



**\*UPDATED\***

## Agenda

Board of Directors  
Kensington Police Protection  
and Community Service District

### Special Meeting

**June 30, 2022**

Via Teleconference

**6:00 p.m.**

[www.kppcsd.org/2022-06-30-kppcsd-board-meeting](http://www.kppcsd.org/2022-06-30-kppcsd-board-meeting)

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

*On September 16, 2021, the Governor signed into law AB 361. AB 361 added Section 54953(e) to the California Open Meetings Act, California Government Code 54950 et seq. (“The Brown Act”). Section 54953(e) allows District’s legislative body, the Board of Directors, to hold meetings by teleconferences during a proclaimed state of emergency subject to the Board making findings specified in Section 54953(e)(2). The Board may continue to hold teleconferenced meetings during the state of emergency so long as at least every 30 days, the Board reconsiders the state of emergency to determine if remote meetings are warranted under Section 54953(e)(3). When holding teleconferenced meetings, the Board must comply with the notice, access, public comment and other procedure requirements of Section 54953(e)(2).*

### Special Meeting

#### Call to Order

#### Roll Call

#### Public Comments

*Individuals wishing to address the Board of Directors concerning Special Meeting agenda items are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 917 Arlington Ave., Kensington, CA 94707 or [llewis@kppcsd.org](mailto:llewis@kppcsd.org).*

#### Discussion and Action

##### 1. **Fiscal Year (FY) 2022-23 Budget**

Recommended Action: Consider the recommended FY 2022-23 Budget and consider Resolution No. 2022-16 adopting the FY 2022-23 Budget.

Contact: Anthony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org) and Lisa Mundis, Finance Director, [lmundis@kppcsd.org](mailto:lmundis@kppcsd.org)

## 2. Temporary District Location

Recommended Actions: (1) Authorize the General Manager to sign the Quote (\$66,532.06) from Mobile Modular Management Corporation, accepting the proposal to modify the mobile unit located at 10940 San Pablo Avenue, Building B, El Cerrito, CA. subject to conditions listed in the Agenda Report. (2) Allocate \$51,532.06 from Acct. 983 Building Temporary Relocation in the recommended budget

Contact: Tony Constantouros, Interim General Manager, [tconstantouros@kppcsd.org](mailto:tconstantouros@kppcsd.org)

## 3. Teleconference Meetings During State of Emergency

Recommended Action: Adopt Resolution No. 2022-17 A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.

Contact: Ann Danforth, General Counsel, [adanforth8@outlook.com](mailto:adanforth8@outlook.com)

## Adjournment

The next regular meeting will be held on July 14, 2022.

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## General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- 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 Service 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 *or* [llewis@kppcsd.org](mailto:llewis@kppcsd.org)

## Posted Agenda

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 at 217 Arlington Avenue, Kensington, CA 94707.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Service 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.



Date: June 27, 2022  
To: Board of Directors  
From: Tony Constantouros, Interim General Manager  
Subject: Fiscal Year 2022-2023 Budget

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### **Recommendation**

Consider and approve the recommended Fiscal Year 2022-23 budget.

### **Background**

A balanced Fiscal Year 2022-23 budget is attached. The budget is presented to the Board of Directors of the Kensington Police Protection & Community Service District for consideration. The budget provides breakdowns for the Police Department, Parks & Recreation, District Administration, and Waste Removal Administration. A separate section summarizes Capital Projects.

It should also be noted that Resolution 2022-14, adopted at the June 9, 2022 Board Meeting is included in the exhibits. This resolution authorizes the adoption of the budget at a Regular or Special Meeting of the Board of Directors.

### **Discussion and Analysis**

The key items in this budget include:

- Balanced operations budget with a small projected surplus
- Police vehicle leases, operations and fuel are combined in Fleet Expenses  
**(Account 561)**
- A 5% Reserve for future projects  
**(Account 951)**
- A 5% Contingency for unanticipated costs during the Fiscal Year  
**(Account 952)**

- A rough estimate \$100,000 for the temporary office move  
**(Account 982)**
- A General Fund Reserve projected at \$2,100,000

The budget also includes the reclassification of the temporary Administrative Assistant position to the new position of permanent full-time Administrative Services Assistant. This proposed position, in addition to office clerical and reception duties, would assume added park and community center coordination responsibilities. The recommended change reflects the current responsibilities and the higher level of service that are currently provided by this position; the recommended hourly rate would be increased from \$26/hr. to \$35/hr. A position specification for this position is included as an exhibit.

### **Fiscal Impact**

Adopting the proposed FY 2022-23 budget will allow implementation and funding of the budgeted items. The budget will be regularly monitored and will include financial reporting to the Board of Directors.

### **Exhibits**

Kensington Police Protection & Community Service District

- Recommended Fiscal Year 2022/2023 Budget
- Fiscal Year 2022-2023 Recommended Budget Narrative

Administrative Services Assistant position specification

Resolution No. 2022 14 – Authorizing Adoption of the 2022-23 Budget at a Regular or Special Meeting

Resolution No. 2022 16 – Adopting the Budget for Fiscal Year 2022-23

Kensington Police Protection & Community Services District

# **2022-2023 General Fund Budget**

Presented By:

Tony Constantouros, Interim General Manager

Lisa Mundis, Finance Director

June 30, 2022

**KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT  
2022-23 BUDGET - GENERAL FUND**

|  | <b>2019-20</b>   | <b>2020-21</b>   | <b>2021-22</b>   | <b>2022-23</b>     |
|--|------------------|------------------|------------------|--------------------|
|  | <b>Actual</b>    | <b>Actual</b>    | <b>Projected</b> | <b>Recommended</b> |
| <b><u>REVENUE</u></b>                              |                  |                  |                  |                    |
| <b><u>POLICE DEPARTMENT</u></b>                    |                  |                  |                  |                    |
| <b>400 · Police Activities Revenue</b>             |                  |                  |                  |                    |
| <b>401 - Levy Tax - County 1% property</b>         | 1,957,714        | 2,053,113        | 2,097,146        | 2,201,900          |
| <b>402 · Special Tax-Police</b>                    | 681,750          | 685,710          | 685,710          | 720,000            |
| <b>404 · Measure G Supplemental Tax Rev</b>        | 2,107            | 995              | 621,207          | 652,300            |
| <b>410 · Police Fees/Service Charges</b>           | 9,100            | 12,082           | 1,250            | 12,000             |
| <b>414 · POST Reimbursement</b>                    | 10,000           | 65,000           | 125,000          | 125,000            |
| <b>415 · COPS Grants-Police</b>                    | 168,584          | 119,093          | 150,210          | 175,000            |
| <b>418 · Reimbursements/Refunds</b>                | 5,195            | 4,307            | 6,000            | 6,000              |
| <b>Total 400 · Police Activities Revenue</b>       | <b>3,422,847</b> | <b>3,538,696</b> | <b>3,686,523</b> | <b>3,892,100</b>   |
| <b><u>PARKS &amp; RECREATION DEPARTMENT</u></b>    |                  |                  |                  |                    |
| <b>420 · Park/Rec Activities Revenue</b>           |                  |                  |                  |                    |
| <b>405 · Measure W Park Grant</b>                  | 0                | 2,486            | 158,358          | 150,000            |
| <b>424 · Special Tax-L&amp;L</b>                   | 40,195           | 41,529           | 43,029           | 44,400             |
| <b>427 · Community Center Revenue</b>              | 0                | 1,450            | 31,038           | 57,700             |
| <b>438 · Tennis Court Revenue</b>                  | 160              | 647              | 1,095            | 1,500              |
| <b>439 · Contributions for Community Ctr</b>       | 5,000            | 15,400           | 15,000           | 15,000             |
| <b>Total 420 · Park/Rec Activities Revenue</b>     | <b>45,355</b>    | <b>61,512</b>    | <b>248,519</b>   | <b>268,500</b>     |
| <b><u>DISTRICT ADMINISTRATION</u></b>              |                  |                  |                  |                    |
| <b>440 · District Administration Revenue</b>       |                  |                  |                  |                    |
| <b>701 · Bond Proceeds</b>                         | 176,936          | 0                | 0                | 0                  |
| <b>456 · Interest-District</b>                     | 15,889           | 3,199            | 3,500            | 5,000              |
| <b>458 · Misc District Revenue</b>                 | 1,024            | 500              | 8,742            | 9,700              |
| <b>Total 440 · District Administration Revenue</b> | <b>202,619</b>   | <b>3,699</b>     | <b>12,242</b>    | <b>14,700</b>      |
| <b><u>WASTE REMOVAL ADMINISTRATION</u></b>         |                  |                  |                  |                    |
| <b>460 · Waste Removal Revenue</b>                 |                  |                  |                  |                    |
| <b>461 - Bay View Franchise Fee 7%</b>             | 101,948          | 108,250          | 102,832          | 110,000            |
| <b>Total 460- Waste Removal Revenue</b>            | <b>101,948</b>   | <b>108,250</b>   | <b>102,832</b>   | <b>110,000</b>     |
| <b><u>TOTAL REVENUE</u></b>                        | <b>3,772,769</b> | <b>3,712,157</b> | <b>4,050,116</b> | <b>4,285,200</b>   |

|   | <b>2019-20</b>   | <b>2020-21</b>   | <b>2021-22</b>   | <b>2022-23</b>     |
|---|------------------|------------------|------------------|--------------------|
|   | <b>Actual</b>    | <b>Actual</b>    | <b>Projected</b> | <b>Recommended</b> |
| <b><u>EXPENSE</u></b>                             |                  |                  |                  |                    |
| <b><u>POLICE DEPARTMENT</u></b>                   |                  |                  |                  |                    |
| <b>500 · Police Salaries and Benefits Expense</b> |                  |                  |                  |                    |
| 502 · Salary - Officers                           | 804,622          | 1,123,016        | 832,258          | 1,103,000          |
| 506 · Overtime                                    | 186,608          | 91,631           | 180,969          | 200,000            |
| 508 · Salary - Non-Sworn                          | 28,061           | 39,576           | 27,025           | 68,100             |
| 509 · Hiring Bonus                                | 0                | 0                | 15,273           | 20,000             |
| 521-A · Medical/Vision/Dental-Active              | 118,244          | 147,038          | 105,835          | 113,500            |
| 521-R · Medical/Vision/Dental-Retired             | 160,366          | 180,107          | 166,156          | 167,600            |
| 522 · Officer Life Insurance                      | 2,715            | 5,482            | 5,512            | 6,900              |
| 523 · SocialSecurity/Medicare-Police              | 16,967           | 18,012           | 14,925           | 15,000             |
| 524 · Social Security - District                  | 0                | 104              | 10,529           | 11,600             |
| 527 · PERS - District Portion                     | 381,155          | 189,478          | 160,084          | 164,000            |
| 529 · Pension Obln Bond Payment                   | 0                | 0                | 233,672          | 214,000            |
| 530 · Workers Comp                                | 67,556           | 30,120           | 34,480           | 44,900             |
| 545 - GASB 68 Deferred                            | (382,475)        | (179,521)        | (179,521)        | (179,500)          |
| 546 - GASB 68 Current                             | 739,004          | 846,045          | 846,045          | 846,100            |
| 547 - GASB 75 Deferred                            | (460,960)        | (343,527)        | (343,527)        | (343,500)          |
| 548 - GASB 75 Current                             | 247,646          | 73,643           | 73,643           | 73,700             |
| <b>Total 500 · Police Sal &amp; Ben</b>           | <b>2,071,757</b> | <b>2,386,813</b> | <b>2,183,359</b> | <b>2,524,800</b>   |
| <b>550 · Police Operating Expense</b>             |                  |                  |                  |                    |
| 552 · Office Supplies and Exp                     | 1,397            | 10,394           | 7,083            | 13,300             |
| 553 · Police Equipment and Supplies               | 398              | 1,660            | 0                | 28,500             |
| 554 · Traffic Safety                              | 0                | 6,773            | 4,167            | 32,000             |
| 560 · Crossing Guard                              | 10,343           | 2,941            | 15,204           | 17,800             |
| 561 · Fleet Expenses                              | 0                | 16,226           | 11,000           | 91,500             |
| 564 · IT and Communications                       | 135,755          | 149,811          | 150,077          | 193,300            |
| 568 · Evidence                                    | 10,126           | 4,290            | 5,360            | 6,000              |
| 570 · Training and Travel Exp                     | 12,716           | 23,376           | 8,333            | 25,000             |
| 571 · Records                                     | 0                | 641              | 11,579           | 6,000              |
| 572 · Hiring                                      | 13,781           | 8,381            | 13,333           | 20,000             |

|  | <b>2019-20</b>   | <b>2020-21</b>   | <b>2021-22</b>   | <b>2022-23</b>     |
|--|------------------|------------------|------------------|--------------------|
|  | <b>Actual</b>    | <b>Actual</b>    | <b>Projected</b> | <b>Recommended</b> |
| 574 · Reserve Officers                   | 1,000            | 517              | 3,333            | 3,500              |
| 576 · Dues and Subscriptions             | 4,993            | 2,294            | 1,333            | 5,000              |
| 588 · Telephone                          | 6,968            | 33,261           | 25,200           | 30,300             |
| 591 · General Liability Insurance        | 0                | 29,021           | 31,893           | 42,100             |
| 592 · Printing & Publications            | 3,030            | 3,121            | 4,583            | 9,200              |
| 593 · Volunteer Programs                 | 0                | 0                | 2,083            | 2,500              |
| 594 · Community Events                   | 621              | 2,341            | 2,500            | 5,000              |
| 595 · Legal/Consulting - Police          | 80,543           | 6,190            | 20,833           | 9,000              |
| 599 · Police Taxes Administration        | 4,904            | 3,015            | 3,351            | 5,500              |
| <b>Total 550 · Other Police Expenses</b> | <b>286,573</b>   | <b>304,255</b>   | <b>321,248</b>   | <b>545,200</b>     |
| <b>TOTAL POLICE DEPARTMENT EXPENSE</b>   | <b>2,358,330</b> | <b>2,691,068</b> | <b>2,504,606</b> | <b>3,070,000</b>   |



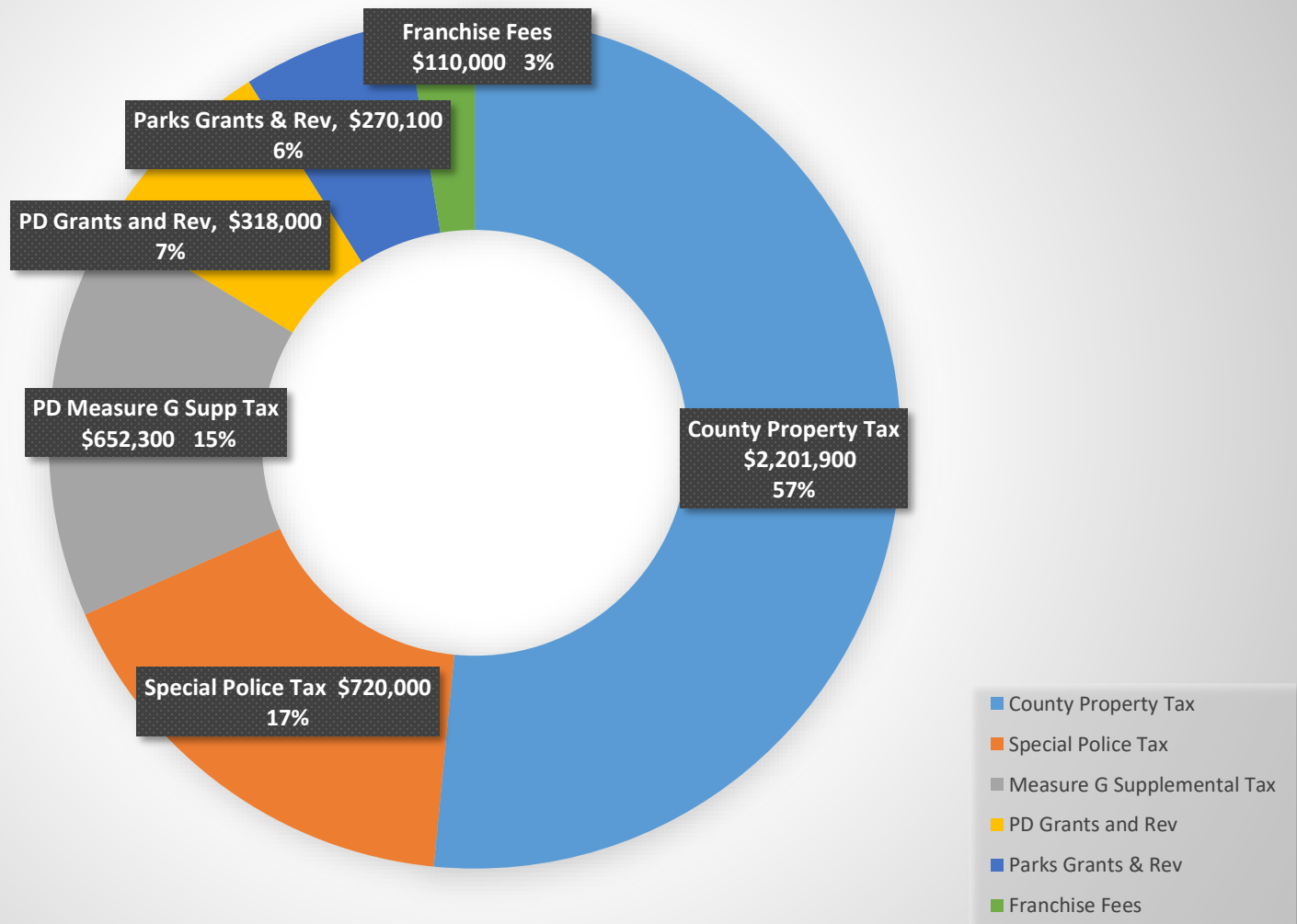
|   | <b>2019-20</b> | <b>2020-21</b> | <b>2021-22</b>   | <b>2022-23</b>     |
|---|----------------|----------------|------------------|--------------------|
|   | <b>Actual</b>  | <b>Actual</b>  | <b>Projected</b> | <b>Recommended</b> |
| <u>PARKS &amp; RECREATION DEPARTMENT</u>        |                |                |                  |                    |
| <b>600 · Park/Rec Sal &amp; Ben</b>             |                |                |                  |                    |
| 601 · Park & Rec Administrator                  | 4,750          | 0              | 0                | 41,500             |
| 602 · Custodian/Cleaning Services               | 4,335          | 7,900          | 2,782            | 45,000             |
| 623 · Social Security/Medicare - Dist           | 0              | 0              | 0                | 10,800             |
| <b>Total 600 · Park/Rec Sal &amp; Ben</b>       | <b>9,085</b>   | <b>7,900</b>   | <b>2,782</b>     | <b>97,200</b>      |
| <b>640 · Community Center Expenses</b>          |                |                |                  |                    |
| 641 · General Maintenance                       | 600            | 889            | 2,727            | 3,000              |
| 642 · Utilities-Community Center                | 5,680          | 7,965          | 17,891           | 19,500             |
| 643 · Janitorial Supplies                       | 126            | 574            | 750              | 1,200              |
| 644 · Landscaping                               | 0              | 5,518          | 12,627           | 13,000             |
| 645 · General Liab./Workers Comp                | 0              | 6,432          | 9,003            | 3,500              |
| 646 · Community Center Repairs                  | 6,552          | 1,230          | 5,545            | 7,500              |
| 647 · Legal/Consulting                          | 0              | 0              | 0                | 25,000             |
| <b>Total 640 · Community Center Expenses</b>    | <b>22,854</b>  | <b>31,646</b>  | <b>48,544</b>    | <b>47,600</b>      |
| <b>650 · Parks</b>                              |                |                |                  |                    |
| 651 · General Maintenance                       | 0              | 10,750         | 32,117           | 35,400             |
| 652 · Repairs                                   | 153            | 3,455          | 11,859           | 12,000             |
| 653 · Landscaping                               | 0              | 22,928         | 54,982           | 55,000             |
| 656 · Utilities                                 | 2,700          | 10,781         | 2,105            | 2,400              |
| 657 · General Liab/Workers Comp                 | 0              | 6,432          | 8,698            | 9,600              |
| 658 · Levy Administration                       | 0              | 2,244          | 8,559            | 9,500              |
| 674 · Tennis Court Maintenance/Repair           | 0              | 21,500         | 1,500            | 500                |
| 659 · Misc Park Expense                         | 0              | 139            | 487              | 500                |
| <b>Total 650 · Parks</b>                        | <b>2,852</b>   | <b>78,227</b>  | <b>120,308</b>   | <b>124,700</b>     |
| <b>660 · Annex Expenses</b>                     |                |                |                  |                    |
| 662 · Utilities - Annex                         | 0              | 0              | 0                | 0                  |
| 665 · Annex General Maintenance                 | 0              | 0              | 0                | 0                  |
| 666 · Annex Repairs                             | 0              | 0              | 0                | 0                  |
| 667 · Annex Landscaping                         | 0              | 2,975          | 0                | 0                  |
| 668 · Misc Annex Expenses                       | 300            | 0              | 0                | 0                  |
| 669 · Misc Projects                             | 0              | 2,000          | 0                | 0                  |
| <b>Total 660 · Annex Expenses</b>               | <b>300</b>     | <b>4,975</b>   | <b>0</b>         | <b>0</b>           |
| <b>TOTAL PARKS &amp; REC DEPARTMENT EXPENSE</b> | <b>35,091</b>  | <b>122,748</b> | <b>171,633</b>   | <b>269,400</b>     |

|  | <b>2019-20</b> | <b>2020-21</b> | <b>2021-22</b>   | <b>2022-23</b>     |
|--|----------------|----------------|------------------|--------------------|
|  | <b>Actual</b>  | <b>Actual</b>  | <b>Projected</b> | <b>Recommended</b> |
| <u>WASTE MANAGEMENT DEPARTMENT</u>                   |                |                |                  |                    |
| <b>701 - Waste Management Expenses</b>               |                |                |                  |                    |
| 701 · Bay View Franchise Fees Paid to CCC            | 43,692         | 46,393         | 44,012           | 47,300             |
| 702 - Waste Management Program Administration        | 0              | 0              | 1,200            | 3,000              |
| 703 - Other Waste Management Expense                 | 0              | 0              | 480              | 500                |
| <b>Total 701 - Waste Management Expenses</b>         | <b>43,692</b>  | <b>46,393</b>  | <b>45,692</b>    | <b>50,800</b>      |
| <br><u>DISTRICT ADMINISTRATION</u>                   |                |                |                  |                    |
| <b>800 · District Administration Expenses</b>        |                |                |                  |                    |
| 807 · Salaries                                       | 0              | 15,084         | 308,030          | 384,200            |
| 808 · Payroll Taxes                                  | 211,479        | 247,454        | 22,681           | 57,700             |
| 809 · Benefits                                       | 16,083         | 19,414         | 43,500           | 50,500             |
| 810 · IT Contract                                    | 28,863         | 15,443         | 22,231           | 27,800             |
| 815 · Admin Communications                           | 5,996          | 6,562          | 3,426            | 4,300              |
| 816 · Office Supplies                                | 0              | 1,399          | 1,263            | 1,600              |
| 817 · Postage  | 0              | 493            | 522              | 700                |
| 818 · Mileage Reimbursement                          | 0              | 193            | 247              | 400                |
| 819 · Dues/Subscriptions                             | 0              | 7,397          | 8,435            | 10,600             |
| 820 · Copier Contract                                | 5,523          | 4,379          | 5,243            | 6,600              |
| 825 · Board Continuing Ed/Conferences                | 0              | 3,076          | 3,053            | 12,500             |
| 830 · Legal (District/Personnel)                     | 161,083        | 53,854         | 38,281           | 45,000             |
| 831 - Training and Travel (District Admin Personnel) | 0              | 0              | 0                | 6,500              |
| 835 · Consulting                                     | 40,832         | 44,150         | 24,321           | 35,000             |
| 840 · Accounting/Audit                               | 109,997        | 92,200         | 89,735           | 75,000             |
| 850 · Insurance                                      | 45,057         | 24,309         | 34,793           | 31,900             |
| 851 · Workers Comp                                   | 0              | 9,402          | 4,600            | 4,500              |
| 860 · Election                                       | 0              | 4,991          | 0                | 7,500              |
| 861 · LAFCO  | 0              | 1,729          | 1,811            | 2,100              |

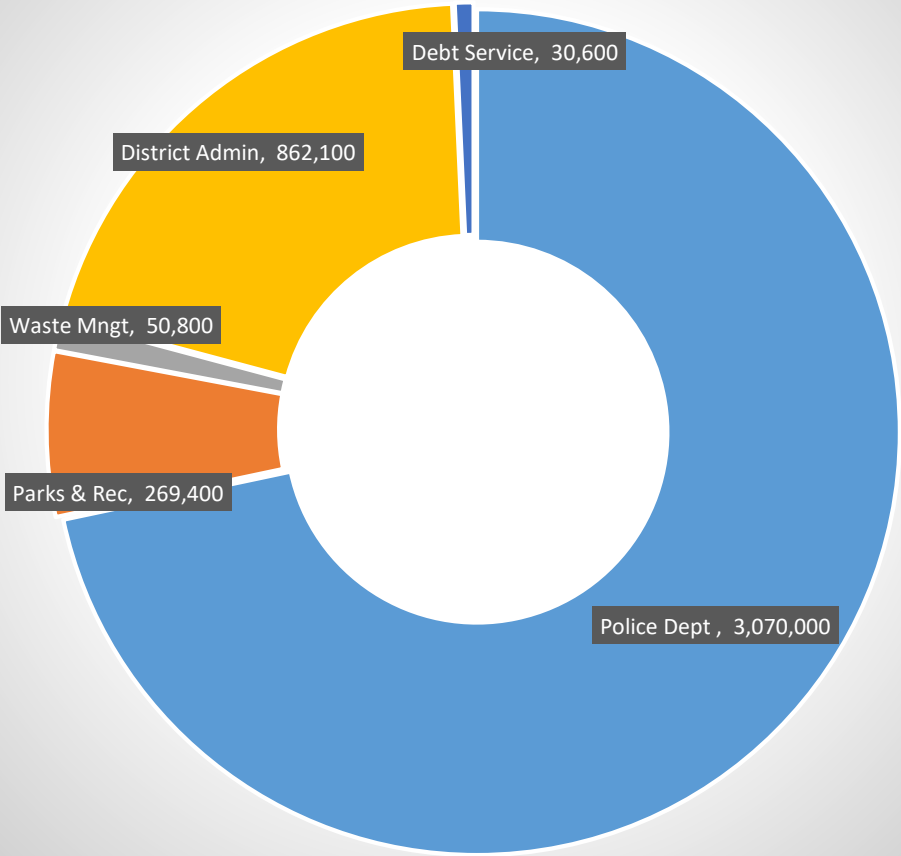
|  | <b>2019-20</b>   | <b>2020-21</b>   | <b>2021-22</b>   | <b>2022-23</b>     |
|--|------------------|------------------|------------------|--------------------|
|  | <b>Actual</b>    | <b>Actual</b>    | <b>Projected</b> | <b>Recommended</b> |
| 865 · Police Bldg. Lease                           | 36,603           | 36,603           | 39,931           | 48,000             |
| 866 - Bldg Maint/Repair                            | 0                | 0                | 0                | 3,500              |
| 867 - Utilities                                    | 0                | 0                | 0                | 13,500             |
| 868 - Janitorial                                   | 0                | 0                | 0                | 7,200              |
| 870 · County Expenditures                          | 22,355           | 22,696           | 24,393           | 25,000             |
| 891 · COVID  | 132              | 7,198            | 1,356            | 0                  |
| 898 · Other Expenses                               | 29,739           | 6,790            | 757              | 1,000              |
| <b>800 · TOTAL DISTRICT ADMINISTRATION EXPENSE</b> | <b>713,740</b>   | <b>624,816</b>   | <b>678,608</b>   | <b>862,100</b>     |
| <b>TOTAL ALL DEPARTMENT EXPENSE</b>                | <b>3,150,854</b> | <b>3,485,025</b> | <b>3,400,540</b> | <b>4,252,200</b>   |
| <u>DEBT EXPENSE</u>                                |                  |                  |                  |                    |
| <b>700 - Bond Issue &amp; Debt Expense</b>         |                  |                  |                  |                    |
| 710 · Bond Administration                          | 29,531           | 8,625            | 0                | 0                  |
| 720 · Bond Principal                               | 149,165          | 150,662          | 0                | 0                  |
| 730 · Bond Interest                                | 7,460            | 3,202            | 0                | 0                  |
| 731 · POB Interest                                 | 0                | 177,989          | 0                | 0                  |
| 975 - Community Center Renovation Loan             | 30,517           | 30,517           | 30,517           | 30,600             |
| 988 · Cost of Debt Issuace                         | 119,592          | 0                | 0                | 0                  |
| <b>Total 700 · TOTAL DEBT EXPENSE</b>              | <b>336,265</b>   | <b>370,995</b>   | <b>30,517</b>    | <b>30,600</b>      |
| <b>TOTAL REVENUE</b>                               | <b>3,772,769</b> | <b>3,712,157</b> | <b>4,050,116</b> | <b>4,285,200</b>   |
| <b>TOTAL EXPENSE</b>                               | <b>3,150,854</b> | <b>3,485,025</b> | <b>3,400,540</b> | <b>4,282,700</b>   |
| <b>(over)/under</b>                                | <b>621,916</b>   | <b>227,133</b>   | <b>649,577</b>   | <b>2,500</b>       |

|  | <b>2019-20</b> | <b>2020-21</b> | <b>2021-22</b>   | <b>2022-23</b>     |
|--|----------------|----------------|------------------|--------------------|
|  | <b>Actual</b>  | <b>Actual</b>  | <b>Projected</b> | <b>Recommended</b> |
| <u>CAPITAL PROJECTS</u>                                |                |                |                  |                    |
| <b>950 · Capital Outlay</b>                            |                |                |                  |                    |
| 951 - Reserve 5%                                       | 0              | 0              | 0                | 214,200            |
| 952 - Contingency 5%                                   | 0              | 0              | 0                | 214,200            |
| 963 · Patrol Car Accessories                           | 0              | 213            | 0                | 15,000             |
| 965 · Personal Police Equipment-Asset                  | 41,526         | 10,090         | 0                | 15,000             |
| 966 · Police Traffic Equipment                         | 3,126          | 0              | 0                | 25,000             |
| 967 · Station Equipment                                | 0              | 0              | 0                | 50,000             |
| 968 · Office Furn/Eq                                   | 766            | 1,225          | 504              | 50,000             |
| 969 · Computer Equipment                               | 16,860         | 6,965          | 0                | 25,000             |
| 970 - Upgrade Phone System                             | 0              | 0              | 0                | 25,000             |
| 972 · Park Buildings Improvement                       | 0              | 0              | 4,626            | 95,000             |
| 974 · Other Park Improvements                          | 23,481         | 0              | 29,243           | 50,000             |
| 978 · Pk/Rec Furn/Eq                                   | 0              | 0              | 0                | 25,000             |
| 982 · General Fund Reserve                             | 0              | 0              | 27,258           | 2,100,000          |
| 983 - Buidling Temporary Relocation                    | 0              | 0              | 0                | 100,000            |
| <b>Total 950 · TOTAL CAPITAL PROJECTS AND RESERVES</b> | <b>85,759</b>  | <b>18,493</b>  | <b>61,631</b>    | <b>3,003,300</b>   |

## 2022-2023 General Fund Revenue Sources



# 2022-2023 General Fund Expenses



- Police Dept
- Parks & Rec
- Waste Mngt
- District Admin
- Debt Service

Kensington Police Protection and Community Services District  
2022-2023 Budget Narrative - General Fund

| ACCOUNT | DESCRIPTION/SOURCE |
|---------|--------------------|
|---------|--------------------|

POLICE REVENUE

|                                      |   |
|--------------------------------------|---|
| 401 - Levy Tax - County 1% property  | Provided by County                              |
| 402 - Special Tax-Police             | Provided by County                              |
| 403 - Misc Tax-Police                | Provided by NBS                                 |
| 404 - Measure G Supplemental Tax Rev | Provided by County                              |
| 410 - Police Fees/Service Charges    | Livescan, tow release, fines, fees              |
| 414 - POST Reimbursement             | State reimbursement for mandatory training      |
| 415 - COPS Grants-Police- OTS Grant  | COPS 150K (annual, ongoing), OTS 25K (one time) |
| 418 - Reimbursements/Refunds         | Training cancellations, credits, etc            |

PARKS REVENUE

|                                       |   |
|---------------------------------------|---|
| 405 - Measure W Park Grant            | Grants identified for application by Oct 2022       |
| 424 - Special Tax-L&L                 | Provided by NBS, tax services                       |
| 427 - Community Center Revenue        | Based on six months rental data, annualized         |
| 438 - Tennis Court Revenue            | Increased usage                                     |
| 439 - Contributions for Community Ctr | KCC historical annual payment for use of facilities |

DISTRICT REVENUE

|                                 |   |
|---------------------------------|---|
| 701 - Bond Proceeds             | None planned                                      |
| 705 - Transfer from other Funds | Transfer from Reserve, if needed                  |
| 456 - Interest-District         | Bank interest, interest earned on credit accounts |
| 458 - Misc District Revenue     | Cumulative, irregular revenue items               |

WASTE REMOVAL REVENUE

|                                 |                              |
|---------------------------------|------------------------------|
| 461 - Bay View Franchise Fee 7% | Received from Bay View Waste |
|---------------------------------|------------------------------|

Kensington Police Protection and Community Services District  
2022-2023 Budget Narrative - General Fund

| ACCOUNT                               | DESCRIPTION/SOURCE   |
|---------------------------------------|--|
| <u>POLICE EXPENSES</u>                |  |
| 502 · Salary - Officers               | Fully staffed PD, three new hires at top step  |
| 506 · Overtime                        | Police coverage during staff shortages, extra coverage   |
| 508 · Salary - Non-Sworn              | Police Administrator \$60K, Admin Assistant Alloc \$8,100                                      |
| 509 · Hiring Bonus                    | \$10k total per officer, \$4,000 per year per officer  |
| 521-A · Medical/Vision/Dental-Active  | Benefit Expense  |
| 521-R · Medical/Vision/Dental-Retired | Benefit Expense  |
| 522 · Officer Life Insurance          | Benefit Expense  |
| 523 · SocialSecurity/Medicare-Police  | Employment Tax   |
| 524 · Social Security - District      | Employment Tax   |
| 527 · PERS - District Portion         | District contribution to CalPERS, current. Lower than previous due to staffing and accounting. |
| 529 · Pension Obln Bond Payment       | Bond to reduce UAL   |
| 530 · Workers Comp                    | Increase assumes fully staffed PD  |
| 545 - GASB 68 Deferred                | prior year   |
| 546 - GASB 68 Current                 | prior year   |
| 547 - GASB 75 Deferred                | prior year   |
| 548 - GASB 75 Current                 | prior year   |
| 552 · Office Supplies and Exp         | Operations support   |
| 553 · Police Equipment and Supplies   | Name change, firearms, ammunition, new uniforms \$3x \$3.5K                                    |
| 554 · Traffic Safety                  | \$25K software offset by grant, \$7K other signs, TEO car logos                                |
| 560 · Crossing Guard                  | One guard  |
| 561 · Fleet Expenses                  | Fuel 23K, rep/main 20K, vehicle lease 48.5K  |
| 564 · IT and Communications           | dispatch, software, rubiconn   |
| 568 · Evidence                        | New category to separate evidence from records   |
| 570 · Training and Travel Exp         | Combine 576 travel and remove POST reimb   |
| 571 · Records                         | some moved to evidence   |
| 572 · Hiring                          | recruit 3 new officers   |
| 574 · Reserve Officers                | Outfit new reserve officer   |
| 576 · Dues and Subscriptions          | Name change. Meals and travel expense moved to 570 - Training and Travel Exp                   |
| 588 · Telephone                       | Slight increase for new phone system expense   |
| 591 · General Liability Insurance     | Increase assumes fully staffed PD  |
| 592 · Printing & Publications         | Public Comm, Education, Outreach   |
| 593 · Volunteer Programs              | Policy, Uni, training  |
| 594 · Community Events                | Public Safety coverage for events in the district  |
| 595 · Legal/Consulting - Police       | Decreasing due to risk mitigation practices  |
| 599 · Police Taxes Administration     | NBS, cost of calculating and implementing tax  |



Kensington Police Protection and Community Services District  
2022-2023 Budget Narrative - General Fund

| ACCOUNT                                       | DESCRIPTION/SOURCE   |
|---|--|
| <u>PARKS &amp; RECREATION EXPENSES</u>        |  |
| 601 · Park & Rec Administrator                | No payroll allocated to Admin of P&R                           |
| 602 · Custodian/Cleaning Services             | Consolidation of custodial duties into single line             |
| 623 · Social Security/Medicare - Dist         | No payroll allocated to Admin of P&R                           |
| 641 · General Maintenance                     | Ongoing, usual cost, small tools and parts, hardware, supplies |
| 642 · Utilities-Community Center              | Increased usage, increased cost                                |
| 643 · Janitorial Supplies                     | Increased usage  |
| 644 · Landscaping                             | Properly maintain grounds                                      |
| 645 · General Liab./Workers Comp              | Allocated to other parks expenses                              |
| 646 · Community Center Repairs                | Leaking skylight, lights and screen covers, painting, etc      |
| 647 · Legal/Consulting                        | KCC Contract negotiations                                      |
| 651 · General Maintenance                     | Increase maintenance to improve condition                      |
| 652 · Repairs                                 | replace damaged and worn items, benches, trash cans, etc       |
| 653 · Landscaping                             | Improve and maintain vegetation, remove trees                  |
| 654 · Janitorial Supplies                     | papergoods, cleaning   |
| 655 · Rental                                  | equipment rental for repairs/maintenance                       |
| 656 · Utilities                               | Ongoing, monthly expense                                       |
| 657 · General Liab/Workers Comp               | Insurance allocation   |
| 658 · Levy Administration                     | NBS, tax calculation and administration                        |
| 674 · Tennis Court Maintenance/Repair         | repair damages, clean, maintain                                |
| 659 · Misc Park Expense                       | unexpected, small expenses                                     |
| 662 · Utilities - Annex                       | Capital Projects Funds to fill expense, as needed              |
| 665 · Annex General Maintenance               | Capital Projects Funds to fill expense, as needed              |
| 666 · Annex Repairs                           | Capital Projects Funds to fill expense, as needed              |
| 667 · Annex Landscaping                       | Capital Projects Funds to fill expense, as needed              |
| 668 · Misc Annex Expenses                     | Capital Projects Funds to fill expense, as needed              |
| 669 · Misc Projects                           | Capital Projects Funds to fill expense, as needed              |
| <u>WASTE REMOVAL EXPENSES</u>                 |  |
| 701 · Bay View Franchise Fees Paid to CCC     | 3% of Bay View franchise fee due to County                     |
| 702 - Waste Management Program Administration | Not previously tracked   |
| 703 - Other Waste Management Expense          | small expense  |

Kensington Police Protection and Community Services District  
2022-2023 Budget Narrative - General Fund

| ACCOUNT  | DESCRIPTION/SOURCE                           |
|--|--|
| <u>DISTRICT EXPENSES</u>                       |  |
| 807 · Salaries                                 | New category tracking in 2019                |
| 808 · Payroll Taxes                            | Was used for all salaries until 2021         |
| 809 · Benefits                                 | Holiday, Vaca, Sick, PERS                    |
| 810 · IT Contract                              | Rubiconn                                     |
| 815 · Admin Communications                     | Allocation of telephones                     |
| 816 · Office Supplies                          | Normally office supplies                     |
| 817 · Postage                                  | postage                                      |
| 818 · Mileage Reimbursement                    | employee use of personal vehicle             |
| 819 · Dues/Subscriptions                       | Affiliate memberships, softare subscriptions |
| 820 · Copier Contract                          | Smile monthly contract                       |
| 825 · Board Continuing Ed/Conferences          | Increase participation in CSDA courses       |
| 826 · Board Meetings                           | Returning to hybrid TBD                      |
| 830 · Legal (District/Personnel)               | Increase doc review for impending move       |
| 831 - Training and Travel (District Personnel) | Incease participation in CSDA courses        |
| 835 · Consulting                               | Ongoing projections for temp move, personnel |
| 840 · Accounting/Audit                         | outsourced accounting and audit              |
| 850 · Insurance                                | Property and Liability                       |
| 851 · Workers Comp                             | WC   |
| 860 · Election                                 | Election year                                |
| 861 · LAFCO                                    | Investment Administration Costs              |
| 865 · Police Bldg. Lease                       | \$4000 mo                                    |
| 866 - Bldg Maint/Repair                        | minimal repair/leased bldg                   |
| 867 - Utilities                                | Expense transferred from PD budget           |
| 868 - Janitorial                               | Expense transferred from PD budget           |
| 870 · County Expenditures                      | County Tax Administration Expense            |
| 891 · COVID                                    | No ongoing expense, as of now                |
| 898 · Other Expenses                           | *  |

Kensington Police Protection and Community Services District  
2022-2023 Budget Narrative - General Fund

| ACCOUNT | DESCRIPTION/SOURCE |
|---------|--------------------|
|---------|--------------------|

BOND EXPENSE

|  |   |
|--|---|
| 710 · Bond Administration              | No current bond expense. Open to bonds to finance capital projects. |
| 720 · Bond Principal                   | No current bond expense. Open to bonds to finance capital projects. |
| 730 · Bond Interest                    | No current bond expense. Open to bonds to finance capital projects. |
| 731 · POB Interest                     | Bond to reduce UAL. \$82K   |
| 975 - Community Center Renovation Loan | Annual payment on loan.   |
| 988 · Cost of Debt Issuace             | No current bond expense. Open to bonds to finance capital projects. |

CAPITAL RESERVE EXPENSE

|                                       |  |
|---------------------------------------|--|
| 951 - Reserve 5%                      | 3-6 months operating expenses: 354350*3= \$1,063,050   |
| 952 - Contingency 5%                  | 3-6 months operating expenses: 354350*3= \$1,063,051   |
| 963 · Patrol Car Accessories          | 1 spare patrol car computer, rear safety lights for fleet \$15,000 total   |
| 965 · Personal Police Equipment-Asset | Class A Jacket/Badges/Hats/Vest/ammunition/cleaning/firearms/parts \$15,000  |
| 966 · Police Traffic Equipment        | Watch Guard in-car camera system \$25,000 for entire fleet   |
| 967 · Station Equipment               | Weapon & gear storage/evidence safe/security cameras \$25,000  |
| 968 · Office Furn/Eq                  | Outfit 5 office spaces/Workstations for patrol/ misc office equip \$50,000 est.  |
| 969 · Computer Equipment              | Replace or upgrade existing computers/patrol printer/administrative printer/monitors   |
| 970 - Upgrade Phone System            | *Immediate Need Sysco System Server access   |
| 972 · Park Buildings Improvement      | Any facility need within parks   |
| 974 · Other Park Improvements         | Aging buildings and outdoor structures need replacement/repair/upgrade:<br>Amphitheater, water run-off/flood control, additional service areas |
| 978 · Pk/Rec Furn/Eq                  | Benches replacement  |
| 982 · Building Reserve                | 21-22 Swatt Miers \$20K 8-21, \$7,256 6-22 Feasibility Study   |
| 983 - Buidling Temporary Move         | Studies, research, consulting, permits, advisors, legal  |

## CLASSIFICATION SPECIFICATION

Kensington Police Protection & Community Service District

Date: June 2022

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CLASS TITLE: Administrative Services Assistant

FLSA STATUS: Non-exempt

REPORTS TO: Finance Director

HIRING STATUS: At Will

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### JOB SUMMARY:

Provide administrative and clerical support for the administrative staff and police department. This position will support various main office functions including preparing correspondence, answering phones, monitoring office inventory and ordering supplies, maintaining calendars, and various other assignments as needed. The position will also have primary responsibility for overseeing and arranging park maintenance. In addition, the will have oversight for the scheduling, cleaning, repair, security and AV systems at the Community Center.

### DUTIES:

Performs general clerical duties, which may include: preparing mailings; opening, sorting, and distributing mail; maintaining office supplies; filing; and performing other fiscally related activities. Analyzes and reconciles a variety of financial account activities. Enters a variety of fiscally-related information into databases; maintains fiscal records and files. Responds to requests for information and inquiries related to programs, policies, and/or other related information. Performs other duties of similar nature or level as required.

### DSIRABLE QUALIFICATIONS

High School Diploma, G.E.D. or equivalent, and six months experience performing related duties in a private or public organization, preference to public sector experience. Experience in working with the public, front office reception and purchasing highly desirable; 30 semester or 45 quarter units with c general coursework at an accredited college or university may partially substitute for experience.

### ADDITIONAL REQUIREMENTS:

Knowledge of: Cash handling techniques; processes and procedures in bookkeeping principles; standard office equipment and procedures; data entry techniques; customer service principles; filing techniques.

Skill in: Using computers and related software applications filing and maintaining records; keyboarding; using standard office equipment; providing customer service; and, communicating both orally and in writing sufficient to exchange or convey information and to receive work direction.

### SUPPLEMENTAL:

A background check will be conducted for this classification.

**RESOLUTION NO. 2022-14**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT AUTHORIZING THE ADOPTION OF THE  
2022-2023 BUDGET AT A REGULAR OR SPECIAL MEETING**

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*, on January 14, 2021, the Kensington Police Protection and Community Services District ("District") adopted a new Policy Number 2030 by Resolution No. 2021-01; and

*WHEREAS*, Policy 2030.4 provides that the District Board of Directors shall adopt the District annual budget at a regular meeting by the end of June; and

*WHEREAS*, District staff is unable to complete a draft budget in time for review and adoption at the Board's regular meeting in June 2022 because of administrative delays including, without limitation, the unavailability of final numbers required for completion.

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

Notwithstanding the provisions of Policy 2030.4, the District budget for fiscal year 2022-2023 may be adopted at a regular or special meeting during the month of August 2022.

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by President Hacaj, seconded by Vice-President Logan, on Thursday, the 9<sup>th</sup> day of June, 2022, by the following vote to wit:

AYES: Directors Deppe, Logan, Nottoli, Sherris-Watt, and Hacaj.

NOES: None.

ABSENT: None.

ABSTAINED: None.

DocuSigned by:

*Sylvia Hacaj*

861CG334B1904A...

Sylvia Hacaj  
President, Board of Directors

Resolution No. 2022-14

June 9, 2022

Page 2 of 2

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 special meeting of said Board held on Thursday, the 9<sup>th</sup> day of June, 2022.

DocuSigned by:

*Lynelle M. Lewis*

8483B78934AA4FC...

Lynelle M. Lewis  
District Clerk of the Board

DocuSigned by:

*Tony Constantouros*

54E441D04AAB467...

Tony Constantouros  
Interim General Manger

DS  
SH

DS  
TC

DS  
LM

**RESOLUTION NO. 2022-16**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICE DISTRICT, ADOPTING THE BUDGET FOR FISCAL YEAR 2022-23**

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

WHEREAS, at the June 30, 2022 meeting of the Kensington Police Protection and Community Services District, the General Manager prepared and submitted to the Board of Directors a Recommended Budget for the Fiscal Year commencing July 1, 2022 and ending June 30, 2023; and

WHEREAS, the General Manager has identified a need for additional staff services related to community center administration and park maintenance activities for the Kensington Police Protection and Community Services District: and

WHEREAS, the Board of Directors held a public meeting on the Recommended Budget on June 30, 2022, where all interested persons were heard.

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

1. The Board of Directors hereby adopts the Budget for Fiscal Year 2022-23 as presented and amended at this meeting.
2. The Board of Directors reclassifies the temporary Administrative Assistant to full-time Administrative Services Assistant at \$35/hour;
3. The sums of money therein set forth are hereby appropriated from revenues of the District to the departments, functions and activities therein set forth for expenditures during the Fiscal Year 2022-23.

Adopted this 30<sup>th</sup> day of June, 2022 by the following vote:

AYES: Directors

NOES:

ABSENT:

ABSTAINED:

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Sylvia Hacaj  
President, Board of Directors

I HEREBY CERTIFY the foregoing Resolution No. **2022-16** was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the special meeting of said Board held on Thursday, the 30th day of June 2022.

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Lynelle M. Lewis  
District Clerk of the Board

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Tony Constantouros  
Interim General Manager





Date: June 30, 2022  
To: Board of Directors  
From: Tony Constantouros, Interim General Manager  
Subject: Quote from Mobile Modular

---

**Recommendations:**

1. Authorize the General Manager to sign the Quote (\$66,532.06) from Mobile Modular Management Corporation, accepting the proposal to modify the mobile unit located at 10940 San Pablo Avenue, Building B, El Cerrito, CA. subject to:
  - a. Approval of the agreement with the City of El Cerrito and issuance of all required permits.
  - b. Acceptance by the KPPCSD of the building modification timeframe when submitted by Mobile Modular.
  - c. General Counsel approval of the document
  
2. Allocate \$51,532.06 from Acct. 983 Building Temporary Relocation in the recommended budget (\$15,000 has been previously approved).

**Background:**

At the Meeting of May 12, 2022, the Board of Directors approved the General Manager (1) to move forward with locating, on a temporary basis, the KPPCSD police and administrative operations to 10940 San Pablo Avenue, Unit B, in El Cerrito, and (2) to enter into agreement with Mobile Modular Management Corporation. The new location required internal modifications and the cost of these modifications were not known until recently. It should be noted that the quote includes de-modification cost to restore the modular unit to the original condition after the KPPCSD has vacated the unit. Future savings may be realized should the KPPCSD decide to purchase the unit at a future date.

**Fiscal Impact:**

On May 12, 2022, the Board of Directors approved a \$15,000 limit maximum for modifications. An additional allocation of \$51,532.06 is required for a total of \$66,532.06. Sufficient funds are included in the recommended budget, which includes \$100,000 in Acct. **983 Building Temporary Relocation.**

Temporary District Location

June 30, 2022

Page 2 of 2

**Attachment:**

Mobile Modular Management Corporation – Modification Quote



**Mobile Modular Management Corporation**  
 5700 Las Positas Road  
 Livermore CA, 94551  
 (925) 606-9000 Fax: (925) 453-3201  
[www.mobilemodular.com](http://www.mobilemodular.com)

## Modification/Repair Quote

Contract: 210037514  
 Work Order: 610114716  
 Date of Quote: 6/28/2022  
 Date Work Requested: 6/28/2022

| Customer & Site Information  |   | Mobile Modular Contact  |
|--|---|---|
| <b>Customer Information:</b><br><b>City of El Cerrito</b><br>10890 San Pablo Ave<br>El Cerrito, CA 94530<br>Gerardo Avila<br>Phone: (510) 215-4322 | <b>Site Information:</b><br>City of El Cerrito<br>10940 San Pablo Avenue<br>El Cerrito, CA 94530<br>Contact: Rick Benson 661-706-7080 cell<br>Phone: rbenson@kppcsd.org | Questions?<br><br>Please Contact: Karen MartinezRadillo<br>Email: karen.martinezradillo@mobilemodular.com<br>Phone: 1-800-944-3442<br>Fax: (925) 453-3188 |

### Modification / Repair Information

**Bldg ID:** 83817

**Bldg Desc:** Office, 48x60 HCD (NonStd)

| Item # | Description                            | Qty | Charge      | Accept / Decline |
|--------|--|-----|-------------|------------------|
| 1      | Material                               | 1   | \$10,282.06 | Accept / Decline |
| 2      | Modifications as requested by customer | 1   | \$56,250.00 | Accept / Decline |

**Total for Requested Repairs or Modifications**  
 (not including sales tax)

**\$66,532.06**

### Additional Information

This quote is based on the work being completed between the hours of 7:30AM and 4:30PM, Monday through Friday at standard labor rates. Unless otherwise stated, this quote does not include the cost associated with installation of electrical receptacles or switching, state or local plan check, fees or submittals, or movement of customer contents. The charges are a one-time fee for labor and materials; materials installed remain the property of MMMC. This quote assumes reasonable access and proximity to the work area for men, tools, materials and vehicles. This transaction is subject to terms and conditions of the associated Lease or Sale agreement and MMMC credit approval requirements. This quote is valid for 30 days.

If you accept the above, please complete the section below and return to our office via fax to (925) 453-3188. Work will not be scheduled until your approval has been received in our office.

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

Signature: \_\_\_\_\_

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

Purchase Order: \_\_\_\_\_

Preferred date and time for above work to be completed:

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

Time: \_\_\_\_\_

The signature above indicates understanding of, and agreement to, the terms and charges listed above and that the person signing is duly authorized to execute a commitment to this agreement on behalf of the customer listed above.



---

Date: June 29, 2022  
To: Board of Directors  
From: Ann Danforth, General Counsel  
Subject: Resolution for the Board to Continue Holding Remote Meetings

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**Recommendation:**

Review, discuss, amend (as necessary) and adopt the attached Resolution.

**Rationale for Recommendation:**

On September 16, 2021, the State of California adopted Assembly Bill 361, which amends the Brown Act (also known as the California Open Meetings Law) with respect to conducting remote meetings by teleconferencing. Staff believes that the present circumstances meet the criteria for continuing teleconferencing meetings. Adoption of the resolution will authorize the Board of Directors to continue that practice.

**Background, Discussion and Analysis:**

AB 361, codified as Government Code Section 54953(e)(1), authorizes teleconferenced meetings during a proclaimed state of emergency under the circumstances and criteria discussed at the Board's special meeting on September 28, 2021.<sup>1</sup> At that meeting, the Board determined that the then-current circumstances met those requirements, adopting Resolution 2021-19.

Section 54953(e)(3) limits the duration of each such determination to 30 days. If the state of emergency remains active or state or local officials have imposed or recommended measures to promote social distancing, the Board must reconsider the circumstances of the state of emergency within 30 days and determine either that the state of emergency continues to directly impact the ability of the members to meeting safely in person or that state or local officials have imposed or recommended measures to promote social distancing. Accordingly, on October 14, 2021, the Board re-considered the circumstances of the state of emergency and adopted Resolution No. 2021-20, deciding to continue to hold meetings remotely. The Board came to a similar decision on November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12, 2022 and June adopting Resolutions 2021-21, 2021-22, 2022-01, 2022-02, 2022-03, 2022-04 2022-08, and 2022-10, respectively.

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<sup>1</sup> As also discussed at that meeting, the Brown Act also allows teleconferencing under Section 54954(b), but the restrictions are significantly more burdensome.

To continue holding teleconferenced meetings during the Covid 19 threat without calling special meetings when the interval between regular meetings exceeds once a month, the Board must regularly reconsider its decision to meet remotely. The attached draft Resolution 2022-17 will authorize continued teleconferenced meetings.

After a period of low covid levels, Contra Costa returned to a medium level in June, where it remains. <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>. As of the date of this report, the CDC recommends that persons who are medically vulnerable or at increased risk of severe illness wear and wear masks and practice social distancing when in public indoor places. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>. The CDC has published a list of medical conditions that <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>. Merely being over 65 significantly increases the likelihood of severe disease. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

Contra Costa County Health Services Department updated its Covid prevention website on June 27, 2022, recommending masks and social distancing and discouraging indoor gatherings between people of different households. The website notes that the danger of catching Covid is higher indoors when people are close to each other. <https://www.coronavirus.cchealth.org/prevention>.

The Bay Area generally enjoys a strong vaccination rate. However, as of June 3, 2022, only 55.1% of Contra Costa County residents over 5 have received the recommended additional dose. <https://www.coronavirus.cchealth.org/>. In addition, the District cannot assume that all meeting attendees are vaccinated. We do know that many Board meeting attendees are over 65 and therefore considered more vulnerable to Covid. Given all of these factors, and the fact that Governor Newsom's 2020 declaration of a state of emergency remains in effect, staff recommends that the Board continue to meet remotely.

**Fiscal Impact:**

There is no fiscal impact from approving the Resolution.

**Exhibits**

- Resolution No. 2022-17, Making Findings and Electing to Continue to Meet Remotely

**RESOLUTION NO. 2022-17**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE  
KENSINGTON POLICE PROTECTION AND COMMUNITY  
SERVICES DISTRICT MAKING FINDINGS AND DETERMINING A  
NEED TO CONTINUE HOLDING REMOTE MEETINGS BY  
TELECONFERENCE**

**WHEREAS**, the Board of Directors of the Kensington Police Protection and Community Services District (“District”) is committed to preserving public access and participation in Board of Directors’ meetings; and

**WHEREAS**, all meetings of the District’s Board are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code §§ 54950 – 54963), so that any member of the public may attend, participate, and watch the Board conduct its business; and

**WHEREAS**, Government Code section 54953(e)(1) of the Brown Act, allows a legislative body to hold a teleconference meeting, without compliance with the requirements of Government Code section 54953(b)(3), under any of the following conditions:

- A. State or local officials have imposed or recommended measures to promote social distancing.
- B. The meeting is for the purpose of determining, by majority vote, whether because of the emergency, meeting in person would present imminent risks to the health or safety of attendees
- C. The legislative body has determined, by majority vote, that, because of the emergency, meeting in person would present imminent risks to the health or safety of attendees; and

**WHEREAS**, to meet by teleconference under Government Code section 54953(e), the Governor must have proclaimed a state of emergency under the California Emergency Services Act (Govt. Code § 8625 *et. seq.*); the legislative body must reconsider the circumstances of the state of emergency every thirty days; and the legislative body must find that the state of emergency continues to directly impact the ability of the members to meet safely in person and/or state or local officials continue to impose or recommend measures to promote social distancing; and

**WHEREAS**, if the legislative body does not make the above findings every thirty days, it must again determine whether the conditions specified in Government Code section 54953(e)(1) still pertain before holding further teleconferenced meetings under that subsection; and

**WHEREAS**, on September 28, 2021, October 14, November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12 and June 9, 2022, the Board held special meeting in which it found that then-current circumstances met the criteria of Government Code Section 54953(e)(1)(A) and (C); and

**WHEREAS**, on June 30, 2022, the Board reviewed the evidence in the records and determined the following by majority vote:

- A. The state of emergency proclaimed by Governor Newsom on March 4, 2020, continues to exist;
- B. State or local officials continue to impose or recommend measures to promote social distancing.

- C. Because of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- D. The state of emergency continues to directly impact the ability of the members to meet safely in person

**WHEREAS**, many persons who regularly attend Board meetings are over the age of 65 and therefore considered particularly vulnerable to COVID-19; and

**WHEREAS**, the District provides in the public notices and agendas for all public meetings the online and telephone options for participation in public meetings, protecting the right of the public to address their local officials and to participate in public meetings, and posts this information on the District’s website, including instructions on how to access the public meeting remotely.

**NOW, THEREFORE BE IT RESOLVED**, that the Board of Directors has reconsidered the circumstances of the state of emergency; and be it

**FURTHER RESOLVED**, that the Board finds that State or local officials continue to impose or recommend measures to promote social distancing and that State of Emergency declared by Governor Newsom on March 4, 2020, continues to directly impact the ability of Board members, staff, and the public to meet safely in person; and, be it

**FURTHER RESOLVED**, that the Board finds that because of the aforesaid declared State of Emergency, meeting in person would present an imminent risk to the health or safety of meeting attendees; and be it

**FURTHER RESOLVED**, that the Board authorizes and directs the General Manager to place on the Board’s agenda, at least once monthly, reconsideration of the State of Emergency to determine whether circumstances warrant continuing to meet by teleconference under Government Code section 54953(e)(3); and be it

**FURTHER RESOLVED**, that the Board authorizes and directs the General Manager to take all actions necessary to carry out the intent and purpose of this Resolution including conducting open and public meetings in accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

**PASSED AND ADOPTED** by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by Director \_\_\_\_\_, seconded by Director \_\_\_\_\_, on Thursday, the 30<sup>th</sup> day of June, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

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Sylvia Hacaj  
President, Board of Directors

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 Special Meeting of said Board held on Thursday, the 30<sup>th</sup> day of June, 2022.

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Lynelle M. Lewis  
District Clerk of the Board

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Anthony Constantouros  
Interim General Manger