KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

AGENDA

A Regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District will be held Thursday, April 9, 2009, 7:30 P.M., at the Community Center, 59 Arlington Avenue, Kensington, California.

Note: All proceedings of the Regular meeting will be tape recorded.

Roll Call Public Comments Board Member/Staff Comments

APPROVAL OF CONSENT CALENDAR

- a) Minutes of the Regular Meeting February 12, 2009
- b) Minutes of the Regular Meeting March 12, 2009
- c) Profit & Loss Budget Performance Reports for February
- d) Board Member Reports
- e) Correspondence
- f) Police Department Update
- g) Monthly Calendar
- h) Recreation Report
- i) General Manager Update

DISTRICT -- OLD BUSINESS

1. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the General Manager Liaison Committee to the list of standing committees. Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing General Manager Liaison Committee shall be concerned with personnel matters of the District, including recommendations to the Board for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The General Manager Liaison Committee will be composed of the Board President and the Board Vice President". This item was held over from the March 12, 2009 meeting.

DISTRICT - NEW BUSINESS

- Discussion for adoption Resolution 2009-03, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, initiating proceedings for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.
- Discussion for adoption Resolution 2009-04, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, declaring its intention for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.
- 3. Discussion for adoption Resolution 2009-05, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, for preliminary approval of the Engineer's Annual Levy Report regarding the proposed levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.
- 4. Discussion for approval and adoption the Kensington Police Protection and Community Services District Planning Workshop Report prepared by Dr. Charles Beesley following the Board Workshop January 17th and 18th, 2009.
- 5. Discussion and possible adoption of the proposed Mission Statement for the KPPCSD: "To provide services that enhance the community of Kensington."
- 6. Discussion and possible adoption of the proposed Vision Statement for the KPPCSD: "Developing partnerships to strengthen service capabilities."
- 7. Discussion and possible adoption of the District Secretary's recommendation that the Board of Directors approve the implementation of Action Minutes, which are concise, brief, objective, and action oriented, for all regular and special meetings. It is also recommended that the Board meeting recordings be made available on the website and/or in DVD-R, CD-R, and audio tape format upon request.

8. The Board will discuss the reports from each of the task forces (revenue enhancement, expense reduction, Annex) that were established to explore options to reduce or eliminate the KPPCSD budget deficit. The Board may approve the scheduling of a well-publicized Special Meeting to be held on a Saturday (May 16th or May 23rd) to present these options to the community for broad public input.

DISTRICT- CLOSED SESSION

1. The Board will enter into closed session to discuss the General Manager/ Chief of Police performance review in compliance with a Board action taken at the Board Meeting on March 12th, pursuant to California Government Code Section 54957. This item was on the Special Meeting agenda for April 5th and has been held over.

DISTRICT NEW BUSINESS- Continued

9. The Board will return to open session to discuss the recommendations by the Board President and Vice President that the attached goals and objectives for the General Manager/ Chief of Police be approved by the full KPPCSD Board. This item was on the Special Meeting agenda for April 5th and has been held over.

ADJOURNMENT

General Information

Accessible Public Meetings

NOTE: UPON REQUEST THE KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT WILL PROVIDE WRITTEN AGENDA MATERIALS IN APPROPRIATE ALTERNATIVE FORMATS, OR DISABILITY-RELATED MODIFICATION OR DISABILITIES TO PARTICIPATE IN PUBLIC MEETINGS.PLEASE SEND A WRITTEN REQUEST, INCLUDING YOUR NAME, MAILING ADDRESS, PHONE NUMBER AND A BRIEF DESCRIPTION OF THE REQUESTED MATERIALS AND PREFERRED ALTERNATIVE FORMAT OR AUXILARY AID OR SERVICE AT LEAST 10 DAYS BEFORE THE MEETING.REQUESTS SHOULD BE SENT TO:

DISTRICT SECRETARY STEPHANIE FRIES COMMUNITY SERVICES DISTRICT, 217 ARLINGTON AVE., KENSINGTON, CA 94707

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

GENERAL MANAGER'S MEMORANDUM

Kensington Police Protection and Community Services District

MEMORANDUM

DATE:

April 6, 2009

TO

KPPCSD Board of Directors

FROM:

Gregory E. Harman, General Manager / Police of Chief

SUBJECT: KPPSCD Board Meeting, April 9, 2009

DISTRICT – OLD BUSINESS

1. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the General Manager Liaison Committee to the list of standing committees.

Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing General Manager Liaison Committee shall be concerned with personnel matters of the District, including recommendations to the Board for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The General Manager Liaison Committee will be composed of the Board President and the Board Vice President". This item was held over from the March 12, 2009 meeting.

DISTRICT- NEW BUSINESS

1. <u>Discussion for adoption Resolution 2009-03, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, initiating proceedings for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.</u>

See resolution attached to the agenda packet.

2. <u>Discussion for adoption Resolution 2009-04, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, declaring its intention for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.</u>

See resolution attached to the agenda packet.

3. Discussion for adoption Resolution 2009-05, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, for preliminary approval of the Engineer's Annual Levy Report regarding the proposed levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.

See resolution attached to the agenda packet.

- 4. <u>Discussion for approval and adoption the Kensington Police</u>

 <u>Protection and Community Services District Planning Workshop</u>

 <u>Report prepared by Dr. Charles Beesley following the Board</u>

 <u>Workshop January 17th and 18th, 2009.</u>
- 5. <u>Discussion and possible action the proposed Mission Statement for the KPPCSD: "To provide services that enhance the community of Kensington."</u>
 - Director Cindy Kimball has requested this item be placed on the agenda.
- 6. <u>Discussion and possible adoption the proposed Vision Statement for the KPPCSD: "Developing partnerships to strengthen service capabilities."</u>
 - Director Cindy Kimball has requested this item be placed on the agenda.
- 7. Discussion and possible adoption of the District Secretary's recommendation that the Board of Directors approve the implementation of Action Minutes, which are concise, brief, objective, and action oriented, for all regular and special meetings. It is also recommended that the Board meeting recordings be made available on the website and or in DVD-R, CD-R, and audio tape format upon request.
 - District Secretary Stephanie Fries prepared a statement supporting her proposal. The statement is attached to the agenda packet.
- 8. The Board will discuss the reports from each of the task forces (revenue enhancement, expense reduction, Annex) that were established to explore options to reduce or eliminate the KPPCSD budget deficit. The Board may approve the scheduling of a well-publicized Special Meeting to be held on a Saturday (May 16th or May 23rd) to present these options to the community for broad

public input.

DISTRICT CLOSED SESSION

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DISTRICT NEW BUSINESS- Continued

9. The Board will return to open session to discuss the recommendations by the Board President and Vice President that the attached goals and objectives for the General manager/ Chief of Police be approved by the full KPPCSD Board. This item was on the Special Meeting agenda for April 5th and has been held over.

Board Vice President Chuck Toombs met with General Manager/ Chief of Police Greg Harman to discuss and formalize the goals of his position for the remaining portion of this current fiscal year. These goals will be presented to the Board for discussion and action.

The proposed goals and objectives are attached to the agenda packet.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

CONSENT CALENDAR

- Minutes
- Budget Comparison & Statement of Investments
- Monthly Committee Reports
- Correspondence
- Police Department Update
- General Manager's Update
- Monthly Calendar
- Recreation Report

MINUTES

Meeting Minutes for 02/12/2009

AGENDA

A regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday February 12, 2009, 7:30 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

The board entered into Open Session at 7:31 PM.

ATTENDEES

Elected Members	Guests/Pr	esenters:
Bill Wright, President	Julie Sautman	Michael Sautman
Charles Toombs, Vice President	Joan Gallegos	Cass Duggan
Patricia M. McLaughlin, Director	Lynn Wolter	Lindy Hough
Cathie Kosel, Director	Kathy Stein	John Stein
Cindy Kimball, Director	Ciara Wood	Brenda Navellier
	Gretchen Gillfillan	Lance Maples
	Val Paola	Joe Paola
Staff Members	John Feld	Gail Feldman
Gregory E. Harman, General Manager/ Chief of Police		
Stephanie Fries, District Secretary		

ANNOUNCEMENTS: None

Name	Comments
Joan Gallegos	Commented that she would like Board Members and the public to have equal access to all relevant materials pertaining to Board Meeting to allow for informed discussions.
Gretchen Gillfillan	Suggested using the podium microphone for public comments to allow for everyone to be able to hear what is being discussed.

STAFF COMMENTS

Name	Comments
Stephanie Fries	Requested that those in attendance not use their cell phones during Board Meetings as it causes interference with the digital recorder, making it difficult to transcribe the minutes.
GM/COP Harman	Annouced that Officer Phil Balousek will officially resign from Kensington Police Department on April 1, 2009 and we will have a retirement dinner at 5pm on April 15, 2009 at the Community Center for Phil and the other retired Kensington PD officers, which will be catered by The Arlington. Presented Troop 100 with a Certificate of Recognition for installing recycling cans in the park & resolving the drainage problem by removing debris behind the Community Center.

CONSENT CALENDAR

Name	Comments
Director Kosel	Inquired about whether or not Reserve Officers are paid.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that Reserve Officers are not paid.
Joan Gallegos	Inquired about whether use of the Teleminder has been discontinued.
GM/COP Harman	Responded to Joan Gallegos' inquiry, indicating that the Teleminder has been discontinued and replaced with a more up-to-date system.
Director Kimball	Commented on letter from Jason Kaldis in the Agenda Packet and the email from Michael Sautman. Further commented that she would like to state for the record that these letters are the opinions of the authors and for an accurate depiction of the history it is appropriate to review the meeting minutes.
Director McLaughlin	Commented that she would like to see job descriptions listed in the Board Policy Manual.

MOTION: Director McLaughlin moves to accept the Consent Calendar as amended

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

ACTION / DISCUSSION ITEMS

Name	Comments
President Wright	Moves to New Business #1: Discussion for adoption Resolution 09-01 authorizing the application for local grants funds in the amount of \$258,358 from the East Bay Regional Park District Measure WW Park Bond Extension.
Director Kosel	Inquired about whether the WW Proposal will be completed by March 31, 2009 and whether or not we are guaranteed this money.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that Kensington is guaranteed this money, \$258,358.00, for ten years. Completion of any funding requested by March 31, 2009 may depend on the Park Committee's decision.

ACTION / DISCUSSION ITEMS (cont.)

Vice President Toombs	Inquired about the Master Contract mentioned in the Resolution.
GM/COP Harman	Responded to Vice President Toombs' inquiry, indicating that the Master Contract will
	be presented to the Board next month.

MOTION: President Wright moves to move New Business #1 to the end of the meeting.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

President Wright	Moves to New Business #2: Discussion for adoption Resolution 09-02 authorizing the expenditure plan in the amount of \$100,000 from the Supplemental Law Enforcement Services Fund for fiscal year 2008/2009 Enacted State Budget.
GM/COP Harman	Indicated that the State authorized the COPS Grant, but the State Controller is holding these funds contingent on receiving spending plans from each agency
Director Kosel	Inquired about how the Police Services Aide and Crossing Guard positions are being funded.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that these positions have previously been funded by the COPS Grant, but have now been factored into the budget.
Director Kosel	Suggested an evaluation of the Administrative Aide position.
GM/COP Harman	Indicated that the Administrative Aide position was funded by the COPS Grant, but that this position has recently ended.
Director McLaughlin	Expressed concern over the funding of a K-9 Unit with COPS Grants funds, commenting that she feels a K-9 Unit would only see occasional use. Further expressed concerns over treatment of the dog.
GM/COP Harman	Responded to Director McLaughlin's concerns, indicating that the K-9 would be assigned to an officer on the graveyard shift, being called in as needed on other shifts & would be sold to that officer at the end of the K-9 term.
Director McLaughlin	Inquired about whether the District may opt out of one or more of the listed COPS Grant items after they have been approved.
GM/COP Harman	Responded to Director McLaughlin's inquiry, indication that the District can opt out of any of the listed COPS Grant items, but that the District would lose those funds allocated for each specific use.

PUBLIC COMMENTS

Name	Comments
Lynn Wolter	Inquired about whether the Board needs to decide on Plan A or Plan B for the COPS Grant at this meeting.
GM/COP Harman	Indicated that the Board will need to decide on Plan A or Plan B at this meeting unless they decide to hold a Special Meeting to make the decision. Commented that he prefers Plan B.
Gail Feldman	Commented that she doesn't think it makes sense to add more items to a budget when we have no money to spend.
Director Kosel	Asked for clarification on the COPS Grant.
GM/COP Harman	Indicated that the COPS Grant would be used to fund an officer position, as indicated in Plan B.
Gretchen Gillfillan	Inquired about the missing person search & rescue effort.
GM/COP Harman	Commented that we had 55 volunteers and a search party with dogs available to us on the last missing person search.
Joan Gallegos	Commented that Plan B indicates that the new officer will be a Step 3 Officer, not an entry level position. Further commented that she feels our needs could be served by using the K-9 Units from other agencies as needed.
Ciara Wood	Analyze the budget and look at the proposal. Suggests holding a Special Meeting to discuss these matters before March 6, 2009.

ACTION / DISCUSSION ITEMS (cont.)

Director McLaughlin	Commented that she would like to support Plan A as opposed to Plan B. Further commented that the District did not expect to receive COPS Grant funding and therefore budgeted accordingly - we are limited to what COPS Grant funds can be used for; these funds cannot be used for just anything. Expressed concern over Plan B and the District's burden of having to pay retired medical & benefits, suggesting that it would be dangerous to go with Plan B.
GM/COP Harman	Commented that COPS Grant funding cannot be used to fund a vacant position. These funds must be used to fund the salary of an additional officer for a fully-staffed police force.
Vice President Toombs	Inquired about whether KPOA would be involved if the District were to go with Plan B.
President Wright	Inquired about whether we could lay off the additional police officer if funding does not come through in subsequent years. Commented that the District must be able to justify the spending of funds to keep more officers on the street.

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Calls for a Motion for Item #2

MOTION: Director Kosel moves to use COPS Grant funds for an additional officer (Plan B).

AYES: Toombs, Kimball, Kosel NOES: Wright, McLaughlin

President Wright	Moves to Item #3: General Manager Greg Harman will recommend that the Board approve the contract as proposed by John Feld, an independent contractor, to provide the Board of the Kensington Police Protection & Community Services District and the General Manager with general public relations services.
GM/COP Harman	Commented that he would like to hire John Feld for General Public Relations services. Donald Miller's position is over and we could use the funds allocated for his position to fund the addition of John Feld. Further commented that he would like to cancel the agreement with The Houston Group, as they are charging us \$650 per month and doing next to nothing for the District.
Director Kosel	Inquired as to whether the District has a contract with The Houston Group.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that he does not believe that the District has a contract with The Houston Group, but that he will check.
Director Kosel	Inquired as to whether the District might be required to open John Feld's proposed position up for bids.
GM/COP Harman	Indicated that he does not believe the District is required to open John Feld's proposed position up for bids.
Director Kosel	Commented that she is unsure if the District is required to open this position up for bids.
Director McLaughlin	Inquired about whether or not John Feld's services could be be provided by the Administrative Aide, the position formerly held by Donald Miller.
GM/COP Harman	Indicated that this is a possibility, but that John Feld and Donald Miller possess two very different skill sets.
Director Kimball	Inquired about Donald Miller's other duties, including Community Outreach, which never got off the ground.
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that Community Outreach was included in Donald Miller's job duties, and for whatever reason, did not get off the ground.
Vice President Toombs	Commented that neighbors often ask him about the goings-on of the District and often seem uninformed.

PUBLIC COMMENTS

Name	Comments
Kathy Stein	Commented that she believes the community needs someone who knows their story and feels that John Feld is an ideal candidate for the position.
Lynn Wolter	Comented that she attended the workshop with Chuck Beesley, noting that communication problems were among those on the agenda. Commented that she believes that the community would be fortunate to have John Feld speak on their behalf.
Joan Gallegos	Commented that she agrees with Kathy & Lynn that the community would benefit from John Feld's services.
Gretchen Gillfillan	Commented that John Feld is wonderful at bringing everyone together and she supports having him come on board.
Gail Feldman	Commented that the Outlook is underutilized and inquired about whether could be part of John Feld's services.
John Feld	Commented that he is flattered by everyone's comments. Indicated that the Outlook can and does publish whatever it wants and his services would speak for the Board only. Further indicated that he has spoken to Pagepoint and Aaron Gobler has confirmed that there would be no expense to have such a newsletter on the website.
Val Paola	Commented that she spoke with Alma Key from the KCC paper. Indicated that a termination letter has been sent to Chris Lavin, editor for the Outlook, and inquired about who might be the new Outlook editor.
Lindy Hough	Inquired about John Feld's proposed position, ie. how many hours per week and whether or not it will include benefits. Commented that she believes John Feld was asked to leave the Outlook. Commented that it is one thing to hire someone to do PR for taxes and another to hire them for community outreach. Inquired as to whether all Boards should be able to hire a PR person.
Ciara Wood	Commented that she is not sure how a PR position will go over with the community and that John's position shouldn't appear to be putting a spin on what is going on.

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
Director Kosel	Inquired if the Board could hire John Feld to specifically promote the idea of a tax
	increase to fund the police department.
President Wright	Commented that we cannot spend money on a campaign, but we can spend money on
	a poll. Indicated that we cannot hire John Feld to campaign for a tax increase.
Vice President Toombs	Commented that John Feld's service would be a valuable one worth paying for.
Director McLaughlin	Moves to adopt Item #3, the proposal to hire John Feld.
Director Kimball	Seconds the motion to adopt Item #3
Director Kosel	Commented that she would support the motion on the condition that GM/COP Harman have our lawyers confirm it is legal.

ACTION / DISCUSSION ITEMS (cont.)

MOTION: President Wright moves to adopt Item #3 with the proposed condition of having our attorneys look over the contract and further determine that we can legally hire John Feld without putting the position out for bid.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
President Wright	Moves to Item #4: Ito Ripsteen of Gordon Realty, a commercial real estate service, will present the Board with a proposal for services to identify possible uses and lessees for the Annex Building.
GM/COP Harman	Indicated that he invited Ito Ripsteen to speak at the Board Meeting because the
Givi/COr Harman	District was critisized for not fully realizing the rental potential of the Annex Building.
Ito Ripsteen	Thanked the Board & community for having him here. Presented the Board with his proposal for findind an appropriate tenant for the Annex building.
Director McLaughlin	Commented that the Annex is under severe zoning restrictions and asked Mr. Ripsteen about his background and experience in dealing with similar buildings
Ito Ripsteen	Responded to Director McLaughlin's inquiry, indicating that he's had extensive experience with the City of Berkeley as well as Berkeley schools which both have
	strict zoning restricions.
Director Kimball	Inquired as to whether building renovation costs could be picked up by the tenant.
Ito Ripsteen	Indicated that there are several ways to get tenants to spend money on the building.
President Wright	Asked Mr. Ripsteen if he was familiar with the building & its history.
Ito Ripsteen	Indicated that he had toured the building and was given a brief history of the building and its use.
Vice President Toombs	Asked Mr. Ripsteen what his commission would be if we were to hire him.
Ito Ripsteen	Indicated that a 5-year term would be 6% of the first year's rent, 6% of the second
	year's rent, 5% of the third year's rent, and 4% for each remaining year. Further indicated that a 3-year term would be at a slightly higher percentage.
Director Kosel	Commented that Gordon Commercial is a great company with a great reputation & she welcomes the opportunity to work with them.
Director McLaughlin	Inquired about how Mr. Ripsteen's services might come into play with the Sautmans.
Ito Ripsteen	Indicated that he would meet with the Sautmans to determine if they would be an ideal candidate to occupy the building or if there are better suited tenants out there.

PUBLIC COMMENTS

Name	Comments
Michael Sautman	Asks the Board to fullfill its previous commitment to the Sautmans.
Cassandra Duggan	Recommends that the Annex be used for the Sautman's Childcare Center.
Ciara Wood	Commented that the Annex needs to be used for the entire community and there are
	already six other daycare centers within Kensington.
Gretchen Gillfillan	Inquired about whether the Annex could be used to hold the Library's books while the
	Library is being renovated.
Val Paola	Inquired as to whether the Friends of the Library could rent the Annex.
Joan Gallegos	Inquired about whether the current Board should withdraw the previous Board's
	commitment to the Sautmans and if other decisions made by the Board could be
	withdrawn as soon as a new Board is elected.

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
Vice President Toombs	Commented that it is the Board's responsibility to determine the best use for the Annex Building, whether that is the Sautman's Childcare Center or not.
Director McLaughlin	Commented that \$100,000 to \$150,000 will have to be spent on the Annex Building no matter what. Further commented that the Board made a commitment to the Sautmans and she would like the Board to honor that commitment.
Director Kosel	Commented that due diligence requires the Board to look very carefully at the Annex Building and its possible uses. Moves to approve the lease listing agreement with Gordon Commercial.
Director Kimball	Commented that while there are restrictions on what the Measure WW funds can be used for, it would be great if the District could use that money to improve the Annex Building and generate revenue.
President Wright	Indicated that the Board has had ongoing dialog with the Sautmans and that it is all subjective as no contractual commitment has been made. Further indicated that he is concerned about the new info regarding Measure WW restrictions and the economic impact of the Measure WW funds.
GM/COP Harman	Commented that he believes that hiring Gordon Commercial is a great idea, especially since they do not get paid if they do not find a tenant for the Annex Building. Further commented that there needs to be more research done to determine what the Measure WW money can be used for, but that fact has nothing to do with whether or not we hire Gordon Commercial.
Director McLaughlin	Commented that if there are Annex Building uses that would generate revenue that can be funded with Measure WW money, the Board needs to know what those uses are.

MOTION: Director Kimball moves to extend the meeting until 10:20pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

MOTION: Director Kosel moves to enter into a contract with Gordon Commercial

AYES: Kimball, Kosel NOES: Wright, Toombs, McLaughlin

MOTION: President Wright moves to move Item #6 up to #5 on the Agenda.

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Moves to Item #6: General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion.
GM/COP Harman	Indicated that he met with Brenda Navellier on January 22, 2009 to discuss the contact between the Kensington Fire District and KPPCSD and was told that the Fire District believed the current contract was a fair agreement and no consideration would be made toward a revision.
Director Kimball	Asked GM/COP Harman if he recommended that the Board agree to this contract.
GM/COP Harman	Indicated that he recommends that the Board agree to this contract.

Name	Comments
Brenda Navellier	Commented that she attended the Board meeting this evening to make a correction to an error in the Agenda, noting that the discussion she had with GM/COP Harman was not accurately documented in the Agenda. Further commented that in September 2008, the contract was sent to GM/COP Harman and President Kimball. The Fire Board has been waiting to hear back from GM/COP Harman to discuss the contract.
Lynn Wolter	Commented that there is evidence that the front Public Safety Building is pulling away from the rest of the building & inquired as to whether the Fire District was aware of this.

PUBLIC COMMENTS (cont.)

Name	Comments
Brenda Navellier	Responded to Lynn Wolter's inquiry and commented that they are aware of the
	problem and are having a Geotechnical Engineer address the issue.
Lance Maples	Commented that he would like to reiterrate Brenda Navellier's comments concerning the contract, noting that if the KPPCSD has any questions or concerns regarding the lease, please contact the Fire Board. Further commented that they want to work together on this and he appreciates GM/COP Harman moving this item up on the Agenda.

ACTION / DISCUSSION ITEMS (cont.)

President Wright	Commented that he has been in contact with the Fire Board, noting that their intent is
	to work out whatever arrangement works best for both Districts.
Director McLaughlin	Commented that she has no problem with the lease as it stands.
President Wright	Recommends holding off on Item #6 until after the meeting with the Fire Board.

MOTION: Director Kimball moves to extend the meeting until 10:30pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
President Wright	Moves to Item #5: Board President Bill Wright will announce the 2009
	Committee assignments, Task Force formations, and have the first reading
	of the revision of the Policy Manual Policy Number 4060.3, eliminating the
	Emergency Preparedness Committee and forming the Executive Committee
President Wright	Does not recommend eliminating the Emergency Preparedness Committee.
	Recommends to add the Executive Committee to section 4060.3 of the Policy Manual.
	Recommends Director Kosel for the Solid Waste Committee with Director Kimball as
	the alternate.

Name	Comments
Joan Gallegos	Commented that she wanted to make sure that the Executive committee is limited in
	the way it is in the proposal and does not shuffle things to the rest of the Board.
Michael Sautman	Inquired about how the Sautmans were to proceed with the Board regarding the Annex
	proposal.
President Wright	Responded to Michael Sautman's inquiry, indicating that he should coordinate with
	GM/COP Harman

ACTION / DISCUSSION ITEMS (cont.)

Name	Comments
President Wright	Moves to Item #1: Discussion for adoption Resolution 09-01 authorizing the
	application for local grants funds in the amount of \$258,358 from the East Bay
	Regional Park District Measure WW Park Bond Extension

MOTION: President Wright moves to adopt Resolution 09-01

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
President Wright	Moves to Item #7: General Manager Greg Harman will present a Mid-Year
	Budget Review to the Board for discussion and review.

MOTION: President Wright moves to extend the meeting until 10:40pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments
GM/COP Harman	Gives an overview of the budget and indicated that he is waiting for the accountant's review of the District audit for fiscal year 2007/2008 and hopes it will be completed for review at the April meeting.
President Wright	Inquired as to how much GM/COP Harman anticipates the budget will be under.
GM/COP Harman	Indicated that it would be difficult to determine the operating shortfall at this time.

Name	Comments
Lynn Wolter	Commented that she noticed under January revenue that the Community Center
	revenue was \$8,880. Is that figure correct?
GM/COP Harman	Responded to Lynn Wolter's inquiry, indicating that the high figure is due to KCC
	paying their annual rental fees.

MOTION: President Wright moves to adjourn the meeting at 10:36pm		
AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0		
	TOTAL STREET,	
Bill Wright, President		
Stephanie Fries, District Secretary		

Meeting Minutes for 03/12/2009

AGENDA

A regular meeting of the Board of Directors of the Kensington Police Protection and Community Services District was held Thursday March 12, 2009, 7:30 PM, at the Community Center, 59 Arlington Avenue, Kensington, California.

The board entered into Open Session at 7:30 PM.

ATTENDEES

Elected Members	Guests/Presenters:
Bill Wright, President	Yolla Harman
Charles Toombs, Vice President	Joan Gallegos
Patricia M. McLaughlin, Director	Lynn Wolter
Cathie Kosel, Director	Kathy Stein
Cindy Kimball, Director	Mike Long
	Don Dommer
	Anthony Knight
Staff Members	Lance Maples
	David Ward
Gregory E. Harman, General Manager/ Chief of Police	Alma Key
Stephanie Fries, District Secretary	Norma Merchant

ANNOUNCEMENTS: None

PUBLIC COMMENTS

Name	Comments
Joan Gallegos	Commented that she was glad to see the that the steps were removed from the front of the Annex building. Also suggested taking a look at the trees on the North side of the Community Center as they look as if they could possibly fall on surrounding houses.

BOARD DISCUSSION

Name	Comments
Director Kimball	Inquired about what the Board's next steps might be in regard to Chuck Beesley's report.

BOARD DISCUSSION(cont.)

Name	Comments
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that he believed Chuck Beesley was planning to come back in six months for a follow up to the January Workshop. Also
	indicated that he would call Chuck Beesley to confirm this.
Director Kosel	Indicated that she believed the Board was to review the report for accuracy, provide
	feedback to Mr. Beesley, and discuss the report as a group.
Director Kimball	Commented that there are a lot of internal investigation going on at the moment and
	believes the Board needs to be brought up to date on the progress of these investigations.
President Wright	Commented that the internal investigations are ongoing, not yet completed, and that our attorney strongly advised against the Board having a closed session meeting to review internal investigation matters, indicating that it would be inappropriate for the Board to
	be involved other than to review disciplinary matters that are to be recommended at the
	conclusion of internal investigations.
Director Kimball	Commented that she isn't asking to be involved in internal investigations, only to be
Ducciol Killian	brought up to speed on the progress and/or results of these investigations.
President Wright	Commented that these investigations are related, and that it is his recommendation and
	the recommendation of counsel that the Board should not meet to review internal
	investigations until those investigations are concluded. Further indicated that these
	investigations are nearly complete and it is the Board's role to review GM/COP
	Harman's recommendations regarding disciplinary actions that may result from these
	investigations, and that GM/COP Harman will not be making those recommendations
	until these investigations have been completed.
Director Kimball	Commented that she would like to have a closed session meeting to discuss GM/COP
	Harman's performance evaluation, goals, objectives, and expectations.
Director Kosel	Commented that she would also like to have a closed session to discuss this matter.
President Wright	Recommended that the Board hold off on making a decision on this matter until after
-	discussing GM/COP Harman's performance evaluation, goals, objectives, and expectations in public.
Director Kosel	Commented on her experience as a Director so far and read the following:

All five directors are fiduciaries and accountable to our constituents in Kensington. No subset of directors can make decisions for the board. All directors should be fully informed of issues before the district at the same time. In order to act as fiduciaries, we need to "trust and verify". We can only do that if we receive timely and complete and truthful information. These things seem self evident.

Since our last meeting, the following are items of information that I and other directors have requested and which we have not received. This is not intended to be a complete list.

- 1) Can we employ John Feld without advertising the position?
- 2) Where is the chief on a day to day basis? Was he out of town for a week and all the directors were not informed?
- 3) The Obama administration approved the COPS grant. What is the update on that?
- 4) A related question, the chief indicated that we had a "mandatory retirement age" in Kensington. We asked for a contract citation or other verification of that

BOARD DISCUSSION(cont.)

- 5) The WW bathroom proposal was included in the packet this week with no prior conversation or notification to me, the person who is tasked with reporting on the park and annex which is a possible site for the bathroom in the park.
- 6) What is the justification and cost for the proposal to increase our police force by 2 additional officers?
- 7) We have requested a closed session for personnel matters for over 5 weeks with no response but a "put off" for further and complete information.
- 8) I requested that we participate in the Crime Data website. Seven cities in CCC (Pinole, Lafayette, Orinda, Danville, San Ramon, San Pablo, El Cerrito) and Contra Costa County and Oakland and San Francisco are using this site: http://www.crimereports.com/. No response.
- 9) We spent a weekend with Chuck Beesley in December discussing how we could work more effectively together as a board. A major conclusion was that communication had to be improved. We have not to this date discussed Beesley's report. We have had no communication regarding it. Also, the front page article in the Outlook regarding our meeting with Chuck Beesley was misleading to say the least.
- 10) Neighborhood watch report has not been updated.
- 11) I requested a copy of the Master Plan for the Park in January. I received it a few days ago.
- 12) I requested the policy and criteria for commendations of police officers and did not receive them.
- 13) I requested goals and objectives from the Chief/gm in December and am happy to have received them on last Friday.

Additionally, I received the data on the projected shortfall for 2008/09 this afternoon with no analysis in a format which I do not understand.

In addition to the above communication lapses, the interpretation of the Brown Act by some has convinced them that providing information to others is a violation. It is not, and this notion further inhibits our ability to communicate.

In addition to this, I believe that this agency has a long term structural problem with a General Manager/Chief of Police position that is accountable to a board that does not receive information as requested. I wonder if a board that meets only once a month and communicates in the fashion I have described above has devolved into one which functions largely as a ceremonial board, not a fiduciary one. As a director who wishes to be accountable to this community, I am requesting weekly updates on issues regarding crime, personnel and the activities of our chief/general manager. Most city managers, superintendents of schools, and executive directors of agencies provide the public as well as their governing boards a weekly calendar of their proposed activities for the week and a list of their weekly goals and objectives. I hope that all KPPCSD directors will expect the same.

On a separate subject, the volume of personnel issues that we are currently dealing with highlights our need for a professional Human Relations consultant or employee. Our exposure to litigation in this area is enormous. Lawyers are not a substitute for good HR professionals.

The Solid Waste Management committee met with representatives of the County and Bay View Refuse. Action is pending receipt of the annual financial report from Bay View.

CONSENT CALENDAR

Name	Comments
President Wright	Moves to item A from the Consent Calendar: Minutes of the Regular Meeting on February 12, 2009
Director Kimball	Commented that she believes that Board comments were omitted from the February meeting minutes.
Director Kosel	Commented that she also believes that Board comments were omitted from the February meeting minutes.
President Wright	Asked the District Secretary to review the recording of the February meeting minutes and make the necessary corrections to be approved at the next meeting.
President Wright	Moves to item C from the Consent Calendar: Board Member Reports
Director Kimball	Gave a review of the Revenue Committee preliminary report. Discussed potential revenue sources and indicated that we receive 95% of our revenue from taxes. Indicated that the report is available to view online and she welcomes input for the final report.
President Wright	Inquired if the final report would recommend a tax increase and how much that increase might be.
Director Kimball	Indicated that she had asked President Wright that same question at the last meeting.
Director McLaughlin	Commented that the Revenue Committee may recommend a tax increase, but until the Finance Committee comes up with some numbers they are not in a position to make an informed recommendation.
President Wright	Inquired about where the Finance Committee is on this.
Director McLaughlin	Responded to President Wright's inquiry, indicating that she has been unable to meet with the accountant to discus the matter, but that this is the Finance Committee's next step.
President Wright	Moves to Item E from the Consent Calendar: Police Department Update
Director Kimball	Asked GM/COP Harman if he can comment on the substantiation of internal investigations once they are completed.
GM/COP Harman	Indicated that he does not believe so, not without clarification from counsel.
Director Kimball	Inquired if the process for GM/COP Harman to meet with counsel & then to have a Closed Session to discuss the matter.
President Wright	Responded to Director Kimball's inquiry, indicating that this would depend on what counsel recommends. Further indicated that it is the objective of the President and the General Manger to hold a Closed Session meeting to discuss the matter as soon as possible.
Director Kimball	Commented that Sergeant Khan only had seven significant events in February on the Watch Commander Report and inquired about whether or not the definition of a significant would change, possibly resulting in an increase in this number.
GM/COP Harman	Indicated that he spoke with Sergeant Khan to discuss his Monthly Report and asked for him to put more effort into the report, but that the definition of a significant event has not been changed.

CONSENT CALENDAR(cont.)

Name	Comments
Director Kosel	Inquired about whether it might be possible for Watch Commanders to give weekly
	reports rather than monthly reports.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that this can be done if the Board
	votes on it. Further indicated that weekly reports may be disrupted by vacations &
	training.
President Wright	Agreed with GM/COP Harman that weekly reports would be too disruptive.
GM/COP Harman	Indicated that this is simply a case of a supervisor not putting enough effort into his
	monthly report and he has be spoken to about this matter.
Director Kimball	Commented that she noticed no significant events after 7pm on the Watch
	Commander's Report and inquired if this is normal.
GM/COP Harman	Indicated that things are indeed much slower at night.
Director Kimball	Commented that she appreciates the information GM/COP Harman provided about
	identity theft and a fradulent company asking for money & information
Director McLaughlin	Inquired if the Carmalite Monestary investigation would be completed.
GM/COP Harman	Indicated that this investigation would be completed.
Director Kimball	Inquired about the possibility of accommodating the Traffic Comedy Team at the
	Community Center and inquired whether GM/COP Harman was in contact with the
	Traffic Comedy Team.
District Secretary Fries	Indicated that all weekends are booked through the end of May at the Community
	Center.
GM/COP Harman	Indicated that Esther Hill was in contact with the Traffic Comedy Team and they had
	discussed renting Building E from KCC, but he will follow-up with Estherto verify.
President Wright	Suggested reviewing the contract to determine if it is appropriate for KCC to rent out
	Building E.
President Wright	Pull Items G from the Consent Calendar and moves to Item F of the Consent
	Calendar: General Manager's Update
Director Kimball	Commented that GM/COP Harman checked into details with the County Business
	System Manager who was going to charge us \$5,000 for a router based on a incorrect
	population estimation of 21,000 people. GM/COP Harman was able to reduce the
	charge from \$5,000 to \$800. GM/COP Harman was also able to get a Terminix refund
	for services not received that we have been charged for since 2006. Commented she
	appreciates GM/COP Harman working with Kathy Stein to complete the Solid Waste
	Committee annual financial report audit and inquired about the Emergency
	Preparedness Committee and what the next steps will be for that committee.
GM/COP Harman	Responded to Director Kimball's inquiry regarding the Emergency Preparedness
	Committee, indicating that the Planning Committee will come up with their plan that
	will be presented at a public meeting and then presented to the Board for approval.
President Wright	Inquired about whether we have an estimate of when these meetings will happen.

CONSENT CALENDAR(cont.)

President Wright	Pulls Items A & F from the Consent Calendar
GM/COP Harman	Indicated that this is a County Committee consisiting of 37 partners, with GM/COP Harman on a Board consisting of 15.
CM/COD II	
Director Kimball	Inquired whether this is a Kensington or County Committee.
	end of 2009.
	sometime during the Summer and then present the plan to the Board for approval at the
	approximately one year to complete and they hope to have the public meeting
GM/COP Harman	Responded to President Wright's inquiry, indicating that the entire process takes

MOTION: Director McLaughlin moves to approve Items B, C, D, E, G, and H from the Consent Calendar

AYES: Wright, Toombs, McLaughlin, Kimball, Kosel NOES: 0

OLD BUSINESS

President Wright	Moves to Old Business #1: General Manager/ Chief of Police Greg Harman will
	update the Board on the traffic issues at both the Arlington and Kensington Park
	intersection as well as along Franciscan Way.
GM/COP Harman	Gave an update regarding traffic complaints along Franciscan Way, indicating that Officer Stegman conducted a traffic survey over three days in which he clocked 159 cars, six of whom where going over the speed limit (believed to be 35 mph at the time), with four of those six being Kensington residents. The average speed was approximately 27.5 mph. Further indicated that he had been informed by the County that the speed limit on Franciscan Way is actually 25 mph and the County has painted the road and posted new signs indicating the 25 mph speed limit and the 15 mph advisory speed limit. Gave an update regarding traffic issues on the Arlington at the traffic signal, indicating that Officer Stegman conducted another traffic survey during the morning and afternoon commutes when children are crossing the street. Out of 320 vehicles clocked, the average speed was 24.5 mph and there were three red light violations. Those who ran the red light indicated that they were not expecting the light to turn from yellow to red. Indicated that he looked into pricing for solar powered radar speed signs and that they can cost anywhere between \$4,000 and \$7,000. Recommended turning the flashing yellow into a normal cycling light to greatly reduce speed and traffic violations on the Arlington, but warns that this will cause traffic congestion.
Director Kimball	Inquired about possibly implementing a solar powered radar speed sign if we could have the cost covered by grant funding.
GM/COP Harman	Indicated that he would look into having such a sign covered by grant funding.

PUBLIC COMMENTS

Name	Comments
Anthony Knight	Commented that the new speed bumps on Fairmount have proven to be very effective
	at reducing speed and suggests that speed bumps be considered for the Arlington.
Unknown Female Guest	Inquired if the normally signaling light would still be pedestrian activated to go to red.
GM/COP Harman	Indicated that he recommends that the normally signaling light continue to be
	pedestrian activated to go to red, with all lights at that intersection going to red upon
	pedestrian activation.
Norma Merchant	Commented that the signs on Franciscan have made a huge difference, but that she
	does not want speed bumps on Franciscan. Also inquired about whether there is still a
	crossing guard for the intersection on Arlington in the morning & afternoon for the
	students.
Director McLaughlin	Indicated that we still have a crossing guard, but people are still running the red light
	and almost hitting them.
Betty Webster	Commented that she supports the suggestion of having a normally cycling light that is
	green for most of the day and pedestrian activated to go to red.
GM/COP Harman	Responded to Betty Webster's comment, indicating that the problem with having a
	light that is green most of the day is that it would actually be more dangerous than
	have the yellow flashing light that we currently have.

BOARD DISCUSSION

Name	Comments
Director Kimball	Commented that should would like to thank everyone who came out to speak about the traffic issues and that she found the information very informative.
Director McLaughlin	Commented that she doesn't see speed bumps as a solution to the traffic issues. Further commented that she agrees with GM/COP Harman's suggestions regarding having a normally cycling signal.
Director Kosel	Inquired about whether the normally cycling light would be the possible cause for traffic congestion on the Arlington and suggested having a short red light to avoid such congestion.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that the normally cycling light would cause traffic congestion if it were implemented and that a short red light is not suggested as we cannot have lights that behave differently than those within the rest of the State.
Director McLaughlin	Commented that she believed the red light at San Pablo & Fairmount signals for different lengths of time depending on time of day.
Vice President Toombs	Inquired about what the County recommends for this signal.
GM/COP Harman	Responded to Vice President Toombs' inquiry, indicating that the County conducted a traffic survey and the recommendation was for the current signaling yellow flashing light.

BOARD DISCUSSION (cont.)

Name	Comments
President Wright	Asked GM/COP Harman if his recommendation is for a regular cycling light that is
	pedestrian activated for all lights to go to red.
GM/COP Harman	Responded to President Wright's inquiry, indicating that this is indeed his
	recommendation.
Director Kimball	Inquired about whether we will have the option to return to the current flashing yellow
	light if it is decided that the suggested normally cycling light does not work out.
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that while the County may not be
	happy about having to change the light, the fact remains that they are here to serve our
	needs.
President Wright	Asked GM/COP Harman if he is seeking Board Action for the traffic light.
GM/COP Harman	Responded to President Wright, indicating that he would like the Board to direct him
	to contact the County to inquire about changing the signal cycle.
Director Kimball	Commented that she would also like GM/COP Harman to see about getting a solar
	powered speed sign.
President Wright	Commented that he would like to clarify whether the decision to change to a normally
	cycling light is mutually exclusive from looking into getting solar powered speed signs
	to control the speed of traffic.
GM/COP Harman	Indicated that the traffic light signaling and the solar powered speed signs are seperate
	suggestions.
Director Kosel	Commented that she would like clarification on the average speed on the Arlington and
	on Franciscan, as well as how many red light violations were witnessed during Officer
	Stegman's trafic survey.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that the average speed on the
	Arlington was 24.63 mph and the average speed on Franciscan was 27.5 mph, with
	three Southbound red light violations witnessed by Officer Stegman and three
LII TERRITORIA CONTRACTORIA CON	Southbound red light violations witnessed independently by GM/COP Harman.

MOTION: President Wright moves to move go forward with the proposed signal changes.

AYES: Wright, Toombs, McLaughlin NOES: Kimball, Kosel

President Wright	Moves to Old Business #2: General Manager Greg Harman will present the proposed lease agreement between the Kensington Fire District and the KPPCSD for the lease of the Public Safety Building to the Board for review and discussion.
Don Dommer	Gave a history of the previous seismic, structural, and geotechnical upgrades to the Public Safety Building, which included the installation of the support piers, and gave an overview of the current upgrades needed that were determined by the structural and geotechnical engineers who recently evaluated the building.
Director McLaughlin	Inquired about how much these upgrades are expected to cost.

Name	Comments
Don Dommer	Responded to Director McLaughlin's inquiry, indicating that they are unsure of how much the actual cost will be, estimates it will be tens of thousands of dollars.
Director McLaughlin	Commented that according to the lease, the District's portion of those costs is 50% and inquired about the amount of funds remaining in the account designated for these upgrades.
Don Dommer	Responded to Director McLaughlin's comment, indicating that the District's portion of the costs is 50%. Further indicated that there is \$18,000 left in the aforementioned account.
Director Kosel	Inquired about whether more support piers will be installed and whether the upgrades are basically more of the same upgrades that were performed previously.
Don Dommer	Responded to Director Kosel's inquiry, indicating that we are basically finishing the job we started twelve years ago and that only the garage area had support piers installed. Three more piers will now be installed for a total of six.
Director Kosel	Inquired about how much the building has actually moved.
Don Dommer	Responded to Director Kosel's inquiry, indicating that the building has moved only a couple of inches in the front entry & Chief's office and less in the far end of the building.
Director McLaughlin	Inquired about to what degree these upgrades will involve disruption of service.
Don Dommer	Responded to Director McLaughlin's inquiry, indicating that all upgrades will be exterior. The handicap ramp and some of the siding will be taken out, and it is unsure whether the front steps would need to be taken out, which would cause a disruption.
Vice President Toombs	Commented that he is concerned about the language of the lease, inquiring about the capital improvement annual cap of \$25,000 barring an emergency.
Don Dommer	Indicated that they plan to go back and look at their coverage, commenting that they have earthquake insurance.
Vice President Toombs	Inquired about Section 3, the term of the lease, where it gives the District the option to renew, but only at the discretion of the landlord. Indicated he does not feel this is much of an option.
Don Dommer	Responded to Vice President Toombs' inquiry, suggesting that the District should write a letter to the Fire Board with a request to discuss the lease.
Director Kimball	Thanked Don Dommer for his clear description of the building's structural matters.

--NO PUBLIC COMMENTS--

BOARD DISCUSSION

Name	Comments
Vice President Toombs	Commented about his concern regarding the terms of the lease and the landlord being
	able to exercise the right to extend the lease or not, the notion of the \$25,000 cap that
	has gone up from \$10,000, and his concerns regarding the language "barring an
	emergency". Inquired about the Contra Costa County Fire District Powers of
	Authority Insurance Pool.

BOARD DISCUSSION(cont.)

Name	Comments
FD Chief Lance Maples	Responded to Vice President Toombs' inquiry about the CCC Fire District Powers of Authority Insurance Pool, indicating that it is a pooling authority for Fire Districts to use as insurance with all the districts in the County pool their insurance costs together.
Director McLaughlin	Commented that she appreciates Vice President Toombs' expertise on the matters with the lease.
Director Kimball	Thanked Chuck for addressing the lease.
President Wright	Suggested making specific written comments to the Fire Board in regards to concern about the lease, suggesting that Vice President Toombs coordinate this with the Fire Board
Vice President Toombs	Responded to President Wright's suggestion, indicating that he would coordinate with the Fire Board to discuss the lease.
Don Dommer	Commented that all meetings with the Fire Board should be coordinated with Brenda Navellier.
Director Kimball	Commented that she appreciates Don Dommer and Lance Maples coming out to speak at the meeting and inquired about whether President Wright and Vice President Toombs met with the Fire Board previously in regards to the lease.
President Wright	Responded to Director Kimball's inquiry, indicating that he and Vice President Toombs previously met with Don & Nina from the Fire Board.

NEW BUSINESS

Name	Comments
President Wright	Moves to New Business #1: Chief of Police Greg Harman will present Officer
	Keith Barrow a commendation for his life saving actions on January 26, 2009.
GM/COP Harman	Indicated that Officer Keith Barrow was to be presented with a commendation for his life saving actions on January 26, 2009, but he was unfortunately unable to attend the meeting. Read a letter from Firefighter Paramedic David Hood detailing the events of the medical emergency on January 26, 2009 and the exemplary efforts of Officer Keith Barrow. Commented that Officer Barrow did not use the automated external defibrillator due to the fact that the batteries were run down, the unit had missing parts, and no one at the station had been trained to use the unit at that time. Officer Barrow later coordinated with an individual to come out and charge the batteries, replace missing parts, and train staff to use the units, all at no cost. GM/COP Harman read the commendation to be presented to Officer Barrow noted how rare it is to have someone brought back from full cardiac arrest via CPR.

PUBLIC COMMENTS

Name	Comments
John Stein	Inquired about what time the aforementioned incident occurred.
GM/COP Harman	Rsesponded to John Stein's inquiry, indicating that the incident occured at 9:30am.

BOARD DISCUSSION

Name	Comments
Director Kimball	Commented that this is a fantastic representation of what our Officers and Department
	are capable of and expressed sympathy for the friends and family of the deceased.
	Inquired as to whether the Department is now up to speed on defibrillator training.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that all staff have now been trained
	to use the automated external defibrillator.
President Wright	Commented that he spoke with GM/COP Harman on Friday about the incident and that
	there is an aspect that he did not fully appreciate Officers Barrows efforts until he
	learned of certain State requirements. Asked GM/COP Harman to elaborate in those
	requirements.
GM/COP Harman	Commented that Police Officers are not required to provide first aid or CPR and
	usually wait for paramedics to arrive due to the fact that they often have limited
ALLOW CONTROL	training in these areas.
Director Kosel	Commented on the importance of Officer Barrow initiating the automated external
	defibrillator training and maintenance arrangements and noted that we have many
	officers who do exemplary work and she hopes that GM/COP Harman will be able to
	come back to the Board with commendations for those officers as well.
President Wright	Moves to New Business #2: Board President Bill Wright will announce the first
	reading of the revision of Board Policy Manual Section 4060.3 to add the
	Executive Committee to the list of standing committees. Board President Bill
	Wright will also announce the first reading of the new Section 4060.3.4 to the
	Board Policy Manual, "The Board's standing Executive Committee shall be
	concerned with personnel matters of the District, including recommendations for
	the recruiting, hiring, managing, and compensation of the General Manager/
	Chief of Police. The Executive Committee will be composed of the Board
D'	President and the Board Vice President".
Director McLaughlin	Asked for clarification regarding the responsibilities for the Executive Committee and whether the performance evaluation will be included.
Vice President Toombs	Commented that it is his understanding that the Executive Committee is not deciding
vice riesident roomos	unilaterally what the Board is doing and will not be making policy on behalf of the
	Board.
h	Doard.

BOARD DISCUSSION (cont.)

Name	Comments
President Wright	Responded to Vice President Toombs' inquiry, indicating that is correct and that they
	would be meeting with GM/COP Harman to come up with recommendations for the
	Board.
Director Kimball	Inquired about whether the goals in the packet are a preliminary outline of a
	recommendation to go before the Board.
Director Kosel	Inquired about what other agencies Vice President Toombs knew of that have
	Executive Committees.
President Wright	Indicated that there are many non-profit committees that have Executive Committees,
	but does not have any names of Public Agencies with Executive Committees.
Director Kosel	Inquired if this presumes that the Board President and Vice President have experience
	and background in human relations and knowledge of applicable laws.
President Wright	Responded to Director Kosel's inquiry, indicating that the only qualification need be
	that the individual has been elected to the Board.

Name	Comments
John Stein	Recommended that the Board give another name to the Executive Committee to avoid having the public view the committee as acting on behalf of the Board. Inquired about whether this would be a governing committee or a management committee, expressed concern about the committee getting into management functions, and asked for clarification of the Executive Committees functions.
President Wright	Read § 4060.3.4 of the Board Policy Manual to clarify what the functions of the Executive Committee will be.
Joan Gallegos	Commented that she shares John Stein's concerns about the Executive Committee getting into management functions and whether the Executive Committee would have power to review internal investigations.
Anthony Knight	Commented that he would also like clarification on the distinction between management and governance.

BOARD DISCUSSION

Name	Comments
Director McLaughlin	Commented that the Board manages the General Manager, does not manage other personnel, but can make recommendations regarding personnel matters. Further commented that she believed the wording to be clear, but suggests that perhaps the language may need to be strengthened for clarification.
PUBLIC COMMENT Kathy Stein	Suggested adding the term "to the Board" when referring to making recommendations.
President Wright	Commented that he agrees with Kathy Stein's suggestion.
Vice President Toombs	Commented that he also agrees with Kathy Stein's suggestion.
Director Kosel	Commented that she has reservations about the Executive Committee, noting that she is concerned about the experience of those serving on the committee and the tremendous liability that comes with dealing with personnel issues, and that there still isn't a scheduled Closed Session to discuss personnel issues. Further expressed concern about the Board's interpretation of the Brown Act and how that may cause communication limitations.
Vice President Toombs	Responded to Director Kosel's concerns, noting that none of the members of the Board are experts in regard to their committees and none of the Board Members are experts in the Human Relations field.
Director Kosel	Suggested hiring a Human Relations expert.
Vice President Toombs	Responded to Director Kosel's suggestion, commenting that we have legal counsel that fills that need.
Director Kosel	Commented that she does not believe that legal counsel is a substitution for a good HR expert.
Vice President Toombs	Commented that he believes GM/COP Harman has made his point about the internal investigations, noting that the investigation is not a closed matter and a Closed Session cannot be scheduled until the investigation has been concluded. Further commented that he does not wish to be sued for violating the Brown Act and feels it is inappropriate to have private discussions that extend beyond the view of the public.
Director Kosel	Commented that if the Board wishes to establish an Executive Committee and the function of that committee will be to deal with HR or personnel matters, she suggests that the Board rename the committee to reflect that function.
Director Kimball	Commented that the purpose of having the workshop with Chuck Beesley was to achieve better communication and structure, noting that the Board could have done a better job with the General Manager's evaluation. Further commented that she believed that the purpose of establishing a committee was to discuss the process by which the Board meets to evaluate the General Manager, not to meet with the General Manager to bring recommendations to the Board and has been disappointed by items that have not been brought to the Board and ended up in the public. Further commented that she very concerned about spinning information and developing mistrust, noting that she has seen this happen already and that she cannot vote in favor of having an Executive Committee.

BOARD DISCUSSION (cont.)

Name	Comments
Director McLaughlin	Commented that she believes the term "Executive" generates the wrong idea about
	what is going on and suggested using the term "Liaison", which may be more
	appropriate.
President Wright	Commented that one of the benefits of having an Executive Committee is being able to set goals and objectives for the General Manager, and believes that having an
	Executive Committee is helpful to the Board, the General Manager, and the community.
Vice President Toombs	Commented that according to Director Kimball's rationale, no committee should exist due to the belief that they cannot be trusted to be capable of bringing back an objective recommendation to the Board. Further commented that committees are needed to streamline the operations of the Board.

MOTION: President right moves to extend the meeting until 10:00pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

BOARD DISCUSSION (cont.)

Name	Comments
President Wright	Recommends that the words "to the Board" follow each occurrence of the word
	"recommendation" in § 4060.3.4 of the Board Policy Manual. Also recommends that
	the name of the Executive Committee be changed to something more appropriate, such
	as the General Manager Liaison Committee. Suggests making the aforementioned
	changes for a first reading of the revision of § 4060.3.4 at the next Board Meeting.
GM/COP Harman	Asks for clarification as to whether to list this item on the next Agenda as a first or
	second reading.
President Wright	Responded to GM/COP Harman's inquiry, indicating that the Agenda item should be
	listed as a first reading.
President Wright	Moves to New Business #3: General Manager Greg Harman will present the
	Board with an estimate of this current fiscal year's shortfall projection based on
	year to date revenues and expenses.
GM/COP Harman	Gave an overview of the estimated current fiscal year's shortfall projection, indicating
	that the operating shortfall will be \$87,000, but depending on our capital outlays could
	be up to \$108,000 for this fiscal year.
Director Kosel	Inquired if this includes the anticipated Fire District agreement and the costs involved
	to repair the Public Safety Building.

BOARD DISCUSSION (cont.)

Name	Comments
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that those costs were not anticipated and would be included in the budget for the next fiscal year.
Director McLaughlin	Inquired about the Measure WW money and whether we have a way to use that for other budgeted items.
GM/COP Harman	Responded to Director McLaughlin's inquiry, indicating that if we submit a qualifying plan to remodel the Annex Building by the March 31, 2009 deadline we would be able to do so, although it is unlikely that will happen.
President Wright	Inquired about whether the District expects to receive any more revenue for this fiscal year.
GM/COP Harman	Responded to President Wright's inquiry, indicating that, historically, property taxes in Kensington increase by 6% every year and anticipates that out property tax revenue will continue to grow.
Director Kosel	Commented that she is a Real Estate Broker and that the number of home sales is actually down in the areas everyone thought were immune from the current economic climate.
Director Kimball	Inquired if there are any more examples of budget expenditures that we can work with.
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that he believes he has identified all of the budget expenditures that can be worked with.
Director McLaughlin	Inquired whether COPS funding could be used to pay for in-car video.
GM/COP Harman	Responded to Director McLaughlin's inquiry, indicating that he does not believe COPS funding can be used for in-car video.
Director Kimball	Suggested researching other grant money that we may qualify for and use that to cover these costs.

PUBLIC COMMENTS

Name	Comments
John Stein	Commented that certain capital improvement projects would be impossible to
	complete before the end of this fiscal year

BOARD DISCUSSION

Name	Comments
Director Kosel	Asked GM/COP Harman if it is his recommendation that we apply for as much
•	Measure WW funding as possible, perhaps using some of the funding to improve the
	Community Center to make it more attractive for rental.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that we can use the Measure WW
	money for any capital improvement project that are expected to last over twenty years.
	Further commented that we have ten years to use this money, but if we are to use any
	of this money for the current fiscal year, a project plan must be submitted by March
	31, 2009, which is very unlikely.

BOARD DISCUSSION (cont.)

Name	Comments
Director Kimball	Inquired if not completing park building improvements within the current fiscal year would reduce the projected shortfall.
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that this would reduce the projected shortfall.
Director McLaughlin	Commented that the District must also consider the \$30,000 that has been collected from the community for the park restroom, and only \$100,000 of the Measure WW funds would be used for the park restroom. Further commented that if we delay the Annex renovation, that would be another \$100,000 that would not come out of the budget.
Director Kimball	Commented that she is suggesting that we could hold off on the Annex improvements as opposed to using Measure WW money for these improvements.
President Wright	Commented that the District budgeted for a park restroom, but did not budget for the restroom to be funded by Measure WW money. Further commented that Measure WW money could be used for a park restroom, freeing up the District's park restroom budget.
Director Kosel	Inquired if \$230,000 is the maximum amount of grant money we will receive from Measure WW, whether we will receive this money as a lump sum or be reimbursed, and when we can apply for funds again if we are to miss the March 31, 2009 deadline.
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that \$258,358 is the most we will receive and we will be reimbursed for the funds when the project is completed, noting that Measure WW will pay us a percentage of the projected cost at certain points prior to the completion of the project. Further indicated that if we miss the March 31, 2009 deadline, we will be able to apply for this money again between February 1, 2010 and March 31, 2010.

MOTION: President Wright moves to extend the meeting until 10:20pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

BOARD DISCUSSION (cont.)

Name	Comments
President Wright	Moves to New Business #4: General Manager Greg Harman will present
	estimates for the proposed park restroom to the Board.

BOARD DISCUSSION (cont.)		
Name	Comments	
GM/COP Harman	Presented the Board with several price proposals from the Public Restroom Company for the proposed park restroom. Indicated that we have until the end of the month to submit a restroom project proposal to the Park District if we plan to use Measure WW funds this year. Further indicated that the project must go out to bid and the price proposals from the Public Restroom Company are being presented to give the Board an idea of what this project will cost, noting that the details of the project can be worked out after we have secured funding from Measure WW.	
President Wright	Inquired if we submit a general proposal for the park restroom and later decide to change the location or structure of the restroom, does that threaten our ability to collect those funds. Further inquired about whether or not the District would be able to change its mind about an approved project and resubmit a revised project during the appropriate application period.	
GM/COP Harman	Responded to President Wright's inquiry, indicating that we would still be able to collect the funds, however if we changed the project to the point that it increased the costs we would be responsible for those additional costs if we were to go with the original approved project. Also indicated that if the District decides not to go with the original approved project, it may submit a revised project plan during the next application period to avoid having to pay the difference in cost.	
Director Kosel	Inquired about possibly recapturing unused funds on an approved project.	
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that the funds are ours and we would be able to apply for those unused funds when submitting applications for other projects.	
Director McLaughlin	Inquired about what is specifically required to submit an application for a proposed project and how detailed the project proposal must be.	
GM/COP Harman	Responded to Director McLaughlin's inquiry, indicating that we are only required to submit the scope of the project and the financials. Further indicated that schematics, drawings, and signed contracts from the chosen vendor are not required.	
Director Kimball	Inquired if water, electricity, and sewer lines are included in the Public Restroom Company's estimate.	
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that they are not included, but the proposed site is within ten feet of the utility hook ups and anything within ten feet is included in the estimate.	
Director Kimball	Commented that she is concerned about spending the \$30,000 donated from the public if we are to receive free money from Measure WW.	
President Wright	Responded to Director Kimball's comment, indicating that this is not free money and any funds not used for the park restroom will be used for other projects.	
Director McLaughlin	Commented that she thinks it is important that the District make it clear that they are using the \$30,000 donated by the public, noting that this will give the District an additional \$30,000 of Measure WW money to spend on other projects.	
Director Kimball	Inquired about what the estimated monthly expense for the restroom would be.	

BOARD DISCUSSION (cont.)

Name	Comments	
GM/COP Harman	Responded to Director Kimball's inquiry, indicating that the monthly cost for the	
	Annex restroom was \$450/month.	
Director Kimball	Commented that she is concerned about spending this money on a project that would	
	generate expense rather than generate revenue for the District.	
Directyor McLaughlin	Commented that we may be generating expense, but we are fulfilling a long-standing	
	commitment to to the community to build this restroom.	

PUBLIC COMMENTS

Name	Comments
Joan Gallegos	Commented that the community believes that a commitment has been made and should
_	be fulfilled.

BOARD DISCUSSION (cont.)

Name	Comments	
Director Kosel	Commented that she would like to move forward with the restroom proposal and	
	would like to have a restroom with separate men's and women's stalls.	
Vice President Toombs	Inquired about possibly applying for Measure WW funds for the restroom and working	
	out the details after securing these funds.	
Director Kimball	Responded to Vice President Toombs' inquiry, indicating that the District would also	
	like to use the Measure WW funds to remodel the Annex Building and we only have	
	total of \$258,000 that we are able to apply for. Further commented that spending most	
	of the available funds on the park restroom may cause a backlash from the community.	
President Wright	Commented that if the Board goes forward with a request for money that it ensure that	
	enough funds for a men's and women's restroom are applied for.	
Director McLaughlin	Commented that she believes a restroom with men's and women's stalls would be	
	excessive.	

MOTION: Director Kosel moves to request \$100,000 from Measure WW grant funds for a park restroom

AYES: Wright, Toombs, McLaughlin, Kosel NOES: Kimball

BOARD DISCUSSION (cont.)

Name	Comments
Director Kosel	Commented that she would like to discuss the reasoning behind Director Kimball's vote.
Director Kimball	Responded to Director Kosel's comment, indicating that she believes the District should not be spending these funds when we have a budget deficit.

BOARD DISCUSSION (cont.)

Name	Comments	
GM/COP Harman	Commented that he will contact East Bay Regional Parks to confirm that we are able to	
	apply for and use the funds in the manner that he indicated and will further confirm	
	what project specifics will need to be submitted to apply for funding.	
Director Kosel	Inquired about when the Board would receive this information from GM/COP	
	Harman.	
GM/COP Harman	Responded to Director Kosel's inquiry, indicating that he would get started on this	
	tomorrow and report back to the Board with his findings.	
President Wright	Recommends tabling New Business #5 until the next meeting.	
Director McLaughlin	Commented that she would be in favor of tabling New Business #5 and #6 until the	
	next meeting.	
Director Kimball	Commented that she would like to have a Closed Session meeting to discuss New	
	Business #6.	
Director Kosel	Commented that she would also like to have a Closed Session meeting to discuss New	
Business #6.		
President Wright	Commented that if the Board decides to have a Closed Session, scheduling and	
	availability issues should be determined via email beforehand.	

MOTION: Director Kimball moves to have a Closed Session meeting to discuss New Business #6

AYES: Kimball, McLaughlin, Kosel NOES: Wright, Toombs

BOARD DISCUSSION (cont.)

Name	Comments
Director Kosel	Inquired if it is determined that all five Board Members cannot meet for a Closed Session meeting due to scheduling incompatibilities, may the Board move forward as a
	quorum.
President Wright	Responded to Director Kosel's inquiry, indicating that moving forward as a quorum would be fine, but considering that he and Vice President Toombs were involved in developing the goals & objectives for the General Manager, it may not be the best environment for discussion if he and Vice President Toombs were both unable to attend.
Vice President Toombs	Commented that the goals & objectives developed for the General Manager only extend through the end of the 08/09 Fiscal Year.
President Wright	Indicated that he would contact Board Members via email to determine individual availability to schedule a Closed Session meeting.

BOARD DISCUSSION (cont.)

MOTION: President Wright moves to extend the meeting until 10:30pm

AYES: Wright, Toombs, Kimball, McLaughlin, Kosel NOES: 0

Name	Comments	
President Wright	Moves to New Business #5: Board President Bill Wright will lead the Board in a	
	discussion regarding the Board's role vis-à-vis District press releases	

--NO PUBLIC COMMENTS--

BOARD DISCUSSION

Name	Comments	
Director McLaughlin	Recommended that a designated Board Member review press releases before they go	
_	out.	
Director Kosel	Commented on the Outlook article and press release written by John Feld, indicating	
	that she believes that the article is incorrect and inaccurate. Further commented that an	
	article like this calls the integrity of the Board into question.	
Director Kimball	Inquired about what the current process for approving District press releases.	
President Wright	Responded to Director Kimball's inquiry, indicating that this was a District press	
	release written by John Feld after meeting with GM/COP Harman and President	
	Wright. Further indicated that both President Wright and GM/COP Harman made	
	suggestions for corrections to the final draft of the press release.	
GM/COP Harman Commented that it appears the suggestions for correction that he made to the		
	of the press release were not taken into consideration.	
Vice President Toombs	Commented that he is not in favor of attempting to micromanage what comes out of	
	the General Manager's office.	
President Wright	Commented that the District can issue press releases, but that is not necessarily what	
	gets printed.	
Alma Key	Commented that the article was written by John Feld, who indicated he did not wish to	
	have his name included with the article. Further commented that this was the final	
	draft and John Feld was given permission to publish the article by President Wright	
	and GM/COP Harman; indicated that nothing was edited or changed.	
Vice President Toombs	Commented that if there is a pattern of misrepresentation, then the Board can take	
	action to correct it. Further commented that GM/COP Harman's job is to manage the	
	District and the Board's job is to police the General Manager when he steps outside of	
	acceptable or reasonable behavior. Commented that this is the first instance of the	
	District using John Feld's services and it simply may have gotten off to a rocky start,	
	but this still does night give the Board the right to micromanage the General Manager.	

BOARD DISCUSSION (cont.)

Name	Comments	
Director Kimball	Commented that she does not have a problem with the General Manager releasing a	
	General Manager's Report, but that a District press release is supposed to be a factual	
	document and that the community might be upset about the misrepresentations	
	contained within this press release.	
Director McLaughlin	Commented that a distinction needs to be made that GM/COP Harman only speaks as	
	the General Manager, not for the Board of Directors.	
President Wright Commented that he does not believe that the Board should be reviewing pr		
	before they go out.	
Director Kosel	Commented that she would like to have authors noted and that they be reviewed by the	
	Board before they are released	
Director Kimball	Commented that she would also like to see authors noted for any Board or General	
Manager press releases, and that if John Feld's name be listed as the author for articles he writes for the District.		
		GM/COP Harman Commented that he sends information on criminal activity to the press, that he control over what is printed from those press releases, and his name does not a
	those press releases.	
Director Kimball	Commented that she would like to have the author responsible for their articles, but is	
	it is a Board press release then it should be reviewed by the Board.	

MOTION: Director Kimball moves to have all Board of Directors press releases reviewed by the Boar	d,
and to have all President and General Manager messages described as such	

AYES: Kimball, Kosel NOES: Wright, Toombs, McLaughlin

MOTION: President Wright moves to adjourn the meeting at 10:33pm			
AYES: Wright, Toombs, Kimball, McLaughlin, Kosel	NOES: 0		

Bill Wright, President
Stephanie Fries, District Secretary

PROFIT & LOSS BUDGET PERFORMANCE, PROFIT & LOSS **PREVIOUS** COMPARISON, STATEMENT OF INVESTMENTS & VARIANCE REPORT

KPPCSD Profit & Loss Budget Performance March 2009

•	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
Income					
400 · Police Activities Revenue					
400 · Fonce Activities Revende	0.00		1,216,097.59	1,206,926.22	1,287,926.22
402 · Special Tax-Police	0.00		680,340.00	679,000.00	679,000.00
410 · Police Fees/Service Charges	0.00	350.00	1,904.35	2,950.00	3,500.00
416 · Interest-Police	0.00	000.00	9,955.55	18,800.00	35,000.00
418 · Misc Police Income	0.00	1,000.00	7,925.11	11,000.00	15,000.00
400 · Police Activities Revenue - Other	0.00	.,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	2,473.96	,	,
Total 400 · Police Activities Revenue	0.00	1,350.00		1,918,676.22	2,020,426.22
420 · Park/Rec Activities Revenue					
424 · Special Tax-L&L	0.00		28,516.37	28,800.00	28,800.00
426 · Park Donations	0.00		250.00	2,500.00	,
427 · Community Center Revenue	0.00	2,000.00	12,426.00	18,500.00	22,000.00
436 · Interest-Park/Rec	0.00		352.46	750.00	1,200.00
438 · Misc Park/Rec Rev	0.00		176.00		
420 · Park/Rec Activities Revenue - Other	0.00		1,070.55		
Total 420 · Park/Rec Activities Revenue	0.00	2,000.00	42,791.38	50,550.00	55,000.00
440 · District Activities Revenue				·	
448 · Franchise Fees	0.00		13,746.24	13,850.00	20,800.00
456 · Interest-District	0.00		1,040.67	2,200.00	4,200.00
Total 440 · District Activities Revenue	0.00		14,786.91	16,050.00	25,000.00
Total Income	0.00	3,350.00	1,976,274.85	1,985,276.22	2,100,426.22
Expense					
4000 · Reconciliation Discrepancies 500 · Police Sal & Ben	0.00		0.05		
502 · Salary - Officers	77,874.94	73,513.67	662,332.96	661,622.99	882,164.00
504 · Compensated Absences	0.00	5,898.00	·	19,728.00	•
506 · Overtime	1,930.60	2,500.00	•	22,500.00	
508 · Salary - Non-Sworn	4,911.96	6,481.33	53,358.40	58,332.01	77,776.00
516 · Uniform Allowance	666.60	708.33	5,999.40	6,375.01	8,500.00
518 · Safety Equipment	1,381.76	208.33		1,875.01	2,500.00
521-A · Medical/Vision/Dental-Active	11,200.51	9,610.46		86,494.12	
521-R · Medical/Vision/Dental-Retired	8,819.98	9,610.46	·	86,494.12	
522 · Insurance - Police	0.00	1,016.67		9,149.99	· ·
523 · Social Security/Medicare	1,249.16	1,229.67		11,066.99	·
524 · Social Security - District	352.02	495.83	•	4,462.51	
527 · PERS - District Portion	21,891.20	21,512.33		193,611.01	
528 · PERS - Officers Portion	6,849.11	6,676.25			·
530 · Workers Comp	0.00	19,486.25		77,945.00 0.00	
541 · Consultant/Operational Audit Total 500 · Police Sal & Ben	0.00	0.00			
TOTAL DOOL HOUCE DAL & DELL	137,127.84	158,947.58	1,226,953.81	1,299,743.01	1,700,433.00

KPPCSD Profit & Loss Budget Performance March 2009

	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget		
552 · Expendable Police Supplies	0.00	333,33	1,116.43	3,000.01	4,000.00		
553 · Range/Ammunition Supplies	0.00	208.33	1,133.93	1,875.01	2,500.00		
560 · Crossing Guard	986.86	1,016.70	6,648.32	7,625.25	10,167.00		
562 · Vehicle Operation	4,181.33	3,250.00	29,322.63	29,250.00	39,000.00		
564 · Communications (RPD)	22,369.28	7,816.67	84,648.17	70,349.99	93,800.00		
566 · Radio Maintenance	0.00	366.67	0.00	3,299.99	4,400.00		
568 · Prisoner/Case Exp./Booking	45.00	823.33	3,117.50	7,410.01	9,880.00		
570 · Training	3,166.94	1,000.00	15,388.46	9,000.00	12,000.00		
572 · Recruiting	175.00	637.50	1,347.74	5,737.50	7,650.00		
574 · Reserve Officers	32.00	166.67	1,481.13	1,499.99	2,000.00		
576 · Misc. Meals & Travel	51.05	242.50	3,232.35	2,182.50	2,910.00		
580 · Utilities - Police	511.78	680.00	5,133.84	6,120.00	8,160.00		
581 · Bldg Repairs/Maint.	0.00	916.67	2,244.36	8,249.99	11,000.00		
582 · Expendable Office Supplies	383.49	558.33	4,609.18	·			
586 · Machine Maintenance	0.00	41.67	0.00	374.99	500.00		
588 · Telephone(+Rich. Line)	554.10	1,045.67	7,734.42	9,410.99	12,548.00		
590 · Housekeeping	394.44	458.33	2,698.66	4,125.01	5,500.00		
592 · Publications	0.00	375.00	2,341.97	3,375.00	4,500.00		
594 · Community Policing	26.57	550.00	2,136.02	4,950.00	6,600.00		
596 · WEST-NET/CAL I.D.	0.00		12,296.00	12,297.00	12,297.00		
598 · COPS Special Fund	0.00	0.00	0.00	0.00	0.00		
550 · Other Police Expenses - Other	0.00		147.25				
Total 550 Other Police Expenses	32,877.84	20,487.37	186,778.36	195,158.24	256,112.00		
600 · Park/Rec Sal & Ben		0.450.05	0.400.00	0.505.05	44.00=.00		
601 · Park & Rec Administrator	765.75	947.25	8,468.90	8,525.25	11,367.00		
602 · Custodian	1,750.00	2,000.00	15,750.00	18,000.00	24,000.00		
606 · Casual Labor	0.00	166.67	0.00	1,499.99	2,000.00		
623 · Social Security/Medicare - Dist	0.00	72.50	241.71	652.50			
Total 600 · Park/Rec Sal & Ben	2,515.75	3,186.42	24,460.61	28,677.74	38,237.00		
635 · Park/Recreation Expenses							
640 · Community Center Expenses							
642 · Utilities-Community Center	0.00	370.00	3,008.44	3,330.00	4,440.00		
643 · Janitorial Supplies	0.00	166.67	1,169.40	1,499.99	2,000.00		
646 · Community Center Repairs	0.00	83.33	790.94	750.01	1,000.00		
640 · Community Center Expenses - O	0.00		313.52				
Total 640 · Community Center Expenses	0.00	620.00	5,282.30	5,580.00	7,440.00		
660 Annay Fyrancia							
660 · Annex Expenses	550.00	0.00	4 077 54	0.00	0.00		
662 · Utilities - Annex	558.23	0.00	1,077.51	0.00			
666 · Annex Repairs	0.00	0.00	0.00	0.00			
668 · Misc Annex Expenses	0.00	41.67	26.56	374.99	500.00		
660 · Annex Expenses - Other	0.00	11.07	200.00	074.00	500.00		
Total 660 · Annex Expenses	558.23	41.67	1,304.07	374.99	500.00		
670 · Gardening Supplies	0.00	166.67	0.00	1,499.99	2,000.00		
672 · Kensington Park O&M	2,670.82	4,400.00	23,826.40	39,600.00	•		
-	•	•			•		

KPPCSD Profit & Loss Budget Performance March 2009

	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
674 · Park Construction Exp	0.00	0.00	0.00	0,00	0.00
678 · Misc Park/Rec Expense	0.00	41.67	4,720.00	374.99	500.00
635 · Park/Recreation Expenses - Other	0.00		3,000.00		
Total 635 · Park/Recreation Expenses	3,229.05	5,270.01	38,132.77	47,429.97	63,240.00
800 · District Expenses					
810 · Computer Maintenance	0.00	805.45	20,574.53	20,483.65	22,900.00
820 · Cannon Copier Contract	335.03	458.33	2,778.31	4,125.01	5,500.00
830 · Legal (District/Personnel)	9,221.49	1,250.00	49,122.47	11,250.00	15,000.00
835 · Consultanting	0.00	833.33	820.17	7,500.01	10,000.00
840 · Accounting	701.25	1,816.67	7,040.00	16,349.99	21,800.00
850 · Insurance	0.00		28,603.38	30,000.00	30,000.00
860 · Election	0.00		5,307.25	8,000.00	8,000.00
865 · Police Bldg. Lease	0.00		5,112.00	5,112.00	5,112.00
870 · County Expenditures	2,148.02	1,500.00	13,747.45	5,350.00	18,600.00
890 · Waste/Recycle	0.00	458.33	2,109.34	4,125.01	5,500.00
898 · Misc. Expenses/Lobbyist	25.00	1,570.83	9,189.85	14,137.51	18,850.00
Total 800 · District Expenses	12,430.79	8,692.94	144,404.75	126,433.18	161,262.00
950 · Capital Outlay					
961 · Police Bldg Improvements	0.00		12,700.00	18,700.00	18,700.00
962 · Patrol Cars	0.00		0.00	29,000.00	29,000.00
963 · Patrol Car Accessories	0.00	0.00	0.00	0.00	35,000.00
965 · Weapons / Radios	0.00	0.00	1,149.00	0.00	0.00
967 · Station Equipment	0.00	0.00	0.00	0.00	0.00
968 · Office Furn/Eq	0.00	0.00	0.00	0.00	0.00
969 · Computer Equipment	0.00		1,911.51	2,000.00	2,000.00
971 · Park Land	0.00	0.00	0.00	0.00	0.00
972 · Park Buildings Improvement	158.91		18,161.96	230,000.00	230,000.00
973 · Park Construct. Grant	0.00		0.00	0.00	0.00
974 · Other Park Improvements	0.00	0.00	0.00	0.00	0.00
978 · Pk/Rec Furn/Eq	0.00	0.00	0.00	0.00	0.00
981 · Bldg E Improvements	0.00	0.00	0.00	0.00	0.00
983 · Annex Improvements	0.00	0.00	0.00	0.00	0.00
Total 950 · Capital Outlay	158.91	0.00	33,922.47	279,700.00	314,700.00
Total Expense	188,340.18	196,584.32	1,654,652.82	1,977,142.14	2,533,984.00
	-188,340.18	-193,234.32	.321,622.03	8,134.08	-433,557.78
Other Expense 700 · Bond Issue Expenses 701 · Bond Proceeds	0.00		-180,503.34		
710 · Bond Admin.	0.00		1,721.39		
715 · Bond Interest Income	0.00		-652.87		
720 Bond Principal	0.00		93,097.04		
730 ⋅ Bond Interest	0.00		34,312.37	•	

6:27 PM 04/06/09 Accrual Basis

KPPCSD Profit & Loss Budget Performance March 2009

Total 700 · Bond Issue Expenses

Total Other Expense

•	Mar 09	Budget	Jul '08 - Mar 09	YTD Budget	Annual Budget
	0.00		-52,025.41		
	0.00		-52,025.41		
	0.00	0.00	52,025.41	0.00	0.00
	-188,340.18	-193,234.32	373,647.44	8,134.08	-433,557.78

CORRESPONDENCE

KENSINGTON HILLTOP SCHOOL

90 Highland Blvd. Kensington, CA 94**7**08

510.231.1415 FAX 510.236.3189

PRINCIPAL, JUDITH SANDERS

26 March 2009

Dear Chief Harman,

I am writing to express my appreciation for the cooperation I received from the Kensington Police Department during the recent spate of graffiti on the Kensington Hilltop School campus. Thanks to the work of Officers Doug Wilson, Cesar Celada and Sergeant Angela Escobar, we seem to have identified the 8th grade student who was responsible for at least some of the vandalism, and his parents agreed to pay the West Contra Costa School District for the cost of the clean up. Today I received a check for over \$1500 which I will forward to the WCCUSD. In addition, I received a letter from the student included with the payment.

I believe that it was due to the excellent police work on the part of your officers and sergeant that these cases were resolved in such a positive manner. It is my understanding that before this recent investigation, these parents had been unwilling to accept the possibility that their son had been involved in the graffiti and were not willing to accept responsibility for his behavior. It is to the credit of these officers that the situation was resolved in such a positive manner. I found your department extremely responsive and professional, and appreciate the fact that they were willing to work closely with us to bring these cases to resolution.

In addition, I have appreciated working with Officer Celada on concerns that have been brought to both him and to me with regard to after-school activities in the area around the Kensington Library and park. We are working together with the library manager, Liz Ruhland, to address the concerns of her staff as well as Kensington School parents.

I look forward to a continuing relationship with the Kensington Police Department as we work together on issues of concern in our community.

Sincerely,

Midith Sanders

GUM DOB!

ea: Devok lertoh wicson Filis Kensington Police Community Services District Kensington Fire District 217 Arlington Ave. Kensington, CA

Dear Directors,

The Municipal Service Review of the Kensington Fire Protection District that has been prepared for the Contra Costa Local Agency Formation Commission (LAFCO), recommends consolidating the Kensington Fire Protection District with another agency and specifically with the Kensington Police and Community Services District. The Kensington Property Owners Association believes that this conceptually has merit and should not be dismissed outright. Further information from LAFCO should be provided to clarify how the ad valorem property tax apportionment would be treated in a consolidation prior to taking any position of this proposal.

Consolidation of KFD with the Community Services District could be beneficial to all taxpayers in Kensington. This concept has no bearing on the outstanding service that the KFD Board has provided over the past several years. According to the report, the Fire District has over \$3.3. million in reserves and the annual revenue that exceeds the requirements for operations. A consolidation of the tax base could provide sufficient resources for all public safety services in Kensington and resolve future year budget deficits through more efficient allocation of tax dollars. Prior to increasing fees or taxes, the consolidation of the two Districts should be reviewed as an option. We would encourage the District to require additional information from LAFCO on the tax apportionment questions before taking a position in support or opposition of the report.

Sincerely,

Gail Feldman, President Kensington Property Owners Association

POLICE DEPARTMENT UPDATE

March 2009 Police Department Report

March 31, 2009

Department Personnel

- •• The department continues to be at full staffing for sworn personnel.
- •• We are continuing the preliminary background process for Donald Miller and Shane Lett for the positions of Reserve Police Officers.

Commendations and Correspondence

- Sergeants Khan, Hull, and Escobar, as well as Officers Celada, Barrow, Stegman, Medina, Wilson, and Borgfeldt received an Unit Commendation for their participation in the funeral detail for El Cerrito Fire Engineer David Garrett that was held on March 20, 2009. During the detail, we received reliable information from the Richmond Police Department that there could be a retaliation shooting at the Sunset Cemetery involving another funeral that was to take place as David Garrett's was ending. The listed personnel not only provided assistance and security for the Garrett funeral, but maintained security at the cemetery until the conclusion of the second funeral.
- officers Doug Wilson, Cesar Celada, and Sergeant Angela Escobar received a thank you letter from Kensington Hilltop School Principle Judith Sanders thanking them for their investigative work involving the suspect that had cause the graffiti at the school. As a result of the investigation, the parents of the suspect responsible have made a \$1,500 payment to the school district as restitution.

Investigation of Alleged Misconduct

Department Investigation #08-04 of an alledged hostile work environment has been completed and it has been determined that there has not been a hostile work environment as alleged. Of the ten allegations of misconduct alleged, only two were sustained for "rudeness".

One sustained allegation of rudeness had already been dealt with, and discipline has been administered for the second sustained allegation of rudeness.

- •• Department Investigation #08-05 of an alleged hostile work environment has been completed, and it has been determined that there has not been a hostile work environment as alleged. Of the seventeen allegations of misconduct alleged, only three were partially sustained by the investigator. These three partially sustained allegations were also for rudeness. Although I did not fully agree with the findings, discipline has been administered at the conclusion of this investigation.
- •• Department Investigation #08-06 of an alleged release of personnel file information was completed in December and found to be unsubstantiated.
- •• Department Investigation # 08-07 was initiated in October on an allegation that an officer had falsified a police report. This investigation has been completed, and it has been determined that an officer did falsify a statement in a police report. Discipline to be administered.
- Department Investigation # 08-08 was initiated in November on an allegation that an officer had failed to properly prepare for and testify during a court appearance. This investigation has been completed and sustained. Discipline to be administered.
- •• Department Investigation #08-09 was initiated at the end of November on an allegation that an officer failed to report a traffic collision involving a District vehicle. This investigation has been completed and sustained. Discipline to be administered.
- •• Department Investigation #08-10 was initiated in December on an allegation that an officer acted in a way unbecoming an officer while off duty. This investigation has been completed and sustained. Discipline to be administered.
- This completes all Department Investigation initiated in 2008.
- Department Investigation #09-01 was initiated in January on an allegation that an officer failed to perform his duties during his shift. This investigation is currently being investigated by Sergeant Escobar and has not been completed at this time.

9-1-1 / Richmond Communication Center Information.

•• For the month of February, there were four ring times over 20 seconds of the 48 "911" calls received.

For the month of March, there were five ring times over 20 seconds of the 50 "911" calls received.

Communication Center Service Complaints

No complaints received this month however, this is a good time to remind everyone that for police non-emergencies, you need to contact the dispatch center at "236-0474" and not the KPPCSD business line of 526-4141. The KPPCSD business line is only monitored 6 hours a day during the week and should not be used to report police matters.

Community Networking

- •• On 3-02-09, Sergeant Ricky Hull and Officer Doug Wilson facilitated the PCC meeting held at the Community Center.
- •• Between 03-02-09 and 03-05-09, Chief Harman attended the California Police Chief's Association Training Symposium held in Pasadena. Sessions attended included, "Ethical Issues for Policing", "Shaping the Future of California", Current FLSA Issues", The Changing Shape of al-Qaeda", "The West Nickel Mines Road Amish School Shooting", and "The Police Chief as City Manager".
- •• On 3-09-09, Chief Harman attended the Kensington Amateur Radio Operators meeting.
- •• On 3-10-09, Chief Harman attended the Kensington Hilltop School Dad's Club meeting.
- On 3-11-09, Chief Harman attended the California Peace Officers
 Association's Legislative Day in Sacramento. Following the morning
 presentations, meetings were held with the staff from
 Assemblywomen Nancy Skinner's office and Senator Mark
 Desaulnier's office.
- •• On 3-14-09, Chief Harman and Yolla Harman attended the Kensington Community Council Spring Party.
- •• On 3-17-09, Chief Harman attended the first session "Governance Foundations" of the CSDA Leadership Academy in Sacramento.
- •• Between 3-24-09 and 3-26-09, Chief Harman attended the POST certified "Role of the Chief" course held in Millbrae. Topics included "The Role of the Chief", "Futures Forecasting", "Contemporary

Legal Issues", "Surviving as a Police Chief", "Ethics and the Chief of Police", "Professional Development for the Chief", "Maintaining Trust", "Confidence, and Respect", and "Expectations of the City Managers".

- •• On 3-27-09, Chief Harman, Sergeant Hull, Officer Barrow, Officer Stegman, Yolla Harman, and Andrea DiNapoli attended the funeral service for the four Oakland police officers that were killed in the line of duty.
- •• On 3-30-09, Chief Harman attended the Kensington Improvement Club meeting.
- •• On 3-31-09, Chief Harman attended the KMAC meeting.

Community Criminal Activity

•• This section of the report has been prepared by the Watch Commanders reporting on their areas of responsibility.

Watch Commander Reports

Sergeant Khan Team 1

SIGNIFICANT CASES/ EVENTS:

- 09-921 On 3/3/09 at 1729 hrs. I took an identity theft report on Sunset Dr. The resident had been advised by an alert placed on his credit report providers that someone was trying to use his credit information
- 09-1014 On 3/8/09 at 1633 hrs. Officer Wilson investigated a suspicious vehicle and subject on Lenox Rd. It was determined that the subject was summoned to Kensington by a teenage girl and her cell phone. A family member chased off the young male. We admonished him and her family admonished her. It is important to know who your kids are communicating with on their electronic devices.
- 09-1015 On 3/8/09 at 1647 hrs. I was advised that a sex offender was using a Kensington address. I tracked the offender down to his current home in a California State Prison. Pending an escape or early release, he will not be coming to Kensington for at least three years.
- 09-1027 On 3/9/09 at 0850 hrs. Officer Barrow investigated a hit and run on Kenyon Ave. There are no leads.
- 09-1140 On 3/16/09 at 1152 hrs. Officer Wilson was contacted by a resident on Cowper Ave. who wanted to turn in some old ammunition.
- 09-1152 On 3/16/09 at 0805 hrs. Officer Barrow took a vandalism report at the Kensington Hilltop School. The vandalism was graffiti on a storage container.

- 09-1202 On 3/21/09 at 0901 hrs. Officer Barrow made a traffic stop on Norwood Ave. This resulted in one subject being arrested for possession of a controlled substance and a meth pipe. The other subject was arrested for being under the influence of a controlled substance and driving under the influence of drugs.
- 09-1208 On 3/21/09 at 1627 hrs. Officer Wilson took an identity theft report from a resident on Yale Circle.
- 09-1232 On 3/23/09 at 1629 hrs. Officer Wilson took an identity theft report from a resident of Eldridge Ct. An unknown subject attempted to use the victim's medical provider to obtain medical care.
- 09-1347 On 3/30/09 at 2340 hrs. I stopped a vehicle for a vehicle code infraction. The vehicle was loaded with recyclables that had been stolen. The driver had a suspended driver's license, as did the passenger. After they both told me a minimum of ten lies, I impounded the vehicle for being driven by a suspended driver and having expired registration (it had false year tabs on the license plate). I had Officer Medina transport them down the hill to San Pablo Ave. The occupants of this vehicle were stealing to support their drug habits. This type of criminal usually commits crimes of opportunity (ie. thefts from vehicles, etc.). This is typical of the types of stops made by officers on this department. Although recyclables were stolen, this was a prevention stop.
- 09-1353 On 3/31/09 at 1304 hrs. Officer Wilson investigated a hit & run on Oak View Ave.
- 09-1354 On 3/31/09 at 1357 hrs. KPD officers maintained security at the funeral of the OPD cop killer/ child rapist.
- 09-1357 On 3/31/09 at 1629 hrs. Officer Wilson took a graffiti report at the rear of the community center.

BRIEFING/TRAINING:

Officers Barrow, Medina, Wilson, and I received POST DVD training.

SERGEANT'S SUMMARY:

As you can see by reading the "significant cases/ events" portion of this report, the Kensington Police Department accepts *any* ammunition from the public. When ammunition comes to the Department, I evaluate it. If it is usable by the Department, we use it when we conduct firearms training. All other ammunition is destroyed or recycled. Old ammunition is now considered "hazardous waste" and must be disposed of properly.

KPD also accepts firearms from residents who want to dispose of them. Again, each firearm is evaluated as to whether or not it can be used by the Department. If we can use the firearm, we obtain a court order allowing us to retain it. If not, we obtain a court order allowing us to destroy the firearm. Firearms ordered destroyed are cut up. Once a year we take all the destroyed firearms to US Pipe and Foundry in Union City where the remnants are melted down. *This department does not sell donated or seized firearms*.

TEAM STATISTICS:

Officer	<u>Barrow</u>	<u>Medina</u>	<u>Wilson</u>
Days Worked	17	15	18
Traffic Stops (no cite)	4	5	5
Moving Citations	10	6	0
Parking Citations	1	3	8
Vacation/ Security Checks	6	69	23
Field Interviews (FI's)	0	1	1
Cases	1	. 0	3
Self Initiated Cases	1	1	1
Arrests	2	0	1
Calls for Service	26	. 10	41

Sergeant Escobar Team 2

Sergeant Escobar has been on vacation during the last week of the month and away at training during the first week of April, so her March Report will appear in the April Police Report.

Kensington Police Department Investigations Report

Sergeant Hull Investigations

SIGNIFICANT EVENTS:

2008-4700, 4702, 4705 — Residential Burglaries

These cases are associated with the arrest of Chas Langley and Tyrone Simmons by Oakland PD. Officer Barrow and Sgt. Hull attend the preliminary hearing at the Wiley Manual Court House and both suspects were held for trial.

2008-6607 - DUI

Charges were filed by the Contra Costa County DA.

2008-6554 - DUI

Charges were filed by the Contra Costa County DA.

2009-0237 - Hit & Run

Charges were not filed due to insufficient evidence.

2009-0249 - Hit & Run

Charges were filed by the Contra Costa County DA.

2009 - 0483 - False Representation of Identity

Charges were not filed due to insufficient evidence.

2009-0894 - Domestic Violence

Kensington resident was arrested by Officer Martinez for domestic violence on Lake Drive. The resident was arrested for biting and hitting her spouse. Charges were not filed by the DA due to insufficient evidence.

2009-1015 - Sex Offender

Sgt. Khan conducted an investigation as to the status of a sex offending Kensington resident. The sex offending resident was located in San Quentin Prison.

2009-1028 - Elder Abuse

Contra Costa County Bureau of Elder Services advised KPD of an open elder abuse investigation they are conducting on a Kensington resident.

2009-1040 - Elder Abuse

Contra Costa County Bureau of Elder Services advised KPD of an open elder abuse investigation they are conducting on a Kensington resident.

2009-1202 - Possession of Methamphetamine

Subject arrested for possession of Methamphetamine by Officer Barrow.

2009-1294 - Missing Person

A Kensington resident went hiking at the Pt. Reyes and did not return home. The resident's wife reported her husband missing to Officer Celada. Officer Celada conducted a preliminary investigation to include notification of jurisdictional agencies. The Kensington resident was eventually located and rescued from a cliff at Pt. Reyes.

Other Activities of the Investigator:

- Attended Monthly PCC meeting.
- Completed Search Warrant Seminar
- Target Safety Complete Motor Vehicle Safety
- Completed the tactical communication DVD
- Attended funeral for Firefighter Dave Garrett
- Attended Bay Area Financial Crimes Investigators briefing
- Attended Funeral for the four slain OPD Officers.
- Participated in KPD security for the Lavelle Mixon funeral
- Delivered Methamphetamine to Crime Lab. for examination 2009-1202
- Delivered fingerprints to Crime Lab. for examination 2009-0400
- Delivered fingerprints to Crime Lab. for examination 2009-0724
- Purged the KPD Evidence Room of cases from years 2003 and 2004

· Chief Harman

First, I would like to say that I am glad that the 2008 Department Investigations are finally completed. I know it is frustrating for the public to hear of these investigations, and they seemed to take forever to be concluded. However, I would like to note, that because officers have certain rights that pertain to these types of investigations, every effort is made to ensure the officer rights are protected and that the investigations are completed properly.

I am sure members of the public question why internal investigations take place. Most department investigations are initiated at my request to ensure that department members are completing their duties properly and within policy. We strive to make sure our department is as transparent as possible and that all allegations of misconduct are investigated fully to maintain the best possible police services to the community.

Secondly, it has been an emotional month for the members of our department. While mourning the death of Fire Engineer David Garrett, we needed to maintain security at the cemetery on a report of a possible retaliation shooting at a second funeral that was taking place at the same time.

This was followed by the four officers killed in the line of duty in Oakland and their funerals. Days later, members of the department had to maintain security at Sunset Cemetery at the funeral for the suspect that murdered the four officers in Oakland.

We continue to serve and move forward.

GENERAL MANAGER'S UPDATE

General Manager March 2009 Report

Budget

I am still waiting for the 2007-2008 Fiscal Year Auditor's Report to be completed so we can begin the process of preparing the next year's fiscal budget. I have been monitoring our expenses closely and obtaining future cost projections so once we begin the budget process, I believe the process will move smoothly.

Park Issues

At the March 12th Board meeting the Board was presented with a proposal to have a park restroom installed and funded with EBRPD Measure WW funds and funding from the Kensington Community Counsel donation.

My original hope was that we could apply for the funding before the March 31st project deadline. Unfortunately, there was a problem with the contractor providing the necessary plans in time because of the Board decision to change from a one stall facility to a two stall facility. Without the plans for the two stall restroom, we were unable to get the California Environmental Quality Act (CEQA) exemption in time to meet the deadline.

As a result we have more time to plan how to use the Measure WW funding for capital improvement projects in the park. The next funding request cycle begins in February 2010.

Solid Waste

We have received the Annual Financial Report from Bay View Refuse, which was due on April 1st. We are reviewing the report and preparing for the next County Solid Waste Committee meeting, which is scheduled for May 19th, at 3 PM.

Emergency Preparedness

We need to begin to work toward re-establishing our commitment as a community to emergency preparedness. That first step will be taken by identifying and developing our Neighborhood Watch groups and through our partnerships with the Fire District and community. We can facilitate these partnerships through the Police Community Council (PCC). This can be accomplished by identifying the development of community based emergency preparedness activities as one of the goals of the PCC.

MONTHLY CALENDAR

April 2009 May 2009 M T W T F S 6 7 8 9 10 11 1 1 2 20 21 22 23 24 25 15 16 17 18 19 27 28 29 30 24 25 26 27 28 29 30	Thursday Friday Saturday	3 4	8:30pm EBC 8am-4pm Cert Prog	10 11	6:00pm GPFF 7:30pm KPPCSD	17 18		24 25	5:00pm-11:30pm Ri 9am-12:00pm Rent:	May 1		
S S S 115 S S 22 22 22 22 22 22 22 22 22 22 22 22	Wednesday Thu	Apr 1 2	4:30 KFD 8:30	6	7:30pm KFD 6:00p	15 16	:00pm-8:00pm Ret	22		29 30		
	Tuesday	31 A		7	7:00pm Troop 100	14	7:00pm Troop 100	21	7:00pm Troop 100	28		7:30pm KMAC
2	Monday	30		9	7:00pm Pack 82 7:30pm KCC	13	7:00pm KARO 7:00pm Pack 82	20	7:00pm Pack 82	22		7:00pm KIC 7:00pm Pack 82
April 2009	Sunday	Mar 29	4 '1qA - 62 '16M	5	3:00pm Board Mtg	12	81 - S1 1qA	19	ZS - 61 1qA	26	707	Z Y6M - 82

June 2009 T W T F S 2 3 10 11 12 13 25 24 25 26 27	Saturday	2	10:00am-3:30pm Re	6	FKL	16	9:00am-3:00pm E-V	23		30		9		4/6/2009 5:35 PM
F S S M 8 9 7 8 15 16 17 18 22 23 23 24 25 29 30 28 29	Friday	May 1		8	FKL	15		22		29		5		
May 2009 S M T W T 3 4 5 6 7 10 11 12 13 14 17 18 19 24 25 26 27 28	Thursday	30		2		14	7:30pm Board Mtg	21		28		4		
	Wednesday	29		9	7:30pm KFD	13		20		27		3		1
	Tuesday			5	7:00pm Troop 100	12	7:00pm Troop 100	19	:00pm Troop 100	26	7:00pm Troop 100 7:30pm KMAC	2		
	Monday			4	7:00pm Pack 82 7:30pm KCC	11	7:00pm Pack 82	18	7:00pm Pack 82	25	7:00pm KIC 7:00pm Pack 82	Jun 1		
May 2009	Sunday	Apr 26	T/S - 97/ b	3	8 - E/S	10	SI - 01/S	17	77 - 71/2	24	2\5 4 - 53	31	S/9 - TE/S	Andrea Di Napoli

RECREATION

Office Report prepared by Esther Hill, Administrator Kensington Community Council Board Meeting April 6, 2009

KASEP:

Now in the third week of the spring session, KASEP has 215 children filling 376 spaces in 49 classes, with an average of 1.75 classes per child. In addition, 7 children are enrolled in karate and 35 in gymnastics, the two KCC classes for children. Spring session ends on Friday, June 5. Sandy Thacker, curriculum coordinator, and I will meet this month to plan classes for fall. We're hoping to add environmental science and children's chorus to the KASEP lineup.

KCC Summer Day Camp:

Summer camp registration began March 11 and is going well with 368 out of 620 slots filled. We're at 59% enrollment after less than a month of registration, a good pace for our camp. We begin interviews this Friday for summer counselors. Eight of our staff members from last year are returning.

Beau Cardall, former KHS student, created a wonderful video clip about KCC summer camp that I'm planning to post with a link to our information on the www.aboutkensington.com website. I've called the parents of every child seen in the video for permission to post the clip. This should go up sometime after the spring break.

KCC Classes and Events:

Ernie Adams will continue his series of Pilates classes through the summer, but will shift from the recreation building to the community center, June 17-August 19. His classes are Wednesdays, 7:30-8:30 pm., and have been drawing a good response. Nicole Becker begins maternity leave after 4/7, with Claire Lavery filling in until she returns. I've talked with Paul Grunland about repeating the Maybeck Estates walking tour in September. We also hope to offer a walking tour of paths in Kensington sometime in the fall.

OLD BUSINESS

DISTRICT - OLD BUSINESS

1. Board President Bill Wright will announce the first reading of the revision of Board Policy Manual Section 4060.3 to add the General Manager Liaison Committee to the list of standing committees. Board President Bill Wright will also announce the first reading of the new Section 4060.3.4 to the Board Policy Manual, "The Board's standing General Manager Liaison Committee shall be concerned with personnel matters of the District, including recommendations to the Board for the recruiting, hiring, managing, and compensation of the General Manager/ Chief of Police. The General Manager Liaison Committee will be composed of the Board President and the Board Vice President". This item was held over from the March 12, 2009 meeting.

NEW BUSINESS

1. Discussion for adoption Resolution 2009-03, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, initiating proceedings for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.

2. Discussion for adoption Resolution 2009-04, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, declaring its intention for the levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.

4. Discussion for approval and adoption the Kensington Police Protection and Community Services District Planning Workshop Report prepared by Dr. Charles Beesley following the Board Workshop January 17th and 18th, 2009.

3. Discussion for adoption Resolution 2009-05, a resolution of the Board of Directors of the Kensington Police Protection and Community Services District, for preliminary approval of the Engineer's Annual Levy Report regarding the proposed levy and collection of assessments for the Kensington Park Assessment District, Fiscal Year 2009/2010.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PLANNING WORKSHOP REPORT

SPECIAL DISTRICT CONSULTING

January 17 and 18, 2009



KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PLANNING WORKSHOP REPORT

TABLE OF CONTENTS

INTRO	DDUCTION	1
ISSUE	S	2
I.	Mission Statement	2
II.	Vision Statement	3
III.	Roles & Responsibilities	4
IV.	Professionalism	5
V.	Top Goals for 2009	8
VI.	Developing a Team Spirit	9
SUMM	ARY	10
ATTAC	CHMENTS	
A.	Planning Workshop Agenda	11
	Public Agency Principles	12
	Strategic Planning Principles	14
D.	Pre-Workshop Questionnaire Summary	15
E.	List of Attendees	17

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PLANNING WORKSHOP

INTRODUCTION

PROFESSIONAL SERVICES

The Kensington Protection & Community Services District (District) contracted with Charles Beesley, Special District Consulting (Consultant) to facilitate two half-day Planning Workshops (Workshops) with the Board of Directors (Board) and Senior Management (Management) of the District. The purpose of the Workshop was to develop consensus on Board and Management priorities and action plans for the current year. This report summarizes the discussions and agreements reached at the Workshop conducted January 17 and 18, 2009 at the Community Center, 59 Arlington Avenue, Kensington, California.

BACKGROUND MATERIAL

Participants received an Agenda, a statement of Public Agency Principles, and Strategic Planning Principles prior to the Workshop (Attachments A, B and C). The Consultant conducted pre-Workshop telephone discussions with four of the Board members and the General Manager to accelerate the Workshop process. These telephone discussions focused on the District's strengths, weaknesses, opportunities and threats or concerns (known as a SWOT analysis). Board and Management responses were summarized by the Facilitator and distributed prior to the Workshop (Attachment D).

WORKSHOP FORMAT

The Workshop was conducted in accordance with the Ralph M. Brown Act. The full Board of Directors, General Manager and members of the staff, and members of the public attended for a total of 14 people (Attachment E). President Wright welcomed the attendees and expressed his appreciation for the Board and staff taking the time to conduct the Workshop over the course of two days. The Consultant explained the Workshop format and process and described his role: to listen and guide discussions, keep the group on time as the meeting progressed through the agenda, and to challenge their assumptions if needed.

The number of participants allowed for continuous, open dialogue between themselves and the Consultant. Key thoughts were recorded on a flip chart by the Consultant and utilized to develop this report.

EXPECTATIONS

Participants were asked what they expected or wanted to accomplish at the Workshop. Their answers, listed below in order of importance were felt to be the key issues for Workshop discussions:

- 1. Developing Mission Statement;
- 2. Developing a Vision Statement;
- 3. Clarifying the roles and responsibilities of Board and staff;
- 4. Identifying expected professionalism and efficiency of the Board and staff;
- 5. Developing consensus on the goals for 2009; and
- 6. Developing a team spirit

PUBLIC AGENCY PRINCIPLES

The Consultant gave a brief background regarding public agency principles and their importance. These principles are: (1) the District's customers have a sense of value in the services being delivered; (2) trust and confidence in District operations and governance; and (3) the Board can make adjustments when warranted. The Consultant discussed the three primary functions of the Board: (1) approve outcome-oriented decisions; (2) delegate these decisions and (3) ensure completion and accountability of these decisions. And lastly, the Consultant explained the three primary roles of the Board are: corporate, legislative and adjudicatory. These three roles authorize the Board to employ a General Manager; establish policies; and consider Management or staff recommendations before making final decisions. One of the key roles of the Board is to hire the General Manager and clarify what is in turn expected of the General Manager. Other points of emphasis included the value of facilitative leadership and having an outward, pro-active governing philosophy.

STRATEGIC PLANNING PRINCIPLES

The Consultant reviewed the purpose and value of Vision and Mission Statements, how they set direction and enable the District to connect with its customers. He explained that these identity statements can be motivational tools for existing employees, and an effective tool for recruiting and retaining prospective employees, and serve as a daily reminder of every employee's purpose while they are at work. The following summarizes the group's discussion regarding the District's Mission and Vision statements.

ISSUES

I. MISSION STATEMENT

<u>ISSUE</u>: The District does not have a Mission Statement that expresses its values or contributions to the community.

<u>DISCUSSION</u>: The group offered the following comments regarding the District's current role within the community:

- Serves the public;
- Provides police, recreation, solid waste management and recycling services;
- Is considered a proactive agency providing leading edge service response;
- Provides a community link to the County;
- Maintains a high degree of integrity;
- Is independent from the County;
- Exhibits a high degree of professionalism; and
- Provides a personal touch with residents.

<u>AGREEMENT</u>: The following Mission Statement was unanimously agreed upon and will be submitted to the full Board for adoption:

TO PROVIDE SERVICES THAT ENHANCE THE COMMUNITY OF KENSINGTON

II. VISION STATEMENT

<u>ISSUE</u>: There is no current Vision Statement to describe future programs and their potential impact on the community.

<u>DISCUSSION</u>: The group offered the following comments to describe potential future programs:

- Expand community awareness;
- Provide a positive work environment conducive to employees enjoying serving the community
- Facilitate a personal interaction with the community;
- Develop partnerships to enhance service capabilities;
- Facilitate community-wide services; and
- Recognize and integrate community groups that represent the diverse interests of Kensington, known as the "K Groups," listed below:

KPOA- Property Owners Association;

KIC- Improvement Club;

KCC- Community Council;

FKL- Friends of the Library;

KFPD- Kensington Fire Protection District; and

KSGp- Kensington Schools

Participants acknowledged the business in Kensington is large and diverse. There is a high level of pride in the quality of public services and the fact the community is able to provide such services without County assistance.

AGREEMENT: The following Vision Statement was unanimously agreed upon and will be presented to the full Board for adoption:

DEVELOPING PARTNERSHIPS TO STRENGTHEN SERVICE CAPABILITIES

III. ROLES & RESPONSIBILITIES

A. BOARD/GENERAL MANAGER ROLES

<u>ISSUE</u>: Participants expressed there is some uncertainty about the role of the Board and General Manager in conducting the business of the District.

<u>DISCUSSION</u>: Participants expressed that some of the past Board experiences appeared to be destructive and undermined Management effectiveness. For instance, prior communications to and from Management and the Board were sometimes heard second-hand rather than direct from Management. The Board has also been over-reaching in its interaction with Management and staff. Participants want clarification regarding: (1) the roles and agreements between Management and the Board; (2) formation of Board Committees and how members of the community are selected for participation on Committees; (3) Committee levels of authority.

AGREEMENTS:

1. The Board delegates as follows:

- a) To the General Manager who may then be authorized or directed to perform stated tasks, or report back to the Board for further direction or approval; and/or
- b) To committees to conduct specified research and to provide subsequent advice to the Board. Committees are advisory only and may be authorized to develop preliminary agreements or draft language for Board business, subject to Board approval.
- 2. The Kensington Park Design Review Committee process was thought to be a good template for selecting members from the community to serve on Committees. This process will be submitted to the Board to adopt as a template for community selection to Board committees.
- 3. The Board hires the General Manager who in turn:
 - a) Hires all other District employees provided they fall within Board approved positions;
 - b) Contractors if the service is within the Board-approved budget; and
 - c) Conducts initial screening of contractors and submits his recommendations to the Board for consideration and approval.

It was noted The Board approves the hiring and/or contracting for professional services. There is no defined threshold for when the General Manager is expected to submit contracts for Board approval.

B. FISCAL RESPONSIBILITIES

<u>ISSUE</u>: It is not clear whether the Board or General Manager has fiscal responsibility for extraordinary expenses.

<u>DISCUSSION</u>: The Board does not want to micromanage financial activities but does want to establish a threshold for when the General Manager submits expenditures to the Board for review and approval.

<u>AGREEMENT</u>: Unbudgeted expenditures in excess of \$10,000 need to be submitted for Board approval. For such expenditures, the General Manager is expected to solicit three bids for the Board's review and approval.

C. BOARD/COMMITTEE/STAFF INTERACTIONS

<u>ISSUE</u>: There has been confusion regarding the interactions between the Board, Committees and staff.

<u>DISCUSSION</u>: Impromptu meetings between the members of the Board and staff can be disruptive to the flow of work. Participants thought it would be more appropriate to schedule meetings in advance with the General Manager.

<u>AGREEMENT</u>: Members of the Board should schedule meetings in advance with the General Manager and notify the Board President of such meetings and/or interactions for his/her information.

IV. PROFESSIONALISM

A. <u>ISSUE</u>: There is no established method for evaluating the efficiency of the District.

<u>DISCUSSION</u>: Participants acknowledged the Board sets policy and the General Manager implements policy by directing staff on their duties and responsibilities. There are no established boundaries between these entities, or professional standards to ensure high levels of efficiencies on the governance and management of the District.

AGREEMENTS: An evaluation of the Board and its Committee productivity was thought to be worthwhile. A formal evaluation process is also needed for the Board to evaluate the General Manager and his oversight of the District's services. Participants agreed that an annual evaluation of the General Manager would be an appropriate time frame, utilizing a standardized form that allows for

input from both the Board and General Manager. The evaluation procedures are described below.

- 1) <u>Board/Committee Evaluation Process</u>: The Board charges committees with specific tasks which in turn report back to the Board with comments, questions and/or recommendations on specific subject matter. The committees may also submit these comments, questions and/or recommendations to the General Manager for his input. The Board makes the final determination on matters of policy and committee recommendations.
- 2) <u>Board/General Manager Evaluation Process</u>: A standardized evaluation needs to be developed which should include identified performance skills and functions. The Board should conduct the evaluation annually utilizing the following procedure:
 - a) The Board and General Manager will agree upon annual performance goals.
 - b) The evaluation form will include core functions and performance expectations.
 - c) The evaluation will allow for unanticipated events, impacts and response on the part of the General Manager.
 - d) The Executive Committee will be the liaison between the Board and General Manager.
 - e) The Executive Committee will discuss their initial evaluation with the General Manager.
 - f) Following discussion with the General Manager, the Executive Committee will present the evaluation to the full Board for comments.
 - g) Upon Board's input, the Executive Committee will report the evaluation results to the General Manager.
 - h) Following the discussion with the Executive Committee, the General Manager may elect to discuss the evaluation with the full Board.
- B. <u>ISSUE</u>: The Annex decision-making process has not been as effective as desired.

<u>DISCUSSION</u>: The Annex is a separate building in unusable condition that needs approximately \$150,000 of remodeling to become suitable for occupancy. The Board budgeted \$82,000 in fiscal year 2008-09 for a new bathroom even though the adopted budget showed a \$400,000 deficit. The District also has \$48,000 in an allocated reserve account for this improvement, the majority of which was from a contribution by KCC. It was noted that if the District designates the Annex open for public use as a non-profit activity, it can qualify for East Bay Regional Park (Park) bond funds that could be applied to the improvements. However, the District's long term goal is to make the Annex self supporting through revenue generation, which might conflict with utilizing grant funds for building improvements.

AGREEMENTS: Given the projected budget shortfall in fiscal 2008-09, the Board is not yet willing to expend money for this project even though funds are allocated in the current fiscal budget. The District will solicit Park bond funds for bathroom improvements and refer the Annex site to the Annex Committee and Park Utilization Committee to develop a plan for the building's future use.

C. <u>ISSUE</u>: There is uncertainty whether the number of District police personnel is sufficient for current and projected service levels.

<u>DISCUSSION</u>: There appears to be support for increasing the number of police officers. However, the Board questions whether this issue has been adequately researched and is uncertain about long term personnel projections. The Brown Taylor report does not appear to support expanding the number of personnel, but the Police Chief/General Manager has recommended two additional positions. This is an important issue which needs to be resolved before the Board makes a decision on how to address the projected budget shortfall which may include reducing expenses and/or submitting a ballot measure for increased funding.

<u>AGREEMENT</u>: The Board will conduct a review of this issue and directed the General Manager to present a summary of all prior reports, including his reports, as soon as practical. The Board wants to determine the level of police personnel before deciding whether or not to submit a ballot measure for increased funding.

D. <u>ISSUE</u>: Participants expressed a desire to improve community communications.

<u>DISCUSSION</u>: Communicating to and with the community was felt to be very important, and goes beyond simply improving the District website. Board and staff communications play an important role in community trust.

<u>AGREEMENTS</u>: Enhancing community trust is one of the Board's top priorities in 2009. The General Manager will develop a formal communications plan and submit it to the Board for approval as soon as practical.

E. <u>ISSUE</u>: The number and type of Board committees needs to be clarified.

<u>DISCUSSION</u>: The District has a wide range of committees. Standing committees are those which have a continuous subject matter or an on-going agenda, and are subject to Open Meeting Law posting requirements.

<u>AGREEMENTS</u>: The Board needs to reassess Committee assignments. The following committees are recognized (standing committees are noted with an asterisk *):

- Finance*;
- Solid Waste and Recycling*;
- Park and Recreation:
- Police Liaison;

- Community Outreach;
- Policies and Procedures;
- Intergovernmental; and
- Emergency Preparedness.

V. TOP GOALS FOR 2009

<u>ISSUE</u>: There is a need to improve communications between the Board and General Manager.

<u>DISCUSSION</u>: Good communications are an integral part of organizational accountability. Effective communications by the Board ensures a sense of direction for management, facilitates motivation and promotes a team spirit. All parties need to know what the priorities and goals are and what is expected of management.

The following 16 goals for 2009 along with the responsible party to accomplish the goal - are listed below:

- 1. Fiscal control the Board and General Manager.
- 2. Improving police department operations and results- General Manager.
- 3. Improving community policing- General Manager.
- 4. Improving community communications- the Board.
- 5. Improving the work environment- General Manager.
- 6. Improving relations with neighboring agencies- The Board and General Manager.
- 7. Resolving the Annex building issue- the Board.
- 8. Seeking grant funds for the Annex under the Bond Issue- the General Manager.
- 9. Constructing public restrooms in the park- the Board.
- 10. Reviewing and executing all pending contracts- General Manager.
- 11. Improving the District accounting functions- General Manager.
- 12. Submitting a proposal for voter approval of additional police personnel- the Board.
- 13. Conducting a mid-year review of Board progress on the 2009 goals- the Board.
- 14. Improving communication between the Board, and General Manager/Police Chief- the Board and General Manager/Police Chief.
- 15. Reducing legal fees/expenses and improving risk management practices-General Manager.
- 16. Improving the District website, expanding external links and developing frequently asked questions (FAQ's) General Manager.

<u>ISSUE</u>: The top priority for the year, fiscal control, warranted further discussion. Current expenses exceed revenues by \$400,000 per year and financial projections indicate this deficit trend will continue unless budgetary adjustments are made.

<u>DISCUSSION</u>: The District is currently offsetting the annual deficit by transferring money from reserves. It is known that the District could qualify for supplemental revenues through Measure WW funds but there are restrictions which may limit the availability and application of these funds. However, Measure WW funds, even if procured, would not offset the current deficit. Approximately 70% of District expenses are personnel-related, which means any substantial savings would more than likely impact personnel and services. The following table identifies items to be researched for possible cost reductions by the Board, and/or the General Manager.

AGREEMENTS: The following analysis of budgetary issues will be conducted:

No.	<u>Description</u>	Researched By
1	Cut projects	The Board
2	Cut services	The Board and Ad Hoc Expense
		Reduction Committee
3	Reduce expenses	General Manager
4	Three year financial reserve	None needed, current projections
	bank	satisfactory
5	Increase revenues	The Board and Ad Hoc Revenue
		Enhancement Committee
6	Save funds by contracting for	The Board, General Manager and Ad Hoc
	services and/or consolidating	Committee
	with another agency	
7	Leasing equipment	The Board and Ad Hoc Expense
		Reduction Committee
8	Renting facilities	The Board
9	Merge with the Kensington Fire	To be assigned by the Board
	Protection District	
10	Reducing total compensation	The Ad Hoc Expense Reduction
		Committee

VI. DEVELOPING A TEAM SPIRIT

<u>ISSUE</u>: The District would like a better sense of cohesion or understanding between the Board and management.

<u>DISCUSSION</u>: The multiple issues identified within this report addressed the concerns of the participants.

<u>AGREEMENT</u>: The Workshop provided a foundation for developing a sense of understanding and teamwork by identifying issues, discussing the Board's and management's concerns, and developing consensus on goals and priorities for 2009 and possible courses of action.

SUMMARY

The Consultant reviewed the initial list of expectations to ensure all topics were addressed and that there was no unfinished business. The participants indicated they were satisfied with the discussions and agreements reached requiring follow-up action. Board President Wright expressed his appreciation for the Board's and staff's, and public's attendance over the course of the two days. Participants were satisfied with the Mission and Vision Statements to better identify the District and give it a sense of community direction. The discussions and agreements were felt to be relevant and of value. The top goals for 2009 were thought to provide the Board and staff with a clear sense of priorities and direction for the year. It is anticipated that a mid-year review will be conducted on the status of the goals. Overall, the participants thought the Workshop was a success.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PLANNING WORKSHOP

59 Arlington Avenue Kensington, CA 94707

AGENDA

January 17, 2009

<u>Time</u>	<u>Item</u>	Description	Person
8:30 AM	1 .	Welcome and introductions	Board President
8:35	2	Workshop format and process	Facilitator
8:40	3 ·	Review Pre-Workshop	"
		Questionnaire Summary	•
9:00	5	Participant expectations, desired outcomes	"
9:15	4 .	Review Public Agency Principles	"
9:30	5	Review Board/Management Interactions	
9:45	6	Review Strategic Planning Principles	cc · · · · · · · · · · · · · · · · · ·
10:00		BREAK	
10:15	7	Identity issues and priorities	Facilitator
11:00	8	Develop agreements, action plans	66 66

January 18, 2009

<u>Time</u>	<u>Item</u>	Description	Person
1:00 PM	9.	Continue to develop agreements and action plans	Facilitator
3:00		BREAK	"
3:15	10	Finalize and summarize agreements	•
3:45	11	Review client expectations	"
4:00	12	Closing Remarks	Board President
4:15		ADJOURN -	
4:30	13	Post workshop review	Board President, General Manager

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PUBLIC AGENCY PRINCIPLES

I. GOVERNING BOARDS (Creating a knowledge based public agency)

Three Keys to Agency Success

- Values
- Trust
- Flexible decision-making

Values: regarding goods and services, requires:

- Discipline/follow through
- Identity with success

<u>Trust</u>: A culture based on trust and communication, a prerequisite for community confidence which requires the following:

- Consensus on what constitutes success
- Shared core values, ideology
- Having open access to information, shared information about decisions and the rationale behind decisions
- Confidence in your partners
- Respect for their competence

<u>Flexible Decision-Making</u>: to be fluid, flexible and responsive to community needs, in order to:

- Take advantage of opportunities of value
- Make (sound) business-like decisions
- Have the ability to promote change when needed

Three Primary Functions of the Board

- Approve outcome-oriented decisions
- Delegate outcome-oriented decisions
- Ensure completion and accountability of these decisions

Three Primary Roles of the Board

- Corporate
- Legislative
- Adjudicatory

1. Corporate

- To employee the CEO
- To oversee the strategic plan
- Oversee program portfolio and resources of the organization

2. Legislative

- To establish internal operational policies
- Approve policy positions on external issues which may affect the agency

3. Adjudicatory

- Choose between positions presented by staff or others
- Weigh up information provided
- Decide on one side or the other, resolve in some other fashion

Relationship with the Chief Executive Officer

- Clarify in writing what constitutes success
- Provide him/her with a clear statement of personal goals and performance expectations for measurement and feedback
- Provide an opportunity for growth and development of the CEO (and staff)
- Discuss immediately, rather than ignore, controversial issues of significance
- Negotiate a contract with the CEO

Facilitative Leadership

- Engage in facilitating more than telling lead don't drive
- Understand that the agency's success is more important than one's personal agenda
- Utilize a strategic agenda more than a personal agenda
- Know that you are accountable to your community and community leaders
- Leave the agency in a better place than you found it

Governing Philosophy

- Outward vision rather than internal preoccupation
- Encouragement of diversity of viewpoints
- Strategic leadership rather than administrative detail
- Distinction between Board and CEO roles and responsibilities
- Collective rather than individual decisions
- The future rather than past or present
- Pro-active rather than reactive
- High standard of ethics

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

STRATEGIC PLANNING PRINCIPLES

Vision – describes the *program and its potential impact in the future*. A vision should be guided by dreams, not constraints. Is there a big hairy aggressive goal out there for you (BHAG)? It is what an organization hopes will happen if its dreams are realized. A vision is in a sense a philosophical view or statement that becomes the driving force to motivate an organization and its component programs into the future, through its strategic action plan(s).

Mission – a mission has two elements: the philosophical expression of why the organization exists, what values it meets for the community, and a brief summary of what the organization does to meet that need. For instance, Vector Health Programs of Eureka, California, a medical services organization that works only with hands, developed this mission statement: "Next to the human face, hands are our most expressive feature. We talk with them. An injury to the hand 14affects a person professionally and personally. At Vector Health Programs, we give people back the use of their hands."

Goals – goals summarize the *principal program, development, administrative, or other major accomplishments* the organization hopes *to achieve* in order to realize its vision and fulfill its mission. They are general and not quantifiable, can be short or long term, and evaluated annually.

Objectives – support the goals and provide more details – they answer the question: who will do what by when? A good rule of thumb when developing objectives is to apply the acronym "SMART."

Specific – to a certain task or program

Measurable – quantifiable by date, outcomes, responsibility

Attainable – doable within the time prescribed and with existing conditions

Results-oriented - focused on short-term activities to gain longer term goals; and

<u>Time-determined</u> – a time frame for completion is established

Action Steps — outline the exact activities necessary to develop and/or complete the objectives. They can be set up as a spreadsheet time line (like a construction project) or by using other appropriate methods. These action plans should be distributed to all those who are responsible for the successful completion of that particular task. A basic action plan must list the task, the responsibility of the person(s), and the date the task will be completed.

Summary – In general, for volunteer organizations such as boards of directors, the board develops the vision and mission and perhaps the qualitative goals. Specific objectives and action plans are then developed by staff (or committees when there is limited staff) for follow up, completion and subsequent reports to the board, for board approval.

KENSINGTON POLICE PROTECTION & COMMUNITY SERVICES DISTRICT

PRE-WORKSHOP QUESTIONNAIRE SUMMARY

N	Question	Comments
1	What do you want to accomplish at the workshop?	Clarification of the roles and responsibilities of the Board and Management. Good understanding of the Brown Act. Development of Mission and Vision Statements. Develop strong leadership and respect and move forward with consensus. Identifying top priorities for 2009 which includes exploring fiscal issues and potential solutions, community outreach service levels. Developing a strategy for moving forward on a tax to support police services.
2	What are the District's Strengths?	Community support, involvement and volunteerism. Board members are committed to the success of the District and have experience that can be utilized. There is confidence the District has made some good changes, is more accountable and is a better run organization.
3	What are the District's Weaknesses?	Projected operating shortfall. Outreach programs and communications efforts, lack of Board consensus on key issues. No Board orientation process. District reputation is not as solid as they would like. Board does not always learn from lessons made in the past. Board gets distracted by minor complaints and loses track of priorities. Board documents are not always prepared in time; existing documents are not always kept up-to-date. Board meetings are too informal, needs to establish an effective decision making process. No recognizable benchmarks to measure services delivered. Lack of critical review before agreeing to long term expense obligations. Board meetings are inconsistent, often informal and subject to disruption or delays. Board needs a more business-like approach to governing and decision-making.
4	Are there opportunities for change?	Potential to add, expand services or verify services such as walking path easements, no clear understanding of District authority and maintenance obligations. Potential park enhancements, enhanced police services such as home visits, recycling, sold waste, e-waste recycling. Potential to link up with other agencies to expand capabilities or improve efficiencies. Instilling a greater sense of community participation.
5	What foreseeable threats or concerns do you have?	Projected operating shortfall, adequate long term funding costs such as retiree benefits to comply with GASBY 45. The District needs to make a decision on requesting community approval for additional funding in order to sustain current level of police services. Communications from special interests undermine

5	What foreseeable threats or concerns do you have?	Board communications. Emergency preparedness. Unsure about the organizational effectiveness.
6	Does the District have a long range or strategic plan?	District has 5 year financial projections but no strategic plan other than adding public lavatories to the park.
7	How do you view community relations?	Community cares and is supportive of the District. There is a sense the District website design and usage could be improved to better connect with community. Problems getting the public to call 911.
8	Is there Board support for management and staff training?	Overall, yes. Board members are now scheduling to attend CSDA Board training. Support for continued management training to enhance skills and long term leadership of the District.

LIST OF ATTENDEES

BOARD OF DIRECTORS

Bill Wright, President
Chuck Toombs, Vice President
Cindy Kimball, Director
Pat McLaughlin, Director
Cathie Kosel, Director

STAFF

Greg Harman, Police Chief, General Manager
Stephanie Fries, Board Secretary
Andrea DiNapoli, Police Services Aide

MEMBERS OF THE PUBLIC

Joan Gallegos

Lynn Wolter

Val Paola

Joe Paola

Ciara Wood

Yolla Harman (Sun)

5. Discussion and possible adoption of the proposed Mission Statement for the KPPCSD: "To provide services that enhance the community of Kensington."

6. Discussion and possible adoption of the proposed Vision Statement for the KPPCSD: "Developing partnerships to strengthen service capabilities."

7. Discussion and possible adoption of the District Secretary's recommendation that the Board of Directors approve the implementation of Action Minutes, which are concise, brief, objective, and action oriented, for all regular and special meetings. It is also recommended that the Board meeting recordings be made available on the website and/or in DVD-R, CD-R, and audio tape format upon request.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Recommendation to the Board of Directors for the Production of Action Minutes

It is the recommendation of the District Secretary that the Board of Directors approve the production of Action Minutes, which are concise, brief, objective, and Action oriented, for all Regular and Special Meetings. This would replace the current style of Meeting Minutes, which are nearly verbatim transcripts. In addition to the production of Action Minutes, it is recommended that the entirety of Board Meeting recordings be made available to the Board Members and the public via the District website at www.kensingtoncalifornia.org. For individuals without computer access, DVD-R, CD-R, and even audio cassette copies will be produced upon request.

Transcription industry standards dictate that 10 to 15 minutes of speech takes one hour to type. Therefore, a three hour recording should take somewhere between 12 and 18 hours to transcribe, based on a good quality recording without any hindering factors or interruptions.

Due to the nature of the District Secretary's job, the hindering factors and interruptions that interfere with the timely production of the Board Meeting Minutes are numerous and constant. The Public Safety Building receives between twenty and fifty telephone calls & five to fifteen visitors per day on average that the District Secretary must attend to. In addition to general duties such as processing payroll and maintaining the website, the District Secretary is called upon several times per week to troubleshoot computer issues, handle Board Member requests, and work on Special Projects for the General Manager.

Because of the aforementioned hindering factors and interruptions, the District Secretary is only able to transcribe between 15 and 30 minutes of recorded material per six-hour work day and must complete the majority of transcription work after office hours, often into the night. This breaks down to requiring about two and a half weeks to complete a draft of the Meeting Minutes without working after hours. Considering that the Board Secretary only has three weeks to complete the Meeting Minutes, these expectations seem unrealistic.

Minutes production in its current transcribed style takes dozens of hours out of the District Secretary's schedule each week that could be better directed toward other projects and assisting members of the Board, staff, and public. If the Board wishes to continue the practice of verbatim minutes, the District Secretary would not be able to give this time to other essentials projects, tasks, and duties. Currently, the District Secretary must work after office hours several times per week to complete the Meeting Minutes in a timely fashion. As a result, the District Secretary has worked a total of 102.5 hours over her normally scheduled shift since being hired in late November of 2008; this breaks down to \$2,562.50 that the District has spent in a four month period solely on the production of transcribed minutes.

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

Recommendation to the Board of Directors for the Production of Action Minutes

In addition to the aforementioned, it should be noted that true Meeting Minutes are not a transcript, nor should they attempt to be a verbatim account of the meeting for individual liability reasons. They should simply be a record of the decisions made and the Actions taken. When there is a debate or discussion to be recorded, only the major points for and against the issue at hand should be included. It is important for Board Members to be able to have meaningful discussions without being concerned about individual liability; therefore, direct quotations should not be recorded in relation to the debate as they can be a disincentive for Board Members, staff, and the public to freely participate in discussion.

Because Meeting Minutes are a legal record of a meeting, they can be used in court if questions of legal liability around a program or policy arise; therefore, including too much detail is unwise from a legal perspective and Meeting Minutes should be a brief, concise, and accurate reflection of what occurred at a meeting, and should not raise questions about the legality of Actions. Meeting Minutes serve as legal documents that may be examined when a district is being investigated or sued; therefore, it is important to keep accurate meeting records but not to include unnecessary information that could prove to be a potential liability in the future.

References:

- Robert, Henry M. Robert's Rules of Order Pocket Manual of Rules of Order for Deliberative Assemblies, Harper Collins, 2004
- Jacobs, Jerald. "Preparing Proper Minutes of Association Meetings", Association Management, January 1999.
- Tortorice, Donald A. *The Modern Rules of Order, A Guide for Conducting Business Meetings*, 3rd Edition. ABA Publishing, 2007.

8. The Board will discuss the reports from each of the task forces (revenue enhancement, expense reduction, Annex) that were established to explore options to reduce or eliminate the KPPCSD budget deficit. The Board may approve the scheduling of a well-publicized Special Meeting to be held on a Saturday (May 16th or May 23rd) to present these options to the community for broad public input.

Revenue Committee Final Report Cindy Kimball and Pat McLaughlin April 1, 2009

We welcome ideas from the community for new possibilities, as well as improvements to existing revenue sources.

Recommend: None at the present. Total Rentals 22,000 1.05% Fees & Services 1. Fines, Finger printing Recommend: Fees for services be reviewed periodically and adjusted. 2. POST Reimbursements Total Fees 15,000 Total Fees 18,500 Miscellaneous 1. Interest Recommend: Funds remain in with LAIF as our best opportunity for a good and safe return. 2. Franchise Fee No recommendation 3,000 No recommendation 3,000 14% Recommend: Investigate the creation of Park Memorial opportunity. 4. Meeting Reimbursement 0 0 0%		Budget	Percent of Budget
1. Property Tax We can expect at best no increase in our share of property tax. 2. Police Tax Recommend: We place a request for tax increase on the ballot, the amount to be determined after analysis of other committee reports, Financial committee and GM recommendations. 3. Landscape & Lighting Recommend: We place a request for a tax increase on the ballot, the amount to be determined by actual costs of maintaining the "new park" property and facilities. New improvements to be funde the present time by grants and donations. Total Taxes 1,995,726 95.02% Rentals 1. Community Center Recommend: Rental rates be periodically reviewed and adjusted. Add rental of small rooms separartely to the use of the center; Add rental of the outdoor theater. Investigate possibility of improving facility to increase revenue (possibly with Park Bond funds), including kitchen remodel concert with KCC. Renegotiate contract with KCC to ensure their fair share of maintenance costs annex Recommend: The Annex be returned to the highest possible revenue producing facility 3. Tennis Courts Recommend: None at the present. Total Rentals 22,000 1.05% Fees & Services 1. Fines, Finger printing Recommend: Fees for services be reviewed periodically and adjusted. 2. POST Reimbursements 15,000 Total Fees Miscellaneous 1. Interest Recommend: Funds remain in with LAIF as our best opportunity for a good and safe return. 2. Franchise Fee 20,000 3,000 3,000 1.4% Recommend: Investigate the creation of Park Memorial opportunity. Mecting Reimbursement 0 0 0%	All Revenues	2,100,426	100%
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5. Grants 0 0%

The \$100,000 Supplemental Law Enforcement Services Fund grant has been approved in the state budget, but funds are not currently available. A similar US Government grant exists, status for 2009 unknown and being investigated.

Recommendation: Grants possibilities from private institutions need to be looked into. with help from community volunteers.

We are eligible for \$250,000 grant monies from the Parks Bond measure.

Recommend: We pursue the grant request as approved by the board, and investigate other opportunities for best use of remaining funds, possibly upgrade to the Community Center for enhanced rental revenue.

Total Misc.

64,200

3.06%

Expense Reduction Task Force Report of the Board of Directors

April, 2009

Kensington Police Protection and Community Services District

The Expense Reduction Task Force, in consultation with the General Manager of the District, has identified three possible alternatives available to the District to reduce annual expenses. After some analysis, these were the alternatives that appear to have a meaningful impact to the budget. Other measures would have little or no effect on the annual budget.

- 1. Reduce Police Officer Headcount The District's expenses in the 2009/2010 fiscal year would be reduced by approximately \$155,000 for every officer reduced from the payroll. A reduction of two officers would save approximately \$310,000. The current coverage level is targeted at 2 officers on duty from 7am until 2am and 1 officer from 2am until 7am seven days a week. With a reduction of one officer from the department, coverage from Friday to Sunday every other week would be reduced to 1 officer on duty. With a reduction of two officers, coverage from Friday to Sunday would be reduced to 1 officer on duty every Friday-Sunday period.
- 2. Police Department Management Contract With the same level of Kensington coverage and presence as exists currently, the District could expect to save approximately \$301,000 in the 2009/2010 fiscal year if the District entered into a Management Contract with the City of El Cerrito to manage the District's Police function in a similar manner as the current Fire District contract.
- 3. There are various other miscellaneous items that could be cut from the 2009/2010 budget without having a significante impact to the community. The savings from these cuts is approximately \$48,000.

Please see the attached quantitative analysis.

Respectfully submitted,

Bill Wright, President of the Board

Chuck Toombs, Vice President of the Board

Expense Reduction Options

1 Impact of Reducing Police Officer Headcount

		remaining:	Current Force * 9 officers	Current Force * Reduce 1 officer 9 officers	Reduce 2 Officers 7 officers	
Annual Savings per officer		07		\$ 155,370	\$ 310,740	
Coverage expectations(on duty)	every week Mon - Thur	7am - 2am 2am - 7am	4 6	2 +	77 ~	
	weeks 1 and 3 Fri - Sun	7am - 2am 2am - 7am	01 L	2 -	₩ ₩	
	weeks 2 and 4 Fri - Sun	7am - 2am 2am - 7am	2 F	← ←		

^{*} excluding police chief

Management Contract with external law enforcement - Budget Impact 8

	1,416,802 54,457 1,471,259	(1,170,000) 301,259
Hypothetical El Cerrito Contract	2009/2010 Kensington Personnel Costs Non Personnel Costs total Kensington costs avoided	Cost of El Cerrito service ** 9 officers Annual Gain ===
	1,416,802 54,457 1,471,259	187,000 (1,683,000) (211,741)
Hypothetical County Sherriff Contract	2009/2010 Kensington Personnel Costs Non Personnel Costs total Kensington costs avoided	Cost of County service 9 officers Annual Loss

^{**} Important note: the terms of any potential contract have not been formally discussed with either agency. These figures are estimates provided by the County Sherriff and the City of El Cerrito based on general discussions with these agencies.

Full extent of services and police coverage in Kensington would need to be developed in coordination.

City of El Cerrito believes that our current staffing level is not sufficient to provide current coverage expectations.

³ Non Staff-Related Savings

3,000	4,000	14,000	2,000	20,000	43,000
835 · Consulting	840 · Accounting	898 · Misc. Expenses/Lobbyist	969 · Computer Equipment	530 - Workers Comp	total operational savings in 2009

DISTRICT- CLOSED SESSION

1. The Board will enter into closed session to discuss the General Manager/ Chief of Police performance review in compliance with a Board action taken at the Board Meeting on March 12th, pursuant to California Government Code Section 54957. This item was on the Special Meeting agenda for April 5th and has been held over.

DISTRICT NEW BUSINESS- Continued

9. The Board will return to open session to discuss the recommendations by the Board President and Vice President that the attached goals and objectives for the General Manager/ Chief of Police be approved by the full KPPCSD Board. This item was on the Special Meeting agenda for April 5th and has been held over.

GENERAL MANAGER/ CHIEF OF POLICE GOALS For the period between March 1st through June 30th, 2009

On Friday, January 23rd, General Manager/ Chief of Police Greg Harman met with Board President Bill Wright to begin the process of establishing a process for setting and monitoring performance objectives. This was followed up with meetings on Friday, February 13, 2009 and Friday, February 20, 2009, with Board President Bill Wright and Board Vice President Chuck Toombs to discuss and set the series of objectives to be met between the period of March 1st and June 30th, 2009 to coincide with the current fiscal year. The following list is not in ranked order of importance and some of the objectives identified are the first step in long term objectives to be set in July for the subsequent fiscal year.

The General Manager/ Chief of Police should:

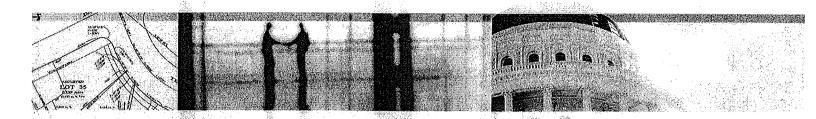
1.	Plan and facilitate an improved system of completing police
đ	department personnel evaluations and get all personnel current in
	the evaluation process.

- 2. Come within budgeted expenses during the period March 1st through June 30th.
- 3. Identify and hire a conflict resolution counselor to improve the work environment within the police department.
- 4. Improve on the District accounting function, identify weaknesses and address a plan to improve upon them.
- 5. Get East Bay Regional Park District Measure WW contract arranged and contract filed, while at the same time keeping the Board and the public informed regarding the process.
- 6. Improve the quality of statistical reporting and prepare reports in a consistence and timely manner.
- 7. Train the District Secretary to successfully perform the duties of her position.
- 8. Identify and formalize existing neighborhood watch groups.
- 9. Summarize relationships with other agencies and identify those agencies that Kensington should develop a relationship with.

By June 30th, a review of the above objectives will be conducted and the findings brought to the Board for discussion and recommendations regarding the performance of the General Manager/ Chief of Police for the next fiscal year and evaluation period.

This document prepared on February 24th, for review, presentation, and discussion at the March 12, 2009 Kensington Police Protection & Community Services District Board of Directors meeting.

Gregory E. Harman General Manager/ Chief of Police



Kensington Police Protection and Community Services District

Kensington Park Assessment District

Engineer's Report Fiscal Year 2009/10

Submitted by

Main Office 32605 Temecula Parkway, Suite 100 Temecula, CA 92592 800.676.7516

Regional Office 870 Market Street, Suite 1223 San Francisco, CA 94102 800.434.8349

Kensington Police Protection and Community Services District

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BOARD MEMBERS

Bill Wright, President
Chuck Toombs, Vice President
Pat McLaughlin, Director
Cindy Kimball, Director
Cathie Kosel, Director

DISTRICT STAFF

Gregory E. Harman, Chief of Police/General Manager
Stephanie Fries, District Secretary

NBS

Greg Ghironzi, Client Services Director
Stephanie Parson, Project Director
Jason Roth, Financial Analyst

TABLE OF CONTENTS

1.	EXECUTIVE SUMMARY	1-1
2. 2.1.	OVERVIEW Introduction	2-1 2-1
2.2.	EFFECT OF PROPOSITION 218 DESCRIPTION OF DISTRICT AND SERVICES	2-1
3. 3.1.		3-1 3-1
3.2.	KENSINGTON PARK BUDGET	3-1
4.	METHOD OF APPORTIONMENT	4-1
4.1.		4-1
4.2.		4-1
4.3.		4-1
4.4.		4-2
4.5.	HISTORICAL ASSESSMENT PER EDU	
4.6.	SAMPLE CALCULATIONS	4-2
5.	ASSESSMENT DIAGRAM	5-1
	ASSESSMENT ROLL	6-1

1. EXECUTIVE SUMMARY

The Board of Directors of the Kensington Police Protection and, Community Services District ("KPPCSD"), State of California, has directed NBS Government Finance Group DBA NBS ("NBS") to prepare and file a report presenting plans and specifications describing the general nature, location and extent of the improvements to be maintained and an estimate of the costs of the maintenance, operations and servicing of the improvements for the Kensington Park Assessment District (the "District") for Fiscal Year 2009/10 pursuant to the provisions of the Landscape and Lighting Act of 1972, Part 2, Division 15 of the California Streets and Highways Code (commencing with Section 22500) (hereafter referred to as the "Act").

The report includes a diagram for the District, showing the area and properties proposed to be assessed, an assessment of the estimated costs of the maintenance, operations and servicing the improvements, and the net amount upon all assessable lots and/or parcels within the District in proportion to the special benefit received.

The assessment rate and the annual rate escalation factor of the annual San Francisco Bay Area CPI were approved by property owners through the assessment balloting procedures set forth in Section 4 of Article XIIID of the California Constitution at a public hearing on May 28, 1997.

The following assessment is made to cover the portion of the estimated costs of maintenance, operation and servicing of said improvements to be paid by the assessable real property within the District in proportion to the special benefit received.

SUMMARY OF ASSESSMENT

DESCRIPTION	AMOUNT
Balance to Levy	\$30,472.68
Total Equivalent Dwelling Units	2,238.992
Total Assessment Per Equivalent Dwelling Unit	\$13.61
Total Parcels to be Assessed	2,182

2. OVERVIEW

2.1. Introduction

On December 6, 1994, the KPPCSD formed the District for the purpose of providing improvements which benefit parcels in the District. Since that time, the District has been levying and collecting special assessments to pay for maintaining and servicing those improvements.

This Engineer's Report ("Report") describes the District and the proposed charge per Equivalent Dwelling Unit (E.D.U.) for Fiscal Year 2009/10 based on the historical and estimated costs to maintain the improvements and to provide the services that benefit parcels within the District. Maintenance and operation of the facilities provides a healthy alternative for youth and adult activities while protecting the capital investments that have been made within the District.

The word "parcel," for the purposes of this Report, refers to an individual property assigned its own Assessor's Parcel Number by the Contra Costa County Assessor's Office. The Contra Costa County Auditor/Controller uses Assessor's Parcel Numbers and specific Fund Numbers, to identify on the tax roll, properties assessed for special district benefit assessments.

Following consideration of public comments at a noticed public hearing, and review of the Final Annual Engineer's Report, the Board of Directors may confirm the Report as submitted and may order the levy and collection of assessments for Fiscal Year 2009/10. If approved, the assessment information shall be submitted to the County Auditor/Controller and included on the property tax roll for each benefiting parcel for Fiscal Year 2009/10.

2.2. Effect of Proposition 218

On November 5, 1996, California voters approved Proposition 218 by a margin of 56.5% to 43.5%. The provisions of the Proposition, now California Constitutional Articles XIIIC and XIIID, adds substantive and procedural requirements to assessments, which affect the Kensington Police Protection and Community Services District maintenance assessments.

The assessment rate and the annual rate escalation factor of the annual San Francisco Bay Area CPI were approved by property owners through the assessment balloting procedures set forth in Section 4 of Proposition 218 at a public hearing on May 28, 1997. The San Francisco Bay Area CPI increase for the period ending February 2009 was 1.16%.

2.3. Description of District and Services

The District operates, services and maintains the following improvements:

Landscaping and grass
Water and electric services
Equipment and supplies
Repair or replacement of existing improvements
Addition of future improvements (if determined to be necessary)

The District consists of a residential area, generally located north of the Contra Costa County line, east of Santa Fe Avenue, west of Kensington Road and south of Gelston Place.

3. ESTIMATE OF COSTS

3.1. Description of Budget Items

Operations & Maintenance - Includes the following:

Tree Pruning/Removal - Includes the costs for trimming trees and removal of debris.

Utilities – Includes the costs for water to irrigate the landscaping and the costs for electricity for street lighting.

Miscellaneous Services/Equipment – Includes the costs for maintaining and replenishing equipment and supplies.

Miscellaneous Repairs - Includes any infrastructure repair on District Property, including repairs to buildings.

Incidental Expenses - Includes the following:

Administrative Services – Includes services necessary for district maintenance, including preparation of the Annual Engineer's Report and expenses for the services of KPPCSD personnel.

Levy Fees – Includes the County of Contra Costa parcel charges to collect the assessments on the County Tax Roll.

3.2. Kensington Park Budget

The proposed budget for Fiscal Year 2009/10 is as follows:

Account Description	2009/10 Proposed Budget
Maintenance Contract	\$35,000.00
Tree Pruning/Removal	3,000.00
Utilities	7,500.00
Operations & Maintenance Total	\$45,500.00
Administrative Services	6,000.00
Levy Fees	2,300.00
Drain Clearing	1,000.00
Incidental Expenses	2,000.00
Expenses Total	11,300.00
Total Costs	\$56,800.00

4. METHOD OF APPORTIONMENT

4.1. Method of Apportionment

Pursuant to the Act, the costs of the District may be apportioned by any formula or method which fairly distributes the net amount to be assessed, among all assessable parcels in proportion to the estimated special benefit to be received by each such parcel from the maintenance, servicing and operation of the improvements. The formula used for the District reflects the composition of the parcels, and the improvements and services provided, to fairly apportion the costs based on the estimated benefits to each parcel.

The benefit was determined to be equal for all Equivalent Dwelling Units (E.D.U.) within the District.

Kensington Park Assessment District

The method used to calculate the assessments within the District is as follows:

Total Balance to Levy / Total E.D.U. = Levy per E.D.U.

To determine the E.D.U. for assessable parcels, the Benefit Unit Factor (B.U.F.) is multiplied by the number of developed residential units on the parcel. Undeveloped and non-residential parcels are not assessed. The CPI Rate Escalation Factor is applied to the Levy per E.D.U. each year.

4.2. Land Use Benefit Factors

Property Type/ Land Use Code	B.U.F. Per Unit
Single Family Residential Parcels	1.000
Multi-Family Residential Parcels	0.768
Vacant Residential Parcels	0.000
Non-Assessable Parcels	0.000

4.3. Balance To Levy

Total District Costs - Includes the Maintenance & Operations and Incidental costs determined above, in Section 3 of this Report.

Other Funding Sources – This is the amount of surplus or deficit funds resulting from the previous year's assessments. This can also include funds designated for use by the District that are not from District Assessments. These funds are added to or subtracted from the District account, and assessments adjusted accordingly.

Balance to Levy - This is the total amount to be levied and collected through assessments for the current fiscal year. The Balance to Levy represents the sum of the Maintenance & Operations, Incidental Expenses, Beginning Balance, (deficit or surplus from last year) and Other Revenue Sources.

Description	Amount
Total Costs	\$56,800.00
Beginning Balance	0.00
Other Funding Sources (1)	(26,327.38)
Subtotal Balance to Levy	\$30,472.68
Installment Rounding	0.00
Total Balance To Levy	\$30,472.68

⁽¹⁾ Revenue from the KPPCSD general fund

4.4. Total Assessment Per EDU

Description	Amount
Balance to Levy	\$30,472.68
Total District E.D.U.	2,238.992
Total Assessment Per E.D.U.	\$13.61

4.5. Historical Assessment Per EDU

Fiscal Year	Assessment Rate
2001/2002	11.51
2002/2003	11.72
2003/2004	12.11
2004/2005	12.14
2005/2006	12.33
2006/2007	12.69
2007/2008	13.09
2008/2009	13.46
2009/2010	13.61

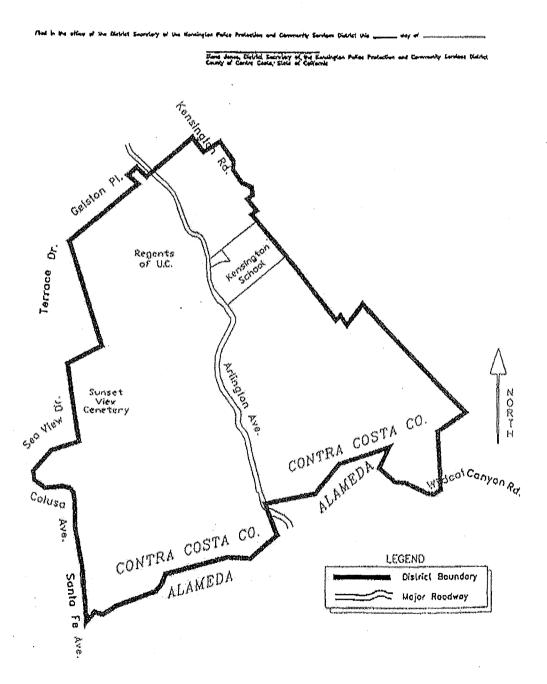
4.6. Sample Calculations

Property Type/ Land Use Code	B.U.F. X Units or Acres = E.D.U.	Parcel E.D.U. X Levy Per E.D.U = Parcel Charge	Parcel Charge
Single-Family Residential	1.00 X 1 Unit	1.000 X 13.61	\$13.61
Multi-Family Residential	0.768 X 2 Units	1.536 X 13.61	20.90
Vacant Residential	0.00 X 1 Unit	0.000 X 13.61	0.00

5. ASSESSMENT DIAGRAM

The following page provides a facsimile of the Assessment Diagram for the District. The lines and dimensions shown on the maps of the Contra Costa County Assessor for the current year are incorporated by reference herein and made part of this Report.

ASSESSMENT DIAGRAM Kensington Park Assessment District Kensington Police Protection and Community Services District Contra Costa County, California



6. ASSESSMENT ROLL

The assessment roll is provided on the following pages. The description of each lot or parcel as part of the records of the County Assessor of the County of Contra Costa are, by reference, made part of this Report.

APN	Levy
570-011-002	\$13.61
570-011-003	13.61
570-011-004	13.61
570-011-005	13.61
570-011-006	13.61
570-011-007	13.61
570-011-008	13.61
570-011-009	13.61
570-011-010	13.61
570-011-011	13.61
570-011-012	13.61
570-011-013	13.61
570-011-014	13.61
570-012-001	13.61
570-012-002	13.61
570-012-003	13.61
570-012-004	13.61
570-012-005	13.61
570-012-008	13.61
570-012-009	13.61
570-012-010	13.61
570-012-011	13.61
570-012-012	13.61
570-012-013	13.61
570-012-014	13.61
570-012-015	13.61
570-012-016	13.61
570-020-001	13.61
570-020-002	13.61
570-020-003	13.61
570-020-004	13.61
570-020-005	13.61
570-020-006	13.61 ⁻
570-020-007	0.00
570-020-010	13.61
570-020-011	13.61
570-020-012	13.61
570-020-013	13.61
570-020-014	13.61
570-020-015	20.90
570-031-001	13.61
570-031-002	13.61
570-031-003	13.61
570-031-004	13.61
570-031-005	13.61
570-031-006	13.61
570-031-007	13.61
570-031-008	13.61

APN	Levy
570-031-009	13.61
570-031-010	13.61
570-031-011	13.61
570-031-012	13.61
570-031-013	13.61
570-031-014	13.61
570-032-001	13.61
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570-032-010	13.61
570-032-011	13.61
570-032-012	13.61
570-032-013	20.90
570-032-014	13.61
570-032-015	13.61
570-032-016	13.61
570-032-017	13.61
570-032-018	13.61
570-032-019	13.61
570-032-020	13.61
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570-032-022	13.61
570-032-023	13.61
570-032-024	13.61
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570-032-026	13.61
570-032-027	13.61
570-032-028	13.61
570-032-029	13.61
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570-032-031	13.61
570-041-001	13.61
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570-041-003	13.61
570-041-004	13.61
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570-041-007	13.61
570-041-008	13.61
570-041-009	13.61
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570-041-011	13.61
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APN	Levy
570-041-012	13.61
570-041-013	13.61
570-041-014	13.61
570-041-015	13.61
570-041-016	13.61
570-041-017	13.61
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570-041-019	13.61
570-041-021	13.61
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570-041-023	13.61
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570-042-021	13.61
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570-050-014	20.90

	APN	Levy
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	570-050-019	13.61
	570-050-020	13.61
	570-050-022	13.61
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	570-050-026	13.61
	570-050-027	13.61
	570-060-001	13.61
	570-060-002	13.61
	570-060-003	13.61
	570-060-004	13.61
	570-060-005	13.61
	570-060-006	20.90
	570-060-007	13.61
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	570-060-009	13.61
	570-060-010	13.61
	570-060-011	13.61
	570-060-012	0.00
	570-060-013	0.00
•	570-060-014	0.00
	570-060-017	0.00
	570-060-018	13.61
	570-060-019	13.61
	570-060-020	13.61
	570-060-021	13.61
	570-060-022	13.61
	570-060-023	0.00
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	570-071-005	13.61
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	570-071-009	13.61
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	570-072-006	13.61
	570-072-007	20.90

APN	Levy
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570-072-009	13.61
570-072-010	13.61
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570-082-008	13.61
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570-082-014	13.61
570-082-016	13.61
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570-091-001	13.61
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570-091-003	13.61
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570-091-006	13.61
570-091-007	13.61
570-092-001	13.61
570-092-002	20.90
570-092-003	0.00
570-092-004	13.61
570-092-005	13.61
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570-0	92-008		13.61		
570-0	92-009		13.61		
570-0	92-010		13.61		
570-09	92-011	•	13.61		
570-09	92-012		13.61		
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	92-014		13.61		
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	93-006		13.61		
	93-007		13.61		
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APN	Levy
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570-110-009	20.90
570-110-010	13.61
570-110-011	13.61
570-110-012	13.61
570-110-013	13.61
570-110-014	13.61
570-110-015	13.61
570-110-016	13.61
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570-121-003	13.61
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570-121-016	13.61
570-121-019	13.61
570-122-001	13.61
570-122-002	13.61
570-122-003	13.61 13.61
570-122-004	13.61
570-122-005	20.90
570-122-011	13.61
570-122-012	13.61
570-122-013	13.61
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570-130-002	13.61
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570-130-005	13.61
570-130-006	13.61
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570-130-008	13.61
570-130-009	13.61
570-130-010	13.61

APN	Levy
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570-130-013	13.61
570-130-014	13.61
570-130-015	13.61
570-130-016	13.61
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570-130-024	20.90
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570-142-002	13.61
570-142-003	13.61
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570-142-005	13.61
570-142-006	13.61
570-142-007	13.61
570-142-008	13.61
570-142-009	13.61
570-142-010	13.61
570-142-011	13.61
570-142-012	13.61
570-142-013	13.61
570-142-014	13.61
570-142-015	13.61
570-142-016	13.61
570-142-017	13.61
570-142-019	13.61
570-142-020	
570-142-020	13.61 13.61
570-142-023	
570-142-024	13.61
570-142-025	20.90
010-142-020	13.61

APN	Levy
570-142-027	13.61
570-142-028	13.61
570-142-029	13.61
570-151-001	13.61
570-151-002	13.61
570-151-003	13.61
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570-151-012	13.61
570-151-013	13.61
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570-151-015	13.61
570-151-016	13.61
570-151-017	13.61
570-151-018	13.61
570-151-019	13.61
570-151-020	13.61
570-151-021	13.61
570-151-022	13.61
570-151-023	13.61
570-151-024	13.61
570-151-025	20.90
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570-151-027	13.61
570-151-028	13.61
570-151-029	13.61
570-152-001	13.61
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570-152-006	13.61
570-152-007	13.61
570-152-008	13.61
570-152-009	13.61
570-152-010	13.61
570-152-011	13.61
570-152-012	13.61
570-152-013	13.61
570-152-014	13.61
570-152-015	13.61
570-152-016	13.61

	APN			Levy			
5	70-152-017			13.61			
	70-161-001	•		13.61			
5	70-161-002			3.61			
	70-161-003			3.61			
	70-161-004			3.61			
	70-161-008			3.61			
	70-161-009		·	0.00			
	70-162-001		1	3.61			
	70-162-002			3.61			
	70-162-003			3.61			
	70-162-004			3.61			
	70-162-005			20.90			
	70-162-006			3.61			
	70-162-007			3.61			
	70-162-007						
	70-162-008 70-162-009			3.61			
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	70-162-010			3.61			
	70-162-011			3.61			•
	70-162-012		and the second s	3.61			
	70-162-013			3.61			
	70-162-014			3.61			
	70-162-015	*		3.61			
	70-162-016			3.61		•	
	70-162-017			3.61			
	70-162-018			3.61			
	70-162-019			3.61			
	70-162-020			3.61			•
	70-162-021			3.61			
	'0-162-022			3.61	•		
	70-162-023		1	3.61			
	0-162-024			3.61	•		
	'0-162-025		1	3.61			
57	70-162-026		1.	3.61			
57	'0-162-027		1:	3.61			
57	'0-162-028		1:	3.61			
57	0-171-001		1:	3.61			
57	0-171-002		1:	3.61			
57	0-171-003			3.61			
	0-171-004			3.61			
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	0-171-007			3.61			
	0-171-008			3.61			
	0-171-009			3.61			
	0-171-010			3.61			
	0-171-010			3.61			
	0-171-012			0.90			
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APN	Levy
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570-171-015	13.61
570-171-016	13.61
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570-172-007	13.61
570-172-008	13.61
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570-172-010	13.61
570-172-011	13.61
570-172-012	13.61
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570-172-014	13.61
570-173-002	13.61
570-173-003	13.61
570-173-004	13.61
570-173-005	13.61
570-173-006	13.61
570-173-007	13.61
570-173-008	13.61
570-173-009	13.61
570-180-001	13.61
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570-180-005	13.61
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570-180-008	13.61
570-180-009	13.61
570-180-010	13.61
570-180-011	13.61
570-180-012	13.61
570-180-013	13.61
570-180-014	13.61
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570-180-016	
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570-180-018	
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570-180-020	13.61
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570-180-022 570-180-023	13.61
0/0-100-023	13.61

APN	Levy
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570-180-025	13.61
570-180-027	13.61
570-180-028	13.61
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570-191-013	13.61
570-191-014	13.61
570-192-001	13.61
570-192-002	13.61
570-192-003	13.61
570-192-004	13.61
570-192-005	13.61
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570-192-007	13.61
570-192-008	13.61
570-192-009	13.61
570-192-010	13.61
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570-192-012	13.61
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570-192-014	13.61
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570-192-022	13.61
570-192-023	13.61
570-192-024	13.61
570-192-025	13.61
570-192-025	13.61
570-192-020	13.61
570-192-027	13.61
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570-201-002	13.61
570-201-003	13.61
370-201-004	10.01

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APN	Levy
570-201-005	13.61
570-201-006	13.61
570-201-007	. 13.61
570-201-008	13.61
570-202-002	20.90
570-202-003	13.61
570-202-004	13.61
570-202-005	13.61
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570-203-002	13.61
570-203-003	13.61
570-203-004	13.61
570-203-005	13.61
570-203-006	20.90
570-203-007	13.61
570-203-008	13.61
570-203-009	13.61
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2009/10 Parcel Listing

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