

## ***General Manager Report***

December 9, 2019

### **Community Center Progress Report**

Work at the Community Center continues, and a summary of recent work is included below. An update on construction payment and contingency status is attached.

- Visible progress to construction encompasses concrete pours for the new exterior patio and walkways and compaction of grade for new asphalt paving areas.
- At the interior, sheet rock has been installed, taped, textured and primed. Electrical, plumbing and mechanical work continues.
- Windows have been ordered with expected arrival at the end of January.

### **Finance Committee Meeting**

The Finance Committee met on Dec. 3<sup>rd</sup> and reviewed a tentative agreement with the Police Association (KPOA). Budget status documents were also reviewed for both last fiscal year and the current fiscal year. Copies of these budget documents are attached. The Finance Committee scheduled a meeting for January 21 to receive updated budget information and discuss possible recommendations.

### **Police Services Request For Proposal**

The District had received responses from the Chiefs of Police of Berkeley and Albany, and the County Sheriff-Coroner. They all indicated that they will not be submitting a response to the RFP. At the Oct. 15, 2019 meeting, the Board of Directors extended the deadline for the RFP to December 16, 2019. This extension was based on a letter from the El Cerrito Chief of Police indicating that the City of El Cerrito was preparing a potential proposal and requested an extension to the RFP deadline. Although not formally notified, it is our understanding that El Cerrito will not be submitting a proposal.

The District has received a proposal from Allied Police Protection Services. This firm is not a POST (Commission on Peace Officer Standards and Training) program and is not authorized to be a police department under the Penal Code. The District will not be considering this proposal.

Although the consultant had included estimated projections, the RFP was to obtain information and solicit actual figures from potential partners related to the cost and operation of a contract. A comparison could then be made that would be presented

for discussion and evaluation before identification of a path forward. This would include the disposition of the 2009 Initiative Ordinance.

The lack of proposals is largely the result of concern about the 2009 Initiative Ordinance. Legal counsel previously advised the District that a court would likely conclude that the ordinance was invalid and unenforceable. Nonetheless, a group of Kensington residents have urged several potential public safety providers to refrain from submitting proposals, arguing that the District cannot entertain proposals without voter approval per the ordinance (or at least without committing to solicit such approval). This places the District in a potential Catch-22 situation. Leaving aside the validity issue, complying with the ordinance would require putting a contract before the voters. But the District is blocked from even soliciting contract proposals by the same ordinance. It is recommended that staff identify options moving forward and present alternatives for consideration at a February 2020 Board Meeting.

Best regards,

Tony Constantouros