

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

July 9, 2015 AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, July 9 2015, at 6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. The Board will commence its monthly Regular Meeting in open session at **7:30 P.M.** If further Closed Door Session is required, the Board will return to Closed Door Session following the end of the Regular Meeting.

Roll Call  
Public Comment

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

1. Conference with Labor Negotiators (Government Code Section 54957.6)  
Agency Representatives: Jonathan Holtzman, of Renne, Sloan, Holtzman, Sakai  
Employee Organization: Kensington Police Officers Association
  - a. The board will receive an update regarding contract negotiations with the Kensington POA.
2. Pursuant to California Government Code Section 54957b:
  - a. The Board will discuss the contract and terms of the General Manager/ Chief of Police.

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

The Board will return to Open Session at approximately 7:30 PM and report out on the Closed Door Session.

A Regular Meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday, July 9 2015, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California.

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

Public Comments  
Board Member/ Staff Comments

## **APPROVAL OF CONSENT CALENDAR**

- a) Minutes of the Special & Regular Meeting March 12, 2015 Page 3
- b) Minutes of the Special & Regular Meeting May 14, 2015 Page 15
- c) Minutes of the Special & Regular Meeting June 1, 2015 Page 25
- d) Unaudited Profit & Loss Report for May 2015 Page 37
- e) Unaudited Profit & Loss Report for June 2015 Page 42
- f) Park Revenue & Expense Report for June 2015 Page 47
- g) Board Member Reports-None this month
- h) KPD Monthly Statistics-May & June 2015 Page 53
- i) Training/ Reimbursement Report- None This Month
- j) Correspondence Page 63
- k) Recreational Report- Dated July 6, 2015 Page 89
- l) Monthly Calendar, None this month
- m) General Manager's Report June 2015 Page 192

1. The Kensington Police Protection and Community Services District Board of Directors will review and consider the approval of Board Resolution 2015-05, a Resolution of the Board of Directors of the Kensington Police Protection and Community Services District, approving an increase in the Supplemental Special Tax (Measure G) for each single family residential parcel by a maximum of 2.436%. This is an annual cost of living adjustment/evaluation based on the Consumer Price Index of the San Francisco-Oakland-San Jose Area. Page 90  
**General Managers Recommendation:** Review supporting documentation, take public comment, deliberate and take action.
2. The Kensington Police Protection and Community Services District Board of Directors will review and consider the approval of Fiscal Year 2015/16 proposed budget. The Board of Directors reviewed and approved the preliminary budget for FY 15/16 at its Special Meeting held in June 29, 2015. The General Manager will present the proposed FY 15/16 budget for consideration. Page 95  
**General Managers Recommendation:** Review supporting budget documents, take public comment, deliberate and approve 15/15 FY proposed budget.
3. Directors Toombs and Cordova will deliver an update report on the proposed framework for the Ad Hoc Committee for Governance and Operations Structure for the District. This item was previously discussed on June 1, 2015.  
**General Managers Recommendation:** Receive presentation and take action if appropriate. Page 176

## DISTRICT - NEW BUSINESS

1. Board President Len Welsh requested Board Policy 5030.41, be brought to the board for amendment consideration. If approved, the new policy would change the amount of time each speaker would have during public comment period. In addition, the proposed policy would give the president of the board the ability to limit public comment based on the number of speakers to ensure that everyone has an opportunity to comment. Page 180  
**General Managers Recommendation:** Review possible changes to board policy, receive public comment, deliberate, and take action.
2. Director Sherris-Watt will report on the findings and recommendation of the Parks Building Committee to accept the lowest responsible bidder to perform a seismic study of the Kensington Community Center. The lowest responsible bidder was Gregory Wallace, Structural Engineer, who submitted a bid price of \$9,800.00 pursuant to the scope of work described. Page 181  
**General Managers Recommendation:** Review supporting documents, receive public comment, deliberate, and take action.

## ADJOURNMENT

General Information

Accessible Public Meetings

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

General Manager 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](http://www.kensingtoncalifornia.org)  
Complete agenda packets are available at the Public Safety Building and the Library.

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

## Meeting Minutes for 3/12/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, March 12, 2015, at **6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California.

A Regular Meeting (Open Session) of the Board of Directors of the Kensington Police Protection and Community Services District followed.

### ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Kim Manolius, Hanson Bridgett
Pat Gillette, Vice President	Deborah Russell, CPA
Chuck Toombs, Director	Craig Fechter, CPA/Auditor
Vanessa Cordova, Director	Leonard Schwartzburd
Rachelle Sherris-Watt, Director	Catherine de Neergaard
	Celius Concus
	Melissa Holmes Snyder
<u>Staff Members</u>	Jan Stensland
Master Sgt. Rickey Hull (on duty)	David Bergen
Sgt. Hui (on duty)	Linda Lipscomb
Lynn Wolter, District Administrator	Brian Eckler
	Paul Dorroh
<u>Press</u>	Chris Hafner
	Kevin Padian
	Bill Stanton
	Maria Ling
	Haig Harris
	Andrew Gutierrez
	Peter Conrad
	Sandy Waters
	Gloria Morrison
	Donna Stanton
	Ryan Anderson
	David Spath
	Gail Feldman
	Sylvia Hacaj
	Kate Dragolovich
	A. Stevens Delk
	Rick Ardis

President Welsh called the meeting to order at 6:07 P.M. President Welsh, Vice President Gillette, Director Toombs, Director Cordova, Director Sherris-Watt, Master Sergeant Hull (sitting in for General Manager/Chief of Police Harman), and District Administrator Wolter were present.

### PUBLIC COMMENTS

Donna Stanton said she was the wife of one of the petitioners. She said there had been several emails sent from the petitioners' lawyer to Hanson Bridgett asking for an opportunity to speak to the Board. She asked if Hanson Bridgett had conveyed this to the Board and said that the petitioners had tried to settle.

Vice President Gillette asked Ms. Stanton to provide a copy of the paperwork. President Welsh responded that the petitioners could have dismissed the three individual Directors.

Leonard Schwartzburd said offers of a settlement had not been responded to.

Catherine de Neergaard said she had gone before a judge in January to get herself removed from the Writ. She said she still had concerns about the case and that offers to settle had been made. She said there were good legal points as to why the petitioners should not have to pay and that the Board needed to put an end to the matter. She said the District needed a new law firm and that the only winner had been Hanson Bridgett. She asked the Board to stop its pursuit of attorneys' fees.

Celia Concus read a letter from John Sullivan about settling the Writ of Mandate. In the letter, Mr. Sullivan asked why the Board hadn't taken a re-vote on the GM/COP's contract and said a re-vote in August 2012 would have removed procedural doubt. His letter said that, because there hadn't been a re-vote, angry residents had filed a Writ of Mandate and that, subsequently, the Board had made an Anti-SLAPP motion to silence public opposition. The letter stated that the mounting costs of legal fees had been reported on the front page of the Outlook. Mr. Sullivan's letter also said that, in the past month, there had been changes made by Kensington Community Council (KCC) and changes within the KPPCSD and that these changes had required real leadership. The letter said there were questions about police services and about the safety of the Community Center. The letter concluded by saying that the Board should walk away from the legal scuffle.

Melissa Holmes Snyder said she was speaking on behalf of herself and her husband and that she was the President of the Kensington Improvement Club (KIC). She said it was astonishing that the Board had been sued and that three individual Directors had been sued. She said she hoped that mediation would yield monetary compensation for what the petitioners had cost the community.

Jan Stensland said she was speaking on behalf of eleven neighbors and that she agreed with what Ms. Holmes Snyder had said. She said the petitioners should bear financial responsibility, that this had been an intentional lawsuit, and that both sides had known what was being spent. She said that, if someone had caused \$200,000 of damage, they would be held responsible.

David Bergen said he disagreed with Ms. Holmes Snyder and Ms. Stensland. He said the petitioners had tried to stop the process, the Board could have avoided the lawsuit by taking a re-vote, the Anti-SLAPP motion was inappropriate, and the Board shouldn't try to recover legal fees. He asked how much more money would be spent on the continuation of the matter and said the Board should end the proceedings.

Linda Lipscomb said the petitioners had sued the Board and individuals, and she cited the impact the lawsuit had had on her personally. She said the petitioners had received poor legal advice and that this might provide recourse for the petitioners. She read portions of the Court of Appeals document regarding the Writ of Mandate that had been Certified for Publication, which included the following: "The petition complains of two alleged violation of the Board's Manual: (1) continuing the meeting after 10:00 P.M. on only a three-two vote in favor of doing so; and (2) failing to properly notice the substance of July 12, 2012 Board meeting. The record on appeal reveals these contentions lack merit. Thus, there is not a reasonable probability that petitioners' action can succeed."

Ms. Lipscomb said money should be collected and that the Board should not be held hostage in the future, and that the fundamental first amendment right should be protected. Ms. Lipscomb cited section 1020 of the District's Policy and Procedures Manual, with respect to conflicts of interest, and said that Directors with close relationships to petitioners should not be involved.

Brian Eckler said it was hard for an outsider to understand what had happened and asked if the Board could prepare something simple that would provide an explanation.

Paul Dorroh congratulated the petitioners on a good turnout. He assured the Board that many more members of the community were of the opinion that the Board should and must pursue recovery of legal fees. He said the lawsuit was over and that the Court of Appeals had rendered a unanimous decision that it was wrong to sue individual Board members because of the First Amendment. He said that, with respect to the lawsuit brought against the District, the case had lacked merit and the petitioners had lost. He said that Section 425.16(c) of the California Civil Procedures said that a prevailing defendant on a special motion to strike shall be entitled to recover attorney's fees and costs. He said the Board had a legal obligation to recover the maximum amount of money that had been spent to fight a legal attempt at intimidation.

Chris Hafner said the Board should drop the matter, it shouldn't spend more money, and the petitioners should be thanked.

Kevin Padian said watershed action was going to occur at the meeting, the Board should heal the community, the Board shouldn't continue to pursue the matter, and that the Board shouldn't incur more cost.

Bill Stanton said the Writ of Mandamus process existed so that the powerless could be heard. He said the current situation was a cockamamie thing that had been cooked up by Hanson Bridgett to silence the petitioners. He said the petitioners didn't want money; they had just wanted the Board to take a re-vote and to allow an extra month so that people could have known that the GM/COP's contract was to be discussed.

Maria Ling said that some citizens had sued the Board and lost because their case had lacked merit, that Kensington had spent money to defend itself, and it was only fair for Kensington to get this money back.

Haig Harris said he didn't represent all the petitioners. He said he represented Cathie Kosel, whom he cited as the one individual who should have been let off; that she had not been a party to the litigation. He said she had had her name removed initially because she had changed her mind. He asked the Board to instruct its attorneys that Cathie Kosel was not part of the litigation.

Andrew Gutierrez said the Board could have settled the matter with a re-vote and the only winners were Hanson Bridgett.

#### **BOARD MEMBER COMMENTS**

None

#### **STAFF COMMENTS**

None

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Board enter into Closed Session.**

**Motion passed: 5 to 0**

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

The Board entered into Closed Session at 7:03 P.M.

Closed Session Agenda

Pursuant to California Government Code Section 54956.9(a):

- a. Conference with Legal Counsel – existing Litigation – Leonard Schwartzburd et al v. Kensington Police Protection & Community Services District (Case Number N12-1625).

Pursuant to California Government Code Section 54957(b)(1):

- a. Conference with Legal Counsel – Employee Personnel Matter.

Pursuant to California Code Section 54956.9(3)(C) & 54957(b)(1):

- a. Receipt of Claim Against the District in the amount of \$1,024.14 as a result of an Employee Personnel Matter.

The Board entered into Open Session at 8:39 P.M.

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

President Welsh reported:

- Item 1 – The Board gave instruction to Director Sherris-Watt and Vice President Gillette on how to proceed with mediation.
- Item 2 – The Board took no action.
- Item 3 – The Board gave instruction to Legal Counsel on how to proceed.

**PUBLIC COMMENTS**

Peter Conrad questioned District Administrator Wolter's salary. President Welsh responded that this decision had been up to the GM/COP and that the item had been included in the budget, which had been discussed at Finance Committee meetings. Director Sherris-Watt asked which Finance Committee meetings. District Administrator Wolter replied that she would provide the meeting dates.

Sandy Waters said she was a 50-year resident and a retired Berkeley police officer. She said she was unhappy that the Chief had not attended the meeting and that she wanted an explanation for why there had been a night with no police coverage in Kensington. She said that Richmond had said there had been an incident one night and that, because an officer couldn't be located, the Fire Department had had to respond. Master Sergeant Hull responded that he had heard about this and that he, Corporal Stegman, and the Chief had looked into it. He said that none of them could find any evidence that such an incident had occurred. Master Sergeant Hull added that, on February 14<sup>th</sup>, he had been on duty and that, when he got out of his patrol car for lunch, he had failed to turn on his radio. He said his radio remained off for twenty minutes. He said there was no evidence of a nighttime incident and that Richmond's Dispatch Supervisor could find no documentation to support the allegation. Director Cordova thanked Master Sergeant Hull for his candor.

President Welsh asked how Ms. Waters had found out about the cited incident. Ms. Waters responded that she had learned about this from rumors. President Welsh replied that one couldn't find truth in rumors.

### BOARD MEMBER COMMENTS

President Welsh spoke about the last agenda item, the District Transparency Certificate, noting that Director Cordova had asked that this be on the agenda. He also said that, longer-term, he wanted the Board to consider law enforcement's CALEA certification. He said he acknowledged that there were strong feelings among members of the community. He said that the police department was functioning well, it was in excellent shape, and the service it provided was excellent – even with recent events.

Director Cordova said that, in January, she had met with the United States Postal Service (USPS) about putting a satellite post office back in Kensington and about re-siting mailboxes. She said the USPS wanted to improve service.

Vice President Gillette thanked everyone for attending and said she appreciated the comments that had been made on both sides. She thanked volunteers who had stepped up and thanked Master Sergeant Hull and District Administrator Wolter for taking on additional responsibilities.

Direct Sherris-Watt said Tony Thurmond had invited her to join him in a leadership effort on how to improve police service without the use of deadly force. She said she would gather information and bring it back to the Board.

### STAFF COMMENTS

None.

### CONSENT CALENDAR

Leonard Schwartzburd asked the Board to amend the minutes to reflect the complete statement he had made so that the meaning of his statement would be conveyed. District Administrator Wolter read what Mr. Schwartzburd had said, verbatim. The Board asked that the minutes be amended to include what Mr. Schwartzburd had said, verbatim, and asked that this replace the summary comment that had originally appeared.

**MOTION: Director Toombs moved, and President Welsh seconded, that the Consent Calendar be adopted, with the minutes as amended.**

**Motion passed: 5 to 0**

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

President Welsh reported that the Chief was not at the meeting because he had the flu and asked that Agenda Item 5 be considered at this time.

### DISTRICT NEW BUSINESS

5. Craig Fechter presented the Independent Auditor's Report for the Year Ended June 30,2013.

Craig Fechter reported that the KPPCSD financial statements were in accordance with GAAP and that they fairly presented the financial position of the KPPCSD. He said he had reviewed allegations regarding the credit card, noting that he had reviewed these documents for a four-month period and found no irregularities. He said that Management's Discussion and Analysis, which was produced by the District, provided highlights. He said that the two statements with the most meaning were the Statement of Net Position, which reported the District's assets, liabilities, and change in net position; and the Statement of Revenues, Expenditures, and Changes in fund Balance Budget and Actual, which reported that the District had a shortfall of \$28,626 for the fiscal year 2013.

Mr. Fechter reported that the District received property tax revenue from the County and that he had confirmed, with the County, the amount received. He reported that he found no irregularities with the credit card or any other payables.

Ryan Anderson asked about the District's reserves. Mr. Fechter responded that there were no reserve regulations that applied to the District.

Mr. Fechter reported that he had tested expense reimbursements and general disbursements and that he had found appropriate documentation for these.

David Spath asked what was the scope of the audit. Mr. Fechter and CPA Deborah Russell responded that the scope of the financial statements was to determine whether what management presented was fair and true.

Paul Dorroh asked if Mr. Fechter had found any weaknesses in internal controls. Mr. Fechter responded that he had not.

Mr. Fechter concluded by advising the Board that, in 2016, GASB 68 would go into effect and that this would change some aspects of District's financial reports.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Board accept the Audit as presented.**

**Motion passed: 5 to 0**

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

1. The Board reported out on the votes of individual board members, taken at the February 16, 2015 Closed Session Board meeting, to discontinue the Chief's contract.

President Welsh reported that the vote not to continue the GM/COP's contract had been 4 to 1, with President Welsh, Vice President Gillette, Director Sherris-Watt, and Director Cordova voting in the affirmative and Director Toombs voting in the negative.

Kevin Padian asked if the Board had taken votes in Closed Session, with respect to the mediation. In response, Mr. Padian was told that mediation votes were not reportable but that, once a decision was made, the Board would report the vote.

2. The Board received an update on the formation of a committee to conduct a search for an Interim Chief of Police.

Vice President Gillette reported that she and Director Sherris-Watt had communicated and that they had agreed that the goal would be to establish a term of one year, maximum, and six months, minimum. She reported that she and Director Sherris-Watt would develop a job description, collect resumes to review, and then select five candidates from whom the Board could make a selection. She said the goal was to make this happen quickly. She reported that the position would be open to both Kensington officers and outside candidates and that someone would be in place by the end of May.

Director Sherris-Watt reported that the salary should be based off steps that are in place for the officers and that, specifically, the Interim Chief should be paid 3% more than the second step for the Master Sergeant plus an additional 10% if the candidate were also to serve as the General Manager. Vice President Gillette said that the officers should have input into the decision.

President Welsh asked if the search would be for a Police Chief and not for a General Manager. District Administrator Wolter said that, by law, the District needed to have a General Manager.



Linda Lipscomb said that the Board should take a comprehensive view of the position, while, at the same time, studying whether the jobs of GM and COP should be separated. She said that the Board needed an Interim GM/COP until, if, or when there was a new structure.

Vice President Gillette said that the Board had done a large salary survey and therefore had information that would be needed for the search.

Gloria Morrison asked if there was a budget. Vice President Gillette said there wasn't.

At 9:45 President Welsh interrupted the meeting to ask if there was a motion to extend the meeting.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the meeting be extended beyond 10:00 PM.**

**Motion passed: 5 to 0**

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

Peter Conrad said that the head of the Police Department had to be a manager and that, because the budget would be modest, the Board likely would find a retired senior member of a police department.

Simon Braufman suggested that Board coordinate the two committees. Vice President Gillette responded that the Board needed to address the immediate need.

Catherine de Neergaard suggested that the Board reach out to all communities, especially women. Vice President Gillette responded that affirmative action was still in effect.

Director Cordova said that the next steps should be to identify sources of candidates and to establish a job description and that significant progress be made by the next meeting.

Andrew Gutierrez said the Board should "farm out" police services to El Cerrito. President Welsh responded that, in the long term, the community needed to re-examine this option but that it shouldn't jump into this option quickly.

David Spath asked if the Board was looking only for an interim person. Vice President Gillette responded that, if the Board found the right candidate and that candidate was interested in a long-term position, the Board would consider this.

President Welsh said he hoped there would be lots of candidates from which to choose.

3. The Board received an update on the formation of a committee to research and report back to the Board on possible alternatives to the current General Manager/Chief of Police position and other issues related to the District.

President Welsh introduced the agenda item.

Vice President Gillette said that she would like to open nominations up to lots of people and that, out of a large pool of candidates, each Director would choose two people so that the resulting committee would include ten community members. She said she thought this would be a more transparent process.

Director Cordova said that she would like there to be fresh members and that people serving on other committees should not be included. Vice President Gillette said people shouldn't be disqualified just because they were serving on other committees and there were some wonderful people serving on other committees. Vice President Gillette said that she envisioned a pool of 20 to 25 people from which to select ten for the committee.

President Welsh said he had a list of people who had submitted their names, noting that both he and District Administrator had the full list.

Director Toombs recommended that the Board interview candidates, much in the same way as had been done when he had applied to serve on the District's Park Advisory Committee in 1995. He said that, at that time, the Board had collected resumes and had conducted interviews of every candidate to determine what each candidate would bring to the committee. President Welsh responded that this would be a longer, but more thorough, process. Director Toombs said that the Board was looking at the District's structure and that a longer process might produce a better result. He said that, when the park master plan was developed, it had taken two years.

President Welsh said that the interview concept should be considered in order to determine if candidates would understand the need to "roll up their sleeves" and to make a serious commitment of time. President Welsh clarified that the Board would need to hold a special meeting for that purpose.

Director Toombs predicted that the time commitment, for the whole process, would be between a year and a year-and-a-half, at a minimum.

Director Cordova said she agreed with Director Toombs. She said that, for KMAC, candidates filled out a form that asked about things such as area of expertise, availability, and why one wanted to serve on the Council. She said KMAC members read the applications and then brought in individuals for interviews. She wondered if the process could be streamlined with such a form.

Director Toombs said that District Administrator Wolter might have the file from 1995 that might contain the questionnaire application form that Park Committee members had completed at that time. He said it had been a pretty regimented process. Director Toombs asked if District Administrator Wolter could find the form. District Administrator Wolter responded that she might have it among her files. District Administrator Wolter said that, when the Board was establishing the Park Advisory Committee the full Board had conducted the interviews, it had established goals and objectives, and it had set some basic parameters, including a timeline. She said it might be beneficial for the Board to establish a framework for the current committee. Director Cordova said she agreed but that she didn't want anyone to be intimidated by the process.

Director Toombs said he wanted to establish a reasonable protocol and that the idea of a questionnaire was a good one. He said he wanted the committee to be diverse and to include some new faces, new ideas, and new energy.

Vice President Gillette said she agreed with the idea of a questionnaire and that there should be a timeline.

Director Toombs questioned what the scope of the committee would be – just determining whether or not the GM/COP positions should be separated or doing a major structural review of everything.

President Welsh said the Board would need to identify no more than four topics for the committee to address, including the structure, the possible separation of the GM/COP position, the finances of the Services and Fire Districts, and contracting out with El Cerrito. He said these were all substantial topics that would need to be prioritized and tackled.

Director Sherris-Watt asked if a questionnaire could be in place by the April 9<sup>th</sup> Board meeting and if nominees could be voted on by May. Vice President Gillette and Director Toombs said this schedule seemed a little too aggressive. Vice President Gillette said the Board probably could have the questionnaire by April, get the questionnaires in by May, and conduct interviews by June.

Linda Lipscomb handed out a chart that contained FBI crime statistics for 2013 – the most recent year for which the statistics were available. She said this chart was relevant in the context of contracting out. She said the chart showed that, compared to neighboring communities, Kensington's crime statistics

were very good and that the differences in these statistics showed why contracting out with El Cerrito would be a bad idea and that doing so would be a mistake.

President Welsh said the Board was going to have to revisit contracting out because there were many people who wanted to do this.

Linda Lipscomb noted that Kensington had experience with contracting out through the Fire Department. She said that Kensington had pre-paid \$2.3 million to El Cerrito for fire service, that Kensington paid 30% of El Cerrito's Fire Department's budget, and that this contracting out hadn't worked out well.

President Welsh said there would be two issues that would need to be addressed: quality of service and cost. He said that contracting out needed to be re-examined because the last time it had been explored had been in 2009 and that there were a lot of questions in the community about it. Director Cordova said there were no "sacred cows".

Gail Feldman suggested that the Board keep the subject matter broad and that looking at things like contracting out would be good. She said this was a great opportunity to, perhaps, even look at why things may not have worked out with the fire contract. With respect to the selection, she said that the Kensington Property Owners' Association (KPOA) would be holding its annual meeting on May 3<sup>rd</sup> and so broadcasting the opportunity to apply could be included in the information the KPOA would send out to the community and could occur at the meeting itself. Ms. Feldman recommended that applicants bring some sort of experience to the committee. She added that she had served on the Park Advisory Committee with Director Toombs and that the work of that committee would not have happened if there hadn't been some professional planners and architects on the committee. She concluded by saying that not everyone would need to be a professional but that some key people would be needed.

Vice President Gillette said there should be a minimum of items into which the committee should look:

- Current structure
- Splitting the GM/COP position
- Contracting out
- Consolidating with the Fire District

She said that the Board should leave it open to the committee to decide if other things should be studied.

President Welsh said two Board members were needed to shepherd the process. Directors Toombs and Cordova agreed to do so.

A. Stevens Delk asked that the Directors speak into the microphones more directly. President Welsh said the Board was working on a new system. Ms. Delk said she wanted to correct one thing that she thought had been misstated at the prior month's meeting about the Brown Taylor Report on contracting out with El Cerrito. She said a salient feature of Taylor's task was that the high quality of service then provided to the Kensington community was to be the minimum planning threshold; there would be no reduction in service, contrary to what Director Toombs had said.

**MOTION: Director Cordova moved, and Vice President Gillette seconded, that an ad hoc committee be formed and that President Welsh appoint Director Toombs and herself to that ad hoc committee to research and report back on the possible change in structure to the General Manager/Chief of Police position and other structural items.**

**Motion passed: 5 to 0**

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

4. The Board considered the appointment of an expert to conduct a security and data policy/procedure review.

President Welsh introduced the item, saying that the document in the Board Packet, which citizen Ryan Anderson had prepared, addressed the general nature of the problems. He said this topic had been addressed at the prior month's meeting and that people were concerned about doing unnecessary investigations. President Welsh said there were true security issues at the police department that included electronic and files security. He said good management indicated that these issues needed to be addressed. He said Mr. Anderson's scope document summarized some of the generic issues: unauthorized access to physical facilities, location of data or property, unauthorized access to computer systems or data, intentional breach of data by external sources, accidental loss of data, accidental threats, and password policies. President Welsh said he had spoken with staff and that there was not a single person at the office who didn't feel nervous about the laxness with which critical items are maintained. President Welsh asked the Board to consider hiring some sort of expert to perform "triage" of the major items promptly. He said he was unsure what a consultant would cost but said he thought the Board could begin with a \$5,000 contract to do a brief review that would identify those things that could be addressed with minimal effort.

Master Sergeant Hull said he agreed.

Sylvia Hacaj asked what the project would cover. President Welsh responded that the Board needed to explore the following:

- What may have been done wrong
- What had been done right
- Status of office security

He said these items should have been done earlier and that they needed to be dealt with now.

Kate Dragolovich asked why the Board was adding a new cost and whether it had \$5,000 to spend on the project. President Welsh said that he was not proposing a massively expensive thing – just someone to point the Board in the right direction and that the District had \$5,000 for the project. Vice President Gillette said she had had no idea that things were so lax at the police department. She said she didn't object to spending \$5,000 to make the police department more secure for the protection of the officers and protection of the public. She said that, if she made a complaint about someone, she would want to know that not just anyone could access it.

Director Cordova asked why more documents hadn't been attached to the item, especially with respect to the fiscal impact and names of consultants. She recommended hiring a locksmith in case new locks were needed. President Welsh said the issues were more complex. Vice President Gillette said the Board needed to identify the issues and how much it would cost to fix them.

Director Sherris-Watt said she would like to know what security policies and procedures were currently in place for staff and if best practices were in place and said she wanted to be clear about the scope of service.

Ryan Anderson said the perimeter security and IT analysis should be within the scope but that forensic items would be out of the scope.

President Welsh said that modern corporations were going through this same process and that security procedures were under constant review.

Vice President Gillette said there was not in-house expertise to perform a state-of-the-art analysis.

David Spath asked if this should be a collaborative effort with the Fire District. President Welsh responded that much of what was in the Police Department was not appropriate for Fire personnel to have access to and said that the District would work in tandem with the Fire District.

Director Sherris-Watt offered to make an examination of best practices, to approach the Fire Board and talk to them, and to bring to next month's meeting a synopsis of her findings, along with some recommendations for service providers and a description of the scope of work.

President Welsh said that, although the Fire Department and the Police Department shared the same space, the Police Department maintained a lot of sensitive records to which Fire personnel should not have access.

Director Cordova suggested that Director Sherris-Watt work with Sergeant Hull or Chief Harman and suggested contacting El Cerrito and other agencies to find out what they were doing.

Rick Ardis said a technology expert would be needed and that attacks occur even when professional were engaged. He added that computer security and back up/retrieval were important, and that any small company would have to go outside to find expertise.

President Welsh said that talking to other police departments made sense, as other agencies may have gone through security reviews recently.

Director Toombs suggested that, in addition to the items discussed, the police cars and their computers be considered in the security review.

Vice President Gillette summarized that the Board should have Director Sherris-Watt look into what other police departments are doing and that Rick Ardis and Ryan Anderson should volunteer to help the Board define the scope of work and vet possible consultants.

**MOTION: Director Cordova moved, and President Welsh seconded, that the item be continued to the next meeting, pending further information from Director Sherris-Watt.**

**Motion passed: 5 to 0**

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

6. The Board discussed and considered entering into the process of obtaining a District Transparency Certificate of Excellence from the CSDA Special District Leadership Foundation.

Director Cordova provided the background information on this item. She reported that the District participates in programming offered by the California Special Districts Association (CSDA). She said there were over 3,000 special districts in California and that 33 of them are police protection districts. She said the CSDA has a foundation arm, called the Special District Leadership Foundation (SDLF), that offers Directors, General Managers, and District staff the opportunity to hone their skills and earn certificates. She noted that Chief Harman had earned a certificate in management from the SDLF and that the Fire District was known as a District of Distinction for their transparent operation. She said that, if one went to the Fire District's website, one would find a budget, three years of audits, and biographies on its Directors and that these limited the public records requests that Fire District Manager, Brenda, received.

Director Cordova said she had spoken with four other Special Districts in Contra Contra County that had earned this excellence in transparency and that the District was already doing many of the items required for consideration. She said this could be consolidated with things the Board was already considering, such as a reserve policy. She noted that the Board Packet contained specific information that would be required for the application and that the cost to the District would be minimal. She indicated that this would take a lot of time and that it would take some staff time. She said that, in the long run, this would be cost neutral because it would reduce the number of inquiries to which District Administrator Wolter would have to respond.

Director Toombs asked if Director Cordova would be willing to manage the process. Director Cordova said she would. President Welsh asked Director Cordova if she could provide a timeframe. She

responded that she thought the process could be completed by the end of Fiscal-Year 2016. President Welsh asked if the Board's other business might impede progress. Director Cordova said she didn't think so.

President Welsh said he thought this was a good idea.

David Bergen said the Board should approve the item because, by earning the certificate, the Board would restore the confidence of the community.

Master Sergeant Hull asked to make a staff comment. Director Sherris-Watt noted that the Board needed to complete the agenda item with a motion.

**MOTION: Director Cordova moved, and Vice President Gillette seconded, to direct staff to work with her and any community members who would like to join in on the fun to start coordinating the completion of the requirements for certification excellence for transparency and that the Board direct staff to and Board Directors and committee chairs to incorporate that into their work plans for fiscal year 2015-2016.**

**Motion passed: 5 to 0**

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

Master Sergeant Hull reported on the status of one of the District employees. He said that Sergeant Barrow would not be coming into work for the subsequent four weeks.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the meeting be adjourned.**

**Motion passed: 5 to 0**

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

The meeting was adjourned at 10:54 P.M.

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Len Welsh  
KPPCSD Board President

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Lynn Wolter  
District Administrator

## Meeting Minutes for 5/14/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, May 14, 2015, at **6:00 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. A Regular Meeting (Open Session) of the Board of Directors of the Kensington Police Protection and Community Services District followed.

### ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddell, Renne Sloan Holtzman
Pat Gillette, Vice President	Sakai LLP
Chuck Toombs, Director	Mabry Benson
Vanessa Cordova, Director	David Bergen
Rachelle Sherris-Watt, Director	Catherine de Neergaard
	Kevin Padian
	Adam Benson, Public Management Group
	Jonathan Holtzman, Renne Sloan
	Holtzman Sakai LLP
<u>Staff Members</u>	Gloria Morrison
GM/COP Harman	Leonard Schwartzburg
Sgt. Hui (on duty)	Frank Lossy
	Larry Nagel
	Karl Kruger
<u>Press</u>	

President Welsh called the meeting to order at 6:09 P.M. President Welsh, Vice President Gillette, Director Toombs, and Director Sherris-Watt present.  
 Director Cordova arrived at 6:15 P.M.

### PUBLIC COMMENTS

Mabry Benson said there were good candidates but wondered if, given the temporary nature of the interim position, the Interim GM/COP could bring about change in the police department. She said the Board should reject the proposed MOU. She questioned why the writ still appeared as a Closed Session item and asked the Board to conclude the matter.

David Bergen said there was no need for the MOU; the officers were already being overpaid. He recommended dropping the MOU entirely and starting from scratch. He said that only one of the Interim GM/COP candidates had a background in business administration and that this was the most important aspect of the job. He said community policing was needed, not zero tolerance.

Catherine de Neerdaard said the writ issue needed to be ended. She said the five most important traits for the Interim GM/COP were integrity, transparency, accountability, allowing Kensington to steer its own course, looking at the structure, and finding ways to save money. She said things had become much more complex for the District since the 1950s.

Kevin Padian said the Board had done a nice job of finding good candidates with a nice range of skills and qualifications. He said the Interim GM/COP would need to improve morale and develop a budget. He noted that he thought the roles of GM and COP should be separated and that he didn't think the MOU should be approved. He asked the Board to clarify why the writ appeared on the agenda again this month.

The Board entered into Closed Session at 6:30 P.M.

1. Pursuant to California Government Code Section 54957. (b)(1), the Board entered into Closed Session to interview candidates for the Interim GM/COP position.
2. Pursuant to California Government Code Section 54957.6, the Board entered into Closed Session to discuss the status of the proposed MOU with the Kensington Police Officers Association.
3. Pursuant to California Government Code Section 54956.9(a) the Board conferred with Legal Counsel about existing litigation – Leonard Schwartzburd et al v. Kensington Police Protection and Community Serviced District (Case Number N12-1625).

The Board entered into Open Session.

President Welsh took roll call. Director Cordova, Vice President Gillette, Director Toombs, Director Sherris-Watt and President Welsh were present. He noted that Director Cordova had not been present at the start of the meeting, but she had arrived just prior to the Closed Session and had been present for that session.

President Welsh reported that the Board had addressed only Item 1, interviewing candidates, during the Closed Session. He said the Board had not completed that process and so would be returning to Closed Session later. He said the other Closed Session agenda items also would be addressed later.

President Welsh invited Public Comments.

#### **PUBLIC COMMENTS**

Gloria Morrison said she was concerned about the Consent Calendar's Police Report. President Welsh responded that it would be pulled at that point in the agenda.

Leonard Schwartzburd said he had just returned from Israel, where there were significant problems. President Welsh responded that residents were lucky and blessed to live in Kensington.

Catherine de Neerdaard asked that Board meetings end earlier.

Frank Lossy said he thought much of what the Board was taking on could be handled by a part-time city manager.

A member of the public asked for clarification about Closed Session Item 3. Vice President Gillette responded that the Board would discuss, in Closed Session, whether to proceed with the motion for attorneys' fees against the remaining two petitioners. President Welsh added that the Board would



report out at the end of the Closed Session. Catherine de Neerdaard asked if she was one of these two. Vice President Gillette responded that the two were Jeff Koehler and Cathie Kosel, noting though that these two did not agree that they were petitioners.

### **BOARD MEMBER COMMENTS**

Director Cordova reported that she had been invited to attend a luncheon meeting on fire prevention, hosted by Diablo Fire Safety Council, with Kensington Fire Board President Larry Nagel and El Cerrito Fire Chief Lance Maples. She reported that Kensington's fuel reduction work was admired by other agencies. She also reported that, in the following week, she would be a guest of Andy Katz, the president of East Bay Municipal Utilities District, at an upcoming EBMUD luncheon where topics of discussion would be the drought and current infrastructure projects.

Vice President Gillette said she was very pleased by the Interim GM/COP candidates. She said five of these candidates and members of the public had attended the candidates' forum on Monday evening. She reported that an unintentional problem had arisen during the course of her and Director Sherris-Watt's efforts to arrange the forum: because of the way in which the meeting had been set up, the Brown Act precluded the other three members of the Board from attending. She reported she was pleased that the Board had come to understand the constraint and had worked to overcome it by watching the video recording of the forum.

Director Sherris-Watt reported that the first meeting of the Parks Building Committee had been held on May 6<sup>th</sup>, that the committee consisted of seven members, and that a Request for Proposal for a seismic engineering report for the Community Center would be posted on the website soon. She said she hoped the committee would be making recommendations to the Board within the next few weeks.

Director Toombs thanked the Board for the collegial Closed Session. He thanked Chief Harman for six years of service that he had had with him and for Chief Harman's eight years of service to the community, overall. He said he thought Chief Harman had done a yeoman's job throughout some very difficult times, swimming upstream against some strong political opposition. He concluded by saying it had been an honor and a pleasure to work with him.

President Welsh said that he wanted to echo what Director Toombs had said and that he was going to miss working with GM/COP Harman. President Welsh thanked Vice President Gillette and Director Sherris-Watt for their work on the Interim Chief search and reported that Gretchen Gillfillan would like to serve on the Park Buildings committee. President Welsh reported that he, Vice President Gillette, and Director Sherris-Watt had attended the prior night's Fire Board meeting and that he had asked the Fire Board for a joint meeting to discuss both Districts' finances. He reported that the Fire District would be holding a Finance Committee meeting on June 2<sup>nd</sup> and a regular Board meeting the following Wednesday and that both meetings would be opportunities to ask questions.

Fire District Board President Larry Nagel said he was pleased that KPPCSD Directors had been attending Fire Board meetings and that Fire Board members had been attending KPPCSD meetings. Mr. Nagel said that he and President Welsh had been discussing holding a joint meeting to discuss the Districts' budgets. He noted that, at the prior night's Fire Board meeting, it had been suggested that at a joint meeting the two boards should discuss what they actually do because many residents didn't know. He added that a small number of people attended the Districts' meetings and the challenge lay in communicating with the large number of residents who don't attend. He said the Fire District would write an article for the Outlook, explaining what it does and how it spends the community's money. In response to a question from a member of the public, Mr. Nagel confirmed that the Fire District's meetings were open to the public and were posted on their website.

President Welsh thanked Mr. Nagel and said he looked forward to the two Districts working together more productively.

### STAFF COMMENTS

GM/COP Harman said that District Administrator Wolter had asked him to read a staff report she had prepared. The report cited progress made on the District's Transparency Certificate of Excellence

. Posted to the District's website:

- KPPCSD Mission Statement
- Board member Ethics Training certificates for the four Directors who had earned them
- List of compensation for Board members and staff

Obtained a copy of the letter from the District's auditor, Fechter and Company, to the State Controller's Office confirming it had filed the required Fiscal Year 2013 documents with that office on May 23, 2015.

District Administrator Wolter's report noted that all five Directors' Forms 700 were on file at the District office and that these forms were public documents. The report also said that the field work for the 2014 Audit had been completed on April 23<sup>rd</sup> and 24<sup>th</sup>, that this had gone smoothly, that the remaining elements were being completed, and that Fechter & Company expected to finish within the next few weeks.

President Welsh reported that District Administrator Wolter had broken her arm two days earlier and that, as a result, the District would be without her services for the upcoming several weeks. He explained this was the reason for the last item on the agenda.

### CONSENT CALENDAR

President Welsh noted that there had been a request to pull Item f from the calendar. He said the March Minutes also would need to be discussed: Cathie Kosel and Haig Harris had asked for a change in the wording. President Welsh suggested adding Ms. Kosel's email and Mr. Harris' letter to the record. President Welsh noted that the March 12<sup>th</sup> meeting was the one at which the video had failed for a portion of the meeting and that, because of this, the District only had District Administrator Wolter's minutes. Vice President Gillette noted that the sentence at issue in the minutes was, "He said she had had her name removed initially because she had changed her mind." Vice President Gillette recommended removing this sentence. Director Toombs said that three of the Directors hadn't seen the correspondence from Ms. Kosel or Mr. Harris. Board consensus was that the minutes should be tabled until the next meeting. President Welsh said the correspondence would be included in the next meeting's Board Packet.

Director Toombs asked to pull Item c and invited Karl Kruger to ask questions. Mr. Kruger asked if the month's \$60,500 legal fees included all the billings the District had received and would receive from its former law firm and if the April billing from the new law firm had been included in the month's total. GM/COP Harman responded that the amount did not include all the billings from Hanson Bridgett. He said that the new law firm's first invoice, for services provided in March, might have been included but that this invoice had been for a relatively small amount.

Director Toombs said he had read GM/COP Harman's report about why variances existed between the budget and the Profit and Loss Statement and asked for confirmation that most of the variances had resulted from timing differences. GM/COP Harman confirmed this. Director Toombs said that, taking these timing issues into account, the budget was very much on track.

President Welsh noted that someone had asked that Item f be pulled: Gloria Morrison had done so. Ms. Morrison asked about an investigation into misconduct resulting from an officer having made a "despairing" remark in describing the community. GM/COP Harman said that it was he who had made the comment and that it had been captured in a sound-bite recording. He said his recollection was that

he had repeated back to another person what it was that person had said. He said that, under normal circumstances, such a transgression would result in a written reprimand. He noted that his contract was not being renewed and that probably took care of the matter.

Catherine de Neerdaard asked that the April 9<sup>th</sup> minutes be amended. It was not her dog that had been killed; it was a pug named Mei Fun and Stephanie had been the dog's owner.

**MOTION: Director Cordova moved, and Vice President Gillette seconded, that Item a) be continued to the next meeting.**

**Motion passed: 5 to 0**

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

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Board adopt the Consent Calendar with the amendment to the April 9<sup>th</sup> minutes as requested by Ms. de Neerdaard.**

**Motion passed: 5 to 0**

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

#### **DISTRICT OLD BUSINESS**

1. The Board received an update on the formation of a committee to research and report back to the Board on possible alternatives to the current GM/COP position and other issues related to District structure and mission statement. This item was continued from the April 9<sup>th</sup> meeting.

Director Toombs reported that he and Director Cordova were working on a position paper laying out the issues they think are relevant to the committee. He said that he and Director Cordova had agreed not to present anything at this meeting because of the Board's already full agenda. Director Cordova added that the paper had been written, that Director Toombs had done a great job, and that the two of them would have a lot to report at the next meeting.

2. The Board received an update on the Interim GM/COP selection process. This item was continued from the April 9<sup>th</sup> meeting.

Vice President Gillette reported that the Board had interviewed the three candidates earlier in the evening and that the Board would have another meeting on May 26 to do some further interviewing and then hopefully make some recommendations. She confirmed that the May 26<sup>th</sup> meeting would be a Special Closed Session meeting. She reported that the three candidates were Kevin Kyle, Kevin Hart, and Ed Lavarone. A member of the public noted that none of the candidates was a woman. Vice President Gillette replied that one of the initial candidates had been a woman but that, when asked to participate in the candidates' forum, she self-selected out. Director Toombs noted that the video from the forum was on the District's website.

#### **DISTRICT NEW BUSINESS**

1. The Board was presented with and had a discussion on the overview of the Public Management Group's analysis of the budgetary impact of the proposed MOU with the Kensington Police Officers' Association.

Adam Benson of the Public Management Group reviewed a written analysis he had prepared and that had been included in the evening's Board Packet. Highlights were:

- The KPPCSD is a police protection and a community services district with responsibility for police, recreation, and solid waste service. He noted that police services comprise the biggest piece of what the District did.
- The elected Board of five members sets policy and gives direction to the Chief.
- Income and employment statistics for Kensington: relative to nearby communities, Kensington is a wealthier community that has very strong employment statistics.
- Housing profile: Kensington has a significant number (approximately 25%) of pre-Prop 13 houses (purchased prior to 1978). Houses in this category have property taxes locked into those prices with increases capped at 2% annually. The number of neighboring communities' pre-Prop 13 houses comprise approximately half this. For Kensington, there would be a potential for increased valuation if the inventory of pre-Prop 13 houses were to come on the market. He noted that some of these homes were held in trust and passed down within families and that this arrangement would prevent increased valuations for tax purposes. He said that economic events such as recessions could adversely impact home prices.
- Provisions contained in the draft MOU:
  - a) Term is 3 ½ years or four years from the expiration of the POA's last agreement
  - b) Health plan provision: Currently District covers 100% Kaiser premium for current employees and retirees and their dependents; proposed MOU would allow the District to contribute reduced premium amounts.
  - c) Retirement benefits: costs of those to the District would be reduced, during the term of the proposed agreement, from 9% to zero. Costs to employees would increase, during the term of the agreement, from zero up to a maximum of 12%.
  - d) Salary increases; year one a 3.75% increase, year two another 3.75 % increase, and 4.25% increases in both years four and five. The total increase: 16%. On a compounded basis, the increase would be approximately 17%. Taking the increasing benefit contributions into effect, the net increase in pay over the four-year term would be about 5%.
- Wage comparability: Mr. Benson said that budget constraints hampered his and his colleagues from conducting a thorough analysis. He said no two employers were alike, so such an analysis needed to be based on most similar agencies. He examined four other agencies – Albany, Berkeley, El Cerrito, and Richmond. Kensington's officers were not paid at the top of the market relative to these agencies. Mr. Benson also examined a 2013 compensation analysis that had been performed by Koff and Associates, which he said was quite comprehensive. This study found that the officers' salaries were about 8% below median and that total compensation was about 1.2 % below. The Koff study found that, for Sergeants, salaries were about 10.7% below for median salaries and 3.6% below for total compensation. Mr. Benson clarified that these conclusions were based on salaries and total compensation assuming that the proposed MOU's first year's changes had gone into effect.
- Overtime: In response to a question from the audience, Mr. Benson said his compensation analysis did not take overtime pay into consideration. He said he did examine overtime in the context of the budget and said it was a relatively small number. Director Toombs asked the community to bear in mind that, because one of the officers was out on medical disability, other officers were having to work overtime to cover his hours, and this was contributing to overtime costs.

President Welsh said this was a broad overview and that he planned to have a more in-depth discussion at the next Finance Committee meeting.

- Past contract periods: Mr. Benson reported that there had been a 6.1% increase 7/1/2008, a 4% increase 7/1/2009, then three years with no increases, and a 3% increase in 7/1/2013 and that this equaled a cumulative increase of about 13½ % over the last three contract periods. Mr. Benson reported that San Francisco's regional CPI had grown at about 13.8% over this same

period of time, so the officers' increases had closely tracked Bay Area CPI. He noted that the District's other expenses had increased at a rate greater than this over the same period of time.

- The District's finances: Mr. Benson reported that he examined the District's four most recent audited financial statements (fiscal years 2010 – 2013) to get a sense of where things had been and where things were going.

With respect to revenue, he reported there had been a 21% increase in FY 2011 because the community had approved Measure G. He said there had been a reduction in revenue in 2013 because of a decline in grant revenue. Regardless, he said revenues had been pretty flat.

With respect to expenses, he reported there had been an average annual increase of 3.2%. He noted that police salaries and benefits were the largest expenditures for the District and that these had grown by about 2.1% per year, so slightly less than the increase in expenses overall. He said that other expenses, especially legal and solid waste expenses, had significantly outpaced police salary and benefit expenses. He reported that, in two of the last four fiscal years, the District used fund balances (reserves) to cover its costs: In 2010 the shortfall was attributable to the implementation of a retirement-related GASB change and to the District beginning to fund its OPEB trust.

With respect to fund balances, he found they ranged from 57% to 63% of general fund expenditures. He reported that, in 2011, the way in which reserves were categorized was changed. He reported that, historically, the District had had pretty healthy reserve levels and that, even though there had been a slight downward trend, this was not unmanageable. He noted that unassigned reserves (money set aside for no specific purpose) was healthy at 41.6% in FY 2013. He also noted that the fund balances were mostly in cash and that this was a good thing. Mr. Benson noted that the District did not have a reserve policy and that he wanted to offer a policy framework.

Regarding revenue source stability: Mr. Benson reported that the District relied on property tax revenue, which although limited had tended to be relatively stable. In the event of a catastrophic event, Mr. Benson asked if would the District be able to manage with reduced revenues for several months.

Regarding expenditure stability: the work to be done on the Community Center would need to be addressed.

With respect to other elements (liquidity, cash flow, and liabilities) he said there were no right answers – the Board would need to evaluate these.

Fixed costs: Mr. Benson reported that approximately 80% were in personnel costs and that this was not unusual for a government entity.

- Forecast: He said this process involved applying assumptions to a relatively small budget and this could result in some volatility. Regardless, he said compiling a forecast still had merit because it was strategic, and it informed policy decisions. Mr. Benson summarized his assumptions.

He reported that property taxes and special taxes comprised 90% of the District's revenue and that he anticipated steady moderate growth in revenues. He said he forecast a 2.5% growth in property taxes in the coming five years; he forecast no increase in the police special tax because there was no CPI escalator in it; and he forecast a 2.41% increase in Measure G revenue based on a 10-year average of SF regional CPI.

He reported that he incorporated the proposed MOU into expenses and said he had added a 2% salary increase in the final two years of the forecast.

Mr. Benson reported that he had forecast increases in benefits in other categories using standard methodologies and that he had forecast PERS costs based on information provided by that agency and by the proposed MOU.

At 9:45 President Welsh interjected that the Board needed to vote on whether to extend the meeting beyond 10:00 PM.

**MOTION: Vice President Gillette moved, and President Welsh seconded, to extend the meeting beyond 10:00 PM until the Board finished.**

**Motion passed: 5 to 0**

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

Mr. Benson resumed his presentation. He reported that, under the scenario of implementing the proposed MOU, there would be little impact on reserves in FYs 2106 and 2017 but there would be a spike in expenses in 2018 when the Community Center renovation was forecast to occur. He said shortfalls likely would occur in the subsequent years.

Mr. Benson identified possible future risks, which included property tax revenues, pension (PERS) costs, health and OPEB costs, employee costs (needing to balance compensation costs with the need to remain competitive in the labor marketplace that might be able to pay employees better).

- Summary: Officers' current pay is not at the top of the market; the District has healthy reserves; and short-term costs associated with the proposed MOU appear to be manageable over the next two years.

President Welsh thanked Mr. Benson for his report.

In response to a question from the public, Mr. Benson said that the District's CalPERS costs were about \$600,000 annually and that the District had funded approximately 75% of its PERS liability, which was consistent with most other agencies with which his firm works.

In response to another question from the public, Mr. Benson said that the District could establish a reserve for something like an earthquake, that it could be called a contingency fund, and that the Board could establish a policy for such a reserve. He said that the District shouldn't focus too much on saving: It needs to provide service.

2. GM/COP Greg Harman requested that the Board adopt Resolution 2015-04, a resolution of the Board of Directors of the KPPCSD confirming the assessment and ordering the levy for the Kensington Park Assessment District for Fiscal Year 2015-16.

GM/COP Harman reported that each year the Board needed to approve resolutions prepared by NBS associated with the annual park levy. He reported that the initial steps had already been taken for Fiscal Year 2015-16 and that the associated resolutions (2015-01, 2015-02, and 2015-03) had already been passed. He said the total assessment per dwelling would be \$15.62, and 2,188 parcels would be assessed. Following the Board's April 9th meeting, the District had approved Resolution 2015-03 and had set the public hearing for this meeting. The notice had been published in the April 24<sup>th</sup> issue of the West County Times, which met the required noticing period of at least 10 days prior to the meeting date. GM/COP Harman reported that the last step in the assessment process was the holding of the public meeting and the approval of Resolution 2015-04. GM/COP Harman asked the Board to approve the resolution and thereby order the assessment of the levy.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Board adopt Resolution 2015-04 as it appeared on page 109 of the Board's packet.**

**Motion passed: 5 to 0**

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

3. The Board held a discussion on possibly changing the June regular meeting date.

President Welsh reported that Vice President Gillette would not be available for the next regular meeting on June 11<sup>th</sup>. President Welsh proposed that the date be changed to Monday, June 1<sup>st</sup>. Discussion ensued about where the meeting would be held.

**MOTION: Director Toombs moved, and President Welsh seconded, that the Board move the Thursday, June 11<sup>th</sup>, meeting to Monday, June 1<sup>st</sup>, to commence at 6:00 with a Special Meeting followed by a Regular Meeting at 7:30 and going until 10:00 unless the Board voted to extend. Motion passed: 5 to 0**

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

4. Board President Len Welsh requested that the Board authorize an amendment of the employment agreement of GM/COP Harman to increase the maximum number of hours of vacation he could accrue, from 200 hours to 250 hours, to permit adequate staffing for District operations. [Subject to Board finding of need to take immediate action pursuant to Government Code Section 54954.2(b)(2)].

President Welsh said he had placed this item on the agenda because District Administrator Wolter had broken her arm, and this would seriously limit her availability to work for the upcoming several weeks. President Welsh reported that the Chief had reached the limit of the number of vacation hours he could accrue under his contract, and he recommended that the Board amend the contract to increase the maximum accrual number to 250 hours to ensure that GM/COP Harman would be able to work in the office every day until May 31<sup>st</sup> to compensate for District Administrator Wolter's absence.

Legal Counsel, Randy Riddle, noted that this agenda item was being considered under Government Code Section 4954.2(b)(2). He said this was a Regular Meeting for which items needed to be posted 72 hours in advance, but that, because District Administrator Wolter broke her arm within the 72-hour period, a special process needed to be followed to place this item on the agenda. Mr. Riddell that said there needed to be a finding that immediate action needed to be taken at this meeting and said that the Board needed to accomplish this by way of a motion passed by a 2/3 vote (four members). He said that once this was done, the Board could address the vacation hours as an agenda item.

President Welsh asked for clarification that the first thing needed was to make the finding that immediate action was needed.

**MOTION: President Welsh moved, and Vice President Gillette seconded, that the Board make the finding. Motion passed: 5 to 0**

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

President Welsh said the Board needed to address the issue of amending GM/COP Harman's contract to increase the maximum number of accrued vacation hours to 250 hours.

Director Cordova asked if there was language in the contract that limited the number of vacation hours. Director Toombs responded there was a vacation accrual limit of 200 hours. He said that, without this amendment to increase, GM/COP Harman would go on vacation the next day. Director Cordova requested that there be a time limit. Mr. Riddle clarified there would be no change in the termination date.

**MOTION: Vice President Gillette moved, and Director Toombs seconded, that the number of vacation hours be increased. Motion passed: 5 to 0**

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

Vice President Gillette thanked GM/COP Harman for agreeing to this and thanked him for showing the professionalism he had shown all along.

Vice President Gillette introduced John Holtzman of the Renne Sloan law firm.

**MOTION: Director Toombs moved, and President Welsh seconded, that the Board close the Open Session and adjourn into Closed Session.**

**Motion passed: 5 to 0**

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

The Board returned to Open Session at 11:10 PM.

President Welsh reported that no action had been taken on Item 1. General Counsel Randy Riddle reported that, for the second item – the Schwartzburd litigation, the Board decided by a 5 – 0 vote to direct counsel to withdraw the attorney fee motion as to the final two petitioners in that case, Ms. Kosel and Mr. Koehler. He reported that the petitioners who had participated in the mediation had agreed to pay the District some portion of the attorneys’ fees and to sign a non-disparagement clause. He said that Mr. Koehler and Ms. Kosel did not do either, but that, in the interest of community harmony and closure on this issue, the Board had voted not to pursue it any further.

**MOTION: Vice President Gillette moved, and President Welsh seconded, to adjourn the meeting.**

**Motion passed: 5 to 0**

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

The meeting was adjourned.

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Len Welsh  
KPPCSD Board President

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Lynn Wolter  
District Administrator



## Meeting Minutes for 6/1/15

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Monday, June 1, 2015, at **6:00 P.M.**, at the Unitarian Church of Berkeley, 1 Lawson Road, Kensington, California. A Regular Meeting (Open Session) of the Board of Directors of the Kensington Police Protection and Community Services District followed.

### ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Len Welsh, President	Randy Riddell, Renne Sloan Holtzman Sakai LLP
Pat Gillette, Vice President	Jonathan Holtzman, Renne Sloan Holtzman Sakai LLP
Chuck Toombs, Director	Kevin Hart
Vanessa Cordova, Director	Mabry Benson
Rachelle Sherris-Watt, Director	David Bergen
	Celia Concus
	Kevin Padian
<u>Staff Members</u>	Gail Feldman
Master Sgt. Rickey Hull (on duty)	Andrew Gutierrez
Sgt. Hui (on duty)	Peter Conrad
Lynn Wolter, District Administrator	Rob Fermin
	Anna Siri Ortiz
<u>Press</u>	Leonard Schwartzburd
Sarah Rohrs	Jim Watt
	Sylvia Hacaj
	Karl Kruger
	Steve Bates
	A. Stevens Delk

President Welsh called the meeting to order at 6:07 P.M. President Welsh, Vice President Gillette, Director Toombs, Director Cordova, Director Sherris-Watt, Master Sergeant Hull (sitting in as General Manager/Chief of Police), and District Administrator Wolter were present.

President Welsh solicited public comments on the items to be discussed in Closed Session.

### PUBLIC COMMENTS

Peter Conrad said that Kevin Hart had not been his first choice for the position of Interim GM/COP but that the Board had used a good process, so he was still happy. He questioned why the meeting time had been changed: It was because Vice President Gillette needed to be traveling on the regularly scheduled date. Mr. Conrad questioned whether the meeting had been properly noticed. Vice President Gillette

responded it had been. Mr. Conrad said he wished the meetings wouldn't go so long. Director Cordova asked if shortening the agenda would help.

Rob Fermin read a letter that said the District needed a financial plan, it couldn't afford the proposed MOU, and it needed to allow for contingencies and alternatives in its forecasts and not just a budget. He said the Board needed to stop relying on consultants to come up with projections. He said he had experience in this area and offered to prepare a plan, as a volunteer.

David Bergen said:

- The Board shouldn't approve the MOU because it wasn't affordable
- The District didn't need a GM/COP
- The Police Department was top-heavy
- The Interim GM/COP shouldn't be paid based on the former GM/COP's inflated compensation and wondered where the savings were in hiring retired officers
- No other agency was giving the kind of retirement health benefits that Kensington was.
- He had handed to District Administrator Wolter a letter that had been written by Anna Shane.
- He appreciated the work done by the Board

Andrew Gutierrez expressed concern about transparency and questioned whether the June Outlook article, which had been written by President Welsh and Director Toombs, had been based on consensus of the Board. He said the Outlook continued to contain propaganda. He said the MOU should be based on realistic numbers.

Gail Feldman said the KPOA was pleased that the Board was further studying the MOU. She said that the KPOA continued to caution that the proposed MOU couldn't be supported financially and that the Board should vote it down and begin negotiations anew. When questioned, she confirmed this was the position of the KPOA board, not its membership of about 375 members.

Celia Concus said:

- The Board should take no action on the MOU.
- Staff should be cut.
- The new law group's labor negotiator should weigh in.
- A 3% salary increase had been granted to the officers a couple of years ago without concessions, and this increase had been sufficient.
- The police department was top-heavy. Including the GM/COP position, there were five high-ranking officers supervising five other officers.
- One or more positions should be eliminated. She cited that one sergeant was on loan to the Northern California Crime Task Force and that another sergeant had been assigned on a part-time basis to WESTNET. She questioned whether such part-time assignments elsewhere were causing an increase in overtime.
- The police department was mismanaged and this could be avoided by separating the GM and COP positions.
- She had done a study of overtime for the period of January 2014 – March 2015 that showed that two of the department's officers had gotten most of the overtime and two had gotten almost none of it.
- The Interim GM/COP's compensation package was too rich.

Mabry Benson said the Board should not enter into the MOU, citing that the recent analysis that had been done had been insufficient; a more realistic study was needed. She said the contract for the Interim GM/COP was too rich.

Anna Siri Ortiz said the Board should vote no on the MOU and start negotiations over again. She said the Board lacked transparency, citing the article that had been written for the "Outlook" by President

Welsh and Director Toombs. President Welsh said that he and Director Toombs had written the article in order to inform residents and that information was better than nothing.

Director Sherris-Watt said she had contacted KCC President Ann Forest to say that she would submit the July article.

Director Toombs asked the audience to cite anything in the article that was inaccurate. President Welsh said he and Director Toombs had written the article to let residents know what had happened at the meeting.

Vice President Gillette responded by asking people not to create issues where none existed and said that people needed to assume good intentions.

Director Cordova said that public perception was that something “smelled funny” and that, because of that, the Board should adopt a different strategy.

Andrew Gutierrez said that no article would be better than one written by the two Directors.

The Board entered into Closed Session at 6:40 P.M.to:

1. Confer with Labor Negotiators (Government Code Section 54957.6)  
Agency Designated Representatives: Jonathan Holtzman and Randy Riddell of Renne Sloan Holtzman Sakai LLP  
Unrepresentative Employee: General Manager/Chief of Police  
The Board considered any final issues related to the hiring of the new General Manager/Chief of Police.
2. Confer with Labor Negotiators (Government Code Section 54957.6)  
Agency Designated Representative: Jonathan Holtzman of Renne Sloan Holtzman Sakai LLP  
Employee Organization: Kensington Police Officers Association (KPOA).  
The Board continued discussions with counsel on the terms of the proposed KPPCSD/KPOA Memorandum of Understanding (MOU).

The Board returned to Open Session at 7:40 PM.

President Welsh said this was a rescheduled meeting that had been scheduled to occur on July 11<sup>th</sup>. He explained the meeting had been rescheduled because Vice President Gillette would be out of town on July 11<sup>th</sup>.

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

President Welsh said he wanted to clarify how KPOA MOU negotiations were occurring. He said that legal counsel had recommended that one member of the Board be present when legal counsel was meeting with KPOA representatives. He said the Board had agreed that Director Toombs should perform this role.

President Welsh announced that the Board was planning a Closed Session meeting for June 16<sup>th</sup>, at 6:00 PM, to discuss the MOU. He announced that the Board was planning on a Public Meeting on June 23<sup>rd</sup> at 6:00 PM to discuss a preliminary budget. He said the meetings would be posted on the website as soon as possible. He explained that a final budget didn't need to be adopted until September 1<sup>st</sup>, but there were some statutory commitments that needed to be met before then. A member of the public asked whether the Finance Committee would meet to review the budget. President Welsh replied that this was being worked on.

## PUBLIC COMMENTS

Leonard Schwartzburd asked about the status of the candidate. President Welsh responded that Kevin Hart was the candidate, that there was agreement that he was an outstanding candidate, and that the Board would be voting on his contract later in the evening. Dr. Schwartzburd said he was not happy with the lack of functional transparency, and he welcomed Chief Hart to the community. He said he hoped that the Board would establish the structures to nurture participatory democracy in Kensington.

Andrew Gutierrez said he had, for many years, questioned maintaining the combined position of GM/COP. He questioned who was in charge under this arrangement: the GM or the COP. He said, on the one side the individual could hide behind the Officers' Bill of Rights and on the other side the individual could hide behind the bureaucracy. He cited police misconduct, loaning officers to other jurisdictions, and having officers spend more time on the street as areas of concern.

Jim Watt spoke about the MOU that had been proposed in December. He said the most important element of that MOU was the concept of giving the officers a salary increase of 12% over four years, provided that they pick up an equivalent amount of pension contributions. Mr. Watt said that Vice President Gillette and Director Toombs, when they had presented the proposed MOU, had said that, by 2018, the officers would be required to pick up the officers' pension contribution. He said Vice President Gillette and Director Toombs now acknowledged that the PEPR Law did not make these contributions mandatory for existing employees. He said this changed the most basic premise of the proposed MOU, namely that employee contributions were mandatory and needed to be phased in by 2018. He said that to grant salary increases to compensate for pension payments was not a simple matter because these payments would become part of the employee's final compensation package: a salary increase of 12% over four years would increase total salaries by about \$120,000 per year. He added that since contribution rates are about 40% of salaries, this change would increase the District's pension obligation by about \$50,000 per year. He said that, if the officers retired at the age of 50, assuming 75% of their salary was pensionable, and assuming they would live another 35 years, the terms of this MOU would cost the District about another \$1.3 in future pension obligations. Mr. Watt said he didn't want to pay for richer pension obligations. He concluded by saying that, if the Board still wanted the employees to contribute to their pensions, the offer should have a 3% employee-paid contribution in return for a 2% salary increase. He said he believed that some Board members thought that the financial analysis, prepared by Adam Benson of the Public Management Group, suggested that the MOU could be supported by the budget for the upcoming two years. He said Mr. Benson had identified a number of risks with the forecast. He said the MOU should be rejected in favor of one with a shorter term and conditions much more favorable to the taxpayers.

Sylvia Hajac thanked the Board, especially Vice President Gillette and Director Sherris-Watt, for the progress made with identifying a candidate. She referred to Mr. Hart's 100-day plan and said she hoped it would be posted on the website. She also said she hoped the Board would let the community know what direction it would be giving to the new GM/COP. She noted she hoped there would be good public discussion of the combining of the GM/COP positions.

Mabry Benson said that the former GM/COP should have prepared the preliminary budget.

Karl Kruger thanked the Board members for the time they had spent and the work they had done during the past few months.

Steve Bates said the community only needed a GM; it did not need a COP. He said he was concerned with the proposed level of compensation for the Interim GM/COP.

A. Stevens Delk asked about the need for a budget. President Welsh and Director Cordova explained that a budget was needed for the 2015-16 fiscal year. Dr. Delk noted that the former GM/COP had provided a five-year forecast. President Welsh clarified this had not been a formal budget. Director Cordova further clarified that the Board needed an operating budget. President Welsh said the Board would meet its statutory obligations.

## BOARD MEMBER COMMENTS

Director Cordova reported that Supervisor Gioia had announced that, if Kensington wanted to redesign its gateway sign, the County Public Works would work with the community on a new sign. She said individuals interested in the project should contact Kate Rauch at Supervisor Gioia's office.

Director Cordova reported that the Kensington Municipal Advisory Council (KMAC) had two vacancies, which it was in the process of trying to fill: KMAC had five candidates for the two vacancies. She said the County Board of Supervisors would make these appointments, based on recommendations from KMAC.

Director Cordova noted this was the end of the school year and the beginning of Kensington's summer camp, which was run under Marty Westby's supervision. She said the summer camp offered many wonderful programs at a very low cost. She said Ms. Westby would welcome donations to the program and said there were still some openings.

Vice President Gillette thanked those who made comments thanking the Board, noting that it was greatly appreciated. She thanked the other members of the Board, Rachele in particular, with respect to the candidate selection process and their collaborative work. She said that, even though the process had been expedited, it had gone well, with lots of opportunity for input, and that she was glad that so many people were pleased. She reported that her son had brought to her attention an S.F. Gate article about the 30 safest Bay Area suburbs: Kensington had ranked number 10.

President Welsh said that Vice President Gillette and Director Sherris-Watt did an excellent job with the candidate process by getting out the information and conducting the process openly. He said that the candidate, Kevin Hart, was well qualified and a competent manager and communicator, and that the community would see a sea change in the way it's managed.

Director Toombs extended his thanks to Vice President Gillette and Director Sherris-Watt. He added that, with respect to the article on the safest suburbs, Atherton had ranked number 12; Fairfax, number 14; Lafayette, 15; Albany, 26; Orinda, 7; Moraga, 5; Tiburon, 3; Belvedere, 2, and Hillsboro, 1.

Director Sherris-Watt reported that the Parks Building Committee had met and prepared an RFP for a structural engineer. She said the committee was looking for a seismic analysis of the Youth Hut. She said the committee would review the bids and make a recommendation to the Board. She reported that the committee meeting that had been scheduled for June 5<sup>th</sup> had been postponed until June 8<sup>th</sup> and would be posted on the website.

Director Sherris-Watt provided an update on the data security review she had conducted in March with Rick Artis, Ryan Anderson, and Sgt. Kevin Hui. She reported that the group had met twice since the March Board meeting to focus on physical security and data security. Group consensus was that KPD security was quite acceptable. She reported that Sgt. Hui was proactive, engaged, and knowledgeable about KPD IT and data security matters and served on the Northern California Computer Crimes Task Force. She reported that the KPD had been audited by the Department of Justice and that the KPD made use of IT opportunities available through larger jurisdictions. After evaluating more than 50 areas, the group determined that there were no urgent matters. She further reported that, as far as next steps were concerned, Sgt. Hui had implemented several small improvements, and the group would like to offer the Board a more detailed briefing and would like to meet with the new GM/COP. She said the group was a group of volunteers and did not present itself as subject matter experts.

President Welsh thanked the group. He noted that District Administrator Wolter had been at the meeting earlier, with her arm in a sling – having broken her arm two weeks earlier and had surgery the prior week. He reported that District Administrator Wolter did a lot to “make the trains run on time” and was brave enough to try to come to the meeting but was still in a lot of pain, so had left the meeting earlier. He said that despite these recent events, District Administrator Wolter was already coming into the office.

President Welsh said that Master Sergeant Hull would have added pressure in the coming weeks until the new candidate was sworn in. He asked if Master Sgt. Hull had any comments.

#### STAFF COMMENTS

Master Sgt. Hull said he was happy to serve.

President Welsh said Master Sgt. Hull would do a great job for the community.

#### CONSENT CALENDAR

President Welsh noted that the Consent Calendar was slim.

Chris Hall asked to make a public comment. He said he hoped that, with respect to the MOU, the community would have more opportunity to comment. He welcomed the proposed new Interim GM/COP to the community and said he hoped the Board would provide an opportunity to talk to and get to know him.

President Welsh reiterated that the Consent Calendar was slim; it was lacking minutes and other items, due in part to District Administrator Wolter's injury. He apologized and said things would return to normal for the next meeting.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Consent Calendar be adopted.**

**Motion passed: 5 to 0**

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

#### DISTRICT OLD BUSINESS

1. The Board considered approval of a contract with proposed Interim General Manager/Chief of Police Kevin Hart that would provide for a nine-month term (subject to a three-month extension, if agreed to by the parties) starting on or about June 8, 2015, an initial base salary of \$12,500 per month, and other specified employment terms.

Vice President Gillette reported that Kevin Hart was the selected candidate for the position of General Manager/Chief of Police. She said that at its last Closed Session meeting, the Board had given direction to legal counsel to negotiate an agreement with Mr. Hart for a nine-month period, with the possibility of an extension, to ensure the Board would have adequate time to evaluate and determine what the District's future structure should be. She said that one of the District's attorneys, John Holtzman, had negotiated a proposed contract, which had been included in the Board's Agenda Packet. Vice President Gillette said there was one change the Board wanted to propose: that Mr. Hart commence work as the General Manager on June 8<sup>th</sup>, and that he commence work as the Chief of Police upon completion of the required background check, which was anticipated to occur by the middle of July.

President Welsh apologized that the posted version of the contract, which referred to an "Exhibit A", had not included that document, which was the job description. He said copies of the document, which was the same document that had existed for the former GM/COP's contract, were available.

One of the District's attorneys, Randy Riddle, said there should be a formal motion made by the Board that would contain language directing legal counsel to amend the contract to reflect this change. Vice President Gillette clarified that paragraph 2c would be amended.

President Welsh solicited public comment.

Steve Bates noted that the contract included uniforms and safety equipment, which he said suggested that the contract had been written more for a Chief of Police than for a General Manager. He said he would prefer more of a General Manager.

Jim Watt said he had sent an email to the Directors, in which he had posed a number of questions but said he said he wanted to focus on just two items at the meeting. He questioned why the proposed contract said the GM/COP would be conducting labor negotiations, which he said seemed like a conflict of interest. He said the proposed contract also said the District would be putting together goals and objectives. He questioned how those goals and objectives were going to be put together and said members of the community should be involved in the process. He said this was important because it would identify what the GM/COP would be expected to accomplish.

Director Toombs said he hadn't received Mr. Watt's email. Mr. Watt replied he might have made an error in addressing the missive. Director Toombs asked Mr. Watt to resend the email. Director Toombs said he hadn't received emails that people said they had been sending.

John Holtzman, the GM/COP negotiator, responded to Mr. Watt's question about the inclusion of the labor negotiation clause. He said it appeared to establish that this was a confidential and unrepresented position. He said the GM/COP would not be conducting negotiations for the MOU. However, there might be changes that could arise that might be "bargainable" things such as organizational changes or changes in safety practices, in which he could be involved. He said Mr. Watt's second question was a Board issue.

Karl Kruger said he was concerned that the candidates had addressed police issues, but not management issues, at the candidates' forum. He said the community needed a good manager and that, in the past, there had been problems because the COP had always "stuck up" for the police officers. He said there were problems with scheduling, overtime, and comp. time.

Frank Lossy said he thought two people should hold the GM and COP positions because there was an inherent conflict of interest in having one person fill both roles. He wondered how the GM could fire the COP if he reported to himself.

Director Sherris-Watt thanked people for their comments. She responded to Mr. Watt's question about goals and objectives. She said that, during the month of June, she'd like to solicit ideas so this could be an item on the July 9<sup>th</sup> agenda.

President Welsh said Mr. Hart would be meeting with members of the community and reporting back to the Board. He said that, if the positions of GM and COP were to be separated, this would impact the District's finances.

President Welsh indicated that the Board would first need a motion to amend the proposed contract with Mr. Hart.

Director Cordova said she had asked the Public Law Group to provide a cost savings analysis of the proposed contract. She said the analysis indicated there would be a cost savings of about 20% as compared to the former GM/COP's total compensation. She said she had a problem with the contract: Item 16 a, which allowed for 30 hours of administrative leave for training. She said this was "top heavy" and that she'd like to see it reduced to 15 - 20 hours.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the Board adopt the contract as proposed, with one exception: that paragraph 2c be amended by counsel with the appropriate language to reflect the fact that the Board would be hiring Mr. Hart into the position of General Manager, effective June 8<sup>th</sup>, and into the position of Chief of Police as soon as he passed the full hiring process, which would include the background checks and all the required testing, and that the contract would go, as set forth in paragraph 2c, June 8<sup>th</sup> until March 1, 2016, unless the Board decided to extend it.**

**Motion passed 5 to 0.**

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

Kevin Hart thanked the Board for the opportunity and said he looked forward to moving the District and the community forward. He said there were problems to be solved and that he would listen to everyone's comments. He said he would post his 100 Day Plan on the District's website and that he looked forward to working with everyone.

President Welsh thanked Mr. Hart and said he looked forward to working with him.

2. The Board received an update on the formation of a committee to research and report back to the Board on possible alternatives to the current General Manager/Chief of Police position and other issues related to District structure and mission statement. This item had been held over from the May 14<sup>th</sup> meeting.

President Welsh asked Director Cordova or Director Toombs to brief the Board.

Director Cordova said she and Director Toombs were at a friendly impasse as to how to proceed. She said her understanding was the ad hoc committee had been established to steward the process about determining the community's governance structure and that one of the first things they were charged with doing was convening a citizens' committee. She said then, they were to engage in community outreach, and then they would move forward, via a community informed and driven process. She said there had been talk about a position paper, which she said had never been mentioned on the dais until the prior month. She said she had reviewed the videos of the prior two board meetings to determine what had been directed by the Board and that there had been a disconnect. She said she thought a position paper was something that would be prepared and presented to the Board by a citizens' committee after a year-long study of what the governance structure might look like, moving ahead. She said her understanding was that the job of the ad hoc committee was to determine how the citizens' committee would be convened. She said that, based on the minutes and the videos from the meetings, the Board had determined a course, but that, if the Board wanted to change course, it could deliberate this at the meeting. She said she thought a position paper, at this time, was inappropriate.

Director Toombs said he didn't think he and Director Cordova were at an impasse. He said he didn't write a position paper, rather, he wrote a scope of issues, to which he had invited Director Cordova to respond. He said that, by the time Director Cordova had responded, it was too late for either of them to present anything at the night's meeting. He said he was not trying to carve out positions; he was trying to establish the scope of the work the Board had said it wanted the committee to do. He said the Board had talked about using, as a template, the scope established for the Park Committee in 1997. He said that those fifteen pages of documents had established what the Board had wanted that committee to do. Director Toombs said he was trying to establish the framework of what the committee would do because the Board needed to tell the committee what it wanted the committee to focus on.

Director Toombs said he had spoken to some consultants on this matter. He said the CSDA would not be able to assist in the process but that another private group recommended bringing in some professionals to guide the process in order to obtain a better product. He said what he had written had been an invitation to respond so that he and Director Cordova could work out a finished product.



Director Cordova said Director Toombs had been cited in the Outlook as having written a position paper and that this had created a lot of confusion. She said she didn't think a seven to ten page scope was warranted and that the Board should hurry up with the recruitment process to establish the citizens' committee so that the committee could help establish the framework of what to present to the Board.

President Welsh said the Board had agreed on three to four issues it had wanted the citizens' committee to focus on, including the separation of the GM/COP position and the consolidation of the Fire and Services Districts.

Vice President Gillette said she thought Directors Cordova and Toombs were trying to achieve the same thing, which was to give some direction to a committee, including the scope of what they should look into. She said the committee would need to have some direction from the Board but that might "morph" over time. She said her recollection was that the Board had agreed upon four things that the committee should look at:

- Should the District keep the current configuration, with a GM/COP?
- Should the GM and COP jobs be split and, if so, what might be the impact?
- Should the Fire and Services Districts be merged?
- Should the District contract out for police services with another agency, such as El Cerrito or the Sheriff's Department?

Vice President Gillette said she thought these were the four issues the citizens' committee should explore. She said that the Board should establish a scope of what the committee would do, how the committee would be selected, what would be the time frame, and how the committee would report back to the Board. She said the Board should select the committee members and said that, in the course of doing its work, the committee might want to explore something that the Board hadn't thought of. She said that writing down the process, regardless of what it might be called, was a good thing so the committee would know exactly what it was supposed to do. She said the Board was elected to govern, and it should define the scope of work.

Director Cordova replied that, on page 11 of the March 12<sup>th</sup> minutes, Director Gillette stated "the ad hoc governance committee should look at four items: our current structure, splitting the GM/COP position, contracting out to El Cerrito or the County, consolidating with the Fire District. Moreover, the consensus of the Board was to leave it to a citizens' committee to identify exactly which paths should be studied by the ad hoc committee led by Directors Toombs and Cordova, who were tasked with two deliverables: an immediate recruitment process and application for a citizens' committee and a basic outline of how the committee might proceed with the year-long study." She said she was basing her perspective on the direction that had been given, which was on the video and was in the set of minutes that had been approved. She said, if the Board was changing direction, that was fine.

Vice President Gillette responded that the Board wasn't changing direction, though she hadn't seen the paper.

Director Sherris-Watt said her understanding was that the first order of business was to form the committee - the Board was going to understand how it would accept applications. She said she thought that had been the Board's argument in March and said she thought the committee would have been formed by May. She said she thought the scope of work would follow, based on the four items identified by the Board.

Vice President Gillette said that, because the Board hadn't seen the paper, it was discussing something that had no construct. She said the Board was in agreement about the four things that should be studied and that a committee should be formed. She asked if Directors Toombs and Cordova could take their direction from this.

Director Cordova responded that, because Director Toombs had included his personal opinions in the document, it was a position paper. Director Toombs replied that he had given the paper to Director Cordova on April 30<sup>th</sup> and had asked her to get back to him with her comments. He said that he had

provided the document in advance of the May meeting and that she and he had agreed not to present at that meeting because of its full agenda. He said the first time he had heard that she had any problems with the document had been the prior Thursday afternoon. He pointed out that, because the agenda deadline was Friday afternoon, he couldn't produce a turn around in time to meet that deadline. Director Toombs reiterated that he and Director Cordova needed to get feedback from the Board.

Director Cordova responded that the Board had already provided direction but that it wasn't being followed. She said that she and Director Toombs had discussed the matter, by email, for the last several weeks and said she had referenced their discussions on Next Door. She said she had sent a redlined version. Director Toombs again reported not having received his emails. She said Director Toombs' paper contained a lot of assumptions about consolidation, many of which had been assuaged at the KPOA meeting. She said she had thought it would be good to hold off on presenting until after the KPOA meeting, at which Supervisor Gioia and Lou Anne Teixeira had refuted some of the assumptions about consolidation. She said she didn't want the document to be infused with his or her bias; she wanted it only to contain the framework. She said the Board had no business asserting itself in this business: It should be community driven.

President Welsh asked if Director Cordova could re-send her redlined version of the document to Director Toombs. She replied that she could. He summarized that the process had been delayed but that there was agreement that there were four issues.

Vice President Gillette said everyone was working toward the same objective – direction had to come from the Board with respect to what the committee should look into. She said that, without structure, nothing would be accomplished. She concluded that, not having seen the document she was unclear on what the disagreement was. She said that, if Directors Toombs and Cordova couldn't come to agreement, perhaps the committee should be re-formed with two other directors. President Welsh concurred.

Ryan Anderson said that, at prior meetings, there had been agreement about the process for committee selection and determining the scope. He asked what would be the timeframe for selecting the committee members and when the committee would begin its work. Discussion ensued about the possible application process timeline. Board consensus was by that this should be completed by the end of August. Mr. Ryan asked if the Board would be instructing the committee to do research, deliberate and make a recommendation to the Board, or would the committee be asked to present impartial information and options. Director Toombs responded that he would want the committee to present options and reasons for them and said he would want objective professional advice to play a role in developing options to be presented and would want to incorporate community input in the process.

President Welsh interrupted to announce it was 9:49 P.M. and solicited a motion to extend the meeting past 10:00 P.M.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the meeting be extended until the business was finished.**

**Motion passed 4 – 0**

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

Mabry Benson objected to the meeting being extended to an indefinite time.

President Welsh said that, if the committee were to be selected by the end of August, the July meeting should be devoted to setting the scope of what the committee would do.

Director Sherris-Watt said she disagreed; she wanted to appoint the committee first and then establish the scope. Vice President Gillette responded that the scope should precede the committee selection so that the Board would know what skillset it should look for in candidates for the committee.

Gail Feldman said the Board had discussed the same four items consistently at its past several meetings, and this formed the scope of what the Board wanted the committee to look at. She said that, although she hadn't seen the paper, it sounded as though it contained the level of "deliverables" she'd expect a consultant to do, rather than a citizens' committee. She noted that the Park Committee had been comprised of people who had had general knowledge and some who had had expertise and that, because of that combination, the committee had been able to develop a master plan. She recommended that the Board develop a process for how it was going to select the committee and give the committee its focus. She agreed with Director Toombs on the point that, at some point, there would be a need for professional input. She said that, if the Board could agree to the four areas of focus, this might get the process off the ground.

Mabry Benson said she had written to the Board, recommending a series of town hall meetings to gather information, specifically about what police service the community wants. She said she didn't want the committee to make a specific recommendation.

Vice President Gillette said she thought the Board should move forward with getting the application out and that the Outlook, Next Door, and the District website were places where it should be announced. She said that, at the July meeting, there should be a recommendation from Directors Toombs and Cordova about a statement of purpose, based on the four topics that had been discussed by the Board.

President Welsh asked that, if Directors Toombs and Cordova could not come to agreement by the next meeting, they present their own versions for the Board to discuss.

Director Toombs clarified that, in July, he and Director Cordova would present what they believe would be a recommended scope and that, in August, the Board would select the committee. President Welsh confirmed this.

Director Sherris-Watt said she could include, in her July Outlook article, a link to the committee application.

President Welsh said it would be most helpful if the committee could come up with some recommendations, but these should be backed by data. He said the committee should use consultants to help them get data.

Vice President Gillette said she had one request and that was the way it would be characterized in the Outlook, in terms of what people would be applying for: The committee would be looking into different ways of structuring the District and providing police services.

Celia Concus suggested a town meeting at which people could talk and the Board would listen and suggested this might influence the direction the Board would give to the committee. Vice President Gillette disagreed and said the point of the committee was to get people who were going to go and gather data, which would drive an informed discussion. She said residents could come to KPPCSD meetings and share their thoughts with the Board. She said a town hall meeting should be held once the committee had gathered preliminary data.

Directors Sherris-Watt and Cordova offered to meet with residents on June 22<sup>nd</sup> and June 24<sup>th</sup>. Director Cordova said there needed to be more listening.

Leonard Schwartzburd said he thought the Board should define the issues and provide information. Director Toombs responded that community participation, including town hall meetings, was included in every step of the proposal he had prepared for the evening's discussion.

Mabry Benson said she had suggested just one town hall meeting for the sole purpose of determining what the community wanted from a police force. She said there could be future town hall meetings on other specific aspects that might develop along the way. She said the whole process was being pushed

down the line. Director Toombs said this was among the topics covered in the document he had prepared for the evening.

Barbara Steinburg said she agreed with the idea of a town hall meeting but said the Board should have compiled useful information ahead of time to present. She said this should include things such as what it would cost to contract out with El Cerrito for police services and what it would mean, in terms of service, if the KPPCSD were to consolidate with the Fire District.

Director Cordova responded that Director Toombs had incorporated these kinds of things into his document and said the meeting being requested was one during which the Board would just listen; there would be no discussion.

Vice President Gillette said everyone was in agreement: There should be as much community involvement as possible. She said a listening tour would be a good function for the committee, once it was selected, and that the Board could be present for such a meeting.

Vice President Gillette summarized the Board's consensus: that Directors Toombs and Cordova, either together or individually, would present proposals about committee scope at the July meeting, and the Board would select committee candidates in August.

Gail Feldman suggested that the new GM/COP conduct a town hall meeting to determine the level of police service the community would like. President Welsh said discussion of a town hall meeting would be on the July agenda.

**MOTION: Vice President Gillette moved, and President Welsh seconded, that the meeting be adjourned.**

**Motion passed: 5 to 0**

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

The meeting was adjourned at 10:54 P.M.

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Len Welsh  
KPPCSD Board President

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Lynn Wolter  
District Administrator

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 May 2015

	May 15	Budget	Jul '14 - May...	YTD Budget	Annual Bud...
<b>Ordinary Income/Expense</b>					
<b>Income</b>					
400 · Police Activities Revenue					
401 · Levy Tax	3,948.16		1,474,897.39	1,413,620.00	1,413,620.00
402 · Special Tax-Police	0.00		681,690.00	680,000.00	680,000.00
403 · Misc Tax-Police	69.07		138.07		
404 · Measure G Supplemental Tax Rev	0.00		501,949.76	501,443.00	501,443.00
410 · Police Fees/Service Charges	40.30		1,295.95	1,125.00	1,500.00
411 · Kensington Hilltop Svcs Reimb	4,725.00		9,450.00		
412 · Special Assignment Revenue	0.00		2,680.18		
413 · West County Crossing Guard Reim	3,505.00		7,010.00		
414 · POST Reimbursement	0.00		1,262.79		
415 · Grants-Police	12,176.66		90,147.15		
416 · Interest-Police	0.00		982.24	1,875.00	2,500.00
418 · Misc Police Income	2,654.64	1,500.00	21,076.08	16,500.00	18,000.00
419 · Supplemental W/C Reimb (4850)	2,149.28		21,492.80		
<b>Total 400 · Police Activities Revenue</b>	<b>29,268.11</b>	<b>1,500.00</b>	<b>2,814,072.41</b>	<b>2,614,563.00</b>	<b>2,617,063.00</b>
<b>420 · Park/Rec Activities Revenue</b>					
424 · Special Tax-L&L	0.00		34,334.92	33,000.00	33,000.00
427 · Community Center Revenue	165.00	3,500.00	27,325.50	29,500.00	30,000.00
436 · Interest-Park/Rec	0.00		0.00	75.00	100.00
438 · Misc Park/Rec Rev	0.00	50.00	162.00	450.00	500.00
<b>Total 420 · Park/Rec Activities Revenue</b>	<b>165.00</b>	<b>3,550.00</b>	<b>61,822.42</b>	<b>63,025.00</b>	<b>63,600.00</b>
<b>440 · District Activities Revenue</b>					
448 · Franchise Fees	8,696.37		25,443.03	21,000.00	21,000.00
456 · Interest-District	0.00		-43.55	262.50	350.00
458 · Misc District Revenue	0.00		407.00		
<b>Total 440 · District Activities Revenue</b>	<b>8,696.37</b>		<b>25,806.48</b>	<b>21,262.50</b>	<b>21,350.00</b>

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 May 2015

	May 15	Budget	Jul '14 - May...	YTD Budget	Annual Bud...
<b>Total Income</b>	38,129.48	5,050.00	2,901,701.31	2,698,850.50	2,702,013.00
<b>Expense</b>					
500 · Police Sal & Ben	82,929.52	81,748.58	899,581.49	899,234.42	980,983.00
502 · Salary - Officers	18,634.69	0.00	20,950.52	8,800.00	8,800.00
504 · Compensated Absences	1,869.90	3,750.00	43,275.82	41,250.00	45,000.00
506 · Overtime	6,773.71	6,825.00	64,751.04	75,075.00	81,900.00
508 · Salary - Non-Sworn	666.60	666.70	7,332.60	7,333.30	8,000.00
516 · Uniform Allowance	0.00	0.00	0.00	2,500.00	2,500.00
518 · Safety Equipment	14,275.15	15,858.83	173,972.73	190,306.00	190,306.00
521-A · Medical/Vision/Dental-Active	13,609.79	11,312.33	145,190.94	135,748.00	135,748.00
521-R · Medical/Vision/Dental-Retired	0.00	0.00	58,058.00	58,058.00	58,058.00
521-T · Medical/Vision/Dental-Trust	245.00	436.67	4,566.00	4,803.33	5,240.00
522 · Insurance - Police	1,416.57	1,359.00	11,844.05	14,949.00	16,308.00
523 · Social Security/Medicare	67.54	423.17	4,014.57	4,654.83	5,078.00
524 · Social Security - District	32,287.32	31,565.00	350,877.31	347,215.00	378,780.00
527 · PERS - District Portion	7,523.64	7,417.33	81,622.39	81,590.67	89,008.00
528 · PERS - Officers Portion	0.00	0.00	37,972.00	40,000.00	50,000.00
530 · Workers Comp					
<b>Total 500 · Police Sal &amp; Ben</b>	180,299.43	161,362.61	1,904,009.46	1,911,517.55	2,055,709.00
<b>550 · Other Police Expenses</b>					
552 · Expendable Police Supplies	287.76	125.00	4,432.49	1,375.00	1,500.00
553 · Range/Ammunition Supplies	0.00	0.00	1,640.85	3,000.00	3,000.00
560 · Crossing Guard	1,168.30	876.25	9,404.85	9,638.75	10,515.00
562 · Vehicle Operation	1,577.40	5,000.00	40,952.65	55,000.00	60,000.00
564 · Communications (RPD)	26,534.63	13,005.83	96,417.86	143,064.17	156,070.00
566 · Radio Maintenance	181.69	1,812.50	21,285.54	19,937.50	21,750.00
568 · Prisoner/Case Exp./Booking	452.89	450.00	8,432.16	4,950.00	5,400.00
570 · Training	0.00	833.33	8,351.83	9,166.67	10,000.00
572 · Recruiting	0.00	541.67	0.00	5,958.33	6,500.00
574 · Reserve Officers	0.00	337.50	2,056.19	3,712.50	4,050.00
576 · Misc. Dues, Meals & Travel	0.00	261.67	2,485.00	2,878.33	3,140.00

## KPPCSD

## Unaudited Profit &amp; Loss Budget Performance

May 2015

	May 15	Budget	Jul '14 - May...	YTD Budget	Annual Bud...
580 · Utilities - Police	203.38	746.67	9,094.19	8,213.33	8,960.00
581 · Bldg Repairs/Maint.	154.90	83.33	1,341.01	916.67	1,000.00
582 · Expendable Office Supplies	689.31	500.00	5,533.58	5,500.00	6,000.00
588 · Telephone(+Rich. Line)	668.45	742.00	7,382.20	8,162.00	8,904.00
590 · Housekeeping	284.95	333.33	3,826.15	3,666.67	4,000.00
592 · Publications	53.20	183.33	2,337.10	2,016.67	2,200.00
594 · Community Policing	14.95	166.67	2,430.22	1,833.33	2,000.00
596 · WEST-NET/CAL I.D.	0.00		13,655.00	13,925.00	13,925.00
599 · Police Taxes Administration	0.00		3,397.22	3,300.00	3,300.00
<b>Total 550 · Other Police Expenses</b>	<b>32,271.81</b>	<b>25,999.08</b>	<b>244,456.09</b>	<b>306,214.92</b>	<b>332,214.00</b>
<b>600 · Park/Rec Sal &amp; Ben</b>					
601 · Park & Rec Administrator	642.30	650.00	6,326.74	7,150.00	7,800.00
602 · Custodian	1,750.00	1,895.83	19,250.00	20,854.17	22,750.00
623 · Social Security/Medicare - Dist	484.00	49.75	484.00	547.25	597.00
<b>Total 600 · Park/Rec Sal &amp; Ben</b>	<b>2,876.30</b>	<b>2,595.58</b>	<b>26,060.74</b>	<b>28,551.42</b>	<b>31,147.00</b>
<b>635 · Park/Recreation Expenses</b>					
640 · Community Center Expenses					
642 · Utilities-Community Center	283.85	468.00	4,574.91	5,148.00	5,616.00
643 · Janitorial Supplies	0.00	66.67	1,313.91	733.33	800.00
646 · Community Center Repairs	0.00		2,725.84	3,000.00	3,000.00
<b>Total 640 · Community Center Expenses</b>	<b>283.85</b>	<b>534.67</b>	<b>8,614.66</b>	<b>8,881.33</b>	<b>9,416.00</b>
<b>672 · Kensington Park O&amp;M</b>					
678 · Misc Park/Rec Expense	3,602.44		42,993.99	79,524.00	79,524.00
	0.00		170.00		
<b>Total 635 · Park/Recreation Expenses</b>	<b>3,886.29</b>	<b>534.67</b>	<b>51,778.65</b>	<b>88,405.33</b>	<b>88,940.00</b>
<b>800 · District Expenses</b>					
810 · Computer Maintenance	1,588.95	2,024.00	21,358.84	22,264.00	24,288.00
820 · Cannon Copier Contract	387.05	475.00	4,754.55	5,225.00	5,700.00
830 · Legal (District/Personnel)	42,151.50	12,500.00	193,036.81	137,500.00	150,000.00

## KPPCSD

## Unaudited Profit &amp; Loss Budget Performance

May 2015

	May 15	Budget	Jul '14 - May...	YTD Budget	Annual Bud...
835 · Consulting	0.00	625.00	6,678.00	6,875.00	7,500.00
840 · Accounting	9,226.00	2,979.17	18,982.82	32,770.83	35,750.00
850 · Insurance	0.00		29,917.36	30,000.00	30,000.00
860 · Election	0.00		8,608.25	10,000.00	10,000.00
865 · Police Bldg. Lease	0.00		0.00	1.00	1.00
870 · County Expenditures	0.00		22,184.11	22,300.00	22,300.00
890 · Waste/Recycle	303.07	9,883.33	37,861.28	108,716.67	118,600.00
898 · Misc. Expenses	336.64	1,000.00	7,325.97	11,300.00	12,300.00
<b>Total 800 · District Expenses</b>	<b>53,993.21</b>	<b>29,486.50</b>	<b>350,707.99</b>	<b>386,952.50</b>	<b>416,439.00</b>
<b>950 · Capital Outlay</b>					
962 · Patrol Cars	0.00	30,000.00	29,308.28	30,000.00	30,000.00
963 · Patrol Car Accessories	0.00	16,000.00	17,036.13	16,000.00	16,000.00
972 · Park Buildings Improvement	0.00		0.00		
<b>Total 950 · Capital Outlay</b>	<b>0.00</b>	<b>46,000.00</b>	<b>46,344.41</b>	<b>46,000.00</b>	<b>46,000.00</b>
<b>Total Expense</b>	<b>273,327.04</b>	<b>265,978.44</b>	<b>2,623,357.34</b>	<b>2,767,641.72</b>	<b>2,970,449.00</b>
<b>Net Ordinary Income</b>	<b>-235,197.56</b>	<b>-260,928.44</b>	<b>278,343.97</b>	<b>-68,791.22</b>	<b>-268,436.00</b>
<b>Other Income/Expense</b>					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-175,583.24		
710 · Bond Admin.	639.28		12,251.58		
715 · Bond Interest Income	0.00		-176.75		
720 · Bond Principal	0.00		123,024.10		
730 · Bond Interest	0.00		38,599.06		
<b>Total 700 · Bond Issue Expenses</b>	<b>639.28</b>		<b>-1,885.25</b>		
<b>Total Other Expense</b>	<b>639.28</b>		<b>-1,885.25</b>		



# Unaudited Profit & Loss Budget Performance

May 2015

	May 15	Budget	Jul '14 - May...	YTD Budget	Annual Bud...
<b>Net Other Income</b>	-639.28	0.00	1,885.25	0.00	0.00
<b>Net Income</b>	<b>-235,836.84</b>	<b>-260,928.44</b>	<b>280,229.22</b>	<b>-68,791.22</b>	<b>-268,436.00</b>

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 June 2015

Ordinary Income/Expense	Jun 15	Budget	Jul '14 - Jun ...	YTD Budget	Annual Bud...
<b>Income</b>					
400 · Police Activities Revenue					
401 · Levy Tax	7,774.89		1,482,672.28	1,413,620.00	1,413,620.00
402 · Special Tax-Police	0.00		681,690.00	680,000.00	680,000.00
403 · Misc Tax-Police	0.00		138.07		
404 · Measure G Supplemental Tax Rev	0.00		501,949.76	501,443.00	501,443.00
410 · Police Fees/Service Charges	147.15	375.00	1,443.10	1,500.00	1,500.00
411 · Kensington Hilltop Svcs Reimb	0.00		9,450.00		
412 · Special Assignment Revenue	18,051.41		20,731.59		
413 · West County Crossing Guard Reim	0.00		7,010.00		
414 · POST Reimbursement	0.00		1,262.79		
415 · Grants-Police	0.00		90,147.15		
416 · Interest-Police	0.00	625.00	982.24	2,500.00	2,500.00
418 · Misc Police Income	1,805.03	1,500.00	22,881.11	18,000.00	18,000.00
419 · Supplemental W/C Reimb (4850)	4,298.56		25,791.36		
<b>Total 400 · Police Activities Revenue</b>	<b>32,077.04</b>	<b>2,500.00</b>	<b>2,846,149.45</b>	<b>2,617,063.00</b>	<b>2,617,063.00</b>
<b>420 · Park/Rec Activities Revenue</b>					
424 · Special Tax-L&L	0.00		34,334.92	33,000.00	33,000.00
427 · Community Center Revenue	8,310.00	500.00	35,635.50	30,000.00	30,000.00
436 · Interest-Park/Rec	0.00	25.00	0.00	100.00	100.00
438 · Misc Park/Rec Rev	40.00	50.00	202.00	500.00	500.00
<b>Total 420 · Park/Rec Activities Revenue</b>	<b>8,350.00</b>	<b>575.00</b>	<b>70,172.42</b>	<b>63,600.00</b>	<b>63,600.00</b>
<b>440 · District Activities Revenue</b>					
448 · Franchise Fees	0.00		25,443.03	21,000.00	21,000.00
456 · Interest-District	0.00	87.50	-43.55	350.00	350.00
458 · Misc District Revenue	20,938.98		21,345.98		
<b>Total 440 · District Activities Revenue</b>	<b>20,938.98</b>	<b>87.50</b>	<b>46,745.46</b>	<b>21,350.00</b>	<b>21,350.00</b>

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 June 2015

	Jun 15	Budget	Jul '14 - Jun ...	YTD Budget	Annual Bud...
<b>Total Income</b>	61,366.02	3,162.50	2,963,067.33	2,702,013.00	2,702,013.00
<b>Expense</b>					
500 · Police Sal & Ben	79,394.37	81,748.58	978,975.86	980,983.00	980,983.00
502 · Salary - Officers	0.00	0.00	20,950.52	8,800.00	8,800.00
504 · Compensated Absences	2,835.19	3,750.00	46,111.01	45,000.00	45,000.00
506 · Overtime	8,093.85	6,825.00	72,844.89	81,900.00	81,900.00
508 · Salary - Non-Sworn	599.94	666.70	7,932.54	8,000.00	8,000.00
516 · Uniform Allowance	1,000.00	1,000.00	1,000.00	2,500.00	2,500.00
518 · Safety Equipment	1,485.84		175,458.57	190,306.00	190,306.00
521-A · Medical/Vision/Dental-Active	1,551.32		146,742.26	135,748.00	135,748.00
521-R · Medical/Vision/Dental-Retired	0.00		58,058.00	58,058.00	58,058.00
521-T · Medical/Vision/Dental-Trust	433.00	436.67	4,999.00	5,240.00	5,240.00
522 · Insurance - Police	1,219.93	1,359.00	13,063.98	16,308.00	16,308.00
523 · Social Security/Medicare	545.59	423.17	4,560.16	5,078.00	5,078.00
524 · Social Security - District	30,896.19	31,565.00	381,773.50	378,780.00	378,780.00
527 · PERS - District Portion	6,911.98	7,417.33	88,534.37	89,008.00	89,008.00
528 · PERS - Officers Portion	0.00	10,000.00	37,972.00	50,000.00	50,000.00
530 · Workers Comp					
<b>Total 500 · Police Sal &amp; Ben</b>	134,967.20	144,191.45	2,038,976.66	2,055,709.00	2,055,709.00
<b>550 · Other Police Expenses</b>					
552 · Expendable Police Supplies	0.00	125.00	4,432.49	1,500.00	1,500.00
553 · Range/Ammunition Supplies	1,615.78		3,256.63	3,000.00	3,000.00
560 · Crossing Guard	1,109.89	876.25	10,514.74	10,515.00	10,515.00
562 · Vehicle Operation	1,481.27	5,000.00	42,433.92	60,000.00	60,000.00
564 · Communications (RPD)	8,367.31	13,005.83	104,785.17	156,070.00	156,070.00
566 · Radio Maintenance	181.71	1,812.50	21,467.25	21,750.00	21,750.00
568 · Prisoner/Case Exp./Booking	-880.00	450.00	7,552.16	5,400.00	5,400.00
570 · Training	0.00	833.33	8,351.83	10,000.00	10,000.00
572 · Recruiting	0.00	541.67	0.00	6,500.00	6,500.00
574 · Reserve Officers	30.00	337.50	2,086.19	4,050.00	4,050.00
576 · Misc. Dues, Meals & Travel	440.00	261.67	2,925.00	3,140.00	3,140.00

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 June 2015

	Jun 15	Budget	Jul '14 - Jun ...	YTD Budget	Annual Bud...
580 · Utilities - Police	1,971.77	746.67	11,065.96	8,960.00	8,960.00
581 · Bldg Repairs/Maint.	285.00	83.33	1,626.01	1,000.00	1,000.00
582 · Expendable Office Supplies	631.51	500.00	6,165.09	6,000.00	6,000.00
588 · Telephone(+Rich. Line)	581.43	742.00	7,963.63	8,904.00	8,904.00
590 · Housekeeping	483.66	333.33	4,309.81	4,000.00	4,000.00
592 · Publications	0.00	183.33	2,337.10	2,200.00	2,200.00
594 · Community Policing	276.30	166.67	2,706.52	2,000.00	2,000.00
596 · WEST-NET/CAL I.D.	0.00		13,655.00	13,925.00	13,925.00
599 · Police Taxes Administration	860.10		4,257.32	3,300.00	3,300.00
<b>Total 550 · Other Police Expenses</b>	<b>17,435.73</b>	<b>25,999.08</b>	<b>261,891.82</b>	<b>332,214.00</b>	<b>332,214.00</b>
<b>600 · Park/Rec Sal &amp; Ben</b>					
601 · Park & Rec Administrator	706.20	650.00	7,032.94	7,800.00	7,800.00
602 · Custodian	1,750.00	1,895.83	21,000.00	22,750.00	22,750.00
623 · Social Security/Medicare - Dist	0.00	49.75	484.00	597.00	597.00
<b>Total 600 · Park/Rec Sal &amp; Ben</b>	<b>2,456.20</b>	<b>2,595.58</b>	<b>28,516.94</b>	<b>31,147.00</b>	<b>31,147.00</b>
<b>635 · Park/Recreation Expenses</b>					
640 · Community Center Expenses					
642 · Utilities-Community Center	546.09	468.00	5,121.00	5,616.00	5,616.00
643 · Janitorial Supplies	230.89	66.67	1,544.80	800.00	800.00
646 · Community Center Repairs	0.00		2,725.84	3,000.00	3,000.00
<b>Total 640 · Community Center Expenses</b>	<b>776.98</b>	<b>534.67</b>	<b>9,391.64</b>	<b>9,416.00</b>	<b>9,416.00</b>
<b>672 · Kensington Park O&amp;M</b>					
678 · Misc Park/Rec Expense	3,817.61		46,811.60	79,524.00	79,524.00
	0.00		170.00		
<b>Total 635 · Park/Recreation Expenses</b>	<b>4,594.59</b>	<b>534.67</b>	<b>56,373.24</b>	<b>88,940.00</b>	<b>88,940.00</b>
<b>800 · District Expenses</b>					
810 · Computer Maintenance	1,089.00	2,024.00	22,447.84	24,288.00	24,288.00
820 · Cannon Copier Contract	387.05	475.00	5,141.60	5,700.00	5,700.00
830 · Legal (District/Personnel)	20,162.34	12,500.00	213,199.15	150,000.00	150,000.00

**KPPCSD**  
**Unaudited Profit & Loss Budget Performance**  
 June 2015

	Jun 15	Budget	Jul '14 - Jun ...	YTD Budget	Annual Bud...
835 · Consulting	8,045.00	625.00	14,723.00	7,500.00	7,500.00
840 · Accounting	3,185.00	2,979.17	22,167.82	35,750.00	35,750.00
850 · Insurance	27,480.79		57,398.15	30,000.00	30,000.00
860 · Election	0.00		8,608.25	10,000.00	10,000.00
865 · Police Bldg. Lease	1.00		1.00	1.00	1.00
870 · County Expenditures	0.00		22,184.11	22,300.00	22,300.00
890 · Waste/Recycle	303.07	9,883.33	38,164.35	118,600.00	118,600.00
898 · Misc. Expenses	212.24	1,000.00	7,538.21	12,300.00	12,300.00
<b>Total 800 · District Expenses</b>	<b>60,865.49</b>	<b>29,486.50</b>	<b>411,573.48</b>	<b>416,439.00</b>	<b>416,439.00</b>
<b>950 · Capital Outlay</b>					
962 · Patrol Cars	0.00		29,308.28	30,000.00	30,000.00
963 · Patrol Car Accessories	0.00		17,036.13	16,000.00	16,000.00
972 · Park Buildings Improvement	0.00		0.00		
<b>Total 950 · Capital Outlay</b>	<b>0.00</b>		<b>46,344.41</b>	<b>46,000.00</b>	<b>46,000.00</b>
<b>Total Expense</b>	<b>220,319.21</b>	<b>202,807.28</b>	<b>2,843,676.55</b>	<b>2,970,449.00</b>	<b>2,970,449.00</b>
<b>Net Ordinary Income</b>	<b>-158,953.19</b>	<b>-199,644.78</b>	<b>119,390.78</b>	<b>-268,436.00</b>	<b>-268,436.00</b>
<b>Other Income/Expense</b>					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	0.00		-175,583.24		
710 · Bond Admin.	2,382.42		14,634.00		
715 · Bond Interest Income	0.00		-176.75		
720 · Bond Principal	0.00		123,024.10		
730 · Bond Interest	0.00		38,599.06		
<b>Total 700 · Bond Issue Expenses</b>	<b>2,382.42</b>		<b>497.17</b>		
<b>Total Other Expense</b>	<b>2,382.42</b>		<b>497.17</b>		

# Unaudited Profit & Loss Budget Performance

June 2015

	Jun 15	Budget	Jul '14 - Jun ...	YTD Budget	Annual Bud...
<b>Net Other Income</b>	-2,382.42	0.00	-497.17	0.00	0.00
<b>Net Income</b>	<b>-161,335.61</b>	<b>-199,644.78</b>	<b>118,893.61</b>	<b>-268,436.00</b>	<b>-268,436.00</b>

KPPCSD

Transaction Detail By Account

July 2014 through June 2015

Date	Num	N	Memo	Amount
<b>420 - Park/Rec Activities Revenue</b>				
<b>424 - Special Tax-L&amp;L</b>				
10/01/2014	JV07...	C	SP ASSESS J2 APPOR 10/14	34,334.92
Total 424 - Special Tax-L&L				34,334.92
<b>427 - Community Center Revenue</b>				
07/09/2014	V918...		CCC Primary Election Payment	100.00
07/09/2014	109		July & Aug 2014 Rent from Alanaon Group	90.00
07/09/2014			Partial Payment for CC Rental 6-7-14	125.00
07/09/2014	150		Partial Payment for CC Rental 6-7-14	175.00
07/09/2014	2073		CC Rental 7/4/14	600.00
07/09/2014	6717		CC Rental additional hour 6/28/14	75.00
07/09/2014			CC Rental 5/31/14	450.00
08/04/2014	731		CC Rental 7/26/14	375.00
08/04/2014	3358		CC Rental 7/19/14	900.00
08/04/2014	3201		CC Rental 8/3/14	500.00
08/18/2014	9001		AA rent for Aug & Setp	90.00
08/18/2014	1023		CC Rental 8/9/14	1,400.00
08/18/2014	602		CC Rental 8/16/14	450.00
08/18/2014	1139		East Bay Collectors Club Rent 2014/2015	598.00
09/09/2014	3274		CC Rental on Dec 6, 2014	600.00
09/09/2014			CC Rental additional hour charge 8-16-14	75.00
09/09/2014	3052		CC Rental on 8-23-14	1,200.00
09/09/2014	4157		CC Rental on 9-14-14	600.00
09/30/2014			9-13-14 CC Rental	450.00
09/30/2014	5927 ...		10-18-14 CC Rental	180.00
10/15/2014	15914	C	Refund of Community Center Rental Deposit	-180.00
10/21/2014	243		CC Rental 10-18-14	300.00
10/21/2014	3118		CC Rental 11-22-14	375.00
10/21/2014	1708...		CC Rental 8-22-14	500.00
10/21/2014	1708...		CC Rental 8-22-14	500.00
10/21/2014	1708...		CC Rental 8-22-14 plus return check fee	210.00
10/21/2014			CC Rental 10-3-14 & 10-4-14	1,800.00
11/12/2014	1068		CC Rental 10-25-14	500.00

**KPPCSD**  
**Transaction Detail By Account**  
 July 2014 through June 2015

Date	Num	N	Memo	Amount
11/12/2014	1210		CC Rent Wake Up To Alanon Nov & Dec 2014	90.00
12/01/2014	1816		CC Rental for 12-14-14	180.00
12/01/2014	V921...		Election payment for use of CC	100.00
12/23/2014	7612		1st half of 2015 KCC payment for Comm Center	7,500.00
12/23/2014	3739		CC rental payment for 12-24-14	450.00
12/23/2014	571		CC rental payment for 12-26-14	450.00
12/23/2014	2288		CC rental payment for 1-10-15 Friends & Family ...	180.00
12/23/2014	1477		CC rental payment for 11-15-14	300.00
01/16/2015	778		CC Rental for August 29, 2015	1,400.00
01/29/2015	1432		CC Rental on 5-17-15 Monica Sullivan	375.00
01/29/2015	1001		CC Rental on 6-13-15 Talicia Moore	487.50
01/29/2015	2020		CC Rental on 4-4-15 Eileen Blum	400.00
02/23/2015	1208		CC Rental on 4-25-15	500.00
02/27/2015	16194	E	Community Center Rental Refund - Cancellation	-400.00
03/11/2015	637		CC Rental 6-14-15	500.00
03/11/2015	1264		CC Rental 3-22-15	300.00
03/11/2015	384		CC Rental 3-28-15	500.00
03/11/2015	1142...		CC Rental from AA Jan, Feb, March 2015	135.00
04/17/2015	1444		CC Rental additional hour on May 17, 2015	75.00
04/17/2015	1522		CC Rental May 2, 2015	600.00
05/01/2015	1351		Additional hour charge for CC rental on 5-2-15	75.00
05/01/2015	0004		Alanon Rent for April & May 2015	90.00
06/05/2015	8295		2nd half of 14/15 payment from KCC	7,500.00
06/05/2015	1874		CC Rental 5-30-15	450.00
06/05/2015	2195		CC Rental 5-25-15 Friends & Family	180.00
06/05/2015	4523		CC Rental 7-19-15 Fundraiser Friends & Family	180.00
Total 427 · Community Center Revenue				35,635.50



KPPCSD

Transaction Detail By Account

July 2014 through June 2015

Date	Num	N	Memo	Amount
<b>438 · Misc Park/Rec Rev</b>				
07/09/2014			Tennis court fee	2.00
08/18/2014	4314		Tennis court fees	40.00
11/12/2014	4479		Tennis Court Fee	40.00
01/16/2015	4562		Tennis court rental fee	40.00
03/27/2015	4366		Tennis Court Fee	40.00
06/05/2015	4409		Tennis court rental	40.00
Total 438 · Misc Park/Rec Rev				202.00
Total 420 · Park/Rec Activities Revenue				70,172.42
<b>TOTAL</b>				<b>70,172.42</b>

KPPCSD

Transaction Detail By Account

July 2014 through June 2015

Date	Num	Name	Memo	Amount
<b>600 · Park/Rec Sal &amp; Ben</b>				
<b>601 · Park &amp; Rec Administrator</b>				
07/15/2014		Di Napoli, Andrea		286.25
07/30/2014		Di Napoli, Andrea		257.00
08/15/2014		Di Napoli, Andrea		274.25
08/29/2014		Di Napoli, Andrea		255.41
09/15/2014		Di Napoli, Andrea		276.94
09/30/2014		Di Napoli, Andrea		312.64
10/15/2014		Di Napoli, Andrea		250.69
10/30/2014		Di Napoli, Andrea		310.80
11/14/2014		Di Napoli, Andrea		269.06
11/28/2014		Di Napoli, Andrea		249.11
12/15/2014		Di Napoli, Andrea		271.43
12/30/2014		Di Napoli, Andrea		288.75
01/15/2015		Di Napoli, Andrea		-23.89
01/15/2015		Di Napoli, Andrea		281.70
01/30/2015		Di Napoli, Andrea		315.00
02/13/2015		Di Napoli, Andrea		292.50
02/27/2015		Di Napoli, Andrea		311.10
03/13/2015		Di Napoli, Andrea		273.00
03/30/2015		Di Napoli, Andrea		259.20
04/14/2015		Di Napoli, Andrea		358.50
04/29/2015		Di Napoli, Andrea		315.00
05/14/2015		Di Napoli, Andrea		324.60
05/28/2015		Di Napoli, Andrea		317.70
06/14/2015		Di Napoli, Andrea		347.10
06/29/2015		Di Napoli, Andrea		359.10

Total 601 · Park & Rec Administrator 7,032.94

**KPPCSD**  
**Transaction Detail By Account**  
 July 2014 through June 2015

Date	Num	Name	Memo	Amount
<b>602 - Custodian</b>				
07/15/2014	15698	William Driscoll	Com. Center Cleaning 7/1 - 7/15/14	875.00
07/30/2014	15726	William Driscoll	Com. Center Cleaning 7/15 - 7/31/14	875.00
08/15/2014	15754	William Driscoll	Com. Center Cleaning 8/1 - 8/15/14	875.00
08/29/2014	15784	William Driscoll	Com. Center Cleaning 8/15 - 8/31/14	875.00
09/15/2014	15817	William Driscoll	Com. Center Cleaning 9/1 - 9/15/14	875.00
09/30/2014	15850	William Driscoll	9/16 - 9/30/14 Community Center Cleaning	875.00
10/15/2014	15890	William Driscoll	10/1 - 10/15/14 Community Center Cleaning	875.00
10/30/2014	15936	William Driscoll	10/16 - 10/31/14 Community Center Cleaning	875.00
11/14/2014	15959	William Driscoll	11/1 - 11/15/14 Community Center Cleaning	875.00
11/28/2014	15987	William Driscoll	11/16 - 11/30/14 Community Center Cleaning	875.00
12/15/2014	16020	William Driscoll	12/1 - 12/15/14 Community Center Cleaning	875.00
12/30/2014	16052	William Driscoll	12/16 - 12/31/14 Community Center Cleaning	875.00
01/15/2015	16086	William Driscoll	1/1 - 1/15/15 Community Center Cleaning	875.00
01/30/2015	16114	William Driscoll	1/15 - 1/31/15 Community Center Cleaning	875.00
02/13/2015	16144	William Driscoll	2/1 - 2/15/15 Community Center Cleaning	875.00
02/27/2015	16173	William Driscoll	2/16 - 2/28/15 Community Center Cleaning	875.00
03/13/2015	16209	William Driscoll	3/1 - 3/15/15 Community Center Cleaning	875.00
03/30/2015	16231	William Driscoll	3/16 - 3/31/15 Community Center Cleaning	875.00
04/15/2015	16258	William Driscoll	4/1 - 4/15/15 Community Center Cleaning	875.00
04/30/2015	16306	William Driscoll	4/16 - 4/30/15 Community Center Cleaning	875.00
05/15/2015	16321	William Driscoll	5/1 - 5/15/15 Community Center Cleaning	875.00
05/29/2015	16370	William Driscoll	May 16- 31 CC	875.00
06/15/2015	16397	William Driscoll	June 1- 15, 2015 Community Center maintenance	875.00
06/30/2015	16427	William Driscoll	June 16- 30, 2015 Community Center mainten...	875.00
Total 602 - Custodian				21,000.00

4:07 PM

07/02/15

Accrual Basis

KPPCSD

### Transaction Detail By Account

July 2014 through June 2015

Date	Num	Name	Memo	Amount
05/31/2015	SS A...	623 · Social Security/Medicare - Dist		484.00
		Total 623 · Social Security/Medicare - Dist	07/01/14-05/31/15	484.00
		Total 600 · Park/Rec Sal & Ben		28,516.94
		<b>TOTAL</b>		<b>28,516.94</b>

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## KPD Monthly Crime Statistics

May 2015

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
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	0	0	0	0	0
Larceny Theft	7	0	7	0	0
Vehicle Theft	2	2	0	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<u>9</u>	<u>2</u>	<u>7</u>	<u>0</u>	<u>0</u>

<b>Other Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Other misdemeanor	0	0	0	0	0
Identity Theft	2	0	2	0	0
Fraud	0	0	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/	0	0	0	0	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	0	0	0	0	0
Vandalism	2	0	2	0	0
Drugs	1	0	0	1	1
Warrant	1	0	0	1	1
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	0	0	0	0	0
Other Misdemeanor Traffic	1	0	0	1	1
<b>Other Crime Totals</b>	<u>7</u>	<u>0</u>	<u>4</u>	<u>3</u>	<u>3</u>

<b>All Crime Totals</b>	<u>16</u>	<u>2</u>	<u>11</u>	<u>3</u>	<u>3</u>
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Traffic Accidents (Non Injury)	0
Traffic Accidents (Injury)	0

## KPD Monthly Crime Statistics

June 2015

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
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	1	1	0	0	0
Larceny Theft	4	0	4	0	0
Vehicle Theft	2	1	1	0	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<u>7</u>	<u>2</u>	<u>5</u>	<u>0</u>	<u>0</u>

### Other Crimes

Other misdemeanor	1	0	1	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)	1	0	0	1	0
Vandalism	4	0	4	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	1	0	1	0	0
Other Misdemeanor Traffic	0	0	0	0	0

<b>Other Crime Totals</b>	<u>8</u>	<u>0</u>	<u>7</u>	<u>1</u>	<u>0</u>
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<b>All Crime Totals</b>	<u>15</u>	<u>2</u>	<u>12</u>	<u>1</u>	<u>0</u>
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Traffic Accidents (Non Injury)	2
Traffic Accidents (Injury)	0

## KPD Crime Statistics

YTD 2015

<b>Part 1 Crimes</b>	<b>Reported</b>	<b>Open/ Pending</b>	<b>Suspended</b>	<b>Closed</b>	<b>Arrest</b>
Homicide	0	0	0	0	0
Rape	0	0	0	0	0
Robbery	0	0	0	0	0
Assault	2	0	0	2	1
Residential Burglary	11	7	1	3	0
Larceny Theft	29	12	17	0	0
Vehicle Theft	9	5	2	2	0
Arson	0	0	0	0	0
<b>Part 1 Totals</b>	<b><u>51</u></b>	<b><u>24</u></b>	<b><u>20</u></b>	<b><u>7</u></b>	<b><u>1</u></b>

### Other Crimes

Other misdemeanor	4	0	4	0	0
Identity Theft	18	11	6	1	0
Fraud	1	1	0	0	0
Forgeries	0	0	0	0	0
Restraining Order Violations/ Stalking/ Criminal Threats	2	0	0	2	0
Sex Crimes (other)	0	0	0	0	0
Assault/ Battery (other)	2	0	1	1	0
Vandalism	10	2	6	2	0
Drugs	2	0	0	2	2
Warrant	3	0	0	3	3
Hit and Run Felony	0	0	0	0	0
Hit and Run Misdemeanor	11	5	5	1	0
Other Misdemeanor Traffic	2	0	0	2	2
<b>Other Crime Totals</b>	<b><u>55</u></b>	<b><u>19</u></b>	<b><u>22</u></b>	<b><u>14</u></b>	<b><u>7</u></b>

<b>All Crime Totals</b>	<b><u>106</u></b>	<b><u>43</u></b>	<b><u>42</u></b>	<b><u>21</u></b>	<b><u>8</u></b>
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Traffic Accidents (Non Injury)	21
Traffic Accidents (Injury)	0

\* 2011 case

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Investigation statistics

### **SIGNIFICANT EVENTS:**

#### **2015-1783, 1893, 1967, and 1969 Auto Burglaries**

During the month of May, Officers responded to several window smash auto burglaries. All four of the burglaries occurred during the day when the victim had left their purses or personal items locked inside of their vehicles. Two of the burglaries occurred while the victims were in the park or picking up children. Two other victims were attending funeral services. I would ask that you take your belonging with you or not leave them out in the open. **These cases are under investigation.**

#### **2015-1926 Warrant Arrest**

On 5/18/2015, I noted a white male adult standing across the street from the police department, 217 Arlington Avenue. The male was standing next to some bushes looking through a set of binoculars and into a residence. Officer Ramos and I contacted the male who was wanted from the California Department of Corrections and classified as a parolee at large. He was taken into custody without incident. **Case closed by arrest.**

#### **2015-1940 Arrest for possession of burglary tools, drug paraphernalia, and possession of methamphetamines.**

Corporal Stegman and I contacted a white male adult sitting in a parked vehicle. The male was on parole and through further investigation was found to be in possession of burglary tools, drug paraphernalia, and methamphetamines. **The male was arrested without incident.**

#### **2015-2128 Residential burglary**

On 6/2/2015, Officer Turner and I responded to a reported residential burglary in the 200 block of Amherst Avenue. The victims advised they had returned home and as they approached their front door of their home a black male wearing a black hooded sweatshirt and black pants approximately 5'4" tall exited their home and ran eastbound Princeton Avenue. This case is under investigation.

#### **2015-2155, 2157, and 2169 Auto Burglaries**

During the month of June, Officers responded to several window smash auto burglaries. Please do not leave items out in the open within your vehicle. These cases are under investigation.

### **KPD INVESTIGATIONS INFORMATION:**

#### **2015-1124 Stolen Vehicle and Identity Theft**

On 3/21/2015, Officer Turner responded to the 100 block of Windsor Avenue for a reported stolen vehicle. Two suspects have been identified in this case. This case was submitted to the CC County DA's Office for review but the DA has declined prosecution at this time. **The case is still under investigation.**



**2014-3298 Burglary/ Lewd and Lascivious Acts Committed Against a Child.**

On Monday, July 7, 2014, at 0113 hours, KPD Officers were dispatched to the 00 block of Lenox Road on a report of an unknown suspect found in bed with an 11 year old female victim. The suspect ran from the residence when the victim woke up and began to scream. An El Cerrito Police K9 unit searched the area but the suspect was not located.

At approximately 0439 hours, Berkeley Police Officers were dispatched to the 700 block Vicente Street in Berkeley for a reported prowler. Berkeley Police Officers stopped a subject matching the description of the Berkeley and Kensington suspect in the area of The Alameda and Tacoma Avenue in Berkeley.

An infield show-up positively identified Brian Hubbard, a black male adult, 22 years old, from the City of Richmond as the suspect in both incidents. Kensington Police took custody of Hubbard as the more serious crime occurred in Kensington. Hubbard was arrested and booked into the Martinez Detention Facility.

During the investigation we learned that Hubbard had entered at least one other home in Kensington looking for

**At a preliminary hearing Hubbard was ordered held to answer and charged with 2 counts of PC. 459/460(a), First Degree Residential Burglary with special circumstances and 3 count of PC. 288(b)(1), Forcible Lewd Act upon a Child, with additional enhancements. Hubbard's bail is set at \$2,250,000.00.**

**The Contra Costa DA in this case notified me in May that Hubbard plead guilty and was sentenced to 16 years in a state prison metal hospital.**

**Team 1 Statistics**

**Produced by Corporal Stegman 7/5/15**

**June 2015:**

<b>Officer:</b>	<b>Ramos K41 (0600 - 1800)</b>	<b>(Vacant)</b>	<b>Wilson (1800- 0600)</b>
<b>Days Worked</b>	7	-	16
<b>Traffic Stops</b>	8	-	1
<b>Moving Citations</b>	6	-	1
<b>Parking Citations</b>	1	-	2
<b>Vacation</b>			
<b>Security Checks</b>	0	-	22
<b>Field Interviews</b>	0	-	0
<b>Traffic Collision Reports</b>	0	-	1
<b>Cases</b>	1	-	1
<b>Arrests</b>	0	-	0
<b>Calls for Service</b>	24	-	44

**BRIEFING/TRAINING:**

- Consent Searches

**SERGEANT'S SUMMARY:**

We continue to have regular calls about dangerous dogs, and dogs off leash. I have included the Contra Costa County Ordinance governing the control of dogs on a leash, in any public place.

**416-4.402 - Animals at large.**

(a)

*No person owning, possessing, harboring, or controlling any animal shall allow such animal to be at large.*

(b)

*As used in this section, "at large" means an animal which either:*

(1)

*In the case of dogs, is not under effective restraint by a leash; or*

(2)

*In the case of animals other than dogs or cats, is not in the immediate presence and under the effective control of such person; or*

(3)

*Is tethered or leashed on any street, or other public place, not set aside for such tethering or leashed for a period of longer than fifteen minutes, or in such a way as to block a public walkway or thoroughfare*

**SIGNIFICANT EVENTS:**

- 2015-2124— On 6/2/15, Corporal Stegman responded to an auto theft on the 300 Blk of Yale Ave.
- 2015-2232— On 6/7/15, Officer Wilson responded to an accident on the 800 Blk of Coventry Rd.
- 2015-2261— On 6/10/15, Officer Ramos responded to a theft on the 00 Blk of Arlington Ave.
- 2015-2345— On 6/14/15, Corporal Stegman responded to an identity theft on the 600 Blk of Coventry Rd.
- 2015-2458— On 6/24/15, Corporal Stegman responded to a petty theft on the 200 Blk of Arlington Ave.

**TRAFFIC STATISTICS:**

Team #1 took 2 traffic collision report during the month of June.

6 Moving citations were issued on Arlington Ave.

1 Moving citations were issued on Franciscan Way.

# JUNE 2015 WATCH COMMANDER MONTHLY REPORT

## Sergeant Hull

### TEAM #2 STATISTICS

Sergeant Hull (K17) – (1200-2400)

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

Master Sergeant Hull (K17) – issued 1 traffic citations and 0 parking citations

Officer:	Turner (K46) (0600-1800)	Wilkins (K50) (1800-0600)
Days Worked	14	11
Traffic Stops	35	11
Moving Citations	13	06
Parking Citations	05	00
Vacation/Security Checks	00	67
Cases	11	01
Arrests	00	00
Traffic Accident Reports	01	00
Calls for Service	141	141

15 moving citations issued on Colusa Ave.  
5 moving citations issued on Arlington Ave.  
0 moving citation issued on Franciscan Way.

Sgt. Hull took four days vacation

### BRIEFING/TRAINING:

- Consent Searches

### SERGEANT'S SUMMARY:

I would like to welcome the new General Manager and soon to be Chief of Police, Mr. Kevin Hart, to the District of Kensington. I have had the pleasure of reviewing his 100 Day Plan as he transitions into his new positions. His plan is thorough, and recognizes his critical role as the District CEO. As the agency Chief, Mr. Hart has voiced his appreciation that leadership has for this agency. In the sixty odd days he has been employed by the District, I have witnessed the confidence and competency that his 30 plus years of police experience and successful foray into city politics has taught him. I look forward to working with and for Mr. Hart as this agency moves forward, striving to meet the principles articulated in the agency's Mission Statement and the mandate of the State and Federal constitutions.

61

#### SIGNIFICANT EVENTS:

- 2015-2143 – On 6-3-2015, Sgt. Hull recovered a stolen vehicle in the 300 block of Arlington Avenue.
- 2015-2155 – On 6-4-2015, Ofc. Turner responded to the 200 block of Los Altos Dr. to a report of theft from a vehicle.
- 2015-2157 – On 6-4-2015, Ofc. Turner responded to the 200 block of Lake Dr. to a report of theft from a vehicle.
- 2915-2169 – On 6-4-2015, Ofc. Wilkens responded to the 200 block of Los Altos Dr. to a report of theft from a vehicle.
- 2015-2274 – On 6-11-2015, Ofc. Turner responded to the 1600 block of Ocean View Ave. to a report of a missing juvenile.
- 2015-2373 - On 6-17-2015, Ofc. Turner responded to the 00 block of Arlington Ave. to a report of vandalism.
- 2015-2386 – On 6-18-2015, Ofc. Turner responded to the 700 block of Coventry Dr. to a report of vandalism.
- 2015-2391 – On 6-18-2015, Ofc. Turner responded to the 00 block of Kensington Ct. to a report of vandalism.
- 2015-2480 – On 6-25-2015, Ofc. Turner responded to the 300 block of Rugby Ave. to a report of vehicle theft.
- 2015-2489 – On 6-25-2015, Ofc. Turner responded to the 200 block of Cambridge Ave. to a report of a hit and run collision.
- 2015-2487 – On 6-25-2015, Sgt. Hull responded to the 300 block of Trinity Ave. to a “gravely disabled” adult. Case referred to Adult Protective Services.
- 2015-2488 – On 6-25-2015, Reserve Armanino responded to the 200 block of Arlington Ave. to a report of theft.
- 2015-2513 – On 6-26-2015, Ofc. Turner responded to Grizzly Peak Ave. and recovered a stolen vehicle.
- 2015-2514 – On 6-26-2015, Ofc. Turner responded to the 200 block of Willamette Ave. to a report of vandalism.
- 2015-2515 – On 6-26-2015, Ofc. Turner responded to the 200 block of Arlington Ave. to a report of Identity Theft.

## Lynn Wolter

---

**From:** Lynn Wolter  
**Sent:** Tuesday, May 12, 2015 9:42 AM  
**To:** 'Cathie Kosel'  
**Cc:** Haig Harris  
**Subject:** RE: Revised 5/14/15 Agenda Packet Posted

Thank you for your email.

**From:** Cathie Kosel [mailto:cathie@koselco.com]  
**Sent:** Monday, May 11, 2015 9:58 PM  
**To:** Lynn Wolter  
**Cc:** Haig Harris  
**Subject:** Re: Revised 5/14/15 Agenda Packet Posted

Please make the following correction to minutes of March 12, 2015, page 5: Strike - "Haig Harris said that Cathie Kosel had initially had her name removed because she changed her mind."

He did not say that.

He said that I had never agreed to be a petitioner, that I had been included erroneously, and asked that my name be removed.

Thank you.  
Cathie Kosel

On 5/11/15, 4:52 PM, "Lynn Wolter" <[lwolter@Kensingtoncalifornia.org](mailto:lwolter@Kensingtoncalifornia.org)> wrote:

The Revised 5/14/15 Agenda Packet has been posted on the District's website here  
<<http://www.kensingtoncalifornia.org/download/board-agenda-packets/2015-board-agenda-packets/2015-05-14%20Revised%20Agenda%20Packet.pdf>> .

Cathie Kosel, Broker  
DRE # R00712617  
The Kosel Company  
101 Windsor Avenue  
Kensington, CA 94708

[Cathie@koselco.com](mailto:Cathie@koselco.com)  
Mobile 510.918.7575  
Home Office 510.526.3986  
Fax 510.526.4150

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## Greg Harman

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**From:** Len Welsh <lenwelsh@gmail.com>  
**Sent:** Friday, May 29, 2015 2:25 PM  
**To:** Greg Harman  
**Subject:** Fwd: Erroneously Reported Minutes-KPPCSD Board Meeting Minutes 3/12/15

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

From: **Haig Harris** <HHarris@smhlaw.net>  
Date: Wed, May 13, 2015 at 3:58 PM  
Subject: Erroneously Reported Minutes-KPPCSD Board Meeting Minutes 3/12/15  
To: "[lwolter@kensingtoncalifornia.org](mailto:lwolter@kensingtoncalifornia.org)" <[lwolter@kensingtoncalifornia.org](mailto:lwolter@kensingtoncalifornia.org)>  
Cc: "[lenwelsh@gmail.com](mailto:lenwelsh@gmail.com)" <[lenwelsh@gmail.com](mailto:lenwelsh@gmail.com)>

Dear Ms. Wolter:

As you are aware, I represent Cathie Kosel; I have received and reviewed the Board's Revised Agenda packet for the upcoming meeting 14 May, 2015. As a part thereof, I also reviewed the proposed Board meeting minutes from 12 March, 2015, a meeting I personally attended and at which I spoke on the record. The meeting, normally recorded by audio, was as I understand it, not so recorded due to a technical failure.

I am however very clear as to my comments that evening when I addressed the Board in open session, during "public comment," and the minutes in the said Revised Agenda profoundly misstate my comment: The statement "**He said she had had her name removed initially because she had changed her mind...**" is patently untrue.

I said words to the effect that Cathie Kosel never authorized her name be included as a Petitioner; that when to her surprise she discovered that her name was listed as a Petitioner, she demanded/instructed that her name be removed. She was not and did not wish to be a Petitioner in the litigation.

And in fact her name was removed from the first Amended Petition before it was served and answered.

I ask that the minutes as proposed be so amended on the record in open session at the said upcoming Board meeting 14 May, 2015.

You have already received such information and request directly from Ms. Kosel by e-mail to you dated 11 May 2015 at 9:58 p.m.

Thank you,

Haig A. Harris, Jr.  
Scampini, Mortara & Harris  
220 Montgomery Street, Suite 800  
San Francisco, CA 94104



Ph: 1 (415) 421-8556

Fax: 1 (415) 296-9322

E-mail: hharris@smhlaw.net

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31 May 2015

Dear Board,

As you have on the agenda discussing the MOU with counsel, and also discussing what the new interim police chief will be expected to complete during his 9-month tenure, I would like to make some suggestions for you to consider and discuss, before going into the closed session.

First on the MOU, I believe the KPPCSD should inform Detective Barrow and members of the KPOA that the District can't prudently sign a 4-year contract given all the current uncertainties, and can't sign any MOU other than an extension of the last MOU, before first obtaining an accurate estimate of the pension and retirement benefit costs going forward, and only after a plan is put in place to reorganize the department such that it can be sustained without depending on voters regularly passing new police property tax measures by 2/3+1. I do not believe the KPOA would sue the District over not being able to predict when we'll run out of cash reserves and not have sufficient tax revenue to pay for current police services as well as retirement benefits, as more officers retire, given that part of the contract calls for laying off officers, without a specific plan for which ones first, should the District reach that point.

Second, concerning actions to be taken, I suggest prioritizing the following actions so as to forestall bankruptcy, or to protect non-cash reserves should bankruptcy be unavoidable, and to reduce the risk of future lawsuits against the District, (bankruptcy defined as the date when cash reserves will be spent and yearly costs exceed yearly tax revenue)

1. Immediately approach El Cerrito and the County and ask for management bids for the exact services first bid by El Cerrito in 2009.
2. Immediately undertake a study to redesign the KPD management such that non-safety cuts can be made and toward strategic part-time hiring of already retired officers who will not add to future pension/benefits costs.
3. Immediately move to collect the missing information on current retirees and current employees that was asked for in the 2013 retirement benefits actuarial report.

4. Begin to keep records on past employees per the recommendation in the actuarial report, and immediately locate and interview all vested past employees in order to get an idea of their expected retirement dates, so as to estimate what their pensions and benefits would likely be at their retirement, and toward developing a more accurate estimate, from the next actuarial study, of future retirement benefit costs.
5. Establish an immediate moratorium on loaning officers to other agencies, and on the personal use of district assets by employees. Remove the part of the new interim Chief's contract that allows him to commute in a Kensington squad car. Ask that he wear civilian clothing and remove any uniform allowance.
6. Move with greatest haste to separate all police personnel from non-policing and/or District management duties, including delivering documents to directors and making purchases for the district that could be delivered at lower cost.
7. When contract bids are in and the cheapest, best-managed stand-alone plan has been drafted, hold a town hall meeting to discuss all the options and obtain citizen input.
8. When the financial data is in, provide all residents with the estimated Bell Date, (the date that the district will be out of cash reserves and unable to pay for police services and parks maintenance without residents passing additional property tax measure by 2/3+1.)
9. Set up a citizen committee to determine what level of policing and what police policies are appropriate for the District.
10. Set up a citizen committee to study all allegations of sexism and/or improper use of the police department by residents to harass or in any way target for unfounded investigations other residents, toward establishing a policy of non-harassment and non-discrimination.

District management duties:

Make it clear to all employees that they are expected to treat all residents and visitors with respect, such that no one will have any cause to feel they aren't welcome in Kensington. To that end, abolish 'Zero Tolerance' for any and all infractions, and institute the recommendations in the 2010 Traffic Safety Report, as written.

The duties of a district manager include:

#### CALIFORNIA GOVERNMENT CODE

61051. The general manager shall be responsible for all of the following:

- (a) The implementation of the policies established by the board of directors for the operation of the district.
- (b) The appointment, supervision, discipline, and dismissal of the district's employees, consistent with the employee relations system established by the board of directors.
- (c) The supervision of the district's facilities and services.
- (d) The supervision of the district's finances.

The Directors must do this:

61045.

(g) The board of directors shall adopt policies for the operation of the district, including, but not limited to, administrative policies, fiscal policies, personnel policies, and the purchasing policies required by this division. Therefore the new interim manager should be able to draft all missing policies and bring them to a public meeting for discussion. Policies should include a way for an employee to appeal a wrongful firing or to report harassment to someone other than her harasser, and there should be a policy for intervening in employees disputes early, so as to resolve them before they turn into litigation. When employees are found to have some fault, there should be training instituted, such as in non-violent communication and in community relations.

There should be an impaired officer committee, so that officers who may be having mental or substance abuse problems can be helped, and retained. If there is a citizen complaint about the behavior of an officer, that officer should be drug-tested.

The new interim chief should write full job descriptions for each position and clearly spell out what would be necessary for the employee to advance to the next step. The new interim chief should evaluate all current officers toward making recommendations for performance improvements.

The new interim chief should study staffing, uses of overtime, costs associated with defending traffic citations in court (find out who collects the traffic fines and penalties for the District, how much that service costs the District, and how the fine and penalty money is distributed) and present the findings in a public meeting.

Thank you for including this in the record.

Anna Shane  
Kensington Voter

Overtime Hours logged 1 Jan 2015 – 31 Mar 2015 by Kensington Police Officers

Total: 1350 hours      Hours charged to WestNet: 101.75

Hours charged by category:

Date	# Hours	Court Appear	Personnel Shortage	Report Writing	Investigation	Other	WestNet
Total Hours							
Overtime	1349.75	83.5	391.75	63.5	269	450	100

Hours by Officer:

Date	# Hours	Court Appear	Personnel Shortage	Report Writing	Investigation	Other	WestNet
Barrow total	260	6	4		250	78	80
Hui Total	128		9.75	8.5	13	96.75	
Hull total	32.75		15	1	5	11.75	
Martinez total	28.75	4	3	6	6.5	9.25	
Ramos total	125.5		49.5	8.5	38	29.5	8
Stegman total	243.5	15.5	99	15	39	75	
Turner total	400.25	55	164	23	37.5	116.75	
Wilkins total	79.5		35	1.5	17.5	25.5	
Wilson total	51.5	3	12.5		5	31	

note: hours which were ascribed to more than one category were added up in the leftmost category  
That is why Barrco's total here is 80 for WestNet, but he worked on it more hours than that.

Maisy Benson  
31 May 2015

We should not be making a 4 year contract with the Kensington police. In fact, we should not be making ANY contract at this point until we know more about our financial situation.

We should not be deciding to accept the MOU because the cost projections in the report by PMG were not adequate. Too much time was taken up with demographic data that is pretty well understood about the community.

Yes, the analysis projected a modest surplus the next two years, but after that, two were deficit and one barely surplus. This was based on salary assumptions that did not include two major factors. The analysis was based on officer level salary. We have a very top-heavy department: 5 out of 10 are higher level officers supervising the 5 others. They also received an additional 1097.5 hours overtime pay in 2014, which greatly increases their pay. The PMG analysis should have been based on salaries of all the officers and included their overtime. Using those numbers, I think that our situation is probably already close to being unsustainable. The PMG analysis noted that the figures given were based on current CalPers estimates of investment earnings. If these fall the District would be running at a greater deficit.

No analysis was made on potential impacts retirees will have on expenses. There was no analysis that a 12% salary increase would have on final pension costs. Our officers have had a sweet deal for years because they have not had to pay pension costs. Now they are going to have to give us a sweet deal. This year we paid \$135K into a fund for retiree medical insurance. This is projected to rise to \$173K in the next 5 years. Note that we did not pay into this fund for some years, and now have to pay catch-up. We have three officers who will be eligible to retire within a couple of years. How will that affect this item in the budget? Consider: the fire district does not pay at all for retiree health. Retirees can buy group insurance through the CalPers system. Regarding paying for retiree dependents, 2 years ago my daughter received a notice from her retired husband's union, saying that she would no longer qualify for coverage unless she was enrolled in any health plan she qualified for. Why can't we do that? Since many dependents work, have worked, they may well qualify for their own coverage, and in the least we should ask our dependents to use that.

And I certainly think that our Kensington police have a far softer job than any of the neighboring communities - and it is not unfair for our salaries to reflect that. The 2007 Taylor-Brown Audit mentions the low call volume and low crime rate, then says that "Officers working in Kensington when considering "call volume" and "required collateral duties" have extraordinary high levels of uncommitted (free) time available (70% to 80%) to provide very high levels of community service." It is an insult to the police in Richmond or Berkeley to suggest that our officer should be paid on a par with them. If you compare Kensington with only Albany and El Cerrito ('crime-ridden' as many think), Kensington officers receive 9% less. Officers come to Kensington knowing that it is a small department, a low crime rate and a salary that reflects that. Last March they did receive an interim 3% raise retroactive to July, 2013.

We need to have a more realistic evaluation of our financial situation, and plan for ways to provide a department that fits within our means, or we risk losing our department entirely. That will be a hard job, but the current MOU locks us into some provisions that will make the job more difficult. It is time to make some hard choices about where we want to go. And we need to start making those decisions, rather than postpone them.

Mabry Benson  
1 June 2015

## Lynn Wolter

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**From:** A Stevens Delk <astevensdelk@gmail.com>  
**Sent:** Friday, June 05, 2015 4:50 PM  
**To:** Lynn Wolter  
**Subject:** Re: KPPCSD Correspondence

Lynn,  
Thank you for your follow-up. Yes, I would. Like the Board, I would like to see information from the Board and the public made public "by all means possible" (or was it "necessary"?). Data is important, especially footnotes.

I hope you are recovering from being "ambushed on the Road to Maturity by the Bonnie and Clyde of Life's Highway—Mother Nature and Father Time" (oops, not them yet at your age!).  
Respectively, A. Stevens Delk (aka: Delk)

On Fri, Jun 5, 2015 at 1:25 PM, Lynn Wolter <[lwolter@kensingtoncalifornia.org](mailto:lwolter@kensingtoncalifornia.org)> wrote:

Thank you for your comments. Would you like your email to appear, under correspondence, in the July Board Packet?

**From:** A Stevens Delk [mailto:[astevensdelk@gmail.com](mailto:astevensdelk@gmail.com)]  
**Sent:** Tuesday, June 02, 2015 2:16 PM  
**To:** Vanessa Cordova; Rachelle Sherris-Watt; Len Welsh; Chuck Toombs; Pat Gillette; Lynn Wolter  
**Subject:** KPPCSD Correspondence

KPPCSD BOD Meeting, June 1, 2015 [PUBLIC COMMENT NOT PRESENTED]

A. Stevens Delk

I thank each of you Directors — and also members of the public who work on committees or with K groups — for your community service. And I appreciate The Outlook's new and improved coverage of Kensington governance.

In analyzing the District's financial position, Public Management Group and Kensington Property Owners Association used an increase of 2.5% per year for property tax revenue. I spoke at the January meeting and submitted analyses (included in the February agenda packet) which show that in the past 20 years, despite Prop 13 and the recent 4-6 year housing crisis, the District's property tax revenue increased at an average rate of 6.3% per year (6.7% using the latest estimate for 2014/15).[1] This is supported by the April GM Report which states: "During the past several years...we did miss our historic 5% to 6% increase in property tax revenue we use to count on each year". Even during the last 8 years, beginning just before the housing market crash,

property tax revenue increased at an average of 3%.[2] Based on unaudited KPPCSD budgets, there were 7% increases for each of the last 2 years after the recovery began, and home prices are increasing faster than they did pre-crash and high-tier ones (greater than \$800,000) are at new highs. (See PMG's S&P/Case-Shiller graph and [www.paragon-re.com](http://www.paragon-re.com).)

I wondered what the District's financial position would be if property tax revenue increased, not by 2.5% per year, representing almost no home sales, but by the post-Prop 13 normal range of 4 to 7% a year, driven by after-sale reassessments.[3] Calculations show that at 5% per year, the District would receive an additional \$600,000 in revenue during the next 5 years, enough to cover projected deficits.[4] Even at 4% it would be \$350,000.

It's not a guarantee, but a likely scenario that should make KPPCSD cautiously optimistic and one that should be considered, I think.

#### References

1. 1994/95 property tax revenue = \$396,000 (per Measure G Voter Information Pamphlet), 2014/15 revenue = \$1,348,760 (based on December 2014 projection), calculated annual rate of increase = 6.32%; based on latest 2014/15 value of \$1,446,997 (per April GM Report) rate of increase is 6.69%.
2. 2006/07 property tax revenue = \$1,122,184 ("Estimated Actual" for 2006/07 from Audited 2007/08 Budget Document), 2014/15 revenue = \$1,446,997 (as in 1 above), calculated rate of increase = 3.23%.
3. According to PMG, 57% of Kensington properties have not changed ownership since 2000. That's about the beginning of a rapid rise in prices. (Per the Case-Shiller Index, high-tier SF Area home prices increased an average of 6% per year from January 1996 to September 2014 — three times more than the Prop 13 reassessment limit.) Therefore, when any of these (not just pre-Prop 13 ones) are sold, significantly higher taxes will be realized. One way to increase property tax revenue is to get longtime Kensington homeowners to sell and leave the County.
4. Starting at \$1,441,723 in revenue in 2014/15 (used for KPOA analysis), with a 2.5% increase per year, total property tax revenue over the next 5 years = \$7,767,623; at 5.0% increase per year, revenue = \$8,364,744; difference = \$597,121. KPOA deficit projection: next 5 years = \$433,351 (per "KPPCSD Financial Forecast", KPOA, Dec30201); PMG deficit projection: next 5 years = \$256,097 (per PMG "Net Operating Surplus/(Deficit)", KPPCSD BOD Meeting Minutes, May 2015 ).



## Lynn Wolter

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Saturday, June 13, 2015 3:24 PM  
**To:** Len Welsh; Pat Gillette; Lynn Wolter  
**Cc:** Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt; Kevin Hart  
**Subject:** MOU, vote no already , pls include in the record

Dear Board Members and GM,

I did a bit of research today to read up on what is happening in other cities regarding pension costs, unfunded liabilities. Unfunded pension liabilities is the difference in the amount owed to employees and what the city has in its' pension account.

Now this exact same scenario is occurring in Simi Valley (pop 126k) and Canyon Lake (11,000 folks) in SoCAL per the [www.pensionsunami.com](http://www.pensionsunami.com) site which focuses on different cities in CA primarily.

Where Simi Valley has increased the retirement age from 55 to 57, and increased employees pension contribution from 12-50%, with a goal of 50% for all, we have done NOTHING like that in the MOU. They are asking for a tally of potential retirees so that it can be included on next years budget.

\*\*We have been asking for that, but no one knows the answer, could be many thousands of dollars added to projected budget costs.

In Canyon Lake, pop. 11,000, they have no money for fire and PD salaries in 5 years; salaries etc. consumes 75-80% of the budget, property tax revenue is not keeping up with inflation re the costs of benefits, salary increases etc. WE are like them, no income extra streams, budget consumed by personnel costs.

\*\*\*Canyon Lake cut administrative costs "to the bone" the article said, what did we do?

We gave raises to the district adm and secretary (\$20k to \$70k) and the former GM/COP compliments of the financial committee approval, and the old board vote. Canyon Lake is considering bankruptcy (costly) or being absorbed by another city, if they can't figure a way out in 5 years. There are no funds for roads, infrastructure etc.

This is not chicken little the sky is falling, cassandra prophecies, this is what is happening in the state.

If you choose to pass this MOU and the facts will come out without a doubt, CCCTimes et al, the residents will be very angry because no one wants to pay for someone's excessive benefits, at the expense of their own lifestyle.

My neighbor Ben who is on a fixed income, and is a long time resident since childhood said that precisely today, "Why do the police need so much money in retirement, when the rest of us live on SS?" He is one of the silent ones, reads ND, no public comments, has voiced his opinions to others on the block, does not come to the meetings, but has in the past gone with us to the county to protest.

So, I predict a pandora's box of dissension and activism will be opened in this community, if this MOU discussion continues, or is passed. And this old board group will live in infamy as a result, because naturally the people won't forget, nor forgive. Is that the legacy any of you 3 want to leave Kensington??

Sincerely,

Marilyn Stollon

Please include this in the record, thank you.

## Lynn Wolter

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**From:** David Bergen <dpbergen@gmail.com>  
**Sent:** Monday, June 15, 2015 2:39 PM  
**To:** Len Welsh; Pat Gillette; Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt  
**Cc:** Lynn Wolter; Kevin Hart  
**Subject:** Regarding the KPPCSD session on 16 June 2015

This is for the record.

Members of the KPPCSD board,

You are once again discussing the MOU with council. However I cannot attend and thus I am writing to you to express my beliefs, of which you may already be aware, and which I believe reflect the thinking of a growing number of your constituents.

With all due respect, please do not continue wasting your time and effort with the current MOU under consideration which was crafted with the direct input of Barrow. He has disgraced himself not only with the Reno affair and the Marin affair, but also here in Kensington with his unprofessional interaction with citizens and with his outburst at one of your meetings ... when he was upset that you did not approve the MOU.

There are also the matters of the basic assumptions on which this MOU is based which do not conform with the financial reality of our situation in Kensington, and of the pay now being given to our officers which does not reflect the type of duties they are required to perform in our little town.

Although there is a need to have a new MOU. This one needs to be laid to rest. You can bring it to a vote at the appropriate time and vote it down in order to have another one crafted. I don't believe you need to publicly state the reasons for your vote should you not wish to state them publicly. If any of our police officers feel the need to have this new one, with more pay and benefits than we can afford, then they are free to leave and find better employment elsewhere.

Please do a thorough job of determining what our actual financial liabilities are and what we can expect our income to be, barring any more tax increases. No new tax increases will ever be passed given the track record of previous boards. You also should do an assessment of the size and type of department we actually need when looking again at any proposed MOU.

These are items that should preclude any further consideration of this particular MOU other than voting it down.

I do appreciate the fact that you are doing a very difficult job under extenuating circumstances, and I thank you.

- David Bergen

**Lynn Wolter**

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Monday, June 15, 2015 10:18 AM  
**To:** Lynn Wolter  
**Subject:** Fwd: Salary & Health Retirement Benefits comparison for Special Districts, my perspective  
**Attachments:** Benefit& SalaryComparisoninSpecialDistricts.docx

Lynn  
I forgot to add you in for cc, pls put into the record.

Marilyn Stollon

Begin forwarded message:

**From:** Marilyn Stollon <mstollon@sonic.net>  
**Date:** June 15, 2015 10:04:07 AM PDT  
**To:** [lwelsh@kensingtoncalifornia.org](mailto:lwelsh@kensingtoncalifornia.org), Vanessa Cordova <vncordova@icloud.com>, [Rsherriswatt@kensingtoncalifornia.org](mailto:Rsherriswatt@kensingtoncalifornia.org), [pgillette@kensingtoncalifornia.org](mailto:pgillette@kensingtoncalifornia.org), [ctoombs@kensingtoncalifornia.org](mailto:ctoombs@kensingtoncalifornia.org), [Khart@kensingtoncalifornia.org](mailto:Khart@kensingtoncalifornia.org)  
**Subject: Salary & Health Retirement Benefits comparison for Special Districts, my perspective**

FYI,  
There is some discussion in the community whether our KPD and former chief are/were getting fair raises, benefits, comparable pay etc, so I thought I would try to see how they compare to others in similar districts. I reviewed this site, and then went to others to get info on demographics, crime stats in a general way.

Please use as you see fit. I have posted it on ND. In some communities, the PD is on ND, I believe the Central Marin Authority is and posts there.

Marilyn  
Stollon.....  
.....

On the website, Government Compensation in California, <http://publicpay.ca.gov>, the pay rates for individuals employed by special districts is listed by Top 1000 Employees-Highest Total Retirement and Health Benefits and Top 1000 Employees for Salary.

This includes Kensington, Broadmoor, East Bay Regional Park District, Central Marin Police Authority (San Anselmo , Larkspur, Corte Madera, parts of Greenbrae), as well as

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smaller jurisdictions including gated communities , and small communities located all over CA.

### **Top 1000 Employees with the Highest Total Retirement and Health Benefits**

Our former chief/GM earned in 2013, \$152,952 in wages, and \$91,046 in benefits. He is listed as # 2 out of 1000 of the top employees !! Number 1 is the police lieutenant of Central Marin Police Authority . Keep in mind that our chief supervised less than a dozen staff, in a low crime town of 5,000 people.

The Central Marin Police Authority is comprised of over 60 personnel, supervised by a police chief and 2 captains , the police chief earns \$173K, retiree and health benefits are \$68k. They have a larger population per city 10k Corte Madera, 12k San Anselmo, 5k Greenbrae, @ 30-35,000 total, and their crimes includes the full range from homicides, robbery, auto theft, fraud, traffice, etc. , about 6-800 crimes a year for each town. We have about 240-300 crimes a year. Greenbrae has a low crime rate. I reviewed the police websites for crime stats, and wiki for demo/population stats.

I mention this only because precedent has been set for High Wages for a police chief/GM and it does not need to be so. If, the rationale is that we are attracting great talent, history does not bear this out.

As for the police force, they rank in at the following out of 1000 Highest Total Retirement and Health Benefits employees:

#16, 25, 28, 30, 32, 33, 89, 140, 249. The highest are for step 5 officers, sgt, and master sgt.

### **Top 1000 Employees with the Highest Salary**

Here the East Bay Regional Park District personnel come in higher for salary, but lower for total retirement & health package ; however, the Kensington COP/GM comes in # 20 with his former wage in 2013, but has higher retirement and health cost benefits than any of the top 10 employees ! Example: the GM of East Bay Regional Park earns over \$256K and gets \$74K in retirement and health benefits.

Our COP/GM gets \$152,952, and over \$91k in retirement and health benefits. The COP for Central Marin Police Authority gets \$173k and \$68k in benefits , again for managing 3 cities, including one the size of Kensington. The COP of Broadmoor, #13 for top salary earns \$162k and gets \$67k in benefits.

The KPD- police staff come in at 102 out of 1000 for top salary for Master Sgt , then 105, 156, 192, 263, 278 again out of 1000 employees.

So it is clear that our police dept and leaders are NOT underpaid, nor underbenefitted, but in fact, have high value compensation packages (salary & benefits,retirement) that outrank other districts that are larger and performing similar duties. The Marin towns do not have high crime rates.

What is a clear pattern is that if your salary is high, then your benefits are lower, and if the health and retiree benefits are high, then the salary tends to be lower. Both are not high unless the city is being taken advantage of and unaware. There is a reasonable trade off.

I can only hope in the future that the salary and retiree benefits & health package come into line so that they are sustainable , as they clearly are not presently.

An Open Letter to the Board about the Budget Process and Accounting Practices of the KPP&CSD

Dear President Welch and the KPP&CSD Board,

As you perhaps know, I worked as an accountant and bookkeeper in the late 70's and early 80's for non-profit organizations and small businesses. Besides the usual tasks and responsibilities, I spent a lot of time helping large numbers of clients make wise budget decisions, based on adequate, detailed financial statements. I studied the information presented to the 6/23 Finance Committee Meeting. My clients had every reason to keep expenses down using good budgeting tools which doesn't seem to be the case here.

Although we, the public and for that matter the finance committee and definitely me, still have lots to learn about District practices and processes, here are my preliminary findings and areas needing clarification.

I. Presentation of information - There was a lot of paper but insufficient information. I was shocked that not only the citizens coming to the meeting had inadequate information to make good budgeting decisions; even the Finance committee didn't seem to have complete financial statements including itemized income and expense statements. At the very least, all expenses should be itemized, so we can see what they are. The last Fiscal Year actual income and expenses should be presented as to compare with the proposed full year budget. The most recent last 12 months actual income and expense statement and balance sheet (i.e. June 1 to May 31) should have been available as well

II. Internal and External Financial Controls - This whole area is extremely important and not yet addressed. Externally, we need full transparency. There should be sharp limited on numbers of credit cards (preferably just one), and all credit card statements should be posted online every month. Full financial statements - Itemized Income and Expense Statement and Balance Sheet - should be posted every quarter. The bookkeeper/accountants/or treasurer who fill out checks should not be the check signers or authorizers.

III. Content and Use of the Budget

There were a lot of under spent line item (padding) expense in the presenting budget, as well as line items with whooping cost overruns. There were a number of line item expenses that were mystifying in their inexplicable enormity. That is why we need the actual expenses itemized, so we can see what they are.



The Marin County Sheriff's Department stopped giving out full medical retirement benefits over 20 years ago. As Marilyn Stollen has shown, pretty much all government entities have done the same, except Kensington, for the obvious reason that it is unaffordable.

IV. Specific recommendations.

Limit line item overspending by requiring the treasurer/check writer to get permission from the Board to go over budget by more than a small percentage.

Make a longitudinal study (say over the last 5 years) of each under spent line item to see what is going on. Shrink the budget on those line items.

Save the taxpayers' money by eliminating unnecessary expenses like Incentive Pay. Sharply limit overtime pay.

Make a immediate hiring freeze.

Immediate change medical benefits (except where grandfathered in) to be like other public entities where people 65 go on Medicare.

Pay attention to and act on the 2012 Grand Jury recommendations for better controls over the KPP.

Work toward cutting taxes not added to them.

I was very impressed with the financial expertise of some citizens, particularly Jim Watt and Rick A. The latter should be invited to join Finance committee. I encourage more turn over on the Finance committee to make use of more local talent. I agree with everything Jim Watt, Marilyn Stollen, Annie Shane, and Jan Behrsin has written.

Sincerely,  
Catya de Neergaard  
Kensington, CA

## Lynn Wolter

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**From:** sanderson@paladinmgmtgrp.com  
**Sent:** Friday, June 26, 2015 10:03 AM  
**To:** Lynn Wolter  
**Subject:** LAFCO Candidate Statement  
**Attachments:** Anderson LAFCO Statement.docx

Ms. Wolter,

I am running for the LAFCO Special Districts vacancy. Attached for your perusal is my Candidate Statement.

As a concerned homeowner, taxpayer, businessman, and board member of a special district, I recognize the critical importance of LAFCO's oversight services to Contra Costa County. I share LAFCO's goals that all local government boundary changes, incorporations, annexations, and special district should address an orderly formation and development, be fiscally prudent, and maintain a sustainable expense/revenue trajectory. Given that LAFCO is presently involved in the Municipal Service Review for Emergency Medical/Fire Service, I believe it is imperative that the LAFCO Commission have an experienced Emergency Medical/Fire Service Commissioner in place. In the past, this expertise has been lacking in the knowledge base of the Commission.

I appreciate your review of my attached Candidate Statement. Please forward this statement to your Board Members as you deem appropriate. Thank you.

Regards,  
Steve

Stephen L. Anderson  
Managing Partner



**PALADIN GROUP**

O: (925) 386-0435

M: (510) 410-2001

[sanderson@paladinmgmtgrp.com](mailto:sanderson@paladinmgmtgrp.com)

**Lynn Wolter**

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**From:** David Bergen <dpbergen@gmail.com>  
**Sent:** Sunday, June 28, 2015 12:42 AM  
**To:** Len Welsh; Chuck Toombs; Pat Gillette; Vanessa Cordova; Rachelle Sherris-Watt  
**Cc:** Kevin Hart; Lynn Wolter  
**Subject:** My comments, for the record, for the KPPCSD special meeting on 6/29/15

## FOR THE RECORD

Members of the KPPCSD Board, GM Hart and Miss Wolter,

I cannot attend the KPPCSD board meeting on June 29, 2015, and thus I'm writing to you and request that this be made a part of the record.

Given the complex nature of the items on the agenda, giving the public, your constituents, a total of 20 minutes per subject is not being open nor is it right not withstanding your rules. Time should be made available to give everyone attending a chance to speak. This is particularly true since there has not been a "town hall" meeting where people can feel free to talk about the issues facing us in Kensington.

Please, if you wish to be transparent, give the people a voice in matters that concern them greatly.

Re item 1:

I think it is disrespectful of the residents and taxpayers of Kensington to raise the KPPCSD parcel tax even by such a small amount ... a total of \$13,000 ... and even though allowed by measure G. Please remember that many in the community are living on small incomes and even a small increase can be a problem. It is also my understanding that this will escalate into a much greater tax burden over time. Read Jim Watt's post on ND.

The majority on this board has not told the public this!

This is an underhanded move by the majority of the board and affirms the feeling in the community that the majority is not transparent in their actions, nor does it work in the best interest of their constituents.

The majority on the KPPCSD board has wasted millions of dollars and thus does not deserve more tax money from its constituents. Why don't you just cut back on unnecessary expenditures and reduce the payroll costs by bringing them into line with the work involved.

There is also the matter that this item was put on the agenda at the last minute thus not giving the community time to discuss it. (To my knowledge, the original reason for this special meeting was only for item 3.) I also understand that the two new board members were not informed of these additions to the Agenda.

Please do not pass this agenda item!

Re items 2 and 3:

I cannot speak to the details of items 2 and 3, my expertise does not cover such things. But I do know that there is a vast amount of information regarding the financial position of the KPPCSD that is unknown and much of this information is needed in order to come up with both a budget and the establishment of a spending limit.

No matter if there is a legal requirement to have these decided and approved, I think that a proper audit of the district's financial obligations and running costs needs to be made before items 2 and 3 can be voted on.

Just because it may be required by statute, is no reason to pass a budget and a spending limit based on data that is known to be either incorrect or missing.

Furthermore as I was perusing the Agenda two items jumped out at me:

On page 12 of the agenda, line item 596 CAL-ID/WEST-NET ... \$5925.00. Is this for WestNet? If not why is it described as such?

We were told that WestNet was closed and that we were no longer a part of it. I also found further into your agenda that WestNet was ending as of 6/30/15. So why does this this line item in the budget refer to WestNet?

There is also \$6500 for recruiting, line item 572 on the same page. When we are overstaffed with overpriced officers and with too many supervisors, why is there a need for recruiting?

To my mind these are just some of the overpriced items in your budget. I have not had the time to go over the entire 92 pages in the limited time I have been given and neither have the majority of your constituents and taxpayers.

I think we need to downsize the department by reducing the number of officers and by reducing the number of supervisors as well as reducing the pay given to office staff that is unconscionable given the kind and size of our community and the job requirements of said staff.

Thank you for your attention to my comments regarding the agenda for the upcoming meeting and the KPPCSD organization in general.

Sincerely,

- David Bergen

## Lynn Wolter

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**From:** cdeppe@tseint.com  
**Sent:** Monday, June 29, 2015 6:12 PM  
**To:** Len Welsh; Pat Gillette; Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt; Kevin Hart; Lynn Wolter  
**Cc:** madriaan@tseint.com  
**Subject:** Police Department questions and oversight

Please enter this into the official record

To: Board of Directors and Mr Hart, Interim General Manager of the KPPCSD

First, we agree completely with the open letter sent to you by Jan Behrsin on 6/28 regarding the additional funding for the police department. We don't think any additional funding is warranted until a lot of questions have been answered, and a complete audit done of the many financial issues raised. In addition we have the following questions:

- We understand we paid for at least 2 officers to get their motorcycle license, as well as received paid training, and most likely equipment repairs, so why is the motorcycle never on patrol?
- Where do the cars with 100K miles end up - who buys them, who decides what they are worth, and how is that money visible on the balance sheet?
- How many cars do we have, and assuming there are only 2 officers on duty at the same time, how many cars do we really need?
- The last police report seems be from March. Is there a reason none have been filed recently?

We also have some comments:

- We keep hearing about how unhappy and impatient the officers are. We believe they have a very good deal, and if they are not happy should find employment elsewhere. I'm sure it would not be hard to find qualified officers who are interested in a community policing job.
- We have not seen any evidence of patrolling since the Reno affair, and given the amount we pay for the police services this is unacceptable.

We also find it distressing that all the questions that have been raised in Jan's letter, in this email, and in other venues, have come from citizens, and not the board. Lax oversight of the police department has caused numerous problems in the past, the Reno fiasco being only the latest, and after that we hoped that some lessons were learned, but it appears that the board is content operating under business as usual.

We would like to see all the issues resolved and the questions answered, but our feeling is that running a police department is simply too much to ask of a part-time, volunteer board, no matter how capable and intelligent it's members are. By contracting out like we do with the Fire Department so many issues would simply disappear, and the board could then focus on the other important issues

facing Kensington. Please give this option some serious consideration and be open to all possibilities. We don't believe our current independent police force is being effective, and it's certainly not held in high regard, so cannot be contributing to our property values, which is usually the sole reason given for keeping it.

Chris Deppe  
Maria Adriaans

## Lynn Wolter

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**From:** Marilyn Stollon <mstollon@sonic.net>  
**Sent:** Monday, June 29, 2015 5:56 PM  
**To:** Len Welsh; Pat Gillette; Chuck Toombs; Rachelle Sherris-Watt; Vanessa Cordova  
**Cc:** Kevin Hart; Lynn Wolter  
**Subject:** NO Escalation , Prop G

Dear Directors:

I am unable to attend the meeting and would like my opposition to the proposed increase in our property tax. Yes, it is small, but it compounds over time and adds up, and it no doubt will be the beginning of an endless stream of increases. I am in full agreement with Jan Behrsin, and Jim Watt , David Bergen, Chris Hall, and others who have spoken out on this issue of the need for reduced spending and more saving.

You say that you are hearing us, but you really aren't. The new Directors are still not being noticed about these instant meetings, agenda changes , the public is being misinformed. I specifically asked about this escalation and what it meant at the finance committee meeting, and Len Welsh said it would be discussed at the Board meeting in July. It is on record!! And here we are, probably an "emergency" of some sort, probably another breakdown in communication emails, who's on first? The public be damned, this majority board wants to do what it wants to do, whether there is transparency or not, mostly not; and whether there is dialogue with the public, mostly not; and whether there is limited dialogue from the public now limited to 20 minutes, now happening more frequently. Is this legal? Yes or No? Are you trying to stifle public commentary?

We clearly need to monitor spending, and cut expenses that are not absolutely necessary this year, considering there is no budget, no police contract, no audit... the blind majority are leading us over the cliff. There is a need to change direction, why isnt it happening? The new board directors are working hard to create change, but how can they make headway, when fiscal common sense has taken a powder.

Folks are asking why do we need another police car for an interim GM, for emergencies that just don't happen often enough, or at all to warrant a \$30K expense.

Are we still considering splitting the GM/COP position and if so, would a part timer need his/her own police car???

The CA highway patrol did not buy new cars during the downturn and made repairs, can't we?? Why not? Are we putting on 150k miles in one year? or 3 years and even then for a one sq. mile town, how many trips can an officer make to Martinez, Richmond, EC . Do they keep a log of trips, it is hard to believe when, per the police stats we have no arrests, traffic violations are minimal, how many require court appearances? It is questionable, plain and simple, the numbers do not seem to add up, based on our volume.

Other line item expenditures need to be discussed fully, not rubber stamped because one person recommends it. I wonder if we had 3 non attorney board members would they recommend a \$175k budget for legal expenses? Isn't this out of line? Are we expecting a law suit to break, something the public hasn't heard of, that the legal budget would be so high.

I am against an escalation because I do not believe in spending without a thorough review of every budget item, and looking at cost reduction before spending on new items. We need to move to reduce expenses. As a small business owner, I have become adept at cutting expenses during down times , every line item is reviewed for

relevance, and I have remained in the black for over 20 years. We want fiscal conservatism and do what Belvedere, Tiburon, Atherton are doing...conserving. Look at the huge increases in our budget since 2006 ( Jim Watt's analysis). We must get a handle on all expenses.

Sincerely,

Marilyn Stollon  
John Gaccione



## **KCC Summer Day Camp:**

We're now going into the 5th week of KCC Summer Camp. It is a very exciting time as camp has been full for weeks 1<sup>st</sup> through 4<sup>th</sup> with 65 campers each week. Camp has exceptional teacher talent: group tennis lessons, weekly craft projects and afternoon specialty groups such as golf, gymnastics, carpentry and cooking. Camp life has found its groove. We have a great collective of counselors this year -10 college-age counselors along with a Director and Head Counselor. This is our third year of the "counselor in training (CIT)" program whereby CITs entering 8<sup>th</sup> grade are selected and brought to camp to learn how to organize teams and understand the rules of games, gain insight and leadership skills working with counselors and children.

Demographics of our campers for these four weeks of camp include:

EL CERRITO	31%
ALBANY	3%
RICHMOND	8%
BERKELEY	9%
OAKLAND	1%
KENSINGTON	48%

Camp ends Friday, August 21st. There are spaces available in the remaining weeks of camp.

## **KCC Classes and Events:**

Jazzercise and Body Sculpting Adult exercise classes continue throughout the summer. Drop-ins are welcome. Class times are published in the monthly newspaper, "The Outlook".

## **KASEP:**

KCC is finalizing the KASEP Fall Brochure 2015. Online Registration is scheduled for Tuesday, Sept 8th at 7:30pm. The Fall Brochure will go home in student's backpacks the week of August 31<sup>st</sup>. On-line class information, costs and schedule will be available for viewing by August 18<sup>th</sup> on KCC's website, ***WWW.KensingtonCommunityCouncil.Org***.

KASEP FALL Classes start on Monday, Sept. 21<sup>st</sup>.

The Recreation Building will be closed August 24<sup>th</sup> – September 7th for deep cleaning and transitioning from summer camp to after school, KASEP classes.

## **KCC – Administrative**

KCC Movie Night is scheduled for Saturday, September 19<sup>th</sup>, outdoor free family event.

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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Date: July 6, 2015  
TO: KPPCSD Board  
FROM: Kevin E. Hart, General Manager  
Subject: **Item #1-Review and consideration of increasing rate for Measure G Special Tax**

This item was tabled by the Board of Directors at the Special Meeting held June 29, 2015, for further discussion and proper posting of the Measure G Revenue and Expense Report. The report was subsequently posted on the website on June 30, 2015 and sent by email to each board member.

In 2010, the voters of the Kensington Police Protection and Community Services District (the "District") approved a supplemental special tax (the "Supplemental Special Tax") in the amount of \$200 per year for single family residential parcels, with amounts for properties in other use categories identified in Ordinance No. 2010-01, to provide a source of funding for police protection services.

In consideration for Fiscal Year 2015/16, the maximum annual amount of the Supplemental Special Tax for each category of property shall be determined by multiplying the preceding fiscal year's maximum special tax by an inflation factor in an amount not to exceed the increase in the Consumer Price Index as published by the U.S. Department of Labor for the period April 2014 to April 2015, San Francisco-Oakland-San Jose area (the "Consumer Price Index"). The increase in the Consumer Price Index from Fiscal Year 2014/15 to Fiscal Year 2015/16 is 2.436%.

If approved, this item would generate approximately \$13,000. In addition revenue.

Previous years' rate increases imposed are listed below for your information;

## **FY 2011/12 Supplemental Tax**

Single Family Residential	\$179.00 per parcel
Multiple Family residential	\$268.50 per parcel
Commercial and Institutional	\$268.50 per parcel
Miscellaneous Improved Property	\$179.00 per parcel
Unimproved Property	\$53.70 per parcel

## **FY 2012/13 Supplemental Tax**

Single Family Residential	\$179.00 per parcel
Multiple Family residential	\$268.50 per parcel
Commercial and Institutional	\$268.50 per parcel
Miscellaneous Improved Property	\$179.00 per parcel
Unimproved Property	\$53.70 per parcel

**FY 2013/14 Supplemental Tax**

Single Family Residential	\$214.91 per parcel
Multiple Family residential	\$322.36 per parcel
Commercial and Institutional	\$322.36 per parcel
Miscellaneous Improved Property	\$214.91 per parcel
Unimproved Property	\$64.47 per parcel

**FY 2014/15 Supplemental Tax**

Single Family Residential	\$220.09 per parcel
Multiple Family residential	\$331.35 per parcel
Commercial and Institutional	\$331.35 per parcel
Miscellaneous Improved Property	\$220.90 per parcel
Unimproved Property	\$66.27 per parcel

The following table shows the maximum Supplemental Special Tax for Fiscal Year 2014/15 and Fiscal year 2015/16

Class of Improvement or Use*	2014/15 Maximum Tax	2015/16 Maximum Tax
Single Family Residential	\$220.90 per parcel	\$226.28 per parcel
Multiple Unit Residential	331.35 per parcel	339.42 per parcel
Commercial and Institutional	331.35 per parcel	339.42 per parcel
Miscellaneous Improved Property	220.90 per parcel	226.28 per parcel
Unimproved Property	66.27 per parcel	67.88 per parcel

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

**RECOMMENDATION:** The General Manager recommends the board of directors take public comment, deliberate and adopt Resolution 2015-05 of the Board of Directors of the Kensington Police Protection and Community Services District, approving an increase in the Supplemental Special Tax (Measure G) for each single family residential parcel by a maximum of 2.436%.



Kevin E. Hart  
General Manager

**NOW, THEREFORE BE IT RESOLVED, DETERMINED, AND ORDERED BY THE BOARD OF DIRECTORS, AS FOLLOWS:**

- The Board of Directors hereby declares its intention to levy the Supplemental Special Tax for the Fiscal Year, July 1, 2015 through June 30, 2016 in the following amounts.

Class of Improvement or Use*	2015/16 Supplemental Tax
Single Family Residential	\$ per parcel
Multiple Unit Residential	\$ per parcel
Commercial and Institutional	\$ per parcel
Miscellaneous Improved Property	\$ per parcel
Unimproved Property	\$ per parcel

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

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

AYES:

\_\_\_\_\_  
Len Welsh, President

NOES:

\_\_\_\_\_  
Pat Gillette, Vice President

ABSENT:

\_\_\_\_\_  
Chuck Toombs, Director

\_\_\_\_\_  
Vanessa Cordova, Director

\_\_\_\_\_  
Rachelle Sherris-Watt, Director

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on \_\_\_\_\_, the \_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Kevin E. Hart, District General Manager

**RESOLUTION NO. 2015-05**  
**A RESOLUTION OF THE BOARD OF DIRECTORS**  
**OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT**  
**ESTABLISHING THE ANNUAL SUPPLEMENTAL SPECIAL TAX FOR POLICE PROTECTION**

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

**WHEREAS**, in 2010, the voters of the Kensington Police Protection and Community Services District (the "District") approved a supplemental special tax (the "Supplemental Special Tax") in the amount of \$200 per year for single family residential parcels, with amounts for properties in other use categories identified in Ordinance No. 2010-01, to provide a source of funding for police protection services.

**WHEREAS**, for Fiscal Year 2015/16, the maximum annual amount of the Supplemental Special Tax for each category of property shall be determined by multiplying the preceding fiscal year's maximum special tax by an inflation factor in an amount not to exceed the increase in the Consumer Price Index as published by the U.S. Department of Labor for the April to April San Francisco-Oakland-San Jose area (the "Consumer Price Index"). The following table shows the maximum Supplemental Special Tax for Fiscal Year 2014/15 and Fiscal year 2015/16. The increase in the Consumer Price Index from Fiscal Year 2014/15 to Fiscal Year 2015/16 is 2.436%.

Class of Improvement or Use*	2014/15 Maximum Tax	2015/16 Maximum Tax
Single Family Residential	\$220.90 per parcel	\$226.28 per parcel
Multiple Unit Residential	331.35 per parcel	339.42 per parcel
Commercial and Institutional	331.35 per parcel	339.42 per parcel
Miscellaneous Improved Property	220.90 per parcel	226.28 per parcel
Unimproved Property	66.27 per parcel	67.88 per parcel

\*Class of Improvement or Use will be determined annually based on data from the Contra Costa County Assessor.

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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Date: June 30, 2015  
TO: KPPCSD Board  
FROM: Kevin E. Hart, General Manager  
Subject: Measure G Revenue and Expense Report

In 2010, the voters of the Kensington Police Protection and Community Services District (the "District") approved a supplemental special tax (the "Supplemental Special Tax") in the amount of \$200 per year for single family residential parcels, with amounts for properties in other use categories identified in Ordinance No. 2010-01, to provide a source of funding to be used exclusively for police protection services.

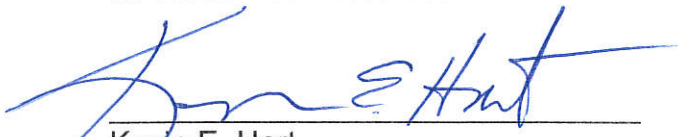
Section 4 of Measure G, adopted by District voters on June 8, 2010, requires the General Manager to file a report with the Board of Directors no later than June 30 of each year. The Report is to contain both of the following: the amount of funds collected and expended under Measure G, and the status of any project required or authorized to be funded to carry out the purposes set forth in the Ordinance.

Pursuant to this requirement, I present the following report.

The total amount of funds collected and expended under Measure G for Fiscal Year 2014-15 is \$501,950.00.

The funds collected and expended under Measure G were expended solely for police protection purposes. As required by Section 3 of Measure G, all of these funds – while not specifically earmarked for particular projects – were expended to pay for obtaining, providing, operating, maintaining and expanding police protection service, facilities and equipment, including paying the salaries and benefits to police personnel, and other necessary police protection services expenses of the District.

I will be prepared to discuss this matter further at the July 9 meeting at which the Board will consider the annual permitted increase to the Measure G Supplemental Special Tax for Fiscal Year 2015-16.



Kevin E. Hart  
General Manager

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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Date: July 6, 2015  
TO: KPPCSD Board  
FROM: Kevin E. Hart, General Manager  
Subject: Item # 2-Old Business Fiscal year 2015/16 Proposed Budget

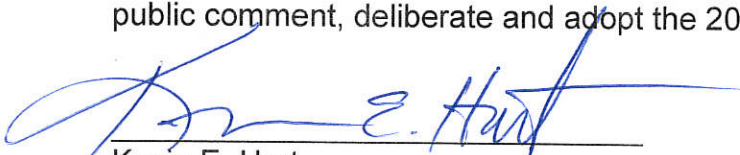
As required by statute, the 2015/16 preliminary budget was submitted for your review and approved on June 29, 2015.

This proposed 15/16 FY budget has been modified from the preliminary budget previously approved. The general manager recommends the finance committee meet in July to review the proposed budget as presented. Adoption of the FY 15/16 final budget is anticipated at the Board of Director's regular meeting on August 13, 2015.

The total district expenses for FY15/16 is \$2,763,030, a decrease from the 2014/15 FY budget, by approximately \$161,410. Total revenues are reported for FY 2015/16 to be \$2,779,724.00. However, anticipated revenue from the annual COPS Grants, and other revenue possibilities have yet to be determined. Contract negotiations with the Kensington Police Association is ongoing and yet to be determined. Therefore, the final budget figures may change.

The Audit report for fiscal year ending June 30, 2014, has still not been received. The general manager has been in contact with the auditor and anticipates receipt by the August 2015 meeting. Additionally, the general manager has been in contact with representatives from Total Compensation Systems, which also advised completion of the actuarial report sometime in August 2015

**RECOMMENDATION:** The General Manager recommends the board of directors take public comment, deliberate and adopt the 2015/16 fiscal year proposed budget.



Kevin E. Hart  
General Manager

CODE	CLASSIFICATION	2014/2015		2014/2015 BALANCE	PERCENT SPENT	2015/2016 BUDGET	BUDGET DIFFERENCES
		BUDGET	EXPENDITURES 05/31/15				
<b>POLICE SALARIES AND BENEFITS</b>							
502	Salary - Police	\$980,983	\$899,581	\$81,402	91.70%	\$995,253	\$14,270
504	Compensation Cash-Out	\$8,800	\$20,951	(\$12,151)	238.07%	\$9,000	\$200
506	Overtime	\$45,000	\$43,276	\$1,724	96.17%	\$45,000	\$0
508	Salary/Non-Sworn	\$81,900	\$64,751	\$17,149	79.06%	\$81,900	\$0
516	Uniform Allowance	\$8,000	\$7,333	\$667	91.66%	\$10,200	\$2,200
518	Safety Equipment	\$2,500	\$0	\$2,500	0.00%	\$3,250	\$750
521A	Medical Insurance - Active	\$190,306	\$173,973	\$16,333	91.42%	\$149,956	(\$40,350)
521R	Medical Insurance - Retired	\$135,748	\$145,191	(\$9,443)	106.96%	\$167,494	\$31,746
521T	Medical Insurance - Trust	\$58,058	\$58,058	\$0	100.00%	\$31,642	(\$26,416)
522	Disab. & Life Insurance	\$5,240	\$4,566	\$674	87.14%	\$5,240	\$0
523	Medicare 1.45% (District)	\$16,308	\$12,437	\$3,871	76.26%	\$16,506	\$198
524	Social Security(6.2%) /Non-Sworn	\$5,078	\$4,275	\$803	84.18%	\$5,078	(\$0)
527	P.E.R.S. - District	\$378,780	\$350,877	\$27,903	92.63%	\$390,166	\$11,386
528	P.E.R.S. - Officers Portion	\$89,008	\$81,622	\$7,386	91.70%	\$85,721	(\$3,287)
530	Workers Compensation	\$50,000	\$37,972	\$12,028	75.94%	\$50,000	\$0
540	Advanced Industrial	\$0	\$0	\$0	0.00%	\$0	\$0
SUB-TOTAL		\$2,055,709	\$1,904,863	\$150,846	92.66%	\$2,046,406	(\$9,303)
<b>POLICE EXPENSES</b>							
552	Expendable Police Supplies	\$1,500	\$4,432	(\$2,932)	295.50%	\$1,700	\$200
553	Range/Ammunition	\$3,000	\$1,641	\$1,359	54.70%	\$5,000	\$2,000
560	Crossing Guard	\$10,515	\$9,405	\$1,110	89.44%	\$10,830	\$315
562	Vehicle Operation	\$60,000	\$40,953	\$19,047	68.25%	\$50,000	(\$10,000)
564	Communications	\$156,070	\$96,418	\$59,652	61.78%	\$156,070	\$0
566	Radio Maintenance	\$21,750	\$21,286	\$464	97.86%	\$21,750	(\$0)
568	Prisoner/Case Expenses/Bookings	\$5,400	\$8,432	(\$3,032)	156.15%	\$6,400	\$1,000
570	Training	\$10,000	\$8,352	\$1,648	83.52%	\$10,000	\$0
572	Recruiting	\$6,500	\$0	\$6,500	0.00%	\$6,500	\$0
574	Reserve Officers	\$4,050	\$2,056	\$1,994	50.77%	\$4,050	\$0
576	Misc. Dues, Meals.Travel	\$3,140	\$2,485	\$655	79.14%	\$3,140	\$0
580	Utilities - Police	\$8,960	\$9,094	(\$134)	101.50%	\$10,000	\$1,040
581	Bldg. Repair/Maint	\$1,000	\$1,341	(\$341)	134.10%	\$5,000	\$4,000
582	Office Supplies	\$6,000	\$5,534	\$466	92.23%	\$6,000	\$0
588	Telephones	\$8,904	\$7,382	\$1,522	82.91%	\$8,904	\$0
590	Housekeeping	\$4,000	\$3,826	\$174	95.65%	\$4,000	\$0
592	Publications	\$2,200	\$2,337	(\$137)	106.23%	\$2,500	\$300
594	Comm. Policing	\$2,000	\$2,430	(\$430)	121.51%	\$4,000	\$2,000
596	CAL-ID	\$13,925	\$13,655	\$270	98.06%	\$5,925	(\$8,000)
598	COPS Special Fund	\$0	\$0	\$0	0.00%	\$0	\$0
599	Police Taxes Administration	\$3,300	\$3,397	(\$97)	102.95%	\$3,500	\$200
SUB-TOTAL		\$332,214	\$244,456	\$87,758	73.58%	\$325,268	(\$6,946)
<b>RECREATION SALARIES AND BENEFITS</b>							
601	Park and Rec. Admin.	\$7,800	\$6,327	\$1,473	81.11%	\$7,800	\$0
602	Custodian	\$22,750	\$19,250	\$3,500	84.62%	\$22,750	\$0
623	Social Security (7.65%) /District	\$597	\$484	\$113	81.07%	\$597	(\$0)
SUB-TOTAL		\$31,147	\$26,061	\$5,086	83.67%	\$31,147	(\$0)
<b>RECREATION EXPENSES</b>							
640	<b>Community Center Expenses</b>						
642	Community Center	\$5,616	\$4,575	\$1,041	81.46%	\$5,616	\$0
643	Janitorial Supplies	\$800	\$1,314	(\$514)	164.24%	\$800	\$0
646	Community Center Repairs	\$3,000	\$2,726	\$274	90.86%	\$3,000	\$0
650	<b>Building E Expenses</b>						
656	Building E Repairs	\$0	\$0	\$0	0.00%	\$0	\$0
660	<b>Annex Expenses</b>						
662	Annex - Utilities	\$0	\$0	\$0	0.00%	\$0	\$0
666	Annex Repairs	\$0	\$0	\$0	0.00%	\$1,000	\$1,000
668	Annex - Misc. Exp	\$0	\$0	\$0	0.00%	\$1,000	\$1,000
670	Gardening Supplies	\$0	\$0	\$0	0.00%	\$1,000	\$1,000
672	Park O&M	\$79,524	\$42,994	\$36,530	54.06%	\$79,524	\$0
674	Park Construction Expense	\$0	\$0	\$0	0.00%	\$5,000	\$5,000
678	Misc. Park/Rec Expense	\$0	\$170	(\$170)	0.00%	\$1,000	\$1,000
SUB-TOTAL		\$88,940	\$51,779	\$37,161	58.22%	\$97,940	\$9,000

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CODE	CLASSIFICATION	2014/2015		2014/2015 BALANCE	PERCENT SPENT	2015/2016 BUDGET	BUDGET DIFFERENCES
		BUDGET	EXPENDITURES 05/31/15				
<b>DISTRICT EXPENSES</b>							
810	Computer	\$24,288	\$21,359	\$2,929	87.94%	\$24,288	\$0
820	Canon Copier Contract	\$5,700	\$4,755	\$945	83.41%	\$5,700	\$0
830	Legal	\$150,000	\$193,037	(\$43,037)	128.69%	\$99,530	(\$50,470)
835	Consultant	\$7,500	\$9,723	(\$2,223)	129.64%	\$6,150	(\$1,350)
840	Accounting	\$35,750	\$18,983	\$16,767	53.10%	\$34,000	(\$1,750)
850	Insurance	\$30,000	\$29,917	\$83	99.72%	\$30,000	\$0
860	Election	\$10,000	\$8,608	\$1,392	86.08%	\$0	(\$10,000)
865	Police Bldg Lease	\$1	\$0	\$1	0.00%	\$1	\$0
870	County Expenditures	\$22,300	\$22,184	\$116	99.48%	\$22,300	\$0
890	Waste/Recycle Expenses	\$118,600	\$37,861	\$80,739	31.92%	\$25,000	(\$93,600)
898	Miscellaneous Expenses - Board	\$12,300	\$7,326	\$4,974	59.56%	\$15,300	\$3,000
	<b>SUB-TOTAL</b>	<b>\$416,439</b>	<b>\$353,753</b>	<b>\$62,686</b>	<b>84.95%</b>	<b>\$262,269</b>	<b>(\$154,170)</b>
	<b>Operating Expense TOTAL</b>	<b>\$2,924,449</b>	<b>\$2,580,911</b>	<b>\$343,538</b>	<b>88.25%</b>	<b>\$2,763,030</b>	<b>(\$161,419)</b>
<b>CAPITAL OUTLAY</b>							
961	Police Bldg. Improvements	\$0	\$0	\$0	0.00%	\$0	\$0
962	Patrol Cars	\$30,000	\$29,308	\$692	97.69%	\$30,000	\$0
963	Patrol Car Accessories	\$16,000	\$17,036	(\$1,036)	106.48%	\$3,000	(\$13,000)
965	Weapons / Radios	\$0	\$0	\$0	0.00%	\$10,000	\$10,000
967	Station Equipment	\$0	\$0	\$0	0.00%	\$7,000	\$7,000
968	Office Furn. & Equip.	\$0	\$0	\$0	0.00%	\$6,000	\$6,000
969	Computer Equipment	\$0	\$0	\$0	0.00%	\$0	\$0
971	Park Land	\$0	\$0	\$0	0.00%	\$0	\$0
972	Park Bldgs. Improvements	\$0	\$0	\$0	0.00%	\$25,000	\$25,000
973	Park Construct. Fund	\$0	\$0	\$0	0.00%	\$0	\$0
974	Other Park Improvements	\$0	\$0	\$0	0.00%	\$0	\$0
978	Park/Rec. Furniture & Equipment	\$0	\$0	\$0	0.00%	\$0	\$0
	<b>Capital Outlay SUB-TOTAL</b>	<b>\$46,000</b>	<b>\$46,344</b>	<b>(\$344)</b>	<b>100.75%</b>	<b>\$81,000</b>	<b>\$35,000</b>
	<b>BUDGET GRAND TOTAL</b>	<b>\$2,970,449</b>	<b>\$2,627,256</b>	<b>\$343,193</b>	<b>88.45%</b>	<b>\$2,844,030</b>	<b>(\$126,419)</b>

**KPPCSD  
Revenue Projection  
2015/2016**

	Estimated Actual 2014/2015	Projected 2015/2016
<b>Ordinary Income/Expense</b>		
<b>Income</b>		
<b>400 · Police Activities Revenue</b>		
401 · Levy Tax	\$1,468,701.00	\$1,515,250.00
HomeOwners' Tax	12,279.00	12,500.00
402 · Special Tax-Police	681,690.00	680,000.00
403 · Misc Tax-Police	138.00	0.00
404 · Measure G Supplemental Tax Rev	501,950.00	501,950.00
410 · Police Fees/Service Charges	1,300.00	1,500.00
411 · Kensington Hilltop Srvc Reimb	14,175.00	18,900.00
412 · Special Assignment Revenue	38,000.00	0.00
413 · Crossing Guard Reimbursement	10,515.00	10,830.00
414 · POST Reimbursement	1,263.00	0.00
415 · Grants-Police	106,230.00	0.00
416 · Interest-Police	1,500.00	1,600.00
418 · Misc Police Income	23,000.00	20,000.00
419 · Supplemental W/C Reimb (4850)	<u>23,642.00</u>	<u>17,194.24</u>
<b>Total 400 · Police Activities Revenue</b>	<b>\$2,884,383.00</b>	<b>\$2,779,724.24</b>
<b>420 · Park/Rec Activities Revenue</b>		
424 · Taxes-L&L	\$34,335.00	\$33,000.00
426 · Park Donations	0.00	0.00
427 · Community Center Revenue	36,000.00	33,000.00
435 · Grants-Park/Rec	0.00	0.00
436 · Interest-Park/Rec	0.00	0.00
438 · Misc Park/Rec Rev	<u>500.00</u>	<u>500.00</u>
<b>Total 420 · Park/Rec Activities Revenue</b>	<b>\$70,835.00</b>	<b>\$66,500.00</b>
<b>440 · District Activities Revenue</b>		
448 · Franchise Fees	\$25,443.00	\$48,800.00
456 · Interest-District	0.00	0.00
458 · Misc District Revenue	<u>0.00</u>	<u>0.00</u>
<b>Total 440 · District Activities Revenue</b>	<b><u>\$25,443.00</u></b>	<b><u>\$48,800.00</u></b>
<b>Total Income</b>	<b>\$2,980,661.00</b>	<b>\$2,895,024.24</b>

**KPPCSD**  
**Projected Revenue and Expense**  
**2015/2016**

**Budgeted Revenues 2015/2016**

400 · Police Activities Revenue  
 Total 400 · Police Activities Revenue \$2,779,724  
 Total 420 · Park/Rec Activities Revenue 66,500

440 · District Activities Revenue  
 448 · Franchise Fees 48,800  
 456 · Interest-District 0  
 Total 440 · District Activities Revenue 48,800

**Total Revenues** \$2,895,024

**Budgeted Expenditures 2015/2016**

500 · Police Sal & Ben  
 Total 500 · Police Sal & Ben \$2,046,406  
 Total 550 · Other Police Expenses 325,268  
 Total 600 · Park/Rec Sal & Ben 31,147  
 Total 635 · Park/Recreation Expenses 97,940  
 Total 800 · District Expenses 262,269  
 Total 950 · Capital Outlay 81,000  
**Total Expenditures** \$2,844,030

**Excess of Revenue over Expense 2015/2016** \$50,994

**Previously Allocated Funds**

**Total Allocated Funds Used** 0

**Excess Funding over Expenses 2015/2016** 50,994

**Cash Carryovers 2014/2015** \$1,480,663

**Estimated Fund Carryovers into 2015/2016** \$1,531,656

**Fund Balances, in audit terms (see definitions included)**

Nonspendable - District Portion of Bond \$92,830  
 Resticted - Est'd Vacation/Comp Liab 80,000  
 Committed - Park Bldgs Replacement less FY 15/16 expenditures 216,500  
 Committed - Annex Renovation Expenditure in Current Year 0  
 Committed - Bay View Net Balance -7,977

**Total Identified Fund Balances** \$381,353

**Unassigned Fund Balance available for Contingencies** \$1,150,304  
**Percentage of Total Expenditures** 40.45%

KPPCSD

Estimated Available Cash 6/30/15

	05/31/15	Incoming Tx Advance	Incoming Grant/Reimb	June Exp	Transfer between funds	06/30/15 Est
<b>ASSETS</b>						
<b>Current Assets</b>						
<b>Checking/Savings</b>						
100 · Petty Cash	100.00					100
110 · CCC Cash Accts						
112 · General Fund	853,788.81	106,074.63		-270,000.00	-446,807.41	243,056
113 · Capital Fund-Cash	26,788.27					26,788
114 · Land & Light-Park O&M	44,851.67	900.78			-45,000.00	752
excluded 116 · PB Admin-Cash	176,112.06	4,622.79			-8,192.59	172,542 excluded
excluded 117 · PB Resv-Cash	18,544.91					18,545 excluded
<b>Total 110 · CCC Cash Accts</b>	<u>1,120,085.72</u>					<u>\$270,597</u>
<b>134 · CCC LAIF Accounts</b>						
134a · General LAIF	673,039.08			13,485.02	500,000.00	1,186,524
134b · COPS LAIF	-17,186.72		16,082.85	-13,182.02		-14,286
134c · Park LAIF	0.00					-31,474
134d · Garbage/Bay View LAIF	-31,474.47	0.00		-303.00		-31,777
134e · Capital LAIF	100,979.55					100,980
<b>Total 134 · CCC LAIF Accounts</b>	<u>725,357.44</u>					<u>\$1,209,966</u>
<b>Total Checking/Savings</b>	\$1,845,543	\$111,598	\$16,083	-\$270,000	\$0	\$1,480,663 KPPCSD
						1,703,224 including Bond \$

100

6/17/2015

**KPPCSD Officers' Salaries - Fiscal 2015/2016**

Officer Name	Grade	Date Hired	Date in Grade	Date in Step	Months in Step	Monthly Base	Holiday Pay	Incentive	Monthly Salary	Pay Period	Hourly Base	Hourly	Longevity Pay	Annual Total
Hart, K	Chief	6/8/2015	6/8/2015	06/08/15	12.000	\$ 12,500.00			12,500.00	\$6,250.00	\$ 72.12	\$ 72.12	\$ 150,000.00	
Hull, R	MS/Step 2	10/16/97	03/16/13	03/16/13	12.000	\$ 8,077.74	\$ 434.93	\$605.83	9,118.50	\$4,559.25	\$ 46.60	\$ 52.61	\$ 1,800.00	\$ 111,222.01
Barrow, K.	Sgt/Step 4	09/16/05	03/16/13	03/16/15	12.000	7,614.05	\$ 410.01	\$571.05	8,595.11	\$4,297.56	\$ 43.93	\$ 49.59	\$	\$ 103,141.37
Hui, K	Sgt/Step 4	04/17/10	03/16/13	03/16/15	12.000	7,614.05	\$ 410.01	\$380.70	8,404.76	\$4,202.38	\$ 43.93	\$ 48.49	\$	\$ 100,857.15
Stegman, E	Corp/Step 1	09/01/12	09/01/12	09/01/12	12.000	\$ 6,774.01	\$ 364.75	\$508.05	7,646.81	\$3,823.41	\$ 39.08	\$ 44.12	\$	\$ 91,761.73
Martinez, R	Step 5	01/01/06	01/01/06	01/01/10	12.000	6,641.18	\$ 357.56	\$498.09	7,496.83	\$3,748.41	\$ 38.31	\$ 43.25	\$	\$ 89,961.94
Wilson, D	Step 5	05/19/08	05/19/08	05/19/10	12.000	6,641.18	\$ 357.56	\$498.09	7,496.83	\$3,748.41	\$ 38.31	\$ 43.25	\$	\$ 89,961.94
Ramos, J	Step 5	09/16/09	09/16/09	09/16/11	12.000	6,641.18	\$ 357.56	\$332.06	7,330.80	\$3,665.40	\$ 38.31	\$ 42.29	\$	\$ 87,969.59
Turner, C	Step 5	10/03/11	10/03/11	10/03/13	12.000	\$ 6,641.18	\$ 357.56	\$332.06	7,330.80	\$3,665.40	\$ 38.31	\$ 42.29	\$	\$ 87,969.59
Wilkins, S	Step 3	09/17/12	09/17/12	09/17/14	2.500	\$ 5,961.69	\$ 320.97	\$298.08	6,580.74	\$3,290.37	\$ 34.39	\$ 37.97	\$	\$ 16,451.86
	Step 4			09/17/15	9.500	\$ 6,289.58	\$ 338.71	\$314.48	6,942.77	\$3,471.38	\$ 36.29	\$ 40.05	\$	\$ 65,956.31
						\$ 3,388.65	\$ 4,040.41	\$	\$ 48,484.94	\$	\$	\$ 1,800.00	\$	\$ 995,253.49
						\$ 941,579.90	\$	\$	\$	\$	\$	\$	\$	\$

**Total BasePay Minus Holiday, Incentive, & Longevity:**

	Mo. Base	Holiday	Mo. Total	HrlyBase	HrlyTot	Mo. Base	Holiday	Mo. Total	HrlyBase	HrlyTot
<b>Sergeants</b>										
Step#1	6,834.57	368.01	7,202.58	39.43	41.55	5,356.29	\$288.40	5,644.69	30.90	32.57
Step#2	7,107.95	382.76	7,490.71	41.01	43.22	5,650.89	\$304.27	5,955.16	32.60	34.36
Step#3	7,321.19	394.24	7,715.43	42.24	44.51	5,961.69	\$320.97	6,282.66	34.39	36.25
Step#4	7,614.05	410.01	8,024.06	43.93	46.29	6,289.58	\$338.71	6,628.29	36.29	38.24
Step#5						6,641.18	\$357.56	6,998.74	38.31	40.38
<b>Master Sgts</b>										
Step#1	7842.47	422.33	8,264.80	45.25	47.68	6774.01	\$364.75	7,138.76	39.08	41.19
Step #2	8077.74	434.93	8,512.67	46.60	49.11					

PIMcL

salaries 15-16

101

FISCAL YEAR 2015/2016		
CODE 502	CLASSIFICATION: Salary - Police	
	2014/2015 Budget	\$980,983
	Cumulative as of 5/31/2015	\$899,581.49
ITEM		AMOUNT
Officers Base pay		\$904,305
Holiday pay		\$40,664
Longevity Pay		\$1,800
Incentive Pay		\$48,485
\$14,270	Total	\$995,253

FISCAL YEAR 2015/2016		
CODE 504	CLASSIFICATION:	Compensation Time Cash-Out
	2014/2015 Budget	\$8,800
	Cumulative as of 5/31/2015	\$20,950.52
ITEM		AMOUNT
Compensation Time Cash-Out	Officers est - 03/31/14	
	averg \$45 x 200 hrs	\$9,000
	adjusted to probability	
\$200	Total	\$9,000

103

FISCAL YEAR 2015/2016		
CODE 506	CLASSIFICATION: Overtime	
	2014/2015 Budget	\$45,000
	Cumulative as of 5/31/2015	\$43,275.82
ITEM		AMOUNT
Overtime For:	Cover Training	\$45,000
	Court Time	
	Sick/Vacation Coverage	
	Case Coverage	
	NOTE: Long term injury replacement to minimum staffing	
	\$0 Total	\$45,000



FISCAL YEAR 2015/2016		
CODE 508	CLASSIFICATION: Salary/Non-Sworn	
	2014/2015 Budget	\$81,900
	Cumulative as of 5/31/2015	\$64,751.04
ITEM		AMOUNT
		\$45
		\$30
25 hr/wk - Wolter	1300 hours	\$58,500
15 hr/wk - Dinapoli	780 hours	\$23,400
\$0	TOTAL	\$81,900

105

FISCAL YEAR 2015/2016	0	
CODE 516	CLASSIFICATION: Uniform Allowance	
	2014/2015 Budget	\$8,000
	Cumulative as of 5/31/2015	\$7,332.60
ITEM		AMOUNT
\$800.00 x 9 officers		\$7,200
Chief Hart's Uniforms		\$2,000
Uniform Damage		\$1,000
\$2,200	TOTAL	\$10,200

FISCAL YEAR 2015/2016	0	
CODE 518	CLASSIFICATION:	Safety Equipment
	2014/2015 Budget	\$2,500
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Safety Equipment/Reimbursement nt \$250 x 9		\$2,250
Carry Over Reimbursements -		\$0
Chief Hart Start Up		\$1,000
\$750	TOTAL	\$3,250



FISCAL YEAR 2015/2016		0	
CODE 521R		CLASSIFICATION: Medical Insurance - Retired	
		Vision, Dental	
		2014/2015 Budget	\$135,748
12 Retirees			
2 Retirees not on VSP	Cumulative as of		\$145,190.94
1 Retiree not on Delta Dental	5/31/2015		
ITEM		AMOUNT	
Retired P.E.R.S. Medical	Retirees 3 @ \$1858 x 12	\$66,888	
	Retirees 1 @ \$1722 x 12	\$20,664	
	Retirees 1 @ \$1010 x 12	\$12,120	
	Retiree 1 @ \$714 x 12	\$8,568	
	Retiree 1 @ \$675 x 12	\$8,100	
	Retiree 2 @ \$591 x 12	\$14,184	
	Retiree 4 @ \$296 x 12	\$14,208	
	5% increase 01/16	\$3,618	
Retired P.E.R.S Admin. Cost	0.34% of \$115,977	\$504	
Retired Vision Care	\$30.02 x 10 x 12	\$3,602	
Retired Delta Dental	\$64.41 x 5 employees x 12	\$2,319	
	\$124.48 x 2 employees x 12	\$2,988	
	\$202.72 x 4 employees x 12	\$9,731	
	0% increase Oct 2015	\$0	
Total Retired	\$167,494		\$167,494
\$31,746		\$167,494	

109



FISCAL YEAR 2015/2016		0
CODE 522	CLASSIFICATION: Disab. & Life Insurance	
	2014/2015 Budget	\$5,240
	Cumulative as of 5/31/2015	\$4,566.00
ITEM		AMOUNT
LTD Insurance	\$24.50x10 employees x 12	\$2,940
Life Insurance	\$200x9 employees	\$1,800
	\$500x1	\$500
\$0	TOTAL	\$5,240

111

FISCAL YEAR 2015/2016		0
CODE 523	CLASSIFICATION:	Medicare 1.45% (District)
	2014/2015 Budget	\$16,308
10 Officers	Cumulative as of	\$12,437.22
	5/31/2015	
ITEM		AMOUNT
\$995,253 x 1.45%		\$14,431
\$9,000 x 1.45%		\$131
Overtime \$45,000 x 1.45%		\$653
\$81,900 x 1.45%		\$1,188
\$7,200 x 1.45%		\$104
Total Officers	\$1,056,453	
Total Non-Sworn	\$81,900	
\$198	TOTAL	\$16,506

112





FISCAL YEAR 2015/2016		0
		P.E.R.S.
CODE 527	CLASSIFICATION:	P.E.R.S. - District
	2014/2015 Budget	\$378,780
1 Chief	Cumulative as of	\$350,877.31
	5/31/2015	
ITEM		AMOUNT
Salary: \$995,253 x 18.524%		\$184,361
Uniform: \$7,200 x 18.524%		\$1,334
Flat CalPERS UAL		\$204,472
\$11,386	TOTAL	\$390,166

114





FISCAL YEAR 2015/2016		0
CODE 540	CLASSIFICATION:	Advanced Industrial Disability
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Advanced Industrial Disability		\$0
\$0	TOTAL	\$0

47



FISCAL YEAR 2015/2016	0	
CODE 553	CLASSIFICATION: Range/Ammunition Supplies	
	2014/2015 Budget	\$3,000
	Cumulative as of 5/31/2015	\$1,640.85
ITEM		AMOUNT
RANGE/AMMUNITION SUPPLIES:		\$5,000
INCLUDES: AMMUNITION, TARGETS, WEAPON REPAIR, MAINTENANCE, CLEANING SUPPLIES		
	NOTE: Increase is due to new weapons/change in policy for officers	
\$2,000	TOTAL	\$5,000







FISCAL YEAR 2015/2016		0
CODE 564	CLASSIFICATION:	Communications (Richmond Police)
	2014/2015 Budget	\$156,070
	Cumulative as of 5/31/2015	\$96,417.86
ITEM		AMOUNT
Communications-Dispatch Fees	City of Richmond-Outside Agencies	\$125,400
New World Software		\$14,650
Records Management	City of Richmond-Outside Agencies	\$6,900
EBRCS	\$40/mo 19 radios	\$9,120
\$0	TOTAL	\$156,070

122





FISCAL YEAR 2015/2016	0	
		Law Enforcement
CODE 570	CLASSIFICATION:	Training
	2014/2015 Budget	\$10,000
	Cumulative as of	\$8,351.83
	5/31/2015	
ITEM		AMOUNT
INCLUDES:		
ALL ASPECTS OF OFFICER		
TRAINING		\$5,000
SCHOOL, TUITION, BOOKS, ETC	\$500 PER OFFICER	\$5,000
\$0	TOTAL	\$10,000

125

FISCAL YEAR 2015/2016		0
CODE 572		CLASSIFICATION: Recruiting
	2014/2015 Budget	\$6,500
	Cumulative as of 5/31/2015	\$0.00
ITEM		AMOUNT
Medical	2 @ \$750	\$1,500
Psychological Assessment	2 @ \$550	\$1,100
Polygraph	5 @ \$300	\$1,500
Background Investigation	3 @ 800	\$2,400
NOTE: One officer currently in Background with another police agency		
One officer at retirement age		
\$0	TOTAL	\$6,500

126

FISCAL YEAR 2015/2016		0
CODE 574	CLASSIFICATION:	Reserve Officers
	2014/2015 Budget	\$4,050
	Cumulative as of 5/31/2015	\$2,056.19
ITEM		AMOUNT
Reserve Officers:	Training	
	Uniforms	
	Insurance Coverage	
	Safety Equipment	
	Total	\$3,750
Misc. Reserve Costs		\$300
\$0	TOTAL	\$4,050

(27)

FISCAL YEAR 2015/2016	0	
CODE 576	CLASSIFICATION:	Misc. Dues, Meals.Travel
	2014/2015 Budget	\$3,140
	Cumulative as of	\$2,485.00
	5/31/2015	
ITEM		AMOUNT
INCLUDES: Chief's meetings, CPOA dues, PORAC General Membership, etc.		
CCC Chief's Association		\$650
CPOA/\$125.00x10		\$1,250
Cal Chiefs \$300/\$125	Chief Hart/Sgt. Hull	\$425
CAPE		\$45
FBI-LEEDA		\$50
Int'l Assn of Chiefs of Police		\$120
Miscellaneous - Meeting Supplies		\$600
\$0	TOTAL	\$3,140





FISCAL YEAR 2015/2016		0
CODE 581		CLASSIFICATION: Bldg. Repair/Maint
	2014/2015 Budget	\$1,000
	Cumulative as of	\$1,341.01
	5/31/2015	
ITEM		AMOUNT
Miscellaneous Repairs		\$5,000
	NOTE: Filter system for	
	property room, paint,	
	sheetrock repair, carpets	
	Maintenance required by	
	contract	
\$4,000	Total	\$5,000

130

FISCAL YEAR 2015/2016	0	
CODE 582	CLASSIFICATION:	Office Supplies
	2014/2015 Budget	\$6,000
	Cumulative as of	\$5,533.58
	5/31/2015	
ITEM		AMOUNT
Paper (colored, letter, legal, fax)		
Stamps, envelopes, postage		
Printing		
Envelopes (manilla), folders, etc.		
Ink cartridges/correction tape		
Calendars, refills, etc.		
Miscellaneous (pens, pencils, clips, staples, etc.)		\$6,000
\$0	TOTAL	\$6,000

131



FISCAL YEAR 2015/2016		0
CODE 590	CLASSIFICATION: Housekeeping	
	2014/2015 Budget	\$4,000
	Cumulative as of	\$3,826.15
	5/31/2015	
ITEM		AMOUNT
INCLUDES:		
Toilet paper, paper towels, Soaps, light bulbs, cleaning supplies, rug cleaning (\$250), trash bags and coffee, sugar, creamer	Estimated Total	\$1,120
Custodial Service	\$200 x 12	\$2,400
Drinking Water	Avg. \$40 x 12	\$480
\$0	TOTAL	\$4,000











FISCAL YEAR 2015/2016	0	
CODE 599	CLASSIFICATION: Police Taxes Administration	
	2014/2015 Budget	\$3,300
	Cumulative as of	\$3,397.22
	5/31/2015	
ITEM		AMOUNT
NBS Administration	Original Police Tax	\$3,500
\$200	TOTAL	\$3,500

138



FISCAL YEAR 2015/2016		0
CODE 602	CLASSIFICATION:	Custodian
	2014/2015 Budget	\$22,750
	Cumulative as of 5/31/2015	\$19,250.00
ITEM		AMOUNT
600/Custodian	Community Center	\$22,750
Park Restroom Custodian	see G/L Acct #672	
\$0	TOTAL	\$22,750

140



FISCAL YEAR 2015/2016		0
CODE 642	CLASSIFICATION:	Community Center Utilities
	2014/2015 Budget	\$5,616
	Cumulative as of	\$4,574.91
	5/31/2015	
ITEM		AMOUNT
EBMUD Community Center	\$140 x 12	\$1,680
EBMUD Gore Lot	\$15 x 12	\$180
PG&E Community Center	\$235 avg. x 12	\$2,820
Telephone Community Center	\$78 avg. x 12	\$936
\$0	Total	\$5,616

142

FISCAL YEAR 2015/2016		0
CODE 643	CLASSIFICATION:	Janitorial Supplies
	2014/2015 Budget	\$800
	Cumulative as of	\$1,313.91
	5/31/2015	
ITEM		AMOUNT
Community Center		
Janitorial Supplies, paper towels, light bulbs, etc.		\$800
Annex		
Janitorial Supplies, paper towels, light bulbs, etc.		\$0
\$0	Total	\$800







FISCAL YEAR 2015/2016		0
CODE 662	CLASSIFICATION:	Annex - Utilities
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Utilities		\$0
See G/L #642 for PG&E		
See G/L #672 for EBMUD - Water		
\$0	Total	\$0

146

FISCAL YEAR 2015/2016	0	
CODE 666	CLASSIFICATION: Annex Repairs	
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Miscellaneous Repairs		\$1,000
\$1,000	Total	\$1,000



FISCAL YEAR 2015/2016		0
CODE 670	CLASSIFICATION: Gardening Supplies	
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Plantings		\$1,000
\$1,000	Total	\$1,000

149

FISCAL YEAR 2015/2016		0
CODE 672	CLASSIFICATION	Park O&M
	2014/2015 Budget	\$79,524
	Cumulative as of 5/31/2015	\$42,993.99
ITEM		
Operations/Maintenance Park Property		
Maintenance Contract	(O&M Funding)	\$27,000
Park Maintenance Repairs	(O&M Funding)	\$10,000
Utilities	Water	\$5,000
Drain Clearing		\$1,000
Incidental Expenses		\$2,000
	Shared Expense Total	\$49,000
Old Park Allocated Exp	40% of Shared Expenses	\$19,600
Old Park Tree Pruning		\$2,000
	Old Park Total	\$21,600
New Park Allocated Exp	60% of Shared Expenses	\$29,400
Levy Fees	(County)	\$4,400
Engineer's Annual Report/Admin Services		\$9,024
Park Restroom Custodian		\$5,100
	New Park Sub-Total	\$47,924
New Park Tree Pruning/Removal		\$10,000
	New Park Total	\$57,924
\$0	Total	\$79,524

150

















FISCAL YEAR 2015/2016	0	
CODE 850	CLASSIFICATION:	Insurance
	2014/2015 Budget	\$30,000
	Cumulative as of 5/31/2015	\$29,917.36
ITEM		AMOUNT
Special District Risk Management/\$5,000,000 (District General Liability, Auto Liability Property, Floater, Employee Blanket Bond, Error & Omissions, Flood Protection, Personal liability Board Members) Kensington Park/Property Police Liability Included		\$30,000
\$0	TOTAL	\$30,000

158



FISCAL YEAR 2015/2016	0	
CODE 865	CLASSIFICATION: Police Bldg Lease	
	2014/2015 Budget	\$1
	Cumulative as of 5/31/2015	\$0.00
ITEM		AMOUNT
Lease Per new agreement with KFPD		\$1
\$0	Total	\$1

160



FISCAL YEAR 2015/2016	0	
Code 870	CLASSIFICATION: County Expenditures	
	2014/2015 Budget	\$22,300
	Cumulative as of	\$22,184.11
	5/31/2015	
ITEM		AMOUNT
Property Tax Administration costs		
Senate Bill 2557 (Chapter 466 of 1990)		
\$1,300,000 x 1.5%		\$19,800
Miscellaneous		
Fees, Assessments, Interest,		
etc		\$2,500
\$0	Total	\$22,300

161



FISCAL YEAR 2015/2016		0
CODE 898	CLASSIFICATION:	Miscellaneous Expenses - Board
	2014/2015 Budget	\$12,300
	Cumulative as of	\$7,325.97
	5/31/2015	
ITEM		AMOUNT
LAFCO		\$1,200
Service Pins/Charms		\$0
Seminars/Directors		\$4,000
CSDA/CCSDA Membership		\$4,600
Miscellaneous		\$1,000
Annual Conference		\$4,000
Governance Days		\$500
\$3,000	TOTAL	\$15,300

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FISCAL YEAR 2015/2016		0
CODE 965	CLASSIFICATION:	Weapons / Radios
	2014/2015 Budget	\$0
	Cumulative as of	
	5/31/2015	\$0
ITEM		AMOUNT
Weapons		\$10,000
	NOTE: Courrently each officer	
	uses his/her own personal	
	weapon for on-duty	
	assignment	
	If approved, new more	
	restricted policy would	
	be written regarding	
	weapons & officer usage	
\$10,000	TOTAL	\$10,000

167

FISCAL YEAR 2015/2016	0	
CODE 967	CLASSIFICATION:	Station Equipment
Former 504		
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
New Phone System		\$7,000.00
	NOTE:	Existing phone system
		does not allow for transfer
		of emergency calls,
		not enough voicemails for
		employees and can not be
		updated since system is
		about 25 years old
		Reduced preliminary budget
		by \$10,000 by eliminating
		recording of all incoming
		calls option
\$7,000	TOTAL	\$7,000

168



FISCAL YEAR 2015/2016	0	
CODE 968	CLASSIFICATION:	Office Furn. & Equip.
Former 504		
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Microphones for Board Meetings		\$6,000
	NOTE: Price increased from	
	preliminary budget from	
	\$3,000 to \$6,000 to	
	include complete new sound	
	system for community	
	center/boardroom	
\$6,000	TOTAL	\$6,000

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FISCAL YEAR 2015/2016	0	
CODE 972	CLASSIFICATION: Park Bldgs. Improvements	
	2014/2015 Budget	\$0
	Cumulative as of	\$0.00
	5/31/2015	
ITEM		AMOUNT
Structural Engineering Services for Seismic Analysis of Community Center		\$25,000
\$25,000	TOTAL	\$25,000

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# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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## **Proposed Process Framework Ad Hoc Committee for Governance and Operations Structure 2015-2016**

The Kensington Police Protection and Community Services District Board is embarking on a comprehensive review of the way it currently governs and delivers critical services to the community. This proposed framework provides a solid foundation for a collaborative process informed by research, independent and objective expert analysis and the welcomed engagement of the Community.

### **Background and Scope**

At its March 12, 2015 meeting, the Board instituted an ad hoc committee to respond to the Community's call for the assessment of possible alternatives to the District's current governance and operations structure, including:

- Bifurcation of the current GM/COP position;
- Contracting with other agencies, in part or whole;
- Consolidating with the Fire District.

Directors Toombs and Cordova were charged to co-chair the Committee, the members of which will be appointed to serve in an advisory capacity, ultimately providing recommendations to the Board for further consideration and formal action.

### **Recruitment and Appointment of Committee Members**

The Committee should expect to perform independent fact-finding and prepare written reports of its recommendations for the Board and Community to review and deliberate. As such, prospective Committee members should possess some level of objectivity, diligence and the skillset required to assess and communicate the feasibility of the proposed alternatives to the Board and Community. The Committee Chairpersons also welcome enthusiasm and innovation.

The Board is currently accepting applications from interested members of Community who wish to be considered for appointment to the Committee. The application is posted on the District website and will also be provided to those residents who have previously expressed an interest in serving. The Board is requesting that applications be submitted no later than August 1, 2015.

The Committee Chairpersons respectfully hold differing views on the necessity of an applicant interview, as no other ad hoc committees require either an application or interview. As such, they will defer to the opinion of the Board and Community on this matter.

The Committee Chairpersons recommend no less than five (5) but no more than 10 members, a formula informed by the number of directors on the Board. This allows two (2) options for the Board to consider:

1. Each Board member can appoint two candidates; or,
2. The full Board can select all candidates by majority vote.

Regardless, the Committee Chairpersons hope to complete Committee selection no later than August 31, 2015.



# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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Once seated, the Committee may select two co-chairpersons by majority vote, unless the Board or Community wishes two Directors to assume these roles. The Committee will be subject to all provisions of the Brown Act including but not limited to public notice, in order to assure as much public awareness and community input as possible.

## **Community Outreach**

The Committee is committed to engaging the Community throughout this process. The Committee Chairpersons propose the following public participation activities to be conducted over the next 12 months:

- Regular monthly Committee meetings with public comment, which will be publicly noticed;
- Four (4) educational forums in a town hall setting to solicit Community input;
- A dedicated Committee page and comment portal on the District website to allow residents to submit comments and questions for the Committee to deliberate and respond;
- Monthly email alerts and Nextdoor posts, which will include a link to the monthly updates on the District website.

The Committee may also determine the need for a professional facilitator to manage the proposed educational forums. The Board should consider providing a budget for this and other Community Outreach activities.

## **Collaboration with External Partners**

In developing recommendations to the Board, the Committee will focus on areas of expertise within the professional skillset of its members. However, it's not unreasonable to expect that some areas within this proposed scope might require some external assistance.

That said, the Committee Chairpersons also recognize the Community's concern around the engagement of outside consultants, and have researched many options for collaboration, including:

- Tapping subject specific expertise from individuals and groups beyond the Committee;
- Partnering with recognized academic think tanks specializing in law enforcement policy, research and/or government administration;
- Community-based facilitators for education forums to offset the cost of paid consultants;
- Negotiating with our current public finance consultant to partner with resident experts in the development of financial impact assessments.

The Committee Chairpersons have identified many opportunities for cost-savings, particularly with the proposed institutional partners, who can provide the District with less expensive but more cutting-edge technical expertise or assist with grant funding from the Department of Justice and other sources.

## **Proposed Benchmarks and Deliverables**

As the proposed governance and operations alternatives are delicately interconnected, the Board will work with the Community to prioritize the sequence in which the Committee will conduct its feasibility studies.

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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## September 2015: Getting Acquainted

The Committee will convene to review the scope of its work, conduct an inventory of existing reports and relevant data, and establish a regular schedule of future meetings. Depending on the will of the Board and Community, the Committee may elect or be assigned new co-chairpersons.

## December 2015: Assessment of Current Structure

By December, the Committee will have initiated its fact-finding mission on a variety of issues, including but not limited to:

- The nature of police services the Community desires;
- The recommended level of police services required to meet the regulatory requirements for a jurisdiction of this size;
- The sustainability of the current property tax base, as well as the exploration of other revenue and operational models;
- The impact of scaling police services to current revenue or vice versa; and more.

After gathering information, the Committee is expected to hold at least one educational forum to obtain community input. It will then present a written and oral progress report to the Board and Community no later than December 2015.

## March 2016: Assessment of Contracting Services

The Committee will investigate whether contracting out, in part or whole, will provide reasonable and cost-effective services the community wants. By March, Committee will have completed its fact-finding on varying levels of collaboration, including but not limited to:

- Research of similar service models in jurisdictions more focused on community policing;
- Identifying and engaging potential interagency law enforcement partners, like El Cerrito Police Department, UC Berkeley Police, Contra Costa Sheriff's Office and East Bay Regional Park District.

## April 2016: Midterm Status Update

In April, the Committee will present a mid-term written and oral status report to the Board and Community on its work to date.

## July 2016: Consolidating with the Fire District

The Committee's look at consolidation may include the assessing the potential to impacts relative to costs, service and community confidence in emergency response. This may include:

- The ability to maintain the highest standard of police service, fire protection and emergency paramedic services;
- The feasibility of maintaining cost-effective contracts with two separate bargaining units, each with distinct total compensation packages;

# KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

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The Committee will enlist the Local Area Formation Commission, or LAFCo, California Special Districts Association and academic think tanks to explore the success and challenges facing other urban special districts, small cities and towns that deliver combined police and fire services.

## October 2016: Bifurcation of the GM/COP Position

The Committee will research the bifurcation of the current GM/COP position and analyze the economy of a variety of alternatives posed by the Community, including but not limited to a:

- Part-time GM;
- Full-time police captain or lieutenant instead of COP;
- Shared GM or COP.

The Committee will also present cost benefits of all alternatives to our current structure of GM/COP relative to all alternative scenarios, such as contracting out or district consolidation.

## November 2016: Final Report of Findings and Recommendations

The Committee will make a presentation of its tentative final report in a community educational forum prior to presentation of that final report to the Board with its findings and recommendations for the Board's consideration at its November 2016 board meeting.

## **Recommendation**

The Committee Chairpersons thank the Board and Community for this opportunity to strategically position the Committee for success, and encourages comments and suggestions to ensure community wide support and Board adoption of the process presented herein.

Respectfully submitted July 9, 2015 by:

Charles Toombs, Director  
Vanessa N. Cordova, Director

## Proposed amendments to Board Policy and Procedure

5030.40: Provision for permitting any individual or group to address the Board concerning any item on the agenda of a special meeting , or to address the Board at a regular meeting on any subject that lies within the jurisdiction of the Board of Directors, shall be as ~~followed~~ follows:

5030.41 ~~Five (5)~~

(a) **General Comment.** Each speaker at a regular meeting shall have up to three minutes to comment on matters not on the Board agenda but within the subject matter jurisdiction of the Board.

(b) **Comment on Agenda Items.** Speakers shall have up to three minutes to comment on each agenda during the Board's consideration of that item.

(c) **Authority of the Board President to Limit Public Comment Time.** If there are a large number of speakers who wish to comment during the general comment period or on a specific agenda item, the President may reduce the amount of time given to each speaker to comment, to ensure that everyone has an opportunity to comment, and the Board is able to conduct its business in an efficient manner. The President may not reduce the public comment time to less than one minute per speaker. Members of the public may submit written comments, and are encouraged to do so, if the time limits established in this section provide inadequate time to fully address the matter.

**Gregory**  
**Paul**  
**Wallace**  
Structural Engineer

5865 Doyle Street, Suite 112  
Emeryville, CA 94608  
(510) 654 - 6903  
(510) 654 - 6997 fax  
[gregory@gpwsc.com](mailto:gregory@gpwsc.com)

June 2, 2015

City of Kensington  
217 Arlington Avenue  
Kensington, CA 94707

Attn: Rachelle Sherris-Watt

Re: KENSINGTON COMMUNITY CENTER: SEISMIC STUDY  
59 Arlington Avenue  
Kensington, CA 94707

Dear Sirs,

Thank you for considering us for structural engineer services. We look forward to the opportunity to be of service to you.

The scope of work requested is for the a seismic review study of the existing Kensington Community Center Building. The review will consist of a Tier 2 Essential Service Level review of the building using the criteria specified in the ASCE 41-13, Seismic Evaluation and Retrofit of Existing Buildings, methodology. The scope of work is as outlined in the Requested for Proposal provided on May 20, 2015.

We propose to provide basic structural engineering services for the seismic review study for the sum of \$ 9,800.00 for the Seismic Study Phase, excluding reimbursable expenses.

Seismic Study	\$ 6,300.00
Testing and Exploration	<u>\$ 3,500.00</u>
	\$ 9,800.00

Current billing rates are as follows:

Structural Engineer	\$150.00 per hour
Staff Engineer	\$125.00 per hour
Drafter	\$ 85.00 per hour

We are enclosing two copies of this contract. Please review the attached Description of Work and Services, and the attached Terms and Conditions carefully to be sure we have defined the scope of work that you are expecting. If it is acceptable, please sign and return one copy to us. We request your written authorization to proceed to commencing work.

Thank you again. Please call if you have any questions regarding this proposal.

Sincerely,

  
Gregory Wallace, SE

Accepted:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name and Title

\_\_\_\_\_  
Date

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# Description of Work and Description of Basic Structural Engineering Services

For the Project: KENSINGTON COMMUNITY CENTER: SEISMIC STUDY  
59 Arlington Avenue  
Kensington, CA 94707

## I. DESCRIPTION OF WORK:

The scope of work requested is for the a seismic review study of the existing Kensington Community Center Building. The review will consist of a Tier 2 Essential Service Level review of the building using the criteria specified in the ASCE 41-13, Seismic Evaluation and Retrofit of Existing Buildings, methodology. The scope of work is as outlined in the Requested for Proposal provided on May 20, 2015.

## II. BASIC STRUCTURAL ENGINEERING SERVICES

The Basic Services, for which the structural engineer is responsible, include the analysis design, detailing, specification, and periodic observations of construction of the Primary Structural System. This is defined as the completed combination of elements which serve to support the building's weight and the prescribed code loads.

### A. SEISMIC STUDY PHASE:

1. Visit the site to view the existing conditions of the building
2. Perform a Tier 2 Essential Service Level analysis of the Community Center building using the criteria specified in the ASCE 41-13, Seismic Evaluation and Retrofit of Existing Building, methodology.
3. Complete a "materials testing and destructive" exploration of the building to determine the building's existing structural integrity.
4. Review existing drawings, reports, and available information on the building.
5. Prepare written report outlining the findings and recommendations for mitigating any seismic issues that the analysis uncovers.
6. Include in the written report conceptual drawings to outline the recommended mitigation measures and preliminary cost estimate to bring the building inot seismic cod compliance.
7. Meet with the client to describe the findings.

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## Terms and Conditions

### III. COMPENSATION

- A. Invoices shall be submitted monthly. Payments shall be made within thirty days of invoice date.
- B. All past due accounts are subject to a late charge of 1.50 percent per month based on the outstanding balance.
- C. The unearned portion of the fee quoted is subject to increases based on revised salary scales every 12 months from the date of contract execution.

### IV. EXCLUSIONS

The services described above will be provided for the Primary Structural System. Services which can be foreseen but are not necessary to the primary structural system are not included in this Basic Services Agreement. Some examples are:

- A. Structural design of site-work elements exterior to and non-contiguous with the building such as retaining walls, culverts and bridges, landscape furnishing such as benches, fountains, pools, signs, etc.
- B. Review of design drawings or specifications prepared by others to determine adequacy of anchorage of non-structural or secondary structural elements.
- C. Special dynamic or vibration analyses such as spectrum or time-history response to seismic forces, or floor-response analysis for foot-fall or vibratory equipment.
- D. Special physical model analyses, such as wind-tunnel tests or shaking table tests.
- E. Field investigation of existing buildings and structures including surveys of existing construction, on or adjacent to the site.
- F. Preparation of documents for bid-alternates.
- G. Special inspections as defined in Section 306 of the Uniform Building Code.
- H. Continuous and/or detailed inspections of construction.
- I. Establishing design criteria for, designing, or making field observations of shoring for building excavations or underpinning of adjacent structures.
- J. Filing application for and/or obtaining a building permit.
- K. Cost estimating and/or quantity take-offs.
- L. Preparation of "as-built" or record set of drawings after completion of the project.
- M. Consultations required to answer questions from third party engineering reviews. These reviews are often conducted by lenders, insurance companies and potential buyers.
- N. Destructive and non-destructive testing of existing construction and materials.
- O. Changes requested by the third party consultants noted above.

### V. INFORMATION TO BE FURNISHED TO THE STRUCTURAL ENGINEER BY OTHERS, IF AVAILABLE.

- A. Written Geotechnical Report including foundation design recommendations.
- B. Description of site conditions, including topographic, boundary and utility surveys, existing structures, etc.
- C. Special live loads in excess of building code requirements.
- D. Special environmental conditions and loads.
- E. Weight, type and location of mechanical and electrical systems.

### VI. EXTRA SERVICES

Services which arise as a result of unforeseen circumstances during the design or construction of a project and which are not included in the Basic Services Agreement.

The following items are considered extra services and shall be billed on a time and material basis per our standard billing rates in addition to fees quoted for basic services. Written notification will be given before proceeding with any extra services. Current billing rates are as follows:

Structural Engineer	\$150.00 per hour
Staff Engineer	\$125.00 per hour
Drafter	\$ 85.00 per hour

- A. Services resulting from changes in scope or magnitude of the project as described and agreed to under the Basic Services Agreement.
- B. Redesign to reduce construction cost where the reason for the excessive cost is outside the control of the Structural Engineer.
- C. Redesign services required by major changes in architectural design after the Schematic Design Phase has been completed.
- D. Redesign services requested to accommodate particular construction materials, methods or sequences.
- E. Services resulting from corrections or revisions required because of deviations from the Contract Documents in construction by the Contractor.
- F. Services resulting from the building not being constructed as shown on original drawings or atypical conditions which could not be accounted for.
- G. Services in connection with a public hearing, arbitration proceeding or legal proceeding.
- H. Services necessitated by fire or other damage to construction.
- I. Services requested after completion of the structural part of the project.

### VII. REIMBURSABLE EXPENSES

Reimbursable costs are in addition to the fees quoted for Basic services and include actual expenditures made by the Engineer in the interest of the project. They shall be billed at 1.1 times direct cost and are payable monthly as incurred. Reimbursable costs include, but are not limited to, the following:

- A. The cost of reproduction of all documents for your use.
- B. Travel expenses to include air fare, car rental, cab service, etc. This also includes auto travel at 57.5 cents per mile.
- C. Long distance telephone calls.
- D. Fees and charges for services contracted on your behalf.
- E. Messenger and other special delivery services.

### VIII. PAYMENTS WITHHELD

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

### IX. OWNERSHIP & USE OF DOCUMENTS

Documents produced by Gregory Paul Wallace, SE under this agreement are instruments of service and shall remain the property of Gregory Paul Wallace, SE. They shall not be used for any other purpose or project, without express written agreement and appropriate compensation to Gregory Paul Wallace, SE.

### X. EXPIRATION & TERMINATION OF AGREEMENT

This authorization will expire if not accepted within 30 days of the date of execution by Gregory Paul Wallace, SE.

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

In the event of such termination, the Engineer shall be compensated for all services performed plus any sums due for Extra Services and Reimbursable Costs incurred prior to such termination.

### XI. VERIFICATION OF EXISTING CONDITIONS

Inasmuch as the remodeling and/or rehabilitation of an existing building requires that certain assumptions be made regarding existing conditions, and because some of these assumptions may not be verifiable without expending additional sums of money, or destroying otherwise adequate or serviceable portions of the building, the Architect agrees that except for negligence on the part of the Engineer, the Architect will hold harmless, indemnify and defend the Engineer from and against any and all claims arising out of the assumptions made regarding existing conditions.

### XII. LIMITATION OF LIABILITY

The Engineer's total aggregate liability to the Architect on the project, due to the Engineer's negligent acts, errors, omissions or breach of contract, shall be in the same amount as agreed to between the Architect and the Owner in the Prime Agreement, or \$ 50,000.00, whichever is the lesser amount.

### XIII. MEDIATION AND ARBITRATION

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

In the event that the claim, dispute, or matter in question is not resolved to the satisfaction of both parties by the mediation process described above, it shall be subject to and decided by arbitration in accordance with the Construction Industry Arbitration Rules of the American Arbitration Association unless the parties mutually agree otherwise.

### XIV. SCOPE OF AGREEMENT

This is the entire agreement between the parties, and there are no agreements or representations between the parties except as expressed herein.

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June 2, 2015

Ms. Rachelle Sherris-Watt  
Kensington Police Protection Service District  
217 Arlington Ave.  
Kensington, CA 94707

**Subject: Proposal to Provide Structural Engineering Services for Seismic Analysis of the  
Community Center Located on Kensington Park Road in Kensington, CA 94707**

Dear Ms. Sherris-Watt,

In accordance with your request, BASELINE DESIGNS, INC. (BASELINE) is pleased to submit this proposal to provide structural engineering services for the subject project. Per your Request for Proposal provided on May 20, 2015, it is my understanding from you that:

1. The Kensington Police Protection Community Service District (KPPCSD) wishes to obtain a Tier 2 Essential Service Level analysis of the subject building using the criteria and methodology specified in the ASCE 41-13 Standard, Seismic Evaluation and Retrofit of Existing Building, which is a deficiency-based procedure.
2. The analysis and evaluation will be done for the building structural system and bracing for the non-structural components including electrical and mechanical equipment.
3. KPPCSD wishes to obtain a material testing and destructive exploration on selective structural components of the building to assist in determining the building's general structural integrity. Material testing will be performed by an independent testing agency may be retained and paid by KPPCSD. BASELINE will assist in coordinate this effort.
4. Based on the analysis and selective material testing, prepare a written evaluation report summarizing the deficiencies encountered and recommendation for retrofit in a conceptual level based on the ASCE 41-13 Standard.

In responding to your Request for Proposal, BASELINE proposes to provide the structural engineering services with our engineering staff including Vincent Wu, P.E. as the Project Manager and Thomas Ho, S.E. as the Project Engineer, each has 30 years of structural engineering experience in California. Their past projects involving building evaluation similar to the proposed project include:

- The seismic upgrade to Piedmont City's Emergency Respond Command Center.
- Piedmont City's Park and Recreation Department Building.
- Evaluation of Fire Station #2 for City of Alameda.
- Evaluation of Office Building and Addition for City of Alameda Housing Authority.

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References are provided as follows:

- Chester Nakahara, Public Works Director, City of Piedmont, CA (510) 420-3061
- Robert Haun, Director of Public Works, City of Alameda, CA (510) 747-7930

## **I. SCOPE OF ENGINEERING SERVICES**

The scope of work will include the following tasks and their associate costs:

### **A. Structural Engineering Services:**

1. Attend an initial meeting with KPPCSD to confirm the scope of work, collecting available information such as as-built drawings, and discuss effort for a structural review of the building and the level of material testing proposed.
2. Conduct an on-site visual review and assessment of the building structural system and non-structural components based on ASCE 41-13, Chapter 4, Tier 1 Screening. This screening will identify the potential deficiencies and confirm/adjust the testing requirements. Due to the lack of as-built information of the existing building, field measure general roof framing and shear wall configuration to generate a record drawing to be used by the Tier 2 analysis.
3. Assist KPPCSD to coordinate the material testing effort with the testing agency. This includes a meeting with the testing agency and contractor at the site for testing and exploration work.
4. Based on the results from items 2 and 3 above, prepare a Tier 2 Essential Service Level analysis per ASCE 41-13 standard to identify structural deficiencies in the building's structural system and non-structural components.
5. Develop a conceptual retrofit design to mitigate the deficiencies found in the Tier 2 analysis. Conceptual retrofit drawings in sketch format will be prepared including roof framing and foundation plans. A general description of the proposed retrofit items with short form specifications will be shown on the drawings.
6. Prepare a written letter report summarizing the findings and recommendation for mitigating the deficiencies.
7. Obtain a preliminary probable construction budget estimate for the proposed mitigation work from a contractor.
8. Attend a meeting with KPPCSD to review the draft report and discuss the findings.
9. Incorporate review comments as appropriate and issue Final Report.

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**B. Material Testing and Destructive Exploration:**

The following testing items are proposed and to be confirmed during the Tier 1 Screening. The testing work may be performed by Testing Engineers Lab or Consolidated Laboratories, depending on their availability at the time of work needed. Exploratory work may be assisted and performed by a contractor selected by BASELINE.

1. Identify existing concrete masonry unit (CMU) construction materials including the type of unit by coring to confirm partial or fully grouted units.
2. Locate reinforcing steel at four selective CMU wall locations representative of the typical walls in the building. The size and location of the rebars will be estimated.
3. Obtain three 4" diameter core samples taken from the two CMU walls for compressive testing in the laboratory. Core holes will be patched with mortar, but the finish surface will not be painted or textured to match existing.
4. Remove selective ceiling and wall covering for observation of the framing and connection of mechanical units at a maximum of three location (excluding hazardous material testing or mitigation which will require addition work and schedule to perform).

Fee: BASELINE proposes to provide the above services based on the following estimate:

Part A - Engineering Services:	\$8,800.00 allowance
Part B - Material Testing:	\$2,200.00 allowance
Part B – Destructive Exploration:	<u>\$2,500.00 allowance</u>
	<b>\$13,500.00</b>

We will bill you for our services monthly based on our current and normal fee schedule. Our normal hourly rates for the services are as follows:

Principal: \$165/hr.	Project Manager: \$145/hr.	Senior Engineer: \$135/hr.
Project Engineer: \$115 to \$125/hr.	Drafting: \$75/hr.	Clerical/Admin: \$60/hr.

Printing, copying, photos, and other reproduction and reimbursable testing costs are not included in the above fee and will be billed at cost plus 10%.

Estimated Completion Schedule: The work schedule, especially the completion date, is depending on the available access to the project site and level of testing required. BASELINE anticipates to complete a draft report in 7 to 8 weeks after notice-to-proceed work is given by KPPCSD. Additional time may be needed when access to the project site is limited. Final project completion schedule shall be decided and mutually agreed by both KPPCSD and BASELINE.

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**II. OTHER SERVICES**

The proposed fee is developed based on the specific scope of work listed above and does **not** include fee for removal of existing roofing or interior wall covering which may contain hazardous materials and require special testing. Because of the possible existence of nearby structural components and mechanical or other equipment that are not fully known and could interfere with the site review, additional time may be needed to complete the field review. Expedited schedule may be accommodated upon request.


Services not included in the scope of work will be provided as additional services and your approval will be sought prior to the commencement of such work. The following services are not included in the proposed fee and to be provided by others if required:

- Surveying, architectural, civil, and ADA designs, electrical, HVAC and mechanical engineering.
- Geotechnical investigation.
- Hazardous material testing and mitigation.
- Other unforeseen conditions.

This proposal will expire if not accepted within 30 days of the date of execution by BASELINE. Attached form describes the general terms and conditions and is part of this proposal.

If this proposal is acceptable to you, please return a signed copy of this proposal and initial the enclosure as confirmation of this contract. Please contact me if you have any questions.

Sincerely;

  
Vincent T. Wu, P.E., Principal  
California Licensed Civil Engineer #43749

Attachment: Form Y2050  
d:\wp\proposal\kensington Community Center Tier 2 Analysis.doc

**AGREED AND APPROVED BY CLIENT:**

Signed by: \_\_\_\_\_

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

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Ms. Rachelle Sherris-Watt  
Date: June 2, 2015  
Re: Kensington Community Center  
ASCE 41-13 Analysis  
Page: 5 of 5.

**FORM Y2050 - GENERAL TERMS AND CONDITIONS**

1. The Client shall provide full information about the objectives, schedule, constraints and existing conditions of the Project and shall provide a budget with reasonable contingencies. The Client shall furnish surveying, geotechnical, civil, electrical, mechanical engineering, architectural, testing and related services upon request by BASELINE ENGINEERING, hereinafter referred to as the Engineer. The Client shall employ a Contractor to perform the construction work and cost estimating services. The Client shall furnish all legal, accounting and insurance counseling services for the Project.
2. The Client shall reimburse the Engineer, for expenses paid by the Engineer in the interest of the Project, including, but not limited to reproduction of drawings and specifications, photographs, long distance phone calls, travel expenses and fee paid for permit applications.
3. The proposed fee is based on our current billing rates which are valid through the end of the fiscal year of this proposal is accepted by the Client. The billing rates are subject to change at the beginning of each fiscal year, i.e. on April 1 of each year, and the Client will be notified for such change.
4. For project involving existing structures or landmarks, remodeling and/or rehabilitation of an existing structure requires that certain assumptions be made regarding existing conditions, and because of these assumptions cannot be verified without expending additional sums of money, or destroying otherwise adequate or serviceable portion of the structure or landmark, the Client agree that, except for negligence on the part of the Engineer, the Client shall hold harmless and indemnify the Engineer for and against any and all claims, damages, awards, and cost of defense arising out of the professional services provided under this agreement.
5. A structural condition is hidden if concealed by finishes and is not capable of investigation through reasonable access for visual structural component review. If the Engineer has reason to believe that such a condition may exist, the Client shall authorize and pay for all costs associated with the investigation, and if necessary, all costs to correct said condition. If the client/owner fails to authorize such investigation or correction after due notification, or the Engineer has no reason to believe that such condition exists, the Client is responsible for all risks associated with this condition, and the Engineer shall not be responsible for the condition nor any resulting damages to persons or property.
6. The only warranty or guarantee made by the Engineer in connection with services performed under this agreement is that such services are performed in accordance with generally accepted professional practices and standards for the locality and at the time of such services are provided. No other warranty, express or implied, is made or intended in any of our contracts, proposals, or reports.
7. The services provided for this agreement apply to this specific project. The Engineer or his/her representative are not and shall not be responsible for nor have control over any soil and subsurface conditions, existing building conditions, construction means, methods, techniques, sequences, procedures or for safety precautions and programs in connection with the project work.
8. Ownership of the contract documents including Construction Documents as instruments of services, is that of the Engineer whether the work for which they are made be executed or not. The Engineer shall maintain all common law, statutory and other reserved rights including the copyright. These contract documents are not to be reproduced, changed, or copied in any form or manner whatsoever, nor are they to be assigned to a third party without the Client and the third party first obtaining the written permission and consent of the Engineer, except if such documents are used strictly for this project. In the event of unauthorized reuse of these plans by a third party, the Client and third party shall hold the Engineer harmless.
9. The Client and Engineer have discussed their risks, rewards, and benefits of the Project and the Engineer's compensation for the services. The risks have been allocated such that the Client agrees that, to the fullest extent permitted by law, Engineer's total professional liability for error and omission to the Client for any and all injuries, claims, losses, expenses, damages, or claim expenses arising out of this agreement from any cause or causes, shall not exceed the total amount of \$100,000.00. Such causes include, but are not limited to, the Engineer's negligent, errors, omissions, strict liability, breach of contract or breach of warranty.
10. The Client agrees that when the professional services of the Engineer do not extend to or include contract administration or site observation of Contractor's work or performance, then it is further agreed that the owner will defend, indemnify and hold harmless the Engineer from any claim or suits whatsoever, including but not limited to all payments, expenses or costs involved, arising from or alleged to have arisen from the Contractor's performance or the failure of the Contractor's work to conform to the design intent and the contract documents. The Engineer agrees to be responsible for his own or his employee's negligent acts, errors or omission.
11. The Client agrees to pay the Engineer a late payment charge computed at maximum rate permitted by law. The late payment charge will be applied to any unpaid balance commencing thirty days after the date of original billing. Should the Client fail to pay within sixty (60) days after date of billing, the Client agree that this agreement is terminated and all work shall cease. In such event, the Client shall then promptly pay for all service performed. In the event either party institutes any legal proceeding concerning the enforcement or interpretation of this agreement, the prevailing party shall be entitled to receive reasonable attorney's fee in an amount to be determined by the Court.
12. No deduction from Engineer's compensation is to be made on account of penalty, liquidated damages, or other sums withheld from payments to Contractor's.
13. Unless otherwise provided in the Agreement, the Engineer and Engineer's consultants shall have no responsibility for the discover, presence, handling, removal or disposal of or exposure of persons to hazardous materials in any form at the project Site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances.
14. This agreement may be terminated by either party upon seven day's written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination. In the event of such termination, the Client shall pay the Engineer for all services performed including extra services and reimbursable expenses incurred prior to such termination.
15. Any claim or dispute between the Client and the Engineer shall be submitted to non-binding mediation, subject to the parties agreeing to a mediator(s). This agreement shall be governed by the laws of the principal place of business of the Engineer.

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**BIGGS CARDOSA  
ASSOCIATES INC**  
STRUCTURAL ENGINEERS

665 The Alameda  
San Jose, CA 95126-3133  
Telephone 408-296-5515  
Facsimile 408-296-8114

May 29, 2015

Kensington Police Protection Community Service District  
217 Arlington Avenue  
Kensington, CA 94707

Attention: Rachelle Sherris-Watt

Subject: Structural Engineering Services  
Kensington Community Center

Dear Rachelle,

Biggs Cardosa Associates, Inc. is pleased to submit the following proposal to provide structural engineering services on the subject project. Our understanding of the project, our proposed structural engineering services and our fee is as outlined below.

**PROJECT UNDERSTANDING**

The Community Center is a one-story reinforced concrete block structure constructed in 1956 with a wood framed addition constructed in 1988 for a total of 4,430 square feet. The Police Protection Community Service district is requesting a proposal to perform a Tier 2 Essential Service Level evaluation as specified in ASCE 41-13 to determine mitigation measures needed to bring the building into seismic code compliance as well as a preliminary cost estimate for the proposed structural work.

**BASIC STRUCTURAL ENGINEERING SERVICES**

Biggs Cardosa Associates, Inc. proposes to divide the scope-of-work into the following phases:

A. INFORMATION GATHERING PHASE

Biggs Cardosa Associates, Inc. will perform the following tasks:

1. Review the available documents from the original and remodeled construction (plans, structural calculations, soil reports, previous seismic assessment reports, etc.)
2. Conduct a limited site visit to assess the general condition of the readily visible structural elements and to verify the general conformance of the in-place construction with the available drawings.
3. Perform materials testing, if required, to determine materials properties necessary to assist in preparation of Tier 2 analysis.

B. REPORT/COST ESTIMATE PHASE

Biggs Cardosa Associates, Inc. will perform the following tasks:

1. Perform a Tier 2 Essential Service Level analysis of the buildings structural system, bracing of its non-structural components, electrical and mechanical systems based on the information attained in the Phase A work described above.
2. Prepare a DRAFT written report outlining the findings and recommendations for mitigating any seismic issues found as a result of the Tier 2 analysis.
3. Prepare DRAFT conceptual foundation and roof plans of the building with annotated proposed mitigation measures.
4. Prepare a DRAFT preliminary engineer's cost estimate to construct the proposed mitigation measures.
5. Attend a meeting with the client to discuss the findings of the report and cost estimate.
6. Issue FINAL report, plans and cost estimate.

#### SCHEDULE

Our office estimates that we will be able to provide a DRAFT report, including plans and cost estimate, during the client meeting approximately 45 calendar days after the contract has been awarded and we have been provided access to the building, a geotechnical report, and drawings for the 1988 addition, including original wall and footing construction information.

Approximately 25 calendar days after the meeting to discuss the DRAFT report, plans and cost estimate, our office will be able to provide a final report, plans and cost estimate.

#### INFORMATION TO BE FURNISHED TO BIGGS CARDOSA ASSOCIATES, INC. BY CLIENT:

- Written Geotechnical Report including seismic design recommendations.
- Drawings from 1988 addition including information on original wall and footing construction.
- Access to the building for our site investigation and power if required for our work.

#### PROPOSED FEE

Biggs Cardosa Associates, Inc. proposes to provide the above scope of services as follows:

Information Gathering Phase	\$ 3,500.00	Fixed Fee
Report/Cost Estimate Phase	<u>\$12,500.00</u>	Fixed Fee
<b>Total</b>	<b>\$16,000.00</b>	

Progress billings will be made monthly based on the percentage complete and will not exceed our total fee as shown without authorization. Work requested beyond the scope of this proposal will be considered "*extra work*" and will not be performed without your prior authorization and agreement on additional fees.

Reimbursable expenses will be billed in addition to the fee quoted above and will be billed at our Standard Charge Rates. (See attached Charges Rate Schedule.)

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Kensington Police Protection Community Service District

May 30, 2015

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**REFERENCES**

Please feel free to contact the references listed below regarding our work on seismic retrofit types of projects.

Ernie Yamane – Partner, Steinberg

Direct Line: 408 817-3220

Email: [eyamane@steinberg.us.com](mailto:eyamane@steinberg.us.com)

Tony Miranda – Project Executive, Blach Construction

Direct Line: 408 886-3622

Email: [tony.miranda@blach.com](mailto:tony.miranda@blach.com)

Jim Salata – President, Garden City Construction

Direct Line: 408 885-9581

Email: [jsalata@gardencityconst.com](mailto:jsalata@gardencityconst.com)

We look forward to the opportunity of working with you on this project. If you have any questions or require additional information, feel free to contact me.

Sincerely,

**BIGGS CARDOSA  
ASSOCIATES, INC.**



Mark A Cardosa

Vice President

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# General Manager June 2015 Report

## General

My first day in Kensington was June 8, 2015, and I have been met with extremely positive comments and a warm welcome. I have found the members of the community have not been shy to stop by the station, email or call me with their thoughts and opinions. I have attempted to meet with everyone that wishes to talk one to one, and I have and will make personal visits to homes if requested.

I have quickly learned there are significant concerns that need to be addressed. These problems and concerns did not develop overnight and will not be corrected overnight. However, I am committed to "rolling up my sleeves" and get to work on the problems in a collaborative manner with all residents.

I have posted a 100 Day Plan, which I wrote as a candidate for the job interview. It certainly is not meant to be all inclusive, but rather a starting point.

I will responded to everyone's questions and concerns as soon as I possibly can. I look forward to what we can build together, in a progressive innovated manner.

## Budget

As of today date, I have submitted a balance budget with a healthy reserve and surplus.

## Kensington Park

### **Community Center & Annex**

The 15/16 FY budget calls for a seismic study to determine the structural integrity of the building.

### **Park Repairs**

I have some low cost ideas for improvement.

## Emergency Preparedness

The Police and Fire departments are reviewing way to partner for the benefit of the Kensington community.

## Website

The new and improved District website is up and running, but it's a work in progress. If you have any ideas for improvement, please let me know.

Kevin E. Hart