

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, August 8, 2013, at 6:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will enter into Closed Session-1- Conference with Legal Counsel- Existing Litigation (Subdivision (a) of Section 54956.9) Leonard Schwartzburd v. Kensington Police Protection and Community Services District -2- Conference with Labor Negotiators (Section 54957.6); Agency Representatives: Patricia Gillette and Chuck Toombs; Employee Organization: Kensington Police Officers Association. The Board will return to Open Session at approximately 7:15 PM. If further Closed Door Session is required, the Board will return to Closed Door Session following the end of the Open Session Meeting.

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

Roll Call

Public Comments

CLOSED DOOR SESSION

1. Conference with Legal Counsel- Existing Litigation (Subdivision (a) of Section 54956.9) Leonard Schwartzburd v. Kensington Police Protection and Community Services District.
2. Conference with Labor Negotiators (Section 54957.6); Agency Representatives: Patricia Gillette and Chuck Toombs; Employee Organization: Kensington Police Officers Association.

OPEN SESSION

The Board will return to Open Session at approximately 7:15 PM and report out on the Closed Door Session.

Second Public Comments

Board Member/ Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting July 11, 2013, Page 2
- b) Profit & Loss Budget Performance for July 2013, Page 10
- c) Park Revenue & Expenses Report for July 2013, Page 14
- d) Board Member Reports-None
- e) Correspondence- None
- f) Police Department Update, Page 19
- g) Monthly Calendar, Page 30
- h) Recreation Report- No Report for August
- i) General Manager's Report, Page 31

DISTRICT - NEW BUSINESS

1. General Manager/ Chief of Police will request the Board contract with Fechter & Compnay, Sacramento, for auditing services for Fiscal Year 2012-2013 following the request for proposal process that was completed in July. The fee submitted by Fechter & Company was \$9,500. Board Action. Page 33
2. Director Len Welsh will lead a discussion regarding applying to Diablo Fire Safe Council for hazardous fuel reduction grant money. Possible Board Action. (No documents submitted)

(If needed, the Board will return to Closed Session following the end of the Open Session meeting.)

ADJOURNMENT

General Information

Accessible Public Meetings

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

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

Meeting Action Minutes for 7/11/2013

AGENDA

A Regular Meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) was held Thursday, July 11, 2013, 6:30 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

ATTENDEES

<u>Elected Members</u>	<u>Members of the Public/Presenters</u>
Tony Lloyd, President	Charles Ramsey, WCCUSD
Patricia Gillette, Vice President	Dan O'Brien
Linda Lipscomb, Director	Jaima Roberts
Charles Toombs, Director	Katie Gluck
Len Welsh, Director	Gayle Tapscott
<u>Staff Members</u>	Ciara Wood
Gregory E. Harman, GM/Chief of Police	Celia Concus
Master Sgt. Ricky Hull (on duty)	Ron Weiselman
Sgt. Kevin Hui (on duty)	Vida Dorroh
Sgt. Keith Barrow (own time – KPOA Rep.)	Paul Dorroh
Lynn Wolter, District Administrator	Karl Kruger
	Mabry Benson
	Elena Caruthers
<u>Press</u>	Anthony Knight
Joel Koosed, Outlook	Kathy Stein
	John Stein
	Chris Sorensen
	Kay Reed
	Andrew Reed
	Andrew Gutierrez
	Marina Gutierrez
	David Spath
	Linda Spath
	Lorraine Osmundsen
	Mark Bell

Board President Tony Lloyd called the meeting to order at 6:31 PM and took a roll call of the Board members. All members were present.

PUBLIC COMMENTS

None

CLOSED SESSION

At 6:33 the Board entered into Closed Session to confer with Labor Negotiators (Section 54957.6) – Agency Representatives: Patricia Gillette and Chuck Toombs
Employee Organization: Kensington Police Officers Association.

OPEN SESSION

At 7:22 PM, the Board returned to Open Session.

President Lloyd reported that the Board would continue its Closed Session at the end of the Open Session in order to continue discussing the ongoing negotiations with the Kensington Police Officers Association

PUBLIC COMMENTS

Ciara Wood, a Director with the Diablo Fire Safe Council, encouraged the KPPCSD to participate in an area-wide fire prevention effort being coordinated by the Diablo Fire Safe Council, which hopes to secure a grant to help mitigate fire hazards in the East Bay Regional Park, the WCCUSD open space adjacent to the Hilltop School, Kensington Park, and County property that surrounds the Kensington Library. She concluded by letting the Board know that Cheryl Miller, coordinator for the Diablo Safe Fire Council, would be sending a letter describing what the Council hopes to accomplish.

Director Welsh responded that he would be in contact with Ms. Wood to follow up.

Charles Ramsey, a member of the West Contra Costa School District (WCCUSD) Board, reported good news for the school district: the WCCUSD, which has operated with deficits for the past several years, was now operating with a surplus and had \$23 million in reserves. Because of this turnaround, the Kensington Hilltop School should see reduced class sizes for grades K-3, starting in the fall. He also said that the WCCUSD was looking to expand its relationships with area police departments, including the Kensington Police Department, and that money might be available in the School District budget to assist with this expansion.

Paul Dorroh spoke about the KPPCSD's recently settled arbitration with Bay View Refuse and Recycling, explaining that, contrary to some newspaper reports, Bay View did not accomplish what it set out to achieve when it sought arbitration: a rate increase. Instead of granting the requested rate increase, the arbitration judge determined that a rate review should be conducted. Mr. Dorroh provided a brief history of some of Bay View Refuse's past actions, which had created previous challenges for the KPPCSD.

Mabry Benson introduced herself as one of the petitioners in the Writ of Mandate that has been brought against the KPPCSD and three of its Directors. She described why she chose to participate in the legal action: She objected to the Board's procedures when it approved the General Manager/Chief of Police's compensation package. She also criticized the Board's actions and the high level of its legal expenditures.

Celia Concus, another petitioner in the Writ of Mandate, read a letter written by Eyleen Nadolny, who also is a petitioner. Among other things, she said that she objected to the Board's having filed an anti-SLAP motion against the petitioners and that the Board was wasting money on legal fees. She encouraged the Directors to settle the matter.

Ron Weiselman asked the Board for clarification about current legal matters.

Andrew Reed thanked the Board for doing its duty in defending against spurious litigation. He said that the Writ of Mandate plaintiffs were ignoring the fact that the decision made by the Board regarding the General Manager/Chief of Police's compensation, which is the focus of the Writ, was made in order to bring the General Manager/Chief of Police's salary closer to the market's mid-range and that this was proper personnel management. He concluded by asking the plaintiffs to drop the litigation.

BOARD COMMENTS

Director Welsh reported that the Park and Recreation Committee was continuing to work on its fire hazard management plan. He said that it was timely that Ciara Wood made her presentation regarding the Diablo Fire Safe Council's the area-wide plan, and he reiterated his desire to follow up with her.

Director Welsh also reported that he's working with Supervisor John Gioia to open negotiations with the County regarding the management of Kensington's paths.

Director Toombs reported that, as a result of action taken by the KPPCSD Board (to hire a pollster to conduct a survey) at its June 15, 2013 meeting, the Park Buildings Committee is preparing an RFQ (Request for Qualifications) to solicit responses from professional pollsters. He said that the committee hopes to launch the survey in the late fall or early winter.

Director Toombs reported that the Finance Committee would be meeting in the coming week to discuss hiring a new auditor.

Director Lipscomb reported that there would be a meeting on July 16th regarding the Arlington Avenue streetlights. She said that a survey was being conducted among the business owners along the Arlington to learn what kind of streetlights they'd like and that Arlington Streetlights Committee member Joseph Holmes was trying to identify those residents adversely impacted either by the light shed or by the height of the recently installed poles. She concluded by saying that this work would precede a town hall meeting on the topic.

Director Lipscomb also reported that KMAC would be meeting to discuss AT&T's revised cell tower plan.

Vice President Gillette spoke about the Anti-SLAPP (Strategic Lawsuit Against Public Participation) lawsuit that the KPPCSD filed against the petitioners of the Writ of Mandate. She said that the Writ of Mandate had been filed as an attempt to force the Board to change a decision made by the majority of the Board. She further said that, because the Writ was brought against individual Board members, it challenged the decision made by those members, impacted the Board members' free speech, and was meant to intimidate members of the Board. She said that Anti-SLAPP is designed to prevent behavior like the Writ of Mandate and, therefore, that the Board's taking this legal action was appropriate. She also said that the community and the Board could not allow others to attack Directors and that she was disappointed that seven members of the community brought a lawsuit. She concluded by saying that, should the petitioners succeed, the outcome would be that the vote regarding the General Manager/Chief of Police's salary would come back to the Board and that the Board likely would vote for the same compensation package; and she asked the petitioners if their writ of mandate was a good use of taxpayer dollars.

President Lloyd expressed his frustration and disappointment with respect to the small number of people who have bled the District of tens of thousands of dollars, under the banner of transparency. He said that this group also misled the media and the community about the Writ of Mandate, the settlement following Bay View Refuse's request for arbitration, and a Grand Jury investigation. He said that this group had falsely reported a number of management infractions, all of which proved to have no merit, and that this group had falsely accused the General Manager/Chief of Police and his family of despicable practices, none of which proved to have any merit. He concluded by saying that the District has had no choice but to spend large sums on legal expenses because it had to defend itself against the numerous claims brought against it by this small group and that it has been this group's actions that have caused the District's overrun of legal costs.

Director Lipscomb read an excerpt from an Anti-SLAPP California Supreme Court case that is very similar to the circumstances surrounding the Writ of Mandate and the District's Anit-SLAPP suit. In that case, a disgruntled board member brought a suit

against fellow board members over a decision with which he/she did not agree. That board member did not prevail.

STAFF COMMENTS

None

CONSENT CALENDAR

MOTION: Director Toombs moved to approve the Consent Calendar, with the Minutes of June 15, 2013, as amended. Director Len Welsh seconded the motion. Motion passed 5 to 0.

AYES: Lloyd, Gillette, Lipscomb, Toombs, Welsh NOES: 0 ABSENT:

DISTRICT OLD BUSINESS

1. General Manager/Chief of Police Harman asked the Board to pass Resolution 2013-006 for the election of Directors to the Special District Risk Management Authority Board of Directors. This item had been held over from the June 13th Board meeting.

General discussion of the seven candidates followed.

MOTION: Director Toombs moved and Vice President Gillette seconded that the Board adopt Resolution 2013-006, with the selected candidates Clift, Scheafer, Bracy, and Aranda. Motion passed 5 – 0.

AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT:

DISTRICT NEW BUSINESS

1. General Manager/Chief of Police Harman asked the Board to pass Resolution 2013-007, establishing the appropriations limit for the District for Fiscal Year 2013-2014.

General Manager/Chief of Police Harman provided a brief history and description of the appropriations limit. Based on the prescribed calculation, the appropriations limit for Fiscal Year 2013-2014 would be \$3,670,122. He said that if, after the new limit was set, the District received tax revenue in excess of this amount, the excess would need to be returned to the taxpayers if there weren't expenditures to match the additional tax revenue. He then reported that an election would need to be held, before June 2015, to set the next appropriations limit.

**MOTION: Vice President Gillette moved and Director Toombs seconded that the Board adopt Resolution 2013-007, establishing the appropriations limit, for Fiscal Year 2013-2014 at \$3,670,122.
Motion passed 5 – 0.**

AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT:

2. General Manager/Chief of Police Harman asked the Board to pass Resolution 2013-008, establishing the annual supplemental tax for police services (Measure G) for Fiscal Year 2013-2014.

General Manager/Chief of Police Harman reviewed the memo he'd prepared for the Board packet in which he'd provided background information relevant to the Board's discussion about Measure G. Among the things he cited was that Measure G had been set at \$179 since the measure was passed in 2010 with a then maximum limit of \$200. He reported that, because Measure G allows for CPI increases, the maximum amount that could be levied for Fiscal Year 2013-2014 would be \$214.91 for Single Family Residences and that collecting the maximum amount would generate approximately \$81,000 of additional revenue. He then reviewed the estimated shortfall for Fiscal Year 2012-2013, saying that, excluding the June accounts payables that remain to be booked, the shortfall would be approximately \$66,000. He also reminded the Board that property tax revenues have been flat for the last five years and that property tax revenues for the Fiscal Year 2012-2013 were \$15,000 less than what had been expected. Therefore, he said it would be unwise to count on receiving more property tax revenue in Fiscal Year 2013-2104, despite the County Assessor's office having predicted a 5% increase.

General Manger Chief of Police Harman concluded by saying that, because a Fiscal Year 2013-2014 shortfall is expected - not including possible increases that might result from the Board's negotiations with the KPOA, he recommended that the Board set the Measure G amount at its maximum level.

Director Welsh said that the Board didn't have any choice but to seek the maximum amount.

Director Lipscomb said that she thought it would have been wise to set the maximum amount at the outset of Measure G's passage and that she supported setting the maximum amount now.

Director Toombs and President Lloyd said they supported the maximum amount.

Vida Dorroh urged the Board to vote for the maximum amount, saying that keeping the valuable service provided by the Kensington Police Department was very important and that the value of our assets is based on services provided by the Police Department. She complimented the Chief of Police for his actions during the recent fire near the Steam Trains and complimented the department for its good work with respect to the recent attempted burglary on Norwood Avenue.

Kay Reed said that she supported the Board voting for the full amount of Measure G and that she would like to see the KPPCSD not having to pay rent to the Kensington Fire Protection District for space in the Public Safety Building because both Districts are supported financially by the same single source: Kensington taxpayers.

John Stein urged the Board to collect the full amount of Measure G for the following reasons: The measure was passed by over two-thirds of the community, which meant that the community was willing to be assessed the maximum amount; General Manager/Chief of Police Harman discussed the shortfall; the seven petitioners of the Writ of Mandate plan to continue – hence, the Board should plan on more legal fees; and the Community Center is in need of a lot of work.

Mark Bell asked what the unanticipated legal fees had been for the last two years. General Manager/Chief of Police replied that two years ago, legal fees were budgeted at \$35,000 and the actual cost incurred was \$65,000. He said that, for Fiscal Year 2012-13, general legal costs were budgeted at \$65,000 and that actual costs were \$135,000 and still increasing. And, he said that solid waste legal fees were budgeted at \$36,000, with actual costs at \$117,000 year to date. Mr. Bell then urged the Board to increase the amount to be collected for Measure G.

Andrew Reed urged the Board to increase the Measure G amount.

Vice President Gillette said that she supported increasing the amount.

MOTION: Moved by Director Lipscomb and seconded by Director Toombs that the District adopt Resolution 2013-008, with tax rates assessed at the maximum allowed amounts (Single Family Residence: \$214.91, Multi-Unit Residential: \$322.36, Commercial and Institutional: \$322.36, Miscellaneous Improved Property: \$214.91 and Unimproved Property: \$64.47)
Motion passed 5 – 0.
AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT

3. General Manager/Chief of Police Harman asked the Board to vote for one representative for the California Special District Association (CSDA) Board of Directors, Region 3.

A general discussion among the Directors followed.

MOTION: Moved by Director Lipscomb and seconded by Director Welsh that the Board cast its ballot for Sherry Sterrett.

Motion passed 5 – 0.

AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT

4. General Manager/Chief of Police Harman asked if the Board would approve his attendance at the 2013 CSDA Annual Conference being held in Monterey between September 16th and 19th and if any Board members wished to attend.

Director Lipscomb said she supported the General Manager/Chief of Police's attendance.

President Lloyd said that he supported this, too.

Director Toombs encouraged the General Manager/Chief of Police to attend.

MOTION: Moved by Director Lipscomb and seconded by Vice President Gillette that the Board approve the General Manager/Chief of Police's request to attend the CSDA Conference.

Motion passed 5 – 0.

AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT

The Open Session of the meeting came to a close at 9:25, and at 9:40 the Board returned to Closed Session.

The Board returned to Open Session at 10:30 PM.

President Lloyd reported that the Board is continuing its negotiations with the Kensington Police Officers Association.

MOTION: Moved by Director Lipscomb and seconded by Director Welsh that the meeting be adjourned.

Motion passed 5 – 0.

AYES: Lloyd, Gillette, Lipscomb, Tombs, Welsh NOES: 0 ABSENT

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Wednesday, July 31, 2013

Subject: Consent Calendar Item B- Unaudited Profit & Loss Report

For the month of July, the Unaudited Profit & Loss Budget Performance Report does not have the 2013/14 Fiscal Year budget numbers as of yet.

Additionally, several entries for July expenses need to be moved back to Fiscal Year 2012/13 expenses that have been paid in July. The two main ones are \$46,598.42 expensed to Chart 830 Legal and the \$4,879.85 expensed to Chart 890.

Both of these issues will be resolved on our accountants return from vacation and the August report.

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

KPPCSD
Unaudited Profit & Loss Budget Performance
 July 2013

	<u>Jul 13</u>	<u>Budget</u>	<u>Jul 13</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Ordinary Income/Expense					
Income					
400 · Police Activities Re...					
410 · Police Fees/Servi...	95.40		95.40		
415 · Grants-Police	31,131.02		31,131.02		
418 · Misc Police Inco...	495.63		495.63		
Total 400 · Police Activiti...	<u>31,722.05</u>		<u>31,722.05</u>		
420 · Park/Rec Activities ...					
427 · Community Cent...	1,045.00		1,045.00		
428 · Building E Reven...	7,500.00		7,500.00		
438 · Misc Park/Rec Rev	40.00		40.00		
Total 420 · Park/Rec Acti...	<u>8,585.00</u>		<u>8,585.00</u>		
Total Income	40,307.05		40,307.05		
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	77,261.98		77,261.98		
504 · Compensated Ab...	3,247.60		3,247.60		
506 · Overtime	4,129.15		4,129.15		
508 · Salary - Non-Swo...	4,527.00		4,527.00		
516 · Uniform Allowance	666.60		666.60		
521-A · Medical/Vision/...	14,271.78		14,271.78		
521-R · Medical/Vision/...	11,370.82		11,370.82		
522 · Insurance - Police	112.00		112.00		
523 · Social Security/M...	1,311.31		1,311.31		
524 · Social Security - ...	318.07		318.07		
527 · PERS - District P...	28,425.98		28,425.98		
528 · PERS - Officers P...	7,013.54		7,013.54		
540 · Advanced Indust...	290.91		290.91		
Total 500 · Police Sal & ...	<u>152,946.74</u>		<u>152,946.74</u>		
550 · Other Police Expen...					

7:33 PM
 07/31/13
 Accrual Basis

KPPCSD
Unaudited Profit & Loss Budget Performance
 July 2013

	Jul 13	Budget	Jul 13	YTD Budget	Annual Budget
553 · Range/Ammuniti...	1,761.86		1,761.86		
560 · Crossing Guard	274.05		274.05		
562 · Vehicle Operation	3,083.38		3,083.38		
564 · Communications...	7,924.62		7,924.62		
566 · Radio Maintenance	67.62		67.62		
568 · Prisoner/Case Ex...	274.55		274.55		
570 · Training	1,940.32		1,940.32		
572 · Recruiting	288.00		288.00		
576 · Misc. Dues, Meal...	775.00		775.00		
580 · Utilities - Police	775.72		775.72		
582 · Expendable Offic...	221.98		221.98		
588 · Telephone(+Rich....	812.21		812.21		
590 · Housekeeping	368.45		368.45		
594 · Community Polic...	924.90		924.90		
Total 550 · Other Police ...	19,492.66		19,492.66		
600 · Park/Rec Sal & Ben					
601 · Park & Rec Admi...	603.25		603.25		
602 · Custodian	1,750.00		1,750.00		
Total 600 · Park/Rec Sal ...	2,353.25		2,353.25		
635 · Park/Recreation Ex...					
640 · Community Cent...					
642 · Utilities-Comm...	406.32		406.32		
643 · Janitorial Supp...	185.23		185.23		
646 · Community Ce...	1,200.00		1,200.00		
Total 640 · Community...	1,791.55		1,791.55		
660 · Annex Expenses					
662 · Utilities - Annex	188.30		188.30		
Total 660 · Annex Expe...	188.30		188.30		
672 · Kensington Park ...	5,210.60		5,210.60		
678 · Misc Park/Rec Ex...	24.69		24.69		

KPPCSD
Unaudited Profit & Loss Budget Performance
 July 2013

	<u>Jul 13</u>	<u>Budget</u>	<u>Jul 13</u>	<u>YTD Budget</u>	<u>Annual Budget</u>
Total 635 · Park/Recreati...	7,215.14		7,215.14		
800 · District Expenses					
810 · Computer Mainte...	1,607.81		1,607.81		
820 · Cannon Copier C...	498.18		498.18		
830 · Legal (District/Pe...	46,598.42		46,598.42		
835 · Consulting	570.00		570.00		
850 · Insurance	28,397.26		28,397.26		
890 · Waste/Recycle	4,879.85		4,879.85		
898 · Misc. Expenses	3,164.43		3,164.43		
Total 800 · District Expe...	<u>85,715.95</u>		<u>85,715.95</u>		
Total Expense	<u>267,723.74</u>		<u>267,723.74</u>		
Net Ordinary Income	<u>-227,416.69</u>		<u>-227,416.69</u>		
Net Income	<u><u>-227,416.69</u></u>	<u>0.00</u>	<u><u>-227,416.69</u></u>	<u>0.00</u>	<u>0.00</u>

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Wednesday, July 31, 2013

Subject: Consent Calendar Item C- Park Revenue & Expenses

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

This information is obtained through our QuickBooks software. Revenue and expenses from July 1, 2013 through July 31, 2013 is attached to this memo.

7:34 PM
 07/31/13
 Accrual Basis

KPPCSD
Account QuickReport
 July 2013

Type	Date	Num	Name	Memo	Split	Amount
420 · Park/Rec Activities Revenue						
427 · Community Center Revenue						
Deposit	7/12/2013	512		CC Rental 6-...	112 · General ...	300.00
Deposit	7/12/2013	2954		July Rent fro...	112 · General ...	45.00
Deposit	7/12/2013	3005		CC Rental 7-...	112 · General ...	700.00
Total 427 · Community Center Revenue						1,045.00
428 · Building E Revenue						
Deposit	7/12/2013	6915		2nd half of K...	112 · General ...	7,500.00
Total 428 · Building E Revenue						7,500.00
438 · Misc Park/Rec Rev						
Deposit	7/12/2013	3898		Tennis Court ...	112 · General ...	40.00
Total 438 · Misc Park/Rec Rev						40.00
Total 420 · Park/Rec Activities Revenue						8,585.00
TOTAL						8,585.00

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Accrual Basis

KPPCSD
Account QuickReport
July 2013

Type	Date	Num	Name	Memo	Split	Amount
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator						
Paycheck	7/12/2013		Di Napoli, Andrea		112 · General ...	277.25
Paycheck	7/29/2013		Di Napoli, Andrea		112 · General ...	326.00
Total 601 · Park & Rec Administrator						603.25
602 · Custodian						
Check	7/15/2013	14838	William Driscoll	Com. Center ...	112 · General ...	875.00
Check	7/30/2013	14864	William Driscoll	Com. Center ...	112 · General ...	875.00
Total 602 · Custodian						1,750.00
Total 600 · Park/Rec Sal & Ben						2,353.25
TOTAL						2,353.25

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KPPCSD
 Account QuickReport
 July 2013

Type	Date	Num	Name	Memo	Split	Amount
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
642 · Utilities-Community Center						
Check	7/15/2013	14840	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
Check	7/30/2013	14862	EBMUD	840 Coventry	112 · General ...	26.87
Check	7/30/2013	14873	PG&E	Community C...	112 · General ...	223.45
Check	7/30/2013	14892	Pacific Telemanage...	Pay Phone C...	112 · General ...	78.00
Total 642 · Utilities-Community Center						406.32
643 · Janitorial Supplies						
Check	7/15/2013	14839	UBS	Janitorial sup...	112 · General ...	185.23
Total 643 · Janitorial Supplies						185.23
646 · Community Center Repairs						
Check	7/30/2013	14889	Summer Rain Land...	650 sq ft. of s...	112 · General ...	1,200.00
Total 646 · Community Center Repairs						1,200.00
Total 640 · Community Center Expenses						1,791.55
660 · Annex Expenses						
662 · Utilities - Annex						
Check	7/30/2013	14862	EBMUD	1 Windsor (S...	112 · General ...	188.30
Total 662 · Utilities - Annex						188.30
Total 660 · Annex Expenses						188.30
672 · Kensington Park O&M						
Check	7/15/2013	14829	Summer Rain Land...	Drinking foun...	112 · General ...	85.00
Check	7/15/2013	14839	UBS	June 2013 P...	112 · General ...	432.00
Check	7/30/2013	14862	EBMUD	1 Windsor (Ir...	112 · General ...	1,363.60
Check	7/30/2013	14866	Summer Rain Land...	Park Repairs	112 · General ...	640.00
Check	7/30/2013	14889	Summer Rain Land...	July monthly ...	112 · General ...	2,050.00
Check	7/30/2013	14889	Summer Rain Land...	2 yards of ba...	112 · General ...	240.00
Check	7/30/2013	14889	Summer Rain Land...	Repair of ste...	112 · General ...	180.00
Check	7/30/2013	14889	Summer Rain Land...	removal of br...	112 · General ...	80.00

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Accrual Basis

KPPCSD
Account QuickReport
July 2013

Type	Date	Num	Name	Memo	Split	Amount
Check	7/30/2013	14889	Summer Rain Land...	trouble shoot ...	112 · General ...	140.00
Total 672 · Kensington Park O&M						5,210.60
678 · Misc Park/Rec Expense						
Check	7/15/2013	14844	BPXpress	Copies of Par...	112 · General ...	24.69
Total 678 · Misc Park/Rec Expense						24.69
Total 635 · Park/Recreation Expenses						7,215.14
TOTAL						7,215.14

July 2013 Police Department Report

August 1, 2013

- Department Personnel
 - We are fully staffed at 10 sworn positions and two reserve officers.
- Commendations and Correspondence
 - On 07-18-13, we received a thank you card from Mary Laud of Berkeley for our response to her report of a lost phone.
- Investigation of Alleged Misconduct
 - Citizen's Investigation 2013-001 was initiated on January 3, 2013, on allegations that two officers acted in an unprofessional manner. This investigation was conducted by Chief Harman and both officers were exonerated.
 - Citizen's Investigation 2013-002 was initiated on March 21st on an allegation that an officer intimidated the complaining party. This investigation is being conducted by Master Sergeant Hull.
- 9-1-1 / Richmond Communication Center Information.
 - The Ring Time Report for June identified 34 total 911 calls with 3 having ring times over 20 seconds. Average ring time for the month of June was 8.5 seconds.
- Community Networking
 - On 07-01-13, Chief Harman attended the KCC meeting.
 - On 07-23-13, Master Sergeant Hull and Officer Wilkens attended the ATT cell phone tower public information evening at the Community Center.
 - On 07-30-13, Chief Harman attended the KMAC meeting in which the proposals for ATT cell phone towers were presented.

- Community Criminal Activity
 - This section of the Watch Commanders Reports are prepared by Sergeant Barrow for Team One, Sergeant Hui for Team Two, and Detective Stegman.
- Watch Commander Reports
 - **Sergeant Barrow**

TEAM #1 STATISTICS

Officer:	Ramos (K41) (0600-1800)	Wilson (K38) (1800-0600)	Wilkins (K50) (1800-0600)
Days Worked	12	16	16
Traffic Stops	29	19	18
Moving Citations	23	15	11
Parking Citations	2	4	1
Vacation/Security Checks	20	50	16
FI-Field Interview	0	0	0
Traffic Accident Reports	0	0	2
Cases	1	1	8
Arrests	0	0	0
Calls for Service	22	32	48

- BRIEFING/TRAINING:
 - Reviewed KPD Policy 300 Use of Force
 - Reviewed Testifying in Court
 - Reviewed Immunity
 - Reviewed Entrapment
 - Reviewed Line Ups and Show Ups
 - Reviewed Double-Blind Lineup
 - Reviewed Warrantless Seizure vs. Warrantless Search
 - Reviewed Felony Arrests
 - Reviewed Misdemeanor Arrests
 - Reviewed Checking in Property
 - Reviewed State Requirements for Holding Minors in Detention
 - Reviewed Checking in Property to Evidence Room
 - Reviewed Warrantless Blood Draws on Routine DUI's
 - Reviewed Possession of Firearm Section
 - Reviewed Open Carry of Firearm
 - Reviewed Law Enforcement Officers Safety Act 2004
 - Reviewed Questioning Multiple Suspects
 - Reviewed Seizure of Firearm at H&S 5150 Incident

SERGEANT'S REVIEW:

- Conceal Carry Permit

SERGEANT'S SUMMARY:

Officer Wilson asked me to mention two fast approaching events. The first is National Night Out and the other is the 2nd KPD Citizen's Academy. Many of you may be aware of these programs, but in the event that you do not, I will elaborate on them and give you some basic information.

National Night Out is a program whose goal is to foster public awareness, and facilitate and organize communities in crime awareness and prevention. It does this by coordinating a national night out across the nation in an attempt to get neighbors involved in a party, BBQ, or gathering. In this way, people can exchange contact information while increasing visibility and shared communication.

Kensington has been enthusiastically involved in National Night Out for approximately seven years and in that time, the number of events has steadily increased.

If you are interested in attending a National Night Out gathering near you, please contact Officer Wilson at dwilson@kensingtoncalifornia.org, and he will get you in touch with a host closest to your home!

This year National Night Out is on Tuesday August 6th, from 6-9 PM.

The Kensington Police Departments Citizen's Academy will have its second class starting on August 13th of this year. The Citizen's Academy is where you can learn what police do, from police who are doing it. Everything from the Laws of Arrest, to Traffic Stops and Defensive Tactics. You will meet the KPD Police Employees, and upon successful completion, you will receive a graduation certificate, and will be invited for a ride-a-long. There are no tests, but attendance is mandatory. The class runs for eight, two hour sessions, on Tuesday nights from 7-9 PM. I am one of the instructors for these classes and will be speaking about evidence collection, preservation, and booking. Officer Wilson says the class is almost full, but if you want to sign up, please contact Officer Wilson at dwilson@kensingtoncalifornia.org.

- SIGNIFICANT EVENTS:
- 2013-3072 – On 7-1-2013, Officer Wilkens responded to the 400 block of Colusa Avenue for reported non-injury hit and run collision.
- 2013-3288 – On 7-14-2013, Officer Wilson responded to the 00 block of Cowper Avenue for a reported medical that is under investigation.

- 2013-3301 – On 7-15-2013, Officer Wilkens responded to the 100 block of Arlington Avenue for a reported theft.
- 2013-3323 – On 7-16-2013, Officer Wilkens responded to the 00 block of Edwin Drive for a reported identity theft.
- 2013-3333 – On 7-16-2013, Officer Wilkens responded to the 100 block of Highland Blvd for a reported theft.
- 2013-3439 – On 7-22-2013, Officer Wilkens responded to the 400 block of Beloit Avenue for a reported stolen vehicle.
- 2013-3460 – On 7-23-2013, Officer Wilkens responded to the 200 block of Willamette Avenue for reported non-injury vehicle collision.
- 2013-3477 – On 7-24-2013, Officer Wilkens responded to the 00 block of Lexington Drive for a reported identity theft.
- 2013-3484 – On 7-24-2013, Sergeant Barrow responded to the 00 block of Kingston Road for reported non-injury vehicle collision.
- 2013-3549 – On 7-28-2013, Officer Wilkens responded to the 00 block of Vassar Avenue for a reported stolen vehicle.

TRAFFIC STATISTICS:

Team #1 took 3 traffic collision reports during the month of July.

15 moving citations were issued on Colusa Ave.
 37 moving citations were issued on Arlington Ave.
 1 moving citation was issued on Franciscan Way.

**** Sergeant Hui**

TEAM #2 STATISTICS

Sergeant Hui (K42)
 (1600-0400)

Officer:	Martinez (K31) (0600-1800)	Turner (K46) (1800-0600)
Days Worked	11	13
Traffic Stops	14	25
Moving Citations	7	14
Parking Citations	9	4
Vacation/Security Checks	32	45
FI-Field Interview	0	0
Cases	3	2
Arrests	0	0
Traffic Accident Reports	0	0
Calls for Service	49	27

Officer Martinez took three days of vacation.
Officer Turner recovered 24 hours of comp time.

BRIEFING/TRAINING:

- Reviewed KPD Policy 300 Use of Force
- Reviewed Testifying in Court
- Reviewed Immunity
- Reviewed Entrapment
- Reviewed Line Ups and Show Ups
- Reviewed Double-Blind Lineup
- Reviewed Warrantless Seizure vs. Warrantless Search
- Reviewed Felony Arrests
- Reviewed Misdemeanor Arrests
- Reviewed Checking in Property
- Reviewed State Requirements for Holding Minors in Detention
- Reviewed Checking in Property to Evidence Room
- Reviewed Warrantless Blood Draws on Routine DUI's
- Reviewed Possession of Firearm Section
- Reviewed Open Carry of Firearm
- Reviewed Law Enforcement Officers Safety Act 2004
- Reviewed Questioning Multiple Suspects
- Reviewed Seizure of Firearm at H&S 5150 Incident

SERGEANT'S REVIEW:

- Conceal Carry Permit

SERGEANT'S SUMMARY:

This past month, I spoke with several residents who were unaware about our Vacation Watch program. I would encourage residents who plan on being away from their homes to take advantage of this program.

Our Vacation Watch program is relatively simple. You fill out a vacation watch request form either at the police station or online at:

<https://kensingtoncalifornia.org/vacation.php>

The form asks for some basic information that includes your name, address, and contact information, as well as the dates you will be away and any people that may be in your residence.

We maintain a vacation watch log at the police department. As time permits, our officers will perform security checks at these vacant residences.

If you are interested in obtaining more information about the vacation watch program, please contact the Kensington Police Department.

We also have National Night Out this coming Tuesday, August 6th. The National Association of Town Watch (NATW) is a non-profit organization that organizes National Night Out. National Night Out in Kensington usually consists of several neighborhood get-togethers hosted by our residents in an effort to promote involvement in crime prevention activities, police-community partnerships, and neighborhood camaraderie. It is a great venue to learn more about the Vacation Watch program as well as the other programs available to Kensington residents.

If you are interested in attending a National Night Out party near you, please contact our National Night Out Coordinator, Officer Doug Wilson, at:

dwilson@kensingtoncalifornia.org

SIGNIFICANT EVENTS:

- 2013-3103– On 7/3/2013, Sergeant Hui responded to the 400 blk of Beloit Ave on a report of an identity theft.
- 2013-3151– On 7/6/2013, Officer Martinez responded to the unit blk of Kensington Dr on a report of a residential burglary.
- 2013-3152– On 7/6/2013, Officer Martinez responded to the 700 blk of Coventry Rd on a report of a petty theft.
- 2013-3357– On 7/17/2013, Sergeant Hui responded to the 200 blk of Lake Dr on a report of a petty theft.
- 2013-3376– On 7/18/2013, Officer Turner responded to the 200 blk of Amherst Ave on a report of a vandalism.
- 2013-3402– On 7/19/2013, Master Sergeant Hull arrested a subject on the unit blk of Arlington Ave for driving under the influence of drugs.
- 2013-3414– On 7/20/2013, Officer Martinez responded to the unit blk of Kingston Dr on a report of a petty theft.
- 2013-3420– On 7/20/2013, Officer Turner responded to the 600 blk of Coventry Dr on a report of a petty theft.

Reserve Officer:	Armanino (K47)
Days Worked	2
Traffic Stops	10
Moving Citations	8
Parking Citations	0
Vacation/Security Checks	5
FI-Field Interview Cases	0
	0

Arrests	0
Traffic Accident Reports	0
Calls for Service	1

Traffic Totals for Team 2 – includes Master Sergeant Hull

16 citations were issued on Arlington Ave
13 citations were issued on Colusa Ave
1 citation was issued on Franciscan Way
1 citation was issued on Amherst Ave
1 citation was issued on Grizzly Peak Blvd

•• **Detective Eric Stegman**

SIGNIFICANT EVENTS:

13-XXXX Assault (Possible Manslaughter)

(The details of this investigation have been redacted by Chief Harman due to it being an on going investigation)

13-2837 Vandalism

On 6/16/13, Officer Wilkens responded to a vandalism at Hilltop Elementary School. One of the picnic benches on the east most play ground had been significantly damaged, requiring expensive replacement or repair. Officer Wilkens and I reviewed the surveillance video from the CCTV system recently installed by the Pre- School that uses the playground. The suspects could be seen sawing away the studs installed on the table to prevent skateboarders from “grinding” the table’s surfaces. We were able to obtain useable screen shots of the suspects from the video as they were skateboarding and causing damage to the benches.

On 7/17/13, Sgt. Barrow and I were in the middle of investigating the above mentioned assault case when we spotted several juveniles who looked similar to the suspects responsible for the damage at Hilltop Elementary School. We took a few minutes to contact the subjects and summoned Officer Wilkens to the scene. Two of the subjects we had stopped admitted to being involved in the damage to the bench at the school. A third suspect has since come forward. This case is closed.

KPD INVESTIGATIONS INFORMATION:

12-5354 Murder

On 8/13/12 at approximately 1145 hours, Officer Ramos responded to a welfare check for a potential fall victim (James Durkin). Shortly after his arrival Officer Ramos requested I respond to the scene. Due to the initial circumstances I began investigating the case as a homicide. During the investigation it was

revealed the victim had been stabbed in the chest with a serrated kitchen knife. Later in the investigation, the suspect (Diane Sydenham), was identified. Early on 8/14/12, Sydenham was arrested for the Murder of James Durkin. On 8/16/12 the Contra Costa County District Attorney's Office formally charged Sydenham with Murder and she was arraigned.

On 8/30/12 a judge granted an increase in Sydenham's Bail from \$1,000,000 to \$2,000,000. On 9/20/12 Sydenham entered a not guilty plea. The date of the preliminary hearing was set for 4/4/13, but has been postponed.

2011-1618 Homicide.

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

KPD INVESTIGATIONS

- I made court runs to file cases, and retrieve court notifications.
- I updated the KPD Case Review Log.
- I reviewed the "Trak Flyer" messages and maintained the flyer board.

KPD Monthly Crime Statistics

July 2013

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	1	0	0	0
Residential Burglary	1	1	0	0	0
Larceny Theft	6	1	5	0	0
Vehicle Theft	2	0	2	0	0
Arson	0	0	0	0	0
Part 1 Totals	10	3	7	0	0

Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	3	1	2	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	1	1	0	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	1	0	1	0	0
Other Misdemeanor Traffic	2	0	0	2	2
Other Crime Totals	7	2	3	2	2

All Crime Totals	17	5	10	2	2
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Traffic Accidents (Non Injury)	2
Traffic Accidents (Injury)	0

KPD Crime Statistics

YTD 2013

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	1*	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	4	1	0	3	0
Residential Burglary	18	6	8	4	1
Larceny Theft	22	3	19	0	0
Vehicle Theft	10	2	7	1	0
Arson	1	0	1	0	0
Part 1 Totals	55	12	35	8	1

Other Crimes

Auto Burglary	0	0	0	0	0
Identity Theft	19	5	13	1	0
Fraud	0	0	0	0	0
Forgeries	1	0	1	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	2	1	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	14	3	10	1	0
Drugs	0	0	0	0	0
Warrant	11	0	0	11	13
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	10	0	9	1	0
Other Misdemeanor Traffic	7	0	0	7	7
Other Crime Totals	64	9	33	22	20

All Crime Totals	119	21	68	30	21
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Traffic Accidents (Non Injury)	25
Traffic Accidents (Injury)	0

* 2011 case

•• **Chief Harman**

Tuesday, August 6th, will be our 7th National Night Out and our biggest one to date. Officer Wilson has done an outstanding job in assisting 21 neighborhood groups in participating in National Night Out this year.

If you haven't had the opportunity to participate in a Nation Night Out party, please contact Officer Wilson and he will be able to connect you with a block party occurring in your area. It is a great opportunity to meet your neighbors, speak with our officers, and just have a good time.

Tuesday, August 13th, will be the first class of our second Citizen's Academy. This eight week course provides citizens the opportunity to learn about police work and the Kensington Police Department from our officers. There is no cost for this great opportunity to meet our officers and ask all those questions you have about the job they do.

We still have room in the class and if you are interested, just contact Officer Wilson or apply on line at our website at www.kensingtoncalifornia.org.

August 2013

August 2013						
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	22	23	24
25	26	27	28	29	30	31

September 2013						
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
22	23	24	25	26	27	28
29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 28 - Aug 3	Jul 28	29	30	31	Aug 1	2	3
							10:00am 11:30am Wedding Setup (CCM) 6:00pm 11:59pm CCRental (CCM)
Aug 4 - 10	4	5	6	7	8	9	10
		7:30pm 9:30pm *KCC (CC3)			7:00pm 10:00pm KPPCSD-MTG (CC3)		4:00pm 11:00pm CC Rental (CCM)
Aug 11 - 17	11	12	13	14	15	16	17
		6:30pm 7:30pm *KPSC (CC3)	7:00pm 9:00pm Citizen's Acadamey (CC3)	6:00pm 8:30pm GPFF (CCM) 7:00pm 9:00pm *KFD Mtg (CC3)	ICI Homicide - Steg Copy: Monthly Statistic 7:30pm 9:00pm Troop 100 Parent Mtg (CCM)		
Aug 18 - 24	18	19	20	21	22	23	24
			7:00pm 9:00pm Citizen's Acadamey (CC3)	ICI Homicide - Steg			
Aug 25 - 31	25	26	27	28	29	30	31
		7:30pm 9:30pm *KIC (CC3)	7:00pm 9:00pm Citizen's Acadamey (CC3) 7:30pm 9:00pm *KMAC (CC3)				

* defines non paying group/meetings

General Manager July 2013 Report

Budget

In June 30th, we wrapped up Fiscal Year 2012-2013. However, our accountant has been on vacation, so adjustments between our last fiscal year and our report for July this fiscal year have yet to be made. We will not have the final totals available until next month's report.

As I noted in the Unaudited Profit & Loss Report, this fiscal years budget figures have not been posted to the document yet and we are waiting for our accountant to return. This too should be available next month.

The only real variance for the month of July was in Officer Overtime. We incurred \$4,129 in overtime expenses on two main investigations, the first being a possible manslaughter investigation and the second on our follow up work on leads to a residential burglary.

We also paid \$75,000 in legal expenses for the month which were incurred during the month of June and will be part of the Fiscal Year 2012/13 budget.

Kensington Park

Community Center & Annex

We are continuing the process of repairing the damage done by gophers to the lawn in front of the Community Center. In July we installed 650 square feet of new sod at a cost of \$1,200.

We have sent out our requests for proposals to firms in our search for a survey of the community to identify the interest and community willingness to pass a possible tax or bond for the remodel of the Community Center. The RFP's are due August 13th, and the Park Buildings Committee will be meeting August 20th to review them.

Park Repairs

In July, we adding playground bark to the swing set area (\$240), repaired the steps leading from the meadow to Highland (\$180), repaired time timing on the irrigation valves (\$140), and removed a broken concrete bench (\$80).

I have received an estimate to repair the back wall to the tennis courts, but I am looking for better options as far as materials to be used before moving forward with this continuous repair issue.

Emergency Preparedness

The agenda and the minutes of the Public Safety Council posted are on the KPPCSD web page.

The next meeting of the Kensington Public Safety Council will take place Monday, August 12th, at 6:00 PM at the Community Center Room #3.

It is very important for those interested in Kensington's emergency preparedness to come to the meetings.

Mark your calendar's for the next KPSC presentation, "Local Emergency Response To Disaster" on Thursday, September 19th at 7PM in the main room of the Community Center.

Other District Items of Interest

Solid Waste

At the June 13th KPPCSD Board meeting, the directors accepted a settlement agreement with Bay View Refuse as a result of the arbitration process. Through the settlement agreement, it was decided that the District will pay for a rate review for garbage fees for 2014 and that each side will pay the costs of their own attorney's fees. We have already begun the rate review process.

Public Works Issues

Street Lights

On July 16th, Supervisor John Gioia held the second Arlington Street Light Committee meeting with Public Works and PG&E representatives. It is anticipated that following this second round of discussions, a public town hall meeting will be held to provide facts and options.

Paths

On May 14th, I participated in a conference call with representatives from the County to discuss the process of acquiring the first path, the Highland/ Kenyon Path. Following this conversation, I prepared a memo to the KPPCSD Board regarding this initial discussion. I am currently waiting for further information from the County on the process of path acquisition before bringing this process to the Board for consideration.

Website

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

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Wednesday, July 31, 2013

Subject: NB #1-RFP For Auditor Services For Fiscal Year 2012/13

On June 18th, I sent out Requests For Proposals (RFP) for auditing services for the Fiscal Year 2012/13 to the following firms:

Blomberg & Griffin, Sacramento

Fechter & Company, Sacramento

Charles Z. Feday & Company, Cypress

Bob Johnson CPA, Citrus Heights

James Marta & Company, Sacramento

Mann, Urrutia, Nelson CPAs, Sacramento

Rogers, Anderson, Malody, & Scott, San Bernardino

Our current auditing firm is Lamorena & Chang, San Francisco, (\$13,000).

I received proposals from two firms, Fechter & Company (\$9,500) and Bob Johnson CPA (\$6,500). Both proposals and a sample of their audits were submitted to the Finance Committee for review at their July 18th meeting.

It was the recommendation of the Finance Committee and our accountant Debra Russell, to select Fechter & Company to prepare our Fiscal Year 2012/13 yearly audit.

I have attached the Fechter & Company proposal for your review.

Proposal for Fiscal Auditing Services

**Kensington Police Protection &
Community Services District**
June 30, 2013

July 1, 2013

Fechter & Company
Certified Public Accountants
1870 Avondale Avenue Suite 4
Sacramento, CA 95825

Contact: Craig R. Fechter, CPA
T (916) 333-5360 F (916) 244-0116
Email: Cfechter@Fechtercpa.com

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July 1, 2013

Mr. Gregory Harman, Police Chief
Kensington Police Protection & Community Services District
217 Arlington Avenue
Kensington, CA 94707

Dear Chief Harman:

Fechter & Company, Certified Public Accountants, is pleased to present our proposal to provide audit or review services to the Kensington Police Protection & Community Services District (the District). The Statement of Firm Qualifications and the credentials listed in the resumes of our team will demonstrate our qualifications, competence, and capacity to perform the audit services requested within the time frame required by the District.

This proposal is an irrevocable offer valid for 60 days after the date of the proposal. I am authorized to represent and to obligate the firm contractually to the District. I am located at 1870 Avondale Avenue, Suite 4, Sacramento, CA 95825, and you can contact me by telephone at (916) 333-5360.

Thank you for considering our proposal. We look forward to a long and successful working relationship with you and your management team.

Very Truly Yours,



Craig R. Fechter, CPA, President
Fechter & Company, Certified Public Accountants

Firm Profile

Fechter & Company, CPAs is a professional corporation formed in April 2005. We provide finance consulting and auditing services to governmental and non-profit entities. We specialize in serving agencies with annual budgets of less than \$25 million.

Fechter & Company is based in Sacramento, with a staff of 4 certified public accountants. Our relatively small practice offers several advantages to you:

- Experienced auditors perform all audit procedures from initial planning meetings through fieldwork to financial statement preparation.
- You receive a high level of personal service with easy access to professionals who can answer your questions and facilitate the audit process.
- Because the firm president performs and supervises on-site fieldwork, the turnaround time from the end of our fieldwork to the report draft is typically only 10 days.
- Working with the same auditors from year to year greatly reduces the time your staff spends familiarizing us with your business procedures. Your audit process becomes increasingly efficient.
- Fechter & Company is pleased to note that Mr. Lamar Edwards, who is of African American descent, is a non-equity partner.

Licensing and Independence

- Our firm is licensed as a certified public accounting firm in the state of California.
- Each CPA in our firm meets the independence requirements of the American Institute of Certified Public Accountants and the Government Auditing Standards, 2003 revision, published by the U.S. General Accounting Office.
- Our firm has had no disciplinary action taken or pending since its inception in 2005.
- There are no conflicts of interest with the District or its personnel.
- We will continue to maintain requisite insurance coverage—professional liability, workers compensation, business occupancy and auto insurance—throughout the course of our engagement.

Quality Controls

Engagement Partner and Staff for This Assignment

Mr. Craig Fechter will lead the audit while Mr. Scott German and Mr. David Fechter will assist with the fieldwork. Complete resumes are attached to this proposal.

Mr. Fechter takes annual courses on the Governmental Accounting & Audit Update. He completed a course in the implementation of the new Auditing Standards (SAS 108-114) in 2011. He also serves on the accounting advisory board for UC Davis Extension and teaches a course, which serves as a source of continuing professional education.

We have recognized the District's need for staff consistency. You will deal with the same principal each year on the audit -- Mr. Craig Fechter, CPA. He will be on site for each day of fieldwork for each year our firm performs your audit.

Internal Quality Control Procedures

- Each member of our firm meets the continuing education and external quality control review requirements contained in the Government Auditing Standards, 2003 revision, published by the U.S. General Accounting Office.
- Each audit staff is required to complete annual update courses for both Government/A-133 and non-profit audits. These courses, which together comprise 26 hours of continuing education, help our audit staff maintain awareness of technical changes in both regular and single audits.
- During the years our firm is not peer reviewed, we conduct annual internal reviews. A principal inspects 4 randomly selected audits and makes notations and recommendations in the same manner as an external peer review. This helps to keep our working papers and audit processes fresh.
- Prior to being released, each audit is reviewed by a partner who is not involved with the audit or the client. This independent partner makes observations and suggestions as to additional audit procedures that should be performed. For new clients, a second partner reviews our audit planning memorandum prior to our beginning the fieldwork in order to ascertain why certain procedures were selected while others were not.

Although our audit staff is extremely experienced, we continually strive to improve our audit quality, from the planning stages to the final report. We actively encourage all staff to suggest new or different procedures.

Technology and Security

We maximize both efficiency and security by using technology recognized as standard in the accounting industry. These are some examples:

- **Microsoft Office Applications**
Since most of our clients use Microsoft applications, we likewise use the programs, which enable us to collaborate on projects.
- **Engagement CS**
We use Engagement CS paperless auditing system to cut processing time and costs. All information can be uploaded to our secure file transfer website.
- **Biometric User Security**
All staff computers are protected with biometric access restrictions.
- **Data Storage**
All data is backed up to our local server daily through our secure VPN. In addition, our server data is backed up daily off-site.
- **Our firm subscribes to approximately a dozen industry periodicals and newsletters. We proactively inform our clients about potential changes in related accounting legislation and standards so they can quickly assess the impact on their organizations. In addition, we offer an annual Government Accounting Standards Board (GASB) and Financial Accounting Standards Board (FASB) update course to our clients at no additional charge.**

References

Special Districts Audited

Approximately 70 percent of our firm's revenues are derived from governmental and non-profit audits under *Government Auditing Standards* as published by the U.S. General Accounting Office. We have a specific expertise in auditing local special districts. Current fire department and other local clients and services performed are as follows:

Lakeside Fire Protection District

Scope of audit: Fechter & Company, CPAs was engaged to provide a special district financial statement and single audit of the Lakeside Fire Protection District under Government Auditing Standards and OMB A-133.

Services provided: Audit of the financial statements, single audit, management letter, and report on internal control structure.

Engagement partner: Craig R. Fechter, CPA

Contact:

Robert Schiwitz, Administrative Services Manager
12365 Parkside Street
Lakeside, CA 92040
619-390-2350 x310

Greater Vallejo Recreation District

Scope of audit: Fechter & Company, CPAs was engaged to provide a special district financial statement audit of Greater Vallejo Recreation & Parks District under Government Auditing Standards and OMB A-133.

Services provided: Audit of the financial statements, single audit, management letter, and report on internal control structure.

Engagement partner: Craig R. Fechter, CPA

Contact:

Romi Selfaison, Finance Director
Great Vallejo Recreation District
395 Amador Street
Vallejo, CA 94590
707-648-4600

References (continued)

Mokelumne Fire Protection District

Scope of audit: Fechter & Company, CPAs was engaged to provide a financial statement audit for the Mokelumne Fire Protection District under Government Auditing Standards and OMB A-133.

Services provided: Audit of the financial statements, management letter and report on internal control structure.

Engagement partner: Craig R. Fechter, CPA

Contact:

Kristy Berry, Finance Director
13157 East Brandt Road
Lockeford, CA 95237
209-727-0564

Alpine Fire Protection District

Scope of audit work: Fechter & Company, CPAs was engaged to provide a financial statement audit for the Alpine Fire Protection District under Government Auditing Standards and OMB A-133.

Services provided: Audit of the GASB 34 financial statements, management letter and report on internal control structure, and preparation of annual report of financial transactions of special districts.

Engagement partner: Craig R. Fechter, CPA

Contact information:

Jean Moore, Finance Director
1364 Tavern Road
Alpine, Ca 91901
619-445-2635

Specific Audit Approach

The District requests that the auditor express an opinion on the fair presentation of its financial statements in accordance with accounting principles generally accepted in the United States of America. We propose that the engagement be divided into the following segments:

Phase I

- Initial planning and preparation
- Preliminary analysis, report preparation, cash and other confirmations
- Information gathering
- Evaluating internal controls

Phase II

- Fieldwork
- Post-field-work activities (e.g., follow-up on pending items, collection of confirmation letters, etc.)

Phase III

- Report finalization and final analysis
- Report delivery and Board of Directors presentation

Initial Planning and Preparation

As the first step in our planning and preparation phase, we will meet with the staff of your company to establish a working relationship. We expect this meeting will involve the District's manager and its controller.

We will deliver a Prepared-by-Client list (PBC), which details the items we will need to perform the audit. We will resolve any ambiguities or questions we or the District might have about the services we are to perform.

We will gather contact information for the District's bankers, attorneys, prior accountant, and other relevant parties, and make inquiries as required by *Government Auditing Standards*.

We will examine prior year's financial statements to develop audit plans for each significant balance sheet and income statement account.

Specific Audit Approach (continued)

Preliminary analysis

The primary focus of an audit is to develop expectations and compare actual financial results against those expectations. We will compare the current year's results with budgetary expectations to identify any areas of material misstatement.

Report Preparation

Unlike other firms, we prepare financial statements prior to field work. Doing so allows us to focus on the overall financial position of the organization and limits our testing of clearly insignificant areas.

Cash and Other Confirmations

We will confirm cash with the bank, any material year-end accounts or grants receivable, grants or donations received during the year, debt outstanding at the end of the year, and any other financial transaction that we consider material to the financial statements as a whole. The decision to confirm a statement item depends on the materiality of the item, the susceptibility of the item to misstatement, or the likelihood of fraud.

Information Gathering

We will obtain the information requested in the PBC along with any associated report required.

1. Testing statistical samples

During sample selection we consider three questions: (1) purpose of the test—attribute or balance testing, (2) susceptibility of the population or process to fraud or misstatement, and (3) size of transactions—small and numerous, or large and infrequent.

2. Testing revenues and disbursements

In testing revenues and disbursements, we determine that the attribute being tested is applied to the transaction as approved by the District's Management and Board; we do not determine whether a balance is valued properly. For example, our sample for disbursements test has two purposes—attributes testing, and control testing. In attribute testing we see whether the amounts posted to the general ledger agree with the invoices and canceled checks. Since disbursements have the potential for defalcation, we check for any suspect or significant transactions that appear to be out of place in your detailed general ledger. We may select 20 items based on the results of a random number generator, and select another 20 to 40 items by scanning the detailed general ledger. The result is an overall sample of 40 to 60 invoices to confirm compliance

Specific Audit Approach (continued)

with board-approved procedures. We determine sample sizes in accordance with the objective of the test, the population to be sampled, and the risk associated with that population. The sample size also depends on the size of the population and whether or not we will be able to properly stratify populations into individually significant and individually insignificant items.

3. Examining the District's internal control structure

Among the items included in the PBC is a questionnaire regarding internal controls. We will review the completed questionnaires and compare them with procedures the District has established for actions such as purchasing, cash and check collections, inventorying fixed assets, billing, payroll disbursement, and budgeting. We will then audit each area of internal control that will materially affect the audit.

4. Determining pertinent laws and regulations

We will examine items such as grant agreements to determine their effect on the District, and audit them if necessary. We will also examine pertinent ordinances to determine whether the District is in compliance.

5. Assessing risk

Generally accepted auditing standards require that we assess the risks of material misstatement and fraud. After analyzing internal controls and evaluating potential weaknesses, we will determine which areas of the audit carry the risk of material misstatement, and take steps to mitigate that risk.

6. Testing for functionality of internal controls

We will conduct random tests on a year-to-year basis to determine the functionality of the District's internal controls. We will randomly select customers and trace each step of each payment into the system over the course of a year. We will audit any area of potential weakness with a specifically designed test.

Specific Audit Approach (continued)

Fieldwork

With the assistance of Company personnel, we will test the balances resulting from the following procedures:

- Cash deposits
- Internal control of disbursements
- Payroll
- Revenues
- Inventory control
- Billing and collections
- Unrecorded liabilities

We will also discuss with the Board any specific concerns or procedures they want performed.

Post-fieldwork Activities

Once we complete our fieldwork, we will resolve any pending items and ensure that all requested third-party confirmations have been received. After the District has reviewed the financial statements and any proposed adjusting journal entries, we will obtain signed representation letters from the District and from its counsel that confirm or explain any pending litigation against the District and its effect on the audited financial statements.

Report Finalization and Final Analysis

Prior to finalizing the financial statements, we will perform a second comparison of current year results with prior year results, and budgetary expectations to actual results. Performing these tests subsequent to the audit work provides additional assurance that the financial statements are free of material misstatement.

Report Delivery and Board of Directors Presentation

We will deliver our report in person to the Board of Directors. We will also attend a board meeting to answer questions that the Board may have. Our aim is to create an open line of communication between our firm and your organization so the Board feels comfortable asking for help with any questions or issues that may arise during the year.

Audit Timeline

Audit Timeline

Because the firm president performs and supervises on-site fieldwork, the turnaround time from the end of our fieldwork to the report draft is typically only 10 days. Completion of the final audit report depends on how promptly the District's staff is able to provide needed reports and confirmations. The typical turnaround is within 3 weeks. The following table shows our timeline for completing the major tasks of the audit.

Phase	Audit Task	Estimated Timeline
I	Entrance conference	July 2013
	Initial planning and audit planning Prepared-by-Client list Information from bankers, attorneys Prior year's statements	July 2013
	Preliminary analysis Report preparation Cash and other confirmations internal controls Information gathering Statistical sampling and testing Revenues and disbursements Internal controls Laws and regulations Risk assessment Functionality testing	Sept 2013
II	Fieldwork: 2-3 days Cash deposits Internal control of disbursements Payroll Revenues Inventory control Billing and collections Unrecorded liabilities	Nov-Dec 2013
	Post-fieldwork activities Third-party confirmations	Dec. 2013
III	Report finalization and final analysis Final analysis	Dec. 2013
	Report draft delivery Final report delivery	Dec. 2013 Dec. 2013

Compensation

Proposed Fee Schedule for 2013

Financial Statement Audit	\$9,000
Direct engagement costs (e.g.):	\$500
Travel	
Administrative and printing	

Proposed Fee Schedule for 2014 and 2015

We propose a fee increase of 2.5 percent for each of the years 2014 and 2015. Total direct engagement costs for each year will not exceed \$500.

Qualifications

More detailed resumes are available upon request.

Craig R. Fechter, CPA

Fechter & Company, Certified Public Accountants

Classification: President

Years of Experience: 12

Mr. Fechter is the president of Fechter & Company, Certified Public Accountants.

Academic Background

Master of Science in Taxation at Golden Gate University, 2012

Bachelor of Science in Business Administration, Accountancy, California State University at Sacramento, 2001

Professional Certifications and Affiliations

Certified Public Accountant

Member California Society of Certified Public Accountants

Member American Institute of Certified Public Accountants

Adjunct Professor of Accounting, University of California, Davis Extension

Executive Committee, Big Brothers Big Sisters of the Greater Sacramento Area

Scoutmaster, Boy Scouts of America, Troop 320

Facilities, Transportation & Finance Committee, San Juan Unified School District

Past Finance Committee Chair, San Juan Education Foundation

Relevant Experience

Since his graduation from Sacramento State in 2001, Mr. Fechter has worked for two regional CPA firms. During college, he worked for a local sole practitioner. Mr. Fechter has performed financial statement audits of numerous counties and local government agencies, including other non-profit agencies. He has performed these audits in the capacity of both a staff auditor, lead auditor, and engagement partner.

Qualifications

(continued)

Financial Statement Audits

Mr. Fechter has participated in the following audits in the capacity of engagement partner:

Greater Vallejo Recreation & Parks District
Alpine Fire Protection District
Lakeside Fire Protection District
Borrego Springs Fire Protection District
Bonita-Sunnyside Fire Protection District
Carpinteria-Summerland Fire Protection District
South Lake County Fire Protection District
Stanislaus Consolidated Fire Protection Services

References for the above clients, who worked exclusively with Mr. Fechter, are available upon request.

Single Audit Act Compliance Audits

Mr. Fechter has participated in the following single audits in the capacity of lead auditor:

Marin County
MAAP, Inc.
San Joaquin County
Stanislaus County
Sierra County
San Luis Obispo County
Lassen County

Continuing Professional Education

Mr. Fechter takes annual courses on the Governmental Accounting & Audit Update. He has recently completed a course in the implementation of the new Auditing Standards (SAS 108-114). He also serves on the accounting advisory board for UC Davis Extension and teaches a course, which serves as a source of CPE for Mr. Fechter.

Mr. Fechter is an accomplished public speaker and published author. He has taught CPE courses for the American Society of Women Accountants (Sacramento chapter). He is also the author of accounting-related articles published by *Comstock's Magazine* and *The Nugget*, the journal of the Sacramento District Dental Society.

Qualifications

(continued)

David W. Fechter, CPA

Fechter & Company, Certified Public Accountants

Classification: Audit Senior

Years of Experience: 35

Mr. David Fechter is an audit Senior in the firm of Fechter & Company, Certified Public Accountants.

Academic Background:

Mr. Fechter received his Bachelor of Science in Business Management from California State University at Sacramento in 1971.

Professional Certifications/Accomplishments:

Certified Public Accountant

Enrolled Agent

Relevant Experience

Californation Department of Health and Human Services

Audit Manager (33 years)

Coordinated reviews of Medi-Cal care audit reports conducted in conformance with the Yellow Book, responsible for supervising 8 auditors in the performance of the reviews. Mr. Fechter was responsible for coordinating and completing the audits, appeals, and finalization.

Fechter & Company, CPAs

Senior Auditor (2 years)

Conducted a variety of audits in accordance with the Yellow Book and governmental auditing standards.

Participated in fraud investigations.

Qualifications

(continued)

Scott German, CPA

Fechter & Company, Certified Public Accountants

Classification: Partner

Years of Experience: 20

Academic Background

Mr. German received his Bachelor of Science in Accounting from California State University at Sacramento.

Professional Certifications and Affiliations

Certified Public Accountant

Board Member and Treasurer, California Hospice Association

Treasurer, St. Francis of Assisi Catholic Elementary School Parent Club and School Advisory District

Relevant Experience

KPMG Peat Marwick

Audit Manager (6 years)

Provided audit and business consulting to real estate, construction, and non-profit clients. Representative clients include California Dental Association, American Red Cross, United Way.

California's Optometric Association

Director of Business Services

Acted as chief financial officer, human resources, and general business manager. Oversight for financial reporting for five related entities and liaison for one for-profit wholly owned subsidiary.

California Association for Coordinated Transportation

Contract Chief Financial Officer

Assisted with budgets, grant proposals and cost allocations for contacts with the State of California

Fechter & Company, CPAs

Mr. German is a partner in the firm and has been with the firm for two years. He is the lead partner on the Sylvan Cemetery District engagement.

Continuing Professional Education

Mr. German has taken a variety of accounting and auditing courses, the most pertinent of which is the annual Governmental Accounting & Auditing Update published by the American Institute of Certified Public Accountants.