Stollon said she'd sent research she'd prepared to the Board about how seven nearby towns handled minutes and archiving: She'd looked at Moraga, Lafayette, El Cerrito, Albany, Clayton, Richmond, and Tiburon, and none of those towns used action minutes, none deleted their minutes or recordings, and all archived their records – they created summary minutes, which included two to six line summaries for each speaker. She reported that she'd looked at another five towns earlier in the day and had found their practices to be similar to those cited above. She said that the KPPCSD is a public governing body and there must be a record of what's occurred, that the public deserved to know what was occurring and what had occurred, and that the information had to be accessible to people. She said that, if the secretary couldn't prepare summary minutes, the District needed to find someone who could. She asked that summary minutes be retained, suggested speakers provide a copy of their texts to the secretary, and recommended the Board limit speakers to three minutes, as this would shorten the minutes. Ms. Stollon read a seven-line summary of her comments – an example of summary minutes.

A. Stevens Delk said she opposed this amendment. She noted that this had been proposed, tried, and rejected previously: In 2009, there had been a motion to adopt action minutes, which had passed unanimously. She noted that, just a few months later, the same Board moved back to summary minutes. She provided a copy of a single page of minutes from that time, and it covered seven agenda items and seven motions. She read the discussion of three of the items, which consisted of a single sentence. She noted that all seven of the motions on the page had passed, but without looking at other documents, there was no way to know what they were about, much less what someone had said about them. She said that President Sherris-Watt had proposed action minutes 16 months earlier, that a lengthy debate had followed, and that if the action minute policy had been in place, the only record the community would have had were scantily worded action minutes because the recording would have been erased four months ago. She said that actions had been carried over to the next month but hadn't appeared on the agenda because IGM/COP Hart had said that action minutes would not come back to the Board until the audio equipment issues had been resolved. She noted that the new sound system had proven not to be reliable yet and that the new system worked only in the main room of the Community Center: It didn't work in Room 3, where many meetings were held. She said that it was time-consuming and cumbersome to review meetings by listening to recordings.

President Sherris-Watt said the type of minutes she was proposing would not be as limited as Ms. Delk's cited example: They would include a number of items, the list of which she read from a document in the Board Packet.

Barbara Steinburg said she supported continuing to have summary minutes. She said that, because there was a large senior population, having to rely on the online recordings could be burdensome because many of them don't use the Internet. And, she noted that recordings could be erased, but minutes could not. She said the minutes were of historical importance.

John Gaccione read a statement that had been written by Leonard Schwartzburd, who had been unable to attend the meeting. A summary of what he read:

The District's business was not sufficiently boring for action minutes to best serve the community and for the new Board to continue in its constructive beginnings, under difficult circumstances. Dr. Schwartzburd's letter ended by extending good wishes to the Board.

Mr. Gaccione said that he couldn't see why the Board would want to delete records. He said that going back through the minutes of prior meetings, looking over comments that had been made – they were loaded with information – even from people with whom he didn't agree. He noted that there was information throughout the minutes. He concluded by saying he couldn't believe that the Board would want to throw that out. He commented that the minutes could be shortened into summaries. He noted that President Sherris-Watt had said that speakers could present their comments, in written form, for inclusion in a subsequent Board Packet, but that wouldn't address spontaneous comments.

Mabry Benson said the argument that had been made about needing to save staff time at meetings wasn't right because a recorder would always be at the meeting, therefore action minutes wouldn't save time on that front. She said that action minutes were useless, and they would conceal from the public what really happened: They would only show how Directors voted. She said that the meat of what happened was the discussion – on the part of the Board and the public. And, she said that recordings alone weren't satisfactory – they couldn't be quickly scanned, whereas printed minutes could be quickly scanned to find the desired information. With respect to recordings, she said she didn't think they should be erased after one year: She had gone back to review a recording that was more than one year old, and she suggested that the minutes be more of a summary and that the minutes include a time note that related to the recording. She concluded by saying that action minutes were no minutes at all.

Celia Concus said that community members had been implored to attend meetings and that, if the Board wanted them to be engaged, residents needed to understand what was happening. With respect to the hearing impaired, as well as the rest of the community, residents needed a written summary of what had happened. She said the minutes were the record of "last resort" so people could go back and easily find things: It's easier to review a written record than to listen to a recording. She said that, if there were to be no written record, the Board would be disenfranchising the hearing impaired. She said that, until the sound system was found to be reliable all the time, there should be a complete written record. She added that noting the time would be a helpful addition to the minutes, and she suggested that speakers provide their names, written on an index card, to the secretary. She also suggested that the person who prepared the minutes should not be a member of the community – so that they would be neutral. She said there was a certain amount of bias in the way the minutes were presented.

Ciara Wood said she was opposed to action minutes for many reasons. The district had come through a period during which there had been many public records act requests in order to understand the Board culture that had developed over a period of time. She said that written records were essential: they brought about a more emotional reaction, they caused people to reflect on words differently, and they caused people to be more thoughtful and reflective.

Linda Spath said she was interested in hearing from District Administrator Wolter, since she was the person who prepared the minutes. She suggested that speakers summarize their own comments, instead of the District Administrator needing to prepare that. She said it was nice to have minutes, but it probably took a lot of time.

District Administrator Wolter said that she took pleasure and pride in writing the minutes for the District and that minutes were the only records kept in perpetuity. She noted that minutes, going back to the 1940's, were stored in the office and that Jim Watt had come to the office about a year earlier, asking to look at minutes from 1955. She said she'd been able to retrieve them and provide them to Mr. Watt. She noted they were not action minutes – they contained the detail he'd been seeking. She said that the history of the community was important and that few communities embraced democracy the way in which Kensington did. She said she tried to reflect all that was said, from all points of view, so that everyone knew their opinions had been heard by the Board as it went through the process of making a decision. She said this was a time of great importance – the Board would be going through the process of making decisions that would have a long-lasting impact on the community, starting with

renovating the Community Center. She concluded by saying that she would be happy to do whatever the Board directed her to do, that she took pride in preparing the minutes, and that she appreciated all that everyone brought to the meetings.

President Sherris-Watt said that the presentation of action minutes was never about the lack of excellence in the product because she thought District Administrator Wolter did a fantastic job. President Sherris-Watt said there was limited staff time, were many pressing issues, and, as a volunteer Board, the Directors couldn't do everything. She said she would like to hire more people or provide more hours, but it would come at a tradeoff of other things. She said she saw this as an area to save staff time, which could free the District Administrator up to help the IGM/COP. She said she didn't think the Board was supporting staff properly.

Linda Lipscomb said she was opposed to action minutes. The way in which District Administrator Wolter had been preparing them has been exceptional. She said the presentation about expense was inaccurate: No matter who sat at the meeting and took whatever type of minutes, that portion of expense would exist. Thus, she said the District would save nothing by preparing action minutes: The person would still have to sit at the meeting. She said that, even if action minutes were the final product, the person would still have to listen to the recording. She said, having written many briefs, it was much harder to say it in fewer words.

President Sherris-Watt said she and some of the Directors were looking into agenda software possibilities and techniques and tools for the website – something that would help create agendas and minutes. She said this would not require someone to be present to prepare action minutes, which would save staff time.

Director Welsh said he agreed with what he'd heard from the bulk of the speakers: It's nice to have a written record that someone spent time ensuring was accurate. He said it was better to err on the side of verbatim than not to have enough. He said District Administrator Wolter had done a good job. He thanked President Sherris-Watt for looking for ways to save the District money, but he thought this was the wrong place to look. He said everything the Board did today was more complicated than it had been ten years earlier, and the Board would have to confront this. He noted that, in some respects, it meant increased expense and in others it meant keeping up with technology. He said the Board needed to look for savings in more substantial areas like how much the Board relied on legal counsel. He added that, if splitting the GM/COP position was done well, it could help the Board and that being COP here was a full-time position. He said police work was incredibly difficult – people were quick to second-guess police actions. He concluded by saying he wanted to continue with the minutes as they were being prepared and to look for savings elsewhere and by saying he appreciated the time and thought put into this by President Sherris-Watt.

Marilyn Stollon said that the communities using action minutes weren't very transparent and their websites weren't user-friendly and they had a lot of supportive technology, such as streamlining, TV, radio, video, etc. She reiterated her earlier suggestion of preparing action minutes.

Anthony Knight said he favored summary minutes, though he thought the comments could be summarized more briefly. He thanked President Sherris-Watt for bringing the proposal forward. He said he saw the minutes as the outcome of the Board's meetings – the final product – and that this was worth the \$16,500 to him. He said he was grateful to the District Administrator for doing a good job and concluded by saying it would not be a good idea to move to action minutes.

Vice President Nottoli read a statement that had been submitted by Director Cordova:

- She had opposed converting to action minutes when this had been proposed the prior year.
- Minutes were a valuable source of information for future reference.
- Minutes provided a paper trail and enabled the Board to monitor its progress
- Minutes were a critical communication tool.
- Action minutes would be an evening's agenda with a published voting record.

- The Board was at a crossroads of major reorganization and more, not less, information should be provided.
- Meaningful minutes weren't a verbatim transcription – the current method was difficult to navigate.
- Find a middle ground.
- She summarized what minutes should include.
- If this was a staffing issue, consider outsourcing.
- She hoped the Board would continue the item or delegate it to the Policy and Procedures Committee.

Vice President Nottoli said she appreciated President Sherris-Watt's work on putting this item together. She said she liked action minutes because she had come from a corporate environment, but that this was a government agency and was, therefore, different. She said that District Administrator Wolter did a good job. She quoted Thomas Jefferson: "I'm sorry I wrote a long letter. I didn't have the time to write a short one." She said she appreciated peoples' comments.

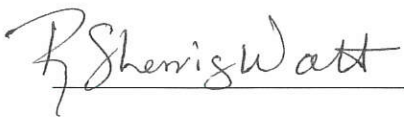
Director Hacaj said that she shared President Sherris-Watt's concerns about the limited resources the District had and that it was possible that action minutes might be accepted by the community in the future if the Board could provide technological solutions that would be reliable and could find a way to time stamp things like comments or topics. She suggested that the minutes be tightened up. She agreed with the majority of the commenters and other Board members that it's not quite the right time for this community to make this change.

Barbara Steinburg said it was difficult to hear phone calls and suggested that comments be emailed instead.

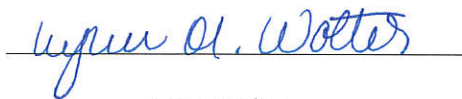
MOTION: President Sherris-Watt moved, and Director Welsh seconded, to conclude the meeting. Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Hacaj NOES: ABSENT: Cordova

The meeting was adjourned at 9:57 P.M.



Rachelle Sherris-Watt
KPPCSD Board President



Lynn Wolter
District Administrator