



Board of Directors  
Kensington Police Protection and  
Community Services District

**Regular Meeting Agenda**  
**Thursday, September 10, 2020**  
**Via Teleconference**

<https://www.kppcsd.org/2020-09-10-kppcsd-board-meeting>

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

*In response to the County and State "shelter in place" orders, the Governor issued an order expanding his prior waiver of normal Brown Act requirements. Executive Order N-29-20, issued March 17, 2020, authorizes all-electronic meetings without a physical location for agency officials or members of the public. The published agenda must advise the public of the means by which it may participate in the meeting and of a procedure by which disabled persons may submit requests for accommodation or modification. The order does not suspend notice requirements.*

*Executive Order N-29-20 is effective while state and/or local public health officials have imposed or recommended social distancing measure. The District must prioritize public health and containing the spread of the Covid-19 virus, which precludes holding physical public meetings. The District will comply with the usual Brown Act requirements to the extent compatible with the directives and recommendations of state and local health officials. We appreciate your understanding.*

**Regular Meeting (7:30 p.m.)**

**CALL TO ORDER**

**GENERAL PUBLIC COMMENT** (Members of the public may address the Board for up to three minutes on items not listed on the agenda that are within the jurisdiction of the District.)

**BOARD/STAFF COMMUNICATION**

- General Manager's Report
- Police Chief Report
- Board of Directors Communication

**CONSENT CALENDAR**

1. Consider Approval of Minutes for the Regular Board Meeting of August 13, 2020.

## **BOARD DISCUSSION AND DETERMINATION**

2. Authorize Reimbursement for Employees and Board Members During the Shelter In Place Order. {Held over from August 13, 2020 Board meeting} (Discussion/Action)
3. Authorize Payment of a Stipend to KPPCSD Employees and Contractors for Necessary Face Coverings Required by the Contra Costa County Public Health Order. {Held over from August 13, 2020 Board meeting} (Discussion/Action)
4. Discuss and Consider Adopting Resolution No. 2020-20 of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 3190.1 Social Media Policy. (Resolution)
5. Discuss and Consider Adopting Resolution No. 2020-19 of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 1057 Public Records Act Requests. (Resolution)
6. Receive an Update on the Current Status of the Architectural Design Process for Housing both the Kensington Fire Department and the Kensington Police Department in the Public Safety Building. (Discussion)

## **ADJOURNMENT**

The next regular meeting will be held on September 24, 2020.

### Rules of Decorum at Meetings

- Please observe the three-minute per person limit (once per item) and twenty-minute total limit, per Board Policy 4120.4.1.
- Members of the public may address the Board on items not listed on the agenda but that are within the jurisdiction of the District during the General Public Comments section.
- Members of the Public may address the Board on items agendaized for discussion and/or action after any report has been presented by appropriate staff or director and the Board has raised its questions regarding that report.
- If there are several speakers, please be concise to give others the opportunity to speak.
- If any meeting is willfully interrupted so as to render the orderly conduct of the meeting infeasible, the Board President may order the person or group of persons causing the disruption removed. If removal of the person or group of persons causing the disruption of the meeting does not restore order, the Board President may order the meeting cleared of all members of the public except members of the media and proceed to address the remaining items on the agenda.

### General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- The District has devices for hearing assistance. Please contact Interim General Manager Bill Lindsay for information about the equipment.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Services District, 217 Arlington Ave, Kensington, CA 94707.
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at [llewis@kppcsd.org](mailto:llewis@kppcsd.org).

**POSTED:** Public Safety Building – Colusa Food – Arlington Kiosk and at [www.kppcsd.org](http://www.kppcsd.org). Complete agenda packets are available at the Public Safety Building.

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.

**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**General Manager's Report**

President Deppe and Members of the Board:

The following is an update on issues that are not on the agenda but may be of general interest to the Board of Directors and members of the public.

1. General Manager Recruitment

During the past several weeks, Frank Rojas of CPS HR, the consultant retained by the Board to assist in the recruitment of a permanent General Manager, completed interviews with Boardmembers and senior staff members to discuss qualifications for an ideal candidate for this position. From these interviews, Mr. Rojas has completed the attached recruitment brochure, which describes the Kensington community, the district, the role of the general manager within the district, current challenges that the new general manager might address, attributes of the ideal candidate, compensation, and the application and selection process. The brochure has been printed, and its distribution to a pool of applicants has been initiated. The deadline for applicants is Monday, October 12<sup>th</sup>, with screening to begin immediately thereafter.

2. RFP for Audit Services

The process for retaining a new independent financial auditor for the District has also been initiated, with distribution of a request for proposals (RFP) to potential qualified accounting firms. The audit was distributed on August 20<sup>th</sup>, and proposals are due next Monday, September 14<sup>th</sup>. You may recall that, at your last meeting, the Board appointed President Deppe and Vice-President Rachelle-Watt to review and recommend a finalist(s) for consideration by the Board. The current schedule calls for selection by the Board of Directors at the September 24<sup>th</sup> meeting. An audit partner from Maze and Associates, who specializes in special district audits, will provide expertise to the District regarding the selection process of the new audit firm.

3. KCC Tennis Camp

KCC Recreation Director Jenny Parks has notified District staff that they will start their first in-person, socially-distanced after school camp, in accordance with Contra Costa Health Guidelines. This tennis camp for a maximum of ten 4<sup>th</sup> – 6<sup>th</sup> graders, will begin on Monday, September 21<sup>st</sup>, running three days per week for six weeks. Among the camp protocols will be:

- There will be a daily pre-class questionnaire requiring temperatures and an identification of previous activities of each student;
- Masks must be worn at all times by students and the instructor;
- Social distancing will be used at all times whenever possible;
- There will be one bathroom in the Recreation Building available for only this pod, cleaned each day;

- Each student will bring their own racquet to every class or will be provided with one for the entire session;
- If there is rain, class will be cancelled and not relocated to an inside space.

Also of note, KASEP classes are planned to resume online starting September 21<sup>st</sup>.

#### 4. Park Restrooms

Just as some of you may have experienced, I have received a substantial amount of communication imploring the District to open the restrooms in the park. The concern expressed in this communication is that, with the park experiencing greater socially-distanced usage, it follows that restrooms are much more in demand than they were several months ago. There is a particular health concern that park users may be “freelancing” adjacent to – not inside of – the restrooms.

It is certainly acknowledged (and, in fact, the CDC acknowledges) that it is ideal for restrooms to be open if the park itself is open to (socially distanced) use by the general public. However, local public health orders related to Covid-19 will require a change in the District’s operating standards that will take time and money to implement. As I understand it, restrooms have, in the past, received a full cleaning once each week by an individual contracted by the District to complete this work. Covid-19 health standards will require that restrooms be disinfected at least once each day using EPA-registered products that are effective against the COVID-19 virus. This new standard will require seven-day per week coverage, with the practical need to retain at least one additional person to provide the service, and procurement of disinfecting cleaning products. We are not yet ready to implement this service standard; but, given the prospect that these standards may remain for some time, even as park usage begins to return to more normal activity, we are looking to see how this might be done.

#### **SUBMITTED BY:**

Bill Lindsay  
Interim General Manager





KENSINGTON  
POLICE PROTECTION &  
COMMUNITY SERVICES DISTRICT

# General Manager







## THE COMMUNITY

Kensington is an unincorporated community located in the Berkeley Hills, part of the San Francisco Bay Area, in Contra Costa County, California. The community occupies approximately one square mile and has a population of approximately 5,500 residents, including many distinguished University of California, Berkeley professors, Nobel Prize Laureates, and other notable San Francisco Bay Area professionals. Land use is almost exclusively residential, with two small, local-serving commercial areas. Kensington is among the safest places to live in California, with one of the nation's top public elementary schools.

## THE ORGANIZATION

The Kensington Police Protection & Community Services District (KPPCSD) is a Community Services District that provides police protection, parks and recreation, and waste management services to the unincorporated area of Kensington. Fire service is provided by the Kensington Fire Protection District, and most other traditional municipal services in Kensington are provided by Contra Costa County. Kensington residents are actively involved in the governance of their community through this special district.

Each of the four major functional areas of KPPCSD are:

- » Kensington Police Officers perform a variety of services which includes patrol response to crimes in-progress, traffic enforcement, first aid and CPR, investigations, warrant and subpoena service, and other law enforcement duties.
- » KPPCSD maintains a recently renovated Community Center, Kensington Park with amenities, including the tot lot, swings, picnic areas, basketball court, and tennis courts.
- » KPPCSD partners with the Kensington Community Council (KCC) to offer a variety of educational and recreational classes and programs such as the Kensington After School Enrichment Program ("KASEP"), Summer Day Camps, youth and teen events, and adult physical fitness classes. KCC is a non-profit that also helps raise funds and provides volunteers to help maintain the Community Center and Kensington Park.
- » The KPPCSD provides both residential and commercial collection services for recyclables, trash, and green waste (no food) through a franchise agreement with Bay View Refuse and Recycling.
- » The Administration section oversees business and finance functions of the District.

The KPPCSD has an operational budget of \$3.5 million, approximately 75% of which funds the police department. There are six staff members with an additional 10.5 in the Police Department. It contracts with a law firm for a General Counsel and other legal support.





## GOVERNANCE

KPPCSD is governed by five unpaid board members elected into office by the community to serve staggered four-year terms. The Board elects one of its members to serve as Board President and one to serve as Board Vice President for each calendar year. The President of the Board assigns each of the Board members to serve as Chairpersons for the various committees serving the Board.

Revenue to support KPPCSD is mostly property related, including a share of the base (1%) property taxes, two voter-approved property tax overrides, and a landscape maintenance district that partially supports park maintenance.

To learn more about KPPCSD, go to: <https://www.kppcsd.org/>



## THE POSITION

The General Manager implements policies at the direction of the Board of Directors and advises the Board on efficient delivery of services and best practices to achieve an effective organization. This includes oversight of major projects and working cross-sectionally to explore methods to improve accountability, fiscal stability, cost effectiveness, and professional standards. Currently, this position is part-time (25-30 hours per week). A background working with public safety departments and related unions is helpful, as is knowledge of community services and contract development and negotiations. A background managing a police department is a plus.

### Priorities and Opportunities

- » Finalize a strategy to meet long-term facilities needs for the Police Department and administrative staff, and initiate its implementation.
- » Work with the Kensington Community Council to reinstate recreation programming at the newly renovated Community Center, as coronavirus health restrictions are phased out.
- » Work with the solid waste service provider (Bay View) and members of the community to develop and implement service changes necessary to comply with State law, and initiate a review of collection rates, as necessary.
- » Evaluate long-term funding needs for park maintenance services, and develop strategies for meeting these revenue needs.
- » Develop and implement strategies to achieve staffing stability in the Kensington Police Department.
- » Review and implement administrative policies and procedures for efficient day-to-day management of District operations, including processes for effective human resources management, information technology management, park maintenance oversight, and customer service response.
- » Develop and maintain productive working relationships with Contra Costa County, the Kensington Fire Protection District, and other governmental and non-governmental agencies.



## THE IDEAL CANDIDATE

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The ideal candidate will be a strategic visionary leader with an innovative mindset who can take a creative approach to solving problems and managing the long-term goals of the District. The District is looking for a collaborative, working manager committed to building a community-wide culture of teamwork and trust. The successful candidate will have strong financial management and budgetary abilities; and excellent communication and interpersonal skills necessary to foster an environment of cooperation. This position requires a relationship builder with a successful track record working with a Board or City Council developing effective interaction and following through on policy direction given by the Board and/or City Council.



### Professional characteristics and key attributes

- » Able to work collaboratively with staff and community partners to set goals and achieve results.
- » An ethical and honest leader with high integrity, able to build cohesion and public confidence.
- » A strong and confident leader who can provide options and data to elected officials, allowing them to make informed policy decisions in the best interest of the community.
- » Effective management skills to communicate clear direction and guidance to a solid, but primarily part-time staff, providing the support and tools necessary for successful project completion.
- » A leader with political acumen, who understands the need to be apolitical.
- » Strong fiscal judgement and resourceful in looking at ways to generate revenue.
- » Experience developing a strategic plan.
- » Solid customer service and public speaking ability.
- » An active listener.

## MINIMUM QUALIFICATIONS

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- » Bachelor's degree
- » Master's degree is desirable.
- » Ten (10) years of progressively responsible experience in municipal government. Working knowledge of Special Districts is a plus.
- » Five (5) years of management and supervisory experience.
- » Strong financial management skills.

## COMPENSATION AND BENEFITS

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**The hourly pay for this position is currently \$95.00 per hour.**

There are no benefits associated with this position. KKPCSD provides benefits for its police officers under CalPERS.

## APPLICATION AND SELECTION PROCESS

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**The final filing date is Monday, October 12, 2020.**

To be considered, please submit a resume, cover letter, and five work related references (who will not be contacted in the early stages of the recruitment) to: <https://executivesearch.cpshr.us/JobDetail?ID=1685>

Resumes should reflect years and months of positions held, as well as size of past organization(s).

For additional information, please contact:

Frank Rojas  
CPS HR Consulting  
Phone (916) 471-3111  
Email [frojas@cpshr.us](mailto:frojas@cpshr.us)



Resumes will be screened based on the criteria outlined in this brochure. Candidates with the most relevant qualifications will be given preliminary interviews by the consultant. CPS HR Consulting will report the results to KKPCSD. The KKPCSD will then select candidates to participate in KKPCSD interviews. Extensive reference and background checks will be completed on the selected candidate.

## KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

### BOARD OF DIRECTORS MEETING

September 10, 2020

#### General Manager's Report - Supplement

President Deppe and Members of the Board:

Since my report last month on the topic of the Proposition 68 per capita grant that was awarded to the Kensington Police Protection and Community Services District, I have received a number of questions regarding the District's participation in this program. When I provided the report last month, staff did not have a copy of the questionnaire that was submitted to the California Department of Parks and Recreation Department indicating KPPCSD's interest in participating in this program. Early this week, we obtained a copy of this questionnaire which is attached to this report.

Elements of the questionnaire submitted to the California Department of Parks and Recreation Department are described below:

- The questionnaire was signed and submitted by General Manager Tony Constantouros on April 18, 2019, indicating that KPPCSD would participate in the Proposition 68 per capita grant program;
- KPPCSD is eligible to participate in the program because it provides park services to the population within its jurisdictional boundary;
- In supplemental information that was submitted at the request of State Parks, the District described its park facilities and services as:
  - "a small park located at the corner of Arlington Avenue" providing "a nice bit of open space for this part of Kensington";
  - "a larger park... approximately 10 acres" that includes the "Kensington Community Center, a tot-lot, swing set, tennis courts, a youth's after-school enrichment education building, park restroom, basketball courts, barbecue and picnic areas, and some short paths that crisscross the park";
  - "a contractual relationship with the Kensington Community Council...(that) provides adult and youth recreation programs"; and
  - "through rentals of the Community Center, ... a place to meet to enjoy ... special interests."
- The amount of the Proposition 68 capital grant allocated to the District is \$177,952, provided on a reimbursement basis as project(s) are completed.
- The grant requires a 20% match by the District (i.e., \$44,488), so that project(s) totaling \$222,444 may be funded.
- Funding may be used for capital improvements to park and recreation facilities. The program website specifically states that "Funds are available for local park rehabilitation, creation, and improvement grants to local governments on a per capita basis. Grant recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors."

**SUBMITTED BY:**

Bill Lindsay  
Interim General Manager

**ATTACHMENT:**

Per Capita Allocation Questionnaire

15# 5910

VR



### PER CAPITA ALLOCATION QUESTIONNAIRE

California Drought, Water, Parks, Climate,  
Coastal Protection, and Outdoor Access  
For All Act of 2018



**RECEIVED**  
MAY 6 2019  
OFFICE OF GRANTS &  
LOCAL SERVICES

Complete and return by **Monday, June 3, 2019** to:

Per Capita Allocation Questionnaire  
California State Parks  
Office of Grants and Local Services  
P.O. Box 942896  
Sacramento, CA 94296-0001

### Identifying Information

Agency Name <i>Kensington Police Protection and Community Services District</i>	Agency Address (include County) <i>217 Arlington Ave. Kensington, Contra Costa County, CA</i>
Contact Person <i>Anthony Constantouras</i>	Title <i>General Manager</i>
Telephone <i>(510) 526-4141</i>	Email <i>tconstantouras@kppcsd.org</i>

### Per Capita Grant Program Statute

Public Resources Code (PRC) §80062(a)(1) The department shall allocate 60 percent of the funds available pursuant to subdivision (a) of §80061 to cities and districts, *other than* a regional park district, regional park and open-space district, open-space authority, or regional open-space district.

Each city's and district's allocation shall be in the same ratio as the city's or district's population is to the combined total of the state's population that is included in incorporated and unincorporated areas within the county, except that each city or district shall be entitled to a minimum allocation of two hundred thousand dollars (\$200,000).

PRC §80062(b)(1) the department shall allocate 40 percent of the funds available pursuant to subdivision (a) of §80061 to counties and regional park districts, regional park and open-space districts, open-space authorities, and regional open-space district.

Each county's allocation under paragraph (1) shall be in the same ratio that the county's population is to the total state population, except that each county shall be entitled to a minimum allocation of four hundred thousand dollars (\$400,000).

### Per Capita Grant Program Interest (Check one response):

- The agency wishes to participate in the Per Capita Grant Program; or
- The agency does not wish to participate in the Per Capita Grant Program; or
- The agency is not eligible to participate in the Per Capita Grant Program.



Indicate your type of jurisdiction:

City and Local Districts	
<input type="checkbox"/>	City
<input checked="" type="checkbox"/>	Recreation and Park District
<input type="checkbox"/>	Other kind of district, including a water district operating multi-use parklands in an unincorporated region where no city or county provides recreation services. (If you checked this box, attach a list of multi-use parklands operated by your agency and describe activities occurring at these locations.)

County and Regional Districts	
<input type="checkbox"/>	County
<input type="checkbox"/>	Regional Park District, Regional Park and Open-space District, Open-space Authority (PRC §35100) or Regional Open-space District

### Population Information

January 1, 2019 population estimate for your jurisdiction: 5,077

State the source and attach specific documentation as evidence of this population estimate (e.g. County Planning Department, California Department of Finance Demographic Research Unit, Area Council of Governments, County registrar, Census Tract maps & figures). *Source: 2010 U.S. Census*

### City and Local District Boundary Overlaps

If your agency is a city or local district, does the boundary of your agency overlap any other city and/or local district(s)?

Yes  No

*If no, sign and date this questionnaire and return by June 3, 2019.*

**If yes, does the city operate and manage parks and recreational areas and facilities in the area of overlap?**  Yes  No

*If no, all grant funds in that area shall be allocated to the district (PRC §80062(a)(1)(a)). Sign and date this questionnaire and return by June 3, 2019.*

**If yes, list the city and/or local district(s) overlapping your jurisdictional boundary:**

City:	Local District 1:	Local District 2:

Population in overlapping area(s) shall be attributed to each jurisdiction in proportion to the extent to which each operates and manages parks and recreational areas and facilities for that population. The city and district shall collaboratively develop and submit a plan for allocating the grant funds (PRC §80062(a)(1)(a)).

**Provide the following information for allocation of funds in overlap area(s):**

Total number of people in overlap area	Number of people attributed to City	Number of people attributed to Local District 1	Number of people attributed to Local District 2

*Sign and date this questionnaire and return by June 3, 2019.*

### County and Regional District Boundary Overlaps

PRC §80062(b)(3) In any county that embraces all or part of the territory of a regional park district, regional park and open-space district, open-space authority, or regional open-space district, and whose board of directors is not the county board of supervisors, the amount allocated to the county shall be apportioned between that district and the county in proportion to the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.

**If your agency is a County or Regional District, are there any overlapping areas?**

Yes  No

*If no, all grant funds shall be allocated to the county. Sign and date this questionnaire and return by June 3, 2019.*

**If yes, is the board of directors also the county board of supervisors?**

Yes  No

*If yes, all grant funds for the county shall be allocated to the Regional District. Sign and date this questionnaire and return by June 3, 2019.*

**If no, using the population information provided, provide the population of the county that is included within the territory of the district and the population of the county that is outside the territory of the district.**

Number of people in county within district territory:	Number of people in county outside district territory:
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Sign and return this questionnaire by Monday, June 3, 2019 to the address on page one. If you have any questions, e-mail [Lisa.Vigil@parks.ca.gov](mailto:Lisa.Vigil@parks.ca.gov).

I certify I have the authority to sign on behalf of the agency listed in the identifying information table on page one of the Per Capita Allocation Questionnaire.

  
Signature

4/18/19  
Date


General Manager  
Title

Kensington Police Protection + Community Services District  
Agency Name

## QuickFacts Kensington CDP, California

QuickFacts provides statistics for all states and counties, and for cities and towns with a *population of 5,000 or more*.

### Table

ALL TOPICS	Kensington CDP, California
Population estimates, July 1, 2018, (V2018)	X
 PEOPLE	
<b>Population</b>	
Population estimates, July 1, 2018, (V2018)	X
Population estimates base, April 1, 2010, (V2018)	X
Population, percent change - April 1, 2010 (estimates base) to July 1, 2018, (V2018)	X
Population, Census, April 1, 2010	5,077
<b>Age and Sex</b>	
Persons under 5 years, percent	▲ 4.1%
Persons under 18 years, percent	▲ 18.6%
Persons 65 years and over, percent	▲ 25.6%
Female persons, percent	▲ 52.6%
<b>Race and Hispanic Origin</b>	
White alone, percent	▲ 76.9%
Black or African American alone, percent (a)	▲ 1.5%
American Indian and Alaska Native alone, percent (a)	▲ 0.2%
Asian alone, percent (a)	▲ 13.8%
Native Hawaiian and Other Pacific Islander alone, percent (a)	▲ 0.0%
Two or More Races, percent	▲ 7.4%
Hispanic or Latino, percent (b)	▲ 7.1%
White alone, not Hispanic or Latino, percent	▲ 71.8%
<b>Population Characteristics</b>	
Veterans, 2013-2017	190
Foreign born persons, percent, 2013-2017	13.6%
<b>Housing</b>	
Housing units, July 1, 2017, (V2017)	X
Owner-occupied housing unit rate, 2013-2017	88.6%
Median value of owner-occupied housing units, 2013-2017	\$852,700
Median selected monthly owner costs -with a mortgage, 2013-2017	\$3,314
Median selected monthly owner costs -without a mortgage, 2013-2017	\$766
Median gross rent, 2013-2017	\$2,598
Building permits, 2017	X
<b>Families &amp; Living Arrangements</b>	
Households, 2013-2017	2,336
Persons per household, 2013-2017	2.38
Living in same house 1 year ago, percent of persons age 1 year+, 2013-2017	89.3%
Language other than English spoken at home, percent of persons age 5 years+, 2013-2017	18.3%
<b>Computer and Internet Use</b>	
Households with a computer, percent, 2013-2017	96.2%
Households with a broadband Internet subscription, percent, 2013-2017	93.6%
<b>Education</b>	
High school graduate or higher, percent of persons age 25 years+, 2013-2017	99.3%
Bachelor's degree or higher, percent of persons age 25 years+, 2013-2017	83.6%
<b>Health</b>	
With a disability, under age 65 years, percent, 2013-2017	3.9%
Persons without health insurance, under age 65 years, percent	▲ 1.2%

**Economy**

In civilian labor force, total, percent of population age 16 years+, 2013-2017	63.5%
In civilian labor force, female, percent of population age 16 years+, 2013-2017	56.3%
Total accommodation and food services sales, 2012 (\$1,000) (c)	2,301
Total health care and social assistance receipts/revenue, 2012 (\$1,000) (c)	6,852
Total manufacturers shipments, 2012 (\$1,000) (c)	0
Total merchant wholesaler sales, 2012 (\$1,000) (c)	D
Total retail sales, 2012 (\$1,000) (c)	4,325
Total retail sales per capita, 2012 (c)	NA

**Transportation**

Mean travel time to work (minutes), workers age 16 years+, 2013-2017	36.9
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**Income & Poverty**

Median household income (in 2017 dollars), 2013-2017	\$140,000
Per capita income in past 12 months (in 2017 dollars), 2013-2017	\$75,224
Persons in poverty, percent	▲ 6.9%

**BUSINESSES****Businesses**

Total employer establishments, 2016	X
Total employment, 2016	X
Total annual payroll, 2016 (\$1,000)	X
Total employment, percent change, 2015-2016	X
Total nonemployer establishments, 2016	X
All firms, 2012	698
Men-owned firms, 2012	299
Women-owned firms, 2012	380
Minority-owned firms, 2012	124
Nonminority-owned firms, 2012	555
Veteran-owned firms, 2012	41
Nonveteran-owned firms, 2012	652

**GEOGRAPHY****Geography**

Population per square mile, 2010	5,361.1
Land area in square miles, 2010	0.95
FIPS Code	0638086



About datasets used in this table

**Value Notes**

▲ Estimates are not comparable to other geographic levels due to methodology differences that may exist between different data sources.

Some estimates presented here come from sample data, and thus have sampling errors that may render some apparent differences between geographies statistically indistinguishable. Click the Q left of each row in TABLE view to learn about sampling error.

The vintage year (e.g., V2018) refers to the final year of the series (2010 thru 2018). *Different vintage years of estimates are not comparable.*

**Fact Notes**

- (a) Includes persons reporting only one race
- (b) Hispanics may be of any race, so also are included in applicable race categories
- (c) Economic Census - Puerto Rico data are not comparable to U.S. Economic Census data

**Value Flags**

- Either no or too few sample observations were available to compute an estimate, or a ratio of medians cannot be calculated because one or both of the median estimates falls in interval of an open ended distribution.
- D Suppressed to avoid disclosure of confidential information
- F Fewer than 25 firms
- FN Footnote on this item in place of data
- NA Not available
- S Suppressed; does not meet publication standards
- X Not applicable
- Z Value greater than zero but less than half unit of measure shown

QuickFacts data are derived from: Population Estimates, American Community Survey, Census of Population and Housing, Current Population Survey, Small Area Health Insurance Estimates, Sm Poverty Estimates, State and County Housing Unit Estimates, County Business Patterns, Nonemployer Statistics, Economic Census, Survey of Business Owners, Building Permits.

**ABOUT US**

Are You in a Survey?  
 FAQs  
 Director's Corner  
 Regional Offices  
 History  
 Research  
 Scientific Integrity  
 Census Careers  
 Diversity @ Census  
 Business Opportunities  
 Congressional and Intergovernmental  
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**FIND DATA**

QuickFacts  
 American FactFinder  
 2010 Census  
 Economic Census  
 Interactive Maps  
 Training & Workshops  
 Data Tools  
 Developers  
 Catalogs  
 Publications

**BUSINESS & INDUSTRY**

Help With Your Forms  
 Economic Indicators  
 Economic Census  
 E-Stats  
 International Trade  
 Export Codes  
 NAICS  
 Governments  
 Longitudinal Employer-Household Dynamics (LEHD)  
 Survey of Business Owners

**PEOPLE & HOUSEHOLDS**

2020 Census  
 2010 Census  
 American Community Survey  
 Income  
 Poverty  
 Population Estimates  
 Population Projections  
 Health Insurance  
 Housing  
 International  
 Genealogy

**SPECIAL TOPICS**

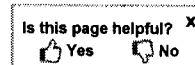
Advisors, Centers and Research Programs  
 Statistics in Schools  
 Tribal Resources (AIAN)  
 Emergency Preparedness  
 Statistical Abstract  
 Special Census Program  
 Data Linkage Infrastructure  
 Fraudulent Activity & Scams  
 USA.gov

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**Vigil, Lisa@Parks**

---

**From:** Vigil, Lisa@Parks  
**Sent:** Friday, May 10, 2019 8:57 AM  
**To:** 'tconstantouros@kppcsd.org'  
**Subject:** Prop 68 Per Capita Questionnaire - Kensington Police Protection and Community Services District

**Importance:** High

Good Morning Anthony,

Thank you for returning your Prop 68 Per Capita Questionnaire. On the form you indicated that Kensington Police Protection and Community Services District is a Recreation and Park District. The "Other Kind of District" box should have been marked since you are a CSD.

Per the questionnaire if this is selected then a list of multi-use parklands operated by your agency with a description of activities occurring at the locations must be attached to the questionnaire.

Can you please forward me the list so that I can attach it to your questionnaire?

**Indicate your type of jurisdiction:**

<b>City and Local Districts</b>	
<input type="checkbox"/>	<b>City</b>
<input type="checkbox"/>	<b>Recreation and Park District</b>
<input type="checkbox"/>	<b>Other kind of district, including a water district operating multi-use parklands in an unincorporated region where no city or county provides recreation services.</b> <b>(If you checked this box, attach a list of multi-use parklands operated by your agency and describe activities occurring at these locations.)</b>

<b>County and Regional Districts</b>	
<input type="checkbox"/>	<b>County</b>
<input type="checkbox"/>	<b>Regional Park District, Regional Park and Open-space District, Open-space Authority (PRC §35100) or Regional Open-space District</b>

Let me know if you have any questions.

Thank you.

*Lisa Vigil*

Fiscal Analyst  
Office of Grants and Local Services

**Vigil, Lisa@Parks**

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<b>County and Regional Districts</b>	
<input type="checkbox"/>	<b>County</b>
<input type="checkbox"/>	<b>Regional Park District, Regional Park and Open-space District, Open-space Authority (PRC §35100) or Regional Open-space District</b>

Let me know if you have any questions.

Thank you.

*Lisa Vigil*

Fiscal Analyst  
Office of Grants and Local Services

## Vigil, Lisa@Parks

---

**From:** Lynn Wolter <lwolter@kppcsd.org>  
**Sent:** Friday, May 10, 2019 3:29 PM  
**To:** Vigil, Lisa@Parks  
**Cc:** Tony Constantouros  
**Subject:** FW: Prop 68 Per Capita Questionnaire - Kensington Police Protection and Community Services District

RECEIVED MAY 11 2019

**Importance:** High

Hi Lisa,

General Manager Constantouros asked me to provide the information you're seeking.

The Kensington Police Protection and Community Services District (KPPCSD) provides park and recreation services for the community of Kensington. Kensington is about one square mile and has two parks.

The first is a small park, located at the corner of Arlington Avenue. It's planted with trees and provides a nice bit of open space for this part of Kensington and for the adjacent bus stop.

The second is a larger park (approximately 10 acres), located further north on Arlington Avenue. Within this park is our Kensington Community Center, a tot-lot, swing set, tennis courts, a youth's after-school enrichment education building, park restroom, basketball courts, barbeque and picnic areas, and some short paths that crisscross the park.

Through a contractual relationship with the Kensington Community Council, a not-for-profit organization in town, the District provides adult and youth recreation programs. And, through rentals of the Community Center, the District provides youth (e.g. Boy Scouts and Girl Scouts) and adult groups (e.g. Grizzly Peak Fly Fishermen and Pilates and a yoga classes) a place to meet to enjoy their special interests.

Please let me know if you need additional information.

Regards,  
Lynn Wolter  
District Administrator

**From:** Tony Constantouros  
**Sent:** Friday, May 10, 2019 11:50 AM  
**To:** Lynn Wolter <lwolter@kppcsd.org>  
**Subject:** FW: Prop 68 Per Capita Questionnaire - Kensington Police Protection and Community Services District  
**Importance:** High

Lynn,

I would appreciate your completing per the request below.

Thanks,  
Tony



From: "Vigil, Lisa@Parks" <[Lisa.Vigil@parks.ca.gov](mailto:Lisa.Vigil@parks.ca.gov)>

Date: Friday, May 10, 2019 at 8:57 AM

To: Tony Constantouros <[TConstantouros@kppcsd.org](mailto:TConstantouros@kppcsd.org)>

Subject: Prop 68 Per Capita Questionnaire - Kensington Police Protection and Community Services District

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City and Local Districts		County and Regional Districts	
<input type="checkbox"/>	City	<input type="checkbox"/>	County
<input type="checkbox"/>	Recreation and Park District	<input type="checkbox"/>	Regional Park District, Regional Park and Open-space Authority (PRC §35100) or Regional Open-space District
<input type="checkbox"/>	<b>Other kind of district, including a water district operating multi-use parklands in an unincorporated region where no city or county provides recreation services.</b> <b>(If you checked this box, attach a list of multi-use parklands operated by your agency and describe activities occurring at these locations.)</b>		

Let me know if you have any questions.

Thank you.

*Lisa Vigil*

Fiscal Analyst  
Office of Grants and Local Services

DRAFT

**BOARD OF DIRECTORS MEETING MINUTES**

**Thursday, August 13, 2020**

**Via Teleconference**

**Regular Meeting - 7:30 p.m.**

**CALL TO ORDER**

President Deppe called to order the Regular Meeting of the Board of Directors at 7:36 p.m. Directors Eileen Nottoli, Sylvia Hacaj, and Cyrus Modavi were present at roll call. Director Rachelle Sherris-Watt was absent.

Staff present included Interim General Manager Bill Lindsay, Interim Police Chief Walt Schuld, General Counsel Ann Danforth, Finance and Business Manager Katherine Korsak, Officer Brad Harms, and Clerk of the Board Lynelle M. Lewis.

**GENERAL PUBLIC COMMENT**

The following persons provided public comment: 1) David Bergen asked President Deppe to announce the speakers' names so they are accurately recorded in the minutes; 2) Laurence Nagel reminded the Board about the evacuation drill on August 27<sup>th</sup> at 8:00 a.m. and requested that the Police Department notify residents about the phone number that will show on their phones; 3) Kevin Padian commented that residents should treat this drill as an actual event and be sure to alert neighbors. Chief Schuld noted that he had sent reminders to residents about the upcoming evacuation drill via Nixel, Facebook, Nextdoor and the KPPCSD website.

**BOARD/STAFF COMMUNICATION**

General Manager's Report. Interim General Manager Lindsay presented an update on the RossDrulisCusenbery (RDC) meeting with the Contra Costa County building official about the architectural issues related to Public Safety Building (PSB) renovation. RDC (along with their structural engineer) met to discuss the following issues: 1) an elevator/lift; 2) enclosing the exterior deck areas for use as interior space without violating the "no increase in building size" provision; 3) whether the team was using the appropriate valuation methodology for establishing the value of the building; and 4) how the County addresses cost contingencies. Mr. Lindsay reported that RDC has provided all additional background material that the County requested following that initial meeting. After the County has the opportunity to review this material, RDC will schedule a follow-up meeting with the hope that they receive conclusive direction soon thereafter. Mr. Lindsay said he would keep the Board informed of progress on this issue.

Next, Mr. Lindsay reported that staff was contacted by representatives from the California Department of Parks and Recreation Department indicating that KPPCSD had received a Proposition 68 capital grant in the amount of \$177,952 for which an application was submitted some time ago. The grant requires a 20% match, but the program is very flexible as to how the funds may be used for capital improvements to park and recreation facilities. Staff will work with the Board to determine how best to apply these funds, which are allocated on a reimbursement basis and must be spent by 2024.

In concluding Mr. Lindsay reported that KPPCSD's outside auditor, Steven Chang, expanded the scope of his annual audit to conduct a detailed review of the District's legal expenses during FY 2018-19. The final memorandum from Mr. Chang, with his analysis and recommendations, indicated that all expenses were adequately documented. The final billing for the FY 2018-19 audit work included \$3,125 in additional cost for the time spent on this additional review and analysis.

Director Modavi asked if the Prop 68 grant funds could be used for tree trimming and the tennis courts. Mr. Lindsay said these would not be eligible. Ms. Korsak pointed out that funds would have to be used for new projects. Director Nottoli requested having a standing agenda item to discuss the status of the PSB renovation because she has been hearing concerns from residents who want to know about it. In particular, residents are concerned about where the police will be located. She reported that at the Kensington Fire Protection District (KFPD) Board meeting on August 8<sup>th</sup> there was mention that the police would not be allowed to be housed at the renovated PSB unless the KPPCSD contributes its fair share of the capital costs. This could force residents to agree to a tax increase to keep the police in Kensington. Director Modavi agreed that the PSB renovation should be a standing agenda item where there can be discussion on how to fund the police relocation.

- The following person provided public comment: 1) Kevin Padian commented that no decision on financial arrangements were made at the KFPD meeting, that KFPD has been trying to discuss this issue with KPPCSD for the past 2 years, it should have been done through the 2x2 Committee, and he anticipates productive discussions in the near future.

Police Chief Report. Police Chief Schuld clarified a previous comment that employees and dependents were not eligible for lifetime medical. He said that employees and dependents are in fact eligible lifetime medical if the employee meets the retirement vesting requirements. Next, he announced the hiring of Officer Jose Fajardo, and said he anticipates hiring another police officer and a reserve officer once they complete the testing process. Next, Mr. Schuld reported that the Use of Force Policy had been updated, highlighted the changes, and said that all updated policies will be included in the Policy Manual. Chief Schuld responded to questions raised about provisions of the policy.

- The following person provided public comment: 1) Meryl Rafferty asked when the last time the Police Department had to apply use of force. Chief Schuld said he would research this.

## **CONSENT CALENDAR**

Items 1-2 were presented as Consent Calendar items for a single motion and vote.

Director Nottoli commented that her name was misspelled on page 2 of the July 9<sup>th</sup> Minutes under agenda Item 2 (tennis court resurfacing motion). President Deppe recommended changing the wording on page 2 of the Minutes under the tennis court resurfacing discussion (change Item 7 and 8 to Option 7 and 8).

- Motion by Director Hacaj, seconded by Director Nottoli, to approve the Consent Calendar with the amendments to the Minutes identified by Director Nottoli and President Deppe, carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**1. Consider Approval of Minutes for the Regular Board Meeting of July 9, 2020.**

Item 1 was approved (as amended) as part of the Consent Calendar.

**2. Adopt Resolution No. 2020-17 Confirming Changes from the 2019 Memorandum of Understanding Relating to CalPERS Retirement Contributions.**

Item 2 was approved as part of the Consent Calendar.

**Resolution No. 2020-17** – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District To Update Employer Paid Member Contribution (EPMC) For The Classic CalPERS Retirement Plan.

**BOARD DISCUSSION AND DETERMINATION**

**3. Consider Initiation of Community Review of Amended Parking Regulations Proposed by the KPPCSD Police Department, the Kensington Fire Protection District (KFPD), and Contra Costa County for Improving Neighborhood Safety.**

Interim Police Chief Schuld introduced Officer Brad Harms, commended him for his work on this project, and thanked the other partners. Officer Harms reported that the Kensington Police Department (KPD), together with the KFPD and Contra Costa County, have been working on an evacuation plan for Kensington residents. Elements of this evacuation plan include: 1) an arrangement with Sunset View Cemetery for gaining access to unlock all three gates on the property in the event of a massive evacuation; 2) installation of evacuation signs at Sunset View Cemetery; 3) replacement of the locked steel bollards near the school and the parks with removable chains; and 4) changing the parking on six streets in the first phase of the evacuation planning to allow the evacuation to be more efficient for traffic flow.

The recommendation was for the Board to consider initiating a public review process to include extensive community outreach to inform residents regarding the reason for the proposed changes. This community outreach would include preparing an educational video, distributing informational flyers, and contacting local print and social media. The estimated total cost to reconfigure parking on the six Kensington streets is \$14,900, with the cost shares among participating agencies undetermined at this time. It was noted that the Kensington Evacuation Research Project Final Report, dated January 8, 2020, was submitted for reference.

Director Hacaj asked if El Cerrito Police will have keys to the cemetery as part of a redundancy plan. Officer Harms will follow up on this. Director Hacaj suggested that a portion of the curb by the school could be painted red for improved traffic flow. Officer Harms agreed follow up on this. She asked if Contra Costa County would be providing financial support, and Interim General Manager Lindsay said they would provide some level of cost support. Director Nottoli suggested that Albany receive a key to the gate as a backup. Officer Harms also agreed to follow up on this suggestion. Director Modavi asked about the steps for the public outreach process. He also asked if the KFPD Board had bought into this effort. Chief Schuld said each respective agency will take the proposal to their boards, and he anticipated that there would be some cost sharing.

- The following persons provided public comment: 1) Kevin Padian commended everyone involved in developing the plan, praised Officer Harms for his work with the County,



suggested applying to FEMA for funding, and urged community input; 2) Laurence Nagel commented on the importance of evacuation planning and thanked Interim Police Chief Schuld and Officer Harms for their incredible cooperation on this project; 3) Meryl Rafferty commented that path maintenance should be part of the plan; 4) Paul Dorroh thanked everyone who worked on this plan and ask if the District would consider extending the plan to allow a different parking orientation on red flag days; 5) Donna Bricker Stanton commented on concerns about traffic planning that would allow cars to get out to Westminster; 6) Paul Moss commented that the plan did not mention 3 streets (Cannon Drive, Parkside Court and Plateau Court) and asked about the plan for these streets; 7) A. Stevens Delk commented that agencies should look into parking and traffic in the Baja-Kensington area; 8) Jim Watt commented that the District should work with East Bay Regional Park District (EBRPD) to thin out brush around Grizzly Peak as this area would provide fuel for fires; 9) Kevin Padian commented that this effort focuses on pre-evacuation planning, and while brush clearing is important most agencies are underfunded for this type of work.

President Deppe appointed Director Hacaj to work with Officer Harms on the community outreach efforts.

- Motion by President Deppe, seconded by Director Hacaj, that we approve the initiation of the community outreach as described in the agenda report with the addition that Director Hacaj work with Chief Schuld, Officer Harms, and relevant parties, carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**4. Consider Approving a Contract with CPS HR Consulting to Provide Consulting Services for the Recruitment of a General Manager for a Total Cost of \$25,000.**

Interim General Manager Lindsay reported that at its meeting of July 9, 2020, the Board discussed the process to recruit and retain a permanent General Manager. Following this discussion, the Board appointed Vice-President Sherris-Watt and Director Nottoli as an Ad Hoc Recruitment Committee to oversee the details of the recruitment. On July 24, 2020, a Request for Proposal (RFP) was distributed to qualified firms for executive search services and KPPCSD received six proposals. On August 10, 2020, the Ad Hoc Recruitment Committee met (via conference call) to review and discuss the proposals. The Committee concluded that its recommendation to the Board would be CPS HR Consulting for a cost of \$25,000. There was discussion about an in house recruitment effort versus using search firm. Mr. Lindsay pointed out that the recruitment needs to be customized. Director Nottoli said the search firm has access to stronger candidate network. Mr. Lindsay noted that the Board will have input throughout the process.

- At 9:48 p.m. it was moved, seconded, and carried (4-0) to extend the meeting until 10:30 p.m.
- The following persons provided public comment: 1) Meryl Rafferty commented that before spending money on a consulting firm, KPPCSD should submit the proposal and job description to the Goldman School of Public Policy at the University of California, Berkeley; and 2) Paul (last name unknown) suggested that Mr. Lindsay should identify and pursue candidates who would be a good fit.

Director Modavi asked what cost saving efforts have been pursued. Director Hacaj commented that the recruitment activities could not be completed internally as quickly and efficiently. Director Nottoli pointed out that Mr. Lindsay's work hours are limited due to CalPERS annuitant requirements.

- Motion by Director Nottoli, seconded by Director Hacaj, that we hire CPS HR Consulting to provide consulting services for the District to recruit a General Manager for a total cost not to exceed \$25,000, carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**5. Consider Approving a Policy for Establishing and Maintaining General Fund Financial Reserves.**

President Deppe announced that at the November 1, 2018 meeting of the Finance Committee a California Special District's Association template Reserve Policy was discussed. Subsequently, at the November 15th meeting of the KPPCSD Board the same template Reserve Policy was presented and discussed. Since then Director Sherris-Watt has worked with our legal counsel to create a specific policy. Director Nottoli recommended that the last bullet point under section 2040.1 ("maintain minimal operational sustainability in periods of economic uncertainty or unanticipated events") be moved to the first bullet point. She also recommended not using bullet points in section 2040.3 but rather use a, b, c, and d to be consistent with subsequent text that refers to desired reserve levels for a-d above.

- The following person provided public comment: 1) Jim Watt commented that the Finance Committee recommended that the District set aside 25% of the general fund for reserves, and in May 2018 the Board agreed but it never happened. He said the recommended policy does not recommend setting aside a percentage of the general fund.

Interim General Manager Lindsay pointed out that the District needs to adopt a reserve policy and then recommend the projects that might need reserves (i.e. fleet, technology, capital projects, etc.). He noted that at the July meeting, the Board set aside \$80,000 from the Community Center project for capital reserves. Director Modavi asked how the reserve policy would impact the Bayview franchise fees. General Counsel Danforth advised that franchise fees should be used for the Bayview so it might be clearer to put these in a restricted fund. General Counsel Danforth noted that the draft policy should be amended to the 5000 series rather than the 2000 series to be consistent with Resolution No. 2019-06, which renumbered the former chapter.

- At 10:14 p.m., it was moved, seconded, and carried (4-0) to extend the meeting to 10:45 p.m.
- It was moved by Director Hacaj, seconded by Director Nottoli, that the Board adopt Resolution No. 2020-18, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District Adopting Policy 5040. President Deppe made a friendly amendment with three modifications: (1) move the last bullet item (maintain minimal operational sustainability in periods of economic uncertainty or unanticipated events) to the first bullet point; (2) change "for a-d above" to "for the above bullet points;" and (3) that this gets renumbered to reflect the new numbering system of our Policies and Procedures Manual. Director Hacaj accepted the friendly amendment and modifications. The motion carried (4-0) by the following

roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**Resolution No. 2020-18** – A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Adopting Policy 5040.

**6. Consider Authorizing the General Manager to Solicit Proposals for Financial Audit Services.**

Interim General Manager Lindsay reported that the agenda item is to determine whether or not the Board of Directors would like to direct the General Manager to solicit proposals for financial audit services. He reported that the firm of Lamorena and Chang has been providing audit services for KPPCSD for approximately fifteen years. He noted that the Government Finance Officers Association advises that governmental entities enter into multi-year agreements of at least five years in duration when obtaining the services of independent auditors, and that entities undertake a competitive process for the selection of independent auditors at the end of the term of each audit contract. Options for the Board include (1) preparing and issuing a request for proposal (RFP) for audit services for an expected five-year contract, or (2) offering an extension to Lamorena and Chang for a contract of one, or more, additional year(s).

- The following persons provided public comment: 1) Lynn Wolter urged caution in going out for a new audit firm since the last change was problematic, and the District returned to Lamorena and Chang; 2) A. Stevens Delk commented that the District had problems the last time they changed auditors in 2013, and said Lamorena and Chang was very responsive; and 3) Julie Stein supported issuing an RFP for audit services and said that it is a best practice to put this service out to bid every five years.
- It was moved by President Deppe, seconded by Director Hacaj, to authorize the General Manager to prepare and issue a RFP for audit services as described in the agenda report and to work with the subcommittee of the Finance Committee consisting of President Deppe and Director Hacaj, carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**7. Direct that Each Board Member, Employee or Contractor of the KPPCSD and Kensington Police Department Read and Acknowledge the Health Orders Given by Contra Costa County.**

President Deppe presented the agenda report and the recommendation that would direct that each Board member, employee, or contractor of the KPPCSD and KPD read and acknowledge the health orders given by the Contra Costa County. Director Nottoli commented the health orders change periodically and suggested that the District ensure everyone receives the most current guidance from the County. General Counsel Danforth said that she will stay abreast of the current health orders and keep staff updated.

- It was moved by Director Hacaj, seconded by President Deppe, that each Board member, employee, or contractor of the KPPCSD and KPD read and acknowledge the current health orders given by the Contra Costa County; and that all Board members, employees or contractors must send an email to the General Counsel stating that they have read the orders and attachments no

later than September 1, 2020; and direct that the General Manager or the General Counsel be responsible for everyone getting a copy of this document or a copy of the link. The motion carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**8. Authorize Additional Compensation to KPPCSD Employees, Board Members, and General Counsel While Incurring Additional Expenses During the Current Shelter-In-Place Order.**

Director Hacaj pointed out that the date in the agenda about when District property must be returned should be corrected to June 1, “2021” instead of June 1, 2020 or upon leaving the District’s employ.

- It was moved by President Deppe, seconded by Director Hacaj, to continue Items 8 and 9 to a future meeting, carried (4-0) by the following roll call vote: AYES (Directors Nottoli, Modavi, Hacaj, and Deppe); NOES (None); and ABSENT (Director Sherris-Watt).

**9. Authorize Payment of a Stipend to KPPCSD Employees and Contractors for Necessary Face Coverings Required by the Contra Costa County Public Health Order.**

This item was continued to a future meeting.

**ADJOURNMENT**

President Deppe adjourned the meeting at 10:42 p.m.

SUBMITTED BY:

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Lynelle M. Lewis, District Clerk of the Board

APPROVED: September 10, 2020

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Bill Lindsay, Interim General Manager

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Chris Deppe, President of the Board



**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**ITEM 2**

**COMPENSATION FOR EMPLOYEES AND BOARD MEMBERS DURING SHELTER-IN-PLACE ORDER**

**SUMMARY OF RECOMMENDATION**

Authorize additional compensation to KPPCSD employees, Board members, and General Counsel while incurring additional expenses during the current shelter-in-place order.

**BACKGROUND**

Since March 19, 2020, an Executive Order and Public Health Order directed all California residents to stay home except to go to an essential job or shop for an essential need. While the KPPCSD and KPD provide essential services, certain employees of the KPPCSD have worked remotely since this date in order to prevent the transmission of Covid-19.

Board members and General Counsel have avoided or abstained from visiting the Public Safety Building and have held all meetings remotely since March 8, 2020. This has placed a burden on certain employees and Board members. As the work of the District continues unabated, employees and Board members are using personal devices and supplies for District work.

**RECOMMENDATION**

It is recommended to authorize compensation of a \$100/month, dated from March 2020, to employees who worked from home more than 10 hours a week. This stipend is to cover supplies and other expenses. These employees are the General Manager, Finance Director and Clerk of the Board. Other employees and contractors may be covered at the discretion of the General Manager. This compensation should be authorized through May 31, 2021, or the stay-at-home order is lifted, whichever comes first.

Board members and General Counsel, will be granted a stipend of \$50/month under the terms listed above. Payment will be issued in a manner that is decided on by the General Manager and Finance Director.

Should employees of the KPPCSD or KPD, or a Board Director require computer equipment to work remotely or attend Zoom meetings, a District laptop and/or printer will be issued within 5 business days of request. This equipment remains property of the KPPCSD and must be returned by June 1, 2020 or upon leaving the District's employ.

Requests for computer equipment should be made to the President of the Board and the General Manager.

**FISCAL IMPACT**

Up to \$9000 dollars in stipend fees. These costs are replacing real funds that would have been spent could employees and Board members work without restrictions.

Additional costs for computer replacement could be necessary.

**ATTACHMENTS/LINKS**

None

**SUBMITTED BY:**

Director Sherris-Watt

**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**ITEM 3**

**AUTHORIZE PAYMENT OF STIPEND FOR FACE COVERINGS REQUIRED BY COUNTY PUBLIC HEALTH ORDER**

**SUMMARY OF RECOMMENDATION**

Authorize payment of a stipend to KPPCSD employees and contractors for necessary face coverings required by the Contra Costa County public health order.

**BACKGROUND**

By order of the County Health Officer, all individuals in Contra Costa County, over the age of 2, must now wear face coverings in accordance with guidance provided by the State of California. The most recent order is dated July 5, 2020.

As part of this order, all businesses **must**:

- Require that their employees, contractors, owners, and volunteers wear a face covering;
- Provide face coverings to workers or reimburse workers for the reasonable cost of obtaining them; and
- Take all reasonable steps to prohibit any member of the public who is not wearing a face covering from entering and must not serve that person if those efforts are unsuccessful.

**RECOMMENDATION**

To fully comply with the County order, it is recommended that each employee or contractor of the KPPCSD and KPD be given \$50 towards the purchase of masks. This is in addition to any face coverings provided for staff at the Public Safety Building.

Furthermore, should the Board resume in-person meetings of any nature, prior to July 2021, \$50 would be given to Board Directors and General Counsel, for purchase of face coverings.

**FISCAL IMPACT**

Up to \$1,100 for compensation for face coverings.

**ATTACHMENTS/LINKS**

County order for face coverings: [https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/84606e\\_e943fec6e2814a6786b8a46d1383adb8.pdf](https://813dcad3-2b07-4f3f-a25e-23c48c566922.filesusr.com/ugd/84606e_e943fec6e2814a6786b8a46d1383adb8.pdf)

**SUBMITTED BY:**

Director Sherris-Watt

**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**ITEM 4**

**PRESENT A SOCIAL MEDIA POLICY**

**BACKGROUND AND SUMMARY**

The District maintains a website to enable the public to access important information about District business. Such websites have become ubiquitous in modern life and are highly effective. However, California public agencies are subject to requirements that do not apply to private entities, such as the First Amendment and the Public Records Act. The District should manage its social media carefully to avoid (1) possible freedom of speech issues; and (2) generating records that would be difficult to produce in response to a Public Records Act request.

The proposed policy would place any use or maintenance of District social media under the control of the District Manager or his designee, who would limit content to publicly available information. The policy also sets objective limits on the information that third parties may post on the District website, thereby avoiding a First Amendment problem.

**FISCAL IMPACT**

None

**RECOMMENDATION**

Staff recommends that the Board hear public testimony, consider the proposed draft policy and adopt the draft resolution.

**ATTACHMENTS**

Resolution  
Social Media Policy

**SUBMITTED BY:**

Ann Danforth  
General Counsel



### **3190.3 Social Media Use**

#### **3190.3.1 Purpose:**

The policy outlines the protocol and procedures for use of social media to publicize District services and events. In addition, this policy addresses the responsibilities of employees and District officials with regard to social media and the use of District resources (time/equipment), as well as responsibilities related to the public records and open meeting laws.

#### **3190.3.2 Definitions:**

- a) **Social Media:** Various forms of discussions and information-sharing, including social networks, blogs, video sharing, podcasts, wikis, message boards, and online forums. Technologies include picture-sharing, wall-postings, fan pages, email, instant messaging and music-sharing. Examples of social media applications include but are not limited to Google and Yahoo Groups, (reference, social networking), Wikipedia (reference), Facebook (social networking), YouTube (social networking and video sharing), Flickr, (photo sharing), Twitter (social networking and microblogging), LinkedIn (business networking), and news media comment sharing/blogging.
- b) **Social Networking:** The practice of expanding business and/or social contacts by making connections through electronic media. This policy focuses on social networking as it relates to the Internet to promote such connections for District business and for employees, elected and appointed officials who are using this medium in the conduct of official District business.
- c) **“Posts” or “postings”** means information, articles, pictures, videos, or any other form of communication posted on a District social media site.

**3190.3.3 Policy:** No District social media site may be created without the approval of the General Manager or his or her designee. All District social media sites created on behalf of the District, by its employees on District time, or using other District resources are the property of the District and shall be administered and regularly monitored by the General Manager or his/her designee. These social media sites shall be used only to inform the public about District business, services and events. Individual departments may not have their own pages/sites. Individual departments wishing to add content to District social media sites may submit a request to the General Manager. The District’s web site, [www.kppcsd.org](http://www.kppcsd.org), will remain the location for content regarding District business, services and events. Whenever possible, links within social media formats should direct users to the District web site for more information, forms, documents, or online services necessary to conduct business with the District. District social media sites shall clearly state that such sites are maintained by the District and that the sites comply with this Social Media Policy.

**3190.3.4** District employees and appointed and elected officials shall not disclose information about confidential District business on the District's social media sites, personal social media sites, or otherwise. In addition, all use of social media sites by elected and appointed officials shall be in compliance with California's open meeting laws, which prohibit serial meetings of a majority of the Board or another legislative body of the District via email or other electronic means. Members of the Board, committees and/or legislative bodies shall not respond to, "like", "share", retweet, or otherwise participate in any published postings, or use the platform or any form of electronic communication to respond to, blog or engage in serial meetings, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the body on which they serve. Employees and elected or appointed officials' posts to non-District social media sites are a reflection of their own views and not necessarily those of the District and should not suggest otherwise.

**3190.3.5 Posting/Commenting Guidelines:**

- a) All postings made by the District to social media sites will contain information and content that has already been published or broadcast by the District. The District will not comment on other social media member's sites. All official social media postings by the District will be done solely on the District's social media sites or in response to postings made on the District's social media sites. Officers, employees and agents of the District representing it on District social media sites shall conduct themselves professionally and in accordance with all District policies. All District social media sites shall use authorized District contact information for account set-up, monitoring and access. Personal email accounts or phone numbers may not be used to set up, monitoring, or post to a District social media platform.
- b) The District reserves the right to remove from its social media sites content that it finds to violate this policy or applicable law. Any participants on the District's social media sites who are in continual violation of the postings/commenting guidelines may be barred from further use of the District's site. The District will only post photos for which it has copyright or the owner's permission.
- c) District social media platforms are subject to the California Public Records Act. Any content maintained on a District social media site that is related to District business, including a list of sub-scribers, posted communication, and communication submitted for posting, may be considered a public record and subject to public disclosure. All postings on District social media sites shall be maintained consistently with the Public Records Act, provided, however, that any material removed from a District social media site consistently with this policy shall be considered a preliminary draft, note or memorandum not retained by the District in the ordinary course of business and shall not constitute a public record of the District required to be retained consistently with the District's records retention schedules.
- d) Chat functions in any social media sites will not be used.

e) Links to all social media networks to which the District belongs will be listed on the District's website. Interested parties wishing to interact with these sites will be directed to visit the District's web site for more information on how to participate.

The District reserves the right to terminate any District social media site without notice or to temporarily or permanently suspend access to District social media as to some or all persons at any time. The District reserves the right to implement or remove any functionality of its social media platforms, in the discretion of the General Manager or his or her designee. This includes, but is not limited to, information, articles, pictures, videos, or any other form of communication that can be posted on a District social media platform.

f) District social media sites may contain content, including but not limited to, advertisements or hyperlinks over which the District has no control. The District does not endorse any hyperlink or advertisement placed on District social media sites by the social media site's owners, vendors, or partners.

g) District employees may post to District social media platforms only during working hours. After-hours or weekend postings may only be made with prior approval of the General Manager or his or her designee.

h) Any person authorized to post items on any of the District's social media platforms shall review, be familiar with, and comply with this Policy and each social media platform's terms and conditions of use.

i) Any person authorized to post items on behalf of the District to any of the District's social media platforms shall not express personal views or concerns through such postings. Instead, postings on any of the District's social media platforms on behalf of the District shall only reflect the views of the District.

j) Posts must contain information that is freely available to the public and not be confidential as defined by any District policy or state or federal law.

k) Posts may NOT contain any personal information, except for the names of persons being available for contact by the public as representatives of the District. Posts to District social media sites shall NOT contain any of the following:

- 1) Comments that are not topically related to the information commented upon;
- 2) Comments in support of, or opposition to, political campaigns, candidates or ballot measures;
- 3) Profane language or content;
- 4) Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, or status with regard to public assistance, national origin, physical or mental disability or sexual orientation, or any other category protected by federal, state, or local law;

- 5) Sexual content or links to sexual content;
- 6) Solicitations of commerce;
- 7) Conduct or encouragement of illegal activity;
- 8) Information that may tend to compromise the safety or security of the public or public systems; or
- 9) Content that violates a legal ownership interest of any other party.

**Procedures:**

**3190.3.6** The General Manager or his designee will be responsible for responding to comments and messages as appropriate. The District will direct users to the District's web site for more information, forms, documents or online services necessary to conduct business with the District.

**3190.3.7** The District may invite others to participate in its social media sites. Such invitations will be based upon the best interests of the District as determined by the General Manager or his or her designee.

**Responsibilities:**

**3190.3.8** It is the responsibility of employees and appointed and elected officials to understand the procedures as outlined in this policy.

**3190.3.9** Employees who are not designated by the General Manager to access social media sites for District business are prohibited from accessing social media sites utilizing the District computer equipment and/ or the District's web access. While at work, employees who are not granted access via District systems and computing equipment may use personal computing devices and personal web accounts to access social media sites only during non-working hours such as lunch periods and breaks. State law provides that more than occasional or incidental personal use of District resources is a crime.

**3190.3.10** The General Manager will determine if a requested use of District social media sites or other District resources is appropriate and complies with this policy.

**3190.3.11** All content on District social media sites must comply with District web standards, the rules and regulation of the social media site provider, including privacy policies, and applicable law. Employee or District confidentiality shall be maintained in accordance with all applicable laws and District policies. If a question arises regarding the use or posting of confidential information on a social media site, the matter shall be referred to the General Manager. The information in question shall not be posted, or if already posted, shall be removed until an opinion is rendered by General Manager or, at his or her request, the District's General Counsel. Notwithstanding the opinion of the General Counsel, the General Manager reserves the right to restrict or remove District information from a District social media site if the General Manager concludes the information does not serve the best interest of the District.



**3190.3.12** All social media-based services to be developed, designed, managed by or purchased from any third-party source for District use requires appropriate budget authority and approval from the Board of Directors.

**3190.3.13** The District reserves the right to change, modify, or amend all or part of this policy at any time.

### **POLICY 3190.3A: District Website**

**3190.3A.1 Purpose:** To enhance communication with residents about District services and operations, provide timely information regarding District business, and streamline processes.

**3190.3A.2 Policy:** It is District policy to control the content and accuracy of the information provided on the District's Website. Posting of hyperlinks and information from outside agencies shall be limited to other local related government agencies such as Contra Costa County, and the Kensington Fire Protection District. All information will be directed to the General Manager's designee or District employee acting in the capacity of the District Web manager. All information posted on the District website must be consistent with the District's mission and public interest and the District's social media policy.

**3190.3A.3 Procedure:** Any District Board Director, official or employee may request postings to the District website through the General Manager or his designated representative. Postings must be non-political in nature. The General Manager shall approve, modify, or deny the request. It is the submitter's responsibility to check the item for accuracy both prior to submission and after posting to the website to insure no inadvertent errors appear on the final document. The submitter shall inspect the posted submission within 24 hours of posting.

- a) The General Manager or his or her designee shall submit the approved request for inclusion on the website and, when necessary, to suggest alternative solutions.
- b) The General Manager or his or her designee shall also manage removal of outdated postings.

### **3190.3A.3 Privacy Policy.**

The following privacy policy shall be posted to the District's website under a link on the home page:

Last Updated: [date]

The Kensington Police Protection and Community Services District ("KPPCSD," "District," "we" or "us") is concerned about privacy issues and wants you to be familiar with how we collect, use and disclose information. We are pleased to provide this Privacy Policy to inform you of our practices as information that we collect through this website. Please note that this Privacy Policy applies only to our online information-gathering and dissemination practices conducted in connection with this website and does not apply to any

of our practices conducted offline. If you have any questions or comments about the Privacy Policy or our privacy practices, please contact us at [admin@kppcsd.org](mailto:admin@kppcsd.org).

By accessing or using this website, you agree to all the terms of this Privacy Policy.

We may change this Privacy Policy at any time. Please take a look at the “Updated” legend at the top of this page to see when this Privacy Policy was last revised. Any changes to this Privacy Policy will become effective when posted to this website. By accessing or using the website after any such changes, you accept the revised Privacy Policy.

### **Personal Information We May Collect**

We collect two types of information through this website: Personal Information and Other Information. “Personal Information” is information that identifies you or relates to you as an individual. “Other Information” is any information that does not reveal your specific identity or does not directly relate to an individual. Other Information is addressed below, under the heading “Other Information”.

We may collect Personal Information through the Site such as:

- Name
- Email address
- Mailing Address
- Preferences for electronic or physical delivery of newsletters

We may use Personal Information:

- to respond to your inquiries and fulfill your requests, such as to send you information, to register you for events, and to provide you District services.
- to keep a record of your contact information and correspondence, if you contact us through this website and to respond to you.
- to send you administrative information, including information regarding the websites and changes to our terms, conditions and policies.
- to facilitate social sharing functionality.
- for our internal business purposes, such as improving or modifying this website and operating and expanding our services.
- as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations or those of any of our affiliates; (f) to protect our rights, privacy, safety or property, or yours or others’; or (g) to pursue available remedies or limit the damages that we may sustain.

### **How Personal Information May Be Disclosed:**

- to third parties providing us services such as website hosting, data analysis, IT services and infrastructure, customer service, email delivery, auditing and the like.

- to a third party (whether affiliated or unaffiliated with us) upon any reorganization of the District or transfer or some of all of its services to another entity.
- by you, on message boards, blogs and other services to which you are able to post information. Please note that any information you post or disclose through these services will become public information and may be available to visitors to this website and to the general public. We urge you to be thoughtful when disclosing your Personal Information, or any other information, on this site.
- to your friends associated with your social media account, to other website users as well as to your social media account provider, in connection with your social sharing activity, such as if you connect your social media account to your use of this website. By connecting your use of this website to your social media account, you authorize us to share information with your social media account provider and you understand that the use of the information we share will be governed by the social media site's privacy policy. If you do not want your Personal Information shared with other users or with your social media account provider, please do not connect your social media account with your use of this website and do not participate in social sharing on this website.
- as we believe to be necessary or appropriate: (a) under applicable law, including laws outside your country of residence; (b) to comply with legal process; (c) to respond to requests from public or government authorities, including public or government authorities outside your country of residence; (d) to enforce our terms and conditions; (e) to protect our operations; (f) to protect our rights, privacy, safety or property, or yours or others'; or (g) to allow us to pursue available remedies or limit the damages that we may sustain.

**Other Information We May Collect:**

“Other Information” is any information that does not reveal your identity or relate to an individual, such as:

- Browser information
- Information collected through cookies, pixel tags and other technologies
- Demographic information and Other Information you provide
- Aggregated information
- Zip codes

**How We May Collect Other Information:**

We and our third-party service providers may collect Other Information in a variety of ways, including:

- Through your browser: Most Internet browsers transmit certain information to websites that you visit, such as your computer's type (Windows or Macintosh) and its Media Access Control (MAC) address and screen resolution, and the type and version of your computer's Operating System and browser. We use this information to ensure this website functions properly.
- Using cookies: Cookies are text files, containing small amounts of information, which are downloaded to your computer, or smartphone or other device by which you

visit a website. Cookies allow us to recognize your browsing device to assist with your use of this website. This can include helping us understand how this website is used, letting you navigate between pages efficiently, remembering your preferences, and generally improving your browsing experience. Cookies can also help ensure marketing you see online is more relevant to you and your interests, although we do not intentionally use them for that purpose, our service providers may.

- If you do not want information to be collected through the use of cookies on your computer, most browsers allow you to automatically decline the transfer of cookies to your computer or other device, or to be given the choice of declining or accepting a particular cookie (or cookies) from a particular website. If cookies are disabled, however, some features of this website may not operate as intended. Information about procedures to disable cookies can be found on your Internet browser provider's website.
- Using applications: We may use applications, including mobile applications or widgets, to collect information from you.
- Using pixel tags and other similar technologies: Pixel tags (also known as web beacons and clear GIFs) may be used in connection with some website pages and HTML-formatted email messages to, among other things, track the actions of users of this website and email recipients, measure the success of marketing campaigns and compile statistics about use of this website and response rates.
- IP Address: Your "IP Address" is a number that is automatically assigned to your computer or other web-browsing device by your Internet Service Provider (ISP). An IP Address is identified and logged automatically in our server log files whenever a user visits this website, along with the time of visit and the page(s) visited. Collecting IP Addresses is standard practice on the Internet and many websites do it automatically. We use IP Addresses for purposes such as measuring use of this website, helping diagnose server problems and administering this website.
- From you: We collect information when you provide it voluntarily, such as your company, title, interests and preferred means of communication. Unless combined with Personal Information, such information does not personally identify you or any other user of this website.
- By aggregating information: Aggregated Personal Information does not personally identify you or any other user of this website. For example, we may aggregate Personal Information to calculate the percentage of our users who have a particular zip code.

**How We May Use and Disclose Other Information:** We may use and disclose Other Information for any purpose, except when applicable law requires to treat Other Information as Personal Information. In those situations, we may use and disclose Other Information for the purposes for which we use and disclose Personal Information.

In some instances, we may combine Other Information with Personal Information (such as combining your name with your company and title). If we combine any Other Information



with Personal Information, we will treat the combined information as Personal Information as long as it is so combined.

**Third Party Sites:** This Privacy Policy does not address, and we are not responsible for, the privacy, information or other practices of any third parties, including any third party operating any site to which this website contains a link. Please read the terms, conditions and policies of third-party sites before accessing or using them. The inclusion of a link on the Sites does not imply our endorsement of the linked site.

**Security:** We use reasonable organizational, technical and administrative measures to protect Personal Information under our control. Unfortunately, no data storage system or method of Internet data transmission is perfectly secure. Please do not send sensitive or confidential information to us by email or by any other means in connection with this website. If you have reason to believe that your communications with us have been compromised in any way, please immediately notify us of the problem by contacting us as provided in the “Contact Us” page of this website.

**Choices and Access:** Your choices regarding our use of your Personal Information for informational purposes:

You may opt-out of receiving emails by following the unsubscribe instructions in any message we send you, or by emailing us at [admin@kppcsd.org](mailto:admin@kppcsd.org). We strive to honor such request(s) as soon as reasonably practicable.

How you can access, change or suppress your Personal Information:

You may request to review, correct, update, suppress or otherwise modify any Personal Information that you have previously provided to us through this website, or object to our use of such Personal Information by emailing us at [admin@kppcsd.org](mailto:admin@kppcsd.org) or by other means as noted on the “Contact Us” portion of this website. You may also oppose the processing or transferring of Personal Information to the extent the laws of your country require, if you have a legitimate reason to do so.

In your request, please state what information you would like us to change, and whether you would like to have your Personal Information removed from our database or otherwise let us know what limitations you would like to place on our use of your Personal Information. For your protection, we will only implement requests with respect to the Personal Information associated with the particular email address that you use to send us your request, and we may need to verify your identity before doing so. We strive to comply with requests as soon as is reasonably practicable.

We may need to retain certain information for record-keeping purposes, and there may also be residual information that will remain in our databases and other records. Such information will not be removed. We may, from time to time, re-contact former users of this website. Finally, we are not responsible for removing information from the databases of third parties (such as service providers) with whom we have shared your Personal Information.

**Retention Period:** We will retain your Personal Information as necessary to fulfill the purposes outlined in this Privacy Policy unless a longer retention period is required or allowed by law.

**Use of Site by Minors:** The Site is not directed to children under the age of 13 and we request they not provide Personal Information through this website.

**Cross-Border Transfer:** Your Personal Information may be stored and processed in any country in which we engage service providers and by using our Site you consent to the transfer of information to countries outside of your country of residence, including the United States, which may have different data protection rules than those in your country.

**Sensitive Information:** We ask that you not send us, and you not disclose, any sensitive Personal Information (e.g., Social Security numbers, credit card or other payment card information, information related to racial or ethnic origin, political opinions, religion or other beliefs, health, criminal background or trade union membership) on or through this website or otherwise except as necessary to pay for District services.

**Contacting Us:** If you have any questions about this Privacy Policy, please contact us by email at [admin@kppcsd.org](mailto:admin@kppcsd.org) or by other means as noted on the “Contact Us” portion of this website.

Please note that email communications are not secure; accordingly, please do not include credit card information or other sensitive or confidential information in your emails to us.

#### **2420.4 Accessibility.**

The following accessibility statement shall be posted to the District’s website under a link on the home page:

The Kensington Police Protection and Community Services District (“KPPCSD,” “District,” “we” or “us”) is committed to providing access to our electronic and information technology, including our website, for individuals with disabilities in accordance with Section 508 of the Rehabilitation Act.

Section 508 requires us to ensure that District employees with disabilities, and members of the public with disabilities seeking information or services from us, have access to and use of information and data that is comparable to the access and use by District employees, or members of the public who are not individuals with disabilities, unless an undue burden would be imposed on us. To meet this commitment, we strive toward our website meeting or exceeding the Section 508 standards.

If you have a disability and the format of any materials on our website interferes with your ability to access the information, please contact the District at [admin@kppcsd.org](mailto:admin@kppcsd.org). The District's Web manager will undertake the proper procedure to ensure your request receives a response. To enable us to respond in a manner most helpful to you, please indicate the nature of the accessibility problem, the web address of the requested material, the preferred format in which you want to receive the material (electronic format (ASCII, etc.), standard print, large print, etc.) and your contact information.

**RESOLUTION NO. 2020-20**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT ADOPTING POLICY 3190.3**

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

*WHEREAS*, the Kensington Police Protection and Community Services District (“District”) former Policy and Procedures Manual consisted of Policies 1000 through 4000, inclusive (“Prior Manual”); and

*WHEREAS*, the Board has adopted new Policies 1000, 2000, 3000, 4000 and 4100, and several amendments thereto, as components of a new Policy and Procedures Manual (“New Manual”);

*WHEREAS*, the New Manual policies are all based on the 2017 model published by the California Special District Association and

*WHEREAS*, the Board now wishes to add Policy 3190.3, regarding the use of District social media; and therefore posted a draft of said new policy on its website on or before September 7, 2020; and

*WHEREAS*, on September 10, 2020, the Board considered the proposed new Policy 1057, took public testimony and decided to adopt proposed new policy.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES RESOLVE AS FOLLOWS:

PASSED AND ADOPTED by the Kensington Police Protection and Community Services District on Thursday, the 10<sup>th</sup> day of September 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Chris Deppe, President  
Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 10<sup>th</sup> day of September 2020.

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Lynelle M. Lewis  
District Clerk of the Board

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William A. Lindsay  
Interim General Manager

**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**ITEM 5**

**PRESENT A PUBLIC RECORDS ACT POLICY**

**BACKGROUND AND SUMMARY**

From time to time, the District receives requests for public records. The State Public Records Act governs the District's response to these requests. However, the process is often misunderstood. The Special District Leadership Foundation recommends that special districts adopt a policy to guide staff in complying with records' request. According, staff recommends that the Board adopt the attached resolution adopting the new Policy 1057.

Policy 1057 would formalize the District's current process. Staff would encourage requestors to put their requests in writing. Within ten days, staff will send the requestor a preliminary response, advising whether the District has and will release records responsive to the request. Staff may extend the period for the preliminary response If the records are voluminous or if the must be collected from field offices or from separate entities. Staff will produce the records as required by the Act (i.e., after redacting any material that is exempt from the Act).

**FISCAL IMPACT**

None

**RECOMMENDATION**

Staff recommends that the Board hear public testimony, consider the proposed draft policy and adopt the draft resolution.

**ATTACHMENTS**

Resolution  
Public Records Act Policy

**SUBMITTED BY:**

Ann Danforth  
General Counsel



## **POLICY TITLE: California Public Records Act Response Procedures**

### **POLICY: 1057**

The California Public Records Act (Government Code, section 6250 et seq.) grants California residents important rights to obtain access to records held by public agencies. The District adopts this policy to clarify how it will respond to requests for records under the Public Records Act.

1057.1 District staff will encourage Public Records Act request to be submitted in writing on a form approved by the Board of Directors. However, if the request is to review an agenda, agenda reports, or minutes of the Board or ordinances or resolutions of the Board or any of its committees, or any other record that is publicly available on the District's website, staff will assist the requestor to locate the records in question.

1057.2 Staff will respond to all requests as soon as possible after they are received, but not later than the 10-day period, to advise the requester whether records will be disclosed. Staff may extend the ten-day preliminary response period for an additional 14 days when the request requires staff to collect the records from field facilities or other outside establishment or where the request requires staff to search for, collect or examine a voluminous amount of records.

- a) Staff shall review each request and determine whether it seeks identifiable records and, if not, staff shall help the requestor identify records responsive to the request.
- b) Staff shall request all Directors who may have the records requested to search their files and report whether they have the records and, if so, when the records can be made available to the requestor.
- c) Staff shall respond to the requestor, advising him or her in writing of the availability of the documents, a description of the medium (paper, electronic format, etc.) and location of the records, and whether any are exempt from disclosure under the Public Records Act. As the Public Records Act requires, to the extent feasible, staff will provide suggestions to overcome any practical basis for denying access to the records sought.
- d) If a request is made for copies of records, staff shall also advise the requestor of the estimated copying cost.
- e) The person requesting the copies shall pay the charges for the requested copies established by the Board. At present those are: [\$1.00 for the first page, \$.05 each additional page, \$.10 per page for Political Reform Act materials, CD's-\$5.00, DVD's \$10.00]. Staff shall not make the requested copies until a deposit of the estimated copying cost is received and shall not release the copies until the actual copying cost is paid.

1057.3 In accordance with the Public Records Act, the administrative staff will provide specific, identifiable records but will not research records for particular types of information or analyze information which may be contained in public records.

1057.4 Administrative staff will respond to requests for public records in accordance with the Public Records Act as the Act now exists or may hereafter be amended, and nothing in this Policy is intended nor shall it be construed to conflict with the terms of the Public Records Act.

[District]  
REQUEST FOR PUBLIC RECORDS

Date requested:	Date required:
-----------------	----------------

Please list each document, file, or record separately

- I wish to
- Review
  - Obtain copies of the following public records:

I/We, the undersigned, request documents as indicated and agree to pay the [District] for copies at the rate of \$1.00 for the first page and \$0.05 for each additional page (\$0.10 per page for documents requested pursuant to the Political Reform Act) when I receive or my representative receives them.

Name/Organization: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Phone Number: ( ) \_\_\_\_\_ Signature: \_\_\_\_\_

FAX Number: ( ) \_\_\_\_\_ Email: \_\_\_\_\_

FOR INTERNAL USE ONLY		
Approved <input type="checkbox"/> Denied <input type="checkbox"/>	Signature:	
Reason, if denied:		
Disposition of Request: Documents/response provided on (date)		
By: <input type="checkbox"/> Mail <input type="checkbox"/> Pick-up <input type="checkbox"/> FAX <input type="checkbox"/> Email <input type="checkbox"/> Delivered <input type="checkbox"/> Verbal <input type="checkbox"/> Phone		
Comments:		
Date Completed:	Staff Member(s):	Staff Time:

**RESOLUTION NO. 2020-19**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT ADOPTING POLICY 1057**

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

*WHEREAS*, the Kensington Police Protection and Community Services District (“District”) former Policy and Procedures Manual consisted of Policies 1000 through 4000, inclusive (“Prior Manual”); and

*WHEREAS*, the Board has adopted new Policies 1000, 2000, 3000, 4000 and 4100, and several amendments thereto, as components of a new Policy and Procedures Manual (“New Manual”);

*WHEREAS*, the New Manual policies are all based on the 2017 model published by the California Special District Association and

*WHEREAS*, the Board now wishes to add Policy 1057, regarding Public Records Act requests; and therefore posted a draft of said new policy on its website on or before September 7, 2020; and

*WHEREAS*, on September 10, 2020, the Board considered the proposed new Policy 1057, took public testimony and decided to adopt proposed new policy.

NOW, THEREFORE, THE BOARD OF DIRECTORS DOES RESOLVE AS FOLLOWS:

Policy 1057 is hereby added the District’s Police and Procedures Manual, to provide as set forth in the exhibit attached hereto and incorporated herein by reference.

PASSED AND ADOPTED by the Kensington Police Protection and Community Services District on Thursday, the 10<sup>th</sup> day of September 2020, by the following vote to wit:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Chris Deppe, President  
Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the regular meeting of said Board held on Thursday, the 10<sup>th</sup> day of September 2020.

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Lynelle M. Lewis  
District Clerk of the Board

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William A. Lindsay  
Interim General Manager



**BOARD OF DIRECTORS MEETING**

**September 10, 2020**

**ITEM 6**

**UPDATE ON THE CURRENT STATUS OF THE ARCHITECTURAL DESIGN PROCESS FOR HOUSING BOTH THE KENSINGTON FIRE DEPARTMENT AND THE KENSINGTON POLICE DEPARTMENT IN THE PUBLIC SAFETY BUILDING**

**SUMMARY OF RECOMMENDATION**

Receive an update on the current status of the architectural design process for housing both the Kensington Fire Department and the Kensington Police Department in the Public Safety Building.

**BACKGROUND**

Summary of Prior Architectural Work

The architectural firm of RossDrulisCusenbery (RDC) was initially engaged by the Kensington Fire Protection District (KFPD) to design a necessary renovation of the KFPD Public Safety Building (PSB). On September 11, 2019, RDC presented a design for the PSB that housed only the KFPD. After that, the KPPCSD pursued the idea of having RDC come up with a design that would house both departments in the current PSB, and subsequently worked with both the Fire District and RDC for permission to engage RDC. At its meeting of January 23, 2020, the KPPCSD Board, with the concurrence of the KFPD, approved an agreement with RDC in the amount of \$15,673 for their firm to attempt to find a design for the renovation of the Public Safety Building that could accommodate space needs of both KFPD and the KPPCSD Police Department. It was understood that there was no guarantee that this work by RDC would result in a feasible design, but the Board majority felt that it was worthwhile to fund this important additional attempt at a solution.

During the course of the work by RDC, several technical design issues arose that required additional analysis and meeting(s) with the Contra Costa County Building Official. These issues involve accessibility and seismic requirements for the renovated Public Safety Building, and were outside of the original scope of work contracted for by KPPCSD. To continue this architectural analysis, the KPPCSD provided additional funding for an Extra Service Request (ESR 001), with the cost of that ESR split evenly with the Fire District. The cost to each agency was approximately \$13,000.

After undertaking this work, RDC met on July 22<sup>nd</sup> (along with their structural engineer, IDA) with two Contra Costa County Building Department plan check officials. The key agenda items discussed were:

1. Is there an opportunity to avoid having to add an elevator/lift to serve active-duty staff areas of the project?
2. Is it acceptable to enclose exterior deck areas for use as interior space without violating the “no increase in building size” provision in the Alquist-Priolo seismic legislation?
3. Is the team using the appropriate valuation methodology for establishing the “value of the building,” which in turn defines the project budget limit?

4. How does the County address cost contingencies such as property value changes, construction cost-overruns relative to the project cost budget?

Of the four items discussed, Items #3 and #4 received conclusive responses. The replacement value is calculated, consistent with the architect's approach, by estimating the project as though one was building a full-new-building, with a construction date equivalent to the dates of the proposed remodel. In addition, the budget approval occurs at the time of permitting, and is fixed at that time; therefore, cost overruns during construction (as a result of unforeseen circumstances) will *not* negatively impact the permit.

For Items #1 and #2 above, the County officials acknowledged the legitimacy of the collective approach, and reinforced that the architect's methodology was on track. However, they felt that more individuals needed to offer opinions before they could provide conclusive decisions. They agreed that the *unnecessary hardship* argument for the elevator/lift was the right approach, but could not confirm that it would be approved.

As for enclosing the deck, the Planning Department was called into the conversation for a ruling. During the meeting, the County acknowledged that they have rarely (if ever) had to rule on Alquist-Priolo legislation-related permitting issues, so they are figuring out internally which departments will be taking the lead on which items.

#### Current Update

On August 20<sup>th</sup>, RDC provided an update to the interim General Manager regarding an August 18<sup>th</sup> call that they had with Judi Kallerman, Principal Plan Checker with Contra Costa County, regarding the two remaining technical issues. RDC reported the following:

- Enclosing the second floor deck, and replacement cost valuation – Contra Costa has yet to make a determination regarding which government entity is responsible for interpretation and enforcement of permitting issues associated with the Alquist-Priolo act.
- Necessity for an elevator/lift – Although there is yet to be a final determination, the preliminary indication is that an elevator/lift will be a required element of the renovation.

County staff also indicated that they are extremely busy and would not be able to resolve these issues for at least a number of weeks.

Based on this update, I contacted Kensington Fire Protection District General Manager Mary Morris-Mayorga to discuss how to move the design forward expeditiously. We agreed that, based on the County's preliminary indication regarding the necessity of an elevator/lift, and the belief that the issue regarding enclosing the second floor deck can be resolved in our favor, the best use of our collective resources would be to request that the architect begin immediately to create a new conceptual design option that includes an elevator/lift and encloses the second floor deck. The architect concurred that this was the most efficient approach, and redirected resources to that effort. They also indicated that completing that work would cost an additional \$6,000, to be equally divided between KPPCSD and KPFD (i.e., \$3,000 to KPPCSD). I authorized this cost increase on behalf of KPPCSD in order to keep this design process moving forward.

It should be noted that I have also requested that the architect provide a rough schedule for general planning purposes that describes the activities and timetable from now through project completion, assuming that there are no unforeseen obstacles. At the time this agenda report is being prepared, I have not yet received this schedule, but will provide it to the Board as soon it is available.

**RECOMMENDATION**

Receive an update on the current status of the architectural design process for housing both the Kensington Fire Department and the Kensington Police Department in in the Public Safety Building.

**FISCAL IMPACT**

The initial contract between KPPCSD and RDC was for the amount of \$15,673; the ESR approved by the KPPCSD Board was for an additional \$13,000; and the General Manager authorized a \$3,000 increase to the amount of the ESR. The total cost to date, then, for architectural services by RDC based on these authorized expenditures to date is approximately \$32,000. Funding is from budgeted capital funds.

**SUBMITTED BY:**

Bill Lindsay  
Interim General Manager