

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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## AGENDA

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held Thursday, December 13, 2012, at 7:00 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will enter into Closed Session-1-Pursuant to California Government Code Section 54956.9(b), conference with legal counsel to discuss significant exposure to litigation regarding Bay View Refuse & Recycling, Inc. demand for arbitration; 2- Pursuant to California Government Code Section 54957, conference with legal counsel to hear complaints or charges brought against the General Manager/ Chief of Police by another District employee; 3- Pursuant to California Government Code Section 54957, conference with legal counsel to discuss a recent personnel investigation regarding the General Manager/ Chief of Police; 4- Pursuant to California Government Code Section 54956.9(b), conference with legal counsel to discuss significant exposure to litigation regarding a claim made against the District by Cathie Kosel and 5-Pursuant to California Government Code Section 54956.9,(b) conference with legal counsel to discuss significant exposure to litigation regarding a claim made against the District involving the impound of a vehicle.

Note: All proceedings of the open session meeting will be tape recorded and video taped.

### DISTRICT - NEW BUSINESS

1. General Manager/ Chief of Police Greg Harman will give the oath of office to re-elected Board Member Chuck Toombs and newly elected Board Member Patricia Gillette.

Roll Call

Public Comments

Board Member/ Staff Comments

2. Board President Chuck Toombs will call for the election of Board Officers. Board Action.

### APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting July 12, 2012, Page 3
- b) Minutes of the Regular Meeting November 8, 2012, Page 17
- c) Profit & Loss Budget Performance for November 2012, Page 21
- d) Park Revenue & Expenses Report for November 2012, Page 26
- e) Board Member Reports-None
- f) Correspondence- Page 33
- g) Police Department Update, Page 35
- h) Monthly Calendar, Page 47
- i) Recreation Report, Page 49
- j) General Manager Report, Page 50

3. General Manager/ Chief of Police Greg Harman will ask the Board if they wish to hold a Town Hall meeting/ Board Workshop in the coming months. Board Action.

### CLOSED DOOR SESSION

1. Closed Session- Pursuant to California Government Code Section 54956.9(b), conference with legal counsel to discuss significant exposure to litigation regarding Bay View Refuse & Recycling, Inc. demand for arbitration.
2. Closed Session- Pursuant to California Government Code Section 54957, conference with legal counsel to hear complaints or charges brought against the General Manager/ Chief of Police by another District employee.
3. Closed Session- Pursuant to California Government Code Section 54957, conference with legal counsel to discuss a recent personnel investigation regarding the General Manager/ Chief of Police.
4. Closed Session- Pursuant to California Government Code Section 54956.9(b), conference with legal counsel to discuss significant exposure to litigation regarding a claim made against the District by Cathie Kosel.
5. Closed Session- Pursuant to California Government Code Section 54956.9,(b) conference with legal counsel to discuss significant exposure to litigation regarding a claim made against the District involving the impound of a vehicle.

Report on actions taken during the Closed Session.

ADJOURNMENT

General Information

Accessible Public Meetings

NOTE: UPON REQUEST THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT WILL PROVIDE WRITTEN AGENDA MATERIALS IN APPROPRIATE ALTERNATIVE FORMATS, OR DISABILITY-RELATED MODIFICATION OR DISABILITIES TO PARTICIPATE IN PUBLIC MEETINGS. PLEASE SEND A WRITTEN REQUEST, INCLUDING YOUR NAME, MAILING ADDRESS, PHONE NUMBER AND A BRIEF DESCRIPTION OF THE REQUESTED MATERIALS AND PREFERRED ALTERNATIVE FORMAT OR AUXILIARY AID OR SERVICE AT LEAST 2 DAYS BEFORE THE MEETING. REQUESTS SHOULD BE SENT TO:

General Manager/ Chief of Police Greg Harman, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707  
POSTED: Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at [www.kensingtoncalifornia.org](http://www.kensingtoncalifornia.org)  
Complete agenda packets are available at the Public Safety Building and the Library.

# KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1 BOARD OF DIRECTORS

## Meeting Action Minutes for 07/12/2012

### AGENDA

A regular meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Thursday, July 12, 2012, 7:00 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

### ATTENDEES

<u>Elected Members</u>	<u>Guests/Presenters</u>	
Charles Toombs, President	Joel Koosed, Outlook	Joan Gallegos
Tony Lloyd, Vice President	John Stein	Lynn Wolter
Cathie Kosel, Director	Paul Dorroh	Gail Tapscott
Linda Lipscomb, Director	Celia Concus	Carolyn Flowers
Mari Metcalf, Director	Karl Kruger	Rick Artist
	Gloria Morrison	Anthony Knight
	Gretchen Gillfillan	Barbara Dilts
<u>Staff Members</u>	Allison Schutte, Hanson Bridgett	Leonard Schwartzburd
Gregory E. Harman, General Manager/Chief of Police	Chris Hefner	Mayberry Benson
Anita Darden Gardyne, District Administrator	Andrew Gutierrez	Jim Hauskens
Master Sergeant Rickey Hull	Vida Dorroh	Elena Caruthers
Sergeant Keith Barrow	Andrew Reed	
Sergeant Kevin Hui		
Detective Eric Stegman		

ANNOUNCEMENTS: Board President Charles Toombs called the meeting to order at approximately 7:00 PM and announced that the Board would enter into Closed Session pursuant to Government Code Section 54956.9(b) to conference with legal counsel to discuss significant exposure to litigation: Bay View Refuse & Recycling, Inc. demand for arbitration. President Toombs asked for Public Comment specific to the closed session and received none. He said that Board and Staff Comment would continue after the BOD's closed session was completed. He moved the Board to closed session at approximately 7:03 PM.

President Toombs reconvened the public session at approximately 7:43 PM and stated that no final decisions were made.

### PUBLIC COMMENTS

An unnamed female resident said she recently became aware of the CA Society of Municipal Financial Officers and noticed that Kensington was not affiliated with the organization though some surrounding communities are. She suggested Kensington consider joining as a part of improving its accounting practices. She also inquired about the department's clearance rate and asked if it would be reviewed during the meeting. GM/COP Harman responded that Detective Stegman would review clearance rates during the Consent calendar portion of the meeting.

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Karl Kruger said he is concerned that homeowners were asked to assess themselves \$300 per year to retain an independent police force. He said he thought it seemed like a good thing at the time and that he believed there were people keeping an eye on the money. He said what actually happened is that GM/COP Harman gave officers salary increases by advancing them. He said he thought this was wrong and done in an underhanded way. He said he is concerned about unfunded liabilities and the potential for overspending by government agencies. He cited Stockton, Vallejo, and San Bernardino as examples of financially distressed government agencies that spent more money than they had. He said he had sent an email to Chief several weeks ago regarding Kensington's finances and not received a response. He asked the BOD to direct GM/COP Harman to respond to those questions posed in his email unless proprietary information had been requested. President Toombs responded that GM/COP Harman and the Staff Assistant had been on vacation for the past few weeks so Mr. Kruger's request was not being ignored. Director Kosel asked Mr. Kruger to provide her with a copy of the email he sent to GM/COP Harman.

### BOARD COMMENTS

Vice President Lloyd said the Path's Committee is evolving and moving forward with Path migration. He said the team is breaking through with the County on a process for path transfer. He said construction on the Kenyon pipe is on schedule and he and the team look forward to sharing a model for path transition at a future meeting. Vice President Lloyd asked Director Lipscomb to provide a status on the Policy Review and Upgrade Committee team they jointly chair.

Director Lipscomb thanked resident Barbara Dilts for all the word processing work she is doing on behalf of the Policy Review and Upgrade Committee team. Director Lipscomb said the team is continuing to work through the much needed policy manual revision with the input of attorneys. She said the Committee meets on the third Tuesday of each month, that the meeting is noticed, and encouraged the public to attend.

Director Lipscomb said she attended a KIC Board meeting that included a wonderful presentation regarding cell phone towers and the potential for improving cell phone communications in Kensington. She said the presenter at the meeting, Bryce Nesbitt, had a great idea for placing a cell tower in the cemetery. She said she thought that the KPPCSD BOD or the Public Safety Committee should consider this option.

President Toombs said that the Building Committee got a grant from the KCC to fund a financial advisor to assist with public financing options associated with the Park Building. He said a Request For Proposal (RFP) went out to about five firms. He said the financial advisor will be selected at the August 1st Building Committee meeting. He also said the Budget Committee had completed its budget work and the budget was approved at the last KPPCSD BOD meeting.

President Toombs said he did some research regarding the need for KPPCSD Directors to file a Form 700 in response to a question raised by Director Metcalf at the June 2012 KPPCSD BOD meeting. He said his research confirmed KPPCSD Directors need to file a Form 700 and noted that the KPPCSD Policy Manual Section 1020.20 requires Directors to file a Form 700 as well.

Director Metcalf said she had actually asked two questions at the last meeting and they were: 1) which part of the Government Code applies to KPPCSD Directors? and 2) with whom do these forms get filed? GM/COP Harman responded that the KPPCSD Form 700's are filed with the Contra Costa County Clerk. President Toombs said he reviewed the Fair Political Practice Commission (FPPC) Form 700 pamphlet and not the Government Code. He said the FEPC Form 700 Reference pamphlet says if your agency has

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adopted a Conflict of Interest Code, which the District has, those bound to it must submit a Form 700. He said he would be happy to go back to the Governmental Code to do additional research if necessary.

Director Metcalf said she found the news reports about Stockton sobering and she finds it is scary to think a place like Stockton is sacrificing essential things we take for granted like police and fire services.

Director Kosel said she believes Form 700's may need to be filed with the State and not Contra Costa County. She recommended the appropriate filing place be confirmed. Next she asked GM/COP Harman on the status of his search for new external auditors. She noted that doing so had been approved unanimously by the KPPCSD BOD in its April, 2012 meeting. GM/COP Harman responded that the FY10/11 audit is being held and until is cleared, the District cannot bring on a new auditor.

**STAFF COMMENTS**

GM/COP Harman announced that the California Special District Association (CSDA) is hosting a webinar for Required Ethics Compliance Training (AB 1234) on August 7<sup>th</sup> and that Police Specialist DiNapoli can make arrangements to sign up Directors up who have not met this training requirement. In response to a question from President Toombs, GM/COP Harman directed Secretary Gardyne to email the KPPCSD Directors and let them know if they have completed this training within the past two years as required.

Master Sergeant Hull announced that a Traffic Enforcement form has been placed on the District's website (<http://kensingtoncalifornia.org/trafficrequest.php>) and is available for the public to fill out and submit their traffic concerns to the Kensington Police Department (KPD). He explained how to access and populate this form and said it will allow the department to use its resources more effectively. Next Master Sergeant Hull said KPD had received a complaint from a citizen regarding parking in a handicapped zone. He said he confirmed that the handicapped zone at Amherst and Arlington was constructed in 1995 and need not be in compliance with AB 5031 as it was not adopted until in 2008. He said this confirms the handicapped zone at Amherst and Arlington meets legal standards and citations issued at this location are valid.

Director Kosel asked Master Sergeant Hull if residents can paint their own curbs white or red, for example. Master Sergeant Hull said residents can use the Traffic Enforcement form to alert KPD of these types of markings. He said the County is responsible for the roads and the County's Public Work's Department makes the determination of curb designation, not residents.

Sergeant Hui said the District's website was upgraded so when a resident submits a Vacation Watch Form, an auto response confirming the form was successfully submitted is launched. Next he reminded all that August 7<sup>th</sup> is National Night Out (NNO). He encouraged the public to host or attend a NNO party on that night and asked residents to contact Officer Doug Wilson to follow up on NNO.

GM/COP Harman announced that the second Citizen's Academy is starting September 11, 2012 and he invited interested participants to sign up via the District website. He also said the public can contact Officer Doug Wilson to inquire about or sign up for this class.

**CONSENT CALENDAR**

**Note all changes appear in bold**

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Director Kosel requested to pull item g, the Police Department Update.

GM/COP Harman said that the Minutes for the Regular June 2012 KPPCSD BOD meeting were not prepared and he was responsible for preparing those Minutes. He also said the BOD needed to approve the Minutes for Closed BOD sessions held June 6, 2012 and June 26, 2012 respectively as minutes from those sessions were included in the July 2012 KPPCSD BOD package.

Director Kosel asked what category the carjacking on Sunset would fall under. Detective Stegman said it was a robbery. Director Kosel then asked how a case becomes suspended. Detective Stegman said a case is suspended when no more leads exist to follow. He said the amount of time before a case is declared suspended varies but he would wait a reasonable amount of time before declaring a case suspended. He said a case is made current, as in is removed from the suspended category, when new information is made available. Detective Stegman said a case being categorized as suspended does not make it a dead case.

Director Metcalf asked what a Cell Phone Forensics Class was. Detective Stegman responded that it was a class that taught how to download all information contained in a cell phone evaluated by a legal search.

**MOTION: Director Kosel moved to approve the Consent Calendar. Director Lipscomb seconded this motion.**

**AYES: Toombs, Lloyd, Kosel, Lipscomb, Metcalf      NOES: 0      ABSENT:**

**DISTRICT – OLD BUSINESS – None.**

**DISTRICT – NEW BUSINESS #1 -** General Manager Greg Harman will present to the Board for adoption Resolution 2012-07 of the Kensington Police Protection & Community Services District, the Notice of Determination of the Appropriations Limit for Fiscal Year 2012-2013. Board Action. Page 33

**STAFF COMMENTS**

GM/COP Harman said every year the BOD needs to adjust its appropriation limit in a public, posted forum. He said this is commonly referred to as the Gann limit and was set in 1979. He said the District had to post raising its rates 15 days prior to tonight's posted meeting, which was done, and every 4 years the voters have to approve the new Gann number. He said this limit adjusts annually based on population and community personal income changes. He said the Gann limit for FY 12/13 has been established at \$3,464,995. He said setting this limit tells the community the District will not collect more than \$3,464,995 in taxes nor spend more than \$3,464,995. He said if there is too large a difference between what is collected and what is spent, then per the Gann limit, the community would need to be refunded that amount of money. He said the District would not collect \$3,464,995 in revenue and its expenses will not reach \$3,464,995.

**BOARD COMMENTS**

Director Kosel asked GM/COP Harman to explain where Resolution 2012-07 was posted for public inspection 15 days in advance of tonight's meeting. He responded that it was posted June 22, 2012 at the Public Safety Building, at the Pharmacy kiosk, and at Colusa Market. He said he could not confirm that Resolution 2012-007 was posted on the District's website though noted it was included in the July 12, 2012 KPPCSD BOD Agenda package. Allison Schutte of Hanson Bridgett confirmed the posting requirement was met through these actions. Director Kosel asked GM/COP Harman if he had considered

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different communications vehicles that would enable more residents to review Resolutions in advance of their discussion at KPPCSD BOD meetings. Director Kosel said she acknowledges the legal posting requirement had been met with Resolution 2012-07 and she was merely seeking a communications plan that allowed more and easier community access to future Resolutions. President Toombs said he researched how other cities handled similar postings and most just include it with their BOD package. President Toombs suggested items such as this Resolution could be run in the Outlook or the Patch but would depend on the Outlook or Patch having space to run it for free or the District paying them to run it. He said it was the first time he heard concern about the public not having access to review this type of this information. GM/COP Harman said he was asking the BOD to approve Resolution 2012-007.

**BOARD COMMENTS**

Vice President Lloyd asked GM/COP Harman to confirm that if 95% of the income from Kensington comes from taxpayer derived sources and Kensington has an annual operating budget of \$2.3M a year, passage of Resolution 2012-007 is merely a sanity check to ensure that the District sets a budget of income and expenses that is significantly below \$3,464,995. GM/COP Harman responded that pre-Prop 13, communities were using a variety of means to tax its citizens. He said as a result of that, Prop 218 was passed to try and curb that. He said the Gann limit's purpose is to ensure cities only set rates for what its services cost. He said the purpose of this is to ensure that citizens are only assessed to cover costs for services provided. He said the purpose of the Gann limit is to keep the government in check for taxation and government expenditures.

Director Metcalf asked what the source for the change in Kensington per capita personal income was as she suspected an annual increase of 3.77% seemed high. GM/COP Harman responded this source was the Legal Department who prepares this information. He then said their source is the Department of Financial and Population data posted on the State Department of Finances website.

**PUBLIC COMMENTS**

None.

**MOTION: Director Lipscomb moved to approve Resolution 2012-07 establishing the appropriations limit application to the District for the FY 2012/2013. Vice President Lloyd seconded this motion.**

**AYES: Toombs, Lloyd, Kosel, Lipscomb, Metcalf**

**NOES:**

**ABSENT:**

**DISTRICT – NEW BUSINESS #2 - KPPCSD Board Vice President Tony Lloyd will present for Board discussion and possible action the salary compensation package for General Manager/ Chief of Police Greg Harman for the July 1, 2012- June 30, 2014 contract period. Board Action.**

**BOARD COMMENTS**

Vice President Lloyd said he was providing an oral report from the Sub-Committee and there were no copies to work from. He said the one document that will be discussed will be passed out later in the evening. He said the purpose of this part of the agenda is to conclude the session started in April regarding the performance evaluation of the GM/COP of Kensington. He said the evaluation process has gone through several iterations and the BOD adopted an upgraded evaluation process for the GM/COP. He said this is the first year this evaluation process is being applied to the GM/COP. He said the GM/COP was evaluated against his goals and objectives for 3 years: 2009, 2010, and 2011. He said from that process a BOD Resolution of how well the GM/COP performed was arrived at. Goals and objectives

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were also set with the GM/COP's participation. He said the last part of the process is to look at the compensation for the GM/COP. He said in the June 2012 meeting, the BOD confirmed the GM/COP would have his contract extended for two years and his compensation would be decided at a later date. He said the compensation decision here is unique in that it a performance evaluation process is the only vehicle by which compensation can be arrived at and because GM/COP compensation is publicly discussed in an agenda'd meeting. He said he and Director Lipscomb will present their recommendation to their BOD colleagues having been appointed to the Performance Evaluation & Compensation Committee for the BOD. He said he and Director Lipscomb are prepared to present what they believe is a reasonable and meaningful recommendation for the GM/COP for Kensington. He said then the BOD will have an opportunity to discuss and give comment to the recommendation, staff will then be allowed to comment, and next the public will have an opportunity to comment. He said this is not an open hearing, not a debate but a meeting of the legislative body of the Community Services District. He said the comments need to be focused on the GM/COP process consistent with KPPCSD policies. He said the GM/COP's Performance review and evaluation is proprietary and confidential under the Police Officer's Bill of Rights and as a result, the GM/COP's performance evaluation and outcome cannot be discussed publicly. He said he could share that a majority of the BOD assigned the GM/COP a performance rating of Completely Satisfactory/Meets.

Vice President Lloyd said the current employment contract with the GM/COP is from 2008 and that the GM/COP has not received a raise since 2008. He said originally there were 4 or 5 candidates for the GM/COP position. He said that candidate #1 disqualified himself and the current GM, who had been candidate #2, was selected to assume the blended GM/COP position. He said when the job was filled; most of the emphasis appears to have been on the police side of the equation. However, in the past few years, the general manager function has received more emphasis. He said it is appears the police management process is moving along at a greater pace and is pretty much satisfactory. He said the initial compensation analysis in 2007 was based 90- 95% on police management and 5% on general management issues. He said since being hired, the GM/COP's had one salary adjustment and it was in 2008 for a 3.5% increase. He said when the job was filled, there was discussion, though no commitment made, that the GM/COP salary would increase by about 3% per year and/or match CPI increases. He said this was part of the decision criteria considered when the incumbent accepted the position. The incumbent also expected a performance evaluation process that linked to salary increase such that if he performed better against his objectives, it was reasonable and feasible to expect his salary to increase to reflect his level of performance. He said tonight a meritorious process was being introduced.

Vice President Lloyd said there are some common elements with this GM/COP position and its compensation and there are some unique situations. Common attributes include being paid, the harder you work the more money you get, performance and compensation reviews being performed annually, compensation being tied to economic factors like CPI and how the economy is doing, and organization budget and profitability. He said Kensington is a cost center so there is no opportunity to measure profitability but an evaluation of performance against expense budget can be measured. He said these are common factors in figuring out the reward recognition relationship. He said the GM/COP has all the responsibility and authority in most cases and it is not tied to the reward relationship as occurs in other industries.

Vice President Lloyd said unique elements of the GM/COP position include no opportunity for promotion as a means to salary increase, no authority to approve or recommend his own wage package, an administrative body that may lack authority and expertise in administering compensation and a BOD body in which members may change every two years resulting in a reduced opportunity to build a relationship with his bosses as might occur in the private sector. He said the Sub-Committee was looking at a compensation that had not been addressed for three years by the KPPCSD and the BOD is



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responsible for that. He said there is a three year latency issue that needs to be resolved right now. He said since he had summarized some of the factors considered in developing their salary recommendation, he would ask Director Lipscomb to review salary comparables.

Director Lipscomb said professionals hired to assist with the Kensington Police Officers Association (KPOA) contract negotiations had looked at 10 comparable cities to review their employee compensation packages. Criteria used to select these cities included similar demographics like income, were in the vicinity, some that shared similar geography, scope of services provided, communities served, etc. Some of those agencies paid high, some paid low but she believes the Kensington philosophy is to pay in the middle. The ten jurisdictions that were looked at were: Broadmoor, Albany, Belmont, Brisbane El Cerrito, Fairfax, Hercules, Piedmont, Benicia, San Anselmo, and Twin Cities. She said she spent many hours collecting data, some from 2010. She said some contracts were not readily available and in some cases a review of City Council meeting minutes was required to extract data. She said we are as low as it gets in paying our CEO. She said total compensation in these other jurisdictions ranged from \$291,000, which includes salary plus benefits plus CalPERS and that the basic salary ranged from \$134,000 in Fairfax to approximately \$180,000 in Belmont. She said there is a wide range of salaries. She said looking past Broadmoor, all other jurisdictions are also paying a General Manager and this cannot be overestimated as our Chief of Police is also our General Manager. The General Manager salary in these jurisdictions is in the neighborhood of \$250,000-\$300,000 and we are not paying that. She said Kensington is paying a salary of \$134,500 and all in with medical, CalPERS etc is at \$205,000 annually. She said that we are at the bottom of that list. She reminded all that the salary data reviewed is not well developed because she had to extrapolate and update data as best she could. She said her opinion is that our GM/COP is significantly underpaid and has performed outstandingly well. She said a few of his accomplishments during her tenure on the BOD include the: Park Restroom completion, drainage repair of the Kenton Path at County expense, enabling Kensington to receive grants and commitments of moneys related to Prop 1A securitization and Measure WW, attending the County's Disaster Mitigation Plan as a steering Committee member, launching the Citizen's Police Academy, attending LAFCO meetings as District representative, acting as CSDA legislative representative for our District, and providing a constant presence at many K group and other meetings like Emergency Preparedness, Policy Review Committee, Solid Waste as well as others. She is said we are well covered with this GM/COP and we should compensate him as well as we can. She said she is very pleased to have her affiliation with our current GM/COP and he has done well. She said our District is in good shape and she said Stockton and Hercules are in trouble because they are over extended by tens of millions of dollars and that Kensington is not in that situation. Then, she said Vice President Lloyd would continue the compensation discussion.

Vice President Lloyd asked Administrator Gardyne to distribute the "Proposed KPPCSD GM/COP Recommendation a/o 07/12/12". A copy is attached to these Minutes as Attachment A. He said that the Sub-Committee is basing their compensation decision on two compensation periods: from 2008 to 2012 and 2012 extending out to 2013 and 2014. He said Attachment A shows that GM/COP Harman's base salary in 2008 was increased by 3.5% to \$134,500 and the position received approximately \$50,000 in benefits. He said the value of benefits is difficult to confirm so \$50,000 is an estimate. He said for 2009 through 2011 there was no salary increase yet had a 3% increase been given each year, the GM/COP's annual base salary would have been those values appearing in Column C of Attachment A. He reminded all that these increase were not given and he is simply showing what the GM/COP's salary would have been had the 3% increase been applied at each point in time. He said they were going to deal with the base salary and the benefits are going to be what they are going to be as what matters is what you take home in your pay check. He said that a 3% year over year increase would have resulted in a total compensation increase of \$12,472 from 2008 through 2011. He said there was a majority BOD approval that the GM/COP was completely satisfactory for each year and thus earned a 1% merit increase each year in addition to the 3% increase. The dollar value of this 1% merit increase is reflected in Column F of

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Attachment A. He said that Column H summarizes the salary the Sub Committee recommends be paid to the GM/COP for years 2009 – 2011. He said the Sub-Committee also recommends that the GM/COP's base salary be increased to \$148,441 effective July 1, 2012. He reviewed salary recommendations for 2013 and 2014 as reflected on lines 9, 10 and 11 of Attachment A. He said by approving the recommendation (as reflected in Attachment A) inequities get addressed, a job that needs to be looked at is looked at, the performance evaluation process is fixed, and a reasonable modest compensation model for the GM/COP is in place. He then turned the discussion back to President Toombs.

President Toombs asked Vice President Lloyd to confirm his recommendation is for GM/COP Harman to receive a one time true up of \$16,754 to a new base of \$148,441 effective July 1, 2012. In response, Vice President confirmed they are recommending an increase in base salary from \$134,500 to \$148,441 effective July 1, 2012. Next, President Toombs asked questions related to GM/COP's proposed salary treatment for 2012, 2013 and 2014 as detailed on lines 9, 10, and 11 of Attachment A.

**BOARD COMMENTS**

Director Kosel asked what Vice President Lloyd what he meant when he said this is not a public hearing, this is not a debate. She asked if he meant there was no public comment and only Tony and Linda are allowed presenting their idea. VP Lloyd responded that there would be public comment and that other board members will be allowed to express their comments.

President Tombs said he had asked his questions.

Director Kosel said she questions the appropriateness of considering this issue at all this evening given the short and incomplete notice given to the public to consider this matter. She said open meeting laws require, and the public expects, full and complete information on agenda items before KPPCSD BOD meetings. She said the public is interested in in-depth information about agenda items. She said there were no supporting documents in the agenda package on this matter. She said tonight's BOD package was available 72 hours in advance of tonight's meeting which does meet the legal requirement but was not consistent with the tradition of providing the Board package the Friday before the KPPCSD meeting. She said the Attorney General's Office has defined what constitutes a brief, general description of an agenda item as, "... [it] should be sufficient to inform an interested member of the public about the subject matter under consideration so that he/she can determine whether to monitor or participate in a meeting of the body."

Director Kosel said in this case, there are no documents for the GM/COP's current compensation package available for the public to review in the agenda package and she could not find a public record of the GM/COP's current compensation package for the public to review such as on the District's website. She said the public was given no comparables to study, no global information about pay cuts being implemented across the state, or the impact to pension and other costs. She said it should be noted that GM/COP Harman's current contract calls for him to get 40 vacations days, 14 holidays, 10 sick days and that he has taken an Administrative leave which she has not found in his contract. She said this amounts to 10 weeks off per year plus personal sick leave, family sick leave and administrative leave. She noted that GM/COP Harman is paid to attend all those meetings previously discussed. Director Kosel said GM/COP Harman's contract calls for him to work a minimum of 40 hours per week and he always reports working just the minimum 40 hours per week. She said GM/COP Harman also gets a car with all fuel costs paid for by the District. President Toombs said Director Kosel could not speak about personnel matters outside the scope of this discussion and that he would ask her to leave the meeting if she continued to do so. Director Kosel suggested: 1) the BOD retain GM/COP Harman on a month to month

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basis if the majority of the BOD wishes to continue to employ him and 2) if any changes to his compensation are considered, all the information items she mentioned earlier should be included in the agenda package so this BOD keeps faith with this community and provides full information and complete transparency. She said she believes the total lack of information with the agenda package violates the open meeting laws and she moved to table this item. Director Metcalf said she seconded this motion.

**MOTION: Director Kosel moved to table this item. Director Metcalf seconded this motion.**

**AYES:**

**NOES:**

**ABSENT:**

President Toombs asked Director Kosel if this was a motion or just a lecture. President Toombs said he did not hear this as a motion but as a board comment. Director Kosel said she made a motion and she hopes the Minutes would reflect that.

President Toombs said he wanted to speak to the notion of whether the BOD had sufficient meeting materials. He said tonight there was no Brown Act violation. Allison Schutte, the District's attorney, said her interpretation is that the agenda is sufficient.

Director Lipscomb said that nobody received copies of the document presented tonight in advance of the meeting. She said that anybody can go to the web to the Controller's website to find the comparable salary information she presented this evening. Director Kosel asked if GM/COP Harman's contract was on the web. Director Lipscomb said she did not know but that it was clear that tonight's discussion was about giving GM/COP Harman a raise. Director Kosel said tonight's agenda was not to give GM/COP Harman a raise but rather to determine compensation. Director Kosel said 5% decreases in compensation have happened all over the state.

Director Metcalf said she thinks it is insufficient to be given this information just now and with no preparatory materials. She said she is calculating that the recommendation on the table is to increase GM/COP Harman's salary to \$157,422 by 2014 which reflects a 17% increase plus an undefined benefits increase.

**PUBLIC COMMENTS**

Joan Gallegos said believes the BOD is not in compliance with the Brown Act and she does not think the BOD can make an informed decision having just received this information.

Leonard Schwartz said that President Toombs' bullying set a tone that he really objects to.

Barbara Dilts thanked Vice President Lloyd and Director Lipscomb for lots of information. She said she would have liked to have had some of this information in advance. She listed a number of projects under consideration or underway within the District such as the Path's acquisition, the Community Center remodel, issuance of an RFP to retain a new auditor, etc. and asked the BOD to put together a long term, say 5 year, plan the community can review to understand future costs and the need for monies for all identified projects as well as salary increases.

Chris Hefner said the community deserves more information and she does not understand the thinking or methodology used to come up with this recommendation. She said she has never seen retroactive salary given absent a prior job change that had not been acknowledged at the appropriate time. She said the recommendation includes salary increases for the future though the performance has not occurred. She said she hoped the BOD consulted reasonable HR professionals. Director Lipscomb said that GM/COP's

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**BOARD OF DIRECTORS**

contract specifies an annual review and this was not provided to him. Director Lipscomb said it is not uncommon for a contract to provide for salaries in year 1, year 2, etc. Director Lipscomb said she took issue with what Ms. Hefner said. Vice President Lloyd said he was offended by Ms. Heffner's comments directed at his professional self. Ms. Heffner said she thought she had a right to express herself. Director Metcalf said it was not appropriate to interrupt members of the public. Ms. Hefner said she hoped people could come forward with respect to express their opinions. She reiterated that she believed the methodology used was the wrong one. Director Kosel said she believed the evaluation went back 18 months not three years and that the evaluation was held up for reasons President Toombs will not allow her to discuss.

Paul Dorroh thanked the BOD for finally performing the performance evaluation and providing feedback back to 2008. He said he learned tonight that we are at the low end of the market and that GM/COP Harman has done a good job and he supports the BOD's recommendation.

President Toombs said he was sorry to have to interrupt but that it was 9:45 and that the meeting time needed to be extended to 10:15 in order to continue.

**MOTION: Director Lipscomb moved to extend the meeting time so that the BOD could continue to meet 10:15. Vice President Lloyd seconded this motion.**

**AYES: Toombs, Lloyd, Lipscomb**

**NOES: Kosel, Metcalf**

**ABSENT:**

**PUBLIC COMMENTS**

President Toombs said the meeting will continue to 10:15.

Gretchen Gillfillan praised Vice President Lloyd and Director Lipscomb and thanked them for their hard work. She was appalled to learn they were at the bottom of the list and thinks GM/COP Harman has done a good job and should be compensated.

Bruce Morrow said after 3 1/2 years anybody deserves an evaluation and salary treatment. He said Vice President Lloyd and Director Lipscomb did good work and supports their recommendation but he wants the public to see the comparatives and evaluation before a decision is made.

Mayberry Benson said she was offended when President Toombs' claimed he did not hear Director Kosel's earlier motion asking that this topic be tabled. She said she agrees this is bullying and that not enough information has been provided to the public to make an informed decision.

John Stein thanked Vice President Lloyd and Director Lipscomb for their thorough work. He also thanked GM/COP Harman for sitting through something like this. He strongly encouraged the BOD to approve the recommendation. He said if GM/COP Harman were to leave, it would cost the community an additional \$50,000 per year in base salary to replace him. He also recommended that whatever increase is ultimately approved for GM/COP Harman, it be retroactive to July 1, 2012.

Vice President Lloyd said he wanted to respond to Mr. Stein's comment about comparatives. Vice President Lloyd said when he reviewed the San Jose Mercury study of December 2011 of top Municipal executives, the combined salaries for the City Manager and Police Chief of the following jurisdictions

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are:

City Manager and Police Chief for the Jurisdiction of:	Received Combined Annual Base Salaries of
El Cerrito	\$358,000
Antioch	\$370,000
Clayton	\$298,000
Hercules	\$279,000

He said these were base salaries and did not reflect the total cost of employment for these positions.

At about 9:55p, President Toombs said there would be a five minute break.

President Toombs reconvened the meeting at about 10:00p. Director Kosel said there was a motion on the table. President Toombs said he knew but we have to get the meeting extended.

**MOTION: Vice President Lloyd moved to extend the meeting and Director Lipscomb seconded this motion.**

**AYES: Toombs, Lloyd, Lipscomb, (Kosel, Metcalf)      NOES:      ABSENT:**

Director Kosel said she made a motion to table and there had been a second. President Toombs said you are right and that they could respond to that motion now.

**MOTION: Director Kosel moved to table this item. Director Metcalf seconded this motion.**

**AYES: Kosel, Metcalf      NOES: Toombs, Lloyd, Lipscomb      ABSENT:**

**PUBLIC COMMENTS**

Karl Kruger said the GM role is as or even more important than the police function. He recommended salary increases based on CPI if goals are met. He also a CPI cap be but in place as we all remember a time when CPI was as high as 19.8%. He also recommended that goals for 2013 should be clearly defined and that they include a 5 year capital budget. He said he was concerned about unfunded liabilities for pensions, vacation accruals, comp time accruals, sick leave etc. President Toombs said the BOD has spent a lot of time looking at short and long term pensions and obligations. He said this issue has not been ignored at all and the BOD looked at it as a part of contract negotiations with the KPOA.

Director Kosel said in her opinion, the District could choose to hire a half time GM and a Lieutenant to run the police department. She said this would allow the Lieutenant to run to day to day police operations and the GM to oversee the police force. She said doing this would provide accountability, enable a system of checks and balance, that legal costs would go down and that she believed this could be achieved with no increase in costs.

Andrew Gutierrez said he lived on the Arlington freeway. He likened Kensington to Mayberry and said he was not impressed by the services KPD provides along North Arlington as speeding and disobeying traffic rules is rampant and nothing is done about it. He said he wanted to put the proposed increase for GM/COP Harman into perspective before it became fact. He said he worked at a local University and that it would take a professor potentially 35 years of service, teaching hundreds of students, supervising

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PhD students, 50 plus hours per week, grant writing, publishing papers and publishing at least two books to achieve the salary proposed for the GM/COP position He said the current Governor and Lt. Governor earn \$165,000 and \$124,000 per year respectively and neither have job security but do have more job responsibility than the GM/COP. He asked if a financial forecast of revenue/ tax assessments over time to cover future salary and benefits costs had been performed as a part of salary compensation. He asked if Kensington was in a race to the top for giving out high salaries vis a vis the City of Bell and noted the average income in Kensington is \$101,000. He said he did not view the GM/COP's current salary of \$134,500 as hardship.

Jim Hauskins said the City of Bell was an interesting comparison and noted that its city government leaders said their salaries were in line with comparable positions. He said there had not been adequate consideration of the long term cost of salaries and benefits for public employees in general. He urged the BOD to take more time to evaluate and consider the proposed GM/COP salary increase.

Vida Dorroh said she appreciates: 1) seeing legal costs go down and 2) not putting the District in a position where legal costs go up. She thanked Directors Toombs, Lloyd, and Lipscomb for their work and effort on behalf of the community. She said she wanted to reminded al that a previous BOD chased a Chief out of this town and that cost Kensington over \$250,000 so she asked all to not be too hasty in their righteousness. She said she appreciates GM/COP Harman.

**MOTION: Director Lipscomb moved to extend the session for 15 more minutes. Vice President Lloyd seconded this motion.**

**AYES: Toombs, Lloyd, Lipscomb**

**NOES: Kosel, Metcalf**

**ABSENT:**

Elana Caruthers said she is on the Finance Committee and has watched the Chief in action as GM/COP. She said GM/COP Harman has a tough job and he works hard to manage the District's finances and budget. She says GM/COP Harman sets realistic budgets and then manages expenses carefully.

Gail Tapscott said UC employees had not paid into their pensions for 27 years but this changed last year. She said she wanted to clarify UC pension changes as this was discussed by a previous speaker.

Celia Concus said Kensington is not similar to a private sector organization as it is a public sector entity. She said in the public sector people are compensated differently. She said all have read that CA lawmakers have had 18% salary cuts over the past 3 years. She said in June the CA Citizens Compensation Committee ordered across the board salary cuts of close to 5% for the governor, all legislators and all statewide legislators. She said UC Regents approved a furlough plan in 2009 that resulted in an equivalent salary reduction of 4-9%. She said Kensington should look at comparables but recognize Kensington does not operate in a vacuum. She said salary reductions may warrant consideration at this time.

An unknown female said she did not think the 72 hour notice that this topic was to be discussed before the public was enough time for her to prepare for this discussion. She said she looked at the Contra Costa salary schedule posted on the County's website and it indicated the minimum and maximum pay for a police chief was \$127,875 per year with no step or merit increases. She said she was providing another comparable data point for consideration in response to question from President Toombs and the public. She said it is not uncommon for police chiefs, CFO's and other public executives to go without a salary increase. She said she did not think it was fair to the community for the BOD to vote on this tonight given limited data.

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**BOARD OF DIRECTORS**

Andrew Reed said he has been a human resources manager and consultant for decades. He reminded all that counsel has said there is no Brown Act violation and that this BOD was elected to make this decision. He said looking around the room indicates there was some advanced notice that this topic was on the agenda. He said he agreed with some prior speakers in that what is competitive today needs to be understood. He said he understood the subcommittee's research using 2010 data indicated that the average, perhaps median, base compensation level for other COPs is very low with other jurisdictions and that at \$150,000 it is average. He said the replacement cost for the GM/COP position needs to be considered and that he would be shocked if a Chief of Police could be replaced for \$150,000 per year. He said there would be costs associated with the search. He said the BOD has already decided to extend GM/COP Harman's contract for two years and tonight's discussion is simply about his compensation. He recommended the BOD approve the recommendation of the sub-committee. He said it is irrational to compare the GM/COP's compensation with a college professor's salary as a college professor would not chase down a potentially armed person. He said the sub-committee has done the necessary research.

Leonard Schwartzburd said he came tonight's meeting without an agenda and to listen. He said after hearing tonight's discussion he still does not know what the right thing to do is with respect to GM/COP's compensation. He said he still does not know what is reasonable and that it is a problem.

**BOARD COMMENTS**

President Toombs asked if there was a motion on the floor. Allison Schutte recommended that the motion be proposed in such a way that it starts with the base salary and then just say a 5% increase per year.

**MOTION: Director Lipscomb moved to extend the session for 15 more minutes. Vice President Lloyd seconded this motion.**

**AYES: Toombs, Lloyd, Lipscomb      NOES: Kosel, Metcalf      ABSENT:**

President Toombs said 3 to 2 we will go to 10:45. Director Lipscomb engaged in a side bar with Allison Schutte, the District's legal counsel to discuss the appropriate language for the proposed motion.

Director Lipscomb motioned that the recommendation of the subcommittee be accepted and that Chief's base salary for the year 2012 be \$148,441 with a 5% increase and a 1% increase possible during that year and that the 2013 base salary, (Allison Schutte advises not to mention the 2013 base salary and Director Lipscomb agrees and states) conditioned upon satisfactory performance as may be determined by the board in its review and further moved that the chief be compensated in a lump sum of \$16,754 that sum to reflect amounts in consideration of the failure to provide evaluations for the period between 2009 and 2011. Vice President Lloyd seconded this motion. President Toombs said he did not see Director Kosel's hand and recognized her at that time.

Director Kosel said that Director Lipscomb had said twice that GM/COP Harman had not been evaluated from 2009 to 2011. GM/Cop Harman confirmed his last evaluation was received in December, 2009. Director Lipscomb said she had made her motion and it had been seconded.

**MOTION: Director Lipscomb moved that the recommendation of the subcommittee be accepted and that Chief's base salary for the year 2012 be \$148,441 with a 5% increase and a 1% increase possible during that year conditioned upon satisfactory performance as may be determined by the board in its review and further moved that the chief be compensated in a lump sum of \$16,754 that sum to reflect**

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**BOARD OF DIRECTORS**

amounts in consideration of the failure to provide evaluations for the period between 2009 and 2011. Vice President Lloyd seconded this motion.

**AYES:** Toombs, Lloyd, Lipscomb      **NOES:** Kosel, Metcalf      **ABSENT:**

**MOTION:** Director Lipscomb moved to end the meeting at about 10:30 P.M. and Vice President seconded this motion. There was no vote taken.

**AYES:**                      **NOES:**                      **ABSENT:**

ADJOURNMENT



# KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 1 BOARD OF DIRECTORS

## Meeting Action Minutes for 11/8/2012

### AGENDA

A regular meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Thursday, November 8, 2012, 7:00 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

### ATTENDEES

<u>Elected Members</u>	<u>Guests/Presenters</u>	
Charles Toombs, President	Mark Bell	Gloria Morrison
Tony Lloyd, Vice President	Jim Hausken	Leonard Schwartzburd
Linda Lipscomb, Director	Celia Concus	Bruce Morrow
Mari Metcalf, Director	Andrew Gutierrez	Roslyn Hiberg
	Mabry Benson	Lisa Unknown
	Anthony Knight	John Stein
	Vida Dorroh	
<u>Staff Members</u>	Patricia Gillette	
Gregory E. Harman, General Manager/Chief of Police		
Master Sergeant Rickey Hull		
Sergeant Keith Barrow		
Sergeant Kevin Hui		
Detective Eric Stegman		

Board President Charles Toombs called the meeting to order at approximately 7:00 PM and took a roll call of the Board members. Director Cathie Kosel was absent.

### PUBLIC COMMENTS

An unknown female complained about the General Manager/ Chief of Police's raise, his inappropriate credit card charges, and stated it was inappropriate to have more sergeants than officers in the police department.

Jim Hausken congratulated Chuck Toombs for his re-election and Patricia Gillette for her election to the Board and read Board Policy # 4010.1 aloud.

Leonard Schwartzburd had several questions regarding if the Board intended to create per diem allowances for its members and employees?

Mark Bell thanked Chief Harman for his service and stated that his wife is welcomed to represent Kensington. He also stated that it has been established that the Chief has not violated any law or policy.

Gloria Morrison seconded the statements made by Marc Bell and stated she would like to see the Board's Policy Manual on the District's website.

Bruce Morrow congratulated Chuck Toombs and Patricia Gillette for their elections to the Board and stated he looked forward to having more civility on the Board during the coming meetings.

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**BOARD OF DIRECTORS**

Andrew Gutierrez read aloud an article from the El Cerrito Patch on comments made by KPPCSD Board President Chuck Toombs following his re-election.

**BOARD COMMENTS**

Vice President Lloyd provided an update on the Paths acquisition, indicating that the process was placed on hold while waiting for the election season to be concluded. He mentioned that we are now beginning to work with the County to start the transition to acquire ownership of the paths.

Director Lipscomb stated that she has been tracking the Vehicle Licensing Fees case *League of California Cities v. John Chiang*. She noted the money from the VLF largely funds community safety activities and reported that there is a challenge to the allocation of these funds to the five Special Police Districts in the state.

She stated she attended the Arlington Traffic Light meeting that was held on November 1 and sponsored by John Gioia, with PG&E and County Public Works presenting their side of the issue.

She announced that there was going to be a Colusa Circle Traffic Meeting sponsored by Kensington resident Rodney Paul, John Gioia, and County Public Works on November 20<sup>th</sup>, at the 4 Cats Studio on Colusa.

Her final announcement was that there was going to be a meeting of the Solid Waste Coordinating Committee held on November 13<sup>th</sup>, at 10 AM in the Community Center.

Director Metcalf announced that she would have to leave the meeting early tonight due to a sick child at home. She also wanted it noted that she had requested a break at the last meeting and that it was denied by President Toombs.

President Toombs stated that it's been a long year and he thanked everyone for their attendance at the Board meetings.

Director Lipscomb stated that there was an article in the Outlook that had indicated that she had joked about the need of cell towers in the community. She stated that there is a real need to look at this issue due to the poor quality of cell phone reception in the community.

**STAFF COMMENTS**

General Manager/ Chief of Police Greg Harman apologized to those in attendance that had come tonight for the swearing in ceremonies for Chuck Toombs and Patricia Gillette, indicating that the current Board's term will expire on December 6<sup>th</sup> and that the new Board would be sworn in at the next meeting December 13<sup>th</sup>.

Leonard Swartzburd then made additional comments stating that cell phones are less reliable during disasters and that the microwaves from the towers cause cancer.

Master Sergeant Hull provided his traffic enforcement report and answered questions from the community and the Board regarding traffic enforcement in the community.

**CONSENT CALENDAR**

Director Metcalf requested to pull Items A, D, and G, on the Consent Calendar.

**KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT 3**  
**BOARD OF DIRECTORS**

Director Metcalf indicated that she had prepared a transcript for the July Minutes Meeting (Item A) that she wanted to be revised into the July Minutes. Copies of her transcript were then provided to the Board and General Manager.

Director Metcalf also stated she had a question on Item D, the Unaudited Profit and Loss Statement, and referenced page 34 of the agenda packet. She asked what the \$2,022.12 credit from Guitar Center was for? General Manager Greg Harman stated that it was a credit we received when Guitar Center would not accept our check for payment of the new sound system that was purchase, indicating that they would only accept a credit card payment from us.

Director Metcalf then requested Item G the Police Report be pulled and had several comments and questions regarding the internal investigations into the allegations of racial profiling that were briefly answered by Chief Harman and Master Sergeant Hull.

**MOTION: Director Lipscomb moved to approve the Consent Calendar without Item A, the July Minutes. Vice President Lloyd seconded this motion. Motion to approved 4-0.**

**AYES: Toombs, Lloyd, Lipscomb, Metcalf      NOES: 0      ABSENT: Kosel**

**DISTRICT – NEW BUSINESS #1** – General Manager/ Chief of Police Greg Harman presented to the Board for consideration a new 60-month lease with Synectic/ Avaya for an upgraded phone equipment and software system for the police department. The new lease is \$292.34 per month for 60 months. Our current Avaya system is leased for \$111.00 per month. Following Board comments;

**MOTION: Director Lipscomb made a motion to request that the General Manager check with competitors and get at least one comparable bid and check with communities that use the same product and get a recommendation. Motion passes 4 to 0.**

**AYES: Toombs, Lloyd, Lipscomb, Metcalf      NOES: 0      ABSENT: Kosel**

At 8:13 PM, Director Metcalf leaves the meeting.

**DISTRICT – NEW BUSINESS #2** – Vice President Tony Lloyd provided a Policy Committee status report regarding the draft revision of the Expense Reimbursement provisions of the KPPCSD Board Policy Manual. Following Vice President Tony Lloyd's comments, Director Lipscomb provides follow up comments to the draft document.

**BOARD COMMENTS**

President Toombs asked when would an initial draft of the new policy be ready for the first reading, inquiring if it would be possible to have it ready by the next meeting?

Director Lipscomb stated that was possible.

**PUBLIC COMMENTS**

Gloria Morrison asked if indeed the General Manager/ Chief of Police was not covered in the current version of the policy and she was told that was correct.

Leonard Schwartzburd asked if there was going to be specific per denim limits in the policy and he was informed that there would be.

Mark Bell states that no one has asked the question if reimbursements have been made in the

**KENSINGTON POLICE & COMMUNITY SERVICES DISTRICT** 4  
**BOARD OF DIRECTORS**

past? He stated this lack of disclosing that reimbursements have been made has caused problems within the community. He concluded his statements by saying employees should use their own personal credit cards for personal expenses.

Roslyn Hiberg asked if there is a budgeted amount for the General Manager/ Chief of Police's expenses and she was informed that there was.

Andrew Gutierrez stated that the Board should set guidelines on how personal expenses are charged on the District credit card.

Lisa Unknown stated that sworn personnel are excluded in the draft of the new policy.

Vida Dorroh asked how do UC Berkeley employees charge for hotel rooms when their spouses travel with them, do they charge ½ room expense?

John Stein, who is on the Policy Committee, offers all to come to the Policy Committee meetings and participate in the process. He then questions why are we having all of these discussions over \$7,000 pre-approved expenses in a \$2.6 million budget?

Marbry Benson states that \$7,000 is not a lot of money but it's the principle of the thing. She states that the public is entitled to explanations to when reimbursements are made.

Andrew Gutierrez then explained how he has handled his wife's expenses when she has traveled with him on UC Berkeley business.

Anthony Knight then states that he wanted to make two points, the first being that there had been three investigations regarding the Chief's use of the District credit card and secondly, that people should come to the District meetings and hear all the comments that are made into the handling of District business.

President Toombs then invites everyone to attend all the meetings of the District and adds if there is a motion to adjourn?

<p><b>MOTION: Director Lipscomb motions to adjourn the meeting with Vice President Lloyd seconding. Motion to Adjourn passes 3 to 0</b></p> <p><b>AYES: Toombs, Lloyd, Lipscomb      NOES: 0      ABSENT: Kosel, Metcalf</b></p>
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ADJOURNMENT

# Memorandum

Kensington Police Department



**To:** KPPCSD Board of Directors

APPROVED YES NO

**From:** Gregory E. Harman, General Manager/ Chief of Police

\_\_\_\_\_

**Date:** Friday, December 07, 2012

FORWARDED TO:  
\_\_\_\_\_

**Subject:** Consent Calendar Item C- Unaudited Profit & Loss Report

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Variations in revenue and expenses for the month, as well as year to date fiscal projections can be found in the "Budget" portion of the General Manager's Report.

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 November 2012

	<u>Nov 12</u>	<u>Budget</u>	<u>Jul - Nov 12</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
400 · Police Activities Rev...					
401 · Levy Tax	0.00		2,339,457.63	1,275,000.00	1,275,000.00
402 · Special Tax-Police	0.00		0.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00		0.00		50.00
404 · Measure G Supple...	0.00		0.00	405,614.00	405,614.00
410 · Police Fees/Servic...	204.05		754.05	500.00	2,000.00
414 · POST Reimburse...	996.97		1,350.79		
416 · Interest-Police	0.00		0.00	750.00	3,000.00
418 · Misc Police Income	1,859.82	1,250.00	10,686.99	6,250.00	15,000.00
<b>Total 400 · Police Activitie...</b>	<b>3,060.84</b>	<b>1,250.00</b>	<b>2,352,249.46</b>	<b>2,368,114.00</b>	<b>2,380,664.00</b>
420 · Park/Rec Activities R...					
424 · Special Tax-L&L	0.00		32,660.80	30,000.00	30,000.00
426 · Park Donations	0.00		0.00		500.00
427 · Community Center...	1,290.00	2,000.00	7,188.00	10,000.00	24,000.00
428 · Building E Revenue	0.00		7,500.00		
436 · Interest-Park/Rec	0.00		0.00	50.00	200.00
438 · Misc Park/Rec Rev	136.00		388.50	125.00	500.00
<b>Total 420 · Park/Rec Activi...</b>	<b>1,426.00</b>	<b>2,000.00</b>	<b>47,737.30</b>	<b>40,175.00</b>	<b>55,200.00</b>
440 · District Activities Re...					
448 · Franchise Fees	0.00		6,723.05	5,000.00	20,000.00
456 · Interest-District	0.00		0.00	125.00	500.00
<b>Total 440 · District Activiti...</b>	<b>0.00</b>		<b>6,723.05</b>	<b>5,125.00</b>	<b>20,500.00</b>
<b>Total Income</b>	<b>4,486.84</b>	<b>3,250.00</b>	<b>2,406,709.81</b>	<b>2,413,414.00</b>	<b>2,456,364.00</b>
<b>Expense</b>					
500 · Police Sal & Ben					
502 · Salary - Officers	75,812.96	74,175.58	380,417.51	370,877.94	890,107.00
504 · Compensated Abs...	1,568.00		3,963.14	5,000.00	10,000.00
506 · Overtime	4,345.61	3,333.33	33,471.95	16,666.65	40,000.00

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**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 November 2012

	Nov 12	Budget	Jul - Nov 12	YTD Budget	Annual Budget
508 · Salary - Non-Sworn	1,691.25	4,333.33	9,766.75	21,666.69	52,000.00
516 · Uniform Allowance	666.60	666.67	3,331.69	3,333.31	8,000.00
518 · Safety Equipment	0.00		250.00	2,000.00	6,000.00
521-A · Medical/Vision/D...	13,050.28	12,537.67	68,668.67	62,688.31	150,452.00
521-R · Medical/Vision/D...	13,124.43	14,888.50	71,240.10	74,442.50	178,662.00
521-T · Medical/Vision/D...	0.00		145,720.00		-32,942.00
522 · Insurance - Police	175.50	436.67	1,763.00	2,183.31	5,240.00
523 · Social Security/Me...	1,227.41	1,208.50	6,283.38	6,042.50	14,502.00
524 · Social Security - Di...	139.81	268.67	763.64	1,343.35	3,224.00
527 · PERS - District Por...	25,785.06	25,446.33	129,325.22	127,231.65	305,356.00
528 · PERS - Officers Po...	6,883.14	6,735.83	34,522.54	33,679.15	80,830.00
530 · Workers Comp	24,387.27		37,625.24	22,674.80	56,687.00
<b>Total 500 · Police Sal &amp; Ben</b>	<b>168,857.32</b>	<b>144,031.08</b>	<b>927,112.83</b>	<b>749,830.16</b>	<b>1,768,118.00</b>
<b>550 · Other Police Expenses</b>					
552 · Expendable Police ...	12.98	150.00	226.90	750.00	1,800.00
553 · Range/Ammunition...	0.00		0.00	2,000.00	4,000.00
560 · Crossing Guard	1,315.44	822.17	3,398.22	4,110.85	9,866.00
562 · Vehicle Operation	7,740.33	4,766.67	28,118.92	23,833.35	57,200.00
564 · Communications (...)	16,563.39	11,830.00	58,658.96	59,150.00	141,960.00
566 · Radio Maintenance	29.65	1,812.50	194.43	9,062.50	21,750.00
568 · Prisoner/Case Exp....	280.50	533.33	11,597.27	2,666.65	6,400.00
570 · Training	1,122.85	1,083.33	4,575.43	5,416.69	13,000.00
572 · Recruiting	0.00	1,083.33	1,132.00	5,416.65	13,000.00
574 · Reserve Officers	0.00	675.00	106.00	3,375.00	8,100.00
576 · Misc. Dues, Meals ...	0.00	260.42	2,075.00	1,302.10	3,125.00
580 · Utilities - Police	694.16		3,688.45	2,666.68	8,000.00
581 · Bldg Repairs/Maint.	464.90	83.33	464.90	416.65	1,000.00
582 · Expendable Office ...	22.03	500.00	2,249.85	2,500.00	6,000.00
588 · Telephone(+Rich. ...)	996.26	1,385.00	3,697.72	6,925.00	16,620.00
590 · Housekeeping	313.11	333.33	1,468.52	1,666.69	4,000.00
592 · Publications	357.23	250.00	419.63	1,250.00	3,000.00
594 · Community Policing	0.00	125.00	1,092.68	625.00	1,500.00
596 · WEST-NET/CAL I.D.	0.00		13,130.00	13,130.00	13,130.00

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 November 2012

	Nov 12	Budget	Jul - Nov 12	YTD Budget	Annual Budget
598 · COPS Special Fund	0.00		450.00		
599 · Police Taxes Admi...	0.00		804.61	1,600.00	3,200.00
550 · Other Police Expen...	-184.38		-184.38		
<b>Total 550 · Other Police Ex...</b>	<b>29,728.45</b>	<b>25,693.41</b>	<b>137,365.11</b>	<b>147,863.81</b>	<b>336,651.00</b>
<b>600 · Park/Rec Sal &amp; Ben</b>					
601 · Park & Rec Admini...	563.75	541.67	2,550.00	2,708.35	6,500.00
602 · Custodian	1,750.00	1,750.00	8,750.00	8,750.00	21,000.00
623 · Social Security/Me...	0.00	41.42	0.00	207.10	497.00
<b>Total 600 · Park/Rec Sal &amp; ...</b>	<b>2,313.75</b>	<b>2,333.09</b>	<b>11,300.00</b>	<b>11,665.45</b>	<b>27,997.00</b>
<b>635 · Park/Recreation Exp...</b>					
640 · Community Center...					
642 · Utilities-Commu...	431.70	391.33	2,210.06	1,956.65	4,696.00
643 · Janitorial Supplies	0.00		820.32	375.00	750.00
646 · Community Cent...	0.00	166.67	484.23	833.35	2,000.00
<b>Total 640 · Community C...</b>	<b>431.70</b>	<b>558.00</b>	<b>3,514.61</b>	<b>3,165.00</b>	<b>7,446.00</b>
<b>660 · Annex Expenses</b>					
662 · Utilities - Annex	1,167.40	125.00	3,195.40	625.00	1,500.00
<b>Total 660 · Annex Expen...</b>	<b>1,167.40</b>	<b>125.00</b>	<b>3,195.40</b>	<b>625.00</b>	<b>1,500.00</b>
670 · Gardening Supplies	0.00	83.33	0.00	416.65	1,000.00
672 · Kensington Park O...	2,634.00	6,825.67	19,050.67	34,128.35	81,908.00
678 · Misc Park/Rec Exp...	0.00	83.33	-1,852.12	416.69	1,000.00
<b>Total 635 · Park/Recreatio...</b>	<b>4,233.10</b>	<b>7,675.33</b>	<b>23,908.56</b>	<b>38,751.69</b>	<b>92,854.00</b>
<b>800 · District Expenses</b>					
810 · Computer Mainten...	1,357.00	2,572.42	7,954.72	12,862.10	30,869.00
820 · Cannon Copier Co...	405.92	558.33	1,899.20	2,791.65	6,700.00
830 · Legal (District/Pers...	13,372.19	5,416.67	63,312.80	27,083.35	65,000.00
835 · Consulting	0.00		200.43		
840 · Accounting	1,251.25	1,825.00	6,353.75	9,125.00	30,075.00
850 · Insurance	0.00		24,387.27	30,000.00	30,000.00

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**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
November 2012

	Nov 12	Budget	Jul - Nov 12	YTD Budget	Annual Budget
860 · Election	0.00	2,000.00	0.00	6,000.00	6,000.00
865 · Police Bldg. Lease	0.00		15,298.00	15,298.00	30,596.00
870 · County Expenditures	0.00	7,000.00	1,063.64	7,700.00	19,900.00
890 · Waste/Recycle	10,785.56	3,041.67	29,439.80	15,208.35	36,500.00
898 · Misc. Expenses	4,576.00	866.67	7,387.60	4,333.31	10,400.00
<b>Total 800 · District Expens...</b>	<b>31,747.92</b>	<b>23,280.76</b>	<b>157,297.21</b>	<b>130,401.76</b>	<b>266,040.00</b>
<b>950 · Capital Outlay</b>					
962 · Patrol Cars	0.00		0.00		23,000.00
963 · Patrol Car Accesso...	0.00		0.00		10,000.00
969 · Computer Equipm...	0.00		541.53		8,000.00
972 · Park Buildings Imp...	18.65		2,165.69		
<b>Total 950 · Capital Outlay</b>	<b>18.65</b>		<b>2,707.22</b>		<b>41,000.00</b>
<b>Total Expense</b>	<b>236,899.19</b>	<b>203,013.67</b>	<b>1,259,690.93</b>	<b>1,078,512.87</b>	<b>2,532,660.00</b>
<b>Net Ordinary Income</b>	<b>-232,412.35</b>	<b>-199,763.67</b>	<b>1,147,018.88</b>	<b>1,334,901.13</b>	<b>-76,296.00</b>
<b>Other Income/Expense</b>					
<b>Other Expense</b>					
<b>700 · Bond Issue Expenses</b>					
701 · Bond Proceeds	0.00		-179,881.98		
710 · Bond Admin.	0.00		4,524.17		
720 · Bond Principal	0.00		112,110.74		
730 · Bond Interest	0.00		25,543.91		
<b>Total 700 · Bond Issue Exp...</b>	<b>0.00</b>		<b>-37,703.16</b>		
<b>Total Other Expense</b>	<b>0.00</b>		<b>-37,703.16</b>		
<b>Net Other Income</b>	<b>0.00</b>	<b>0.00</b>	<b>37,703.16</b>	<b>0.00</b>	<b>0.00</b>
<b>Net Income</b>	<b>-232,412.35</b>	<b>-199,763.67</b>	<b>1,184,722.04</b>	<b>1,334,901.13</b>	<b>-76,296.00</b>

# Memorandum

**Kensington Police Department**



**To:** KPPCSD Board of Directors

APPROVED      YES      NO

**From:** Gregory E. Harman, General Manager/ Chief of Police

\_\_\_\_\_

FORWARDED TO:

**Date:** Friday, December 07, 2012

**Subject:** Consent Calendar Item D- Park Revenue & Expenses

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The KPPCSD Board and the Park Buildings Committee has requested a separate and detailed accounting of park revenues and expenses.

This information is obtained through our QuickBooks software. Revenue and expenses from July 1, 2012 through November 30, 2012 is attached to this memo.

**KPPCSD**  
**Account QuickReport**  
 July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
<b>420 · Park/Rec Activities Revenue</b>						
<b>424 · Special Tax-L&amp;L</b>						
General Journal	10/8/2012	JV07...	CCC Taxes-LLD	SP ASSESS ...	146 · Advance...	32,660.80
Total 424 · Special Tax-L&L						32,660.80
<b>427 · Community Center Revenue</b>						
Deposit	7/26/2012	316		CC Rental Ju...	112 · General ...	1,000.00
Deposit	7/26/2012	V913...		Rental of roo...	112 · General ...	60.00
Deposit	8/7/2012	1696		CC Rental on...	112 · General ...	700.00
Deposit	8/7/2012	1062		CC Rental on...	112 · General ...	650.00
Deposit	8/21/2012	395		GPFF 50 hou...	112 · General ...	1,650.00
Deposit	8/21/2012	139		Wake up to A...	112 · General ...	45.00
Deposit	10/1/2012	1613		Aug 5 rental ...	112 · General ...	50.00
Deposit	10/1/2012	147		Wake Up to ...	112 · General ...	45.00
Deposit	10/1/2012	1097		East Bay Coll...	112 · General ...	598.00
Deposit	10/17/2012	160		CC Rental for...	112 · General ...	400.00
Deposit	10/17/2012	1559		CC Rental for...	112 · General ...	600.00
Deposit	10/17/2012			CC Rental for...	112 · General ...	100.00
Deposit	11/16/2012	175		CC Rental	112 · General ...	50.00
Deposit	11/16/2012	40497		CC Rental	112 · General ...	300.00
Deposit	11/16/2012	103		CC Rental	112 · General ...	850.00
Deposit	11/16/2012	149		Oct payment ...	112 · General ...	45.00
Deposit	11/16/2012	156		Wake Up to ...	112 · General ...	45.00
Total 427 · Community Center Revenue						7,188.00
<b>428 · Building E Revenue</b>						
Deposit	7/26/2012	6266		KCC 2nd half...	112 · General ...	7,500.00
Total 428 · Building E Revenue						7,500.00
<b>438 · Misc Park/Rec Rev</b>						
Deposit	7/26/2012	3283		Tennis Court...	112 · General ...	80.00
Deposit	7/26/2012	3687		Tennis Court...	112 · General ...	40.00
Deposit	10/17/2012	430		Tennis Court ...	112 · General ...	12.50
Deposit	10/17/2012	3734		Tennis Court ...	112 · General ...	40.00
Deposit	10/17/2012	3291		Tennis Court ...	112 · General ...	80.00

11:59 AM  
12/06/12  
Accrual Basis

KPPCSD  
Account QuickReport  
July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
Deposit	11/16/2012	3306		Tennis Court ...	112 · General ...	96.00
Deposit	11/16/2012	3816		Tennis Court ...	112 · General ...	40.00
Total 438 · Misc Park/Rec Rev						388.50
Total 420 · Park/Rec Activities Revenue						47,737.30
<b>TOTAL</b>						<b>47,737.30</b>

JP

**KPPCSD**  
**Account QuickReport**  
 July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
<b>600 · Park/Rec Sal &amp; Ben</b>						
<b>601 · Park &amp; Rec Administrator</b>						
Paycheck	7/13/2012		Di Napoli, Andrea		112 · General ...	101.75
Paycheck	7/30/2012		Di Napoli, Andrea		112 · General ...	275.25
Paycheck	8/15/2012		Di Napoli, Andrea		112 · General ...	312.75
Paycheck	8/30/2012		Di Napoli, Andrea		112 · General ...	290.50
Paycheck	9/14/2012		Di Napoli, Andrea		112 · General ...	199.75
Paycheck	9/28/2012		Di Napoli, Andrea		112 · General ...	225.25
Paycheck	10/15/2012		Di Napoli, Andrea		112 · General ...	275.50
Paycheck	10/30/2012		Di Napoli, Andrea		112 · General ...	305.50
Paycheck	11/15/2012		Di Napoli, Andrea		112 · General ...	272.00
Paycheck	11/29/2012		Di Napoli, Andrea		112 · General ...	291.75
Total 601 · Park & Rec Administrator						2,550.00
<b>602 · Custodian</b>						
Check	7/13/2012	14073	William Driscoll	Invoice #0079	112 · General ...	875.00
Check	7/30/2012	14103	William Driscoll	Invoice #0080	112 · General ...	875.00
Check	8/15/2012	14136	William Driscoll	August 1-15, ...	112 · General ...	875.00
Check	8/30/2012	14180	William Driscoll	August 16-31...	112 · General ...	875.00
Check	9/14/2012	14215	William Driscoll	Sept 1-15, 20...	112 · General ...	875.00
Check	9/28/2012	14252	William Driscoll	Sept 16-30, 2...	112 · General ...	875.00
Check	10/15/2012	14275	William Driscoll	Oct 1-15, 201...	112 · General ...	875.00
Check	10/30/2012	14314	William Driscoll	Oct 16-31, 20...	112 · General ...	875.00
Check	11/15/2012	14334	William Driscoll	Inv#0087 N...	112 · General ...	875.00
Check	11/30/2012	14358	William Driscoll	Inv#0088 No...	112 · General ...	875.00
Total 602 · Custodian						8,750.00
Total 600 · Park/Rec Sal & Ben						11,300.00
<b>TOTAL</b>						<b>11,300.00</b>

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KPPCSD  
**Account QuickReport**  
 July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
<b>635 · Park/Recreation Expenses</b>						
<b>640 · Community Center Expenses</b>						
<b>642 · Utilities-Community Center</b>						
Check	7/13/2012	14074	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	7/13/2012	14095	PG&E	Community C...	112 · General ...	159.40
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	25.24
Check	8/15/2012	14135	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	8/15/2012	14143	PG&E	Community C...	112 · General ...	168.78
Check	8/15/2012	14154	EBMUD	2 Arlmont 06/...	112 · General ...	378.53
Check	8/30/2012	14177	Olivero Plumbing Co.	Backflow Tes...	112 · General ...	112.00
Check	8/30/2012	14184	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	9/14/2012	14204	EBMUD	Acct # 11217...	112 · General ...	26.74
Check	9/14/2012	14205	PG&E	Community C...	112 · General ...	168.89
Check	10/15/2012	14262	PG&E	Community C...	112 · General ...	189.80
Check	10/15/2012	14263	EBMUD	Acct #30801...	112 · General ...	236.98
Check	10/15/2012	14270	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	11/15/2012	14331	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Check	11/15/2012	14337	PG&E	Community C...	112 · General ...	248.96
Check	11/15/2012	14339	EBMUD	ACCT#12179...	112 · General ...	26.74
Check	11/30/2012	14362	Pacific Telemanage...	monthly fee f...	112 · General ...	78.00
Total 642 · Utilities-Community Center						2,210.06
<b>643 · Janitorial Supplies</b>						
Check	8/30/2012	14178	UBS	Janitorial Sup...	112 · General ...	559.39
Check	9/14/2012	14208	Kensington Home a...	Bill Communi...	112 · General ...	40.32
Check	9/14/2012	14208	Kensington Home a...	Bill Light	112 · General ...	142.44
Check	10/15/2012	14281	Kensington Home a...	Sep 2012 Inv...	112 · General ...	78.17
Total 643 · Janitorial Supplies						820.32
<b>646 · Community Center Repairs</b>						
Check	10/30/2012	14310	KEL-AIRE	service call, i...	112 · General ...	484.23
Total 646 · Community Center Repairs						484.23
Total 640 · Community Center Expenses						3,514.61

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**KPPCSD**  
**Account QuickReport**  
 July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
<b>660 - Annex Expenses</b>						
<b>662 - Utilities - Annex</b>						
Check	7/13/2012	14095	PG&E	Annex servic...	112 · General ...	23.82
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	177.80
Check	9/14/2012	14204	EBMUD	Acct # 55377...	112 · General ...	1,614.96
Check	9/14/2012	14204	EBMUD	Acct # 55376...	112 · General ...	211.42
Check	11/15/2012	14336	EBMUD	Acct# 55377...	112 · General ...	998.32
Check	11/15/2012	14336	EBMUD	Acct# 55376...	112 · General ...	169.08
Total 662 · Utilities - Annex						3,195.40
Total 660 · Annex Expenses						3,195.40
<b>672 - Kensington Park O&amp;M</b>						
General Journal	7/1/2012	REV ...		NBS	153 · Prepaid ...	1,108.86
Check	7/13/2012	14077	Summer Rain Land...	July's monthl...	112 · General ...	2,050.00
Check	7/13/2012	14077	Summer Rain Land...	branch remo...	112 · General ...	835.00
Check	7/13/2012	14078	UBS	park services...	112 · General ...	584.00
Check	7/30/2012	14109	EBMUD	service provi...	112 · General ...	1,363.40
Check	7/30/2012	14115	Fernando Herrera	2" water main...	112 · General ...	345.00
Check	7/30/2012	14115	Fernando Herrera	stump remov...	112 · General ...	125.00
Check	7/30/2012	14115	Fernando Herrera	7/14/12 grind...	112 · General ...	120.00
Check	7/30/2012	14115	Fernando Herrera	drinking fount...	112 · General ...	90.00
Check	7/30/2012	14115	Fernando Herrera	oak tree bran...	112 · General ...	180.00
Check	7/30/2012	14115	Fernando Herrera	bench repair	112 · General ...	135.00
Check	8/15/2012	14138	UBS	park services...	112 · General ...	447.81
Check	8/21/2012	14164	Summer Rain Land...	Monthly Main...	112 · General ...	2,050.00
Check	8/21/2012	14164	Summer Rain Land...	removed bro...	112 · General ...	320.00
Check	9/14/2012	14214	UBS	Park Restroo...	112 · General ...	584.00
Check	9/14/2012	14221	Fernando Herrera	Sept. monthl...	112 · General ...	2,031.54
Check	9/14/2012	14221	Fernando Herrera	removal & ha...	112 · General ...	420.00
Check	9/14/2012	14221	Fernando Herrera	removal, fabri...	112 · General ...	2,200.00
Check	9/14/2012	14221	Fernando Herrera	removal of ol...	112 · General ...	1,600.00
Check	9/14/2012	14221	Fernando Herrera	repair chain li...	112 · General ...	80.00
Check	9/28/2012	14251	Summer Rain Land...	Fix broken sp...	112 · General ...	320.00
Check	9/28/2012	14251	Summer Rain Land...	cut down dea...	112 · General ...	280.00

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12:01 PM  
 12/06/12  
 Accrual Basis

**KPPCSD**  
**Account QuickReport**  
 July 1 through December 6, 2012

Type	Date	Num	Name	Memo	Split	Amount
Check	10/15/2012	14261	Summer Rain Land...	Oct Monthly ...	112 · General ...	2,050.00
Check	10/15/2012	14273	NBS Government Fi...	Police Tax	112 · General ...	813.06
Check	10/15/2012	14274	UBS	Park Restroo...	112 · General ...	584.00
Deposit	10/17/2012	714L...		Insurance Re...	112 · General ...	-4,300.00
Check	11/15/2012	14318	UBS	Park Restroo...	112 · General ...	584.00
Check	11/15/2012	14347	Summer Rain Land...	Nov. Monthly ...	112 · General ...	2,050.00
Total 672 · Kensington Park O&M						19,050.67
<b>678 · Misc Park/Rec Expense</b>						
General Journal	9/18/2012	CK 1...	Guitar Center	Reverse of G...	112 · General ...	-2,022.12
Check	10/30/2012	14286	California Park & R...	Membership t...	112 · General ...	170.00
Total 678 · Misc Park/Rec Expense						-1,852.12
Total 635 · Park/Recreation Expenses						23,908.56
<b>TOTAL</b>						<b>23,908.56</b>

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# Memorandum

Kensington Police Department



**To:** KPPCSD Board of Directors

APPROVED      YES      NO

**From:** Gregory E. Harman, General Manager/ Chief of Police

\_\_\_\_\_

**Date:** Friday, December 07, 2012

FORWARDED TO:

**Subject:** Consent Calendar Item F- Correspondence

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Attached is the District correspondence received for the month of November.

Chief, Andrea, everyone -

Thank you so much for the experience of being your intern and for the fond memories during that time. It was a pleasure and an honor to work with everyone there and I am going to miss such a great environment. I truly appreciate everything and I wish you all the very best.

Just my little way  
of saying "thanks."

Thanks again,

Kevin

# November 2012 Police Department Report

December 4, 2012

- Department Personnel
  - We are currently staffed at 9 sworn positions and we currently have two reserve officers.  
  
Stephanie Wilkens is currently attending the Napa Police Academy and is expected to graduate December 8<sup>th</sup>. On Monday, December 10<sup>th</sup>, Police Trainee Wilkens will begin a two weeks of In House Training while her background process is completed. She is expected to begin her Field Training on Sunday, December 23<sup>rd</sup>.
- Commendations and Correspondence
  - Chief Harman and the rest of the KPD staff received a thank you card from our first Intern, Kristen Noe.
- Investigation of Alleged Misconduct
  - Citizen's Investigation 2012-001 was initiated on January 8<sup>th</sup>, 2012, on an allegation that an officer used racial profiling in issuing a traffic citation. This investigation has been completed by Sergeant Hull with the findings of (3) Unfounded and Not Sustained.
  - Department Investigation 2012-002 was initiated on May 14<sup>th</sup>, 2012, on an allegation that an officer was insubordinate. This investigation is being conducted by Sergeant Hull.
  - Citizen's Investigation 2012-003 was initiated on June 28<sup>th</sup>, 2012, on an allegation that 3 officers were rude during a traffic stop. This investigation is being conducted by Sergeant Hui.
  - Citizen's Investigation 2012-004 was initiated on June 29<sup>th</sup>, 2012, on an allegation that an officer used racial profiling in making a traffic stop. This investigation is being conducted by Sergeant Hull.
- 9-1-1 / Richmond Communication Center Information.
  - The Ring Time Report for October had 37 total 911 calls with no calls with a ring time over 20 seconds. The average ring time for

911 calls in October was 5 seconds.

- The Ring Time Report for November had 38 total 911 calls with three having ring times over 20 seconds.

The first occurred on 11/08/12, at 4:04 PM with a ring time of 39 seconds. The call was for a vehicle blocking a driveway on Ocean View.

The second occurred on 11/09/12 at 4:02 PM with a ring time of 22 seconds and no police call for service generated.

The third occurred on 11/16/12 at 11:21 AM with a ring time of 34 seconds and no police call for service generated.

The average ring time for the month of November was 8 seconds.

- Community Networking

- On 11-01-12, Chief Harman, Director Chuck Toombs, Director Tony Lloyd, and Director Linda Lipscomb attended the Arlington Street Light meeting sponsored by County Supervisor John Gioia.
- On 11-05-12, Chief Harman attended the KCC meeting.
- On 11-12-12, Officer Ramos attended a meeting with County Animal Control regarding dangerous dogs in the Purdue area.
- On 11-15-12, Chief Harman and Director Chuck Toombs attended the Colusa Circle Traffic meeting sponsored by Kensington resident Rodney Paul.
- On 11-20-12, Chief Harman and Director Chuck Toombs attended the Colusa Circle Traffic meeting sponsored by County Supervisor John Gioia held at the 4 Cats Studio.
- On 11-26-12, Chief Harman attended the KIC meeting.
- On 11-28-12, Chief Harman, Sergeant Barrow, and Officer Ramos attended the Arlington/ Rincon Parking meeting sponsored by the Arlington Church with representation by County Public Works.

- Community Criminal Activity

- This section of the Watch Commander's Reports are prepared by Sergeant Hui for Team One, Sergeant Barrow for Team Two, and

Detective Stegman.

- Watch Commander Reports

- **Sergeant Barrow**

TEAM #1 STATISTICS

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)
Days Worked	14	14
Traffic Stops	9	19
Moving Citations	4	13
Parking Citations	6	1
Vacation/Security Checks	29	54
FI-Field Interview	0	0
Cases	10	1
Arrests	0	0
Calls for Service	56	21

- BRIEFING/TRAINING:
  - Reviewed Supplemental Traffic Enforcement Hot Sheet
  - Reviewed KPD Policy #212 – Electronic Mail
  - Reviewed KPD Policy #214 – Administrative Communications
  - Reviewed KPD Policy #220 – Retired Officer CCW Endorsements
  - Reviewed KPD Policy #336 – Victim and Witness Assistance
  - Reviewed KPD Policy #458– Foot Pursuit Policy
  - Reviewed KPD Policy #464 – Homeless Persons
  - Reviewed KPD Policy #514 – Impaired Driving and Evidence Collection
  - Reviewed KPD Policy #516 – Traffic Citations
  - Reviewed KPD Policy #520 – Disabled Vehicles
  - Reviewed definitions of crosswalks
  - Reviewed Types of Speed Limits
  - Reviewed Death Scene Checklist
  - Reviewed Coroner’s Checklist
  - Reviewed Landlord and Tenant Dispute issues
  - Reviewed Jury Instructions pertaining to Trespassing
  - Reviewed arrests and warrant arrests
  - Training on Biased Based Traffic Enforcement
  - Reviewed use of Pitchess Motions
  - Reviewed California Penal Code 646.9 - Stalking
  - Reviewed DMV Update: New Validated Registration Cards
  - Reviewed California Victim Compensation Program

#### SERGEANT'S REVIEW:

- Reviewed CCC Sexual Assault Response Team Protocols

#### SERGEANT'S SUMMARY:

During the last several months we have experienced a rise in vehicle thefts and thefts from unlocked from vehicles. A great number of these thefts have occurred in the south eastern portion of Kensington. Several of the vehicles have been recovered in Oakland. I would ask everyone to please lock your vehicles and do not leave personal items, cell phones, iPods, laptops, house keys, car keys and or backpacks within the passenger compartment of your vehicle. If you see or hear anything suspicious please call the police and we will check it out. You know your street or area of the district and what is out of the ordinary. Let's make it a safe and happy holiday season for everyone.

#### SIGNIFICANT EVENTS:

- 2012-6958– On 10-06-2012, Officer Ramos responded to the 400 block of Beloit Avenue for a reported stolen terra cotta colored planter from the front yard area.
- 2012-7299 – On 10-27-2012, Officer Ramos responded to the 100 block of Purdue Avenue for a reported theft from an unlocked vehicle.
- 2012-7032 – On 10-11-2012, Officer Ramos responded to the 300 block of Coventry Road for a reported dispute between family members, upon further investigation it was determined that criminal threats had been made and this case will be sent to the CC County DA's office for review.
- 2012-7033 – On 10-11-2012, Officer Ramos responded to the 400 block of Beloit Avenue for a reported theft from an unlocked vehicle.
- 2012-7052 – On 10-12-2012, Officer Wilson responded to the 00 block of Arlington Avenue for a reported non-injury hit and run vehicle collision with a parked car.
- 2012-7077 – On 10-14-2012, Officer Ramos responded to the 200 block of Yale Avenue for a reported theft from an unlocked vehicle.
- 2012-7298 – On 10-27-2012, Officer Ramos took a reported theft on the 600 block of Wellesley Avenue. A resident reported their bicycle was stolen from in front of their home.
- 2012-7299 – On 10-27-2012, Officer Ramos responded to the 100 block of Purdue Avenue for a reported theft from an unlocked vehicle.
- 2012-7300 – On 10-27-2012, Officer Ramos responded to the 300 block of Arlington Avenue for a reported non-injury hit and run vehicle collision with a parked car.

TRAFFIC STATISTICS:

17 moving citations were issued on Colusa Ave.  
20 moving citations were issued on Arlington Ave.  
3 moving citation was issued on Sunset Road.  
2 moving citations were issued on Oak view Ave.  
1 moving citation was issued on Kenyon Ave.  
2 moving citations were issued on Amherst Ave  
1 moving citation were issued on Arlmont Ave  
1 moving citation were issued on Cowper Ave

•• **Sergeant Hui**

TEAM #2 STATISTICS

Sergeant Hui (K42)  
(1600-0400)

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	14	16
Traffic Stops	16	29
Moving Citations	11	8
Parking Citations	9	4
Vacation/Security Checks	36	58
FI-Field Interview	0	0
Cases	7	3
Arrests	0	2
Calls for Service	58	43

Officer Martinez took 12 hours of vacation time.  
Sergeant Hui recovered 18 hours of comp time.

BRIEFING/TRAINING:

- Reviewed Supplemental Traffic Enforcement Hot Sheet
- Reviewed KPD Policy #212 – Electronic Mail
- Reviewed KPD Policy #214 – Administrative Communications
- Reviewed KPD Policy #220 – Retired Officer CCW Endorsements
- Reviewed KPD Policy #336 – Victim and Witness Assistance
- Reviewed KPD Policy #458– Foot Pursuit Policy
- Reviewed KPD Policy #464 – Homeless Persons
- Reviewed KPD Policy #514 – Impaired Driving and Evidence Collection
- Reviewed KPD Policy #516 – Traffic Citations
- Reviewed KPD Policy #520 – Disabled Vehicles

- Reviewed definitions of crosswalks
- Reviewed Types of Speed Limits
- Reviewed Death Scene Checklist
- Reviewed Reviewed Coroner's Checklist
- Reviewed Landlord and Tenant Dispute issues
- Reviewed Jury Instructions pertaining to Trespassing
- Reviewed arrests and warrant arrests
- Training on Biased Based Traffic Enforcement
- Reviewed use of Pitchess Motions
- Reviewed California Penal Code 646.9 - Stalking
- Reviewed DMV Update: New Validated Registration Cards
- Reviewed California Victim Compensation Program

#### SERGEANT'S REVIEW:

- Reviewed CCC Sexual Assault Response Team Protocols
- Reviewed factors surrounding Law Enforcement Incident Fatalities

#### SERGEANT'S SUMMARY:

Every year after Thanksgiving we enter the holiday shopping frenzy. Most residents will inevitably purchase items from local stores as well as purchase items from online or mail order stores. An indirect outcome of these increased purchases are the thefts of these items. Every year during this holiday period, we see increases in theft of packages from in front of residences and thefts of goods from within vehicles. I previously discussed ways in which we can reduce the likelihood of having packages stolen from your door step. These tips included the following:

1. Try and time your purchases so that they will be delivered on a day that you are likely to be home. Many times, online vendors will have shipping calculators that will estimate your delivery date. If at all possible, try to time your purchases on a day where your package won't be left on your doorstep for an extended period of time. Some vendors will also offer the option to require a signature on delivery. This requires that a person at your residence signs for the package. Just make sure that someone will be home to sign for the package because shipping companies will not leave a package without a signature.
2. Have the package held for delivery at the nearest shipping station. Many online vendors will email you with a ship confirmation and tracking number. If you track your package and you find out that you won't be home to receive the package, many shippers (FedEx and UPS, for example) have the option to hold your package at their delivery sub-station for pickup. Make sure you check where the



nearest pickup location is and what times you can stop by to pick up your package first. This ensures that you will receive your package.

3. See if a neighbor or friend is available to pick up your package. If you are out of town or won't be home until late, then try and have a neighbor or nearby friend that can stop by and grab your package for you.

If you go out shopping, please make sure to bring your purchases into your home as soon as you can. Shopping bags left in your vehicle that are full of newly purchased items make your vehicle very enticing to a would be thief.

#### SIGNIFICANT EVENTS:

- 2012-6896 – On 11/2/2012, Officer Turner initiated a traffic stop near Arlington Ave at Thousand Oaks Blvd that resulted in a misdemeanor citation for possession of false registration tabs on the vehicle.
- 2012-6968– On 11/7/2012, Officer Martinez responded to the unit blk of Sunset Dr on a report of an auto burglary.
- 2012-7002– On 11/9/2012, Officer Turner initiated a traffic stop on the 300 blk of Arlington Ave and arrested the driver for DUI.
- 2012-7015 – On 11/10/2012, Officer Martinez responded to the unit blk of Arlington Ave on a report of a vandalism.
- 2012-7013 – On 11/10/2012, Officer Martinez responded to the 500 blk of Coventry Rd on a report of a fraud.
- 2012-7094 – On 11/15/2012, Officer Martinez responded to the 200 blk of Trinity Ave on a report of a residential burglary.
- 2012-7096 – On 11/15/2012, Officer Martinez responded to the unit blk of Edgcroft Dr on a report of a theft from a vehicle.
- 2012-7098 – On 11/15/2012, Officer Turner responded to the unit blk of Lennox Dr on a report of a theft from a vehicle.
- 2012-7339 – On 11/29/2012, Officer Martinez responded to the 400 blk of Beloit Ave on a report of a mail theft.
- 2012-7356 – On 11/30/2012, Officer Martinez responded to the 200 blk of Cambridge Ave on a report a tampering with a vehicle.

Reserve Officer:	Armanino (K47)
Days Worked	4
Traffic Stops	24
Moving Citations	7
Parking Citations	0
Vacation/Security	14
Checks	
FI-Field Interview	0
Cases	0
Arrests	0
Calls for Service	7

•• **Detective Eric Stegman**

**SIGNIFICANT EVENTS:**

**12-7263 Death/ Coroner's Case**

On 11/24/12, KPD and ECFD responded to the scene of a death of an elderly woman. Neither KPD nor ECFD personnel identified any suspicious circumstances surrounding the woman's death while on scene. Mildly estranged family members from the other side of the country began contacting me and making allegations about the manner in which their sibling in Kensington had managed their mother's affairs, the quality of the care she was receiving, and the validity of their mother's newest will. Allegations of foul play were also included. At the conclusion of my multi- day investigation, I was able determine the woman's death was consistent with her declining health and the accusations being made were based entirely on misinformation and hearsay, and none of those making the allegations were able to provide me with any testimony, evidence, or personal knowledge that would support their claims.

**KPD INVESTIGATIONS INFORMATION:**

**12-5354 Murder**

On 8/13/12 at approximately 1145 hours, Officer Ramos responded to a welfare check for a potential fall victim (James Durkin). Shortly after his arrival Officer Ramos requested I respond to the scene. Due to the initial circumstances I began investigating the case as a homicide. During the investigation it was revealed the victim had been stabbed in the chest with a serrated kitchen knife. Later in the investigation, the suspect (Diane Sydenham), was identified. Early on 8/14/12, Sydenham was arrested for the Murder of James Durkin. On 8/16/12 the Contra Costa County District Attorney's Office formally charged Sydenham with Murder and she was arraigned.

On 8/30/12 a judge granted an increase in Sydenham's Bail from \$1,000,000 to \$2,000,000. On 9/20/12 Sydenham entered a not guilty plea. The date of the preliminary hearing is TBD.

**2011-1618 Homicide.**

On 03-12-11, KPD Officers were dispatched to a possible dead body in the 00 block of Arlington Avenue. The individual was pronounced dead at the scene. This case is being investigated as a homicide.

## **KPD INVESTIGATIONS**

- Made court runs for filling cases, and retrieve court notifications.
- Updated the KPD Case Review Log
- Updated the stolen property log.
- Reviewed the "Trak Flyer" messages and maintained the flyer board.
- I'm currently assigned one day per week as a Field Training Officer.
- I assisted WESTNET on 11/29/12 with a warrant service.
- I audited all Year to Date crime statistics
- I attended the CNOA (California Narcotics Officer Association) training/ conference in Anaheim, for four days.

## **KPD Crime Statistics**

Andrea Di Napoli and I spent a great deal of time auditing the 2012 Kensington crime statistics this month. We are almost finished and I am pleased to say the in house statistics are very closely if not exactly going to match what the DOJ report. What is even more pleasing is what we have learned about UCR reporting in the process, and our record system's interaction with the UCR criteria/ system. Now that we have learned where most of the coding pitfalls are, we should be more accurate with less effort. With the addition of December numbers, the Year to Date stats below are very close to the final numbers for 2012.

## KPD Monthly Crime Statistics

November 2012

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	0	0	1	0
Residential Burglary	2	2	0	0	0
Larceny Theft	8	1	7	0	0
Vehicle Theft	2	0	2	0	0
Arson	1	0	1	0	0
<b>Part 1 Totals</b>	<b>14</b>	<b>3</b>	<b>10</b>	<b>1</b>	<b>0</b>
<b>Other Crimes</b>					
Auto Burglary	0	0	0	0	0
Identity Theft	1	1	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	1	0	1	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	1	0	1	0	0
Other Misdemeanor Traffic	1	0	0	1	1
<b>Other Crime Totals</b>	<b>4</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>1</b>
<b>All Crime Totals</b>	<b>18</b>	<b>4</b>	<b>12</b>	<b>2</b>	<b>1</b>

Traffic Accidents (Non Injury)            3    Only one team reporting  
 Traffic Accidents (Injury)                0

*44*

## KPD Crime Statistics

Year to Date 2012

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	1	1*	0	1	1
Rape	0	0	0	0	0
Robbery	3	0	1	2	0
Assault	3	0	0	3	1
Residential Burglary	29	9	13	7	4
Larceny Theft	35	4	29	2	1
Vehicle Theft	10	2	7	1	0
Arson	4	0	4	0	0
<b>Part 1 Totals</b>	<b>85</b>	<b>15</b>	<b>54</b>	<b>16</b>	<b>7</b>

### Other Crimes

Auto Burglary	0	0	0	0	0
Identity Theft	16	7	9	0	0
Fraud	2	1	0	1	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	7	0	0	7	3
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	19	1	18	0	0
Drugs	5	0	0	5	7
Warrant	12	0	0	12	11
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	8	2	4	2	0
Other Misdemeanor Traffic	6	0	0	6	7
<b>Other Crime Totals</b>	<b>75</b>	<b>11</b>	<b>31</b>	<b>33</b>	<b>28</b>

<b>All Crime Totals</b>	<b>160</b>	<b>26</b>	<b>85</b>	<b>49</b>	<b>35</b>
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Traffic Accidents (Non Injury)	26
Traffic Accidents (Injury)	4

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•• **Chief Harman**

During the month of November we had 12 reports of auto burglaries or thefts from unlocked vehicles occurring in the Norwood and Yale areas of the community. While removing valuables from plain sight is the best deterrent against auto burglars, better yet, locking your vehicle doors and windows is the best way to keep suspects from rifling through your vehicles looking for valuables to steal.

Increased outdoor lighting and contacting us whenever you see suspicious persons or activity occurring in your neighborhood, also helps us in reducing petty theft property crimes in the community.

These four simple crime prevention tips are the best way of keeping your property out of the hands of thieves and reducing our community's crime rate.

# December 2012

December 2012						
S	M	T	W	T	F	S
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

January 2013						
S	M	T	W	T	F	S
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	<b>Nov 25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>Dec 1</b>
11/25 - 30							
	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>
12/2 - 7		7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KCC (CC3)	7:00pm 10:00pm Troop 100 (CCM)		7:15pm 9:15pm EBC (Side Room)	7:00pm 9:00pm KPOA Meeting (CC3)	
	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>15</b>
12/9 - 14		3:45pm 5:45pm Girl Scouts (CCM) 6:30pm 7:30pm KPSC (CC3) 7:00pm 8:00pm Cub-Sc	7:00pm 10:00pm Troop 100 (CCM)	5:00pm 11:00pm GPPE Holiday Event (CCM) 7:00pm 9:00pm KFD Mtg (CC3)	7:00pm 10:00pm KPPCSD MTG (CC3)		Copy: Monthly Statistic
	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>	<b>20</b>	<b>21</b>	<b>22</b>
12/16 - 21	8:00am 8:30am CC Rental (CCM)	7:00pm 8:00pm Cub-Scouts (CCM)	7:00pm 10:00pm Troop 100 (CCM)				
	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b>	<b>29</b>
12/23 - 28		7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KIC (CC3)	7:00pm 10:00pm Troop 100 (CCM) 7:30pm 9:00pm KMAC (CC3)	3:00pm 9:00pm CC Rental (CCM)			
	<b>30</b>	<b>31</b>	<b>Jan 1, 13</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
12/30 - 1/4		7:00pm 8:00pm Cub-Scouts (CCM)					

# January 2013

January 2013							February 2013						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 30 - Jan 5	<b>Dec 30</b>	<b>31</b>	<b>Jan 1, 13</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>
			7:00pm 10:00pm Troop 100 (CCM)		7:15pm 9:15pm EBC (Side Room)		
Jan 6 - 12	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>12</b>
		7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KCC MTG (REC BLD)	7:00pm 10:00pm Troop 100 (CCM)	7:00pm 9:00pm KFD Mtg (CC3) 7:30pm 10:00pm GPFF (CCM)	7:00pm 10:00pm KPPCSD MTG (CC3)		4:00pm 10:00pm CC Rental (CCM)
Jan 13 - 19	<b>13</b>	<b>14</b>	<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b>	<b>19</b>
		3:45pm 5:45pm Girl Scouts (CCM) 7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 8:30pm KARO (CC3)	Copy: Monthly Statistic 7:00pm 10:00pm Troop 100 (CCM)		7:00pm 9:00pm KPSC Presentations (CCM) 7:15pm 9:15pm EBC (Side Room)		
Jan 20 - 26	<b>20</b>	<b>21</b>	<b>22</b>	<b>23</b>	<b>24</b>	<b>25</b>	<b>26</b>
		7:00pm 8:00pm Cub-Scouts (CCM)	7:00pm 10:00pm Troop 100 (CCM)				
Jan 27 - Feb 2	<b>27</b>	<b>28</b>	<b>29</b>	<b>30</b>	<b>31</b>	<b>Feb 1</b>	<b>2</b>
	10:00am 12:00pm CC Rental (CCM)	7:00pm 8:00pm Cub-Scouts (CCM) 7:30pm 9:30pm KIC (CC3)	7:00pm 10:00pm Troop 100 (CCM) 7:30pm 9:00pm KMAC (CC3)				

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Office Report prepared by Marty Westby, Administrator  
Kensington Community Council Board Meeting  
December 3, 2012

**KASEP:**

KASEP Winter registration was Wednesday November 28<sup>th</sup>. Winter KASEP offers 48 KASEP classes, 378 possible seats of which 320, or 85% were filled in the one night. In addition to KASEP classes, winter session also includes instruction in Karate, Gymnastics, Circus and Bandworks. There were over 190 families attending Nov. 28<sup>th</sup>'s registration.

Winter KASEP classes start Wednesday, January 2, 2013 – the same schedule at WCCUSD. A new class for winter session includes Pastel Art, taught by Jeanne Rehrig.

The KASEP winter holiday celebration and performance takes place on Thursday, December 13<sup>th</sup>, at 5:00 pm at the community center. KASEP Drama class, Chorus, Motion and Music for Kinder, Recorder and Hip Hop students will perform for their families. Work product from various classes will be displayed.

The office will be closed during the school break, December 17, 2012 - January 1, 2013

**KCC Classes and Events:**

Jazzercise Class taught by Kevin Knickerbocker on Monday-Wednesday-Fridays, 8:15 – 9:15ams continues as an on-going program at the community center. Drop-ins are welcome. New to start January 15<sup>th</sup> is Body Sculpting class on Tuesday-Thursdays from 9:00am – 10:00am. Register with KCC. For students, Lego Robots is offering a Winter Break Workshop for students grade 3- 8<sup>th</sup> from 9:00am –12:00 noon Dec. 17 –21<sup>st</sup>.

**KCC Administrative:**

The Fall Fund Drive launched in September 2012. KCC is still receiving generous donations from our community. Donors are published in the Outlook.

Letters to each of the “K” groups will be mailed by December 7<sup>th</sup>. This letter invites “K” group representatives to attend KCC’s annual meeting scheduled for Monday, January 7<sup>th</sup> at 7:30, Recreation Building.

KCC Fund Raising Event, “Valentine Dance” is scheduled for Friday, February 8, 2013 at 7:00pm, community center. Childcare is provided.

KCC Recreation Building passed its annual Fire Alarm Inspection and Day Care Fire Safety Inspection on November 16, 2012, conducted by El Cerrito Fire Department.

KASEP automation efforts continue to evaluate different vendors for on-line registration and credit card payment authorization.

# General Manager November 2012 Report

## Budget

In this portion of the General Manager's Monthly Report, I will be attempting to provide more information into the fiscal condition of the District by providing a monthly insight into the "Unaudited Profit & Loss Budget Performance Report" that is part of the monthly agenda packet.

For the month of November, there was very little variance in revenues. Year to date, we received \$4,000 more in revenue generated from citations that we had budget for. Overall year to date revenues are \$7,000 less than we projected for this time of the budget year, which is very good this close to the mid-year point.

There was very little variance in expenses for police salaries and benefits for the month of November. The small increase is due to the contracts that were negotiated after the Fiscal Year 2012/13 Budget was approved. Police salary expenses year to date are \$177,000 over budgeted expectations however, this amount is inflated by \$145,000 advanced payment into the retirees medical trust and will be reimbursed at the close of the fiscal year. This means that year to date, we are over budget for police salary expenses by \$32,000, most of which was for the unexpected increase of \$25,000 in overtime paid during the homicide investigation.

Other police expenses are \$10,000 under budgeted projections and considered on target for this time in the fiscal year.

There was no variance in park revenue and expenses for the month of November, and year to date the Community Center revenue is a bit higher than projected. While year to date park expenses appear to be \$13,000 lower than budget projections, this is not unusual and with the coming winter storms we will be showing a correction in the coming months.

There was no District Activity revenue for the month of November and year to date revenue is at budgeted projections.

District expenses have two increases for the month of November and both of those are in legal expenses (October billings) for both the District and in Waste/ Recycle. Year to date legal expenses are \$36,000 over budgeted expectations and legal expenses associated with maintaining the Bay View contract are \$14,000 over budgeted projections.

Overall, after five months into the fiscal year, and taking into account allocated funds, we are \$36,000 under projected net income at this time in the fiscal year,

which is a 1% variance.

## **Kensington Park**

### **Community Center & Annex**

NHA Advisors has begun the process to provide the District financial consulting services for the Community Center remodeling project. Lisa Coronna and I had a conference call on November 16<sup>th</sup> with Craig Hill and Rob Schmidt of NHA to review the scope of the project and to confirm expectations for both parties. A time line was developed with NHA collecting data during the months of November and December, with a preliminary meeting schedule for early January to review initial numbers with the Park Building Committee, and hopefully a Board presentation in February.

The hiring of the financial consultant was made possible by the generous donation of up to \$5,000 from the Kensington Community Council (KCC).

### **Park Repairs**

Our Intern, Kristen Noe, has reviewed bids from 5 tree removal services and has identified Professional Tree Care Company to contract with to remove the dying pine tree leaning towards 92 Highland. The low quote was for \$3,150.00 and our original estimated budget was for \$5,000.00. We had received four other quotes of \$4,480.00, 4,650.00, \$4,680.00, and \$5,152.00. We expect the work to begin on December 17<sup>th</sup> during the school break.

## **Emergency Preparedness**

We now have the agenda and the minutes of the Public Safety Council posted on the KPPCSD web page for review.

The next meeting of the Kensington Public Safety Council will take place Monday, December 10th, at its new time of 6:00 PM at the Community Center Room #3.

It is very important for those interested in Kensington's emergency preparedness to come to the meetings. The declining community interest in this group is placing this group's continued existence in jeopardy.

Save the date! The KPSC is hosting an Identity Theft Workshop on Thursday, January 17<sup>th</sup>, at 7 PM in the Community Center. Come to the workshop and learn how to protect yourself against identity theft.

## Other District Items of Interest

### **Solid Waste**

The arbitrator agreed on by the District and Bay View has been retained and we are moving forward in the arbitration process requesting by Bay View over their demand for an increase in rates. The District has just approved Bay View's 2012 increase of 2.8% in rates per the CPI increase that will take effect January 1, 2013.

### Public Works Issues

#### **Street Lights**

In March, I sent the County a listing of all the street lights that were out along the Arlington. In April, you may have noticed that the street light pole in front of the Chevron station had been tied off with ropes to the Kensington Improvement Club sign board and the lights removed. The investigation into why and by who took some time but in June I was informed by the County that the streetlights are being replaced by PG&E as part of a centerbore wood pole replacement project going on throughout Contra Costa County. On Monday, July 23rd, I was advised that Pacheco Utility would be starting the PG&E pole replacement project on the Arlington on Tuesday, July 24<sup>th</sup>. And start it they did.

I have also received at least a half dozen complaints so far about the look of the new lights and I have been in touch with Kate Rauch at John Gioia's office. Kate investigated the project for us and received this reply from the Assistant Contra Costa County Public Works Director;

"Kate,

It is my understanding that the Kensington Community has concerns over PG&E's centerbore wood pole streetlight replacement project. In the current project area, streetlight service is provided by County Service Area L-100 (CSA L-100). This means that CSA L-100 pays PG&E for the streetlight service and maintenance. The rate schedule for this is LS 1, where PG&E owns and maintains the streetlights and CSA L-100 pays a flat rate for each light.

County staff met with PG&E representatives earlier this year regarding phase 1 of the centerbore wood pole replacement project. All wood poles have a life expectancy and PG&E made a determination to take a proactive approach to replace them. The purpose of the replacement project would be to provide more reliable lighting to communities, reduce pole failures and overall maintenance costs. At that meeting, it was our understanding that streetlight pole replacements would be done with similar decorative poles if appropriate. Similar streetlight replacement projects in other unincorporated areas were done this way (aging decorative wood poles were replaced with new decorative light

poles). We are currently contacting our PG&E representative to determine why a standard galvanized pole is currently being installed, not a decorative alternative.”

On Monday, August 27<sup>th</sup>, I met with County Supervisor John Gioia, KPPCSD Director Linda Lipscomb, KIC President Mellissa Holms-Synder, County Public Works representatives, and representatives from PG&E to discuss the project and Kensington’s concerns.

As of this date the replacement project has been halted and Supervisor Gioia held public meeting between the County, PG&E, and all concerned Kensington residents on Thursday, November 1, at 6:30PM, at the Community Center. The meeting was well attended with approximately 40 residents attending to voice their concerns.

The project remains on hold and we are waiting to hear from John Gioia as to what options or steps the community has at this point.

### **Paths**

Now that the elections are over, we will be waiting for Kate Rauch of John Gioia’s office to set up a meeting between the County, the District, and our legal representatives as we move this project along.

On November 14<sup>th</sup>, I attended a Recreational Trails Program Workshop and believe we may be eligible to apply for a federal grant to improve the paths. That was the good news. The bad news is that I have until January 9<sup>th</sup> to have the grant application completed.

### **Los Altos**

The County has repaired Los Altos Drive just in time for the first series of winter storms. Looks real good too. For those of you that didn’t know, Los Altos was sliding into the canyon and for about a year there was only room for one narrow lane for traffic to pass one car at a time.

### **Website**

The Board packets, monthly reports, minutes, recordings of the KPPCSD Board Meetings, and our Bay View – County Solid Waste contracts are available for review on our website at: [www.kensingtoncalifornia.org](http://www.kensingtoncalifornia.org)