



Agenda

Board of Directors
Kensington Police Protection
and Community Service District

Special Meeting
Monday, January 3, 2022
Via Teleconference
6:00 p.m.

www.kppcsd.org/2022-01-03-kppcsd-board-meeting

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

On September 16, 2021, the Governor signed into law AB 361. AB 361 added Section 54953(e) to the California Open Meetings Act, California Government Code 54950 et seq. (“The Brown Act”). Section 54953(e) allows District’s legislative body, the Board of Directors, to hold meetings by teleconferences during a proclaimed state of emergency subject to the Board making findings specified in Section 54953(e)(2). The Board may continue to hold teleconferenced meetings during the state of emergency so long as at least every 30 days, the Board reconsiders the state of emergency to determine if remote meetings are warranted under Section 54953(e)(3). When holding teleconferenced meetings, the Board must comply with the notice, access, public comment and other procedure requirements of Section 54953(e)(2).

Special Meeting

Call to Order

Roll Call

Special Meeting Agenda Item Public Comments

Individuals wishing to address the Board of Directors concerning any Special Meeting agenda items or on matters not already on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 917 Arlington Ave., Kensington, CA 94707 or llewis@kppcsd.org.

1. **Appointment of District Labor Negotiator, KPOA**

Recommended Action: Appoint Richard J. Benson, Interim General Manager, as District Labor Negotiator, to negotiate with the Kensington Police Officers Association (KPOA).

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

2. Appointment of District Labor Negotiator, Chief & Lieutenant

Recommended Action: Appoint Richard J. Benson, Interim General Manager, as District Labor Negotiator, to negotiate with the Chief of Police and Police Lieutenant.

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

Adjournment to Closed Session

Closed Session Meeting

1. Conference with Real Property Negotiators (Government Code § 54956.8)

Consider matters related to properties: 303 Arlington Avenue Agency negotiator: Interim General Manager Richard J. Benson

Under negotiation: price, terms of payment, space available.

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

2. Conference with Labor Negotiators

District designated representative: Interim General Manager Richard J. Benson

Employee organization: Kensington Police Officers Association

Unrepresented: Chief of Police and Police Lieutenant

Contact: Richard J. Benson, Interim General Manager, rbenson@kppcsd.org

Adjournment

The next regular meeting will be held on January 13, 2022.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- 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 Service District, 217 Arlington Ave, Kensington, CA 94707.
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at llewis@kppcsd.org.

Posted Agenda

Public Safety Building – Colusa Food – Arlington Kiosk and at www.kppcsd.org. Complete agenda packets are available at the Public Safety Building at 217 Arlington Avenue, Kensington, CA 94707.

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



Kensington Police Protection & Community Services District

Item #1

Date: January 3, 2022
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: Appointment of District Labor Negotiator, KPOA

Recommendation

Appoint Richard J. Benson, Interim General Manager, as District Labor Negotiator, to negotiate with the Kensington Police Officers Association (KPOA)

Background

The Kensington Police Officer's Association has made a formal request to enter into contract negotiations. The most recent contract expired July 30, 2021.

Per Government Code §54957.6 your Board must, at an open and public session, identify its designated representative(s) to negotiate.

Discussion

Your Board has the ability to appoint any individual of your choosing to act as the Board's authorized representative in contract negotiations. At this time, it is recommended that you designate the Interim General Manager as the negotiator. Your Board may change or add other individuals at any time so long as they are identified at an open public session.

Rationale for Recommendation

It is sometimes advantageous to bring in an outside, third-party, negotiator to represent the District. Based on informal discussions that does not appear to be necessary at this time given the anticipated scope of negotiations.

Financial Impact

The financial impact of appointing the Interim General Manager as negotiator will depend upon the time necessary to reach an agreement.



Kensington Police Protection & Community Services District

Item #2

Date: January 3, 2022
To: Board of Directors
From: Rick Benson, Interim General Manager
Subject: Appointment of District Labor Negotiator, Chief & Lieutenant

Recommendation

Appoint Richard J. Benson, Interim General Manager, as District Labor Negotiator, to negotiate with the Chief of Police and Police Lieutenant.

Background

Neither the Chief nor the Lieutenant of the Kensington Police Department have a formal contract with the District. Both individuals are serving per the terms of letters of understanding and general district policies. In order to clarify the terms of their service, it is recommended that an employment contract be negotiated.

Prior to any negotiations, per Government Code §54957.6 your Board must, at an open and public session, identify its designated representative(s) to negotiate.

Discussion

Your Board has the ability to appoint any individual of your choosing to act as the Board's authorized representative in contract negotiations. At this time, is recommended that you designate the Interim General Manager as the negotiator. Your Board may change or add other individuals at any time so long as they are identified at an open public session.

Rationale for Recommendation

It is sometimes advantageous to bring in an outside, third-party, negotiator to represent the District. Based on informal discussions that does not appear to be necessary at this time given the anticipated scope of the negotiations.

Financial Impact

The financial impact of appointing the Interim General Manager as negotiator will depend upon the time necessary to reach an agreement.