

Meeting Minutes for 3/8/18

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, March 8, 2018, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Regular Meeting (Open Session) followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Rachelle Sherris-Watt, President	Ann Danforth, District's Legal Counsel
Eileen Nottoli, Vice President	Jon Holtzman
Len Welsh, Director	Keith Barrow, KPOA President
Chris Deppe, Director	David Bergen
Sylvia Hacaj, Director	Mari Metcalf
	Kevin Padian
	Mark Constantini
	David Spath
<u>Staff Members</u>	
Anthony Constantouros, General Manager	Karl Kruger
Lynn Wolter, District Administrator	A. Stevens Delk
Rickey Hull, Interim Police Chief	Randy Weiss
	Cyrus Modavi
<u>Press</u>	Vida Dorroh
	Paul Dorroh
	Anthony Knight
	Dawn Mackey
	Celia Concus
	Andrew Gutierrez

President Sherris-Watt called the meeting to order at 6:33 P.M. President Sherris-Watt, Vice President Nottoli, Director Welsh, Director Deppe, Director Hacaj, GM Constantouros, and District Administrator Wolter were present.

CLOSED SESSION PUBLIC COMMENTS

None.

The Board entered into Closed Session at 6:34 P.M.

CLOSED SESSION

- a. EXISTING LITIGATION
California Government Code Section 54956.9(a)
██████████ and Chih Lin v. Kensington Police Protection and Community Services District
et al.

- b. CONFERENCE WITH LABOR NEGOTIATORS:
California Government Code Section 54957.6
Agency representatives: General Manager Anthony Constantouros and Jonathan Holtzman
Employee organization: Kensington Police Officers Association.

The Board returned to Open Session at 7:42 P.M.

President Sherris-Watt took roll call. President Sherris-Watt, Vice President Nottoli, Director Welsh, Director Hacaj, and Director Deppe were present.

President Sherris-Watt reported that, with respect to item 3a, no action was taken.

President Sherris-Watt reported that the Board had voted 5 – 0 that, because a threat of litigation had come to the District since the existing agenda had been posted, it would publish the threat of litigation within the next 24 hours. The Board had given direction its attorneys on the matter.

With respect to Item 3b, President Sherris-Watt reported that the Board had given direction to its labor negotiators.

PUBLIC COMMENTS

David Bergen asked that the Board discuss the March 17th meeting with Matrix. He understood that it was not going to be recorded but that he thought it should be. Many people would not be able to attend, and those people should be able to view or listen to it. The Board was responsible for making this possible.

Mari Metcalf said that she was looking at the complaint that had been filed by [REDACTED] and that she had a question regarding page 10, wherein the complaint said, "on information and belief, Ramos was investigated for improperly accessing DMV records of Kensington District Board members and others." She asked if the investigation had been concluded, or if it was ongoing. President Sherris-Watt referred the question to the District's legal counsel, Ann Danforth. Ms. Danforth responded that the District couldn't comment on pending litigation. Ms. Metcalf said she wasn't asking about the pending litigation. She was asking about the investigation that had been done about Ramos, and whomever else in the department, using CLETS to access records of District Board members and other residents. Ms. Danforth responded that this was just an allegation within the complaint, but there was no specificity as to exactly what search had been done or, more importantly, when it had been done. Ms. Metcalf asked if Ms. Danforth was denying there had been an investigation done regarding the members of the Kensington Police Department looking up individuals on the CLETS system. Ms. Danforth responded that there may have been, but she couldn't speak to whatever incident the complaint referenced. Ms. Metcalf said she wasn't talking about an incident – she was talking about an investigation that had been done. Ms. Metcalf asked when the investigation had been concluded. Ms. Danforth responded that Ms. Metcalf spoke as if Ms. Danforth should know about which investigation Ms. Metcalf was speaking. Ms. Metcalf said she was speaking in plain English, and she was talking about an investigation of the Kensington Police Department police using the CLETS system in a way that's not authorized, and they used it to look up Board members' information and, possibly, other peoples' information. Ms. Danforth asked if Ms. Metcalf knew, for a fact, that there had been one or more such investigations. Ms. Metcalf responded that she was asking Mr. Danforth this question. Ms. Danforth responded that, during her time with the District, there had been no such investigation. There may have been one or more, but she couldn't answer questions about a specific investigation without knowing more information. Ms. Metcalf responded that this had been more of a straight answer and asked if, Ms. Danforth didn't know the answer, then who would know the answer about the investigation. Ms. Danforth said she couldn't speak to this: She could only look to the files. Unfortunately she wouldn't be able to provide much information about a prior investigation. However, Ms. Danforth said Ms. Metcalf might find it helpful

that there had been an investigation, and unusually, there had been a report that had been partially published. Ms. Metcalf might find some information in that published report. Ms. Metcalf said she was now confused – a second ago, Ms. Danforth had said she hadn't known if one had been done, and in the next sentence said she did know that one had been done. Ms. Danforth said there had been a reference to the use of CLETS in this investigator's report, but she had not committed the report to memory. She said she knew it had been published, so it was a resource Ms. Metcalf might try. Ms. Metcalf asked where this report had been published. Ms. Danforth responded it was on the District's website. Ms. Metcalf asked if the investigation had been performed by an outside agency. Ms. Danforth responded in the affirmative. Ms. Metcalf asked how one would get access to the report. Ms. Danforth responded that it was on the website, under "Press Releases." Ms. Metcalf asked about an excerpt that had been published, but said she was looking for the entire report. Ms. Danforth responded that Ms. Metcalf could not have this document: The Police Officers' Bill of Rights would preclude disclosure of many documents relating to IAs. Ms. Metcalf responded that any residents who want to know whether they'd been subjected to CLETS searches that had been unlawful would have to sue in order to get access to that report. Ms. Danforth responded that she couldn't speak to that.

President Sherris-Watt responded that, if a resident was concerned, they were welcome to file a complaint. However, internal investigations are private unless released by the Board. Ms. Metcalf responded that she didn't know if this had been an internal affairs investigation or not: She was trying to get information about it but was getting stonewalled. President Sherris-Watt reiterated that the report was on the District's website.

Director Welsh said the Board had received Ms. Metcalf's comment and thanked her. He said the Board was not here to have a dialog. It was here to take comments. Ms. Metcalf responded that the Board hadn't answered her question: Her question was, how do residents... Director Welsh said it was not the Board's obligation to answer her question. Ms. Metcalf said that, when she'd been on the Board she'd tried not to talk over people. So, her question was, what procedure do residents have to go through to get access to the full document. She said she hadn't gotten an answer.

Director Welsh suggested that she submit a written request, and the District would consider replying. Ms. Metcalf concluded by thanking the Board.

Kevin Padian asked the Board to do two things. The first was to agree that the fundraising effort for the Community Center was going to take several years, rather than several months. The second was to agree to a financing plan, including a loan if necessary, to bridge the construction costs until the community fundraising efforts were realized. The Board had asked the community, especially the K-groups, to organize a fund-raising effort. Director Hacaj responded that this had been an offer made, not a request. Mr. Padian noted that Director Hacaj has been an integral part of the meetings and a great leader. He said that some people on the K-groups didn't know what the timetable was for raising money – some were under the impression that there was a push to raise money within several months, which was unrealistic. He asked for a verbal commitment from the Board because it's important to get this done well.

President Sherris-Watt responded that this wasn't on the agenda, so the Board couldn't make a public comment. However, these items had been under consideration by the Finance Committee and the Board, but a formal commitment would have to be placed on an agenda. Director Hacaj is coordinating this project.

Mr. Padian expressed his disappointment that this hadn't been placed on this evening's agenda and asked that it be placed on the Board's next agenda. He also asked that the Board place on its agenda how it will deal with the funding shortfall. Because the Board didn't have a contract, it didn't know what design it was going to take. It would help with the fundraising if, whatever design the Board were to choose, there could be enough time to raise the funds and for the Board to take a loan during that time, if necessary.

Director Hacaj said that the community fundraising efforts had always been supplemental and that she and Mr. Padian could discuss this further offline. She clarified that the community fundraising had never been a requirement.

Mr. Padian asked if the \$200,000 to \$350,000 target being solicited would help.

Director Hacaj responded that there had been a meeting at which she had reviewed the numbers and the timetable. She said she'd send the notes from it to Mr. Padian.

Mr. Padian asked if the Board was prepared, if necessary, to take out a loan. Director Hacaj responded that this couldn't be discussed this evening, but the Board would place it on the agenda at the proper time.

Mark Constantini said that, in the recent Outlook, Vice President Nottoli had written about how difficult it was to recruit police officers and that the recruitment process included a background investigation and psychological evaluation. He said that one would think that the same standards that applied to entry level officers should be the same for the Chief of Police, interim or otherwise, and regardless of whether they're hired from outside or promoted from within the department. He asked if Interim Chief of Police Hull had undergone the same background check and psychological evaluation when the Board had promoted him.

Legal Counsel, Ann Danforth responded that she would decline to answer the question.

Mr. Constantini responded that he understood this to mean, "no."

President Sherris-Watt said this was public comment time, not question and answer. The Board's technically not supposed to respond to comments because the items hadn't been placed on the agenda.

David Spath said he supported David Bergen's comments: It would be important to video record the Matrix Consulting Group presentation to be held on March 17th and then make that recording available on the District's website. All residents should have the opportunity to see the discussion and to learn what's expected going forward.

Karl Kruger said the financial statements were no longer on the Consent Calendar. Thus, he asked when he could ask questions about this report. He was told this would be the time. There was some concern about where the District was financially, as of the end of February – the most recent statement. Income is good. Police salaries, compensated absences, and overtime combined are about \$5,000 over budget – primarily because of the buyouts of officers who'd left. Salaries plus overtime is under-budget, which it should be because of the department's low staffing level. The low staffing also results in things like vehicle maintenance and training, being under budget. This should be a time when money is spent on recruiting. Legal fees on the police side are high, but are lower on the District side. He said other things had been budgeted high. He wondered if the District was on schedule for billing for these line items. He asked if the District had been billed and had paid for everything that had been done up until now.

A. Stevens Delk said this was a good example of why the financial statements should be placed back on the Consent Calendar – so this information could be discussed. If the report can be addressed only during Public Comments, the Board can't comment on it or answer questions about it, unless the Board breaks the rule and decides to answer some people's questions but not others'. She asked the Board to consider returning the Unaudited Profit and Loss Statement to the Consent Calendar.

BOARD COMMENTS

Director Welsh said he had originally thought the Matrix presentation should be recorded but then decided against it, after Richard Brady, Matrix President, expressed concerns that video-recording could inhibit attendees from participating in the discussion. He said that Matrix had done a lot of this type of work and that the company. Mr. Brady wanted to obtain input not received thus far. Mr. Brady would prepare a record of the comments made and what occurred at the meeting. This should be left up to Mr. Brady to decide. There would be a second meeting that could be recorded if there seemed to be a desire to change.

Director Hacaj said she also had reservations. The presentation would be conversational – potentially with small group work. It would not be a presentation-style meeting. This meeting would be held on March 17th and had been publicized on Nextdoor, in the paper, and on the signboard. Matrix had been hired to help the Board look at the police department to see what kinds of improvements and investments would be needed in Kensington's own department and to see what kinds of strategies there might be to deliver services. Matrix would be having a meeting at the Community Center on March 17th at 10:00 A.M. There would be pastries and coffee at 9:30 A.M. She encouraged everyone to attend. It's very important to have residents participate in the process.

Director Welsh noted that, at its March presentation, Matrix would get input from the community about the kind of policing the community would like. At the April meeting, Matrix would begin making recommendations about state-of-the-art policing and the kind of service it thinks the community should receive from the police – whether the District contracts out or keeps its own police.

President Sherris-Watt added that the Board would be looking for other ways for the community to provide input to Matrix.

President Sherris-Watt announced there would be two upcoming Finance Committee meetings: March 12th, at 10:00 A.M. to discuss changes to the presentation of the budget, and March 28th, at 7:00 P.M. to discuss the draft audit with Steven Change and the 2018-19 budget. Both meetings would take place in the Community Center.

President Sherris-Watt announced that Director Welsh needed to leave early. Thus, she asked to move Items 9a and 9b and address them first.

STAFF COMMENTS

None.

- 9a. The Kensington Police Protection and Community Services District discussed amending Exhibit D of the contract with Bay View concerning reporting requirements to eliminate information that is not relevant to Kensington.

Vice President Nottoli reported that the District wanted to clean up the contract with Bay View Refuse and remove those items that have been determined to be standard contract language but that do not to apply to Bay View Refuse.

A. Stevens Delk said that Schedule D requires that Bay View provide information for each month, on a quarterly basis. However, Bay View still doesn't provide all required information. Requiring even less is not the best way to manage the \$1.3 million solid waste contract. Item a, tonnage, states that it's for tonnage by customer type; rather, it should be by material type. This is a change the Board should make. With respect to Item b, Vice President Nottoli had deleted it completely. The most recent report is the only one Ms. Deik had seen that provided any information about the disposal of recyclables – comingled recyclables that had been sold to Republic. This item is relevant and should not be deleted. Republic no longer buys clean yard debris, but she sees no reason to delete the item. With respect to Item c, Bay View could report that it had received no income, rather than delete the entire item. With

respect to Item 2, customer reports, she said she wasn't sure which services were not relevant to Kensington. Bay View provides cubic yard dumpsters and large drop boxes for special jobs, and they're listed in this section. Thus, she thinks this section is relevant. Bay View reports the size and number of containers used by regular customers. Actual data on reports would be better than alternative numbers. She cited, for example, that an eight-unit apartment building in Kensington has eight garbage cans, which is the minimum allowed by law. However, the building actually is served by a dumpster. She asked how much of Kensington's garbage is from restaurants. This is important for Kensington to know because of the new state laws regarding commercial food recycling. She doesn't think deletions are a good idea.

Dr. Delk said that, with respect to the revenue report, Section b is for listing customers whose service has been terminated as a result of non-payment. HF&H consultants had told Vice President Nottoli that this was standard for contractors attempting to collect payments. This list could be helpful in determining if a resident might be posing health risks by discontinuing garbage service. She asked if Kensington residents were required to have garbage service from Bay View Refuse and Recycling, or could they self-haul. Nine such customers had been reported in the most recent report. This report should be required, not deleted.

Dr. Delk said that, under annual reports, recyclables are currently marketed, and Bay View could obtain useful information from Republic on market conditions. This item should not be deleted because the District is supposed to assess the sustainability of its recycling program. Without this data, how could it be determined?

In the main body of the agreement, Dr. Delk said there are stipulations regarding disposal of recyclable and organic materials. The amount of recyclables taken to landfill must be less than 10%, according to the District's contract. She said that Kensington's material is manually sorted, along with everybody else's. The agreement also specifies that yard waste should have less than 1% residual (the amount that goes to landfill). But, Republic takes 10% to 15% of its organic material to landfill. Kensington can do nothing about this, but public awareness may make Republic better at running its operations.

Dr. Delk concluded by reiterating that she would not delete any of these requirements.

Vice President Nottoli responded that, because Bay View is not in charge of the organic or recycling facility, she didn't think those requirements were appropriate to retain. With respect to those who are delinquent in their accounts, it's her understanding that one must have a permit from the County in order not to use Bay View's service. With respect to some of the information about customer type, which is a form that the County requires Bay View to complete and which is Exhibit B of the Memorandum of Understanding, Bay View fills this out on a quarterly basis, and this is a sufficient amount of information. This is a small community and the recyclables are comingled with those from other communities. The amounts reported by those service providers are not specific to Kensington. HF&H agreed that these items could be deleted from the Bay View agreement.

Dr. Delk responded that Bay View does have specific information about recyclables that are taken to the recycling facility and how much yard waste is taken to the compost facility. What it doesn't have is what the end product is, and Kensington can't do anything about it.

Vice President Nottoli said this was correct. Bay View knows how many tons it takes to the compost facility and how many tons to the recycling facility.

Director Welsh said it was nice to have as much information as possible, but it should be remembered that this had been a standard form contract with which HF&H had had the District begin. The point of the negotiation had been to use a more modern approach to dealing with solid waste collectors. He and former Director Linda Lipscomb had negotiated this contract with Bay View. Tracy Swanborn, of HF&H, had indicated at the time that some of the agreements provisions might not have been appropriate for Kensington. If the information becomes necessary in the future, Bay View could be

asked to provide it – the company had been very accommodating. Bay View should be focused on providing service, which it does well. He was inclined to go with the changes.

President Sherris-Watt said that she, too, had thought about the health risk issue, but this seemed more like a mechanism for shaming one's neighbors.

Director Welsh said that the agreement was actually asking for a list of names of those who were delinquent. He said it was an administrative burden to keep track of this. If, however, someone notices garbage piling up somewhere, that information could be brought to the District's attention and it could be dealt with.

MOTION: Vice President Nottoli moved, and Director Welsh seconded, that the Board adopt the amendment to Exhibit D.

Motion passed: 5 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Deppe, Hacaj

NOES:

ABSENT:

- 9b. The Board discussed having a survey of resident to determine whether to amend the Bay View contract to provide food composting.

Vice President Nottoli reported that she'd become concerned when she'd heard on the news that China and other Asian countries were no longer taking America's recyclables, as they once had. California is interested in reducing the amount of material going to landfills. She's concerned about the District having possibly higher future costs for composting, as the state requires improved diversion rates. The estimates are that about 18% to 21% of garbage is food waste. By having food waste picked up with green waste, the District could be furthering efforts of meeting diversion goals. Food waste would have to be picked up once a week. This extra service would come with an increased cost of about 7%. This, added to the annual 3% increase, would represent a 10% total increase in current monthly rates, if the service were to begin next January. She noted that Bay View Refuse would provide customers with one to two recycling containers with wheels, as well as a recycling container with wheels. She reported that 21% of residents have 20-gallon cans, with a monthly rate of \$41.65. The proposed rate for this sized can is \$45.70. She noted that 71% of residents use 32-gallon cans, at a current monthly rate of \$45.65. This rate would increase to \$50.22. She noted said that Albany and El Cerrito charge extra for more than one green waste container. Kensington would continue to have unlimited green waste service under the proposed new service.

Director Welsh asked if there was a proposal to do a survey. Vice President responded in the affirmative.

Director Welsh said that the last time the District entered into an agreement, there had been questions about food waste composting and backyard service. HF&H had done a survey, and this seemed to have provided a clear answer about what the community wanted. Now, a few years later, the food composting issue had become more relevant. Thus, he said it would be good to do another survey to see if people would be interested in this additional service with its additional cost. He noted that the Board didn't want to push this on residents if they didn't want it.

Director Hacaj asked if the diversion rate increase was going to become a requirement.

Vice President Nottoli responded in the affirmative and reported that the regulations were in the process of being written. If the community could no longer count its recyclables as meeting the diversion goals, the only other way to meet the goals would be through organics. Republic, the composting facility, has told Kensington that it could grandfather Kensington in now, but it couldn't guaranty grandfathering Kensington in the future. Kensington needs to lock itself into the process now, so that other communities don't fill all available capacity. This would mean that Kensington would need to use another facility that would be further away and would, therefore, be more expensive.

Director Welsh said there had been a statute adopted the prior year that mandates that communities like Kensington take this kind of action, given current diversion rates. Tracy Swanborn, Kensington's HF&H consultant, had been following this, and the statute states that compliance needs to be in place by about 2021. Thus, he said there was some time pressure to get this done, and it could be done more cheaply now than if the District waited.

Randy Weiss said she didn't believe that Bay View would curtail its expenses. Her own garbage rates had increased substantially. She's a senior and has a small car. Now, she feels she's being forced into something that she doesn't want to do. She will not do it, and she will not pay. She's being priced out of the area. Bay View's rates have gone up enormously. She asked why the community couldn't opt to do what Albany and El Cerrito are doing – letting people pay more for extra services they want. She will try to combine her garbage with her neighbor, and they will pay for one service. With the newly passed tax laws, she can't afford to live here. She will not pay these fees.

President Sherris-Watt said that compost must be collected weekly. She added that none of this had been decided yet.

Director Welsh said that the purpose of the survey would be to get input from people like Ms. Weiss. Unfortunately, the law would not give the community a choice in a few years.

Ms. Weiss responded that, in a few years, she probably would not be living in Kensington because she likely would be unable to afford it. Bay View continues to raise its prices at 3% per year. She asked when the contract would end. The Board responded, in 2023. Ms. Weiss said that the prices would increase again and again, and this was very upsetting.

Director Welsh said the District would get the results from the survey, publish the results, and then the Board would make a decision.

There was a question about whether a Prop. 218 hearing would be required. President Sherris-Watt responded that this would not have to occur.

Ms. Weiss asked if the requirement to have a County permit to opt out of garbage service was in writing. Director Welsh responded that Ms. Weiss could apply for the permit and that it shouldn't be too difficult. The County just wants to ensure that applicants have a legal way to get rid of their garbage. President Sherris-Watt responded that the District could look for that and get back to Ms. Weiss.

A. Stevens Delk said that garbage rates still had to go through part of the Proposition 218. The Board would propose the rates and mail the information to every household 45 days in advance. There would be a hearing, and if there weren't 50% of property owners objecting, the rate would pass.

Ann Danforth, legal counsel, responded that she would ensure the District remained in compliance, as needed.

Dr. Delk said she doubted that Kensington would be able to meet the new diversion rates by composting – because of the offsetting effect of recyclables no longer meeting diversion needs. Only if people place almost nothing in their garbage bins will the future 75% diversion rate be met. She said the higher diversion rate would be accompanied by a pounds-per-person-per-day limit. Kensington is already below that limit.

Vice President Nottoli noted that Republic had told her, with Dr. Delk present, that it could grandfather Kensington in.

Dr. Delk said that, if Kensington acted promptly, it could be grandfathered in and be promised that its food waste would be collected with its green waste and taken to Republic for composting. She thought

Republic was doing a little bamboozling. She asked what the annual intake capacity was for Republic at its Richmond facility.

Vice President Nottoli responded that she didn't know the answer to this, but she had spoken with Tracy Swanborn about this, and she had indicated that a number of jurisdictions were starting to go into the Republic facility in Richmond. Kensington was going to be subjected to increasing diversion requirements. The District should be made aware of this issue and then consider whether it wanted to have food composting.

Dr. Delk reported that Republic's capacity at its Richmond facility was 125,000 tons of organic waste. Kensington's addition of 250 tons per year would represent an insignificant increase of 0.2%. Ms. Nottoli was bamboozled into thinking this decision would need to be made soon or the District would never get another chance.

Anthony Knight said he'd attended two Solid Waste Committee meetings and took an on-site visit on Republic's facility. He noted that all those in attendance were enthusiastic about the idea of food composting. This is a great idea, and the financial aspect of it is minimal. He would be happy to have the food composting service for an additional \$4.00 per month. He's also pleased at the prospect of having green waste picked up weekly. Residents should be surveyed to weigh in on this, and he hopes it comes about.

MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, that the Board direct Bay View to include a survey in the May invoice and to provide a prepaid envelope if that would increase the response level.

Motion passed 5 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Deppe, Hacaj

NOES:

ABSENT:

President Sherris-Watt suggested that the Board direct HH&F, the consultant that had done the RFP in 2014, to prepare an online survey – although she'd like to work with them to determine the method of surveying. She's currently exploring an option called "Flashvote" in addition to Survey Monkey – looking for voting techniques that are more scientifically sound. Until the research is concluded and she's presented it to the Board, she'd be hesitant to make a recommendation. In addition to preparing an online survey, President Sherris-Watt suggested that HF&H also take calls from residents and tally the results.

Director Deppe asked if there would be a cost limit HF&H would charge. Director Hacaj responded that, if the amount was under \$5,000, GM Constantouros could handle it. If the amount were more, it would come before the Board as a contract.

Vice President Nottoli noted that the range to do the survey would be \$1,000 to \$3,000 and then another \$3,000 to field responses and questions and to prepare a report. Thus, the total would be between \$4,000 and \$6,000.

President Sherris-Watt recommended a cap of \$6,000. Director Welsh recommended \$7,000 – just in case.

David Spath asked for clarification: Was the Board talking about two surveys? President Sherris-Watt responded that one would be a paper survey and there would also be a more defined survey. Vice President Nottoli responded that, alternatively, respondents could indicate "take the survey, go online here." This would be based on the HF&H document. Dr. Spath asked if it would be the same survey to obtain the same information. Director Welsh noted that the Board would be trying to reach as many people as possible, and he clarified that Bay View would not take the survey: It would just distribute it in its mailing. President Sherris-Watt said the Board would take the information and present it publicly. Director Hacaj clarified that there would be one survey that would be distributed in different ways.

Dr. Delk asked how the Board was going to be sure that one person wouldn't take both surveys and thereby get two votes. President Sherris-Watt responded that the Board would be thinking about this.

Director Welsh announced that he had to leave. He said he supported the survey, regretted that he would not be present to take the vote, and he left at 8:50 P.M.

Cyrus Modavi asked why the Board members were spending all this time debating about the garbage survey yet were asking for ways they could unilaterally take the police department out, without a citizen vote. President Sherris-Watt responded that they weren't, they hadn't unilaterally declared anything about the police department. They were still in the informational processing portion. Director Hacaj noted that his was not an item on the agenda and so didn't think the Directors could discuss it further.

President Sherris-Watt said there was a motion on the table and call for the vote.

MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, that the Board hire HH&F to prepare an online survey, possibly take calls from residents, and tally the results. The method of surveying to be determined, a not-to-exceed amount of \$7,000, and negotiating authority to be given to the General Manager and Vice President Nottoli.
Motion passed 4 – 0.

AYES: Sherris-Watt, Nottoli, Deppe, Hacaj

NOES:

ABSENT: Welsh

BOARD/STAFF COMMENTS

6a. General Manager reported on special session on February 12, 2018.

Mr. Constantouros went to the podium to make his presentation. He reported that the Board had held a meeting on Monday, February 12th. It was a special meeting: A workshop-type meeting. Such meetings have no minutes and no votes. It's an opportunity for discussion and sharing information. Because there were no minutes, he summarized for the community what had been discussed and the kinds of issues raised.

- Matrix Town Hall Meeting
The informational meeting about the police department would be held on March 17th. This would be an opportunity for the community to share its views on the police department. Richard Brady of Matrix would provide an overview of the scope and purpose of the survey and would update the community on where Matrix is in the process, which is still in the early stages. This would be a chance for the people of Kensington to speak up and say what kind of police department it wants. Matrix would help define what the police needs of the community are, what the ideal department is that the community wants, and how Kensington's own department compares to these ideals. The date chosen was the best date available. There had been some discussion about whether the meeting should be recorded. Generally, these are not the kinds of meetings that are recorded, but it would be up to the Board. The purpose of the meeting would be to promote discussion, not inhibit it. Recordings had the possibility of inhibiting discussion.
- Community Center Renovation
The Board went through the schedule. The current schedule was that the bidding would occur in early April, and the bid opening was scheduled for mid-May. Construction would begin in the summer. There would be a seven to nine month period of construction.
- Serpentine Rock in Kensington Park
The Board discussed how to address this rock. Two quotes had been received from two firms that had dealt with this issue. The quotes are for \$2,000 and \$2,800. The general practice is to accept the lower bid when both firms are known to be excellent. The Board and GM

Constantourós are finalizing this. Vice President Nottoli had volunteered to assist with this process.

- Public Safety Building
They discussed what's going on with the Fire Board. Director Welsh volunteered to act as the liaison with the Fire Board to keep everyone abreast of the decision making process and when it would be appropriate for the KPPCSD to be involved.
- Emergency Services
The Board had acted on the Nixle option on February 8th, which would be a potentially substantial service improvement to the community at a relatively low cost of about \$3,000 per year. This would be a way for the community to communicate and to be informed about local emergencies. The GM and the Board are in the process of finalizing that contract. Hopefully, after a year, the District would receive feedback on its success and whether it provides value to the community.
- Website Development Project
Director Deppe is spearheading this. Changing systems is a difficult process. The conversion has taken place, the website is up and running, but there are still issues being resolved.
- Police Recruiting
This is also on this evening's agenda. Police recruiting is an industry-wide issue. It is difficult to find good candidates. The best approach is to try every technique. In the past, Kensington had focused on hiring reserve officers. There are other ways of hiring police that the District is currently promoting. There are temporary options that would address an immediate need and could be more time-effective. Temporary options could be obtained by contracting with another jurisdiction for one or two people. Another one would be to hire retirees. There are many officers who have retired at a young age and are willing to return to work on a temporary basis. Matrix Consulting Group has told the District that this was an option available to Kensington and that it could be successful. Another technique would be to hire "laterals;" officers who were working in one agency and then transferred to another one, like Kensington. Kensington would be an ideal place for officers who have worked a number of years and are more interested in the community service aspect of policing. However, he said there were some pay issues in Kensington that keep this from being a feasible approach at this time. Some agencies even offer bonuses to attract officers from other agencies. The last option is recruiting for officers. Larger agencies tend to be more successful at this, and they even have people dedicated only to recruitment. The District has posted for police officers on just about every website it can think of. He recommended area-wide recruiting. Instead of four or five agencies each doing its own recruitment, the agencies should work together and do a single recruitment. All the agencies could work from the same list of candidates. Kensington might have to compete with other agencies, but it would promote working well together. The candidates could submit a single application to several agencies simultaneously.
- Administrative Study
GM Constantourós and the Board discussed this study, which is underway. It will possibly come to the Board in April. Kensington does not really have a strong administrative infrastructure. As a result, the Board steps in and volunteers to fill the void, which only partially solves some of the issues. The Administrative Study is to find what positions the District really needs: What are the classification levels of the positions; what knowledge, skills, and abilities are required for the positions; and what are the compensation levels. It's unlikely that these would be full-time positions. They would be part-time, and possibly one position that would perform multiple tasks. This would come out in the study.
- The Budget and the Role of the Finance Committee

There's a desire to involve the Finance Committee in a more productive way. As the President indicated there would be Finance Committee meetings on Monday, March 12th, and one later in the month. The March 12th meeting would be more of a concept meeting. At the later meeting, there would be an in-depth discussion. Kensington's budget needs a number of improvements. The current document is difficult to use for future planning. What GM Constantouros uses is the Government Finance Officers' Association checklist of what makes an outstanding budget. An award is given if an agency can achieve these things. There are about 20 factors, but Kensington has only about three or four of them. A lot of work needs to be done to improve the way in which the budget is presented. Strategic goals are usually included in the budget. Priorities, issues, and policies are also usually included. Capital expenditures are identified and done so separately. Each organizational unit has goals and objectives. These are what the budget should measure. Money is to be spent on goals and objectives: If they were not accomplished, why not? Another element of the Government Finance Officers' Association checklist is ease of use by the community. The current budget is not easily understood. There should be a format that makes it the public's budget. GM Constantouros is also a believer in multi-year budgeting. Long-range financial plans are not present in the current budget – he wants to do more than one budget each year.

- Transparency and Ways to Improve This
The GM and the Board discussed ways in which to improve transparency. The Special District Leadership Foundation has a list of items that promote transparency. The KPPCSD has accomplished a number of these items, but more need to be completed. The new website is one of the tasks. Another task, recently undertaken by the Board, is a regular District newsletter. With Vice President Nottoli's efforts, that item was just initiated.
- Policy and Procedures Manual
The KPPCSD's manual is out of date. It doesn't include current best practices. There had been past efforts to update it that had not been successful because of a number of complexities. The District is looking at the work done in the past and has formed a committee. Work has been divided among the committee members to look at each section of the manual and to bring forth a good document that reflects current times. This likely will go into the next fiscal year before it's completed. But, it will be completed.

President Sherris-Watt reported that every resident should have received a copy of the KPPCSD newsletter. Extra copies are available at the District office. If the District publishes one of these twice a year, it will fulfill one of the transparency requirements, which will help the District earn a Transparency Certificate. Director Deppe added that the newsletter was on the District's website, under "Governance."

Anthony Knight said that what the public had just heard was that this Board had met and discussed the Matrix meeting, Community Center renovations, serpentine rock, Public Safety Building, emergency services, and so forth – a whole series of items that had come under discussion at the Board's regular meetings. He is bothered by the fact that these aren't special items that had been discussed – they're routine items. The meeting had been called under special rules, which were perfectly legal – 24 hours notice had been given. The meeting had been held at 9:00 on a Monday morning – not exactly a time the public would expect. No minutes had been required to be taken. There had been one member of the public, who had been quick enough to be able to attend: Dr. Delk. Mr. Knight said that he had shown up for about ten minutes. This bothered him, and transparency had been one of the items mentioned by GM Constantouros. He said he didn't need to be told, again, that the Board was allowed to do this. But, in the interest of the public's perception, the Board could do better with more advance warning.

President Sherris-Watt said the Board looked forward to more advanced warning. Unfortunately, she'd had a director who'd been unable to confirm a goal-setting session, which is what this meeting had been. Goal setting is important for all professional organizations. No decisions had been made. The Board had simply set priorities. Members of the public were there – more than just one or two. The meeting had allowed the GM and the Board to share information.

David Spath said that GM Constantouros had reported on the schedule for the work on the Community Center, indicating that the District would go out for bids in April and that construction would begin in the summer. If the District were still short by \$360,000, would this be a staged construction?

Director Hacaj responded that this had been discussed several times. There was a mistaken piece of information that the District had to have all the money, in hand, in order to go out to bid. The District did not have to have all the money in hand. There are several sources still available to fund the project. And, because much of it would happen in 2018-19, that year's budget could be another source of funds. A loan could be another source. The community wants to raise more money, and she understands that's not going to happen overnight. The Board is continuing to go forward, and as it gets bids, the Board will continue to make decisions.

Dr. Spath said he understood that the District didn't have to have all the funds to go out to bid, but he believed it would have to have them to sign a contract for construction. He said the Board might be seeking a loan or looking to draw from the 2018 – 2019 budget. Director Hacaj responded that these were all things the Board had talked about.

Cyrus Modavi asked, with respect to the GM's comment about transparency, under what conditions was it that the Board doesn't need to keep minutes? This is usually done in government when something is top-secret or there are security concerns. GM Constantouros replied that this had not been a top-secret meeting. Mr. Modavi asked, under what conditions minutes would not be taken if one were talking about transparency. GM Constantouros responded that taking notes was unrelated to transparency. Mr. Modavi said that, when the government lapses in maintaining a paper trail, it lacks transparency. GM Constantouros said that this type of workshop was common practice in local government. They're made for discussion, and he'd attended no fewer than 30 of them. Mr. Modavi responded that GM Constantouros had said that he and the Board had set goals, so in some implicit way there had been some directional thought. GM Constantouros responded that there could be no motions, and there had been none. And, he'd provided a pretty thorough summary of the meeting. Mr. Modavi asked what goals had been agreed upon. GM Constantouros responded that he'd provided this in his presentation. Mr. Modavi asked if there would be minutes from this evening's meeting that would go on to the website and if the goals would be clear in that write-up. GM Constantouros responded in the affirmative and said that things do change. For example, the Community Center dates might change. Mr. Modavi said this was slightly different from making decisions. If there's all this talk about transparency, then why was there a decision not to take minutes since everything else requires them?

Paul Dorroh said that, from the tenor of the comments and questions raised this evening, the Board and GM Constantouros had created a transparency issue revolving around the special meeting on the 12th. He noted that, at the Board's Thursday meeting on February 8th, President Sherris-Watt had specifically stated that there would be no more meetings that month. Monday morning he'd opened his email and seen that several people had asked if he'd seen the Special Meeting notice. By the time he'd seen the notice on the website, it was already about 10:00 A.M. By looking at the pdf and the metadata within, he'd seen that the notice had been created at 10:00 P.M. on Saturday night. What had it been about this kind of a big-think, long range goal setting meeting that had required the rush to get it out there; to publish this notice of Special Meeting with a bare minimum legal notice; and then to say they would not have any minutes, either? Think about the appearance of that to anyone who thinks the Board and GM are trying to "hide the ball."

Anthony Knight said that GM Constantouros had presented that the intent of the February 12th meeting had been goal-setting meeting. But, when GM Constantouros had made his presentation about the February 12th meeting this evening, he'd not heard GM Constantouros use the words "goal setting." GM Constantouros had reported that he and the Board had discussed various topics. Essential to goal setting is prioritization, and this had been missing from what had gone on in this discussion. GM Constantouros had listed eleven items, and police recruiting had been number seven. The Matrix study had been number one. If time had permitted him to stay at the February 12th meeting, he would have

made a fuss about this. He would have wanted to see the safety of this community up at the top, not at number seven.

GM Constantouros responded that this had been a list, not a list of priorities. This had been a discussion of what the short term and long-term goals were, it hadn't been a setting of priorities. But, a Board member could have expressed an opinion if they'd chosen to do so.

CONSENT CALENDAR

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

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Deppe, Hacaj

NOES:

ABSENT: Welsh

8a. Update on police staffing.

ICOP Hull reported on what had been done, to date, with respect to police department recruitment. There had been five applicants. One recent applicant had been one-third of the way through the background process but was then rejected. Out of the department's five applicants, three had been rejected and two had been selected as reserves. One of the purposes of the reserve program is to provide an opportunity to see how individuals work. Last month, there had been a joint County Police Chiefs' meeting, with the Chiefs of Alameda and Contra Costa Counties. At that meeting, ICOP Hull made an announcement about Kensington's recruitment opportunities for lateral and reserve police officers. The job announcement had been placed on the District's and the California Special District Association's (CSDA) websites. One of the issues with recruitment is the amount of pay. But, the pay is competitive with that of other special districts. This would provide a more likely opportunity for a lateral hire. He's also trying to place a recruitment ad on the California Police Officers Standards and Training (POST) website. He'd been given permission to hire another officer. Thus, he'd vetted the two reserve officers and had made a conditional job offer to one of them. He appreciates having been given the opportunity to increase his staff, and the officers who'd been working the shifts were appreciative, too. The most effective way to recruit is work of mouth. Currently, there are no officers in background. He's waiting for responses from the various ways in which he's trying to attract reserves.

Karl Kruger said he'd spent most of his adult life hiring people. He'd worked in an industry that had fair wages, so that may have helped. If the District needs staff, it needs to hire them – it can't wait for someone else to help. His assumption is that the District needs eight, or probably nine, officers, but it's still at five. The District needs to find three or four officers. ICOP Hull had taken the job, so he should go and out and hire someone. It's not sufficient to say one has passed around the word. Hire someone, that's ICOP Hull's job.

ICOP Hull responded that the major factor into hiring someone is that the individual has to present him/herself and demonstrate interest.

David Spath asked if ICOP Hull meant he was trying to hire retired officers.

ICOP Hull responded that he was not trying to hire retired, or annuitant, officers as reserve officers. The retiree/annuitant position is separate from the reserve position. A retiree/annuitant officer would be a paid position and the reserve officer would not.

Dr. Spath encouraged the District to look at retirees as a bridge. Retirees could work a maximum of 960 hours per year. They could work half the year while the District recruits. Then that person could go back into retirement.

Vice President Nottoli responded that this was in the works. But, there were some procedures that needed to be followed, and they would be started next week.

President Sherris-Watt clarified that there are procedures that would be required to make conditions, which the Board, GM, and ICOP are aware of, and they'll follow correct procedures in order to explore all staffing options.

ICOP Hull clarified that GM Constantouros had presented the available options. One of them would be the retired annuitant, but this is not one of the options currently being pursued right now. The only options being explored right now are an academy graduate, a lateral officer from another department, or a reserve. There are some issues involving the retired annuitants that would have to be worked out before it could become an option.

Keith Barrow, President of the Kensington Police Officers Association (KPOA), said that his understanding had been that this issue was not going to be discussed this evening. It was supposed to be discussed with the KPOA's attorney the following week. There's much more about retirees – a lot of training would be required. They could work only 960 hours a year. The police department's policies currently require 400 hours of training, which would consume most of the 960 hours. In addition, the retiree would have to spend training time with another officer, which would require a lot more work on the part of the training officer. The 400 hours of training would prevent the retired annuitant from going out on the street alone for quite some time. He also noted that there's a second reserve officer who could be hired in the same manner as the other reserve. But, this hasn't been explored, either. The department also hadn't explored going to the academy and sponsoring someone. By sponsoring someone for the academy, someone could be available to begin working within six months. He reiterated that the annuitant issue would be discussed the following week with the attorneys from both sides.

Anthony Knight asked if reserve officers could be hired and begin working right away and whether they, too, had training requirements.

Sergeant Barrow responded that the current reserves had already completed the required training. As full-time officers, they could work 40 hours per week and within a month be able to patrol alone. If the retired annuitants were to work 40 hours per week, it would take several months before they could do so. Then, they would have an available 400 to 600 hours to work for the remainder of the year. They'd be part-time employees, at best.

GM Constantouros explained that temporary approaches had been cited in his presentation. Another possibility would be contracting with another agency. One of the speakers had indicated that the District could fill positions temporarily while it was recruiting. One of the requirements would be discussing this with the KPOA, and there are meetings scheduled for next week. He said he doesn't agree with the opinion expressed by Sergeant Barrow: The training wouldn't be quite as lengthy as he had presented. The amount of training needed would depend on the officer hired. For a recent retiree, it would be much less. No action would be taken on this until the discussions had been completed.

Randy Weiss said she understood that the officers' salaries were not competitive – Kensington's officers are paid less than officers in other communities.

President Sherris-Watt responded that, when the District had done studies, Kensington's officers had come out lower on the salary scale. However, the District offered much larger benefits than other agencies.

Ms. Weiss asked, if the department was currently operating with five officers and the number of officers budgeted was ten, why the District couldn't operate with eight or nine officers. Then, it could take that one officer salary amount and distribute it. Or, reduce the benefit package and raise the salaries – so the residents get police officers. We're talking about prioritizing. The Board is going to go out to the

community and ask for \$360,000 to complete the Community Center. She asked why the Board didn't go out to the community to raise funds so that more officers could be hired.

Director Hacaj responded that she'd not asked the community to fundraise for the Community Center, but she's been working with community members to ensure their fundraising is accurate. The Board had just completed a Memorandum of Understanding with the police officers. All the terms are available to review – with a salary increase and other items.

Ms. Weiss said she doesn't come to these meetings often, but the meetings she has attended – especially tonight's – she thinks there are a lot of very unhappy people in attendance, especially the way things are going. The public asks questions but can't get answers. The Board has a lot to do to make the community more satisfied.

Dr. Spath said President Sherris-Watt was correct: The salaries Kensington pays are lower than those of surrounding communities. But, it's not correct that Kensington's benefits are greater. Kensington's retirement benefits structure is the same as El Cerrito's, and the medical benefits are the same. Only Albany has a lower pension benefit arrangement than Kensington. Where Kensington is different is in its retiree medical coverage. Kensington covers retirees, their spouses, and their dependents – if they have dependents at that age. Kensington's benefits are the same for active employees: Pension of 3% at 50; and medical is the same. Medical is paid at the Kaiser rate – the same way as Richmond, El Cerrito, and Albany. Albany is the only community that has a less lucrative PERS pension benefit than Kensington.

President Sherris-Watt responded that Dr. Spath knew the impact of the retiree medical.

Dr. Spath responded that he was not discounting this. This was something the Board could address in future contracts. This is a significant financial imposition that the community probably could not sustain.

Karl Kruger said there were issues with everything one does in life. The Board has a problem and needs to solve it. He said there had been discussion about how long it would take to train people. The department had lost its officers before the end of the year and has been at five officers since then. It's now near the middle of March. The District needs to do something that brings results. Whatever it takes, hire some people.

Cyrus Modavi asked why the Board doesn't want to talk about this. The Board is so concerned about these other issues. Most people come to Kensington because it's a safe community, with its good school for younger children. The police force, which is one of the selling points of the town, has fallen to the lower end of things the Board wants to talk about. He asked what the logic in that was. The Board is supposed to take care of the town.

President Sherris-Watt responded that she would have him understand that an agenda is for a business meeting. So, the Board legally can't speak on issues that have not been placed on the agenda. What's being discussed now is police staffing. And the Board has spoken about this over various meetings. It's a major concern to the Board. That's why the Board has an ongoing study authorized with Matrix.

Mr. Modavi said the Board was letting a study deal with the matter. The Board's not dealing with it. That's a fundamental difference.

President Sherris-Watt said she hoped Mr. Modavi attends the Matrix study. The Board is letting professionals do this because there is the policeman's bill of rights (POBAR).

Paul Dorroh said he believed Director Hacaj had mentioned that there's a new MOU. He asked for confirmation, which she provided. Mr. Dorroh said he couldn't find the document on the website.

President Sherris-Watt responded that it hadn't been finalized.

Director Hacaj said it's not been completely signed off on. The Board had authorized the GM and counsel to finalize it. The pay increase has been done.

President Sherris-Watt said the January agenda had the draft.

Mr. Dorroh asked if the document was attached to that agenda.

President Sherris-Watt responded in the affirmative and said that the Board had agreed that the GM and counsel would be allowed to execute with the KPOA.

Mr. Dorroh said he knew the website was a work in progress, and he applauded the Board for taking it on. But, it's not a completed product. There are other things he would have expected to see there, such as the current contract with the Interim Chief of Police.

President Sherris-Watt responded that, if someone is looking for a document to email the webmaster, Director Deppe. The Board would make sure it's there.

Mr. Dorroh said that it was hard to ask for things that aren't there, when one doesn't know they're missing and that everything had not been transferred over.

Director Hacaj asked Director Deppe if everything had been transferred.

Director Deppe said it was possible that some things hadn't been transferred over. But, if Mr. Dorroh was looking for something and couldn't find it, he could just let Mr. Deppe know.

Mr. Dorroh cited another example: In 2009 there had been a final report by Brown Taylor on outsourcing. He had looked for this on the new website but couldn't find it.

Director Deppe said he'd look for it tomorrow.

Mr. Dorroh asked if there was an archive of the old website.

Director Deppe responded that he had an off-line archive. But, it wasn't not in the best format because of issues with the old website. So it would be hard to go through and pick apart what's sitting there.

Mr. Dorroh added that he hoped the archive was being safeguarded because there were things like a draft report from Brown Taylor. It would be interesting to compare the draft and final versions of the report. He didn't know where the draft is. He could go on and on. Those things used to be there, and now they're not – or, at least he can't find them.

Director Deppe reiterated that Mr. Dorroh should contact him, and he would provide him with documents he sought, if he could.

President Sherris-Watt said the Board had always hoped to keep the old website up for the next year, but unfortunately, it had been hacked twice. The Board doesn't know what viruses or malware had been put on it. So, for the Board to leave community members with access could be dangerous to their electronic devices. That's why the Board had made the decision to pull it off-line.

Mr. Dorroh said that even some pdfs would be helpful.

Vida Dorroh asked, with respect to the website hacking, if vacation watch and personal information been compromised.

President Sherris-Watt responded that this had been before 2018 and that the Board didn't think this had happened.

Director Hacaj clarified that only the website had been hacked. It had not been the District's computers or database.

9c. The Board discussed options for radar signs.

President Sherris-Watt noted that was 9:47 P.M.

MOTION: Director Hacaj moved, and Director Deppe seconded, that the Board continue the meeting until 10:30 P.M. to discuss Item 9c.
Motion passed: 4 – 0.

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

Director Deppe introduced the item. He clarified that there were five poles for the portable radar signs, not seven as the agenda had indicated. The solar powered radar signs would cost \$4,000 apiece, not \$3,500. Currently there are two portable signs. The five poles are located northbound and southbound on Arlington Avenue, near the school, Kenyon, and Franciscan. He noted that, when the sign had been located on Franciscan, it had made a big difference. The signs help with speeders by letting them know they're going too fast. The signs also increase awareness of traffic enforcement. Radar signs are good, and he thought it would be good to discuss getting more of them. There are two types of signs. One type could be moved periodically and requires batteries to be changed every two weeks. A second type is a fixed solar powered sign. The second type is a little more expensive and a little more fragile because of the solar generator, and the solar panels can be attractive to thieves. He asked ICOP Hull if there was a strategy for the current signs and whether the officers would prefer to have permanent solar signs or more portable signs. All the signs come with software so that data could be downloaded. He asked about the status of this, too.

ICOP Hull said he'd prefer to have the solar-powered radar signs because of the battery issue. The batteries had been getting changed once a week, and he was going to have to figure out how to reinstitute that. The person who had been changing the batteries retired. The District was down to just one radar sign because the other one was being repaired. The battery-operated signs are dangerous: They're heavy, and they have to be picked up to move them from one pole to the next and to change the batteries. The two signs had been located on Franciscan and Arlington for several months because they're so heavily travelled, and the signs did make a difference. But, radar signs, alone, won't solve the problem. There has to be a combination of radar signs and physical enforcement, which is being done with available resources.

With respect to collecting data, ICOP Hull reported that the signs would be changed once a change in the traffic had been observed. The police department had not been collecting the data for a while. There had been an IT person, who is no longer with the department. Until there's a new IT person, the department won't be able to collect the data.

Director Deppe asked if the data had been useful when it had been collected. ICOP Hull responded that he hadn't seen how the data had been used to determine when or how to move the signs. He could work a corner and physically tell the sign's effectiveness. Franciscan Avenue is a difficult location because there's no place to sit and monitor the traffic without being seen.

President Sherris –Watt asked what the most dangerous spot to affix or remove the sign and what would be the most effective locations to have permanent signs.

ICOP Hull responded that permanent signage would be best at Franciscan Way, Arlington Avenue, and Kenyon Avenue. There's a sign in front of Hilltop School. With the media blitz verbal conversations with parents, mailers to parents, and the speed sign in front of the school, that speed sign wouldn't have

to stay there as long as it would for the main thoroughfares. Kenyon is a slope, and when drivers are coming down the hill, it's pretty long – vehicles and bicycles generate pretty high speeds.

Director Hacaj noted there were residents present who live on Purdue, which is also a pretty major thoroughfare. It's also narrow. Did ICOP Hull have any thoughts about this street?

ICOP Hull responded that it's been his experience that Beloit is another long straightaway that goes downhill. But, because it's a narrow road and has parking on the south side, traffic doesn't as fast. It's Franciscan Way, both directions of Arlington Avenue, and coming downhill on Kenyon.

Dawn Mackey said she'd been a resident for eight years, and this was her first meeting. Since moving to Purdue a year ago, she'd had lots of contact with the District, the police department, and the County about traffic on that street. And, during this time she'd seen three accidents – two of them sideswiping accidents. She worries for her son's safety when he's crossing this street. The County is going to post speed signs. She asked the Board to consider a radar sign for the street.

Director Deppe asked if Purdue was a gateway to Kenyon. Ms. Mackey responded in the affirmative. He noted that, if people are going to be speeding on Kenyon, they're probably going to start on Purdue.

Ms. Mackey said that the County has data that shows that the average speed on Purdue is 31 – 32 miles per hour. And, because the street is so narrow, it feels like people are travelling faster. She thanked the officers for patrolling – she sees them doing so, every night, on her video. She thanked the Board for anything it could do.

President Sherris-Watt asked about pole placement.

ICOP Hull responded that there was consideration of one pole on Beloit and one on Purdue. He could work with the County to get encroachment permits and get this done.

David Spath reiterated what Ms. Mackey said. Purdue is a feeder street for people travelling to and from the east side of the hills and the campus. Some people drive too fast, and that's when side view mirrors are lost. He supported Ms. Mackey's request.

President Sherris-Watt suggested having ICOP Hull look into getting two poles installed on Beloit and Purdue and authorizing up to two solar-powered fixed radar signs to go on Arlington Avenue and Franciscan Way, leaving the two portables to be moved among other locations.

Director Hacaj asked from which line in the budget the money would come – even though it wasn't much, but she wanted to be sure.

Vice President Nottoli asked if the fixed solar-powered radar sign was the sign that would go onto the pole.

Director Deppe responded that the radar sign would go onto the pole and the solar collector would go on top of the radar sign, and both would be permanent.

Director Hacaj asked if the signs would be covered by the District's insurance, if they were hit or damaged.

In response to Director Hacaj's question about the budget line item, President Sherris-Watt responded that the amount could come from Police Traffic Equipment, Account 966. She said \$8,800 had been budgeted for this account, and the District had spent \$100 of this. And, should more be needed for this line, the Board could do a mid-year budget review.

Director Deppe asked ICOP Hull if it would be expensive to pay someone to put in a pole.

ICOP Hull responded that he didn't know if the County would put in the poles or not. He couldn't quote how much it would cost, but it had been minimal in the past.

Celia Concus said there'd been a problem with some wide trucks that had been parked on Grizzly Peak Boulevard, near the reservoir, for a long time. Previously, they'd been parked on Amherst. She noted that one vehicle in particular was impeding traffic.

ICOP Hull responded that these vehicles had been moved around town, and wherever they'd been moved to, residents had complained. He's looking into the abatement process. It's been a problem for the twenty years he'd been here.

Director Hacaj said that if people have complaints about this, they should contact ICOP Hull. It's an important part of the process.

Andrew Gutierrez provided a report from the "North Arlington Freeway." This is a dangerous place. The County has statistics about vehicles, but only after they've passed the radar sign and, at which point they're travelling at a rate of about 30 miles per hour. This means they're going that fast when they go around "Dead Man's Curve." There are no crosswalks or lights in this area, so it's a disaster waiting to happen. He's been complaining about this for about 25 years. Issuing speeding tickets is a good technique; It raises insurance premiums; and it makes people remember. However, the number of tickets issued is very low. The County views Kensington's streets as "country roads," and its concern is to expedite traffic. Anyone wanting to go somewhere else comes through Kensington. The District could put up as many radar signs as it wants, but it won't solve the problem. It will be solved only with speeding tickets.

Director Deppe responded that, along with the signs, there would be enforcement. Without both, people would start ignoring the signs.

ICOP Hull said that, now, the discussion was going to a hot topic. There's one officer working during the day, but that officer can't be in more than one place at a time. Currently, the officers are going to reported problem areas. There just have to be more officers to solve the problem. The District doesn't have the resources right now.

Mr. Gutierrez said that County Traffic is a bureaucracy and its responsibility is only the letter of the law and it usually is to facilitate what its objectives are. The Board and ICOP Hull need to lean on the County to get it to be more responsive to Kensington's needs.

President Sherris-Watt responded that some of the Directors would work on this.

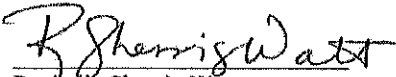
MOTION: President Sherris-Watt moved, and Director Deppe seconded, that the Board approve the purchase of two solar-powered fixed radar signs at the cost of \$4,000 plus tax each and authorize ICOP Hull to have two poles placed – she didn't want to mandate Beloit and Purdue, but she guessed that's the area they're looking at because it's going to require encroachment permits, with ICOP Hull to figure out where best they should go.
Motion passed: 4 – 0.

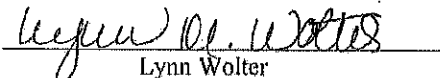
AYES: Sherris-Watt, Nottoli, Deppe, Hacaj NOES: ABSENT: Welsh

MOTION: Vice President Nottoli moved, and President Sherris-Watt seconded, to adjourn the meeting.
Motion passed: 4 – 0.

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

The meeting was adjourned at 10:16 P.M.


Rachelle Sherris-Watt
KPPCSD Board President


Lynn Wolter
District Administrator