

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

FEBRUARY 12, 2015 AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, February 12, 2015, at 6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will commence its monthly Regular Meeting in open session at **7:30 P.M.** If further Closed Door Session is required, the Board will return to Closed Door Session following the end of the Regular Meeting.

Roll Call
Public Comments

SPECIAL MEETING; CLOSED SESSION 6:00 P.M.

1. Pursuant to California Government Code Section 54957b:
 - a. The Board will enter into closed session to discuss the General Manager/ Chief of Police performance review pursuant to California Government Code Section 54957b.
 - b. The General Manager/ Chief of Police will discuss personnel appointment, employment, and evaluation of performance of District personnel.
 - c. The Board will discuss the possible contract extension and terms of the extension of the General Manager/ Chief of Police.

REGULAR MEETING; OPEN SESSION 7:30 P.M.

The Board will return to Open Session at approximately 7:25 PM and report out on the Closed Door Session.

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, February 12, 2015, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California.

Note: All proceedings of the open session meeting will be videotaped.

Roll Call
Public Comments
Board Member/ Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Special & Regular Meeting January 8, 2015, Page 3
- b) Minutes of the Special Meeting January 25, 2015, Page 8
- c) Unaudited Profit & Loss Report for January 2015, Page 10
- d) Five Year Budget Projection Report, Page 15
- e) Board Member Reports- None This Month
- f) Police Report January 2015, Page 24
- g) Training/ Reimbursement Report- None This Month
- h) Correspondence in January, Page 37
- i) Recreational Report, Page 47
- j) Monthly Calendar, Page 48
- k) General Manager's January Report, Page 50

DISTRICT - NEW BUSINESS

1. KPPCSD Directors Chuck Toombs and Pat Gillette will present for approval the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association. Board Action. Page 53
2. General Manager/ Chief of Police Greg Harman will present for approval KPPCSD Board Resolution #2015-01, a Resolution of the Board of Directors of the Kensington Police Protection & Community Services District approving the employer paid members contributions to CalPERS as per the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association. Board Action. Page 70
3. General Manager/ Chief of Police Greg Harman will present for approval KPPCSD Board Resolution #2015-02, a Resolution of the Board of Directors of the Kensington Police Protection & Community Services District approving the employer pick up of member contributions to CalPERS as per the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association. Board Action. Page 73

4. General Manager/ Chief of Police Greg Harman will present for approval a contract proposal from IDA Structural Engineers for structural engineering services in connection with a seismic study of the Community Center for a fee of \$7,100. Board Action. Page 77
5. General Manager/ Chief of Police Greg Harman will ask if any member of the board would like to be nominated to the CSDA Board of Directors, Bay Area Network, Seat A, for the remainder of the 2013-2015 term. Board Action. Page 84

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

ADJOURNMENT

General Information

Accessible Public Meetings

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

General Manager/ Chief of Police Greg Harman, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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

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.

Meeting Minutes for 1/8/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, January 8, 2015, at 6:00 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California. The Regular Meeting of the Board of Directors (BOD) of the Kensington Police Protection and Community Services District (KPPCSD) followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Linda Lipscomb
Pat Gillette, Vice President	Leonard Schwartzburd
Chuck Toombs, Director	Donna Stanton
Vanessa Cordova, Director	Simon Braufman
Rachelle Sherris-Watt, Director	A. Stevens Delk
	Karl Kruger
<u>Staff Members</u>	Andrew Gutierrez
GM/COP Gregory Harman	Celia Concus
Sgt. Barrow (on duty, but not OT)	
Lynn Wolter, District Administrator	
<u>Press</u>	
Joel Koosed, Outlook	

Board President Welsh called the meeting to order at 6:07 PM and took roll call. President Welsh, Vice President Gillette, Director Toombs, Director Cordova, Director Sherris-Watt, General Manager/Chief of Police Harman, and District Administrator Wolter were present.

PUBLIC COMMENTS

None

CLOSED SESSION

The Board entered into Closed Session at 6:08 P.M. to:

1. Confer with Labor Negotiators (Government Code Section 54957.6)
 - a. Agency Representatives: Patricia Gillette and Chuck Toombs
 - b. Employee Organization: Kensington Police Officers Association

2. Pursuant to California Government Code Section 54957b;
 - a. Discuss the General Manager/Chief of Police performance review pursuant to California Government Code Section 54957b.
 - b. Discuss the possible contract extension and terms of the extension of the General Manager/Chief of Police.

- c. The General Manager/Chief of Police to discuss personnel appointment, employment, and evaluation of performance of District personnel.

OPEN SESSION

The Board returned to Open Session at 7:37 P.M.

President Welsh took roll call. President Welsh, Vice President Gillette, Director Toombs, Director Cordova, and Director Sherris-Watt were present.

President Welsh reported that, during its Closed Session, the Board had taken no action on any of the three items.

PUBLIC COMMENTS

A. Stevens Delk said that, since 1974, there had been an approximate 8% average annual increase in the District's special taxes and assessments. She noted that half the District's revenue came from the ad valorem tax, which because of Proposition 13, could only increase 2% per year for properties that had not been sold during the preceding year. She said that Measure G had passed because residents had been threatened with a reduction in police service and that five years later, with an additional half million dollars of revenue a year for great police, the community was being told again that it wouldn't be able to keep the police department without another tax increase. She concluding by saying the District's recurrent deficit problem was not an income problem, but an outgo problem.

BOARD MEMBER COMMENTS

Director Cordova noted that the Board had a female majority and said that she and Director Sherris-Watt were seeking positions with the California Special District's Association (CSDA).

Vice President Gillette said she would like to conduct informal meetings at the Arlington Café once a quarter. She also suggested that the Board President write a column for the Outlook to increase communication.

Director Sherris-Watt said the District would be moving away from having officers set up the sound system for Board meetings. She introduced the evening's two assisting Scouts: Evan and Matthew Garrison.

Director Toombs reported that EBMUD had sent notices about the coming replacement of the Summit Reservoir and noted that traffic might be impacted by the work. He said EBMUD had also let residents know that it was seeking voluntary water conservation of 15%. He noted that, without sufficient voluntary reductions, EBMUD would likely increase fees, which could include a surcharge of up to 15%.

Director Toombs also announced that CSDA would be offering a free ethics training webinar and noted that this training was required for all Directors.

President Welsh reported that he was changing the date of the Finance Committee meeting, from January 15th to January 29th, and said he agreed with Vice President Gillette's suggestion of a column.

STAFF COMMENTS

District Administrator Wolter reported that CSDA would be providing the following webinars:

- AB 1825 (Harassment) on January 14th
- AB 1234 (Ethics) on March 4th
- Introduction to Finances on February 26th

CONSENT CALENDAR

Director Toombs asked to pull Items B (Unaudited Profit and Loss Report for December 2014) and E (Police Report December 2014) from the Consent Calendar.

Director Toombs asked for information about Property Tax Revenue. District Administrator Wolter responded that the County had recently advised that the District's December cash disbursement had been \$1,444,124.54.

Director Toombs asked about discrepancies between amounts budgeted and paid for certain accounts:

- Account 564 – This was due to the tardiness of bills sent by Richmond.
- Account 566 – This was due to the fact that Motorola (cell phone connections to mobile Toughbooks units) sends its invoice once a year, and it hadn't been received yet.
- Account 580 – This was due to two months' invoices having been paid in a single month, which was a timing issue.
- Account 592 – The \$1,950 expense was for the once-a-year updated police policy manual.
- Account 840 – The invoice had not yet been received from the auditor, Fechter & Company.

Karl Kruger noted that Account 562 (Vehicle Operation) appeared to reflect the reduction in fuel costs. He also said that amount of Account 830 (Legal) indicated that the Board was dragging things out to meet the \$150,000 amount it had budgeted. He said the Board didn't do things in a timely manner.

Celia Concus questioned the amount spent in Account 596 (WEST-NET) and questioned the need for it. Sergeant Barrow responded that WEST-NET, which is comprised of Federal, State, and local agencies, works on drug problems and major crimes. He said that, in exchange for Kensington's officers participating in the program, the community receives assistance with Kensington issues and receives help with solving crimes. GM/COP Harman added that small agencies pay into this program to benefit from a regional approach to crime. Sergeant Barrow cited that, in the past three years, work performed by this group solved a big case involving over 1,000 pounds of illegal drugs, stolen property, and weapons and that more than 40 people had been taken into custody. GM/COP Harman reported that over \$1 million cash had been recovered and that Kensington could receive approximately \$40,000 of this. Sergeant Barrow noted that, in this area, there were indoor "grows" of illegal drugs. Sergeant Barrow said that the amount of time he spends with WEST-NET varied and that WEST-NET provided helpful training in things such as narcotics detection and search warrants. He said that, in the past, Officer Martinez and Corporal Stegman had participated in the program.

Director Toombs asked GM/COP Harman to explain the material covered in the December Police Report. GM/COP Harman said he produced this report every month, and he described the various elements of it:

Page 1 – monthly crime activity:

Part 1 Crimes – there were four in December

- Open/Pending – crimes currently being investigated
- Suspended – crimes for which there were no further leads. However, if evidence were to be discovered at a later time, this could allow a suspended case to be closed.
- Closed – a suspect has been identified and an arrest or formal complaint has been made.
- Arrest – an arrest has been made.

Other Crimes – most are misdemeanors.

Page 2 – year-to-date totals:

December report covered 51 out of 52 weeks (missing one week because of the GM/COP's vacation). GM/COP Harman reported that, for 2014 year-to-date, the community had the lowest number of burglaries since he had started working in Kensington. He reported that there had been 55 Part 1 Crimes for the year, with 11 closed and 6 arrests; there had been 125 Other Crimes, with 48 closed and 43 arrests. He concluded by reporting that, when he arrived in Kensington, there had been between 4 and 6 arrests per year and that arrests and closures had increased significantly since then.

Andrew Gutierrez said that revenue from fines and parking for the month of December were \$3,746.81 and were \$11,833.05 year-to-date and said he thought this amount could be increased if more citations were

issued on Arlington Avenue. President Welsh asked GM/COP Harman to describe how much revenue the District received from citations. GM/COP Harman responded that the District actually received very little revenue from citations. As an example he noted that, for a \$291 speeding citation, the District received 13% of the initial \$100 base fee, or \$13.

Director Cordova said she had been a victim of a burglary and urged residents to lock their doors and windows. She said that, if residents were to see anything suspicious, they should call the police department immediately.

GM/COP reported that there had been a recent burglary at a time when six officers were at the public safety building – because it was a shift-change time. He said the police had responded within one minute of the 911 call, but because there weren't enough vehicles to accommodate all six officers, Sergeant Barrow had run to the affected residence. GM/COP Harman added that, despite the department's quick response time, officers were unable to apprehend the burglar, in large part because the victim had waited ten minutes, from the time of seeing the burglar, before dialing 911.

Vice President Gillette said the police department's response time was very quick.

Donna Stanton asked at what time of day residential burglaries were occurring. GM/COP Harman responded that all 14 of the prior year's burglaries had occurred in daytime, when no one was home, but that the recent burglary had occurred at about 5:45 PM.

MOTION: Vice President Gillette moved, and President Welsh seconded, to approve the Consent Calendar.

Motion passed 5 to 0.

AYES: Welsh, Gillette, Toombs, Cordova, Sherris-Watt NOES: 0 ABSENT:

DISTRICT NEW BUSINESS

1. Per KPPCSD Board Policy 4060.1, Board President Len Welsh appointed and publicly announced the members of the standing committees and the Board Coordinators for calendar year 2015.

President Welsh announced the following Board appointments:

- Solid Waste Committee – Director Toombs
- Community Outreach – Vice President Gillette
- Public Safety Building – Director Toombs
- Intergovernmental/External Issues – Director Cordova and Vice President Gillette
- Finance and Administration – President Welsh
- Park Buildings – Director Toombs
- Policies and Procedures Manual – Director Sherris-Watt

President Welsh said that he wouldn't announce all committee members for the Finance Committee and that there might be more members announced after this evening's meeting.

President Welsh announced members of the Finance Committee:

Chairman – President Welsh

Co-chairman – Director Toombs

Members: Pat McLaughlin, Elena Caruthers, Paul Haxo, Karl Kruger, Gloria Morrison, Paul Dorroh, Derek Suring, Simon Braufman, Paula Black, Linda Lipscomb, and Tony Lloyd.

President Welsh announced the members of the Policy and Procedures Committee:

Chairman: Director Sherris-Watt

Co-chairman: Vice President Gillette

Members: John Stein, Linda Lipscomb, and Barbara Dilts.

2. General Manager/Chief of Police Greg Harman presented the Contra Costa County Grand Jury Report #1405 dated June 3, 2014, his response to the report dated September 3, 2014, and Contra Costa County Ordinance Code 25-4.202- 25-4.610 for review, discussion, and possible Board action.

GM/COP Harman reported that he had received Grand Jury Report 1405, "The Public Records Act in Contra Costa County", on June 6, 2014. He said that the document, which reported on how agencies handled Public Records Act requests, had required that he respond to it by September 2014. He noted that every agency in Contra Costa County had been named in the report. GM/COP Harman said he agreed with the report's findings and that the District already followed most of the County's policies, with respect to the Public Records Act. GM/COP Harman recommended that the Board have a preliminary discussion and that the Grand Jury's findings should then go to the Policy Committee so that the Committee could draft what should be incorporated into the District's Policy Manual.

Director Toombs said he objected to the County's recommendation that an agency should have to reveal documents related to negotiations, after such negotiations had been completed. He said this would put a "chill" over discussion with legal counsel and cause other problems.

GM/COP Harman responded that the County was not mandating that agencies adopt the County's policy.

Vice President Gillette said she agreed with Director Toombs' comments.

Linda Lipscomb said she agreed with Director Toombs' comments and with the recommendation that the Policy Committee would be a good place to vet recommendations.

Leonard Schwartzburd said the Public Records Act existed because the people have a right to know.

Director Cordova asked that committees and committee members be posted.

**MOTION: Director Cordova moved, and President Welsh seconded, to adjourn into Closed Session and with thanks to the Boy Scouts.
Motion passed 5 to 0.**

AYES: Welsh, Gillette, Toombs, Cordova, Sherris-Watt NOES: 0 ABSENT: Lloyd

The Board returned to Closed Session at 9:00 P.M.

The Board returned to Open Session at 10:30 P.M.

President Welsh reported that no action had been taken.

The meeting was adjourned at 10:30 P.M.

Meeting Minutes for 1/25/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Sunday, January 25, 2015, at 1:00 P.M., at the Community Center, Room #3, 59 Arlington Avenue, Kensington, California.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	
Pat Gillette, Vice President	
Chuck Toombs, Director	
Vanessa Cordova, Director	
Rachelle Sherris-Watt, Director	
<u>Staff Members</u>	
GM/COP Gregory Harman	

Board President Welsh called the meeting to order at 1:13 PM and took roll call. President Welsh, Vice President Gillette, Director Toombs, Director Cordova, Director Sherris-Watt, and General Manager/Chief of Police Harman were present.

PUBLIC COMMENTS

None

BOARD MEMBER COMMENTS

President Welsh announce the appointment of Jim Watt and Bharat Trehan to the Finance Committee.

CLOSED SESSION

The Board entered into Closed Session at 1:15 P.M. to:

1. Confer with Labor Negotiators (Government Code Section 54957.6)
 - a. Agency Representatives: Patricia Gillette and Chuck Toombs
 - b. Employee Organization: Kensington Police Officers Association
2. Pursuant to California Government Code Section 54957b;
 - a. Discuss the possible contract extension and terms of the extension of the General Manager/Chief of Police, review pursuant to California Government Code Section 54957b
 - b. Discuss, with the General Manager/Chief of Police, a personnel complaint pursuant to California Code Section 54957b.

OPEN SESSION

The Board returned to Open Session at 3:10 P.M.

President Welsh reported:

- Item 1 – The Board discussed the Kensington Police Officers Association MOU but took no action.
- Item 2a – The Board discussed the possible extension of the General Manager/Chief of Police's contract but took no action
- Item 2b – The Board authorized the General Manager/Chief of Police to hire, via Hanson Bridgette, an investigator for a personnel matter for an amount not to exceed \$10,000.

The meeting was adjourned at 3:10 P.M.

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Friday, February 06, 2015

Subject: Consent Calendar Item C- January 2015 Unaudited Profit & Loss Report

For the month of January, the Unaudited Profit & Loss Budget Performance Report is attached for review.

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

Additionally, beginning this month, the Five Year Budget Projections Report will be included in the Monthly Agenda packet, and will follow this report in the packet replacing the Park Revenue & Expense Report.

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2015

	Jan 15	Budget	Jul '14 - Jan 15	YTD Budget	Annual Budget
Ordinary Income/Expense					
Income					
400 · Police Activities Reve...					
401 · Levy Tax	0.00		1,443,379.56	1,413,620.00	1,413,620.00
402 · Special Tax-Police	0.00		681,690.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00		69.00		
404 · Measure G Supple...	0.00		501,949.76	501,443.00	501,443.00
410 · Police Fees/Service...	80.00		1,130.05	750.00	1,500.00
414 · POST Reimburse...	0.00		1,231.99		
415 · Grants-Police	8,986.74		45,222.67		
416 · Interest-Police	0.00	625.00	0.00	1,250.00	2,500.00
418 · Misc Police Income	2,323.50	1,500.00	14,156.55	10,500.00	18,000.00
419 · Supplemental W/C ...	4,298.56		8,597.12		
400 · Police Activities Re...	0.00		20.00		
Total 400 · Police Activities...	15,688.80	2,125.00	2,697,446.70	2,607,563.00	2,617,063.00
420 · Park/Rec Activities R...					
424 · Special Tax-L&L	0.00		34,334.92	33,000.00	33,000.00
427 · Community Center ...	2,662.50	10,000.00	32,450.50	21,000.00	30,000.00
436 · Interest-Park/Rec	0.00	25.00	0.00	50.00	100.00
438 · Misc Park/Rec Rev	40.00		122.00	250.00	500.00
Total 420 · Park/Rec Activit...	2,702.50	10,025.00	66,907.42	54,300.00	63,600.00
440 · District Activities Rev...					
448 · Franchise Fees	8,375.43	7,000.00	25,245.97	14,000.00	21,000.00
456 · Interest-District	0.00	87.50	0.00	175.00	350.00
458 · Misc District Reven...	0.00		407.00		
Total 440 · District Activitie...	8,375.43	7,087.50	25,652.97	14,175.00	21,350.00
Total Income	26,766.73	19,237.50	2,790,007.09	2,676,038.00	2,702,013.00
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	82,981.06	81,748.58	573,768.22	572,240.10	980,983.00

KPPCSD Unaudited Profit & Loss Budget Performance January 2015

	Jan 15	Budget	Jul '14 - Jan 15	YTD Budget	Annual Budget
504 · Compensated Abse...	0.00	0.00	2,315.83	5,866.67	8,800.00
506 · Overtime	2,720.62	3,750.00	31,441.68	26,250.00	45,000.00
508 · Salary - Non-Sworn	6,979.61	6,825.00	32,962.56	47,775.00	81,900.00
516 · Uniform Allowance	666.60	666.66	4,666.20	4,666.62	8,000.00
518 · Safety Equipment	0.00		0.00	2,500.00	2,500.00
521-A · Medical/Vision/D...	14,949.19	15,858.83	117,859.76	126,870.68	190,306.00
521-R · Medical/Vision/D...	11,787.90	11,312.33	94,352.19	90,498.68	135,748.00
521-T · Medical/Vision/D...	0.00		58,058.00	58,058.00	58,058.00
522 · Insurance - Police	245.00	436.67	2,886.00	3,056.65	5,240.00
523 · Social Security/Me...	1,263.87	1,359.00	6,661.40	9,513.00	16,308.00
524 · Social Security - Di...	468.25	423.17	2,283.94	2,962.15	5,078.00
527 · PERS - District Por...	32,907.23	31,565.00	224,008.62	220,955.00	378,780.00
528 · PERS - Officers Po...	7,528.32	7,417.33	52,059.20	51,921.35	89,008.00
530 · Workers Comp	0.00		28,479.00	30,000.00	50,000.00
Total 500 · Police Sal & Ben	162,497.65	161,362.57	1,231,802.60	1,253,133.90	2,055,709.00
550 · Other Police Expenses					
552 · Expendable Police ...	0.00	125.00	4,139.78	875.00	1,500.00
553 · Range/Ammunition...	250.00		1,640.85	2,000.00	3,000.00
560 · Crossing Guard	584.15	876.25	4,790.05	6,133.75	10,515.00
562 · Vehicle Operation	10,989.66	5,000.00	33,990.98	35,000.00	60,000.00
564 · Communications (...)	0.00	13,005.83	44,071.36	91,040.85	156,070.00
566 · Radio Maintenance	19,650.33	1,812.50	20,558.78	12,687.50	21,750.00
568 · Prisoner/Case Exp...	3,430.00	450.00	5,856.38	3,150.00	5,400.00
570 · Training	435.74	833.33	6,335.00	5,833.35	10,000.00
572 · Recruiting	0.00	541.67	0.00	3,791.65	6,500.00
574 · Reserve Officers	0.00	337.50	2,026.19	2,362.50	4,050.00
576 · Misc. Dues, Meals ...	50.00	261.67	2,335.00	1,831.65	3,140.00
580 · Utilities - Police	1,148.86	746.67	6,867.49	5,226.65	8,960.00
581 · Bldg Repairs/Maint.	625.00	83.33	900.95	583.35	1,000.00
582 · Expendable Office ...	748.98	500.00	3,524.13	3,500.00	6,000.00
588 · Telephone(+Rich. L...	716.18	742.00	4,775.38	5,194.00	8,904.00
590 · Housekeeping	308.68	333.33	2,453.41	2,333.35	4,000.00
592 · Publications	0.00	183.33	2,177.50	1,283.35	2,200.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2015

	Jan 15	Budget	Jul '14 - Jan 15	YTD Budget	Annual Budget
594 · Community Policing	84.00	166.67	8,297.42	1,166.65	2,000.00
596 · WEST-NET/CAL I.D.	0.00		13,655.00	13,925.00	13,925.00
599 · Police Taxes Admi...	855.30	825.00	2,537.11	2,475.00	3,300.00
Total 550 · Other Police Ex...	39,876.88	26,824.08	170,932.76	200,393.60	332,214.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Admini...	572.81	650.00	3,875.14	4,550.00	7,800.00
602 · Custodian	1,750.00	1,895.83	12,250.00	13,270.85	22,750.00
623 · Social Security/Me...	0.00	49.75	0.00	348.25	597.00
Total 600 · Park/Rec Sal & ...	2,322.81	2,595.58	16,125.14	18,169.10	31,147.00
635 · Park/Recreation Expe...					
640 · Community Center ...	334.31	468.00	3,079.21	3,276.00	5,616.00
642 · Utilities-Commun...	0.00	66.67	895.59	466.65	800.00
643 · Janitorial Supplies	0.00		2,725.84	3,000.00	3,000.00
646 · Community Cent...					
Total 640 · Community C...	334.31	534.67	6,700.64	6,742.65	9,416.00
672 · Kensington Park O...	4,851.00		28,209.26	79,524.00	79,524.00
678 · Misc Park/Rec Exp...	0.00		170.00		
Total 635 · Park/Recreation...	5,185.31	534.67	35,079.90	86,266.65	88,940.00
800 · District Expenses					
810 · Computer Maintena...	3,267.00	2,024.00	16,118.00	14,168.00	24,288.00
820 · Cannon Copier Co...	387.05	475.00	3,401.30	3,325.00	5,700.00
830 · Legal (District/Pers...	0.00	12,500.00	70,583.58	87,500.00	150,000.00
835 · Consulting	0.00	625.00	0.00	4,375.00	7,500.00
840 · Accounting	0.00	2,979.17	4,143.75	20,854.15	35,750.00
850 · Insurance	0.00		29,531.20	29,000.00	30,000.00
860 · Election	0.00		8,608.25	10,000.00	10,000.00
865 · Police Bldg. Lease	0.00		0.00	1.00	1.00
870 · County Expenditures	0.00		9,222.11	8,500.00	22,300.00
890 · Waste/Recycle	303.07	9,883.33	35,389.00	69,183.35	118,600.00
898 · Misc. Expenses	0.00	1,000.00	5,952.43	7,200.00	12,300.00

KPPCSD
Unaudited Profit & Loss Budget Performance
 January 2015

	Jan 15	Budget	Jul '14 - Jan 15	YTD Budget	Annual Budget
Total 800 · District Expenses	3,957.12	29,486.50	182,949.62	254,106.50	416,439.00
950 · Capital Outlay					
962 · Patrol Cars	29,308.28		29,308.28		30,000.00
963 · Patrol Car Accesso...	17,036.13		17,036.13		16,000.00
972 · Park Buildings Imp...	0.00		0.00		
Total 950 · Capital Outlay	46,344.41		46,344.41		46,000.00
Total Expense	260,184.18	220,803.40	1,683,234.43	1,812,069.75	2,970,449.00
Net Ordinary Income	-233,417.45	-201,565.90	1,106,772.66	863,968.25	-268,436.00
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-175,583.24		
710 · Bond Admin.	2,385.52		8,823.59		
715 · Bond Interest Inco...	0.00		-56.94		
720 · Bond Principal	0.00		123,024.10		
730 · Bond Interest	0.00		20,606.66		
Total 700 · Bond Issue Exp...	2,385.52		-23,185.83		
Total Other Expense	2,385.52		-23,185.83		
Net Other Income	-2,385.52	0.00	23,185.83	0.00	0.00
Net Income	-235,802.97	-201,565.90	1,129,958.49	863,968.25	-268,436.00

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED _____

NO

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

Date: February 6, 2015

FORWARDED TO: _____

Subject: Consent Calendar Item #D- Five Year Budget Projection Report

Attached to this memo is the Five Year Budget Projection Report as updated following the Finance Committee meeting held on January 29th.

It is my intention to update this report every month, making adjustments during the year, so that every month you will be able to review the current changes in the budget and track the long term effects on the District's financial position.

Changes to the budget will be tracked in the footnotes of the report.

This report will follow the Unaudited Profit & Loss Report in the agenda packet.

This report also replaces the monthly Park Revenue & Expense Report that use to follow the Unaudited Profit & Loss Report in the agenda packet.

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

Revenue		Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
Budget Year									
401 Property Tax		1,401,120	1,443,380	1,448,659	1,477,632	1,507,185	1,537,329	1,568,075	1,599,437
Homeowner Tax		12,500	0	12,500	13,000	13,000	13,000	13,000	13,000
402 Police Tax		680,000	681,690	681,690	681,690	681,690	681,690	681,690	681,690
404 Measure G		501,443	501,950	501,950	514,499	527,361	540,545	554,059	567,910
410 Police Fees/Service		1,500	1,050	1,500	1,500	1,500	1,500	1,500	1,500
415 COPS Grant		100,000	45,223	100,000	100,000	100,000	100,000	100,000	100,000
416 Police Interest		2,500	907	1,800	1,800	1,800	1,800	1,800	1,800
418 Other Police Rev		18,000	14,156	20,000	20,500	21,000	21,500	22,000	22,500
419 Workers Comp Reim		0	8,597	42,000	0	0	0	0	0
424 Park O&M Assessment		33,000	34,335	34,335	35,193	36,073	36,975	37,899	38,847
427 Community Center Rev		30,000	32,455	32,000	32,000	32,000	32,000	32,000	32,000
438 Other Park & Rec Rev		500	122	250	250	250	158,000	250	250
448 Franchise Fess		21,000	25,246	25,250	50,000	51,500	53,000	54,500	56,000
458 WCCSD Reimbursement		0	0	25,000	25,000	25,000	0	0	0
459 NCCCTF Salary Remiburs		0	0	36,000	0	0	0	0	0
Total Revenue		2,801,563	2,789,111	2,962,934	2,953,064	2,998,359	3,177,339	3,066,773	3,114,934
Expenses		Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
502 Police Salary		980,983	573,768	1,017,142	1,055,936	1,100,813	1,147,598	1,147,598	1,147,598
504 Vacation/ Comp		8,800	2,316	5,000	9,130	9,518	9,923	9,923	9,923
506 Overtime		45,000	31,441	45,000	45,000	45,000	45,000	45,000	45,000
516 Uniform Allowance		8,000	4,666	8,000	8,000	8,000	8,000	8,000	8,000
518 Safety Equipment		2,500	0	2,500	2,500	2,500	2,500	2,500	2,500
521/ Medical-Active		190,306	117,860	181,312	199,821	209,812	220,303	231,318	242,884
521F Medical-Retired		135,748	94,352	135,748	142,536	149,663	157,146	165,003	173,253
521I Medical-Trust		58,058	58,058	58,058	50,000	50,000	50,000	50,000	50,000
522 Disability& Life Ins		5,240	2,886	5,240	5,502	5,777	6,066	6,369	6,688
523 Medicare 1.45% District		16,308	6,661	16,832	17,225	17,777	18,352	18,352	18,352
527 PERS District Portion		378,780	224,009	392,851	400,344	445,238	446,019	391,145	397,021
528 PERS Officers Portion		89,008	52,059	83,914	31,741	0	0	0	0
Sub-Total Police Sal&Ber		1,918,731	1,168,076	1,951,597	1,967,735	2,044,098	2,110,907	2,075,208	2,101,219

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

F/N # Footnotes

- 401 Property Tax revenue increased by 2% each year following 9% increase 2014/15
- 402 There is no CPI built in to this tax
- 404 Measure G revenue increased by a CPI of 2.5% each year/ Increases (Up to CPI) are set by Board each year
- 410 Fees charged for reports and vehicle releases
- 415 COPS grant funding cannot be included in yearly budgets
- 416 Interest earned in LAIF
- 418 Revenue received from traffic/ parking enforcement with a CPI increase of 2.5%
- 419 Workers Comp reimbursement occurs only when officer(s) injured on duty
- 424 Revenue increased by CPI of 2.5%
- 427 Revenue will drop during remodel year but increase once rental fees are increase so estimates should balance out
- 438 If \$241,500 is used for Center remodel in 2017, then \$158,000 can be received from EBRPD Measure WW Grant
- 448 Franchise fee increase to 7% but 3% to County/ Contract calls for minimum 3% (to CPI of 5%) increase in BV fees
- 458 West Contra Costa Co Unified School District Grant Contract to 2017/ Unknown if it will continue
- 459 No Ca Comptuer Crimes Task Force reimbursement for 1/2 Sgt. Hui's salary second 1/2 FY

- 502 **If new MOU signed, retro 3.75% increase in salary back to Jan 1/ Costs do not include any increases for COP**
- 504 Cash outs lower than expected/ 4% increase per year estimated
- 506 Overtime should be at budget projections/ Can control some OT costs
- 516 As per MOU
- 518 As per MOU
- 521/ Active medical costs 5% lower than budgeted/ 10% increase thereafter
- 521F Adjusted per accountant at Finance meeting
- 521ARC \$193,906-\$143,728= new 521T of \$50,178
- 522 As per MOU
- 523 Salary x 1.45%
- 527 PERS moves to new costs schedule
- 528 With new MOU, officer's portion 9% still paid by District for 9 months, then officer's pick up 3% in 2015

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

Budget Year	Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
508 Salary Non-Sworn	81,900	32,963	70,400	81,900	81,900	81,900	81,900	81,900
524 Soc Sec 6.2% Non-Swo Di	5,078	2,284	4,365	5,078	5,078	5,078	5,078	5,078
601 Salary Park & Rec	7,800	3,875	7,460	7,800	7,800	7,800	7,800	7,800
602 Custodian	22,750	12,250	22,750	22,750	22,750	22,750	22,750	22,750
623 Soc Sec 7.65% District	597	0	597	597	597	597	597	597
Sub-Toatal Non-Sworn	118,125	51,372	105,572	118,125	118,125	118,125	118,125	118,125
530 Workers Comp Ins	50,000	28,479	38,000	41,245	42,482	43,757	45,070	46,422
Total Salary & Benefits	2,086,856	1,247,927	2,095,169	2,127,105	2,204,705	2,272,789	2,238,403	2,265,766
Other District Expenses								
Police Expenses								
552 Expendable Police Sup	1,500	4,140	4,259	1,500	1,500	1,500	1,500	1,500
553 Range/ Ammunition	3,000	1,641	3,000	3,000	3,000	3,000	3,000	3,000
560 Crossing Guard	10,515	4,790	10,515	10,830	11,155	11,490	11,835	12,190
562 Vehicle Operation	60,000	33,991	55,000	60,000	60,000	60,000	60,000	60,000
564 Communications (RPD)	156,070	44,071	156,070	167,356	179,658	193,067	207,683	223,614
566 Radio Maintenance	21,750	20,559	21,750	21,750	21,750	21,750	21,750	21,750
568 Prisoner/Case Exp/Book	5,400	5,856	6,800	5,400	5,400	5,400	5,400	5,400
570 Training	10,000	6,335	10,000	10,000	10,000	10,000	10,000	10,000
572 Recruiting	6,500	0	2,850	6,500	6,500	6,500	6,500	6,500
574 Reserve Officers	4,050	2,026	3,500	4,000	4,000	4,000	4,000	4,000
576 Misc Meals & Travel	3,140	2,335	3,140	3,140	3,140	3,140	3,140	3,140
580 Utilities Police	8,960	6,867	9,800	9,800	9,800	9,800	9,800	9,800
581 Bldg Repairs/Mainten	1,000	901	901	1,000	1,000	1,000	1,000	1,000
582 Expendable Office Sup	6,000	3,524	6,000	6,000	6,000	6,000	6,000	6,000
588 Telephone	8,904	4,775	8,904	9,171	9,446	9,730	10,022	10,322
590 Housekeeping	4,000	2,453	4,000	4,000	4,000	4,000	4,000	4,000
592 Publications	2,200	2,177	2,550	2,500	2,500	2,500	2,500	2,500
594 Community Policing	2,000	8,297	8,745	2,200	2,200	2,200	2,200	2,200
596 WestNet/ CAL ID	13,925	13,655	13,655	13,938	14,235	14,422	14,743	15,080
599 Police Tax Admin	3,300	2,537	3,300	3,300	3,300	3,300	3,300	3,300
Total Police Expenses	332,214	170,930	334,739	340,519	349,032	357,758	366,702	375,870

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

F/N

- 508 Budgeted salary adjustment did not occur until Jan 2015/ With salary adjustment, should be no increases next 5 yrs
- 524 Salary x 7.65%
- 601 Budgeted salary adjustment did not occur until Jan 2015
- 602 As budgeted under contract
- 623 Salary x 7.65% (May be picked up in #524)

- 530 SDRMA est annual discounted fee of \$41,245 less \$3,273 discounts= \$37,972 (Could have year end adjustments)
- 530 Increased at 3% CPI with no discount taken

- 552 Over budget \$830 flashlights & \$500 safety vests (Received \$1,000 grant to reimburse), \$1,800 radar -1 time purchase
- 553 Range fee \$250 x4, ammo \$2,000 a year for qualifying
- 560 Past increases have ranged between 2.5% and 4.5%/ Used 3% for budget/ This expense reimbursed by WCCUSD 3yr
- 562 Budgeted 7,000 gal at \$4.30 before gas prices went down to \$3.50
- 564 Contract with RPD expired 6/2014/ Past contracts called for 10% projected increases but have been at 9% (\$125,400)
- 566 Current lease contract w/Motorola expires 2016, expense could change depending on action taken
- 568 \$3,250 fee for lab work for sexual assault case
- 570 \$5,000 reimbursement per MOU/ \$5,000 for training (Some reimbursements by POST when available)
- 572 Expect to complete process for 1 reserve this fiscal year/ budget for 2 each year
- 574 Expect to complete process for 1 reserve this fiscal year/ budget for 2 each year
- 576 Association dues and CPOA per MOU
- 580 Budgeted for \$747 average/ YTD \$816 average
- 581 \$625 1 time expense for garbage disposal
- 582 Can control costs of this item
- 588 Adjusted 3% CPI each year
- 590 Custodial contract \$2,520/ all other costs controlable
- 592 Lexipol \$1,950 year/ \$600 Co Co Times
- 594 \$7,500 for website re-design
- 596 WestNET contract \$8,000 (WestNET may dissolve July 2015)/ CALID increases 5% each year
- 599 Contract w/NBS

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

Budget Year Park & Rec	Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
642 Community Center Utili	5,616	3,079	5,616	5,784	5,958	6,137	6,321	6,510
643 Janitorial Supplies	800	896	896	922	951	979	1,008	1,038
646 Com Center Repairs	3,000	2,726	3,000	3,000	3,000	3,000	3,000	3,000
662 Annex Utilities	0	0	0	0	0	0	0	0
668 Annex Repairs	0	0	0	0	0	0	0	0
668 Misc Annex Exp	0	0	0	0	0	0	0	0
670 Gardening Supplies	0	0	0	0	0	0	0	0
672 Kens Park O&M	79,524	28,209	79,524	81,910	84,367	86,898	89,505	92,190
674 Park Construct Exp	0	0	0	0	0	0	0	0
678 Misc Park Exp	0	170	170	170	170	170	170	170
Total Park & Rec Exps	88,940	35,080	89,206	91,786	94,446	97,184	100,004	102,908
District Administration								
810 Computer Maintenance	24,288	16,118	24,288	25,017	25,767	26,540	27,336	28,156
820 Copier Expenses	5,700	3,401	5,700	5,871	6,047	6,229	6,415	6,608
830 Legal District/Personnel	150,000	70,584	150,000	125,000	150,000	125,000	125,000	125,000
835 Consulting	7,500	0	0	3,000	0	3,000	0	3,000
840 Accounting	35,750	4,144	35,750	36,823	37,927	39,065	40,237	41,444
850 Insurance	30,000	29,531	29,531	30,417	31,329	32,269	33,237	34,234
860 Election Expenses	10,000	8,608	8,608	0	9,000	0	10,000	0
865 Public Safety Build Lease	1	1	1	1	1	35,000	36,050	37,132
870 County Expenditures	22,300	9,222	22,300	22,969	23,658	24,368	25,098	25,852
890 Waste/Recycle	118,600	35,389	36,889	25,000	1,000	1,000	1,000	1,000
898 Misc District Expenses	12,300	5,952	9,370	11,500	11,500	11,500	11,500	11,500
Total District Expenses	416,439	182,950	322,437	285,598	296,229	303,971	315,873	313,926
Sub-Total	2,924,449	1,636,887	2,841,551	2,845,008	2,944,412	3,031,702	3,020,982	3,058,470
Capital Exp	0							
Patrol Vehicle	46,000	46,344	46,344	46,000	46,000		46,000	
Community Center Remo	0	0	7,100			399,500		
Total Exp	2,970,449	1,683,231	2,894,995	2,845,008	2,990,412	3,431,202	3,066,982	3,058,470

Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015

F/N

- 642 Increase CPI of 3%
- 643 Increase CPI of 3%
- 646 With remodel in 2017, costs of repairs should decrease
- 662 Note: Annez utilities may be currently expensed to 672
- 668
- 668
- 670
- 672 Increase CPI of 3%
- 674
- 678 Membership CA Park & Rec Soc

- 810 Increase CPI of 3%
- 820
- 830 Legal costs should decrease when Writ litigation is completed/ Increase in 16/17 for Center remodel prep
- 835 Note: Website design was expensed to 594/ CERBT Actuarial Report due every 2 years
- 840 Increase CPI of 3%
- 850 Increase CPI of 3%
- 860 KPPCSD Board elections every 2 years
- 865 3 Yr agreement for no rent w/KFPD/ Future cost est with CPI increase of 3%
- 870 Increase CPI of 3%
- 890 Below budget due to new contract w/No chg public cans/ No RFP/ Est \$25,000 legal fees for new contract w/County
- 898 LAFCO \$1,200/Sem Directors \$2,000/CSDA-CCSDA Mem \$5,300/CSDA Confer \$3,000/ Gov Days \$500 cancelled

- Patrol vehicle \$29,308 with \$500 discount plus \$17,036 equipment
- Engineer's Structural Analysis was not budgeted for in 14/15 Budget/ Could be expensed to Building Reserve Acct
- \$399,500 could be expensed for Community Center Remodel as Capital Improvement and removed from Operational B

**Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015**

Budget Year	Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
Total Projected Rev	2,801,563	2,789,111	2,962,934	2,953,064	2,998,359	3,177,339	3,066,773	3,114,934
Total Exp	-2,970,449	-1,683,231	-2,894,995	-2,845,008	-2,990,412	-3,431,202	-3,066,982	-3,058,470
Proj Surplus-Shortfall	-168,886	1,105,880	67,939	108,056	7,947	-253,863	-209	56,464
Beg Cash Reserves	1,383,764		1,383,764	1,451,703	1,559,759	1,567,706	1,313,843	1,313,634
Proj Surplus-Shortfall	-168,886		67,939	108,056	7,947	-253,863	-209	56,464
Ending Cash Reserves	1,214,878		1,451,703	1,559,759	1,567,706	1,313,843	1,313,634	1,370,098

Kensington Police Protection Community Services District
Five (5) Year Budget Projection with New KPOA MOU February 6, 2015

F/N

No increases in COP salary in calculations
FY14/15 \$81,000 saved as result of no RFP for garbage service/\$11,500 saved in 508/ \$36,000 saved in 502 (NCCCCTF)/
\$42,000 Workers Comp reimbursement not budgeted/expected
FY15/16 Franchise fees double from 2% to 4%/
No vehicle purchases FY15/16, 17/18, 19/20 saving \$46,000 each year
FY17/18 shortfall due to Center remodel at \$241,500+\$158,000 WW Grant= \$399,500/ 527 PERS contribution at peak

January 2015 Police Department Report

February 6, 2015

- Department Personnel
 - We are fully staffed at 10 sworn positions with three reserve officers, however, we now have an officer off on a work related injury.
 - We are continuing the background process for a fourth reserve officer candidate.
- Commendations and Correspondence- None This Month
- Investigation of Alleged Misconduct
 - Citizen's Complaint CI #2014-03 was initiated on May 12th on an allegation that an officer failed to perform his duty and that another allowed this failure to occur and had used a despairing remark in describing the community. This investigation is being conducted by Sergeant Hui.
 - Department Investigation DI #2014-04 was initiated on May 23rd on an allegation that an officer engaged in conduct unbecoming an officer while off duty. This investigation has been sustained by Chief Harman and disciplinary action implemented
 - Citizen's Complaint CI #2014-06 was initiated on October 31st on an allegation that a police officer was rude during a traffic stop. This investigation is being conducted by Sergeant Hui.
- 9-1-1 / Richmond Communication Center Information.
 - The Ring Time Report for December identified 55 total 911 calls with 6 having ring times over 20 seconds. The average ring time for December was 8 seconds.
 - The Ring Time Report for January identified 59 total 911 calls with 6 having ring times over 20 seconds. The average ring time for December was 9 seconds.

24

- Community Networking
 - On Saturday, January 10th, Chief Harman and Sergeant Barrow attended the reception to honor former KPPCSD Directors Linda Lipscomb and Tony Lloyd.
 - On Monday, January 12th, Chief Harman attended and spoke at the Annual KCC K-Group meeting.
 - On January 28th, Chief Harman attended the Contra Costa County Police Chief's Association meeting in Martinez.
- Community Criminal Activity
 - This section of the Watch Commanders Reports are prepared by Corporal Stegman for Team One, Sergeant Hui for Team Two, and Sergeant Barrow for Investigations.
- Watch Commander Reports
 - **Corporal Stegman Team 1**

January 2015:

Team 1 Statistics

Officer:	Ramos K41	(Vacant)	Wilson
	(0600 - 1800)		(1800- 0600)
Days Worked	13	-	15
Traffic Stops	4	-	2
Moving Citations	4	-	2
Parking Citations	0	-	2
Vacation			
Security Checks	6	-	18
Field Interviews	0	-	0
Traffic Collision Reports	2	-	0
Cases	3	-	3
Arrests	0	-	0
Calls for Service	40	-	26

December 2014:

Team 1 Statistics

Officer:	Ramos K41 (0600 - 1800)	(Vacant)	Wilson (1800- 0600)
Days Worked	16	-	15
Traffic Stops	20	-	5
Moving Citations	6	-	2
Parking Citations	1	-	7
Vacation			
Security Checks	13	-	46
Field Interviews	0	-	0
Traffic Collision Reports	1	-	0
Cases	6	-	1
Arrests	0	-	0
Calls for Service	74	-	29

BRIEFING/TRAINING:

Reviewed Pitchess Motions as it relates to disciplinary appeals.

SERGEANT'S SUMMARY:

One common occurrence around the office is the constant redirection of calls. The problems created by this frequent redirection is lost time, and less expedient and appropriate service. As a result I wanted to take a minute to explain the most efficient and direct ways to accomplish what ever business you have with KPD.

911 Emergency Dispatch

Primarily used for any **emergency** call for service where there is a credible concern a crime is occurring or is about to occur, or if public safety is an immediate concern.

(510) 236-0474 (RPD/ KPD Police Dispatch Center)

This line should be used for requesting **non-emergency** police service. This is the most direct way to request service or to have an officer respond to your location for a report or other assistance.

(510) 526-4141 (KPD business line)

This is KPD's primary business line. This line is generally intended to serve all business needs, not related to the need for police service. It is also the line to call to leave an officer a voice mail, or to follow up on a previously reported incident or crime. The reason we ask this line not be used to request police service is at the present time the office staff does not have the ability to transfer your call to Dispatch directly. As a result your call for service will most likely need to be made to the RPD Dispatch Center, who dispatches for KPD.

Officer Email

This is also a very direct way to follow up with an officer regarding a previously reported incident. It is important to note that with voicemail and email if you contact an officer on their days off, it may be several days before you receive a response. Also it is important to remember email and voicemail is not an appropriate vehicle to report new incidents or request service.

SIGNIFICANT EVENTS:

- 2015-0073— On 1/5/15, Officer Ramos responded to a non-injury accident on the 200 Blk of Kenyon Ave.
- 2015-0084— On 1/6/15, Officer Ramos responded to an auto burglary on the 00 Blk of Rincon Rd.
- 2015-0084— On 1/6/15, Officer Ramos responded to identity theft on the 200 Blk of Ardmore Rd.
- 2015-0091— On 1/6/15, Officer Wilson responded to a burglary on the 00 Blk of Ardmore Rd.
- 2015-0094— On 1/6/15, Officer Wilson responded to a restraining order violation on the 00 Blk of Arlington Ave.
- 2015-0098— On 1/12/15, Officer Turner responded to a theft on the 00 Blk of Edwin Dr.
- 2015-0320— On 1/21/15, Officer Wilson responded to an identity theft on the 00 Blk of Avon Rd.
- 2015-0429— On 1/27/15, Officer Turner responded to hit and run on the 400 Blk of Beloit Ave.

TRAFFIC STATISTICS:

Team #1 took 2 traffic collision reports during the month of January.
4 Moving citations were issued on Arlington Ave.

•• **Master Sergeant Hull- Team 2**

TEAM #2 STATISTICS

Sergeant Hull (K17) – (1200-2400)

Sergeant Hui has been assigned to the Northern California Computer Crimes Task Force (NC3F) 2 days per week.

Master Sergeant Hull (K17) – issued 0 traffic citations and 0 parking citations

Officer:	Turner (K46) (0600-1800)	Wilkins (K50) (1800-0600)
Days Worked	15	13
Traffic Stops	38	13
Moving Citations	19	09
Parking Citations	08	04
Vacation/Security Checks	06	65
Cases	07	01
Arrests	02	00
Traffic Accident Reports	01	02
Calls for Service	107	51

- Officer Wilkins took 1 day of vacation
- Officer Turner recovered 1.5 hours of comp.

BRIEFING/TRAINING:

- Violating a Restraining or Protective Order (California Penal Code 273.6)

SERGEANT'S SUMMARY:

It was reported that a black SUV type vehicle was traveling at a high rate of speed on Anson Way. A preliminary investigation revealed the vehicle was traveling north bound on Anson Wy. at a high rate of speed to the point where critical skid marks were found and two deep gouges were left in the roadway due to the vehicle bottoming out and the frame hitting the ground. It was initially reported as an accident but no private property damage could be located. The damaged roadway was reported to public works to consider for repair.

This black SUV vehicle has been reported as speeding down Anson Wy. on several occasions. KPD has assigned patrol time to the area as a preventive measure in hopes of locating the black SUV, identifying the driver, and resolving this issue.

SIGNIFICANT EVENTS:

- 2015-0027 – On 1-2-2015, Officer Wilkens responded to the unit blk of Arlington Ave. to a report of a Hit & Run collision.
- 2015-0038 – On 1-2-2015, Sgt. Hull responded to the unit blk of Arlington Ave. to a report of a Hit & Run collision.
- 2015-0014 – Officer Turner responded to the 200 blk of Stanford Ave. because a federal employee was threatened.
- 2015-0187 – Officer Turner took a courtesy report of theft that occurred in San Francisco.
- 2015-0296 – Officer Wilkens assisted ECPD with a search for a suspect.
- 2015-0348 – Officer Turner arrested a suspect who had a warrant for arrest for burglary.
- 2015-0361 – Officer Turner responded to the 500 block Coventry Rd. to a report of vehicle theft.
- 2015-0429 – Officer Turner responded to the 400 block of Beloit Ave. to a report of a Hit & Run collision.
- 2015-0441 – Officer Turner responded to the 400 blk of Coventry Rd. to a report of theft from a vehicle.
- 2015-0442 – Sgt. Hui responded to the 200 blk of Lexington Rd. to a report of Identity Theft.

•• **Sergeant Hui- NCCCTF/ Team 2 Relief**

Currently, I am assigned on a part-time basis to the Northern California Computer Crimes Task Force. My participation within this task force involves investigation of cases assigned by the NC3TF task force, as well as cases originating from Kensington. The types of cases that I investigate are identity theft cases and cases where technology (typically a cell phone or computer) were used in the commission of the crime.

Since beginning my work at NC3TF in late December 2014, I began reviewing identity theft cases from Kensington for 2014 for additional areas of investigation exist.

Monthly Activity:

2014-0020 - Fraud

In this case, several forged checks were presented against the victim's bank account. I conducted follow-up investigation with two of the businesses where the forged checks had been presented. Due to the extended time-frames, the two businesses had no additional useful information.

2014-2034 Identity Theft

In this case, the suspect used the victim's personal identifying information to apply for a department store credit card and obtained merchandise. Master Sergeant Hull was the primary investigating officer and was able to identify the

suspect. A police department in Alameda County had already arrested the suspect for similar crimes. I wrote a search warrant for records for the purpose of obtaining evidence that further ties the suspect to the crime. At the time of his arrest in Alameda County, he was in possession of personal identifying information for approximately 600 other people. I have re-contacted the detective in Alameda County to obtain copies of the entire list of names for additional follow-up.

2014-2462 Identity Theft

In this case, the suspect used the victim's personal identifying information to apply for a credit card that was later used at several retail and online businesses. Officer Martinez was the primary investigating officer and was able to obtain the online credit card application data and two associated email addresses. I wrote a search warrant for records for two of the online service providers. One of the providers was unable to provide any information because their records retention time frame had been exceeded. I am currently awaiting on the return from the remaining service provider.

NC3TF – Unauthorized Account Access

This was a case assigned by the NC3TF task force. In this case, one of the victim's online streaming video accounts had been deleted without his authorization. I conducted follow-up investigation with the streaming media provider, however was unable to generate any useful leads from the data provided. I will be attempting contact with a few persons of interest regarding this case.

NC3TF – Stolen Laptop

I am currently investigating an automobile burglary where a laptop was stolen during the burglary. I wrote a search warrant for records based on information captured online from the laptop. I investigated the leads generated by the records and determined that they were not related to the suspect. There are no additional leads in this case.

NC3TF – Stolen Laptop

This case was an automobile burglary where a laptop was stolen during the burglary in Solano County. The laptop was tracked to a particular individual that is not believed to be the suspect. I have reached out to local law enforcement where the laptop was tracked to and am waiting on their assistance.

Additional Activity

- I assisted El Cerrito PD with technological support on a bait car operation in conjunction with WestNET.
- I attended the 2015 Winter Electronic Crimes Task Force Conference.
- I am currently assigned as a part-time patrol Sergeant for Team 2.

•• **Detective Sergeant Barrow**

SIGNIFICANT EVENTS:

2015-0091 Residential burglary.

On Tuesday, January 6, 2015, Officers Wilson, Ramos, and Turner, Corporal Stegman, Chief Harman and I were dispatched to a reported residential burglary in the 00 block of Ardmore Drive. The victim arrived home and as they walked to the front door a black male adult with medium dark skin, average build, in his late twenties, orange wool hat with a white stripe, dark colored jacket, and carrying a dark colored bag exited a front side door. Numerous personal items were stolen from the residence. **This case is under investigation.**

2015-0087, 0100, 0187, 0194, 0320, and 0442 Identity thefts and frauds.

Throughout the month of January we had at least 6 identity thefts frauds. We typically see a rise in this types of cases during this time of year and I'm asking everyone to be aware of strangers looking into mail boxes or vehicles and walking through the area, day or night. **These cases are under investigation.**

2015-0084, 0198, 0264, and 0441 Thefts and thefts from unlocked vehicles.

Throughout the month of January we had several thefts from unlocked vehicles and community areas. Please lock your vehicles and telephone the 911 if you see anything suspicious. **These cases are under investigation.**

2015-0027, 0038, 0206, 0361, and 0429 Vehicle thefts and hit and runs.

Throughout the month of January we had several vehicle thefts and hit and run collisions. The surrounding jurisdictions have also sustained numerous thefts from vehicles and thefts of vehicles. We believe that several groups of suspects are working in the area.

As always I would ask that if you see anything suspicious to please call 911 and report it as soon as possible.

The first two charts of Monthly Crime Statistics, are the revised statistics for 2014.

KPD Monthly Crime Statistics

December 2014

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	0	0	0	0	0
Residential Burglary	4	4	0	0	0
Larceny Theft	1	0	1	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	<u>5</u>	<u>4</u>	<u>1</u>	<u>0</u>	<u>0</u>
Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	3	3	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	1	1	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	1	0	1	0	0
Drugs	0	0	0	0	0
Warrant	4	0	0	4	4
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	2	0	2	0	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	<u>11</u>	<u>4</u>	<u>3</u>	<u>4</u>	<u>4</u>
All Crime Totals	<u>16</u>	<u>8</u>	<u>4</u>	<u>4</u>	<u>4</u>
Traffic Accidents (Non Injury)	0				
Traffic Accidents (Injury)	0				

KPD Crime Statistics

YTD 2014

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	1*	0	0	0
Rape	1	0	0	1	1
Robbery	0	0	0	0	0
Assault	9	1	0	8	4
Residential Burglary	15	9	5	1	1
Larceny Theft	26	2	23	1	0
Vehicle Theft	4	3	1	0	0
Arson	1	0	1	0	0
Part 1 Totals	<u>56</u>	<u>15</u>	<u>30</u>	<u>11</u>	<u>6</u>
Other Crimes					
Auto Burglary	0	0	0	0	0
Identity Theft	25	12	13	0	0
Fraud	10	1	9	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	2	1	0	1	1
Sex Crimes (other)	1	0	1	0	0
Assault/ Battery (other)	4	0	0	4	2
Vandalism	20	6	14	0	0
Drugs	10	0	0	10	10
Warrant	19	0	0	19	19
Hit and Run Felony	1	0	0	1	0
Hit and Run Misdemeanor	20	4	15	1	0
Other Misdemeanor Traffic	13	1	0	12	11
Other Crime Totals	<u>125</u>	<u>25</u>	<u>52</u>	<u>48</u>	<u>43</u>
All Crime Totals	<u>181</u>	<u>40</u>	<u>82</u>	<u>59</u>	<u>49</u>
Traffic Accidents (Non Injury)	35				
Traffic Accidents (Injury)	3				

* 2011 case

KPD Monthly Crime Statistics

January 2015

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	0	0	1	1
Residential Burglary	2	2	0	0	0
Larceny Theft	4	4	0	0	0
Vehicle Theft	2	1	0	1	0
Arson	0	0	0	0	0
Part 1 Totals	<u>9</u>	<u>7</u>	<u>0</u>	<u>2</u>	<u>1</u>
Other Crimes					
Other Misdemeanor	0	0	0	0	0
Identity Theft	6	6	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	1	0	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	0	0	0	0	0
Drugs	1	0	0	1	1
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	3	3	0	0	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	<u>12</u>	<u>9</u>	<u>0</u>	<u>3</u>	<u>2</u>
All Crime Totals	<u>21</u>	<u>16</u>	<u>0</u>	<u>5</u>	<u>3</u>

Traffic Accidents (Non Injury)	5
Traffic Accidents (Injury)	0

KPD Crime Statistics

YTD 2015

Part 1 Crimes	Reported	Open/ Pending	Suspended	Closed	Arrest
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	1	0	0	1	1
Residential Burglary	2	2	0	0	0
Larceny Theft	4	4	0	0	0
Vehicle Theft	2	1	0	1	0
Arson	0	0	0	0	0
Part 1 Totals	<u>9</u>	<u>7</u>	<u>0</u>	<u>2</u>	<u>1</u>
Other Crimes					
Other misdemeanor	0	0	0	0	0
Identity Theft	6	6	0	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	1	0	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	0	0	0	0	0
Drugs	1	0	0	1	1
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	3	3	0	0	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	<u>12</u>	<u>9</u>	<u>0</u>	<u>3</u>	<u>2</u>
All Crime Totals	<u>21</u>	<u>16</u>	<u>0</u>	<u>5</u>	<u>3</u>

Traffic Accidents (Non Injury) 5
 Traffic Accidents (Injury) 0

* 2011 case

•• **Chief Harman**

The year-end crimes statistics for 2014 are part of this report and are on page 10 of this report.

A review and comparison of the crimes report during the last 4 years:

Part 1 Crimes as reported to the FBI;

	2011	2012	2013	2014
Homicide	1	1	1	0
Rape	0	0	0	1 (Sexual Assault)
Robbery	0	3	0	0
Assault	4	2	10	9
Residential Burg	22	30	36	15
Larceny	68	46	34	26
Vehicle Theft	10	10	14	4
Arson	2	5	2	1

As you can see, property crimes were way down in 2014 from previous years.

Our clearance rates for Part 1 crimes;

2011 **11%** 2012 **28%** 2013 **18%** 2014 **20%**

All Other Crimes Reported;

2011 **81** 2012 **82** 2013 **102** 2014 **125**

Our Clearance Rates for all other crimes reported;

2011 **41%** 2012 **40%** 2013 **37%** 2014 **38%**

Total Crimes Reported;

2011 **188** 2012 **179** 2013 **198** 2014 **181**

Total Clearance Rates for all crimes reported;

2011 **24%** 2012 **34%** 2013 **27%** 2014 **33%**

Total Arrests made for;

2011 **29** 2012 **36** 2013 **36** 2014 **49**

Memorandum

Kensington Police Department



To: KPPCSD Board of Directors

APPROVED YES NO

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

FORWARDED TO:

Date: Friday, February 06, 2015

Subject: Consent Calendar Item H- January Correspondence

The District Correspondence received during the month of January.

- Item #1- Letter presented at the January 8th KPPCSD Board meeting by A. Stevens Delk regarding property taxes in Kensington.
- Item #2- Thank you card received January 20th from former KPPCSD Director Pat McLaughlin.
- Item #3- Letter received February 6th at 11:38 AM from the Kensington Property Owners Association regarding the proposed police officer contract. It has been requested that this letter be a part of this agenda packet.
- Item #4- Letter received February 6th at 5:51 .PM from Jim Watt and Paula Black regarding the proposed five year budget forecast. It has been requested that this letter be a part of this agenda packet.

A. Stevens Delk

I recently dug up my property tax records going back to 1974, the year I bought my house. Since '81/'82, this District's special taxes and assessments increased at what equals a rate of about 8% a year.¹ [After increasing by 12.6%/year for 16 years, the District's first post-Prop13 special tax reached its cap of \$300/year/parcel in '97; nevertheless it increased 7.0% annually between '81/'82 and '09/'10.² Measure G added \$200/year/ parcel, plus annual CPI increases, beginning in '10/'11.] These do not include the charge for garbage service, which was shifted from the property tax bill to one issued directly by Bay View. Always referred to as "the rate", not an assessment, it is nearly as much as the 2 special taxes for police service.³

But approximately half of the District's revenue comes from the ad valorem tax; based on property value, which because of Prop 13 can only increase 2% a year — that is, for properties that have not been sold during the preceding tax year. I wondered how this revenue is affected by the 50 to 75 homes that are sold in Kensington each year⁴ and usually reassessed at higher values — some much higher.

The June 2010 Voter Information Pamphlet for Measure G states: "The KPPCSD property tax base increased 300% in the last 16 years..."⁵ Between 1994 and 2010, the resulting revenue increased at an annual rate of 7.6%⁵ — quite a bit more than 2%.

A Director said that recent reductions in assessed values had cost every community "10 to 15% of their property tax revenues".⁶ Kensington has actually done relatively well in the last 5 years, with this revenue ["levy tax", as it's referred to in the budget, item 401] decreasing no more than 1.2% in any year [10 times less than proclaimed], and there was only one other negative year, with a 0.2% drop.⁷ During this time there was a total increase of 8.5%⁸ — versus 6.9%⁹ for social security benefits based on CPI. Last year's increase of 7% exceeded that projected by the County and another gain of 5-9% is projected for this year.¹⁰

What the housing crisis/crash actually did was temporarily reduce the District's usual 5-10% a year increase in this property tax revenue [because roughly 25% fewer homes were sold]. Even so, increases have consistently exceeded inflation. [From the housing market peak in 2006, through the broad trough of '09-'12/'13, to last year, Kensington's levy tax revenue increased 3.4% per year, outpacing inflation at 2.2%.¹¹ In the last 20 years the rate of increase has been 6.3%⁵ — significantly more than inflation at about 2.4%.¹²] Home sales⁴ and prices¹¹ appear to have (almost) recovered; so will revenue.

Measure G passed because residents were threatened with reductions in police service. Now less than 5 years later, with an additional half million dollars of revenue a year for our admittedly great Police, we are again told we cannot keep the Department as is without another tax increase.

As my "Grand Daddy Scootle Delk" of Virginia used to say "you can only milk an old cow just so much before she just dries right up and is good for nothing but meat loaf — and not even good meat loaf". The same can be said about Kensington's cash cow, just can't be milked but so much.

In closing, the District's recurrent deficit problem is not an income problem, but an *outgo* problem.

[And by the way, the same Director who overstated recent losses in property tax revenue said that the alternative to a tax increase is "Chief Harman could fire four officers..."¹³ — 40% of the force! It seems to me this is another gross exaggeration — unless the remaining six officers are not going to get Cadillac packages, but Lamborghini ones.]

1. 1981/82: KEN CMTY SRV 45.00 Total '81/82 = 45.00
- 2014/15: KENS COMM SERV (KL, 800-676-7516); KPPCSD Item 402 300.00
- KENS CSD SPT TAX (DH, 800-676-7516); KPPCSD Item 404 220.90
- KENSINGTON PRK LLD (J2, 800-676-7516); KPPCSD Item 424 15.24
- KENSINGTON PARK AD (VE, 800-676-7516); to County (?) for District bond 96.46 Total '14/15 = 632.60

Calculations, PV=45.00, FV=632.60, N=33, %i=8.34 (annual increase=8.34%)
 '81/82-'14/15: PV=45.00, FV=300.00+220.90-15.24-96.46, N=33, %i=7.70 (police only annual increase=7.70%)

Calculations were performed with a calculator where PV means principal (starting) value, FV means final value, N means years, and %i means annual percentage rate. The above were listed under "Bond/Charge Description", then "Levies and Bonds", and currently "Special Taxes & Assessments". (Source: Secured Property Tax Bills of ASD)

2. Calculation: PV=45.00 ('81/82), FV=300.00 ('97/98), N=16, %i=12.6; PV=45.00 ('81/82), FV=300.00 ('09/10), N=28, %i=7.0
3. Tax/fee: Police = \$300.00+\$220.90=\$520.90; garbage = \$499.20 (for one 32-gallon can, Jan. 2015)
 Calculation: PV=45, FV=632.60+abt.500, N=33, %i=abt. 10% (increase including garbage service)
4. Homes listed as sold in Kensington by Multiple Listing Service, per realtor Celia Concus, as of Dec. 10, 2014:
 2014=70 (+1-4?), 2013=70, 2012=64, 2011=53, 2010=58, 2009=51, 2008=50, 2007=49, 2006=69, 2005=74
 (Note: not all home sales are listed, just those sold through realtors.)
5. "The KPPCSD property tax base increased 300% in the last 16 years from \$396,000 to \$1.275 million." (Actually the amount increased 200%, with the final amount 3 times the original.) Calculation for 1994-2010: PV=396,000, FV=1,275,000, N=16, %i=7.58; calculation for 1994-2014: PV=396,000, FV=1,348,760, N=20, %i=6.32
6. "Director Toombs said that the District was at the mercy of the County, with respect to revenue. He said that the last County Assessor, as part of his election campaign, voluntarily reduced peoples' property values and, thereby, their property taxes. He said this cost every community in Contra Costa County a good 10% to 25% of their property tax revenues. This constituted a structural change imposed by the County, due to the recession." (Minutes of Nov. 13, 2014, KPPCSD Board meeting)
7.

Fiscal Year Ending 2014	\$1,348,760	7.09%	[% change from previous year, parentheses indicate negative number; source: GM/COP Harman, Dec. 12, 2014, e-mail to ASD]
Fiscal Year Ending 2013	\$1,259,522	(1.21%)	
Fiscal Year Ending 2012	\$1,274,934	0.51%	
Fiscal Year Ending 2011	\$1,268,445	2.20%	
Fiscal Year Ending 2010	\$1,241,136	(0.19%)	
Fiscal Year Ending 2009	\$1,243,448		
8. Calculations for 2008/09 to 2013/14: $[(1,348,760-1,243,448)/1,243,448] \times 100 = 8.47\%$ (total increase), $8.47\%/5 = 1.69\%$ (average increase per year); PV=1,243,448, FV=1,348,760, N=8, %i=1.64, 1.64% (rate of increase)
9. 2010=0.0%, 2011=0.0%, 2012=3.6%, 2013=1.7%, 2014=1.5%; total increase=6.94% (calculation: $1.000 \times 1.000 \times 1.036 \times 1.017 \times 1.015 = 1.0694$, =6.94%); average=1.39%/year (per Social Security records of ASD)
10. Actual 2013/14 = \$1,348,760 (see Fiscal Year Ending 2014 as stated above in 7)
 KPPCSD Revenue Projection 2013/14: Levy Tax plus HomeOwners' Tax: \$1,273,000+\$13,000=\$1,286,000; KPPCSD Revenue Projection 2014/15: Levy Tax plus HomeOwners' Tax: \$1,401,120+\$12,500=\$1,413,620 (per KPPCSD website)
 "...conferred with the County Auditor/Controller... The District is projected to receive a 9% increase this year." (Gail Feldman, President, Kensington Property Owners Association, Dec. 11, 2014, e-mail to ASD)
11. Mid-2014, SF Bay Area mid- and hi-priced houses = 88% and 107%, respectively, peak values. S&P/Case-Shiller Home Price Index: peak = 2006, trough bottom = 2009 to 2012 (per paragon-re.com)
 KPPCSD Levy Tax Revenue: 2005/06 = \$1,029,389, 2013/14 = \$1,348,760 (per KPPCSD website), N=8; %i = 3.4.
 USBLS Inflation calculator: 2005 @ \$1.00, = \$1.19 in 2013, calculation: PV=1.00, FV=1.19, N=8, %i=2.2
12. USBLS Inflation calculator: 1994 @ \$1.00, = \$1.59 in 2014, calculations: PV=1.00, FV=1.59, N=20, %i=2.4.
 Other: 2009 @ \$1.00, = \$1.10 in 2014, calculation: PV=1.00, FV=1.10, N=5, %i=1.9; 1981 @ \$1.00, = \$2.60 in 2014, calculation: PV=1.00, FV=2.60, N=33, %i=2.9. The Fed's current goal is 2%.
13. "He [Director Toombs] said that, if the community wanted to continue to operate with the current budget, Chief Harman could fire four officers..." (Minutes of Dec. 11, 2014, KPPCSD Board meeting)

To the Board, Officers & Staff, KPCCSD

Thank you so much for
the lovely flowers you sent
in sympathy for the loss of
Kathy. They sit on my table
as a memory not only of Kathy,
but of the years I spent with
all of you.

Pat McLaughlin



February 4, 2015

Kensington Police Protection and Community Services District
217 Arlington Ave.
Kensington, CA 94707

Dear KPPCSD Board Members,

We appreciate the opportunity afforded to us to engage with the finance committee at its last meeting regarding the six year projections and the impact of the proposed Police MOU. We all have the same aim—to have quality services while keeping Kensington fiscally healthy and limiting financial burdens on property owners. The discussion at the meeting highlighted the need for strengthening financial planning and a closer examination of the assumptions and financial documents prepared to review police costs and other district operations on an ongoing basis. In this spirit, we raise continued concerns and propose a condition to be included in the MOU.

The KPPCSD revised analysis provided to the finance committee, projects a narrowly balanced budget for the next few years and a deficit in the fourth year of the contract. We are concerned that this view is optimistic given that franchise fee revenue is depended on to balance the budget based on a highly uncertain assumption that these revenues can be diverted to support general purposes. The tightness of this budget and the deficit in year four of the MOU are already worrisome factors. The expenses such as benefits, have been growing exponentially and property maintenance costs have been deferred. Although future costs are always to some extent unknown, it is concerning that some budget items were not adjusted because the exact rate of increase is not known. It seems almost certain that unanticipated expenses will arise and will not be absorbed within budget. The General Manager has already engaged in reducing figures in this projection, so there is likely to be less flexibility for cost-saving measures if revenues decline or there are unplanned cost increases.

Given that the MOU represents the single largest expense for the District, we believe that the community will not benefit from being locked into an agreement of this length without flexibility to require a renegotiation if property tax revenue cannot support the costs of district operations, including police. We support the incorporation of a provision in the MOU requiring that the agreement be renegotiated if revenue shortfalls require the use of reserves to support district operations. This simple provision will enhance financial responsibility over the term of the agreement.

We look forward to continuing to work with the KPPCSD and its finance committee to strengthen financial management practices to ensure that accurate financial information is available in a timely manner. Again, thank you for your willingness to consider our recommendation as you assess this critical decision.

Thank you for your commitment and service to our community.

Sincerely,

Gail Feldman, President

KPOA Board of Directors: Garen Corbett, Paula Black, Linnea Due, Gail Feldman, Rob Firmin, Sylvia Hacaj, Kristine Hafner, , Kevin Padian, Jim Scott, John Sullivan

Date: February 6, 2015

To: GM/COP Harman, President Welsh
From: Jim Watt, Paula Black
Re: Proposed 5-Year Budget Forecast

At the January 29, 2015 Finance Committee meeting, members and the public had the opportunity to examine a five-year financial forecast designed to clarify the underlying financial condition of the District as it considers approving a new Memorandum of Understanding (MOU) with Kensington police officers.

While clear headway was made at this meeting, the budget is a complex document, and notwithstanding the Finance Committee discussion, we felt that important issues in the budget were not fully examined and several questions remained unresolved. Indeed, these significant ambiguities present an unsettled picture of the District's financial situation as the KPPCSD Board deliberates whether to approve an MOU that will lock in salary and benefit expenditures that represent two-thirds of the District's total expenditures over the four year term of the MOU, and beyond.

Given the potential impact of this MOU, we would like to point out how a different interpretation of these unresolved issues could significantly change the District's ending fund balance over the five-year forecast.

Franchise Fee

In the General Manager's five-year budget projections that the Finance Committee has forwarded to the Board, the Bay View franchise fee, totaling \$290,200 over the next five years, is shown as general fund income. Yet, when the Bay View contract was approved at their meeting in November 2014, Board members specifically assured the public that these fees could only be used for waste related purposes, per Proposition 218, and were needed to fund possible future RFP and/or litigation costs related to this contract.

It was suggested at the Finance Committee meeting, that given some ambiguity in the interpretation of Proposition 218, perhaps further legal review would indicate these fees could be included as general fund revenue. However, we believe that until the District has a legal opinion that these franchise fees may be used for purposes other than waste management expenses, including future RFP/litigation reserves, these fees should not be co-mingled with unrestricted general funds available to the District.

As described below, it is the recommendation of the California Special Districts Association (CSDA) that only those revenue sources that are not restricted in their use, and categorized as "unassigned or undesignated fund balance," should be considered as part of a general reserve balance. **Therefore, given the restricted uses the Board**

placed on these franchise fees, we have removed \$254,311 (excluding \$33,889 of permitted expenses) of franchise fee income in calculating the annual year-end fund balance as shown on the attached spreadsheet.

Reserve Policy

At the November 2014 Finance Committee meeting, the committee chair, Mr. Len Welsh, agreed with Mr. Jim Watt's suggestion that the current 10% reserve policy seemed very low and that further study of an appropriate policy should be undertaken.

Mr. Watt provided such information at the January 29, 2015 Finance Committee meeting, including a recommendation from Mr. David Becker, who co-authored a CSDA publication entitled Special District Reserve Guidelines, that 3 months (25%) of operating expenses was a bare minimum standard for a reserve policy. It was also pointed out that other nearby communities have significantly higher reserve requirements, ranging from 30% to 60%.

While no action was taken by the Finance Committee, the evidence suggests that adopting a clear and appropriate reserve policy is a critically important part of prudent fiscal planning and management. In fact, during the Finance Committee meeting, Director Toombs strongly recommended that the Finance Committee review the CSDA Special District Reserve Guideline publication. This publication states "unassigned fund balance (i.e. funds not otherwise restricted, committed or assigned) is typically the primary subject of a reserve policy." It recommends "that every district establish policies regarding minimum fund balances and spending priorities in order to communicate to users the importance of a reserve for economic uncertainties, why it consists of amounts that are unassigned and that it is not available for spending." This is consistent with GASB 54, which prescribes the order for fund expenditures as; first, committed, then assigned and lastly any unassigned - excluding general funds designated as reserves.

Budget projections need to take into account the importance of a healthy reserve policy. Until the Board adopts a realistic reserve policy, it would be prudent to assume at least the minimum CSDA recommendation of a 25%. **The attached spreadsheet has excluded 25% of unrestricted revenues in arriving at the District's year-end fund balance.**

Revised Budget Impacts

As shown on the attached spreadsheet, if the District's fund balance is adjusted to exclude (1) restricted franchise fees and (2) a reserve of 25% of unrestricted revenues, the freely available funds for the District are shown to be \$711,104 in FY 14/15 declining to \$433,850 in FY 19/20. These two changes significantly alter the budget forecast being recommended to the Board, and suggest that if any of the

following budget concerns arise, the District's finances could be much more problematic.

Other Budget Concerns

- Potential Increased Expenses: The current budget assumes that 30 line-item budget expenses totaling \$378,035 will not increase over the next 5 years. These include expense for overtime, non-police personnel costs, vehicle and radio maintenance, training and recruiting, reserve officers, community center repairs, legal and consulting and misc. District expenses. If this \$378,035 were to increase by just 2% each year, an additional \$116,000 of expenses would be drawn down from the available fund balance over the 5 year forecast.
- Unbudgeted Community Center Costs: The estimates by NHA Advisors (the consultants used for Measure L) for minimum health and safety upgrades (to include estimated seismic and ADA costs) were \$751,700 as of January 1, 2013, or an estimated \$820,000 in 2016 dollars. This is significantly in excess of the \$400,000 currently budgeted in the attached five-year projection. While some of these potential additional costs might be augmented by fund raising activities, significant additional funds will likely be required. Since it is the District's obligation to maintain this facility, the Board needs to consider the prospect of budgeting realistic capital expenditures to meet its obligations.
- Benefit Impacts: The Police Chief has indicated that he expects two officers to retire during the term of the proposed MOU. This will place unknown impacts on retired medical expenses (budget item 521R). Likewise, the 5-year estimates prepared by CalPERS are just estimates, and include the assumption that salaries will increase by 3% per year. Since the MOU exceeds the 3% assumption, this suggests that upward adjustments in pension contributions are a likely consequence.

We hope this information is of assistance as you consider taking action on the proposed MOU, and trust that the Board will evaluate these issues carefully in your assessment of the District's financial condition. If the Board chooses to adopt the MOU on its current terms, we believe the District finances will require vigilant oversight and prudent management decisions, and we look forward to working with the Board and the Finance Committee to this end.

XJ

Budget Year		Budg 14/15	YTD 14/15	Proj 14/15	15/16	16/17	17/18	18/19	19/20
1	Total Projected Revenue	2,801,563	2,774,560	2,952,924	2,953,064	2,998,359	3,177,339	3,066,773	3,114,934
	Total Exp	-2,970,419	-1,537,836	-2,875,960	-2,845,908	-2,940,412	-3,273,202	-3,066,982	-3,058,470
	Proj Surplus-Shortfall	-168,856	1,236,724	86,974	108,056	7,947	-94,863	-209	56,464
	Beg Fund Balance	1,383,764		1,383,764	1,470,738	1,578,794	1,586,741	1,491,878	1,491,669
	Proj Surplus-Shortfall	-168,856		86,974	108,056	7,947	-94,863	-209	56,464
2	Ending Fund Balance	1,214,878		1,470,738	1,578,794	1,586,741	1,491,878	1,491,669	1,548,133
	Restricted Revenues								
3	{443} Bay View Franchise Fees	25,200		25,200	50,000	51,500	53,000	54,500	56,000
	{890} Waste/Recycle Expenses	-36,889		-36,889	-25,000	-1,900	-1,000	-1,000	-1,000
3	{438} Other Park Revenue						158,000		
4	Cumulative Restricted Revenues (Sum 3)	-11,689		-11,689	19,311	63,811	273,811	327,311	382,311
5	Unrestricted Ending Fund Balance (2-4)	1,482,427		1,482,427	1,565,483	1,522,920	1,218,067	1,164,358	1,165,822
6	Unrestricted Revenues (1-4)	2,974,623		2,974,623	2,936,753	2,834,548	2,903,528	2,739,462	2,732,623
7	Reserve Policy: 25% of Unrestricted Revenue	743,656		743,656	734,938	733,637	725,882	694,866	683,156
8	Adjusted Available Fund Balance (5-7)	738,771		738,771	830,545	799,293	402,185	479,493	482,666
	Budget Uncertainties								
	Community Center Safety Costs								
	NMA Advisors estimated the costs (see attached) for minimal health and safety upgrades at the Community Center would be \$751,000 as of 1/1/13. Inflated at 3% per year to 2016, these costs will be \$821,400. \$399,500 is currently budgeted, leaving a potential shortfall of \$421,900.								
	Flat Lined Expenses								
	A total of 30 budgeted expense line items have been flat lined (not increased) for most of the 5 year projection. The items totaled \$378,035.								
	A 2% annual increase in these costs would increase costs by \$40,000. A 2% annual increase in these costs will increase the total costs for these flat lined items by \$116,000 over the entire 5-year forecast.								
	Other								
	2 officers will likely retire in a few years with unknown impacts on retired medical (line item 521R) PERS future pensions obligations are also unknown, and subject to increases, since the MOU raises salaries at a rate greater than the 3% assumed by PERS.								

Office Report prepared by Marty Westby, Administrator
Kensington Community Council Board Meeting
February 2, 2015

KASEP:

Winter KASEP Online Registration went smoothly with 60 classes being filled for Winter session. Winter session ends March 20th and Spring KASEP starts Monday, March 23rd, ending Friday May 29th.

Spring Brochures will be going home in student's backpacks the week of Feb 23rd with online registration starting the evening of Tuesday March 10th. Approximately 200 Kensington families enrolled their children into KCC's winter afterschool session. KCC's afterschool program enrollment over a five year window is shown below:

Seats Filled January reporting	#of Students Seats Filled (KCC +KASEP) Enrolled per Week
2015	455
2014	430
2013	421
2012	401
2011	389

KCC Classes and Events:

Jazzercise (daily, Monday – Friday), Body Sculpting (Tuesday-Thursday) and Acrylic Artists (Wednesday) continue as class offerings for adults. Zumba class is canceled due to low enrollment.

New Class: Photoshop Techniques - Get the most out of your digital photos

3 Mondays: March 9, 16, 23; Time: 7:00pm - 8:15pm; Pre-registration required: call KCC at 525-0292. Photo Instructor, Mike Conner will teach the workshop. Limited to 8 participants.

Save the date: Saturday, March 7 – March Madness KCC Dance for adults, child care provided, 7:30pm.

KCC Summer Camp

KCC Summer Camp 2015 brochure are at the printers and will go home in student's backpacks the week of Feb. 23rd. Online registration is scheduled for Tuesday March 3rd. KCC Summer Camp advertising is submitted to the Parent Press, El Cerrito's Patch (electronic newspaper) and Kensington's Outlook newspaper. Camp is for children entering first grade up to 6th grade as of FALL 2015. Camp hours are from 9:00am – 5:00pm with extended care made available for families needing early morning or late afternoon coverage.

KCC Administrative:

Jennifer Phalen has taken a full time position in Sacramento and her last day with KCC is February 13, 2015.

February 2015

February 2015

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2015

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Feb 1	2 7:00pm *Cub-Scouts* (CCM) 7:30pm KCC Board Mtg (CCM)	3 7:30pm *Boy Scouts (CCM)	4 7:00am AA (CCM)	5 7:15pm EBC (CC.1)	6	7 5:00pm Hilltop 6th Grade Dance (CCM)
8 4:00pm KPOA (CC3)	9 4:00pm *Girl Scouts* (CCM) 7:00pm *Cub-Scouts* (CCM)	10 7:30pm *Boy Scouts (CCM)	11 7:00am AA (CCM) 6:00pm *GPFF (CCM) 7:00pm *KFD Mtg (CC3)	12 6:00pm KPCCSD Mtg (CCM)	13	14 VALENTINE'S DAY
15	16 PRESIDENTS' BIRTHDAY 7:00pm *Cub-Scouts* (CCM)	17 7:30pm *Boy Scouts (CCM)	18 7:00am AA (CCM)	19 6:00pm KPSC (CCM) 7:15pm EBC (CC.1)	20	21
22	23 7:00pm *Cub-Scouts* (CCM) 7:30pm *KIC (CC3)	24 7:30pm *Boy Scouts (CCM) 7:30pm *KIMAC (CC3)	25 7:00am AA (CCM)	26	27	28

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March 2015

March 2015							April 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	8	9	10	11	12	13	14
15	16	17	18	19	20	21	22	23	24	25	26	27	28
29	30	31					29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Mar 1	2 7:00pm *Cub-Scouts* (CCM) 7:30pm KCC Board Mtg (CCM)	3 7:30pm *Boy Scouts (CCM)	4 7:00am AA (CCM)	5 7:15pm EBC (CC 1)	6 5:00pm March Madness Set Up (CCM)	7 5:00pm KCC Fundraiser Mardi Gras/March Madness Dance (CCM)
8	9 7:00pm *Cub-Scouts* (CCM)	10 7:30pm *Boy Scouts (CCM)	11 7:00am AA (CCM) 7:00pm *KED Mtg (CC3)	12 6:00pm KPCCSD Mtg (CCM)	13	14 2:00pm *GPFF - Annual Dinner (CCM)
15	16 4:00pm *Girl Scouts* (CCM) 7:00pm *Cub-Scouts* (CCM)	17 7:30pm *Boy Scouts (CCM)	18 7:00am AA (CCM)	19 6:00pm KPSC (CCM) 7:15pm EBC (CC 1)	20	21
22	23 7:00pm *Cub-Scouts* (CCM) 7:30pm *KIC (CC3)	24 7:30pm *Boy Scouts (CCM)	25 7:00am AA (CCM)	26	27	28
29	30 7:00pm *Cub-Scouts* (CCM)	31 7:30pm *Boy Scouts (CCM) 7:30pm *KMAC (CC3)	Apr 1	2	3	4

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General Manager January 2015 Report

Budget

The biggest news for the budget report for this month is in the new Five Year Budget Projection Report that was first presented to the Finance Committee on January 29th and that will now be a part of the agenda packet every month. This report will follow the Unaudited Profit & Loss Report each month in the agenda and will track not only the changes in the current budget amounts, but also track how those changes will affect the District's financial position in five years.

It is Item D in the February Board packet and available on our website at:

www.kensingtoncalifornia.org.

Kensington Park

Community Center & Annex

At the February 12th KPPCSD Board meeting, I will be asking the Board's approval to hire IDA Structural Engineers to provide structural engineering services in connection with a seismic study of the Community Center. This is the first step in evaluating the Community Center as to the current structural soundness of the building and to any seismic improvements that could and should be made to the building.

Park Repairs

In January, the following repairs were made in the park in addition to our normal maintenance items:

Removal of a second large branch that fell from a redwood tree next to the playground, \$220

Removal of a eucalyptus branch by the amphitheater, \$120

Grading on upper path to cover deep grooves caused by rain, \$275

*Please note that most of the repairs that we make in the park are the result of vandalism. If you see vandalism being committed, please call the police department immediately.

Fuel Reduction Project

The Park & Recreation Committee has formed a sub-group and has called on citizen volunteers to begin a wild land fire fuels reduction project in the park. The group's first project area is the area surrounding the Community Center. The next round of cleanup dates will be starting up again on Thursdays, beginning January 8th, from 2 to 5 PM.

Those wishing to volunteer for future projects can contact me for information on dates and projects scheduled.

Emergency Preparedness

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

The next meeting of the Kensington Public Safety Council will take place Monday, February 9th, at 6:00 PM at the Community Center Room #3.

Solid Waste & Recycling

Great news! The KPPCSD Board voted to contract with Bay View at its November 13th meeting. Not only do we get to continue our great service with Bay View, we were able to avoid the costs of the request for proposal process.

Please go to the District's website to view the new contract.

Public Works- Streets

County Public Works re-installed the new and improved speed bumps to the Colusa Circle median in an effort to slow traffic in the Colusa Circle. Upgrades to the Colusa and Santa Fe intersection have also been made in an effort to improve pedestrian safety.

EBMUD

EBMUD is replacing the 37 Million Gallon Summit Reservoir, built in 1898, and replacing it with a 3.5 Million Gallon partially buried tank. EBMUD is also building a new pumping plant to replace the current outdated plant. EBMUD will landscape the site and add a walking path along Grizzly Peak at the end of the project. This project is scheduled to be completed in early 2017.

EBMUD's contractor will be bring in equipment and temporary office space to the Summit Reservoir site in mid to late December.

In January, EBMUD began excavation and preparing the foundation for the 400,000 gallon temporary tank that will supply water during the main reservoir demolition and reconstruction. This process will take several months.

During the next several months' activity, noise and construction traffic around the site will be noticeable. Standard Work hours are Monday through Friday 7:00 am to 6:00 pm.

For more information about this project go to <http://www.ebmud.com/water-and-wastewater/project-updates/summit-reservoir-replacement>.

If you have questions, or would like to be added to the email list for this project please contact Michelle Blackwell in Community Affairs at (510) 287-2053 or mblackwe@ebmud.com

Website

The new and improved District website is up and running!

We are continuing our efforts to post more documents and fine tune the site.

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

Check it out!

DISTRICT - NEW BUSINESS ITEM #1

KPPCSD Directors Chuck Toombs and Pat Gillette will present for approval the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association.

Board Action.

MEMORANDUM OF UNDERSTANDING

Between

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

And

KENSINGTON POLICE OFFICERS' ASSOCIATION

January 1, 2015 until June 30, 2018

This Memorandum of Understanding is made and entered into on _____, 2015, between the Kensington Police Protection and Community Services District, Contra Costa County, Kensington, California, hereinafter referred to as "The District", and the Kensington Police Officers' Association, hereinafter referred to as "The Association". It is the intent and purpose of this Memorandum to assure sound and mutually beneficial working and economic relations between the parties hereto. This Memorandum of Understanding will become effective January 1, 2015 (the "Effective Date").

ARTICLE I RECOGNITION

The District agrees to recognize the Association as the majority representative of all police personnel excluding the Chief of Police, and agrees to meet and confer with the Association in all matters relating to wages, hours and other terms and conditions of employment.

ARTICLE II RIGHTS

A. District Rights Include:

Except as otherwise provided in this Agreement, the rights of the District include, but are not limited to, the exclusive right to determine the mission of its constituent departments, commissions and boards; set standards of service; determine the procedures and standards of selection for employment and promotion; direct its employees; take disciplinary action; relieve its employees from duty because of lack of work, lack of sufficient financial resources, or for other business related reasons as determined in the sole discretion of the District; maintain the efficiency of government operation; determine the methods, means and personnel by which government operations are to be concluded; determine the content of job classifications; take all necessary actions to carry out its mission in emergencies; and exercise complete control and discretion over its organization and the technology of performing its work, including contracting of specified services. Nothing contained within this article is intended to, in any way, supersede or infringe upon the rights of the recognized employee

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organization as provided under state and federal law, including, but not limited to, California State Government Code Sections 3500 through 3510, inclusive.

B. Association Rights Include:

1. The Association's right to represent their members before the Board of Directors or advisory boards with regard to wages, hours and working conditions or other matters within the scope of representation.
2. The right to be given reasonable written notice of any proposed ordinance, rule, resolution, regulation or amendment thereto relating to matters within the scope of representation.
3. Employees represented by the Association shall be free to participate in Association activities without interference, intimidation or discrimination, in accordance with State Law and the Department's Rules & Regulations.

ARTICLE III SCOPE OF AGREEMENT

A. Conditions

The terms of this Memorandum of Understanding are final. Except as otherwise provided herein, no changes or modifications shall be offered, or otherwise presented by the Association or the District for the duration of this agreement, provided, however, that nothing herein shall prevent the parties to this Memorandum of Understanding from meeting and conferring and making modifications herein by mutual consent.

B. Procedure for Meet and Confer:

The District, through its representatives, and representatives of the Association shall meet and confer in good faith regarding matters within the scope of this agreement.

ARTICLE IV HEALTH PLAN BENEFITS/PENSION

A. Health Plan Benefits

Eligible Employees

The District shall provide a health plan through the Public Employees' Retirement System Health Benefit Program. The District will pay the health care premiums at the rate for the Kaiser Bay Area HMO plan for the eligible employee and his or her eligible dependents. If the employee chooses a plan other than the Kaiser Bay Area HMO, the employee shall be solely responsible for all costs over the rate for the Kaiser Bay Area HMO plan. The District shall also provide and pay the premiums for a vision plan through VSP, and a dental plan through Delta Dental,

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maintaining the same benefit package as is currently provided under the District's VSP Group Vision Care Plan, effective October 1, 2013, and the District's Contract with Delta Dental, effective October 1, 2007, as amended. The District will pay the premiums for the eligible employee and his or her eligible dependents.

Eligible Retirees:

The District will pay the health care premiums at the rate for the Kaiser Bay Area HMO plan for former employees who have retired and are eligible for retiree health benefits, and their eligible dependents. Employees and dependents become eligible for this coverage at retirement or disability retirement from the District and with appropriate service under PERS. If the retiree chooses a plan other than the Kaiser Bay Area HMO, the retiree shall be solely responsible for all costs over the rate for the Kaiser Bay Area HMO plan. To the extent required by the Public Employees' Medical and Hospital Care Act (PEMHCA), retirees may be required to apply for, enroll in, and pay the cost of Medicare. An eligible retiree who qualifies for and is eligible for Medicare, to the extent required by PEMHCA, will be enrolled in a CalPERS Medicare supplement plan, and the District will pay the Kaiser Bay Area HMO Medicare supplement rate in effect at the time (e.g., the Kaiser Permanente Senior Advantage rate) instead of the regular Kaiser Bay Area HMO rate.

Employees (including their dependents) hired after the date of ratification of this agreement, or the date Section 22893 of the California Government Code becomes applicable to the District in accordance with CalPERS procedures, whichever is later, shall be eligible for retiree medical benefits under the 100/90 formula as set forth in California Government Code Section 22893.

B. Pension/ Retirement Plan

Classic Member (Definition): "Classic Member" means an employee who first became a member of CalPERS, or another public retirement system that has reciprocity with CalPERS, before January 1, 2013, and who did not have a break in service of more than six months before returning to membership in CalPERS with a new employer.

No Change to Classic Members: Three Percent (3%) at Age 50 CalPERS PLAN.

To Include: One Year Final Compensation 01/06/93
 1959 Survivor Benefit 09/01/79
 Inc. 59 Survivor Benefit 07/04/80

Pension Cost Sharing under AB 340 (PEPRA), as amended: Per this Memorandum of Understanding;

Beginning with the first full pay period after ratification of this agreement by the Association and the District, the employee rate of contribution for Classic Members will be 9%. The District will pay 66⅔% of each Classic Member's employee contributions as Employer-Paid Member Contributions ("EPMC").

Beginning with the first full pay period after July 1, 2015, the employee rate of contribution for Classic Members will be 9%. The District will pay 33⅓% of each Classic Member's employee contributions as EPMC.

Beginning with the first full pay period after July 1, 2016, the employee rate of contribution for Classic Members will be 9%. The District will not pay any portion of Classic Members' employee contributions as EPMC.

Beginning with the first full pay period after July 1, 2017, Classic Members must contribute 50% of the normal cost of pension benefits, as defined by CalPERS, or 12% of reportable compensation, whichever is less. The District will not pay any portion of the Classic Members' employee contributions as EPMC.

The District shall adopt and file with CalPERS a resolution providing that employee pension contributions will be picked up by the District under section 414(h)(2) of the Internal Revenue Code.

New Member: "New Member" means an employee who first becomes a member of CalPERS on or after January 1, 2013, and who was not a member of another public retirement system that has reciprocity with CalPERS before that date, or, if he or she was a member of CalPERS, or another public retirement system that has reciprocity with CalPERS, before that date, returned to CalPERS membership with a new employer after a break in service of more than a six months.

Pension Plan: CalPERS Option Plan Two; 2.7% at Age 57.

Final compensation for New Members shall be the average of the pensionable compensation earned during the 36-consecutive month period of employment that produces the highest average.

Pension Cost Sharing under AB 340: New Members must contribute 50% of the normal cost of pension benefits, as defined by CalPERS, with no cap in place as for Classic Members. AB 340 (PEPRA), as amended, prohibits the employer from paying this contribution on the employee's behalf (Govt. Code Sect. 7522.30(c)).

The District shall adopt and file with CalPERS a resolution providing that employee pension contributions will be picked up by the District under section 414(h)(2) of the Internal Revenue Code.

C. Life Insurance

The District shall reimburse each officer each year of this agreement in an amount up to but not to exceed Two Hundred Dollars (\$200.00) upon proof of purchase of a minimum \$100,000 term life insurance for the officer.

D. Disability Insurance

The District agrees to provide disability benefits through California Law Enforcement Association (CLEA) "Plan A" or Police Officers Research Association of California (PORAC) "Premier Plus" plan. The District shall increase each members' base pay by the cost of the of the plan premium. The employee shall pay the premium for the plan through payroll deduction.

E. Deferred Compensation

The District has established a Deferred Compensation Plan to be made available to all eligible district employees pursuant to Federal legislation permitting such plans. Employees can invest portions of their current income to meet their future financial requirements and supplement their District retirement, at no cost to the District.

F. Contra Costa County Employees' Federal Credit Union

Optional participation by payroll deduction at no cost to the District.

ARTICLE V SICK LEAVE

A. Accrual

All employees shall accrue sick leave at the rate of ten (10) hours for each calendar month that the employee has worked. Employees may accumulate an unlimited amount of sick leave. A medical professional's note is required for any period of sick leave that exceeds three (3) consecutive days.

B. Termination of Sick Leave

If an employee has accumulated and unused sick leave at the time of termination, resignation, or retirement, he or she shall not be eligible for a cash payout for that sick leave time. However, retirement credit for any such accumulated and unused sick leave may be allowed per CalPERS agreement in effect at the time of the employee's retirement or resignation.

C. Family Sick Leave

Employees may utilize up to 60 hours of accrued sick leave per year for illness or injury to members of their immediate family as defined by California Labor Code 233. Additional family sick leave may be granted at the discretion of the Chief of Police.

ARTICLE VI VACATION AND LEAVES OF ABSENCE

A. Eligibility

All personnel shall be eligible to take paid vacation leave at the end of twelve (12) months of continuous service. An employee may request to be allowed to take 52 hours of vacation upon completion of continuous service for six (6) months. Such a request must be made in writing and submitted to the Chief of Police, and may be granted at the Chief's discretion.

B. Vacation Accrual

Accrued vacation time shall be posted monthly. Employees shall receive a total of 104 hours (13 days) of accrued vacation time upon completion of the first year. Except as modified by Paragraph C, accrued vacation time shall be determined according to the Vacation Accrual Schedule below.

<u>Year(s) of Service</u>	<u>Total Yearly Hourly Accrual</u>	<u>Accrued Hours Per Month</u>
1	104	8.67
2	112	9.33
3	120	10.00
4	128	10.67
5	136	11.33
6	144	12.00
7	152	12.67
8	160	13.33
9	160	13.33
10	168	14.00
11	168	14.00
12	176	14.67
13	176	14.67
14	184	15.33
15	184	15.33
16	192	16.00
17	192	16.00
18	200	16.67
19	200	16.67
20	208	17.33

C. Use of Vacation:

1. Workweek Vacation Sign Up - Employees are to sign up for their yearly-allotted vacation time by January 31 in the order of their seniority. (Signup sheet to be posted on or around December 15.) Not to include single day vacation requests, employees must sign up for a minimum of one (1) workweek per vacation selection. Employees shall have the option

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to pass on one or both selections. Vacation period runs from February 1 through January 31.

2. Single Day Vacations - Employees are allowed one single day vacation per shift page. Request must be turned in a minimum of 72 hours prior to the vacation day and are not to be used during the following holidays: Christmas, New Year's Day and Thanksgiving Day. Note: If two (2) or more employees are away, either on vacation, sick or school, single vacation days shall be allowed only if it does not incur overtime or present an undue hardship to the department.
3. Remaining Vacations Days - Upon completion of the initial posting of vacations, employees may sign up for additional vacation time on a first come first serve basis. Additional vacation day requests shall be allowed at the discretion of the Chief of Police. It shall be the policy of the department not to cancel days off during the above mentioned holidays to allow additional vacation day requests.
4. Vacation Accrual Limit - Employees shall be allowed up accrue up to 200 hours of vacation. Once that amount of vacation has accrued, however, no further vacation shall accrue until the employee's balance is reduced below 200 hours through the use of vacation leave. Current employees may retain any vacation accrued as of the date of ratification of this contract by the Association and the District without having such accrual counted as part of the 200 hour accrual limit.
5. Number of Employees on Vacation - One officer, corporal or sergeant allowed off per team, when at full strength, a maximum of two (2) officers or two (2) corporals or two (2) sergeants may be off on vacation per workday. Department will make every effort to allow assigned vacations when not at full strength. The Chief of Police has the authority to change the number of employees allowed if circumstances warrant it.
6. Vacation at Termination - Employees leaving the district with accrued vacation leave shall be paid the amount of accrued vacation to the date of termination. Payment for accrued Vacation shall be at the employee's current rate of pay.
7. Effect of Extended Military Leave - An employee who interrupts his or her service because of extended military leave shall be compensated for accrued vacation at the time the leave becomes effective.
8. Sick Leave During Vacation - Vacation leave may be converted to sick leave, subject to the review and approval of the Chief of Police, if an employee is injured or sick during his or her vacation for a period in excess of twenty-four (24) hours.

9. Transfer of Vacation Time to Bereavement Leave - Vacation leave may be converted to bereavement leave, subject to the review and approval of the Chief of Police, if a death or anticipated death in the immediate family of an employee occurs during that employee's vacation period.
10. Leaves of Absence - The Board of Directors has the power to grant leaves of absence with or without pay. The decision is normally based upon the recommendation of the Chief of Police. The Chief of Police has the authority to grant leaves of absence not to exceed three (3) days.
11. Bereavement/Emergency Leave of Absence
 - a. Time off, consisting of 40 hours with pay, may be granted to any employee in the event of the death of a member of the employees' immediate family. One day of death leave for deaths occurring to persons not in the immediate family may also be granted at the discretion of Chief of Police.
 - b. In addition to the 40 hours, additional hours may be granted at the discretion of the Chief of Police,
 - c. Bereavement leave shall not be charged against either vacation or sick leave accumulation.
 - d. The Chief of Police shall be notified as soon as possible of any event requiring an emergency leave of absence.
 - e. Definition of Family

For the purpose of bereavement or emergency leaves of absence, family as, used herein shall be construed as being the following relatives of the employee:

Spouse	Brother	Mother-in-law	Step Child
Child	Sister	Father-in-law	Step Sibling
Mother	Grandmother	Sister-in-law	Step Parent
Father	Grandfather	Brother-in-law	Step Grandparent

ARTICLE VII SALARIES

The Board of Directors provides that an employee must be paid a salary within the range established for his or her classification.

EFFECTIVE retroactive to the first full pay period after January 1, 2015, the District and the Association agree the District will compensate all members of the Association as follows:

Year One of the contract term (January 1, 2015-June 30, 2015), the District agrees to increase salaries 3.75%. Specifically, the monthly base wage rate salary schedule and compensation levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer, which will be effective beginning with the first full pay period after ratification of this agreement by the Association and the District, through the first pay period ending after June 30, 2015, shall be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$8,136.56	\$8,380.66	-----	-----	-----
Sergeant	\$7,090.87	\$7,374.50	\$7,595.73	\$7,899.58	-----
Corporal	\$7,028.04	-----	-----	-----	-----
Officer	\$5,557.15	\$5,862.80	\$6,185.25	\$6,525.44	\$6,890.22

Year Two of the contract term (July 1, 2015-June 30, 2016), the District agrees to increase salaries 3.75%. Specifically, the monthly base wage rate salary schedule and compensation levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer, which will be effective beginning with the first full pay period after July 1, 2015 through the first pay period ending after June 30, 2016, shall be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$8,441.68	\$8,694.93	-----	-----	-----
Sergeant	\$7,356.78	\$7,651.04	\$7,880.57	\$8,195.81	-----
Corporal	\$7,291.59	-----	-----	-----	-----
Officer	\$5,765.54	\$6,082.66	\$6,417.20	\$6,770.14	\$7,148.60

Year Three of the contract term (July 1, 2016-June 30, 2017), the District agrees to increase salaries 4.25%. Specifically, the monthly base wage rate salary schedule and compensation levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer, which will be effective beginning with the first full pay period after July 1, 2016 through the first pay period ending after June 30, 2017, shall be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$8,800.45	\$9,064.46	-----	-----	-----
Sergeant	\$7,669.44	\$7,976.21	\$8,215.49	\$8,544.13	-----
Corporal	\$7,601.48	-----	-----	-----	-----
Officer	\$6,010.58	\$6,341.17	\$6,689.93	\$7,057.87	\$7,452.42

Year Four of the contract term (July 1, 2017-June 30, 2018), the District agrees to increase salaries 4.25%. Specifically, the monthly base wage rate salary schedule and compensation

levels for the positions of Master Sergeant, Sergeant, Corporal, and Officer, which will be effective with the first full pay period after July 1, 2017 through the first pay period ending after June 30, 2018, shall be:

	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>
Master Sergeant	\$9,174.47	\$9,449.70	-----	-----	-----
Sergeant	\$7,995.39	\$8,315.20	\$8,564.65	\$8,907.26	-----
Corporal	\$7,924.54	-----	-----	-----	-----
Officer	\$6,266.03	\$6,610.67	\$6,974.25	\$7,357.83	\$7,769.15

A. Step Increases

1. Classification - Police Officers
 - a. Step One: Minimum hiring rate.
 - b. Step Two: Employees shall be eligible for advancement to Step Two upon completion of twelve, (12) months employment, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.
 - c. Additional Steps: Employees shall be eligible for advancement to additional steps upon completion of one year at the previous step, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.
2. Classification - Sergeants
 - a. Step One: Minimum hiring rate,
 - b. Steps Two: through Step four: Employees shall be eligible for advancement to the next higher Step upon completion of twelve (12) months employment in grade, affirmation by the Chief of Police that there has been satisfactory growth in the service value of the employee.

B. Hourly Rate of Pay

The hourly rate shall be calculated by multiplying the monthly salary by twelve (12) and dividing by the total number of working hours per year, which by convention is 2080.

ARTICLE VIII OVERTIME

A. Overtime Policy - Definition

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Overtime work for all employees, except as otherwise provided, shall be defined as any time worked beyond the normal working day or shift, or beyond the normal working week. Time worked in excess of the basic workweek because of changes in days off or shifts shall not be considered overtime. Except as otherwise provided herein, overtime shall commence at the time an employee reaches the place where he or she is directed to report and shall continue until he or she is released or the work is completed, whichever is the earlier. Compensation for overtime shall be at one and a half the current rate of pay.

B. Compensatory Time Policy - Defined

Compensation for overtime hours worked shall be paid at one and one-half times the employee's basic hourly salary every pay period. Compensatory time off at the rate of one and one-half times the number of hours worked may be accrued at the employees' written request in lieu of time and one-half pay.

Compensatory time off may be requested and taken, as long as it does not cause overtime.

Employees shall be allowed to cash in compensation time three (3) specific times per year, with a maximum cash-in for forty (40) hours each date. Employees will be allowed to hold a maximum of one hundred (100) hours on the books. The specific dates are:

July 1, November 1, and March 1

C. Reimbursement for Meals

District agrees to reimburse members of the Association for up to two (2) meals per month at a cost not to exceed ten (10) dollars per meal when they work over twelve (12) hours during a single shift.

D. Minimum Call-Out Compensation

Employees who are called out to perform unscheduled work shall be compensated for a minimum of three (3) hours work at the time and one-half rate.

E. Non Call-Out Overtime

Non Call-Out overtime, or that overtime which represents a simple extension of, the normal workday, is not subject to any minimum period for pay purposes. Compensation will be based on the nearest one-half hour, to be rounded off; except that overtime worked during the first one-half hour following a normal shift shall be compensated by a minimum of one-half hour overtime.

F. Appearances in Court

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Officers directed to appear in court outside of normal shift hours shall receive a minimum of four (4) hours overtime. Court time exceeding the minimum four (4) hours shall be granted on an hour 'by hour basis, unless part of normal shift.

G. Call-Out Standby

When any employee is placed on standby by the Police Department or any related department in regards to official police duties, the employee shall receive the minimum of two (2) hours overtime (time and a half).

ARTICLE IX EDUCATION / LONGEVITY BENEFITS

A. Education Incentive Program

A monthly incentive payment of five percent (5%) of their base salary shall be paid to qualified personnel, who have obtained an Intermediate Post Certificate,

An additional monthly incentive payment of two and one-half percent (2.5%) of their base salary shall be paid to qualified personnel who obtain an Advanced POST Certificate.

B. Tuition Refund Plan

The District establishes an education pool each Fiscal Year; individual employees shall have the opportunity to draw from this pool to a maximum of five hundred dollars (\$500.00) per year. The money shall, be used for tuition, books, materials and supplies. Employees shall be working towards a degree, POST Certificate or taking a class that benefits the District and must complete the course with a passing grade. Employees are not eligible for the benefits set forth in this Section B until they have completed two years of service with the District as full time officers and only if they are working full time at the time they seek to utilize these benefits. The Chief, in his sole discretion, will be allowed to grant an exception from this policy.

Employees failing to complete the course or failing to receive a passing grade shall reimburse the District the amount paid in full.

C. Training

Training shall be provided as mandated by the State of California, at a minimum.

D. Longevity Incentive Benefit

The District agrees to provide Longevity Incentive to each member of the Association. There will be an annual bonus of one hundred dollars (\$100.00) for each year of service with the District, beginning with the 10th year of service, to be paid every year at the end of the first pay period in December.

ARTICLE X CLOTHING ALLOWANCE,/SAFETY EQUIPMENT

A. Installments - Amount

The District shall provide a clothing allowance in the amount of eight hundred dollars (\$800.00) per year, to be paid in twenty-four (24) installments of \$33.33.

B. Damaged Uniforms

It is the policy of the District to pay for the cost of repairing and/or replacing uniforms that are damaged in the line of duty.

C. Safety Equipment

The District shall purchase body armor vests for all officers pursuant to Kensington Police Department Policy #1024.3. Once issued, body armor vests are to be worn pursuant to Kensington Police Department Policy #1024.1 through 1024.3.3.

The District also agrees to reimburse members of the Association for safety equipment up to two hundred and fifty dollars (\$250.00) per year each year the officer is employed under this contract. Unused reimbursement funds may be rolled over by individual officers to the following year for the life of the contract, not to exceed one thousand dollars (\$1,000.00). The Chief of Police shall review and approve all purchases of safety equipment for which the officer seeks reimbursement before such items are purchased.

ARTICLE XI HOLIDAY PAY

A. Holidays

Employees are paid for the following thirteen (13) Holidays: New Year's Day, Martin Luther King's Birthday, Lincoln's Birthday, President's Day, Memorial Day, Independence Day, Labor Day, Admission Day, Columbus Day, Veteran's Day, Thanksgiving Day and day after and Christmas. Employees shall also receive pay for their birthdays. Employees are not entitled to any extra compensation if they are required to work on these days.

ARTICLE XII PERSONNEL ACTIONS

A. Authority

The information contained in the Kensington Police Department Policy Manual is furnished to acquaint officers with some of the more important personnel policies and practices pertaining to employment with the Kensington Police Department. Although not presented in the form of regulations, each of the subjects covered in subsequent paragraphs has substantive authority in the powers granted to the

Board of Directors or the Chief of Police by special laws of the State of California.

B. Definition of Just Cause

Just cause for employment actions, up to and including termination, shall include, but not be limited to the following: Failure of an employee either willfully, or through negligence or incompetence, to perform the duties of his or her rank or assignment, or violation by an employee of any police policies or order, or instruction having the effect of a policy or order.

C. Discharge

The Chief of Police may discharge an employee for just cause. Any employee who has been discharged is entitled to receive a written statement of reasons for such action and shall have ten (10) days in which to respond.

D. Suspension

An employee may be suspended from his or her position by the Chief of Police at any time for a disciplinary purpose, or for other just cause. Suspension without pay cannot exceed thirty (30) days per occurrence.

A Master Sergeant or Sergeant, may for the good of the service, detach an employee from active duty, require that the employee relinquish his or her badge and other official police credentials, and assign the employee to remain at his or her home pending action by the Chief of Police at the earliest practical moment.

E. Demotion

The Chief of Police can demote an employee whose ability to perform required duties falls below standard or for disciplinary purposes. Notice of the demotion must be given the employee no later than two (2) weeks prior to the effective date of demotion.

F. Reduction in Departmental Seniority

The Chief of Police can reduce an employee in departmental seniority with attendant loss of privileges normally determined by such seniority and by such seniority and as outlined elsewhere this Memorandum.

G. Right of Appeal to Matters Not Involving Discipline

An employee has the right to appeal to the Board of Directors relative to any situation affecting his or her employment status or conditions of employment, except in those cases involving a general plan affecting the department as a whole, pursuant to Kensington Police Department Policy Manual #1006.

H. **Right of Appeal to Matters Involving Discipline**

The probationary period for the original appointment of employees shall be for a period of eighteen (18) months. Individual probationary periods may be extended upon decision of the Chief of Police. Consistent with Kensington Police Department Policy Manual #340.9, during the probationary period, an employee may be terminated or otherwise rejected with or without cause, at any time, without right of appeal.

After the probationary period, any employee challenging discipline shall have the option of choosing between the dispute-resolution provisions of Kensington Police Department Policy Manual #1006, or in addition to the grievance procedure and after it is exhausted, requesting an evidentiary hearing to the Board of Directors. Any employee who wishes to preserve the right of appeal and request an evidentiary hearing must within twenty (20) days of the date of a Notice of Discipline, submit in writing to the Chief of Police a separate written statement indicating that he or she wishes a hearing before the Board of Directors consistent with due process rights and the Public Safety Officers Procedural Bill of Rights Act. Each party shall bear the cost of its own presentation, including preparation and post-hearing briefs, if any.

Any grievance not filed or appealed within the time limits specified shall be considered settled on the basis of the last disposition given. The time lines contained in this Article XII Personnel Actions and Policy 1006 may be waived for a specific time period at any step with the mutual agreement of the parties.

ARTICLE XIII NO UNLAWFUL DISCRIMINATION

No employee shall be demoted or dismissed, or in any way unlawfully discriminated against because of race, color, religion, creed, sex, pregnancy, childbirth or related medical condition, ancestry, citizenship, national origin, age, marital status, sexual orientation, physical or mental disability, medical condition or any other characteristic protected by federal, state, or local law.

Neither the District nor the Association shall interfere with, intimidate, restrain, coerce or discriminate against employees because of the exercised of their rights to engage or not to engage in any activities pursuant to Section 3500, *et seq.*, of the Government Code.

ARTICLE XIV SCOPE AND SEVERABILITY

It is mutually agreed that ratification and approval of this Memorandum of Understanding relieves the Association and the District of any and all further obligation to meet and confer pursuant to Section 3500, *et seq.*, of the California Government Code for the period covered by the Memorandum of Understanding. Meet and confer sessions may, however, be reopened during the life of the Memorandum of Understanding by mutual consent of the Association and the District.

In case of material conflict between this Agreement and the approved District policies and procedures, the provisions of the Agreement shall govern.

If any portion of this Memorandum of Understanding is declared null and void by superseding Federal or State Law, the balance of the Memorandum of Understanding shall continue in full force and effect, and the parties hereto shall commence negotiations to ensure that the superseded portion shall be rewritten to conform as closely as possible to the original intent.

ARTICLE XV DURATION

This agreement shall be in full force and effect from the January 1, 2015 through June 30, 2018.

Kensington Police Protection &
Community Services District
Board of Directors

Kensington Police Officers
Association Representatives

Len Welsh, Board President

Keith Barrow, KPOA President

REV: February 5, 2015

By Gregory E. Harman
General Manager / Chief of Police

DISTRICT - NEW BUSINESS ITEM #2

General Manager/ Chief of Police Greg Harman will present for approval KPPCSD Board Resolution #2015-01, a Resolution of the Board of Directors of the Kensington Police Protection & Community Services District approving the employer paid members contributions to CalPERS as per the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association.

Board Action.

RESOLUTION NO. 2015-01

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT,
APPROVING EMPLOYER PAID MEMBER CONTRIBUTIONS**

WHEREAS, the Board of Directors of the Kensington Police Protection and Community Services District (KPPCSD) has the authority to implement Government Code Section 20691;

WHEREAS, the Board of Directors of KPPCSD has a written labor policy or agreement which specifically provides for the normal member contributions to be paid by KPPCSD;

WHEREAS, one of the steps in the procedures to implement Section 20691 is the adoption by the Board of Directors of KPPCSD of a resolution to commence said Employer Paid Member Contributions (EPMC);

WHEREAS, the Board of Directors of KPPCSD adopted Resolution No. 82-08, which approved paying 9% of local safety members' normal member contributions as EPMC;

WHEREAS, the Board of Directors of KPPCSD has identified the following conditions for the purpose of its election to pay EPMC:

- This resolution shall supersede Resolution No. 82-08.
- This benefit shall apply to all local safety members who first became members of the California Public Employees' Retirement System (CalPERS), or another public retirement system that has reciprocity with CalPERS, before January 1, 2013, and who did not have a break in service of more than six months before returning to membership in CalPERS with a new employer.
- The effective date of this resolution shall be February 13, 2015.
- Effective February 13, 2015, this benefit shall consist of paying 6% of the normal member contributions as EPMC.
- Effective July 15, 2015, this benefit shall consist of paying 3% of the normal member contributions as EPMC.
- Effective July 15, 2016, this benefit shall consist of paying 0% of the normal member contributions as EPMC.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of KPPCSD elects to pay EPMC, as set forth above.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on _____, the ____ of _____, 2015, by the following vote to wit:

AYES:

Len Welsh, President and Director

NOES:

Pat Gillette, Vice President and Director

ABSENT:

Chuck Toombs, Director

Vanessa Cordova, Director

Rachelle Sherris-Watt, Director

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 _____, the ____ of _____, 2015.

District General Manager

DISTRICT - NEW BUSINESS ITEM #3

General Manager/ Chief of Police Greg Harman will present for approval KPPCSD Board Resolution #2015-02, a Resolution of the Board of Directors of the Kensington Police Protection & Community Services District approving the employer pick up of member contributions to CalPERS as per the Memorandum of Understanding between the KPPCSD and the Kensington Police Officers Association.

Board Action.

RESOLUTION NO. 2015-02

**A RESOLUTION OF THE BOARD OF DIRECTORS
OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT,
APPROVING EMPLOYER PICK-UP OF MEMBER CONTRIBUTIONS**

WHEREAS, the Board of Directors of the Kensington Police Protection and Community Services District (KPPCSD) has the authority to implement the provisions of section 414(h)(2) of the Internal Revenue Code (IRC); and

WHEREAS, the Board of Administration of the California Public Employees' Retirement System adopted its resolution regarding section 414(h)(2) of the IRC on September 18, 1985; and

WHEREAS, the Internal Revenue Service has stated in December 1985, that the implementation of the provisions of section 414(h)(2) of the IRC pursuant to the resolution of the Board of Administration would satisfy the legal requirements of section 414(h)(2) of the IRC; and

WHEREAS, the Board of Directors of KPPCSD has determined that even though the implementation of the provisions of section 414(h) of the IRC is not required by law, the tax benefit offered by section 414(h)(2) of the IRC should be provided to KPPCSD employees who are members of the California Public Employees' Retirement System:

NOW, THEREFORE, BE IT RESOLVED:

- I. That KPPCSD will implement the provisions of section 414(h)(2) of the Internal Revenue Code by making employee contributions pursuant to California Government Code section 20691 to the California Public Employees' Retirement System on behalf of its employees who are members of the California Public Employees' Retirement System. "Employee contributions" shall mean those contributions to the California Public Employees' Retirement System which are deducted from the salary of employees and are credited to individual employee's accounts pursuant to California Government Code section 20691.
- II. That the contributions made by KPPCSD to the California Public Employees' Retirement System, although designated as employee contributions, are being paid by KPPCSD in lieu of contributions by the employees who are members of the California Public Employees' Retirement System.
- III. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by KPPCSD to the California Public Employees' Retirement System.
- IV. That KPPCSD shall pay to the California Public Employees' Retirement System the contributions designated as employee contributions from the same source of funds as used in paying salary.
- V. That the amount of the contributions designated as employee contributions and paid by KPPCSD to the California Public Employees' Retirement System on behalf of an employee shall be the entire contribution required of the employee by the California

Public Employees' Retirement Law (California Government Code sections 20000, et seq.).

- VI. That the contributions designated as employee contributions made by KPPCSD to the California Public Employees' Retirement system shall be treated for all purposes, other than taxation, the same way that member contributions are treated by the California Public Employees' Retirement System.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District on _____, the ____ of _____, 2015, by the following vote to wit:

AYES:

Len Welsh, President

NOES:

Pat Gillette, Vice President and Director

ABSENT:

Chuck Toombs, Director

Vanessa Cordova, Director

Rachelle Sherris-Watt, Director

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 _____, the ____ of _____, 2015.

District General Manager

Memorandum

Kensington Police Department



To: KPPCSD Board

APPROVED

NO

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

Date: February 7, 2015

FORWARDED TO:

Subject: New Business Item #4- Contract with IDA Structural Engineers for Seismic Study of the Community Center

Following Measure L not passing by the 66 2/3 vote needed to fund the Community Center remodeling project, there have been several discussions in the community on why a seismic analysis of the Community Center was never completed?

Lisa Caronna, a member of the Park Buildings Committee, provides the following explanation:

1. When the concept Park Buildings Master Plan was developed for all the park buildings, it was premature to get complete structural and seismic evaluations because we had no idea of what was planned for the buildings and it would have been a waste of money if the plans for the buildings changed dramatically. Case in point, if the District spent \$10K to evaluate the Annex and then proposed demolition, there would be an outcry of wasted funds.
2. When the District decided to go for the bond measure, we knew there was much work still to be done including final design, structural evaluations, and construction documents - suitable for bidding. The District did not want to spend this money in advance of the approval of a bond measure since the bond measure might not pass and the money would be wasted. If the measure did pass, the bond measure would pay for all the design and construction work to be completed.
3. Muller and Caulfield did not perform an in-depth structural analysis since it was not in their contract for the reasons mentioned above. Rosemary Muller did use her best expertise and she also spoke with Stan Wu, the structural engineer on the earlier KCC Deborah Lane remodeling plan. Wu did not do a thorough structural analysis but he did focus on the west wall design.

On June 10th, in a conversation with Rosemary immediately following the election results.

"She wanted to convey that the next step for the District might be to have a structural engineer do an analysis on the structure and make recommendations

for basic safety as well as the building being brought up to the level of an "essential facility." She does worry about the safety and thinks that the District should complete a more in-depth analysis."

I too spoke with Rosemary following the election, and did ask her for a recommendation as to a firm that could provide the needed structural analysis on the building.

Rosemary informed me that she has worked with Stephen DeJesse of IDA (Ingraham DeJesse Associates) in the past and has been very satisfied with his work.

Following the November election and the December holidays, I contacted Stephen DeJesse in informed him of the history of our project and requested he provide a scope of services proposal for a structural analysis of the Community Center. That proposal is attached to this memo.

I also contacted Stan Wu, the structural engineer that provided an analysis of the west wall plan of the KCC remodeling plan and who we used for structural engineering work on the park restroom. Wu indicated that he would also submit a proposal to provide an analysis of the building, and stated that he would have that proposal for me before the February Board meeting.

On February 2nd, after not hearing from Wu, I contacted him and he informed me that his firm was currently booked with projects and that he would not be submitting a proposal to us.

The IDA proposal is attached to this memo. The fee for the analysis of the Community center is \$7,100. Our architect for the Park Buildings Master Plan, Rosemary Muller has worked with IDA in the past and recommends their work.

I would recommend the Board approve my signing the contract with IDA and proceed with the structural analysis of the Community Center.



STRUCTURAL ENGINEERS

January 12, 2015

Page 1 of 5

GREG HARMAN
City of Kensington
217 Arlington Avenue
Kensington, California 94707

SUBJECT: Fee Proposal and Agreement for Structural Engineering Services
SEISMIC STUDY – KENSINGTON COMMUNITY CENTER
Kensington Park
Kensington, California

Dear Mr. Harman:

IDA Structural Engineers, Inc. (IDA) is pleased to submit this fee proposal and agreement for structural engineering services in connection with a seismic study of the Kensington Community Center, in Kensington, California.

I. SCOPE OF AGREEMENT

The parties to this Agreement are IDA Structural Engineers, Inc. (hereinafter "IDA"), including all employees of IDA and their work product performed pursuant to this Agreement and The City of Kensington (hereinafter the "Client"). This is the entire agreement between IDA and the Client, and there are no agreements or representations between the parties except as expressed herein.

II. DESCRIPTION OF WORK

Scope of services includes and is limited to the following work.

- A. IDA proposes to perform an ASCE 41-13 Tier 2 analysis of the structural system. Please see the last page of this proposal for a description of ASCE 41-13. Demands on the structural elements will be compared to capacities in this methodology and compliance or non-compliance will be noted.
- B. The Study would include, at a minimum, the following components.
 1. Visit the site to observe the building.
 2. Review any drawings or reports made available to us.
 3. Perform an ASCE 41-13 Tier 2 study, including all required calculations. This will include review of the structural system, as well as bracing for non-structural components such as furnaces, piping, ductwork, lighting, etc.
 4. Prepare a written report describing the existing structural system, findings, and recommended rehabilitation measures, if any.
 5. Meet with Client to describe our findings.
- C. One conceptual seismic rehabilitation scheme will be prepared to aid in future planning. A conceptual level Engineer's cost estimate will be prepared for this scheme.
- D. Analysis will be conducted at the Life Safety level, and not the Essential Services level.
- E. Materials testing and destructive exploration are not included.

III. COMPENSATION-LUMP SUM

- A. Our fee for basic services shall be a lump sum of \$6,800.00 plus an allowance of \$300.00 for reimbursable expenses for a total of \$7,100.00.

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- B. Invoices, based on a percentage of completion, shall be submitted monthly. Payments shall be made by the Client within 30 days of invoice date. Fees and expenses are due and payable whether or not project proceeds or is completed.
- C. All past due accounts are subject to a late charge of 1.00 percent per month based on the outstanding balance.

IV. INFORMATION TO BE FURNISHED TO IDA BY OTHERS, IF AVAILABLE

- A. Any architectural or structural drawings of the building, including original construction or renovation drawings.
- B. Any existing Geotechnical or Structural Reports.
- C. Description of site conditions, including topographic, boundary and utility surveys, existing structures, etc.
- D. Special live loads in excess of building code requirements.
- E. Special environmental conditions and loads.

V. ADDITIONAL SERVICES

Additional services are those which arise as a result of unforeseen circumstances during the design or construction of a project and which are not included in this Agreement. Additional services shall be billed on a time and material basis per IDA's standard billing rates in effect at the time of service, in addition to fees quoted for basic services. Written notification will be given before proceeding with any additional services. Current billing rates are as follows:

Billing Rates

Principals	\$210.00 per hour
Associates	\$150.00 - 185.00
Structural Engineers	\$135.00 - 180.00
Civil Engineers	\$90.00 - 125.00
Structural Designers	\$75.00 - 110.00
CAD Operator	\$90.00 - 110.00
Junior CAD Operator	\$70.00 - 80.00

Examples of additional services are as follows:

- A. Retrofit design or construction documents.
- B. Consultations with lenders, investors or their engineers, including response to any peer review comments.
- C. Review of gravity or foundation systems, unless they are related to the seismic analysis.
- D. Testing or destructive exploration. Assessments will be made based on visual observations only.

VI. PAYMENTS WITHHELD

No deductions shall be made from IDA's compensation on account of claims of penalty, liquidated damages, and negligent errors or omissions in performance of professional services by IDA except pursuant to a mediated agreement, an award rendered in a proceeding in accordance with the Construction Industry Rules to the American Arbitration Association, or a judicial award.

VII. SUSPENSION AND TERMINATION OF AGREEMENT

If the Client fails to make payment when due IDA for services and expenses, IDA may, upon seven days written notice to the Client, suspend performance of services under this Agreement. Unless

payment in full is received by IDA within seven days of the date of the notice, the suspension shall take effect without further notice. IDA shall have no liability to the Client for delay or damage caused the Client because of such suspension of services.

The Client may suspend the agreement upon written notice to IDA if the project is temporarily postponed.

This agreement may be terminated by either party upon written notice to the other party in the event of a substantial failure of performance of such other party, or if the project should be abandoned.

In the event of such termination or suspension, IDA shall be compensated for all services performed plus any sums due for Additional Services and Reimbursable Expenses incurred prior to such termination or suspension. If compensation in this agreement is based on a fixed fee, the amount due for services performed will be based on percentage of completion, or on hourly rates and actual time spent, whichever is greater.

Any dispute regarding termination or suspension shall along with all other issues be resolved in accordance with the Mediation and Arbitration section of this Agreement.

VIII. PROFESSIONAL STANDARD OF CARE

IDA's services shall be performed with that degree of skill and care ordinarily used in like cases by reputable members of the same profession practicing in the same or a similar locality under similar circumstances, and using reasonable diligence and judgment in the exercise of professional skill and care. No warranty or guarantee is expressed or implied, and no other provision of this agreement shall impose any liability on IDA in excess of the requirements of said standard of care.

IX. MEDIATION AND ARBITRATION

Claims, disputes or other matters in question between the parties to this Agreement arising out of or relating to all work/responsibilities under this Agreement shall be subject to non-binding mediation exclusive of legal counsel under the auspices of a recognized neutral third party professional mediation service or other mediation method acceptable to the parties prior to undertaking any other dispute resolution action. The cost of the mediation service shall be equally borne by the parties. A demand for mediation shall be made within thirty days after the claim, dispute, or matter in question has arisen.

In the event that the claim, dispute, or matter in question is not resolved to the satisfaction of both parties by the non-binding mediation process described above, and the claim is for an amount less than \$100,000.00, it shall be subject to and decided by binding arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association unless the parties mutually agree otherwise.

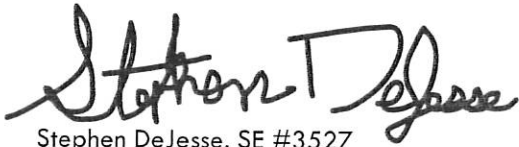
X. AGREEMENT

If the foregoing correctly summarizes your understanding of the approximate scope of work and the services that you require, and the proposed fee is acceptable, please sign in the space below and return a copy of this proposal for our files. This proposal shall expire if not executed within

30 days of execution by IDA. We can start work on approximately February 1, 2015, but not before we have received a signed copy of this proposal.

IDA Structural Engineers, Inc.

Accepted:



Stephen DeJesse, SE #3527
Principal

Signature

Printed Name

Date

Date



Description of ASCE 41-13

Sponsored by the Structural Engineering Institute of ASCE.

Seismic Evaluation and Retrofit of Existing Buildings describes deficiency-based and systematic procedures that use performance-based principles to evaluate and retrofit existing buildings to withstand the effects of earthquakes. This next-generation standard combines the evaluation and retrofit process and puts forth a three-tiered process for seismic evaluation according to a range of building performance levels—from collapse prevention to operational—that marry targeted structural performance with the performance of nonstructural elements. The deficiency-based procedures allow the evaluation and retrofit effort to focus on specific potential deficiencies deemed, on the basis of past earthquake observations, to be of concern for a permissible set of building types and heights. The systematic procedure, applicable to any building, sets forth a methodology to evaluate the entire building in a rigorous manner.

Analysis procedures and acceptance criteria are established and requirements put forth for foundations and geologic site hazards; components made of steel, concrete, masonry, wood, and cold-formed steel; architectural mechanical and electrical components and systems; and seismic isolation and energy dissipation systems. In addition, screening checklists are provided for a variety of building types and seismicity levels in support of the Tier 1 process.

This standard updates and replaces the previous Standard ASCE/SEI 41-06, *Seismic Rehabilitation of Existing Buildings*, as well as Standard ASCE/SEI 31-03, *Seismic Evaluation of Existing Buildings*.

Standard ASCE/SEI 41-13 serves structural engineers, design professionals, code officials, and building owners interested in improving the seismic performance of existing buildings.

DISTRICT - NEW BUSINESS ITEM #5

General Manager/ Chief of Police Greg Harman will ask if any member of the board would like to be nominated to the CSDA Board of Directors, Bay Area Network, Seat A, for the remainder of the 2013-2015 term.

Board Action.



**California Special
Districts Association**

Districts Stronger Together

DATE: January 27, 2015
TO: CSDA Voting Members – BAY AREA NETWORK
FROM: CSDA Elections and Bylaws Committee
SUBJECT: **CSDA CALL FOR NOMINATIONS – Board of Directors
Bay Area Network, Seat A**

CSDA is conducting a call for nominations for a Bay Area Network, Seat A Director for the remainder of the 2013-2015 term.

The leadership of CSDA is elected from its six geographical networks. Each of the six networks has three seats on the Board with staggered 3-year terms. Candidates must be affiliated with an independent special district that is a CSDA regular member located within the geographic network that they seek to represent. (See attached Network Map)

The CSDA Board of Directors is the governing body responsible for all policy decisions related to CSDA's member services, legislative advocacy, education and resources. The Board of Directors is crucial to the operation of the Association and to the representation of the common interests of all California's special districts before the Legislature and the State Administration. Serving on the Board requires one's interest in the issues confronting special districts statewide.

Commitment and Expectations:

- Attend all Board meetings, held every other month at the CSDA office in Sacramento.
- Participate on at least one committee, meets 3-5 times a year at the CSDA office in Sacramento.
(CSDA reimburses Directors for their related expenses for Board and committee meetings as outlined in Board policy).
- Attend CSDA's two annual events: Special District Legislative Days (held in the spring) and the CSDA Annual Conference (held in the fall).
- **Complete all four modules of CSDA's Special District Leadership Academy within 2 years.**
(CSDA does not reimburse for expenses for the two conferences or the Academy classes even if a Board or committee meeting is held in conjunction with the events).

Nomination Procedures: Any regular member Independent Special District is eligible to nominate one person, a board member or managerial employee (as defined by that district's Board of Directors), for election to the CSDA Board of Directors. **A copy of the member district's resolution or minute action and Candidate Information Sheet**

JS

must accompany the nomination. The deadline for receiving nominations is March 31, 2015. Nominations and supporting documentation may be mailed or faxed.

Nominated candidates will then be interviewed by the Networks's existing directors and the successful candidate will be appointed by vote of the CSDA Board.

If you have any questions, please contact Charlotte Lowe at 877-924-CSDA or charlottel@cda.net.

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**California Special
Districts Association**
Districts Stronger Together

BOARD OF DIRECTORS NOMINATION FORM

PLEASE BE SURE THE CANDIDATE'S PHONE NUMBER IS ONE WHERE WE CAN REACH THE CANDIDATE

Name of Candidate: _____

District: _____

Mailing
Address: _____

Network: Bay Area Network

Telephone: _____

Fax: _____

E-mail: _____

Nominated by (optional): _____

Return this **form and a Board resolution/minute action supporting the candidate and Candidate Information Sheet** by fax or mail to:

CSDA
Attn: Charlotte Lowe
1112 I Street, Suite 200
Sacramento, CA 95814
(877) 924-2732 (916) 442-7889 fax

DEADLINE FOR RECEIVING NOMINATIONS – March 31, 2015

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CSDA BOARD CANDIDATE INFORMATION SHEET

The following information **MUST** accompany your nomination form and Resolution/minute order:

Name: _____

District/Company: _____

Title: _____

Elected/Appointed/Staff: _____

Length of Service with District: _____

1. Do you have current involvement with CSDA (such as committees, events, workshops, conferences, Governance Academy, etc.):

2. Have you ever been associated with any other state-wide associations (CSAC, ACWA, League, etc.):

3. List local government involvement (such as LAFCo, Association of Governments, etc.):

4. List civic organization involvement:

