

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, August 11, at 6:00P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will commence its monthly Regular Meeting in open session **Thursday, August 11, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. If further Closed Session is required, the Board will return to Closed Session following the end of the Regular Meeting.

1. Call to Order/Roll Call 6:00 P.M.

2. Closed Session-Public Comment

- a. PUBLIC EMPLOYMENT: Title: (General Counsel)-Pursuant to Government Code Section 54957.

3. Regular Meeting: Open Session-Call to Order/Roll Call 7:30 P.M.

The Board will return to Open Session at approximately 7:30 PM and will report out on the Closed Session if reportable action is taken.

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

- 4. Public Comments** Members of the public may address the Board on any issue on the Consent Calendar and items not listed on the agenda that are within the subject matter jurisdiction of the District. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Each speaker is allowed a maximum of five (5) minutes per Board Policy 5030.41.

5. Board/staff comments

6. Consent Calendar

- a) Minutes of the Regular/Special Meeting of July 14, 2016 P-3
- b) Minutes of the Special Meeting of July 18, 2016 P-19
- c) Unaudited Profit & Loss Budget Performance Report for June 2016 P-25
- d) Park Revenue & Expense Report for June 2016 P-31
- e) Board Member Reports-None this month
- f) KPD Monthly Statistics for June 2016 P-33
- g) Training/ Reimbursement Report None
- h) Correspondence P-40
- i) Recreational Report-None for this month
- j) Monthly Calendar P-64
- k) General Manager's Report P-66

7. Old Business

- a. Update from Ad Hoc Committee on Governance.
- b. The Board will receive an update from the Interim General Manager regarding the possibility of new signage to increase driver awareness when entering Kensington. This was part of last month's discussion of the Zero Tolerance Policy from the UC Berkeley Traffic Safety Study. P-67

General Manager Recommendation: Take public comment, deliberate, and provide direction.

- c. The Board will review and discuss possibly changing the order and manner in which it takes general public comment for items not on the agenda. Action item.

General Manager Recommendation: Discuss the item, and take public comment, deliberate and provide direction to the Interim General Manager.

8. New Business

9. ADJOURNMENT: Next Regular Meeting is scheduled for September 8, 2016 at 1930 hours, unless changed by the Board of Directors.

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:

Interim General Manager Kevin. E. Hart, 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.

The deadline for agenda items to be included in the Board packet for the regular monthly meeting is 5:00 P.M., one calendar week prior to the meeting date.

These are draft minutes. Once approved by the Board, the minutes will be posted on the District website, under the dropdown menu "Approved Minutes."

Meeting Minutes for 7/14/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, July 14, 2016, at 6:00 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. The Regular meeting of the Board of Directors followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddle, Renne Sloan Holtzman Sakai LLP
Rachelle Sherris-Watt, Vice President	Peter Liddell
Chuck Toombs, Director	Linda Lipscomb
Patricia Gillette, Director	John Gaccionne
Vanessa Cordova, Director	Jim Watt
	Celia Concus
<u>Staff Members</u>	Art Lake
Interim GM/COP Kevin Hart	Simon Brafman
Lynn Wolter, District Administrator	Andrew Gutierrez
	Mabry Benson
<u>Press</u>	Trisha Mindel
	Rick Artis
	Paul Dorroh

President Welsh called the meeting to order at 6:02 P.M. President Welsh, Vice President Sherris-Watt, Director Toombs, Director Gillette, Interim GM/COP Hart, and District Administrator Wolter were present. Director Cordova was not present for the Closed Session: She arrived at 7:26 P.M.

PUBLIC COMMENTS

There were no public comments regarding the Closed Session agenda items.

The Board entered into Closed Session at 6:03 P.M.

CLOSED SESSION

1. Public Employment: Title: (General Counsel) – Pursuant to Government Code Section 54957.
2. Public employee Discipline/Dismissal/Release.
3. Conference with Labor Negotiator – Pursuant to Government Code Section 54957.6: Agency designated representative: Jon Holtzman. Employee organization: Kensington Police Officers Association.

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The Board returned to Open Session at 7:50 P.M.

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

President Welsh reported that the Board had addressed Item b but had nothing to report and that the Board had not taken up Item a or Item c.

PUBLIC COMMENTS

Peter Liddell announced that there would be a Kensington Public Safety Council presentation on August 6th, at 10:00 A.M., and that the title was "Wildfires: 'Tis the Season." He said wildfires were a danger this year and encouraged residents to attend the presentation. He reported that Mike Bond, from the El Cerrito Fire Department; a member of the Sierra Club; IGM/COP Hart; and Ciara Wood, a member of the Diablo Fire Safe Board, would be making presentations. He noted that IGM/COP Hart would discuss a possible scenario for evacuation, should it be necessary, and that Ms. Wood would provide information about grants that might be available to homeowners.

Linda Lipscomb said she wanted to talk about two things. She said that most attendees had probably seen a letter she had submitted to the Outlook. She said the letter was about the conflict of interest Director Cordova had by not having a valid driver's license during the period she was on the Board. She said that, although the letter had been published, an important paragraph of it had been omitted and that the editor had explained she had not included the paragraph because of space limitations. Ms. Lipscomb reiterated that Director Cordova had a conflict of interest and that the omitted paragraph had cited the relevant law. Ms. Lipscomb read the paragraph.

"In discussing common law conflict of interest of a local official, a California Court of Appeal opinion stated: "The Public is entitled to have its representatives perform their duties free from any personal or pecuniary interest that might affect their judgment...(W) whenever a public official, by reason of personal interest in a matter, is placed in a situation of temptation to serve his or her own purposes, to the prejudice of those for whom the law authorizes that official to act... an individual member ordinarily cannot vote on a matter in which that member... is interested."

Ms. Lipscomb said she had looked into the law and that this had been what she had found. Her complete letter is included in the August 11, 2016 Board Packet, under correspondence.

Ms. Lipscomb said that, on June 23rd, she had written to the Board to discuss the early termination of the meeting that had occurred and the pledge that had been made by a Director never to vote for an extension of a meeting and its effect, in relation to the Brown Act and in relation to the public interest. She said all the Directors had a copy of the email. She said that, because this policy allowed the termination of the public discourse and the Board discourse relating to items on the agenda at 10:00 P.M., perhaps discussion of this policy should be expedited. She said revision of the Policy and Procedure Manual had long been delayed because many other matters had taken the Board's time. A copy of the email is included in the August 11, 2016 Board Packet, under correspondence.

John Gaccione said he had a list of five questions:

- Why do we have another new law firm advising the Board? He said that, with all the legal talent on the Board, there had been so much turnover in legal counsel. He said he thought legal counsel had departed because the Board had failed to heed its advice.
- Why would anyone choose to run for a position on the Board? He asked what current Board members might be saying to potential candidates and asked if potential candidates were being told that, if they agreed with the Board majority, there would be a place for them. He also asked if potential candidates were being told that, if they didn't agree with the Board majority, they should be prepared to have their lives turned "hellish." He said that, if history were to be the gauge, this would be especially so if one were an independent woman. He asked how many had been hounded off the Board so far.

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- Why doesn't the Kensington Police Officers Association (KPOA) get a seat on the Board? He asked, since the Board had ceded disciplinary issues to the KPOA, why not give them a seat on the Board. He said that way their work would take place in public, instead of in back rooms.
- What does a person make of an esteemed Kensingtonion "going feral." He said the scientific mind at work was a wondrous thing to behold, but when one saw an esteemed local member of the academic community go off the public rails in a digital public format, espousing many of the same ugly impulses the current political dialogs employed, one had to wonder if that person had spent too much time listening to the echo chamber.
- Isn't the Board President setting and maintaining the proper civic tone for the Board meetings? He said that, every month and more frequently now, the Board President's tone lapsed into hostility, bordering on vindictiveness. He said the pattern now was that, as meetings progressed, hostile sounding comments were being made to other Board members and to members of the audience. He said the likely time for this to occur was close to 10:00 P.M. He asked why the meetings couldn't end at 10:00P.M. and have tone of the meetings remain civil.

President Welsh said, for the record, that he rejected every single one of these allegations made against him. He said people could look at the tapes and make up their own minds.

Jim Watt said this would be the last meeting he would be able to attend until October. Therefore, he said, he wanted to discuss several important financial issues that he thought should be the focus of the Board over the coming three months:

- He believed there were errors in the 2016-17 Budget regarding set-asides for capital expenditures. He said that, if these were corrected, they would significantly change the District's estimated year-end balance and the amount of money that would remain in the reserve account. He added that he had sent an email to IGM/COP Hart three weeks earlier in which he had summarized these issues and that IGM/COP Hart had responded that he and Deborah Russell would look into the matter. He said he hadn't received a response yet, and so, he said, he would provide a copy of his email. A copy of this email is included in the August 11, 2016 Board Packet, under correspondence.
- A new actuarial report should be performed to determine the entry amounts for Fiscal-Year 2016-17. He noted that, when the MOU had been approved earlier in the year, the Board had indicated there would be a new report done to reflect the changes. He said that IGM/COP Hart had indicated that the cost of the study would be about \$10,000. He said this might be the cost if the District were to use Bartle and Associates but that the cost likely would be less if the District were to use Nicolay Consulting, which did the OPEB report for the Fire District for \$3,400. He said this information was needed to determine the amount to be budgeted for Account 521T.
- Legal costs were expected to exceed \$250,000 for Fiscal-Year 2015-16. He noted this was the third year in a row that legal costs had exceeded \$200,000. He said the legal costs appeared to have been caused by legal wrangling brought about by personnel issues and the Board's use of legal counsel to validate every Board decision. He said that, as a taxpayer, he was upset to see his tax dollars squandered in this way.
- A five-year budget was needed to look at the long-term cost of running the District, especially in light of the upcoming work needed for the Community Center and the Public Safety Building. He noted that such projections were necessary in anticipation of the upcoming MOU negotiations and of the findings of the Ad Hoc Committee. He also said this was needed because of CalPERS' failure to meet its 7.5% investment target. He said this would result in higher costs for government agencies. Specifically, he said that if these poor returns continued, it could increase KPPCSD's costs by several hundred thousand dollars annually, from the current annual cost of approximately \$450,000.
- While impressed by the amount of work done by the Ad Hoc Committee, he said an important element was missing: A survey of residents about the level of service they believe are needed and affordable. He said residents should be asked to select from a number of alternatives, using cost-benefit comparisons.

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BOARD COMMENTS

Director Toombs thanked Director Sherris-Watt, Jim Watt, and the Park Committee for securing the \$158,000 of WW Grant money and for their work on the RFP.

Director Gillette said that she had attended the Kensington Community Council (KCC) meeting and that one of the things discussed had been what the KCC's contribution to the Community Center would be. She said the KCC had clarified that it was willing to contribute to the building but that it wouldn't commit a specific amount until there was a plan. She said KCC wanted it known that the KPPCSD should not assume that the KCC would make a contribution at any level – it would depend on the plans and the ultimate cost.

Director Gillette said she also wanted to address the questions that had been raised about legal fees. She said that, in her opinion, the reason the fees had gone up was because more time was spent by some members of the Board talking to the attorneys about things that were personal – not related to the District, petty, and paranoid. She said the costs had increased because of the number of issues that had been raised to the attorneys, some of which should be raised but most of which should not, and because of the many investigations the Board had been asked to conduct. She said it was not that the Board had failed to follow the advice from counsel. She said the cost had to do with the use and misuse of the attorneys by certain Board members.

Director Gillette said those in attendance should take a moment to think of the people in Nice, France. She said a man driving a truck had driven into a crowd of people there, in what might have been an act of terror. Rick Artis and Vice President Sherris-Watt said the number killed exceeded 70 people. President Welsh noted this had occurred on Bastille Day and was very disturbing.

Vice President Sherris-Watt congratulated the Park Buildings Committee and IGM/COP Hart for all their work. She named the members of the Committee: Paula Black, Peter Conrad, Gretchen Gillfillan, Katie Gluck, Tod Hodson, Jim Watt, and Ciara Wood. She reiterated what Director Toombs had said – the District was \$158,000 closer to the "starting line." She announced that the next Committee meeting would be on July 27th at 6:00 P.M.

Vice President Sherris-Watt announced that the Public Safety Building Committee would be meeting in August and the date would be announced in the future.

Vice President Sherris-Watt also thanked Sergeants Hull and Hui for helping the Boy Scouts with their annual rifle shooting event.

Vice President Sherris-Watt said that, with respect to investigations, they're authorized by a vote of the Board. She said she believed that, although investigations were Closed Session items, the votes regarding them could be released. Randy Riddle responded that personnel items were protected by law but that, if the Board wanted to disclose an action that occurred in Closed Session that the Board was not otherwise required to disclose, it was up to the discretion of the Board. He said the Board would probably want to place this on the agenda. Director Gillette responded that she hadn't been referring just to formal investigations but to emails that were sent constantly to the District's legal counsel, asking them to do something, to consider something or just complaining. She added that the attorneys were required to read all such emails and then decide if they needed to take any action. She said this took time, and the District was billed for that time.

Celia Concus said that a number of people had said that the audio system was a hardship, and she asked when the new one would be coming. President Welsh said he would respond, but first he wanted Director Cordova to have a chance to speak.

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Director Cordova said she was happy that the subject of legal fees had come up because she had had an exchange with Randy Riddle about legal fees and who had been responsible. She said Director Gillette was correct – a lot of legal fees were incurred by conducting business by daily email. She cited a specific example in which she had written to IGM/COP Hart to ask for clarification about the language of an agenda item. She said that, when he had replied, IGM/COP Hart had copied two attorneys and then each of the two attorneys had replied directly to her, with two different interpretations of the language. She said, therefore, a lot could be said about refining protocol on the client side and on the attorney side. She said she also had asked about the audit on fees for Fiscal-Year 2015/16 that had been under discussion. She said the law firm did not attribute legal fees by Director, so one couldn't "pull up" Director Cordova's legal fees or those of any of the other Directors. She said, therefore, that to assume that the fees fell on the shoulders of one was unfair and irresponsible and said she rejected that. She said that, with regard to the stop, the fees were \$15,000. She said she didn't know what the entire legal bill was for Fiscal-Year 2015/16; she would let IGM/COP Hart provide this information but that the bulk of the cost – almost six figures – was for General Counsel services. She said that, if someone were to suggest that she carried the responsibility for every investigation, there had been four other investigations during the year that had nothing to do with her. She said that, if those investigations were initiated by the Board in Closed Session, it should be known who voted to initiate them and who didn't. She said that, with respect to legal fees being attributable by Director, she had that response in writing. Director Gillette responded that, just because the fees couldn't be attributable didn't mean that one or two people weren't more responsible than others.

President Welsh said he had asked for a breakdown of the legal bills. He said he wanted to put an analysis of this on the agenda for the next meeting. He said that the breakdown was by category, not by Director, and that an analysis was needed so the Board could figure out how to reduce the cost.

Director Gillette said that, in general, other law firms with similar practices place limits on whom can contact counsel and when. She said this provides a way to contain costs.

President Welsh announced there would be a Park Grounds Committee meeting on July 19th at 3:00 P.M.

President Welsh reported that, with respect to the sound system, IGM/COP Hart was ready to get a new sound system: He had obtained an estimate, and then some residents came to him and said the system was going to be too costly. President Welsh said IGM/COP Hart had been working with them, but there hadn't been as much progress as had been hoped for. He said that, given this, perhaps it made sense for IGM/COP Hart to purchase what had been planned a couple of months earlier. President Welsh apologized for this having taken so long. He said this was a complex thing because the sound needs of the room weren't typical. Director Cordova suggested that this be placed on the agenda, under Old Business, until completed.

STAFF COMMENTS

IGM/COP Hart reported that, on July 5th, S.F. Gate had reported that Kensington is the seventh safest community in California and the 778th safest community in the nation. He explained this number had come from monthly crime statistics reported to the Department of Justice. He said this was something of which to be proud.

IGM/COP Hart said he would like to schedule a Special Meeting for some time in late July or early August for the Board to respond to a grievance that had been submitted to him from the Police Officers Association, in his capacity of Chief of Police. He said that, in his capacity of General Manager, he had forwarded it to the Board. He said that the grievance was about the new policy for standardizing weapons and that the officers wanted to appeal this to the Board.

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IGM/COP Hart announced he wanted to schedule a Finance Committee meeting for August 9th. He said that Rob Firmin had a report to present on budgeting and projection and that the Committee would need to review a proposal for a new actuarial report.

Director Cordova said that the Finance Committee meetings had not been recorded and asked if audio recordings could be made. She said the meetings were very helpful, but she couldn't always attend them. IGM/COP Hart responded in the affirmative.

IGM/COP Hart said that, with respect to the new sound system, he would be meeting with a seventh contractor the next day at 3:00 P.M. He welcomed anyone who wanted to join him. He said this company had been recommended by Myers Sound Company, another company that had been recommended. He clarified that Myers doesn't provide the specific service the District needs. Director Cordova asked if she could attend. IGM/COP Hart responded in the affirmative.

Randy Riddle said this would be his last meeting and said he wanted to thank everyone, collectively and individually, for having had PLG represent the District for the prior year. He said the community had been very kind and understanding. He received a round of applause.

President Welsh said IGM/COP Hart wanted to move an agenda item up because someone had come to make a presentation. IGM/COP Hart responded in the affirmative and said this was Agenda Item 7b.

- 7b. The Board received a presentation from the Interim General Manager and considered revising the Zero Tolerance Policy, from the U.C. Berkeley Traffic Safety Evaluation, previously adopted by Board action on May 13, 2010.

IGM/COP Hart said that Zero Tolerance had been an issue in the community since it had been approved, but it had provided a good foundation and a good review of traffic in the community. He said the community had concerns about pedestrian safety, traffic, and vehicle speed. He said there had been a misunderstanding of what the Traffic Study had stated: it had been only about the intersection at the Library – not about the entire community. IGM/COP Hart said he didn't like the negative connotation of the term "Zero Tolerance" and suggested eliminating it. He said he wanted to change the term to "Maximum Enforcement," a term consistent with that of the CHP. He added that using this term could enable the District to qualify for grants from the State's Office of Traffic Safety.

IGM/COP Hart said he wanted to post new signs at the entry points into Kensington. He explained that these would be stationary signs that would serve as a caution to residents and to the "transient" drivers who come through Kensington. He said these signs, which would be reflective, would cost about \$150 apiece, and he suggested purchasing between eight and ten signs. IGM/COP Hart pointed out a sample sign he had brought with him.

IGM/COP said the budget included the purchase of two portable traffic speed signs that would be attached to fixed poles, perhaps six of them throughout the community. He said that moving the signs would increase awareness. He introduced Art Lake, who had brought a sample sign. IGM/COP Hart explained that each sign was battery powered and each battery charge would last several days.

IGM/COP Hart said another element he recommended for traffic enforcement was the purchase of a new motorcycle. He explained that the District had had two motorcycles in poor condition that would have cost about \$5,000 to bring back to a state of good condition. He said the Harley had been sold for about \$5,000 and the BMW likely could be sold for about the same amount. He explained that this income could be used to offset the purchase of a new motorcycle that would be equipped with radar. He said that a motorcycle would be able to respond and maneuver quickly in traffic and that a motorcycle would be able to get into small places on streets like Franciscan.

He said his last traffic recommendation would be selective enforcement. He explained that members of the police department would focus on specific vehicle code violations, such as failing to stop at a stop

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sign, having expired registration, yielding to pedestrians, or using a cell phone while driving. He cited the intersection of Arlington and Amherst and Colusa Circle as being of particular interest. He said the community would receive advanced notice when such events were to take place.

Director Toombs asked what would prevent someone from stealing the speed signs and said he liked the concept of "Maximum Enforcement." But, he said, he didn't want to purchase a motorcycle at this time; He would rather put the money into the Community Center and into addressing the upcoming changes with respect to the Public Safety Building. He did, however, say that, if funds were available in the future, he would consider the purchase.

IGM/COP Hart responded that, with respect to the signs, they had locks that secured them to the stationary posts. Art Lake, with Lake Traffic Solutions, said the signs came with heavy-duty police locks. President Welsh asked what the rate of vandalism was for the signs. Mr. Lake responded that it was very low.

Director Cordova said that what she liked about IGM/COP Hart's proposal was his having noted that a warning could be an effective tool in compliance. She asked if the police would be entrapping anyone as part of the proposed efforts. IGM/COP Hart responded in the negative. She asked if people would receive a warning or a citation. IGM/COP Hart responded that this would be about changing behavior and enforcing the law; it would depend on the egregiousness of the infraction. Director Cordova said she had asked the question because of the disparity of the Watch Commander's Report, in which one officer had issued one citation others had issued more. Therefore, she said, the term "Maximum Enforcement" didn't give her a warm feeling about community policing. She said she was sure the term was optional and that IGM/COP Hart would be willing to work on it. IGM/COP Hart responded that the report spoke about officer discretion and added that there were very few areas of the law that didn't allow for some officer discretion. He said he wanted it to be policy that there be traffic enforcement, and Director Cordova responded that she agreed with that. She said that, if there was to be an increase in citations, the community deserved to receive some notification.

Director Cordova asked how many of the traffic signs would be in the community at any one time. IGM/COP Hart responded two, in addition to the stationary sign already installed on Arlington Avenue. She asked if IGM/COP Hart would be working with the homeowners in front of whose homes the signs would be installed, indicating the light from the signs could pose a problem. IGM/COP Hart responded in the affirmative. He also noted that there were specific areas where the signs would be of greatest value. He cited Franciscan Way and Colusa Circle, and Director Cordova cited Berkeley Park. Director Cordova asked if the signs came with solar power and if the poles came in the color green. Mr. Lake responded that solar models were available and that the poles did come in colors.

President Welsh asked what the price difference was between the solar powered and the battery-powered signs. Mr. Lake responded the difference was about \$800. Vice President Sherris-Watt asked what the cost of a battery was. Mr. Lake responded it was \$300 and noted that the batteries were rechargeable and had a life-span of about three years. IGM/COP Hart said he hadn't recommended the solar powered version because these would be more difficult to move.

Director Cordova said she wanted to hold off on purchasing a motorcycle. She said she was interested in using foot patrols and mountain bikes and asked IGM/COP Hart if he had considered this. He responded he hadn't yet done so, noting that he wanted to work on the current proposals first. He also said that, given the community's geography, mountain bikes would be difficult to use effectively but they weren't "off the table."

Director Cordova asked that IGM/COP Hart add Ardmore, just below Arlington Ave., to the list of hot spots. She noted that the stop sign at Colusa Circle seemed low. She asked IGM/COP Hart to ensure that all the stop signs were at the optimal level. IGM/COP Hart said he would check on this and follow up with the County as needed.

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Vice President Sherris-Watt posed a question to Director Toombs about whether he had voted for "Zero Tolerance" for only the one intersection. He responded that he had voted for it for the community because he thought it was important for people to obey the law. He said it had been his intent for this to apply to the entire community, not just the intersection of Arlington and Rincon. He said it was imperative that the District provide safe streets for all the children. He said that, when he was 12 years old, he had been hit by a car while crossing a street.

Vice President Sherris-Watt said she supported the signs and the poles. She said she understood that implementing mountain bikes would require special training and accreditation, which would make using them difficult. She said she, too, had reservations about the motorcycle. IGM/COP Hart said that, if he'd known the Board was going to be opposed to the motorcycle he wouldn't have gotten rid of the Harley. He said not having a motorcycle would tie his hands, with respect to providing the mobility needed for maximum enforcement. President Welsh asked if IGM/COP Hart would look at purchasing a used motorcycle. He responded that he could do so. He said that he anticipated getting about \$10,000 from selling both of the old bikes and said that a new one would cost about \$20,000 and would last for years. He clarified that the net cost would be about \$10,000 and noted that the department already had all the additional equipment. Director Sherris-Watt asked how many officers were trained to drive a motorcycle. IGM/COP Hart responded that two were. He added that this was about deterrence and changing people's driving habits.

Director Gillette said that she agreed with the term "Maximum Enforcement" and that she agreed that officers should have discretion. But, she said, she could not support the motorcycle. She added that the one thing that would be a compelling argument for her was that a motorcycle could access areas that cars couldn't in the event of an earthquake. She said she had concerns about the proposal of having people in crosswalks as part of an enforcement program. IGM/COP Hart said this wouldn't be necessary – there were plenty of people walking in the crosswalks already.

President Welsh said he liked what IGM/COP Hart had proposed, overall. He said he would prefer the phrase "Maximum Compliance." He said that, from his background, compliance and enforcement were different things. Compliance meant someone would actually comply with the law and enforcement conveyed a sense of "whacking" someone. He added that enforcement was an element of compliance. He said IGM/COP Hart was making a wonderful effort in trying to address a number of problems in a holistic manner. He noted that IGM/COP Hart was bringing a coherent approach that was desperately needed. He said it was great that the department was coming out of the period during which so many officers had been out so that there was a greater police presence and more citations were being issued. He suggested moving forward with the more traditional things and getting them working well and then adding in other elements.

Director Cordova said she, too, preferred the term "Maximum Compliance." She said she had a problem with the aesthetics of the sign and suggested having a graphic artist assist with it. IGM/COP Hart responded that traffic-warning signs had specific requirements that were outlined in the Vehicle Code. Director Gillette said she didn't think the Board should be involved with this detail. President Welsh said he agreed.

Linda Lipscomb said she didn't agree with this level of micromanaging IGM/COP Hart. She asked if using the term "Maximum Enforcement" would assist the District in qualifying for additional funding or grants and if using the term "Maximum Compliance" would diminish this. IGM/COP Hart responded that the reason he had used this term was because it aligns with the CHP traffic safety council's terminology, which would increase the likelihood of additional funding. He said it could be possible that the chances of funding could be diminished by using the term "Maximum Compliance" instead.

Simon Brafman said there was an understanding that, if tickets were challenged, the police officers didn't go to court to defend them. IGM/COP Hart responded that, if a court hearing occurred while an officer was on duty, it was difficult for the officer to leave Kensington and to go to Richmond or Martinez. Mr. Brafman said that issuing more citations wasn't necessarily going to yield greater compliance. President Welsh asked if the District had statistics on how many tickets were appealed.

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IGM/COP Hart responded in the negative. President Welsh said it would be good to know this, and he added that every department lost a certain number of citations because the officers couldn't always get to court.

Anthony Knight asked IGM/COP Hart whether, in the case of a divided crosswalk – such as the one in front of the gas station – the law required that a driver wait until a pedestrian had finished crossing the crosswalk, on the far side of the road, before driving through that crosswalk. IGM/COP Hart responded that, technically, that was correct. But, he added that most officers would not issue a citation unless the pedestrian had to break stride. President Welsh noted that IGM/COP Hart had said, all along, that officers should have discretion.

Andrew Gutierrez said he was pleased with some of the discussion. He said this was the first time in 20 years that there had been an open discussion of these issues in this forum. He said there were about 10,000 transient drivers going south through Kensington. He said the Arlington sign recorded drivers' speeds as they go past the sign, but if the sign recorded the speed as drivers first approach it, the drivers would be recorded as speeding. He said he was one who insisted that tickets should be issued. He said it would be better to issue citations as a part of El Cerrito because then officers would only have to go to El Cerrito's courts to defend tickets. He also noted that someone wanting to contest a Kensington ticket would have to go to Martinez. He said Kensington received only about \$10 per ticket, and he asked why officers wouldn't issue tickets. He said many communities had devices that photographed license plates. He said that, in Kensington, photos should be taken of rear license plates, because many cars in Kensington didn't have front license plates, and that citations should be issued on that basis. He said that speeding was rampant and that many people were using Kensington as a thoroughfare to get from one place to another.

John Gaccione said that, if safety were taken in a bigger realm – he said he was involved in CERT – he didn't think a motorcycle, with all its gear, would be able to navigate any of the paths or hills in the event of a fire or earthquake; thus, couldn't support money being spent on this. He also said that motorcycles were noisy. He said that he was a designer and that there was too much information on the proposed sign. He also indicated that the lettering needed to be bigger – at least three inches high.

Mabry Benson said she thought motorcycles were very useful in Kensington because of the narrow streets. She said that she'd like to see more enforcement on Franciscan and that there was no way for a car to turn around in that location. She also suggested posting one of the proposed signs on Arlington, southbound, at Sunset and noted that she, too, thought the sign needed to contain fewer words. She also suggested that the digital traffic sign turn red, past a certain speed.

Jim Watt cited the sign on Marin Ave., just past the freeway off-ramp. He said that this sign flashes a driver's speed and then flashes a sign of "slow down" in red. He said that, although he liked the signs, he had reservations about them being posted at all the entries to Kensington – he said this seemed like a "battle zone" approach. Mr. Watt also noted that the 2010 report had compared Kensington to six other communities and it showed that Kensington had the lowest incidence of traffic accidents. He said a zero tolerance approach sometimes has the reverse effect, citing the fact that he had received warnings, instead of citations, when he had been pulled over for speeding. He said a zero tolerance approach would make people angry, especially at a time when the community needed healing – between the citizens and their police department. However, he said he believed the laws should be enforced – it was just how one went about doing it.

Celia Concus said that, if the goal was to educate people so that they're better drivers, it would be good to educate people about the vehicle code with articles in the Outlook. She also suggested signs at crosswalks, reminding people that the pedestrian has the right of way. She said that she wanted things to be done incrementally and that starting with just the digital traffic signs would be a good idea.

Trisha Mindel said that she appreciated Director Cordova's comments about the aesthetics of the sign and that she understood there were specific requirements for the signs. She said she didn't think the signs would create a "battle zone" effect; rather, it made her feel safer. She asked if there were any

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special requirements for foot patrol. IGM/COP Hart responded in the negative, but officers on foot would not be able to respond to calls for service or for traffic enforcement as quickly as they could if they were in their patrol cars. She said that, at the coffee with the detective, concerns had been expressed that, if individuals make comments about traffic issues on the website, there's no acknowledgment of receipt. IGM/COP Hart responded that he was aware of this issue and was working to fix it. She said she preferred the term "maximum compliance" and asked about it in relation to grants; specifically, she asked if grants would enable the District to purchase more digital speed signs. IGM/COP Hart responded that both terms would probably work and that he would look into whether the term "compliance" would limit the District's ability to qualify for grants. He added that he preferred the word "enforcement," as the word "compliance" seemed "softer" to him.

Director Toombs suggested that, because this was the first reading of this matter, IGM/COP Hart should bring back a more refined version for the next meeting. IGM/COP Hart said he had heard the various comments and would work to address them.

Andrew Gutierrez asked if the County could contribute to the cost of the signs, since the roads belong to the them. He also suggested that the signs be solar. IGM/COP Hart responded that it would be hard to get money out of the County

Director Toombs asked if the District needed to get County permission to install the signs. IGM/COP Hart responded that the County didn't have a problem with this, but he would be working with them.

Vice President Sherris-Watt suggested, and Board consensus was, that the Board direct IGM/COP Hart to purchase the two digital signs and six poles from Lake Traffic Solutions for the amount of \$7,000, as had been approved per the budget.

- 8a. The Board reviewed and considered approving revisions to Board Policy 5010.10, changing the start time of all regular meetings of the Board of Directors from 7:30 P.M. to the new start time of 6:00 P.M. First reading.

Director Gillette suggested that, because of recent objections to going past 10:00 P.M., the meetings begin at 6:00 P.M. instead of 7:30 P.M. so the District's business could be taken care of. She said there had just been a good, lengthy discussion, and she didn't want to have to limit discussion because of meetings being brought to an early close. She clarified this would mean that Closed Sessions would begin at 5:00 P.M.

Vice President Sherris-Watt said that she didn't object to a 6:00 P.M. start time but that a 5:00 P.M. start time might mean that those who weren't retired or who didn't have a flexible schedule might not be able to attend or have dinner prior to the meetings. She said a meeting lasting longer than five hours would likely result in tempers flaring. Director Gillette responded that Kensington was not the only community whose meetings went past 10:00 P.M. She said the District had had only one meeting that had gone until 1:00 A.M. She said that, given the amount of participation the District had, which, she said, was great, the Board needed to find a solution. She added that, if two of the Directors were going to continue to vote not to go past 10:00 P.M., regardless of anything that's on the agenda that needs to be taken care of, the Board needed to find a solution. She said the Board was elected to serve and to get the public's business done. She said the artificial limit of 10:00 P.M. was ridiculous. She said there might be another solution – removing the 10:00 P.M. limit from the existing policy.

Vice President Sherris-Watt referred to a letter she had written, which had been included in the Board Packet on pages 72 through 74. She said that Albany's and El Cerrito's meetings ended at 10:00 P.M. and 10:30 P.M., respectively. She said that Piedmont didn't have a set ending time but the average length of its meetings was just over two hours. She said Richmond and Berkeley had longer meetings, but they have larger populations. She said she would prefer to have a second meeting per month, as needed, or the occasional Special Meeting. But, she said she appreciated the idea of starting earlier in order to get business done.

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Director Gillette responded that there would be a greater burden placed on people to attend two meetings per month, especially for those with families and other obligations. She said that the start and stop information about other meetings wasn't relevant because, among other things, it was unknown for how long public comments were allowed, what kinds of limitations there were for public comments, or with what kinds of issues the other agencies were dealing.

Director Cordova said the reason El Cerrito ends its meetings at 10:30 P.M. was that they feel that decorum on the dais is attenuated by late meetings and that judgment and conduct "go south." She noted that Kensington was no exception. She said that the Fire Board President was at the podium and that his Board's meetings were a pleasure to attend. She asked him how that Board does this. Larry Nagel responded that he wanted to suggest another option: to continue a meeting. He said that would mean that, at 10:00 P.M., the Board could vote to continue its meeting until some time the next day. He said no additional notice would be required other than putting up a piece of paper on the door saying the meeting would be continued at a specific time.

Linda Lipscomb said there wasn't much law on the subject. However, she said it had been cited in the Schwartzburd et al vs. KPPCSD case, in which the 10:00 P.M. meeting cutoff time had been at issue. She said that, in that opinion, which held that there was "no there there," a case had been cited: the Holbrook case. She explained that the Holbrook case involved two city council members who had brought a lawsuit to force council meetings to close by 11:00 P.M. She said the case focused largely on "standing," but there had been lengthy discussions about the Brown Act requirements of public access. She quoted from the Holbrook opinion:

"The very remedy the councilmen seek, the limit on the opportunity of members of the public to address the city council runs counter to the Brown Act's mandate of providing an opportunity for the public to directly address legislative bodies on matters of interest to the public that are within the body's subject matter jurisdiction, before or during the body's consideration of that matter. The councilmembers' demand that the city council be commanded to adjourn and complete their meetings prior to 11:00 P.M. and enjoin from holding any meeting which stays in session beyond 11:00 P.M. We (the Court of Appeals) are unable to reconcile these demands with the councilmembers' assertion that their claims do not in any way curfew city or councilmembers' speech or petition. How may the city freely exercise its first amendment rights, or anything else after 11:00 P.M. under this claim, while at the same time it is compelled to conclude all meetings by 11:00 P.M.?"

Ms. Lipscomb said the Court of Appeals denied the councilmembers' request. She said this had arisen because there was one Director who had pledged never to vote for an extension of a meeting. She explained that, under the District's current policy, a super-majority of four Directors was needed to continue a meeting past 10:00 P.M. She said there had been a situation in which the public discussion had been cut off so the discussion could be continued afterward with a private taxpayer about subject matter that had been on that meeting's agenda. She clarified that this had been an admission by a member sitting on the Board. She said that, based on the research she had done, it seemed clear that it was a violation of the Brown Act to cut off the public discussion.

Celia Concus said it would be prudent to have more than one meeting per month because it was clear it wasn't getting done by 10:00 P.M. She added that she didn't want people not to participate because of an early start time. She said it was important for people who run for the Board to be able to get home from work and have time for dinner.

President Welsh said he wanted to be clear: The Board was already meeting more than once per month – closed session meetings, special meetings, and subcommittee meetings.

Mabry Benson said that the Policy and Procedures Manual specifies 10:00 P.M. because that's a reasonable hour for many of the community's senior citizens. She added that this time was important enough that it calls for a 4/5th vote to extend a meeting. She said that starting at 6:00 P.M. would be too

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early but that 6:45 P.M. or 7:00 P.M. would give the Board a little more time in which to discuss its business.

Rick Artis said that, as a member of the Ad Hoc Committee, he had supported going as late into the night as needed to get the job done and that not doing so had caused the Committee's work to be extended. But, he said, the Committee had still managed to get its work done. On the other hand, he said a previous Board meeting had stopped at 10:00 P.M. and that, because of this, the Board had failed to accomplish its most important function: passing a budget. He said he found that appalling. He said he would have a much easier time with one meeting per month and staying until it was done. He said he would rather that the commitment be on the part of the Board to get the job done. He said he understood it could be difficult for some people who, like himself, needed to get up early the next day to go to work. He said it would be harder for him to find a second, random, day in the month to come to another meeting than it would be for him to make arrangements for a single day to come early or stay late. He said he hoped the recalcitrance, in the face of the Board having a lot of work to do, wouldn't persist.

Director Cordova said that, when the Board had been voting on the MOU, there had been a Board member who had wanted to cut off public comment to catch a flight. She said she was not going to be admonished for exercising vote she was authorized to exercise as a Board member. She said that, when meetings ended at 10:00 P.M., they were much more collegial. She said that, at 9:30 P.M., it started to unravel and that she didn't want to be subjected to that kind of hostility. She said there were too many distractions. She said that this evening had been productive and that the traffic discussion had been excellent. She said this was a matter of agenda management, Board meeting management, and ensuring that public comments moved along. She said she didn't fault anyone for having to go to work or on vacation, but she wouldn't stay until 1:00 in the morning and be berated by another Board member or members of the public when she was trying to do her job. President Welsh responded that he didn't think she had ever been berated. Director Cordova responded that this was "right on cue." President Welsh let Director Cordova know that he had been considering putting some of her emails into a Board Packet so that the public would know what he had been talking about. Director Cordova responded that this was exactly what she had been talking about.

Anthony Knight said he thought Larry Nagel's suggestion was very reasonable. He said he had noted that the District's legal counsel had nodded when Mr. Nagel had made the suggestion, indicating that this would be legal. He asked how the Board felt about this. President Welsh responded that the problem he had with this was notice to the public – when people came to meetings thinking an agenda item would be discussed, then didn't get discussed, and was then put off until the next day – then, members of the public might not be able to attend the following day. Mr. Knight said that he had been waiting for an agenda item, in which he was interested, for three meetings, and he kept coming back. Mr. Knight asked how many votes it would take to change the meeting start time. Director Gillette responded that it would take three votes. Director Gillette said that another drawback to continuing meetings to the next day was that some arranged, in advance, things for the day after Board meetings that would prevent them from being able to attend. She added that all the Directors worked hard to find a time when they could meet. Vice President Sherris-Watt responded that the Board could schedule meetings for the second and fourth Thursday of each month and then cancel the fourth Thursday meeting if it weren't needed.

Paul Dorroh said that, by custom, the Board had about 12 more minutes before it would have to take a vote on whether to continue the meeting past 10:00 P.M. He added that, assuming the meeting would not be extended, it seemed clear that the Board would not be able to address everything on the agenda. As such, he said he wanted to urge the Board to identify which agenda items it would discuss and then get on with the meeting.

President Welsh said this had been the first reading of this proposal and that the Board would proceed. He noted that, because it was unlikely that the Board would go beyond 10:00 P.M., he recommended going to Item 8b. Director Cordova suggested taking Item 8c first. Director Gillette responded that she didn't think there would be enough time to discuss it. Vice President Sherris-Watt said it would be okay with her to wait on Item 8c.

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President Welsh said there had been a suggestion made at a prior meeting that the Board should move public comments to the end of the meeting. He noted that the Policy and Procedure Manual seemed to be silent, with respect to when public comment was taken, but it did say that comments were to be limited to five minutes per person, with an overall limit of 20 minutes per agenda item. He said he thought it would be good to limit initial public comment to 20 minutes at the beginning of the meeting and then, if people still wanted to comment on matters not on the agenda, the rest could be made at the end of the meeting, after all the business has been completed. He said he wanted to give priority to public comments related to items on the agenda.

Director Gillette said that people come to meetings expecting that the agenda items will be discussed and that it was critical that the Board focus on those things noticed on the agenda. She said she agreed with the idea of putting public comments that are general in nature at the end of the meeting. She said she also agreed with allowing for 20 minutes for public comments at the beginning of the meeting and enforcing that time limit.

Director Toombs said he and Vice President Sherris-Watt were trying to locate sample language in the Board Packet so they would know what the proposal would look like. He said that, without sample language, there couldn't be a first reading. He said he liked the idea of rearranging the agenda so the Board could address the crucial issues.

President Welsh said he wasn't proposing a change in the Policy and Procedure Manual, which would require a first reading. Rather, he said, he wanted to have a discussion of the issue at this meeting to see if the Board would adopt the practice. He said he wanted to give advance notice to the public that the Board was thinking about this and to get input from the Directors and the public.

Randy Riddle said that the Policy and Procedures Manual says that the agenda is set by the Board President in conjunction with the General Manager. He said that if the practice of taking public comments were to change, after having been done a certain way for a long time, it made sense to discuss it. He clarified that there was no legal requirement to have two readings. He added that there could be an issue if it were 9:50 P.M. and, under the Brown Act, members of the public were to be able to comment. He said, therefore, the Board might want to say that remaining public comments would be taken at 9:30 P.M.

Director Toombs said that the Board couldn't close down a meeting at 10:00 P.M. if, at 10:00 P.M., public comments were still ongoing. He said this would be a violation of the Brown Act. Mr. Riddle confirmed this. Mr. Riddle added that he thought 20 minutes at the beginning of the meeting plus 30 minutes at the end of the meeting should be sufficient time for public comments. He noted that, if a person were still commenting at 10:00 P.M., the Board would need to accommodate that speaker. Director Toombs responded that the Board has had public comments go on for two hours and that, under those circumstances, the agenda was compressed to zero. He said he was supportive of public comments but asked how it could be managed. Mr. Riddle responded that, for most places, the approach is that, if there are 30 speakers, the organization will reduce the amount of time to two minutes or one minute per speaker. He said there were lots of options to resolve the issue. President Welsh noted that a change, such as this, would require two readings.

Celia Concus said the Board needed to have discretion over how many people over how long a period of time it would allow people to speak. She said that, if the Board had 150 people wanting to speak, all of them enraged over what's happened, it would be a time to put aside what the Board had on the agenda. She said that people who come to attend meetings are trying to express their opinion and to have an opportunity to influence how the Board operates. Director Toombs responded that he appreciated Ms. Concus' comment but that the Board then has an artificial cutoff at 10:00 P.M. and the "meat" of the agenda doesn't get addressed. He and President Welsh said they agreed that the Board needed to have discretion. Ms. Concus said she didn't like the idea of putting off to the end those speakers who didn't get to make their comments at the beginning of the meeting.

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Director Cordova said there was a lot of discussion about the Board having a lot of business to take care of. She said that part of how she does her job is to sit a listen to what people have to say. She said that, if attendance dropped off as time progressed, she would be looking at an empty room at 11:30 P.M. She said she thought two meetings per month would provide more opportunity for people to participate and for a Director, like herself, to make better-informed decisions. She said she needed feedback. She also said she wouldn't mind starting meetings at 7:00 P.M.

Anthony Knight said that having a split public comment period would result in acrimony: Those unable to speak during the first 20 minute period would be angry and wouldn't want to have to wait until the end of the meeting.

At 9:45 President Welsh noted it was time for the motion to extend the meeting.

**MOTION: Director Gillette moved, and President Welsh moved to extend the meeting until the proposal and all the other items on the agenda have been addressed.
Motion failed: 3 – 2.**

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

Note: Continuing the meeting past 10:00 P.M. required a four-fifths vote at 9:45 P.M.

Director Toombs resumed comments on the public comments agenda item. He noted that there were two things that were essential to managing the meetings. He said it would be very hard for anybody to commit the time that would be needed to come to two meetings per month. He said the Board had done so the prior few months because it had had no choice. But, he said that the Board did have a choice over how it managed its time, communications, and agenda and that he had been working hard to be efficient with those in order to get the business done. He noted that at this night's meeting the Board would not get to the Request for Proposal (RFP), which, he said, was the most crucial thing he had come to take care of. He said this wasn't going to happen. He said the Board needed to be cognizant of what its obligations were. He said that Director Cordova had commented on people leaving meetings at 9:00 P.M. and that this suggested that the meetings should begin at 6:00 P.M., which he said he supported. He said that the Board needed to get the District's business done and that there couldn't be artificial limits on when that business was done or the business wouldn't get done. He added that it was hard to stay late: It was even harder not to take care of the District's business.

Director Gillette said she wanted to build on Director Toombs comments. She said that, because the meeting would end at 10:00 P.M. and the Board wouldn't get to the RFP, work on the Community Center would be delayed yet again. She noted that this was a building in which children were playing and that the Board knew there were issues regarding the Building's safety. She said it was astounding that people were willing to let this continue – month after month after month.

Director Cordova said that she had asked to arrange the order to finish up business with the action items that were on the agenda. She said the President had disagreed with her. Director Gillette noted that Vice President Sherris-Watt had, too.

Vice President Sherris-Watt suggested moving on. She said that she was the Committee Chair of this and that, for months after Measure L, nothing had been done on the building until she had taken it over last March. Director Cordova said there had been more progress with Vice President Sherris-Watt manning parks projects than had ever been done in the community. Director Toombs responded by saying that this had been a real "dig" at him and that he found it insulting. He said that, for two years, people had worked diligently to pass Measure L so the community would have a decent building. He said that, if the measure had been passed, they'd be in a different building right now. He said that for someone to say that this work was now discounted – he and his committee had worked diligently for the better part of three years. He asked not to be given this kind of insult and said he resented it. Director Cordova responded by saying she hadn't meant to insult him; she had no idea who had been in charge of the parks.

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President Welsh asked if the Board could make any progress on this item.

Vice President Sherris-Watt reported that the draft RFP was in the Board Packet and that it had been approved by the Park Buildings Committee and vetted by Randy Riddle. She said the RFP was seeking proposals for completion of architectural drawings and construction documents for the improvement of the Kensington Community Center. She said it was hoped that the District would begin sending out the RFP to interested parties the following day and that the closing date would be Wednesday, August 31, 2016. She said that all proposals would be sent to IGM/COP Hart, that the requirements and the scope of the project were listed on page 2, and that anyone interested in touring the facility should contact her. She noted that the proposals would come before the Board and needed to adhere to all provisions listed on page 4.

Director Cordova asked for confirmation that this had been approved by counsel. Vice President Sherris-Watt responded in the affirmative. She added that it had been amended and approved by the members of the Park Buildings Committee.

Director Gillette said she had some questions. She asked what the project total of \$1 million or less meant. Vice President Sherris-Watt responded that this would be for everything listed. Director Gillette asked how Vice President Sherris-Watt had come to this conclusion, when the previous committee had said that just to do very little would cost \$750,000. She said she was asking about this because it had come up at the KCC meeting. Vice President Sherris-Watt responded that it was because the Committee would be doing modifications based on the seismic analysis, the ADA report, with three alternate considerations. But, she said, the Committee was hoping that the costs had been projected at around \$650,000 with the additional idea that there would be about 35% in soft costs added to that amount. She added that under \$1 million was the budget the Committee thought... Director Gillette interjected by asking on what this amount had been based. Vice President Sherris-Watt responded that it had been based on the \$207,000 that the KPPCSD had set aside, plus the \$158,000 WW Grant funds. Director Gillette asked if the number had been reached by working backwards or if it was the anticipated cost of the project. Vice President Sherris-Watt responded that the Committee had started with the essential things that had to be done to make the building safe and to continue with usage. She said that, in addition to the ADA and seismic issues, the Committee was working with Environmental Health in Contra Costa County to figure out what modifications could be made to the kitchen. She said the Committee wanted to let the architects know that \$1 million was the limit. She said the goal of the Committee was not to go before the community with a bond; the Committee was hoping to fund everything based on the funds the District already had. Director Gillette said something that had been discussed by the KCC had been that to make the kitchen into a commercial one would cost hundreds of thousands of dollars, based on the work that had done by the prior park committee. She asked if Vice President Sherris-Watt had looked at the previous estimates and then made a reasonable, not a wishful, decision that the work could be done for \$1 million. Vice President Sherris-Watt responded, both yes and no. She said that, with the additional documents, the Committee wants the architects to examine the Muller Caulfield report. She added that the notion that the kitchen had to be turned into a commercial one wasn't necessarily true, that she was having conversations with Amy Leach at Contra Costa Environmental Health, and that it was hoped she would come to tour the facility. She said the Committee was not going for a full commercial kitchen, noting there probably wasn't sufficient space for one and there wasn't a need for one. She said this was how the Committee had come to the \$1 million amount. She said that, until there was information from an architectural firm, the Committee wouldn't have all the answers. She said she didn't want anyone coming into the project thinking this would be a \$3 million deal. Director Gillette asked for confirmation that the Committee had worked backwards to establish the limit and that the Committee would see what the architects would propose within the \$1 million limit. Vice President Sherris-Watt responded in the affirmative.

Director Toombs asked if Vice President Sherris-Watt had explained to the Board what the recommendations of the Committee were so the Board could weigh in on them. Vice President Sherris-Watt responded that the ADA report and the seismic analysis had been presented to the Board. Director Toombs asked specifically about the western wall. Vice President Sherris-Watt responded that the

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issues with the western wall were intrinsic to the seismic upgrades. She added that the Committee was looking for beautification and strengthening of the building and noted that Bart Jones, the architect for the building's 1989 addition, had sketched some drawings. She said that it was hoped that whichever architect was chosen would come with his/her own fresh perspective. Vice President Sherris-Watt said the seismic analysis, the ADA report, and the Muller Caulfield report would be in the drop-box.

Director Toombs asked how the RFP would be distributed. Vice President Sherris-Watt responded that the Committee had identified about a dozen firms that the Committee was interested in approaching. She said it also would be on the District's website, along with any other recommended social media. She said that the Committee hoped for three or four participants and that that the RFP called for the architect(s) to come to meetings and make presentations.

Director Gillette said that more specification was needed and that, because of this, she wasn't prepared to vote on the item. She said she wanted more information about the architects to whom the documents would be sent and about the scope of services and how they had been derived. Vice President Sherris-Watt responded that the Committee looked at standardized writing for RFPs; that a member of the Park Buildings Committee was a commercial architect, who had reviewed the documents; Committee member Jim Watt had sent the documents to firms that reviewed the scope and gave suggestions. Director Cordova noted that legal counsel had also reviewed the documents.

IGM/COP Hart noted that it was 10:00 P.M., that he had mentioned having a Special Meeting, and that, perhaps, completing the discussion of this item could be on that meeting's agenda.

IGM/COP Hart thanked Randy Riddle for his assistance, thanked David Spath for manning the camera for the meeting, and announced the deadline for applications to run for the KPPCSD Board.

Director Gillette also thanked Mr. Riddle and said he had done a really good job and had given very good advice. President Welsh echoed these sentiments.

**MOTION: President Welsh moved, and Director Toombs seconded, to adjourn the meeting.
Motion passed 5 – 0.**

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

The meeting was adjourned at 10:01 P.M.

Len Welsh
KPPCSD Board President

Lynn Wolter
District Administrator

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Meeting Minutes for 7/18/16

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Monday, July 18, 2016, at 5:00 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Special Meeting of the Board of Directors, in Open Session, followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Rachelle Sherris-Watt, Vice President	Simon Brafman
Chuck Toombs, Director	Karl Kruger
Patricia Gillette, Director	
Vanessa Cordova, Director	
<u>Staff Members</u>	
Interim GM/COP Kevin Hart	
Lynn Wolter, District Administrator	
<u>Press</u>	

Vice President Sherris-Watt called the meeting to order at 5:03 P.M. Vice President Sherris-Watt, Director Toombs, Director Gillette, Director Cordova, Interim GM/COP Hart, and District Administrator Wolter were present. President Welsh was absent.

PUBLIC COMMENTS

There were no public comments regarding the Closed Session agenda items.

The Board entered into Closed Session at 5:04 P.M.

CLOSED SESSION

1. Public Employment: Title: (General Counsel) – Pursuant to Government Code Section 54957.
2. Public employee discipline/dismissal/release.
3. Conference with Labor Negotiator – Pursuant to Government Code Section 54957.6:
Agency designated representative: Interim General Manager/Chief of Police Kevin Hart.
Employee organization: Kensington Police Officers Association.

These are draft minutes. Once approved by the Board, the minutes will be posted on the District website, under the dropdown menu "Approved Minutes."

The Board returned to Open Session at 6:11 P.M.

Roll call: Vice President Sherris-Watt, Director Cordova, Director Gillette, and Director Toombs were present. President Welsh was absent.

Vice President Sherris-Watt announced that the Board had taken no reportable action.

PUBLIC COMMENTS

Simon Brafman said that he wanted talk about the Board's prior meeting. He said there had been insignificant bickering among the Board members, the Board's job was to take care of the community's business, and the Board should focus on the welfare of the community.

Karl Kruger said that Mr. Brafman wasn't in the minority.

CONSENT CALENDAR

Vice President Sherris-Watt asked if anyone wanted to pull items for consideration.

Karl Kruger said that he wanted Item e pulled.

Director Toombs asked for Item h to be pulled.

Director Gillette asked to pull Item i.

Vice President Sherris-Watt asked to pull Items a, b, f, and j.

Vice President Sherris-Watt said that, with respect to the June 9, 2016 Minutes' page 5, "an" should read as "and," and there should be no comma. She clarified that that part of the sentence should read "former firefighter and East Bay Parks executive." She also asked for clarification to be added to the sentence beginning "She said the committee..." because this was a second committee. She asked that the words "Fire Board's Ad Hoc" be inserted between the words "the" and "committee".

With respect to page 14 of the June 9, 2016 Minutes, she said she didn't have a correction, but she did want to make a statement of clarification about some of her comments in the June Draft minutes regarding a meeting with Gail Feldman that took place in May. She read:

"First, this meeting, which occurred after a KPPCSD Board meeting, was an impromptu gathering and unplanned before 10:15 P.M. that evening. Secondly, I stated incorrectly – but it was correctly noted by Ms. Wolter – that we were discussing the yearly budget. This was an extrapolation of the question presented to me and extended to a generality. Ms. Feldman, acting as a private citizen and not within her role as President of the KPOA, had wanted to discuss the District's legal representation. I must apologize to Ms. Feldman that in my haste, I revealed details of a personal nature that were not mine to share, and I regret the error. I am deeply grateful for the work that Ms. Feldman does for the community and the many hats she wears – Ad Hoc Committee member and KPOA President to name a few."

Vice President Sherris-Watt said she was not asking anything to be changed in the minutes, with respect to this part of them. She just wanted to make a clarification.

Director Gillette said that, with respect page 14 of the June 9th Draft Minutes, she had spoken loudly and had not shouted, as had been stated by Vice President Sherris-Watt. Vice President Sherris-Watt concurred that "spoken loudly" was more accurate.

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With respect to last paragraph of page 6 of the June 22, 2016 Draft Minutes, Vice President Sherris-Watt said she should have said "information" instead of the word "conversation." She said this was a clarification and not a correction.

Director Toombs said that, with respect to the June 22nd Draft Minutes, the motion regarding Lamorena Chang referred to a one-year contract. He said that the conversation that had preceded the motion had been about a three-year contract. He asked what the Board had actually voted to do. District Administrator Wolter responded that this had been what the Board had said in its motion. Director Toombs said that, as long as the contract that was signed was for a one-year contract instead of three, this didn't matter. IGM/COP Hart said the discussion had been about a one-year engagement and said that he wanted to see how Lamorena Chang performed and then, once the first year's engagement was completed, he would bring the item back to the Board. Director Toombs said he wanted to be sure the written contract was for one year instead of three. IGM/COP Hart said he would clarify this with Mr. Chang and then provide an update. Director Cordova asked if this was within IGM/COP Hart's signing threshold. He responded in the negative, noting the contract amount was \$14,000.

With respect to Item e, the Unaudited Profit and Loss Budget Performance Report for June, Director Toombs said that, for Account 672 Park O&M, there was a big discrepancy between what had been budgeted and spent. IGM/COP Hart responded that there would be between \$10,000 and \$15,000 of tree pruning and the purchase of equipment that would be expensed to June. It was noted that Deborah Russell, CPA, hadn't yet reconciled these expenditures.

Vice President Sherris-Watt asked, with respect to Account 411 Kensington Hilltop Reimbursements, why the amount was greater than the budgeted amount. She said former GM/COP Harman had said he couldn't imagine this amount exceeding \$25,000 per year though the amount allotted by the School District was \$50,000. She said that, if the amount was going to remain above this threshold, perhaps the community should have a discussion about it. IGM/COP Hart responded that this amount was so high because of a dog incident that had occurred on School District property. He explained that this had been a time-consuming incident to which Kensington officers had had to respond and that they had had to investigate. District Administrator Wolter noted that the contract with the School District allowed for such exceptions on an hourly rate basis.

Karl Kruger said that he had some general comments on the annual budget. He said the District had been very lucky because revenues had been better than had been anticipated. He said that the budget had also been very conservative, with respect to property tax revenues and that revenues had been greater in other categories as well. He noted that some expenses had come in under budget. He said this had resulted in a nice positive for the year. He said, however, that legal fees were a problem and were embarrassing. He said that another \$150,000 could have been added to the building and to other things had so much not been spent on legal fees. He added that he didn't see why these fees couldn't be reduced. He said he didn't have a problem with the overtime costs, which had exceeded the amount budgeted, because this was what had been needed to take care of business. He said he saw no reason for the non-sworn staff's salaries to have exceeded \$100,000, even though extra things had been done during the year. He reiterated that, instead of spending so much on legal fees, he would rather have a safe Community Center.

With respect to non-sworn staff's salaries having exceeded the amount budgeted by about \$20,000 Director Toombs pointed out that there had been overtime related to all the meetings the District had had. Mr. Kruger responded that he knew this had been a very difficult year and that the Board had held many meetings because of the many issues.

With respect to Item f, Park Revenue & Expense Report, Vice President Sherris-Watt said that the Community Center's revenue was about \$7,500 lower than had been budgeted. She noted that there should be two entries per year for KCC's rental fees but that only one had been reported. IGM/COP Hart responded that KCC had paid the rent, along with a 3.1% CPI increase, and that this would be an adjusted entry.

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Director Toombs said he had pulled Item h because he had wanted to note something that had appeared on the Watch Commander's Report. He said that a significant event had been discussed, in which Sergeant Hull had conducted a traffic stop on someone who had been speeding on Beloit Avenue. He noted this individual had had a \$153,000 non-releasable warrant for DUI with injuries out of the Richmond Superior Court. He said Sergeant Hull had taken a bad person off the street for the community, and this was terrific. He concluded by thanking Sergeant Hull for a good job. Director Cordova noted that this was the second time in the year that Sergeant Hull had done this.

Director Gillette said she had a question about Vice President Sherris-Watt's expense report included in Item i. She said she didn't understand the report because there were some confusing things in it. She said the total requested amount had been \$236.74 but then a corrected amount of \$272.74 had been entered. Vice President Sherris-Watt responded that she had made a math error. Director Gillette asked about the parking documents that had been included, noting that they didn't add up. Vice President Sherris-Watt responded that, on the first day, the 17th, she had driven in and the attendant had given her a slip, but it had not included the amount paid. She said the amount charged had been \$14.00. She said that, on the 18th, she and Director Cordova had carpooled. She said they had used cash on hand; she had paid \$11.00, and Director Cordova had paid \$9.00, with the total being \$20.00. She said she wasn't requesting \$20.00 because she had paid only \$11.00. Director Gillette then asked about the dinner and breakfast reimbursement request. She noted that everything that would have shown what had been purchased had been whited out on the receipts, and she noted that the numbers didn't add up. Director Gillette asked if Vice President Sherris-Watt was charging the District \$45.00 for the Pushkin Bakery. Vice President Sherris-Watt responded that she was charging the District \$36.00. Director Gillette asked why the detail of what had been purchased had been whited out. Vice President Sherris-Watt responded that what kind of sandwich she ordered – the shop had been unable to provide her with a redacted receipt. She said this is a bakery, and there were no purchases made, such as alcohol, which the District wouldn't reimburse. Director Gillette noted that, on the previous page of the reimbursement request, the detail of what had been purchased had been provided; it had not been whited out. She asked why the bakery purchase was confidential. Director Gillette said the District should have a practice or presenting complete receipts: It shouldn't be a secret what anyone had for lunch or dinner when the District was paying. She said this was important for demonstrating that the District was reimbursing for the right amount of money – this was \$272 for two days. She noted that the citizens of Kensington should know what was being purchased. Director Gillette reiterated that the numbers didn't add up. She wondered how Vice President Sherris-Watt had come to \$12.00 and \$36.00 out of \$45 and \$10.00. Vice President Sherris-Watt responded that it was dinner and breakfast, both, at Pushkin's Bakery because she had purchased food for the next day. Director Gillette responded that, in the future one should be providing complete receipts, and she noted that this is what she had to do at her firm. IGM/COP Hart noted that the numbers had added up. Director Gillette said that providing the detail should be the practice, going forward, and she apologized for having used Vice President Sherris-Watt as an example and thanked her for her clarification. Vice President Sherris-Watt noted that the bulk of the expense had been for mileage to Sacramento and that it had been a worthwhile trip, during which she had learned about important legislation that related to work being done by the Park Building Committee.

With respect to Item j, Vice President Sherris-Watt said she wanted to make a clarification about a letter she had submitted regarding meeting ending times. She noted that, in her letter, she had referred to Albany and El Cerrito, respectively, but the attached documents had been reversed in the packet.

MOTION: Director Toombs moved, and Director Gillette seconded, that the Consent Calendar be approved, with amendments to the minutes, as noted.

Motion passed: 4 – 0.

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

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IGM/COP Hart announced that Item 7a had been postponed and would appear on a future agenda. Director Cordova asked what the subject matter was. Director Toombs responded that it was the KPOA grievance about the firearms policy. Director Cordova responded that she had asked because she didn't have her packet.

OLD BUSINESS

6. Update from Ad Hoc Committee on Governance.

David Spath reported that there had been two subcommittee meetings, following the forum. One had been on the bifurcation of the GM/COP position, a meeting for which there had been a small attendance. He said there had been good questions, and the audio recording was up on the web page. He said that, on Saturday, the subcommittee researching contracting for police services had met and that this meeting had been well attended – about 25 people. He said that it had been a good discussion and that Vice President Sherris-Watt and Director Toombs had been among the attendees. He said the last subcommittee meeting about District consolidation would be held on the upcoming Thursday. He said that the LAFCO executive, Lou Ann Teixeira, would be attending, and he encouraged everyone to attend. He noted that the LAFCO executive would describe the various consolidation options. He said he had handed out to the Directors a copy of the "Proposed Time Schedule for Completion of Ad Hoc Committee Report." (A copy of this is included in the August 11, 2016 Board Packet, under correspondence.) Dr. Spath added that he had gotten all the Directors to agree to an October 1st town hall meeting to present the final fact-finding report. He added that it was planned that, at this meeting, the Board would adopt a final report. He said the meeting would begin at 10:00 A.M. and end at noon. Director Cordova said she would be returning from a trip to another continent and would do her best to attend.

Dr. Spath said the Committee had already selected an editor who had been recommended by Garen Corbett. He said that the editor would send a proposed contract to IGM/COP Hart for completion, and that he hoped she would be on board by August 1st. He said that the Committee hoped to have the first draft by July 29th and that it would begin to discuss it on August 4th. He said that, then, the Committee would engage the editor for formatting improvements and other matters and, subsequent to this, the Committee would produce a draft report that would go to a Special Meeting on September 15th, for public comment. He said that the Committee would incorporate any appropriate edits and then, on October 1st, present a final report to the Board and answer any questions.

Director Cordova asked if, at the August 4th meeting, the Committee would be publishing the drafts to be discussed as part of the Committee's agenda packet. Dr. Spath responded that this would be a good idea, as long as the expectation was that there would not be copies for attendees – this would be difficult, given the size of the document. He added that it would be good for as many people as possible to see the documents and that people offering possible edits could send them to him.

Vice President Sherris-Watt thanked Dr. Spath.

6b. The Board reviewed and considered approving a Request for Proposal (RFP) seeking proposals for the completion of architectural drawings and construction documents for improvements to the Kensington Community Center.

Vice President Sherris-Watt reported that this item had been introduced at the Board's prior meeting but that there had not been time then for public comments. She said that the Request for Proposal, which had been written and adopted by the Park Buildings Committee, was at the end of the Board Packet. She said that the District was seeking proposals for the completion of architectural drawings and construction documents for improvements to the Community Center, as described in the scope of work. She said that, as soon as the proposal was adopted, it would be sent out. She said that, at the prior Board meeting, Director Gillette had asked who would be approached. Vice President Sherris-Watt said the

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District would specifically approach certain firms: Mikiten Architects, Arkin Tilt Architects, Noll and Tam, Studio Bondy Architecture, Siegel and Strain Architects, The Preview Group, and Biggs Cardosa.

Director Toombs said the document was fairly exhaustive, and the Committee had done a terrific job. He asked for confirmation that legal counsel had reviewed the document. Vice President Sherris-Watt responded in the affirmative – Randy Riddle had reviewed it and, she said, she hoped he would continue with this as a special project until the District had other counsel. Director Toombs said he hoped the Board would pass the proposal that night because the District was on a tight schedule.

Director Cordova asked if IGM/COP Hart if the Facebook page was for the police department or the District. He responded that it was for the police department.

Vice President Sherris-Watt said that the document would go up on the District's website and on any appropriate social media.

Director Cordova said that she wanted to ensure there was a robust list of architectural firms from which to choose and that there would be a list of firms that would love a project like this.

IGM/COP Hart confirmed that the proposal would be "pushed out" on the District's website and possibly others.

Director Gillette asked if there were Kensington architects on the list. Vice President Sherris-Watt responded in the affirmative.

Director Cordova noted that the College of Environmental Design has a posting service – many of the professors are practicing architects. She said this might be a nice lab project.

Director Toombs said there would need to be a "wet" blue stamp on the plans.

Vice President Sherris-Watt said that Bart Jones had completed some wonderful drawings, but the Committee had decided not to attach them because it was hoping people would come with a fresh perspective and new ideas. She also noted that the ADA study, seismic analysis, and Muller Caulfield documents would be posted with the RFP. She added that copies of all the documents would be available at the Library.

**MOTION: Director Cordova moved, and Director Gillette seconded, that the Board approve the Request for Proposal for the completion of architectural drawings and construction documents for improvements to the Kensington Community Center as they were presented this evening.
Motion passed: 4 – 0.**

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

MOTION: Director Toombs moved, and Director Gillette seconded, that the meeting be adjourned.

Motion passed: 4 – 0.

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

The meeting was adjourned at 7:04 P.M.

Len Welsh
KPPCSD Board President

Lynn Wolter
District Administrator

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Unaudited Profit & Loss Budget Performance

July 2016

Ordinary Income/Expense	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
Income					
400 · Police Activities Revenue					
401 · Levy Tax	0.00	1,653,000.00	0.00	1,653,000.00	1,653,000.00
402 · Special Tax-Police	0.00	0.00	0.00	0.00	680,000.00
403 · Misc Tax-Police	0.00	0.00	0.00	0.00	0.00
404 · Measure G Supplemental Tax Rev	0.00	0.00	0.00	0.00	529,601.28
409 · Asset seizure forfeit/WEST NET	0.00	0.00	0.00	0.00	0.00
410 · Police Fees/Service Charges	850.00	125.00	850.00	125.00	1,500.00
411 · Kensington Hilltop Srvc Reimb	0.00	0.00	0.00	0.00	19,467.00
412 · Special Assignment Revenue	0.00	0.00	0.00	0.00	0.00
413 · West County Crossing Guard Reim	0.00	0.00	0.00	0.00	11,151.00
414 · POST Reimbursement	0.00	0.00	0.00	0.00	0.00
415 · Grants-Police	0.00	0.00	0.00	0.00	0.00
416 · Interest-Police	0.00	0.00	0.00	0.00	1,500.00
418 · Misc Police Income	607.20	1,083.33	607.20	1,083.33	13,000.00
419 · Supplemental W/C Reimb (4850)	0.00	0.00	0.00	0.00	0.00
Total 400 · Police Activities Revenue	1,457.20	1,654,208.33	1,457.20	1,654,208.33	2,909,219.28
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00	0.00	0.00	0.00	35,000.00
427 · Community Center Revenue	10,554.25	2,200.00	10,554.25	2,200.00	33,000.00
437 · Contributions for Sound System	0.00	0.00	0.00	0.00	8,000.00
438 · Misc Park/Rec Rev	0.00	0.00	0.00	0.00	200.00
Total 420 · Park/Rec Activities Revenue	10,554.25	2,200.00	10,554.25	2,200.00	76,200.00
440 · District Activities Revenue					
448 · Franchise Fees	4,200.05	5,400.00	4,200.05	5,400.00	65,000.00
456 · Interest-District	0.00	0.00	0.00	0.00	0.00
458 · Misc District Revenue	0.00	0.00	0.00	0.00	0.00
Total 440 · District Activities Revenue	4,200.05	5,400.00	4,200.05	5,400.00	65,000.00
Total Income	16,211.50	1,661,808.33	16,211.50	1,661,808.33	3,050,419.28

Account 427 includes KCC's second half FY 2015-16 payment of \$7,904.25. Deborah Russell, CPA, will adjust the entry to the prior fiscal year.

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Unaudited Profit & Loss Budget Performance

July 2016

	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
Expense					
500 · Police Sal & Ben					
502 · Salary - Officers	82,009.48	84,606.17	82,009.48	84,606.17	1,015,274.00
504 · Compensated Absences	1,437.48	766.67	1,437.48	766.67	9,200.00
506 · Overtime	6,270.45	6,250.00	6,270.45	6,250.00	75,000.00
508 · Salary - Non-Sworn	8,745.44	8,389.75	8,745.44	8,389.75	100,677.00
516 · Uniform Allowance	599.94	750.00	599.94	750.00	9,000.00
518 · Safety Equipment	0.00	187.50	0.00	187.50	2,250.00
521-A · Medical/Vision/Dental-Active	30,914.24	15,174.50	30,914.24	15,174.50	182,094.00
521-R · Medical/Vision/Dental-Retired	25,512.38	13,356.50	25,512.38	13,356.50	160,278.00
521-T · Medical/Vision/Dental-Trust	0.00	0.00	0.00	0.00	64,226.00
522 · Insurance - Police	565.00	578.33	565.00	578.33	6,940.00
523 · Social Security/Medicare	1,446.11	1,458.92	1,446.11	1,458.92	17,507.00
524 · Social Security - District	583.77	520.17	583.77	520.17	6,242.00
527 · PERS - District Portion	330,958.30	331,000.00	330,958.30	331,000.00	509,304.00
528 · PERS - Officers Portion	5,227.82	4,986.33	5,227.82	4,986.33	59,836.00
530 · Workers Comp	0.00	0.00	0.00	0.00	67,000.00
Total 500 · Police Sal & Ben	494,270.41	468,024.84	494,270.41	468,024.84	2,284,828.00

Account 521 A&R Medical/Vision/Dental

CalPERS medical premiums for the following month are due by the 10th of that month. Thus, in part, the YTD amount is \$28,900 greater than the YTD budgeted amount.

Account 527 PERS District

This reflects the early payment of the \$221,000 Unfunded Accrued Liability, which saved the District approx. \$8,100 in interest. It also reflects the pre-payment of next year's \$94,200 side fund, which saved the District approx. \$10,500 in interest.

Unaudited Profit & Loss Budget Performance

July 2016

	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
550 · Other Police Expenses					
552 · Expendable Police Supplies	149.00	141.67	149.00	141.67	1,700.00
553 · Range/Ammunition Supplies	0.00	416.67	0.00	416.67	5,000.00
560 · Crossing Guard	180.50	0.00	180.50	0.00	11,150.00
562 · Vehicle Operation	1,496.19	3,125.00	1,496.19	3,125.00	37,500.00
564 · Communications (RPD)	4,783.00	13,035.00	4,783.00	13,035.00	156,420.00
566 · Radio Maintenance	181.69	190.08	181.69	190.08	2,281.00
568 · Prisoner/Case Exp./Booking	657.19	741.67	657.19	741.67	8,900.00
570 · Training	1,173.88	833.33	1,173.88	833.33	10,000.00
572 · Recruiting	0.00	1,291.67	0.00	1,291.67	15,500.00
574 · Reserve Officers	30.00	337.50	30.00	337.50	4,050.00
576 · Misc. Dues, Meals & Travel	331.00	252.92	331.00	252.92	3,035.00
580 · Utilities - Police	1,302.01	833.33	1,302.01	833.33	10,000.00
581 · Bldg Repairs/Maint.	0.00	416.67	0.00	416.67	5,000.00
582 · Expendable Office Supplies	155.88	625.00	155.88	625.00	7,500.00
588 · Telephone(+Rich. Line)	625.94	623.00	625.94	623.00	7,476.00
590 · Housekeeping	315.13	333.33	315.13	333.33	4,000.00
592 · Publications	0.00	250.00	0.00	250.00	3,000.00
594 · Community Policing	208.19	1,166.67	208.19	1,166.67	14,000.00
596 · WEST-NET/CAL I.D.	6,101.00	6,100.00	6,101.00	6,100.00	6,100.00
599 · Police Taxes Administration	848.55	875.00	848.55	875.00	3,500.00
Total 550 · Other Police Expenses	18,539.15	31,588.51	18,539.15	31,588.51	316,112.00

Unaudited Profit & Loss Budget Performance

July 2016

	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	670.09	670.17	670.09	670.17	8,042.00
602 · Custodian	1,750.00	1,900.00	1,750.00	1,900.00	22,750.00
623 · Social Security/Medicare - Dist	0.00	51.25	0.00	51.25	615.00
Total 600 · Park/Rec Sal & Ben	2,420.09	2,621.42	2,420.09	2,621.42	31,407.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	342.31	468.00	342.31	468.00	5,616.00
643 · Janitorial Supplies	0.00	125.00	0.00	125.00	1,500.00
646 · Community Center Repairs	405.00	458.33	405.00	458.33	5,500.00
Total 640 · Community Center Expenses	747.31	1,051.33	747.31	1,051.33	12,616.00
660 · Annex Expenses					
662 · Utilities - Annex	0.00	83.33	0.00	83.33	1,000.00
666 · Annex Repairs	0.00	83.33	0.00	83.33	1,000.00
668 · Misc Annex Expenses	0.00	83.33	0.00	83.33	1,000.00
Total 660 · Annex Expenses	0.00	249.99	0.00	249.99	3,000.00
670 · Gardening Supplies	0.00	0.00	0.00	0.00	0.00
672 · Kensington Park O&M	16,188.16	5,775.00	16,188.16	5,775.00	69,300.00
674 · Park Construction Exp	0.00	0.00	0.00	0.00	5,000.00
678 · Misc Park/Rec Expense	0.00	0.00	0.00	0.00	1,000.00
Total 635 · Park/Recreation Expenses	16,935.47	7,076.32	16,935.47	7,076.32	90,916.00

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Unaudited Profit & Loss Budget Performance

July 2016

	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
800 · District Expenses					
810 · Computer Maintenance	1,089.00	2,093.17	1,089.00	2,093.17	25,118.00
820 · Cannon Copier Contract	387.38	475.00	387.38	475.00	5,700.00
830 · Legal (District/Personnel)	103,566.47	8,300.00	103,566.47	8,300.00	99,530.00
835 · Consulting	4,715.00	5,000.00	4,715.00	5,000.00	46,500.00
840 · Accounting	0.00	0.00	0.00	0.00	45,500.00
850 · Insurance	213.60	30,000.00	213.60	30,000.00	30,000.00
860 · Election	0.00	0.00	0.00	0.00	4,500.00
865 · Police Bldg. Lease	1.00	1.00	1.00	1.00	1.00
870 · County Expenditures	0.00	0.00	0.00	0.00	22,300.00
890 · Waste/Recycle	0.00	1,666.67	0.00	1,666.67	20,000.00
898 · Misc. Expenses	2,436.13	1,433.33	2,436.13	1,433.33	17,200.00
899 · Depreciation Expense	0.00	0.00	0.00	0.00	0.00
Total 800 · District Expenses	112,408.58	48,969.17	112,408.58	48,969.17	316,349.00
950 · Capital Outlay					
961 · Police Bldg Improvements	0.00	0.00	0.00	0.00	0.00
962 · Patrol Cars	0.00	0.00	0.00	0.00	0.00
963 · Patrol Car Accessories	0.00	0.00	0.00	0.00	0.00
965 · Personal Police Equipment-Asset	0.00	0.00	0.00	0.00	0.00
966 · Police Traffic Equipment	0.00	0.00	0.00	0.00	6,600.00
967 · Station Equipment	0.00	0.00	0.00	0.00	6,100.00
968 · Office Furn/Eq	0.00	0.00	0.00	0.00	0.00
969 · Computer Equipment	0.00	0.00	0.00	0.00	1,500.00
972 · Park Buildings Improvement	0.00	0.00	0.00	0.00	100,000.00
974 · Other Park Improvements	0.00	7,500.00	0.00	7,500.00	7,500.00
978 · Pk/Rec Furn/Eq	0.00	0.00	0.00	0.00	21,000.00
Total 950 · Capital Outlay	0.00	7,500.00	0.00	7,500.00	142,700.00
Total Expense	644,573.70	565,780.26	644,573.70	565,780.26	3,182,312.00
Net Ordinary Income	-628,362.20	1,096,028.07	-628,362.20	1,096,028.07	-131,892.72

KPPCSD
Unaudited Profit & Loss Budget Performance
July 2016

	Jul 16	Budget	Jul 16	YTD Budget	Annual Budget
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00	0.00	0.00	0.00	0.00
710 · Bond Admin.	2,369.78	0.00	2,369.78	0.00	0.00
715 · Bond Interest Income	0.00	0.00	0.00	0.00	0.00
720 · Bond Principal	0.00	0.00	0.00	0.00	0.00
730 · Bond Interest	0.00	0.00	0.00	0.00	0.00
Total 700 · Bond Issue Expenses	2,369.78	0.00	2,369.78	0.00	0.00
995 · Loss/(Gain) - Asset Disposition	0.00	0.00	0.00	0.00	0.00
Total Other Expense	2,369.78	0.00	2,369.78	0.00	0.00
Net Other Income	-2,369.78	0.00	-2,369.78	0.00	0.00
Net Income	-630,731.98	1,096,028.07	-630,731.98	1,096,028.07	-131,892.72

KPPCSD

Transaction Detail By Account

July 2016

Date	Num	Name	Memo	Split	Amount
420 · Park/Rec Activities Revenue					
427 · Community Center Revenue					
07/20/2016			CC Rental 7-...	112 · General ...	650.00
07/20/2016	4951		CC Rental 9-...	112 · General ...	600.00
07/20/2016	366		CC Rental 8-...	112 · General ...	1,400.00
07/20/2016	8499		Second half ...	112 · General ...	7,904.25
Total 427 · Community Center Revenue					10,554.25
Total 420 · Park/Rec Activities Revenue					10,554.25
TOTAL					10,554.25

KPPCSD

Transaction Detail By Account

July 2016

Date	Num	Name	Memo	Split	Amount
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator					
07/14/2016		Di Napoli, Andrea		112 · General ...	321.67
07/14/2016		Di Napoli, Andrea		112 · General ...	25.20
07/28/2016		Di Napoli, Andrea		112 · General ...	323.22
Total 601 · Park & Rec Administrator					670.09
602 · Custodian					
07/15/2016	17311	William Driscoll	7/1 - 7/15/16 ...	112 · General ...	875.00
07/29/2016	17338	William Driscoll	7/16 - 7/31/1...	112 · General ...	875.00
Total 602 · Custodian					1,750.00
Total 600 · Park/Rec Sal & Ben					2,420.09
TOTAL					2,420.09

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JULY 2016 WATCH COMMANDER MONTHLY REPORT

Sergeant Hull

TEAM #1 & #2 STATISTICS

Sergeant Hull (K17) – (1000-2000)

Officer:	Hui (K42) (0600-1600)	Hull (K17) (1000-2000)	Barrow(K26) (1800-0600)
Days Worked	12	18	13
Traffic Stops	03	28	13
Moving Citations	00	25	01
Parking Citations	00	01	04
Vacation/Security Checks	01	00	03
Cases	04	01	00
Arrests	00	00	00
Traffic Accident Reports	01	02	00
Calls for Service	38	88	39

Officer:	Wilson (K38) (1800-0600)	Foley (K48) (0600-1800)	Ramos (K41) (1800-0600)
Days Worked	16	15	12
Traffic Stops	01	48	17
Moving Citations	00	21	10
Parking Citations	07	15	00
Vacation/Security Checks	26	37	02
Cases	02	02	01
Arrests	00	00	00
Traffic Accident Reports	00	01	00
Total Service Calls	53	150	41

- The small variation in totals between the various monthly reports and are due to the different methodologies employed to gather data. Manual hand count will differ from computer generated data due to the computers limited ability to narrow data reports.

Sgt. Hui spent three days training at the Sherman Leadership Institute

Sgt. Hull took one day vacation

Officer Barrow took three vacation days

Det. Martinez took one vacation day

Cpl. Stegman and Officer Wilkins on light duty

Sgt. Hui off on admin leave effective July 29, 2016

BRIEFING/TRAINING:

- Civil Harassment

- PC 646.9 – Stalking
- End of Life Act
- PC530.5 – Identity Theft
- PC148.9 – False Identification to Police Officer
- PC529 – False Impersonation
- PC148(a)(1) – Willfully resist, obstruct or delay a peace officer in the discharge of his duties
- PC 538d – Impersonate a police officer
- VC31 – Giving information to a peace officer that you know be false
- Felony Discovery Checklist
- Felony Filing Protocol
- Domestic Violence and Firearms in California

SERGEANT'S SUMMARY:

Recently, the District has suffered residential burglaries. Three suspects have been discovered and two of the suspects have been identified as juveniles. KPD conducted two search warrants in Berkeley and Oakland respectively which resulted in a small amount of property being recovered and one of the juveniles arrested.

I want to recognized Detective Martinez and Officer Barrow for the preparation they completed prior to the execution of the search warrants. Also a part of the search warrant team to make arrests and recover property was Chief Hart and Officer Ramos.

I want to recognize Officer Barrow for the preparation, on-scene, and post arrest and interview experience he demonstrated throughout this event.

If unknown persons are seen loitering in your neighborhoods please contact KPD so contact can be made.

SIGNIFICANT EVENTS:

- 2016-1735 – On 7-1-2016, Officer Barrow cited a parked vehicle on Colgate Avenue. There is a long running neighborhood civil issue concerning a resident with 5 vehicles.
- 2016-1738 – On 7-1-2016, Officer Barrow handled a civil parking issue between neighbors who share a driveway on Wellesley Avenue.
- 2016-1762 – On 7-3-2016, Officer Wilson handled a neighborhood civil issue concerning parking on Colgate Avenue. This is an on-going issue as one resident's parks four vehicles on the street.
- 2016-1770 – On 7-4-2016, Officer Foley towed an abandoned vehicle from the 600 block of Parkside Court.
- 2016-1785 – Officer Wilson responded to a missing person report in the 400 block of Berkeley Park Boulevard. The missing person was located in the neighborhood.
- 2016-1807 – Officer Barrow responded to Marchant Gardens as a resident with a suspended license was reported seen driving and drinking a beer.

- 2016-1819 – Officer Barrow responded to Kerr Ave. to a civil issue between neighbors.
- 2016-1815 – Sgt. Hull responded to 4 Lenox Rd. to a report of Hit & Run. The responsible party, a Kensington resident, fled the scene due to alcohol being involved.
- 2016-1816 – Sgt. Hui responded to the 200 block of Colgate Ave. and towed one of several vehicles responsible for a neighborhood quality of life issue related to the limited parking in the District. This is part of an on-going parking issue in this neighborhood.
- 2016-1829 – Officer Foley responded to 600 block of Coventry Rd. and contacted a resident with a mental issue who voluntarily went to Kaiser Hospital for treatment.
- 2016-1875 – Officer Ramos responded to Marchant Gardens to have a resident turn off a generator that was disturbing neighbors.
- 2016-1877 – Officer Ramos recovered and unoccupied stolen vehicle in the 200 block of Berkeley Park Boulevard.
- 2016-1884 – Officer Ramos responded to 100 block of Ardmore Rd. to a report of residential burglary.
- 2016-1899 – Sgt. Hull on-viewed a property damage traffic accident in the 200 block of Arlington Avenue.
- 2016-1939 – Officer Wilson responded to the 300 block of Coventry Rd. to a report of vandalism. Subject sprayed wine into a vehicle at an open window.
- 2016-1956 – Officer Foley towed a vehicle from the 1600 block of Ocean View Avenue.
- 2016-1994 – Officer Ramos responded to the 00 block of Kensington Road to a report of domestic dispute.
- 2016-1977 – Sgt. Hui responded to the 200 block of Arlington Ave. to a report of Identity Theft.
- 2016-2006 – Sgt. Hui responded to the 100 block of Purdue Ave. to a report of Petty Theft.
- 2016-2007 – Sgt. Hui responded to the 700 block of Coventry Rd to a report of a non-injury traffic collision.
- 2016-2088 – Sgt. Hull responded to the 100 block of Highland Blvd. to a report of a missing person at risk. The subject was located deceased by the Richmond Police Department.
- 2016-2097 – Sgt. Hui responded to the 400 block of Beloit Ave. to a report of fraud.
- 2016-2098 – Sgt. Hui responded to the 00 block of Lenox Rd. to a report of residential burglary. Person/s responsible suspected to be the juvenile identified in Detective Martinez' monthly report.
- 2016-2122 – Officer Foley responded to the 00 block of Avon Rd. to a report of residential burglary.

July 2016 Investigations and Statistics

Detective Martinez K31

SIGNIFICANT EVENTS:

During the month of July I had eight cases to review.

One case I submitted to the Contra Costa County District Attorney's Office for DUI.

Two others cases were residential burglaries. After further investigation I identified two of the three suspects. A search warrant of the suspect's property was issued and served by KPD in Berkeley and Oakland. One suspect was arrested and some property was recovered. An arrest warrant will be issued by the District Attorney's Office for the second suspect. The third suspect at this time is unknown.

An arrest warrant for \$60,000.00 was issued to Jason Carter out of Oakland in 2015 for vehicle burglary who was arrested this month for the warrant by Richmond PD.

It's been five years this month since the unsolved homicide of resident, Erik Elliott. This investigation is ongoing and will continue until the suspect(s) are in custody. This month I met with four different news media stations in regards to the case. All four station aired small segments about the case. At this time we have no additional leads.

2016-1544 Hit and Run:

A suspect was identified in this case and the accident was resolved by the officer and the victim on the scene. Nothing further will be done in this case.

2016-1815 Hit and Run:

An unknown vehicle hit a parked car and left the scene without leaving any information. There are no leads in this case.

2016-1884 Residential Burglary:

A residential burglary occurred on Ardmore Road through an open window which gave the suspect access into the residence. The resident returned home and found there house ransacked and property missing. After further investigation two of the three suspects were identified, one was arrested, one will have an arrest warrant issued and the third is unidentified. Missing from the house was personal items and electronics. Additional follow up will be done in this case.

2016-1977 Identity Theft:

A resident came to KPD to report she was a victim of Identity Theft back in 2014 and 2015. She believes it happened due to a data breach with AT&T. At this time there is no additional leads to follow up on.

2016-1939 Vandalism:

A neighbor was watching a family member's car while he was out of town and an unknown person pored wine onto the driver's seat through an open driver side window during the night. There are no suspect leads at this time.

2016-2006 Petty Theft:

A resident left her car door unlocked giving access to the criminal that stole her property within the vehicle. There was no leads in this case or damage to the vehicle.

2016-2006 Residential Burglary:

A residential burglary occurred on Lenox Road. The resident left her front door unlocked which gave the suspect access into the house. Addition information was established in this case from a follow up I did with a neighbor which revealed one of the suspects involved in the residential burglary on Ardmore Road this month is connected to this burglary. The suspect is a juvenile and an arrest warrant will be issued. Missing from the residence was electronics only.

2016-2006 Residential Burglary:

A residential burglary occurred on Avon Road. The resident left her back door unlocked which gave the suspect access into the residence. This burglary does not fit the same modus operandi from the other burglaries this month. Only thing missing from the house was a bottle of Vodka. No suspect leads in this case.

KPD Monthly Crime Statistics

July 2016

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	3	2	0	1	1
Larceny Theft	1	0	1	0	0
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	4	2	1	1	1

Other Crimes					
Other misdemeanor	0	0	0	0	0
Identity Theft	1	0	1	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	1	0	1	0	0
Drugs	0	0	0	0	0
Warrant	0	0	0	0	0
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	2	1	0	1	0
Other Misdemeanor Traffic	0	0	0	0	0
Other Crime Totals	4	1	2	1	0

All Crime Totals	8	3	3	2	1
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Traffic Accidents (Non Injury)	2
Traffic Accidents (Injury)	0

KPD Crime Statistics

YTD 2016

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	4	0	0	4	2
Residential Burglary	11	10	0	1	1
Larceny Theft	21	17	3	1	1
Vehicle Theft	0	0	0	0	0
Arson	0	0	0	0	0
Part 1 Totals	<u>36</u>	<u>27</u>	<u>3</u>	<u>6</u>	<u>4</u>

Other Crimes

Other misdemeanor	5	0	0	5	5
Identity Theft	14	9	4	1	1
Fraud	3	3	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	3	2	0	1	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	21	17	4	0	0
Drugs	0	0	0	0	0
Warrant	1	0	0	2	2
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	10	4	4	2	0
Other Misdemeanor Traffic	1	0	0	1	1
Other Crime Totals	<u>58</u>	<u>35</u>	<u>12</u>	<u>12</u>	<u>9</u>

All Crime Totals	<u>94</u>	<u>62</u>	<u>15</u>	<u>18</u>	<u>13</u>
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Traffic Accidents (Non Injury)	16
Traffic Accidents (Injury)	0

Kevin Hart

From: Lynn Wolter
Sent: Monday, August 08, 2016 10:43 AM
To: Kevin Hart
Cc: Pat Gillette
Subject: FW: PLEASE Release the IA Report Re: August 1, 2016 KPPCSD Special Meeting Agenda Posted

Chief,
I believe this is already among the documents to be included in the 8/11 Board Packet, under correspondence. Would you please confirm?

Thank you!
Lynn

From: patricia gillette [mailto:gillettepk@gmail.com]
Sent: Monday, August 08, 2016 10:41 AM
To: Lynn Wolter <lwolter@Kensingtoncalifornia.org>
Subject: Fwd: PLEASE Release the IA Report Re: August 1, 2016 KPPCSD Special Meeting Agenda Posted

----- Forwarded message -----

From: Catherine de Neergaard <cadeneergaard@gmail.com>
Date: Sat, Jul 30, 2016 at 10:39 AM
Subject: PLEASE Release the IA Report Re: August 1, 2016 KPPCSD Special Meeting Agenda Posted
To: Len Welsh GMail <LenWelsh@gmail.com>, Rachelle Sherris-Watt <sherwatt@outlook.com>, Pat Gillette <pgillette@kensingtoncalifornia.org>, Pat Gillette <pkgillette@gmail.com>, Chuck Toombs <ctoombs@kensingtoncalifornia.org>, Vanessa Cordova <vcordova@kensingtoncalifornia.org>
Cc: Kevin Hart <khart@kensingtoncalifornia.org>, Lynn Wolter <lwolter@kensingtoncalifornia.org>

Dear President Welsh and Directors Sherris-Watt, Toombs, Cordova, and Gillette of the KPP&CS District Board,

I'm glad that you are again discussing whether to release the report of the independent internal affairs investigation [IA] of Director Cordova's tickets and their circumstances.

I find it puzzling that you are discussing this in closed session and that your votes on the subject have thus far been secret. Be that as it may, in the spirit of the sunshine laws and for the peace of mind of Kensingtonians, I hope you release the report immediately.

The public has been riled up and in distress for some time about Director Cordova's pull-over and various complaints. There has been endless speculation online and elsewhere as to its contents. On April 12, 2106, Buffington, attorney to Sergeant Barrow, released the findings from the IA report in

a press release [available on NDK] which further fueled further confusion, arguments and ill will in the community, as did news reports in local papers based on the Buffington press release.

A significant segment of the community really needs to see the report first hand in order to lay to rest the speculation, ill will, and accusations and begin to heal.

I understand that the police officers involved, the police officers' association, Interim General Manager and Chief Hart, and the Kensington Police Department as a whole have no objection to the release of the IA report. I understand, correct me if I'm wrong, that Director Cordova has stood aside and is not making an impediment to the release of the IA report.

In the name of transparency, peace, and all that is good, I hope you will do the right thing and release the IA report immediately.

Also, I want to know how each Director votes on this issue on Monday August 1.

Sincerely,

Cat
ya
de Neergaard

DRAFT

Proposed Time Schedule for Completion of Ad Hoc Committee Report

Date	Task
July 24	Select Editor for report production support and professional editing
July 25	Chair will draft introduction and overview section of the report and distribute to Committee members for review; members will provide Chair with comments
July 29	Subcommittee's complete drafts & distribute to Committee members for review
August 1	Executed Letter of Agreement with Kensington Special Services District GM/ Ad Hoc Committee for Editing and Report Production Services
August 4	Discuss member comments on drafts at regular Committee meeting and members provide Subcommittees with written comments
August 6	Conversation (phone) with Editor, Chair and Committee member (Garen Corbett) about scope of work, address any questions, reconfirm timeline
6 and 4 days August 12	Subcommittee's revise drafts per comments and send drafts to Chair; Chair will work with Subcommittee leads to compile draft report
4 days August 16	Draft Final Report submitted to Editor for Production Support and Professional Editing
2 days August 18	Conversation (phone) with Editor regarding draft Final Report; identify any potential issues, problems, prioritization, etc.

7 days from 16th

August 23

Editor returns draft Final Report to Chair; Chair distributes to Committee members

9 days

September 1

Discuss edited draft Final Report at regular Committee meeting; recommend any changes; send back to Editor for revisions, final cleanup and proofing

5 days

September 6

Editor revises draft Final Report as necessary and return to Chair; Chair distributes revised draft Final Report to Committee; make revised draft Final Report available to the public

9 days

September 15

Committee Special Meeting to take public comment on draft Final Report

6 days

September 21

Make revisions as necessary; draft Final Report available to public

10 or 17 days

October 1

or October 8

Public meeting with KPPCSD Board of Directors; approve Final Report and submit to Board; Discuss Findings with Board and public

(based on availability of the Community Center)

Lynn Wolter

From: patricia gillette <gillettepk@gmail.com>
Sent: Monday, August 08, 2016 10:41 AM
To: Lynn Wolter
Subject: letter from andrea Lingefelter

please include in the board packet;

From: **Andrea Lingenfelter** <ondi@speakeasy.org>
Date: Mon, Aug 1, 2016 at 12:35 PM
Subject: Please vote to release the Richmond IA report
To: rsherriswatt@kensingtoncalifornia.org, pgillette@kensingtoncalifornia.org,
lwelsh@kensingtoncalifornia.org, ctoombs@kensingtoncalifornia.org
Cc: khart@kensingtoncalifornia.org

Dear Board Members:

I am writing to urge you all to vote to release the Richmond IA report into the October traffic stop of Director Cordova.

The release of the documents would be a significant step towards greater transparency and would give the Kensington Police Department a valuable opportunity to rebuild trust with the citizens of Kensington.

Some residents have asserted that there are legal obstacles to the release of these documents, but it is my understanding that there are no such obstacles. Some residents have suggested that the IA investigation was flawed; but we cannot know the extent of any shortcomings—or if indeed there are any shortcomings in the report—unless we, the public, are able to read the report ourselves. I object strongly to the patronizing notion, advanced in some quarters, that the public will be bamboozled by the release of a “flawed” or “incomplete” report. Let us judge for ourselves. Please vote to release the IA report at today’s special meeting.

Yours respectfully,
Andrea Lingenfelter

Lynn Wolter

From: patricia gillette <gillettepk@gmail.com>
Sent: Monday, August 08, 2016 10:38 AM
To: Lynn Wolter
Subject: Fwd: I support release of all IA reports

for inclusion in board packet

----- Forwarded message -----

From: **Julie Stein** <stein.julie.m@gmail.com>
Date: Sun, Jul 31, 2016 at 9:55 AM
Subject: Re: I support release of all IA reports
To: Sylvia Elsbury <sylviaelsbury@yahoo.com>
Cc: rsherriswatt@kensingtoncalifornia.org, pgillette@kensingtoncalifornia.org, lwelsh@kensingtoncalifornia.org, ctoombs@kensingtoncalifornia.org, Andrea Lingenfelter <ondi@speakeasy.org>, Trisha <trishajoon@yahoo.com>, khart@kensingtoncalifornia.org

Dear Board Members,

I whole-heartedly endorse Sylvia's request. If all of the legal clearances are in place, please release the IA report so that the Kensington community can gain closure on this matter and move forward to embrace the recommendations of the Ad-hoc Committee and the election in November.

Please record the August 1 meeting on video. Not only is the meeting early enough that working folks might have a hard time arriving on time, many folks are out of town on summer vacation or business.

As Board members, I deeply respect your dedication to Kensington and the incredible amount of time that you all devote to the betterment of our community. Thank you!

Best regards,
Julie Stein

Sent from my iPhone from Singapore

> On 1 Aug 2016, at 12:39 AM, Sylvia Elsbury <sylviaelsbury@yahoo.com> wrote:
>
> Thank you for agendizing IA report release and setting a special meeting.
>
> Please do it. It's absolutely the right precedent to set. It puts everyone --- including officers on our force --- on notice that their public behavior is open to public scrutiny. As it should be.
>
> Best,
> Sylvia
>
>

45

SFGATE <http://www.sfgate.com/local/article/Safest-Bay-Area-cities-ranked-8339223.php>

Bay Area suburbs ranked as the safest places to live in 2016

By **Susana Guerrero** Updated 10:29 am, Tuesday, July 5, 2016



IMAGE 7 OF 36

Kensington:

Ranking by state: 13

National ranking: 778

Deciding where to live can be a tough task given all the variables you need to consider and prioritize. If safety is among your top concerns for a new city, then look no further.

In a **list curated by Niche.com**, a number of Bay Area towns were rated among the safest places to live in California this year. Five Bay Area suburbs made the top 10 in California, but none made the **top 25 in the country**.

The study looked at municipalities with at least 5,000 residents. The factors considered in Niche's ratings were the following:

- Assault rate

46

- Robbery rate
- Murder rate
- Burglary rate
- Vehicle theft rate
- Larceny rate

In addition to ranking each city statewide, Niche also ranked larger cities on the national level. Each city was also given a letter grade to measure an area's safety and security.

Not surprisingly, San Francisco didn't make the list of safest cities, which might be attributed to the city's epidemic of smash-and-grab car burglaries, as the Chronicle **recently reported**. Sunnyvale and Santa Clara - both classified as cities by Niche - did make **that list**.

Check out the safest suburbs in the Bay Area for 2016 in the slideshow above.

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H E A R S T

ADVERTISEMENT

Lynn Wolter

From: Catherine de Neergaard <cadeneergaard@gmail.com>
Sent: Saturday, July 30, 2016 10:39 AM
To: Len Welsh GMail; Rachele Sherris-Watt; Pat Gillette; Pat Gillette; Chuck Toombs; Vanessa Cordova
Cc: Kevin Hart; Lynn Wolter
Subject: PLEASE Release the IA Report Re: August 1, 2016 KPPCSD Special Meeting Agenda Posted

Dear President Welsh and Directors Sherris-Watt, Toombs, Cordova, and Gillette of the KPP&CS District Board,

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In the name of transparency, peace, and all that is good, I hope you will do the right thing and release the IA report immediately.

Also, I want to know how each Director votes on this issue on Monday August 1.

Sincerely,

Cat
ya
de Neergaard

To: KPPCSD Board

June 23, 2016

From Linda Lipscomb

Honorable Members of the Board:

Recently there have been several Board votes to terminate the public meetings of the KPPCSD Board at 10:00pm while there is unfinished business on the meeting agenda. This appears to be a violation of the Brown Act.

In particular, Director Sherris-Watt stated at the KPPCSD Board meeting of June 22, 2016, that she has *pledged* not to vote to extend a meeting of the Board beyond 10:00 pm. Director Cordova has joined Director Sherris-Watt in voting against the continuance of public meetings beyond 10:00pm. The policy manual states that the extension of a public meeting past 10:00pm requires at least 4 out of 5 director votes. Moreover, Director Sherris-Watt stated that one of her reasons for closing down the May 12, 2016 Board meeting was so that she and Director Cordova could continue the discussion of the District budget with an individual taxpayer, rather than continuing the discussion at the Board meeting with the public at large. Indeed, those directors were seen having that discussion at a local bar just after the 10pm termination of the May 12, 2016 meeting. At the very least, there is an appearance of impropriety, suggesting collusion to subvert the public discourse and public access to legislative representatives.

In discussing the 10:00 meeting closure time in a case involving our own Board, the California Court of Appeal stated:

...[The] assertion that the requirement calling for Board meetings to end at 10:00 p.m. "serves to accommodate the needs of these and other residents and thereby to increase public access" is illogical. (See *Holbrook v. City of Santa Monica* (2006) 144 Cal.App.4th 1242, 1250 [plaintiffs did not show "that cutting off public comment and input, ending member debate, and preventing the city council from further legislative action at an 11:00 p.m. witching hour benefits the public in any way"].)

Schwarzburg, et al v. KPPCSD, et al, No. A139630. First Dist., Div. One, April 30, 2014.

The *Holbrook* case involved two City Council members [Petitioners] who brought a lawsuit to force council meetings to close by 11:00pm. While the case focused largely on the issue of whether the Petitioners had standing, the Court of Appeal discussed at some length the Brown Act implications of the early closure of public meetings:

"The very remedy [the Petitioners] seek--a limit on the opportunity for members of the public to address the City Council--runs counter to the Brown Act's mandate of providing an opportunity for the public to directly address legislative bodies on matters of interest to the public that are within the body's subject matter jurisdiction before or during the body's consideration of that matter. . . .

. . . [Petitioners] demand that the City Council be "command[ed] . . . to adjour[n] and complete their meetings prior to 11:00 p.m.," and enjoined from "holding any meeting which stays in session beyond 11:00 p.m." We are unable to reconcile these demands with [Petitioners'] assertion that their claims do "not in any way curfew City or council member speech or petition." How may the City Council freely 'exercise its First Amendment rights or anything else after 11:00 p.m. under this cause of action,' while at the same time it is to be compelled to conclude all meetings by 11:00 p.m.? "

The conclusion one draws is that the deliberate closure of public meetings at 10:00pm, foreclosing public access because of one or more director's personal wishes is a violation of law. Director Sherris-Watt's "pledge" *never* to vote for a continuation of public meetings past 10:00pm in the future is unethical. Such pledge is a prejudgment of the merits of a future motion to continue a meeting, no matter how meritorious or serious the matter may be that is on the table. Indeed, the facile "fix" the Director proposed, i.e., scheduling additional meetings to compensate for closure of public meetings, is inadequate on several grounds.

First, early and arbitrary closure of the meetings is a breach of fiduciary duty to act in the highest and best interests of the public and its right of public access to address its legislative body. Second, there are matters such as consideration of the budget, which cannot be considered at meetings other than *regularly scheduled* meetings, a month away. Such matters

Page 3
Letter to Board

are also time sensitive by policy and law. Specially setting an additional meeting to accommodate a director's wish to finish by 10:00pm simply will not fill the gap. Also, the Board, knowing that it will not be able to continue the open session, will have to hurry along discussions, as has occurred when this early closure strategy has been employed. This subverts both the Board's and the public's discussion of agenda items. Finally, forcing the public to come back again and again on different dates to finish the discussion unfairly burdens public access, destroys continuity and context, and results in inefficiency as time needs to be spent to recap what happened at the prior meetings, just to continue. It appears that the existing policy provision, calling for a vote at 9:45pm in order to continue the meeting, is itself unlawful and should be eliminated. If the policy were eliminated, a motion to adjourn could still be made at the time deemed necessary after the completion of business, or to accommodate other needs of directors or the public.

When accepting the responsibility of Directorship on the KPPCSD Board, one accepts the hard work, the inconvenience, and at times, the extended hours and many meetings that come with the territory. If one is not willing to accept these responsibilities now and in the future, one should step down and make space for a successor who is willing to do so.

Cc: Kevin Hart, GM/COP, KPPCSD
John Holzman, Esq.
Randy Riddle, Esq.

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From: "Jim Watt" <jandiwatt@sbcglobal.net>
To: "Kevin Hart" <khart@Kensingtoncalifornia.org>
Cc: "Rachelle Sherris-Watt" <shwatt@sbcglobal.net>
Subject: Budget

Dear Mr. Hart

Following the budget discussion last Wednesday, I took another look at some items that surfaced during the public discussion period. Since these issues were raised by me and Rachelle, I am copying her on this e-mail. The primary issues that deserve further study are: 1) the amount of money shown for capital account for Parks building replacement of \$93,045, 2) the lack of any money in the budget for Park Bldg. Imp. (code 972), and 3) the amount of money shown for Committed Capital Projects of \$101,576.

Here is the background, and concerns.

Around 2008-09 the Board agreed to set aside \$300,000 for upgrades to the community center. Because of Measure L costs that sum was whittled down to \$231,976 at the time of the approved 2015/15 budget - see attachments #1 and #2. Note also on attachment #1 that no money is shown under capital fund balances as a set aside for patrol cars. Attachments #3 and #4 show pages presented at the May Board meeting. #3 shows that the capital committed to Parks Bldg. fund dropped from \$201,976 to \$193,045, presumably because we spent \$13,931 on seismic and ADA studies. But this appears to be incorrect, since it should have been taken from the \$25,000 that had been set aside in the budget under code 972 - and in fact it was also shown as a similar debit to the code 972 account - see attachment #4. Looks like we took a \$13,931 deduct twice. In fact, we should have \$11,342 still left in our 15/16 budget for code 972, and \$206,976 still in our Parks Building Replacement fund.

Now let's look at the proposed 2016/17 budget. Exhibit #5 shows our Park Bldg. Replacement fund dropped \$100,000 to \$93,045. Why? Exhibit #6 also shows that no money has been set aside in 972 for bldg improvements. I believe the budget should show \$125,000 for Park Bldg improvements code 972 for 16/17. Since we should have a carry over of \$220,907 (\$206,976 + \$11,342) this would leave the remaining capital Parks Bldg account at \$95,907 (\$220,907 - \$125,000).

That leaves the issue of how much money is in the capital account set aside for car replacements. Attachments #7 and #8 show that this account had \$127,579 in FYE 2014 and \$127,838 in FYE 2015. However, Debbie Russell told us at the last meeting that this account has now been added to our fund balance as "Capital Projects" and totals \$101,576 - see attachment #5. If this is really the same account, what happened to the \$26,262 (\$127,838 - \$101,576)? Please explain this discrepancy.

A related question concerning this capital account for cars, is that for all these years it has never shown up as part of our estimated cash carryover. Attachment #8 is from our FYE 2015 audit. It suggests that the sum of \$127,838 was not part of the general fund. If this is the case, then it would seem that if it is now added as a capital fund this same sum should be added to our estimated fund carryovers, and thereby increase the amount of money in our general fund. Not sure this occurred.

Maybe I'm missing a perfectly logical explanation here, but otherwise it looks like we need to do a better job of our book keeping.

Jim Watt

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The recent, now infamous, traffic stop of Director Vanessa Cordova by Kensington officers has been the focus of her critics and her supporters. But there is a bigger question here. The attorney for the police officers involved, Justin Buffington, stated in a press release that Director Cordova had a lapsed driver's license and a lapsed car registration for long periods before the stop. If true, this raises a serious question of whether Dir. Cordova is in a conflict of interest position with the police who are charged with enforcing the law, and over whom she has ultimate authority as part of the governing KPPCSD Board. Indeed, she voted against the passage of police contract, voted for the termination of GM/COP Harman, and voted against the extension of contract of GM/COP Hart.

In discussing common law conflict of interest of a local official, a California Court of Appeal opinion stated: "The public is entitled to have its representatives perform their duties free from any personal or pecuniary interest that might affect their judgment. ... [W]henver a public official, by reason of personal interest in a matter, is placed in a situation of temptation to serve his or her own purposes, to the prejudice of those for whom the law authorizes that official to act.... an individual member ordinarily cannot vote on a matter in which that member ... is interested."

This controversy is consuming a huge amount of the resources of our small community. The vast majority of Kensington residents would not even back their car out of the driveway without registration and valid license. The investigation report completed by the Richmond police department regarding the traffic stop may answer the questions that the public has regarding the Director's actions. And of course, Director Cordova herself can resolve these questions by agreeing to release the report, and by producing her own DMV records for period during which she has served as a Director. Given the serious implications of the allegations, she should do so in the interest of transparency.

Lucia Lipscomb

5

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2016 Safest Places to Live in California

Explore the safest places in the U.S. based on crime rates for murder, assault, rape, burglary, and other crime statistics. Ranking based on data from the FBI and U.S. Census.

[See how this ranking was calculated.](#)

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2016 Safest Places to Live in California

Share Share Tweet

Viewing 1-25 of 100

El Cerrito
Contra Costa County, CA

241

[Show details v](#)

Lynn Wolter

From: Kevin Hart
Sent: Thursday, July 14, 2016 11:45 AM
To: Lynn Wolter
Subject: FW: Request to end the practice of KPPCSD 2-member committees

Kevin E. Hart
Interim General Manager/Chief of Police
Kensington Police Protection and Community Services District
217 Arlington Avenue
Kensington, CA 94707-1401
khart@kensingtoncalifornia.org
(510) 526-4141 Office
(510) 982-6349 Cell

From: Charles Toombs [mailto:cet@mcinerney-dillon.com]
Sent: Thursday, July 14, 2016 9:00 AM
To: Randy Riddle <rriddle@publiclawgroup.com>; Kevin Hart <khart@Kensingtoncalifornia.org>; Len Welsh GMail <LenWelsh@GMail.com>
Subject: FW: Request to end the practice of KPPCSD 2-member committees

This is for the files. Thanks.

--
Charles E. Toombs
McInerney & Dillon, P.C.
1999 Harrison Street, Suite 1700
Oakland, CA 94612-4700
Telephone (510) 465-7100, Extension 238
FAX (510) 465-8556

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From: ashane@jps.net [mailto:ashane@jps.net]
Sent: Thursday, July 14, 2016 8:45 AM
To: Pat Gillette; Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt; Len Welsh
Cc: rick radin; Thomas Peele; Daniel Borenstein
Subject: Request to end the practice of KPPCSD 2-member committees

Dear Board,

I have prepared this report, please all five of you check it for any possible factual errors and please feel free to add

any comments you like, **and then have it entered into the public record**. It's a request to end the 2-person committee practice. If there is adequate time, please take up the subject of changing the policy manual to end the practice of 2-person committees.

Thank you,

Anna Shane, Kensington resident

July 14, 2016

Report on KPPCSD contract negotiation practices, by Anna Shane, resident

Introduction:

When another resident filed a PRA for phone records that found Director Pat Gillette had held a long phone conversation with then-Detective Keith Barrow shortly after the Reno incident, Gillette claimed it had been part of the on-going police MOU negotiations with Barrow, who is President of the Kensington Police Officer's Association. This brought up the question of committee meetings, given that a phone call between only two parties seemed irregular and so led to the question of other possible irregularities.

Background:

Chuck Toombs and Pat Gillette were chosen to be on the committee to negotiate a new police officer's contract in December of 2012. Since it was a two-person committee, they were not required to post notification of their meetings three days in advance: to post their agendas with notes on their progress, as their legal counsel had advised them that the public-right-to-know rules under Brown would not apply if there were no more than two directors meeting.

In the summer of 2013 Pat reported that they had been unable to reach an agreement, and didn't want the officers to go without any pay increase just because negotiations were taking longer than expected, and she proposed a 3% salary increase, which was adopted.

Pat and Chuck first presented a draft of a new police MOU in December of 2014.

I made a PRA request to get the agendas of the Police MOU Negotiation Committee meetings, the ones that would have been posted in public three days in advance if Brown had applied.

I found there are no meeting agenda documents for the Police Contract MOU Committee. If they existed, those agendas would be subject to PRA's (while what is discussed during confidential meetings is not subject to disclosure, the times, dates, places, who attends, and whether or not progress is being made is public information, and agendas are posted for meetings that are entirely confidential whenever more than two directors are present at that meeting. You can see examples of these agendas, as they usually come before the public meeting agendas, whenever a confidential meeting takes place earlier.)

I was informed that there are notes from (4) four meetings, that all took place over a five week period, three before and one after Pat's and Barrow's phone conversation, but nothing in the notes of the one that came after their conversation suggested Pat had reported the gist of that half-hour conversation. Indeed it was impossible to even learn who attended those four meetings, it seems the notes contained only confidential data, so nothing in any of the four sets of notes was subject to being released to the public (which, if it had been there, would only have been the words about whatever Pat or Barrow said next, if either of them had attended it, related to what they had discussed in their two-person negotiation phone conversation.)

Chuck Toombs reported that they had held numerous MOU negotiation conference calls, but there are no filed notes from any of these conference calls and he could not recall any specifics.

Because a conference call is between at least three persons, Pat's call to Barrow was not one of those conference calls.

There is no documentation from Pat's half-hour telephone contract negotiation call with Barrow.

There is no evidence of any contract meetings held before Pat announced, in the summer of 2013, that they had been ongoing but that they hadn't reached an agreement, and that the officers ought not to have to wait to get salary increases.

There is no evidence of any MOU negotiation meetings held before April of 2014 or after May of 2014. I could find no Police MOU committee progress report (making progress vs. not making progress) in any KPPCSD meeting notes between Pat's report that they hadn't yet reached an agreement, in the summer of 2013, and the presentation of the MOU, completed and ready to vote on, at the December, 2014 meeting, the first one held after the November election.

Conclusion:

The directors use of the two-director Brown-does-not-apply-rule led to the two-person Police MOU Negotiation Committee not complying with normal committee practices, they did not document agendas before their meetings, they did not list who attended, they did vote to accept the minutes of the previous meetings, they did not mark progress, and they did not file any notes at all from their numerous conference call meetings, and Pat filed no notes from her half-hour telephone contract negotiation meeting with Barrow.

Since there is no normal documentation from the Police Contract Negotiation Committee meetings, the meetings they held with representative(s) of the Kensington Police Officers Association and/or counsel, there is no way for the public to determine whether or not any committee meetings took place.

There is no way for Pat to back up her assertion that she held a one-on-one MOU contract negotiation phone conversation with Barrow shortly after the Reno incident, because she did not file any document detailing what they had negotiated. No one filed any documentation of the numerous conference calls Chuck reported had taken place, and no normal documentation of any in-person meetings was filed.

Recommendation:












End the practice of two-director committees to encourage adherence to normal governance procedures.

 Rachelle Sherris-Watt
sherwatt@outlook.com

Add a subject

Saving...

To Cc Bcc

B / **I** **U** **Aa** **A⁺** **A**           

I wish to clarify some of my comments in the June Draft minutes regarding a meeting with Gail Feldman that took place in May. First, this meeting, which occurred after a KPPCSD Board meeting was an impromptu gathering and unplanned before 10:15 pm that evening. Secondly, I stated incorrectly that we were discussing the yearly budget. This was an extrapolation of the question presented to me and extended to a generality. Ms. Feldman, acting as a private citizen and not within her role as President of the KPOA, had wanted to discuss the District's legal representation. Finally, I must apologize to Ms. Feldman that in my haste, I revealed details of a personal nature that were not mine to share and I truly regret the error. I am deeply grateful for the work that Ms. Feldman does for the community and the many hats she wears - ad hoc committee member and KPOA President to name a few.

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Kevin Hart

From: Andrea Lingenfelter
Sent: Monday, August 01, 2016 12:35 PM
To: Rachelle Sherris-Watt; Pat Gillette; Len Welsh; Chuck Toombs
Cc: Kevin Hart
Subject: Please vote to release the Richmond IA report

Dear Board Members:

I am writing to urge you all to vote to release the Richmond IA report into the October traffic stop of Director Cordova.

The release of the documents would be a significant step towards greater transparency and would give the Kensington Police Department a valuable opportunity to rebuild trust with the citizens of Kensington.

Some residents have asserted that there are legal obstacles to the release of these documents, but it is my understanding that there are no such obstacles. Some residents have suggested that the IA investigation was flawed; but we cannot know the extent of any shortcomings—or if indeed there are any shortcomings in the report—unless we, the public, are able to read the report ourselves. I object strongly to the patronizing notion, advanced in some quarters, that the public will be bamboozled by the release of a “flawed” or “incomplete” report. Let us judge for ourselves. Please vote to release the IA report at today’s special meeting.

Yours respectfully,
Andrea Lingenfelter

Kevin Hart

From: Julie Stein
Sent: Sunday, July 31, 2016 9:56 AM
To: Sylvia Elsbury
Cc: Rachelle Sherris-Watt; Pat Gillette; Len Welsh; Chuck Toombs; Andrea Lingenfelter; Trisha; Kevin Hart
Subject: Re: I support release of all IA reports

Dear Board Members,

I whole-heartedly endorse Sylvia's request. If all of the legal clearances are in place, please release the IA report so that the Kensington community can gain closure on this matter and move forward to embrace the recommendations of the Ad-hoc Committee and the election in November.

Please record the August 1 meeting on video. Not only is the meeting early enough that working folks might have a hard time arriving on time, many folks are out of town on summer vacation or business.

As Board members, I deeply respect your dedication to Kensington and the incredible amount of time that you all devote to the betterment of our community. Thank you!

Best regards,
Julie Stein

Sent from my iPhone from Singapore

> On 1 Aug 2016, at 12:39 AM, Sylvia Elsbury <sylviaelsbury@yahoo.com> wrote:
>
> Thank you for agendizing IA report release and setting a special meeting.
>
> Please do it. It's absolutely the right precedent to set. It puts everyone --- including officers on our force --- on notice that their public behavior is open to public scrutiny. As it should be.
>
> Best,
> Sylvia
>
>

Kevin Hart

From: Sylvia Elsbury
Sent: Sunday, July 31, 2016 9:40 AM
To: Rachelle Sherris-Watt; Pat Gillette; Len Welsh; Chuck Toombs
Cc: Andrea Lingenfelter; Trisha; Julie Stein; Kevin Hart
Subject: I support release of all IA reports

Thank you for agendizing IA report release and setting a special meeting.

Please do it. It's absolutely the right precedent to set. It puts everyone --- including officers on our force --- on notice that their public behavior is open to public scrutiny. As it should be.

Best,
Sylvia

Kevin Hart

From: Catherine de Neergaard ·
Sent: Saturday, July 30, 2016 10:53 AM
To: Kevin Hart
Cc: Len Welsh GMail; Rachelle Sherris-Watt; Pat Gillette; Pat Gillette; Chuck Toombs; Vanessa Cordova
Subject: Public Records Request for IA Report and Voting records on this issue

Hi Interim General Manager and Chief Hart,

This is a formal public records request for the report of the Internal Affairs [IA] Investigation released in April 2016 of Director Cordova's pull-over in October 2015, complaints, and related circumstances, conducted independently by the Richmond Police Department.

As you perhaps know, an Illinois judge ordered that a similar report be released. It is hard to understand why this report wouldn't fall under the Sunshine laws or why a judge in California wouldn't issue a similar order for this IA report, particularly in that the police and the Kensington Police Department aren't objecting to the release.

I also request that how each director on the District Board votes on the issue whether to release the report whether in closed or open session, be released to the public.

Thanks in advance,

Catherine de Neergaard
Kensington in the North Berkeley Hills, CA
phone

"Nature is not a place to visit. It is home."
-Gary Snyder

Kevin Hart

From: Andrea Lingenfelter
Sent: Monday, August 01, 2016 12:35 PM
To: Rachelle Sherris-Watt; Pat Gillette; Len Welsh; Chuck Toombs
Cc: Kevin Hart
Subject: Please vote to release the Richmond IA report

Dear Board Members:

I am writing to urge you all to vote to release the Richmond IA report into the October traffic stop of Director Cordova.

The release of the documents would be a significant step towards greater transparency and would give the Kensington Police Department a valuable opportunity to rebuild trust with the citizens of Kensington.

Some residents have asserted that there are legal obstacles to the release of these documents, but it is my understanding that there are no such obstacles. Some residents have suggested that the IA investigation was flawed; but we cannot know the extent of any shortcomings—or if indeed there are any shortcomings in the report—unless we, the public, are able to read the report ourselves. I object strongly to the patronizing notion, advanced in some quarters, that the public will be bamboozled by the release of a “flawed” or “incomplete” report. Let us judge for ourselves. Please vote to release the IA report at today’s special meeting.

Yours respectfully,
Andrea Lingenfelter

August 2016

September 2016

Su	Mo	Tu	We	Th	Fr	Sa
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	

August 2016

Su	Mo	Tu	We	Th	Fr	Sa
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
Jul 31	Aug 1 8:00am 6:00pm KPPCSD Spc Mtg (CC3)	2 Martinez @ I & I (Santa Rosa) - Andrea Di Napoli	3 7:00am AA (CCM)	4 Andrea Di Napoli	5 5:00pm	6 10:00am KPSC Mtg (CCM)
7	8 6:00pm KPSC (CC3) 7:30pm KARO Mtg (cc3)	9 6:00pm Finance Comm. (CCM)	10 7:00am AA (CCM) 6:00pm *GPFF (CCM) 7:00pm *KFD Mtg (CC3)	11 6:00pm KPPCSD Mtg (CCM)	12	13 11:00am CC Rental (CCM)
14	15	16	17 7:00am AA (CCM)	18	19	20 10:00am CC Rental (CCM)
21	22 7:30pm *KIC (CC3)	23	24 7:00am AA (CCM)	25	26	27
28	29	30 7:30pm *KMAC (CC3)	31 7:00am AA (CCM)	Sep 1	2	3

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September 2016

September 2016							October 2016						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	2	3	4	5	6	7	8
11	12	13	14	15	16	17	9	10	11	12	13	14	15
18	19	20	21	22	23	24	16	17	18	19	20	21	22
25	26	27	28	29	30		23	24	25	26	27	28	29
							30	31					

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 28	29	30	31	Sep 1	2	3
4	5	6	7	8	9	10
4:00pm CC Rental (CCM)			7:00am AA (CCM)	6:00pm KPCCSD Mtg (CCM)		
11	12	13	14	15	16	17
	6:00pm KPSC (CC3) 7:00pm KCC Mtg (CC3) 7:30pm KARO Mtg (cc3)		7:00am AA (CCM) 7:00pm *KFD Mtg (CC3)	7:00pm Ad Hoc (CCM)		
18	19	20	21	22	23	24
	8:00am		Martinez @ Crime Inv (SFPD) - Andrea Di Napoli			8:30am Candidate Forum (CCM)
			7:00am AA (CCM)			
25	26	27	28	29	30	Oct 1
	7:30pm *KIC (CC3)	Martinez @ Crime Inv (SFPD) - Andrea Di Napoli	Martinez @ Crime Inv (SFPD) - Andrea Di Napoli			
		7:30pm *KMAC (CC3)	7:00am AA (CCM)			
						5:00pm

AS

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

General Manager July 2016 Report

General

July Agenda highlights;

1. Possible new traffic awareness signs
2. Possibly changing the order and manner in which general comment is taken.

Four new additional BBQ's have been added to the Park, along with a new picnic table.

Tree pruning is ongoing in the park this summer. A new trash collection shed has been built at the Community Center.

I received another proposal for audio/visual support for board meetings. I will be reviewing this proposal this coming week.

Have you ever been a victim of Identity Theft? Make sure it does NOT happen again! Don't become a victim! Stop by the office and pick up your free Identity Theft Booklet.



Kevin E. Hart,
Interim General Manager

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KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Date: August 11, 2016
TO: KPPCSD Board
FROM: Kevin E. Hart, Interim General Manager
Subject: **Item 7b-Possible new signage for public awareness of Maximum Enforcement of traffic safety laws in Kensington**

A portion of the discussion at last month's meeting about Zero Tolerance within Kensington, involved the posting of new signs as a public awareness campaign regarding traffic safety.

There were several suggestions both from the Board of Directors, as well as the community about the signage. These new signs would be posted at the entrances to Kensington to enhance the awareness of the public regarding driving safe, and the maximum Enforcement of traffic safety laws.

We have attached revised signage and reduced the verbiage.

General Manager Recommendation: Receive the presentation, take public comment, deliberate and provide direction to the Interim General Manager.



Kevin E. Hart
Interim General Manager

WELCOME TO KENSINGTON

**A MAXIMUM ENFORCEMENT
COMMUNITY**

PLEASE DRIVE SAFELY



KENSINGTON POLICE ENSURES

MAXIMUM TRAFFIC ENFORCEMENT

PLEASE DRIVE SAFELY



KENSINGTON

**A MAXIMUM ENFORCEMENT
COMMUNITY**

PLEASE DRIVE SAFELY

KENSINGTON POLICE DEPARTMENT



**KENSINGTON POLICE DEPARTMENT
IS COMMITTED TO**

MAXIMUM TRAFFIC ENFORCEMENT

PLEASE DRIVE SAFELY



**KENSINGTON POLICE DEPARTMENT
IS COMMITTED TO**

MAXIMUM TRAFFIC ENFORCEMENT

PLEASE DRIVE SAFELY





SAFETY FIRST

MAXIMUM ENFORCEMENT

- PEDESTRIAN SAFETY
- BICYCLE SAFETY
- SPEED LIMIT LAWS

DRIVE SAFELY



SAFETY FIRST

MAXIMUM COMPLIANCE

- PEDESTRIAN SAFETY
- BICYCLE SAFETY
- SPEED LIMIT LAWS

DRIVE SAFELY