



Board of Directors  
Kensington Police Protection and  
Community Services District

**Meeting Agenda**  
**Thursday, December 10, 2020**  
**Via Teleconference**

**<https://www.kppcsd.org/2020-12-10-kppcsd-board-meeting>**

**The page at the URL above will have instructions on how to join the online meetings.**

*In response to the County and State "shelter in place" orders, the Governor issued an order expanding his prior waiver of normal Brown Act requirements. Executive Order N-29-20, issued March 17, 2020, authorizes all-electronic meetings without a physical location for agency officials or members of the public. The published agenda must advise the public of the means by which it may participate in the meeting and of a procedure by which disabled persons may submit requests for accommodation or modification. The order does not suspend notice requirements.*

*Executive Order N-29-20 is effective while state and/or local public health officials have imposed or recommended social distancing measure. The District must prioritize public health and containing the spread of the Covid-19 virus, which precludes holding physical public meetings. The District will comply with the usual Brown Act requirements to the extent compatible with the directives and recommendations of state and local health officials. We appreciate your understanding.*

**Special Meeting (6:30 p.m.)**

**CALL TO ORDER**

**PUBLIC COMMENT ON CLOSED SESSION AGENDA** (Members of the public may address the Board for up to three minutes on items listed on the Closed Session.)

**CLOSED SESSION** The Board of Directors will meet in Closed Session pursuant to California Government Code Section 54957(b) to consider matters related to the appointment of the District General Manager, including the discussion of individual candidates.

**Regular Meeting (7:30 p.m.)**

**CALL TO ORDER**

**GENERAL PUBLIC COMMENT** (Members of the public may address the Board for up to three minutes on items not listed on the agenda that are within the jurisdiction of the District.)

1. Adopt Resolution No. 2020-20 of the Board of Directors of the Kensington Police Protection and Community Services District Declaring the Results of the November 3, 2020 Statewide Election (Resolution).
2. Administer the Oath of Office to Directors Sylvia Hacaj and Eileen Nottoli to Serve on the Kensington Police Protection and Community Services District Board of Directors (Action).

### **BOARD/STAFF COMMUNICATION**

- General Manager's Report
- Police Chief Report
- Board of Directors Communication

### **CONSENT CALENDAR**

3. Consider Approval of Minutes for the Regular Board Meeting of November 12, 2020. (Action)
4. Adopt Resolution No. 2020-21 of the Board of Directors of the Kensington Police Protection and Community Services District to amend its Conflict of Interest Code (Resolution).
5. Receive Financial Reports for the Month Ending October 2020 (Information).

### **BOARD DISCUSSION AND DETERMINATION**

6. Discuss and Consider Revision of Policy 4170.1 to Change Regular Board Meetings to Monthly Rather Than Twice Monthly (Discussion/Action).
7. Review and Approve Scope of Work and Contract with William Driscoll to Provide Maintenance Services at the Kensington Community Center and Kensington Park for the Base Monthly Amount of \$900 (Discussion/Action).
8. Review and Approve Scope of Work and Contract with Fernando Herrera to Provide Maintenance Services at the Kensington Community Center and Kensington Park for the Base Monthly Amount of \$2,225 (Discussion/Action).
9. Elect President and Vice-President of the Kensington Police Protection and Community Services District Board of Directors for the Terms of Office to Commence January 1, 2021 (Action).

### **ADJOURNMENT**

The next regular meeting will be held on January 14, 2021.

### Rules of Decorum at Meetings

- Please observe the three-minute per person limit (once per item) and twenty-minute total limit, per Board Policy 4120.4.1.
- Members of the public may address the Board on items not listed on the agenda but that are within the jurisdiction of the District during the General Public Comments section.
- Members of the Public may address the Board on items agendized for discussion and/or action after any report has been presented by appropriate staff or director and the Board has raised its questions regarding that report.
- If there are several speakers, please be concise to give others the opportunity to speak.
- If any meeting is willfully interrupted so as to render the orderly conduct of the meeting infeasible, the Board President may order the person or group of persons causing the disruption removed. If removal of the person or group of persons causing the disruption of the meeting does not restore order, the Board President may order the meeting cleared of all members of the public except members of the media and proceed to address the remaining items on the agenda.

### General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- The District has devices for hearing assistance. Please contact Interim General Manager Bill Lindsay for information about the equipment.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707.
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at [llewis@kppcsd.org](mailto:llewis@kppcsd.org).

**POSTED:** Public Safety Building – Colusa Food – Arlington Kiosk and at [www.kppcsd.org](http://www.kppcsd.org). Complete agenda packets are available at the Public Safety Building.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Services District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the **District offices, 217 Arlington Ave, Kensington, CA 94707** at the same time that those records are distributed or made available to a majority of the Board.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**ITEM 1**

Declaring the results of the November 3, 2020 Statewide General Election for two directors.

**SUMMARY OF RECOMMENDATION:**

Staff recommends that the Board of Directors adopt a resolution declaring the results of the election of two Directors at the November 3, 2020 Statewide General Election.

**BACKGROUND**

The terms of two Kensington Police Protection District Directors expire December 4, 2020 or until their successors qualify and take office. On June 11, 2020 the Board of Directors adopted Resolution No. 2020-09 that ordered the even year board of directors' election, consolidation of elections, and specifications of the election order for the purpose of electing two directors. The election was consolidated with the November 3, 2020 Statewide General Election in Contra Costa County.

Section 15400 of the California Elections Code directs that upon receipt of the returns of the canvasses by the respective Boards of Supervisors, the Board of Directors will determine the election results and declare the candidates. The certified canvass provides the number of votes for the following candidates:

Candidate Name	Number of Votes
Sylvia Hacaj	2,190
Eileen M. Nottoli	1,863
Lynn M. Wolter	1,109
Elaine Stelton	1,019

On November 30, 2020 the Contra Costa County Registrar of Voters provided a Certificate of Election and an Oath of Office for Sylvia Hacaj and Eileen Nottoli. These directors will serve a four-year term of office beginning December 4, 2020 and ending December 6, \_\_\_2024.

**RECOMMENDATION**

Adopt Resolution No. 2020-20 of the Board of Directors of the Kensington Police Protection and Community Services District Declaring the Results of the November 3, 2020 Statewide Election.

**ATTACHMENTS**

Resolution No. 2020-20  
Election Canvass  
Certificate of Election

**SUBMITTED BY:**

Lynelle M. Lewis  
District Clerk of the Board

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT DECLARING RESULTS OF ELECTION HELD ON NOVEMBER 3, 2020 FOR THE ELECTION OF DIRECTORS**

The Board of Directors of the Kensington Police Protection and Community Services District (“Board of Directors”) resolves as follows:

**WHEREAS**, the District did by Resolution No. 2020-09 order the even year Board of Directors election, consolidation of elections, and specifications of the election order for the November 3, 2020 General Election; and

**WHEREAS**, four candidates filed a declaration of candidacy by the deadline of 5:00 p.m. on August 7, 2020 as follows: Sylvia Hacaj, Eileen Nottoli, Lynn Wolter, and Elaine Stelton; and

**WHEREAS**, the District an election was held on Tuesday, November 3, 2020 for the purpose of electing members to the Board of Directors of for the seats held by Sylvia Hacaj and Director Eileen Nottoli (elected 11/6/2016); and

**WHEREAS**, Section 15400 of the California Elections Code directs that upon receipt of the returns of the canvasses by the respective Board of Supervisors, the Board of Directors shall declare or determine the election results and declare the candidates having the highest number of votes for the open office; and

**WHEREAS**, the Contra Costa County Board of Supervisor have caused the results of said elections to be properly certified to the Board of Directors of the District as follows:

Candidate Name	Number of Votes
Sylvia Hacaj	2,190
Eileen M. Nottoli	1,863
Lynn M. Wolter	1,109
Elaine Stelton	1,019

**NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED BY THE Board of Directors** that Sylvia Hacaj and Eileen Nottoli, the persons receiving the highest number of votes at said election, have been elected to the office of Director of the Kensington Police Protection and Community Services District for the term of four (4) years starting on December 4, 2020 and ending on December 6, 2024.

PASSED AND ADOPTED by the Kensington Police Protection and Community Services District on Thursday, the 10<sup>th</sup> day of December 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

---

Chris Deppe  
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 10<sup>th</sup> day of December, 2020.

---

Lynelle M. Lewis  
District Clerk of the Board

---

William A. Lindsay  
Interim General Manager

**CERTIFICATE OF COUNTY CLERK AS TO THE RESULTS OF THE CANVASS  
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT**

**NOVEMBER 3, 2020 GENERAL ELECTION**

State of California            )  
  ) ss  
County of Contra Costa        )

I, DEBORAH COOPER, County Clerk in and for the County of Contra Costa, State of California, do hereby certify that, pursuant to the provisions of the Elections Code, I did canvass the returns of the votes cast in the **Kensington Police Protection and Community Services District** in said county at the General Election held on November 3, 2020 for said district candidates submitted to the vote of the voters. I further certify that the statement of the votes cast, to which this certificate is attached, shows the whole number of votes cast in said district and each respective precinct therein, and that the totals of the respective columns and the totals as shown for each candidate are full, true and correct.

WITNESS my hand and official seal this 30th day of November, 2020.



DEBORAH COOPER, County Clerk

By: Rosa Mena  
Rosa M. Mena, Deputy Clerk



## CITY OF WALNUT CREEK, MEMBER, CITY COUNCIL (Vote for 3)

Precincts Reported: 53 of 53 (100.00%)

		Vote By Mail	In-Person	Total	
Times Cast		41,066	3,068	44,134 / 50,072 88.14%	
Candidate	Party	Vote By Mail	In-Person	Total	
KEVIN WILK		20,058	976	21,034 20.32%	
CINDY DARLING		19,504	1,017	20,521 19.82%	
LOELLA DOTTERER HASKEW		15,275	1,092	16,367 15.81%	
KURTIS REESE		14,929	760	15,689 15.15%	
JUSTIN WEDEL		11,632	991	12,623 12.19%	
MICHAEL SAMSON		7,112	478	7,590 7.33%	
HAILEY AYRES		4,624	419	5,043 4.87%	
LAUREN M TALBERT		4,279	391	4,670 4.51%	
Total Votes		97,413	6,124	103,537	

## TOWN OF DISCOVERY BAY COMMUNITY SERVICES DISTRICT, DIRECTOR (Vote for 2)

Precincts Reported: 15 of 15 (100.00%)

		Vote By Mail	In-Person	Total	
Times Cast		7,879	912	8,791 / 10,281 85.51%	
Candidate	Party	Vote By Mail	In-Person	Total	
MICHAEL CALLAHAN		3,576	402	3,978 27.79%	
CAROLYN GRAHAM		2,452	279	2,731 19.08%	
K. JILL SNOWDEN		2,377	228	2,605 18.20%	
BILL PEASE		1,895	181	2,076 14.50%	
BILL MAYER		1,757	156	1,913 13.36%	
STEPHANIE LEASE		923	90	1,013 7.08%	
Total Votes		12,980	1,336	14,316	

## KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT, DIRECTOR (Vote for 2)

Precincts Reported: 4 of 4 (100.00%)

		Vote By Mail	In-Person	Total	
Times Cast		3,787	189	3,976 / 4,402 90.32%	
Candidate	Party	Vote By Mail	In-Person	Total	
SYLVIA HACAJ		2,190	97	2,287 35.35%	
EILEEN M. NOTTOLI		1,863	78	1,941 30.00%	
LYNN M. WOLTER		1,109	51	1,160 17.93%	
ELAINE STELTON		1,019	63	1,082 16.72%	
Total Votes		6,181	289	6,470	

# Certificate of Election

This is to certify that

*Sileen M. Nottoli*

was elected to the office of

*Kensington Police Protection & Community Services District, Director*

of the County of Contra Costa, State of California, to a 4 year term,  
at an election duly held therein on the

3rd day of November, 2020

IN WITNESS WHEREOF, I have set my hand and affixed my official seal this

30th day of November, 2020



*Deborah Cooper*  
DEBORAH COOPER  
REGISTRAR OF VOTERS



# Certificate of Election

This is to certify that

*Sylvia Tracy*

was elected to the office of

*Kensington Police Protection & Community Services District, Director*

of the County of Contra Costa, State of California, to a 4 year term,  
at an election duly held therein on the

3rd day of November, 2020

IN WITNESS WHEREOF, I have set my hand and affixed my official seal this

30th day of November, 2020



*Deborah Cooper*  
DEBORAH COOPER  
REGISTRAR OF VOTERS

# Oath of Office

State of California }  
County of Contra Costa } ss.

For the office of \_\_\_\_\_

---

I, \_\_\_\_\_

do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

\_\_\_\_\_

Subscribed and sworn to before me, this \_\_\_\_ day of, \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Signature of Person Adminstrating Oath

\_\_\_\_\_  
Title

**BOARD OF DIRECTORS MEETING MINUTES**

**Thursday, November 12, 2020**

**Via Teleconference**

**Special Meeting (7:00 p.m.)**

**CALL TO ORDER**

[TS .03] President Chris Deppe called to order the Special Closed Session Meeting of the Board of Directors at 7:05 p.m. Directors Cyrus Modavi, Eileen Nottoli, Rachelle Sherris-Watt, and Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Bill Lindsay and General Counsel Ann Danforth.

**PUBLIC COMMENT ON CLOSED SESSION AGENDA**

None.

**CLOSED SESSION**

The Board of Directors met in Closed Session pursuant to California Government Code section 54957(b) to consider matters related to the appointment of the District General Manager, including the discussion of individual candidates.

**Regular Meeting (7:30 p.m.)**

**ANNOUNCEMENT FROM CLOSED SESSION**

[TS 0.11] President Deppe announced that in Closed Session Meeting the Board gave direction to staff.

**CALL TO ORDER**

[TS 0.25] President Deppe called to order the Regular Meeting of the Board of Directors at 7:47 p.m. Directors Sylvia Hacaj, Rachelle Sherris-Watt, Cyrus Modavi, and Eileen Nottoli were present at roll call.

Staff present included Interim General Manager Bill Lindsay, Interim Police Chief Walt Schuld, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

**GENERAL PUBLIC COMMENT**

[TS 1:43] The following persons provided public comment: 1) Linda Lipscomb thanked Officer Ted Foley for his helpfulness in assisting an elderly resident; 2) Katherine de Neergaard urged more cordial discussions and information sharing by the Board, commented on difficulty downloading the agenda link, and requested posting of monthly crime statistics; 3) Danielle Madugo relayed a resident's problem of being transferred to several agencies while trying to report a fire; and 4) Kyra Millich asked for the phone number to call in the event of a fire emergency.

## **BOARD/STAFF COMMUNICATION**

[TS 42:33] General Manager's Report. Interim General Manager Bill Lindsay had no formal report. Director Nottoli asked for updates on weed removal at Covington and Arlington. She also asked about sprinkler repair by the tennis courts, no lights in certain areas of the park, removal of damaged oak trees, and domes for garbage containers. Mr. Lindsay said he will report back once he completes a walk-through of the park with the maintenance contractor. He noted he would be coming back to the Board in December for consideration of park maintenance contracts. Director Modavi asked about the status of posting the auditor's contract to the website, and Mr. Lindsay said it would be posted once the signed engagement letter is received.

[TS 18:55] The following persons provided public comment: 1) Meryl Natchez asked if the video format for the meeting could be changed so that all attendees can be seen; 2) Catherine de Neergaard said she would like to see meeting attendees and asked when the monthly crime statistics report would be posted; 3) Lynn Wolter asked about the number of attendees on the meeting, asked about posting monthly profit and loss statements, and thanked Director Modavi for following up on the auditor's contract; 4) Mabry Benson expressed displeasure at the Zoom meeting set up that doesn't show attendees and she expressed frustration at the delayed meeting start which required her to make numerous dial in attempts to join the meeting; 5) Steve Caramia commented he would like to see attendees on the Zoom meeting; and 6) Johanna Furman commented that she experienced technical difficulties dialing into the meeting, and asked about protocols for cell phone use in a fire emergency.

[TS 39:50] Police Chief Report. Interim Police Chief Schuld reported meeting with the Albany Police Chief about upcoming changes to the dispatch system scheduled for early 2021.

The following person provided public comment: 1) Johanna Furman said there needs to be more communication, because she still does not have a sense of what to do so in the event of a fire emergency.

[TS 42:35] Board of Directors Communication.

Director Hacaj thanked Mr. Lindsay for taking care of park maintenance issues.

## **CONSENT CALENDAR**

1. [TS 44:16] **Consider Approval of Minutes for the Regular Board Meeting of October 22, 2020 and the Special Meeting of November 6, 2020.**

Director Nottoli pulled the October 22<sup>nd</sup> Minutes to note a correction on page 3 under financial statements ending September 30 ("funding for a 115 trust for CalPERS payments ~~and~~ like the one for retiree medical").

- Director Sherris-Watt made a motion to approve the Consent Calendar with corrections made to the October 22<sup>nd</sup> Minutes. Director Hacaj seconded the motion and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, Nottoli, and Deppe) and NOES (None).

## **BOARD DISCUSSION AND DETERMINATION**

### **2. [TS 46:02] Receive a Status Report by the General Manager on Public Safety Building Project and Consider Directing Staff to Schedule a Joint Meeting of the KPPCSD and Kensington Fire Protection District (KFPD) Boards.**

Interim General Manager Bill Lindsay presented an update on the Public Safety Building renovation and asked for direction on scheduling a joint meeting. Board members presented viewpoints on the pros and cons of holding a joint meeting.

[TS 59:18 ] The following persons provided public comment: 1) Kevin Padian commented that the KFPD closeout of the ticket was only a financial decision and doesn't express the board's intention on its plans, and he invited the KPPCSD board and staff to listen their last meeting; 2) Mabry Benson commented on the KFPD board meeting discussion and urged the KPPCSD board to listen; 3) A. Stevens Delk commented on KFPD board meeting discussions; 4) Julie Stein commented on the KFPD board's action and their discussion of other renovation strategies; 5) David Spath commented on KFPD board meeting discussions and suggested that both boards meet; 6) Meryl Natchez commented that KPPCSD should have 1 or 2 representatives at every KFPD meeting; and 7) Larry Nagel commented that a joint meeting should be scheduled with the two chiefs present.

- Director Modavi made a motion that we are open to the joint meeting pending when the Fire Board is ready to begin the process again. Director Hacaj seconded the motion, and it carried (5-0) by the following roll call vote: AYES (Directors Modavi, Sherris-Watt, Nottoli, Hacaj, Nottoli, and Deppe) and NOES (None).

### **3. [TS 1:23:15] Receive a Presentation from Board President Deppe and Board Vice-President Sherris-Watt Regarding Kensington Pathways and Consider Possible Board Action and/or Direction to Staff.**

President Deppe presented historical information on the Kensington paths including ownership, liability issues, options for the paths, and next steps. Contra Costa County Supervisor John Gioia provided historical background and the County's experience with the paths. He noted that the County never accepted the offer of dedication for the paths many years ago and their ownership is uncertain. Supervisor Gioia suggested evaluating one or two paths and said the County would be willing to provided help. Board members asked questions and commented on the information presented.

- At 9:48 p.m. it was moved (Hacaj), seconded (Sherris-Watt), and carried by a 5-0 roll call vote to extend the meeting to 10:30 p.m.

[TS 2:06:46] The following persons provided public comment: 1) Donna Stanton expressed concern about her potential liability from the increased number of walkers along the path by her home; 2) Rodney Paul suggested conducting an analysis on one or two paths rather than leaving them in their current state; 3) Kevin Padian commented that paths are important for evacuation routes and KPPCSD should look into the safety issues; 4) Rachel Faye urged the Board to determine a process to protect the future of the paths; 5) Matt Freedman urged the Board to explore path improvements and possible ownership; 6) Dave Weinstein urged the Board to preserve the paths; 7) Linda Lipscomb commented that KIC adopted a resolution in support of formal



acquisition of the paths; 8) Andrea Horinski urged the Board to undertake the survey of the current status of paths and move toward public ownership; 9) Lisa Caronna commented that it's important to move forward with planning for public ownership of the paths; 10) Meryl Natchez urged the District to move forward with work to acquire the paths; 11) Nicki Kaiser supported moving forward on addressing the paths;

- At 10:25 p.m. it was moved (Hacaj), seconded (Deppe), and carried by a 5-0 roll call vote to extend the meeting to 10:45 p.m.

12) Mark Altenberg supported improving the paths over time; 13) Paul Moss commented that the responsibility for maintaining the paths should be identified; 14) Kira Millich commented that the paths need maintenance and asked if establishing a nonprofit group had been considered to pursue grant funding; 15) Julie Stein commented that this is a great public education opportunity to highlight the paths and to pursue grant funds; and 16) Carol Olf commented on the usefulness of the paths and supported acquiring all the paths.

Director Sherris-Watt recommended that she and President Deppe review the comments received and come back to the Board with a list of options for consideration. President Deppe concurred.

## **ADJOURNMENT**

[TS 2:52:35] President Deppe adjourned the meeting at 10:42 p.m.

SUBMITTED BY:

---

Lynelle M. Lewis, District Clerk of the Board

APPROVED: December 10, 2020

---

Bill Lindsay, Interim General Manager

---

Chris Deppe, President of the Board



KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**Item 4**

**SUMMARY OF RECOMMENDATION:**

Staff recommends that the Board of Directors adopt Resolution No. 2020-21 A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Amending Policy 1035.

**BACKGROUND**

The Political Reform Act (Government Code §§ 81000, et seq., the “Act”) requires state and local government agencies to adopt conflict of interest codes. The Fair Political Practices Commission (“FPPC”) has published a model Conflict of Interest Code at 2 California Code of Regulations § 18730 that public agencies can incorporate into their codes by reference. The Act further requires that each agency add to their individual codes a current list of positions that must file financial disclosures.

The full text of Section 18730, together with any amendment thereto, may be found at:

<http://www.fppc.ca.gov/legal/regs/current/18730.pdf>.

According to records available to staff, the Board last revised the District’s Conflict of Interest Code in 1996.

At its regular meeting on November 14, 2019, the Board adopted a new Policy 1000, which includes the District’s Conflict of Interest Code, Policy 1035. Policy 1035 incorporates the State model code by reference.

In October 2020, the Contra Costa County Clerk of the Board notified the District of the 2020 biennial review process for 2020. This process requires agencies to examine their Conflict of Interest Code to ensure the agency’s Code is up to date and includes disclosure by those officials who make or participate in the making governmental decisions. Since the last biennial review, the District has added several new positions and eliminated others. The District should adjust its list of required filers to reflect these changes. In addition, I recommend that Board add the General Counsel position to the list. The amended Conflict of Interest Code must be filed with the Contra Costa County Clerk of the Board by December 31, 2020.

**RECOMMENDATION**

Staff recommends that the Board discuss the proposed draft amendment adding a new Appendix A to Policy 1035, take any public testimony and adopt the attached resolution amending the current Policy 1035.

**ATTACHMENTS**

Resolution No. 2020-21  
Redline Exhibit A (Conflict of Interest Code)  
Final Exhibit A (Conflict of Interest Code)  
History

**SUBMITTED BY**

Ann Danforth

**RESOLUTION NO. 2020-21**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT AMENDING POLICY 1035**

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the “Board of Directors”) does find as follows:

*WHEREAS*, the Kensington Police Protection and Community Services District (“District”) has a Policy and Procedures Manual consisting of Policies 1000 through 4000, inclusive (“Current Manual”); and

*WHEREAS*, the Board has begun the process of adopting a new Policy and Procedures Manual (“New Manual”) based on the 2017 model published by the California Special District Association and

*WHEREAS*, on at its regular meeting on December 12, 2019, the Board adopted a new Policy 1000, which include Policy 1035, the District’s Conflict of Interest Code; and

*WHEREAS*, a Conflict of Interest Code requires a current list of positions that must file financial disclosures; and

*WHEREAS*, the District has added several new positions, eliminated others and has decided to add its General Counsel to the list of required filers; and

*WHEREAS*, on December 10, 2020, the Board considered the draft amendment adding a new Appendix A to Policy 1035, took public testimony and decided to adopted the draft amendment.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES RESOLVE AS FOLLOWS:

1. The amendment to Policy 1035, Appendix A, attached hereto and incorporated herein by reference, is hereby adopted.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on Thursday, the 10<sup>th</sup> day of December, 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

---

Chris Deppe  
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 10th day of December, 2020.

\_\_\_\_\_  
Lynelle M. Lewis  
District Clerk of the Board

\_\_\_\_\_  
Bill Lindsay  
Interim General Manager

**EXHIBIT A TO POLICY 1035**

**CONFLICT OF INTEREST CODE**

**of the**

**Kensington Police Protection & Community Services District  
Designated Officials, Employees and Consultants**

[Adopted December 10, 2020]

Designated positions shall file statements of economic interests with the District as provided below. In the event that the designated position manages investments for the District, such official shall file the original of the statement with the Fair Political Practices Commission and file a copy with the District; all other designated positions shall file their statements with the District. The District shall retain said documents for the period required by applicable records retention regulations. Statements of Economic Interests are public records available for public inspection.

**DESIGNATED POSITIONS:** The designated positions listed below are required to file Form 700 Statements of Economic Interests disclosing certain personal financial interests. These positions are required to file the applicable individual schedules to report investments, business positions, sources of income and interests in real property located in the District’s jurisdiction. The applicable schedules to be filed for each position are based on the disclosure category assigned to the designated position.

<b>Designated Positions</b>	<b>Disclosure Category</b>
Board Member	1
Finance Committee Member	1
General Manager	1
<u>Employees with limited decision-making authority, such as purchasing, contracting for services, and/or making recommendations to the District Board or General Manager:</u> <ul style="list-style-type: none"><li>• <u>Chief of Police</u></li><li>• <u>Clerk of the Board</u></li><li>• <u>Business and Finance Manager</u></li></ul>	<u>2</u>
<u>Consultant</u>	<u>3</u>

**DISCLOSURE CATEGORIES:**

**Disclosure Category 1:** Persons in this category shall disclose:

- A. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any landed owned or used by the District.
- B. Investments or business positions in or income (including gifts, loans and travel payments) from sources that provide, plan to provide, or have provided in the last two years’ facilities, goods,

software, hardware, or services, including consulting services, to the District, or are engaged in the acquisition of real property within the District.

**Disclosure Category 2:** Persons in this category shall disclose:

- A. All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the employee's designated department.

**Disclosure Category 3:**

- A. Consultants shall disclose pursuant to the broadest disclosure category in the conflict-of-interest code subject to the following limitation: the General Manager may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and, thus, is not required to comply with the full disclosure requirements described above, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements.

**EXHIBIT A TO POLICY 1035**

**CONFLICT OF INTEREST CODE  
of the**

**Kensington Police Protection & Community Services District  
Designated Officials, Employees and Consultants**

[Adopted December 10, 2020]

Designated positions shall file statements of economic interests with the District as provided below. In the event that the designated position manages investments for the District, such official shall file the original of the statement with the Fair Political Practices Commission and file a copy with the District; all other designated positions shall file their statements with the District. The District shall retain said documents for the period required by applicable records retention regulations. Statements of Economic Interests are public records available for public inspection.

**DESIGNATED POSITIONS:** The designated positions listed below are required to file Form 700 Statements of Economic Interests disclosing certain personal financial interests. These positions are required to file the applicable individual schedules to report investments, business positions, sources of income and interests in real property located in the District’s jurisdiction. The applicable schedules to be filed for each position are based on the disclosure category assigned to the designated position.

<b>Designated Positions</b>	<b>Disclosure Category</b>
Board Member	1
Finance Committee Member	1
General Manager	1
Employees with limited decision-making authority, such as purchasing, contracting for services, and/or making recommendations to the District Board or General Manager: <ul style="list-style-type: none"><li>• Chief of Police</li><li>• Clerk of the Board</li><li>• Business and Finance Manager</li></ul>	2
General Counsel	1
Consultant	3

**DISCLOSURE CATEGORIES:**

**Disclosure Category 1:** Persons in this category shall disclose:

- C. Interests in real property located entirely or partly within District boundaries, or within two miles of District boundaries, or of any landed owned or used by the District.

- D. Investments or business positions in or income (including gifts, loans and travel payments) from sources that provide, plan to provide, or have provided in the last two years' facilities, goods, software, hardware, or services, including consulting services, to the District, or are engaged in the acquisition of real property within the District.

**Disclosure Category 2:** Persons in this category shall disclose:

- B. All investments, business positions in, and income (including gifts, loans, and travel payments) from sources that manufacture, sell or provide goods, equipment, vehicles, machinery or services, including training or consulting services, of the type utilized by the employee's designated department.

**District Category 3:**

- B. Consultants shall disclose pursuant to the broadest disclosure category in the conflict-of-interest code subject to the following limitation: the General Manager may determine in writing that a particular consultant is hired to perform a range of duties that is limited in scope and, thus, is not required to comply with the full disclosure requirements described above, but instead must comply with more tailored disclosure requirements specific to that consultant. Such a determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of the disclosure requirements.



### **Conflict of Interest Code History**

1. Original submitted March 17, 1977; approved March 21, 1978
2. Amended December 19, 1978; approved December 19, 1979
3. General amendments; approved January 6, 1981
4. General amendments; approved August 16, 1983
5. General amendments; approved August 2, 1988
6. General amendments; approved March 27, 1990
7. General amendments; approved December 15, 1992
8. General amendments; approved July 19, 1994
9. General amendments; approved February 6, 1996
10. No amendments required 1996; submitted July 11, 1996
11. No amendments required 1998; submitted August 31, 1998
12. No amendments required 2000; submitted September 11, 2000
13. No amendments required 2002; submitted June 24, 2002
14. No amendments required 2004; submitted August 2, 2004
15. No amendments required 2006; submitted July 19, 2006
16. Code under review 2018; submitted February 7, 2019
17. Code amendments required 2020; submitted October 7, 2020;

**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**ITEM 5**

**RECEIPT OF FINANCIAL REPORTS FOR THE MONTH OF OCTOBER 2020**

**SUMMARY OF RECOMMENDATION**

Receive financial reports for the month ending October 2020.

**ATTACHMENTS**

1. Budget vs. actual report for the month ending October 2020
2. Balance sheet for the month ending October 2020

**SUBMITTED BY:**

Bill Lindsay  
Interim General Manager

Kensington Police Protection Community Services District

**Budget vs. Actual**

July through October 2020

	Oct, 2020 Actual	Jul - Oct, 2020 Actual	FY20-21 Annual Budget	YTD % of Budget	Jul - Oct, 2019 Actual	FY19-20 Annual Budget	YTD % of Budget
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
400 · Police Activities Revenue							
401 · Levy Tax	48,730.33	1,896,361.81	2,008,935.00	94%	1,807,692.72	1,941,000.00	93%
402 · Special Tax-Police	685,710.00	685,710.00	681,750.00	101%	681,750.00	682,000.00	100%
403 · Misc Tax-Police	0.00	0.00	0.00	-	0.00	0.00	-
404 · Measure G Supplemental Tax Rev	598,395.70	598,395.70	594,872.00	101%	588,397.68	588,400.00	100%
409 · Asset seizure forfeit/WEST NET	0.00	0.00	0.00	-	0.00	0.00	-
410 · Police Fees/Service Charges	90.00	320.00	1,500.00	21%	810.00	1,500.00	54%
411 · Kensington Hilltop Srvc Reimb	0.00	0.00	0.00	-	0.00	0.00	-
412 · Special Assignment Revenue	0.00	0.00	0.00	-	0.00	0.00	-
413 · West County Crossing Guard Reim	0.00	0.00	0.00	-	0.00	0.00	-
414 · POST Reimbursement	722.10	722.10	3,000.00	24%	2,665.71	0.00	-
415 · Grants-Police	99,533.68	99,533.68	100,000.00	100%	0.00	100,000.00	0%
416 · Interest-Police	2,032.09	6,700.95	10,000.00	67%	935.44	15,000.00	6%
418 · Misc Police Income	541.12	1,827.12	5,000.00	37%	1,202.05	10,000.00	12%
419 · Supplemental W/C Reimb (4850)	0.00	0.00	0.00	-	0.00	0.00	-
400 · Police Activities Revenue - Other	0.00	0.00	0.00	-	0.00	0.00	-
<b>Total 400 · Police Activities Revenue</b>	<b>1,435,755.02</b>	<b>3,289,571.36</b>	<b>3,405,057.00</b>	<b>97%</b>	<b>3,083,453.60</b>	<b>3,337,900.00</b>	<b>92%</b>
420 · Park/Rec Activities Revenue							
423 · Misc. Tax-Park/Rec	654.20	654.20	0.00	-	0	0	-
424 · Special Tax-L&L	41,529.06	41,529.06	41,500.00	100%	40,194.86	39,000.00	103%
427 · Community Center Revenue	0.00	0.00	15,000.00	0%	0.00	0.00	-
438 · Misc Park/Rec Rev	0.00	66.00	0.00	-	0.00	200.00	0%
439 · Contributions for Community Ctr	0.00	0.00	0.00	-	0.00	0.00	-
<b>Total 420 · Park/Rec Activities Revenue</b>	<b>42,183.26</b>	<b>42,249.26</b>	<b>56,500.00</b>	<b>75%</b>	<b>40,194.86</b>	<b>39,200.00</b>	<b>103%</b>
440 · District Activities Revenue							
448a · Franchise Fees Gross	27,984.63	30,833.77	100,000.00	31%	8,423.58	90,000.00	9%
448b · less Franchise Fees Paid Out	0.00	-1,221.06	-43,000.00	3%	-3,610.11	-38,570.00	9%
456 · Interest-District	0.00	765.67	10,000.00	8%	11,993.26	200.00	5997%
458 · Misc District Revenue	0.00	0.00	0.00	-	1,003.60	0.00	-
440 · District Activities Revenue - Other	0.00	0.00	0.00	-	0.00	0.00	-
<b>Total 440 · District Activities Revenue</b>	<b>27,984.63</b>	<b>30,378.38</b>	<b>67,000.00</b>	<b>45%</b>	<b>17,810.33</b>	<b>51,630.00</b>	<b>34%</b>
<b>Total Income</b>	<b>1,505,922.91</b>	<b>3,362,199.00</b>	<b>3,528,557.00</b>	<b>95%</b>	<b>3,141,458.79</b>	<b>3,428,730.00</b>	<b>92%</b>
<b>Expense</b>							
500 · Police Sal & Ben							
502 · Salary - Officers	86,659.91	369,961.26	1,097,545.00	34%	238,490.56	955,791.00	25%
504 · Compensated Absences	0.00	0.00	12,000.00	0%	0.00	9,600.00	0%
506 · Overtime	0.00	58,823.95	60,000.00	98%	63,071.28	75,000.00	84%

Kensington Police Protection Community Services District

**Budget vs. Actual**

July through October 2020

	Oct, 2020 Actual	Jul - Oct, 2020 Actual	FY20-21 Annual Budget	YTD % of Budget		Jul - Oct, 2019 Actual	FY19-20 Annual Budget	YTD % of Budget
508 · Salary - Non-Sworn	14,260.93	14,260.93	40,826.00	35%		7,432.65	52,912.00	14%
516 · Uniform Allowance	749.94	2,749.75	9,000.00	31%		1,633.17	8,200.00	20%
518 · Safety Equipment	29.50	1,307.43	2,250.00	58%		361.08	2,500.00	14%
521-A · Medical/Vision/Dental-Active	11,679.86	48,763.66	149,243.00	33%		53,121.45	146,536.00	36%
521-R · Medical/Vision/Dental-Retired	11,930.61	54,337.56	174,660.00	31%		68,576.28	186,097.00	37%
521-T · Medical/Vision/Dental-Trust	0.00	0.00	151,304.00	0%		0.00	239,911.00	0%
522 · Insurance - Police	379.80	1,907.50	5,630.00	34%		1,300.00	6,246.00	21%
523 · Social Security/Medicare	0.00	1,668.50	19,748.00	8%		5,443.51	16,537.00	33%
524 · Social Security - District	1,114.22	3,777.03	0.00	-		4,477.61	3,281.00	136%
527 · PERS - District Portion	15,491.04	60,025.11	194,834.00	31%		286,056.44	405,090.00	71%
528 · PERS - Officers Portion	420.78	1,670.83	5,866.00	28%		6,330.80	23,393.00	27%
529 · Pension Obln Bond Payment	0.00	0.00	264,016.00	0%		0.00	0.00	-
530 · Workers Comp	0.00	27,644.96	27,645.00	100%		67,555.81	92,000.00	73%
540 · Advanced Industrial Disability	0.00	0.00	0.00	-		0.00	0.00	-
541 · Consultant/Operational Audit	0.00	0.00	0.00	-		0.00	0.00	-
<b>Total 500 · Police Sal &amp; Ben</b>	<b>142,716.59</b>	<b>646,898.47</b>	<b>2,214,567.00</b>	<b>29%</b>		<b>803,850.64</b>	<b>2,223,094.00</b>	<b>36%</b>
550 · Other Police Expenses								
552 · Expendable Police Supplies	1,279.69	1,931.01	2,200.00	88%		150.00	2,200.00	7%
553 · Range/Ammunition Supplies	804.57	2,053.11	5,500.00	37%		397.68	5,500.00	7%
554 · Traffic Safety	0.00	2,850.00	5,000.00	57%		0.00	0.00	-
560 · Crossing Guard	0.00	0.00	15,000.00	0%		2,813.16	14,893.00	19%
561 · Vehicle Fuel	1,585.72	4,869.73	11,000.00	44%		0.00	0.00	-
562 · Vehicle Operation	2,247.55	2,516.69	16,000.00	16%		9,194.23	30,000.00	31%
563 · Vehicle Lease	0.00	0.00	64,000.00	0%		0.00	0.00	-
564 · Communications	1,301.85	129,458.16	127,300.00	102%	<1>	113,157.59	142,578.00	79%
566 · Radio Maintenance	0.00	-5,100.74	5,000.00	-102%		0.00	0.00	-
567 · Alarm	0.00	232.89	1,000.00	23%		0.00	0.00	-
568 · Prisoner/Case Exp./Booking	625.00	3,262.00	5,000.00	65%		1,504.15	12,000.00	13%
569 · Storage	0.00	0.00	1,700.00	0%		0.00	0.00	-
570 · Training	3,639.98	6,988.48	10,000.00	70%		4,321.07	10,000.00	43%
571 · Records	0.00	0.00	3,500.00	0%		0.00	0.00	-
572 · Hiring	0.00	5,695.52	15,750.00	36%		5,790.48	15,750.00	37%
574 · Reserve Officers	0.00	0.00	4,000.00	0%		0.00	4,000.00	0%
576 · Misc. Dues, Meals & Travel	1,835.00	1,835.00	2,350.00	78%		4,029.26	2,850.00	141%
578 · POST - Reimburse	0.00	300.00	500.00	60%		0.00	0.00	-
580 · Utilities - Police	-62.36	1,952.12	13,800.00	14%		2,919.27	13,800.00	21%
581 · Bldg Repairs/Maint.	0.00	0.00	3,000.00	0%		0.00	3,000.00	0%
582 · Expendable Office Supplies	282.20	1,397.38	6,500.00	21%		2,163.33	6,500.00	33%
587 · IT Contract	1,228.00	8,657.64	13,000.00	67%		0.00	0.00	-

Kensington Police Protection Community Services District

**Budget vs. Actual**

July through October 2020

	Oct, 2020 Actual	Jul - Oct, 2020 Actual	FY20-21 Annual Budget	YTD % of Budget	Jul - Oct, 2019 Actual	FY19-20 Annual Budget	YTD % of Budget
588 · Telephone	230.81	5,141.44	27,500.00	19%	1,186.00	5,280.00	22%
590 · Janitorial	274.84	1,182.49	4,000.00	30%	1,153.70	4,000.00	29%
591 · General Liability Insurance	0.00	24,309.17	24,309.00	100%	0.00	0.00	-
592 · Publications	0.00	0.00	3,500.00	0%	0.00	3,500.00	0%
593 · Volunteer Programs	0.00	0.00	2,500.00	0%	0.00	0.00	-
594 · Community Policing	0.00	120.00	4,500.00	3%	0.00	4,500.00	0%
595 · Legal/Consulting - Police	192.50	909.73	25,000.00	4%	17,978.53	50,000.00	36%
596 · CAL I.D.	0.00	0.00	6,100.00	0%	0.00	6,100.00	0%
599 · Police Taxes Measure G Admin	1,004.69	1,004.69	4,000.00	25%	1,938.09	4,000.00	48%
550 · Other Police Expenses - Other	0.00	263.31			0.00	0.00	-
<b>Total 550 · Other Police Expenses</b>	<b>16,470.04</b>	<b>201,829.82</b>	<b>432,509.00</b>	<b>47%</b>	<b>168,696.54</b>	<b>340,451.00</b>	<b>50%</b>
600 · Park/Rec Sal & Ben							
601 · Park & Rec Administrator	0.00	0.00	3,380.00	0%	2,477.31	6,788.00	36%
602 · Custodian	0.00	0.00	6,000.00	0%	1,960.00	5,250.00	37%
623 · Social Security/Medicare - Dist	0.00	0.00	259.00	0%	0.00	519.00	0%
<b>Total 600 · Park/Rec Sal &amp; Ben</b>	<b>0.00</b>	<b>0.00</b>	<b>9,639.00</b>	<b>0%</b>	<b>4,437.31</b>	<b>12,557.00</b>	<b>35%</b>
635 · Park/Recreation Expenses							
640 · Community Center Expenses							
641 · General Maintenance	0.00	280.00	1,000.00	28%	0.00	0.00	-
642 · Utilities-Community Center	748.53	2,797.07	6,131.00	46%	1,413.21	1,327.00	106%
643 · Janitorial Supplies	0.00	0.00	500.00	0%	125.55	250.00	50%
644 · Landscaping	300.00	2,145.00	7,500.00	29%	0.00	0.00	-
645 · General Liab./Workers Comp	0.00	6,431.71	6,788.00	95%	0.00	0.00	-
646 · Community Center Repairs	0.00	135.00	1,500.00	9%	870.93	2,400.00	36%
647 · Rental	0.00	0.00	500.00	0%	0.00	0.00	-
648 · Community Center Equip Maint	0.00	0.00	0.00	-	295.86	3,000.00	10%
649 · Misc	0.00	0.00	250.00	0%	0.00	0.00	-
640 · Community Center Expenses - Other	0.00	0.00	0.00	-	0.00	0.00	-
<b>Total 640 · Community Center Expenses</b>	<b>1,048.53</b>	<b>11,788.78</b>	<b>24,169.00</b>	<b>49%</b>	<b>2,705.55</b>	<b>6,977.00</b>	<b>39%</b>
650 · Park							
651 · General Maintenance	0.00	0.00	48,500.00	0%	0.00	0.00	-
652 · Repairs	0.00	609.20	5,000.00	12%	0.00	0.00	-
653 · Landscaping	2,050.00	5,125.00	12,500.00	41%	0.00	0.00	-
654 · Janitorial Supplies	0.00	0.00	250.00	0%	0.00	0.00	-
655 · Rental	0.00	0.00	500.00	0%	0.00	0.00	-
656 · Utilities	364.92	5,853.00	13,000.00	45%	0.00	0.00	-
657 · General Liab/Workers Comp	0.00	6,431.71	6,710.00	96%	0.00	0.00	-
658 · Levy Administration	0.00	0.00	6,000.00	0%	0.00	0.00	-

Kensington Police Protection Community Services District

**Budget vs. Actual**

July through October 2020

	Oct, 2020 Actual	Jul - Oct, 2020 Actual	FY20-21 Annual Budget	YTD % of Budget		Jul - Oct, 2019 Actual	FY19-20 Annual Budget	YTD % of Budget
659 · Misc	0.00	124.06	250.00	50%		0.00	0.00	-
<b>Total 650 · Park</b>	<b>2,414.92</b>	<b>18,142.97</b>	<b>92,710.00</b>	<b>20%</b>		<b>0.00</b>	<b>0.00</b>	<b>-</b>
660 · Annex Expenses								
662 · Utilities - Annex	0.00	0.00	0.00	-		0.00	0.00	-
665 · Annex General Maintenance	0.00	0.00	1,000.00	0%		0.00	0.00	-
666 · Annex Repairs	0.00	0.00	1,000.00	0%		0.00	0.00	-
667 · Annex Landscaping	0.00	1,230.00	5,000.00	25%		0.00	0.00	-
668 · Misc Annex Expenses	0.00	0.00	0.00	-		0.00	4,000.00	0%
669 · Misc Projects	0.00	0.00	2,000.00	0%		0.00	0.00	-
<b>Total 660 · Annex Expenses</b>	<b>0.00</b>	<b>1,230.00</b>	<b>9,000.00</b>	<b>14%</b>		<b>0.00</b>	<b>4,000.00</b>	<b>0%</b>
670 · Gardening Supplies	0.00	0.00	0.00	-		0.00	1,000.00	0%
672 · Kensington Park O&M	1,336.49	1,419.59	0.00	-		36,594.58	90,600.00	40%
674 · Tennis Courts (new title)	0.00	21,500.00	22,500.00	96%		0.00	10,000.00	0%
678 · Misc Park/Rec Expense	0.00	0.00	0.00	-		0.00	1,000.00	0%
<b>Total 635 · Park/Recreation Expenses</b>	<b>4,799.94</b>	<b>54,081.34</b>	<b>148,379.00</b>	<b>36%</b>		<b>39,300.13</b>	<b>113,577.00</b>	<b>35%</b>
800 · District Expenses								
808 · District Salaries	14,564.94	69,227.84	282,500.00	25%		62,309.57	227,347.00	27%
809 · District Payroll Taxes	1,451.75	6,343.79	22,000.00	29%		0.00	17,392.00	0%
810 · IT Contract	1,085.00	4,048.19	11,244.00	36%		14,592.16	30,088.00	48%
815 · Admin Communications	361.97	1,261.97	5,000.00	25%		1,280.35	5,000.00	26%
816 · Office Supplies	0.00	348.07	2,000.00	17%		0.00	0.00	-
817 · Postage	0.00	0.00	500.00	0%		0.00	0.00	-
818 · Mileage	0.00	0.00	200.00	0%		0.00	0.00	-
819 · Dues/Subscriptions	0.00	56.99	7,800.00	1%		0.00	0.00	-
820 · Copier Contract	370.72	1,255.61	6,893.00	18%		1,474.26	6,893.00	21%
825 · Board Continuing Ed/Conferences	0.00	0.00	5,000.00	0%		0.00	0.00	-
826 · Board Meetings	0.00	23.98	2,000.00	1%		0.00	0.00	-
830 · Legal (District/Personnel)	5,322.40	9,508.07	85,000.00	11%		70,278.91	80,840.00	87%
835 · Consulting	3,585.63	20,045.31	30,000.00	67%	<2>	6,237.50	25,800.00	24%
840 · Accounting	18,120.00	32,935.00	35,000.00	94%	<3>	12,890.00	51,450.00	25%
850 · Insurance	0.00	24,309.17	24,308.00	100%		45,280.36	70,000.00	65%
851 · Workers Comp	0.00	7,088.45	7,088.00	100%		0.00	0.00	-
860 · Election	0.00	0.00	6,400.00	0%		0.00	0.00	-
861 · LAFCO	0.00	1,728.55	2,200.00	79%	<4>	0.00	0.00	-
865 · Police Bldg. Lease	3,050.25	12,200.75	40,000.00	31%		12,201.00	36,603.00	33%
870 · County Expenditures	5,930.24	6,049.24	24,300.00	25%		7,522.12	24,300.00	31%
890 · Waste/Recycle	0.00	650.00	5,000.00	13%		750.00	51,000.00	1%
891 · COVID	600.00	3,719.50				0.00	0.00	-

Kensington Police Protection Community Services District

**Budget vs. Actual**

July through October 2020

	Oct, 2020 Actual	Jul - Oct, 2020 Actual	FY20-21 Annual Budget	YTD % of Budget		Jul - Oct, 2019 Actual	FY19-20 Annual Budget	YTD % of Budget
898 · Misc. Expenses	412.00	1,615.84	10,000.00	16%		15,037.98	26,650.00	56%
899 · Depreciation Expense	0.00	0.00	0.00	-		0.00	0.00	-
<b>Total 800 · District Expenses</b>	<b>54,854.90</b>	<b>202,416.32</b>	<b>614,433.00</b>	<b>33%</b>		<b>249,854.21</b>	<b>653,363.00</b>	<b>38%</b>
950 · Capital Outlay								
965 · Personal Police Equipment-Asset	0.00	5,773.66	1,000.00	577%	<5>	0.00	0.00	-
966 · Police Traffic Equipment	0.00	1,400.00	0.00	-		740.00	0.00	-
968 · Office Furn/Eq	861.67	861.67				0.00	0.00	-
969 · Computer Equipment	426.01	2,044.78	7,000.00	29%		28.68	1,500.00	2%
971 · Park Land	0.00	0.00	5,000.00	0%		0.00	0.00	-
972 · Park Buildings Improvement	0.00	0.00	0.00	-		0.00	0.00	-
974 · Other Park Improvements	0.00	0.00	1,500.00	0%		0.00	0.00	-
975 · Community Center Loan Repayment	0.00	0.00	30,617.00	0%		0.00	30,617.00	0%
985 · Comm. Ctr Renovation (Cap Fund)	0.00	140,210.86	0.00	-	<6>	399,281.45	1,761,670.00	23%
<b>Total 950 · Capital Outlay</b>	<b>1,287.68</b>	<b>150,290.97</b>	<b>45,117.00</b>	<b>333%</b>		<b>400,050.13</b>	<b>1,793,787.00</b>	<b>22%</b>
<b>Total Expense</b>	<b>220,129.15</b>	<b>1,255,516.92</b>	<b>3,464,644.00</b>	<b>36%</b>		<b>1,666,188.96</b>	<b>5,136,829.00</b>	<b>32%</b>
Net Ordinary Income	1,285,793.76	2,106,682.08	63,913.00	3296%		1,475,269.83	-1,708,099.00	-86%
Other Income/Expense								
Other Expense								
700 · Bond Issue Expenses								
701 · Bond Proceeds	0.00	0.00	0.00	-		-65,001.28	0.00	-
710 · Bond Admin.	2,817.52	2,820.52	0.00	-		26,198.04	0.00	-
715 · Bond Interest Income	-198.51	-539.67	0.00	-		-576.06	0.00	-
720 · Bond Principal	0.00	150,662.12	0.00	-		149,165.48	0.00	-
730 · Bond Interest	0.00	3,201.57	0.00	-		6,371.34	0.00	-
<b>Total 700 · Bond Issue Expenses</b>	<b>2,619.01</b>	<b>156,144.54</b>	<b>0.00</b>	<b>-</b>		<b>116,157.52</b>	<b>0.00</b>	<b>-</b>
<b>Total Other Expense</b>	<b>2,619.01</b>	<b>156,144.54</b>	<b>0.00</b>	<b>-</b>		<b>116,157.52</b>	<b>0.00</b>	<b>-</b>
Net Other Income	-2,619.01	-156,144.54	0.00	-		-116,157.52	0.00	-
<b>Net Income</b>	<b>1,283,174.75</b>	<b>1,950,537.54</b>	<b>63,913.00</b>	<b>3052%</b>		<b>1,359,112.31</b>	<b>-1,708,099.00</b>	<b>-80%</b>

- <1> See Page 6
- <2> Matrix Consulting Group \$6,646, Ross Drulis Cusenbery \$13,399
- <3> \$20,520: Lamorena & Chang, FY18-19 Related: Will be adjusted while audit prep
- <4> LAFCO Net Cost Appnt. For FY20-21 \$1,728.55  
LEHR: Antenna Cell/LTE,Wifi & GNNS \$2,776.54
- <5> Axon Enterprise: Evidence.com Basic License Payment, Axono Camera, Tech Assurance Plan Body 2 Camera
- <6> KCK Builders: KCC Renovation \$131,412.35

# Kensington Police Protection Community Services District

## Budget vs. Actual

July through October 2020

Detail for Ref. <1>

Type	Date	Num	Name	Memo	Amount
<b>550 · Other Police Expenses</b>					
<b>564 · Communications</b>					
Check	07/29/2020	20619	City of Albany	Dispatch Staff Services and Support 20-21	105,000.00
Check	07/29/2020	20627	Sun Ridge Systems	RIMS Annual Support 7.1.2020-6.30.2021	7,578.00
Check	08/27/2020	20684	CCC Law & Justice Systems	ACCJIN Share cost FY 19-20	2,323.68
Check	09/14/2020	20724	AT&T CalNET 3	Inv# BAN 9391062077	1,658.98
Check	09/14/2020	20739	Presidio	INV#6023220000975	300.00
Check	09/29/2020	20747	Presidio	6013220010960	551.43
Check	09/29/2020	20753	Sun Ridge Systems	payment 1 of 3	7,500.00
Check	09/29/2020	20747	Presidio	6013220011471	3,244.22
Check	10/14/2020	20796	Presidio	Inv#6023220001106	200.00
Check	10/14/2020	20800	AT&T CalNET 3	A/C # 9391062077 - Inv#000015415637	1,004.70
General Jou	10/26/2020	07.15.24 PR	Business Card	Reverse of GJE 07.15.24 P -- For CHK 20835 voided on 10/26/2020	-97.15
Check	10/29/2020	20835	Business Card	Two way radio	0.00
General Jou	10/29/2020	07.15.24 P	Business Card	For CHK 20835 voided on 10/26/2020	97.15
Check	10/29/2020	20838	Business Card	Two Way Radio	97.15
Total 564 · Communications					129,458.16
Total 550 · Other Police Expenses					129,458.16
<b>TOTAL</b>					<b>129,458.16</b>



Kensington Police Protection & Community Services District  
**Balance Sheet**  
As of October 31, 2020

	<u>Oct 31, 20</u>
<b>ASSETS</b>	
<b>Current Assets</b>	
<b>Checking/Savings</b>	
100 · Petty Cash	100.00
110 · CCC Cash Accts	
112 · General Fund	202,652.31
114 · Land & Light-Park O&M	72,903.02
116 · PB Admin-Cash	-83,968.67
117 · PB Resv-Cash	25,378.68
	<hr/>
<b>Total 110 · CCC Cash Accts</b>	216,965.34
120 · Mech's Cash Accts	
125 · Property Acct	2,823.13
	<hr/>
<b>Total 120 · Mech's Cash Accts</b>	2,823.13
130 · County Invest Accts	
133 · PB Resv-Inv	93,430.00
	<hr/>
<b>Total 130 · County Invest Accts</b>	93,430.00
134 · CCC LAIF Accounts	
134a · General LAIF	552,358.74
134b · COPS LAIF	1,589.64
134d · Garbage/Bay View LAIF	177,167.76
	<hr/>
<b>Total 134 · CCC LAIF Accounts</b>	731,116.14
<b>Total Checking/Savings</b>	1,044,434.61
<b>Accounts Receivable</b>	
141 · Accounts Receivable - Year End	-17,500.00
143 · Advance on Prop Taxes	3,129,121.83
144 · Advance on Suppl. Taxes	25,636.87
146 · Advance on LLD Taxes	41,529.06
147 · Rent Receivable	0.40
	<hr/>
<b>Total Accounts Receivable</b>	3,178,788.16
<b>Other Current Assets</b>	
151 · Employee Uniform Receivable	836.28
153 · Prepaid Expenses	0.01
154 · Employee Advances	475.07
	<hr/>
<b>Total Other Current Assets</b>	1,311.36
<b>Total Current Assets</b>	<hr/> 4,224,534.13

Kensington Police Protection & Community Services District  
**Balance Sheet**  
As of October 31, 2020

	<u>Oct 31, 20</u>
<b>Fixed Assets</b>	
<b>160 · Police Fixed Assets</b>	
161 · Police Bldg Improvements	200,061.36
162 · Patrol Cars	188,274.73
163 · Patrol Cars Accessories	17,830.92
165 · Personal Police Equipment	28,499.02
166 · Police Traffic Equipment	19,008.23
167 · Station Equipment-Police	61,325.49
168 · Office Furn & Equip	102,129.00
169 · Computer Equip	47,960.85
<b>Total 160 · Police Fixed Assets</b>	<u>665,089.60</u>
<b>170 · Park/Rec Fixed Assets</b>	
171 · Land	2,808,347.00
172 · Community Center Building	384,049.00
173 · Community Center Improvements	158,833.25
174 · Park Improvements	875,271.38
178 · Pk/R Furn & Fixtures	51,203.29
188 · Construction in Progress	223,752.21
<b>Total 170 · Park/Rec Fixed Assets</b>	<u>4,501,456.13</u>
<b>189 · Accumulated Depreciation</b>	<u>-1,267,106.71</u>
<b>Total Fixed Assets</b>	3,899,439.02
<b>Other Assets</b>	
197 · Fut Bond Req	1,070,389.27
198 · Gen L/T Debt-Amt to be Provided	217,521.00
199 · Suspense	-91.46
<b>Total Other Assets</b>	<u>1,287,818.81</u>
<b>TOTAL ASSETS</b>	<u><u>9,411,791.96</u></u>
<b>LIABILITIES &amp; EQUITY</b>	
<b>Liabilities</b>	
<b>Current Liabilities</b>	
Other Current Liabilities	
GASB 45 Accrual	-65,901.60

Kensington Police Protection & Community Services District  
**Balance Sheet**  
As of October 31, 2020

	<u>Oct 31, 20</u>
<b>Payroll Liabilities 220</b>	
221 · Federal Taxes/Medicare	-1,119.76
222 · EDD of CA	-277.18
225 · PERS - (District Portion)	24,306.38
226 · PERS (Officers Portion)	6,668.23
227 · PERS buy back (Employee only)	-0.08
229 · KPOA Dues, Legal Def., Survivor	274.50
	<hr/>
<b>Total Payroll Liabilities 220</b>	29,852.09
<b>219 · Accrued Payroll</b>	6,647.39
	<hr/>
<b>Total Other Current Liabilities</b>	-29,402.12
	<hr/>
<b>Total Current Liabilities</b>	-29,402.12
<b>Long Term Liabilities</b>	
250 · Bond Debt	
251 · Bond Debt-County	1,311,523.27
252 · Bond Debt-District	92,830.00
253 · Bond Interest Payable	4,247.56
	<hr/>
<b>Total 250 · Bond Debt</b>	1,408,600.83
<b>265 · Compensated Absence/Vac Buyback</b>	80,634.50
<b>290 · Community Center Loan</b>	250,000.00
	<hr/>
<b>Total Long Term Liabilities</b>	1,739,235.33
	<hr/>
<b>Total Liabilities</b>	1,709,833.21
<b>Equity</b>	
300 · Opening Bal Equity	4,423,977.14
340 · Asset write-off to actual	-161,788.71
350 · Invest. in Assets	2,311,112.11
355 · Prior Accounts Payable	7,462.00
360 · Investment in EPC	-364.15
370 · Investment in KFPD MCI	34,068.02
390 · Retained Earnings	-863,045.20
Net Income	1,950,537.54
	<hr/>
<b>Total Equity</b>	7,701,958.75
	<hr/>
<b>TOTAL LIABILITIES &amp; EQUITY</b>	<b>9,411,791.96</b>
	<hr/> <hr/>

**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**ITEM 6**

**AMEND POLICY 4170.1, REGULAR BOARD MEETINGS**

**BACKGROUND AND SUMMARY**

The Board of Directors adopted Policy 4100 on May 23, 2019 as part of its ongoing process of revising and updating its policy manual. Policy 4170.1 continued the District's historical practice of holding two Board meetings per month. More recent experience indicates that District business generally requires only one Board meeting per month. Accordingly, staff has prepared the attached draft resolution amending Policy 4170.1 to eliminate the second meeting. The District will retain the authority to schedule a second, special meeting if necessary.

**FISCAL IMPACT**

The amendment will reduce the expenditure of staff time; the cost savings are difficult to estimate at this time.

**RECOMMENDATION**

Staff recommends that the Board hear public testimony, consider the proposed draft policy amendment and adopt the draft resolution.

**ATTACHMENTS**

Resolution

**SUBMITTED BY:**

Ann Danforth  
General Counsel

**RESOLUTION NO. 2020-22**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT AMENDING POLICY NO. 4170.1 TO REDUCE  
THE NUMBER OF REGULAR BOARD MEETINGS TO ONE PER  
MONTH**

The Board of Directors of the Kensington Police Protection and Community Services District (hereafter referred to as the “Board of Directors”) finds as follows:

*WHEREAS*, the Kensington Police Protection and Community Services District (“District”) is in the process of updating its policies and procedures for a new Policies and Procedures Manual (“New Manual”); and

*WHEREAS*, at its regular meeting on May 23, 2019, the Board of Directors adopted a new Policy 4100; and

*WHEREAS*, the Board of Directors now wishes to amend Policy 4170.1 to reduce the number of regular monthly Board of Directors meetings from two to one;

*WHEREAS*, on February 13, 2020, the Board considered the draft amendment to Policy 4170.1, took public testimony and decided to adopt this resolution amending the policy.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES RESOLVE that Policy 4170.1 shall be amended to read as follows:

**4170.1 Regular Meetings.** The purpose of meetings is to conduct the business of the District requiring action by the Board of Directors. Regular meetings of the Board of Directors shall be held on the second Thursday of each calendar month at 7:30 PM in the Community Center, 59 Arlington Avenue in Kensington, CA or if the Community Center is unavailable, at a temporary location within Kensington, if possible. The date, time and place of regular Board meetings may be reconsidered as the Board may determine due to a change in District needs and circumstances.

PASSED AND ADOPTED by the Kensington Police Protection and Community Services District on Thursday, the 10<sup>th</sup> day of December 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

---

Chris Deppe  
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 10<sup>th</sup> day of December, 2020.

---

Lynelle M. Lewis  
District Clerk of the Board

---

William A. Lindsay  
Interim General Manager

**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**ITEM 7**

**APPROVAL OF SCOPE OF WORK AND CONTRACT WITH WILLIAM DRISCOLL FOR ONGOING MAINTENANCE SERVICES AT THE KENSINGTON COMMUNITY CENTER AND KENSINGTON PARK**

**SUMMARY OF RECOMMENDATION**

Review and approve the scope of work and associated contract with William Driscoll to provide maintenance services at the Kensington Community Center and Kensington Park for the base monthly amount of \$900. This scope of work and contract reflect the current impacts of the coronavirus pandemic that include more limited maintenance services at the Community Center and increased maintenance of park restroom facilities.

**BACKGROUND**

In spite of the current public health orders that severely limit any use of the renovated Community Center, the facility still requires regular cleaning and light maintenance. In addition, in response to community demand, and based on input from KCC staff, the Kensington Park restrooms remain open for daytime use and require daily cleaning and disinfecting.

To provide for this ongoing maintenance work, the general manager solicited a proposal from Bill Driscoll who is knowledgeable and experienced with the required maintenance work. The scope of work included in the proposal by Mr. Driscoll is as follows:

- Weekly cleaning and maintenance for the Kensington Community Center (the frequency will be adjusted in response to changing public health orders, to eventually provide more frequent maintenance services, up to five to seven days per week, depending on rentals). This service will include necessary sweeping mopping, emptying trash, disinfecting all rooms, restrooms, and kitchen areas, cleaning windows and high dusting, necessary to maintain the building in a condition that would allow for its immediate opening as allowed by public health orders;
- Graffiti removal, changing burned out lights in and around the Community Center and outside restroom building;
- Light plumbing, painting and common maintenance activities for jobs that take an hour or less. Projects requiring more skill and time would need to be contracted to a specialist or would be completed by Mr. Driscoll at the rate of \$60 per hour;
- General oversight of buildings and grounds, with communication regarding needed maintenance and landscape scheduling and special projects to the landscape contractor (to be retained under a separate contract);
- Daily cleaning of the outside restroom building;
- Weekly emptying of the two District-owned trash cans, one the Colusa Circle and the other at the "Kensington cheese building;"
- 24-hour on call response for emergency maintenance situations.

The base monthly cost for the Community Center maintenance services under the current public health order is \$200; when the Community Center returns to full service, the maintenance schedule will

accelerate to five to seven days per week, and the base monthly rate would increase to \$1,800. The base monthly cost for daily outdoor restroom cleaning is \$500, to be evaluated as public health orders change, and for the trash emptying is \$200.

## **RECOMMENDATION**

Review and approve the scope of work and associated contract with William Driscoll to provide maintenance services at the Kensington Community Center and Kensington Park for the base monthly amount of \$900, with the contract to be approved as to final form by District legal counsel.

## **FISCAL IMPACT**

- The total amount of the proposed contract with Mr. Driscoll for Community Center maintenance is \$900 monthly, or \$10,800 on an annualized basis.
- The combined monthly amount of this proposed contract with the monthly amount of \$2,225 for base Park landscape services is \$3,125, or \$37,500 annually.
- The combined total budgeted base contract amount for maintenance services at the Community Center and Kensington Park is \$39,000, with an additional \$20,000 budgeted for services in addition to the base contracts. The total annual budget, then, for maintenance services at the Community Center and Park is \$59,000.

Thus, the proposed contract is consistent with the adopted budget.

It should be noted that anticipated annual rental revenue for the Community Center will likely be less than the \$15,000 budgeted amount, but the \$20,000 additional cost for additional maintenance services will also be lower than the amount budgeted.

## **ATTACHMENTS**

None.

## **SUBMITTED BY:**

Bill Lindsay  
Interim General Manager



**BOARD OF DIRECTORS MEETING**

**December 10, 2020**

**ITEM 8**

**APPROVAL OF SCOPE OF WORK AND CONTRACT WITH FERNANDO HERRERA FOR ONGOING MAINTENANCE SERVICES AT KENSINGTON PARK**

**SUMMARY OF RECOMMENDATION**

Review and approve the scope of work and associated contract with Fernando Herrera to provide maintenance services at Kensington Park and the “gore lot” at the corner of Arlington and Coventry for the base monthly amount of \$2,225.

**BACKGROUND**

To provide regular, ongoing maintenance services with a specific scope of work at Kensington Park and the “gore lot” at the corner of Arlington and Coventry, the general manager solicited a proposal from Fernando Herrera, who is knowledgeable and experienced with the required maintenance work.

The scope of work included in the proposal by Mr. Herrera provides for the following services on a weekly basis:

- Lawn mowing;
- Regular trash pickup;
- Blowing parking lots and around buildings;
- Trimming hedges and pruning low branches;
- Overseeing irrigation for proper operation;
- Blowing tennis courts;
- Weed abatement on all Park hills and open areas.
- Weed and litter abatement, and general clean-up, at the “gore lot.”

The base monthly cost for these maintenance services is \$2,225.

Extra services that are not in the base contract are billed by Mr. Herrera at \$60 per hour, or may require a separate contract with a third party. These services include:

- Pruning branches over 12’ high
- Specialized irrigation repairs;
- Maintenance of the sump pump behind the Community Center; and
- Sign installation.

**RECOMMENDATION**

Review and approve the scope of work and associated contract with Fernando Herrera to provide maintenance services at the Kensington Park, and at the “gore lot” at the corner of Arlington and

Coventry, for the base monthly amount of \$2,225, with the contract to be approved as to final form by District legal counsel.

**FISCAL IMPACT**

- The total amount of the proposed contract with Mr. Herrera for Kensington Park and “gore lot” maintenance is \$2,225 monthly, or \$26,700 on an annualized basis.
- The combined monthly amount of this proposed contract with the monthly amount of \$900 for base Community Center landscape services is \$3,125, or \$37,500 annually.
- The combined total budgeted base contract amount for maintenance services at the Community Center and Kensington Park is \$39,000, with an additional \$20,000 budgeted for services in addition to the base contract. The total annual budget, then, for maintenance services at the Community Center and Park is \$59,000.

Thus, the proposed contract is consistent with the adopted budget.

**ATTACHMENTS**

None.

**SUBMITTED BY:**

Bill Lindsay  
Interim General Manager