

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District will be held **Thursday September 14, 2017, 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 **Thursday, September 14, 2017, at 7:30 P.M.**, at the Community Center, 59 Arlington Avenue, Kensington, California. If further Closed Session is required, the Board will return to Closed Session following the end of the Regular Meeting.

Note: All proceedings of the Open Session will be videotaped.

1. **Call to Order/Roll Call**
2. **Christopher Deppe – Oath of Office** (to be administered by General Manager Anthony Constantouros)
3. **Closed Session – Public Comments**
 - a. **CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION** (Paragraph (1) of subdivision (d) of Government Code Section 94956.9) One case, name unspecified because disclosure would jeopardize existing settlement negotiations.
4. **Regular Meeting: Open Session – Call to Order/Roll Call 7:30 P.M.**
5. **Christopher Deppe – Oath of Office (to be administered by GM Anthony Constantouros)** Pg. 3
6. **Public Comments:** Members of the public may address the Board on any issue on the Consent Calendar and on items not listed on the agenda but that re within the jurisdiction of the District. Comments on matters that are listed on the agenda may be made at the time the Board is considering each item. Each speaker is allowed a maximum of five (5) minutes, per Board Policy 5030.41.
7. **Board/Staff Comments**
8. **Consent Calendar**
 - a) Minutes from August 14, 2017 Meeting – Pg. 6
 - b) Unaudited Profit and Loss Budget Performance Report for August 2017 Pg. 19
 - c) Franchise Fees Report for August 2017 Pg. 23
 - d) KPD Monthly Statistics for August – None this meeting.
 - e) Correspondence Pg. 25
 - f) Recreation Report – None this month
 - g) Monthly Calendar Pg. 50
 - h) General Manager's Report – None this month
 - i) Designation of Negotiators – Pg. 52
9. **Request for Proposals for an Evaluation of Options Related to Delivering Police Service** Pg. 54

ADJOURNMENT

General Information

- All proceedings of the Open Session will be audio and video taped.
- The Community Center has devices for hearing assistance. Please contact GM Anthony Constantouros for information about the equipment.
- The Community Center is Wi-Fi accessible. Terms and conditions are included in the Board Packet.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in

public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to:
General Manager Anthony Constantouros, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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 Anthony Constantouros, Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707

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

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

AGENDA ITEMS #2 & 5

Oath of Office

State of California

County of Contra Costa

For the office of **Director, Kensington Police Protection &
Community Services District**

"I, **Christopher Deppe** do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

Christopher Deppe

Subscribed and sworn to before me, this **14th** day of **September, 2017.**

Signature of Person Administering Oath

Title:

CONSENT CALENDAR

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Meeting Minutes for 8/14/17

A Special Meeting (Closed Session) of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday, August 14, 2017, at 6:30 P.M., at the Community Center, 59 Arlington Ave., Kensington, California. A Special Meeting (Open Session) followed.

ATTENDEES

<u>Elected Members</u>	<u>Speakers/Presenters</u>
Rachelle Sherris-Watt, President	Jeff Sloan, Renne Sloan Sakai
Eileen Nottoli, Vice President	Ann Danforth
Len Welsh, Director	Simon Brafman
Sylvia Hacaj, Director	Christopher Deppe
	David Spath
	Kim Zvik
<u>Staff Members</u>	Celia Concus
Anthony Constantouros, General Manager	Andrea Kaplan
Rickey Hull, Interim Chief of Police	Dakota McKenzie
Lynn Wolter, District Administrator	Pat Gillette
	Lisa Caronna
<u>Press</u>	David Bergen
Linea Due	Marilyn Stollon
	Catya de Neergaard
	Ciara Wood
	Andrew Gutierrez
	Kevin Padian
	Linda Lipscomb
	Rick Artis
	Frank Lossy

President Sherris-Watt called the meeting to order at 6:05 P.M. President Sherris-Watt, Vice President Nottoli, Director Welsh, Director Hacaj, GM Constantouros, ICOP Hull, and District Administrator Wolter were present. President Sherris-Watt reported there was a Board vacancy, which would be filled this evening.

CLOSED SESSION PUBLIC COMMENTS

None.

The Board entered into Closed Session at 6:06 P.M.

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CLOSED SESSION

- 2a. Conference with Legal Counsel – Anticipated litigation: Possible initiation of litigation pursuant to paragraph (4) of subdivision (d) of Government Code Section 54956.9. (One potential case)
- b. Conference with Legal Counsel – Anticipated litigation: Significant exposure to litigation pursuant to Government Code Section 54956.9. (Two potential cases)
- c. Conference with Labor Negotiator: Pursuant to Government Code Section 54957.6. Agency designated representatives: General Manager Anthony Constantouros and John Holtzman. Employee organization: Kensington Police Officers Association (KPOA)

The Board returned to Open Session at 7:34 P.M.

President Sherris-Watt took roll call. She, Vice President Nottoli, Director Welsh, and Director Hacaj were present. President Sherris-Watt announced that there was a vacancy for the fifth Director position, which the Board would fill this evening and that there was nothing to report from the Closed Session. She also reported that Item 2c had appeared on the agenda in error and would be addressed at the Board's next meeting.

BOARD COMMENTS

None

STAFF COMMENTS

None

NEW BUSINESS

5. Appointment to Fill Director Vacancy

President Sherris-Watt welcomed and introduced the four candidates:

1. Simon Brafman
2. Christopher Deppe
3. David Spath
4. Kim Zvik

President Sherris-Watt explained the process that would occur and that the voting would be done at the prerogative of the President and would be amongst the Board members: She would conduct a roll call of each of the Directors, and they would state the name of the candidate for whom they would cast their vote.

GM Constantouros noted that he would be the timekeeper and that, to assist the candidates, he would display a notecard to indicate when 15 seconds of their speaking time remained.

Opening Statements

- Simon Brafman: Thanked the Board and attendees, said he supported the direction of the current Board's governance, and thanked the Directors for the improved tone and tenor of the Board meetings. During his family's four-year residency, he'd applied for and served on the

District's Finance, Technology, and Ad Hoc Governance Committees and on the Kensington Community Council (KCC). The bifurcation of the previously combined GM/COP position represented what the community could accomplish, with respect to improving its governance. He'd withdrawn his candidacy from the 2016 election in order to help ensure that the new Board majority would be elected. He had hoped this would reduce the District's legal fees and enable the District to negotiate better terms for services delivered to the community. He was applying for the open seat because he wanted to continue the current Board's openness to the community's ideas and involvement.

- Chris Deppe: Thanked everyone for showing up. Three of the candidates had been on the Ad Hoc Committee together. He thanked the Board for providing the opportunity and said he'd lived in Kensington since 1996, he'd served on the Consolidation Sub-committee, and he'd worked a lot on the traffic control issue since 2000. Many improvements had been made on this front, following discussions with neighbors, the county, and the KPPCSD. His main interests were traffic control and continuing the work of the Ad Hoc Committee. Bifurcation of the GM/COP position was a good move forward, but one thing the Ad Hoc Committee hadn't really finished was investigating contracting out – mainly because other agencies hadn't been able to provide specific detailed answers about what contracting out would look like. He wanted to make a decision, one way or the other, based on the facts discovered.
- David Spath: Welcomed everybody and thanked the Board for considering him for the vacant position. His interest was to be part of a board that was dedicated to providing Kensington residents with high-quality services – whether police, recreation, or solid waste. He thought this Board shared this goal. He'd had considerable experience working in public sector management, which he said was important as a Board member. He'd worked for the State Health Department for more than three decades and had been involved in many aspects of public health, in particular, the delivery of safe drinking water. He'd managed a multi-million dollar and multi-faceted set of programs while simultaneously needing to meet budgets – salaries, pensions, benefits, etc. He understood that Kensington residents expect excellent service at a reasonable cost. He believed he'd demonstrated that he could work with people with diverse opinions and positions: He'd had this experience on a national, state, and local level. He was a 34-year Kensington resident and was dedicated to a sustainable future direction for the community. He would work cooperatively and effectively with others toward consensus decision-making, and this would make him well suited to serve on the Board.
- Kim Zvik said she'd been a candidate for an open seat when Director Welsh had been appointed to the Board. She hoped the voting would be done by first names because, by the time the voting had occurred the last time, there were no votes left for her because her last name began with the letter "Z." She'd also run in several elections; had been a resident since 2000; and had raised four children, all of whom had attended the Hilltop School and one of whom was in El Cerrito High School. She'd stood in front of the El Cerrito City Council asking for it to allow an existing school to also have a high school – something that had ultimately been approved. She'd raised her family here because she wanted diversity. As for the contracting out, she was enthusiastic about looking at this issue. It was important for the officers to know who was in the community, especially the homebound, so the officers could get them out. She'd done the one-way change of signs on Highland and Kenyon by going to the Board of Supervisors and suggesting that this might be a liability. She got things done quietly and behind the scenes.

President Sherris-Watt said the process would proceed to the four questions and would begin with Mr. Brafman. She asked that the candidates keep their responses to no more than two minutes.

Question one: What do you believe are the District's greatest short-term challenges? Long-term challenges?

- Simon Brafman responded that, if the short-term challenges weren't dealt with, they would become long-term ones and place the greatest burden on those who had moved in most

recently. The costs and financing for the police department, the Community Center, and the Police and Fire Building were critical issues that had to be addressed. Maintaining the positive tone created by the current Board would make short-term and long-term issues easier to deal with. Key long-term issues for him were investigating the potential outsourcing of the police department as well as the long-term relationship with the Kensington Fire Department.

- Kim Zvik said that, short-term, she'd like to see the Board adopt some bylaws. She'd served on the Orinda Horseman's Board, which received in-kind payments from EBMUD, and had bylaws. She'd want the District to have better legal protection than it did now. For the long term, she said that police pensions needed to be looked at. There had been trials about whether the District could properly manage its police, and she thought this corner had been turned. She'd worked in information technology for thirty years and, for the long run, would want to see the Board adopt more ways to engage so that people with children and who worked fulltime could be a part of the community.
- David Spath: Short-term goals were mostly infrastructure ones with financial implications. The Community Center upgrade was important, it had to be completed within budget, President Sherris-Watt and Director Hacaj had done an excellent job bringing the project to its current point, and it needed to be completed by the end of 2018. The Public Safety Building was both an infrastructure issue and a long-term financial issue, and it would be important to partner with the Fire Board in figuring out a way to finance this project. It was still unclear whether this would be a retrofit or a new building. This would provide an opportunity to improve the relationship with the Fire District while working on infrastructure issues for the community, going forward. The police MOU was also an issue in the immediate term because it would expire at the end of 2017. He cited governance structure as another short-term issue: The part-time GM would take a lot of work because there were a lot of demands on his time; the Board needed to set appropriate goals and objectives in order to work with the GM more efficiently. Financial stability was an important long-term goal that would need to be dealt with as a part of long-term planning. The Finance Committee, with Rob Firmin, had developed a modeling program to look at planning over the long-term, and the District also needed to look at strategic planning.
- Chris Deppe said that most of the issues seemed to have been raised. With respect to short-term issues, the renovation of the Public Safety Building was a challenge, and the Board was doing a good job of handling it. Traffic was a short-term and a long-term problem, and he'd like to see a comprehensive solution to it – a master plan to solve it holistically and for good. Finishing the Ad Hoc Committee's work was important – really understanding what contracting out would mean: Getting an RFP so the community would really know what this would look like. One couldn't say they were for it or against it until they'd seen the details. There needed to be a decision about what the structure would be – it had been hanging over people's heads for a long time, and he thought this should be a short-term item. With respect to the long-term, he cited financial issues and finding a way to lower discord in the community: It was hard for the Board to operate when there was so much acrimony. It needed to be assumed that everyone had the best of intentions to make the community better.

Question two: Describe an experience where you worked as part of a group on a complex problem. How did your participation improve the results?

- Kim Zvik responded that, when the Annex was being evaluated because of the water and mold intrusion issues, Chuck Toombs had reached out to her and invited her to attend a meeting. At that meeting, those present looked at what it would cost. She'd found a Wall Street Journal article about vertical gardens on the sides of buildings and had suggested that the University of California be tapped to pay for this. Thus, this would be free for Kensington because it could do a sustainable building that would take the watershed from the roof and show children how to do grey water reclamation. She'd contacted an environmental designer engineer at the University and gotten that person in touch with the KPPCSD to follow up on that. She'd sent

this off to President Sherris-Watt. She could reach out from her experience: Her daughter had been a student at Duke University, and such a wall had been done there for free because students had done the work. She'd worked on autonomous vehicles in Berkeley and had met with Supervisor Gioia to let him know how such vehicles could help with air quality. She "thought outside the box" in every thing she does, she was resourceful, and she engaged her community.

- David Spath responded that his experience had to do with working with Portola, a small Placer County community. In the 1990's the state had decided to poison the drinking water of this community in order to kill some predatory, non-native fish. This had bred animosity and mistrust with the community. He had been working with the State Health Department at the time and had been asked to work with the community to find a way to resolve some of the issues. He recommended developing a working group that included the local officials and citizens and state and federal agencies. For two years the group met to build trust, to find a solution to the economic problems the poisoning had created, and to deal with the drinking water issues. In 1999, the fish had to be poisoned again. But, in the end, it had worked out well, and the state came out of it looking good. He felt he'd improved the situation – working with a poor community that had needed a lot of help.
- Chris Deppe responded that his experience had occurred in the corporate world: It was one of the last things he'd worked on at Apple. He'd worked on the performance team, which had been responsible for the whole operating system. He'd figured out a way to solve difficult problems, so he formed a group of four different technology divisions, all of which had their own agendas, to develop a solution into which they all would buy and with which management would agree. He analyzed the problem, prepared solution documents, went to the individual groups, and spent three or four months working to convince everyone this was the right thing to do. In the end, everyone bought into it, and things worked out well. This was one of the last things he'd done at Apple, and he was proud of it: It had taken a lot of soft persuasion.
- Simon Brafman shared two examples, both of which had to do with Vanessa Cordova. He'd been at a private meeting at a Kensington resident's home. Former Chief Hart had been there, too. He and Chief Hart had been invited to describe Kensington to new residents. One of the residents asked about the incident involving Ms. Cordova and her car, and Chief Hart made some inappropriate comments. He felt it was important that these comments be shared with the public, so he set up an interview with the Contra Costa Times. The second example had to do with the Outlook. There had been a long interview with Ms. Cordova, and the Kensington Community Council (KCC) board, of which he was a member, had received many emails about the interview – many in support of and many opposed to the format. Mr. Brafman suggested to the KCC board that, from that point forward, the Outlook should no longer do interviews. Instead such things should come in the form of letters to the editor. Everyone on that board had agreed.

Question three: Do you support investigating costs to provide police services through contracting with a nearby agency?

- David Spath responded that he did support investigating the option of contracting out. He recognized there were strong opinions on both sides of this issue. The Ad Hoc Committee had looked into this in detail, had done a good job of listing the pros and cons and some of the things that need to be considered, and this had provided a good starting point for investigating what the community would want from contracting. The Board would need to reach out to the community to get input about what police services it wanted – there were different models of police servicing: The Sheriff had a model and neighboring agencies had models. The District would need to obtain hard data about what the costs and long-term commitments would be. Then, the District would need to develop requests for proposal and a way in which to evaluate those proposals, which would involve the community. This would not be a quick project: It would need a lot of background work.

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- Chris Deppe responded that he supported exploring contracting out. The Ad Hoc Committee's subcommittee looked into this, and the big take-away was that this subcommittee could only go so far without an official request from the Board to any given official agency. The subcommittee examined information from other communities that had contracted out, but to determine this for Kensington would require creating an RFP. The District needed to understand what the community wanted, but not everyone agreed on this. There had been an informal survey done by the Ad Hoc Committee, Simon Brafman had been in charge of it, and it had made clear what kind of services the community did and didn't value. There could be an open RFP process that would allow everyone to provide input. The District needed to create an RFP to get concrete bids from agencies. He wasn't necessarily for contracting because he didn't know what that would mean, with respect to terms and cost.
- Simon Brafman agreed with everything that had been said. The District should look at this. The Board should ask the Ad Hoc Committee to continue its investigation and come up with more hard facts so that the community could better understand the costs involved. Contracting out for fire service had gone well, and that department had won numerous awards for the quality of its work. It wasn't inexpensive, but Fire District was doing a great job. The KPPCSD needed to look at the cost of contracting out, and he recommended that the Ad Hoc Committee investigate what this would be.
- Kim Zvik responded that, in her experience serving on the board of a pre-school, that board had run focus groups to establish objective criteria for what people considered to be quality. Cost was obvious and clear, but quality wasn't. It had been a difficult thing for her teenaged daughter to call the police when her friend had been unresponsive in the park, and the police had done a really good job. This was an important quality: Her daughter had felt safe about calling the police; thus, she hadn't left her friend to die in the park from having consumed too much alcohol. She'd done a multi-factored comparative vendor selection process for large corporations – a model with over sixty criteria to establish a fair and objective way in which to make a decision so that it wasn't based solely on cost. She'd seen the officers perform well, although there had been slip-ups, and the District lacked some needed legal protection. The District needed to be very careful: She'd seen her grandmother have a heart attack in the driveway of her own home, but Ms. Zvik had known there was a policeman patrolling the area. This officer had known things like who was homebound – these were priceless qualities. Don't take the corporate route and then see crime go up in this community.

Question four: How do you think the District could improve how it communicates with and engages residents?

- Chris Deppe responded that the District did a pretty good job of communicating – the meetings were open. It had been a good thing not to move public comments to the end of the meetings because it would have cut down on participation. The District could have a better website that was easier to read and from which to get information. It would be nice if there could be some way to get more one-on-one communication with the Directors. This would enable residents to get to know the Directors better. He also suggested more open meetings that would allow for dialogue with the Board members.
- Simon Brafman said that the most important thing was to continue the open and positive tone that this Board had set for meetings. He agreed that something should be done about the website and the agendas. He suggested putting together an ad hoc committee to look at ways of improving the website to make it more searchable. Fortunately, staff had been able to help him find missing documents. He would also like the agendas to be more user friendly – something an ad hoc committee could investigate and make recommendations, based on community feedback.

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- Kim Zvik responded that the District was already on the right track. Two Directors had Hilltop School children – something for which she had advocated during her earlier campaign, before there were any Hilltop parents on the Board. Most of the parents were in the City, working eleven hours a day and fighting for their jobs, and she suggested engaging these parents electronically. Agendas should go out as links, and the Directors should hold office hours several times a week at a local café. She noted someone had already reached out to her on Facebook to complain about Officer Hull.
- David Spath said that communication and community involvement had always been a challenge – as was evidenced by attendance at the District’s meetings. He suggested using the Outlook, for an old-style approach – having quarterly pieces written by Board members about community issues. He suggested an annual mailing, similar to the one done by the Fire Board: It provided a lot of information and served that board well. Use online methods to obtain information. There was going to be an upgrade of the District’s website, so the Board should take advantage of that and put more information there, such as committee meeting minutes. He suggested a Facebook page for the District, citing that the police officers already had one. In conclusion, there were things, both old and new, that could be done.

President Sherris-Watt invited the candidates to make closing statements.

- Chris Deppe thanked everyone for attending and thanked the Board for making it possible for him to apply. He stressed that he considered himself a progressive because he liked to look at problems from a number of different angles to discover all possible solutions. Contracting for service was just one possible solution for the police department: It should be looked into, but he wasn’t locked into just one solution. The information should be obtained and analyzed before making a decision. While he supported investigating contracting for service, it was clear from the election results that the community wanted the Board to move forward with this. It was important to respect the will of the voters. He’d spent most of his career looking at clients’ problems and finding solutions. He took ideas seriously, knowing he’d be responsible for them.
- David Spath thanked everyone for coming and thanked the Board for considering his candidacy. He was well qualified for the position – in terms of experience, skills, and his ability to work with others, in group settings, who had other opinions. He didn’t envy the Board in having to make this decision, but it was important to recognize that, once that decision had been made, everyone should coalesce around the Board and work with it cooperatively. There’d been too much loud rhetoric coming from the online space that needed to be toned down. People were going to have different opinions, and they could be presented in a respectful way. Then, people needed to respect the Board’s final decisions.
- Kim Zvik thanked everyone for the opportunity to talk about hopefully being appointed to the Board. She’d enjoyed being part of the community, having served on the Kensington Municipal Advisory Council (KMAC) and having worked with Marty Westby to get KASEP registration online. She was always looking at every opportunity to get the community engaged and for fairness. Her experience on a civic level and with respect to technology and her ability to get things done would put the community in a good place to have that diversity on the Board. It was lovely to have a man out of uniform as the GM, and she was glad the community was more inclusive of everyone.
- Simon Brafman: It was the KPPCSD Board’s responsibility to lead by example, with respect and civility, to work to engage the entire community, and to work within a budget. Part of his business experience, as director of marketing and business development, was to manage customer relationships. His goals had been to resolve issues with unhappy customers and to make a better product. As a result, customers had been happy, and the company had sold

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more. He thanked the Board for having this meeting and thank everyone for being interested in the future of Kensington.

President Sherris-Watt thanked the applicants for being willing to serve. The applicants received a round of applause, and they returned to their seats in the audience. She announced that speakers would be called randomly, based on speaker cards submitted.

PUBLIC COMMENTS

Celia Concus spoke on behalf of Chris Deppe to fill the vacancy. The 2016 election had been a mandate for change because Vice President Nottoli and Director Hacaj had received more votes than the other candidates, and she hoped the Board would be responsive to this mandate. The Board needed to look into whether there might be a better way to deliver police services to Kensington. The police department was seriously troubled, and that needed to be fixed. The Board had already taken the first step by separating the GM/COP position, and she thanked the Board for hiring GM Constantouros. The next step was to investigate the practical and financial considerations of contracting police services. It was important for the Board to have an ally, rather than someone who would undermine this investigation, and it was important to have someone willing to take a fresh look at how to deliver better police service to Kensington and how to fix what was wrong with what Kensington had. She'd attended almost every meeting of the Ad Hoc Committee and had witnessed that Mr. Deppe had been an open and independent-minded member of the committee. He was the best choice for the job, and she urged the Board to appoint him.

Andrea Kaplan said that Chris Deppe had been her neighbor for 20 years, that she'd participated in problem solving with him, and that the most notable thing about Mr. Deppe was that he was calm, logical, and intelligent. He had a great way of looking at problems and came up with solutions people could live with. She was happy with what all the candidates had to say, there was a new dynamic on the Board, and Mr. Deppe would make a great contribution to the Board.

Dakota McKenzie urged the Board to appoint David Spath. Exploring contracting out was a crucial issue for the community, and it needed the most professionally qualified candidate. She'd moved to Kensington in the 1970's and had attended the Hilltop School and had moved back to Kensington 10 years ago – fleeing gang warfare in Oakland, where she'd been a building manager for 15 years. She'd witnessed what gangs could do to a nice neighborhood in a short period of time. Because of this, she was not in favor of contracting out police services, but she was in favor of a neutral examination of the issue. What she'd experienced in Oakland was that some police responded, and some didn't: Once, she'd waited a long time for a response to a 9-1-1 call. Police service was a serious issue, and Kensington was a special community. She encouraged people to take a stand, or they would be taking a stand by default.

Pat Gillette said that she was a 38-year resident and that the Board had an opportunity to select someone who was prepared and experienced, and who had the right temperament for the position. He was also supported by a large number of people in the community. The Board had set a goal of eliminating polarization and divisiveness in the community. She asked that the Board put Kensington first and said there was only one candidate who was prepared: David Spath. The reasons she gave were: Dr. Spath had attended every KPPCSD meeting for the past nine years, he'd attended every Finance Committee meeting, he knew the issues before the Board, and he could step in immediately so there would be no learning curve. He had the experience of working in the public sector, of working with large agencies, with budgets and management, and with making sure things got done. After Dr. Spath had not won in the 2016 election, he'd come to the next KPPCSD Board meeting and had contributed in the same way he'd contributed before. Everyone had praised Dr. Spath during his work on the Ad Hoc Committee. He'd also had the support of the community – almost 1,100 people had voted for him in the 2016 election, and he'd come in third. She knew of 35 people who'd written letters in support of Dr. Spath and asked the Board to choose Kensington by choosing Dr. Spath.

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Lisa Caronna said that she supported David Spath and that she'd had the opportunity to work with him on the ten-member Ad Hoc Committee, which he'd chaired. She'd noticed Dr. Spath even before they'd worked together on the Ad Hoc Committee: He'd attended KPPCSD meetings, had spoken with an in-depth understanding of how agencies worked, and had given practical suggestions on how to move forward with Board initiatives. She provided a bit of history about the selection of the chair of the Ad Hoc Committee: At the first meeting, the committee had to select a chair, but that, because of a lack of trust among the Committee members, a lengthy discussion had occurred about how to do this. Finally, she said, the Committee had settled on Dr. Spath as a temporary chair for the first three months. After the first three months, the Committee members had a greater understanding of how much time and hard work the chairmanship required and had come to appreciate what a good and thorough job Dr. Spath had been doing as the chair of the Committee and as a member of two of the subcommittees. He'd kept everyone moving forward and had treated all the Committee members and the public fairly during the process. Thus, after three months the unanimous decision had been made to have Dr. Spath continue as the permanent chair for the duration of the project. She said that Dr. Spath was open to listening and learning all he could on an issue before coming to a decision: He knew how to interpret information on complex issues, especially issues related to agencies and rules that govern agencies and their interactions with their communities. Dr. Spath had shown commitment to governance and civic engagement in the community. She concluded by asking the Board to keep an open mind and to appoint Dr. Spath.

David Bergen said he knew David Spath, Simon Brafman, and Chris Deppe; they were all capable people; and he supported Mr. Deppe. Mr. Deppe had an analytical mind and would put his capabilities to use in figuring out how to deal with all the difficult issues facing the District. Mr. Deppe had served on the Ad Hoc Committee and knew the people and issues involved. He respected Mr. Deppe's integrity, and the community needed someone on the Board with his technical knowledge. He concluded by saying he supported Mr. Deppe's appointment to the Board.

Mr. Bergen also said he had comments to share from Jim Watt, who had been unable to attend:
All four candidates possessed skills that would benefit the Board and that what was most important at this time was to provide the best professional police services at the lowest cost. Costs for the community's police services had been rising at an "alarming clip," and he cited some of the increases to the District's PERS liabilities (unfunded pension liability had increased by \$800,000 to \$3.8 million, and the medical liability was \$6.9 million). He also said that the department was shorthanded because an officer was out on workers' compensation and another was out as a result of administrative issues. And, that it appeared that there was ongoing "internal strife" in the department. The District needed to explore outsourcing, dispassionately and expeditiously; to evaluate staffing levels and hiring practices and where the police should focus attention; and to look at salaries and benefits. He concluded by writing that how the candidates would handle these issues should be a major factor in the Board's decision.

Barbara Steinburg said she'd been very impressed by David Spath, and she urged the Board to appoint him. She said he would benefit the entire community. Dr. Spath had had extensive professional experience in the public sector; he had been elected unanimously to be the chairman of the Ad Hoc Committee; and, in this leadership role, he had worked successfully with people who held diverse opinions. She concluded by saying it would be a benefit to all if the Board appointed Dr. Spath.

Marilyn Stollon said that the District had come a long way – effective governance was within reach – and that it had endured 15 years of dysfunction: dysfunctional Boards, police mismanagement, and past abuse of power by law enforcement personnel – as evidenced by intimidation of staff, three former Board members, and residents. She also cited ongoing police misconduct and its related legal costs. This had been the reason for the recent change and for a new majority Board having been elected by well-informed residents. This had sent the message that there was a clear mandate to split the GM/COP position, to explore contracting for police services, and to stabilize the District's finances. The Board had taken the first step of splitting the GM/COP position, and Chris Deppe had supported steps taken by the new Board and was well qualified to serve on the Board. She asked the Board to vote for Mr. Deppe, for positive change, and for putting Kensington on the road to good governance.

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Catya de Needgaard said that she was amazed by all the letters on the back table, which all seemed to be in favor of David Spath, and that she was hearing a big cry for him. She wanted to address the issue of building relationships and community, and she wanted there to be kindness and forthrightness. Her experience with Dr. Spath and Mr. Brafman was that they had these qualities and that these qualities were important to building the community and to healing the wounds caused by divisiveness in the past. Dr. Spath and Mr. Brafman were team builders, and they also had the time to serve. She was most impressed by Dr. Spath's resume, but she would be happy if either candidate became the new Director. The Board had the opportunity this evening to go past previous narratives and to affirm Kensington as one community. She concluded by saying that the Board's decision would affect the 2018 election and by urging the Board to select a popular and qualified candidate, Dr. Spath, as the new Board member.

Ciara Wood said that, in the past, she had been an opponent of contracting out police services, but her point of view had shifted: The Board owed it to the community to consider a wide range of potential benefits that might result. It wasn't just about money. It was more about the District's ability to manage the department. Things were more complex than they had been when she'd served on the Board. She asked the Board to select someone who could deal with the complex issues facing the community and the District and recommended Chris Deppe because he was calm, intelligent, thoughtful, fair, well spoken, and interested in the good of the community. She thought Mr. Deppe would investigate the financial benefits and ramifications of contracting out for police services, and this information would enable the Board and the community to weigh the available options. She concluded by recommending Chris Deppe to fill the Board vacancy.

Andrew Gutierrez said it had taken many years and thousands of dollars to come to the conclusion that there was an inherent conflict of interest in the combined GM/COP position. The Board had inherited ongoing police department issues, and the appointment to the Board was critical. The last election had been the voice of Kensington's silent majority with the majority of votes, by a margin of two to one, having been cast for Vice President Nottoli and Director Hacaj. The voters had rejected the platform of their opponents and had made it clear: They want to have exploration of contracting and other potential services of the police department – citing cost, level of service, and fiscal sustainability. For this reason, he urged the Board to select Chris Deppe for the appointment.

Kevin Padian said that there was a disturbing trend in the country that maintained that expertise in government wasn't needed and that anyone with sympathetic views and a promise to serve would do. The current dysfunctional national situation should dispel this notion. Even at the local level, a community needed the best expertise it could get and that anything less would be a disservice to the community. The District was facing issues that required knowledge of regulations and laws: whether to keep the police force; how to deal with the Community Center and the Public Safety Building; and how to deal with a natural disaster. David Spath was the only candidate with the experience and knowledge to help with these problems. Four good people had applied, and three of them had served on at least one District committee. Dr. Spath had chaired the Ad Hoc Committee, which had required coordinating three sub-committees and many people with different ideas and skills. Under Dr. Spath's leadership, the Committee had produced valuable information. Dr. Spath had been a constant presence at Board and committee meetings – far more than the other candidates. The contrast in government experience among the candidates couldn't be plainer: Dr. Spath had 40 years of experience at the local, state, and national level. He'd held a number of leadership positions and supervised up to 300 people and a budget of over \$20 million. Not to choose Dr. Spath would raise serious questions. Mr. Padian concluded by saying that there was no drama associated with Dr. Spath and that Dr. Spath was the best possible choice.

Linda Lipscomb said that David Spath's background and qualifications far exceeded anything she could extol about them. Although she had been solidly against contracting out police services, a good reason for the Board to select Dr. Spath was that he was not committed to a position about contracting out: He would go on the evidence. He would find out if it were the best way to deliver services and would go with what was in the best interests of the citizenry and what was based on what the citizens want. He had the best qualifications.

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Rick Artis said he would be comfortable with most of the candidates and would be overjoyed to have David Spath. The Board would be overjoyed with Dr. Spath, too, because doing so would make the Directors' lives better. Mr. Artis had no reservations about saying that, as the person on the Ad Hoc Committee who had worked most closely with Chris Deppe; Mr. Deppe was not suitable for the position. Mr. Artis said he hoped that the rumors that Mr. Deppe's appointment was a fait accompli were incorrect. Mr. Artis said that Mr. Deppe had approached the efforts on the Ad Hoc Committee in a biased, closed-minded, and disruptive fashion that had begun with Mr. Deppe's insistence of throwing out the charter the community had vetted and for which the Board had voted. Mr. Artis cited this as the reason why it had taken the Ad Hoc Committee a long time to get started. As the person who had headed up the Consolidation Subcommittee, he'd had to deal with a lot of things from Mr. Deppe. Mr. Deppe had brought out information from LAFCO (Local Agency Formation Commission) without the knowledge of the other members of the Committee, had then taken it to Janice Kosel – a member of the Fire Board, and had created a narrative that the fire services contract was going to be cancelled. This had gone against what LAFCO had come and said to the Committee, and it had gone against what the statute said. Mr. Deppe and Ms. Kosel had persisted in talking about this narrative through to the end, at which point the Fire District's own attorney had come to the Committee's last public meeting and had debunked this line of reasoning. Mr. Artis said that some on the Board had run campaigns about getting this kind of behavior out of Kensington politics, and he encouraged them to do that: Get it out. He concluded by saying that Mr. Deppe had supported contracting out for years and that he didn't think Mr. Deppe was the sort of candidate the District would want – if the community was to come together and have integrity in its government.

Frank Lossy said that during his 60-plus years as a resident there had been controversy that had become unwarrantedly heated. He'd been impressed by David Spath because of his outstanding level of experience and his even-tempered, friendly way of dealing with disagreement. He'd been impressed with Dr. Spath's leadership of the Ad Hoc Committee, which had done a broad assessment of things needed in Kensington, and he'd been impressed that the people who had been working with Dr. Spath on the Ad Committee had unanimously selected him to be the permanent leader for the duration of that Committee's functioning. This had been an incredible endorsement that should be respected and admired. This Committee had compiled an important report. Dr. Lossy concluded by saying he was in favor of the Board selecting Dr. Spath to help the Board in its work on behalf of the community.

President Sherris-Watt closed public comments and announced that Board comments would commence.

Director Welsh said all the candidates appeared to be good, and he was impressed by every one of them. There was one candidate who had the track record of leadership, the type of modeling for which people were asking, the ability to consider disparate opinions, and the ability to bring about consensus. Based on the Ad Hoc Committee's work, there was no one who demonstrated the level of leadership and talent the District needed more than David Spath. Director Welsh noted that there had been references to the election and Dr. Spath's having come in third, but democracy wasn't about mob rule. He didn't think there had been differences between the campaign promises David Spath had made and those made by the two successful candidates, Vice President Nottoli and Director Hacaj. Even if there had been, it would be nice to have full representation of the sentiment of the community. The number of votes garnered by Dr. Spath indicated there was solid support for him, and the Board knew him as someone who got along with others and knew how to deal with controversy and turn it into consensus. Dr. Spath was the best choice, and the Board owed it to Dr. Spath for the amount of time he'd invested over the years as an example to others in the community and owed it to the community. The Board needed to remember the community in every decision it made, and this was what had led him to support Dr. Spath.

President Sherris-Watt said that the community might have thought the Board members began by consideration of the candidates in choosing how to cast their votes, but that she believed the opposite was true. As a group, the Board was looking forward and not back. Historical knowledge was important but wouldn't help the Board achieve its goals. Although the Board hadn't been able to set goals together yet, she would provide her vision and goals for the KPPCSD in the coming months and

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year. There was a need for a local government that had the routine and rigor of professionalism, which was something the District still lacked. She cited her desire for the District to be financially viable, meeting its short-term and long-term goals that included improvements to capital assets. There was a need for a District with better and clearer policies and procedures for police officers, staff, the Board, and the community. There was a need to hire and retain exceptional employees and a Board that communicated with all community members – seeking out new ways to reach and bond with residents, even those unable to attend meetings. She concluded by saying that these were the factors she would consider in casting her vote.

Vice President Nottoli said Kensington was fortunate to have several qualified candidates wanting to serve. At this moment, the community faced significant challenges: The capital improvements for the Community Center and the Public Safety Building; improving the professionalism of police services; and addressing the unfunded pension liability and retiree benefits. She'd read the letters and resumes of the candidates and the letters of support, and she thanked those who had spoken and written letters. Problems with the police department were apparent to most Kensington residents. The recent scandals had tarnished Kensington, had been very costly, and would continue to be so in high legal fees. The costs weren't sustainable, and the community had a police union that had been politically active and had contributed to past directors who had been negotiators of the police MOU. During the prior three years, one police chief had been fired, one had left prematurely, and one had left after a few days of looking at the problems. During the past few months, three of the ten officers had been off duty with no backup. When she'd asked police chiefs about the impact of 20% of the force being out, the response had been, morale problems. There was one officer at night, with no supervision. The 2016 election had been the first election since the Reno news had been made public, and the assumption that all was well in Kensington had been shaken. During her campaign, she'd promised she'd work to split the combined GM/COP position, because of the inherent conflict of interest, and to hire a skilled GM. She said she'd also promised to get the necessary facts so the District could explore whether contracting would make sense for Kensington in terms of police services and finances: The Board must look at the options and make decisions. With this in mind, she was voting for Chris Deppe. He was a problem solver and had keen analytical skills that could help with the financial challenges. He'd been an active member of the Ad Hoc Committee and had contributed to the betterment of the community. Mr. Deppe had been clear and consistent about the need to explore whether contracting for police services made sense for Kensington. He was an insightful, dedicated resident, and she appreciated his ability to serve.

Director Hacaj said that, for some in the community, this appointment had taken on a meaning that was important to them and that was wrapped up with a lot of other issues. She believed that the District was in a time of transition and that, over the past few years, residents had become aware of shortcomings in the District's leadership and management and had expressed a desire to change and move Kensington forward. She noted it was the Board's role to set policy and provide oversight to ensure that the community had law enforcement it could trust and the level and quality of service it could expect and deserve at a cost it could afford now and into the future. The qualities she was looking for in making the appointment were: Someone who, while cognizant of the constraints the District faced, had a bias toward action and a willingness to work creatively to overcome them to make progress toward a professional 21st century standard in all aspects. Much of the challenge was change-management. It was important to have a Director who understood the importance of setting goals for the District and who would work with District leadership to provide support. She was looking for someone who took action while trying to solve problems. She, too, had read every letter that had come in and said she was sorry she'd not been able to respond to them. In the end, it wasn't the inputs that mattered or how many years someone had lived in Kensington. It wasn't about how many meetings one had attended or how many hours one had devoted to District service. What mattered was the impact the Board's decisions would have. Could residents get a report on identity theft in two weeks instead of two months? Was the Community Center calendar up-to-date? Were traffic controlling measures slowing cars on the Arlington? And, could residents find information on the website easily? In the end there were big and small issues, but it was how the District impacted day-to-day lives that mattered. When something hadn't been working, Chris Deppe had stood up and worked with his neighbors and colleagues, had addressed the Board and police chiefs and had worked hard to make change. This was probably the hardest decision she'd had to make, but it was the decision she'd come to because she thought it was the

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best decision for Kensington moving forward. She appreciated what all the candidates had had to say. No matter who was appointed, there would be people who were disappointed – she'd made the best decision she could.

President Sherris-Watt thanked the applicants again and said it gave her great faith in Kensington. She said this was very difficult: All the candidates were well qualified and cited their involvement. She said the Board must move forward and work with the community.

MOTION: President Sherris-Watt moved, and Vice President Nottoli seconded, that the Board vote to fill the vacancy for Board of Director for the Kensington Police Protection and Community Services District.

President Sherris-Watt took a roll-call vote.

Director Hacaj voted for Chris Deppe

Director Welsh voted for David Spath. He clarified that he wasn't voting against the other candidates. He was voting for Dr. Spath because he thought he was the right choice and the choice most devoid of political dynamics.

Vice President Nottoli voted for Chris Deppe and echoed what Directors Hacaj and Welsh had said: The Board was lucky in having outstanding candidates.

President Sherris-Watt voted for Chris Deppe for the vacancy of Director.

President Sherris-Watt announced that, by a vote of 3 to 1, the Board appointed Chris Deppe and thanked everyone for attending.

CONSENT CALENDAR

President Sherris-Watt asked if anyone wanted an item pulled from the Consent Calendar. No one did.

MOTION: President Sherris-Watt moved and Director Welsh seconded to approve the Consent Calendar.

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Hacaj

NOES:

ABSENT:

President Sherris-Watt announced that the next meeting of the Board would be September 14, 2017 and that the August 24, 2017 meeting had been cancelled.

MOTION: President Sherris-Watt moved, and Director Welsh seconded, to adjourn.

Motion passed: 4 – 0.

AYES: Sherris-Watt, Nottoli, Welsh, Hacaj

NOES:

ABSENT:

The meeting was adjourned at 9:20 P.M.

Rachelle Sherris-Watt
KPPCSD Board President

Lynn Wolter
District Administrator

Unaudited Profit & Loss Budget Performance

February 28, 2010 through August 31, 2017

	Feb 28, '10 -...	Budget	Jul '10 - Aug...	YTD Budget	Annual Bud...
Ordinary Income/Expense					
Income					
400 · Police Activities Revenue					
401 · Levy Tax	9,919,153.53	11,398,584.29	11,140,418.93	1,740,000.00	1,740,000.00
402 · Special Tax-Police	4,767,490.00	5,440,130.00	5,447,620.00	680,000.00	680,000.00
403 · Misc Tax-Police	406.10	100.00	406.10	0.00	0.00
404 · Measure G Supplemental Tax ...	3,249,220.72	3,296,741.78	3,249,220.72	0.00	547,995.00
409 · Asset seizure forfeit/WEST NET	162,302.71	0.00	162,302.71	0.00	0.00
410 · Police Fees/Service Charges	15,352.20	13,258.93	16,939.91	250.00	1,500.00
411 · Kensington Hilltop Srvc Reimb	57,393.00	38,367.00	57,393.00	0.00	20,051.00
412 · Special Assignment Revenue	32,968.78	0.00	32,968.78	0.00	0.00
413 · West County Crossing Guard ...	28,464.00	21,981.00	28,464.00	0.00	11,623.00
414 · POST Reimbursement	32,600.56	2,000.00	32,600.56	0.00	0.00
415 · Grants-Police	836,377.96	0.00	859,533.77	0.00	0.00
416 · Interest-Police	28,011.65	29,600.00	31,340.15	0.00	2,500.00
417 · Police Asset Sale	0.00	0.00	0.00		
418 · Misc Police Income	139,338.19	112,035.71	148,063.62	0.00	11,500.00
419 · Supplemental W/C Reimb (48...	207,554.24	25,994.24	207,554.24	8,800.00	11,033.00
400 · Police Activities Revenue - Ot...	0.00	0.00	0.00		
Total 400 · Police Activities Revenue	19,476,633.64	20,378,792.95	21,414,826.49	2,429,050.00	3,026,202.00
420 · Park/Rec Activities Revenue					
421 · Levy Tax-Park/Rec	0.00	0.00	0.00		
423 · Misc Tax-Park/Rec	0.00	0.00	0.00		
424 · Special Tax-L&L	234,709.32	224,000.00	265,160.68	0.00	37,503.00
425 · Bond Taxes-Pk/Rec	0.00	0.00	0.00		
426 · Park Donations	0.00	2,000.00	350.00		
427 · Community Center Revenue	210,019.87	198,544.64	228,839.59	4,500.00	28,000.00
428 · Building E Revenue	145.00	0.00	145.00		
429 · Annex Revenue	0.00	0.00	0.00		
430 · KCC Monthly Wage Reimb	0.00	0.00	0.00		
435 · Grants-Park/Rec	100,000.00	207,000.00	100,000.00		
436 · Interest-Park/Rec	423.80	1,350.00	616.78		
437 · Contributions for Sound Syst...	11,000.00	8,000.00	11,000.00	0.00	0.00
438 · Misc Park/Rec Rev	4,778.00	3,700.00	5,570.05	0.00	200.00
439 · Contributions for Community ...	0.00	0.00	0.00	0.00	3,500.00
420 · Park/Rec Activities Revenue - ...	7,903.85	0.00	7,903.85		
Total 420 · Park/Rec Activities Revenue	568,979.84	644,594.64	619,585.95	4,500.00	69,203.00
440 · District Activities Revenue					
448a · Franchise Fees Gross	270,765.32	227,950.00	284,437.40	3,150.00	90,000.00
448b · less Franchise Fees Paid Out	-38,776.72	0.00	-38,776.72	0.00	-38,570.00
449 · District Revenue	0.00	0.00	0.00		
456 · Interest-District	2,206.23	3,900.00	2,776.29	0.00	200.00
457 · Dist Asset Sale	0.00	0.00	0.00		
458 · Misc District Revenue	38,435.04	0.00	43,687.26	0.00	0.00
440 · District Activities Revenue - O...	0.00	0.00	0.00		
Total 440 · District Activities Revenue	272,629.87	231,850.00	292,124.23	3,150.00	51,630.00
Total Income	20,318,243.35	21,255,237.59	22,326,536.67	2,436,700.00	3,147,035.00
Expense					
3 · Condense Item Adj. Expense	0.00	0.00	0.00		
4000 · Reconciliation Discrepancies	0.00	0.00	0.00		
500 · Police Sal & Ben					
502 · Salary - Officers	6,888,719.21	7,053,569.16	7,423,018.49	147,870.00	940,953.00
504 · Compensated Absences	163,271.29	82,500.00	182,264.39	4,500.00	9,200.00
506 · Overtime	485,551.17	362,589.29	534,111.58	12,500.00	75,000.00

Unaudited Profit & Loss Budget Performance

February 28, 2010 through August 31, 2017

	Feb 28, '10 -...	Budget	Jul '10 - Aug...	YTD Budget	Annual Bud...
508 · Salary - Non-Sworn	480,168.77	499,579.05	502,553.77	10,765.00	64,590.00
516 · Uniform Allowance	57,710.67	63,023.79	62,110.23	1,333.34	9,000.00
518 · Safety Equipment	15,984.23	22,757.46	18,484.23	416.66	2,500.00
521-A · Medical/Vision/Dental-Active	1,206,188.22	1,590,174.10	1,275,255.70	30,093.84	180,563.00
521-R · Medical/Vision/Dental-Retired	1,087,061.55	1,027,927.79	1,179,775.57	23,038.50	138,231.00
521-T · Medical/Vision/Dental-Trust	572,088.90	196,307.00	572,088.90	0.00	262,462.00
522 · Insurance - Police	48,868.11	57,859.61	59,683.97	1,156.66	6,940.00
523 · Social Security/Medicare	104,973.74	117,108.09	115,021.86	2,652.84	15,917.00
524 · Social Security - District	33,508.99	31,678.81	36,078.58	667.50	4,005.00
527 · PERS - District Portion	2,704,098.41	2,764,016.43	2,873,642.11	181,851.00	326,151.00
528 · PERS - Officers Portion	573,166.27	596,370.26	623,111.69	6,424.00	38,546.00
530 · Workers Comp	463,669.44	477,025.00	485,494.19	92,000.00	92,000.00
540 · Advanced Industrial Disability	1,229.64	0.00	1,229.64		
541 · Consultant/Operational Audit	0.00	0.00	0.00		
500 · Police Sal & Ben - Other	0.00	0.00	0.00		
Total 500 · Police Sal & Ben	14,886,258.61	14,942,485.84	15,943,924.90	515,269.34	2,166,058.00
550 · Other Police Expenses					
552 · Expendable Police Supplies	22,451.11	13,039.29	24,413.62	366.66	2,200.00
553 · Range/Ammunition Supplies	26,307.96	28,916.66	28,148.05	916.66	5,500.00
555 · CALEA	0.00	0.00	0.00		
560 · Crossing Guard	72,464.74	71,674.00	72,464.74	0.00	11,623.00
562 · Vehicle Operation	315,156.38	375,348.80	340,334.90	6,041.66	36,250.00
564 · Communications (RPD)	973,038.23	1,316,753.00	999,440.12	222,958.00	222,958.00
566 · Radio Maintenance	81,892.70	118,924.08	81,892.70	363.34	2,180.00
568 · Prisoner/Case Exp./Booking	76,104.35	45,664.90	79,863.40	1,483.34	8,900.00
570 · Training	66,301.54	80,702.37	73,966.81	1,666.66	10,000.00
572 · Recruiting	23,966.80	60,847.77	34,881.48	2,625.00	15,750.00
574 · Reserve Officers	15,628.11	36,585.09	21,644.05	1,612.50	9,675.00
576 · Misc. Dues, Meals & Travel	16,405.44	22,506.43	17,554.15	472.50	2,835.00
580 · Utilities - Police	73,220.44	64,650.49	77,920.75	400.00	11,040.00
581 · Bldg Repairs/Maint.	11,028.21	15,672.63	11,166.87	500.00	3,000.00
582 · Expendable Office Supplies	46,531.94	46,601.20	50,203.74	1,083.34	6,500.00
586 · Machine Maintenance	0.00	0.00	0.00		
588 · Telephone(+Rich. Line)	58,463.15	74,041.52	63,395.52	850.00	5,100.00
590 · Housekeeping	31,858.87	31,348.22	33,949.41	666.66	4,000.00
592 · Publications	17,813.61	19,908.93	19,911.22	0.00	3,500.00
594 · Community Policing	26,355.77	34,581.52	28,350.57	1,900.00	9,000.00
595 · Legal/Consulting - Police	1,692.00	5,533.34	1,692.00	5,533.34	33,200.00
596 · WEST-NET/CAL I.D.	77,329.00	83,938.00	89,800.00	6,100.00	6,100.00
598 · COPS Special Fund	79,158.00	10,583.66	103,464.73		
599 · Police Taxes Administration	22,817.62	20,875.00	22,817.62	875.00	3,500.00
550 · Other Police Expenses - Other	0.00	0.00	0.00		
Total 550 · Other Police Expenses	2,135,985.97	2,578,696.90	2,277,276.45	256,414.66	412,811.00
600 · Park/Rec Sal & Ben					
601 · Park & Rec Administrator	51,882.17	54,341.02	59,194.17	1,420.00	8,323.00
602 · Custodian	157,800.00	171,401.07	171,800.00	3,500.00	22,750.00
604 · Gardener	0.00	0.00	0.00		
606 · Casual Labor	2,050.00	0.00	2,050.00		
623 · Social Security/Medicare - Dist	3,232.43	4,154.02	3,738.02	106.16	637.00
630 · Workers Comp. (Recreation)	0.00	0.00	0.00		
600 · Park/Rec Sal & Ben - Other	0.00	0.00	0.00		
Total 600 · Park/Rec Sal & Ben	214,964.60	229,896.11	236,782.19	5,026.16	31,710.00
635 · Park/Recreation Expenses					
640 · Community Center Expenses					
642 · Utilities-Community Center	40,680.15	38,883.26	43,865.43	1,106.00	6,636.00

Unaudited Profit & Loss Budget Performance

February 28, 2010 through August 31, 2017

	Feb 28, '10 -...	Budget	Jul '10 - Aug...	YTD Budget	Annual Bud...
643 · Janitorial Supplies	7,740.75	7,000.00	9,315.13	150.00	1,250.00
646 · Community Center Repairs	64,929.96	18,123.80	65,175.67	416.66	2,500.00
640 · Community Center Expense...	0.00	0.00	0.00		
Total 640 · Community Center Expe...	113,350.86	64,007.06	118,356.23	1,672.66	10,386.00
650 · Building E Expenses					
656 · Bldg E Repairs	0.00	0.00	0.00		
658 · Bldg E Misc	0.00	0.00	0.00		
650 · Building E Expenses - Other	0.00	0.00	0.00		
Total 650 · Building E Expenses	0.00	0.00	0.00		
660 · Annex Expenses					
662 · Utilities - Annex	3,162.24	4,168.17	3,353.92	0.00	0.00
666 · Annex Repairs	908.34	2,000.00	908.34	0.00	1,000.00
668 · Misc Annex Expenses	0.00	2,500.00	0.00	0.00	1,000.00
660 · Annex Expenses - Other	0.00	0.00	0.00		
Total 660 · Annex Expenses	4,070.58	8,668.17	4,262.26	0.00	2,000.00
670 · Gardening Supplies	0.00	6,000.00	0.00	0.00	1,000.00
672 · Kensington Park O&M	442,260.64	551,141.14	467,568.89	12,500.00	69,300.00
674 · Park Construction Exp	0.00	10,000.00	0.00	0.00	5,000.00
678 · Misc Park/Rec Expense	14,206.28	6,517.86	17,150.53	0.00	1,370.82
635 · Park/Recreation Expenses - O...	0.00	0.00	0.00		
Total 635 · Park/Recreation Expenses	573,888.36	646,334.23	607,337.91	14,172.66	89,056.82
6999 · Uncategorized Expenses	0.00	0.00	0.00		
800 · District Expenses					
808 · District Salaries	22,348.57	23,270.00	22,348.57	23,270.00	139,620.00
809 · District Payroll Taxes	0.00	1,780.16	0.00	1,780.16	10,681.00
810 · Computer Maintenance	202,495.39	201,661.55	216,540.84	4,414.66	26,488.00
820 · Cannon Copier Contract	40,108.06	43,510.57	47,666.63	840.84	5,045.00
830 · Legal (District/Personnel)	1,336,452.81	596,315.45	1,367,498.37	10,440.00	53,000.00
835 · Consulting	220,353.90	90,096.46	266,103.10	7,133.34	42,800.00
840 · Accounting	303,984.14	259,381.74	306,924.14	4,300.00	45,500.00
850 · Insurance	237,413.40	242,576.00	263,399.79	32,576.00	32,576.00
860 · Election	58,161.76	32,785.71	69,401.55	0.00	0.00
865 · Police Bldg. Lease	126,569.34	140,967.40	154,569.34	5,911.34	35,468.00
870 · County Expenditures	160,255.12	160,100.00	166,132.72	0.00	21,800.00
880 · KCC/Annex Agreement	0.00	0.00	0.00		
890 · Waste/Recycle	308,973.09	274,189.29	339,149.67	0.00	0.00
898 · Misc. Expenses	76,349.75	92,110.47	80,610.20	3,375.00	20,250.00
899 · Depreciation Expense	542,012.22	0.00	542,012.22	0.00	0.00
800 · District Expenses - Other	0.00	0.00	0.00		
Total 800 · District Expenses	3,635,477.55	2,158,744.80	3,842,357.14	94,041.34	433,228.00
950 · Capital Outlay					
961 · Police Bldg Improvements	1,395.00	0.00	1,395.00	0.00	0.00
962 · Patrol Cars	113,596.84	138,000.00	113,596.84	0.00	0.00
963 · Patrol Car Accessories	46,273.11	40,000.00	46,273.11	1,000.00	1,000.00
965 · Personal Police Equipment-A...	18,779.64	10,000.00	18,779.64	0.00	13,546.64
966 · Police Traffic Equipment	8,910.32	6,600.00	8,910.32	0.00	8,810.16
967 · Station Equipment	14,489.89	13,100.00	14,489.89	0.00	6,005.00
968 · Office Furn/Eq	0.00	6,000.00	0.00	0.00	0.00
969 · Computer Equipment	24,236.07	27,250.00	24,236.07	1,500.00	3,000.00
971 · Park Land	0.00	0.00	0.00		
972 · Park Buildings Improvement	66,992.79	410,000.00	69,502.25	15,000.00	307,230.00
973 · Park Construct. Grant	0.00	0.00	0.00		

Unaudited Profit & Loss Budget Performance

February 28, 2010 through August 31, 2017

	Feb 28, '10 -...	Budget	Jul '10 - Aug...	YTD Budget	Annual Bud...
974 · Other Park Improvements	0.00	7,500.00	0.00	0.00	4,500.00
978 · Pk/Rec Furn/Eq	39,865.49	21,000.00	39,865.49	0.00	1,000.00
981 · Bldg E Improvements	0.00	0.00	0.00		
983 · Annex Improvements	0.00	0.00	0.00		
950 · Capital Outlay - Other	0.00	0.00	0.00		
Total 950 · Capital Outlay	334,539.15	679,450.00	337,048.61	17,500.00	345,091.80
997 · Payroll Expenses	5,937.50	0.00	5,937.50		
Total Expense	21,787,051.74	21,235,607.88	23,250,664.70	902,424.16	3,477,955.62
Net Ordinary Income	-1,468,808.39	19,629.71	-924,128.03	1,534,275.84	-330,920.62
Other Income/Expense					
Other Expense					
700 · Bond Issue Expenses					
701 · Bond Proceeds	-1,244,961.76	0.00	-1,423,372.28	0.00	0.00
710 · Bond Admin.	88,498.11	0.00	97,555.02	0.00	0.00
715 · Bond Interest Income	-2,689.68	0.00	-3,043.53	0.00	0.00
720 · Bond Principal	829,226.15	0.00	931,213.36	0.00	0.00
730 · Bond Interest	287,349.77	0.00	349,793.06	0.00	0.00
700 · Bond Issue Expenses - Other	0.00	0.00	0.00		
Total 700 · Bond Issue Expenses	-42,577.41	0.00	-47,854.37	0.00	0.00
990 · EPC Activities	0.00	0.00	0.00		
995 · Loss/(Gain) - Asset Disposition	1,932.34	0.00	1,932.34	0.00	0.00
996 · New Equipment	0.00	0.00	0.00		
998 · Insurance	0.00	0.00	0.00		
999 · Med./Life Ins./Wrk Comp	0.00	0.00	0.00		
Total Other Expense	-40,645.07	0.00	-45,922.03	0.00	0.00
Net Other Income	40,645.07	0.00	45,922.03	0.00	0.00
Net Income	-1,428,163.32	19,629.71	-878,206.00	1,534,275.84	-330,920.62

2:16 PM

09/08/17

Accrual Basis

KPPCSD
Transaction Detail By Account
 July through August 2017

Date	Num	Name	Memo	Split	Amount
440 · District Activities Revenue					
448a · Franchise Fees Gross					
07/26/2017	0542		Bay View Ref...	112 · General ...	4,082.43
08/28/2017	0573		Bay View Ref...	112 · General ...	2,437.12
Total 448a · Franchise Fees Gross					<u>6,519.55</u>
Total 440 · District Activities Revenue					<u>6,519.55</u>
TOTAL					<u><u>6,519.55</u></u>

KPPCSD
Transaction Detail By Account
July through August 2017

Date	Num	Name	Memo	Split	Amount
440 - District Activities Revenue					
448b - less Franchise Fees Paid Out					
07/01/2017	A/P R...	Contra Costa County	TO REVERS...	210 · Account...	1,749.61
07/14/2017	18091	CCC Community D...	3% Franchis...	112 · General ...	-1,749.61
08/15/2017	18148	CCC Community D...	3% Franchis...	112 · General ...	-1,044.48
Total 448b · less Franchise Fees Paid Out					-1,044.48
Total 440 · District Activities Revenue					-1,044.48
TOTAL					-1,044.48

A. Stevens Dalk
8/11/17

Amounts of Various Categories of Municipal Solid Waste Generated in Kensington

AB 341 Category Specific Type	Disposal			Recycle			Summary		
	Garbage Tons	%	Dirt/C&D/Other Tons	Recyclables Tons	%	Yard Waste Tons	Generated Tons	Disposed PPD	Recycled %
2005	?		?	?		?	?	?	58
2006	?		?	?		?	?	?	58
2007	?		?	?		?	?	?	58
2008	?		?	?		?	?	?	57
2009	?		?	?		?	?	?	60
2010	?		?	?		?	?	?	61
2011	?		?	?		?	?	?	59
2012	?		?	?		?	?	?	61
2005-2012	?		?	?		?	?	?	59
2014	213	35	6	185	31	201	605	2.7	1.0
2015	309	39	16	219	28	238	783	3.5	1.4
3rd Q	274	39	0	199	28	230	703	3.1	1.2
4th Q	285	40	4	189	26	237	715	3.2	1.3
1st Q	278	40	0	199	29	221	698	3.1	1.2
2nd Q	299	41	0	207	29	220	725	3.2	1.3
3rd Q	307	40	0	197	26	255	759	3.4	1.4
4th Q	313	39	0	193	24	298	804	3.6	1.4
1st Q	347	46	0	187	25	227	761	3.4	1.5
2nd Q	297	39	0	259	34	209	765	3.4	1.3
3rd Q	301	39	0	216	28	251	768	3.4	1.3
4th Q	324	39	0	198	24	311	833	3.7	1.4
2014-2017	296	40	2	204	28	241	743	3.3	1.3
2020 75% Diversion Goal	185	25	0	260	35	298	743	3.3	0.8

To meet the State goal of 75% Diversion by 2020, Kensington needs to reduce what goes to landfill. As shown on the last line, one way this could be accomplished is if Garbage contains 20% recyclable material and 20% dirty/soiled paper, and these are diverted to Recyclables and Yard Waste. The only available data for 2005-2012 is from a GM Greg Harman memo of Oct. 10, 2013. Tonnage data is from Bay View Quarterly Reports; percent is relative to total waste. Dirt/C&D/Other is classified as Disposal-Related and cannot count toward Recycle. Under Summary, Generated is total waste picked up and Disposed is that taken to landfill or other sites; PPD is pounds per person per day (tons/quarter x 2000 pounds/ton ÷ 5000 residents ÷ 91 days/quarter). Recycle % is Recyclables plus Yard Waste, divided by Generated. Diversion Rate is defined as reduction in landfill disposal and includes Source Reduction (material not acquired) which is difficult to quantify. In 2011 Bay View's Lewis Figone wrote that Kensington had "no significant decrease" in material going to landfill in the previous 12 years, and records show a fairly constant Recycle Rate since 2005. Therefore, Recycle Rate is probably roughly equivalent to Diversion Rate.

Comments by Jim Watt

I believe all four candidates possess skills that would be beneficial to the Board. However, skills alone are not what is called for if the candidates are not focused on the most important issues facing the District, which I believe are to provide the best professional police services at the lowest cost. The emphasis on low cost is important because the costs of our police services have been rising at an alarming clip. The CalPERS valuation contained in this month's agenda indicates our unfunded PERS (pension) liability increased by \$800,000 last year to a total liability of \$3.8 Million. When our medical liability is included our total unfunded liability for police services stands at \$6.9 million. At the same time that costs have been rising we have been left short handed due to the unavailability of officers because of worker's comp and administrative issues and what appears to be ongoing internal strife within the department.

These rising costs and diminished services have to be addressed. One avenue to explore would be outsourcing, and to do so dispassionately and expeditiously. At the same time we need to be evaluating our staffing levels, our hiring practices and the areas where we want our police to focus their attention. Finally we need to take a hard look at our salary and benefits and rectify those factors that are contributing to the staggering increase in our unfunded liabilities.

I wish I could hear what, if anything, these candidates have to say about these issues, because how they would handle these concerns should be a major factor in your decision.

Lynn Wolter

From: Katie Gluck <gluckkatie@yahoo.com>
Sent: Monday, August 14, 2017 4:05 PM
To: Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj; Rachelle Sherris-Watt; Rachelle Sherris-Watt; Tony Constantouros; Lynn Wolter
Subject: Appointment to KPPCSD

I wish to recommend the appointment of Dr. David Spath to take the vacant seat on the Board. David is a longtime Kensington resident during which time he has been actively involved in the Community attending ALL KPPCSD meetings as well as those of the Finance Committee. During my time on the Community Center Ad Hoc Building Committee, he was in attendance at all meetings. I was fortunate enough to attend many of the Ad Hoc committee on Governance meetings (which David Spathe Chaired), and witnessed first hand how fairly he deals with people, respecting all opinions. He was able to keep the Group focused and bring forth a detailed and comprehensive Report. All this combined with his business resume and calm demeanor certainly makes him the most qualified candidate.

Respectfully,
Katie Gluck

Lynn Wolter

From: barbara berry <barsberry@icloud.com>
Sent: Sunday, August 13, 2017 10:26 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj;
dpspath@yahoo.com
Cc: Tony Constantouros; Lynn Wolter
Subject: Kppcsd vacancy

Dear kppcsd board

I'm writing to strongly recommend David Spath for the board vacancy . He is highly experienced and qualified and has consistently demonstrated his commitment to Kensington and to all of its diverse residents by his intelligent, rational, evenhanded participation in board meetings and committees.

We need someone fair and open minded for this position and David Spath is that person.

Thank you
Barbara Berry

Sent from my iPhone

Lynn Wolter

From: Barbara Bodle <bbodle@berkeley.edu>
Sent: Sunday, August 13, 2017 9:26 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: Tony Constantouros; dspath@yahoo.com; Lynn Wolter
Subject: Please DO NOT contract out our KPD

To the KPPCSD Board:

I have been a Kensington resident for 19 years. I have great concern that we keep our Kensington police department independent and do not contract out services.

I feel an immense gratitude for our KPD officers. They have helped our family with challenges over the years with fairness, wisdom, intelligence, professionalism, intelligence and kindness. We have had home break in, car theft from our driveway, recovery of stolen property and dramatic teen child acting out situations. I once found a missing person who I brought to KPD. In all situations we were treated with great respect. The officers went above and beyond in fairness and great effort. I will never forget the kindness and personal concern that was given by the officers to my children.

I am CONVINCED that we would not have been helped in the same manner if the police services were contracted out.

I am writing to urge the appointment of David Spath to fill the current vacancy on the KPPCSD Board of Directors. He has shown consistent and dedicated commitment to service on behalf of the citizens of Kensington at the many KPPCSD Board meetings at which he appears and participates, and in his committee work. Spath has a proven record of professional experience and the ability to work successfully with people of divergent points of view. At this critical time, Kensington needs to be governed by skilled professionals who possess these qualifications. I want a director who understands the importance of the KPD staying independent and that is why I am advocating for Dave Spath to the vacant seat on the Board for the benefit of our community.

Thank you,

Barbara Pedersen
77 Franciscan Way, Kensington

Lynn Wolter

From: Peter Liddell <peterliddell3@gmail.com>
Sent: Sunday, August 13, 2017 8:29 PM
To: Rachelle Sherris-Watt
Cc: Tony Constantouros; Lynn Wolter
Subject: Recommendation of David Spath for KPPCSD Director Vacancy

Dear President Sherris-Watt,

I am writing to request that you choose David Spath to fill the position recently vacated by Vanessa Cordova. David has extensive experience in government administration and was very successful in guiding the Ad Hoc Governance Committee to completion of their Final Report on schedule.

He has shown that he can work with people of diverse views to achieve a common goal. He has demonstrated his knowledge and understanding of the duties and limitations of special districts such as the KPPCSD. From his education and work experience he has developed critical thinking & analytical skills that would be a boon to the board. He is open minded and a good listener, both important skills for working with the variety of ideas and opinions found in the District's constituents.

Regards,
Peter Liddell

218 Columbia Ave.
Kensington, CA 94708
13 August 2017

To the KPPCSD Board:

I write to express my support for Mr. David Spath to fill the current vacancy on the KPPCSD Board of Directors. Having learned of his excellent qualifications to serve our community during last year's Board election, in which he was runner-up, I believe he is well-qualified for the position by experience and dedication to public service. I hope to see an appointment to the Board at this time of a new member who will think and act independently, with an open mind, based on all available information, as well as community preferences. In my view, David Spath is that person.

No decision about the future of our police and fire departments should be made without sufficient consultation with community residents. I believe that David Spath would help to assure that that democratic process is followed.

Sincerely,

Marilyn J. Boxer

Lynn Wolter

From: jaima1@aol.com
Sent: Sunday, August 13, 2017 7:48 PM
To: Rachelle Sherris-Watt; lenwalsh@gmail.com; Eileen Nottoli; Sylvia Hacaj
Cc: Tony Constantouros; Lynn Wolter
Subject: Appointment to the KPPCSD

To the KPPCSD Board,

I am writing in regard to the Special KPPCSD meeting tomorrow night (8/14/17) which has been scheduled to appoint a new Director to fill the vacancy left by the resignation of Director Cordova. I have been reading about the candidates who have applied for the position and talking to many people in the community who have a variety of views and opinions.

I believe that the position requires someone with relevant experience and who has shown a consistent interest in the community and who is willing to be open to finding solutions to the many problems and issues we face in Kensington. I would like to see the appointment go to someone who is open to all points of view and will be dedicated to doing the necessary research and objective review of the Ad Hoc Committee on Governance's report, which was done to aid the KPPCSD and the community in discerning potential next steps for our community. In my opinion and the opinion of many of those that I have talked to, David Spath has the experience and commitment to the community that we need at this important time when the decisions we may be making in the near future will have long term consequences for our town. I think it is very important to choose someone with experience in managing a budget and handling the complex issues of the KPPCSD. David Spath has shown himself to be capable of working with people of differing points of view and has not taken a position on contracting out and is willing to consider all options in this issue, which may be the next big decision that the KPPCSD has to make. I urge you to appoint David Spath to the KPPCSD for the good of the community.

Thank you,

Jaima Roberts
Cambridge Ave.

Lynn Wolter

From: Betty Webster <b.j.webster@att.net>
Sent: Sunday, August 13, 2017 7:22 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: Tony Constantouros; Lynn Wolter
Subject: Appointment to the Vacant Suit on the KPPCSD Board

To the KPPCSD Board:

I recommend appointing David Spath to the vacant seat on the KPPCSD Board. David seems to be a person who considers all sides to an issue. He is calm and of neutral opinion until he has thoroughly studied whatever is at hand.

He ranked third in the 2016 election where 2 were chosen for the Board. This indicates his substantial popularity in the Kensington Community. Fairness in appointment would suggest that he be chosen. The Board should have, if possible, fairly equal representation of community feelings. Appointment of David Spath would accomplish that.

David's qualifications are unquestionable. He has done considerable research into the structural problems of Kensington. He was chair of KPPCSD's Ad Hoc Committee on governance, and thus has considerable knowledge of the structural points now before Kensington: bifurcation of the general manager/chief of police position, the contracting out of police services and the services provided to Kensington by KPPCSD (police, parks and recreation, solid waste) and by KFPD (fire services).

I heartily recommend his appointment to the KPPCSD Board.

Sincerely,

Betty Webster
Resident of Kensington since 1969

Lynn Wolter

From: BA Engel <baengel2009@gmail.com>
Sent: Sunday, August 13, 2017 6:01 PM
To: Lynn Wolter
Subject: Fwd: New Board Member

Hi There

Trying to send this to Board members but Rachael is the one that goes through.

Can't come to the meeting tomorrow but want my voice to be heard. Can you get this to the rest of them for me. Thank you. BA

Sent from my iPhone

Begin forwarded message:

From: BA Engel <baengel2009@gmail.com>
Date: August 13, 2017 at 5:51:32 PM PDT
To: rscherriswatt@kensingtoncalifornia.org
Subject: New Board Member

Since I will be unable to attend the meeting tomorrow evening, I am sending this email as my voice during the comment period.

Having lived in Kensington for more than 40 years I understand the importance of having a balanced Board that represents the opinions of all the residents of this wonderful community.

I would like to go on record as reaffirming my choice of David Spath as the person to fill the vacancy left by the long term absence, then resignation, of Vanessa Cordova.

I supported David Spath in the election. I continue to think that, with his knowledge, experience with the Ad Hoc Committee, and diligence in his long term involvement & regular attendance at the KPPCSD meetings, qualifies him to be the replacement Director.

Please take this opinion into consideration in voting, while remembering that he was next in line in voters' choice at the polls.

I truly feel that in our society the voice of the people should be honored.

Sincerely, Elizabeth Engel

Sent from my iPhone

Lynn Wolter

From: Suzanne Calpestri <scalpestri@gmail.com>
Sent: Saturday, August 12, 2017 8:13 PM
To: Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj; Rachelle Sherris-Watt
Cc: David Spath; Lynn Wolter; Tony Constantouros
Subject: KPPCSD -- In support of David Spath for Board vacancy

To the KPPCSD Board:

I am writing to urge the appointment of David Spath to fill the current vacancy on the KPPCSD Board of Directors. I believe that Dr. Spath is completely qualified to fill that vacancy. He has shown consistent and dedicated commitment to service on behalf of the citizens of Kensington at the many KPPCSD Board meetings at which he appears and participates, and in his committee work. Spath has a proven record of professional experience and the ability to work successfully with people of divergent points of view. At this critical time, Kensington needs to be governed by skilled professionals who possess these qualifications. David Spath is that person.

David Spath has been deeply involved in Kensington issues over the years. His chairmanship of the KPPCSD Ad Hoc Committee on governance resulted in a detailed report examining the structure of government in Kensington, and alternatives and improvements. He has comprehensive knowledge about the bifurcation of the general manager-chief of police position, contracting out police services, consolidation of the police district with its fire district. Both are our main protection districts. Moreover, he has extensive experience in managing and interfacing with government agencies on a state and federal level.

Please appoint Dave Spath to the vacant seat on the Board for the benefit of our community.

Very truly yours,
Italo and Suzanne Calpestri

Suzanne Holliday Calpestri
email: scalpestri@gmail.com
220 Columbia Ave.
Kensington, CA 94708

Lynn Wolter

From: Richard Karlsson <rrkarlss@gmail.com>
Sent: Saturday, August 12, 2017 1:39 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: Lynn Wolter
Subject: Appointment of new board member

Dear KPPCSD: I have been a Kensington resident since 1981 and my wife, Nancy, and I have raised our two children here. At one point, our sitter for our two children, Kirsten and Colin, was Vanessa Cordova, of whom we all have fond memories when she was with us.

My background is a former attorney representing Alameda County and serving in the positions of Assistant County Counsel and interim County Counsel. I am very familiar with contracting by public agencies with law enforcement agencies and, in the past, I have represented both the Alameda County Sheriff's Office and a medical center in contracting between law enforcement agencies and public entities to provide services. While I have no position on whether Kensington should or should not contract out its law enforcement services, it is in my experienced opinion that this is a very difficult, complex and lengthy process that should not be lightly undertaken. Though I am now retired, should your Board determine to go in the direction of contracting out police services, I would be happy to assist in the process.

In regard to your candidates for the replacement of Ms. Cordova, I have no experience with any of the existing candidates, save Dave Spath. I met Mr. Spath when he was chairing the Committee to consider, among other issues, contracting out the Kensington police department. I was very impressed with his presentations, his leadership of the Committee, and his appreciation of complex issues associated with contracting out of police services. I therefore support his nomination.

Sincerely, Richard Karlsson

Lynn Wolter

From: Dakota McKenzie <talktodakota@gmail.com>
Sent: Saturday, August 12, 2017 12:30 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: Tony Constantouros; Lynn Wolter; dpspath@yahoo.com
Subject: Urge Appt of David Spath

To the KPPCSD Board:

I strongly urge the appointment of David Spath to fill the current vacancy on the KPPCSD Board of Directors. In my opinion Dr. Spath is the person most qualified to fill that vacancy. Over time he has consistently demonstrated dedicated commitment to service on behalf of the citizens of Kensington. This is at the many KPPCSD Board meetings at which he appears and participates, as well as in his committee work. David Spath has a proven record of professional experience and the ability to work successfully with people of divergent points of view. At this critical time, Kensington needs to be governed by skilled professionals who possess these qualifications. David Spath is that person.

David Spath has been deeply involved in Kensington issues over the years. His chairmanship of the KPPCSD Ad Hoc Committee on governance resulted in a detailed report examining the structure of government in Kensington, as well as alternatives and improvements. His knowledge is comprehensive when it comes to the bifurcation of the general manager-chief of police position, contracting out police services, consolidation of the police district with its fire district. Both are our main protection districts. Moreover, he has extensive experience in managing and interfacing with government agencies on a state and federal level.

Please appoint Dave Spath to the vacant seat on the Board for the benefit of our community. I urge this as a property owner and 40 year resident.

Very truly yours,

Dakota McKenzie

--

Artist/Writer at Dakota McKenzie Fine Art

510 292-9202

www.dakotamckenzie.com

<https://www.facebook.com/talktodakota>

Lynn Wolter

From: Amy Kurzer <amykurzer@gmail.com>
Sent: Saturday, August 12, 2017 11:14 AM
To: Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj; Lynn Wolter; dpspath@yahoo.com; Tony Constantouros
Subject: David Spath for KPPCSD Board

To the KPPCSD Board:

I am writing to urge the appointment of David Spath to fill the current vacancy on the KPPCSD Board of Directors. I believe that Dr. Spath is completely qualified to fill that vacancy. He has shown consistent and dedicated commitment to service on behalf of the citizens of Kensington at the many KPPCSD Board meetings at which he appears and participates, and in his committee work. Spath has a proven record of professional experience and the ability to work successfully with people of divergent points of view. At this critical time, Kensington needs to be governed by skilled professionals who possess these qualifications. David Spath is that person.

David Spath has been deeply involved in Kensington issues over the years. His chairmanship of the KPPCSD Ad Hoc Committee on governance resulted in a detailed report examining the structure of government in Kensington, and alternatives and improvements. He has comprehensive knowledge about the bifurcation of the general manager-chief of police position, contracting out police services, consolidation of the police district with its fire district. Both are our main protection districts. Moreover, he has extensive experience in managing and interfacing with government agencies on a state and federal level.

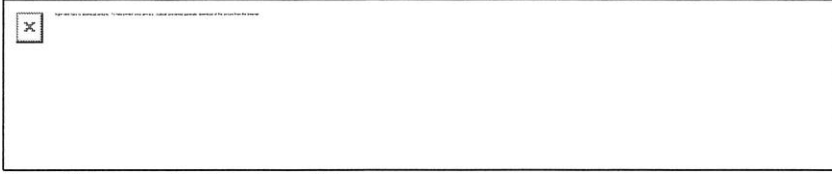
Please appoint Dave Spath to the vacant seat on the Board for the benefit of our community.

Very truly yours,

Amy Kurzer
Kensington resident and homeowner (22 years)

P.S. I have used the wording of a previously written letter to the Board because it states my view so eloquently. I want a dispassionate, objective and intelligent review of the issues before the Board and am fed up with what I see as local hysteria, personal vendettas and frivolous law suits brought in the past against the Board and its members individually. For members of our community to give so much of their valuable time to run our tiny little community, we should show respect and immense gratitude not attack them personally and sue them. I want only those who have intelligence, experience, and emotional stability running this governmental organization. If we cannot have that level of professionalism then we should not have a volunteer Board. Having said that, we have so many wonderfully qualified folks in this

community who amazingly still want to give of their time and energy to run the day to day business of Kensington. We should support them and be thankful that we have them among us.



Amy Kurzer, Broker Associate

Your East Bay Specialist!

Millstein & Associates Real Estate

AmyKurzer@gmail.com

510.387.0723

www.amykurzer.com

Lynn Wolter

From: Meredith MINKLER <mink@berkeley.edu>
Sent: Saturday, August 12, 2017 9:32 AM
To: Rachelle Sherris-Watt; Eileen Nottoli; Len Welsh GMail; Sylvia Hacaj
Subject: Board appointment recommendation: Dr. David Spath
Attachments: Spath for KCC board.docx

Hello all,

Thanks for considering Dr.David Spath, to fill the vacancy on the board at this critical point in time. I believe he would be an excellent choice, and am attaching a letter outlining the reasons for enthusiastic support.

Thanks very much, and also for your continued service to our community. Meredith

Meredith Minkler, DrPH, MPH
Professor Emerita / Professor in the Graduate Group
Community Health Sciences
School of Public Health
50 University Hall #7360
UC Berkeley
Berkeley, CA 94720-7360

Board of Directors, KPPCSD

August 10, 2017

Dear members of the Board:

I was delighted to learn that Dr. David Spath is being considered for the current vacancy on the Board of Directors of KPPCSD, and am very confident in his continuing to serve our community in an exceptional way if selected.

As a dedicated and thoughtful citizen of our community, Dr. Spath brings to bear his professionalism, interpersonal skills, knowledge base, and commitment to working in service to Kensington. I have been most impressed by his previous service in several capacities. Dr. Spath invariably takes the time to study new and often complex and emotionally charged issues in depth, so that he can make careful and informed decisions. He did this as chair of the Board's Ad Hoc governance Committee which, partly thanks to his efforts, was able to prepare a detailed report exploring the structure of governance in Kensington, and providing helpful options and recommendations for improvement.

Dr. Spath's leadership and understanding of complex issues is particularly important as our community considers options including whether or not to keep an independent police force. Both his commitment to doing what is best for our unique community, and his considerable expertise in managing and working at the intersections of state and federal level agencies, would serve us extremely well, as they have in the past. I hope you will give Dr. Spath's candidacy for the vacant position on our board your most serious consideration. Our community deserves no less than this excellent and proven candidate.

Yours Sincerely,



Meredith Minkler and Jerry Peters
168 Highland Blvd.
Kensington 94708

Lynn Wolter

From: Marian L GADE <mgade@berkeley.edu>
Sent: Friday, August 11, 2017 9:12 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: Tony Constantouros; Lynn Wolter
Subject: Membership on Board

Dear Neighbors and Board Members:

Please seriously consider appointing Dr. David Spath to the now vacant seat on the police and community services board. Dr. Spath has demonstrated his devotion to public service in Kensington, as you know, and is highly qualified to serve in this position.

I urge his appointment. Thank you.

Marian Gade
136 Highland Blvd.

Lynn Wolter

From: Frank T. Lossy <ftlossy322@comcast.net>
Sent: Friday, August 11, 2017 7:44 PM
To: Rachelle Sherris-Watt; Len Welsh GMail; Eileen Nottoli; Sylvia Hacaj
Cc: "T Constantouros"@kensingtoncalifornia.org; Lynn Wolter
Subject: Plea: re Appointment to KPPCCSD Board

Dear Board Member,

We urge you to appoint David Spath to the vacant seat on the Board.

We have been very impressed with Mr. Spath. His qualifications and professional experience will be very important in making wise decisions in behalf of our community. We have all seen the excellent leadership he provided as Chairman of the KPPCCSD Ad Hoc Committee on governance.

This is a critical time for our community. David Spath has shown how well he works with people who hold differing points of view. We will all benefit from your appointing David Spath to fill the current vacancy on the Board.

Thank you,

Barbara Steinberg and Frank Lossy, M. D.

Lynn Wolter

From: Charles Toombs <cet@mcinerney-dillon.com>
Sent: Friday, August 11, 2017 7:09 PM
To: Lynn Wolter
Cc: Tony Constantouros; Rachele Sherris-Watt; Eileen Nottoli; Len Welsh; Sylvia Hacaj
Subject: FW: RE: Police Department questions and oversight

Dear Lynn (and Board Members):

I understand that this Monday night you will be selecting a new board member to replace Ms. Cordova who recently resigned.

One of the candidates up for consideration is Chris Deppe. While Mr. Deppe and I have by and large enjoyed cordial relations over the years I have known him and we have worked cooperatively on issues involving traffic safety, I do not believe he is suitable for this position. The string of emails below reflects that at least as to the issue of contracting out, his mind is totally made up and that in his opinion, contracting out is the only solution to a multitude of sins affecting this community. I believe he lacks the objectivity or curiosity to be an effective board member who is willing to carefully investigate this and other key issues with an open mind, weight competing facts, and make a reasoned and rational decision, and I would not support his appointment.

I am unable to attend the meeting but wanted to share my thoughts with you now for consideration. You are of course free to do what you wish, but first and foremost you should be assembling a team of individuals who are curious and whose minds are not made up, and who are capable of independent critical analysis of a very thorny issue that will have financial repercussions for years to come. Do you need yet another board member to fill out your "echo chamber of entitlement" as one of you characterized this board three years ago?

Please put this notice in the public record.

Thanks,

Chuck Toombs

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

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From: cdeppe@tseint.com [mailto:cdeppe@tseint.com]
Sent: Tuesday, June 30, 2015 3:30 PM
To: Charles Toombs; cdeppe@tseint.com
Cc: Kevin Hart; Lynn Wolter; Len Welsh
Subject: RE: RE: Police Department questions and oversight

Hi Chuck,

Thanks for offering to investigate. Maybe in the meantime Mr. Hart can answer some of them?

I know you mean well, but you have to understand that Maria and I grew increasingly more frustrated by the attitude and behavior of the previous chief and police force, with either no oversight or tacit approval of their performance, and now feel that citizen engagement is the only way to try and insure things get better. I would hope that the new chief would view establishing trust with the community as job #1, and transparency along with active communication would go a long way towards that. Getting information out of Harman was like pulling teeth, and he reacted to any questioning with defensiveness. I haven't met Mr Hart, but I've heard some good things, so I hope things will be different.

I know being on this board can't be easy at all, and you'll never make everyone happy, so all you can do is be as open as honest as possible and hope that things will get better. Answers that nobody likes are better than no answers, at least in my view.

Finally, again imagine if you didn't have to deal with all these issues and contracted out for services. Sure there would still be things to keep track of, but I really believe things would be much simpler, and thus better. I think everyone is tired of fighting these battles over and over again.

Thanks,

Chris

----- Original Message -----

From:
Charles Toombs <cet@mcinerney-dillon.com>

To:
"cdeppe@tseint.com" <cdeppe@tseint.com>

Cc:
"Kevin Hart" <khart@Kensingtoncalifornia.org>, "Lynn Wolter"
<lwolter@Kensingtoncalifornia.org>, "Len Welsh" <lenwelsh@gmail.com>

Sent:
Tue, 30 Jun 2015 20:56:46 +0000

Subject:
RE: RE: Police Department questions and oversight

Chris:

Every issue you raise is a matter of day-to-day supervision over the force which squarely rests with the Chief of Police--our jobs as board members do NOT involve day to day supervision

over the Force.

We have high hopes that new Chief Hart is up to the task of addressing these issues--I can tell you now that I cannot give you the answers you ask for but would be happy to independently investigate them, provided I remain in office long enough to do so.

Thank you,

Chuck Toombs

--

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

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-----Original Message-----

From: cdeppe@tseint.com [mailto:cdeppe@tseint.com]

Sent: Tuesday, June 30, 2015 1:46 PM

To: cdeppe@tseint.com; Len Welsh; Pat Gillette; Chuck Toombs; Vanessa Cordova; Rachelle Sherris-Watt; Kevin Hart; Lynn Wolter

Cc: madriaan@tseint.com

Subject: Re: RE: Police Department questions and oversight

Lynn,

Thank you for your acknowledgement. While we appreciate that, what we'd really like is some answers from board members. We've sent more than one email with questions that have not been replied to at all. Is it the policy of the board to ignore emails, and only answer questions if pressed in public?

These are not trivial matters, and we'd really appreciate some response from board members, even if they completely disagree, or even if they feel they can't discuss these kinds of issues. I can't imagine we'd all see things the same way, we'd just like to know where everyone stands.

Chris and Maria

On Tue 30/06/15 13:25 , Lynn Wolter lwolter@Kensingtoncalifornia.org sent:

- > Thank you, Chris.
- > FROM: cdeppe@tseint.com [<mailto: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
- >

September 2017

September 2017

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

October 2017

Su	Mo	Tu	We	Th	Fr	Sa
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8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Aug 27	28	29	30	31	Sep 1	2
3	4	5	6	7	8	9
	7:00pm Finance Comm (CC3) 7:00pm KCC MITG (CCM) 7:00pm Cub Scouts - Pack 82 (CCM)	7:00pm Boy Scouts - Troop 100 (CCM)	6:00pm Training Mtg With KARO & Cert (CCM) 7:00pm KFD Mtg (CC3)	4:30pm KPOA Mtg (CC3)		12:30pm CC Rental (CCM)
10	11	12	13	14	15	16
	6:00pm KPSC (CC3) 7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM) 7:30pm KARO Mtg (cc3)	7:00pm Boy Scouts - Troop 100 (CCM)	6:00pm GPFF (CCM)	6:00pm KPPCSD Mtg (CCM)		
17	18	19	20	21	22	23
10:00am Girl Scouts - Last Get Together (CCM) 2:00pm CC Rental (CCM)	7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM)	7:00pm Boy Scouts - Troop 100 (CCM)	7:00pm Parks Committee Mtg (CCM)	7:00pm Dad's Club (CC1) 7:00pm Solid Waste Comm. Mtg (CC3)		Tentative Rental (CCM)
24	25	26	27	28	29	30
	7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM) 7:30pm *KJC (CC3)	7:00pm Boy Scouts - Troop 100 (CCM) 7:00pm KMAC Mtg (CC3)	7:00pm Finance Committee Mtg (CCM)	6:30pm KPPCSD Mtg (CCM)		

October 2017

October 2017							November 2017						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
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15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30		
29	30	31											

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Oct 1	2 7:00pm Finance Comm (CC3) 7:00pm KCC MTG (CCM) 7:00pm Cub Scouts - Pack 82 (CCM)	3 7:00pm Boy Scouts - Troop 100 (CCM)	4	5	6	7
8	9 6:00pm KPSC (CC3) 7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM) 7:30pm KARO Mtg (cc3)	10 7:00pm Boy Scouts - Troop 100 (CCM)	11 6:00pm GPFF (CCM) 7:00pm *KFD Mtg (CC3)	12 6:00pm KPCCSD Mtg (CCM)	13	14 9:00am KIC Annual Meeting and Town Hall (CCM)
15	16 7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM)	17 7:00pm Boy Scouts - Troop 100 (CCM)	18	19 7:00pm Dad's Club (CC1)	20	21 Tentative Hold 10:00am Shredding Event (Lower Parking Lot)
22	23 7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM) 7:30pm *KIC (CC3)	24 7:00pm Boy Scouts - Troop 100 (CCM)	25	26	27	28 9:30am 2017 Free Home Composting Workshop (CCM)
29	30 8:00am KCC Annual Parade & Picnic (CCM) 7:00pm Finance Comm (CC3) 7:00pm Cub Scouts - Pack 82 (CCM)	31 7:00pm Boy Scouts - Troop 100 (CCM) 7:00pm KMAC Mtg (CC3)	Nov 1	2	3	4

To: KPPCSD Board of Directors
From: Ann R. Danforth, General Counsel
Date: September 14, 2017
Subject: Designation of General Manager Anthony Costantouros and Special Counsel Jonathan Holtzman as Labor Negotiators for a new Memorandum of Understanding with the Kensington Police Officers Association

I. BACKGROUND

On April 14, 2016, the District and the Kensington Police Officers' Association ("KPOA") entered into a Memorandum of Understanding dated April 14, 2016 ("MOU") that covers all of the District's sworn peace officers except for the Chief of Police. The MOU took effect retroactively on July 1, 2014 and will expire on December 31, 2017. Accordingly, the District should begin formal negotiations of a new MOU to take effect January 1, 2018.

II. ANALYSIS

Labor negotiations typically involve a series of meetings and exchange of proposals and counter-proposals. The Brown Act contains an exemption allowing the District Board to meet with its negotiators in closed session to review its position and instruct the negotiators. However, before using this exemption, the Board must identify its negotiators in an open and public session. The General Manager is the logical person to take the lead in these negotiations, with assistance from outside counsel Jonathan Holtzman, who often advises the District on labor and personnel matter.

III. RECOMMENDATION

The Board should designate General Manager Anthony Costantouros and Special Counsel Jonathan Holtzman as Labor Negotiators for a new MOU with KPOA.

AGENDA ITEM #9

September 14, 2017

REQUEST FOR PROPOSALS FOR AN EVALUATION OF OPTIONS RELATED TO DELIVERING POLICE SERVICES

Submitted by: Anthony Constantouros, General Manager

RECOMMENDATION:

1. Distribute the attached Request For Proposals to interested firms.
2. Authorize the General Manager to solicit proposals from qualified consulting firms.
3. Select one Director to interview finalists with the General Manager and possibly other public safety professionals to recommend a firm.
4. After interviews, authorize entering into a contract at a future District Board of Director's meeting.

DISCUSSION/ANALYSIS:

The discussion of options related to delivering police services was originally facilitated by a study conducted by District Special Employee, Brown D. Taylor in December 2009. A "Feasibility Study – Contract Police Service Alternative" provided some data and was an "initial preliminary evaluation" that recommended a "more in-depth evaluation."

On October 1, 2016, the Final Report of the Ad Hoc Committee for Governance and Operations Structure Submitted their report to the KPPCSD Board of Directors. The Ad Hoc Committee provided a good first step in gathering information on police contracting options with neighboring jurisdictions. Their report pointed out they were "unable to gather information about the relative cost of contracting" with other agencies. They also suggested, "given the critical importance of these activities, consideration should be given to hiring professional" ostensibly to evaluate options.

The next phase of review would be a detailed qualitative and financial analysis that would be conducted by individuals experienced and knowledgeable about organizing and operating an excellent police department. This phase would provide specific data on the best options available to the Kensington community, including a high-performing but sustainable in-house model vs. other contracting options.

Specific cost data and best practices information would create a uniform basis to make a factual decision. Future planning should include the expected increases in costs e.g. CalPERS, retiree medical and compensation pressures in a competitive economy. As a result, long-term cost estimates of Police service options will be important variables in the analysis.

The current police department has a compliment of eight officers and a Chief of Police. Over the last year, up to three officers have been off work for several personnel matters, costing the department roughly \$200,000 to \$300,000 in non-productive employee time. This represented 30% to 40% of the departmental line staffing. In addition, approximately \$100,000 per year has been expended on litigation costs over the last two years. Empirical information indicates that there are larger departments in the area that have a lower percentage of employees off work and lower litigation costs. Although there are examples of large litigation expenditures in local government, these cases frequently involve issues not applicable to Kensington (e.g., land use, sewage spills to the Bay, etc.).

It is expected that changes in the department structure or contract/shared services approaches would drastically reduce these costs. In addition, these studies typically result in operational and service improvements to the community. Although the report may recommend some upgrades, the cost of the study should be offset by the savings in personnel and litigation costs. These savings should continue to accrue on an annual basis in future years.

Since this service is so core to the District's mission and existence and consumes most its budget, there is a need for a thorough and methodical evaluation of alternatives moving forward. A Request For Proposals is attached and would be distributed to interested firms. Consulting firms will have 30 days to submit proposals. It is estimated that this analysis, which includes two public engagement opportunities, could take over six months to complete. There are a limited number of firms that have the professional background to conduct this analysis. Bidding from several firms could result in competitive pricing. This process will set the set the future organization and direction of the police department.

FISCAL IMPACT:

Total costs for this study will not be known until proposals are received. A rough estimate is \$50,000 to \$100,000.

ENVIRONMENTAL IMPACT:

There are no environmental impacts associated with this recommendation.

ATTACHMENT:

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT:
REQUEST FOR PROPOSALS FOR AN EVALUATION OF OPTIONS RELATED TO
DELIVERING POLICE SERVICE



***KENSINGTON POLICE PROTECTION
AND
COMMUNITY SERVICES DISTRICT***

**REQUEST FOR PROPOSALS
FOR
AN EVALUATION OF OPTIONS RELATED TO
DELIVERING POLICE SERVICES**

Contents

- **INTRODUCTION**
- **SCOPE OF WORK**
- **PROJECT PHASES**
- **CONSULTANT'S PROPOSAL**
- **RFP EVALUATION CRITERIA**
- **ATTACHMENT**

INTRODUCTION

Kensington is an unincorporated community with a population of about 5,075 bordered by Berkeley to the south, and El Cerrito to the east and north. Kensington has two special districts; the Kensington Police Protection and Community Services District (KPPCSD), and the Kensington Fire Protection District (KFPD), which contracts with the City of El Cerrito to provide fire protection service.

The KPPCSD is a community service district established under California (CA) law (Government Code § 61000 et seq). The District was created in 1946 as the Kensington Police Protection District and added responsibilities through the years. Pursuant to the law, the KPPCSD provides three basic services including: 1) police protection and law enforcement services; 2) solid waste handling services; and 3) acquisition, construction, improvement, maintenance, and operation of recreation facilities, with the principal service being police services.

The KPPCSD is governed by a five-member board as required by law (CA Gov. Code § 61040(a)). The KPPCSD is required to have a General Manager who must be appointed by the Board (CA Gov. Code § 61050(a)).

Police Services

The earliest information available indicates that in 1948, the KPPD had two full-time officers, one part-time officer, and a Chief of Police (COP).¹ By 1984, and possibly earlier, the successor KPPCSD had 10 full-time officers including a COP.² Currently, the KPPCSD has 10 officers including the COP and also maintains a reserve officer group that varies in number over time.³

¹ Outlook Archives.

² KPPCSD Archives.

³ KPPCSD typically maintains a compliment of reserve officers that perform law enforcement duties while augmenting our full-time police force. Kensington reserve officers are unpaid volunteers who carry out duties similar to full-time police officers such as: patrol, response to crimes in-progress, traffic enforcement, first aid and CPR, investigations, and warrant and subpoena service. To be a Kensington reserve officer, she/he must have a Basic Academy California Police Officer Standards and Training certificate or completed Reserve Modules 1, 2, and 3. The Reserve Officer candidate must complete a thorough background investigation, which may include a polygraph, medical, physical, and psychological exams.

The KPPCSD has the highest ratio of police officers per 1,000 population, 1.89, in Contra Costa County. As of 2011, the average ratio within agencies providing police services in the county was 1.18 per 1,000. However, communities with smaller populations than Kensington in the Bay Area have even higher ratios, such as Ross, 3.26 per 1,000, and Belvedere, 3.30 per 1,000.

When fully staffed (nine officers not including the COP), the officers work 80 hours per 2-week pay period. Two patrol teams work opposing sides of the week, with Team 1 working Sunday through Tuesday, and Team 2 working Thursday through Saturday. Teams 1 and 2 alternate Wednesdays on a modified schedule.

Each officer works a 12-hour shift according to the following structure:

- Dayshift officer 6:00 AM to 6:00 PM
- Supervisor 12:00 PM to 12:00 AM
- Graveyard officer 6:00 PM to 6:00 AM
-

The Wednesday schedule is structured as follows:

- Dayshift officer 6:00 AM to 2:00 PM
- Supervisor 2:00 PM to 8:00 PM (day/swing shift coverage)
- Graveyard officer 8:00 PM to 6:00 AM

Aside from the general management of the police department provided by the COP, direct supervision of the police officers is provided by a master sergeant, sergeant, and corporal depending on the shift and the patrol team. The corporal is the supervisor of Patrol Team 1, and the sergeant is the supervisor of Patrol Team 2. The master sergeant whose hours are 7:00 AM to 5:00 PM, Thursday through Saturday, functions as a supplementary operations manager and a supplementary supervisor of Patrol Team 2. Even with this level of supervision, there are still windows of time each day when patrol officers may not have supervision.

In addition to patrol, there are other duties carried out by officers. One officer serves as a detective to carry out investigations of crimes, and works Monday

through Thursday from 7:00 AM to 5:00 PM. Another officer serves as the traffic officer, working Monday through Friday from 8:00 AM to 6:00 PM.

There are also administrative collateral duties that every officer has. Many of these duties appear to come with full-service departments, whether it has 10 officers or 5,000.

NOTE: *This RFP includes excerpts from the Final Report of the Ad Hoc Committee for Governance and Operations Structure which was submitted to the KPPCSD Board of Directors on October 1, 2016. This RFP also includes an attachment from the Final Report related to contracting police services.*

Scope of Work

The purpose of this RFP is to guide the KPPCSD through an evaluation to determine the best approach to the future delivery, projecting the next five-to-ten years, of police services based on service quality and costs. The study will provide the District with an independent assessment of the effectiveness and efficiency of the provision of Police Services given the community needs and preferences.

This could range from a stand-alone police department to a contracting concept or shared services model with a neighboring jurisdiction. The consultant will be expected to identify implementation recommendations and related costs that are effective and achievable in the context of an overall strategy. A comprehensive financial analysis will be a critical element of this evaluation.

Initially, the performance of the existing department should be evaluated, including areas of excellent service and area of suggested improvement. This will establish baseline staffing and funding needs for an effective stand-alone department. Consultants will then develop realistic contracting or shared service models. The existing department evaluation would include the following items. After discussion with the list may be amended or include additional items.

- Analyze service levels, use of technology, workloads, calls for service and staffing.
- Evaluate programs and services in terms of policies, procedures or other factors that may impede productivity and effectiveness, efficiency, and responsiveness to citizen needs.
- Review system and forms for all phases of human resource management including recruitment, hiring, performance evaluations, training, salary management, etc.
- Examine evidence storage procedures including chain of custody and security.
- Determine organizational and staffing options for an effective stand-alone department, including appropriate use of non-sworn personnel

- Determine the cost of a financially sustainable in-house police department over a 5-year and 10-year period.
- Develop 2 to 4 organizational options, including a preferred structure, utilizing a mix of sworn and non-sworn personnel that would be feasible and use as a basis to solicit and compare contractual proposals from neighboring jurisdictions.
- Determine the structure of contracting concepts for comparison based on organizational goals; solicit proposals from neighboring jurisdictions.
- Conduct a side-by-side comparison and evaluation of options, including stand alone, contracting, or shared utilizing the developed criteria.
- Rank the responses from the most favorable to the least favorable.

PROJECT PHASES

The deliverables can be summarized into three phases:

Phase I – Information gathering

- Assessment of existing organization
- Existing organization staffing & deployment concepts
- Process for initial public input

Phase II – Preliminary findings

- Initial observations and findings
- Organizational, staffing/deployment options of stand-alone police department
- Develop shared services/contracting options

Phase III – Proposals & comparison of options

- Obtain contracting/shared services proposals from local jurisdictions
- Compare proposals to stand-alone department options
- Public presentation & input of initial conclusions

Phase IV – Final report

- Final report and recommendation
- Immediate and long-term implementation plans that would effectuate recommendations
- Recommended performance measures to evaluate success.

CONSULTANT'S PROPOSAL

Consultant's proposal should include the following:

- Submit five (6) paper copies and a digital copy of your proposal in sufficient detail to allow for thorough evaluation and comparative analysis.

Company and assigned consultant's background, experience and qualifications

- List experience (firm and assigned consultants) with policing and studies with engagements like this RFP. Please list any demonstrated experience in evaluating options and costs related to contracting and/or shared police services. Identify consultant experience in implementing their own recommendations
- Thorough knowledge of State regulations, relevant costs e.g. CalPERS, and current best practices for Police administration and operations. Detailed understanding of the current and evolving working relationship and expectations of police and the public.
- Experience with small law enforcement organizations and operations; if available, include a list of comparable benchmark agencies and departments for best practices.
- Experience and comfort working with an engaged community

Personnel & Resources

- Identification and professional background of the specific individuals (with resumes) who would be assigned to this project.
- Identification of all resources consultant will need from the District to complete analysis.

Work Plan and Timeframe

- Describe how the consultant will conduct the evaluation. Present a detailed Work plan itemizing key activities for each phase.
- Please provide an estimate of the timeframe to complete the project. Please include project milestones, target dates, and critical decision points.

13. Insurance Requirements

- Provide insurance policies in amounts of coverage for not less than \$2,000,000 for Professional Liability, Workers Compensation, Comprehensive General Liability and Auto (Owned and Non-Owned) and errors and omissions. Please explain if consultant wishes to submit lower coverage.
- Prior to any commencement of services, the firm will provide certificates of insurance coverage.

Compensation & Reimbursement

- Provide the maximum, not to exceed fees, and estimated hours for each deliverable listed under the Project Phases.
- Define any additional or variable charges proposed that would be in addition to the base fee, including travel, printing and any soft costs.
- Personnel to be assigned and hours, level (principal, partner, associate, etc.) and hourly rate for each.

References

- Provide 3 references from previous or current clients where similar services or skill sets were used by the personnel proposed for this engagement.

Submittal

- Interested consultants should submit a proposal to: Anthony Constantouros, General Manager, Kensington Police Protections and Community Service District.
- Responses must be received by October 15, 2017. Responses may be delivered in person, mailed or emailed; consideration for additional time will be given if requested.
- EMAIL: tconstantouros@kensingtoncalifornia.com
- KPPCSD, 217 Arlington Ave., Kensington, CA 94707-4141
- OFFICE: 510-526-1178

RFP EVALUATION CRITERIA

Proposals will be evaluated in a fair, consistent, and objective manner. Selection will be based on response to questions or requirements identified in this RFP and interviews. The District reserves the right to request additional information or clarification from proposing firms, or to allow corrections of errors or omissions. At the option of the District, a group of finalists may be selected for in-house or teleconference interviews.

The firm selected as a result of this RFP process will enter into a written professional services contract. Such contract shall reflect the terms and conditions included in the RFP and the selected firm's proposal, as well as any other provisions mutually agreed to by both parties.

The City may use some or all of the following criteria in its evaluation and comparison of proposals submitted. The criteria listed are not necessarily an all-inclusive list and the order in which they appear is not intended to indicate their relative importance:

- Recent experience in conducting similar scope, complexity, and magnitude for other public agencies, with a preference for the demonstrated experience of the assigned consultants with similarly sized or California cities;
- Capacity and ability to complete the project in a timely manner;
- Educational background, work experience, and any directly related experience by the assigned consultants;
- Depth and breadth of experience and expertise in the evaluation of law enforcement operations, specifically in those areas of highest impact to the District;
- Capability to perform the scope of services promptly and professionally.
- Other relevant information, such as staying current with best practices in the law enforcement field;

Attachment

**Final Report of the
Ad Hoc Committee for
Governance and Operations Structure**

**Submitted to
KPPCSD Board of Directors
October 1, 2016**

Contracting Subcommittee Report: Contracting Police Services

Subcommittee members: Tim Snyder, Charles Reichmann, and Mabry Benson

Executive Summary

To assess the possibility of contracting with another jurisdiction for police services the Subcommittee on Contracting contacted the civilian managers of every police department operating in or adjacent to Kensington.

The Subcommittee found that should Kensington decide it wishes to contract for the provision of policing services, there are currently at least five available options. The Contra Costa Sheriff's Office could provide such service, as could the police departments of Albany, El Cerrito, Richmond, and the University of California.

With few exceptions, the Subcommittee was unable to gather information about the relative cost of contracting with these departments. The departments were reluctant to provide cost information absent a formal request for proposal (RFP), and some pointed out that total costs cannot be known prior to the negotiation process.

The Subcommittee did not attempt to assess the quality of the departments it interviewed, but heard nothing anecdotally to suggest any of the departments it considered would be unsuitable. In the event Kensington decides to contract for policing services, it may wish to assess the level of satisfaction the populations policed by the departments in question have with their respective departments and the quality of department/city management.

Several departments suggested that the contracting process could be an opportunity for Kensington to consider different organizational structures and policing strategies, even in advance of issuing a RFP. Such strategies might include use of non-sworn personnel to handle some policing or non-policing functions (e.g., parking) or a different ratio of sergeants to patrolmen. All departments agree that the price quoted will depend on the details specified in the RFP.

Pros and cons for contracting for police services and considerations for moving forward are presented in the main body of the report.

End Contracting Executive Summary

Introduction

This section of the report describes the activities and the findings of the Subcommittee of the Kensington Police Protection and Community Services District (KPPCSD) Ad Hoc Committee for Governance and Operations Structure that was tasked with evaluating the possibilities of contracting for police services with other agencies, in whole or in part.

This Subcommittee was asked to investigate whether contracting out, in part or whole, will provide reasonable, cost-effective services the community wants, by conducting fact finding on various 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, such as the El Cerrito Police Department, UC Berkeley Police, Contra Costa Sheriff's Office, and East Bay Regional Park District.

Methodology and Sources of Input

The Subcommittee conducted its investigations and fact finding by contacting and meeting with various agencies. Certain agencies were selected based on their proximity to Kensington and the greater likelihood that they would be in a position to provide police services to Kensington. Discussions with these agencies included exploring their willingness to provide services to Kensington, gaining an understanding of their organizations and performance, and getting their perspective on how and what services could be provided. These agencies included:

- Albany;
- El Cerrito;
- Richmond;
- UC Berkeley;
- City of Berkeley;
- East Bay Regional Parks; and
- Contra Costa Sheriff's Office.

Other agencies were selected based on their current arrangements of contracting with the Contra Costa Sheriff's Office for the provision of sworn officers and other police services. Discussions with these agencies were for the purpose of understanding how the process of contracting with the Contra Costa Sheriff's Office works and determining their level of satisfaction with both the service and the cost of the contracting arrangements. These agencies included:

- Orinda;
- Lafayette;
- Oakley; and
- Blackhawk;

With the exception of the City of Berkeley, East Bay Regional Parks, and the Contra Costa Sheriff's Office, the Subcommittee was able to have meaningful discussions with all of the above-noted agencies. East Bay Regional Parks indicated that they were not interested in providing services to Kensington at this time. The city of Berkeley also indicated that they were not interested in providing services to Kensington, as it would distract from their primary focus. The Contra Costa Sheriff's Office did not wish to take the time to have discussions with the Subcommittee, given that the Subcommittee was not making a formal request for proposal, but indicated it would be willing to discuss the matter should the KPPCSD make a direct request.

Issues Discussed

Issues that were discussed with each of the selected agencies included:

- The extent of desired coverage;
- The ability to have Kensington identity on uniforms and cars;
- The ability to have a physical presence in the Kensington Safety building;
- The nature of the command structure for contracting;
- The ability to replace undesired officers;
- The ability to handle existing Kensington service programs such as vacation watches, key program, etc.; and
- The willingness to hire selected current Kensington police officers.

These issues were discussed to determine whether the various agencies were willing and able to essentially match the current level and extent of Kensington police services.

Limitations on Research

In discussions with the various agencies, it quickly became apparent that while we could assess their willingness to partner with Kensington in providing police services, we could not determine the appropriate staffing levels, structure, and detailed cost information for providing such services. Refined details and costs can only be determined from much more detailed and formal requests for proposals and through actual contract negotiations.

Further, the Subcommittee lacked both the time and the expertise to perform in-depth due diligence evaluations of any of the agencies contacted.

Summary of Agency Discussions and Research

The following sections provide a summary of the discussions and research that were performed by the Subcommittee for each of the selected agencies. Additional information⁴ for the selected agencies is also provided in tables that are included in **Error! Reference source not found.** to this report.

Agencies Willing to Consider Partnering With Kensington

Four neighboring police departments were interested in contracting to provide Kensington with police services: Albany, El Cerrito, Richmond, and the University of California (Berkeley). All were generous with their time, which included the police chief, supervisory staff, and, generally, the city manager. In general, the police chiefs did most of the talking. We greatly appreciated their cooperation.

Themes that were common to all of these agencies included the following:

- All were proud of their departments and their culture. They highlighted their high standards, good policies, training, and modern tools. They pointed out that staffing goes beyond just patrolling a beat, and discussed the nature of their support staff and special functions.
- They were all willing to keep a Kensington identity for the contracted officers with Kensington uniforms, Kensington marked cars, and maintaining offices in the Kensington Safety Building. They all noted that a non-Kensington-dressed officer may show up to answer a call, in the event that they are covering for or are called in as back-up for a Kensington officer.
- They all suggested that establishing a separate beat of their respective departments would be the most economical and practical way of providing services to Kensington. Several were also willing to make suggestions for

⁴ Additional information/data is provided related to cost, staffing, service calls, response time, and crime statistics.

alternative staffing models. Under a beat model, specific officers would be assigned to the beat for significant periods of time and would be dedicated to serving their beat. Only on rare occasions would officers be called upon to support other beats or communities, in a similar manner to how the Kensington Police Department (PD) currently operates.

- They would not guarantee the retention of current Kensington officers. Kensington officers would be allowed to apply for positions with the contracting agency, and would have to go through the regular department hiring process.
- They would want to start with a 3 to 5 year contract, in order to amortize the time and expense involved with setting up the services (e.g., establishing protocols, policies, hiring, training, etc.).
- Some suggested that trying to fully replicate the current Kensington PD (i.e., number of personnel and structure) would probably not result in significant savings. Some offered their opinion that by establishing Kensington as a beat within their department, effective police services could be provided with fewer than the current 10-officer staff that Kensington currently employs, and therefore, the total costs could likely be less than what Kensington currently pays. Projected savings would come from using fewer personnel and having greater economies of scale associated with a larger department.

A summary of the main points for each of these departments is presented below.

Albany

- Population: 18,539
- Size: 1.7 square miles
- Police expenditures FY2015–2016: \$6,682,743, or \$360 per capita
- City web page: <http://www.albanyca.org/>
- Police Department web page: <http://www.albanyca.org/index.aspx?page=47>

The following information was obtained from a February 22, 2016, meeting with Albany City Manager Penelope Leach and Chief of Police Mike McQuiston, and a phone call with Chief McQuiston on August 8, 2016.

Albany has a police department staff of 26 sworn officers (1 chief; 2 lieutenants; 6 sergeants; 17 officers) and 8 nonsworn personnel (6 public safety dispatchers, 2 police services technicians). Albany has shifted to using nonsworn personnel, such as police services technicians to cover some of the work done by sworn staff, providing assistance to officers at a lower cost. Albany has 2 police beats for the city. The police can go citywide as necessary, but they have a responsibility and are held accountable for their own beat. Albany uses its own dispatch and 911 call center.

Albany has a professional standards officer (i.e., internal affairs) who deals with complaints. Complaints are accepted in any form including email. The procedure used depends on the type of complaint, and they have software to track complaints. When this was first instituted, officers were worried about a flood of complaints. They were told that if you are doing your job properly, there should not be a problem, and there has not been a problem. All Albany officers also have body cameras. They were instituted during the Albany Bulb clearance. They do not operate the cameras all the time, but turn them on when they make a stop or have an encounter. The video doesn't always come through, but the audio does. Chief McQuiston believes this has been a good expenditure, especially for adjudicating complaints.

Chief McQuiston indicated that Albany has worked hard to create a good workplace culture within their police department. He believes that the professionalism of the force and their work environment is much improved, as a result of these efforts. He noted that the culture of a department, in his opinion, should be an important consideration in considering and selecting a contracting partner.

Albany does not have the most expensive pension plan. They provide a 3% of salary per year at age 55–defined benefit retirement plan for officers hired before 2013. New officers, hired since 2013, are subject to the new state Public Employees Pension Reform Act (PEPRA), which provides for a 2.7% of salary per year at age 57–defined benefit retirement plan.

Albany expressed interest in providing police services to Kensington. They offered that the most cost-effective way for Albany to cover Kensington would be to set it up as a third beat. Albany believes it would be relatively easy to accomplish, while taking advantage of economies of scale (particularly with regard to training, supervision, policies, etc.). Chief McQuiston suggested using nonsworn personnel such as a community service officer or police services technician to cover some of the work now done by sworn staff, providing assistance to officers at a lower cost.

Chief McQuiston offered his opinion that if Albany were to provide police services to Kensington as a beat, that it could be done with fewer than the current 10-officer staff that Kensington currently employs, and therefore, the total costs could likely be less than what Kensington currently pays.

Albany would use its own dispatch and 911 call center, and does not see a problem with cross-county line dispatch. Chief McQuiston noted that Kensington dispatch was handled by Albany in the past, without any known problems. He mentioned that an up-coming East Bay Regional Communications System will combine and improve many of the communication systems. Chief McQuiston noted that Albany would need to define procedures for cross-county police activities such as jailing, filing cases, etc., but does not see this as a problem.

El Cerrito

- Population: 24,599
- Size: 3.7 square miles
- Police expenditures FY2015–2016: \$11,292,173 or \$459 per capita
- City web page: <http://www.el-cerrito.org>
- Police Department web page: <http://www.el-cerrito.org/index.aspx?nid=135>

The following information was obtained from a series of meetings with City of El Cerrito personnel: a March 8, 2016, meeting with Interim Chief of Police Paul Keith, City Manager Scott Hanin, and Assistant City Manager Karen Pinkos; a March 28, 2016, meeting with Interim Chief of Police Paul Keith, Lieutenant Special Operations Robert de la Campa, and Assistant City Manager Karen Pinkos; and a May 4 meeting with Interim Chief Keith, Lt. de la Campa, and Assistant City Manager Pinkos.

El Cerrito has a PD staff of 40 sworn officers and 12 nonsworn personnel. They have authorization for a full staff of 46 sworn officers and 15 professional staffers but are operating below that number to save costs. They need four over minimum staffing for flexibility and to cover training and sick and vacation leave.

El Cerrito PD has three beats, and each beat officer typically remains in their assigned area when responding for calls for service. Beat officers leave their assigned area for serious incidents. When this occurs, another officer from the support staff can be called to take calls on that beat. There are four six-member patrol teams to cover the beats consisting of four officers, one corporal and one sergeant. The department fields a minimum team of one supervisor and three officers at all times with an extra officer from 3pm to 11 pm. There is always a supervisor available on the graveyard shift. In addition to patrol officers, they have other officers performing staff functions, such as compliance officers, who can fill in on patrols when beat officers are pulled off of their beat or have to make trips to Martinez. There is also a detective team that is responsible for investigating major incidents, such as robberies, burglaries, sexual assaults, and deaths. Several specialized units within the El Cerrito PD include:

- A traffic team that spends time responding to community concerns over traffic issues;
- Internal affairs with an assigned officer;
- A crisis intervention team;
- A crisis negotiation team;
- A detective team with one sergeant, one corporal, three detectives, and one crime scene technician;
- An officer on the Richmond PD SWAT team;
- A K9 officer and dog for tracking and drugs; and
- Community service officers, with one full-time and two part-time officers.

El Cerrito PD provides a wide variety of police services, including programs involving traffic education and enforcement, school resource officers, major crime investigations, and mental health intervention. The department is accessible and responsive to email, identified problems, and complaints, with an emphasis on de-escalating problems, which they believe is a benefit to a small department. The goal for the El Cerrito Police Department is to meet community expectations.

The City of El Cerrito management staff negotiates contracts with the officers and approves the staff levels. El Cerrito currently has one of the most expensive pension plans, providing a 3% of salary per year at age 50–defined benefit retirement plan for officers hired before 2013. New officers, hired since 2013, are subject to the new state PEPR, which provides for a 2.7% of salary per year at age 57–defined benefit retirement plan. They do not offer medical benefits after retirement.

El Cerrito expressed interest in providing police services to Kensington. The City Manager commented on their good relations with Kensington and indicated that El Cerrito is open-minded about contracting, but they don't want to take on something that would lose money for them.

At the May 4, 2016, meeting, Chief Keith presented one option for providing police services to Kensington and a preliminary staffing plan.⁵ This option consists of incorporating Kensington into El Cerrito police operations as a fourth beat. To do this, they would add an officer to each patrol team and another officer to provide vacation and training relief. Kensington would be serviced by the specialized detectives of the investigation unit. El Cerrito would add a command staff officer to oversee the contract and provide the Kensington community with a direct contact for policing concerns. El Cerrito would add a staff member to provide record support. El Cerrito would staff office hours at the Kensington Public Safety Building where the community could obtain copies of reports, speak with administrators, and meet with detectives on major cases. El Cerrito believes that this plan would cost Kensington the same or less than the current Kensington police budget.

El Cerrito has high standards for its officers. They would allow existing Kensington officers to apply for positions in the El Cerrito PD, but would require them to go through their standard lateral officer hiring and testing process, and successfully complete a field training program.

Richmond

- Population: 103,701
- Size: 30.07 square miles

⁵ Preliminary proposal for Kensington police services, El Cerrito Police Department, May 4, 2016. This can be accessed at the KPPCSD Board - Ad Hoc Governance Committee - Documents web page.

- Police expenditures FY2015–2016: \$75,037,831, or \$724 per capita
- City web page: <http://www.ci.richmond.ca.us/>
- Police Department web page: <http://www.ci.richmond.ca.us/82/Police-Department>

The following information was obtained from a March 7, 2016, meeting with Allwyn Brown, then Interim Chief of Police, now permanent, and Bill Lindsay, City Manager of Richmond.

Richmond has a current police department staff of 184 sworn officers and nonsworn personnel. In addition to patrol officers, there are ~35 in code enforcement, ~30 in dispatch, and ~30 in crime prevention, crime analysis, and records. They have 8,000 to 9,000 calls for service/month. Richmond PD offices are located at Marina Bay, which is some distance from Richmond Civic Center.

Richmond PD has three districts or sectors, each with a captain, who also has an additional specialized PD function. There are three beats per district, with a sergeant as supervisor. Beat officers respond to calls, are expected to know the nature of their beat (people and businesses), and understand what Richmond PD resources are available to support them. Officers are kept on a beat for a long time to foster familiarity with the area. Other Richmond PD support units include:

- Crime investigation, which includes units for domestic and sexual violence;
- Robbery and homicide;
- Property crimes, and forensics;
- Crime prevention;
- Traffic;
- Specialized for gangs, drugs;
- SWAT team;
- Mobile field force;
- Part-time marine; and
- K-9.

The Richmond PD Internal Affairs unit is being renamed Office of Police Accountability, and will be relocated to Richmond City Hall. This office will have a civilian manager and a mediation section for lower-level complaints, for the purpose of adding more of a public face to the unit and gaining greater public trust in the unit.

Richmond PD is proud of their level of experience, their desire to be guardians, their connection to neighborhoods, their shared respect with the public, and that they are a small enough force so everyone knows each other. Their approach to policing is to focus on crime prevention.

Richmond expressed interest in providing police services to Kensington. Options could include just providing officers and services (as the Contra Costa Sheriff's Department provides to Orinda and Lafayette) or a total service model. For the total service model, Richmond would probably want to set up another beat in their Northern Sector. This beat would be fully integrated into the department, headed by sergeants and a district lieutenant, and would provide more comprehensive services than the sheriff model. To proceed to a more meaningful discussion of options and costs, Richmond PD would need to have a clear definition of Kensington police service needs.

Current Kensington officers would have to apply for positions in the Richmond PD, as any other applicant, and be trained as necessary.

University of California, Berkeley, Police Department

- Police Department web page: <http://ucpd.berkeley.edu/>

Population, size, and police expenditure information are not provided here, as the nature and structure of University of California, Berkeley, PD (UCPD) services, the entities served, and the geographic areas served are quite varied and are not directly comparable to city organizations.

The Subcommittee approached UCPD to learn more about their operations and to determine their willingness to consider contracting with Kensington for police services. The following information was obtained from a March 29, 2016, meeting with Chief of Police Margo Bennett, Operations Head Captain Alex Chou, Ann Jeffrey, and Scott Bidy, Office of the Chancellor, as well as reviews of public documents describing UCPD services.

The UCPD provides patrol, investigation, crime prevention education, emergency preparedness, and related services for the Berkeley campus community, including the Lawrence Berkeley National Lab. UCPD patrols all university-owned property in Berkeley, Albany, Oakland, Emeryville, Richmond, Blake Estate in Kensington, and Contra Costa County, and has concurrent jurisdiction with local police agencies within a mile of that property. Aside from the campus proper, UCPD also patrols 160 acres of ecological area in the hills behind campus and student housing located in the cities of Berkeley and Albany.

UCPD and the City of Berkeley PD collaborate in patrolling the campus and City of Berkeley properties located in the South Campus Business District. The department uses the Alameda County Sheriff's crime lab, and relies on the sheriff for long-term holding facilities. UCPD provides bomb squad services at no charge to law enforcement agencies in Alameda County.

UCPD is a full-service department with their own dispatch, training department, firing range, crime prevention unit, special tactical response team, bomb squad, K-9 units, IT support, and records keeping functions. They have a staff of approximately 70 sworn officers, 13 records and dispatch staff, and 20 civilian staff. They also manage 50 nonsworn security patrol officers who work for various departments and Lawrence Berkeley

Laboratory. There is also a group of approximately 55 community service officers (nonsworn) that serve support roles in the community.

The department believes they are community oriented, and believe they have a reasonable understanding of the Kensington community, based on their patrolling of the Blake Estate and the fact that a large number of current and past UC professors and employees live in Kensington. They view Kensington as an extension of the campus community.

UCPD would consider providing police services to Kensington, either as a separate department or a separate beat. They would require the use of their own dispatch and would have to work out the protocols for transferring 911 medical and fire calls to the Kensington Fire Department.

Current Kensington officers would not be allowed to directly transfer to UCPD. They would have to apply, as any other job candidate, and go through the UCPD hiring and training process. Human resources functions for the UCPD are handled by UC Berkeley administration.

Agencies With Contra Costa Sheriff Contracting Experience

Under California law, the sheriff's department of each county is charged with policing unincorporated areas that lack their own police departments. The precise level of services provided can vary, but at a minimum, the sheriffs are tasked with responding to all reports of crime. Currently, the Contra Costa County Sheriff's Office provides policing services to a number of unincorporated areas in the county including East Richmond Heights, Rollingwood, and North Richmond. Current services in these communities include some patrolling, but it is not known how much. The Subcommittee hoped to learn what sort of services the sheriff's office would provide Kensington in the event it opted for such minimal coverage, but the office was not willing to talk to the committee unless and until the KPPCSD expresses an intention of pursuing a changed relationship with the sheriff.

In addition to this minimal level of coverage, communities may choose to purchase additional police services from the sheriff's office. A 2011 study⁶ reports that nearly 30% of California cities contract with their sheriff's department for provision of additional policing services. A number of communities including Lafayette, Orinda, and Blackhawk in Contra Costa County, staff police departments with sheriff's deputies. The Subcommittee interviewed representatives of each of these jurisdictions about their experience with the sheriff's office. Summaries of these interviews are provided below.

Orinda

- Population: 18,681

⁶ "Municipal Contracting With County Sheriffs for Police Services in California: Comparison of Cost and Effectiveness." Peter J. Nelligan, PhD, and William Bourns, PhD, California State University, Turlock. *Police Quarterly*. 2011;14(1):70-95.

- Size: 12.7 square miles
- Police expenditures FY2015–2016: \$4,544,132, or \$243 per capita
- City web page: <http://cityoforinda.org>
- Police department web page:
http://cityoforinda.org/index.asp?Type=B_BASIC&SEC={1668EA74-3AFF-4C53-B47F-0FB541F15F4A}

The Subcommittee contacted the City of Orinda to evaluate their experience in contracting with the Contra Costa County Sheriff's Office. The following summary is based on a meeting with City Managers Janet Keeter of Orinda and Steve Falk of Lafayette.

Orinda has contracted with the Contra Costa County Sheriff's Office for the provision of sworn officers to staff their police department since 1985, when Orinda incorporated. They have been very satisfied with the quality of service provided by the sheriff. Orinda also contracts for or has access to other police services from the sheriff, including dispatch, large incident response, search and rescue, crime lab, etc. on a pay as you go basis. The assigned sheriff personnel rotate on a 3- to 5-year basis, and Orinda gets to choose their chief from four to five proposed candidates (lieutenant rank) from the sheriff's office.

Orinda currently has 14 sworn police officers (1 lieutenant; 2 sergeants; 11 officers) contracted from the sheriff's office and 2 civilian city employees assigned to the police department. The sheriff's office personnel wear Orinda uniforms and drive Orinda marked police cars. The department has 11 police vehicles.

Advantages to contracting with the sheriff's office include not having to handle the recruiting or personnel management, not being responsible for insurance or legal liability associated with police-related incidents, and not having to worry about covering for officers that go out on short- or long-term disability. Orinda can request that an officer be replaced, and has done so four times over the last 20 years.

Disadvantages to contracting with the sheriff's department include not having control over costs. The sheriff's department prepares a list of services and costs each year, and presents this to the cities that contract with them.⁷ The cities then tell the sheriff's office what they want and pay the established price. There is no negotiation over the cost of an officer or services, but budgetary flexibility may be achieved by adjusting the number of officers or services requested.

In 2009, it was projected that the cost for the sheriff's services would rise significantly over the next 5 years, due to having to deal with unfunded pension liabilities. In response to this threat, the cities of Orinda, Lafayette, and Danville commissioned a study to evaluate alternatives such as establishing individual or combined police departments. They hired

⁷ The latest Sheriff cost for FY2016–2017 are provided in the 2016 Contract City Managers Information Guide, Contra Costa County Sheriff, March 16, 2016. This can be accessed at the KPPCSD Board – Ad Hoc Governance Committee – Documents web page.

Matrix Consulting Group, a company with expertise in evaluating city government organizations, to perform the study over a period of 9 months and for a cost of approximately \$90K. The results of this study concluded that there would be notable cost savings associated with ending the contract with the sheriff and establishing local departments. None of the three cities, however, chose to make the change.

The actual increases in costs for the sheriff's services from 2009 to present have been at the low end of the projections that were made in the 2009 study. Orinda and Lafayette are, however, again expecting that future increases will be significant based on a long overdue contract renegotiation between the sheriff's office and its deputies (they have been without a contract for 3 years) and high unfunded pension liabilities.

Orinda, Lafayette, and Danville are 3 of only 10 cities in the state that do not offer defined benefit retirement programs for their employees. They offer a defined contribution retirement program. This has served them very well in terms of having predictable and sustainable employee benefit costs. Their current retirement contribution costs are 13% of salary (this has risen 2% in the last year from 11%). This was a significant factor for Orinda in their 2009 decision to continue contracting with the sheriff for police services. Although studies indicated there would be notable cost savings by starting their own police departments, they were concerned that they would not be able to attract highly qualified personnel by offering their defined contribution retirement benefits. They projected that experienced police officers, most of whom are part of CalPERS or other defined benefit programs where cities pay more than 30% of salary annually towards pension costs, would be unwilling to take a job that provides less than half the retirement benefits. Orinda also did not want to set up a different set of benefits for police from what they do for the rest of their city employees, as they believed this would be a constant source of friction within the workforce, and they were committed to maintaining a sustainable structure for employee benefits.

The city manager for Orinda noted that she is aware of many cities that have wanted to change their current police force situations because of excessive costs of their defined benefit retirement programs. To her knowledge, virtually all have been unable to do so because they cannot afford to pay off the unfunded liabilities associated with their existing defined benefit programs.

Lafayette

- Population: 24,285
- Size: 15.4 square miles
- Police expenditures FY2015–2016 : \$4,876,449 or \$201 per capita
- City web page: <http://www.ci.lafayette.ca.us>
- Police department web page: <http://www.ci.lafayette.ca.us/city-hall/city-departments/police>

The Subcommittee contacted the City of Lafayette to evaluate their experience in contracting with the Contra Costa County Sheriff's Office. City Manager Steve Falk of Lafayette reported that Lafayette has contracted with the Contra Costa County Sheriff's Office for the provision of sworn officers to staff their police department since 1968, when Lafayette incorporated.

Lafayette currently has 17 sworn police officers (1 lieutenant; 2 sergeants; 12 officers; and 2 motorcycle traffic officers) contracted from the sheriff's office, and 2 civilian city employees assigned to the police department. The sheriff's office personnel wear Lafayette uniforms and drive Lafayette marked police cars.

The model for providing police services and the experience with the sheriff's office in Lafayette are nearly identical to Orinda. The only differences are the number of officers/personnel and the selected areas of focus (e.g., traffic officers).

Blackhawk

The Subcommittee contacted the Blackhawk Community to evaluate their experience in contracting with the Contra Coast County Sheriff's Office. Although it is recognized that Blackhawk is a gated community, which provides a more protected boundary than Kensington enjoys, it was felt to be of value to learn of their experience. The following summary is based on communicating with Mike Banducci, who is the Chair of the Blackhawk Community Advisory District (BCAD), the agency charged with providing police services for unincorporated Blackhawk.

Blackhawk has contracted for police services from the Contra Costa Sheriff's Office for ~30 years. Mr. Banducci reports that because the sheriff's office provides "excellent" service, Blackhawk has never considered setting up its own department or looking for alternatives.

Mr. Banducci emphasized that the BCAD Board takes a hands-on role in setting policy for the department. Current priorities are patrolling and traffic enforcement. The board meets monthly to discuss priorities and review performance. The sheriff attends one meeting annually, and is responsive to BCAD questions at other times.

The Blackhawk Police Department (BPD) is currently staffed with a chief (a lieutenant rank in the sheriff's office), two deputies, and one half-time deputy. At least one officer is on duty ~70% of the time. At other times, calls are fielded by the sheriff's Alamo substation with a slower response time. Banducci reports that the BCAD Board is happy with this situation and does not believe it has ever considered providing 24/7 service. The current structure allows for double staffing during business hours and single staffing at all other times. BPD officers wear sheriff's office uniforms, but drive in Blackhawk-owned cars emblazoned with the BPD logo.

The board prefers to have a chief actively engaged in the community and has instructed the current chief to spend the majority of her time out of her office, patrolling and interacting

with the community. The chief typically serves a 3- to 4-year term, and deputies average 3- to 5-year terms.

The Subcommittee attempted to contact the current chief, Tiffany Van Hook, but on instructions from Undersheriff Mike Casten, she declined to speak with the Subcommittee, reiterating the sheriff's office position of not providing information on police service models until a formal request is made by the KPPCSD Board.

The total annual cost to Blackhawk for policing services is ~\$800,000. Of this, ~\$700,000 comes from a parcel tax falling principally on residences, and the balance comes from ad valorem tax revenues.

Oakley

- Population: 38,194
- Size: 15.9 square miles
- Police expenditures FY2015–2016 : \$9,029,000, or \$236 per capita
- City web page: <http://www.ci.oakley.ca.us>
- Police Department web page: <http://www.ci.oakley.ca.us/departments/police>

Oakley was selected for Subcommittee evaluation based on the fact that they were changing from contracting with the sheriff's office to forming their own department. The Subcommittee wanted to understand the reasons for this change. The following information was obtained through a conversation with City Manager Bryan Montgomery.

The city of Oakley has been contracting with the Contra Costa Sheriff's Office for the provision of police services for many years. Over the last 7 to 8 years, they became concerned with the annual escalation in cost associated with the Contra Costa Sheriff's Office and the fact that Oakley has no control over the sheriff's costs. The sheriff's costs were rising significantly, year to year, due to rising pension obligations associated with a 3% of salary per year at age 50–defined benefit program and high levels of unfunded liabilities. Oakley was very satisfied with the quality of the sheriff's services, but viewed the continuing cost increases as a threat to city finances.

In 2014, Oakley began to evaluate the feasibility of creating their own police department and projected that they could save approximately 8% (\$700K for a budget of \$8.6M) over the sheriff's costs. One of the key factors for being able to realize savings was the State of California passage of PEPRA laws in 2013. This allowed Oakley to form their police department with *all* members of the department being subject to lower, and hopefully more sustainable, retirement defined benefit formulas (2.7% of salary per year at age 57 for sworn personnel; 2% of salary per year at age 62 for nonsworn personnel) and a mandatory requirement that employees contribute 50% of the retirement benefit costs. They were also very conscious of organizing their department such that nonsworn personnel handle as many duties as possible.

In early 2015, they made the decision to form their own department in mid-2016. They just made the transition in May 2016. The new Oakley PD has 30 sworn officers and approximately 15 full-time equivalents of nonsworn personnel. In forming the new department, they are saving between \$50K and \$60K per year per officer compared to what they would be paying for the sheriff's services. They were also able to retain/hire 80% of the sheriff's deputies that were at the time assigned the city under the sheriff's contract. Because the sheriff pay scales for deputies were low, Oakley was able to increase base salaries to a level where transferring personnel were accepting of the lower retirement benefit formulations. Overall transition costs for forming the new department are estimated to be ~\$600K. The projected cost savings to the city are projected to be \$700K to \$800K per year.

Mr. Montgomery believes that if Kensington is trying to solve a quality-of-service issue, and money is not an issue, the sheriff would be a good solution. If money is an issue, then going with the sheriff will not solve the problem.

Agencies Not Willing to Consider Partnering With Kensington

Two neighboring police departments were not interested in contracting to provide Kensington with police services. These are the East Bay Regional Parks District and the City of Berkeley.

East Bay Regional Parks District

In March, the Subcommittee emailed Robert Doyle, General Manager of the East Bay Regional Parks District (EBRPD) to inquire whether EBRPD would be interested in pursuing a contractual relationship with Kensington. Timothy Anderson, Assistant General Manager and Chief of Police of EBRPD, replied to our query by email, indicating that "at this time the East Bay Regional Park District is not currently in a position to entertain discussion about contract policing." The Subcommittee did not ask Chief Anderson whether, or under what circumstances, EBRPD would be open to reconsidering the issue in the future.

EBRPD has a police force consisting of ~65 sworn officers charged with policing an area in excess of 120,000 acres including the areas of Wildcat Regional Park adjacent to Kensington.

Berkeley

The Subcommittee emailed Berkeley's city manager, Dee Williams-Ridley, and subsequently, Berkeley Police Chief Michael Meehan to assess Berkeley's interest in providing contracted police services to Kensington. Chief Meehan, after consultation with City Manager Williams-Ridley, reported that Berkeley was not interested in pursuing a

contractual relationship with Kensington, as they believed policing another jurisdiction would deviate from Berkeley PD's core mission and that policing across county lines would pose a logistical challenge for his department.⁸

Berkeley shares a large border with Kensington, and the Berkeley PD has ~170 sworn officers.

Cost Considerations

Transition Costs

There may be substantial transition costs associated with making the transition to contracting out for police services. These were estimated to be approximately \$500K in a 2009 study performed for Kensington by Brown Taylor to evaluate the feasibility of contracting for police services with the City of El Cerrito. The majority of the transition costs identified in this study were related to personnel costs, including:

- Costs for maintaining adequate staffing during an 18 month transition period including retention bonuses for exiting personnel and/or hiring of temporary officers to cover for expected attrition;
- Costs for accrued vacation and benefits paid to departing personnel;
- Costs related to the screening, hiring, equipping, training, and orientation of new police personnel that would need to be added by the contracting agency; and
- Costs related to transitioning ongoing police service activities at the point of transition.

The 2009 Brown Taylor estimate, for the most part,⁹ did not include costs that would be associated with:

- Further feasibility studies;
- Conducting due diligence of potential contracting agencies;
- Potential costs resulting from "meet and confer" obligations with the current Kensington Police Officers Association;
- Soliciting and reviewing proposals; and
- Negotiating contracts.

⁸ As set forth in the relevant sections, the fact Kensington is in Contra Costa County is not seen as an unmanageable problem by both the Albany Police Department and the University of California Police Department.

⁹ The 2009 Brown Taylor study transition costs did include \$15K for a legal contract review.

Further evaluation is warranted to determine accurate and current transition costs. The Subcommittee has insufficient basis to have an opinion on whether current transition costs would be more or less than those outlined in the 2009 study.

Ongoing Costs

The majority of costs associated with contracting for police services would be those paid to the contracting agency(s). There are, as well, other costs that are now and would continue to be incurred by Kensington on an ongoing basis. These costs would include:

- Ongoing CalPERS pension obligations associated with unfunded liabilities for currently active and retired Kensington PD personnel. If Kensington were to place the CalPERS accounts in an inactive status, it would continue to pay an amortization amount on an annual basis. The amount of this payment changes from year to year, and in the 2014 report, was projected to average ~\$230,000 over each of the next 5 years. These payments will continue into the future until all unfunded liabilities are paid off. The projected amount of this payment is based on the assumption that the CalPERS rate of return will average 7.5% and that other actuarial assumptions will remain constant. If CalPERS rate of returns continue to fall below this 7.5% assumption (2.2% for 2014 to 2015; 0.6% for 2015 to 2016), these required annual payments will likely rise significantly. If Kensington were to terminate the CalPERS accounts, the termination costs would range from \$9M to \$14M depending on the interest rates for low-risk treasury bonds at the time of termination.¹⁰
- Ongoing medical benefit obligations associated with retired Kensington PD personnel. This includes all insurance costs and all uninsured costs associated with medical, dental, and vision expenses for retired personnel and their spouses.¹¹ The 2015 to 2016 KPPCSD budgets for these costs are \$167,494, and they have increased by an average of 15% per year over the last 3 years. This amount would increase if additional current Kensington PD personnel retire from Kensington prior to a transition to contracting. This amount would decrease over time, as retired personnel and their spouses die. This amount will also change over time based on changes in the costs of insurance and actual uninsured costs.
- Costs associated with monitoring and managing the contract for police services, and any direct payment for police services that Kensington chooses to retain as

¹⁰ It is noted that these costs were not considered in the 2009 Brown Taylor study.

¹¹ These benefits are provided for any Kensington PD personnel who retire from Kensington and have 5 years of service.

part of a negotiated contract.¹² These costs are unknown at this time.

These cost items need to be appropriately considered when making cost comparisons.

Pros and Cons of Contracting

The Subcommittee identified, based on the research performed, a number of pros and cons associated with a decision to dissolve the Kensington PD and contract out for police services. These pros and cons are summarized in the following sections.

Pros

The identified pros were as follows:

- There are economies of scale associated with larger departments, the possibility of lower collective officer costs based on less top-heavy organizational structures or less expensive retirement benefits, and/or the ability to utilize a higher percentage of non-sworn personnel in implementing police services. No agency is going to be willing to provide services without covering their costs, but their economies of scale and other factors may support lower costs than what Kensington can achieve on its own. Actual costs to support comparisons will not be known until proposals are received in response to an explicit and detailed request for police services.
- Depending on how the contract is structured, there is the potential to have predictable costs over the life of the contract. Most agencies considered have indicated that they would favor a 3- to 5-year contract. If, however, a contract is structured based on paying percentages of an existing agency's costs and overhead, similar to the Kensington Fire contract, the costs may be less predictable. If contracting with the sheriff's office, it is known that their costs will change every year.
- The Kensington police force would be fully staffed in the event of police personnel-related issues, such as injury- or illness-related absences. The contract would be written to ensure the provision of a constant level of service and it would be the responsibility of the contracting agency to provide staff to cover any absences.
- The contracting agency would take responsibility for legal liabilities associated with police activities, including for the investigation and defense of cases of

¹² For example, the 2009 Brown Taylor study assumed that Kensington would continue to purchase, own, and maintain its own vehicles.

alleged officer misconduct.

- Kensington would have more direct access to a broader range of special services that exist within larger departments, such as K-9 support, SWAT teams, bomb squads, hostage negotiators, etc. This varies by agency.
- Kensington could have the ability to change out officers that are not desired by the community. This would need to be clearly specified in the contract.
- Kensington police officers would have improved access to field supervision during times when there is minimum staffing on duty, which is considered to be a best police practice. Agencies being considered for contracting are of sufficient size that they, unlike Kensington, always have a supervisor on duty.
- Kensington would be relieved of the human resource management responsibilities associated with providing police services. This would include recruiting, hiring, discipline, firing, and handling employee benefits, all of which would be handled by the contracting agency.
- Contracting may provide Kensington with an easier opportunity to restructure what police services are provided and how they are provided compared to trying to make these changes within the existing department. Factors could include the size of the department, the organization of positions within the department, and the services provided.
- It is possible that the larger agencies being considered have better management, risk management practices, and higher levels of professionalism than can be achieved by a small department like Kensington PD. This can only be confirmed by performing quality due diligence evaluations of agencies that are being considered.

Cons

The identified cons were as follows:

- By contracting out, Kensington will not have control over how the contracting agency negotiates salaries and benefits with their employees or manages other department costs. The degree to which costs are impacted will depend on whether the contracting agency does a better or poorer job of managing the factors that impact the cost of providing police services than Kensington would.
- In addition to the loss of control of managing factors that impact cost, Kensington will not have direct control over managing the day-to-day operations and priorities of the police department other than by what is specified in the negotiated contract. Thus, the quality and details of the contract will be very important for ensuring that Kensington receives and continues to have operational influence over the desired police services.
- There will undoubtedly be concerns by some in the community that the loss of our own PD will result in a loss of local identity for Kensington. This impact could be tempered, in part, by the willingness of the contracting agencies to wear

Kensington PD uniforms and drive Kensington-marked vehicles.

- Kensington will need to effectively manage a number of additional critical administrative activities to ensure that an acceptable contract can be achieved and maintained. Such activities include efforts to determine the will of the community, explicit definition of desired police services, due diligence to qualify potential contractors, preparation of detailed requests for proposals, objective evaluation of the proposals, development of explicit criteria for performance monitoring, negotiation of a contract, and constant monitoring of performance. The performance of these activities will likely require the hiring of consultants or staff with appropriate skills and expertise.
- There will be significant transition costs associated with dissolving the Kensington PD and contracting out for police services. These were discussed in a previous section of this report.
- Re-establishing the Kensington PD once it is dissolved would likely be difficult, if not impossible. Transition costs and personnel issues would be significant, just as they are for dissolving the department and contracting out.
- None of the existing Kensington PD officers can be guaranteed a job with a new contracting agency. All agencies in consideration indicated that Kensington personnel could apply for the new positions, but would be required to go through their normal recruitment screening process.

Considerations for Moving Forward

Kensington needs to clearly define the type and extent of police services that are desired by the community and the monetary limits that the community is willing to pay for such services. This was one of the first questions asked by all agencies that the Subcommittee talked to and was identified as an essential requirement for any agency to be able to put together a credible and/or accurate cost estimate. From the Subcommittee meetings that were held with the Kensington community, it was evident that there is no clear understanding of exactly what the community wants.

Kensington needs to determine whether it wishes to evaluate the feasibility of contracting out police services, defining and developing detailed requests for proposal, and conducting effective contract negotiations. Significant time, effort, and expense will be associated with conducting these activities in a credible and effective manner. From the Subcommittee meetings that were held with the Kensington community, it was evident that there are differing opinions as to the desired nature, extent, and provision of police services.

Kensington should perform additional due diligence reviews of potential contracting agencies, going well beyond what the Subcommittee was able to accomplish. It is important to examine the historical management and performance of any agency that we envision contracting with and to examine their current vision for managing into the future.

Performing further studies, developing and evaluating proposals, or conducting contract negotiations that are credible requires a high level of knowledge and expertise in the provision of police services. The members of this Subcommittee have come to recognize that the level of expertise required is greater than that of our committee and typically appointed committee members. Given the critical importance of these activities, consideration should be given to hiring professionals.