



Board of Directors
Kensington Police Protection and
Community Services District

Meeting Agenda
Thursday, February 13, 2020
52 Arlington Avenue, Kensington, CA

CALL TO ORDER (Closed Session – 7:00 p.m.)

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

ADJOURN TO CLOSED SESSION

- a. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
 - i. Title: General Manager

CALL TO ORDER (Regular Meeting – 7:30 p.m.)

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

BOARD/STAFF COMMUNICATION

- General Manager's Report – Draft Staff Organization and Responsibilities; Accounts Payable Process
- Board of Directors - Announcement of 2020 Committee/Coordinator Assignments

CONSENT CALENDAR (The consent agenda enables the Board to consider and approve a grouping of routine items through a single motion and vote.)

1. Approve meeting minutes of November 14, 2019.
2. Approve meeting minutes of January 9, 2020
3. Approve meeting minutes of January 23, 2020.

DISCUSSION AND DETERMINATION (includes Action Items)

4. Consider adopting new policy 1055 and 1056, relating to records management. (Resolution)
5. Consider adopting amendments to Policies 4000 (Board Coordinators) and 4100 (conduct of Board meetings). (Resolutions)
6. Consider a proposal to authorize board members to attend the California Special Districts Association Conference.

ADJOURNMENT

The next regular meeting will be held on March 12, 2020.

Rules of Decorum at Meetings

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

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- The District has devices for hearing assistance. Please contact GM Anthony Constantouros for information about the equipment.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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

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

General Manager Report

February 13, 2020

Draft Responsibilities and Organization

A list of staff responsibilities is attached. This is not a comprehensive list but a working document that will change and be augmented. It is expected that responsibilities can be revised as staff gains more experience, areas of efficiency are identified, and revised procedures are implemented.

Accounting Manual

We are currently working on an accounting policies and procedures manual. The manual will update the payroll process, the accounts payable process, the purchasing policy, the reimbursement policy, the accounting close process, the budget process, the annual audit and other procedures related to accounting and finance. This will allow for more transparency and help the District to have solid checks and balances, internal controls and segregation of duties.

One practice we are looking at reforming in the short term is the way that the transmittal to the county is currently handled. Although not required, it has been a general practice that Board Members come into the office on a semi-monthly basis to review all the invoices and checks and then sign a transmittal form. The transmittal form is then taken to Contra Costa County with all the checks and the County ultimately signs all of the checks to go to vendors.

We would like to examine changing this part of the AP process. Instead of board members physically having to come into the office, we propose to email the transmittal form and all the backup to all the invoices in one combined pdf file to all board members. Currently, if board members cannot make it into the office to sign the transmittal, the General Manager and Finance/Business Manager are the default signers. The proposed process would eliminate the need for last minute signatures to pay the monthly bills and payroll on time. As an additional bonus, this practice will create more information for all board members as to what invoices are being paid. Additionally, these adobe files will be saved by month on the server. This will also assist the auditors in their annual audit, as all the backup invoice files can be provided to them on a zip drive.

Microsoft Office 365

At the January 9, 2020 Board of Directors meeting, an upgrade to Microsoft Office 365 was approved. Conversion to this system is in the process of completion and should improve the PRA process for those requests related to emails.

KPPCSD Admin Responsibilities
DRAFT

<u>ITEM</u>	<u>Responsibility</u>
<u>Board Agenda</u>	
Draft	Clerk ot Board
Final	Clerk ot Board
Resolutions	Clerk ot Board
Minutes	Clerk ot Board
Reports	Clerk ot Board
Attachments	Clerk ot Board
Agenda Meeting	Clerk ot Board
Web Post	Ofc Asst
Post-meet flwup	Clerk ot Board
post 3 sites	Ofc Asst
<u>Board Meeting</u>	
Reservation	Clerk ot Board
Sound	Clerk ot Board
Video	Clerk ot Board
Set-up	Clerk ot Board
Dissassemble	Clerk ot Board
Copies	Ofc Asst
<u>Coordination</u>	
PRA requests	Clerk ot Board
PRA completion	TBD
Transperancy	Clerk ot Board
Training	Clerk ot Board
CSDA Conference	Clerk ot Board

Conflict of Int Elections	Clerk ot Board Clerk ot Board
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<u>Front Counter</u>	Ofc Asst
Files	Ofc Asst
receptionist	Ofc Asst
Email inquiries	Ofc Asst
Public contact	Ofc Asst
Phone responses	Ofc Asst
Walk-in	Ofc Asst

<u>District Finances</u>	
Accounts Payable	Bus & Fin
Accounts Receival	Bus & Fin
Finance System	Bus & Fin
Payroll	Bus & Fin
HR Operations	Bus & Fin
Supp Police Tax	Bus & Fin
Park Assess Dist	Bus & Fin
CalPERS	Bus & Fin
Finance Comm	Bus & Fin
Finance Reports	Bus & Fin
Audit Liaison	Bus & Fin
County Tresurer	Bus & Fin
State Reporting	Bus & Fin
Accounting	Bus & Fin
Budget Draft	Bus & Fin
Asset Mgmt	Bus & Fin
Budget Prep	Bus & Fin
Budget Approval	Bus & Fin
5-Year Forecast	Bus & Fin

Park

Park & Rec Admin	GM
Grounds Mntce	Contractor
Grounds Repair	Contractor
Tree Survey	Contractor
Removal/Pruning	Contractor
Grounds Insp	Ofc Asst

Commtty Center

Room set-up	Contractor
Facility Mntce	Contractor
Facility Repair	Under review
Rental Rtes	Under review
Forms/Insurance	Under review
Bldg E oversight	Under review
Fee Schedule	Under review
Tennis CourtFees	Under review
Reservations	Under review
Fee collection	Under review
Tables/chairs	Under review
Equipment	Under review
Internet	Under review

Information Technology

Help Desk	Rubiconn
Office PC's	Rubiconn
Board recording	Volunteer
Police technology	COP
Website	TBD
Social media	TBD
Digital system	TBD
Board recorder	Volunteer
Board Display	TBD

Public Information

Quarter newslettr	TBD
Press Releases	TBD
Public events	TBD
Public outreach	TBD
Public Info Officer	TBD

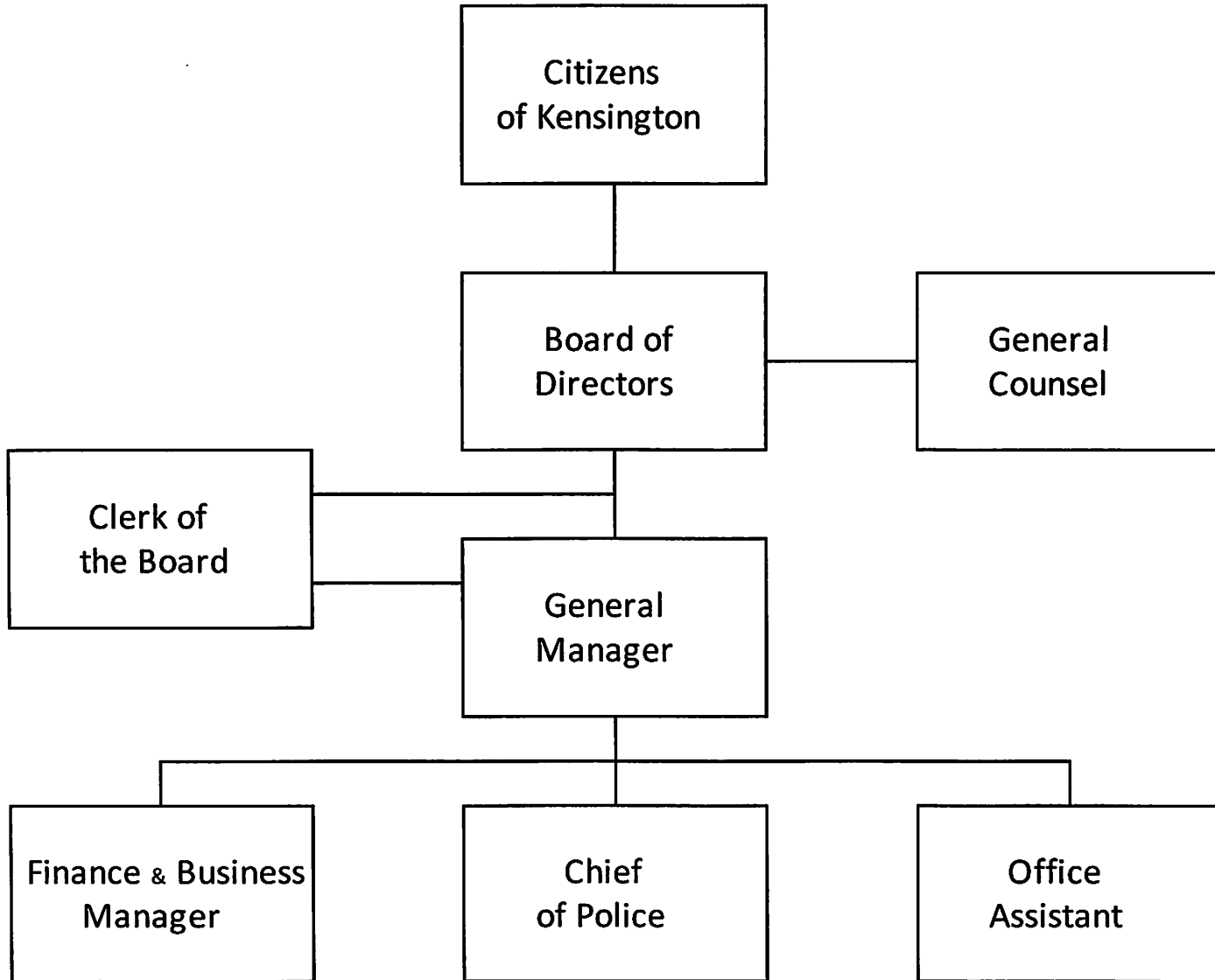
Special Projects

Police Dept.	Board
PSB	Board
P&P Manual	Committee
Com Center	March Opening
KCC Agreement	TBD

District Mgmt.

Staff Goals	GM
Evaluations	GM
Recrutiments	GM
Discipline	GM
HR Management	GM
Staff Supervision	GM
Intergovt Relation	GM
Police oversight	GM
Board Liaison	GM
Policy implement	GM
Board Meetings	GM
Solid Waste	GM
District goals	GM
Legal Liaison	GM
Labor Relations	GM
Training	GM

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
Organization Chart



**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

Arlington Community Church, 52 Arlington Avenue, Kensington, CA

November 14, 2019

Special Meeting – Closed Session

President Nottoli opened the meeting at 6:32 P.M. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt were present. President Nottoli asked for public comment and there were no public comments. The Board went into closed session at 6:34 P.M.

Regular Meeting

President Nottoli opened the meeting at 7:36 P.M. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt were present. President Nottoli reported that the Board gave direction to its labor negotiators and asked for public comment.

Motion to Approve October 15 Minutes. President Nottoli moved to approve the October 15 minutes and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Nottoli, and Sherris-Watt voted in favor and Director Modavi voted against the motion which passed 4-1.

Motion to Approve CSDA Annual Dues. General Manager noted that the approved budget had a budget item of \$6,400 for the annual CSDA and the invoice was \$7,077, leaving \$577 over the approved amount. President Nottoli moved to approve the additional amount and Director Sherris-Watt seconded the motion. Directors Deppe, Hacaj, Modavi, Nottoli, and Sherris-Watt voted in favor of the motion which passed 5-0.

The meeting adjourned at 9:25 P.M.

Prepared by: Eileen Nottoli

Date approved by the Board: February 13, 2020

Tony Constantouros, General Manager

Eileen Nottoli, Board President

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

Arlington Community Church
52 Arlington, Kensington, CA
January 9, 2020

Special Closed Session (7:00 p.m.)

1. Call to Order/Roll Call

President Deppe called to order the special closed session meeting at 7:00 p.m. Directors Cyrus Modavi, Rachelle Sherris-Watt, and Eileen Nottoli were present at roll call.

General Counsel Jon Holtzman was present in the absence of General Counsel Ann Danforth. Mr. Holtzman recused himself from the closed session discussion.

2. Public Comment

Lynn Wolter asked about the methodology for evaluating the General Manager.

3. Closed Session

The Board adjourned to Closed Session.

Regular Meeting (7:30 p.m.)

4. Call to Order/Roll Call

President Deppe called to order the regular meeting at 7:30 p.m. Directors Cyrus Modavi, Rachelle Sherris-Watt, Eileen Nottoli, and Sylvia Hacaj were present at roll call.

Staff present included: General Manager Tony Constantouros, General Counsel Jon Holtzman for Ann Danforth, Interim Chief of Police Steve Simpkins, and District Finance and Business Manager Katherine Korsak.

5. Public Comment

Julie Stein presented a letter dated January 9, 2020 addressed to the Kensington Police Protection District from Kensington Fire Protection District urging the two boards to form a 2x2 joint committee to hold publicly noticed meetings concerning the future housing of the Kensington Police and Fire Departments.

6. Board/Staff Communications

General Manager Constantouros provided an overview of the agenda items that were being presented for Board consideration. He reported that Glass and Associates notified the District that the completion date for the community center has been moved to March. In response to questions raised by the Board, General Manager Constantouros said that the delay is due to delivery of materials to contractor.

Interim Chief of Police Steve Simpkins presented an update on the Kensington Police Department (KPD) response times, call types and categories of crime. He pointed out that the crime statistics show positive improvement. He reported that Officer Rodney Martinez had resigned from the KPD and that recruitment efforts were currently underway. He also reported on his community outreach efforts. Next, he reported that a policy for body worn cameras had been drafted and would be provided at the next Board meeting. Chief Simpkins also reported that staff would provide a report to the Finance Committee on the need to replace the computers in the patrol cars and police radios. Additionally, Chief Simpkins reported that the KPD website had been updated with a new complaint form and procedures for using the form. Lastly, he reported that KPD officers participated in an active shooters drill in Oakley.

7. Naming of Committee Members and Board Coordinators

President Deppe announced that he would defer naming members to serve on District committees and boards until February. However, he did announce that Director Hacaj would serve as the Solid Waste Coordinator and President Deppe would serve as chair of the Finance Committee. Director Modavi asked about Brown Act Training and President Deppe said that training would be provided in the future.

8. Proposal for New Computer Systems and Software for Office

Chief Simpkins reported that the current desktops at KPPCSD offices are outdated and are running on Windows 7. Based on their age and that Microsoft will be discontinuing support for Windows 7 on January 14, 2020, staff recommended workstation upgrades to the Windows 10 operating system. Rubiconn, LLC, the current information technology provider, submitted a proposal for replacing the office work stations, including the upgrade to Microsoft Office 365. The anticipated total of cost is \$12,441. Chief Simpkins responded to questions raised by the Board.

- Motion by Director Hacaj, seconded by Director Nottoli to approve the proposal by Rubiconn, LLC for the purchase of nine new workstations (\$9,891), one-time migration and new workstation setup (\$2,550), and \$30 mailbox per month. The Board delegated authority to the Chief Simpkins to make minor changes to the contract as necessary. The motion carried (5-0) by the following voice vote: AYES: (Modavi, Sherris-Watt, Deppe, Nottoli, and Hacaj).

9. Proposal to Approve a Contract with Maze and Associates to Provide Oversight and Coordination of District Accounting Activities

District Finance and Business Manager Katherine Korsak informed the Board about the recent outsourcing of the payroll function to Paylocity. The approximate annual cost is \$3,632 for the 1st year and \$3,121 for every year thereafter. Next, she presented a proposal to engage Maze and Associates to provide oversight and coordination of District accounting activities to ensure good internal control. The initial annual cost is projected at approximately \$20,000 with future annual costs projected at \$15,000. She pointed out that this action will result in a cost decrease. A question and answer period ensued regarding costs and whether

the contract had appropriate legal review. Following the discussion, the Board asked that the General Counsel review the contract.

- Motion by Director Sherris-Watt, seconded by Director Nottoli, to approve the contract with Maze and Associates for general accounting services and oversight of financials subject to review of General Counsel. The motion carried (4-1) by the following vote: AYES (Sherris-Watt, Deppe, Nottoli, and Macaj) and NOES (Modavi).

Adjournment

President Deppe adjourned the meeting at 9:33 p.m.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: February 13, 2020

Tony Constantouros, General Manager

Chris Deppe, President of the Board

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT
BOARD OF DIRECTORS MEETING MINUTES**

Arlington Community Church
52 Arlington, Kensington, CA
January 23, 2020

Regular Meeting (7:30 p.m.)

1. CALL TO ORDER/ROLL CALL

President Christopher Deppe called to order the regular meeting of the Board of Directors at 7:30 p.m. Directors Cyrus Modavi, Rachele Sherris-Watt, Eileen Nottoli, and Sylvia Hacaj were present at roll call.

Staff present included General Manager Tony Constantouros, General Counsel Ann Danforth, and District Clerk of the Board Lynelle M. Lewis.

2. GENERAL PUBLIC COMMENT

Andrew Gutierrez commented on the work of the Board and Jim Watt spoke about the rules for public comment.

3. BOARD/STAFF COMMUNICATIONS

General Manager Constantouros provided an update on the January 21st Finance Committee meeting discussions. He reported that during the budget update there was discussion about Kensington Community Center construction costs along with pension funding options. The Committee asked staff to present the following information at the March 3rd Finance Committee: update on the 10-year budget forecast; complete budget projections for FY 2019-2020; information on CALPERS pension funding amortization and the establishment of a 115 Retirement Trust; and a quantitative budget summary to determine cash flow status. In response to questions by the Board, the General Manager said the Finance Committee handouts would be posted to the KPPCSD website.

Interim Police Steve Simpkins reported that the postal robbery suspect had been apprehended. He gave an update on administrative changes to insure timely response to citizen calls as a results of comments on Next Door. He reported that in response to the Elks Club proposal for Officer of the Year, the department selected Officer Martinez and would prepare a commendation. Next, he reported that the replacement for Officer Martinez is in progress and would be completed soon. Chief Simpkins noted that he is at the half way point of his tenure and the next three months he would continue to focus on community outreach efforts. Director Hacaj said there had been graffiti and break ins of the physical education containers at the school during the recent vacation, and she suggested having additional patrols during vacations. Chief Simpkins said he would look into this. In concluding, Chief Simpkins announced that he would not be present at the February 13th board meeting.

4. Process for General Manager (GM) Evaluation and Board/District Goal Setting and Consider Proposals to Conduct These Services.

President Deppe announced that the Board expressed an interest in finding a facilitator to help with the General Manager evaluation and to consider using the same person/firm to facilitate a goal setting process. There was considerable discussion about the two proposals submitted by Rauch Communication Consultants Inc. and RPLG Solutions. Board members commented on the proposed process, scope of services, cost considerations, the deliverables and potential conflicts of interest by the submitters. There was consensus by the Board to move forward with the process.

- Andrew Reed provided public comment on the proposals.
- Motion by Director Nottoli, seconded by Director Sherris-Watt, to approve the proposal submitted by RPLG Solutions to assist in preparing the performance evaluation of the General Manager with a project cap of \$3,500. The motion included a request that the Board discuss potential conflicts of interest and discuss the process for self-assessment and priority setting. The motion carried (4-1) by the following roll call vote: AYES (Sherris-Watt, Nottoli, Hacaj, and Deppe); and NOES (Modavi).

5. Consider Proposal for Body Worn Cameras.

Interim Police Steve Simpkins presented background information on the contract for body worn cameras (BWCs) for the Police Department. Staff recommended a contract with Axon Enterprises, Inc. which provides an annual maintenance plan that includes the cost of ongoing data storage, maintenance, and replacement for the BWCs. The cost for this contract is spread over a five-year period for a total of \$30,942.23. President Deppe announced that the Finance Committee supported this recommendation. There was discussion about the BWC Policy. Suggestions included longer retention time for videos, inserting page numbers on the policy, and an annual report to the Board.

- Motion by Director Sherris-Watt, seconded by Director Nottoli, to approve the contract with Axon in the amount of \$30,944.23 for a five-year term and authorize the Interim Police Chief to negotiate and execute the contract, carried (5-0) by the following roll call vote: AYES ((Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

6. Consider Proposal for East Bay Regional Communications System Authority (EBRCSA) Patrol Radio Update.

Chief Simpkins summarized the recommendation for upgrading police radios in order to communicate with the EBRCSA system. President Deppe announced that the Finance Committee supported this recommendation.

- Motion by Director Hacaj, seconded by Director Nottoli, to approve a contract with Motorola Solutions in the amount of \$5,100.74 for supplying radio updates and authorized the Interim Police Chief to negotiate and execute the contract, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

7. Consider Proposal for Purchase of Mobile Patrol Car Computers.

Chief Simpkins provided background information on the purchase agreement for mobile data computers (MDCs). After researching potential solutions for replacing MDCs, staff obtained a purchase quote for \$27,977.29. There will be an ongoing monthly cost for the air cards that communicate the information from Dispatch to the MDCs. That cost is \$189.95 per month and will be covered by existing budget funds.

- Motion by Director Hacaj, seconded by Director Nottoli, to approve the purchase agreements with DuraTech USA for GeTac computers in the amount of \$25,157.55 which includes a five-year warranty and around the clock hardware support and LEHR Pursuit North for installation in the amount of \$2,819.74, and authorized the Interim Police Chief to negotiate and execute the contract. The motion carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

8. Consider Proposal from Ross Drulis Cusenbery (RDC) to Engage RDC to Create a Design for The Public Safety Building That Houses Both the Fire and Police Departments.

President Deppe presented information on the RDC proposal for architecture design services for the Kensington Police Department to explore options for retaining the Police Department in the remodel of the Kensington Public Safety Building (PSB). President Deppe pointed out that there is no guarantee this would result in a practical design, but this process would see if there is any way to fit both departments in the PSB. The cost to get conceptual floor plans is estimated at \$10,993.

- David Fike provided public comment on the proposal.

- Motion by Director Sherris-Watt, seconded by Director Hacaj, to accept the proposal from RDC to execute conceptual floor plans for the PSB, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

9. Proposal to Give Permission to the Kensington Fire Protection District (KFPD) In Determining the Legality of Building a Combined Fire/Police Station in Kensington Park.

President Deppe provided an update on the proposal to share legal costs with the KFPD on obtaining a legal opinion on the right of the KPPCSD to sell a portion of Kensington Park for building a public safety building. The KPPCSD would authorize its attorney, Ann Danforth, to work with counsel chosen by the KFPD (up to \$2,100 for ten hours) to clarify the rights and responsibilities given to each special district in developing lands acquired through bonds. The KFPD attorney also will share all research done to date on this issue. In response to a question asked about the terms of the bond designating Kensington Park, Attorney Danforth said she would provide a copy of the deeds and engineer's report to the Board.

- Jim Watt provided public comment on the proposal.
- Motion by Director Sherris-Watt, seconded by Director Hacaj, to offer up to 10 hours of counsel by District Counsel Ann Danforth to work with KFPD, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

10. Proposal to Give Permission to The Kensington Fire Protection District (KFPD) to Determine if an Earthquake Fault Exists in Kensington Park.

Director Sherris-Watt presented the proposal that the KPPCSD should allow the KFPD to engage a seismic engineer to study fault lines in Kensington Park at the location identified by the KFPD building committee in March of 2019. This approval is in effect until August 2020. It was pointed out that this approval does not imply or approve further development or action on Kensington Park property. There was lengthy discussion on the pros and cons of this action.

- A member of the audience commented on the proposal.
- Motion by Director Modavi, seconded by Director Sherris-Watt, to authorize the KFPD to engage a seismic engineer to study fault lines in Kensington Park, carried (3-2) by the following roll call vote: AYES (Modavi, Sherris-Watt, and Deppe); NOES (Nottoli and Hacaj).

11. Proposal from The Kensington Fire Protection District (KFPD) to Create a Joint Committee to Explore Options for Housing the Fire and Police Departments.

Director Sherris-Watt presented the proposal to explore the KFPD invitation to form a joint 2x2 committee to address the future housing of the Fire and Police Departments.

- Motion by Director Hacaj, seconded by Director Nottoli, that the Board agree to a joint 2x2 Committee with President Deppe and Director Sherris-Watt as members, carried (5-0) by the following roll call vote: AYES (Modavi, Sherris-Watt, Nottoli, Hacaj, and Deppe).

12. Preview Presentation Regarding Options for Housing the Police Department.

President Deppe and Director Sherris-Watt gave a slide presentation on possible options for housing the Police Department. They pointed out this information would be shared with the community on January 25th. There was discussion and comments offered on possible options (i.e. Unitarian Church, the cemetery, parking lot at Arlington Community Church).

ADJOURNMENT

President Deppe adjourned the meeting at 10:30 p.m.

SUBMITTED BY

Lynelle M. Lewis
District Clerk of the Board

APPROVED: February 13, 2020

Tony Constantouros
General Manager

Christopher Deppe
President of the Board

Kensington Police Protection and Community Services District

BOARD OF DIRECTORS MEETING

February 13, 2020

Consideration of New Policy 1000 Part 2, Records Management

BACKGROUND

The District has been in the process of updating its Policy and Procedures Manual since the end of 2017. Thus far, the Board has adopted new Policies 3000, 4000 and 4100. On December 12, 2019, the Board adopted the first half of a new Policy 1000. Staff now asks the Board to consider the second half of that Policy, addressing records management.

Under Policy 1000.2, the Board can adopt or amend a policy by 3 votes at a regular meeting.

I. SIGNIFICANT CHANGES AND ANALYSIS

The District has a 2002 document entitled "Records Retention Guidelines." The provenance of this document is unclear. Whether it was Board-adopted or not, it is relatively unspecific. Please note that these policies do not address most Police Department documents. We understand that the Interim Chief of Police intends to add a records management policy to the KPD's Policies and Procedures.

In 2004, the Secretary of State issued Local Government Records Management Guidelines. Although the SOS's website describes these Guidelines as "a work in progress," the document provides useful insight into the purpose of an efficient records management system. In particular, the following principal is helpful:

In general, records should be retained only as long as they serve the immediate administrative, legal and/or fiscal purposes for which they were created. When records no longer serve these purposes, they should be disposed of or preserved for archival purposes, whichever is appropriate.

Section 2-2010.

The Guidelines also advise that administrative records have administrative value only if they assist the agency current or future work. Legal records are valuable where they contain evidence of the agency's legally enforceable rights and obligations. Fiscal records are valuable both to document ongoing transactions and to protect the agency against future court action and audits.

Records may retain some historical interest even after they have lost the value for which the agency originally kept them. However, any historical value must be weighed against the significant liability arising from unnecessary records: the need to collect, review and produce records as mandated by the Public Records Act. As the Board is aware, the Public Records Act imposes significant costs on public agencies, in both time and money. Our only means of

controlling these costs is eliminate records that are no longer helpful to the District to the extent allowed by law.

In very large part, the new Policies 1055 and 1056 track the CSDA Model that has served as the basis for the previously adopted new policies. However, staff has made a couple of substantive changes to reflect Kensington's particular circumstances.

1. Recordings of Board Meetings, Policy 1055.5:

The CSDA Model provides for retaining these records for one year. However, the recently adopted Policy 4140.1.3 directs that the District shall keep the recordings for sixty months and Policy 1055.5 uses that timeframe. This provides ample time for interested parties to confirm that the minutes reflect Board decisions or to make copies of the records if they so wish.

2. Email Management, Policy 1056.3

Over the past years, email use has exploded, created an ever-increasing number of electronic documents. Email management is a challenge for many organizations and individuals. Public agencies face a particular challenge because of the Public Records Act. Even an agency as small as Kensington – over the past year, we have expended dozens of hours and thousands of dollars responding to records requests. This is largely due to the numerous emails covered by the request.

The CSDA Model Manual attempts to address this problem by the following requirements:

- All email relating to District business be stored on the District's system so that staff can access them when necessary.
- All electronic messages must be destroyed after two years.

Staff recommends these additional requirements, based on our experience.

- a) All substantive email whose retention is necessary or appropriate for the conduct of District business shall be placed in a subject matter file for easy retrieval and production.
- b) Any other email shall be considered ephemeral in nature and deleted as soon as practicable.
- c) The two-year timeframe for destroying electronic messages is subject to any more explicit requirements in Policy 1055.

RECOMMENDATION

Staff recommends that the Board discuss the proposed new policies, make any desired changes and the attached resolution adopting Policies 1055 and 1056.

ATTACHMENTS

Exhibit: Draft Resolution
Draft Policies 1055 and 1056

Submitted By: Ann Danforth

POLICY 1055: Records Management

To be useful, District records must be available at the right time, in the right place and to the right person or persons. This means that the records must be well organized and accessible. All records shall be maintained in accordance with federal, state and local laws, contract requirements and commonsense business practices.

1055.1 This policy has the following goals:

- Provide certainty that no record is destroyed prematurely, and that valuable and legally required records are retained in compliance with legal retention requirements and with standard organizational practices for the retention and destruction of records
- Enable authorized employees to destroy with confidence records no longer of value
- Provide faster and more efficient retrieval of files as a result of the elimination of obsolete records and better organization of retained records
- Improve productivity through faster access to information

1055.2 Vital and important records, regardless of recording media, are those having on-going legal, financial, operational, or historical value to the District. As provided by state law, the District shall retain and not destroy records of the following unless otherwise specifically allowed by this Policy:

- Formation, change of organization, or reorganization of the district.
- A District ordinance adopted by the district. However, if the District Board has repealed an ordinance or the ordinance is otherwise invalid or unenforceable, it may be destroyed or disposed of pursuant to this section five years after it was repealed or became invalid or unenforceable.
- Minutes of any the District Board meeting.
Any pending claim or litigation or any settlement or other disposition of any claim or litigation within the past two years.
- Documents responsive to any pending request made pursuant to the California Public Records Act (Chapter 3.5 of the California Government Code (commencing with Section 6250) of Division 7 of Title 1), whether or not the District maintains that the record is exempt from disclosure, until the request has been granted or two years have elapsed since the district provided written notice to the requester that the request has been denied.
- Any pending construction that the District has not accepted or as to which a stop notice claim legally may be presented.
- Any non-discharged debt of the District.
- Title to real property in which the District has an interest.
- Any non-discharged contract to which the District is a party.
- Has not fulfilled the administrative, fiscal, or legal purpose for which it was created or received.
- Is an unaccepted bid or proposal, which is less than two years old, for the construction or installation of any building, structure, or other public work.

- Specifies the amount of compensation paid to district employees or officers or to independent contractors providing personal or professional services to the District, or relates to expense reimbursement to district officers or employees or to the use of district paid credit cards or any travel compensation mechanism. However, a record described in this paragraph may be destroyed or disposed of pursuant to this section seven years after the date of payment.

Appendix A provides a definition of terms and Appendix B sets forth a Records Retention Schedule.

1055.3 The General Manager is authorized by the Board of Directors to interpret and implement this policy, and to cause to be destroyed any or all such records, papers and documents that meet the qualifications governing the retention and disposal of records, specified below, after consultation with the General Counsel. The General Manager is also responsible for ensuring all records are safely maintained, accessible and adequately controlled by District staff.

1055.3.1 District records should be maintained at the District offices or such other premises as may be controlled by the District or a records storage facility under contract to the District. The District shall maintain indices of any records located off-site to enable their easy retrieval.

1055.4 Pursuant to the provisions of Government Code §§ 60200 through 60203, and the guidelines prepared by the State Controller's office and the Controller's Advisory Committee for Special Districts, the following qualifications will govern the retention and disposal of records of the District.

1055.4.1 Duplicate records, papers and documents may be destroyed at any time without Board authorization, advice of the General Counsel, or copying to photographic or electronic media.

1055.4.2 Originals of records, papers and documents more than two years old that were prepared or received in any manner other than pursuant to State or Federal statute may be destroyed without the necessity of copying to photographic or electronic media except for permanent records of the District as defined in this Policy.

1055.4.3 In no instances are records, papers or documents to be destroyed where there is a continuing need for such records for such matters as pending litigation, special projects, etc.

1055.4.4 Records, papers or documents which are not expressly required by State law to be filed and preserved, including records listed in Section 1055.2 of this Policy, may be destroyed if all of the following conditions are met:

1055.4.4.1 The record, paper or document is preserved by photograph, microphotograph, electronically recorded video image on magnetic surfaces, recording in the electronic data processing system, recording on optical disk, reproduction on film or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document in compliance with Section 12168.7 of the California Government Code for recording of permanent records or non-records.

1055.4.4.2 The device used to reproduce such record, paper or document on film, or retrieves and prints the document from the electronic media, is one which accurately reproduces the original thereof in all details; that does not permit additions, deletions, or changes to the original document images; and satisfies the requirements of Section 12168.7 of the California Government Code.

1055.4.4.3 The photographs, micro-photographs, or other reproductions on film are placed in conveniently accessible files and provisions are made for preserving, examining, and using the same, together with documents stored via electronic media.

1055.4.5 Any accounting record except the journals and ledgers which are more than five years old and which were prepared or received in any manner other than pursuant to State statute may be authorized for destruction, provided that:

1055.4.5.1 There is no continuing need for said record, i.e., long-term transactions, special projects, pending litigations, etc., and;

1055.4.5.2 There exists in a permanent file, an audit report or reports covering the inclusive period of said record, and that;

1055.4.5.3 Said audit report or reports were prepared pursuant to procedures outlined in Government Code section 26909 and other State or Federal audit requirements, and that;

1055.4.5.4 Said audit or audits contain the expression of an unqualified opinion.

1055.4.6 Any accounting record created for a specific event or action may be destroyed upon authorization five years after said event has in all respects terminated. Any source document detailed in a register, journal, ledger or statement may be authorized for destruction five years from the end of the fiscal period to which it applies. The following may be destroyed at any time without Board authorization or consultation with the General Counsel:

1055.4.6.1 Duplicated (original-subject to the aforementioned requirements).

1055.4.6.2 Rough drafts, notes or working papers (except audit).

1055.4.6.3 Cards, listings, nonpermanent indices, other papers used for controlling work or transitory files.

1055.4.7 All payroll and personnel records shall be retained indefinitely. Originals may upon authorization be destroyed after seven years' retention, provided said records have been microfilmed and qualify for destruction section under 1055.4.4, above. Payroll and personnel records include the following:

1055.4.7.1 Accident reports, injury claims and settlements.

1055.4.7.2 Medical histories.

1055.4.7.3 Injury frequency charts.

1055.4.7.4 Applications, changes and terminations of employees.

1055.4.7.5 Insurance records of employees.

1055.4.7.6 Time cards.

1055.4.7.7 Classification specifications (job descriptions).

1055.4.7.8 Performance evaluation forms.

1055.4.7.9 Earning records and summaries.

1055.4.7.10 Retirements.

1055.4.8 Records of proceedings for the authorization of long-term debt, bonds, warrants, loans, etc., after issuance or execution may be destroyed if microfilmed as provided for in section 3090.4.4. Terms and conditions of bonds warrants, and other long-term agreements should be retained until final payment, and thereafter may be destroyed in less than 10 years if micro-filmed as provided for in Policy 1055.4.4, above. Paid bonds, warrant certificates and interest coupons may be destroyed after six months if detailed payment records are kept for 10 years.

1055.5 Minutes of the meetings of the Board of Directors are usually retained indefinitely in their original form. However, they may, upon the General Manager's authorization, be destroyed if they are micro-filmed as provided in Policy 1055.4.4, above. Recording tapes (or other media) of Board meetings will be kept for a period of five years from the date of the recorded meeting, after which they will be destroyed.

1055.5.1 Construction records, such as bids, correspondence, change orders, etc., shall not be kept in excess of seven years unless they pertain to a project which includes a guarantee or grant, and, in that event, they shall be kept for the life of the guarantee or grant plus seven years. As-built plans for any public facility or works shall be retained as long as said facility is in existence.

1055.5.2 Contracts should be retained for its life plus seven years. Any unaccepted bid or proposal for the construction or installation of any building, structure or other public work that is more than two years old may be destroyed.

1055.5.3 Property records, such as documents of title, shall be kept until the property is transferred or otherwise no longer owned by the District.

Appendix A

Definitions for Records Retention and Disposal Policy

1. AUTHORIZATION. Approval from the General Manager, as authorized by the District's Board of Directors.
2. ACCOUNTING RECORDS. Include but are not limited to the following:
 - a. SOURCE DOCUMENTS
 - (1) Invoices
 - (2) Warrants
 - (3) Requisitions/Purchase Orders (attached to invoices)
 - (4) Cash Receipts
 - (5) Claims (attached to warrants in place of invoices)
 - (6) Bank Statements
 - (7) Bank Deposits
 - (8) Checks
 - (9) Bills
 - (10) Various accounting authorizations taken from Board minutes, resolutions or con-tracts
 - b. JOURNALS
 - (1) Cash Receipts
 - (2) Accounts Receivable or Payable Register
 - (3) Check or Warrant (payables)
 - (4) General Journal
 - (5) Payroll Journal
 - c. LEDGERS
 - (1) Expenditure
 - (2) Revenue
 - (3) Accounts Payable or Receivable Ledger
 - (4) Construction
 - (5) General Ledger

- (6) Assets/Depreciation
 - d. TRIAL BALANCE
 - e. STATEMENTS (Interim or Certified - Individual or All Fund)
 - (1) Balance Sheet
 - (2) Analysis of Changes in Available Fund Balance
 - (3) Cash Receipts and Disbursements
 - (4) Inventory of Fixed Assets (Purchasing)
 - f. JOURNAL ENTRIES
 - g. PAYROLL and PERSONNEL RECORDS include but are not limited to the following:
 - (1) Accident reports, injury claims and settlements
 - (2) Applications, changes or terminations of employees
 - (3) Earnings records and summaries
 - (4) Fidelity Bonds
 - (5) Garnishments
 - (6) Insurance records of employees
 - (7) Job Descriptions
 - (8) Medical Histories
 - (9) Retirements
 - (10) Time Cards
 - h. OTHER
 - (1) Inventory Records (Purchasing)
 - (2) Capital Asset Records (Purchasing)
 - (3) Depreciation Schedule
 - (4) Cost Accounting Records
3. LIFE. The inclusive or operational or valid dates of a document.
4. PERMANENT RECORD. Any record that the District is required to maintain permanently by state or federal law.

5. RECORD. Any paper, bound book or booklet, card, photograph, drawing, chart, blueprint, map, tape, microfilm, or other document, issued by or received in a department, and maintained and used as information in the conduct of its operations.
6. RECORD COPY. The District copy of a document or file.
7. RECORD SERIES. A group of records, generally filed together, and having the same reference and retention value.
8. RECORDS CENTER. The site selected for storage of inactive records.
9. RECORDS DISPOSAL. The planning for and/or the physical operation involved in the transfer of records to the Records Center, or the authorized destruction of records pursuant to the approved Records Retention Schedule.
10. RECORDS RETENTION SCHEDULE. The consolidated, approved schedule list of all District records which timetables the life and disposal of all records.
11. RETENTION CODE. Abbreviation of retention action that appears on the retention schedule.
12. VITAL RECORDS. Records which, because of the information they contain, are essential to one or all of the following:
 - a. The resumption and/or continuation of operations;
 - b. The recreation of legal and financial status of the District, in case of a disaster;
 - c. The fulfillment of obligations to bondholders, customers, and employees.

Vital records include but are not limited to the following [detail the records structure of the District, stating the retention time for each class of records. Those times can be drawn from the recommendations of the Secretary of State (<http://archives.cdn.sos.ca.gov/local-gov-program/pdf/records-management-8.pdf>) or developed with the advice of legal counsel, as there are many laws governing records retention]:

- (1) Agreements
- (2) Annexations and detachments
- (3) As-built drawings
- (4) Audits
- (5) Contract drawings
- (6) Customer statements

- (7) Deeds
- (8) Depreciation schedule
- (9) Disposal of surplus & excess property
- (10) Disposal of scrap materials
- (11) District insurance records
- (12) District water rights
- (13) Employee accident reports, injury claims & settlements
- (14) Employee earning records
- (15) Employee fidelity bonds
- (16) Employee insurance records
- (17) Encroachment permits (by others)
- (18) Encroachment permits (by OWID)
- (19) Facility improvement plans
- (20) Improvement districts
- (21) Individual water rights
- (22) Individual claims/settlements
- (23) Inventory
- (24) Journal vouchers
- (25) Ledgers
- (26) Licenses & permits (to operate)
- (27) Loans & grants
- (28) Maps
- (29) Minutes of Board meetings
- (30) Payroll register
- (31) Policies, Rules & Regulations
- (32) Purchase orders & requisitions
- (33) Restricted materials permit
- (34) Rights of ways & easements

(35) Spray permits

(36) Statements of Economic Interest

Appendix B

Records Retention & Storage Summary

Group No.	Title or Description	Original	Duplicate	Retention Periods		
				Office	Record Center	Retain or Destroy
1	Records affecting title to real property or liens thereof.	X		2 yrs.	OP	ES
2	Records required to be kept permanently by statute.	X		2 yrs.	OP	ES
3	Minutes, ordinances & resolutions of Board.	X		2 yrs.	OP	ES
4	Documents with lasting historical, administrative, legal, fiscal, or research value.	X		2 yrs.	OP	ES
5	Correspondence, operational reports and information upon which District policy has been established.	X		2 yrs.	10 yrs.	12 yrs.
6	Duplicates of 5, above, when retention is necessary for reference.	X		2 yrs.		2 yrs.
7	Records requiring retention for more than five years, but no more than 15 years by statute or administrative value.	X		2 yrs.	13 yrs.	15 yrs.
8	Duplicates needed for administrative purposes for five to 15 years.		X	2 yrs.	13 yrs.	15 yrs.

9	All other original District records, or instruments, books or papers that are considered public documents not included in Groups 1 through 8.	X		2 yrs.	1 yr.	3 yrs.
10	Duplicates and other documents not public records required to be maintained for administrative purposes.	X	X	2 yrs.	3 yrs.	5 yrs.
11	Duplicate records requiring retention for administrative purposes such as reference material for making up budgets, planning and programming.		X	3 yrs.		3
12	Reference files (copies of documents which duplicate the record copies filed elsewhere in the District; documents which require no action and are non-record; rough drafts, notes, and similar working papers accumulated in preparation of a communication, study or other document, and cards, listings, indexes and other papers used for controlling work).		X	1 yr.		1 yr.
13	Transitory files, including letters of transmittal (when not a public record), suspense copies when reply has been received, routine requests for information and publication, tracer letters, and other duplicate copies no longer needed.	X	X	3 mos.		3 mos.

14	Original documents disposable upon occurrence of an event or an action (i.e., audit, job completion, completion of contract, etc.) or upon obsolescence, supersession, revocation.	X		2 yrs.	3 yrs.	5 yrs.
15	Policy files and reference sets of publications.		X	I		I
16	Duplicates or non-record documents required for administrative needs but destroyable on occurrence of an event or an action.		X	I		I

OP = Original or photographic copy.

ES = May be destroyed if stored in electronic media.

I = Indefinitely

POLICY 1056: Electronic Document Management Policy

This Policy governs the retention of text messages, voicemail messages, social media posts, and email messages sent or received in the conduct of District business.

1056.1 Definitions

- **Email Message:** An electronic communication sent and received via web mail or email client.
- **Social Media:** Information posted to websites and applications that enable users to create and share content or to participate in social networking, including Facebook, Twitter, Instagram, Snap-chat, and LinkedIn.
- **Text Message:** An electronic, written communication sent and received via telephone or Internet connection.
- **Voicemail Message:** An electronic, aural communication sent or received via telephone or Internet connection.

1056.2 Text Messages, Voicemail Messages, and Social Media

Text messages, voicemail messages, and social media posts not saved to an archive or a more permanent medium are intended to be ephemeral documents, not preserved in the ordinary course of business. Accordingly, they do not constitute disclosable public records, as that term is defined by Government Code section 6252, subdivision (e). Directors and District staff are not required to retain these electronic documents. Business done on behalf of the District that requires the creation and preservation of records should be conducted in other media.

1056.3 Email Messages

- The District will manage email messages sent or received by the District's computer systems in accordance with Policies 1040 and 1055.
- Directors and District staff shall use (or copy to an address on) the District's computer systems for all email messages regarding District business. Directors and staff should not retain such emails on private systems. Directors and staff should forward any email messages not received by the District's computer systems nor copied to its staff or to an email address designated for that purpose, so they can be preserved in the District's email retention system, relieving individual Directors of any duty to preserve such email messages or make them available for public inspection.
- This policy applies only to the conduct of District business that is subject to the Public Records Act. It does not apply to communications to or from Directors in their other public and private capacities or communications to or from District staff that are personal, private or otherwise not kept in the normal course of District business.
- Any email message whose retention is necessary and appropriate for on-going District business shall be placed in a subject matter file so as to facilitate its easy retrieval. Any other email shall be considered ephemeral in nature and not a public record. For example, emails whose purpose is to coordinate meeting dates and times or other matters that are solely short-term and non-substantive are not considered public records and should be deleted as soon as they are no longer relevant to District business.
- All electronic messages of the District will be deleted after two years unless Policy 1055 expressly requires retention for a longer period.

RESOLUTION NO. 2020-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT ADDING POLICIES 1055 AND 1056**

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

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

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

WHEREAS, on at its regular meeting on December 12, 2019, the Board adopted a new Policy 1000; and

WHEREAS, the Board now wishes to consider new Policies 1055 and 1056, governing records management and therefore posted drafts of said new policies on its website on or before February 10, 2020; and

WHEREAS, on February 13, 2020, the Board considered the draft Policies 1055 and 1056, took public testimony and decided to adopted the draft policies.

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

1. The draft Policies 1055 and 1056, attached hereto and incorporated herein by reference, are hereby adopted.

AYES:

NOES:

ABSENT:

DATED: February 13, 2020

General Manager
Kensington Police Protection and
Community Services District

Kensington Police Protection and Community Services District

BOARD OF DIRECTORS MEETING

February 13, 2020

Amendments to Policies 4000 and 4100

BACKGROUND

The Board of Directors adopted new Policies 4000 and 4100 on May 23, 2019. As we have implemented these policies, we have found sections that warrant clarification or even revision. Accordingly, we ask the Board of Directors to consider adopting the revisions attached to the draft resolution.

Under Policy 1000.2, the Board can adopt or amend a policy by 3 votes at a regular meeting.

I. SUMMARY OF AMENDMENTS

A. Policy 4000

Policy 4020.3 currently provides that the Board President shall appoint Board Coordinators for Solid Waste, Special Districts, Parks and Recreation and others as appropriate. These functions are usually inactive for long periods of time. Accordingly, staff suggests that the Board determine when Coordinators are appropriate, at time the Board President would make the necessary appointments.

B. Policy 4100

Staff recommends a number of modifications to Policy 4100 regarding Board procedures.

- 1.** Public Comments on non-agendized items: Revised Policy 4110.6.1 clarifies the process for public comments for matters not on the agenda.
- 2.** Policy 4110.6 clarifies the rules for public comments during special meetings.
- 3.** Policy 4120.4.1 would be modified to explicitly state that Board/Staff Communications are not discussion items and not subject to the public comment requirement. This is intended to avoid Brown Act violations – if the Board wishes to discuss items raised during these communications, the better practice is to agenda them under more specific descriptions.
- 4.** Conduct of Board Meetings: Policy 4160 contains a number of revisions to more explicitly track Rosenberg's Rules of Order. Most of the changes are in 4160.3.

RECOMMENDATION

Staff recommends that the Board take public comment before considering the proposed amendments. After making any desired modifications, staff recommends that the Board adopt the attached resolution amending Policies 4000 and 4100.

ATTACHMENTS

Exhibits: Resolution

Draft Policies 4000 and 4100

Submitted By: Ann Danforth

BOARD OF DIRECTORS

POLICY 4000: Board Responsibility

4000.1 Each Board member is elected by and responsible to the electorate of the entire District. Directors do not represent any fractional segment of the community.

POLICY 4010: Attendance at Meetings

4010.1 Members of the Board of Directors are expected to and shall attend all regular and special meetings of the Board unless there is good cause for absence.

To be counted as present for any meeting, Board Members must be present for the duration of the meeting. If a Board Member participates in a meeting by telephone or electronic device, their attendance by these methods will be noted in the minutes and they shall be counted as present for the duration of their participation.

Good cause for excusable absence, include late arrivals or early departures, includes temporary illness or other unavoidable circumstances of which the President of the Board is notified prior to the meeting. Good cause also includes Board authorized meeting absences such as attendance at a conference directly related to the functions and interests of the District or at the meeting of another public agency in order to participate in an official capacity. The minutes of the meeting shall note that the Board Member is excused from the meeting under the circumstances noted in this section.

A Board Member who will be absent for good cause may notify the President by electronic transmission (email), telephone, or letter. The President shall notify the General Manager and the Board of all absences that are excused for good cause. The minutes shall indicate whether an absence was excused.

A vacancy shall occur if a Board Member is absent from three (3) consecutive regular meetings without good cause, or six (6) in a twelve-month period, except as otherwise provided for by law or as authorized by the Board.

POLICY 4020: Committees of the Board of Directors

4020.1 Temporary Advisory Committees:

The Board President shall appoint any such temporary advisory committees as may be deemed necessary or advisable by the President or the Board. The purpose of a temporary advisory committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. A temporary advisory committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

4020.2 Standing Committee – Finance Committee

The Finance Committee shall be the only Standing Committee of the Board of Directors. The Finance Committee shall provide the Board with recommendations regarding the financial

management of the District, including the preparation of a draft annual budget and reviewing major expenditures. Any recommendations from the Finance Committee committees shall be submitted to the Board via a written or oral report.

The Finance Committee shall consist of up to two (2) Board Directors with one serving as committee chair. The President shall also have discretion to appoint residents to the Committee. The Board President shall appoint and publicly announce the members of the Finance Committee for the ensuing year in January. The frequency of meeting shall be at the discretion of the Board President. All meetings of the Finance Committee are subject to the requirements of all applicable open meeting laws, including but not limited to the Brown Act.

4020.2.1 Optional Committees

The Board shall have the authority to activate or deactivate any other committees at any time. Two Directors may ask for the activation of an Optional Committee. This request should be made in writing and its formation dependent on a majority vote by the Board of Directors.

Committees may be deactivated at any time if it is deemed to be in the best interest of the District, if there are limited objectives of the committee or there is insufficient need for the committee. There is no obligation to activate any committees.

4020.3 Board Coordinators

~~From time to decide, the Board may decide that specific District services would benefit from a Board Coordinator. Within ten days of this decision, the Board President shall appoint and publicly announce the Coordinator or Coordinators.~~

POLICY 4030: Duties of the Board President

4030.1 Presiding Officer: The President of the Board of Directors shall serve as the presiding officer at all Board meetings.

In the absence or disability of the President, the Vice President of the Board of Directors shall serve as the presiding officer over all meetings of the Board. If the President and Vice President of the Board are both absent or disabled, the remaining members present shall select one of themselves to act as temporary presiding officer of the meeting.

The presiding officer shall have the same rights as the other members of the Board in voting, introducing motions, resolutions and ordinances, and any discussion of questions that follow said actions. The presiding officer may move, second, debate, and vote from the chair.

4030.2 Duties Regarding Meetings: The President shall preside over and conduct all meetings of the Board of Directors, shall carry out the resolution and orders of the Board of Directors, and shall exercise such other powers and perform such other duties as the Board of Directors shall prescribe including, but not limited to, the following:

- * Call the meeting to order at the appointed time;
- * Announce the business to come before the Board in its proper order;

Deleted: T

Deleted: in January Board members as

Deleted: s

Deleted: pertaining to the following areas:

Deleted: The Solid Waste Coordinator shall be the Board member on the Coordinating Committee with the County and concerned with the implementation of the contract between the District and the solid waste services provider. ¶ The Special District Coordinator shall be concerned with interfacing with other Special Districts operating within Kensington or having considerable effect upon the purview of the KPPCSD. These districts include the Kensington Fire Protection District, Stege Sanitary District, East Bay Regional Park District and East Bay Municipal Utility District. ¶

The Park and Recreation Coordinator shall be concerned with the use and development of Kensington Park, Kensington Community Center, other park buildings, and recreation services. ¶

The President and/or Board may also choose to appoint other coordinators, such as an Emergency Preparedness or Community Outreach Coordinator as they deem appropriate. ¶

- * Enforce the Board's policies in relation to the order of business and the conduct of meetings;
- * Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference;
- * Explain what the effect of a motion would be if it is not clear to every member;
- * Restrict discussion to the question when a motion is before the Board;
- * Rule on meeting procedure;
- * Put motions to a vote, and state clearly the results of the vote; and
- * Preserve order and decorum.

4030.3 Responsibilities: Responsibilities of the President include, but are not limited to, the following:

- * Sign all instruments, act, and carry out stated requirements and the will of the Board;
- * Sign the minutes of the Board meeting following their approval;
- * Appoint and disband all committees, subject to Board ratification
- * Call such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law;
- * Coordinate the preparation of meeting agendas with the General Manager;
- * Confer with the General Manager or designee on crucial matters that may occur between Board of Directors meetings;
- * Be responsible for the orderly conduct of all Board meetings;
- * Be the spokesperson for the Board; and
- * Perform other duties as authorized by the Board.

In the absence or disability of the President, the alternate presiding officer may temporarily carry out these responsibilities until such time as the President is able to resume his or her responsibilities.

In the absence or disability of the President, the Vice President of the Board of Directors shall serve as the presiding officer over all meetings of the Board. If the President and Vice President of the Board are both absent or disabled, the remaining members present shall select one of themselves to act as temporary presiding officer of the meeting.

POLICY 4040: Ethics Training

4040.1 All Directors, General Manager, Chief of Police, and members of all committees that are subject to the Brown Act shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the board of

directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 et seq. as may be amended from time to time.

4040.1.1 All ethics training shall be provided by providers whose curricula have been approved by the California Attorney General and the Fair Political Practices Commission.

4040.1.2 Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person, or online.

4040.1.3 Attendees shall obtain proof of participation after completing the ethics training. Applicable costs for attending the training shall be reimbursed by the District.

4040.1.3.1 District staff shall maintain records indicating both the dates that attendees completed the ethics training and the name of the provider that provided the training. These records shall be maintained for at least five years after the date of training and may be public records subject to disclosure under the California Public Records Act.

4040.1.4 District staff shall provide the prospective attendees with information on available training that meets the requirements of this policy once every year.

POLICY 4050: Members of the Board of Directors

4050.1 Directors shall thoroughly prepare themselves to discuss agenda items at meetings of the Board of Directors.

4050.1.1 Requests by individual Directors for substantive information and/or research from District staff will be channeled through the General Manager.

4050.1.2 The General Manager shall be responsible for providing the requested information and shall make all information equally available to all Directors. Information development and distribution is subject to staff availability.

4050.1.3 If writings are distributed to a majority of the Board in connection with an agenda item, those writings shall be made available to the public in the manner required by law.

4050.2 Meeting Decorum:

4050.2.1 Directors shall at all times conduct themselves with courtesy to each other, to staff, and to members of the audience present at Board meetings.

4050.2.2 Directors shall defer to the presiding officer for conduct of meetings of the Board but shall be free to question and discuss items on the agenda. All comments should be brief and confined to the matter being discussed by the Board.

4050.3 Abstentions and Failure to Vote: Directors should not abstain from the Board's decision-making responsibilities unless a personal or financial conflict of interest exists. Directors abstaining due to a disqualifying conflict of interest will not be counted as part of a quorum and will be considered absent for the purposes of determining the outcome of a vote on the matter. Directors who fail to vote in the absence of a declared conflict of interest will be counted as part

of a quorum and in effect consent that a majority of the quorum will determine the outcome of a vote on the matter.

POLICY 4060: Training, Education and Conferences

4060.1 Members of the Board of Directors are encouraged to attend educational conferences, seminars, trainings, and professional meetings when the purpose of any such activity is to improve District operation. There is no limit as to the number of Directors attending a particular activity when it is apparent that attendance is beneficial to the District, as long as a majority of the members of a body do not discuss issues related to their local agency's business. Directors shall not attend conference or training event when it is apparent that there is no significant benefit to the District. Directors shall not attend or engage in any travel for pleasure at public expense (e.g. "junkets" or other such events that are not beneficial to the District).

4060.2 The General Manager (or a designated employee) may use District funds to pay tuition, registration, travel and/or lodging expenses for educational conferences, seminars, trainings, and/or professional meetings for Members of the Board of Directors. These prepaid expenses must be listed on an itemized sheet, supported with receipts and submitted to the District no later than ninety (90) days following the conclusion of training.

4060.2.1 The District shall reimburse all pre-approved travel costs including lodging, private vehicle (as noted below), taxi or similar service, shuttle, air fare. Bus and train. All other expenses, including meals and incidental expenses will be reimbursed at the per diem rate of \$90/day (partial or full day) adjusted annually with the Consumer Price Index for San Francisco-Oakland-San Jose. All reasonable effort should be made to reserve lodging at conference rates or find comparable rooms at nearby locations. It is recognized that some reservation will be made later and not qualify for conference rates. All reimbursements shall be made in accordance with applicable State and federal law, including but not limited to Internal Revenue Service Guidelines. Directors so reimbursed shall present a brief report on the meeting attended at the soonest possible regular Board meeting.

4060.2.2 Costs for attendance by Directors at seminars, workshops, courses, professional organization meetings, and conferences shall be included in the operating budget prior to the District incurring any reimbursable costs.

4060.2.3.3 Requesting reservations sufficiently in advance, when possible, to obtain discounted air fares and hotel rates. Other hotels can be utilized if sponsor hotels are booked and are not available. It is recognized that scheduling may not allow early registration and it is acceptable to register and attend, even if late, in recognition of the networking opportunities, informal gatherings and educational value to the District of attending these sessions. Attendance at annual conferences and education sessions is encouraged.

4060.3 A Director shall not be reimbursed for expenses incurred at any educational conference, seminar, training, or professional meeting event if such event occurs after the District has

announced that Director's pending resignation, or if such event occurs after an election in which it has been determined that the Director will not retain his or her seat on the Board.

RESOLUTION NO. 2020-__

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT AMENDING CERTAIN SECTIONS OF
POLICIES 4000 AND 4100.**

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

WHEREAS, the Kensington Police Protection and Community Services District ("District") adopted Policy 4000 and 4100 on May 23, 2018; and

WHEREAS, in working with that Policy, staff have identified several sections that warrant clarification and revisions; and

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

1. Policy 4000 is hereby revised as shown in the redlined portions of the attached draft 4000, which draft is incorporated herein by reference.
2. Policy 4100 is hereby revised as shown in the redlined portions of the attached draft 4100, which draft is incorporated herein by reference.

AYES:

NOES:

ABSENT:

ABSTAIN:

DATED: February 13, 2020

General Manager
Kensington Police Protection and
Community Services District

Kensington Police Protection and Community Services District

BOARD OF DIRECTORS MEETING

February 13, 2020

Authorization for Board attendance at the California Special Districts Association (CSDA) annual conference in Palm Desert, California.

Authorization for Board attendance at the Special District Leadership Academy (SDLA) conference.

BACKGROUND

The CSDA holds an annual conference for Special District Board members. This year's conference is in Palm Desert, California from August 23rd - August 27th.

The SDLA conference is a leadership academy for elected directors. Board Directors can only attend twice and must complete scheduled course work in order to receive certification.

FISCAL IMPACT

The CSDA conference is \$625 per participant before July 24, 2020. Travel expenses and per diem is in addition to this fee.

The SDLA conference is \$600 per attendee. Additional expenses as listed above. Scholarships have been available for small special districts in the past (for this conference only). Board members should apply for a scholarship, if available, to offset cost.

RECOMMENDATION

The KPPCSD General Manager recommends attendance at educational conferences and utilization of other opportunities for training in the role of Board Director. These events qualify the District for Special District Risk Management Authority (SDRMA) credit incentive points which reduce the District's annual contribution amount or cost.

As the KPPCSD does not have a current onboarding procedure, understanding of the roles of board and staff, attributes of effective boards and current governmental regulation are essential.

The Board should discuss and determine authorization for Board attendance at these educational events.

ATTACHMENTS

None

Submitted By: Director Sherris-Watt