

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held Thursday, March 12, 2009, 7:30 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California.

Note: All proceedings of the Regular meeting will be tape recorded.

Roll Call
Public Comments
Board Member/Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting February 12, 2009
- b) Profit & Loss Budget Performance Reports for February
- c) Board Member Reports
- d) Correspondence
- e) Police Department Update
- f) Monthly Calendar
- g) Recreation Report
- h) General Manager Update

DISTRICT – OLD BUSINESS

1. General Manager/ Chief of Police Greg Harman will update the Board on the traffic issues at both the Arlington and Kensington Park intersection as well as along Franciscan Way. Board discussion and action.
2. General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion. Board Action.

DISTRICT - NEW BUSINESS

1. Chief of Police Greg Harman will present Officer Keith Barrow a commendation for his life saving actions on January 26, 2009.
2. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the Executive Committee to the list of standing committees. Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing Executive Committee shall be concerned with personnel matters of the District, including recommendations for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The Executive Committee will be composed of the Board President and the Board Vice President".
3. General Manager Greg Harman will present the Board with an estimate of this current fiscal year's shortfall projection based on year to date revenues and expenses. Board discussion and action.
4. General Manager Greg Harman will present the Board with a proposal to move forward with the park bathroom construction to be paid for with funding from EBRPD Measure WW funding. Board discussion and action.
5. Board President Bill Wright will lead the Board in a discussion regarding the Board's role vis-à-vis District press releases. Board action.
6. Board President Bill Wright will provide the Board with the goals set for the General Manager/ Chief of Police for the remaining part of this current fiscal year. Board discussion and action.

ADJOURNMENT

General Information

Accessible Public Meetings

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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 10 DAYS BEFORE THE MEETING. REQUESTS SHOULD BE SENT TO:

DISTRICT SECRETARY STEPHANIE FRIES
COMMUNITY SERVICES DISTRICT, 217 ARLINGTON AVE., KENSINGTON, CA 94707

POSTED: Public Safety Building-Colusa Food-Library-Arlington Kiosk- and at www.kensingtoncalifornia.org
Complete agenda packets are available at the Public Safety Building and the Library.

GENERAL
MANAGER'S
MEMORANDUM

Kensington Police Protection and Community Services District

MEMORANDUM

DATE: February 28, 2009
TO: KPPCSD Board of Directors
FROM: Gregory E. Harman, General Manager / Police of Chief
SUBJECT: KPPSCD Board Meeting, March 12, 2009

DISTRICT – OLD BUSINESS

1. General Manager/ Chief of Police Greg Harman will update the Kensington Park intersection traffic issues as well as the traffic issues along Franciscan Way. Board discussion and action.

The District has been working with Jerry Fahy of the Contra Costa Public Works Department to help eliminate some of the traffic concerns at the traffic light on Arlington Avenue and with speed concerns along Franciscan Way.

Arlington Avenue

In attempting to address the complaints regarding drivers speeding along the Arlington and failing to stop at the red light, the County has taken the following actions. First, the County has reset the traffic signal cycle of the traffic light in order to provide more of a delay between the flashing yellow and the change to red, to allow for safer pedestrian crossing. The County also has installed two additional traffic lights at the intersection, to facilitate better signal recognition by drivers approaching the intersection in both directions along the Arlington.

Franciscan Way

After receiving several complaints regarding speeders along Franciscan Way, the police department conducted a limited traffic survey in the area. The results of the survey were as follows.

The County has determined that Franciscan Way falls under the definition of a residential district as stated in Section 515 of the California Vehicle Code and therefore the prima facie speed limit is 25 mph. The County will be installing two 25 mph regulatory signs, one in each direction, along Franciscan Way and painting two painted messages of the 25 mph speed limit in each direction.

Additionally, the County will be replacing the current 25 mph "Limited Sight Distance" signs with new advisory signs of 15 mph.

These new signs, along with our continued enforcement, should decrease drivers' speeds in the area.

2. General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion. Board Action.

At the February meeting of the KPPCSD Board, the proposed public safety building lease agreement between the Fire Board and KPPCSD Board was first discussed. During the discussion, Board President Bill Wright and Board Vice President Chuck Toombs indicated that they were planning on meeting with members of the Fire Board to discuss the lease agreement as well as other board business.

There have been no changes made to the proposed lease agreement and it is coming before the Board again for discussion and action.

DISTRICT- NEW BUSINESS

1. Chief of Police Greg Harman will present Officer Keith Barrow with a commendation for his life saving actions on January 26, 2009.
2. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the Executive Committee to the list of standing committees. Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing Executive Committee shall be concerned with personnel matters of the District, including recommendations for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The Executive Committee will be composed of the Board President and the Board Vice President".
3. General Manager Greg Harman will present the Board with an estimate of this current fiscal year's shortfall projection based on year to date revenues and expenses. Board discussion and action.

At the last KPPCSD Board meeting, General Manager Greg Harman presented the Board with a mid-year budget review. Following the presentation, the Board instructed the General

Manager to provide an estimate of the current fiscal budget shortfall at the March meeting.

4. General Manager Greg Harman will present the Board with a proposal to move forward with the park bathroom construction to be paid for with funding from EBRPD Measure WW funding. Board discussion and action.

The Board approved the construction of a bathroom in the park in this current fiscal year. The District was to provide \$82,000 of allocated Park Building Reserves for construction to be added to the \$48,000 Bathroom Construction Fund that has been accumulated from funds donated by the Kensington Community Council, public donations, and fund interest earned.

I have held preliminary discussions with the Public Restroom Company and they have provided an initial estimate of a two restroom prefabricated building for \$90,000 plus site preparation fees of \$20,000.

In order to receive EBRPD Measure WW funding for projects this current fiscal year, projects must be submitted by March 31st for consideration. Projects submitted after the deadline will be considered and funded during the next project cycle that would begin February 1, 2010.

I recommend the Board approve the submission of the request for the construction of the park restroom with the EBRPD Measure WW Program.

5. Board President Bill Wright will lead the Board in a discussion regarding the Board's role vis-à-vis District press releases.
6. Board President Bill Wright will provide the Board with the goals set for the General Manager/ Chief of Police for the remaining part of this current fiscal year. Board discussion and action.

During the month of February, Board President Bill Wright and Board Vice President Chuck Toombs met with General Manager/ Chief of Police Greg Harman to discuss and formalize the goals of his position for the remaining portion of this current fiscal year. These goals will be presented to the Board for discussion and action.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

CONSENT CALENDAR

- Minutes
- Budget Comparison & Statement of Investments
- Monthly Committee Reports
- Correspondence
- Police Department Update
- General Manager's Update
- Monthly Calendar
- Recreation Report

MINUTES

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

Meeting Minutes for 02/12/2009

AGENDA

A regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday February 12, 2009, 7:30 PM , at the Community Center, 59 Arlington Avenue, Kensington, California.

The board entered into Open Session at 7:31 PM.

ATTENDEES

Elected Members	Guests/Presenters:	
Bill Wright, President	Julie Sautman	Michael Sautman
Charles Toombs, Vice President	Joan Gallegos	Cass Duggan
Patricia M. McLaughlin, Director	Lynn Wolter	Lindy Hough
Cathie Kosel, Director	Kathy Stein	John Stein
Cindy Kimball, Director	Ciara Wood	Brenda Navellier
	Gretchen Gillfillan	Lance Maples
	Val Paola	Joe Paola
	John Feld	Gail Feldman
Staff Members		
Gregory E. Harman, General Manager/ Chief of Police		
Stephanie Fries, District Secretary		

ANNOUNCEMENTS: None

PUBLIC COMMENTS

Name	Comments
Joan Gallegos	Commented that she would like Board Members and the public to have equal access to all relevant materials pertaining to Board Meeting to allow for informed discussions.
Gretchen Gillfillan	Suggested using the podium microphone for public comments to allow for everyone to be able to hear what is being discussed.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

STAFF COMMENTS

Name	Comments
Stephanie Fries	Requested that those in attendance not use their cell phones during Board Meetings as it causes interference with the digital recorder, making it difficult to transcribe the minutes.
GM/COP Harman	Announced that Officer Phil Balousek will officially resign from Kensington Police Department on April 1, 2009 and we will have a retirement dinner at 5pm on April 15, 2009 at the Community Center for Phil and the other retired Kensington PD officers, which will be catered by The Arlington. Presented Troop 100 with a Certificate of Recognition for installing recycling cans in the park & resolving the drainage problem by removing debris behind the Community Center.

BOARD COMMENTS

Name	Comments
Director Kosel	Inquired about whether or not Reserve Officers are paid.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that Reserve Officers are not paid.
Joan Gallegos	Inquired about whether use of the Teleminder has been discontinued.
GM/COP Harman	Responded to Joan Gallegos' inquiry, indicating that the Teleminder has been discontinued and replaced with a more up-to-date system.
Director McLaughlin	Commented that she would like to see job descriptions listed in the Board Policy Manual.

MOTION: Director McLaughlin moves to accept the Consent Calendar as amended

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

ACTION / DISCUSSION ITEMS

Name	Comments
President Wright	Moves to New Business #1: Discussion for adoption Resolution 09-01 authorizing the application for local grants funds in the amount of \$258,358 from the East Bay Regional Park District Measure WW Park Bond Extension.
Director Kosel	Inquired about whether the WW Proposal will be completed by March 31, 2009 and whether or not we are guaranteed this money.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that Kensington is guaranteed this money, \$258,358.00, for ten years. Completion of any funding requested by March 31, 2009 may depend on the Park Committee's decision.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

ACTION / DISCUSSION ITEMS (cont.)

Vice President Toombs	Inquired about the Master Contract mentioned in the Resolution.
GM/COP Harman	Responded to Vice President Toombs' inquiry, indicating that the Master Contract will be presented to the Board next month.

MOTION: President Wright moves to move New Business #1 to the end of the meeting.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

President Wright	Moves to New Business #2: Discussion for adoption Resolution 09-02 authorizing the expenditure plan in the amount of \$100,000 from the Supplemental Law Enforcement Services Fund for fiscal year 2008/2009 Enacted State Budget.
GM/COP Harman	Indicated that the State authorized the COPS Grant, but the State Controller is holding these funds contingent on receiving spending plans from each agency
Director Kosel	Inquired about how the Police Services Aide and Crossing Guard positions are being funded.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that these positions have previously been funded by the COPS Grant, but have now been factored into the budget.
Director Kosel	Suggested an evaluation of the Administrative Aide position.
GM/COP Harman	Indicated that the Administrative Aide position was funded by the COPS Grant, but that this position has recently ended.
Director McLaughlin	Expressed concern over the funding of a K-9 Unit with COPS Grants funds, commenting that she feels a K-9 Unit would only see occasional use. Further expressed concerns over treatment of the dog.
GM/COP Harman	Responded to Director McLaughlin's concerns, indicating that the K-9 would be assigned to an officer on the graveyard shift, being called in as needed on other shifts & would be sold to that officer at the end of the K-9 term.
Director McLaughlin	Inquired about whether the District may opt out of one or more of the listed COPS Grant items after they have been approved.
GM/COP Harman	Responded to Director McLaughlin's inquiry, indication that the District can opt out of any of the listed COPS Grant items, but that the District would lose those funds allocated for each specific use.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

PUBLIC COMMENTS

Name	Comments
Lynn Wolter	Inquired about whether the Board needs to decide on Plan A or Plan B for the COPS Grant at this meeting.
GM/COP Harman	Indicated that the Board will need to decide on Plan A or Plan B at this meeting unless they decide to hold a Special Meeting to make the decision. Commented that he prefers Plan B.
Gail Feldman	Commented that she doesn't think it makes sense to add more items to a budget when we have no money to spend.
Director Kosel	Asked for clarification on the COPS Grant.
GM/COP Harman	Indicated that the COPS Grant would be used to fund an officer position, as indicated in Plan B.
Gretchen Gillfillan	Inquired about the missing person search & rescue effort.
GM/COP Harman	Commented that we had 55 volunteers and a search party with dogs available to us on the last missing person search.
Joan Gallegos	Commented that Plan B indicates that the new officer will be a Step 3 Officer, not an entry level position. Further commented that she feels our needs could be served by using the K-9 Units from other agencies as needed.
Ciara Wood	Analyze the budget and look at the proposal. Suggests holding a Special Meeting to discuss these matters before March 6, 2009.

ACTION / DISCUSSION ITEMS (cont.)

Director McLaughlin	Commented that she would like to support Plan A as opposed to Plan B. Further commented that the District did not expect to receive COPS Grant funding and therefore budgeted accordingly - we are limited to what COPS Grant funds can be used for; these funds cannot be used for just anything. Expressed concern over Plan B and the District's burden of having to pay retired medical & benefits, suggesting that it would be dangerous to go with Plan B.
GM/COP Harman	Commented that COPS Grant funding cannot be used to fund a vacant position. These funds must be used to fund the salary of an additional officer for a fully-staffed police force.
Vice President Toombs	Inquired about whether KPOA would be involved if the District were to go with Plan B.
President Wright	Inquired about whether we could lay off the additional police officer if funding does not come through in subsequent years. Commented that the District must be able to justify the spending of funds to keep more officers on the street.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Calls for a Motion for Item #2

MOTION: Director Kosel moves to use COPS Grant funds for an additional officer (Plan B).

AYES: Toombs, Kimball, Kosel NOES: Wright, McLaughlin

President Wright	Moves to Item #3: General Manager Greg Harman will recommend that the Board approve the contract as proposed by John Feld, an independent contractor, to provide the Board of the Kensington Police Protection & Community Services District and the General Manager with general public relations services.
GM/COP Harman	Commented that he would like to hire John Feld for General Public Relations services. Donald Miller's position is over and we could use the funds allocated for his position to fund the addition of John Feld. Further commented that he would like to cancel the agreement with The Houston Group, as they are charging us \$650 per month and doing next to nothing for the District.
Director Kosel	Inquired as to whether the District has a contract with The Houston Group.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that he does not believe that the District has a contract with The Houston Group, but that he will check.
Director Kosel	Inquired as to whether the District might be required to open John Feld's proposed position up for bids.
GM/COP Harman	Indicated that he does not believe the District is required to open John Feld's proposed position up for bids.
Director Kosel	Commented that she is unsure if the District is required to open this position up for bids.
Director McLaughlin	Inquired about whether or not John Feld's services could be provided by the Administrative Aide, the position formerly held by Donald Miller.
GM/COP Harman	Indicated that this is a possibility, but that John Feld and Donald Miller possess two very different skill sets.
Vice President Toombs	Commented that neighbors often ask him about the going-on of the District and often seem uninformed.

PUBLIC COMMENTS

Name	Comments
Kathy Stein	Commented that she believes the community needs someone who knows their story and feels that John Feld is an ideal candidate for the position.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

PUBLIC COMMENTS (cont.)

Name	Comments
Lynn Wolter	Commented that she attended the workshop with Chuck Beesley, noting that communication problems were among those on the agenda. Commented that she believes that the community would be fortunate to have John Feld speak on their behalf.
Joan Gallegos	Commented that she agrees with Kathy & Lynn that the community would benefit from John Feld's services.
Gretchen Gillfillan	Commented that John Feld is wonderful at bringing everyone together and she supports having him come on board.
Gail Feldman	Commented that the Outlook is underutilized and inquired about whether could be part of John Feld's services.
John Feld	Commented that he is flattered by everyone's comments. Indicated that the Outlook can and does publish whatever it wants and his services would speak for the Board only. Further indicated that he has spoken to Pagepoint and Aaron Gobler has confirmed that there would be no expense to have such a newsletter on the website.
Val Paola	Commented that she spoke with Alma Key from the KCC paper. Indicated that a termination letter has been sent to Chris Lavin, editor for the Outlook, and inquired about who might be the new Outlook editor.
Lindy Hough	Inquired about John Feld's proposed position, ie. how many hours per week and whether or not it will include benefits. Commented that she believes John Feld was asked to leave the Outlook. Commented that it is one thing to hire someone to do PR for taxes and another to hire them for community outreach. Inquired as to whether all Boards should be able to hire a PR person.
Ciara Wood	Commented that she is not sure how a PR position will go over with the community and that John's position shouldn't appear to be putting a spin on what is going on.

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Commented that we cannot spend money on a campaign, but we can spend money on a poll. Indicated that we cannot hire John Feld to campaign for a tax increase.
Vice President Toombs	Commented that John Feld's service would be a valuable one worth paying for.
Director McLaughlin	Moves to adopt Item #3, the proposal to hire John Feld.
Director Kimball	Seconds the motion to adopt Item #3
Director Kosel	Commented that she would support the motion on the condition that GM/COP Harman have our lawyers confirm it is legal.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

ACTION / DISCUSSION ITEMS (cont.)

MOTION: President Wright moves to adopt Item #3 with the proposed conditions.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel **NOES:** 0

Name	Comments
President Wright	Moves to Item #4: Ito Ripsteen of Gordon Realty, a commercial real estate service, will present the Board with a proposal for services to identify possible uses and lessees for the Annex Building.
GM/COP Harman	Indicated that he invited Ito Ripsteen to speak at the Board Meeting because the District was criticized for not fully realizing the rental potential of the Annex Building.
Ito Ripsteen	Thanked the Board & community for having him here. Presented the Board with his proposal for finding an appropriate tenant for the Annex building.
Director McLaughlin	Commented that the Annex is under severe zoning restrictions and asked Mr. Ripsteen about his background and experience in dealing with similar buildings
Ito Ripsteen	Responded to Director McLaughlin's inquiry, indicating that he's had extensive experience with the City of Berkeley as well as Berkeley schools which both have strict zoning restrictions.
Director Kimball	Inquired as to whether building renovation costs could be picked up by the tenant.
Ito Ripsteen	Indicated that there are several ways to get tenants to spend money on the building.
President Wright	Asked Mr. Ripsteen if he was familiar with the building & its history.
Ito Ripsteen	Indicated that he had toured the building and was given a brief history of the building and its use.
Vice President Toombs	Asked Mr. Ripsteen what his commission would be if we were to hire him.
Ito Ripsteen	Indicated that a 5-year term would be 6% of the first year's rent, 6% of the second year's rent, 5% of the third year's rent, and 4% for each remaining year. Further indicated that a 3-year term would be at a slightly higher percentage.
Director Kosel	Commented that Gordon Commercial is a great company with a great reputation & she welcomes the opportunity to work with them.
Director McLaughlin	Inquired about how Mr. Ripsteen's services might come into play with the Sautmans.
Ito Ripsteen	Indicated that he would meet with the Sautmans to determine if they would be an ideal candidate to occupy the building or if there are better suited tenants out there.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

PUBLIC COMMENTS

Name	Comments
Michael Sautman	Asks the Board to fulfill its previous commitment to the Sautmans.
Cassandra Duggan	Recommends that the Annex be used for the Sautman's Childcare Center.
Ciara Wood	Commented that the Annex needs to be used for the entire community and there are already six other daycare centers within Kensington.
Gretchen Gillfillan	Inquired about whether the Annex could be used to hold the Library's books while the Library is being renovated.
Val Paola	Inquired as to whether the Friends of the Library could rent the Annex.
Joan Gallegos	Inquired about whether the current Board should withdraw the previous Board's commitment to the Sautmans and if other decisions made by the Board could be withdrawn as soon as a new Board is elected.

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
Vice President Toombs	Commented that it is the Board's responsibility to determine the best use for the Annex Building, whether that is the Sautman's Childcare Center or not.
Director McLaughlin	Commented that \$100,000 to \$150,000 will have to be spent on the Annex Building no matter what. Further commented that the Board made a commitment to the Sautmans and she would like the Board to honor that commitment.
Director Kosel	Commented that due diligence requires the Board to look very carefully at the Annex Building and its possible uses. Moves to approve the lease listing agreement with Gordon Commercial.
Director Kimball	Commented that while there are restrictions on what the Measure WW funds can be used for, it would be great if the District could use that money to improve the Annex Building and generate revenue.
President Wright	Indicated that the Board has had ongoing dialog with the Sautmans and that it is all subjective as no contractual commitment has been made. Further indicated that he is concerned about the new info regarding Measure WW restrictions and the economic impact of the Measure WW funds.
GM/COP Harman	Commented that he believes that hiring Gordon Commercial is a great idea, especially since they do not get paid if they do not find a tenant for the Annex Building. Further commented that there needs to be more research done to determine what the Measure WW money can be used for, but that fact has nothing to do with whether or not we hire Gordon Commercial.
Director McLaughlin	Commented that if there are Annex Building uses that would generate revenue that can be funded with Measure WW money, the Board needs to know what those uses are.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

MOTION: Director Kimball moves to extend the meeting until 10:20pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

MOTION: Director Kosel moves to enter into a contract with Gordon Commercial

AYES: Kimball, Kosel NOES: Wright, Toombs, McLaughlin

MOTION: President Wright moves to move Item #6 up to #5 on the Agenda.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Moves to Item #6: General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion.
GM/COP Harman	Indicated that he met with Brenda Navellier on January 22, 2009 to discuss the contract between the Kensington Fire District and KPPCSD and was told that the Fire District believed the current contract was a fair agreement and no consideration would be made toward a revision.
Director Kimball	Asked GM/COP Harman if he recommended that the Board agree to this contract.
GM/COP Harman	Indicated that he recommends that the Board agree to this contract.

PUBLIC COMMENTS

Name	Comments
Brenda Navellier	Commented that she attended the Board meeting this evening to make a correction to an error in the Agenda, noting that the discussion she had with GM/COP Harman was not accurately documented in the Agenda. Further commented that in September 2008, the contract was sent to GM/COP Harman and President Kimball. The Fire Board has been waiting to hear back from GM/COP Harman to discuss the contract.
Lynn Wolter	Commented that there is evidence that the front Public Safety Building is pulling away from the rest of the building & inquired as to whether the Fire District was aware of this.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

PUBLIC COMMENTS(cont.)

Name	Comments
Brenda Navellier	Responded to Lynn Wolter's inquiry and commented that they are aware of the problem and are having a Geotechnical Engineer address the issue.
Lance Maples	Commented that he would like to reiterate Brenda Navellier's comments concerning the contract, noting that if the KPPCSD has any questions or concerns regarding the lease, please contact the Fire Board. Further commented that they want to work together on this and he appreciates GM/COP Harman moving this item up on the Agenda.

ACTION / DISCUSSION ITEMS (cont.)

President Wright	Commented that he has been in contact with the Fire Board, noting that their intent is to work out whatever arrangement works best for both Districts.
Director McLaughlin	Commented that she has no problem with the lease as it stands.
President Wright	Recommends holding off on Item #6 until after the meeting with the Fire Board.

MOTION: Director Kimball moves to extend the meeting until 10:30pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
President Wright	Moves to Item #5: Board President Bill Wright will announce the 2009 Committee assignments, Task Force formations, and have the first reading of the revision of the Policy Manual Policy Number 4060.3, eliminating the Emergency Preparedness Committee and forming the Executive Committee
President Wright	Does not recommend eliminating the Emergency Preparedness Committee. Recommends to add the Executive Committee to section 4060.3 of the Policy Manual. Recommends Director Kosel for the Solid Waste Committee with Director Kimball as the alternate.

PUBLIC COMMENTS

Name	Comments
Joan Gallegos	Commented that she wanted to make sure that the Executive committee is limited in the way it is in the proposal and does not shuffle things to the rest of the Board.
Michael Sautman	Inquired about how the Sautmans were to proceed with the Board regarding the Annex proposal.
President Wright	Responded to Michael Sautman's inquiry, indicating that he should coordinate with GM/COP Harman

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Moves to Item #1: Discussion for adoption Resolution 09-01 authorizing the application for local grants funds in the amount of \$258,358 from the East Bay Regional Park District Measure WW Park Bond Extension

MOTION: President Wright moves to adopt Resolution 09-01

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
President Wright	Moves to Item #7: General Manager Greg Harman will present a Mid-Year Budget Review to the Board for discussion and review.

MOTION: President Wright moves to extend the meeting until 10:40pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
GM/COP Harman	Gives an overview of the budget and indicated that he is waiting for the accountant's review of the District audit for fiscal year 2007/2008 and hopes it will be completed for review at the April meeting.
President Wright	Inquired as to how much GM/COP Harman anticipates the budget will be under.
GM/COP Harman	Indicated that it would be difficult to determine the operating shortfall at this time.

PUBLIC COMMENTS

Name	Comments
Lynn Wolter	Commented that she noticed under January revenue that the Community Center revenue was \$8,880. Is that figure correct?
GM/COP Harman	Responded to Lynn Wolter's inquiry, indicating that the high figure is due to KCC paying their annual rental fees.

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

MOTION: President Wright moves to adjourn the meeting at 10:36pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Bill Wright, President _____

Stephanie Fries, District Secretary _____

PROFIT & LOSS
BUDGET
PERFORMANCE,
PROFIT & LOSS
PREVIOUS
COMPARISON,
STATEMENT OF
INVESTMENTS &
VARIANCE REPORT

KPPCSD
Profit & Loss Budget Performance
 March 2009

	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
400 · Police Activities Revenue					
401 · Levy Tax	0.00		1,216,097.59	1,206,926.22	1,287,926.22
402 · Special Tax-Police	0.00		680,340.00	679,000.00	679,000.00
410 · Police Fees/Service Charges	0.00	350.00	1,904.35	2,950.00	3,500.00
416 · Interest-Police	0.00		9,955.55	18,800.00	35,000.00
418 · Misc Police Income	0.00	1,000.00	7,925.11	11,000.00	15,000.00
400 · Police Activities Revenue - Other	0.00		2,473.96		
Total 400 · Police Activities Revenue	0.00	1,350.00	1,918,696.56	1,918,676.22	2,020,426.22
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00		28,516.37	28,800.00	28,800.00
426 · Park Donations	0.00		250.00	2,500.00	3,000.00
427 · Community Center Revenue	0.00	2,000.00	12,426.00	18,500.00	22,000.00
436 · Interest-Park/Rec	0.00		352.46	750.00	1,200.00
438 · Misc Park/Rec Rev	0.00		176.00		
420 · Park/Rec Activities Revenue - Other	0.00		1,070.55		
Total 420 · Park/Rec Activities Revenue	0.00	2,000.00	42,791.38	50,550.00	55,000.00
440 · District Activities Revenue					
448 · Franchise Fees	0.00		13,746.24	13,850.00	20,800.00
456 · Interest-District	0.00		1,040.67	2,200.00	4,200.00
Total 440 · District Activities Revenue	0.00		14,786.91	16,050.00	25,000.00
Total Income	0.00	3,350.00	1,976,274.85	1,985,276.22	2,100,426.22
Expense					
4000 · Reconciliation Discrepancies	0.00		0.05		
500 · Police Sal & Ben					
502 · Salary - Officers	0.00	73,513.67	584,458.02	661,622.99	882,164.00
504 · Compensated Absences	0.00	5,898.00	5,427.92	19,728.00	19,728.00
506 · Overtime	0.00	2,500.00	16,672.33	22,500.00	30,000.00
508 · Salary - Non-Sworn	0.00	6,481.33	48,446.44	58,332.01	77,776.00
516 · Uniform Allowance	0.00	708.33	5,332.80	6,375.01	8,500.00
518 · Safety Equipment	0.00	208.33	0.00	1,875.01	2,500.00
521-A · Medical/Vision/Dental-Active	0.00	9,610.46	72,105.15	86,494.12	115,325.50
521-R · Medical/Vision/Dental-Retired	0.00	9,610.46	75,922.67	86,494.12	115,325.50
522 · Insurance - Police	0.00	1,016.67	5,767.38	9,149.99	12,200.00
523 · Social Security/Medicare	0.00	1,229.67	9,642.22	11,066.99	14,756.00
524 · Social Security - District	0.00	495.83	3,285.36	4,462.51	5,950.00
527 · PERS - District Portion	0.00	21,512.33	169,929.21	193,611.01	258,148.00
528 · PERS - Officers Portion	0.00	6,676.25	53,081.03	60,086.25	80,115.00
530 · Workers Comp	0.00	19,486.25	39,755.44	77,945.00	77,945.00
541 · Consultant/Operational Audit	0.00	0.00	0.00	0.00	0.00
Total 500 · Police Sal & Ben	0.00	158,947.58	1,089,825.97	1,299,743.01	1,700,433.00
550 · Other Police Expenses					

KPPCSD
Profit & Loss Budget Performance
 March 2009

	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
552 · Expendable Police Supplies	0.00	333.33	1,116.43	3,000.01	4,000.00
553 · Range/Ammunition Supplies	0.00	208.33	1,133.93	1,875.01	2,500.00
560 · Crossing Guard	0.00	1,016.70	5,661.46	7,625.25	10,167.00
562 · Vehicle Operation	0.00	3,250.00	25,141.30	29,250.00	39,000.00
564 · Communications (RPD)	0.00	7,816.67	62,278.89	70,349.99	93,800.00
566 · Radio Maintenance	0.00	366.67	0.00	3,299.99	4,400.00
568 · Prisoner/Case Exp./Booking	0.00	823.33	3,072.50	7,410.01	9,880.00
570 · Training	0.00	1,000.00	15,221.52	9,000.00	12,000.00
572 · Recruiting	0.00	637.50	1,172.74	5,737.50	7,650.00
574 · Reserve Officers	0.00	166.67	1,449.13	1,499.99	2,000.00
576 · Misc. Meals & Travel	0.00	242.50	3,181.30	2,182.50	2,910.00
580 · Utilities - Police	0.00	680.00	4,622.06	6,120.00	8,160.00
581 · Bldg Repairs/Maint.	0.00	916.67	2,244.36	8,249.99	11,000.00
582 · Expendable Office Supplies	0.00	558.33	4,225.69	5,025.01	6,700.00
586 · Machine Maintenance	0.00	41.67	0.00	374.99	500.00
588 · Telephone(+Rich. Line)	0.00	1,045.67	7,180.32	9,410.99	12,548.00
590 · Housekeeping	0.00	458.33	2,304.22	4,125.01	5,500.00
592 · Publications	0.00	375.00	2,341.97	3,375.00	4,500.00
594 · Community Policing	0.00	550.00	2,109.45	4,950.00	6,600.00
596 · WEST-NET/CAL I.D.	0.00		12,296.00	12,297.00	12,297.00
598 · COPS Special Fund	0.00	0.00	0.00	0.00	0.00
550 · Other Police Expenses - Other	0.00		147.25		
Total 550 · Other Police Expenses	0.00	20,487.37	156,900.52	195,158.24	256,112.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	0.00	947.25	7,703.15	8,525.25	11,367.00
602 · Custodian	0.00	2,000.00	14,000.00	18,000.00	24,000.00
606 · Casual Labor	0.00	166.67	0.00	1,499.99	2,000.00
623 · Social Security/Medicare - Dist	0.00	72.50	241.71	652.50	870.00
Total 600 · Park/Rec Sal & Ben	0.00	3,186.42	21,944.86	28,677.74	38,237.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	0.00	370.00	3,008.44	3,330.00	4,440.00
643 · Janitorial Supplies	0.00	166.67	1,169.40	1,499.99	2,000.00
646 · Community Center Repairs	0.00	83.33	790.94	750.01	1,000.00
640 · Community Center Expenses - Other	0.00		313.52		
Total 640 · Community Center Expenses	0.00	620.00	5,282.30	5,580.00	7,440.00
660 · Annex Expenses					
662 · Utilities - Annex	0.00	0.00	519.28	0.00	0.00
666 · Annex Repairs	0.00	0.00	1,350.00	0.00	0.00
668 · Misc Annex Expenses	0.00	41.67	26.56	374.99	500.00
660 · Annex Expenses - Other	0.00		200.00		
Total 660 · Annex Expenses	0.00	41.67	2,095.84	374.99	500.00
670 · Gardening Supplies	0.00	166.67	0.00	1,499.99	2,000.00
672 · Kensington Park O&M	0.00	4,400.00	21,155.58	39,600.00	52,800.00

KPPCSD
Profit & Loss Budget Performance
 March 2009

	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
674 · Park Construction Exp	0.00	0.00	0.00	0.00	0.00
678 · Misc Park/Rec Expense	0.00	41.67	3,370.00	374.99	500.00
Total 635 · Park/Recreation Expenses	0.00	5,270.01	31,903.72	47,429.97	63,240.00
800 · District Expenses					
810 · Computer Maintenance	0.00	805.45	20,574.53	20,483.65	22,900.00
820 · Cannon Copier Contract	0.00	458.33	2,443.28	4,125.01	5,500.00
830 · Legal (District/Personnel)	0.00	1,250.00	39,900.98	11,250.00	15,000.00
835 · Consultanting	0.00	833.33	820.17	7,500.01	10,000.00
840 · Accounting	0.00	1,816.67	6,338.75	16,349.99	21,800.00
850 · Insurance	0.00		28,603.38	30,000.00	30,000.00
860 · Election	0.00		5,307.25	8,000.00	8,000.00
865 · Police Bldg. Lease	0.00		5,112.00	5,112.00	5,112.00
870 · County Expenditures	0.00	1,500.00	11,599.43	5,350.00	18,600.00
890 · Waste/Recycle	0.00	458.33	2,109.34	4,125.01	5,500.00
898 · Misc. Expenses/Lobbyist	0.00	1,570.83	9,164.85	14,137.51	18,850.00
Total 800 · District Expenses	0.00	8,692.94	131,973.96	126,433.18	161,262.00
950 · Capital Outlay					
961 · Police Bldg Improvements	0.00		12,700.00	18,700.00	18,700.00
962 · Patrol Cars	0.00		0.00	29,000.00	29,000.00
963 · Patrol Car Accessories	0.00	0.00	0.00	0.00	35,000.00
965 · Weapons / Radios	0.00	0.00	1,149.00	0.00	0.00
967 · Station Equipment	0.00	0.00	0.00	0.00	0.00
968 · Office Furn/Eq	0.00	0.00	0.00	0.00	0.00
969 · Computer Equipment	0.00		1,911.51	2,000.00	2,000.00
971 · Park Land	0.00	0.00	0.00	0.00	0.00
972 · Park Buildings Improvement	0.00		18,003.05	230,000.00	230,000.00
973 · Park Construct. Grant	0.00		0.00	0.00	0.00
974 · Other Park Improvements	0.00	0.00	0.00	0.00	0.00
978 · Pk/Rec Furn/Eq	0.00	0.00	0.00	0.00	0.00
981 · Bldg E Improvements	0.00	0.00	0.00	0.00	0.00
983 · Annex Improvements	0.00	0.00	0.00	0.00	0.00
Total 950 · Capital Outlay	0.00	0.00	33,763.56	279,700.00	314,700.00
Total Expense	0.00	196,584.32	1,466,312.64	1,977,142.14	2,533,984.00
Net Ordinary Income	0.00	-193,234.32	509,962.21	8,134.08	-433,557.78
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-180,503.34		
710 · Bond Admin.	0.00		1,721.39		
715 · Bond Interest Income	0.00		-652.87		
720 · Bond Principal	0.00		93,097.04		
730 · Bond Interest	0.00		34,312.37		
Total 700 · Bond Issue Expenses	0.00		-52,025.41		

KPPCSD
Profit & Loss Budget Performance
March 2009

	<u>Mar 09</u>	<u>Budget</u>	<u>Jul '08 - Mar 09</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total Other Expense	0.00		-52,025.41		
Net Other Income	0.00	0.00	52,025.41	0.00	0.00
	<u>0.00</u>	<u>-193,234.32</u>	<u>561,987.62</u>	<u>8,134.08</u>	<u>-433,557.78</u>

**BOARD
MEMBER
REPORTS**

Committee Assignments for 2009

The first is a list of “standing” committees – those that need to function over the long term and don’t have an expiration. Last is a list of “task forces” that will be formed to analyze and recommend solutions towards solving our fiscal situation.

Standing Committees

Executive Committee*	Chuck Toombs, Bill Wright
Finance Committee	Pat McLaughlin, Chuck Toombs
Solid Waste Committee	Cathie Kosel, Cindy Kimball

*the Executive Committee is composed of the President and Vice President supported by the General Manager or one of his/her delegates. This committee deals with personnel issues, labor negotiations and other highly confidential or emergency matters.

Board Coordinators

Intergovernmental/External Issues	Bill Wright
District Policies & Procedures	Cindy Kimball

Task Forces (“ad hoc committees”)

Revenue Enhancement Task Force	Pat McLaughlin, Cindy Kimball
Expense Reduction Task Force**	Bill Wright, Chuck Toombs
Park Annex Task Force	Cathie Kosel
Fire District Merger Task Force	Bill Wright

** Includes outsourcing/consolidation with other jurisdictions

Revenue Committee Preliminary Report
Cindy Kimball and Pat McLaughlin.
March 5, 2009

We have met with GM Greg Harmon and have done a preliminary look at existing revenues, and possibilities for enhancement, which are summarized below. We would welcome ideas from the community for new possibilities, as well as improvements to existing revenue sources.

<u>Revenue Sources</u>	Budget	Percent of Budget
Total Revenue	2,100,426	100%
Taxes		
1. Property Tax	1,287,926	
2. Police Tax	679,000	
3. Landscape & Lighting	28,800	
Comments: Total	1,995,726	95.02%

These taxes are our main source of revenue, and require voter's approval for any changes.

Rentals

1. Community Center	22,000	
2. Annex	?	
3. Tennis Courts		
Comments: Total	22,000	1.05%

We can and should look at comparable facility rentals in the area to determine if any increase in rates is supportable. Additionally, we can look at renegotiating our contract with KCC (included in the Community Center item.) Currently we receive \$12,000 from KCC. The potential income from the Annex is at yet undetermined. It has been about \$30,000 in the past. The revenue from tennis courts is minimal, a few hundred dollars in the past.

Fees & Services

1. Fines, Finger printing	3,500	
2. POST Reimbursements	15,000	
Comments: Total	18,500	0.88%

We can make some small changes in the vehicle release fees, parking fines, charges for finger printing and reports.

Miscellaneous

1. Interest	40,400	1.92%
Probably LAIF is our best opportunity for a good and safe return.		
2. Franchise Fee	20,800	0.99%

There might be some possibility to gain some or all of the county portion of this fee, according to other court decisions, but this would be expensive if we need to litigate.

3. Donations	3,000	0.14%
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There could be opportunities to increase donations via park memorials

4. Meeting Reimbursement	0	0
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This is being looked into, evidently we are reimbursed by the state for holding Brown Act open meeting. About \$1,000 - \$1,500 at best.

5. Grants	0	0
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The \$100,000 Supplemental Law Enforcement Services Fund grant has been approved in the state budget, but funds are not currently available. A similar US Government grant exists, status for 2009 unknown and being investigated. Other government grants are looked at as they come to notice by the General Manager, but grants possibilities from private institutions are not widely publicized and need to be looked into. Perhaps with help from community volunteers.

Total Misc. Revenue	<u>64,200</u>	3.06%
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CORRESPONDENCE

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

February 5, 2009

Public Safety and Crime Workshop Participants
Northbrae Community Church
941 The Alameda
Berkeley

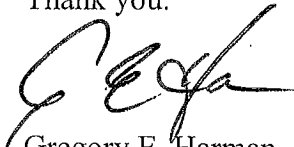
Participants,

I would like to thank Susan Wengraf for inviting me to the workshop. I believe it is important for citizen's of both the Berkeley community and the Kensington community to work together to make both our communities better places to work and live.

I am attaching copies of the Kensington Police Department Monthly Report for January 2009. For those of you that find this report helpful, all of our monthly police reports can be found on our web site at:

www.kensingtoncalifornia.org

Thank you.



Gregory E. Harman
General Manager/ Chief of Police
Kensington Police Protection & Community Services District

Greg Harman

From: Greg Harman [gharman@kensingtoncalifornia.org]
Sent: Monday, February 09, 2009 3:33 PM
To: 'buttons@pixvfm.com'
Subject: RE: [Chief Harman] Thank you

Thank you for your comments. The officers appreciate it when people take the time to send them thank you notes. This will be placed in their personnel files. I am glad we were able to assist you.

Thanks again for your comments.

Greg Harman

-----Original Message-----

From: kgammons@pagepoint.com [mailto:kgammons@pagepoint.com] On Behalf Of buttons@pixvfm.com
Sent: Friday, February 06, 2009 11:23 AM
To: gharman@kensingtoncalifornia.org
Subject: [Chief Harman] Thank you

Denise Barton sent a message using the contact form at <http://www.kensingtoncalifornia.org/contact>.

Dear Chief Harmon,

I want to thank your department and commend the officers for their detective work. Our home was burglarized on January 9 in Napa. Your officers arrested suspects in Kensington the next day and recovered electronic equipment in the suspects trunk. Through their diligent work they tied them to our case in Napa and our belongings were returned to us (Burglary arrest KPD 09-120). We are very impressed how thorough they were and how nice Sergeant Hull was to us. If we could, we would move to Kensington! You have a great department and we thank you so much.

Denise and Alfred Barton (Ridgie and Buttons)

40 OFFICERS, FILE 020909
(HULL, BARTON)

**POLICE
DEPARTMENT
UPDATE**

February 2009 Police Department Report

MEMORANDUM
Police Department Report
February 28, 2009

- Department Personnel
 - The department continues to be at full staffing for sworn personnel.

We are continuing the preliminary background process for Donald Miller and Shane Lett for the positions of Reserve Police Officers.
- Commendations and Correspondence
 - Officer Keith Barrow will receive a Police Department Commendation at the March KPPCSD Board meeting for his life saving efforts in administering emergency medical treatment to an individual on January 26, 2009.
 - Officer Keith Barrow and Sergeant Ricky Hull received a thank you e-mail from Denise Barton for their efforts and investigation of a residential burglary that occurred in Napa in which we made an arrest on two suspects and recovered the stolen property.
- Investigation of Alleged Misconduct
 - Department Investigation #08-04 of an alleged hostile work environment has been completed and all parties involved have been notified. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
 - Department Investigation #08-05 of an alleged hostile work environment has been completed. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
 - Department Investigation #08-06 of an alleged release of personnel file information was completed in December and found to be unsubstantiated.

- Department Investigation # 08-07 was initiated in October on an allegation that an officer had falsified a police report. This investigation has been completed. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
- Department Investigation # 08-08 was initiated in November on an allegation that an officer had failed to properly prepare for and testify during a court appearance. This investigation has been completed. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
- Department Investigation #08-09 was initiated at the end of November on an allegation that an officer failed to report a traffic collision involving a District vehicle. This investigation has been completed. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
- Department Investigation #08-10 was initiated in December on an allegation that an officer acted in a way unbecoming an officer while off duty. This investigation has been completed. There will be a closed session of the Board to discuss the findings of this investigation, and until the session is held no further information can be released.
- Department Investigation #09-01 was initiated in January on an allegation that an officer failed to perform his duties during his shift. This investigation is currently being investigated by Sergeant Escobar and has not been completed at this time.
- 9-1-1 / Richmond Communication Center Information.
 - For the month of January, there was one ring time over 20 seconds, that was for 29 seconds, of the 37 "911" calls received.
- Communication Center Service Complaints
 - No complaints received this month however, ***this is a good time to remind everyone that for police non-emergencies, you need to contact the dispatch center at "236-0474" and not the KPPCSD business line of 526-4141.*** The KPPCSD business line is only monitored 6 hours a day during the week and should not be used to report police matters.

- Community Networking

- On 2-02-09, Sergeant Ricky Hull and Officer Doug Wilson facilitated the PCC meeting held at the Community Center.
- On 02-03-09, Chief Harman attended the County Hazard Mitigation Committee meeting held at the Public Works Department in Martinez.
- On 2-04-09, Chief Harman attended the West County Police Chief's meeting in Hercules.
- On 2-05-09, Chief Harman attended the Public Safety and Crime Workshop held at the Northbrae Community Church in Berkeley. The workshop was sponsored by Berkeley City Council Member Susan Wengraf.
- On 2-10-09, Officer Doug Wilson and Police Services Aide (and former 911 dispatcher) made two presentations to the children at the Kensington Nursery School.
- On 2-10-09, Officer Wilson also participated in a recorded interview with students from Albany High School for a class project that was intended to show police officers in a positive light.
- On 2-10-09, Chief Harman attended the Dad's Club meeting held at the Hilltop School.
- On 2-11-09, Chief Harman, Yolla Harman, Sergeant Rickey Hull, Officer Doug Wilson, Officer Eric Stegman, Andrea DiNapoli, and Erica Barrow attended the Richmond Elks Lodge "Police Officer Appreciation Night" in which Officer Keith Barrow was recognized as the Kensington Police Department Officer of the Year.
- On 2-12-09, Officers Barrow and Stegman participated in the quarterly Mobile Field Force Training exercise held at the former Concord Weapons Station. Officer Stegman participated in lieu of his normal assignment; however, Officer Barrow was attending the training on overtime. We are applying for reimbursement of Officer Barrow's overtime salary through a Homeland Security grant.
- On 02-18-09, Chief Harman facilitated the County Solid Waste Coordinating Committee meeting held at the Public Safety Building.

- On 2-23-09, Chief Harman attended the KIC meeting held at the Community Center.
- On 2-25-09, Chief Harman attended the Contra Costa County Chiefs of Police meeting held in Martinez.
- That afternoon, Chief Harman attended the County Hazard Mitigation Committee meeting held at the Public Works Department in Martinez.
- Community Criminal Activity
 - This section of the report has been prepared by the Watch Commanders reporting on their areas of responsibility.
- Watch Commander Reports
 - **Sergeant Khan Team 1**

SIGNIFICANT CASES/ EVENTS:

- 09-447 On 2/2/09 at 1656 hrs. Officer Wilson took an identity theft report on Willamette Ave.
- 09-483 On 2/4/09 at 1438 hrs. Officer Wilson arrested a subject on a traffic stop on Kenyon Ave. that provided false identification.
- 09-552 On 2/8/09 at 1917 hrs. Officer Wilson took graffiti report in Kensington Park.
- 09-559 On 2/9/09 at 1051 hrs. Officer Wilson took graffiti report at the Kensington Chevron.
- 09-730 On 2/21/09 at 0716 hrs. Officer Barrow recovered a stolen vehicle on Anson Way.
- 09-748 On 2/22/09 at 1038 hrs. Officer Barrow took a vandalism report on Rincon Rd. involving a BB hole in a window.
- 09-783 On 2/24/08 at 1930 hrs. I took a hit & run report on Purdue Ave.

BRIEFING/ TRAINING:

Officer Wilson went to Field Training Officer school. Officer Barrow, Officer Medina, and I received AED training.

SERGEANT'S SUMMARY:

In the past month I have noticed that the rainy weather and wet roads have not slowed traffic by much. This is the time of the year when drivers need to be even more cautious. The roads are wet, there is more debris in the road, and visibility is greatly reduced. As it is, the roads in Kensington are narrow and were not designed for the volume of traffic that uses them. In this rainy season, even more than normal, drive defensively and courteously.

TEAM STATISTICS:

Officer	<u>Barrow</u>	<u>Medina</u>	<u>Wilson</u>
Days Worked	16	16	12
Traffic Stops (no cite)	8	7	2
Moving Citations	18	8	2
Parking Citations	0	4	2
Vacation/ Security Checks	7	56	13
Field Interviews (FI's)	0	2	1
Cases	4	0	3
Self Initiated Cases	0	0	2
Arrests	0	0	1
Calls for Service	27	9	26

•• Sergeant Escobar Team 2

SIGNIFICANT CASES/ EVENTS:

- 09-0423 On 02/01/09 at 1150 hours, Officer Stegman took an identity theft report on Highland Boulevard. The victims (husband and wife) suffered losses to their savings bank account and debit card. An unknown suspect attempted to withdraw money from the savings account (inside bank) and made \$10,000.00 worth of online purchases of miscellaneous products (clothing, pillows, and products from the Harley Davidson store) with the victim's debit card. There are leads in this case. This case was referred to the Investigations Division.
- 09-0516 On 02/06/09 at 1515 hours, Officer Stegman took an identity theft report on Colusa Avenue. The victim suffered losses to her checking account. An unknown suspect used her debit card number to make a few purchases totaling about \$50.00 worth of products online (unknown company). This case was referred to the Investigations Division.
- 09-0591 On 02/12/09 at 0630 hours, Officer Celada took an identity theft report on Beloit Avenue. A resident received false documents from a collection agency. The documents demanded a payment of about \$350.00. The documents also demanded the resident give personal information (name, address, driver's license number, social security number, date of birth, etc). The resident became suspicious because the paperwork demanded personal information and called police. Police determined the paperwork and company were both fraudulent. No suspect leads.
- 09-0622 On 02/14/09 at 1100 hours, Officer Stegman took a petty theft report from a vehicle on Kingston Road. Miscellaneous coins

(\$3.00) and a doctor's prescription pad were taken from the vehicle. No suspect(s) leads.

- 09-0701 On 02/19/09 at 0900 hours, Officer Celada responded to a residence on Yale Avenue regarding an already existing report of a theft from her residence. The resident believed a house cleaner may have taken select items. The resident fired the house cleaner while police stood by to keep the peace. This case is being investigated by the Investigations Division.
- 09-0721 On 02/20/09 at 1315 hours, Officer Stegman took an auto burglary report on Yale Avenue. Unknown suspect(s) took a stereo and stereo face plate from a resident's vehicle sometime between midnight and 6:00am. No sign of forced entry. There are no suspect(s) leads.
- 09-0724 On 02/20/09 at 2100 hours, Officer Martinez took a suspicious circumstance case report on Colusa Avenue. Unknown subject(s) entered a resident's locked vehicle most likely by using a shaved key (no sign of forced entry). The suspect(s) pried at the plastic surrounding the stereo system but were unable to steal the stereo. The suspect(s) did leave behind a Swiss Army Knife. Latent fingerprints were taken from the knife. No suspect(s) leads. Case pending lab results.
- 09-0716 On 02/20/09 at 0430 hours, Officer Martinez took a domestic dispute report on Arlington Avenue. A husband and wife argued about finances and employment problems. The fight was verbal only. Both parties parted for the evening for a cooling off period.
- 09-0719 On 02/20/09 at 1115 hours, Officer Celada took an auto burglary report. Sometime between 2300 and 1030 hours, an unknown suspect(s) used a shaved key to enter the residents locked vehicle. The suspect(s) took a stereo from the vehicle. No suspect(s) leads.
- 09-0835 On 02/26/09 at 0940 hours, Officer Celada responded to a report of a suspect who attacked a subject with a metal anti-theft steering wheel lock on Arlington Avenue, in Berkeley. The subject sustained serious injuries and was transported to the hospital by medical personnel. The suspect later was seen breaking vehicle windows, in Albany. The suspect was later taken into custody.
- 09-0811 On 02/26/09 at 0720 hours, Officer Celada took a vandalism report from the Hilltop School on Highland Boulevard. Unknown suspect(s) wrote or tagged blue and black letters saying, "KBS, Spade, Santa Claus, killer bomb squad, most1, profanity, she is gay, elementary school is gay, etc." There were approximately 95 tags on the lower doors, walls, and windows of the school rooms. This case is pending an investigation.

BRIEFING/ TRAINING: Sergeant Escobar attended a three day management/leadership training course. Officers Stegman, Hull, Martinez, Celada, and Escobar all took a four hour POST mandatory firearms training course with El Cerrito PD. Officers Wilson, Borgfeldt, Stegman, and Barrow all took the four hour POST mandatory defense tactics course with El Cerrito PD. Officers Stegman, Celada, and Martinez all received Defibrillation training.

Officers have conducted daily extra patrols throughout the day for traffic violations on Arlington Avenue at Kensington Park Boulevard and Franciscan Way and Sunset Drive.

TEAM 2 STATISTICS:

Officer	<u>Celada</u>	<u>Stegman</u>	<u>Martinez</u>
Days Worked	15	15	15/WestNet4
Traffic Stops (no cite)	9	18	6
Moving Citations	8	1	8
Parking Citations	8	3	11
Vacation/ Security Checks	15	8	115
Field Interviews (FI's)	3	3	8
Cases	9	4	11
Self-Initiated Cases	5	0	4
Arrests	0	0	0
Calls for Service	65	28	10
Foot Patrol	7	0	51
Vehicle Searches	0	0	0
Field Sobriety Tests	0	0	0
<u>Team Totals:</u>			
Traffic stops	33		
Moving Violations	17		
Parking citations	22		
Security Checks	138		
Field Interviews	14		
Cases	24		
Self-Initiated	9		
Arrests	0		
Calls for service	103		
Foot Patrols	58		
Vehicle searches	0		
Field sobriety Tests	0		

•• **Kensington Police Department Investigations Report**

•• **Sergeant Hull Investigations**

SIGNIFICANT EVENTS:

2008-6662 – Vandalism

The Hilltop Elementary School has suffered an increased amount of graffiti over the past several months. A preliminary investigation conducted by Officer Wilson identified a juvenile Kensington resident as responsible. Attempts to conduct an interview with the suspect were unsuccessful due to uncooperative parent. This case was forwarded to the Contra Costa County Juvenile Probation Department for disposition.

2008-6543 – Auto Burglary

Charges were filed in this case by the DA on 2-17-2009.

2008-5203 – Elder Abuse, Fraud

The Carmelite Monastery was subjected to fraud by their former caretakers from Absolute Best Care Company. The Absolute Best Care Company overcharged the Carmelite Monastery several hundred thousands dollars in the course of 14 months. Two subjects of interest in this investigation have been identified and located. Interview of the subjects of interest are pending.

2009-0687 – Embezzlement,

Nationwide Auction Systems was given a vehicle from the KPD fleet to be auctioned. Nationwide Auction Systems successfully auctioned the vehicle but did not forward the proceeds to the District of Kensington. All attempts to retrieve the owed money have been unsuccessful as Nationwide Auction Systems is no longer in business. The Attorney Generals Office and the Department of Motor Vehicles are conducting investigations into the business practices of Nationwide Auction Systems.

2009-0423 – Identity Theft

A Kensington family discovered unauthorized withdrawals from their bank accounts from several B of A banks. An eye witness has been identified who recalls an unsuccessful withdrawal attempt at a bank branch in San Francisco provided a suspect description. Further investigation in this case is pending.

2009-0249 – Hit and Run Accident

This case was delivered to the District Attorney for prosecution and charges were filed.

2009-0237 – Hit and Run Accident

This case was delivered to the District Attorney for prosecution.

2009-156 & 157 – Mail Theft

The suspect in these cases was arrested by ECPD for other thefts related crimes in their city around the same time these crimes were reported. These cases were added to ECPD's report and filed with the DA's office.

2009-120 – Mail Theft, Possess Stolen Property

The Contra Costa County DA filed charges against two suspects in this case.

KPD INVESTIGATIONS ACTIVITIES:

- Attended monthly PCC meeting
- Completed Homicide Investigations DVD
- Completed Responsibility for Children DVD
- Completed Public Health Emergencies DVD
- Completed Target Safety – Safe Backing
- Completed Target Safety – Incident investigation for supervisors
- Completed training for cell phone investigations.
- Attended Officer of the Year Award
- Reviewed two KPD accidents as a review board member.
- Completed Firearms qualification.
- Completed Defibrillator training.

•• **Chief Harman**

Identity theft and fraud investigations are extremely difficult cases to work due to the time delay in reporting and the lack of witnesses that can provide a suspect description. During the month of February, we initiated several identity theft and fraud investigations that have produced leads to the possible suspects responsible.

The Carmelite Monastery investigation is a good example of how time consuming these types of investigations can be. The reported loss of over \$600,000 increases the complexity of the investigation. Even though the investigation has identified people of interest as possible suspects, the amount of the loss and the financial documents needed to be reviewed to identify and connect to the suspect's responsible makes this a difficult and time consuming investigation to successfully complete.

Having said this, I believe it is a good time to remind everyone to secure their personal information, shred financial documents, and to not provide passwords or personal information to anyone that you are unsure of or do not know. If someone attempts to request this kind of information from you, contact us immediately, and let us determine if the person requesting this information is doing so legitimately.

GENERAL
MANAGER'S
UPDATE

General Manager February 2009 Report

Budget

I am continuously working with the Board, the Finance Committee, and staff to reduce expenses for the District. Two examples of these efforts from the past month are presented here.

The first is represented by an e-mail I received at the first of the month. The e-mail was sent to all law enforcement agencies in the county, providing the costs of a purchase of a router for each agency in the county. The cost for the router this fiscal year for Kensington was identified as \$4,923.00 and was based on population. I checked the figure used for population for Kensington and saw it was based on the listing of the 2005 /2006 League of Cities survey, which indicated Kensington, has a population of 21,500.

I contacted the County Business System Manager and inquired about the population figure used for Kensington and asked if that population figure was used to determine the costs of the router for us. When it was confirmed that it was, I pointed out that the population of Kensington was only 5,000 and requested that the cost of the router be re-calculated.

I was later contacted and told that the cost for the router for Kensington would be reduced to \$880.00. This resulted in a savings of \$4,043.00.

The second example occurred after receiving our monthly Terminix bill. Although we were initially told by Terminix that the service was indeed being performed, it was later confirmed that the service technician that had been performing the service at the Community Center left Terminix in April of 2006 and that the new service representative had never serviced the Community Center.

Terminix agreed to refund the payments we had been making since April 2006, and we will be receiving a refund of \$1319.00.

Park Issues

At last month's Board meeting, Boy Scout Troop 100 was presented a commendation for their work in installing four recycling cans in the park and clearing out the debris from the rear of the Community Center building. Their service provided the scouts with valuable community service experience but also saved the District the expense of having these projects completed by the District by paid personnel. Photos of the scouts working on these projects are attached to this document.

At the March 12th Board meeting, the Board will be presented with a proposal to have a park restroom installed and funded with EBRPD Measure WW funds and funding from the Kensington Community Counsel donation.

Solid Waste

On February 18th, the County Solid Waste Committee met to discuss among other things, the proposal from Louis Figone to extend the current contract. The Committee decided to table any further discussions on the proposal until we receive the Annual Financial Report from Bay View which is due April 1st. The next County Solid Waste Committee meeting is scheduled for May 19th, at 3 PM.

Emergency Preparedness

I attended two meetings of the Contra Costa Hazardous Mitigation Partnership, on whose Board I sit. They were held on February 3rd and on February 25th.

The purpose of the first meeting was to set up the structure of the committee, formalize the process, and receive documents to be reviewed. At the second meeting, the California Hazard Mitigation Plan was reviewed, and the direction of the County's plan was established.

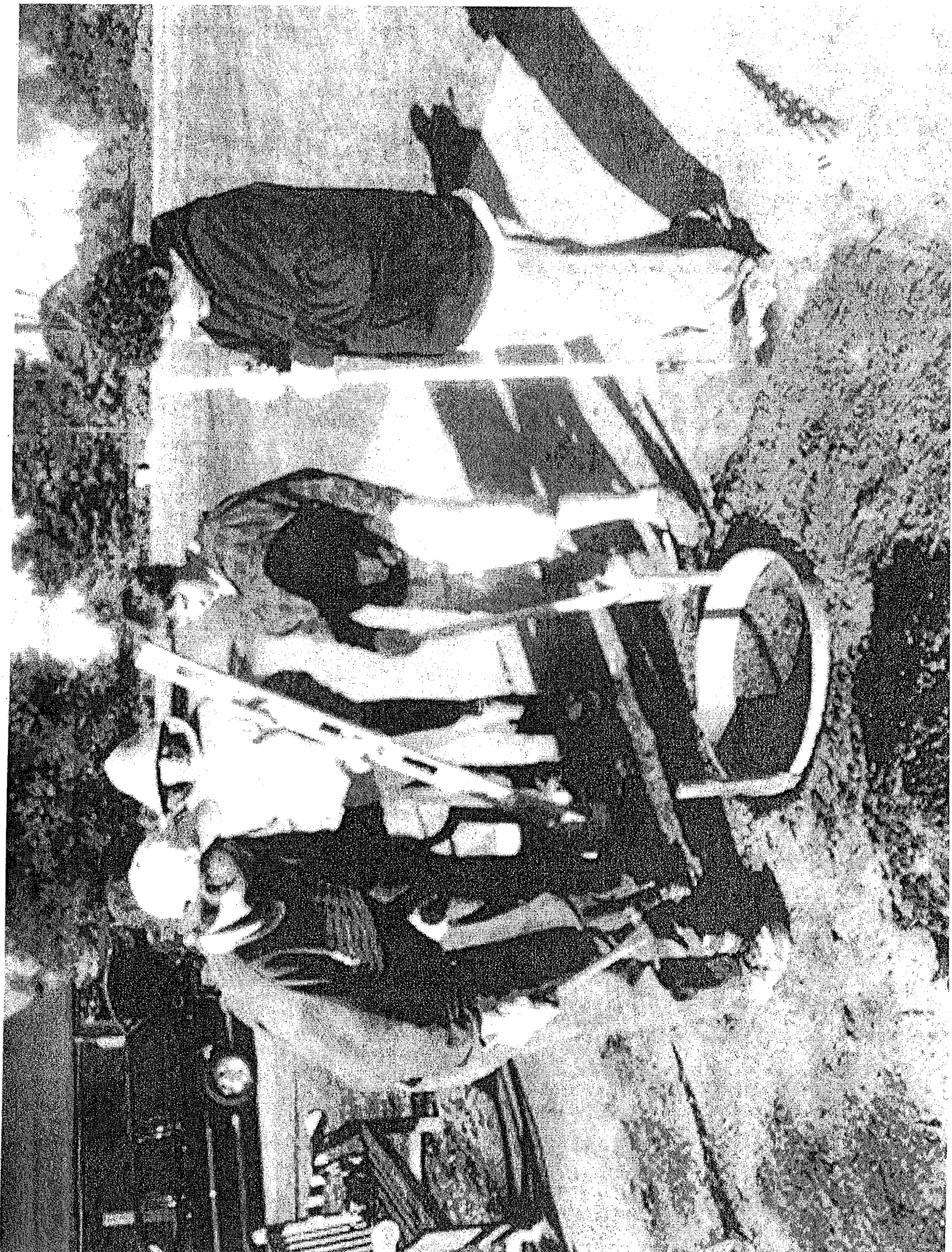
I believe it is important to note that there are three parts to emergency preparedness. Part One is Hazard Mitigation which receives funding from FEMA. My participation with this committee will qualify our community for future FEMA funding for hazard mitigation projects and emergency response funding.

Part Two is Emergency Preparedness. Funding for this can be applied for through the Department of Homeland Security.

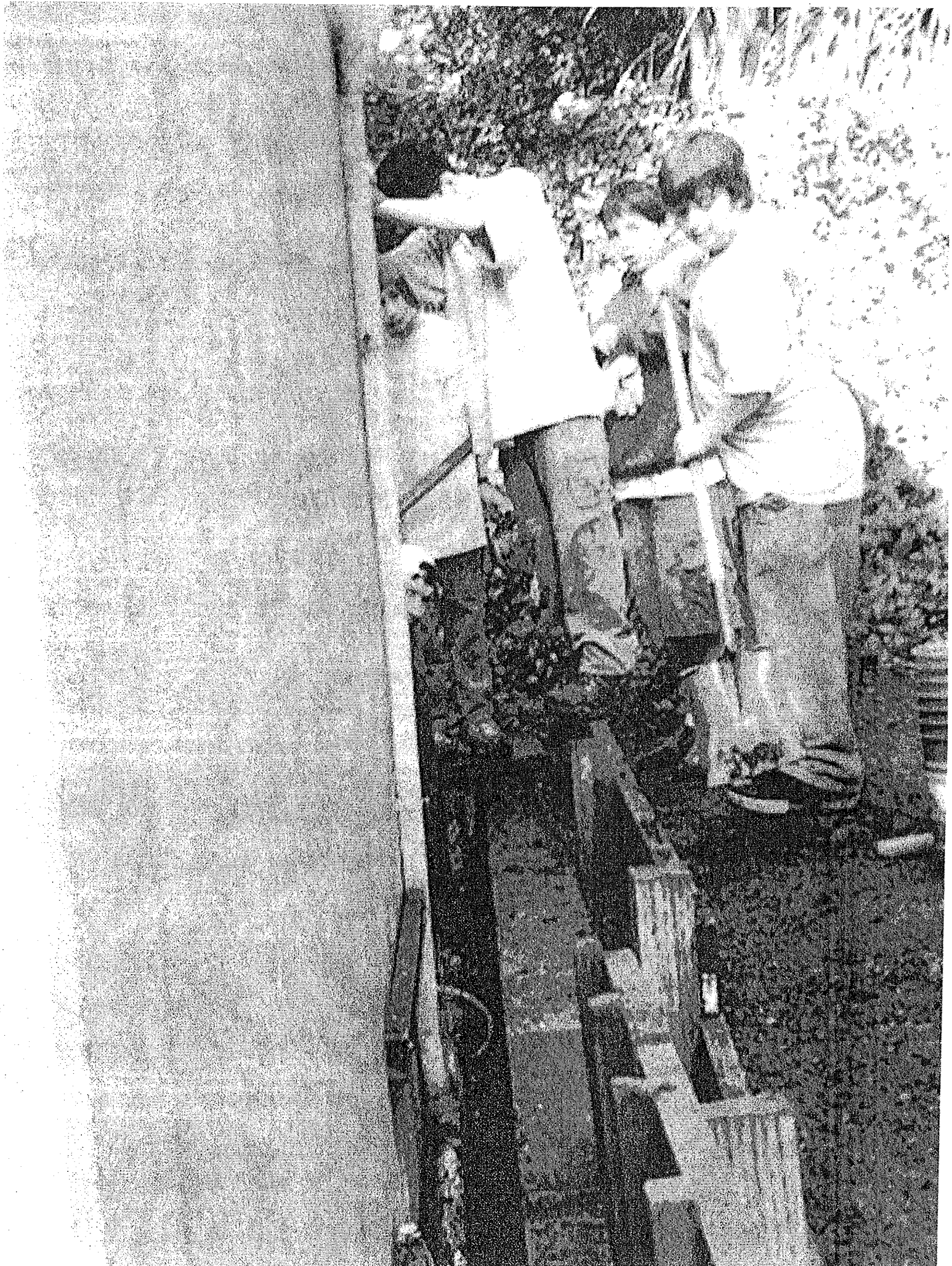
Part Three is Disaster Response. Funding for this can also be applied for through the Department of Homeland Security.

We need to begin to work toward re-establishing our commitment as a community to emergency preparedness. That first step will be taken by identifying and developing our Neighborhood Watch groups and through our partnerships with the Fire District and community. We can facilitate these partnerships through the Police Community Council (PCC). This can be accomplished by identifying the development of community based emergency preparedness activities as one of the goals of the PCC.

This is the direction I would like the PCC to take, but I need the support and participation of the community. I hope to see all of you at our next PCC meeting.







MONTHLY CALENDAR

March 2009

March 2009							April 2009						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	18	19	20	21	22	23	24
22	23	24	25	26	27	28	25	26	27	28	29	30	31
29	30	31											

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
					March 1
7:00pm Pack 82 (CCM, CCI & 2) 7:30pm KCC CC3	7:00pm Troop 100 (CCM, CCI & 2)	6:00pm KASEP Spring Registration (CCM)	7:30pm EBC		7 FKL Dr. Suess Breakfast (CCM, 1 & 2)
2	3	4	5	6	8
7:00pm Pack 82 (CCM, CCI & 2) 8:00pm KARO (CC3)	7:00pm Troop 100 (CCM, CCI & 2)	8:30pm KFD	7:00pm GPF 7:30pm KPCCSD		14 15
9	10	11	12	13	14
7:00pm Pack 82 (CCM, CCI & 2)	7:00pm Troop 100 (CCM, CCI & 2)		8:30pm EBC		21 22
16	17	18	19	20	21
7:00pm KIC CC3 7:00pm Pack 82 (CCM, CCI & 2)	7:00pm Troop 100 (CCM, CCI & 2)				28 29
23	24	25	26	27	28
7:00pm Pack 82 (CCM, CCI & 2)	7:00pm Troop 100 (CCM, CCI & 2) 8:30pm KMAC CC3				
30	31				

Helen Horowitz

April 2009

April 2009							May 2009						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

Monday	Tuesday	Wednesday	Thursday	Friday	Sat/Sun
		April 1	8:30pm EBC		
7:00pm Pack 82 (CCM, CCI & 2) 7:30pm KCC CC3	7:00pm Troop 100 (CCM, CCI & 2)	7:30pm KFD	6:00pm GPFF 7:30pm KPCCSD		
7:00pm Pack 82 (CCM, CCI & 2) 7:00pm KARO (CC3)	7:00pm Troop 100 (CCM, CCI & 2)		7:30pm EBC		
7:00pm Pack 82 (CCM, CCI & 2)	7:00pm Troop 100 (CCM, CCI & 2)				
7:00pm KIC CC3 7:00pm Pack 82 (CCM, CCI & 2)	7:00pm Troop 100 (CCM, CCI & 2) 7:30pm KMAC CC3				

Helen Horowitz

RECREATION

Office Report prepared by Esther Hill, Administrator
Kensington Community Council Board Meeting
March 2, 2009

KASEP:

Our winter session ends on March 20, and parents will register for spring classes on Wednesday, March 4. Spring session runs March 23-June 5, giving us one week to prepare for camp starting June 15. Our oversight committee had a very productive meeting on February 24, with many new ideas for improving the registration process. We also discussed the new electronic distribution of the Thursday packet at Hilltop Elementary and how to best package our materials to reach families.

KCC Classes and Events:

Ernie Adams will begin a second series of Pilates classes this Wednesday evening that will continue through April 15. Sarah Torney has begun "Circle Time with Sarah Sunshine," a class for parents, caregivers, and babies on Tuesday mornings at 8:45 a.m. Two instructors with a comedy traffic school class are interested in teaching in Kensington. I'll meet with them in late March to see if this might work for KCC. Nicole Becker, Tuesday morning yoga teacher, will take time off in April after she has her baby. Her classes will be covered by Claire Lavery, our Thursday evening yoga instructor.

KCC Summer Day Camp:

Registration for 2009 KCC Summer Day Camp starts on Wednesday, March 11. We've mailed flyers and applications to about 200 previous campers and distributed flyers to all the children at Kensington Hilltop. Josh Meurer, our new camp director for 2009, is contacting our counselors from last summer to find out who is interested in returning. We'll begin interviewing new counselors in late March and early April.

OLD BUSINESS

DISTRICT – OLD BUSINESS

1. General Manager/ Chief of Police Greg Harman will update the Board on the traffic issues at both the Arlington and Kensington Park intersection as well as along Franciscan Way. Board discussion and action.

DISTRICT – OLD BUSINESS

2. General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion. Board Action.

July xx, 2009

Lease Agreement between Kensington Fire Protection District and Kensington Police Protection and Community Service District for Occupancy of Kensington Public Safety Building

The purpose of this document is to define a lease agreement between the Kensington Fire Protection District ("KFPD" or "lessor") and the Kensington Police Protection and Community Services District ("KCSD" or "lessee") for office space in the public safety building located at 215/217 Arlington Avenue, Kensington, California.

Description of Leased Area

1. The "leased area" is defined as that area designated for the lessee's use described as "Police Department" or "Police Department Assigned" in the Schematic Design dated April 2, 1998, submitted by Marcy Li Wong, Architects (attachment #1). Additional areas included in this lease for nonexclusive use are the exterior common areas of the parking lot, the driveway and the front entrance of the building and the interior common areas described in the Schematic Design.

Dedicated Parking Spaces

2. There are currently ten (10) parking spaces in the rear parking lot. Six (6) spaces shall be dedicated for use by the lessee and its employees, and four (4) shall be dedicated for use by the lessor and its employees. Use of the apparatus bay apron for parking is prohibited.

Term of Lease

3. The primary term of this lease shall be three (3) years, from July 1, 2009 to June 30, 2012. Lessee shall have the option to request an extension of this lease for an additional period of up to three (3) years. On or before April 30, 2012, lessee shall provide lessor written notice of its desire to extend the term of this lease. Lessor, at its sole discretion, may choose to extend or not extend the term of this lease, and shall notify lessee of its intent within 30 days of notice from lessee.

Annual Cost of the Lease

4. The annual cost of the lease to the lessee shall be \$17,812; this amount is divided between rent and maintenance fee. The amount of the maintenance fee is adjusted annually.

The annual rent amount shall be \$12,700 adjusted in accordance with Section 5.

The annual maintenance fee shall be \$5,112 adjusted in accordance with Section 5. This fee shall be used exclusively for the costs of maintenance and capital improvements to common areas of the property and building, both interior and exterior (as defined in Section 8 of this document). The KFPD shall deposit the maintenance fee into a separate bank account to be known as "Kensington Public Safety Building Maintenance and Capital Improvement Fund" ("MCI Fund") and shall provide a separate annual accounting of all

transactions to the KCSD.

Two equal payments of \$8,906 adjusted in accordance with Section 5 shall be due in advance and payable on January 1st and July 1st of each year for the duration of the lease.

Annual Lease Cost Accelerator

5. The annual rent and maintenance fee shall be adjusted annually by any change in the Bay Area Consumer Price Index as established by the United States Department of Labor in March of each year. The adjustment shall be effective for the ensuing July 1st - June 30th fiscal year.

Termination of Lease Agreement

6. This agreement may be terminated for cause by either lessor or lessee, in writing, with twelve (12) months advance notice of intent.

Provisions for Maintenance of Interior Leased Area

7. The lessee agrees to make tenant improvements to and to maintain the interior features of the KCSD leased space; the MCI Fund shall not be used for such purpose. Any improvements to the leased space must be approved by the Board of Directors of both Districts. Should the lessee neglect to keep the leased space maintained in a professional and clean manner, in lessor's determination, lessor may have maintenance performed to lessee's area and bill lessee for any costs incurred.

Costs of Capital Improvements and Maintenance of Common Areas

8. The lessee agrees to pay one half (1/2) the cost of capital improvements to any portion of the interior or exterior of the building and property that is common in nature. Capital improvements are defined as those improvements having at least a five year life and cost of at least \$5,000. The lessee also agrees to share one half (1/2) the cost of maintaining the interior and exterior common areas of the building and property. The MCI Fund may be used for such purposes as are described in this section.

The costs referred to in this section include, but are not limited to, exterior painting; the repair or replacement of the roof, exterior windows, parking lot, driveway; the repair or replacement of common area doors, electrical, sewer, water services; the repair or replacement of common area air conditioning, heating, emergency generator.

The KFPD shall submit a copy of its most recently updated Capital Improvement Budget to KCSD each year. Barring an emergency, the amount that may be asked of the KCSD in any year for such expenses as defined in this section shall be limited to \$25,000 adjusted by the CPI as described in Section 5.

If no payment is received 90 days after the date on the invoice, the KFPD may withdraw the invoiced amount from the MCI Fund. If sufficient funds are not available, the KFPD shall bill the KCSD for any remaining balance.

The lessor and lessee shall endeavor to agree on methods to achieve proper resolution of common area maintenance and capital improvement needs taking into consideration the existing balance in the MCI

Fund.

Shared Cost of Utilities

9. The lessee shall pay to the lessor one half (1/2) the monthly cost of utilities such as gas, electricity, and water, except when such utilities are separately metered. In the case of separate meters for a particular utility, the party served by the meter will pay the entire bill. Lessee shall pay one half (1/2) the yearly sewer charge. Each party shall pay its own telephone bills. A copy of the applicable invoice shall be presented to the lessee upon receipt, and payment by the lessee shall be made on that invoice within thirty (30) calendar days.

Use of Public Safety Building

10. Use of the Public Safety building, other than by police and fire personnel or for their respective business and operations, shall be subject to the approval of the Police Chief and the Fire Chief.

Insurance

11. The lessee shall procure, at its sole expense, and maintain in full force and effect during the term of this lease, the following insurance naming the lessor as additional insured and/or loss payee: Comprehensive General Liability insurance against claims for bodily and personal injury, death and property damage caused by or occurring in conjunction with the lease of the leased area with a policy limit of at least One Million Dollars (\$1,000,000) per occurrence.

Additionally, lessee shall pay one half (1/2) the cost of insurance that lessor obtains through the Contra Costa County Fire Districts Joint Power of Authority Insurance Pool for the real property at 215/217 Arlington Avenue. A copy of the invoice for such insurance shall be presented to the lessee upon receipt, and payment by the lessee shall be made on that invoice within thirty (30) calendar days.

Both parties to this agreement shall provide the other with a certificate of insurance that indicates the insurance will not be canceled without 30 days written notice. Neither party shall be responsible to the other for any property damage or loss, unless such damage or loss results from the sole negligence of the other party.

Indemnification

12. Lessee shall indemnify and hold harmless lessor from any and all claims or liability for any injury, or damage to any person or property whatsoever, including reasonable attorneys fees for defense thereof: (1) occurring in, on or about the leased area, or (2) occurring in, or about any common area inside or outside the property or building, when such injury or damage is caused in whole or in part by the act, neglect, fault of or omission of any duty with respect to the same by the lessee, its employees, officers, agents, volunteers, or its visitors. Lessor shall indemnify and hold harmless lessee from any and all claims or liability for any injury, or damage to any person or property whatsoever, including reasonable attorneys fees for defense thereof: (1) occurring outside the leased area either on the property or in the building, or (2) occurring in, or about any common area inside or outside the property or building, when such injury or damage is caused in whole or in part by the act, neglect, fault of or omission of any duty with respect to the same by the lessor, its employees, officers, agents, volunteers, or its visitors.

Dispute Resolution

13. Should any disagreement arise regarding any part of this agreement, both boards shall attempt to solve the dispute through negotiations. Should negotiations fail, the two parties agree to mediation, and to share the costs of the mediation. Each party further agrees to be responsible for its own legal costs associated with the mediation.

Should mediation fail, the two parties agree to binding arbitration by the American Arbitration Association. The losing party shall pay the costs incurred in such action, including the legal costs of the other party.

Dated:

Kensington Fire Protection District

Kensington Police Protection and CSD

1121473.4

NEW BUSINESS

DISTRICT - NEW BUSINESS

1. Chief of Police Greg Harman will present Officer Keith Barrow a commendation for his life saving actions on January 26, 2009.

DISTRICT - NEW BUSINESS

1. Chief of Police Greg Harman will present Officer Keith Barrow a commendation for his life saving actions on January 26, 2009.

DISTRICT - NEW BUSINESS

2. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the Executive Committee to the list of standing committees. Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing Executive Committee shall be concerned with personnel matters of the District, including recommendations for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The Executive Committee will be composed of the Board President and the Board Vice President".

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

POLICY MANUAL

POLICY TITLE: Committees and Coordinators of the Board of Directors
POLICY NUMBER: 4060

4060.1 Standing Committees and Coordinators

The Board President shall appoint and publicly announce the members of the standing committees and Board Coordinators for the ensuing year no later than the Board's regular meeting in January.

4060.1.1 Board committees that are legislative bodies as defined by the Brown Act must meet the open meeting requirements of the Brown Act. If any language of this District Policy conflicts with the Brown Act, the requirements of the Brown Act take precedence. For more information about what constitutes a legislative body as defined by the Brown Act (see California Government Code §54950 through §54963).

4060.1.2 Committees of the Board of Directors shall consist of:

- A. Members of the Board.
- B. Members of the Kensington community where deemed appropriate by a majority vote of the Board.

4060.1.3 Coordinators shall be Board Members.

4060.2 The Board's standing committees may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board president, a majority vote of the Board, or on the initiative of the committee. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.3 Standing Committees of the Board

Emergency Preparedness Committee;
Solid Waste Committee;
Finance Committee;
Executive Committee

4060.3.1 The Board's standing Emergency Preparedness Committee shall be concerned with the development of a community emergency preparedness plan in cooperation with Kensington Fire Protection District.

- 4060.3.2 The Board's standing **Solid Waste Committee** shall be concerned with the implementation of the solid waste/recycling contact and ensuring that it meets State and Local mandates.
- 4060.3.3 The Board's standing **Finance Committee** shall be concerned with the financial management of the District, including recommendations on the annual budget and major expenditures, investment policies, long-range planning, and comments and commendations regarding the annual audit and certified public accountant.
- 4060.3.4 The Board's standing **Executive Committee** shall be concerned with personnel matters of the District, including recommendations for the recruiting, hiring, managing, and compensating the General Manager. The Executive Committee will also make recommendations regarding other District personnel matters. The Executive Committee will be composed of the Board President and the Board Vice President.

4060.4 The Board's Coordinators may be assigned to review District functions, activities, and/or operations pertaining to their designated concerns, as specified below. Said assignment may be made by the Board president, a majority vote of the Board, or on the initiative of the committee. Any recommendations resulting from said review should be submitted to the Board via a written or oral report.

4060.5 **Board Coordinators**

- Finance and Administration;
- Intergovernmental/External Issues;
- District Policies and Procedures;
- Public Safety Building;
- Park Planning and Recreation; and
- Community Outreach

- 4060.5.1 The Board Coordinator for **Finance and Administration** shall be concerned with the financial management of the District and serve as chair of the standing Finance Committee.
- 4060.5.2 The Board Coordinator for the **Intergovernmental/External Issues** shall be concerned with new laws and legislation affecting the District and liaison with other governmental and legislative agencies.
- 4060.5.3 The Board Coordinator for **District Policies and Procedures** shall be responsible for developing and proposing updates to the District's Policy Manual and for proposing and reviewing policies for usage of the Kensington Park.
- 4060.5.4 The Board Coordinator for the **Public Safety Building** shall be responsible for negotiating and overseeing the long-term lease agreement with the Kensington Fire District.

4060.5.5 The Board Coordinator for Park Planning and Recreation shall be concerned with monitoring the maintenance of the Park property, coordinating with other organizations responsible for recreational activities in the Park, and developing plans for future development of the park property.

4060.5.6 The Board Coordinator for Park Funding shall be concerned with coordinating fund-raising programs for further development of the park.

4060.5.7 The Board Coordinator for Community Outreach shall work with the General Manager to promote community awareness.

4060.6 Ad Hoc Committees

The Board President shall appoint ad hoc committees as may be deemed necessary or advisable by himself/herself or the Board. The duties of an ad hoc committee shall be outlined at the time of appointment, and the committee shall be considered dissolved when its final report has been made.

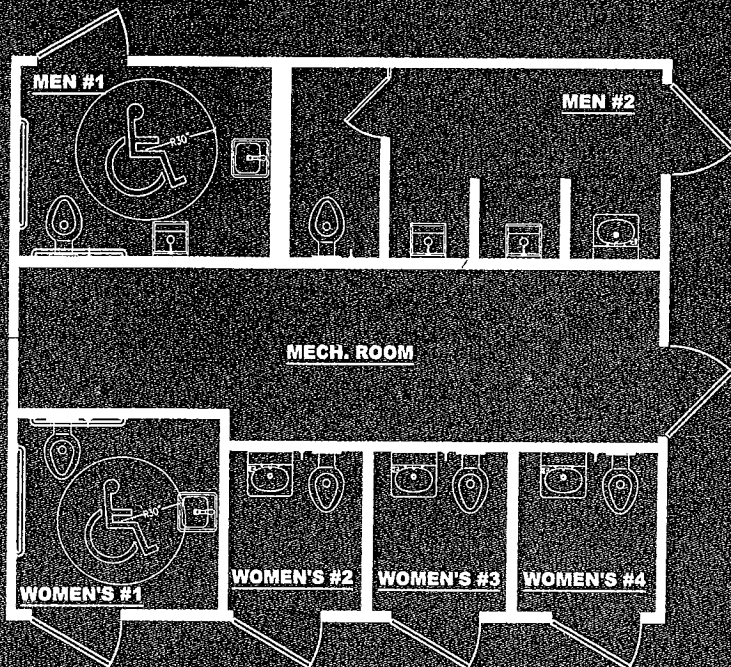
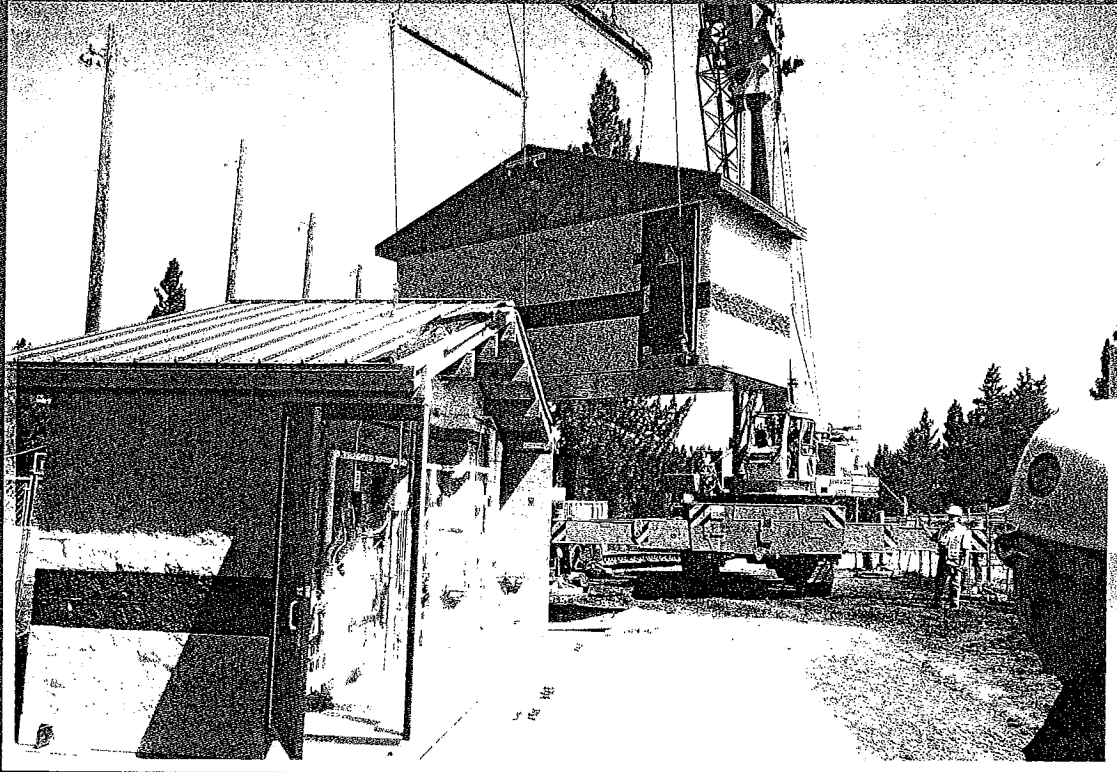
DISTRICT - NEW BUSINESS

3. General Manager Greg Harman will present the Board with an estimate of this current fiscal year's shortfall projection based on year to date revenues and expenses. Board discussion and action.

DISTRICT - NEW BUSINESS

4. General Manager Greg Harman will present the Board with a proposal to move forward with the park bathroom construction to be paid for with funding from EBRPD Measure WW funding. Board discussion and action.

Now! A Better Way to Build Public Restrooms



- Safer by Design
- Odor Free
- Vandal Resistant
- Reduced Maintenance
- Up to 30% Less Cost

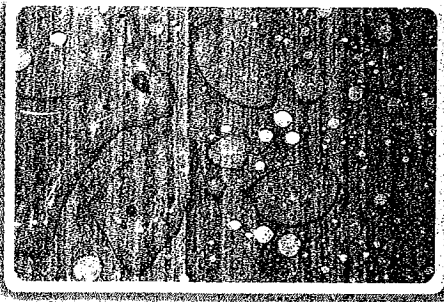


THE
PUBLIC
RESTROOM
COMPANY

“DESIGNING AND BUILDING RESTROOMS...BETTER”

New Green Design

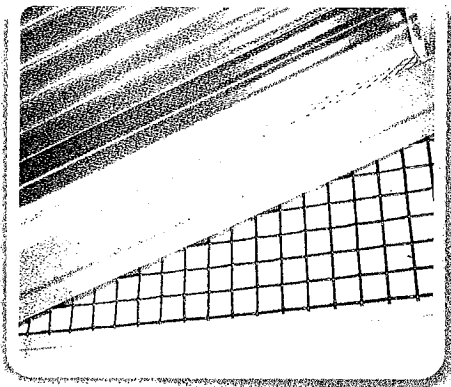
We Take Pride in Providing Continual "Green" Upgrades to Our Buildings.



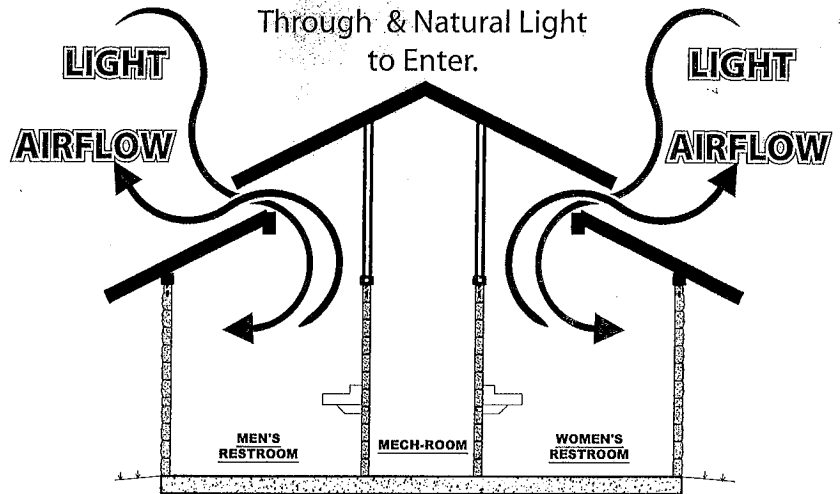
New High-Tech Non-Absorbent Concrete Floors Stop Odors Before They Start!

- Better Ventilation
- Special Concrete Floors
- Natural Light
- Cleaner Tile Floors

New "Green" Ventilation & Light System Large Open Gable Vent Screens and/ or Raised Cupola's Vents Allow Fresh Air to Flow Through & Natural Light to Enter.



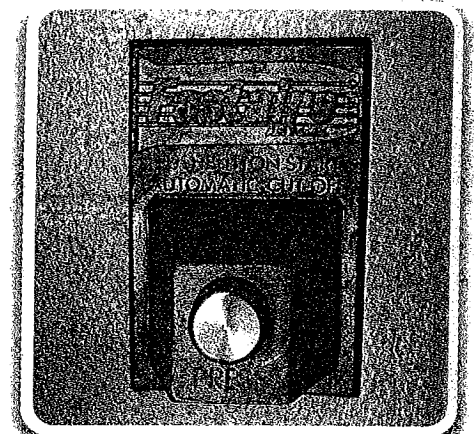
Rugged 1/4 Inch Thick Woven Stainless Steel Vent Screens Allow Light In & Air Out.



Stone Based Epoxy Grouted Tile Floors Are 5 Times Stronger, Don't Absorb Moisture, & Allow Easy Graffiti Removal



Custom Cast Metal Signs Recessed into Block & Blind Fastened to Prevent Removal.

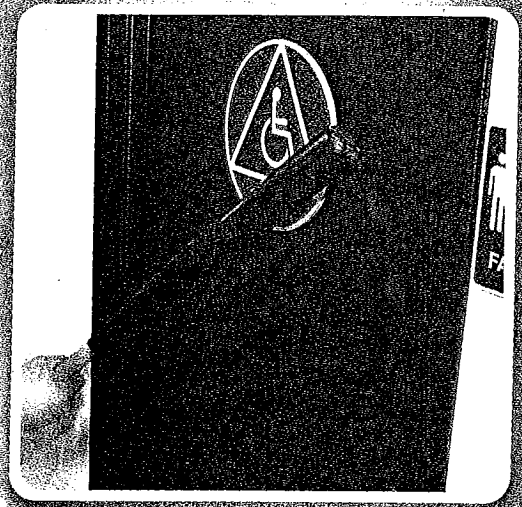
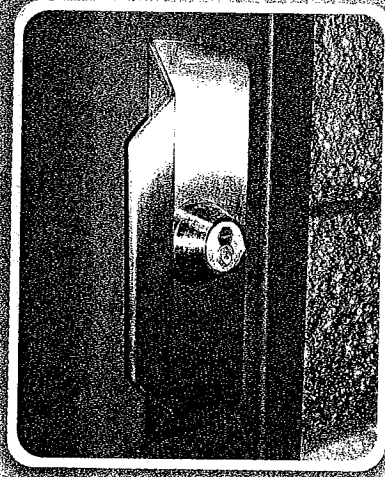
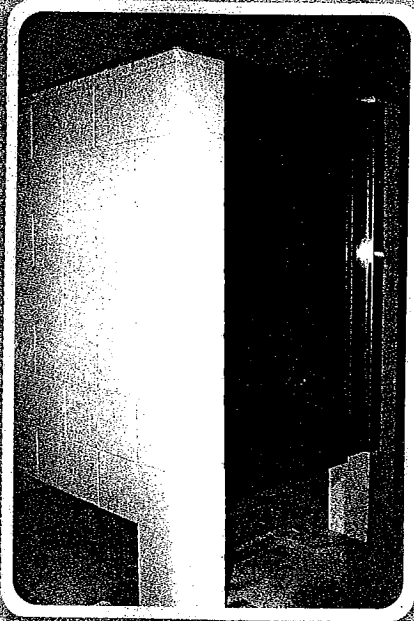


Air Only Concealed Hand Dryers



Anti-Microbial Fixtures

Our Door Handles, Grab Bars, Toilet Flush Handles Etc. are Permanently Treated to Kill Bacteria on Contact!



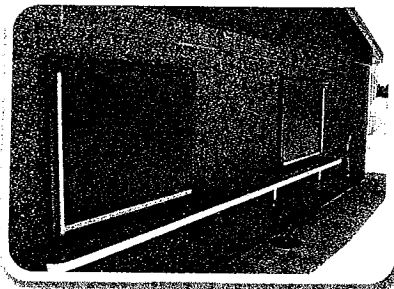
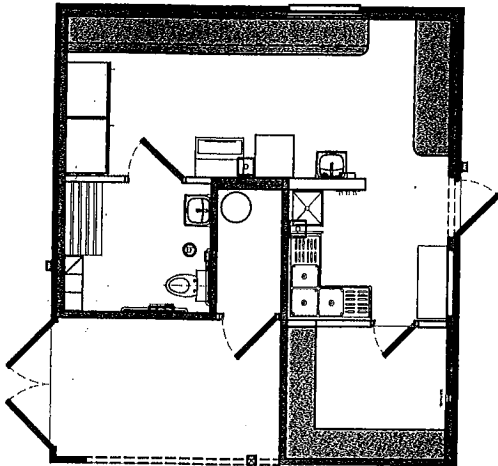
Concrete Block

Traditional Bathroom 1" Thick Steel or Poly Toilet Partitions Don't Last in Some Environments. 4" Thick Solid Concrete Block Partitions Last!

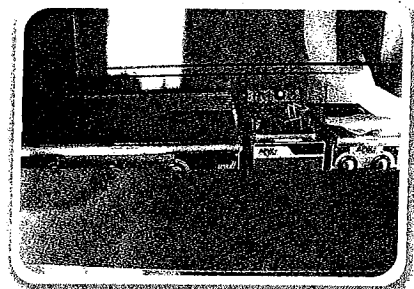
Doors

New Structural Steel Rib Reinforced Doors Resist Baseball Bats to Lengthen Door Life. Our Doors Weigh 46% More Than Traditional Doors and Last Longer.

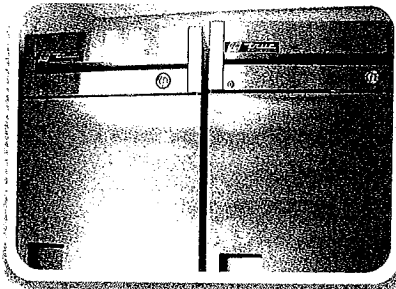
Add-On A Concession



Concession Windows & Counter



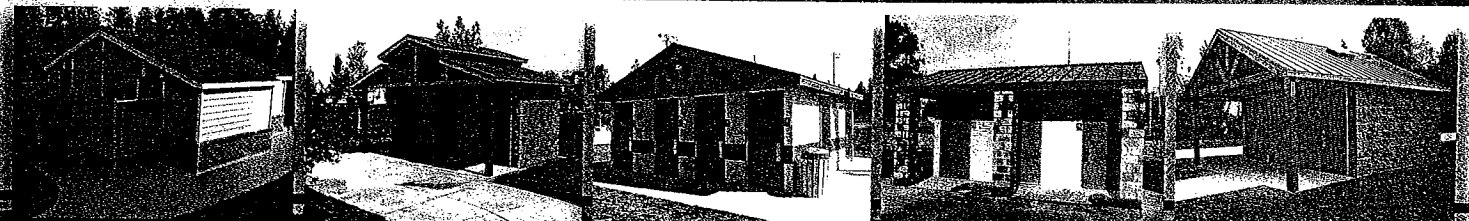
Cooking Area



Refrigerators

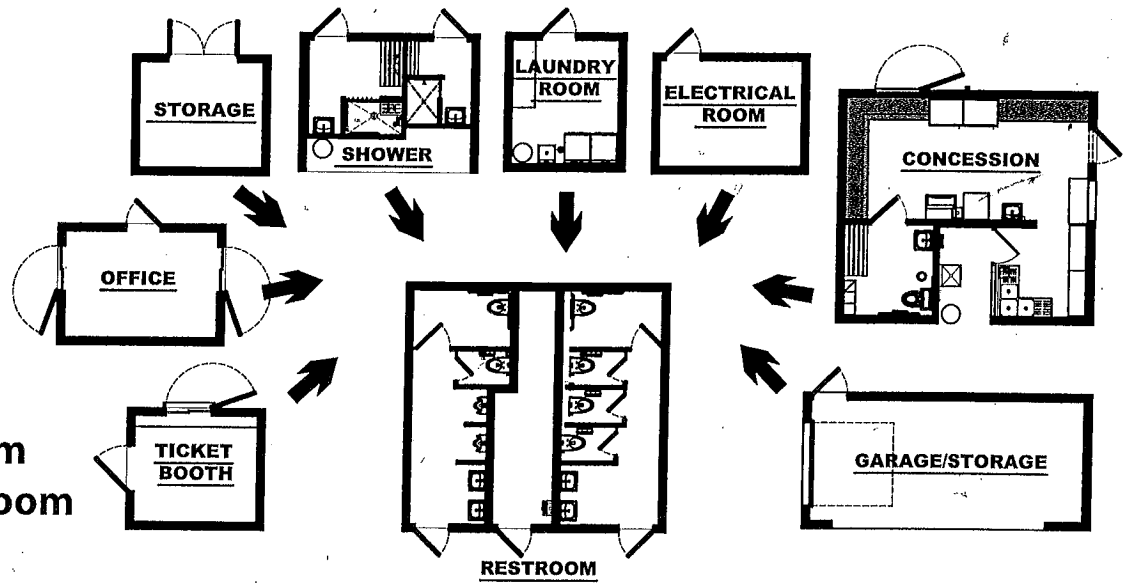


Ice Machine



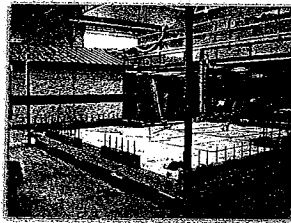
Add On Modules

- Concession
- Showers
- Laundry
- Park Storage
- Garage
- Office
- Ticket Booth
- Family Restroom
- Maintenance Room



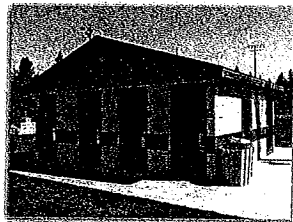
Buildings Fully Constructed Off Site Installed On Site In 3-5 Days

1. Our concrete block and steel buildings are fully constructed in a temperature controlled plant on an 8" thick structural concrete slab, so strong that they can be trucked nationwide without damage.

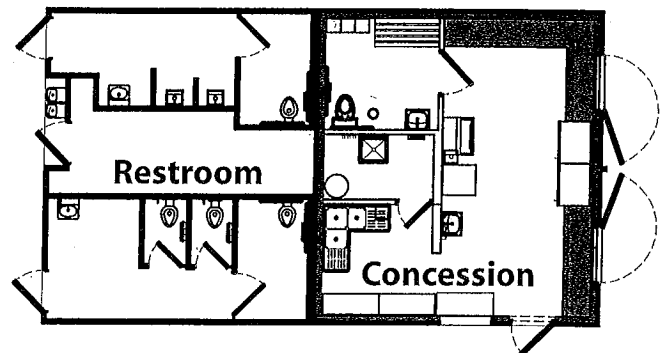
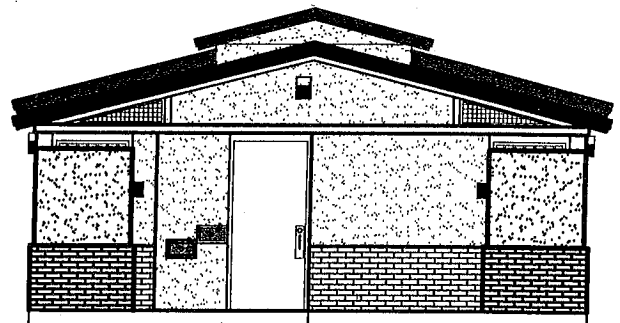


2. A site gravel pad and/or footings are prepared on site for the building arrival. A crane lifts the building or buildings off their transport trucks onto the site pad.

3. The building is connected to the underground utilities ready for the sidewalks by others.



THE
PUBLIC
RESTROOM
COMPANY



Max Restroom Usage 270 People / hr
With "Open Food Concession"

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DISTRICT - NEW BUSINESS

5. Board President Bill Wright will lead the Board in a discussion regarding the Board's role vis-à-vis District press releases. Board action.

DISTRICT - NEW BUSINESS

6. Board President Bill Wright will provide the Board with the goals set for the General Manager/ Chief of Police for the remaining part of this current fiscal year. Board discussion and action.

GENERAL MANAGER/ CHIEF OF POLICE GOALS
For the period between March 1st through June 30th, 2009

On Friday, January 23rd, General Manager/ Chief of Police Greg Harman met with Board President Bill Wright to begin the process of establishing a process for setting and monitoring performance objectives. This was followed up with meetings on Friday, February 13, 2009 and Friday, February 20, 2009, with Board President Bill Wright and Board Vice President Chuck Toombs to discuss and set the series of objectives to be met between the period of March 1st and June 30th, 2009 to coincide with the current fiscal year. The following list is not in ranked order of importance and some of the objectives identified are the first step in long term objectives to be set in July for the subsequent fiscal year.

The General Manager/ Chief of Police should:

1. Plan and facilitate an improved system of completing police department personnel evaluations and get all personnel current in the evaluation process.
2. Come within budgeted expenses during the period March 1st through June 30th.
3. Identify and hire a conflict resolution counselor to improve the work environment within the police department.
4. Improve on the District accounting function, identify weaknesses and address a plan to improve upon them.
5. Get East Bay Regional Park District Measure WW contract arranged and contract filed, while at the same time keeping the Board and the public informed regarding the process.
6. Improve the quality of statistical reporting and prepare reports in a consistence and timely manner.
7. Train the District Secretary to successfully perform the duties of her position.
8. Identify and formalize existing neighborhood watch groups.
9. Summarize relationships with other agencies and identify those agencies that Kensington should develop a relationship with.

By June 30th, a review of the above objectives will be conducted and the findings brought to the Board for discussion and recommendations regarding the performance of the General Manager/ Chief of Police for the next fiscal year and evaluation period.

This document prepared on February 24th, for review, presentation, and discussion at the March 12, 2009 Kensington Police Protection & Community Services District Board of Directors meeting.

Gregory E. Harman
General Manager/ Chief of Police

March 6, 2009