



Agenda

Kensington Police Protection and Community Services District

Board of Directors Special & Regular Meetings (**Hybrid**)

Thursday, January 12, 2023
Kensington Community Center
59 Arlington Avenue, Kensington, CA

NOTE: Those attending the meeting in person must wear masks and observe social distancing
(**Board approved Covid Protocols are listed at the end of the agenda**)

www.kppcsd.org/2023-01-12-kppcsd-board-meeting

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

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

Special Meeting (Closed Session) – 6:00 p.m.

Special Meeting Agenda Item Public Comments

Individuals wishing to address the Board of Directors concerning any Special Meeting agenda items on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President, you will be unmuted and you can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 10940 San Pablo Ave., Bldg. B, El Cerrito, CA 94530 or llewis@kppcsd.org.

1. **Teleconference Meetings During State of Emergency**

Recommended Action: Adopt Resolution No. 2023-01 A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.
Contact: Ann Danforth, General Counsel, adanforth8@outlook.com

Adjourn to Closed Session

1. PUBLIC EMPLOYEE APPOINTMENT

Title: General Manager, Interim and Permanent

Regular Meeting - 7:00 p.m.

Call to Order

Announcement from Closed Session

Roll Call

Public & Consent Calendar Comments

All matters on the Consent Calendar are considered routine and are approved by one motion and vote, unless Board Member or General Manager first requests that a matter be removed for separate discussion and action. Individuals wishing to address the Board of Directors concerning Consent Calendar items or on matters not already on the agenda are invited to make oral comments of up to three minutes. Please raise your hand via Zoom. When you are called on by the Board President you will be unmuted and can address the Board of Directors. Please state your name clearly for the audio recording. You are requested to address your comments to the President and Board of Directors, and not to staff and/or the audience. By state law, the Board is not permitted to undertake any action or discussion on any item not appearing on the posted agenda. If you have any documentation that you would like distributed to the Board, please mail or email it to the Clerk of the Board at 10940 San Pablo Ave., Building B, El Cerrito, CA 94530, or llewis@kppcsd.org.

Consent Calendar

1. Meeting Minutes for November 30 and December 8, 2022

Recommended Action: Approve meeting minutes.

Contact: Lynelle Lewis, District Clerk, llewis@kppcsd.org

2. Financial Reports

Recommended Action: Receive and accept financial reports.

Contact: Lisa Mundis, Finance Director, lmundis@kppcsd.org

Discussion and Action

3. Formation of *Ad Hoc* Board Committees

Recommended Action: Establish and nominate *ad hoc* advisory committees:

- (i) Kensington Police Department and KPPCSD permanent office location
- (ii) Preliminary Kensington Park Replanting Strategy

Contact: Ann Danforth, District General Counsel, adanforth8@outlook.com

4. Board Special Assignments

Recommended Action: Board president Aquino-Fike appoints the following board members to undertake the assignments listed below:

- (i) Interim and Permanent GM Search – Alexandra Aquino-Fike
- (ii) KCC Contract Finalization – Sylvia Hacaj

- (iii) Long-term legal protection of Kensington park – Cassandra Duggan
 - (iv) Preliminary Board Representative on Consolidation – Sarah Gough
- Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

5. KCC Contract Update

Recommended Action: Receive an update on the KCC Contract.

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

6. Proposed KPPCSD/KFPD Joint Meeting

Recommended Action: Motion to call a joint meeting between KPPCSD and the Kensington Fire Protection District (KFPD) to hear a presentation on the LAFCO consolidation process from Lou Ann Texeira, Executive Officer of the Contra Costa Local Agency Formation Commission (LAFCO)

Contact: Ann Danforth, General Counsel, adanforth8@outlook.com

7. Strategic Plan

Recommended Action: 1) Consider requesting a proposal from Mr. Martin Rauch of Rauch Communication Consultants to update the Strategic Plan; 2) After approval of a proposal, schedule the consultant to overview the process and answer any questions; 3) Once the above steps have been completed, schedule and updated strategic planning session; and 4) Utilize the current Strategic Plan as a basis to prepare an updated strategic plan.

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

8. Pursue Engagement with Recruitment Firm

Recommended Action: Motion to Authorize General Manager Constantouros to negotiate and enter into a contract with a flat fee of up to \$10,000 with BHI Management Consulting for the recruitment of the next KPPCSD Interim General Manager, subject to approval of the General Counsel as to form.

Contact: Tony Constantouros, Interim General Manager, tconstantouros@kppcsd.org

Comments & Reports

9. Director Comments.

10. General Manager's Report.

- KCC Recreation Office Report – January 2023

11. Police Chief Report.

12. Board Correspondence.

Adjournment

The next regular meeting is scheduled for February 9, 2023.

General Information

- All proceedings of the Open Session will be audio and video recorded if possible.
- Upon request, the Kensington Police Protection and Community Services District will provide written agenda materials in appropriate alternative formats or disability-related modification of disabilities to participate in public meeting. Please send written request, including your name, mailing address, phone number, and a brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two days before the meeting. Requests should be sent to Kensington Police Protection & Community Service District at *10940 San Pablo Ave., Building B, El Cerrito, CA 94530*.
- To be added to the Board Agenda Mailing List, complete and submit the form at <https://www.kppcsd.org/agenda-mailing-list> or by notifying the Clerk of the Board at llewis@kppcsd.org.

Posted Agenda

Kensington Police Department – Colusa Food – Arlington Kiosk and at www.kppcsd.org. Complete agenda packets are available at the Public Safety Building at *10940 San Pablo Ave., Building B, El Cerrito, CA 94530*.

All public records that relate to an open session item of a meeting of the Kensington Police Protection & Community Service District that are distributed to a majority of the Board less than 72 hours before the meeting, excluding records that are exempt from disclosure pursuant to the California Public Records Act, will be available for inspection at the District offices at *10940 San Pablo Ave., Building B, El Cerrito, CA 94530* at the same time that those records are distributed or made available to a majority of the Board.

KPPCSD Board Approved Meeting Protocols:

(Adopted November 10, 2022)

- Masks must be worn over the mouth and nose throughout the meeting. An N95 or surgical mask is required. Cloth masks, gaiters and bandanas are not acceptable.
- Masks must be worn regardless of vaccination status by all meeting attendees.
- Masks will be provided upon request.
- Surfaces will be sanitized between meetings.
- Sanitary wipes will be available for use at the podium.
- Rows of chairs will be set up with 6-foot distancing.
- You are welcome to sign the attendance log. Attendees who do so will be notified if a Board or staff member or community member (who notifies us) contracts Covid within 4 days of the meeting. No names or personal information will be shared.
- Please no eating or drinking during the meeting. If you must eat or drink, please do so outside the Community Center.
- Outside doors will be open throughout the meeting, please dress appropriately.
- If you are ill, please stay home and engage electronically.
- Vaccination/boosters for Covid-19 and the flu are recommended for those eligible.
- Hand Sanitizer will be available.



Date: January 12, 2023
To: Board of Directors
From: Ann Danforth, General Counsel
Subject: Resolution for the Board to Continue Holding Remote Meetings

Recommendation:

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

Rationale for Recommendation:

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

Background, Discussion and Analysis:

AB 361, codified as Government Code Section 54953(e)(1), authorizes teleconferenced meetings during a proclaimed state of emergency under the circumstances and criteria discussed at the Board's special meeting on September 28, 2021.¹ At that meeting, the Board determined that the then-current circumstances met those requirements, adopting Resolution 2021-19.

Section 54953(e)(3) limits the duration of each such determination to 30 days. If the state of emergency remains active or state or local officials have imposed or recommended measures to promote social distancing, the Board must reconsider the circumstances of the state of emergency within 30 days and determine either that the state of emergency continues to directly impact the ability of the members to meeting safely in person or that state or local officials have imposed or recommended measures to promote social distancing. Accordingly, on October 14, 2021, the Board re-considered the circumstances of the state of emergency and adopted Resolution No. 2021-20, deciding to continue to hold meetings remotely. The Board came to a similar decision on November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12, 2022, June 30, 2022, July 14, 2022, August 11, 2022, August 25, 2022, September 8, 2022, October 13, 2022, and November 10, 2022, adopting Resolutions 2021-21, 2021-22, 2022-01, 2022-

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

02, 2022-03, 2022-04 2022-08, 2022-10, 2022-17, 2022-20, 2022-21, 2022-22, 2022-26, 2022-27 and 2022-28, respectively.

To continue holding teleconferenced meetings during the Covid 19 threat without calling special meetings when the interval between regular meetings exceeds once a month, the Board must regularly reconsider its decision to meet remotely. The attached draft Resolution 2023-1 will authorize continued teleconferenced meetings.

Contra Costa County's Covid level is currently medium, an increase from last month. <https://www.cdc.gov/coronavirus/2019-ncov/your-health/covid-by-county.html>. The level has varied from medium to high over the six months or so. As of the date of this report, the CDC continues to recommend moving group activities outdoors rather than holding them indoors and increasing distance from others. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html#ventilation>; <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html#space>. The CDC also continues to recommend masks as critical public health tool. <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/masks.html>. See <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention.html>. The CDC has published a list of medical conditions are associated with the highest risk of serious Covid 19 illness. Merely being over 65 significantly increases the likelihood of severe disease. <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-with-medical-conditions.html>.

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

The Bay Area generally enjoys a strong vaccination rate. However, as of November 4, 2022, only 54.8 % of Contra Costa County residents have received the recommended additional dose. <https://www.coronavirus.cchealth.org/data-summary> (the County website does not provide information about the percentage of residents that have received the most recent booster). In addition, the District cannot assume that all meeting attendees are vaccinated. We do know that many Board meeting attendees are over 65 and therefore considered more vulnerable to Covid.

The Board held a hybrid meeting on a test basis on October 6, 2022 and conducted its first full hybrid meeting on December 8, 2023. The system seemed to work fairly well, but there were some glitches. In the future, hybrid meetings may be the key to holding in-person meetings while still allowing vulnerable or ill people to participate. With that end, staff is considering health protocols to ensure that persons who chose to attend are well protected from infection. Given the factors cited in the previous paragraph, and the fact that Governor Newsom's 2020 declaration of a state of emergency remains in effect, the Board may decide that current conditions warrant continuing to meet remotely. I note that the attached resolution will enable the Board to hold either remote or hybrid meetings.

Fiscal Impact:

There is no fiscal impact from approving the Resolution.

Exhibits

- Resolution No. 2023-01 Making Findings to allow Remote Attendance

RESOLUTION NO. 2023-01

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE
KENSINGTON POLICE PROTECTION AND COMMUNITY
SERVICES DISTRICT MAKING FINDINGS AND
DETERMINING A NEED TO CONTINUE ALLOWING
REMOTE ATTENDANCE AT BOARD MEETINGS**

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

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

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

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

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

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

WHEREAS, on September 28, 2021, October 14, November 11, 2021, December 9, 2021, January 13, 2022, February 10, 2022, March 10, 2022, April 14, 2022, May 12, 2022, June 9, 2022, June 30, 2022, July 14, 2022, August 11, 2022, August 25, 2022, September 8, 2022, October 13, 2022, November 10, 2022, and December 8, 2022, the Board held special meetings in which it found that then-current circumstances met the criteria of Government Code Section 54953(e)(1)(A) and (C); and

WHEREAS, on January 12, 2023, the Board reviewed the evidence in the records and determined the following by majority vote:

- A. The state of emergency proclaimed by Governor Newsom on March 4, 2020, continues to exist;
- B. State or local officials continue to impose or recommend measures to promote social distancing.
- C. Because of the emergency, meeting in person would present imminent risks to the health or safety of attendees.
- D. The state of emergency continues to directly impact the ability of the members to meet safely in person

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

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

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

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

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

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

PASSED AND ADOPTED by the Board of Directors of the Kensington Police Protection and Community Services District upon motion by President Hacaj, seconded by Director Sherris-Watt, on Thursday, the 12th day of January 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Alexandra Aquino-Filke
President, Board of Directors

I HEREBY CERTIFY the foregoing resolution was duly and regularly adopted by the Board of Directors of the Kensington Police Protection and Community Services District at the Special Meeting of said Board held on Thursday, the 12th day of January 2023.

Lynelle M. Lewis
District Clerk of the Board

Anthony Constantouros
Interim General Manger

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Wednesday, November 30, 2022

Special Meeting – 7:00 p.m.

Via Teleconference

Call to Order [TS 5:07]

President Sylvia Hacaj called the special meeting to order at 7:26 p.m. President Hacaj apologized for the delay in starting the meeting citing technical difficulties resulting from a power outage.

Roll Call [TS 5:37]

Director Chris Deppe, Vice-President Mike Logan, Director Eileen Nottoli, Director Rachelle Sherris-Watt, and President Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Discussion and Action

1. Removal of Dead and Diseased Trees in Kensington Park [TS 8:05]

Director Nottoli presented background information on the tree removal proposal and the rationale for the project. Director Sherris-Watt presented concerns about mitigating the District's liability issues before the winter storms. Interim General Manager Anthony Constantouros introduced the recommended actions and noted that the full arborist's reports are on the KPPCSD website. Arborists Thomas Dodge (Arbor Culture Consulting), Judith Thomas (Bay Area Plant Consultants), and Sean Murgatroyd (Save A Tree), and Craig Hancock (Professional Tree Company) summarized their assessments of the trees.

Board members asked questions of the arborists related to specific tree removal, treatment triage plans, costs, risk assessments, tree preservation, possible erosion issues, replanting plans, and trees located on school property.

- Addressing the Board were the following persons: 1) Bryan Uhlenbrook commented that Davey Tree Company disagreed with the arborist's tree removal proposal; 2) Catherine de Neergaard disagreed with the arborists reports as presented; 3) Cassandra Duggan, KPPCSD board member elect, disagreed with the arborist's findings, suggested listening to the community, having another expert to weigh in, and expressed concern about slides on the hillside; 4) Andrew Reed suggested saving this discussion for the newly elected Board, expressed appreciation for the reports, said the Board shouldn't do staff work, and urged the future Board to establish a replanting plan; 5) Carrick Roger suggested developing a replanting plan before removing trees and urged holding off on the project; 6) Sophie Boroditsky commented that it is time to accept that some trees are at the end of their life and the District should develop a process that is safe for the community; 7) Mabry Benson commented that the trees are a danger to kids and property, and we should be concerned about the safety and liability to the District; 8) Shoshana Wechsler

suggested more time for independent weigh in and suggested having a replanting plan in place before doing any tree removal; 9) Moss Hahn commented that more experts are needed, suggested preparing a landscaping plan before doing any cutting, and suggested other treatment options for fungus and beetles; 10) Steve (wife spoke) commented that we need more time, more experts, and more community involvement; 11) Douglas Bevington commented that the process has been rushed and more analysis should be considered; 12) Stephanie Oxley commented on concerns about the tree removal's risk to climate change, and suggested using arborists that have no conflict of interest; 13) Meryl Natchez commented that a stewardship plan should be part of the plan for the park, suggested using an independent arborist, and urged the Board to listen to the community; 14) Andrew Gutierrez commented that trees can be hazardous to the community and offered help to get information from U.C. Berkeley; 15) Andrea Gordon commented that the process is rushed and suggested having a new to move forward; 16) Ciara expressed concern about plans to move ahead and urged community input; 17) Sylvia Elsbury commented that rather than removing the large oak tree, efforts should be made to shore it up and said that removing 33 trees is too much; 18) Ted Blanckenburg commented there is no need to rush, a replanting plan is needed, and the project should wait until the new Board is seated; 19) Vida Dorroh commented that we should take our time, listen to the community, and let the experts decide on which tree should come down; 20) Lynn Wolter commented that the process appears to be backwards and asked for an estimate for removing the trees; and 21) Yan commented that the process is rushed and there should be more time for community engagement.

Arborists Thomas Dodge and Judith Thomas responded to the public comments related to tree risk assessment, tree safety issues, and the tree replacement plan. Board members also commented on liability issues, possible risk impacts to insurance, boundaries of the KPPCSD and West County School District, tree safety, and adjusting the plan.

- Motion by Director Nottoli, seconded by Director Deppe, to direct General Manager Tony Constantouros to negotiate with the Professional to modify the September 28, 2022 proposal for professional tree care as follows: Include Items 1, 3, 4, 5 and 6; remove Items 7, 8, 9, and 10; include Items 11, 12, 13, 14, and 15; modify Item 16 for pruning of the live oak; include Items 17 and 18; and exclude Items 1 and 2, carried (4-1) by the following roll call vote: (AYES) Directors Deppe, Logan, Nottoli, Sherris-Watt; (NOES) Hacaj; and (ABSENT) None.

2. **Update on KCC Contract.** [[TS 2:38:38](#)]

Item 2 was pulled from the agenda.

Adjournment [[TS 2:39:11](#)]

President Hacaj adjourned the meeting at 10:01 p.m.

The next regular meeting is scheduled for December 8, 2022.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: January 12, 2023

Tony Constantouros, Interim General Manager

Alexandria Aquino-Fike, President of the Board

KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING MINUTES

Thursday, December 8, 2022
Special & Regular Meetings (Hybrid)
Kensington Community Center
59 Arlington Avenue, Kensington, CA

Special Meeting – 5:30 p.m.

Call to Order [TS 9:45]

President Sylvia Hacaj called the meeting to order at 5:47 p.m.

Roll Call [TS 9:55]

Director Alexandra Aquino-Fike, Director Cassandra Duggan, Director Sarah Gough, Director Eileen Nottoli, and President Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Special Meeting Agenda Item Public Comments [TS 10:44]

No public comment was given.

1. Declaring the Results of November 8, 2022 Statewide Election for Three Directors. [TS 13:01]

Interim General Manager Tony Constantouros presented the recommended action to adopt Resolution No. 2022-28 declaring the results of the November 8, 2022 Statewide Election for three Directors. These directors will serve a four-year term of office beginning December 8, 2022 and ending December 6, 2026.

- Motion by President Hacaj, seconded by Director Nottoli, to adopt Resolution No. 2022-28 declaring the results of the November 8, 2022 election which recognizes that Alexandra Aquino-Fike, Sarah A. Gough, and Cassandra Rose Duggan won the election and are currently seated as new KPPCSD Directors, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

Resolution No. 2022-28 – A Resolution of the Board of Directors of the Kensington Police Protection District Declaring Results Of Election Held On November 8, 2022 For The Election Of Directors.

2. Administer the Oath of Office to Newly Elected Directors. [TS 15:19]

President Hacaj administered the Oath of Office to serve on the Kensington Police Protection and Community Services District Board of Directors to Directors Alexandra Aquino-Fike, Sarah A. Gough, and Cassandra Rose Duggan.

Special Meeting (Closed Session) – 6:00 p.m.

Special Meeting Agenda Item Public Comments [[TS 39:53](#)]

- The following persons addressed the Board: 1) Mabry Benson commented on the risk of the dead or diseased trees; 2) Catya de Neergaard commented on her preference to postpone cutting of trees until more proposals and reports are presented; 3) Stephanie Oxley commented that she was unable to hear the meeting; 4) Sarah urged the Board to continue with hybrid meetings so residents can participate.

1. Teleconference Meetings During State of Emergency.

- Motion by President Hacaj, seconded by Director Nottoli, to adopt Resolution No. 2022-29 making findings and determining a need to continue holding remote meetings by teleconference, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

Resolution No. 2022-29 – A Resolution of the Board of Directors of the Kensington Police Protection and Community Services District Making Findings And Determining A Need To Continue Holding Remote Meetings By Teleconference.

Adjourn to Closed Session

2. The Board adjourned to Closed Session at 6:20 p.m. to discuss existing litigation.

Regular Meeting - 7:00 p.m.

Call to Order [[TS 45:36](#)]

President Sylvia Hacaj called the meeting to order at 7:07 p.m.

Roll Call [[TS 45:42](#)]

Director Alexandra Aquino-Fike, Director Cassandra Duggan, Director Sarah Gough, Director Eileen Nottoli, and President Sylvia Hacaj were present at roll call.

Staff present included Interim General Manager Anthony Constantouros, General Counsel Ann Danforth, and Clerk of the Board Lynelle M. Lewis.

Announcement from Closed Session [[TS 46:00](#)]

President Hacaj announced that the Board gave direction to its General Counsel.

Public & Consent Calendar Comments [[TS 46:09](#)]

The following persons addressed the Board: 1) David Bergen commented on technical issues with the camera's video view and the inability to see attendees in the room; 2) Lynn Wolter commented on the webinar view, the inability to see the meeting attendees and use the chat, and urged

postponing the tree cutting in the park; and 3) [Name not given] asked how many people were participating on the webinar.

Consent Calendar [[TS 52:38](#)]

- Motion by President Hacaj, seconded by Director Aquino-Fike, to adopt Consent Calendar Items 1, 3, 4, and 5, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

1. Meeting Minutes for November 10, 2022.

Director Nottoli pulled Item 1 to point that the date for the next regular meeting should be shown as December 8, 2022.

2. Financial Reports.

Interim General Manager Constantouros pulled the financial reports from the Consent Calendar.

3. Police Department Vehicle Lease.

Resolution No. 2022-30 – Resolution Of The Board of Directors Of Kensington Police Protection and Community Services District, Hereafter Referred To As “KPPCSD Declaring Its Intention To Reimburse Itself From The Proceeds Of One Or More Tax-Exempt Financings For Certain Expenditures Made And/Or To Be Made In Connection With The Acquisition, Construction and Equipping of Certain Capital Improvements.

4. SB 165 Local Agency Special Tax and Bond Accountability Act.

Received and filed the SB-165 Annual Report for the Kensington Police Protection and Community Services District Supplemental Police Tax, to comply with the Local Agency Special Tax Bond and Accountability Act.

5. Updating Signature Authority For General Fund Account Managed By The County Of Contra.

Resolution No. 2022-31—A Resolution Of The Board Of Directors Of The Kensington Police Protection And Community Services District Approving The Removal Of Chris Deppe, Mike Logan, And Rachelle Sherris-Watt As Named Individuals On The General Fund Account Managed By The County Of Contra; Approving The Addition Of Newly Elected Board Members Alexandra Aquino-Fike, Sarah A. Gough, Cassandra Rose Duggan.

Discussion and Action

6. 2020-2021 Audit Presentation [[TS 54:59](#)]

Finance Director Lisa Mundis introduced Paul Kaymark, Senior Audit Partner from Nigro & Nigro, who presented the findings of the 2020-21 audit for the fiscal year ending June 30, 2021. He reported that the results disclosed no instances of noncompliance or other matters that are required to be reported under Government Auditing Standards. The only action needed was to receive and file the audit.

- The following person addressed the Board: 1) Lynn Wolter asked questions about expenses in the audit report.

7. KCC Contract Extension [[TS 1:12:31](#)]

Interim General Manager Tony Constantouros recommended extending the KCC contract to February 28, 2023 to allow time to complete negotiations. The final contract will be presented to the full Board.

- Motion by President Hacaj, seconded by Director Duggan, to extend the current contract with to February 28, 2023, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

8. Waste Management - Bay View Refuse & Recycle CPI rate increase [[TS 1:17:48](#)]

Finance Director Lisa Mundis presented the recommended action to accept the proposed rate increase of 4% to residential and commercial customers of Bay View Refuse and Recycling. Greg Christie, President, Bay View Refuse and Recycling, provided an update on some provision of the contract.

- Addressing the Board were the following persons: 1) Kay Reed asked about styrofoam recycling at the El Cerrito Center; and 2) A. Stevens Delk congratulated the new board members, commented on the disparate calculation of commercial rates, and suggested incentivizing the use of mini cans which sends less waste to landfills.
- Motion by President Hacaj, seconded by Director Duggan, that the Board accept the proposed rate increase to the Bay View Refuse and Recycling contract of 4%, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

9. Consolidation of Districts [[1:37:18](#)]

Interim General Manager Constantouros presented the recommended action to consider voting to endorse the consolidation of the Kensington Police Protection and Community Services District and the Kensington Fire Protection District (KFPD). He highlighted the proposal submitted by the Kensington Property Owners Association (KPOA) which suggested that both district boards vote to pursue consolidation, agree to create a committee of members of both boards to oversee

the process, and propose a meeting with the LAFCO Executive Officer Lou Ann Texeira. He The KPOA also suggested that the districts consider evaluating the option of jointly hiring a general manager prior to completion of consolidation.

The Board commented on pursuing consolidation and recommended gathering additional information from LAFCO on the process, obtaining cost analysis, legal analysis, and staffing analysis before moving toward endorsement.

- Addressing the Board were the following persons: 1) Rob Firmin, KPOA President, congratulated the new directors, suggested working jointly with LAFCO’s executive director to understand the consolidation process, and reviewing financial analysis; 2) Dave Spath welcomed the new directors and supported consolidation along with additional review of the pros and cons; 3) Paul Dorroh thanked outgoing board members, commented on support for consolidation and obtaining more information, and urged hiring a new general manager as soon as possible; 4) Mabry Benson commented on her objections to consolidation (costs, limited resident input, need for more staff and costs); 5) Lynn Wolter congratulated the newly elected directors, urged consolidation, requested an update on crime statistics, and asked about administrative staff levels and their ability to assist board members; 6) [Name not Given] commented on concerns about professionalizing government and its impact on citizen; 7) Andrew Reed commented on the need to have professional staff to address issues rather than board members, urged moving forward on the consolidation process, and resolving the Public Safety Building issue; 8) Stephanie Oxley congratulated the new board members, asked if expanding the board had been considered in terms of consolidation, and asked about having the community select a general manager from the Kensington citizens; and 9) [Name Not Given] commented on consolidation and suggested both boards meet to discuss consolidation of the general manager position.
- Motion by President Hacaj, seconded by Director Gough, that the KPPCSD Board vote to endorse the exploration of consolidation of KPPCSD and KFPD, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

10. Elect President and Vice-President of the Board [\[TS 2:19:31\]](#)

President Hacaj opened the floor for nomination of President and Vice-President of the KPPCSD Board of Directors to commence January 1, 2023.

- Motion by Director Gough, seconded by Director Duggan, to nominate Alexandra Aquino-Fike as President of the KPPCSD Board to commence January 1, 2023, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.
- Motion by Director Duggan, seconded by Director Aquino-Fike, to nominate Director Sarah Gough as Vice-President of the KPPCSD Board to commence January 1, 2023, carried (5-0) by the following roll call vote: (AYES) Directors Aquino-Fike, Duggan, Gough, Nottoli, and Hacaj; (NOES) None; and (ABSENT) None.

Comments & Reports

11. Director Comments. [\[TS 2:22:22\]](#)

- Director Aquino-Fike thanked her colleagues for their trust and faith in her, and said she is deeply honored and privileged to serve in this capacity. She said she is honored to serve the Kensington community and looked forward to hearing from them on the host of many very complex issues. In concluding, Director Aquino-Fike said she is ready to roll up her sleeves and work with everyone.
- Director Duggan commented that she would be instituting monthly coffee chats with the community. She welcomed residents to come out and talk with her and said she would be posting the dates. In concluding, Director Duggan suggested residents contact her via email to inquire about the upcoming chats.
- Director Gough thanked residents for their confidence in her and said she is looking forward to doing many great things on this Board. She looked forward to working with the staff and team to do what needs to be done for Kensington. In concluding, Director Gough noted that one of her priorities will be to advocate for more temporary and standing board committees.
- President Hacaj said she appreciated the opportunity to serve as President of the Board for the past 2 years. She noted that it was a challenging time, a rewarding experience, and said she looks forward to working with her new colleagues. In concluding, President Hacaj said she is excited about what is ahead and energized about the possibility of the things we can accomplish for Kensington.

12. General Manager's Report. [\[TS 2:25:30\]](#)

No comments.

13. Board Correspondence. [\[TS 2:22:53\]](#)

President Hacaj pointed out that the KCC Recreation Office Report for December 2022 had been filed.

Adjournment [\[TS 2:26:14\]](#)

President Hacaj adjourned the meeting at 8:48 p.m.

The next regular meeting is scheduled for January 12, 2023.

SUBMITTED BY:

Lynelle M. Lewis, District Clerk of the Board

APPROVED: January 12, 2023

Tony Constantouros, Interim General Manager

Alexandra Aquino-Fike, President of the Board



KENSINGTON POLICE PROTECTION AND COMMUNITY SERVICES DISTRICT

BOARD OF DIRECTORS MEETING

January 12, 2023

ITEM 2

FINANCIAL REPORTS FOR THE MONTH OF OCTOBER 2023

FINANCIAL REPORTS FOR THE FIRST QUARTER 2022-2023

SUMMARY OF RECOMMENDATION

Receive financial reports presented for Quarter 1 2022-2023 and October 2022.

ATTACHMENTS

1. QTR 1 2022-2023 Summary Balance Sheet (Revised)
2. QTR 1 2022-2023 Revenue and Expense Report
3. October 2022 Summary Balance Sheet
4. October 2022 Revenue and Expense Report

SUBMITTED BY:

Lisa Mundis

Lisa Mundis
Finance Director

Kensington Police Protection & Community Services District
 Summary Balance Sheet
 As of September 30, 2022

	Sep 30, 22
ASSETS	
Current Assets	
Checking/Savings	1,821,687
Accounts Receivable	3,490,512
Other Current Assets	0
Total Current Assets	5,312,199
Fixed Assets	5,628,257
Other Assets	3,598,119
TOTAL ASSETS	14,538,575
 LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	32,371
Credit Cards	(88,015)
Other Current Liabilities	57,068
Total Current Liabilities	1,424
Long Term Liabilities	8,879,402
Total Liabilities	8,880,826
Equity	5,657,750
TOTAL LIABILITIES & EQUITY	14,538,576

Kensington Police Protection & Community Services District
 2022-2023 Quarter 1 Revenue and Expense Report
 July through September 2022

	QTR 1 2022				2022-2023	
	July - Sept	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
REVENUE						
400 · Police Activities Revenue						
401 · Levy Tax Police- Co. Prop. 1%	2,024,311	1,996,500	27,811	101.39%	2,201,900	91.94%
402 · Special Tax-Police	651,974	648,000	3,974	100.61%	720,000	90.55%
404 · Measure G Supplemental Tax PD	14,108	163,075	(148,967)	8.65%	652,300	2.16%
410 · Police Fees/Service Charges	2,357	3,000	(643)	78.57%	12,000	19.64%
414 · POST Reimbursement	4,624	18,750	(14,126)	24.66%	125,000	3.70%
415 · COPS Grants-Police	74,358	43,750	30,608	169.96%	175,000	42.49%
418 · Reimbursements/Refunds	0	1,500	(1,500)	0.00%	6,000	0.00%
Total 400 · Police Activities Revenue	2,771,732	2,874,575	(102,843)	96.42%	3,892,200	71.21%
420 · Park/Rec Activities Revenue						
424 · Special Tax-L&L Parks	44,359	30,000	14,359	147.86%	44,400	99.91%
427 · Community Center Revenue	16,300	15,000	1,300	108.67%	57,700	28.25%
438 · Tennis Court Revenue	635	375	260	169.33%	1,500	42.33%
439 · Other Community Center Revenue	0	3,750	(3,750)	0.00%	15,000	0.00%
Total 420 · Park/Rec Activities Revenue	61,294	49,125	12,169	124.77%	118,600	51.68%
440 · District Activities Revenue						
456 · Interest-District	3,948	1,256	2,692	314.34%	5,000	78.96%
458 · Other District Revenue	6,385	2,500	3,885	255.39%	9,700	65.82%
Total 440 · District Activities Revenue	10,333	3,756	6,577	275.10%	14,700	70.29%
460 · Waste Removal Revenue						
461 · Waste Removal Franchise Fee	2,988	27,515	(24,527)	10.86%	110,000	2.72%
Total 460 · Waste Removal Revenue	2,988	27,515	(24,527)	10.86%	110,000	2.72%
TOTAL REVENUE	2,846,347	2,954,971	(108,624)	96.32%	4,135,500	68.83%

Kensington Police Protection & Community Services District
2022-2023 Quarter 1 Revenue and Expense Report
July through September 2022

EXPENSE	QTR 1 2022	Year to Date	\$ Over Budget	% of YTD	2022-2023	
	July - Sept	Budget	(Under Budget)	Budget	Amended Annual Budget	% of Annual Budget
500 · Police Salary and Benefit Exp						
502 · Salary - Officers	194,113	297,200	(103,087)	65.31%	1,114,880	17.41%
506 · Overtime	36,043	25,030	11,013	144.00%	100,000	36.04%
508 · Salary - Non-Sworn	16,043	17,025	(982)	94.23%	68,100	23.56%
509 · Hiring Bonus	8,000	4,700	3,300	170.21%	20,000	40.00%
521-A · Medical/Vision/Dental-Active	35,733	43,190	(7,457)	82.73%	172,700	20.69%
521-R · Medical/Vision/Dental-Retired	53,795	40,250	13,545	133.65%	160,400	33.54%
521-T · Medical/Vision/Dental-Trust	0	38,100	(38,100)	0.00%	89,820	0.00%
522 · Officer Life Insurance	668	2,540	(1,872)	26.31%	10,100	6.62%
523 · SocialSecurity/Medicare-Police	3,594	3,825	(231)	93.97%	15,300	23.49%
524 · Social Security - District	995	2,915	(1,920)	34.12%	11,600	8.58%
527 · PERS - District Portion	45,375	58,475	(13,100)	77.60%	233,750	19.41%
529 · Pension Obln Bond Payment	0	82,870	(82,870)	0.00%	331,450	0.00%
530 · Workers Comp	39,533	11,240	28,293	351.72%	44,900	88.05%
Total 500 · Police Salary and Benefit Exp	433,891	627,360	(193,469)	69.16%	2,373,000	18.28%
550 · Police Operating Expenses						
552 · Office Supplies and Expenses	1,271	3,355	(2,084)	37.89%	13,300	9.56%
553 · Police Equipent and Supplies	3,482	7,125	(3,643)	48.87%	28,500	12.22%
554 · Traffic Safety	270	8,015	(7,745)	3.37%	32,000	0.84%
560 · Crossing Guard	1,715	4,480	(2,765)	38.29%	17,800	9.64%
561 · Fleet Expense	8,059	22,875	(14,815)	35.23%	91,500	8.81%
564 · IT and Communications	165,544	48,328	127,169	342.54%	193,300	85.64%
568 · Evidence	860	1,500	(640)	57.33%	6,000	14.33%
570 · Training and Travel Exp	848	6,280	(5,432)	13.51%	25,000	3.39%
571 · Records	0	1,500	(1,500)	0.00%	6,000	0.00%
572 · Hiring	698	5,015	(4,317)	13.92%	20,000	3.49%
574 · Reserve Officers	0	890	(890)	0.00%	3,500	0.00%
576 · Dues and Subscriptions	0	1,265	(1,265)	0.00%	5,000	0.00%
588 · Telephone	7,915	7,575	340	104.49%	30,300	26.12%
591 · General Liability Insurance	37,560	10,600	26,960	354.34%	42,100	89.22%
592 · Printing and Publications	0	2,315	(2,315)	0.00%	9,200	0.00%
593 · Volunteer Programs	0	655	(655)	0.00%	2,500	0.00%
594 · Community Events	0	1,265	(1,265)	0.00%	5,000	0.00%
595 · Legal/Consulting - Police	6,720	2,250	4,470	298.67%	9,000	74.67%
599 · Police Taxes Administration	1,049	1,405	(356)	74.67%	5,500	19.08%
Total 550 · Police Operating Expenses	235,991	136,693	99,298	172.64%	545,500	43.26%
TOTAL POLICE DEPARTMENT EXPENSES	669,882	764,053	(94,171)	87.67%	2,918,500	22.95%

Kensington Police Protection & Community Services District
 2022-2023 Quarter 1 Revenue and Expense Report
 July through September 2022

	QTR 1 2022				2022-2023	
	July - Sept	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator	7,866	10,378	(2,512)	75.80%	41,500	18.96%
602 · Custodial/Cleaning Services	0	11,250	(11,250)	0.00%	45,000	0.00%
623 · Social Security/Medicare - Dist	0	2,700	(2,700)	0.00%	10,800	0.00%
Total 600 · Park/Rec Sal & Ben	7,866	24,328	(16,462)	32.33%	97,300	8.08%
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
641 · General Maintenance	2,000	750	1,250	266.67%	3,000	66.67%
642 · Utilities-Community Center	2,611	4,875	(2,264)	53.56%	19,500	13.39%
643 · Janitorial Supplies	1,297	300	997	432.31%	1,200	108.08%
644 · Landscaping	9,430	3,280	6,150	287.50%	13,000	72.54%
645 · General Liab./Workers Comp	9,390	3,500	5,890	268.28%	3,500	268.28%
646 · Community Center Repairs	5,104	1,875	3,229	272.21%	7,500	68.05%
647 · Legal/Consulting	0	6,325	(6,325)	0.00%	10,000	0.00%
Total 640 · Community Center Expenses	29,832	20,905	8,927	142.70%	57,700	51.70%
650 · Park						
651 · General Maintenance	6,512	8,850	(2,338)	73.59%	35,400	18.40%
652 · Repairs	7,349	3,000	4,349	244.96%	12,000	61.24%
653 · Landscaping	5,600	13,780	(8,180)	40.64%	55,000	10.18%
656 · Utilities	3,535	600	2,935	589.21%	2,400	147.30%
657 · General Liab/Workers Comp	9,390	9,600	(210)	97.81%	9,600	97.81%
658 · Levy Administration	1,386	2,390	(1,004)	57.99%	9,500	14.59%
659 · Other Park Expenses	0	140	(140)	0.00%	500	0.00%
674 · Tennis Court Maint/Repair	0	140	(140)	0.00%	500	0.00%
Total 650 · Park	33,772	38,500	(4,728)	87.72%	124,900	27.04%
TOTAL PARKS & RECREATION EXPENSE	71,470	83,733	(12,263)	85.35%	279,900	25.53%
750 · Waste Management Expenses						
751 · Waste Removal Franchise Fee Exp	0	11,840	(11,840)	0.00%	47,300	0.00%
752 · Waste Management Program Admin	0	750	(750)	0.00%	3,000	0.00%
753 · Other Waste Management Exp	0	140	(140)	0.00%	500	0.00%
TOTAL SOLID WASTE MANAGEMENT EXPENSE	0	12,730	(12,730)	0.00%	50,800	0.00%

Kensington Police Protection & Community Services District
 2022-2023 Quarter 1 Revenue and Expense Report
 July through September 2022

	QTR 1 2022				2022-2023	
	July - Sept	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
800 · District Expenses						
807 · Salaries	96,396	96,065	331	100.34%	384,200	25.09%
808 · Payroll Taxes	16,426	14,428	1,998	113.85%	57,700	28.47%
809 · Benefits	0	12,628	(12,628)	0.00%	50,500	0.00%
810 · IT Contract	3,470	6,956	(3,486)	49.89%	27,800	12.48%
815 · Admin Communications	600	1,078	(478)	55.66%	4,300	13.95%
816 · Office Supplies	0	403	(403)	0.00%	1,600	0.00%
817 · Postage	0	178	(178)	0.00%	700	0.00%
818 · Mileage Reimbursement	0	103	(103)	0.00%	400	0.00%
819 · Dues/Subscriptions	0	2,653	(2,653)	0.00%	10,600	0.00%
820 · Copier Contract	1,424	1,650	(226)	86.31%	6,600	21.58%
825 · Board Continuing Ed/Conferences	0	3,140	(3,140)	0.00%	5,500	0.00%
830 · Legal (District/Personnel)	2,565	11,250	(8,685)	22.80%	45,000	5.70%
831 · Training and Travel Admin	0	1,640	(1,640)	0.00%	6,500	0.00%
835 · Consulting	18,400	8,765	9,635	209.93%	35,000	52.57%
840 · Accounting/Audit	17,887	18,750	(863)	95.40%	75,000	23.85%
850 · Insurance	37,560	7,978	29,582	470.79%	31,900	117.74%
851 · Workers Comp	13,178	4,500	8,678	292.84%	4,500	292.84%
860 · Election	0	0	0	0.00%	7,500	0.00%
861 · LAFCO	1,505	2,100	(595)	71.69%	2,100	71.69%
865 · Police Bldg. Lease	17,078	12,000	5,078	142.32%	48,000	35.58%
866 · Bldg Maintenance/Repair	100	890	(790)	11.24%	3,500	2.86%
867 · Utilities	2,425	3,375	(950)	71.85%	13,500	17.96%
868 · Janitorial	1,897	1,800	97	105.39%	7,200	26.35%
870 · County Expenditures	0	6,325	(6,325)	0.00%	25,000	0.00%
898 · Other Expenses	600	253	347	237.15%	1,000	60.00%
TOTAL DISTRICT ADMINISTRATIVE EXPENSE	231,511	218,908	12,603	105.76%	855,600	27.06%
Bond Expense						
700 · Bond Expense						
975 · Community Center Loan Repayment	0	0	0	0.00%	30,700	0.00%
TOTAL BOND EXPENSE	0	0	0	0.00%	30,700	0.00%
TOTAL OPERATING REVENUE	2,846,347	2,954,971	(108,624)	96.32%	4,135,500	68.83%
TOTAL OPERATING EXPENSES	972,863	1,079,424	(106,561)	90.13%	4,135,500	23.52%
NET REVENUE	1,873,484	1,875,547	(2,063)	99.89%	0	

Kensington Police Protection & Community Services District
 2022-2023 Quarter 1 Revenue and Expense Report
 July through September 2022

	QTR 1 2022				2022-2023	
	July - Sept	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
950 · Capital Outlay						
963 · Patrol Car Accessories	5,195	3,750	1,445	138.53%	15,000	34.63%
965 · Personal Police Equipment-Asset	0	3,750	(3,750)	0.00%	15,000	0.00%
966 · Police Traffic Equipment	0	6,280	(6,280)	0.00%	25,000	0.00%
967 · Station Equipment	21,927	12,515	9,412	175.21%	50,000	43.85%
968 · Office Furn/Eq	12,430	12,515	(85)	99.33%	50,000	24.86%
969 · Computer Equipment	13,195	6,280	6,915	210.10%	25,000	52.78%
970 · Upgrade Phone System	0	6,280	(6,280)	0.00%	25,000	0.00%
972 · Park Buildings Improvement	0	23,765	(23,765)	0.00%	95,000	0.00%
974 · Other Park Improvements	18,773	6,280	12,493	298.93%	25,000	75.09%
978 · Pk/Rec Furn/Eq	0	6,280	(6,280)	0.00%	25,000	0.00%
983 · Building Temporary Relocation	0	25,003	(25,003)	0.00%	100,000	0.00%
TOTAL CAPITAL EXPENSE	71,520	112,698	(41,178)	63.46%	450,000	15.89%

Kensington Police Protection & Community Services District
 Summary Balance Sheet
 As of October 31, 2022

	<u>Oct 31, 22</u>
ASSETS	
Current Assets	
Checking/Savings	1,452,350
Accounts Receivable	3,492,951
Other Current Assets	<u>0</u>
Total Current Assets	<u>4,945,301</u>
Fixed Assets	5,628,257
Other Assets	<u>3,618,062</u>
TOTAL ASSETS	<u><u>14,191,620</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	30,690
Credit Cards	(89,870)
Other Current Liabilities	<u>62,980</u>
Total Current Liabilities	<u>3,800</u>
Long Term Liabilities	<u>8,879,402</u>
Total Liabilities	<u>8,883,202</u>
Equity	<u>5,308,419</u>
TOTAL LIABILITIES & EQUITY	<u><u>14,191,621</u></u>

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through October 2022

					2022-2023	
	As of Oct 31, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
Revenue						
400 · Police Activities Revenue						
401 · Levy Tax Police- Co. Prop. 1%	2,093,718	2,201,900	(108,182)	95%	2,201,900	95%
402 · Special Tax-Police	685,470	720,000	(34,530)	95%	720,000	95%
404 · Measure G Supplemental Tax PD	651,974	652,300	(326)	100%	652,300	100%
410 · Police Fees/Service Charges	2,357	4,000	(1,643)	59%	12,000	20%
414 · POST Reimbursement	4,624	15,000	(10,376)	31%	125,000	4%
415 · COPS Grants-Police	74,358	70,000	4,358	106%	175,000	42%
418 · Reimbursements/Refunds	0	2,000	(2,000)	0%	6,000	0%
Total 400 · Police Activities Revenue	3,512,501	3,665,200	(152,699)	96%	3,892,200	90%
420 · Park/Rec Activities Revenue						
424 · Special Tax-L&L Parks	44,359	44,400	(41)	100%	44,400	100%
427 · Community Center Revenue	16,300	20,000	(3,700)	82%	57,700	28%
438 · Tennis Court Revenue	635	500	135	127%	1,500	42%
439 · Other Community Center Revenue	0	5,000	(5,000)	0%	15,000	0%
Total 420 · Park/Rec Activities Revenue	61,294	69,900	(8,606)	88%	118,600	52%
440 · District Activities Revenue						
456 · Interest-District	5,093	1,672	3,421	305%	5,000	102%
458 · Other District Revenue	7,573	3,300	4,273	229%	9,700	78%
Total 440 · District Activities Revenue	12,666	4,972	7,694	255%	14,700	86%
460 · Waste Removal Revenue						
461 · Waste Removal Franchise Fee	2,988	36,680	(33,692)	8%	110,000	3%
Total 460 · Waste Removal Revenue	2,988	36,680	(33,692)	8%	110,000	3%
TOTAL REVENUE	3,589,449	3,776,752	(187,303)	95%	4,135,500	87%

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through October 2022

					2022-2023	
	As of Oct 31, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
Expense						
500 · Police Salary and Benefit Exp						
502 · Salary - Officers	292,483	396,100	(103,617)	74%	1,114,880	26%
506 · Overtime	64,502	33,360	31,142	193%	100,000	65%
508 · Salary - Non-Sworn	21,596	22,700	(1,104)	95%	68,100	32%
509 · Hiring Bonus	10,000	6,400	3,600	156%	20,000	50%
521-A · Medical/Vision/Dental-Active	43,107	57,580	(14,473)	75%	172,700	25%
521-R · Medical/Vision/Dental-Retired	66,873	53,600	13,273	125%	160,400	42%
521-T · Medical/Vision/Dental-Trust	0	50,700	(50,700)	0%	89,820	0%
522 · Officer Life Insurance	746	3,380	(2,634)	22%	10,100	7%
523 · SocialSecurity/Medicare-Police	5,514	5,100	414	108%	15,300	36%
524 · Social Security - District	1,321	3,880	(2,559)	34%	11,600	11%
527 · PERS - District Portion	66,551	77,950	(11,399)	85%	233,750	28%
529 · Pension Obln Bond Payment	0	110,490	(110,490)	0%	331,450	0%
530 · Workers Comp	39,533	14,980	24,553	264%	44,900	88%
Total 500 · Police Salary and Benefit Exp	612,226	836,220	(223,994)	73%	2,373,000	26%
550 · Police Operating Expenses						
552 · Office Supplies and Expenses	2,275	4,460	(2,185)	51%	13,300	17%
553 · Police Equipment and Supplies	3,482	9,500	(6,018)	37%	28,500	12%
554 · Traffic Safety	270	10,680	(10,410)	3%	32,000	1%
560 · Crossing Guard	4,044	5,960	(1,916)	68%	17,800	23%
561 · Fleet Expense	7,381	30,500	(23,119)	24%	91,500	8%
564 · IT and Communications	177,312	64,436	112,876	275%	193,300	92%
568 · Evidence	1,745	2,000	(255)	87%	6,000	29%
570 · Training and Travel Exp	848	8,360	(7,512)	10%	25,000	3%
571 · Records	0	2,000	(2,000)	0%	6,000	0%
572 · Hiring	1,256	6,680	(5,424)	19%	20,000	6%
574 · Reserve Officers	0	1,180	(1,180)	0%	3,500	0%
576 · Dues and Subscriptions	0	1,680	(1,680)	0%	5,000	0%
588 · Telephone	8,239	10,100	(1,861)	82%	30,300	27%
591 · General Liability Insurance	40,059	14,100	25,959	284%	42,100	95%
592 · Printing and Publications	0	3,080	(3,080)	0%	9,200	0%
593 · Volunteer Programs	0	860	(860)	0%	2,500	0%
594 · Community Events	0	1,680	(1,680)	0%	5,000	0%
595 · Legal/Consulting - Police	6,720	3,000	3,720	224%	9,000	75%
599 · Police Taxes Administration	1,049	1,860	(811)	56%	5,500	19%
Total 550 · Police Operating Expenses	254,680	182,116	72,564	140%	545,500	47%
TOTAL POLICE DEPARTMENT EXPENSES	866,906	1,018,336	(151,430)	85%	2,918,500	30%

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through October 2022

	As of				2022-2023	
	Oct 31, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
600 · Park/Rec Sal & Ben						
601 · Park & Rec Administrator	10,806	13,836	(3,030)	78%	41,500	26%
602 · Custodial/Cleaning Services	0	15,000	(15,000)	0%	45,000	0%
623 · Social Security/Medicare - Dist	0	3,600	(3,600)	0%	10,800	0%
Total 600 · Park/Rec Sal & Ben	10,806	32,436	(21,630)	33%	97,300	11%
635 · Park/Recreation Expenses						
640 · Community Center Expenses						
641 · General Maintenance	6,550	1,000	5,550	655%	3,000	218%
642 · Utilities-Community Center	3,294	6,500	(3,206)	51%	19,500	17%
643 · Janitorial Supplies	1,297	400	897	324%	1,200	108%
644 · Landscaping	23,330	4,360	18,970	535%	13,000	179%
645 · General Liab./Workers Comp	9,390	3,500	5,890	268%	3,500	268%
646 · Community Center Repairs	5,104	2,500	2,604	204%	7,500	68%
647 · Legal/Consulting	0	8,400	(8,400)	0%	10,000	0%
Total 640 · Community Center Expenses	48,965	26,660	22,305	184%	57,700	85%
650 · Park						
651 · General Maintenance	10,562	11,800	(1,238)	90%	35,400	30%
652 · Repairs	7,349	4,000	3,349	184%	12,000	61%
653 · Landscaping	5,600	18,360	(12,760)	31%	55,000	10%
656 · Utilities	4,044	800	3,244	506%	2,400	169%
657 · General Liab/Workers Comp	9,390	9,600	(210)	98%	9,600	98%
658 · Levy Administration	2,879	3,180	(301)	91%	9,500	30%
659 · Other Park Expenses	0	180	(180)	0%	500	0%
674 · Tennis Court Maint/Repair	0	180	(180)	0%	500	0%
Total 650 · Park	39,824	48,100	(8,276)	83%	124,900	32%
TOTAL PARKS & RECREATION EXPENSE	88,789	74,760	14,029	119%	279,900	32%
750 · Waste Management Expenses						
751 · Waste Removal Franchise Fee Exp	0	15,780	(15,780)	0%	47,300	0%
752 · Waste Management Program Admin	0	1,000	(1,000)	0%	3,000	0%
753 · Other Waste Management Exp	0	180	(180)	0%	500	0%
Total 750 · Waste Management Expenses	0	16,960	(16,960)	0%	50,800	0%
TOTAL SOLID WASTE MANAGEMENT EXPENSE	0	16,960	(16,960)	0	50,800	0

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through October 2022

					2022-2023	
	As of Oct 31, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
800 · District Expenses						
807 · Salaries	132,807	128,080	4,727	104%	384,200	35%
808 · Payroll Taxes	19,565	19,236	329	102%	57,700	34%
809 · Benefits	0	16,836	(16,836)	0%	50,500	0%
810 · IT Contract	4,372	9,272	(4,900)	47%	27,800	16%
815 · Admin Communications	600	1,436	(836)	42%	4,300	14%
816 · Office Supplies	(168)	536	(704)	(31%)	1,600	(11%)
817 · Postage	0	236	(236)	0%	700	0%
818 · Mileage Reimbursement	0	136	(136)	0%	400	0%
819 · Dues/Subscriptions	0	3,536	(3,536)	0%	10,600	0%
820 · Copier Contract	1,857	2,200	(343)	84%	6,600	28%
825 · Board Continuing Ed/Conferences	0	4,180	(4,180)	0%	5,500	0%
830 · Legal (District/Personnel)	2,565	15,000	(12,435)	17%	45,000	6%
831 · Training and Travel Admin	0	2,180	(2,180)	0%	6,500	0%
835 · Consulting	18,400	11,680	6,720	158%	35,000	53%
840 · Accounting/Audit	26,481	25,000	1,481	106%	75,000	35%
850 · Insurance	37,560	10,636	26,924	353%	31,900	118%
851 · Workers Comp	13,178	4,500	8,678	293%	4,500	293%
860 · Election	0	0	0	0%	7,500	0%
861 · LAFCO	1,505	2,100	(595)	72%	2,100	72%
865 · Police Bldg. Lease	22,567	16,000	6,567	141%	48,000	47%
866 · Bldg Maintenance/Repair	3,098	1,180	1,918	263%	3,500	89%
867 · Utilities	2,519	4,500	(1,981)	56%	13,500	19%
868 · Janitorial	0	2,400	(2,400)	0%	7,200	0%
870 · County Expenditures	6,476	8,400	(1,924)	77%	25,000	26%
898 · Other Expenses	1,400	336	1,064	417%	1,000	140%
Total 800 · District Expenses	294,782	289,596	5,186	102%	855,600	34%
TOTAL DISTRICT ADMINISTRATIVE EXPENSE	294,782	289,596	5,186	102%	855,600	34%
Bond Expense						
700 · Bond Expense						
975 · Community Center Loan Repayment	0	0	0	0%	30,700	0%
TOTAL BOND EXPENSE	0	0	0	0%	30,700	0%
TOTAL OPERATING REVENUE	3,589,449	3,776,752	(187,303)	95%	4,135,500	87%
TOTAL OPERATING EXPENSES	1,250,477	1,399,652	(149,175)	89%	4,135,500	30%

Kensington Police Protection & Community Services District

Revenue & Expense Report

July through October 2022

					2022-2023	
	As of Oct 31, 2022	Year to Date Budget	\$ Over Budget (Under Budget)	% of YTD Budget	Amended Annual Budget	% of Annual Budget
950 · Capital Outlay						
963 · Patrol Car Accessories	5,195	5,000	195	104%	15,000	35%
965 · Personal Police Equipment-Asset	0	5,000	(5,000)	0%	15,000	0%
966 · Police Traffic Equipment	0	8,360	(8,360)	0%	25,000	0%
967 · Station Equipment	26,916	16,680	10,236	161%	50,000	54%
968 · Office Furn/Eq	12,430	16,680	(4,250)	75%	50,000	25%
969 · Computer Equipment	20,850	8,360	12,490	249%	25,000	83%
970 · Upgrade Phone System	0	8,360	(8,360)	0%	25,000	0%
972 · Park Buildings Improvement	0	31,680	(31,680)	0%	95,000	0%
974 · Other Park Improvements	18,773	8,360	10,413	225%	25,000	75%
978 · Pk/Rec Furn/Eq	0	8,360	(8,360)	0%	25,000	0%
983 · Building Temporary Relocation	97,975	33,336	(64,630)	294%	100,000	98%
Total 950 · Capital Outlay	182,139	150,176	31,963	121%	450,000	40%



Date: January 12, 2023
To: Board of Directors
From: Ann Danforth, General Counsel
Subject: Board President Appointment of *Ad Hoc* Advisory Committees

Recommendation

Discuss:

1. Creation of *ad hoc* advisory committees to advise the Board of Directors regarding (i) Police Department + District Office Permanent Location Committee and; and (ii) Kensington Park Re-Planting Strategy Committee.
2. Determine expected duration of the *ad hoc* committees;
3. Discuss interest from Board members to serve on such committees; and
4. Appoint committee members.

Note that Items 1, 2 and 4 lie within the Board President's discretion.

Rationale for Recommendation

The committees would gather information and make recommendations to the Board regarding two pressing matters that require resolution in the near term.

Background and Analysis

The Brown Act allows the District to form or "*ad hoc*," i.e., temporary committees composed solely of less than a quorum of Board members to advise the Board on discrete matters of importance. Such committees are more nimble than the Board itself because their meetings are not subject to the Brown Act's normal requirements. *Ad hoc* committees frequently assist their legislative bodies by investigating the options available for specific problems.

Section 4020.1 of the District's Policy and Procedures Manual ("PPM") authorizes the Board president to create temporary advisory committees as that person deems necessary or advisable. President Alexandra Aquino-Fike has advised staff that she intends to form *ad hoc* committees to address three pressing issues now facing the District: the search for a permanent location for District personnel and operations, a park replanting plan and emergency preparedness. These committees

would develop recommendations to the Board on their respective issues. The President should state the expected duration of the committees at the time of their appointment.

Related Matters

President Aquino-Fike has also expressed interest in forming standing advisory committees. These committees provide advice to the Board regarding on-going subject matters. The Board may create such committees under PPM Section 4020.1.1. Any two directors may request the creation of a standing committee; the Board would decide whether to create the committee at a public meeting as part of the agenda. Meetings of standing committees are subject to Brown Act requirements.

A standing committee may include non-directors. State law does not prescribe a particular process for special districts to select members of the public to serve on committees. The law does prescribe a process for general law cities for this purpose. When the Board decides whether to create a standing committee with non-directors, I will provide information on the city process.

Fiscal Impact

The fiscal will depend on the extent to which the *ad hoc* committees require staff support. Typically, these committees do not demand significant staff time because they are not required to publish agendas for their meetings.

Exhibits

- Police Department + District Office Permanent Location Committee
- Kensington Park Re-Planting Strategy Committee
- Policy + Procedure Manual Citation

Police Department + District Office Permanent Location Committee

Committee Members:

- President Aquino-Fike
- Vice-President Gough

Purpose:

To investigate and recommend a permanent location for the police and district offices within the borders of Kensington. The Committee will consider, inter alia:

1. available commercial, land, and residential properties within Kensington's border
2. architecture plans submitted by Bart Jones
3. architecture plans submitted by Jim Watt

**The Committee will not consider properties located within Kensington Park, the Arlington Avenue parking lot, or in any other city/municipality's borders.*

Deliverables:

1. The Committee will provide public updates at regular monthly board meetings until a location is identified or the committee dissolves.
2. The Committee will provide a recommendation, including a thorough cost-benefit analysis of the top 2 location options, no later than 12 months from the committee formation date.

Limitations:

1. The Committee's final recommendation will be presented in a public board meeting. No vote or action will occur for at least 14 days following the public presentation to allow opportunity for board and community input.
2. No Committee member will commit to any contract or expenditure on behalf of the District without prior approval by the GM or the full board.
3. Committee members will direct all requests for information from staff through the GM, and will endeavour to keep all such requests to a minimum.

Timing:

The Committee will dissolve once a permanent location has been voted on by the full board or no later than 18 months from the committee formation date if no location has been approved.

Kensington Park Re-Planting Strategy Committee

Committee Members:

- Vice-President Gough
- Director Duggan

Purpose:

In recognition of our changing climate and limited District resources, this Committee is created to provide a thoughtful approach to future re-plantings and care of Kensington Park. An approach that considers our modest park budget, but also the climate and soil as it is today and likely will be in the future, including: drought, warmer temperatures, and wildfires.

Therefore, the Committee is tasked with exploring different approaches to restoring and rehabilitating the land of Kensington Park, particularly those areas most impacted by the tree removal, and then recommending a course of action for the Board.

In researching various approaches, the Committee will seek input from relevant experts, including but not limited to:

- Local indigenous partners
- Academics with expertise in sustainable/restorative landscapes
- Professional landscape architects focused on drought tolerant and fire safe designs
- Soil experts
- Fire experts
- Kensington Park's landscape team (Fernando Herrera + Team)

Deliverables:

The Committee will present a clearly articulated strategy for re-planting in the park, with specific recommendations for: timing, costs, funding options, community engagement, and partnerships. The recommendation should also address the primary concerns of sustainability, safety, and limited District funding. The Committee's recommendation will be presented in a public board meeting no later than July 2023.

Limitations:

1. The Committee will not propose a specific landscape plan. Rather, the Committee will recommend a strategy for re-planting in Kensington Park that, if approved by the board, would be implemented by the GM, staff, and hired contractors.
2. No Committee member will commit to any contract or expenditure on behalf of the District without prior approval by the GM or the full board.
3. Committee members will direct all requests for information from staff through the GM, and will endeavour to keep all such requests to a minimum.

Timing:

The Committee will be dissolved once a final strategy has been approved and voted on by the full board, or within 18 months, whichever is sooner.

Policy + Procedure Manual Citation

4020.1 Temporary Advisory Committees: The Board President shall appoint any such temporary advisory committees as may be deemed necessary or advisable by the President or the Board. The purpose of a temporary advisory committee and the time allowed to accomplish that purpose shall be outlined at the time of appointment. A temporary advisory committee shall be considered dissolved when its purpose has been accomplished or when the timeframe for its existence has expired, whichever occurs first.

Background

A temporary advisory committee (sometimes called an “ad hoc committee”) can be a helpful tool for delegating board responsibility for certain time-sensitive, high priority tasks. These committees are not subject to the Brown Act’s public meeting and notice requirements and allow no more than 2 board members (only) to sit on them. The designated board directors are charged with handling a particular issue and then distilling any information learned into actionable recommendations for the full board. In this way, these limited purpose committees can promote more informed and efficient policy decision-making by the board without excessively burdening staff. They also can invite community input even though only board members may sit on the committees. Notably, these temporary committees do not preclude the establishment of future standing committees, in which residents participate as committee members.

Therefore, given the number of high priority items of the District, the President establishes the following temporary/ad hoc committees:

New Ad Hoc Committees

1. Police Department + District Office Permanent Location
2. Kensington Park Re-Planting Strategy

Contact Information

All committee descriptions and the appointed board members’ contact information are available on the www.kppcsd.org web site. Please reach out to the designated directors with any questions or comments related to their committee assignments.



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: Board Special Assignments

Special Assignments

Board President Aquino-Fike will be utilizing special assignments to assign lead responsibilities among Directors.

Special Assignment Appointments

Board President appointments are listed below:

General Manager Search Committee

- President Aquino-Fike

KCC Contract Finalization

- Director Hacaj

Long-term legal protection of Kensington Park

- Director Duggan

Preliminary Board Representative on Consolidation

- Vice-President Gough

Fiscal Impact

None

Exhibit (s)

None



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: KCC Contract

Recommendation

Update the status for finalization of a new contract.

Background

At the December 8, 2022 Board Meeting the KCC contract was extended to February 28, 2023. There has been tentative agreement on most issues and a final draft is nearing completion.

Fiscal Impact

None

Exhibit (s)

None



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: Proposed KPPCSD / KFPD Joint Meeting

Recommendation

Motion to call a joint meeting between KPPCSD and the Kensington Fire Protection District (KFPD) to hear a presentation on the LAFCO consolidation process from Lou Ann Texeira, Executive Officer of the Contra Costa Local Agency Formation Commission (LAFCO).

Background

The concept of a possible consolidation of the two Kensington districts was discussed at the December 8, 2022 Board meeting. There was interest in obtaining more information on this topic and initiating discussion with the KFPD.

The next meeting of the KFPD is scheduled for Wednesday, January 18, 2023.

Fiscal Impact

None

Exhibit (s)

None



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: Strategic Plan

Recommendations:

1. Consider requesting a proposal from Mr. Martin Rauch of Rauch Communication Consultants to update the Strategic Plan.
2. After approval of a proposal, schedule the consultant to overview the process and answer any questions.
3. Once the above steps have been completed, schedule and updated strategic planning session.
4. Utilize the current Strategic Plan as a basis to prepare an updated strategic plan.

Background:

A strategic plan is a process to develop a document that will identify the goals of the Board of Directors and the actions needed to achieve those goals. Normally, strategic plans require updating to accurately reflect new priorities and revised goals.

The Board of Directors held a strategic planning workshop on January 27, 2022. The strategic plan was principally put together by the District's consultant, Martin Rauch of Rauch Communication Consultants. A draft work plan was also included in the Strategic Plan. At the Board Meeting of October 13, 2022, there was Board consensus to schedule a session in 2023 to review the Plan once the new Board members and a new General Manager are in place.

Discussion and Analysis:

The strategic planning process develops a consensus on the goals that the Board decides to accomplish and the timeframe to complete them. The process is an organized approach toward identifying the objectives of the organization, allocating sufficient resources toward these objectives and holding individuals responsible for achieving them.

The Board does have the options of seeking additional proposals for other facilitators and delaying the process until a permanent General Manager has been selected.

Fiscal Impact:

The agreement with Rauch Communications was originally approved at the May 13, 2021 Board Meeting for \$13,000 to facilitate a strategic planning process and develop a strategic plan.

Exhibit (s):

None



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: Pursue Engagement with Recruitment Firm

Recommendation

Motion to Authorize General Manager Constantouros to negotiate and enter into a contract with a flat fee of up to \$10,000 with BHI Management Consulting for the recruitment of the next KPPCSD Interim General Manager, subject to approval of the General Counsel as to form.

Background

The Board of Directors will need to fill the General Manager position on an interim basis and has received a proposal from BHI Management Consulting.

Fiscal Impact

Flat fee of \$10,000

Exhibit (s)

Proposal from BHI Management Consulting

Ms. Alexandra Aquino-Fike , Board President
Kensington PPCSD District

January 9, 2023

Subject: Proposal for Recruiting an Interim and Permanent General Manager

Phase 1 Interim part-time Time General Manager:

It is our pleasure to provide this proposal to work with the District to secure the next interim General Manager. The approach is to offer services to recruit and place an interim GM for a period of about 6 -9 months. More time may be negotiated between the District and incumbent if required. BHI will use a currently available job description as a general basis for the search. It is highly desirable to secure an interim who is professionally qualified and experienced, with some experience with district consolidation activities and with police services.

It is seen that sometime between notification to proceed to BHI, 2-4 weeks may be required to identify and vet, then work the logistics and contract of an Interim to begin work.

The general approach is utilizing the BHI network of California professionals to identify highly qualified persons that may be interested in such a position at a practical hourly rate. If possible, two qualified individuals would be presented to the District representative(s) for consideration. Upon a positive decision, BHI will work the details, such as contract, lodging, hourly rate, days of week, start date, etc. Those details would be included into a contract, worked in conjunction with the District's counsel to an agreed complete contractual details. That employment contract will be approved by the Board.

The Interim GM would be responsible for:

1. Daily District operations
2. Possess executive authorities as allowed by the Board
3. Managing any tasks currently work with the District through contract
4. Generation of the 2022/2023 annual budget for the District
5. Be prepared to leave the District with an assessment of the state of the District upon conclusion of the assignment including, but not limited to, staffing versus contract work necessary regarding sustainable daily operations, status of the annual budget, status of policing activities, Progress or status regarding District consolidation, adequacy of District policies and assessing policy/practice audit and more. This report would be required at contract end.

Deliverable for Task A – recruit, vet and place a fully qualified interim General Manager to the KKPCSD for the 6 -9 mo. timeframe.

Estimated Hours/Cost – 32 hrs. plus expenses -\$9500.00

Firm – BHI Management Consulting

BHI Management Consulting, a wholly owned sole proprietorship
2459 Neptune Ct.
Tracy, CA 95304
Website: www.bhiconsulting.com
Email: brent@bhiconsulting.com

BHI MANAGEMENT CONSULTING

"Organizational Efficiency for Public Agencies"

Project lead, contact and sole consultant: Brent Ives

Cell Phone #: 209-740-6779

BHI affirms understanding and the ability to comply with the requirements of KFPD standard professional services agreement. BHI is a sole-proprietor owned business, fully insured and benefited. Those that BHI provides to assignments are single purpose contractors with BHI, under BHI coverage.

1. Background on BHI Management Consulting and Brent Ives

BHI Management Consulting is owned and operated by Brent Ives and is based in Tracy, California. Since 1994 the firm has specialized in serving public agencies to find and keep great leaders and employees as well as a variety of other organizational projects. It is important to understand that BHI offers this service as a focused, customized service to California Special Districts, not doing dozens each year but 5-6 annually. This presents a more focused, present and attentive recruitment process to KFPD. Your consultant through the entire process is the firm's Principal, Brent Ives. BHI will support much of the effort with administrative support at their offices and use additional support at conferences while marketing the position.

Brent has served as a City Council member for the City of Tracy, California since 1992 and as directly elected Mayor of the City of Tracy, retiring in 2014. This experience and knowledge helps Brent to bring valuable perspective to the executive search process.

Brent and BHI have facilitated dozens of such meetings in preparation for executive searches and profiling activities. The guiding principle of BHI Management Consulting is to provide public

BHI MANAGEMENT CONSULTING

"Organizational Efficiency for Public Agencies"

agencies with focused, careful, thorough, practical, no-nonsense, fairly priced services with recruiting, hiring and keeping great employees.

At BHI we believe that, while we must be able to, and are consistently successful at, establishing a strong and qualified candidate pool, a co-equal challenge is assuring overall job-fit. Therefore, the process outlined herein, BHI is fully prepared, experienced and will focus only on your description development. BHI can meet all insurance requirements for this engagement.

BHI also includes a number of 'back-office' associates who support search efforts with the care and providing clear information to all candidates. This respect of the candidate pool is what we believe to be representative of the District and important to begin establishing a proper relationship. Our firm is known for taking the extra time in communicating with both the client District and the candidate pool.

It is very important to note that BHI is very and careful with both candidate and District confidentiality, search inclusivity, avoiding any bias and sensitivity to internal candidates while conducting all elements of the search.

References: BHI Executive Recruitment

- KFPD, search a set of candidates that can perform the professional services as an **interim-General Manager**, Please interim in December 2022. Julie Stein, Board President, (510) 439-8325
- Mt. View Sanitary District (2019)– nationwide search for **District Manager** DM –Lilia Corona, lcorona@mvsd.org, (925)586-5605....(925) 228-5635 Board President – Stan Caldwell – emails – (stan_caldwell@comcast.net), Director.caldwell@mvsd.org – (925) 228-8922
- **Interim City Manager** for the City of Ione – performed statewide search for interim city manager. Two months of search resulted in an interim manager that remains in the position. (Mike Rock – (916)303-6167
- East Contra Costa County Fire Protection District, nationwide search for **Business Services Manager** Chief Brian Helmick, Fire Chief - (925) 584-8468 BHelmick@eccfpd.org
- Ironhouse Sanitary District, nationwide search for **General Manager** Chris Laurizen, Board President
Chad Davisson, General Manager
davisson@isd.us.com, Office: (925) 809-3001, Cell: (925) 727-2938 Placed Chad Davisson as GM.
- San Mateo County Harbor District, international search for **General Manager** Tom Mattusch, Commission President, tommattusch@comcast.net, (650) 619-0459

Schedule and requirements – BHI is prepared to begin the process with phase #1 within 2-3 weeks of notice to proceed. BHI assumes that upon approval with Board President, District Counsel must be available to the consultant for consultation during the process and for contractual assistance. It is also expected that BHI will be allowed to provide recommendations to the Board of Directors for structure governance improvements as the process evolves, including the consolidation process. The Board is provided a monthly written update during all phases of the search. Depending on the agreed

BHI MANAGEMENT CONSULTING

"Organizational Efficiency for Public Agencies"

position marketing time allowed and contract negotiations, the search process can take up to 6 months to full hire.

Summary – We fully understand that this is a critically important task for the District Board of Directors. The choices involved with the next Interim-GM are vitally important for the District and its future. Job/position/location/community/Board Fit are critical to assess the best chances of a productive association. BHI offers to lead the District Board through the entire process with a deliberate and focused effort to get the very best candidates for the Board to consider, and then help to get off to a strong start with the selected individual. Should the candidate not work out for purposes of obvious poor performance, absence or any moral turpitude, BHI will begin again with the search effort at no cost. We welcome any questions or thoughts you may have on this proposal.

Sincerely,

Brent H. Ives, Principal
BHI Management Consulting
brent@bhiconsulting.com

(Brent H. Ives is authorized to sign and bind the firm through contractual agreements)



Date: January 12, 2023
To: Board of Directors
From: Tony Constantouros, Interim General Manager
Subject: General Manager's Report

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

1. Tree Work

In an effort to remove diseased and dead trees the Board approved contracting with Professional Tree Service. After residents raised concerns with the tree removal a Special Meeting of the Board was held on November 30, 2022. After consideration of arborist reports and recommendations by other tree professionals, the Board deleted some of the trees scheduled for removal and added some pruning services. An updated contract with Professional Tree Service has been finalized and possible dates for the work are under consideration. Some preference for doing the work during school holidays has been expressed. There is some possibility that the work can be scheduled for the President's Day (February 20) weekend. When a date for the work is finalized, the District's website will be updated to include this information.

2. Removal of Fallen Tree

During the late December storms, a large tree fell over the shed at Kensington Library. The fencing was damaged and the tree was leaning on the roof of the shed. I wanted to recognize the excellent work of Fernando Herrera to resolve the problem and minimize any additional damage. Fortunately, no one was injured.

3. Human Resources

We are planning to utilize part-time assistance from an HR firm. Human resources is an area where the District can benefit from a professional firm. An HR firm would have knowledge of current legal requirements and could improve personnel documents and files. If an HR firm proves to be a cost-effective asset to district administration a longer-term relationship will be recommended in next year's budget.

4. Budget Process & Review

We are planning a FY 2022/23 budget update and review at the March 9, 2023, Board Meeting. At this meeting we will also present the process and calendar for preparation and consideration of the FY 2023/24 budget. Adam Benson will be available to provide oversight and guidance for the budget. The budget process will an opportunity to fund the future needs and programs of the District.

5. LAFCO Information

I have discussed the possibility of a presentation by Local Agency Formation Commission Executive Officer, Lou Ann Texeira. This would be at a potential joint meeting of the KFPD and the KPPCSD.

Following a presentation to Kensington residents earlier this year, the Executive Officer responded to a list of questions. The Executive Officer has provided these questions and responses and they are attached for information. Also attached are flowcharts related to consolidation. These charts and questions/answers are provided to help prepare in advance for a potential meeting with the Fire Board.

6. Interim General Manager

My term as the Interim General Manager is coming to a conclusion. It has been my pleasure to assist Kensington. Kensington is a model democracy. With active participation from citizens there is a genuine commitment to improving the community. At times, democracy can be slow to act and offers no simple solutions. Kensington does strive to listen to all citizens and make positive improvements for all.

I wish everyone a happy 2023.

Questions for LAFCO

Consolidation vs. Reorganization

1. Please explain the statutory difference between district reorganization and consolidation.

Reorganization: A reorganization is defined as *two or more changes of organization contained within a single proposal*. (GC §56073). Changes of organization include annexation, consolidation, dissolution, etc. (GC §56021). A reorganization can include annexation of KFPD to KPPCSD, dissolution of KFPD, and activation of a new function for the CSD (i.e., fire service). An application for an annexation and dissolution can be initiated by either an affected local agency/agencies (e.g., district(s)), or by a petition of registered voters or landowners (25% or more). An application to activate a latent power must be initiated by the affected local agency (e.g., KPPCSD).

Consolidation is defined as *the uniting or joining of two or more cities located in the same county into a single new successor city or two or more districts into a single **new** successor district* (GC §56030). Consolidation can be initiated by resolution of a majority of the subject agencies, by other affected local agencies (i.e., district, city, county), by a petition of registered voters or landowners (5% or more), or by LAFCO in conjunction with a special study or municipal service review.

If the application is submitted by resolution of both affected districts, then LAFCO shall approve the consolidation with or without terms and conditions.

*****If the application is submitted by a petition of registered voters or landowners, the petition must include the reason for the proposal, all proposed changes of organization including reorganization and activation of latent powers, proposed terms and conditions, and other factors.

See attached flowcharts for process details.

2. From a LAFCO staff perspective, is it more complicated or the same to create a new district rather than consolidate or reorganize under an existing CSD district?

Both processes are complex. I share the opinion with other LAFCO's that it's more complicated to consolidate and create a new district than annexation/dissolution.

Proposal for Consolidation: Timing, Map boundaries, Financial analysis, MSR

Proposal Timing

Does LAFCO require the Proposal to be provided to either the public or LAFCO in advance of initiating the Public Signatures Petition? **No proposal is required prior to collecting signatures. However, certain information is required as part of the petition (see * above).**

Map Boundaries

1. Given that the consolidation of the two special districts will create a new successor district whose boundaries will not change from that of the two districts, what form of legal description of the boundaries is required to meet LAFCO's requirements? **I emailed the State Board of Equalization asking if a plat and legal description are needed for this type of boundary reorganization and will let you know when I receive a response.**
2. The 2011 LAFCO Municipal Services Review on Law Enforcement Services indicates that LAFCO considers the boundaries of both districts to be the same. However, one district serves the small, unpopulated EBMUD property that is permanently used for drinking water storage and treatment. Do both district boundaries have to be the same before LAFCO can approve consolidation? **No, both boundaries do not need to be the same. The KPPCSD boundary is slightly larger than the KFPD boundary. Consolidation/reorganization will retain the existing boundary/sphere of influence of the KPPCSD.** If yes, what is the required process? ?

Financial Analysis

1. At what stage of the process does LAFCO require that the Proposal include:
 - Financial history of the two special districts (at what level of detail?)
 - Financial forecasts of each district assuming no consolidation?
 - Financial forecasts of the proposed consolidated district? If so, how far into the future?

The LAFCO application for this type of proposal requires a financial analysis upon submittal. GC §§ [56826.5(1)–(3), 56881(b)].

In addition, a Plan for Services is required (GC §56653), which must include level, range and timing of services to be provided; upgrades/improvements of facilities, structures, etc.; and information as to how services will be financed.

2. Does LAFCO require that such a financial presentation be produced by a financial analysis firm or individual who is certified, such as a certified public accounting firm or certified public accountant? **We recommend that a financial analysis be prepared that addresses the financial feasibility of the new or reorganized district. We have a short list of financial firms that deal with LAFCO proposals (see #5 below).**
3. Is the purpose to determine if the revenues transferring to the new district are sufficient to cover all the services to be provided? **The purpose is to determine the cost of providing services (i.e., less than or substantially similar to current service costs) and if sufficient revenue will be available follow the reorganization/consolidation.**
4. Will the group of residents sponsoring the petition have to pay for the financial analysis, or is there a source of government funds that can be used to pay if enough voters sign the petition to satisfy the requirements? Who would hold the contract with the financial analysis provider? **I am not aware of any government funds available for the financial analysis.**

The “applicant” assumes costs associated with the financial analysis. Either the applicant can enter into an agreement with a consulting firm, or LAFCO can contract with a firm to prepare the fiscal analysis subject to the applicant reimbursing LAFCO.

5. If a firm is required, can LAFCO recommend a few financial analysis firms? LAFCO is familiar with Berkson Associates, Economic & Planning Systems, and RSG, Inc., but the choice of a firm is the applicant’s decision.
6. Does LAFCO have to approve the petitioners’ selection of a professional financial analysis firm?
No
7. What is the estimated cost of a required financial analysis? The most recent fiscal study which also included a municipal service review (MSR) prepared for the fire district reorganization was approximately \$60,000. This study was prepared by AP Triton.

Municipal Services Review (MSR)

1. Would LAFCO require a Municipal Service Review (MSR) be conducted prior to the submission of the proposal? The last MSR prepared for KPPCSD was in 2019 and covering only park & recreation services. The last MSR covering KFPD was in 2016 and provided a cursory review of the district. It is recommended that a MSR be prepared in conjunction with the consolidation/reorganization proposal. The MSR may be included with the fiscal study.
2. If so, would LAFCO conduct the MSR or would that be the responsibility of the petitioners? The “applicant” assumes costs associated with the MSR. Either the applicant can enter into their own agreement with a consulting firm, or the applicant can request that LAFCO contract with a firm to prepare the MSR. This is subject to reimbursement by the applicant. Here are a few firms with whom LAFCO is familiar: Berkson Associates, Economic & Planning Systems, and SWALE, Inc.

Redirection of Each Special District’s Property Tax Revenues to the Successor District

1. What are the procedural steps regarding the redirection of property tax revenues to the consolidated district that need to be taken by LAFCO and/or the county board of supervisors, so that the new district is funded to the same degree as the two pre-consolidation districts collectively? The County Board of Supervisors, on behalf of the districts, negotiates the exchange of property tax revenue in consultation with the affected districts [R&T Code §99(b)(5)].

Do the petitioners have any say relative to the exchange of each special district’s property tax revenues to the successor district pursuant to Revenue and Taxation Code section 99(b)(5)? The affected districts will be consulted. I am not aware of any provision whereby the petitioners are involved in the property tax negotiations.

2. At what point in the process is the property tax redirection determined? Typically, prior to the Commission’s action on the proposal.

CEQA Determination

Is a CEQA determination part of the consolidation proposal? If so, who is the lead agency in making that determination? Since there would be no changes in services or change in boundaries with the successor district and thus no environmental impact, would a Categorical Exemption be appropriate? [If the application is submitted by a local agency \(i.e., district\), then the local agency is the lead agency. If the application is submitted by a petition of either landowners or voters, or initiated by LAFCO, then LAFCO is the lead agency.](#)

Consolidated District Board

1. Pursuant to Government Code section 61030, when consolidating two or more special districts, LAFCO can temporarily increase the size of the board of directors of the new successor district to 7, 9 or 11 members. What typically occurs when two district boards are consolidated into one? Are most board seats preserved until the next election cycle? We assume the consolidated board must have an odd number of directors. How is it determined which seat(s) will be eliminated? Or would LAFCO expand the number of seats to 11? If so, what would be the process for filling the new seat? [LAFCO can temporarily increase the number of members to serve on the board of directors of the consolidated or reorganized district to 7, 9, or 11 as noted above.](#)
2. Can the petitioners recommend the temporary size of the new board as part of the consolidation proposal? [Yes](#)

Notice of Intent to Circulate a Public Signatures Petition

1. Government Code section 56700.4 requires that before circulating a petition for change of organization, the proponents shall file with the LAFCO Executive Officer a Notice of Intent to Circulate a Petition setting forth the reasons for the proposal. Does LAFCO require specific information to be provided in the notice, for example, detailing the reasons for the proposal? [Contra Costa LAFCO does not have specific form pertaining to Notice of Intent to Circulate a Petition. We recommend you follow the provisions in GC §56700.4.](#)

[If you're in need of a format, Santa Clara LAFCO has a well written sample Notice of Intent to Circulate a Petition/Petition Form \(see attached\).](#)

2. Is there any requirement that the Notice of Intention be posted in a public place or published in a newspaper of record? [None of which I am aware.](#)

Public Signature Petition Initiating Consolidation

1. What information is required in the public signatures petition to initiate a proposal of consolidation? Government Code section 58034 describes information required in a petition to form a new district. Does this section also apply to the formation of the successor district under consolidation? [Petition requirements can be found in GC §§ 56703-56710.](#)

2. Does LAFCO have a protocol or understanding with the County elections office about the form of the petition and the signature verification process, and if so, where can we learn about it? [Not of which I am aware](#). If not, can we adapt a petition form published by a different county's LAFCO and submit for your and the County's approval? [Yes. I suggest using the Santa Clara LAFCO forms](#).
3. In order for a petition for consolidation to be valid, the petition requires the signature of more than 5% of registered voters. How is the total number of registered voters determined? Is it based on the number registered at the time of the last election; or at the time that the petition with signatures is filed with LAFCO? [Please consult with County Elections](#).
4. Will the signature validation protocol follow what applies in normal petition elections, in which a statistical sample is used depending on the size of the voter pool, or will each and every signature be checked? [Please consult with County Elections](#).

Indemnification

At the KPOA meeting you mentioned there would need to be an indemnification of LAFCO by the petitioners. Are you aware of the CA Appeals Court ruling against the San Luis Obispo LAFCO regarding indemnification, which concluded that LAFCO does not have the legal authority to require it? How can Contra Costa LAFCO still require an indemnification agreement? [We are aware of the San Luis Obispo lawsuit. In that case, the San Luis Obispo attempted to enforce an indemnification agreement against an applicant for the applicant's claim against LAFCO. LAFCO Contra Costa LAFCO enters into indemnification agreements with applicants to that in the event of a lawsuit filed by a third party against an applicant and LAFCO, the applicant will indemnify and defend LAFCO against those third-party claims.](#)

LAFCO Decision Process

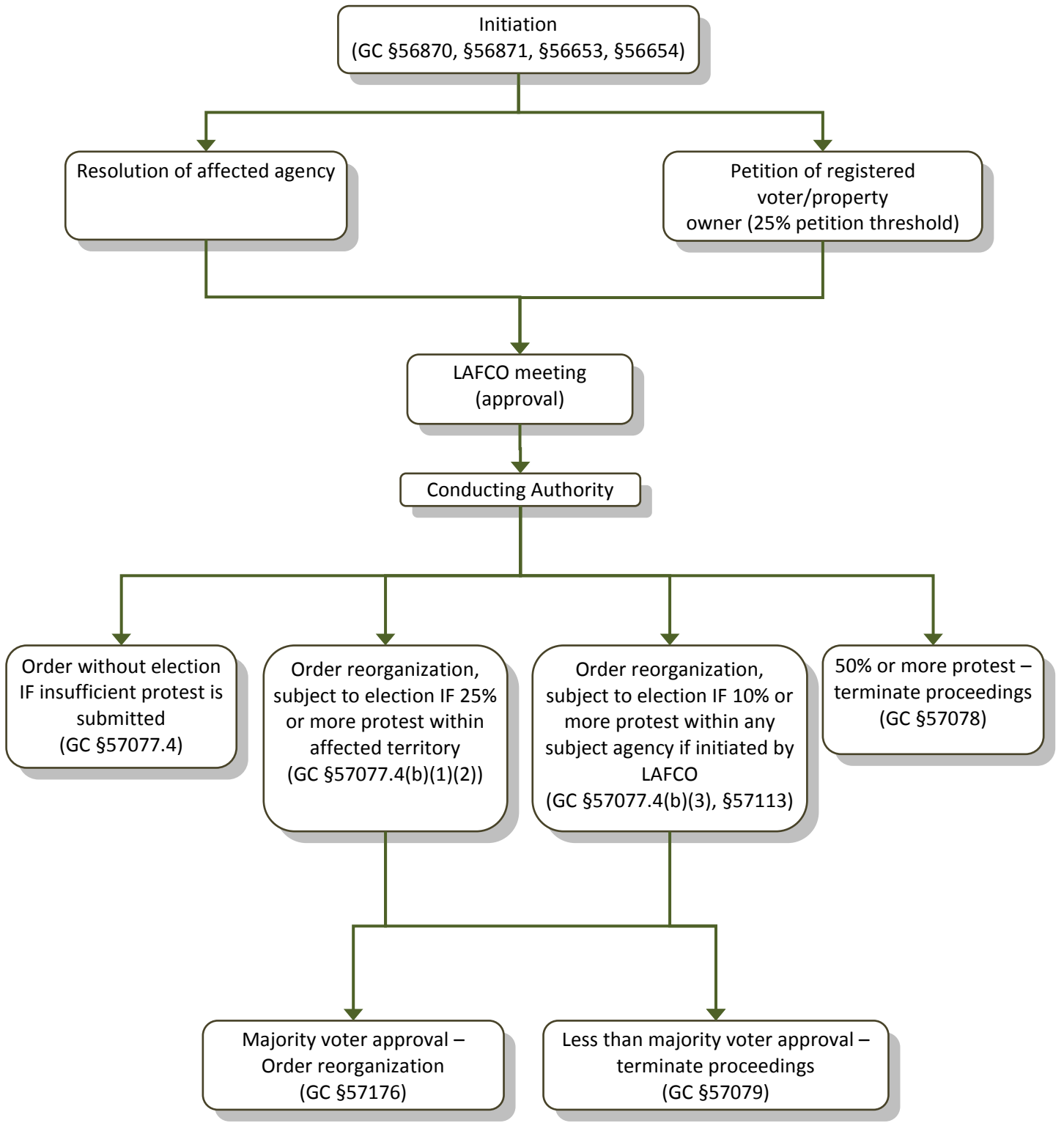
1. Would LAFCO deny the proposal if one, or both, of the special districts, object to the proposal? Which code section references this authority? [Ideally, LAFCO would look for support of the proposed boundary reorganization/consolidation from both districts.](#)

[GC §56668.3 provides that the Commission consider factors provided in GC §56668, as well as "any resolution raising objections to the action that may be filed by an affected agency." Further, the Commission shall give great weigh to any resolution raising objections to the action that is filed by a city or district.](#)

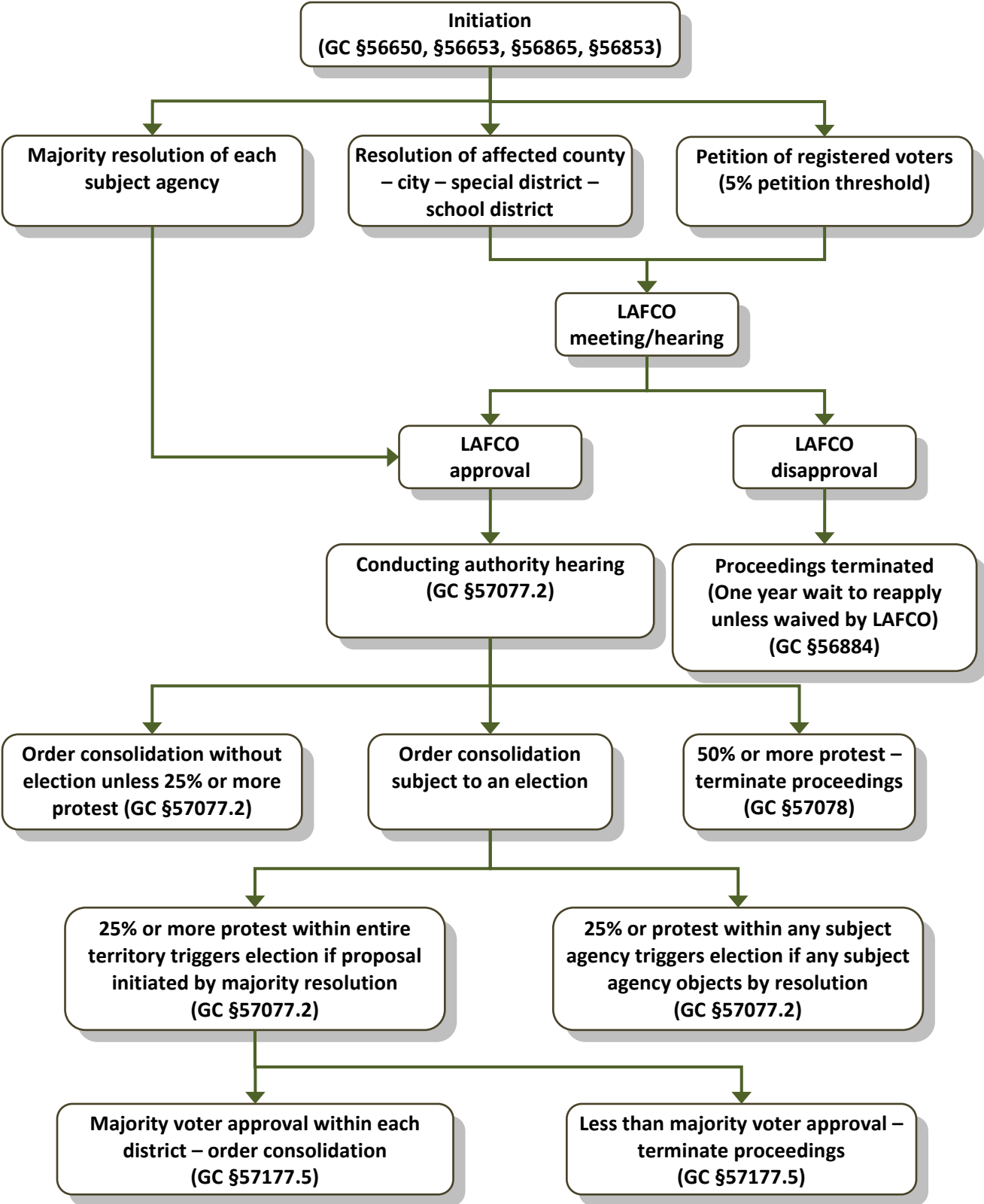
[Also, GC §56857 provides that "... No later than 60 days after the date that the proposal is on the commission's meeting agenda in accordance with subdivision \(a\), any district to which annexation of territory is proposed may adopt and transmit to the commission a resolution requesting termination of the proceedings. The resolution requesting termination of the proceedings shall be based upon written findings supported by substantial evidence in the record that the request is justified by a financial or service related concern..."](#)

2. Since the State statute allows voters or property owners to petition LAFCO to consolidate two districts into a new district, what information or amount of citizen support would convince LAFCO staff and Commissioners that a consolidation or reorganization is the correct action to take? **In making a decision, the Commission must consider numerous factors contained in GC §56668, including population/future growth, adequacy/cost of services, social and economic interests, and any information or comments from affected local agencies, landowners, voters, or residents of the affected territory. No one factor is determinative.**

District Dissolution and Annexation



**District Consolidation – Registered Voter District
(not initiated by LAFCO)**



Office Report prepared by Jenny Parks Kensington Community Council January 3, 2023

KASEP:

Winter KASEP begins January 3rd and is a 10 week session. We had a successful registration and will have 60 classes scheduled each week. We had to cancel one class on Thursday because of low enrollment.

We have added some new classes this session with Ultimate Frisbee on Wednesdays and Garden Gnomes and Glitter on Tuesdays.

We will continue to have classes if it rains and outdoor classes will be moved indoors.

KCC:

KCC offices were closed December 19th through January 2nd for winter break.

The Heater went out twice in the Recreation Building. The first time it was determined that the emergency shut off was tripped and then a week later a new part was required to get the heat up and running again. We also had a few power outages that may have affected it.

We have had no leaks in the Community Center or the Recreation Building with the increased rain.

SUMMER CAMP:

We are starting to plan for KCC Summer Camp and are currently looking for a new camp director. Applications for camp counselor are available on our website and we will start Interviews in March and April.

ADULT/OTHER CLASSES:

Art Classes- Jewelry Making w/ April Schlanger -Wednesdays in January at 6:00pm in the Recreation Building Room C

Tai Chi with Nobuo Nishi Wednesdays & Fridays 9:30-11am. Community Center, drop in fee of \$15 (Wednesday class will be starting up again on 1/11)

Strength & Balance Yoga with Anja Brogstrom Tuesdays 8:30am and Gentle Yoga Thursdays 11:30am in the Community Center, drop in fee of \$20.

Family Yoga will continue in the park near the Recreation Building, weather permitting on Saturdays. 10:00-10:45 (kids aged 2 to 5) and @ 11:00-11:45 (kids aged 6 to 12)

TENNIS COURTS:

Tennis Court reservations are required for weekends by calling the KCC office at 510-525-0292.

\$7 residents and \$10 non-resident for 1 hour of court time; checks can be made out to KPPCSD and left in the KCC office mail box. Weekdays are on a first come first serve basis except during KASEP/Summer camp tennis classes.

MONTHLY REPORT

DECEMBER 2022 PAGE 9-14

Yearend briefing included PAGE 1-8

KENSINGTON POLICE DEPARTMENT



10940 San Pablo Ave
El Cerrito CA, 94550
510-526-4141

It's been an exciting year filled with progress, advancement, and change for the KPPCSD and the Police Department. We moved operations to a new location in El Cerrito, successfully hired a lateral officer, and made progress modernizing our equipment and procedures. Efficient, effective, and safe allocation of employee resources were the metrics applied most often in 2022.

Analytics

The available incident and case statistics for the Kensington Police Department from 1/1/2022 thru 1/22/2022 are compiled in this end of year monthly report. The report is not an overall summary of the work performed in 2022, but an aggregate of data available on December 22, 2022.

Year to Year from 2021 to 2022, all categories of incidents (including dispatched Calls for Service and Officer Initiated Activities) saw an increase except for traffic enforcement stops and criminal arrests which saw slight declines of 12% and 15% respectively. Case reports for 2022 (N=350) are projected to be slightly above that of 2021 (N=343), with likely less than a 1% increase year over year.

Part 1 crimes were either the same or increased from 2021 to 2022, with increases in vehicle theft, burglary, and domestic violence. Theft showed an overall decline of 16%. However, Catalytic Converter thefts have increased from 11 in 2021 to 42 in 2022, an increase of 380%.

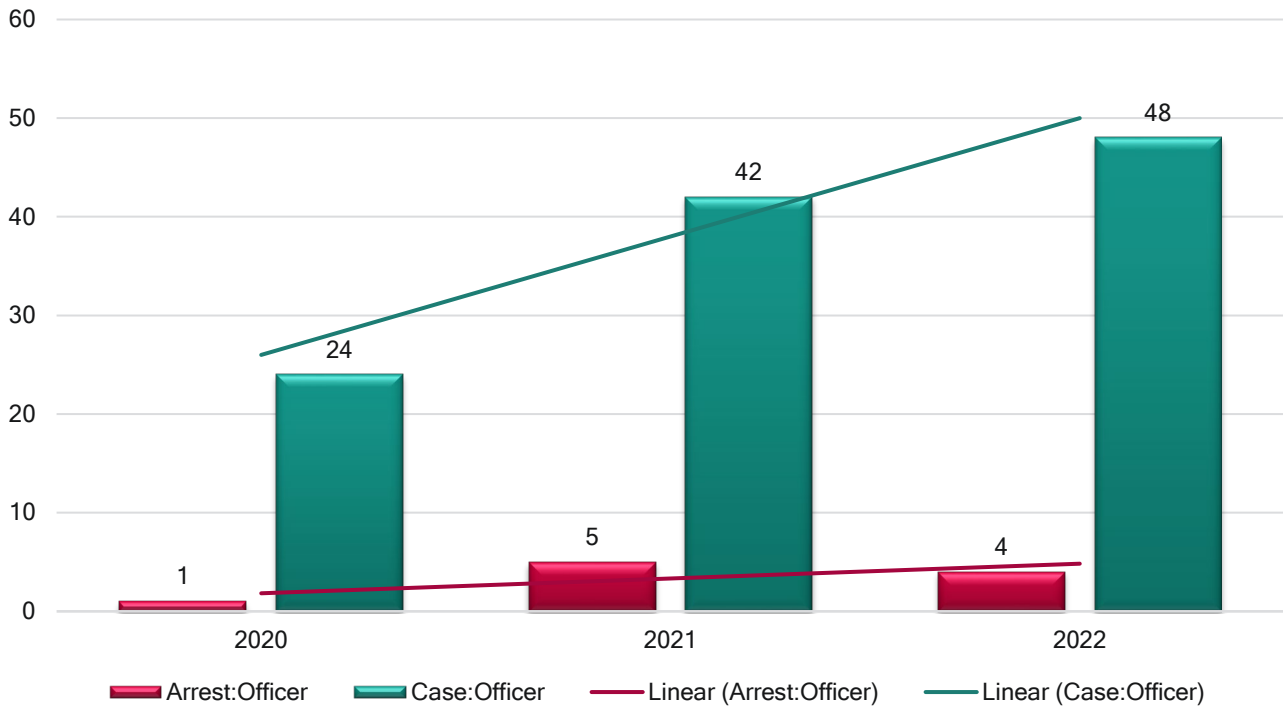
Remaining fully staffed continues to be a challenge for police departments throughout the country and the law enforcement profession is experiencing significant difficulty recruiting officers. Several factors perpetuate this dilemma including, but not limited to, social, political, economic, and generational perceptions. Kensington's police staff dropped 23% from 2020 and 14% from 2021. Active recruitment to fill those vacancies continues. KPD operated for a significant portion of 2022 with only 6 sworn staff which may have slightly contributed to the decrease in criminal arrests from 2021.

At the same time, between 2020 and 2022, overall Calls For Service (CFS), Officer Initiated Activity (OIA), and Case Investigations increased. Arrests trended upwards as well, since 2020. Consequently, the officer/work ratios for KPPCSD Staff have significantly increased. Since 2020, the ratio of cases to officers has increased by 200%; arrests per officer by 400% and Calls for Service (CFS) by 38%. Combined, these numbers indicate not only an overall increase in the volume of officer work but also the intensity of work as a function of effort and risk. Notably, despite short staffing, individual officers have increased their arrest ratios thereby taking on greater exposure to risk.

Table 1. Ratio of Arrest, Cases, and CFS per Officer over time

Work Ratio	2020	2021	2022
Arrest: Officer	1	5	4
Case: Officer	24	42	48
CFS: Officer	191	224	264
Total Staff	9	8	7 (6 Jan-Sept)

Chart 1. Ratio of Arrests and Cases per Officer over time

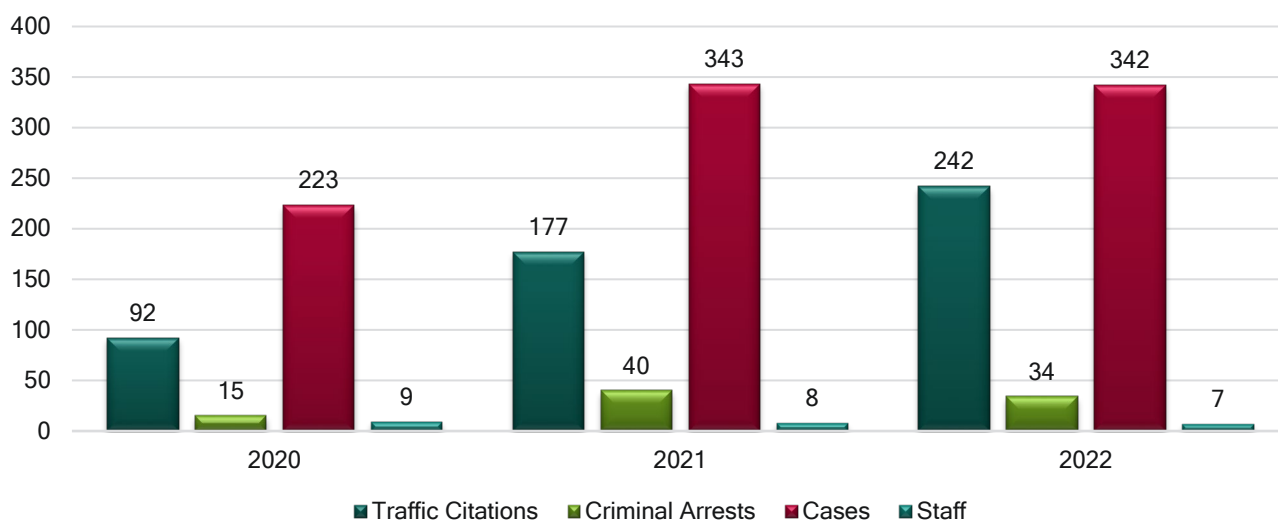


Overall, the volume of work as recorded as incidents has increased by 3%. Decomposed, into Calls for Service (CFS) and Officer Initiated Activity (OIA), each category increased by approximately 3%. In response to the rise in catalytic converter thefts, officers increased their security and area checks by 374%. Collisions as measure by property damage only collisions and hit and runs increased by 41%. Although traffic stops decreased by 12%, traffic enforcement (citations issued) increased by 36%. This is remarkable and shows an increase in officer efficiency. KPD officers used no force to affect an arrest in 2022.

Table 2. General Statistics

Category	2020	2021	2022	Change	Change 21-22
Incidents	9691	11018	11347	329	3%
Calls for Service	1719	1799	1853	54	3%
Officer Initiated Activity	7972	9219	9494	275	3%
Traffic Stops	542	603	531	-72	-12%
Traffic Citations	92	177	242	65	36%
Criminal Arrests	15	40	35	-5	-13%
Collision Reports	10	29	42	13	45%
Security Checks	1121	734	2752	2018	374%
Use of Force	0	0	0	0	0%
Cases	223	343	342	-1	0%
Staff	9	8	7	-1	-12.5% (-25% Jan-Sep)

Chart 2. General Statistics

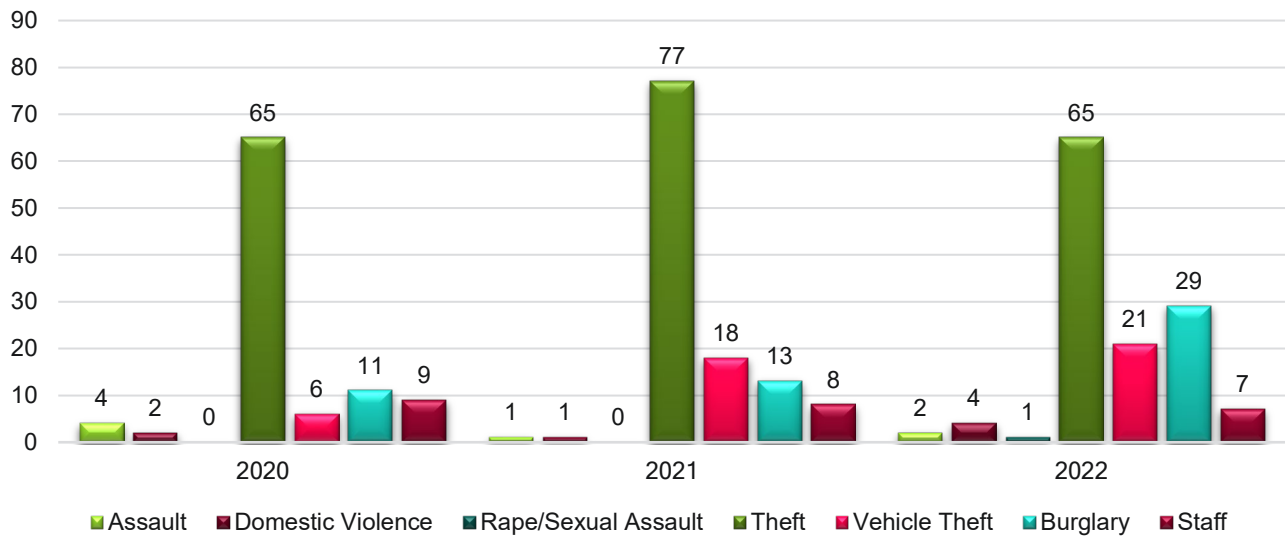


Part 1 crimes saw increases in 2022 from 2021 and 2020. Assaults, domestic violence, sexual assault, vehicle theft, and burglaries increased, however, the baseline frequency for violent crimes such as assault and sexual assault is very low. For example, the average frequency of Assault or Domestic Violence in the past three years is 2.33/year. The average frequency of sexual assault is .33/year. Consequently, an absolute increase in these categories creates a large relative increase as represented by percent change. Property crimes such as Theft, Vehicle Theft and Burglary, trended upwards both in terms of absolute frequency and relative percent changes.

Table 3. Part 1 Crimes

Category	2020	2021	2022	Change	Change 21-22
Homicide	0	0	0	0	0%
Robbery	0	0	0	0	0%
Assault	4	1	2	1	100%
Domestic Violence	2	1	4	3	400%
Rape/Sexual Assault	0	0	1	1	100%
Theft	65	77	65	-12	-16%
Vehicle Theft	6	18	21	3	17%
Burglary	11	13	29	16	223%
Use of Force	0	0	0	0	0%
Staff	9	8	7	-1	-12.5% (-25% Jan-Sep)

Chart 3. Part 1 Crimes



Traffic Safety has shown marked increases in collisions and hit and runs. Hit and run collisions, which are a crime, were up 350% since 2020. Non-criminal collisions were up 340%. The rate of increase slowed in 2022. 19 Collisions occurred on Arlington Ave, 6 on Kenyon Av, 6 on Wellesley, and 3 at the intersection of Grizzly Peak and Spruce Av. These four roads accounted for 43% of all collisions.

Figure 4. Traffic Safety 2020-2022

Category	2020	2021	2022	Change	Change 21-22
Collisions	5	16	17	1	6%
Hit and Runs	6	12	21	9	75%
Total	11	28	38	10	35%

Chart 4. Traffic Safety 2020-2022

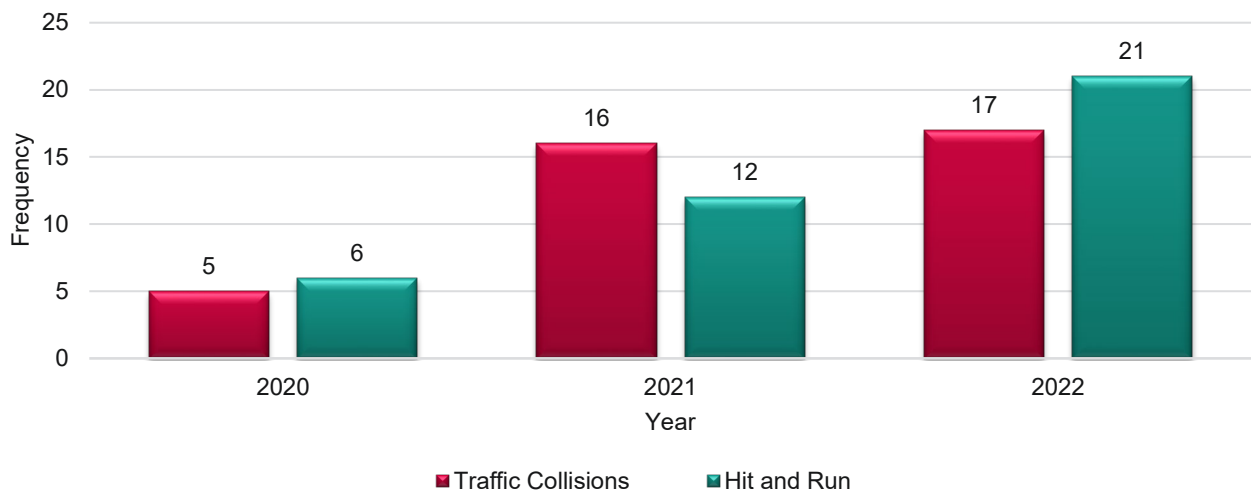
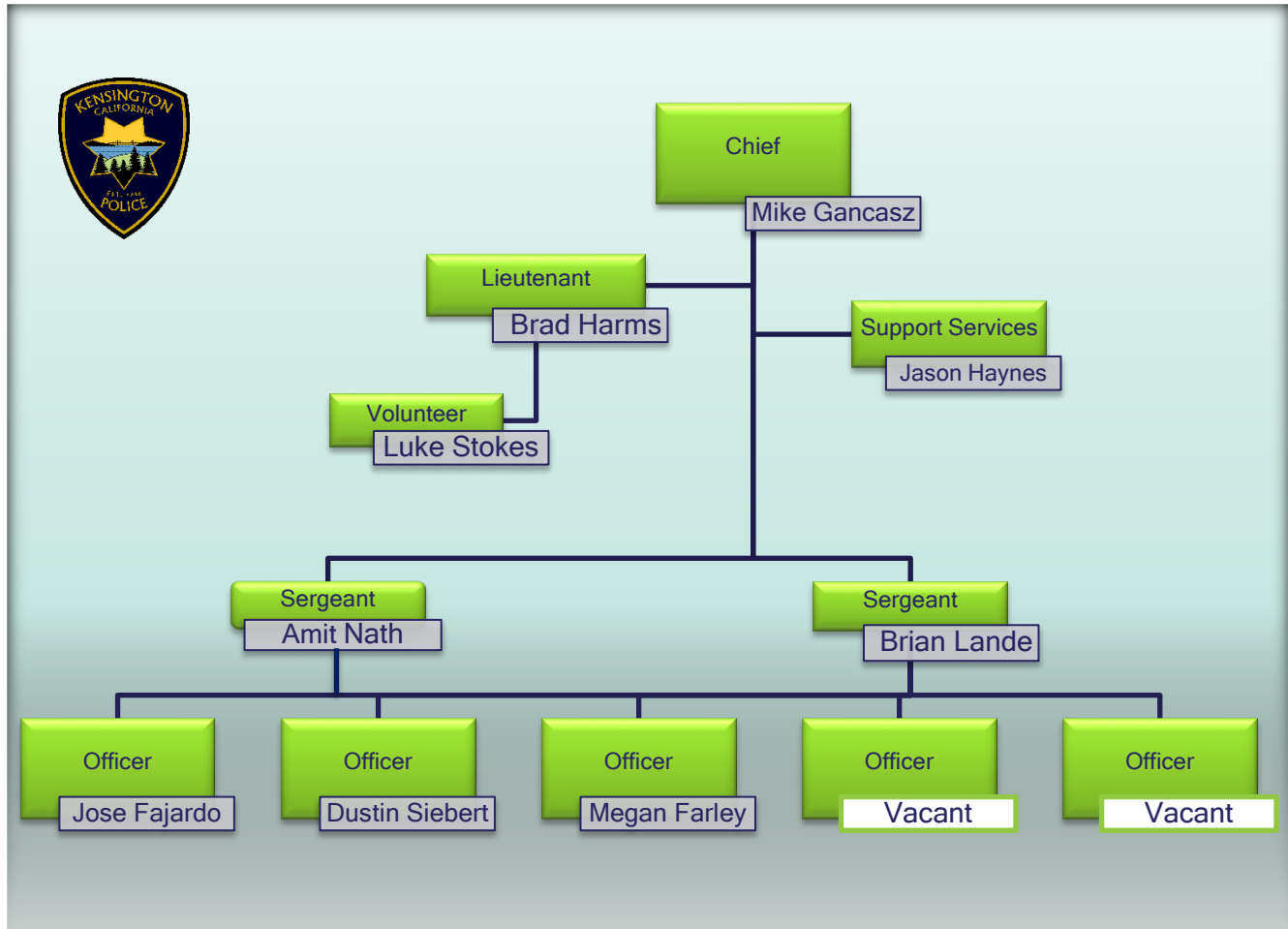


Figure 5. Current Staffing



In Kensington and across the nation, the [challenges police departments face in retaining and recruiting](#) officers are daunting – a staffing crisis exacerbated by retirements, resignations, multiple social, political, and economic forces, including generational differences, negative perceptions of policing and the long hiring process of many agencies, has caused an extreme shortage of police applicants ([2019 survey by the International Association of Chiefs of Police](#)). In 2021, Kensington PD saw unprecedented turnover. Five officers and two support staff departed. We responded by forming a recruiting/hiring team whose goal was to fill the vacancies with only the best, most qualified applicants. KPD recruited and hired two lateral police officers and one non-sworn support services staff member in November 2021, and another lateral police officer in September 2022. KPD also recruited and hired a volunteer who works an average of 20-40 hours per month. We currently have one applicant for police officer in the background process and one volunteer in the background process. We anticipate one retirement within the ranks in mid-2023 which we will have to backfill.

New Facility

The new police facility became operational on October 12, 2022 and has been well received by staff and members of the public. An analysis of officer response times to calls before and after moving to the new location revealed a slight increase of **39 seconds** overall. Response times to priority 1 calls have decreased from 2020 to 2022.

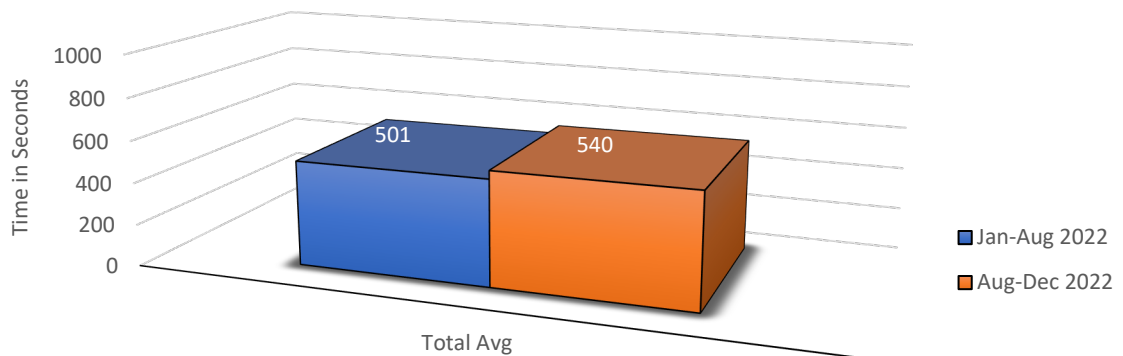
Figure 6. Police Response Over Time

Priority	2020	2021	2022	% Change
*Priority 1 (Code 3) In Progress Dispatched <i>(robbery, assault, violence, medical, alarm, accident)</i>	2.4 min	1.3 min	55 sec	-44% (-35 seconds)
Priority 2/3 (Code 1/2) General Non-Priority Dispatched <i>(barking dog, information, general contact, follow up)</i>	6 min	7.3 min	9 min	+17.7% (1.3 min avg)
Average Yearly Response (Code 1-3) <i>(Trend analysis)</i>	4 min	3.5 min	4.5 min	+14% (1 min avg)

Chart 6. 2022 Average Relocation Response Time Comparison - All Calls for Service

- Pre-build/move, January through August staffing = 6. Response time **8.21 minutes** (501 sec)
- Post build/move, August through December staffing = 5. Response time **9 minutes** (540 sec)
- Drive time from 10940 SPA to Kensington Avg = 4-6 mins

Average Response Time in Seconds

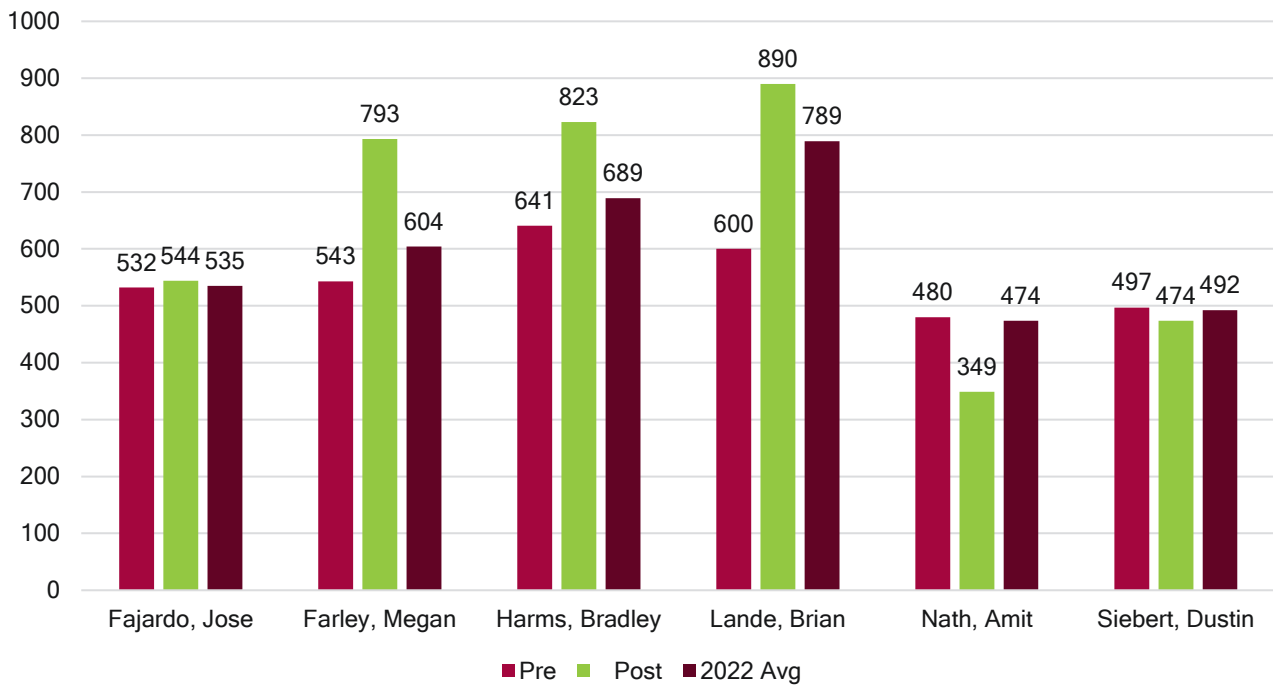


	Total Avg
■ Jan-Aug 2022	501
■ Aug-Dec 2022	540

Name	Pre (move)	Post (move)	% Change	Change	2022 Avg	2022 CFS
Fajardo, Jose	532	544	2.2%	12	535	154
Farley, Megan	543	793	46.0%	250	604	216
Harms, Bradley	641	823	28.0%	182	689	196
Lande, Brian	600	890	48.0%	290	789	66
Nath, Amit	480	349	-27.0%	-131	474	82
Siebert, Dustin	497	474	-5.0%	-23	492	124
Average	549 sec	646 sec	17.6%	1:37 (1 minute 37 sec)	597 sec	140

Figure 7. Comparative Response Time by employee – Pre/Post Move

Chart7. Comparative Response Time and CFS by Employee



December 2022 Monthly Report

Happenings

Sergeant A. Nath was accepted to the POST Sherman Block Supervisory Institute. The Sherman Block Supervisory Leadership Institute (SBSLI) is a program designed to stimulate personal growth, leadership, and ethical decision-making in California law enforcement front-line supervisors. Designed and implemented in 1988 through the efforts of California law enforcement professionals and top educators and trainers, the SBSLI is an intense program based on experiential learning techniques. Students are challenged to learn new ways to resolve issues through group and individual work.

The curriculum takes students through an analysis of management (planning, organizing, directing, etc.) and leadership (inspiring, challenging, developing, etc.) and how each discipline compliments the other. The course progresses from self-evaluation to interpersonal evaluation, to organizational relationships.

Graduates of SLI can earn college credit upon completion of the program through [CSULB's College of Continuing and Professional Education \(CCPE\)](#).

Chief Gancasz and Sergeant Nath attended a risk management seminar for law enforcement managers presented by the California Police Chiefs Association (CPCA).

Volunteer Program: Support Staff J. Haynes completed a background on police volunteer Luke Stokes who is helping staff with a variety of tasks as we get settled into the new location. We are happy to have him as part of our Team.

Organization

1. Chief of Police	M. Gancasz
2. Lieutenant	B. Harms
3. Sergeant	A. Nath
4. Sergeant	B. Lande
5. Officer	J. Fajardo
6. Officer	D. Siebert
7. Officer	M. Farley
8. Officer	Vacant
9. Officer	Vacant
10. Support Staff	J. Haynes
11. Volunteer	L. Stokes

December 2022

CLETS License.....	CCSO Dispatch Alternative Fleet.....	One vehicle Out of Svc
CIBRS/NIBRS.....	Compliant	
RIPA.....	Compliant	
Training.....	Supervisory Leadership/RM	
CCW Program.....	up to date	

December 2022

On duty Injuries.....	Zero
On duty collisions.....	Zero
Complaints.....	One
Compliments.....	One
COVID Exposure.....	One

Kensington Police Patrol Log

- On Saturday, December 3, a vehicle was burglarized in the 600 block of Beloit Avenue. Officers procured video of the crime captured by the home security system and are following up on the lead.
- On Wednesday, December 7, officers responded to a non-injury hit and run collision in the 700 block of Wellesley Avenue. Officers took a report, however, there were no witnesses to this event.
- On Thursday, December 8, officers responded to a disturbance in the 200 block of Coventry Road. Officers deescalated the situation and took a field report.
- On Friday, December 9, officers responded to a non-injury hit and run collision in the 300 block of Berkeley Park Blvd. Officers took a report, however, there were no witnesses to this event.
- On Wednesday, December 14, officers responded to a residential burglary in the 200 block of Los Altos Drive. Officers processed the crime scene and collected video of the suspect, latent prints, and DNA evidence. The homeowner was not home when this happened, and the investigation is on-going.
- On Thursday, December 15, officers responded to a non-injury collision at Kenyon Avenue near Grizzley Peak Blvd. A report was taken.
- On Thursday, December 15, police responded to a medical call in the 100 block of Sunset Drive. Officers performed CPR on an elderly man until fire arrived and took over. The male was transported to a local hospital and later pronounced deceased.
- On Friday, December 16, officers took a report of online fraud. The case is ongoing.
- On Monday, December 19, officers responded to a medical emergency in the 1600 block of Ocean View Avenue.
- On Wednesday, December 28, officers responded to the 100 block of Purdue Avenue for a person having a mental health crisis. The subject was transported to a local hospital for treatment.

Community Engagement

Lt. Harms and Sgt. Lande, attended a Toys for Tots bake sale



Sgt. Lande, attended the tree lighting ceremony at Colusa Circle

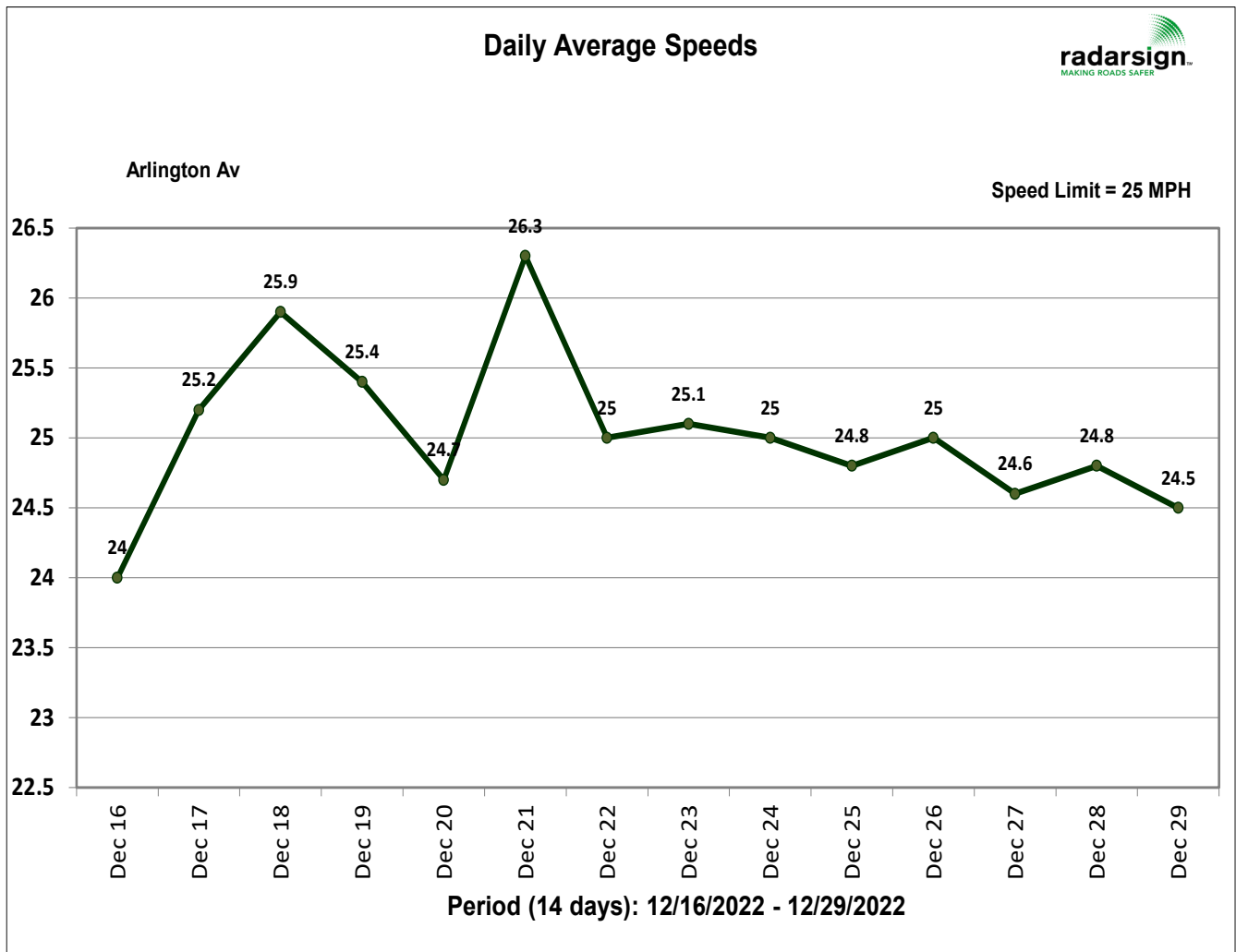


DECEMBER PATROL OPERATIONS

Traffic Safety

The Community has a variety of posted speed limit signs throughout the district. The District also owns 5 smart signs alerting drivers to their speed. The signs collect a variety of measurements including speed, frequency, and patterns of behavior. Sergeants analyze this data and assign beat officers to patrol those areas in conjunction with the days and times showing the highest frequency of speeding.

The average vehicle speed on Arlington Ave is consistent with the 25 MPH posted speed. There is minor fluctuation between average and peak speeds with most violations occurring between 1030am and 130pm. During this period, 21,437 cars passed the radar sign, and 29 of those vehicles exceeded the speed limit by 15mph or more. For every 1000 cars passing the radar sign on Arlington Ave, 1 vehicle will exceed the speed limit by 15mph. The 85th percentile speed averaged 31.29 MPH. That means that 85% of all vehicles passing the radar had a speed no more than 6.29mph above the speed limit. Of all the vehicles passing the radar, only 5.5% of all vehicles exceeded the speed limit by 5mph.



Call for Service Breakdown

INCIDENT SUMMARY	
DESCRIPTION	COUNT
Incidents Captured	1058
Public Calls for Service	186
Officer Initiated Events	872
Traffic Stops	59
Citations Issued	62
Arrests	0
Reports taken	38

PART 1 CRIMES	
DESCRIPTION	COUNT
Assault	1
Murder	0
Sex Offenses	0
Robbery/Extorsion	1
Burglary	2
Theft	9
Arson	0

INCIDENTS BY TYPE		
INCIDENT TYPE	DESCRIPTION	COUNT
10-33	alarm	19
10852	vehicle tampering	2
11-24	abandoned vehicle	6
11-82	vehicle accident – non injury	1
11-83	vehicle accident – no details	1
20002 VC	hit and run – property only	4
23103 VC	reckless driving	1
246 PC	discharge of firearm	1
273.5 PC	inflict corporal injury	1
415 PC	disturbance of peace	6
459 PC	burglary	3
487 PC	grand theft	21
488 PC	petty theft	2
530.5 PC	identity theft	1

INCIDENTS BY TYPE (continued)		
INCIDENT TYPE	DESCRIPTION	COUNT
594 PC	vandalism	2
911CALL	911 call	17
ADVICE	person with question	1
ANIMAL	animal call	1
SECURITY PATROLS	neighborhood security check	681
CITE CORRECTION	citation correction	6
COP	community oriented policing	13
CRNRCSE	coroner's case	1
FLAG	flag down of officer	2
FNDPROP	found property report	1
FOLLOWUP	case/incident follow-up activity	27
HAZARD	hazard	4
IMPOUNDP	towed/stored vehicle	1
KPDASST	officer assist	1
MPAIDED	citizen assist	37
MPAUTO	mis pub auto	9
OUTASST	assist other PD	13
PARKER	parking citation	21
PEDCHK	misc. check of a pedestrian	1
ROADCLS	road closure	6
SUSCIRC	suspicious circumstance	11
SUSPERS	suspicious person/s	2
SUSVEH	suspicious vehicle	13
TRFHAZ	traffic hazard	5
VACWATCH	vacant home watch	12
VEHRELS	vehicle release	1
VEHSTOP	vehicle stop	59
WELFARE	welfare check	10
SUSVEH	suspicious vehicle	13
TRFHAZ	traffic hazard	5
		Total Incidents 1027