

DRAFT

Kensington Police Protection and Community Services District Board of Directors

59 Arlington Avenue, Kensington California

Minutes for Regular Meeting

Thursday, May 24, 2018

Call to Order/Roll Call 7:30 pm.

Present: Director Deppe, Director Hacaj, Vice President Nottoli, Board President Sherris-Watt

Absent: Director Welsh

Staff: General Manager, Tony Constantouros; General Counsel, Ann Danforth

Consultants: Richard Brady and Byron Pipkin, Matrix Consulting

Public Comments

Ciara Wood said that in March of 1994, and in June of 1995, the citizens of Kensington voted, in advisory votes, in favor of buying both pieces of [what is now Kensington Park] property. It was divided in two. The language of those advisory vote is available. "Should the Kensington Community Services District create an assessment of no more than \$39 per parcel per year for 30 years?"

In addition to the assessment which may be levied for acquisition of the least area, that includes the tennis court, top lot picnic area, et cetera, for the purchase of an additional area, approximately three acres, which includes the Jefferson School site to preserve and use the area for community purpose, recreation park and open space, and to maintain control of the property in the Kensington community. This measure passed by well over 77.5%.

The following March, the ballot language read (to complete the 5-acre Kensington Park), "should Kensington purchase from West Contra Costa Unified School District a two-acre parcel historically leased as part of Kensington Park, in addition to the six-acre parcel which the district has contracted to purchase the special assessment?"

This remaining parcel is located between Windsor and Arlington Avenue, south of the library, west of the tennis courts. The \$695,000 purchase price would be financed through special assessment bonds.

A yes vote results in the ownership of a wonderful community park. The bond was for \$2,512,880.64. The bonds financed the cost of acquisition of land to be used as a park and installation of certain recreational improvements, the project, to fund a reserve fund for the bond and to pay the cost of issuance of the

bond. It is her hope that these documents will settle the question that the park is held for the community and is not available to another agency for sale.

Lisa Corona appeared on behalf of the Kensington Improvement Club. The KIC had a great deal of discussion about their interest and appreciation of the Kensington Public Safety Council, which works for the service of both districts, the Fire and the Police District. They feel that both districts should be supporting them by helping them to promote the programs that they organize and conduct. KIC prepared a resolution:

“Whereas the Kensington Public Safety Council was formed in 2009 to help inform the Kensington community on matters of public safety and to teach residents how to make our community safer and prepare for major disasters such as wild fire and earthquake. Whereas the KPSC works in close collaboration with both the KPPCSD and the Kensington Fire Protection District as well as the community to identify critical safety issues and the experts who can provide the best information to the residents. Whereas the KPSC organizes and conducts community programs focused on preparedness and personal safety. The safety of structures and the safeties of pets and animals.

Whereas the KPSC is responsive to new ideas for programs that make the Kensington community safer and whereas the KPSC conducts four to six community programs a year on Saturday mornings as unpaid volunteers and often contributes personal funds and resources and whereas the meetings are attended by up to 100 people depending on the subject matter and whereas the KPSC assist the work of both the police and fire districts by organizing and conducting community meetings that should normally be conducted by those agencies themselves..Thus saving the district's resources for other important programs and projects.

Now therefore be resolved that the Kensington Improvement Club recommends that both the KPPSCSD and the KFPD post all announcements of the programs developed by the KPSC on each of their respective websites. The websites are actually another mechanism to increase outreach and better inform the community of these critical public safety and preparedness programs. Attached on the back is a sample of the programs that are conducted by the KPSC.”

[This Resolution was given to Ann Danforth to review]

Cyrus Modavi stated that having gone over the finance stuff and just looked at the budget a bit and the Matrix presentation he found it mildly unconscionable that we are leaving the Police understaffed.

In reference to other things that have brought that up, and that the fact that we have so few police officers and that we are essentially making them run over time, risking burnout and essentially just making them want to leave. He really didn't think we are taking care of the police in the sense that he looked at the budget and so the real thing that struck him was the recruiting efforts, that we had essentially an allowance of \$15,000 for it. Every other year, we've spent at least \$3,000 on it. For some reason, this year, we are projected only to spend \$350. We are in a year where essentially, we've all admitted our police force is operating at two-thirds capacity. This essentially means these people are pulling over time to keep us safe and to run it so that all shifts are covered. We can all just stand here and say that is business as usual, because it really does not feel like you are aggressively looking out to solve this.

David Spath wanted to compliment the Board and the Police Chief on starting up with Nixle and putting out information, most importantly, from his perspective, one from a fire the other night. It did occur at 1:40 am. He didn't expect a Nixle notice within the next few minutes, but it came out shortly thereafter, in a sense, in the early morning, so he appreciated that very much.

Also, the KPPCSD may want to consider following up on Lisa Corona's comment to use Nixle to share information on, for example, the Kensington Public Safety Council meetings. Other jurisdictions use that way. Certainly, Berkeley does. I think that might be another useful way from the standpoint of public communication to the use of Nixle.

Board/Staff Comments

Eileen Nottoli met with Chief Hull and Fernando Valdez from the County Public Works about the intersection at Highland and Arlmont. Changing signs on Highland and on Arlmont to improve school drop off/pick up are in the works. They also talked about putting another pedestrian crossing sign that can actually be seen by people turning right from Highland onto Arlmont.

She spoke with Bayview about options for can size for compost pickup.

President Sherris-Watt announced a Finance Committee meeting for May 30, 2018.

Chief Hull announced that Officer Nath was done with field training. Chief Hull has received three more applications for people that are interested in jobs working in Kensington.

Consent Calendar

Minutes from the April 12, 2018 meeting.

President Sherris-Watt made a motion to approve the consent calendar.

Director Deppe seconded the motion.

The Consent Calendar passed 4-0.

Old Business

The Phase I report by Matrix Consulting Group evaluates current police services in Kensington. The draft report includes staff and operation recommendations. A representative from Matrix will present a summary of the report. No action is required of the Board of Directors at this time. See separate file “Matrix Consulting Group Draft Phase I Report – Police Services Analysis”

Richard Brady, president of Matrix Consulting Group, and the project manager presented a draft report. It's not finalized and it won't be until going through other reviews. Matrix is still reviewing data that's within it. Phase 1 is a study of the existing police services. The study in Phase 2 will be looking at alternatives.

It was important in the design of the study to make sure that to look at the strengths and improvement needed within Kensington's existing police services to make sure that we've got an efficient and effective and a well-staffed, community-oriented police force against which to view any alternatives.

Within this Phase 1 study, the goals were really to look at what the community needs were. As part of this, Matrix developed a basis based on best practices of how Kensington's police services should be structured, how to be oriented, how they should be staffed, and how they should be managed. That is the foundation to look at any police service for this community, whether it's the existing one or any other contractual alternatives that we were looking at.

Our scope of work was, first of all, to look at the police services within the community right now, to look at the call for service workload that's generated from the community, to look at what officers are doing, when they're not responding their calls, to look at training, to look at the various programs that they're involved with in the community, to look at how they're managed and how they're administered.

We had two Saturday morning community meetings. What was important to you in police services in terms of evaluating the current services that are provided, gaps between the services that are provided and what you would like to see, and that was important for us. It essentially validated much of what I think is the scope of work for this project.

Then we evaluated current police services and looked at what's appropriate staffing should be, looked at important issues about managing field resources, to look at management and leadership within police

services and how they should be professionally supported through training. Then we developed this draft report and soon to be a final report.

The two community meetings we had were really important for us because police services today are not just about uniforms responding to problems that people have in the community. It's about a partnership with the community. It's about working with the community to meet their needs.

Especially in a small suburban community like Kensington, that tie needs to be important because a lot of quality of life issues need to be addressed whether they're "code enforcement or quasi" enforcement types of things, certainly traffic, and some other things were major concerns expressed by you that we needed to understand.

The prioritized things that we got from those meetings included are making sure that there was adequate staffing, improve traffic enforcement, improve training for officers, improve professionalism and high-quality officer serving the community and having rapid response times for high priority. There were some concerns expressed about property crime in the community and other things, (especially traffic) was pretty consistently noted by the community in the meetings that we had.

Against that, we looked at the data in terms of crime, in terms of community request for service, and other activities that they had. It's important to recognize that this is a very safe community. In fact, it's one of the safest communities in California as measured by major crime and the FBI, defines this in the same way for all communities around the United States, and violent crime and certainly homicides and robberies and things like that are very rare here.

The last three years, they've occurred basically once every six months. Even property crimes are relatively rare here, happening about every other week, a felony for some kind of property crime and most of those are thefts and very few of them are burglaries. These are important findings. I think when we look at the crime index against other communities in California, you're in the top 7% which is something to be proud of in terms of your community and what you want to protect working with your police service.

Your requests for service are also very low, even apart from crime. For whatever reason that you call and request assistance from the police, it's basically happening about four times a day. Workloads here are low in support of the community, which gives the KPD a lot of time to be creative and to work with you in innovative ways to meet your needs and other kinds of ways.

As we looked at the strengths of the department, there are many. Going back to the community questionnaire that we used especially, but also the two community meetings we had, gives us a lot of support for the good things that the police service is doing here in Kensington. When we look at the questionnaire, almost everybody felt safe. We work for a lot of safe communities around the country and especially in California, and most people don't feel like that right now. Only 2% of the people responded to the community questionnaire and there were over 600 responses said that they didn't feel safe.

85% of the questionnaire respondent said their contacts with the police officers was positive, that they felt like their problems were solved, that they were dealt with, with respect and other things that they passed on to us. 78% they find police services as responsive to the community in terms of meeting the needs when they responded, that they met expectations about how quickly they got there and things like that.

Response times average 14 minutes, which is about half dispatch time, the elapse time between when you call up emergency communications and request the service and the dispatch of an officer, and then the second half being the elapse time between the dispatch of an officer and the arrival at the scene. That may seem like a long time, but for the kind of calls that you have, it's expected, it's expected for a number of reasons. First of all, the road network, you would not want to drive with lights and sirens very often, you would be more of a danger than whatever it is you are probably calling for. You shouldn't drive with urgency for many of the calls that occur. For lower priority calls in most communities around the country, risk travel times are much longer than that in fact.

The queue time, what's called the queue time, the elapse time between when you call and the dispatch of an officer is a little long, and maybe illusory, but the data that comes from the computer is pretty clear in terms of when a call comes in, that triggers the time element in terms of when an officer is dispatched, that triggers something else in the computer system.

The data is probably relatively good but it's not where it should be. We have some thoughts and recommendation on that in terms of working Albany. For things like the topography and the road network and things like that, it's not a long response time. That for the very few higher priority calls that occur, those response times are indeed much quicker.

A consequence of not having a lot of request for service, even with the staffing levels that you have right now is that police officers have a lot time to be "proactive". What we call proactive time is the time that officers have, A, not responding to calls for service and not doing some administrative type of thing like briefing, servicing their vehicle and things like that.

For us and for many researchers in law enforcement, this is one of the most important things, most of them are one of the most important indicators for effective law enforcement in America today. If you're just focusing on response times, you're focusing on things that happened 5, 10, 15 minutes ago. Proactivity is meant to work with you on recurring problems in the community, to get out of the car, and to talk to people about the problems that they have, to work with the school, to work with elected officials, to work with community groups, and that's where the creative part of law enforcement comes in. They have ample time in police services even in with the current staffing levels that they have to do that, but the current staffing levels do create some problems.

There is a chart (in the handout) that's all green and it shows that every time block, every hour of the day, every day of the week that officers have at least 70% of their time to be proactive, to be engaged with the community. There are 3 blocks of time in the entire week that don't have 60% or 70%. This is an extraordinary wealth of time that your police officers have to be engaged with the community and to solve your problems. Most departments around the United States would be very envious of this situation.

The common problem in the United States is that there's a lot of green [color on chart indicating free time] at two o'clock in the morning and not a lot of green when people are awake and needing help and other people are causing problems. That is an important strength that you have within this police service here.

Let's talk about what the issues are. Staffing shortage is a significant issue for the department. The person that just came out of field training makes 7 out of 9. For most of the time that we have been working here, it's been 6. At that level, you cannot staff 2 people around the clock. In order to be in business of being a safe effective police department, you need to have two people.

The last time I think you were at full staffing was three or four years ago, 2015. Most hours of the week in fact, about 60 hours, 60% of the hours in a week, only have one officer deployed out there. It's come down a little bit likely because the chief has flexed his hours so that he's covering a weekend day, but during much of the week, there's only one person there and there's certainly no guarantee that that one person is a supervisor, which is a separate and important problem as well.

There's a lot of time to be proactive, a luxury for this department. The KPD need to improve their use of their proactive time so that it is structured to meet your needs. It's not random in terms of driving around the neighborhoods as valuable as visibility is. If you are directed based on input that the community provides to the chief and to the board and to the general manager using information about the problems, the complaints that people have about problems in the community and spending their time being deployed in areas where there are problems or working with the community to understand problems that they're having. That's a better use of that time.

Right now, one indicator of the effective use of proactive time is counting things that they do with that. That's not as perfect an exercise as looking at calls for service because a lot of proactive things aren't

counted. Right now, until recently, they've only been about four officer-initiated activities roughly equal to the number of calls for service today. It's recently gone up to 10 or 12, something like that. You need to make sure that there's more activity in terms of traffic. Other things that they're doing. That's an important issue too in terms of management and supervision of police services in order to meet your needs.

Thirdly, training is an issue. All of these issues are linked because it's hard to break people away to get trained if you are inadequately staffed.

It's hard to come up with what the problems are in the community if you're in the field all the time. That is an important issue and then get set the professionalism that the community recognized in the community meetings as well as best practices in law enforcement today. The six-minute queue time, the six-minute dispatch time for Albany is an issue.

Lastly, I want to mention that compensation is an issue. One of many elements in recruitment and retention is compensation. In terms of your local market area, the communities that are around you, your salary levels are about three-quarters of what theirs are. That's going to be a factor.

What are we recommending in this? First of all, again to be in the business of being a safe, safe for the officers, and safe for the community. Law enforcement organization that allows you to do the things that I've been talking about here; being proactive, being able to train, being able to be focused on professionalism and managing police service, you need two sworn people around the clock.

That's going to mean nine people; the chief, four-five sergeants, four police officers, and even that needs reserve officers and more reserve officers in order to fill gaps when there are leaves for sickness or vacations or something like that. You're going to need to make additional efforts to make sure that you are able to attract and retain staff and reserves so that you are closer to authorize staffing levels.

The standard for effective law enforcement agencies in terms of training is 40 hours per year. You are basically meeting state minimums of about 16 hours a year. That affects not just the officers, it affects supervisors who have special needs for training. For individuals who are involved in following up on crimes for investigations of cases, they need special investigations and a chief who is still an interim chief, was a sergeant until was made interim chief, needs management training as well.

There are some equipment issues that are best practices today for accountability and transparency. Body-worn cameras are becoming a standard in law enforcement and you should spend the money to do that, so that there's transparency in terms of the community interaction with the officer and the officer's interaction with the community. Tasers would be important thing too to look at, non-lethal forms of force, even though it's the rare time that they would be used.

Next, provide the chief with, management training and I think mentorship. Have a process where a former chief or even an existing chief is spending some time with your interim chief because he didn't have an opportunity to get the management training that comes in a larger department.

Some more administrative help is needed maybe just to have time position, to help support the department in locating training opportunities, in assisting with recruitment, and career development types of opportunities. To help with the interface with the community, so that we're able to figure out what the problems were and to help support police officers in the field as well as the community in making sure that problems that you have get to police officers.

There's nothing that solves problems as major as yours without a price tag. We're still working with the numbers. It's one of the elements of this being a draft report. Our estimate is a million dollars a year on top of what you're spending right now.

The salary and benefits of the new positions would be over half a million dollars a year. The equipment that we mentioned if you leased it, which is what most smaller departments are doing now because they maintain it and you don't have to worry about that, is about \$37,000 a year. The enhanced training for the

officers and the chief would be about \$80,000 a year. Additional reserves support would be about \$20,000 a year. Some additional vehicle operating cost of about \$24,000 a year. This is about \$700,000 a year additional.

If we're assuming that compensation is part of the equation of recruitment and retention, getting you closer to your market salaries would increase that cost differential to about a million dollars a year. That's what we've come up with.

Director Hacaj asked that some of the information was not available from Kensington on how officer time is accounted for and that Matrix said additional workload metrics were unavailable. What are some of those metrics? How other departments keep track of them?

Richard Brady said that one of the reasons why Matrix distinguishes between community generated calls for service and officer-initiated activity is that if there's a telephone call and a dispatch of a unit, there are going to be records. People are going to generally call for police help when they got an important problem, important to them and then they need to have it solved. You have to do something about it, it's going to be counted.

Proactive activities can be a little bit different. Yes, there are going to be things like a traffic stop or other kinds of traffic situations. There are going to be situations like there's a spill or something and the officers are first on the scene and notice that they're going to respond and it's going to generate a report, a record, a dispatch, et cetera, but a lot of proactivities don't have any kind of record.

If you get out of your car and you're talking to a citizen, there's often no record. It's eleven o'clock at night and you're going down Arlington Street where the shops and things are down there and you're checking the locks, front and back, they're not going to count that. Many departments will count 10 of them rather than one.

We're saying that if it's important for you to do something like checking the businesses in Arlington Street once or twice a night, that you should count it. Either radio it into the dispatch center or to keep an officer daily that counts that kind of things. If you're going to talk to a citizen, you can radio that in or you can keep a daily activity sheet that says that.

We're saying that as part of the metrics for the police department that you and the community should have, that those things that are important, community interactions and the few business checks that are safe and things like that, that you need to report back how often they've done it, that they've met your objective.

Director Hacaj asked how they got normative values.

Richard Brady said they were sometimes paid to actually get the stopwatch out and measure. Quite often in our employee surveys we're asking them to estimate the amount of time it takes for them to write a report or to process arrest or something.

President Sherris-Watt said that the problem over the last two-three years was that they KPD often had two to three members of the force who were unavailable for work. Is that typical? For the KPD, that is almost a third of the force.

Richard Brady said that's very high. It's a problem with the very small force is that you even have one person that's out it's a large percentage.

Director Hacaj was doing some research a while back and read a document stating that the KPD was now at full strength. Officer Barrow completed his field training some weeks ago and he's fully operational police officer. It goes on with Officer Eric Stegman and another officer being hired. Sergeant Hull was commended for his performance as the acting chief of police and their continued search for a new chief.

It could have been written two months ago in a way. It was written in October, 2006. This has been a persistent problem for our department and this is one reason why the ad hoc committee suggested that we examine other options for our own department and for other options, because we consistently face this problem of recruitment retention.

Richard Brady commented that our problems aren't unique, in finding and keeping police officers. They're worse because of our size, but every department or almost every department around the United States is having problems recruiting police officers right now.

Director Hacaj asked as they go into Phase 2 she would be curious to know if the recommendations that are suggested practiced by another jurisdiction? How do they compare on some of these benchmarks?

Richard Brady said one of the reasons to go through best practices assessment in the latter portions of the report is to set that standard of expectations for somebody who would consider contracting with Kensington, that things like a strategic plan, reporting and transparency are very important.

Vice President Nottoli asked about the taser recommendation, considering our crime rate and wondered if that is a pragmatic recommendation because considering the BART shooting at Fruitvale where Johannes Mehserle reached for his taser, what he thought was his taser, and instead was his gun and ended up with a fatality. Tasers can sometimes have fatalities too and considering the cost of that wondered if that makes sense for Kensington.

Richard Brady said we're trying to broaden the spectrum of the tools that police officers have in any situation, so that they're not having to resort to lethal force. Their need to access any kind of force is extraordinarily rare here.

Director Hacaj said one of the points made is that because there is so little opportunity for constant practice of skills, training is so important, so you don't grab the wrong thing because you're not using it so often.

Richard Brady said that the body cameras in part is a hidden cost because much of that review of body cameras is going to be a supervisory responsibility. A reason why you need to have adequate supervisors on duty and the increase administer of time for purposes of redaction and public information request, the press and things like that.

Director Deppe said that the most common requests are quality of life. On page 14, you've got citizens assistance, sort of the number one call for service. What's an example of a call for quality life issue or citizens assist, besides its not burglary or whatever.

Richard Brady said barking dogs, parking, those kinds of things. Mostly civil type of things code or violations, those types of things.

Greg Collis said that it was very important to him that Kensington retain its individual and unique position. Part of that, is the good works that he believes our police do now. He thought there had been some problems in the past but they're doing a lot better now. There's some issues and questions I have in the report, particularly the largest cost item appears to be having one staff officer and one sergeant at the same time.

He thought Matrix needed to compare our model where we have police on call for the sergeant job rather than a separate police officer in a different district being the sergeant.

The other day he was walking up past the Unitarian Church and an El Cerrito policeman drove past, rather fast looking at his computer and then drove real slow, looked at him and sped away without saying hello. He thinks there's a qualitative difference between the impact of talking to the Kensington police than the El Cerrito police than the Albany police.

He implored that if there was any recommendation for serious change, it'll affect his property value, and he would like an opportunity to vote on it or to be assessed through survey so that you know where we all stand.

Celia Concus asked if there enough need for somebody to be employed fulltime for taking in evidence because it seems an excessive amount of money to spend on a position.

President Sherris-Watt said that Matrix recommended that contracting out for evidence.

Celia Concus mentioned that salaries are low relative to other communities, but there was no mention of the fact that benefits for the police officers are higher and that has significant effect on the finances of the District and what we need to pay. The model that has been prepared here is not a personal or a company-wide recommendation but rather showing what best practices might be and that there will be another step.

This is simply a model of what could be in the event that there were to be best practices and the flushest, cushiest police department or delivery for police services to Kensington.

Richard Brady said, for this department, for this size, a lot of best practices are going to be minimal practices. They are, where we need to be, certainly in terms of staffing, in order to be safe for the officers and say, for responses in terms of things like training and other types of things, you need to make sure you've got a professional force.

So, this isn't cushy. This is the best practices that you need to be an effective law enforcement agency.

Celia Concus said this would imply that Kensington does not have a professional and effective law enforcement office. The KPD is not delivering good services right now and yet, we have a very low crime rate.

Richard Brady said that was very good point and it is all about managing risks. You could have low levels of training and certain things can happen because of lack of training. You can have one-person 24/7 and sometimes, there's going to be a problem associated with that.

Matrix is trying to find a way in which Kensington manages those risks better. They are not saying the KPD should have a chief or lieutenant, a detective, and 10 police officers, but to find a way to meet the staffing and the professional support that's needed to manage those risks in the community in a cost-effective and reasonable way.

Director Deppe said as far as attracting officers, is salary a much more important thing than benefits? What drives people to come to a department?

Richard Brady said for millennials, it's mostly the salaries. This will be reflected in the revised final report. The extra that Kensington is paying for benefits does not compensate for the amount of the differential salaries.

Jim Watt has some serious concerns about the conclusions that have been reached by Matrix concerning the proposed changes to the existing police services. The costs associated with making those changes are going to be astronomical.

In the communities of Northern California with the lowest number of major crimes in 2014, Kensington ranked second in this list, just barely trailing Los Altos Hills. On a state-wide basis, Kensington ranked number three. In other words, Kensington is a very safe community. Near the bottom of this table, you can see that Albany has three times as many major crime rates as Kensington, while El Cerrito is four times higher and Berkeley is five times higher.

A handout [prepared by Mr. Watt] shows the number of officers which were on duty in 2015, 2016 and 2017. This is well below the 10 allocated, especially in 2017 when the number of working officers was just

6.6. With the addition of a part-time general manager, one would think we could reduce police staff from 10 to nine or eight officers. Instead, it is recommended that we will add back-- we will go back to 10 of which five are senior officers and that we will add a police service specialist.

It is further recommended in the report, that because Kensington is lacking in "crime-fighting challenges," officers will not want to come here so we must provide a "very competitive salary and/or salary bonuses."

We have operated with only one officer on duty between 11:00 PM and 6:00 AM for many years because this seven-hour timeframe typically represents only 10% of service calls. It is now recommended that we will have two officers on duty during this period, presumably so that they can keep one another awake.

It is recommended that we keep officers on a 12-hour shift, even though we know that putting officers on a 12-hour shift with occasional overtime and long commute times leaves them exhausted.

It is also recommended that officers spend 40 hours a year in training, it's also recommended that officers be given body cameras and more effective information systems.

These changes will add significant cost to our current police operations. Because of the extremely low level of criminal activity in Kensington, it is hard to imagine what the benefits will be. He hopes the Matrix evaluation of contracting out is more informative.

A. Stevens Delk said everybody understands that Kensington has been operating for years with less than 10 sworn officers recommended by consultant Brown Taylor in 2007. Matrix recommends 10. The list includes the chief, four officers, a corporal, four sergeants. That is enough so that there is a one-to-one supervisor to officer ratio for every shift.

Recently, KPD got down to just six; the chief, one sergeant, and four others. Matrix has focused the analysis on five patrol officers. Matrix calculated that collectively, the officers would have 81% free time for elective, proactive community policing activities.

In 2007, Brown Taylor arrived at 81% for eight officers, 70% for five, based on considerations that are quite similar regarding the number of calls for service and the time per call.

The green table that you have provided us from page 19 shows that with our current number of officers, there are only two periods out of 42 during the week when there is 50% or less discretionary time. Neither of these two periods is during overnight shifts when another officer is to be added.

Having nine patrol officers will assure that, at all times of the day and night, there is time for proactive community policing activities well above the standard of at least 40% to 50% for "high-service level residential communities," (such as Kensington).

Matrix, like Brown Taylor, found that our police KPD officers do not utilize the free time they already have. He made some suggestions and Matrix recommends the district improve this through development of a police strategic plan perhaps in conjunction with a community action plan.

One final comparison between 2007 and 2017, serious crimes, those FBI part-one crimes are actually down 30%.

Mabry Benson asked if there would be economies of scale with possible contracting because a larger department could have one supervisor for four or more officers.

Richard Brady said yes.

Gail Feldman asked if there were two officers on duty at the same time, is that considered to be both on the same patrol vehicle or they could be in separate vehicles?

She said that all the benefits and the salaries are negotiated through collective bargaining. So, all those factors are considered in the final package is for the officers. It's really important to look at also at total comp, not just the salaries because the district pays health care costs through retirement and that is extremely expensive, which is why partly why the salaries have remained lower.

So, somewhere, that has to be in this report because people in the community who are going to use this to decide where they might stand on an issue are going to look at this say, like, "Why are we paying them more?" It's just not comprehensive enough.

It is confusing to say "midpoint salaries" and lowest step, it needs to be consistent. She would like clarification on the officer's salaries and what the recommended amount would take us in comparison to other agencies.

President Sherris-Watt said that PERS was not included in the estimates because of changing rates.

David Spath understands from the standpoint of supervision, it's important to have supervision on all shifts. Matrix seems to suggest that that sergeant would also be involved in activities that a regular field officer would be doing as well.

So, one question that comes to mind as you look at some of the other jurisdictions such as El Cerrito and Albany, which presumably would approach contracting in a model where we would be a beat of their existing beat. How does a supervisor within that jurisdiction fit consistent with what is recommended for best practices here in Kensington? That supervisor, let's say, a sergeant who is overseeing maybe four other offices, could not be providing the same level of patrol and other community activities is envisioned for best practices for a standalone department?

Secondly, with regard to benefits, the benefits for our officers who are active are no higher, no better in terms of medical and retirement than existing jurisdictions. He sees the need to deal with retiree medical benefits, where the KPPCSD pays for both the retiree and spouse and that's a negotiable issue. He has mentioned before at previous meetings, that is something that needs to be negotiated in the future under a different model, that wouldn't necessarily affect existing offices, but in the future officer.

He appreciates the fact that Kensington is about 25% lower in salaries and will be even higher because El Cerrito have just consummated a contract with their officers, which will result in a 6% increase in salaries over the next two years. So, Kensington is going to be even further in salaries with somebody in El Cerrito. He doesn't know about Albany.

But, at the same time, Matrix are professionals in the field who are making recommendations for best practices and he thinks we should look closely and not try to second guess them.

Richard Brady recommends a metric that is often used in law enforcement of crime per thousand, not officers per thousand. Crime per thousand gives you a sense of magnitude adjusted for population but Matrix argues strenuously that officers per thousand obscures differences in the community, topography for one, crime situation for another, use of civilians, different kinds of response policies, et cetera.

So, officers per thousand is very meaningless, but crime per thousand gives you some sense of magnitude of a community that's twice your size may have three times the crime, the crime that Kensington has.

Kevin Fitzsimmons talked about a 2017 PO survey study with 93% of officers reporting that their colleagues are worried about their personal safety. He wondered in Kensington with its safe reputation if our officer's report a similar experience as well?

Second question; with body cameras, that have any impact on litigation against police officers, has there been any research done on that?

Third question in the second phase of the analysis, will there be more public meetings like we've been seeing on Saturday morning?

Richard Brady said Matrix staff rode right along with several of the officers and talked to all of them. There are so few of them we can't report, what came in those interviews without violating confidentiality.

This is a very safe community and they're unlikely to have the kind of fears that in a larger community with more crime would have. However, it was mentioned to us in several of our interviews that one person on duty is an issue and a risk for them that they were conscious of.

Richard Brady said the experience with body-worn cameras has gone both ways. Often, with the evidence of a body-worn cameras, complaints dissipate. So, it's transparent and it could work both ways.

President Sherris-Watt did some initial investigation in 2016 about body cameras and while there can be decreased litigation, once they're implemented, there can be litigation before they're implemented. There are privacy concerns and data control issues.

Lisa Corona thought the report was very informative answers the question, "If you want your own standalone police department, what are the best practices?"

Because of the need to have the supervisor on at all times and staffing for two, and given the incredibly low caseload at two in the morning, what kinds of other activities can this sergeant be doing when they are not called for an emergency, because it's really kind of emergency backup and assistance consultation?

But when they're not doing that, how many of the other activities in terms of the records keeping, the evidence room, the handling, some of the burden of what's now put onto the administrative position increase could actually be taken over by the downtime in those circumstances?

Byron Pipkin said a supervisor on duty would be a fully functioning officer and would perform every function that the patrol officer does. The one difference is that that person is accountable for the shift and for everything that occurs and you have clear lines of responsibility to manage risk. That's the most important reason for having a supervisor. In law enforcement, you have to have a supervisor on duty 24/7.

Kensington is a small department and does not need two staff on duty to handle the workload, it needs to staff because that is the absolute bare minimum for a standalone police department.

In the report, Matrix doesn't recommend a detective position. There's enough time for officers and sergeants to investigate their own cases and to have time with their shift to do that and other functions.

So, what other functions need to be done they could do because currently, they have 81% proactive time. If this is implemented, you have two, their overall average proactive time is going to go up. They're going to be in the 90% range of proactive time and available time so they can do whatever needs to be done.

Director Hacaj wanted to clarify then if there was a model where a supervision was provided in another way, is Matrix saying that one officer could be on duty with available backup and supervision provided somewhere else? That one officer, given this profile of the community, as long as they had backup available and supervision somewhere else, that could work?

Byron Pipkin said yes.

Richard Brady said in response to Director Hacaj's question about productivity, Kensington is so small that you aren't staffing for the workload, you are staffing for the risk and for the safety considerations and high amounts of proactive time are a consequence of that.

So, that gives you an opportunity as well; the proactivity, the hardening of targets. The administrative demands of a 10-person police department aren't a lot different than the administrative demands in a 30-person police department that has administrative staff.

So, things need to be done relating to record-keeping, relating to training, relating to analysis, best practices, those types of things. During that downtime, sure, you don't have to be in the field, but you can be available to do those kinds of collateral kinds of duties that are important for any police department to maintain.

It's a best practice and it's essential to have a supervisor on duty. In a 10-person police department in Kensington, that person would be here for all the reasons that we have been saying.

If you were part of a larger service area in a contractual situation, Kensington would essentially be a beat, then, yes, you would have a sergeant in a more purely supervisory role in the area.

That's why when we were in the community meeting last time, we were talking about the assumptions that would be important to consider in a contract is that's why adjacency was so important.

If you are adjacent and that's obviously only Berkeley, Albany, and El Cerrito, then you would have a sergeant who would be proximate to be able to back up and respond and observe the Kensington people who were being deployed. If you weren't or it wasn't an adjacent community, then that person would be here.

Kensington has a very young force, people who haven't been in law enforcement for more than a year or two. They need senior experienced people who are available to help guide them in their general career but also, how to be police officers and how to interact with the public, how to write a report.

Director Deppe wanted to mention that there was discussion about always having two officers on duty. He went to a presentation with Kevin Hart when he first started and one of the first things Interim Chief Hart said was, "You really need to have two officers on duty at all time."

Kensington is battling economies of scale. There's a minimum of what it takes to run a police department whether you've got one, ten, or a hundred, and we're so small that our requirements are such that it makes it look like it's overkill or whatever but that's just because we're so small.

GM Constantouros will present the NBS Engineer's Report for the Kensington Park Assessment District and Resolutions 2018-01, 2018-02, and 2018-03, which were prepared by NBS and which initiate the process of collecting the annual Park Assessment Tax.

GM Constantouros stated that this is something that's done annually by the District. This year, the assessment for each dwelling unit is \$17.24, which is an increase from last year's \$16.65 assessment. This will result in 2,188 parcels that will be assessed, providing a total levy of \$38,841.

The funds are used mostly for pruning and maintenance. The process is the two-step process. The first step is the adoption of three resolutions tonight, the scheduling of a public hearing at the next board meeting on June 14, an adoption of a fourth resolution at that time at that June meeting.

The notice for the public hearing has to be advertised in the local paper. So, the resolution, the third resolution you adopt tonight will be published and advertised.

The first one is a resolution of intent.

The second one is the approval of the annual report, which is included in the agenda packet as an addendum; it's quite a lengthy report, it shows the assessment for each of the parcels in the community.

The last resolution, 2018-03, is the resolution initiating the proceedings. By initiating the proceeding, that allows the publication of the notice for the public hearing and then, the last resolutions adopted at the public hearing. That's the resolution ordering the levy but that is not done until the June meeting.

President Sherris-Watt made a motion that the board adopt resolution 2018-01, initiating proceedings for the levy and collection of assessments for the Kensington Park Assessment District for fiscal year 18-19.

Vice President Nottoli seconded the motion.

The motion passed 4-0.

President Sherris-Watt made a motion that the board adopt resolution 2018-02, a resolution approving the annual report for the Kensington Park Assessment District for fiscal year 2018/19.

Director Hacaj seconded the motion.

The motion passed 4-0.

President Sherris-Watt made motion to approve resolution 2018-03, in which the Board of Directors declares its intention to levy and collect assessments for the Kensington Park Assessment District for fiscal year 2018/19.

Director Hacaj seconded the motion.

The motion passed 4-0.

GM Constantouros will present, for Board approval, Kensington Police Protection and Community Services District Resolution 2018-04, ordering the even year Board of Directors election, the consolidation of elections, and the specifications of the election order.

GM Constantouros stated the resolution has three parts. It orders the even year Director's Election, the consolidation of elections and the specifications of the election order.

The election day would be the 6th day of November, 2018. There's one typo on that; it's 2018. It says 1018 but it should be 2018. The three directors' seats that are up for election are Director Rachelle Sherris-Watt, Director Len Welsh, and Director Christopher Deppe.

President Sherris-Watt made a motion to adopt resolution 2018-04, which orders the even year Board of Directors Election, the consolidation of elections, and specifications of the election order.

Director Deppe seconded the motion.

The motion passed 4-0.

President Sherris-Watt made a motion to adjourn.

Director Deppe seconded the motion.

The motion passed 4-0.

The meeting ended at 9:38 PM.